

Yale-UN Oral History
Thant Myint-U
James Sutterlin, Interviewer
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James Sutterlin: Dr. Myint-U, I wanted first of all to thank you for agreeing to participate in this Yale Oral History project, and in discussing your experiences in Cambodia I would like to begin to ask you to put on the record, so to speak, what was your background before you were assigned, or before you took the position that you did hold in the Cambodian program.

Thant Myint-U: I was at that time a Ph.D. candidate at Cambridge University, having completed my undergraduate degree at Harvard a few years ago, and my Masters degree at Johns Hopkins a couple of years after. I had worked for the United Nations on a very short project once at UNBRO, the UN Border Relief Operation, on the Thai-Cambodian border, and I had worked on the Burmese-Thai border with Burmese refugees, and I had also worked as a consultant for Asia Watch, which was my main human rights background up until that point.

JS: So did you volunteer for this? You were not actually then a secretariat employee?

TMU: No, I was not a member of the UN at that time. I was interested in going out to Cambodia, perhaps joining the UN in some other role, and I had approached different people and wound up with that particular job.

JS: And how were you selected, do you know? Was this a matter of putting in applications?

TMU: Yes, I had applied formally, and I got in direct contact with Dennis MacNamara who was Director of Human Rights at that time already through a common professional contact, and I'm not sure exactly how the selection process worked but a couple of months after I put in my formal application I was offered a post at the Human Rights office.

JS: And was that what you were particularly interested in, the human rights area?

TMU: Yes, I wanted to work specifically with Dennis MacNamara on human rights.

JS: And was there any prior training process that you went through in order to be oriented as to what the human rights situation there was?

TMU: Not before I arrived in Cambodia I took it upon myself to read different books about Cambodia and that situation, and I knew something about it before, having worked on the border. But it was only when we arrived in Phnom Penh that there was, I think, about a week or ten day-long orientation process, which involved mainly orienting ourselves within the mission, administratively, and only to some extent orienting ourselves with regard to the country as a whole.

JS: When did you arrive in Cambodia?

TMU: I arrived in June of 1992, originally on a six-month contract, but then stayed through most of September 1993.

JS: So that was really just a few months after UNTAC was established?

TMU: It was still in the middle of being established. I think I arrived more or less at the same time as most of the people, so I would say a third to a half of the people had arrived.

JS: How would you describe your assigned duties? What was your job?

TMU: I arrived when it was still a very fluid situation. I was appointed as a human rights officer. I told Dennis that I would like to remain in Phnom Penh if possible. I was first made an information officer within the human rights component, and I did that for about six weeks, and then Dennis took me on as his assistant. So, for the vast majority of my time in Cambodia I was Dennis' assistant, and worked with him closely on pretty much everything he did. I was also in charge to a varying extent of the paper flow within the office, managing the correspondence into him. But I also went with him to all the various meetings, wrote up the reports from those meetings, drafted both internal and external reports of the component, and I was also in charge of our informal liaison with NGOs and with the press.

JS: So you spent most of your time in Phnom Penh?

TMU: I traveled when Dennis traveled; I traveled occasionally on my own. Because we were a small component we all did bits and pieces of everything; but yes the vast majority of my time was in Phnom Penh.

JS: What was the relationship of this office to the Civil Administration segment?

TMU: In theory?

JS: No, in reality. Well, both. In theory and reality. In theory, as I understand it, Civil Administration was more or less in charge.

TMU: Well, Civil Administration had their role of controlling key areas of government in the run up to the election to ensure that the election was free and fair; we had a broad human rights mandate, an extremely broad human rights mandate, in the sense that under the Paris Peace agreements all the parties undertook to ensure that severe human rights abuses never occurred again; and it was the role of our component to help them in implementing those commitments. So, there was an over-lap between our work and Civil Affairs in the sense that they were trying to control key areas of government of the various factions in order that free and fair elections could be held, meaning that there needed to be at least a decent standard of respect for human rights by the various Cambodian factions. Of course, we wanted that as well, so that was the area of over-lap. But we also took a much longer-term view because our mandate in some ways stretched beyond Civil Administration's mandate in that we were looking a lot at the post-election situation.

JS: How would you describe... there has been some criticism of the Civil Administration segment. How would you describe your relations with that?

TMU: I suppose it depends on the issues. If one had to take a very general view, we, or some of us in the component thought that Civil Administration was being too conservative. Looking at things from a human rights perspective, I think we wanted them to take stronger action in controlling, or take a harder line in controlling, areas of government, especially with the State of Cambodia, which had, of course, the main state apparatuses in Cambodia at that time, and to take a stronger line in redressing human rights problems. So, on many given issues or problems, we would be advocating a fairly strong human rights redress action, whereas often they would be wary, for various reasons, and not taking a very strong action --- I think probably for fear of jeopardizing their more general relationship with the State of Cambodia.

JS: What about with Mr. Akashi, the Special Representative? Again, there has been some criticism of the reportedly very centralized procedures that he followed. How did the human rights sections fare under this administration?

TMU: I didn't know Mr. Akashi very well at that time. I got to know him much better later on. We were eager to make a pitch early in our time, and UNTAC's time in Cambodia, that human rights should be a very central part of the whole operation and not be seen as something that was done on the side and very much peripheral to the main work of elections and repatriation of refugees. I'm not quite sure what Mr. Akashi's ideas

on that were, but I think we always had a feeling of being outsiders or peripheral to the mission, and we knew that we had to try to make a case for strong human rights action throughout that period. I think there were certain specific instances in which we were frustrated and we wished that there was more backing from the top and from Mr. Akashi's office and from other components.

But I think it was more of a central problem in the whole structure of the mission and the peace agreement, in that there was all this language about the need to improve human rights but yet there was not an in-built redress mechanism. So every time there was a problem, the response of UNTAC had to be negotiated, and in that whole process of negotiation, it took a lot of time and that in itself made it that much less effective. So, I think it was a very central problem that went beyond individual decisions that were taken, and it had to do with the way that the whole mission was conceived and carried out.

JS: And the appointment of the prosecutor, did that help?

TMU: Well, that came quite late on. I think we were faced with a situation by, say, January or February 1993 with the election only a few months away, of mounting political violence on the one hand by the State of Cambodia authorities against perceived political opponents, and also by the Khmer Rouge, the National Democratic Kampuchea, against ethnic Vietnamese in their effort to galvanize popular opinion behind them. It was very unclear what redress mechanisms we had, that were build into the agreement, which we could use to try to change this. The Special Prosecutor office was set up as an attempt to do this. We weren't particularly optimistic that that would happen, but we felt that

something had to be tried. We thought that this was a way of both trying to tackle this problem of rising political violence and also we thought the Special Prosecutor's office could be a way of jump-starting our attempts to revive the Cambodian judiciary as well.

JS: Yes, because any action had to be taken within the framework of the Cambodian judiciary, is that correct?

TMU: Not necessarily. That was a matter of debate. There were two possible approaches that we could take. We could have arrested people under the authority which we believed we had and then prosecuted them through a tribunal which we would have then set-up, and which would have been perhaps part-foreign and part-Cambodian, but would have been a UN-established tribunal. The other way, which was the course that we actually did take, was try to prosecute these people through the Cambodian courts. I think a lot of people thought, or some people thought, at that time that setting up a foreign tribunal would have been too heavy-handed, too interventionist, and also some people thought that trying to prosecute them through the Cambodian judicial system would help the Cambodian judicial system at this very critical time in trying to resuscitate some authority for them.

JS: In that connection, Mr. Akashi has emphasized that he considered it important in judging questions of human rights to understand what were considered human rights violations within the culture of the region, not just Cambodia but of other Asian societies. Was this something that permeated your work? Dennis MacNamara's work? Were you aware of it?

TMU: Yes, very much so. I would have argued, and I did argue, and other people in the component, and I think Dennis would probably agree, that the most important thing was to make our human rights work relevant to the context in which we were working and to try to promote and protect human rights and explain these things in a language which people in Cambodia would understand. What I would disagree with is that in some ways the kinds of human rights that we were trying to promote and protect were alien to that local context. On the contrary, I think what we found in Cambodia was a society which was so devastated because of its recent history, because of what had happened under the Khmer Rouge, because of the following years of civil war and foreign occupation, the society was so devastated that many of the people there very much welcomed and wanted new ideas and new approaches and new thoughts about how to structure their society and government. There was not a single case that I remember of a Cambodian person in a town or village or Phnom Penh ever saying, "Oh, this is alien to us, we don't want it." On the contrary, everyone was saying, "Help us, and give us some new approaches to rebuilding our country." That was the more locally relevant aspect that we needed to keep in mind, how fluid ideas and structures were in this country. Of course, in terms of language that's another issue. I think people, as a predominantly Buddhist country, as a country with its political background, it was important to try to understand the local language, not just in a narrow sense, but in the broader sense, and pitch human rights in that language. And that's very difficult to do unless you've got some Khmer speakers. We didn't have the resources to do that, that would have been a much longer-term project. Because of that, we made the decision, and Dennis and others, made the decision, to try to

work with local Cambodian partners as much as possible, so that it wouldn't rest entirely on our shoulders entirely to try to bridge this cultural gap.

JS: You mean local NGOs?

TMU: Local NGOs, Cambodian human rights groups that had developed at that time in particular.

JS: Did you find that these local groups, which had to be fairly new, were they relatively sophisticated, were they familiar with the Universal Declaration for example?

TMU: The people at the top were. In general, the quality was very mixed. There were people who actually had some sort of background in human rights, a lot of them were Cambodians who had lived abroad for many years before returning home, and of course they were sophisticated, they had a very good idea about what we were trying to do and what the UN human rights mechanisms were. But then there were many people who joined recently who really had very little idea, who had a lot of good intentions but needed information, training. So we saw our role in part as providing that information and training.

JS: And you were able to do that? You were able to do the training of those indigenous groups?

TMU: We were actually, in that way, we were actually quite successful in reaching out to a huge number of people. I don't remember the numbers off-hand now, but it was in the hundreds of thousands, the number of people that we actually either personally spoke to through open-air lectures, meetings, showing videos, through programs that we did on Cambodian television and radio; we had mobile teams of people who went around with video screens who then took questions afterwards. It was a very grass-roots campaign, which we did in conjunction with the various Cambodian human rights organizations. That was over a sort of six-month or nine-month period. I think in the end a sizable minority of the population actually had some sort of contact with the UN human rights information project.

JS: What communications facilities did you have to reach out to the population?

TMU: I think UN radio and UN television were extremely important, not just for human rights but in general, in trying to create a slightly different environment in which free and fair elections could be held. We also had these mobile teams using audio-visual equipment and going out to groups of approximately fifty or a hundred, of different sizes, and speaking to them in person.

JS: Were radios everywhere available or not?

TMU: They weren't everywhere available, but I remember that some one had funded some sort of scheme in which radios were distributed throughout the country. I think it was the Japanese. And I know that at least in the urban areas, in Phnom Penh that is the

largest city, the UN human rights television and radio programs had an effect. I remember one case, for example, in Phnom Penh, towards the end of our time there, around the time of the elections, where a man on the street in Phnom Penh had hit another man in a car accident, and a crowd had gathered as happens there, and they started attacking the man that they thought had been responsible for the accident, at which point a group of university students came through, and said, "No, this is a violation of this man's human rights. These are the human rights that have been violated; this is what we have heard on television and radio. You need to take him to the police station first." They managed to escort this man out. That's just one example that I remember, but I think there were a few others like that. However ephemeral, it did have a certain impact at that time.

JS: What about the external NGOs? Were they active in the human rights field, and what was your relationship with them?

TMU: I think the difficulty, in a way, was that while there was a number of different international human rights organizations, very few of them, none of them actually, had ever worked in a peacekeeping environment. Their experience was very much in monitoring situations in foreign countries, but had very little experience, and the UN had very little experience, in actually being part of an operation on the ground. So, we encouraged them, or we tried to encourage them, to work with us, and a number of them did in various projects. But we also tried to get other international organizations, not necessarily human rights organizations, to also help us in the actual on-the-ground training, information, and education programs that we were trying to set up. We used a

conference which was held in December of 1992 to try to bring together possible donors, international human rights organizations, other international NGOs, as well as the local human rights groups, in a conference which would look at the current human rights situation, think about where we want to go from here, look at specific projects which could be held in Cambodia, look at the role of local NGOs and then look at the role of international NGOs and donors and try to set up a series of projects --- which is what we did in the spring of 1993, and many of those projects lasted well beyond UNTAC's mandate.

JS: And did you, after you were working in headquarters so to speak, did you have adequate funding? Did you think that your funding for the human rights program in Cambodia was adequate?

TMU: Well, with human rights again the mandate was so broad, and the situation was so severe, that we could have done with hundreds of more people and billions of dollars more money. So it's very difficult to say. I think we had some problems at the beginning. I think that our staff was by anyone's estimate too small to do the work we were trying to do --- we didn't have people in all the different provincial capitals until well within the operation --- but given that we were only there for a couple of years, once we were fully deployed and once we did bring on board a number of consultants and people through extra donations that we had gotten from governments, we probably had an adequate number of people to do the limited number of things that we were trying to do at that time.

JS: What if any restraints did you feel that you were under when pursuing human rights objectives, either from the UNTAC organization or from the State of Cambodia?

TMU: On the one hand, as people trying to promote and protect human rights and looking at the very broad mandate that we had, we wanted to do sort of anything and everything, especially when we were faced with such a terrible human rights situation, especially in the run up to the election. On the other hand, I think we all saw ourselves as part of a bigger operation, an operation which was committed not centrally to the promotion of human rights but committed centrally to a number of other things, including the holding of free-and-fair elections and repatriating refugees and removing Cambodia so-to-speak as an international source of tension and conflict. So I think that we were always mindful of that. I think what that meant was that we geared a lot of our human rights work towards those political and civil rights which we thought were most important in terms of holding a free and fair election, and trying to work with other components as much as possible. But of course, on the other hand, as I said before, as human rights people we also had to take a much longer-term view. So, in a way, our immediate sort of efforts in terms of human rights investigation, setting up the special prosecutors' office, recommending redress, was aimed towards complementing the election effort --- as well as information and education.

On the other hand, the work that we did with local NGOs and trying to set up these projects, and bringing the international NGOs on board was part of a much longer term strategy. I think we looked at the resources we had, we looked at the time frame we had, and if we decided that we could only make a tiny impact, we would try to link that tiny impact to the elections. On the other hand, we were there as the UN at that time,

there was a lot of international attention on Cambodia, the best thing to do for the long term was to try to empower local Cambodians and local Cambodian human rights workers, and also to provide them with the international links and the regional links which would not only fund their efforts in the future but also provide them with a degree of protection once we had left. So we wanted to set them up with a sort of network to protect their efforts after we'd left as well

JS: Having said all that though, did you feel that you were under any restraints as to what you could not do?

TMU: I don't think we were under restraints in the sense of being told that we couldn't investigate this or that. I don't remember any situation in which there was a case that was too politically sensitive that we couldn't look into it, or anything like that. I think it was always the case that we would do an objective investigation into whatever we felt was important, and then we worked it into the system, but then it was up to not just our component but other components and Mr. Akashi to decide what the appropriate redress was and to calculate what the effects of pushing a particular redress action would be on other parts of the operation. At times, we were frustrated that the sort of redress action that we wanted to take didn't happen. But it was never the case that we weren't able to, as a component, investigate or do other things that we wanted to do.

JS: A good many of the external NGOs, at least, were critical of the human rights work in Cambodia. I think that probably is the area that was most subject to criticism. Why, do you think? What was the basis?

TMU: Of their criticism? I don't think it was so much a criticism of the component, I think it was more criticism that the UN in general, the operation in general, didn't do more to create a better human rights environment in the run-up to the election. I think, though, again, that given the time-frame that we had --- 'we' meaning UNTAC as a whole --- and the limited resources, it would have been very difficult to do much more.

Obviously, we could have taken stronger action, I think we could have used our power to dismiss officials much earlier and much more widely. Perhaps the special prosecutor's office, something like that, could have been set-up earlier. I mean, there were things that we could have done, and perhaps that would have marginally moved things in the right direction, but I don't think that we would have had anything like genuinely... well, we wouldn't have had an environment that we were all happy with for elections, even if all those things were done. In a year, or a year-and-a-half, there is no way that you can take a country in Cambodia's situation and change it completely. I think that that was obvious to everyone then, and it is obvious to people now.

I would say that in a way the criticism shouldn't be that we didn't do enough, or UNTAC didn't do enough, within the frame-work of the mission to do more to improve human rights. I think it should be a much more general criticism of not just UNTAC but the way in which the whole peace agreement and the setting up of the mission was structured, in the sense that the whole thing was so focused on the elections, and the form of the elections, rather than trying to improve people's lives, both in terms of their ability to exercise basic political and civil rights, as well as other things, as a part of our much longer-term project of democratizing or trying to build a stable democracy in that country. I think there was much too much focus, not just by UNTAC but in general, in everyone's

approach, on holding elections the year after an international operation was deployed --- which then, as we've all seen now in hind-sight, didn't really lead to a lasting democracy --- rather than concentrating on a much wider effort to create foundations for a better government, which might have meant, for example, a lot more emphasis on reconstruction and aid and for instance that link between human rights and reconstruction was never anything that was really thought through before the operation was set up. I think in the future, if there is any sort of operation like this, there needs to be much more attention given to what within a year we can actually do to change a society, given that our impact will probably be very minimal anyway, rather than simply having elections and then leaving...

JS: I want to ask you a question now in the rather specialized field of human rights, and that is concerning the peacekeeping forces themselves that were there. To what extent, first of all, were you aware of violations of local human rights by the UN personnel, and to what extent did you have any responsibility for dealing with this?

TMU: We were occasionally aware, because we would get reports like anybody else got reports, of assaults on local people by UN peacekeepers, UN soldiers. It became a problem by the beginning of 1993 when there were enough of these cases that it was also in the press. But we weren't in charge of investigating; a special office was set up to look into that.

JS: Within the military?

TMU: Within the military, and there was also something called the Community Relations Office, or something like that. I would be surprised if any of those cases were ever dealt with very satisfactorily, or satisfactorily to the people who were victims of any criminal action by UN soldiers. But again we were specifically not involved in investigating this.

JS: Would you think that one of the lessons that emerges from that experience, though, is that there should be some kind of human rights training given to peacekeeping troops?

TMU: Yes, except I would still be very skeptical about the extent to which a week or two-week course would really change things. With the UN police, for example, we would give these human rights speeches. I suppose it is helpful; I think it should be done. But again, I don't think that would eliminate the problems in the way that perhaps much stricter or more severe punishments for them who violate these human rights might.

JS: Does the selection of the nationality of the troops make a difference in this respect?

TMU: It might. Obviously, if troops are from countries where there are severe human rights violations by the military in those countries on their own people, then you would expect that those troops wouldn't behave very well in somebody else's country. But I think even troops from well-established democracies who have a good track record are also capable of acting in pretty bad ways. We have seen that in a number of other examples. So, again, I think there are certain things that one can do preventively, in

perhaps giving some human rights training, or selecting people better, but in the end I don't think there is any substitute for once some sort of violation takes place, that person is then properly punished. And that people see that this person is properly punished. I don't think there is any substitute for that.

JS: Did the evidence of some violations on the part of UN personnel, did that in any way impede your work?

TMU: To some extent, although I don't think it was so widespread that it sort of impacted on the legitimacy of what we were trying to do, perhaps in a very specific place but not in the general.

JS: I think that one of the criticisms that has been leveled, it is not exactly in the human rights field but I think it is relevant, especially the NGOs who were in Cambodia, and that is the disparity between the standard of living, so to speak, of the UN personnel, the rather luxurious equipment that they brought in and so forth, and the local standard of living, led to a rather egregious disparity. Did this affect your work? Did you find that this was an impediment to the kind of the institution building that you were trying to do?

TMU: I think it could have been a problem, especially in Phnom Penh, where there was such a large foreign population. I think that was probably less so in the provinces. I mean, our human rights officers in the provinces often lived in very modest accommodation, many of them were very sensitive to the context in which they were working. But I think at a more general level, I think that when we go into countries such

as Cambodia, which are obviously in a much poorer state, and we are trying really to affect a certain amount of social change in that country through human rights actions or whatever, and then leave behind some sort of stable, more democratic government, we have to take into account the net impact over 18 months or two years of a multi-billion dollar foreign presence in that country. I think, on the one hand, it had a very, despite the income disparity and despite the misbehavior and criminal actions of some in the operation, I think they had one very positive impact: given that the country was so closed, under the Khmer Rouge and under the Vietnamese occupation, I think the mere presence of a huge number of foreigners helped to crack open that society, or at least destabilized a lot of the more repressive institutions in that society. So, in that way, that was a very positive impact, simply having a huge number of foreigners wandering doing whatever they wanted to do. From a human rights perspective I think, again, it helped to weaken the very controlling mechanisms the people in charge had had. Obviously, on the negative side, there were problems in terms of creating a bubble economy which then left as well as much more specific cases of exploitation and other things resulting from income disparity.

JS: You were in the center, so to speak, but I judge that people from the field came in, and you were familiar with them and their attitudes. In Namibia, it was quite extraordinary I think, the degree of enthusiasm and idealism that was evident and that remained in both the volunteer and the staff personnel that were there in the field doing the human rights work. What was the case in Cambodia, with the people in the field working in human rights? Were they optimistic? Were they disillusioned? How would you characterize their morale.

TMU: I think the vast majority of people in our component were very committed. I think we all felt, at least, that we were trying to do the right thing and trying to move things in the right direction, that the agreements themselves were fairly good, and that the structure in which we were working was all right. I think that where the frustration was six months in, toward nine months in to our work, rather than seeing an improved human rights environment we were seeing mounting political violence, and the last several months of our work up until the election was very much taken up by this problem, and that colored everything else that we did. All our energy was focused on thinking of ways to stem this rising tide of political violence; and so of course that sort of dampened people's enthusiasm in general, or optimism in general, about what kind of Cambodia we would leave behind once elections were finished and UNTAC withdrew. I think on the ground a lot of our provincial offices would have seen some improvement. Again, I think that anyone who takes a slightly longer-term view of Cambodia and knew what Cambodia was like a few years before UNTAC arrived would have felt in those few months that UNTAC was being deployed that it was a generally freer society. But I don't think that any of us felt that it was going to be very easy for any of these human rights groups or democratic institutions that we had set up to survive once UNTAC had left. There was also this sense of pessimism, especially in the last few months.

JS: What about the attitude of SOC? To what extent did the officials interfere with your work, discourage the people in the field, actually interfere with their work?

TMU: I think that in the very beginning, no one was really quite sure what the other was supposed to do, whether it was SOC or the Khmer Rouge or the other factions or UNTAC itself. We were all unclear of how much power we had, or what parameters we had in which we were working. So, I think early on everyone was sort of hesitant and feeling around to see exactly what the other was capable of. That was the case with SOC. SOC was unsure how much power UNTAC really had, how much they could resist UNTAC, whether UNTAC was bluffing, whether it was actually capable of doing certain things. Several months into the operation, though, I think SOC became increasingly bold as it committed certain human rights violations and there wasn't a strong response. I think that then led them to conclude that they could get away with various things and they carried on. I think in the beginning, though, there was a feeling of uncertainty. I think perhaps if we had acted more strongly in the beginning and exploited that uncertainty, we would have gotten away with more than we did in terms of trying to change the State of Cambodia's government apparatus. But then, we didn't have a specific mandate for that, and that was a problem. In a way, the mandate didn't include two things which probably would have been very important: one is to actually identify and dismantle repressive structures of government; and on the other hand, as we have had in Bosnia more recently, a mandate to arrest war criminals. That's a different issue and has to do more with the Khmer Rouge than the people in the State of Cambodia government. But on the first thing, I think that was really key. Because we didn't have a mandate to actually identify and dismantle repressive institutions, we were in the end always reacting to the actions of those institutions rather than taking a more pro-active stand. At most, we could have dismissed people in those institutions and the institutions themselves would have stayed

there any way. We were weakened in that way; we were always reacting rather than actually going in and trying to change things in a more permanent way.

JS: Is one of the conclusions then that the actual rate of human rights violations did not decrease in the presence of the United Nations?

TMU: It is difficult and it depends how you quantify these things. What increased was the number of political attacks by the State of Cambodia against perceived political opponents in the run-up to the elections, and that increased from January up until the elections took place in May. In terms of respect for other human rights, it is very difficult to know. UN human rights were on the whole spectrum from education and health care and everything else all the way through to security of person, and we didn't know what the starting base was, we didn't have a clear picture of what was there. I think people had the general feeling, as I said before, that the simple presence of the huge operation there and the work that we did on education and information did improve things. But again it is impossible to quantify in a meaningful way.

JS: The reason that I ask the question is that it is interesting to compare the effect in different operations, and in the case of El Salvador, for example, where ONUSAL set up a human rights monitoring team, the mere presence of that team seem to have a very salubrious effect and the rate of human rights violations declined precipitously. You had a bigger UN presence in Cambodia, but I judge you would not say that the mere effect of the presence of ...

TMU: I don't know the El Salvador operation very well; I think that a difference might be that in the Cambodian case you had in effect a very repressive, authoritarian government that was in power in Phnom Penh which controlled the vast majority of the country-side. Before UNTAC was deployed, that government allowed no political opposition within its territory, whatsoever. During the period of UNTAC's deployment, political opposition was allowed, and then eventually there was a reaction to that. So if you count both the extent to which political opposition was allowed and was allowed to voice itself and organize, and the extent to which political parties were allowed to set themselves up in Phnom Penh to contest the elections, and then balance that with the extent to which then there was violence against them, then it is hard to say whether there was an improvement or not. I think by the time we left that there was an improvement, in the sense that there were more or less room for elections and you had huge numbers of political parties on the ground that people had had access to and heard these different parties in person or on television. But again, it is hard to compare with the situation the year before when there was less political violence in these areas but then again there was no organized political opposition whatsoever, the organized political opposition being on the battlefield.

JS: Now, we talked a little about the military. Certainly in Mr. Akashi's view, one of the weakest elements of the operations was CIVPOL. I would think, as an outsider, that they would have been your closest allies so to speak in a human rights operation. How did that work?

TMU: Yes - they should have been, and I think that that was how it was conceived, that the police, because they were --- I forget how many of them there were all together, 2000 or 3000 --- because we were thirty human rights officers, they would be our eyes and ears and they would be the people on the ground everywhere, and we would work very closely with them in monitoring, if not in actual redress actions. In practice, because the quality of the police that we were working with was so mixed, and the human rights knowledge or experience of nearly all of them was close to negligible, it was very difficult to do that. I think that was a fundamental problem in the way that the whole operation was conceived and set up. I can think of very few countries if anywhere there would be a sizable number of policemen who could be lent out to the UN who had an adequate understanding of human rights promotion and protection. The idea that you can have police to do that is highly problematic and that's what we found on the ground. Oftentimes, many of the police wanted to help; they simply didn't have the training or the understanding of human rights to really be helpful in a meaningful way. That being said, we wound up depending on them a huge amount for reports. Our initial reports of any kind of human rights violation rarely came from our own people --- they were so few. They came through CIVPOL in the end.

JS: So, it's one of the lessons to be drawn, from the Cambodian experience, that elsewhere you need to have at least a better trained...

TMU: Yes. I think there is a general feeling that human rights is something that everyone can kind of pick up, or that it's obvious and that it's not a real profession, it's

not something that needs a lot of training or understanding. Yes. I think it's a lesson that needs to be learned that you can't have civilian police as an integral part without training

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JS: There were two US-funded organizations that were active there, the National Democratic Institute and the International Republicans. Were you at all aware of their operations?

TMU: I was aware of them, I didn't work with them. I never attended any of their seminars, which I know they organized for opposition political parties in Phnom Penh. I knew... some of the people there informed me, that was all.

JS: So, you can't judge how effective or ineffective...

TMU: No, not really.

JS: And they were not working precisely in the human rights area?

TMU: No, they weren't one of the partner NGO organizations.

JS: Although you would have included political freedom within the context of human rights?

TMU: Yes. It just happened that they, I think, they arrived quite late in the UNTAC period, and so we probably would have met them, I don't remember. They already had their ideas of what they wanted to do and they already had set up seminars and training programs, so it didn't really link up with anything that we were doing at that time.

JS: Now, as you were saying, the instance of political violence increased as the elections drew closer, but did you find in spite of that evidence of reconciliation within the Cambodian society which had really been traumatized by history? Were the groups coming together?

TMU: Because it wasn't an ethnic conflict, they were all ñ except for the Vietnamese minority, and that was a separate issue, I think for the Cambodians it was civil war. You could find many Cambodian families where you had one member of the family who was for the Khmer Rouge and another member of the family was killed by the Khmer Rouge and another member of the family works for the State of Cambodia government. It was a civil war in that way. The vast majority of Cambodians that we talked to wanted peace, wanted a better government, wanted change, but it wasn't a case like in Bosnia, like in an ethnic conflict where it was a question of one community fighting each other. So it wasn't a question of reconciliation, except between the Vietnamese community and the majority Cambodian community, where it was an ethnic conflict, and it was a growing ethnic conflict while we were there, and perhaps to some extent between those communities which were living in Khmer Rouge areas and everyone else --- but we had no access to those communities, or very little access to those communities, anyway.

JS: Including the Vietnamese communities?

TMU: The Vietnamese communities that was the major issue, because the Khmer Rouge, having opted out of most of their commitments under the Paris Peace Accords, and finding themselves increasingly marginalized as the election process continued, decided that they would play a sort of 'racist card' and mounted a series of attacks on Vietnamese civilians to try to galvanize a certain degree of interest or support. Of course that was probably the most important human rights issue that we faced in the months leading up to the election, as important as the attacks by the Cambodian government on perceived political opponents, but it was also something that we found very difficult to really do anything about or to address in a satisfactory way.

JS: In effect, UNTAC had no access to the area under Khmer Rouge control, once the Khmer really ceased its cooperation and Mr. Akashi, in the well-publicized incident stopped at the Khmer border. But what about the human rights operations? Did some human rights efforts continue within the Khmer Rouge areas?

TMU: Yes. We had at least one human rights worker, or a couple of human rights officers in the northwest of the country, who were working in areas in which there were villages which were controlled by the Khmer Rouge. It wasn't a very formal relationship, we never went to Parlin. I went with Dennis MacNamara who spoke to a senior Khmer Rouge official in Phnom Penh, the representative in Phnom Penh at the time; we never went to Parlin. But again we worked in their villages. And like in many of these smaller, more remote villages, we tried to do what we could in providing some information and

some human rights education and things, but I don't think we could pretend that that was anything more than very sort of marginal...

JS: Was it a dangerous operation?

TMU: No. I don't think that our people who were working there felt that they were in any particular danger, any more danger there than they were anywhere else in the country. Again, these are sort of the on the borderlines between government-held positions and Khmer Rouge-held positions. We were never working in the Khmer-held territory.

JS: Now, was the cooperation between the human-rights element in UNTAC and the refugee operation under Mr. de Mello, particularly in terms of the conditions in the camps in Thailand, or as the refugees were returning to Cambodia?

TMU: We had a fairly close relationship with the refugee component. Dennis MacNamara, the head of human rights, was seconded from the UN High Commissioner for Refugees, so he obviously knew all the people there well. Most of that had happened, or a lot of the repatriation effort was well under-way by the time I arrived. I think in general because the repatriation was being done by a UN agency, it wasn't that important for us necessarily to be part of their monitoring since they would have been monitoring themselves. The repatriation, given our very limited resources, that wasn't a huge focus, of monitoring the situation of returnees. That being said, we had human rights officers in the areas in which refugees were being returned, and they would have reported about them...

JS: They would have? Because that was a question --- after all these people were coming back by the thousands, and in some cases to villages where they did not originate, so they must have claimed some property that others might have claimed. Who was monitoring that?

TMU: It would have been UNHCR. I remember we did get reports, and some of the people that we had in those provinces were concerned about the situation and returned refugees, but again most of the monitoring and most of the attempts to help these people was done by UNHCR, and then again, by late-1992, if problems had arisen, our resources were so stretched that we didn't really focus as much as we would have wanted to on the situation.

JS: And there was no question of overlap, then, in functions between the two?

TMU: No, I think that was fairly clear. We had no problems with UNHCR.

JS: How was the cooperation between, in general - you were in Headquarters so you can judge this in a way - not just between the human rights component and the other components in UNTAC, but among the components in general? Did they work as a team, in your observation?

TMU: Yes, I suppose so. I suppose in any bureaucracy where you have differences and people ally themselves with their particular office or component. I think in general we

worked quite well with everyone except that we had this continual difference of opinion with the civil administration component on human rights redress strategies, and again it was a constant problem where we would push for greater action and they would be conservative and not want to antagonize relations with the State of Cambodia government. That was a recurrent source of tension. Except for that, we would have issues coming and going but there wasn't any specific on-going problem.

JS: I asked about the role of CIVPOL in assisting the human rights group. What about the military component? Did you in the human rights area think of the soldiers as assisting you in the objectives of the human rights area?

TMU: In general, the UN military there didn't have a well-defined human rights role to play. I think where we would have thought of them the most was when Khmer Rouge attacks against the Vietnamese civilians increased and many of us felt that there might have been a greater role that the UN military could have played in protecting Vietnamese communities along the Tonle Sap river who were under Khmer Rouge threat. I understand that the mandate of the UN troops on the ground didn't really extent to providing those kinds of protection operation. Nonetheless, I think we felt that given that we weren't following the letter of the mandate anyway, given that they had already confronted with the Khmer Rouge pulling out of their commitments, given that we were doing lots of different things on a sort of ad hoc, as-you-go-along basis anyway, then perhaps there might have been a few extra things that the military still could have done in terms of a display of force, or other things --- I don't remember what the actual proposals were --- but which they seemed reluctant to do that we had been pushing for. Then

perhaps there were some disagreements on those grounds, but in general except for that, I think we all understood that the military wouldn't have been able to support a human rights...

JS: It wasn't their function?

TMU: It wasn't their function.

JS: Now, you mentioned earlier that the Special Prosecutor who, rather late in the game, was appointed --- first of all, was the appointment the result of the urging, so to speak, of the human rights component?

TMU: Yes. It was conceived by the human rights component. The Special Prosecutor, Mark Plunkett, was a human rights officer. Again this was at a time when there was rising political violence and we had exhausted lots of other redress measures proposals that we had put forward to try to stem the violence. Mark, himself, was probably involved in the initial thinking-up phase of his office.

JS: And was that a local initiative, so to speak? In other words, could that be done by UNTAC itself or did it require New York?

TMU: In the end, we had Security Council approval of the setting up of that office. I'm sure we wouldn't have gone ahead if we didn't have that, but we thought that we had

within the framework of the peace agreement and UNTAC's own mandate, the authority to do that.

JS: But once he was appointed, he prosecuted no cases. Why was that?

TMU: It was because of the dismal state of the Cambodian judiciary. Again we were probably erring on the side of being too optimistic when we thought that we could use this to try to jump-start the Cambodian judiciary and get it to work on a few cases, but we weren't able to. And the more we worked with the Cambodian judiciary the more we realized that it would really have to be started over from scratch. It was very difficult to get these judges who had been trained under the old regime to act in an independent way. So, we had a big problem, because we had arrested a lot of people, they were in UN detention, they were among the first people I think who were under UN detention; we didn't have a magistrate before which we could ask these people's detention be agreed to and that problem lasted until the very end of the operation.

JS: Did your human rights component have any direct or indirect relations with the Human Rights Commission in Geneva?

TMU: With the Center for Human Rights. Again, from very early on, we had felt that we had a very short time and we needed to start thinking about what we could do to lay the foundations for a longer-term improvement in the human rights situation in Cambodia. So, we thought about local NGOs and we, of course, thought about the UN Center, because we as a component would disappear along with UNTAC a few months after the

election. We approached the Center, probably in early-1993, about looking after a long-term presence to help protect the Cambodian human rights NGOs and continue some of the work that we had been doing as well.

JS: The Human Rights Commission requested that a rapporteur be appointed, and remain in Cambodia. That was fairly late, I think. I don't know what happened in that, but what was the background for that?

TMU: I don't know where the actual proposal started, but we in general were very much in favor of as much continued involvement by UN human rights mechanisms, structures, offices, as possible. I know we lobbied particularly hard for the Center itself to be present. I'm not sure what the discussions were leading up to the appointment of the rapporteur. Many of the people who worked in our component stayed on to work for the Center so there is a degree of personal, if not institutional, continuity. And the Center still has a presence. We thought that was extremely important, that we leave behind someone that was competent in the field.

JS: Were some of the personnel that remained to be part of that Center?

TMU: Yes, they formally would have changed jobs but they more or less would have continued much of what they were doing before.

JS: You mentioned earlier that one of the problems was the inadequate provision that was made for economic support, I guess you would say, that the human rights group

enjoyed. What conclusions would you draw from that in terms of lessons from Cambodia?

TMU: I think what I was trying to say was if instead of looking at human rights as being something which was an addendum to the election process, and if we looked very broadly and said, “We at the UN are here in this country for a year-and-a-half or two years, what can we best do to make sure human rights are better respected for the long-term?” Then probably holding an election all of a sudden in an environment which really wasn’t best suited for it, probably would have been fairly low down on the list. There probably would have been many other things that we could have done, such as trying to raise the standard of education and health care more generally, trying to completely restructure and professionalize the police force, to try to completely restructure and retrain the judiciary, such as working very closely with local media to try to ensure there was a free and fair media, to try to perhaps arrest war criminals and people suspected of severe human rights violations, to try to identify and dismiss from government structures people who were guilty of supporting policies which were not conducive to human rights...

There were all kinds of things which we could have done which would have had a much longer-term view, but instead of that I think the focus was very much... through no fault of UNTAC, I mean that was the way the Agreement had come together... it was very much on the form of holding elections. I think in the future, if there was a little less attention to form but more to the substance of trying to democratize a country and to improve the living standards of people in that country, in order that you could have a more genuinely popular and stable government in the future, that we need to think a little bit more on that side as well as on simply having a technically free and fair election.

JS: In this period of UNTAC's operation, which was relatively brief, were there many other UN agencies that were active there at the time?

TMU: There was the whole reconstruction component, which was linked to the World Bank, but I think they had a very tough time, a slow start in getting off the ground, so I think that was a major shortcoming. I think there should have been a much greater focus on that, and I think we should have had a much stronger link between our component and the reconstruction component, and that should have been thought through beforehand. In terms of other agencies, like UNDP and UNESCO, we had some links, we would be in communication, but we had no joint initiatives or programs or anything like that.

JS: And there was no inter-agency rivalry?

TMU: No, because UNTAC was so dominant at that time, so that really didn't come up as an issue, at least in the time that I was there.

JS: You went on from there to Bosnia eventually. What lessons did you take with you, so to speak? What lessons do you think should have been learned from the Cambodian experience that are transferable to others? And I am speaking now particularly in the human rights area.

TMU: Again, we saw a similar problem in Bosnia several years later when the Dayton peace accords gave the burden of monitoring human rights to a police force, which then

was placed under the UN's supervision and authority. So, that's a basic problem of not understanding that human rights is something that needs to be monitored and handled by people who have had much more training than just a couple of weeks human-rights training before they go in. I think in terms of education and information, I think in general in Cambodia we did quite a good job. I would say one important lesson of Cambodia is that many of these countries, and I think it's probably going to be true in countries in the future which are coming out of a conflict, it's rarely the case that you are going to find a society which is still very traditional, very conservative, and looking-backward, and holding great respect for the institutions of government which they had. On the contrary, it's likely to be a society that is desperate to find something new. It's not simply a matter of the UN exploiting that, but it's a matter of the UN assisting people in looking forward towards new ways of changing the way they govern themselves. I think there can be a much more dynamic interaction there, between the UN with the resources it has, with the knowledge it has and local communities, in coming up with something new that is relevant to the local context, but in no way is a watering down of international human-rights standards, which I don't think anyone would want.

JS: In that sense, did you find a distinct difference between Cambodia, the population of Cambodia and in Bosnia. Bosnia came out of a Western tradition, in part at least; in Cambodia that is not the case. Did this make a difference in people's perceptions of what rights they should enjoy?

TMU: Well, I didn't work as a human rights officer in Bosnia, and I worked there during the war situation, so that's quite different. I don't think because Cambodia is a non-

Western country that that itself made a difference. I think what made a difference is that it is an extremely poor country, with a really low standard of literacy and education.

There was a constant need to try to make the sort of very legalistic language in UN human rights documents relevant to ordinary people on the ground. I don't think the fact that they were from an Asian country or a non-Western country really changed things at all.

JS: This is a very difficult question, especially since you were not in the field, but it is often commented that the population of Cambodia was really traumatized by its past experience, and therefore was really unable to absorb new concepts, their imagination was stunted. What did you find in that respect?

TMU: I think there is some truth to that; I think any of us who lived there for any length of time and was aware of what was going on and met Cambodian people would agree that there was a huge number of people who were genuine traumatized and unable even, in some cases, to look after themselves or to do the most basic things. But then at the same time, there were many people, probably the majority, perhaps, who were still very able, who had lived through this period but were still extremely capable, were optimistic, perhaps even more than we were, and who were asking for our assistance in their work in promoting and protecting human rights. And really all we could have done was try to help those people, and assume that they as Cambodians would understand their society better than we did. What I am saying is I suppose it's true there were many people who were traumatized, perhaps in many ways Cambodia didn't have the capacity to absorb lots of new ideas and new initiatives, but I'm quite confident in saying that there were some

people who were, and we tried --- probably could have done more --- to try to help those particular individuals.

JS: Are there any other particular things that you would like to put on the historical record, so to speak, of your experience in Cambodia that we haven't covered? And while you think about that, let me ask you one other question, and that refers to, since again you were at Headquarters, the relations with the various factions that were represented there, including the government itself. Were there difficulties in the relationship? Did Mr. MacNamara and you have frequent contact with the representatives of the factions that were present?

TMU: Yes, we did, and we had specific people within our component in Headquarters who were responsible for liaising with at least the main political parties, and we tried to meet as many of the other political parties as possible just to listen to their concerns. It was a difficult relationship, because obviously as political violence against them increased in the months before the election, they blamed UNTAC and they blamed the human rights component in particular for not doing more. We felt that this was unfair since we weren't really the people in charge of making decisions about possible redress measures, but we took the brunt of all of their criticisms, especially from FUNCIPPEC for not taking a more active stand against what they saw as a systematic campaign of harassment against their party. So, yes it was an at times problematic relationship, but we kept in close touch, I personally kept in close touch with a couple of people I knew quite well at that party and a couple of others. So, we heard their concerns all the time. We got information from them, which then led to specific investigations. But then again we

weren't in a position necessarily to do what might have been necessary to actually stop the violence, and that's why we proposed the Special Prosecutor's Office, as an extreme response to a very bad situation.

JS: Because there wasn't an element, from the beginning, that could carry out an investigation?

TMU: Well, we could carry out an investigation but then the question was "What do you do?" The only redress mechanisms that were built into the agreement were the power of dismissal, and that Mr. Akashi decided to use very sparingly. I think we had a case of a police officer or a police station chief who we had wanted to be dismissed quite early on, and that was never agreed to by civil administration or by Mr. Akashi. So generally the power of dismissal, for whatever reason, wasn't used, and so we had no other redress mechanisms other than public condemnation or diplomacy. Because that didn't work, then we tried the Special Prosecutor's Office, with his powers of arrest as, again, an extreme response to the situation.

JS: Which leads to a possible conclusion, that there should be greater longevity to a United Nations operation such as this.

TMU: Yes, especially if you are going to have a human rights component. I think there is a great danger in setting up a human rights component, in launching a very large and I think fairly effective human rights information campaign, raising expectations in that way, creating a lot of enthusiasm among some people for human rights, having a lot of

Cambodians push themselves forward as human rights people who really wanted a new system, and then not really having the instruments through with to improve human rights while we were there. I think that creates a problem in terms of the legitimacy of UNTAC or any other operation like that.

JS: Is there a contradiction in what you are saying, in the sense that it would take a very long time to establish or to nurture the institutions that are necessary, so that just the continued presence of monitors wouldn't do much good unless there were the institutions too?

TMU: No. I mean, with a different hat, as an historian, I would question whether or not it is possible at all for an operation of such small scope in time, of any group of foreigners going into a country, with even huge resources, for a limited period of time of really changing the course of history or society in that country. So, I think even with the best of intentions and with much greater resources and even much greater political will, it may simply have been impossible for us in 18 months to really turn Cambodian society upside down, which is really what would have been needed if we were going to leave behind a stable, democratic system of government. So, I think unless you are willing to stay in for a very long time, for many, many years, not just 18 months, or you lower expectations --- I mean, perhaps it's still worth trying, but I think it is very difficult to go into those kinds of post-conflict situations and expect to change things in just a few months time.

JS: Now, my final question until we go back to you: you are a very acute observer who has had historical training, how would you describe the image that is prevalent among Cambodian society of the United Nations as it went in and as it went out?

TMU: I think we went in.... When we went in I think there was a lot of good will toward UNTAC on the ground. I think they saw us almost as a colonial operation; I think the feeling was that we had quite widespread powers, that we were there almost as an army of occupation, that there was no area in which we couldn't intervene or try to fix things, by ordinary people, not necessarily the governing elite. I think among the governing elite, as I said earlier, they weren't quite sure, there was uncertainty about what we were going to be able to do. I think towards the end people saw UNTAC as being, I think quite realistically, being much weaker than they had thought, because there had been much publicized cases of misbehavior or criminal actions by some UNTAC people. Some of that had rubbed off on the operation as a whole. I think in general, it is very hard to generalize about what Cambodian people would have thought, but when we left I think people had a much more realistic idea about what an operation like that could do than when we went in and people expected we could do everything.

JS: Back to the other question. Are there any other points that you feel that you'd like to put on the record?

TMU: I think the only thing is that oftentimes in other peacekeeping operations since Cambodia, I mean Cambodia was considered to some extent a relative success, others have been considered failures. I think that a lot of the discussion about what to do to

improve these operations in the future talks about mandates and resources and how the military could or could not be, or the police, could or could not be better trained and equipped to deal with these circumstances. But I think in a way, much less attention has been given to how to set-up and train and prepare for the civilian components of these operations. In the Cambodian case, the civilian components were civil administration components, human rights, to some extent the reconstruction people, the information people, the analysis, the information people, the SR-SG's office, and there has been relatively little thought given on how that could be set-up as a sort of stand-by force, and then how that stand-by force could then be flexible to best deal with a particular situation. I think there is always this assumption, not so much in the Cambodian case but in general, that you have the military already prepared three or four years in advance, but then you can sort of set up a civilian team from scratch in just a few weeks' time. And what we saw in Cambodia and what we've seen in a lot of other operations is that it takes the civilians many, many months into an operation to set-up, by which time the operation is half-over. And oftentimes you get people of mixed quality. You get people who are on very short-term contracts, you get people perhaps not properly trained in that particular context. It's not a fault of the UN, in the sense that the UN is thrown into these situations. But I think the lesson in Cambodia is that even in a situation that had a much greater degree of planning and preparation we had problems, and I think there have been many more problems in other operations.

JS: Thank you very much. I think that's all the questions I have at this point.