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Yale-UN Oral History Project

Adriaan Verheul
Jean Krasno, Interviewer
2 July 1998
United Nations Headquarters, New York

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UN Headquarters, New York

Jean Krasno: We will be discussing your role in Cambodia. Just to start the interview and to lay down a little bit of general information, on March 15th 1992, the United Nations Transitional Authority in Cambodia, UNTAC, was established in Phnom Penh following Security Council Resolution 754 of 1992, to implement the Paris Peace Agreements. UNTAC consisted of seven distinct components, one of which was the human rights component, of which you were a part. Would you describe how you were recruited or how you joined the Cambodian mission, and also tell us just a little bit about your background? You had been telling me earlier that your background was in international law, primarily.

Adriaan Verheul: Let me start with the background and we can take it there chronologically and go in to the recruitment for UNTAC. After I graduated from university, I had to do my military service, which is compulsory in the Netherlands. I joined the Navy, and I was hired there to teach international law to midshipmen at the Naval Academy. By the time that my tour of duty had ended, there was a vacancy for an assistant professor in international relations at the Academy, and I took that. I taught there for some time, and thought that this was nice but not entirely satisfying, so when the opportunity came up to participate in the competitive recruitment examinations for the

UN in Holland, I did so. I passed, and was offered a job in Geneva. I did the exam in legal affairs and ended up in the Center for Human Rights in Geneva.

So, this is how I came to the UN and this will also explain how I went into UNTAC. In Geneva, I didn't find my work to be very interesting. I also had good personal reasons to look for something else, and UNTAC was at the time the talk of the town in the UN, it was *the* big operation. There was a great deal of interest in making sure that it worked; this was it, the UN was put to the test, there was a new optimism that the UN could do post-Cold War work. Cambodia was an important endeavor and all staff members were encouraged to go, and I thought "This is nice, there is a human rights component in it, and I should go." I applied. In 1992, because the planning for the operation had started already, and the Paris Agreements had been accepted and endorsed by the Security Council, planning for UNTAC had started, and staff members had been asked to indicate their willingness to go.

It took some time and some administrative hurdles to get there. One of the problems was that in the field there wasn't enough accommodation at the time to be able to absorb all the staff, so they had to wait some time. Eventually I arrived in Phnom Penh in early June 1992, and there was an introduction program, then I joined the human rights component, which was headed by Dennis McNamara. When I met him and I came into the component, there was some debate, "What shall we do?" I was asked whether I could stay at headquarters in Phnom Penh, rather than go out into the field to become a provincial human rights officer, which I really would have wanted. I wanted to be as deep as possible in the jungle, but instead I was asked to stay in Phnom Penh to develop the

human rights information campaign. At this point, I should explain the mandate or the terms of reference of the human rights component.

JK: Right, that would be very useful.

AV: Under the Paris Agreement, the idea was that the United Nations should help foster an environment in which human rights would be respected. I forget the exact language but this was the idea. And also to make sure that there would not be “a return to the policies and practices of the past.” This particular sentence refers to the genocide by Pol Pot. There is not the word “genocide” used in the Paris Agreement. This is what you had, “a return to the policies and practices of the past.” An important task of the UN would be to ensure that that would not happen, to foster an environment in which the respect for human rights would be ensured. And the human rights component in particular had, I think, four particular tasks: one was a human rights education campaign, to instill the notion and knowledge of human rights at all levels of Cambodian society; two, to conduct human rights oversight of the entire Cambodian machinery for the administration of justice; to investigate human rights abuses; and also to undertake reform, to assist in the reform of the machinery.

Now, this in any country would have been a daunting task, but in Cambodia it was especially difficult because there was no machinery for the administration of justice. The notion of human rights was non-existent. There was no independent judiciary, there was no free press. It was very difficult to work in that environment. So, in other words we

had to start from scratch, trying to explain what human rights were, what they meant, and at the same time try and assist the Cambodians in setting up an adequate machinery for the protection of human rights. This, against the background of widespread political and judicial abuse of authority, and also against the background of the larger political movement towards elections and a democratic constitution at the end of the road. There was a political context in which this took place. The role of human rights was basically to support that, to help foster an environment in which elections could be held, which then in turn would lead to legitimate government, and peace, of course, stopping the fighting between the different factions. The idea would be that they would all be joined together in a Parliament or in a government, fighting would be over, we would have a legitimate government, and that would be it. That was a major thing. It was not a simple thing.

JK: That was a huge goal.

AV: Absolutely. So, this was the task of the human rights component. In that, my main task was to develop this information campaign, if you like you can call it propaganda. We used television, radio, print, local artists, a lot of interesting stuff. And also what I did was keep liaison with local human rights NGOs. That was interesting and fun. It meant sometimes going out into the suburbs of Phnom Penh or the countryside to meet a guy in a village who had set up an NGO on human rights, and I went out to see how serious it was. Many of them did it because they knew there was money involved. There were a lot of embassies and others willing to supply funds. If they were genuine

NGOs, we went there and taught their members, we gave courses, we helped them set up their systems, a bit of a systems administration, fund-raising, gave them international exposure, involved them and linked them up with others. That was another part of my work. Thirdly, I was also involved in some of the more, say, diplomatic activities, selling the human rights work to the diplomatic communities, or maintaining contacts with the diplomats in Phnom Penh. I went back to Geneva on a few occasions during the sub-commission and the Commission on Human Rights, to lobby for specific goals, which we can talk about later.

The fourth element was to conduct investigations into serious human rights abuses. Basically everybody in the component did that. Sometimes there were four or five investigations going on at the same time, so everybody had to pitch in and do their bit. There was a specialized investigations unit, and they did most of that, but I had been involved in some of them. I think this is a fairly good idea of what I did.

JK: Yes, you actually touched on a number of things I would like to go back into in greater detail. When you and I were talking earlier, you had mentioned a couple of things that I wanted to get down for the record, because I was trying to establish whether the parties themselves had really felt that human rights was an important issue, and how engaged they were in the whole concept of human rights, or whether that was something that was more or less coming from the outside. We had been talking about the Paris Peace Agreements and the component of human rights that was in the agreement and then what came later in terms of the Security Council mandate.

AV: Well, the Security Council mandate was a carbon copy of the Paris Agreements. What had been hammered out there, the Council was not going to tangle with. The Council was needed to establish the operation, to give its blessing to this undertaking. As to the human rights element in the Paris Agreement, I am not 100 percent familiar with its history, but the prevailing feeling at the time was that this was at the insistence of the major Western powers involved in the negotiations, and in particular the US. And it was very closely linked to fears of the Khmer Rouge, and this “return to the policies and practices of the past” was an important motivation to put human rights in there. The Cambodian people had suffered at the hands of their own and there was this idea that we should prevent it and put something better in its place.



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JK: And they didn't want to use the word “genocide”?

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AV: No.

JK: So they avoided that by using the phrase...

AV: The Khmer Rouge themselves were a party to the negotiations, and genocide has other legal connotations which I think everybody wanted to avoid. It is a familiar dilemma for peacekeeping, I suppose. In order to make peace you sometimes have to make deals with crooks. This is one of those examples.

JK: You had mentioned that when the human rights component was originally established, that its role was really envisioned to more or less make sure that the human rights aspects of each of the other components was falling into place, rather than to be a more independent entity.

AV: Yes, during the initial planning stage of UNTAC, the idea was that human rights would be a responsibility of the entire operation. In other words, civilian police, civilian administration, the electoral component, repatriation, the military, information, all these elements would make human rights a part of their concerns, and the human rights component would thus be a small, coordinating, policy-setting office at headquarters. I think it became apparent quite quickly that this would not have worked. The human rights work, by its very nature is pro-active and to some extent antagonistic. You have to tell parties things they don't want to hear, and you have to go out and do things, and this could not be reconciled very easily with the kind of work that civil administration was supposed to do, electoral was supposed to do, CivPol and others. It required a certain attitude as well as a certain expertise, which these components did not have. The concern of the director at that time, Dennis McNamara—praise God to him for having pushed this—he said, “Look, I can't work this way. We cannot achieve our mandate with these meager means, and to assume that everybody will make this a central concern, is a rather big assumption. Let's make sure that we have the staff to do it.” And so, instead, there was to be a larger headquarters in Phnom Penh. It wasn't very big, 11 professionals all-together. But then, within each of the provinces a human rights officer, at the headquarters of civil administration, with his own particular mandate and means, there

was a big battle to ensure that everybody got the means to do their job: vehicles, the radios, the telephones, the faxes. It wasn't always easy.

JK: But you did have human rights officers in each of the provinces?

AV: Right.

JK: OK.

AV: Except for the area controlled by the Khmer Rouge. We did make an effort to get somebody in there, we tried to push that. It is very important, also, for the impartiality of the UN, when we speak up against human rights violations by the Hun Sen faction, that they come back to us and say, "Well, why are you condemning us? The other side, the Khmer Rouge is doing stuff as well." We say, "Well, we can't go in there." So, we did make an effort. Also, to the area controlled by Funcinpec, the KPNLF, in, what is it, the northwest of the country. So, we did make efforts to go in there.

JK: Now, you had mentioned also to me earlier that Dennis McNamara's background had been involved in the refugee camps in Thailand prior to his post in Cambodia. Was that an important aspect, to have someone to take on the leadership role in human rights that knew something about the issues?

AV: Absolutely. The major challenge in human rights work in Cambodia would be to translate a concept hardly known in Cambodia into something that the Cambodians would understand. There is no tradition of human rights in that country; it had to be introduced. His experience was relevant because one of the things he did was set up a human rights education campaign in the camps in Thailand. So, there was a ready-made program, there was expertise, there were documents, and he could start running that very important aspect of the operation. There was already an element of cultural sensitivity involved. Some of the local staff from the camps who returned could be put to work in Cambodia; some of the international staff too, he took with him; they had relevant experience and understood the Khmer mentality a bit better.



JK: Now, also, just drawing on a number of things that we had been talking about earlier, but in terms of the campaign that you were running, the information campaign, whereas you had said it could be called "propaganda," what was it that you were trying to achieve? What kind of information were you getting out there, and what did you want to be the response?

AV: That was a difficult question, because we didn't want to raise expectations very highly. If you translate the Universal Declaration and you take it to a Khmer family, they will laugh at you. They will say, "Look, what are you talking about? Freedom of the press? What is it? We have never had that. To have a lawyer present during interrogation? What is a lawyer? And what is interrogation? We are being beaten, that's it. And then put into jail. What is freedom of association?" There were basically all

these concepts that we had to translate in an acceptable fashion, without raising unduly high expectations. We also did not want the people en masse to go out and claim their rights, because that would endanger them. So, it was just trying to sell these as ambitions. This is what Cambodia should aspire to, Cambodia as a nation, and that Cambodians, that political parties, for which you are going to vote, should have this in their program. This is something that you should try to endeavor in the long run. We also sold it, not as some foreign concept that comes falling out of the sky that some Western nations have put together, but as basic elements of justice, something that they understood from their national culture. We tried to borrow from the teachings of the monks, from the local culture, elements that resembled human rights. They were very simple, straightforward concepts of justice: you do not want to be beaten when you are arrested, for example. You don't want to be arrested without any reason. Everybody we were telling, they were nodding yes, they recognized that these things were happening and that they shouldn't happen. So, it wasn't a very complicated legal teaching. We were simply trying to convey basic notions of justice in an effort to make them understand that this is part of a political program.

JK: In what ways did you convey that? You had mentioned something about radio.

AV: We used dialogues, sort of soap opera, which we could both use on radio and on television, a dialogue between people: somebody coming home, having been arrested by the police and horribly worried what was going to happen, and his wife explaining to him, "Yes, but I have heard that you have a human right to make sure that this process is done

fairly.” “Oh yes, is that so?” And the woman explains, and at the end somebody from the UN comes in and gives another explanation as well. But it is a bit of a soap opera, some funny, some not so funny, some of it serious. Overall, the idea was to make it an everyday conversation in which these things happened and they turned out to be very popular. I didn't think that they would be. There were five-minute, six-minute spots, and they were aired frequently, and they worked. We hired a local singer, the Cambodian equivalent of the blues, to sing a song on human rights, and I still have it somewhere on tape and I should have brought it, because it is a beautiful deep, dark, brown voice, and he sings about it. We used local puppet players and local artists to draw. As much as possible, we tried to use local products, local language, and we had Khmer writers and designers look at what we did and make it acceptable. These videos, pamphlets, folders were distributed throughout the country in huge amounts, even to the extent where they came back to us used as packaging paper on the market. They were selling human rights folders as paper. Somebody had come up with the idea to fold it into a bag, and it was being sold in the market as bags, paper bags.

JK: Now, did they have radios?

AV: Oh yes, radio and television, videos were a big thing. They would run a video machine on a generator or a power battery, and they would organize it so that thirty families would come and watch one video. We made these videos also in huge quantities. We had a reproduction facility that was kicking out these videos by the

hundreds, and then we were handing them out for free to those who were running film and other programs around the countryside and elsewhere. We reached a lot of people.

JK: They could be run in a kind of community setting, and the UN was doing other kinds of information as well?

AV: Yes, we would go out and organize courses; we tried to reach, how would you call it, education multipliers? We would reach teachers, primary school teachers, secondary school teachers, university professors. We would try and give them a program on human rights. We would go out also to professionals, judges, policemen. We organized a seminar for senior policemen in Phnom Penh. Everybody who was involved with education or with the administration of justice itself, police, etc., we tried to reach them and talk to them and get this message across—and it worked. It became a popular expression.

JK: Now, you also mentioned that you had run training programs, for judges, for lawyers, and so forth. How did you set that up? How long were the training programs? How many people went through it? What was the goal?

AV: I have forgotten some of the details but let me mention first that the original budget for UNTAC did not contain any program money, so we had to go to extra-budgetary resources to get funding for these kinds of programs. We set up a trust fund for

human rights education in Cambodia, and we got about a million and a half dollars, which was enough to run several projects, and have books printed, and involve NGOs.

JK: The books were printed? What were the books having to do with, just laying down some legal parameters?

AV: Well, it depended on the level you were trying to reach. But on the details of it, I am not 100 percent sure. We brought in NGOs from outside, and from the region, who had been active in the region, and who had similar experience. We tried to give them projects, they could execute projects, and local NGOs as well. We were trying not to do most of it ourselves, but basically try and get it out to others. The whole notion, Jean, of our work, if you want me to translate it in one sentence, was to ensure that we could leave and that it would be continued. The whole idea was to make our presence superfluous. We can come back to that later. This is what I remember on this.

JK: I had wanted to ask you about the relationship of NGOs in the area of human rights. Did you work with some of the other well-known human rights NGOs, like Amnesty International, or any large groups like that?

AV: We did most of our work with the local NGOs, who needed it. As to the international NGOs, I think I should give this in a balanced way: there was support for our work on the part of Amnesty International, Human Rights Watch, and others, and that was useful and welcome, especially at a political level. When we came to Geneva, they

supported our ideas to have a follow-up human rights office in Phnom Penh, there was general support for that. But something that was really rubbing the wrong way was the fact that most of these big NGOs, with big funding, used to come into Cambodia for three weeks with a high-level team, do a report, and criticize us. Then we would go back to them and say, "If you feel that strongly about it, come and help us. Come and help us set up a presence on the ground and get your feet wet." And many of the big NGOs didn't do that. They said, "This is not our mandate, we do advocacy or public awareness, but we don't get our feet wet. We count on others to do that for us." Especially Human Rights Watch, they were very critical of our efforts, and as could be expected, believed that the UN was subordinating human rights concerns to larger political questions. There is something to it, of course. You can argue whether the situation was ready for democratic elections and whether or not we were sufficiently forceful with those who violated human rights. But those are very, very difficult questions to implement. It is easy to criticize from a distance. It is a lot more difficult to actually do these things on the ground with the political, material, and other constraints that you have. We tried to get these big NGOs to get active on the ground, and this is where they can make a tremendous impact. It would have been very helpful to have an Amnesty International expatriate presence in Cambodia. It would have been a great boost to the locals. And instead you get these missions. That was a bit of a problem. We had a difficult relationship with them. It was understood that they could be useful; on the other hand, these continuous missions and reports on our performance, and criticism, was rubbing the wrong way.

JK: In terms of a sustained way, what were you trying to do with the grass-roots human rights groups?

AV: I told you earlier that there were some guys who were sure that there was money in human rights, donor money, that they could get certain status by setting up their own NGOs, and there were a lot of them like it. We tried to work with those that were fairly serious. They had a huge membership by the time we left, offices in the provinces, good network, they had their own legal assistance funds and procedures, they were providing lawyers to people who were arrested, they were monitoring court proceedings on their own, which was courageous, very much so. Some of them still operate, with a fair amount of leadership, but they have to be really very careful with the political environment they are in right now. At the time, with the presence of the UN and all the political support that could be mobilized, they grew very, very fast. Some of them too fast, even, for their own good. They attracted a lot of support from the outside, it was *the* thing to support a local NGO; you can't go wrong with that. That was, I think, an important success on the part of the human rights component, to be able to support this. No, I don't think it was our success, it was the success of the Cambodians; they took the opportunity, seized it, and did well. I doubt that very much of the smaller NGOs have survived in the end. But still, civil society is there.

We tried also to work with some of the more professional organizations, journalists, student associations, and it was, on a personal note, really, really nice to go out to these people, to see them in their offices, to have them talk to you about their

problems and to help and point them in the right direction. It was a very slow process, it was from interpersonal contacts; it was a grass-roots thing to do.

JK: What was the organizational relationship between Phnom Penh in the human rights component and then the officers or offices that you had in the provinces?

AV: They would report to the human rights component in Phnom Penh, but they would have to rely on the infrastructure and means of other components, in particular of the civil administration. But their reporting went to us. They were also guided by Phnom Penh. There were regular meetings of provincial human rights officers in Phnom Penh. We would call them in, touch base, compare notes, and feed instructions to them, give them materials. There were also frequent visits from headquarters to the field, a few of which I did myself. It was nice to go out and get a notion of what was going on, and set up some programs there.

JK: How long did it take to get fully up and running?

AV: I don't know, but it took a fairly long time.

JK: Like, several months?

AV: Yes. It was a big operation, and the feeling at the time was that the UN was not yet ready to field such a large operation. There was a tremendous amount of

improvisation, and some very good skillful work by those at headquarters in administration in order to get this thing running. But it took a long time. It took a very long time to get all the provincial human rights officers in place, and get the equipment. It took a long time.

JK: I was wondering if you could describe the typical day, or a typical week, during your stay in Cambodia?

AV: A typical day would include a morning that would start with touching base with my supervisor, see where do we stand and what has happened. Do I need to go out on any investigation? No, that is not necessary so I will go to my desk, work on texts for these dialogues that we talked about, writing soap operas, or chase up the actual production of these things, speak to a printer, go to the information component on whom we relied for the production of videos and audio tapes. I spent a lot of time there, to help direct these things. At times I would also go out into the field with a cameraman and shoot scenes of Cambodian life that had relevance to human rights. There was a fair amount of writing, chasing up products, making products. I would go out to embassies, go with my director to take notes at meetings. It could possibly include any activity: go out and teach, myself, with an interpreter; make a round of the NGOs, touch base, talk to them, 'What's going on?', talk to anyone who is having problems. These are the kinds of activities.

JK: Were there language difficulties in terms of communicating with various different people within the human rights component? Did you use English primarily?

AV: No, within the component everybody spoke English. Some would speak French. All the Cambodians with education spoke French as well. But we were fortunate to have some really good quality interpreters, and local staff with English, French, some with Russian. We never had much problem communicating. You would take your own interpreter with you out on discussions or teaching. Basically, we didn't do the teaching, the interpreters were doing it.

JK: Because it had to be done in Khmer.

AV: It all had to be done through others.

JK: Did you ever fear for your own safety?

AV: There was a high level of crime, especially at night, and foreigners were seen to be defenseless, especially the UN. We didn't have weapons, our cars could be stolen at gunpoint, and there was also this notion that random violence could break out at any time; it could be waiting for you around the corner; somebody could decide to settle a dispute with a hand grenade; there was frequent shooting at night, including on the street where I lived. You could hear a few shots and then nothing, and in the morning you ask what happened and nobody would know. At night—I drove a motorcycle at the time—I drove

very fast because the way to steal a motorcycle was to drive next to them and shoot the driver and then simply pick up the bike. Mine was a serious bike, not one of those little mopeds. I had a big 400cc bike and I drove really, really fast to make sure nobody caught up. But there was a general idea that there was risk, there was danger. You would hear shots fired almost every night. The UN was involved in several very sad cases of robbery, and settling of personal scores.

JK: The UN was involved in that?

AV: Oh yes.



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JK: For what?

AV: Well, for example the case where these three Bulgarians were shot by the Khmer Rouge, which many took to be politically motivated. I have reasons to believe that that had to do with issuing a warning not to fool around with the local women.

JK: These were Bulgarian peacekeepers, soldiers?

AV: Yes. And in another instance a UNV, a Japanese UNV, was killed.

JK: A UNV?

AV: A United Nations Volunteer—they were taking care of the elections in the countryside—was shot execution style, which was presumed to be because somebody had lost face over employment on the electoral staff. He had promised a family member that he or she would get a job with the electoral component. The UNV who was in charge of that hiring had said no, and the guy had lost face.

JK: And they shot him?

AV: This happens. People were armed. There were a lot of arms around, M-16s, AK-47s, pistols, hand grenades, they were all freely available. Crime was high, money could be made very quickly. You could steal a car; if it was a UN car, it could be sold for \$5000 or \$6,000, and it could then be shipped off to Vietnam and your fortune was made. \$5,000 for a Cambodian family would give you a life for the next ten years. So, there was a great incentive for crime. That was the thing that worried me most, not so much the political violence. That too was worrying, but it was the law-and-order, the settling of scores that you could be a witness to or be close to.

JK: In your opinion, what was it like to have all of these foreigners suddenly arrive in Phnom Penh? All these different international contingents, and the whole UN?

AV: After hours, it was one big party. To be frank, yes. You would get together and talk; it is hot, you can stay outside. Bars were cropping up left and right, places to go to. You went to houses. The social life was good. A lot of interesting people, and the

distinctions that you would usually have in an office between what is called here profession or a general service staff, would fade. Levels didn't matter very much; everybody was on a first-name basis. There was a good notion of a sense of mission. Everybody was motivated and talking about the mission all the time. It was a good atmosphere, and it was interesting.

JK: What about health conditions?

AV: Health—everybody who came to Cambodia had the bug, at one time or another, intestinal bug. The systems of Westerners do not tolerate well whatever is in the food. I had some problems too. Towards the end I was drinking the local tap water, so my resistance was up to combat that. Malaria was a big problem, dengue fever was a big problem. I had several friends who had malaria, and the malaria in Cambodia was the one that gives you internal bleedings. It can kill you. We had several people, soldiers especially, out in the field, who died as a result of that.

JK: Were you given a series of vaccinations and so forth, preventive measures before you arrived?

AV: Yes, you had a series of shots, and you get a bag with cremes and antibiotics.

JK: So, you had that with you to take along?

AV: Yes.

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[beginning of side 2]

AV: Traffic in the city was either bicycles, motorcycles, or white cars. It looked as if the entire traffic in Cambodia was monopolized by the international community, NGOs, of course. It also had an effect on business. Suddenly there was a need for goods from abroad, for stereos, for Coca-Cola, for beer, so especially the Chinese who are good in these kinds of things, who run businesses, trade in Phnom Penh, suddenly saw business opportunities that were astronomical.



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JK: Because they could sell to all these international people.

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AV: We were told before we went on the mission that there is nothing available: bring your own whiskey, bring your own torch [flashlight], bring your own batteries, bring your own short-wave radio because communications is absolute nonsense. By the time I had arrived, they had sniffed the business opportunity, and you could get everything in Phnom Penh.

JK: That's fantastic!

AV: Everything, and tax-free. There was the largest black market that I have ever seen. Everything was smuggled in from Singapore or Thailand. Everybody noticed it. So did investors. There was a need for hotels, so hotels cropped up. Everybody who had lived in a house moved out and rented it out to the UN. So there was no lack of accommodation, not at all.

JK: Oh my god! That's how they did that?

AV: There was also a noticeable effect on the economy of the city, good and bad. There were a lot of complaints that prices had gone up, that there was a rise in prostitution.



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JK: Yes, I wanted to ask you about that, to serve the international community?

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AV: Not necessarily. There was already a culture of prostitution locally. It wasn't that is was brought in by the UN, but as in many other cases supply and demand kick in. You have a lot of young, unmarried, and relatively rich men coming to this country with very little to do, on the one hand. On the other hand, there are a lot of women who have the choice between either working in a factory or selling cigarettes on the side of the road, who come home with maybe five dollars at the end of the month, or maybe ten dollars a night prostituting themselves. So, the supply and demand kicks in. There was a fair amount of prostitution everywhere. It is almost impossible to leave a bar and not run into a prostitute, who would then say, "You sleep with me?" I would say, "No thank you." It

was a feature of life in Phnom Penh. Some clever businessman noticed that there was a need for nightclubs, so there were nightclubs. It is supply and demand, and it's not something that some people sometimes think of evil consequence of the arrival of peacekeepers. It is a very simple, economic proposition.

JK: There is a demand, and someone will come in and take advantage of that.

AV: Absolutely impossible to root out. Impossible. You can try to curb the excesses of it, but it is impossible to get rid of.

JK: Now, we had talked about working with NGOs, but did you have any particular special relationship with UNHCR?

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AV: No, not in particular. They had a fairly independent operation. They had their own funding, their own staff, their own set-up, and they did very well, as could be expected. We had very good relations with their staff because, first of all, Dennis McNamara was from UNHCR and knew the system well, and the two officers, their outlook on problems was identical. Human rights is a concern which is also very much one of UNHCR.

JK: What was the role that you played with the different factions in Cambodia regarding human rights? Did you have contacts with the different political factions in Cambodia?

AV: Yes, we tried to maintain relations with all, and tried to be as objective as possible with all of them. Of course, human rights was welcomed more by those in opposition than those who were in power, and most of our work was actually with the faction in power, with the CCP, Hun Sen's faction, because they controlled the prisons, they controlled the police, the army, the judges, and we were to work with them. It also meant that a fair amount of complaints were directed to us against them. But we worked with all of them to the extent possible.

JK: Did you have a sense that they were cooperating with you, that they respected the concept of human rights? Or did you feel as though they were more or less playing a game with you?

AV: I don't know. There was genuine interest by some individuals to take human rights on board, especially on the part of professionals. They would say, "This is *modern*, this is good, this is interesting, I can use this." At the political level, I don't know. It was very difficult to penetrate the actual power structures of the country, at the provincial level in particular, to deal with those things. There were several cases in which we made agreements and nothing happened, or the contrary happened. So, there was a bit of a feeling, a nagging feeling, in the back of our minds that we were taken for a ride. We did our best in that regard.

JK: What kind of mechanisms did you have set up for receiving complaints about human rights violations?

AV: It was the same in the provincial offices as it was at headquarters: you had to come in and tell what was going on. Many complaints that we got, by the way, were of a civil nature: land, houses which had been confiscated during the war, or disputes over property, not really human rights abuses. The majority of cases, those that were abuses were investigated, but the most important ones were actually cases that we learned about through our internal reporting systems, the killings, the ethnically motivated killings of Vietnamese, was something that we learned about through our own intelligence, our information effort, as I should put it. Politically motivated killings, also, we learned about ourselves, or by somebody from the attacked party coming to the UN and saying, "This has happened." In that case, we went out and tried to find out what happened and tried to establish from the context who did it, why it had happened.

JK: And in that sense were you able then to bring these people to some kind of justice? Was that step involved?

AV: You see, the UN didn't have any true enforcement capability in that regard, until January 1993 when Akashi established the Special Prosecutor. The idea that the UN would be able to issue indictments against individuals, which would then have to go to Cambodian courts. There wasn't a UN court or something, but the UN had the authority to prosecute people.

JK: And make arrests?

AV: Even make an arrest. We also had a UN jail. I remember one sad case, sad all around, where there was an attack on a fishing village on the side of the Mekong River where I think 16 locals had been murdered because they were believed to be Vietnamese; they were murdered by the Khmer Rouge. Later, a soldier of the Khmer Rouge defected and we found out that he had been in that operation, so we took him to the village, one week after, I think, it had happened. He defected, by the way, because he was sad and sickened by everything that had happened. He wanted to go home, he had lived too long in the jungle, and there was really a sad expression on his face all the time. But we took him to the village and he confessed to the whole story. He explained that he came from there, this was what happened, this is where I fired, etc. He was small fry. He was arrested and put in jail, where he died. He died of a heart failure of some kind, either malaria or something that would eventually kill him. So, this is an example where we actually prosecuted, arrested, and detained somebody for a series of human rights violations.

The same authority was also used to slap fines on officials for breaking the electoral code and abusing their position inappropriately. The governor of, was it Sihanoukville, was given a fine of 15 million Riel for something politically and legally improper. But yes, we could do something. The Special Prosecutor was an Australian guy, who went about his job with a lot of activism and not a particularly polished style. But it was an experiment.

JK: Now, you had mentioned when we had been talking previously that you had gone in to investigate the prisons. Could you explain something about that?

AV: The prisons, if you want to test the human rights situation anywhere, the prisons are a very good place to start. You interview prisoners and you ask them, “Where were you arrested? What happened to you? Was there a lawyer present?” An interview with a prisoner will give you a very fast and quick indication of the status of a human rights system in a country. Aside from that, for learning about the judicial system, there is also the concern for the individual prisoner. There was the political objective of getting the political prisoners out, those who had been imprisoned because of their affiliation or conviction, and this we did. We also then found a lot of people who had been held in horrible conditions, shackled to the floor, nothing to eat, no ventilation, no light, and tried to improve those conditions as well. We did it in a very practical way. First we talked to the prison director and we would say, “Look, you have to take these shackles off and give them more food, etc.” But also, for example when it was Christmas, we went in and brought all the guards a six-pack of beers, but at the same time brought in a huge amount of food for the prisoners, rice and vegetables and everything.

The shackles that were there, we physically removed them ourselves. There was six tons of steel lying in the garden of the human rights component and we had to get a truck to move them. I have two of those shackles; I brought them back as macabre souvenirs. But this is what you do when you go into the prison: interviewing prisoners, knowing what their status is, trying to get them out if they have been there illegally.

There was a guy who had been there for two years for allegedly stealing a bicycle, had never been brought before a judge, and he was beginning to lose feeling in his legs, which is a sign of malnourishment or being under-fed, lack of vitamins; he was dying. So, we took him out, brought him to his family.

JK: Did you get many prisoners released? Political prisoners?

AV: Yes, a fair amount. All political prisoners and several others who had been in jail for a long time without any legal proceedings started against them.

JK: You had mentioned that you had been involved in drafting a penal code.

AV: Well, I am not enough of a lawyer to attempt that, but the component and the civil administration component at headquarters drafted a provisional penal code, because there were all sorts of former colonial laws and other laws adopted that were basically forming the law of the land, and we wanted to have a clear, acceptable set of standards which we could use in our work around the provinces and the courts, with the lawyers. Therefore a penal code was issued by Akashi. It was his authority to do so. Apparently it is still in force. The idea was that the Cambodian parliament would eventually adopt legislation to replace these laws. I don't think that ever happened.

JK: What was the role of the Supreme National Council in terms of human rights? Was there much interaction? Did they ever intervene on your behalf, or be supportive of your component?

AV: I doubt it, really. I would have to do a bit of digging to find out, or maybe ask people who were in these meetings. But I do recall that, first of all, the Council was instrumental in ratifying the human rights instruments. One of the first things to happen after the establishment of UNTAC was bringing all these conventions and covenants to the Council, and they did them all, all signed them and they became binding in Cambodia. So, we had a set of standards.



JK: You had a set of standards that had legitimacy.

AV: Absolutely. That was very useful. The SNC did that. But when it came to addressing human rights concerns in that body, I am sure they were brought up, but I don't know how effective they were in discussing it. You really would have to ask somebody else that.

JK: The other question, which may also be similar to that one, but I understand that a core group was established of ambassadors of the Permanent Five of the Security Council.

AV: And others.

JK: And others joined that, and formed this core group, which did intervene in certain situations. I was wondering if they had taken a very active role on the human rights side?

AV: What I recall is that they were natural counterparts whenever it came to things where diplomatic influence could be useful; fundraising for this trust fund at one point, and also when it came to discussing the resolutions on the establishment of a follow-up office. There the core group was brought in; we talked to them, massaged them, prepared the decision, and had frequent contacts with them. With their support, I think, it went through. It was a very important element of UNTAC's function, this core group. As you know, it also has been the case in other operations. Good political support from governments with influence and interest is an absolute condition for success.

JK: Now, I was wondering if there was ever any evidence from your point of view on the role of China? Because China is a member of the P-5 but also was an extremely important power in the region.

AV: I have no personal memory of being involved with the Chinese, with the Chinese embassy or otherwise. I do recall rumors that the Chinese were the ones to tell the Khmer Rouge to keep it quiet during the elections, but that is part of the rumor circuit and I do not know -- I can't know -- whether that is true or not.

JK: Did the human rights component have an ombudsman, or ever consider creating that position?

AV: Yes, I think we mentioned that. It was part of the national institution but I don't think it ever came off the ground. I don't think it ever did.

JK: Because in other operations, I know in Namibia, they did end up having an ombudsman, which is a useful mechanism.

AV: I do recall a debate on that, but I don't know what it led to.

JK: Were there any ever differences among the officers in the human rights component on how to interpret your role?

AV: Oh yes. Certainly. First of all it was a collection of fairly passionate characters. For example, one issue was should we or should we not encourage the human rights organizations to take their issues to the street or to the government, because it would endanger them. It would put people physically in danger and we would end up with having them killed, and that would not be good. The other argument would be that of course there is no progress without suffering, and it is their choice, let them decide what they want to do. On the whole, it was a very activist bunch with very strong human rights commitments, with limited patience or understanding for the more political considerations, and especially the guys who always went out on these investigations, and

in some cases came back covered in blood because they had been so close to the whole thing. They got really sick of it. They kept going to these scenes of massacres, see the bodies, see the crying families, see the gunshot wounds, and also seeing that nothing was done. Absolutely nothing was done to prevent it in the future. They would write their report, and conclude that it was either the Khmer Rouge or the government or this or this or this faction, make recommendations, and nothing happened to stop it.

JK: So that impunity still prevailed.

AV: That frustrated them tremendously. It frustrated them, and that was difficult.

That was difficult.



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JK: Did that change after Akashi had released this report?

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AV: Established the Special Prosecutor?

JK: Yes.

AV: It helped. It helped, but not much. Because at the end of the day, we were dealing with expressions of political objectives. The killing of the Vietnamese was something which was actively encouraged by the Khmer Rouge. That was their political objective: they were in a war with the Vietnamese. Even if they were civilians, "they were dressed up as civilians, soldiers in disguise." There was a secret Vietnamese presence you could

wipe out anytime. There was political support for that at a higher level. That was difficult to address.

Coming back to the question of debate and the question between an academic legal approach to things and a hands-on practical type of approach, where some would favor to lecture on the legal way of the Universal Declaration of Human Rights and others would say, "That's a waste of time, let's just get the principles across." These kinds of discussions were held several times.

JK: And the State of Cambodia, were they willing to step in a situation where the Vietnamese were being assassinated?



AV: I don't know. You have to bear in mind that the anti-Vietnamese sentiment was widespread in Cambodia.

JK: So, it wasn't simply a Khmer Rouge anti-Vietnamese position.

AV: This particular argument which they used was shared by many. My landlady, who spoke fluent English and spent a lot of time in Australia and was married to an Australian, and we became good friends; she was a businesswomen, a good mind, good political perception. She too was convinced that the Vietnamese army was still in Cambodia and they were disguised as workers, as fishermen. She said, "Yes, it's true." I asked her, "Well, point them out to me." She said, "Look, there they go." She was convinced they were there. It was very deeply rooted. So, for the State of Cambodia to

take that up, they did it, of course, if they could put the Khmer Rouge in a corner politically, yes. But to come out and actively protect the Vietnamese, that would have been a tricky issue for them to do. So, when you have this exodus at one point of Vietnamese fishermen from the area back to Vietnam, there were all these boats, huge convoys, I saw them, floating villages streaming down the Mekong towards Vietnam, the government did little or nothing to help them. The UN fed them, gave them a measure of protection. I remember an absurd scene where a friend of mine had smuggled in a windsurfer from Thailand and we were playing on the Mekong and I was windsurfing along when I saw this dark blob coming down the river, and as it came closer it was a floating village of Vietnamese. So, you had this scene of a foreigner on a windsurfer near this floating village of people trying to run for their lives. There is one of the little absurd scenes.



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JK: I seem to remember that there were complaints of human rights violations by UN personnel. Were you aware of that at all, or what had happened?

AV: Yes. I am not quite sure what these complaints were at the time, but there were complaints of harassment of women and NGOs, local and expatriate, by soldiers and CivPol and others. There were complaints of sex that came into play, also. The civilian police and soldiers abusing women, of course, there were complaints of that. There were also complaints of UN personnel breaking deals and not paying their rent. For that reason Akashi established a community relations officer who had an office in the human rights component. She is also at headquarters here. She had an open door policy, everyone

could come and speak to her, NGOs, locals, everybody. The idea was to keep an eye on these kinds of things.

JK: Did that office work? Did that function?

AV: I don't know.

JK: But that was the idea, to have a formal place to receive those kinds of complaints.

AV: Right, and then of course to follow it up with the contingents, to make sure military discipline was maintained.

JK: What was your relationship with the military components? Did you have a kind of reciprocal relationship with them?

AV: It was more not so much with the military as with the civilian police. The human rights investigations were usually done with professional investigators, police investigators who would come with us and help and assist us in finding out what happened.

JK: And were they Cambodian?

AV: No, no. They were international, the civilian police.

JK: OK, CivPol.

AV: The military were useful to us because of their transport capability. There were contractors who were flying helicopters and planes there, and some of the contingents had also their own helicopters. I remember using French Puma helicopters on a few occasions.

JK: When you had to go out to the provinces?



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AV: Yes.

JK: Did you ever take military or CivPol personnel with you when you had to do an investigation or in a situation where you felt there was some danger?

AV: Yes, because usually, especially if you were going to the provinces, you don't know the local situation, and sometimes there is a military observer with you, or a local platoon commander, and local CivPol to take you to where things had happened, to explain who was what, etc. You need this local expertise to work with you.

JK: Were the Cambodians generally respectful of the UN? Did you have the sense that they appreciated your presence?

AV: Yes, certainly. Let me point to an element here that sounds bizarre but I have a feeling that there is an element of truth to this. The Cambodians, I had the feeling that they thought the UN had god-like qualities. It had, for many of them, it had fallen out of the sky. They weren't prepared for their arrival. These white cars, suddenly there are all these ambitions and things projected onto them. It must have been both confusing and interesting for them. The monks, in their teachings, used that. They said, "This is a good opportunity for Cambodia." There is a myth that Cambodia will be saved by, I don't know who it was, but by somebody on a white elephant. And we were all driving these white cars. There were a lot of similarities between that particular myth and the work of the UN.



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JK: That's fascinating.

AV: I have heard that story told a few times. We were always received well. Of course, we were bringing in money, and let's not under-estimate that. We were bringing riches to a lot of them. Also, a sense of protection. It was calm because, "It was going to be peace, we could work our lands in peace." We were welcome. One of the nicest things about driving in Cambodia were the hordes of small kids waving to you. We were always well received. The UN was universally liked, throughout, no question.

JK: You mentioned the monks, the monks were supportive?

AV: Absolutely. That was crucial. They were a very influential group of people. We tried to use them as well for our human rights education, and I seem to recall that this was stopped at a fairly high level because the State of Cambodia feared the monks. They said “The monks are religious, let’s not touch them. Don’t mess with the monks.” Knowing full-well that they would turn to be favorable towards the UN and the idea of democracy. They were very powerful.

JK: So, they played a positive role but to a certain extent the government tried to marginalize them?

AV: I do seem to recall that there was reluctance against their involvement in our efforts to educate the people.

JK: What do you think the impact of the human rights component was on the results of the election in May 1993? Because there was something like 90 percent turn-out of eligible voters.

AV: Credit has to go to the electoral component and the information component. Human rights input was important; we helped in supporting and bringing out the message that voting was free, the vote was free and secret. The information component did a terrific job in making that point, bringing it around the country. The electoral component and its volunteers, in each of the electoral districts, did a tremendous job in informing people and bringing the message. It was a massive propaganda campaign. Everybody

was made to understand. The registration was very successful. Everybody had a card. It became less of an exercise in democracy as much as a thing to do, it was *en vogue*. You had to have this card, otherwise you were about to miss something. The same thing with the elections. I was an electoral observer in Kompong Speu which is about 22 kilometers from Phnom Penh, and everybody wanted to vote. They were pushing each other out of the way to get there. The vote itself seemed less important than the voting, if you know what I mean. Whom they were voting for was almost secondary to the participation in this event. I think the general understanding of the people was that, "This is somehow part of a process leading to peace. We are not voting for politician X or Y, we are involved in an exercise for peace." This was their understanding. For many it was an adventure. They had to come out of their village, walk for several miles to get to the polling station, go through this routine of having their identity checked and their hand stamped, and there was this notion of being part of a large movement toward something good. Everybody was there, Grandpa, Grandma, some made it a family event. That idea, of all being involved in an important process for peace, that was the idea; that brought out all the people.

JK: That's amazing. Now, we were discussing before that it has been five years.

AV: Yes, five years now.

JK: Five years ago. So, in hindsight, how would you evaluate the role of the human rights component and how might you do things differently?

AV: I doubt we would have done things differently. Our role had been, first of all, to plant the roots of human rights awareness. It has taken root with some better than it has done with others. But the documents are still there. The Universal Declaration is still being taught in schools. I should add that the reason they still do it is that it was translated by a team, top level Khmer specialists, local teachers who had escaped the Khmer Rouge, and were delighted at the opportunity to put something into their own beautiful language. That translation of the Universal Declaration is the best possible document to teach the richer Khmer, the beautiful language, the right idiom, the right expression, the right grammar. It is the document that many teachers took, not for its substance but for its language. The human rights NGOs are there and still active. In fact, there still is a human rights office there, and the notion that there should be free press, that there should be a good system for the administration of justice, that is all still there.

JK: By "human rights office" you mean the High Commissioner for Human Rights?

AV: The High Commissioner's office, that was a direct result of UNTAC and the work of the human rights component. It took over many of the activities. So, in that sense, we have made a contribution. Now, if you look at the larger picture, you can also argue that very little has changed. Hun Sen is still in power; political intimidation continues to be part of the political process; violence is still being used; there continues to be fighting between factions; there is still a high level of crime; there is no measure of democracy to speak of. And so, what have we changed? What have we done? Was it worth this \$1.8

billion that we spent? That is a big political question. We can come up with different answers but I think the bottom line is that we have tried to help the Cambodians, to give them the seeds, both the material seeds and spiritual, intellectual seeds, to build democracy in their life, and now it is up to them to do it. Some have, some haven't. What we perhaps could have done is try to ensure that there would have been a different distribution of power at the end of the process, which would have involved the State of Cambodia and also Funcinpec, work out a political deal -- and I stress "political"—a political deal which would be acceptable to both which would have also included a certain respect for human rights and democracy, perhaps even expressed in tangible terms, saying, "We will do this, we will do that," as part of the political deal, as part of the agreement for ending this problem. Instead, what happened was that we, or the process played out as planned, and the elections were geared to a democratic parliament, to a democratic constitution, to the necessary guarantees, an independent judiciary, etc., and that the Cambodians would do it themselves. And they haven't. Should we have insisted a bit harder? Perhaps. I don't know.

JK: The other aspect that you began to pursue was the development of the institution of justice, of the rule of law, by the training of the judges and so forth.

AV: And lawyers.

JK: There were some 4,000 that were trained in Phnom Penh, and I understand 100 or so in each of the provinces.

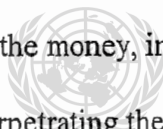
AV: The standards for being a lawyer were lowered, broke down, because you couldn't ask for a university degree in law. The University of Phnom Penh was not up to it; there was hardly anyone left of that profession to do so. We tried to bring back Cambodian lawyers from outside, from France and elsewhere, through programs. But the idea basically was to give Cambodian society the capacity to, or rather, to give Cambodians the capacity to seek legal assistance when they were in trouble and to be brought before a court. These lawyers in many cases associated themselves with human rights NGOs, who would keep an eye on legal proceedings and provide people with legal assistance. Until three years ago, I recently heard from one of the NGOs who was doing this kind of work and sending reports on a frequent basis, once every six months, once a year, now I haven't heard from them in a long time, about this kind of work.

JK: So, you were instrumental in launching a number of different things.

AV: And you have to admire the courage of these people. They criticize government officials, they bring in lawyers, they go against the stream, and knowing that it could well cost them their head.

JK: Well, we are almost at the end; we're close to the end. But I wanted to just ask you if there was anything in particular that you would like to add to what we have talked about so far? It is quite a bit.

AV: Well, first, it being so long ago, a lot of things of course have slipped my mind, I can't tell you exactly what happened, where and when. There were a lot of colorful memories. But on the whole, let me say that it was an absolute eye-opener. I had previous experience looking at a third world jail; I had been for Afghanistan for two weeks. But to be so closely involved in a third world country, a poor third world country with an extremely bad human rights record, to see up close what human rights violations meant in that country, has really colored my perspective. Seeing a third world jail really puts everything in a very stark perspective. What you learn from it is that moral indignation is not a recipe for improvement of human rights. You have to be on the ground, do things, make the deals, get the money, improve the jails, talk to the government, the same guys that are perpetrating the abuses.



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JK: Well, we have run out of time. So, I want to thank you so much for sharing your experiences with us.

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Yale-UN Oral History Project
Adriaan Verheul
Jean Krasno, Interviewer
July 2, 1998
UN Headquarters, New York, NY

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