

บรรณานุกรม

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ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย



ภาคผนวก

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

34/22. THE SITUATION IN KAMPUCHEA

The General Assembly,

Noting with great concern that the armed conflict in Kampuchea has escalated and is seriously threatening the the peace and stability of South-East Asia,

Deeply regretting the armed intervention by outside forces in the internal affairs of Kampuchea.

Gravely alarmed that the present conflict may spill over to neighbouring countries and increase the danger of further involvement by outside Powers.

Deeply distressed by the widespread hardship and the large-scale famine being suffered by the people of Kampuchea,

Seriously disturbed that these developments have resulted in a continuing large exodus of people from Kampuchea to neighbouring countries, thereby causing them severe problems.

Noting with deep appreciation the roles played by the United Nations and other national and international humanitarian organizations in rendering relief assistance to the civilian population of Kampuchea, and the initiative

of the Secretary-General in convening the Pledging Conference for Emergency Humanitarian Relief to the People of Kampuchea held on 5 November 1979, as well as the pledges made by the various countries at that Conference,

Convinced that a political solution which will ensure the sovereignty and independence of Kampuchea is essential for bringing about durable peace and stability in the region,

Reaffirming the right of all people to determine their own future free from outside interference,

Emphasizing that all States shall refrain, in their international relations, from the threat or use of force against the sovereignty, territorial integrity or independence of any State, and strictly adhere to the principles of peaceful settlement of disputes and of non-interference in the internal affairs of other States,

1. Strongly appeals to all States and national and international humanitarian organizations to render, on an urgent and non-discriminatory basis, humanitarian relief to the civilian population of Kampuchea, including those who have sought refuge in neighbouring countries;

2. Calls upon all States to take urgent measures to resettle from these countries the displaced Kampuchean;

3. Welcomes the continuing efforts of the Secretary-General to co-ordinate relief assistance and to ensure its

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distribution to those for whom it is intended;

4. Urges all parties to the conflict to co-operate in every possible way to facilitate the humanitarian relief efforts;

5. Calls upon all parties to the conflict to observe fully the fundamental principles of human rights;

6. Further calls upon all parties to the conflict to cease all hostilities forthwith;

7. Calls for the immediate withdrawal of all foreign force from Kampuchea and calls upon all States to refrain from all acts or threats of aggression and all forms of interference in the internal affairs of States in South-East Asia;

8. Urges all parties to the conflict to settle their disputes by peaceful means in accordance with the Charter of the United Nations;

9. Appeals to all States to refrain from any interference in the internal affairs of Kampuchea in order to enable its people to decide their own future and destiny free from outside interference, subversion a coercion, and to respect scrupulously the sovereignty, territorial integrity and independence of Kampuchea;

10. Resolves that the people of Kampuchea should be enabled to choose democratically their own government,

without outside interference, subversion or coercion;

11. Requests the Secretary-General to follow the situation closely and to exercise his good offices in order to contribute to a peaceful solution of the problem;

12. Also requests the Secretary-General to explore the possibility of holding an international conference on Kampuchea as one of the means for implementing the present resolution;

13. Further requests the Secretary-General to submit to Member States a report on the situation at the earliest appropriate opportunity;

14. Decides to include the item entitled "The Situation in Kampuchea" in the provisional agenda of its thirty-fifth session.

Date : 14 November 1979

Vote : 91-21-29 (recorded)

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

35/6. THE SITUATION IN KAMPUCHEA

The General Assembly

Recalling its resolution 34/22 of 14 November 1979,

Taking note of the report of the Secretary-General on the implementation of General Assembly resolution 34/22,

Deeply regretting that the foreign armed intervention continues and the foreign forces have not been withdrawn from Kampuchea, thus seriously threatening international peace and security,

Gravely concerned that the hostilities in Kampuchea have not ceased, but have on several occasions spilled over into Thailand, thus violating the sovereignty and territorial integrity of that country,

Greatly concerned that the deployment of more foreign troops and weapons in Kampuchea near the Thai Kampuchean border has heightened tension in the region,

Recalling the conclusions reached at the Meeting on Humanitarian Assistance and Relief to the Kampuchean People, held at Geneva on 26 and 27 May 1980 as contained in the report of the Economic and Social Council to the General Assembly,

Recognizing that the assistance extended by the international community has reduced the widespread food shortages and health problems of the Kampuchean people but that, despite such assistance, hunger and disease continue to afflict them,

Gravely disturbed that the continued fighting in Kampuchea has forced large numbers of Kampucheans to flee to the Thai-Kampuchean border in search of food and safety, and that actions by outside forces in Kampuchea to seal the border have disrupted the cross-border flow of international relief aid,

Emphasizing that it is the inalienable right of the Kampuchean people who have sought refuge in neighbouring countries to return safely to their homeland,

Emphasizing further that no effective solution to the humanitarian problems can be achieved without a just and lasting political settlement of the Kampuchean conflict,

Convinced that, to bring about durable peace and stability in South-East Asia, there is an urgent need for a comprehensive political solution to the Kampuchean problem which will ensure the sovereignty and independence of Kampuchea and the right of the Kampuchean people to determine their future free from outside interference,

Convinced further that, after the comprehensive political settlement of the Kampuchean question through peaceful means, the countries of the South-East Asian region could pursue efforts to establish a zone of peace, freedom and neutrality in South-East Asia so as to lessen international tensions and to achieve lasting peace in the region,

Reaffirming the need for all States to adhere strictly to the principles of the Charter of the United Nations, which call for respect for the national independence, sovereignty and territorial integrity of all States, non-intervention and non-interference in the internal affairs of States, non-recourse to the threat or use of force, and peaceful settlement of disputes,

1. Reaffirms its resolution 34/22 and calls for its implementation;
2. Decides, taking into account paragraph 12 of resolution 34/22, to convene early in 1981 an international conference on Kampuchea which should involve the Participation of all conflicting parties in Kampuchea and others concerned, with the aim of finding a comprehensive political settlement of the Kampuchean problem;
3. Decides further that the conference should negotiate with a view to reaching agreement on, inter alia:
 - (a) Total withdrawal of foreign troops from Kampuchea within a specific time-frame to be verified by

the United Nations;

(b) Measures by the United Nations to ensure law and order and the observance of the fundamental principles of human rights in Kampuchea;

(c) Measures by the United Nations to ensure non-interference by outside Powers in the internal affairs of Kampuchea;

(d) United Nations-supervised free elections in Kampuchea;

(e) Guarantees against the introduction of any foreign foreign forces in Kampuchea;

(f) Guarantees to respect the sovereignty, independence and territorial integrity of Kampuchea;

(g) Guarantees that an independent and sovereign Kampuchea will not be a threat to its neighbours;

4. Requests the Secretary-General to take all appropriate steps for the convening of such a conference;

5. Calls for, pending the settlement of the conflict :

(a) The stationing of a United Nations observer team on the Thai side of the border in order to observe the situation along the border and to verify that only civilian Kampuchean obtain international relief aid;

(b) The establishment of safe areas under United Nations supervision in western Kampuchea for the uprooted civilian Kampuchean encamped near the Thai-Kampuchean border and those in Thailand who wish to return to their

homeland;

6. Urges the countries of South-East Asia, once a comprehensive political solution to the Kampuchean conflict is achieved, to exert renewed efforts to establish a zone of peace, freedom and neutrality in South-East Asia;

7. Expresses its deep appreciation to donor countries, the United Nations and its agencies and other national and international humanitarian organizations which have rendered relief assistance to the Kampuchean people, and appeals to them to continue on an urgent and non-discriminatory basis such assistance to the civilian population of Kampuchea, including persons who have sought refuge in neighbouring countries;

8. Deeply appreciates the efforts of the Secretary-General in co-ordinating relief assistance and in monitoring its distribution, and requests him to strengthen such efforts so as to ensure that the assistance reaches all those for whom it is intended;

9. Calls again upon all States to provide settlement for the displaced Kampuchean who have sought refuge in neighbouring countries and who do not wish to return to their homeland;

10. Urges all parties to the conflict to cooperate fully in facilitating humanitarian relief efforts and in ensuring that the cross-border flow of international relief aid continues uninterrupted;

11. Reiterates its appeal to all parties to the conflict to observe fully the fundamental principles of human rights;

12. Requests the Secretary-General to submit to the General Assembly at its thirty-sixth session a report on the implementation of the present resolution;

13. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "The Situation in Kampuchea"

Date : 22 October 1980

Vote : 97-23-22 (recorded)

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

ICK-DECLARATION ON KAMPUCHEA

Pursuant to Articles 1 and 2 of the Charter of the United Nations and to General Assembly resolution 35/6, the United Nations convened the International Conference on Kampuchea at its Headquarters in New York, from 13th-17th July 1981, with the aim of finding a comprehensive political settlement of the Kampuchea problem.

2. The Conference reaffirms the rights of all States to the inviolability of their sovereignty, independence and territorial integrity and stresses their obligation to respect those rights of their neighbours. The Conference also reaffirms the right of all peoples to determine their own destiny free from foreign interference, subversion and coercion.

3. The Conference expresses its concern that the situation in Kampuchea has resulted from the violation of the principles of respect for the sovereignty, independence and territorial integrity of States, non-interference in the internal affairs of States and the inadmissibility of the threat or use of force in international relations.

4. The Conference takes note of the serious international consequence that have arisen out of the situation in Kampuchea. In particular, the Conference notes with grave concern the escalation of tension in

Southeast Asia and major power involvement as a result of this situation.

5. The Conference also takes note of the serious problem of refugees which has resulted from the situation in Kampuchea and is convinced that a political solution to the conflict will be necessary for the long-term solution of the refugee problem.

6. The Conference stresses its conviction that the withdrawal of all foreign forces from Kampuchea, the restoration and preservation of its independence, sovereignty and territorial integrity and the commitment by all States to non-interference and non-intervention in the internal affairs of Kampuchea are the principal components of any just and lasting solution to the Kampuchea problem.

7. The Conference regrets that the foreign armed intervention continues and that the foreign forces have not been withdrawn from Kampuchea, thus making it impossible for the Kampuchean people to express their will in free elections.

8. The Conference is further convinced that a comprehensive political settlement of the Kampuchean conflict is vital to the establishment of a Zone of Peace, Freedom and Neutrality in Southeast Asia.

9. The Conference emphasizes that Kampuchea, like all other countries, has the right to be independent and

sovereign, free from any external threat of armed aggression, free to pursue its own development and a better life for its people in an environment of peace, stability and full respect for human rights.

10. With a view to reaching a comprehensive political settlement in Kampuchea, the Conference calls for negotiations on, inter alia the following elements :-

- (a) An agreement on ceasefire by all parties to the conflict in Kampuchea and withdrawal of all foreign forces from Kampuchea in the shortest time possible under the supervision and verification of a United Nations peace-keeping force observer group;
- (b) Appropriate arrangements to ensure that armed Kampuchean factions will not be able to prevent or disrupt the holding of free elections, or intimidate or coerce the population in the electoral process; such arrangement should also ensure that they will respect of the free elections;
- (c) Appropriate measures for the maintenance of law and order in Kampuchea and the holding of free elections, following the withdrawal of all foreign forces from the country and before the establishment of a new government resulting from those elections;

- bc
- (d) The holding of free elections under United Nations supervision which will allow the Kampuchean people to exercise their right to self-determination and elect government of their own choice; all Kampuchians will have the right to participate in the elections.

11. The Conference appreciates the legitimate security concerns of all States of the region and therefore, deems it essential for Kampuchea to remain non-aligned and neutral and the elected government of Kampuchea to declare that Kampuchea will not pose a threat to or be use against the secunt, sovereignty and territorial intergrity of other States especially those sharing a common border with Kampuchea.

12. The Conference also deems it essential for the five permanent members of the United Nations Security Council, all States of Southeast Asia as well as other States concerned to declare, in conjunction with paragraph 11 above, that :-

- (a) They will respect and observe in every way, the independence, sovereignty, territorial integrity, and non-aligned and neutral status of Kampuchea and recognize its borders as inviolable.
- (b) They will refrain from all forms of interference direct or indirect, in the internal affairs of Kampuchea;
- (c) They will not bring Kampuchea into any military alliance or other agreement, whether military

or otherwise, which is inconsistent with its declaration under paragraph 11 nor invite or encourage it to enter into any alliance or to conclude any such agreement;

- (d) They will refrain from introducing into Kampuchea foreign troops or military personnel and not establish any military bases in Kampuchea;
- (e) They will not use the territory of any country, including their own, for interference in the internal affairs of Kampuchea;
- (f) They will not pose a threat to the security of Kampuchea or endanger its survival as a sovereign nation.

13. The Conference expresses the hope that following the peaceful resolution of the Kampuchea conflict, an international committee will be established to consider programmes of assistance to Kampuchea for the reconstruction its economy and for the economic and social development of all States of the region.

14. The Conference notes the absence of Vietnam and of other states and urges them to attend the future sessions of the Conference.

15. The Conference expresses the hope that Vietnam will participate in the negotiating process which can lead to a peaceful solution of the Kampuchean problem

and to the restoration of peace and stability to the region of Southeast Asia. This will enable all the countries of the region to devote themselves to the task of economic and social development, to engage in confidence-building and to promote regional co-operation in all fields of endeavour, thus heralding a new era of peace, concord and amity in Southeast Asia.

• New York, 17 July 1981



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

42/3 THE SITUATION IN KAMPUCHEA

The General Assembly,

Recalling its resolutions 34/22 of 14 November 1979, 35/6 of 22 October 1980, 36/5 of 21 October 1981, 37/6 of 28 October 1982, 38/3 of 27 October 1983, 39/5- of 30 October 1985, 40/7 of 5 November 1985 and 41/6 of 21 October 1986.

Recalling further the Declaration on Kampuchea I and resolution 1 (I) 2/ adopted by the International Conference on Kampuchear, which offer the negotiating framework for a comprehensive political settlement of the Kampuchean problew.

Taking note of the report of the secretary-General on the implementation of General Assembly resolution 41/6

Deploring that foreign armed intervention and occupation continue and that foreign forces have not been withdrawn from Kampuchea, thus causing continuing hostilities in that country and seriously threatening international peace and security.

Noting the continued and effective struggle waged against foreign occupation by the Coalition with Samdech Norodom Sihanouk as President of Democratic Kampuchea,

Taking note of Economic and Social Council decision 1987/155 of 29 May 1987 on the right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation,

Greatly disturbed that the continued fighting and instability in Kampuchea have forced an additional large number of Kampuchean to flee to the Thai-Kampuchean border in search of food and safety,

Recognizing that the assistance extended by the international community has continued to reduce the food shortages and health problems of the Kampuchean people,

Emphasizing that it is the inalienable right of the Kampuchean people who have sought refuge in neighbouring countries to return safely to their homeland,

Emphasizing further that no effective solution to the humanitarian problems can be achieved without a comprehensive political settlement of the Kampuchean conflict,

Seriously concerned about reported demographic changes being imposed in Kampuchea by foreign occupation forces,

Convinced that, to bring about lasting peace in South-East Asia and reduce the threat to international peace and security, there is an urgent need for the international community to find a comprehensive political solution to the Kampuchean problem that will provide for the withdrawal

of all foreign forces and ensure respect for the sovereignty, independence, territorial integrity and neutral and non-aligned status of Kampuchea, as well as the right of the Kampuchean people to self-determination free from outside interference,

Reiterating its conviction that, after the comprehensive political settlement of the Kampuchean question, through peaceful means, the countries of the South-East Asian region can pursue efforts to establish a zone of peace, freedom and neutrality in South-East Asia so as to lessen international tensions and to achieve lasting peace in the region,

Reaffirming the need for all States to adhere strictly to the principles of the Charter of the United Nations, which call for respect for the national independence, sovereignty and territorial integrity of all States, non-intervention and non-interference in the internal affairs of States, non-recourse to the threat or use of force and peaceful settlement of disputes,

1. Reaffirms its resolutions 34/22, 35/6, 36/5, 37/6, 38/3, 39/5, 40/7 and 41/6 and calls for their full implementation;

2. Reiterates its conviction that the withdrawal of all foreign forces from Kampuchea, the restoration and preservation of its independence, sovereignty and territorial integrity, the right of the Kampuchean people to determine

their own destiny and the commitment by all States to non-interference and non-intervention in the internal affairs of Kampuchea are the principal components of any just and lasting resolution of the Kampuchean problem;

3. Takes note with appreciation of the report of the Ad Hoc Committee of the International Conference on Kampuchea on its activities during 1986-1987 4/ and requests that the Committee Continue its work, pending the reconvening of the conference;

4. Authorizes the Ad Hoc Committee to convene when necessary and to carry out the tasks entrusted to it in its mandate;

5. Reaffirms its decision to reconvene the Conference at an appropriate time, in accordance with Conference resolution 1 (I) ;

6. Renews its appeal to all States of South-East Asia and others concerned to attend future sessions of the Conference;

7. Requests the Conference to report to the General Assembly on its future sessions;

8. Requests the Secretary-General to continue to consult with and assist the Conference and the Ad Hoc Committee and to provide them on a regular basis with the necessary facilities to carry out their functions;

9. Expresses its appreciation once again to the Secretary-General for taking appropriate steps in following the situation closely and requests him to continue to do so and to exercise his good offices in order to contribute to a comprehensive political settlement;

10. Expresses its deep appreciation once again to donor countries, the United Nations and its agencies and other humanitarian organizations, national and international, that have rendered relief assistance to the Kampuchean people and who are still in need, especially along the Thai-Kampuchean border and in the various encampments in Thailand;

11. Reiterates its deep appreciation to the Secretary-General for his efforts in co-ordinating humanitarian relief assistance and in monitoring its distribution, and requests him to intensify such efforts as are necessary;

12. Urges the States of South-East Asia, once a comprehensive political solution to the Kampuchean conflict is achieved, to exert renewed efforts to establish a zone of peace, freedom and neutrality in South-East Asia;

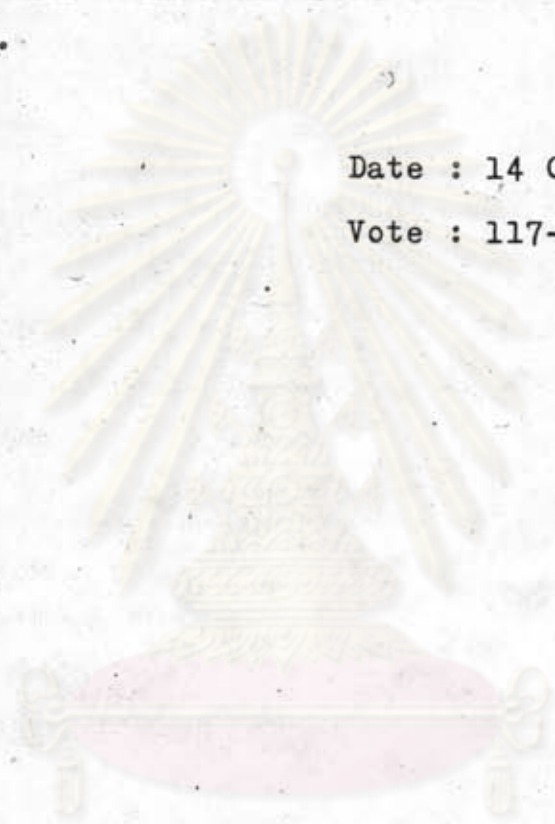
13. Reiterates the hope that, following a comprehensive political solution, an intergovernmental committee will be established to consider a programme of assistance to Kampuchea for the reconstruction of its economy and for the economic and social development of all States in the region;

14. Requests the Secretary-General to report to the General Assembly at its forty-third session on the implementation of the present resolution;

15. Decides to include in the provisional agenda of its forty-third session the item entitled "The situation in Kampuchea".

Date : 14 October 1987

Vote : 117-21-16 (recorded)



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

JOINT APPEAL MADE BY FIVE ASEAN FOREIGN MINISTERS
WHICH WAS RELEASED IN THE CAPITAL CITY OF
ALL FIVE ASEAN COUNTRIES,

on 21 September 1983, at 12.00 noon Thai local time

1. The central issue in the Kampuchean problem is the survival of the Kampuchean nation and the restoration of its independence and sovereignty. The total withdrawal of foreign forces, the exercise of self-determination and national reconciliation are essential elements for the survival of an independent and sovereign Kampuchea. The continuing foreign occupation of Kampuchea and violation of Kampuchean sovereignty, independence and territorial integrity threaten regional and international peace and security.

2. The Foreign Ministers therefore call on the international community, particularly Vietnam and the five permanent members of the UN Security Council as well as other states concerned to join them in intensifying efforts to achieve a just solution whereby Kampuchea can emerge once again as an independent and sovereign nation in fact as well as in law.

3. In order to restore Kampuchea's independence, sovereignty and territorial integrity, the Foreign Ministers further appeal to all countries concerned to refrain from

all interference, direct or indirect, in the internal affairs of Kampuchea and to respect the neutral and non-aligned status of Kampuchea, which is essential to the legitimate security concerns of all countries in Southeast Asia.

4. Moreover, following the total withdrawal of foreign troops from Kampuchea, the Kampuchean people must be able to exercise their inalienable right to self-determination through internationally-supervised elections in which all Kampucheans shall participate and all political groups in Kampuchea should be encouraged to work towards the goal of national reconciliation.

5. In consonance with the on-going international efforts, the Foreign Ministers reiterate their willingness to consult with all parties concerned regarding possible initial steps that could be taken in pursuit of a comprehensive political settlement of the Kampuchean problem. These steps could include the following :

- A. With regard to the declared intention of Vietnam to conduct partial troop withdrawals, such partial withdrawals should take place on a territorial basis, and could begin with withdrawal from the western-most territory of Kampuchea along the Thai-Kampuchean border. These withdrawals should begin as soon as

possible in phases within a definite period to be worked out as part of a comprehensive political settlement.

- B. In this context, a ceasefire should be observed in these areas, which should then be constituted as safe areas for uprooted Kampuchean civilians under UNHCR auspices. In addition Peace-Keeping Forces-observer groups should be introduced to ensure that the withdrawals have taken place and the ceasefire and safe areas are respected. International economic assistance programmes should be encouraged in these safe areas.

6. The Foreign Ministers, conscious of the plight of the Kampuchean people resulting from the ravages of war and mindful of the need for the economic reconstruction of Kampuchea and the rehabilitation of the social and cultural life of the Kampuchean people, hereby appeal to the international community to mobilise resource for a programme of assistance as part and parcel of the comprehensive political settlement of the Kampuchean problem. An international conference for the reconstruction and rehabilitation of Kampuchea should be convened at an appropriate time.

Ministry of Foreign Affairs,

September 21, 1983.



ประวัติผู้เขียน

นายฐานิษฐ์ ๓ สงขลา เกิดที่กรุงเทพมหานคร เมื่อวันที่ ๓ สิงหาคม พ.ศ. ๒๕๐๔ สำเร็จการศึกษาระดับปริญญาตรีบัณฑิต (ภาควิชาความสัมพันธ์ระหว่างประเทศ) จากจุฬาลงกรณ์มหาวิทยาลัย เมื่อปี พ.ศ. ๒๕๒๕ เข้ารับราชการในกระทรวงการต่างประเทศ เมื่อปี พ.ศ. ๒๕๒๖ สังกัดฝ่ายเขตแดน กรมสนธิสัญญาและกฎหมาย ปัจจุบันสังกัดกองเอเชียตะวันออกเฉียงใต้ กรมการเมือง

ศูนย์วิทยพัชร์พยากร
จุฬาลงกรณ์มหาวิทยาลัย