

# -Humanitarian Law RULES!

Center for the Study of Humanitarian Law  
Newsletter

April 2017

## Legal and Moral Understanding of Cambodia-US's War-Era Debt

Rather than a new issue surrounding the relation between Cambodia and the United States (US), the discussion involving the debt that Cambodia owes the US since the 1970s has always been on the table. Recently, the US has unsurprisingly re-demanded the Cambodian government to repay the debt with interest. The principal debt of \$274 million has turned into half a billion dollars after four decades. The US's demand for debt repayment is believed to be a means to pressure Cambodia to undertake political and strategic reforms, including respect for human rights, rule of law, good governance, free and fair election, and promotion of democracy. Despite the pressure from the US, Cambodia refuses to settle the debt which it claims to be an "excessive" and "illegitimate" debt incurred by the illegitimate regime ruled by Lon Nol.

The question of whether Cambodia shall repay the debt incurred by Lon Nol regime has been discussed and analysed distinctively based on legal and moral aspects of the issue.

International legal obligation to repay debt is considered as a rule of customary international law. The principle on debt obligation of states is further legislated under the Vienna Convention on Succession of States in Respect of State Property, Archives and Debts and the Vienna Convention on the Law of Treaties. Given that, Cambodia is legally bound to pay the debt that incurred by the Lon Nol regime during the 1970s which according to the US, the debt involved the cost of food supplies and supports for Cambodian people during the US-Vietnam War.

Nonetheless, Cambodia has claimed that the US has owed Cambodia an irreparable moral debt that could not be repaid in cash. The devastation caused by approximately 2.7 million tons of bombs that the US dropped in Cambodian territory during the US-Vietnam war as part of its war strategy was tremendous and disastrous for Cambodian population and Cambodia, (which led to the rise of the Khmer Rouge). There has been no accountability by the US for its illegitimate, indiscriminate and disproportionate bombardment in Cambodia as prescribed under the customary rules of international humanitarian law. Thus, morally speaking, it is immoral and ironic for the US to claim for Cambodia's legal obligation to repay the war-era debt.

## LIBRARY HOURS

April 2017

Mon to Fri: 8.45 am – 5.30 pm

The Center will be closed from Friday 7, April to Monday, 17 April 2017, for Khmer New Year celebration.

## UPCOMING EVENT

*Saturday, 1 April 2017* – Public Lecture Series 1: "Institutions for Economic Development"

## RESEARCH AT THE LIBRARY

Did you know that you can access online databases, Westlaw International and Westlaw UK, at the library? These databases give you access to 1000s of documents that will help you with your research. And if you need help using them, we're more than happy to assist!

