



Preventing crimes in SE Asia

ALISTAIR DB COOK AND
PRIYANKA BHALLA
SINGAPORE

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IT IS now over 30 years since Cambodia experienced genocide between 1975 and 1979 when the Khmer Rouge killed approximately 1.7 million people or 21 per cent of their population of about eight million. Cambodians were powerless to help themselves against the Khmer Rouge. The international community was caught up in the midst of the Cold War and not interested. Asean was in its infancy.

Vietnam invaded Cambodia and established a favourable regime in Phnom Penh. With this in our minds, how far has Southeast Asia come? What have countries, regional and international organisations and civil society accomplished in an effort to prevent such mass atrocities from recurring?

The signing of the Paris Peace Agreement in 1991 established the grounds for an election and subsequent coalition government in Cambodia. Since then, Cambodia slowly moved forwards without forgetting its past with a fragile political system supported by the United Nations.

The fragility of its political system was illustrated by the infighting between its co-prime ministers in 1997, which caused Asean to suspend Cambodian entry into the regional association until the issues were resolved. The fragility of the political system was coupled with the presence and activities of various United Nations agencies, some of which have caused controversy in the years since the Paris Peace Agreement was signed.

However, on the face of it, international activity illustrates a commitment by the international community to assist Cambodia to rebuild and develop its infrastructure and economy. Examples of this commitment range from the Special Tribunal in Cambodia which was established in 2003 to try Khmer Rouge leaders for their role in the genocide to community-led sanitation projects.

As we plough through 2010, at what seems lightening speed, it is important to take stock and understand where we have come from, where we are, and where we are going. Now is a good a time as any to do so. The Cambodian political system remains fraught with difficulties.

The Special Tribunal for Cambodia has yet to deliver its first verdict against a Khmer Rouge leader, and future trials are in doubt. The Cambodian economy has developed apace but with significant disparity between rich and poor, between urban and rural with increasing concern over land rights.

However, Cambodian civil society has developed significantly into an important check on developments. It provides a mouthpiece to raise awareness on issues such as land rights and provides an important means to mobilise people in a peaceful way.

These developments illustrate that the path to sustainable peace is long and littered with hurdles. Indeed, it is easy to forget why we travel along such a path. However, such a path is unfortunately not exceptional, rather similar paths the world over are walked from Kosovo to Timor Leste.



It is with these various experiences around the world that consensus was reached at the UN General Assembly in 2005 to agree the World Outcome Document. This document contains a commitment to prevent mass atrocities everywhere around the world, and is referred to as the responsibility to protect. It was a significant commitment and one reached by consensus.



Former Khmer Rouge foreign affairs minister Ieng Sary (C), stands in the courtroom during a public hearing at the Extraordinary Chambers in the Courts of Cambodia, in Phnom Penh, Cambodia, on February 11, 2010. Picture: EPA

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The commitment puts the primary onus on an individual country to protect its people from mass atrocities, through all available means, such as an impartial and effective legal system. If a country is unable to provide this, then other countries must be willing and able to assist it in building its capacity.

If a country refuses assistance then the international community must be willing to act to persuade the country to provide protection. This is achieved through diplomatic negotiations or economically through smart sanctions.

In the event that these tools do not work, in agreement with other countries, and through international organisations such as the United Nations, then countries must be prepared to use force to prevent mass atrocities, as occurred in Cambodia between 1975 and 1979 with the execution of 1.7 million people.

At a recent regional consultation on the responsibility to protect held in Singapore, hosted by the S Rajaratnam School of International Studies' Centre for Non-Traditional Security, academics, civil society activists, and policy-makers met to discuss the responsibility to protect and its impact on the region. The regional consultation heard many interpretations of the responsibility to protect with some participants contending that countries are willing to focus on preventive strategies, but not the use of force.

Through the regional consultation it became clear that some have forgotten the paths we walk to a sustainable peace, which highlights the importance of taking stock, to see where we have come from, where we are, and where we are going.

The Cambodian experience should remind everyone why when push comes to shove, with the added protection that such a decision is made by as many as possible, that the use of force cannot be ruled out as a last resort.

When remembering the mass atrocities that have occurred in the region, it reminds us why consensus was reached in 2005, and this recollection should act as a motivation to ensure that preventive measures are in place. A focus on the use of force loses sight of the objective to prevent mass atrocities through an approach that focuses overwhelmingly on prevention.

However, this regional consultation served as an important reminder to academics, policy-makers and civil society that conversations such as these are ongoing.

It is through a forum such as this, where we can interact and voice our concerns about the commitments we have made, to be reminded why we made them and how we can move forward to prevent mass atrocities from happening again.

Alistair DB Cook is post doctoral fellow and coordinator of the Internal and Cross Border Conflict Program, and Priyanka Bhalla is an associate research fellow at the Centre for Non-Traditional Security Studies, S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University

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