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Editorial:

KHMER ROUGE HISTORY: **EDUCATING THE YOUNG GENERATIONS**

"There is no more urgent task than to teach students about the importance of human rights and to analyze the actual instances in which genocide has been committed." --From Model Curriculum for Human Rights and Genocide, California Department of Education.

Almost 2 million Cambodians died between 1975 and 1979 under the leadership of Democratic Kampuchea (DK). This fact is known by all Cambodians. Yet our country has done surprisingly little to ensure that we remember what happened, educate our young about the atrocities, and provide justice to the victims. With the passage of time Cambodia continues to lose survivor's stories; a vital source from which to learn about our country's recent tragic history. This means that, without concerted effort, students of this and future generations may know little if anything about the history of DK and the Khmer Rouge (KR).

Disinterest and ignorance about the Khmer Rouge and the genocide they perpetrated in Cambodia is dangerous. Today, young Cambodians have little interest in news relating to Khmer Rouge issues. Sadly, even some Cambodians that lived through the KR atrocities have little interest in the issues. For example, people have been hearing about a possible KR tribunal for more than two decades, yet nothing has happened in terms of legal accountability to recognize the suffering that they went through. Compounding the issue, some that have shown interest in the issues have been killed or discriminated against by society. Others simply are not bothered and feel no need at all to bring up the issue of justice. Still others choose to forget the frightening past or to blame God for what happened. Whatever the reasons, continued ignorance or denial of KR atrocities is dangerous because it disrespects the victims, could lead to the possible recurrence of genocide in Cambodia, and could lead to popular distrust of the country's judiciary.

Unfortunately, education regarding KR history has often been used as a tool for gaining political advantage, rather than as a way to prevent the recurrence of genocide and bring about justice, reconciliation and peace. For example, throughout the 1980s, social studies textbooks did indeed depict the brutality of the KR; however, they also taught of the victory and bravery of the PRK (People's Republic of Kampuchea), arm and arm with the Vietnamese; a portrayal that many Cambodians despise to this day. Further, after the signing of the Paris Peace Accords in 1991, KR history lessons were taken out of school curricula. The government developed a new KR history lesson between the mid-1990s and 2002. Once the new history lesson was introduced, it, too, was attacked as a politicized, selective, and abbreviated lesson. This lesson was subsequently removed from the curricula only a few months later.

Now, time is running out. Almost two full generations of Cambodian children have completed public education without an awareness or understanding of genocide and their country's tragic past. This only makes reconciliation and peace harder to achieve.

A few months ago, before the 27 July National Assembly elections, a 15-year-old student was quoted in the local magazine Bamboo Shoot and in the 8 July Cambodia Daily saying, "I want to have a good leader who loves the nation like Hitler, is serious like Stalin..." To me, this was a grim sign that genocide has the potential to return to Cambodia in the future if we fail to educate our younger generations about genocide and the Khmer Rouge.

The outlook for Cambodia's future will drastically improve when young people of this and future generations receive a clear picture of Khmer Rouge history. In addition, while the concept of justice does exist in Cambodia, education of KR history will only strengthen the foundation for future Cambodian justice. This will help to eliminate social chaos, impunity and corruption. Moreover, it will provide students with the background necessary to understand and appreciate the prospective international Khmer Rouge tribunal.

> Kok-Thay Eng Co-English-Editor-in-Chief

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Letter from Youk Chhang:

PCHUM BENN RECALLS A PAST THAT IS STILL ALIVE

Pchum Benn has arrived. It has been 25 years now, since this important ceremony has taken on a different meaning. People offer food to the monks in memory of their relatives who passed away during the Khmer Rouge regime. Everyone, from the King to farmers living in the Cambodian countryside, had at least one loved one tortured or killed by the Khmer Rouge.

Will the demand for justice for the victims of the ruthless regime continue endlessly, like the back and forth flows of water at the Mekong junction? Is the

reversal of flow towards justice a way to comfort the victims for whom there is no real legal redress, or is it simply a re-minder of the approaching flooding and receding seasons? Is there no genuine willingness to have a tribunal among our Cambodian leaders? Is there no concerted effort to find justice in our country? Or are concerted efforts only applied to keep impunity in place and to conceal structural faults in our judiciary system? Do we not learn from our mistakes?

The violation of human rights and the deaths of millions caused by former Khmer Rouge leaders will become a serious burden for future generations if the lingering impunity is not addressed. This burden will become a complex social puzzle affecting our future development as a people and as a nation.

Cambodian youth should learn from their country's past so that they avoid repeating the same mistakes. The study of history is not about holding grudges, not

about seeking revenge and not about a refusal to move forward. On the contrary, the study of history is an effort to move forward. Those who do not know their history are condemned to repeat its mistakes.

It is not right to lay all the blame for Cambodia's present problems on the Khmer Rouge. But it is also not right to tell Khmer Rouge victims that they should not seek justice, to urge them to forgive perpetrators without proper trials and to forget their sufferings without putting this era of Cambodian history in school

for our children to learn.

What we can do now is to provide strategies for the victims and perpetrators so that they may seek justice by themselves, enabling them to forgive and to free themselves from the grip of the past so that both feel free to move on. Central to such strategies is a credible tribunal of the Khmer Rouge leadership.

The lingering attitude of pointing to others, of blaming the past or the dead can be ended by using the law and by studying what happened and why. The

Khmer Rouge victims cannot possibly be compensated for the horrors they had to live through. Compared to their plight seeking a credible tribunal is a very small demand. Not only does today's *Pchum Benn* Ceremony recall a past that is still alive, it also reminds us that we need honest and genuine politicians who are serious about the search for truth and justice.

Youk Chhang Editor-in-Chief and Publisher



KHIEU PONNARY

Joanna Rebecca Munson



The death of Khieu Ponnary on 1 July 2003 signified the aging of the Khmer Rouge leaders and brought to the fore questions of holding responsible in a court of law men and women who are decidedly past their prime. Khieu Ponnary's death

had the potential to spark another, oft-overlooked aspect of the Khmer Rouge past: women's roles as both perpetrators and victims. But sadly, as has often been the case, women as a subject of study was brushed aside in favor of highlighting her place in history as the wife of a famous man. But Khieu Ponnary is a subject worthy of study in her own right, and not only as the wife of another. It is indeed intensely fascinating and chilling to read the (admittedly sparse) accounts of Ponnary's trajectory from promising student, to one of the leaders of a heinous regime, to insane woman in need of constant care. Sadly, due to the lack of primary and secondary documents on Ponnary and her seclusion due to insanity, any investigation into the life and times of Khieu Ponnary leads to more questions than answers.

Khieu Ponnary was born in 1920 in Battambang Province, the daughter of a judge. Nothing is recorded about her mother, save a brief mention in Elizabeth Becker's When The War Was Over, of Khieu Ponnary's and her sister's return from Paris, when they did not visit their mother, who had come to Phnom Penh to see them, for two months. Their estrangement from their mother had its roots in the humiliating affairs when their father left their mother for another woman. Even though both Ponnary and her sister Khieu Thirith achieved great academic success in Cambodia, going on to study in France, there is some suggestion that

Ponnary felt deeply stained by the episode.

Ponnary and Thirith graduated from Sisowath High School, and Ponnary was the first Cambodian woman to receive a baccalaureate degree from France, while her sister was the first Cambodian to graduate with a degree in English Literature. While these accomplishments seem important from their titles, they are less prestigious than at first blush. Ponnary's baccalaureate degree was the equivalent of only a high school degree, in a rather poorly functioning education system. Indeed, the prestige that Ponnary and Thirith gained for being the educational elite came only after the Communist party gained notoriety. Khek Galabru, director of Licadho, is the daughter of the first female Member of Parliament, who served in the 1960s. Galabur's mother is not often cited for her important place in Cambodian history. One can only guess that Ponnary's involvement with the Khmer Rouge has served to elevate her educational standing to a degree perhaps undeserved. This is not to suggest that Ponnary was not smart, but it is to highlight that the titles she achieved should not be evidence of her success.

In 1949 Khieu Ponnary traveled with her sister to Paris to pursue her teaching credentials. Khieu Thirith's ambitions in Paris were to attend university and to marry Ieng Sary, an emerging Cambodian Communist leader who had been one year ahead of Thirith at Sisowath High School. This occasion brought together Ponnary and Saloth Sar, another communist leader who would soon take the nom de guerre "Pol Pot," and was five years her junior.

In 1951, Saloth Sar, having failed three exams, had his scholarship revoked and decided to go back to Phnom Penh. Khieu Ponnary also had her scholarship revoked, but not because of marks. Rather, it was her political involvement with the budding Communist

network that forced her return to Phnom Penh. It is unclear how involved she was in the ideology of communism. Her sister had encouraged her to attend Marxist study sessions, which is where she met Saloth Sar, but no documents remain suggesting her own beliefs about communism and its efficacy. One can only guess that her involvement with Sar both signaled her interest in the ideology of communism and also more firmly wedded her to the movement, regardless of her private beliefs.

When they returned to Phnom Penh, a city under the control of Prince Norodom Sihanouk, Ponnary began publishing a woman's magazine entitled Neary ("Woman"). The magazine contained cooking recipes and articles on fashion and beauty tips, as well as on other social issues such as child-rearing, with intriguing titles like "Should Children Be Educated in Freedom or Oppression?" She translated French fables like "The Ploughman and His Children," into Khmer and the magazine was sold at the Phnom Penh shop "Petit Paris."

Very little of her communist sympathies show through in her work of this period. Mey Kamphot, who became an executive in one of the largest private banks in Phnom Penh, was taught by Ponnary in his first year of lycee (high school). He remembers her intelligence and her Khmer nationalism, but there was no suggestion in the classroom of either her communism or that of Saloth Sar, whom she married in 1956.

Her sister, Ieng Thirith, said that during this period, she and many other wives had to work very hard to support their families and the party, since their husbands were involved in organizing and many of them had been denied well-paying jobs. She writes, "I stopped my political activities so I could teach at a government school. My sister and I, both of us, were teachers in government lycees. Since we had to live, I had to have a job." While they may have contributed monetarily to the party, recent evidence has come to light that most of the money may have come from China, and not from the lycee work of Ponnary and her sister.

There is some evidence that Ponnary continued

being active in the party, and not just supporting it monetarily, but the evidence is sparse and incomplete. In the late 1960s, there were fierce gunfights on the streets of Phnom Penh between the communists and Sihanouk's forces. During one such fight, Ponnary was almost arrested, but it is unknown if she was just caught at the wrong place at the wrong time, or if she was an active member of the fighting. A further indication of her continued political ambitions is the founding in 1961 of a secret women's communist organization. Furthermore, in 1973, Ponnary was appointed Party secretary of Kampong Thom province. Under her watch, this area became known as a very strict zone where party policy was implemented to the greatest degree. A soldier from this region recalled that "In the Kampong Thom region, the Organization [was] led by very severe men [sic]... Their discipline was terrible; there were many executions..."

But doubt remains as to the true nature of the women's organization that she secretly founded in 1961 and that by 1976 was the Association of Democratic Women of Kampuchea. It could be true that the organization was meant to hold real power and influence, but the fighting that drove Ponnary and fellow communists to the countryside in 1965 also sidetracked the mission of the organization. At any rate, it is far from clear that the organization played a significant role in attracting women to the communist cause and it is doubtful that after 1975 Ponnary was an important leader. The Laotian and Vietnamese Communist movements tried for years to make contact with a Cambodian Women's association, since the former movements had influential women's organizations. It was not until 1976 that the Cambodian Women's Association made meaningful overtures to the other groups. From 28 August to 4 September 1976, a fivewoman delegation traveled to Vietnam, but while Ponnary was the official head of the Democratic Kampuchea Women's Association, she did not join the delegation. The Cambodian association invited the Vietnamese back for a visit to Cambodia, and on 7 February 1977, the delegation arrived in Phnom Penh. According to the leader of the Vietnamese Women's Union delegation, Ha Thi Que, Ponnary was not present once during their week-long visit. Her sister Thirith explained that it was she who was "representing the Women's Association of Democratic Kampuchea." When Que asked after Ponnary, she was told that Ponnary was sick. Indeed, Phnom Penh Radio's coverage of the visit did not mention Ponnary and nor did any Cambodian describe Ponnary as the leader of the Women's Association, even though no one appeared to hold this position. By the end of her visit, Que had the impression that there was no real Cambodian Women's Association.

There are two possible explanations for this apparent smokescreen. It seems likely that at this point, Ponnary was already displaying symptoms of insanity, if not the fully blown disease. Had she been the true head of the organization, then her demise could have caused the demise of the organization. Alternately, the organization has never held much of a position in the Cambodian communist movement, and her demise did little to dampen its already lackluster position. At any rate, by the time the Khmer Rouge took over the country, Ponnary was well on her way towards a life of insanity. There is some suggestion that her insanity was caused or hastened by learning that Pol Pot had already been married at the time of her marriage to him and that he had fathered a son. Coupled with the sting of her own father's infidelities, this knowledge may have severely compromised her mind. She waited out the years 1975-1979 under special care in a home outside the city, away from her husband. And for the more than twenty years that Cambodians have worked to rebuild their society, she has remained blissfully ignorant of the havoc wreaked upon her country by her party, her husband, and, most likely, herself.

Her death this year, unlike the inevitable deaths of other leaders of the Khmer Rouge, does not impact Cambodia's collective memory; her memory was gone long before her death and she would have been little help to a tribunal. But it does allow us to explore questions of gender and power during the Khmer Rouge regime. The Khmer Rouge, for all their propaganda concerning equality, did not make significant efforts to change the situation of women in Cambodia for the better. They changed the situation in Cambodia, no doubt, but they changed it to a living hell for both men and women. There is some poetic justice in Khieu Ponnary's downward spiral into insanity. But there is also a sense of justice thwarted. She never had to answer for her sins. She was protected by her dementia. Her sister was able to credit her at her cremation with "good deeds and sacrifices...for her beloved people and nation." It seems clear that Ponnary, for her involvement in the genocidal regime, was a perpetrator, but one must also acknowledge that she was most likely a victim of the bad deeds of her father and her husband. The other Khmer Rouge leaders who are still alive were not victims, either of people or of insanity. Should they escape responsibility in death, it is likely that the nation will feel cheated and never feel the sense of closure they so desperately desire.

Joanna Rebecca Munson is a fellow at the University of Chicago.



S-21 CONFESSIONS OF PENH THUOK (A.K.A. VORN VET)

Kalyan Sann



Note: This article is a compilation of five confessions made by Penh Thouk, a prisoner at S-21 (Toul Sleng) prison. Guards at S-21 prison extracted these confessions on 6 and 10 November, and 1, 3, and 5 December 1978. As with all confessions extracted under torture, readers are reminded that the truth of "factual assertions" cannot be assumed.

Penh Thuok (a.k.a. Vorn Vet) was a former Minster of Industry of the Democratic Kampuchea regime. He was also known by the aliases Mean, Te, and Kuon. His parents, farmers, were natives of Siem Reap province, which is where he went to primary school. In 1948, Vorn entered Battambang High School. In 1952, he passed senior high school exam and went to Phnom Penh to continue his studies. He stayed in the care of his Aunty Yoeun, Yoeun's house was the office of the Democratic Newspaper. Soeng Sorn, Yoeun's husband, often brought the newspaper for Vorn to read and educated him about the U.S.-support of the Free Khmer. Under the constant reading and persuasion of Sorn, Vorn became interested and was willing to learn about the Free Khmer. In 1953, Vorn joined a student-led movement demanding Cambodian independence from the French.

Following the movement, Vorn became lazy. Instead of studying, he intended to flee and join the jungle-based movement with Son Ngoc Thanh. In July 1953, Vorn left Phnom Penh and joined Issarak Khmer, headed by Savang Vong in the Slab Leng region. After three months in the jungle, Vorn met Meas Samai, who then invited Vorn and other two people to join Son Ngoc Thanh's Khmer Viet Minh. Three of them were arrested by Savang, while Meas Samai managed to escape. Savang Vong released Vorn in March 1954. He decided to go back home, staying with his Aunty Yoeun.

In April 1954, Vorn left for Stung Trang district in preparation for crossing the Mekong River to the Eastern Zone. Vorn reached the Eastern Zone in May 1954, staying in the vicinity of Santey village. He stayed in a home with Brother Number One (Pol Pot) and ten other people. He saw Tou Samut visit occasionally.

In July 1954, following the Geneva Convention, Vorn's unit was dismantled and he prepared to move back to Phnom Penh. Toward the end of October, Vorn arrived in Phnom Penh along with Sok Khnol. Vorn returned to his Aunty's house. A few days later he met with Poeg Say, an acquaintance of Brother Number One. Poeng Say convinced Vorn to teach at Chamraen Vichea School. And in December, Brother Number One inducted Vorn into the Party [Communist Party of Kampuchea].







While teaching [at Chamraen Vichea School], Vorn got to know Mei Phat and Plek Pheun who induced him to join the CIA. On one hand, Vorn served the revolution, and on the other hand, he burrowed into the revolution. In the classes he taught, Vorn propagandized about, and praised, the Americans, persuading people not to go against the Cambodian-American Military Treaty. He also promoted American magazines, convinced students to pursue their studies in the United States of America, to oppose the revolution and eavesdrop on the revolution for the sake of the CIA

In 1959, Vorn became a member of the party committee in Phnom Penh, and in 1963 he entered the party's central committee. During this time, Vorn dared not conduct CIA activities openly. Instead, he tried to ingratiate himself with the party. By the end of 1963, certain "upper brothers" were traveling to rural areas, leaving Vorn in charge of leading Party teamwork in the city. The revolution movement became so massive throughout the country that it lead to an outbreak of uncontrollable mass violence against the U.S. embassy in Phnom Penh.

In 1964-65, Vorn became supervisor city-based Party teamwork with Comrade Keu. Vorn was in charge of party work, while Comrade Keu was responsible for youth affairs. Due to the government crackdown by the end of 1964, Comrade An, who was responsible for the workers section, was taken to work in the Southwest Zone, and by mid-1965 Comrade Keu was transferred to Northwest Zone. The new city committee consisted of Vorn as secretary; Comrade Dam Pheng as deputy secretary, and Kim Huot as member. As party members were detained [by the government], there were some vacancies. Therefore, Vorn asked Comrade Thuch Rin for additional work forces.

In 1967, the revolution movement in the Northwest Zone gained its momentum, leading to a rebellion in Samlaut, Battambang province. Early 1968 saw outbreaks in all municipalities and provinces throughout the country. In August 1968, the government began its extreme crackdown on the Khmer Rouge movement

in the city, separating the party networks for awhile. Vorn himself escaped government arrest by hiding in Comrade Khmao's home for a period of 2-3 months. By the end of 1969, with no one left to work, Vorn took Comrade Hang as a substitute, while he himself was required to hold study-meeting sessions in Oral, where he had malaria for several months. This forced him to return to Phnom Penh for treatment until the end of May 1970. After recovery, Vorn moved back to Oral and met with Hou Hun and Hou Nim. They talked for almost an hour. While in conversation, there was a letter from Angkar, telling "upper brothers" to go down to the Phnom Pi Sar in preparation for a journey to Angkar Leu [higher Angkar]. Two or three days after arriving they were separated. Hou Hun and Hou Nim went to meet with Angkar Leu. Vorn received Mok's assignment to be in charge of Southwest Zone with a person named Se, while Ta Mok himself was to lead his forces to continue attacks.

In early 1971, Angkar assigned Vorn as secretary, to prepare the Special Zone in the western part of Phnom Penh. Vorn organized Office 305 in Peam sub-district, nominating Ruos Chedh (a.k.a. Cheat) as Chief-of-Office, Sieng Pao Se (a.k.a. Neak) as chief of economic affairs, and Thi Kim An as chief of propaganda and publication. In July 1971, Angkar ordered Region 25, controlled by Chey Suon, to be included under the Special Zone. This caused controversy over the separation of powers between those in the north and a clique of Sok, Chamraen and Huot Se. The party told SaoPhim to take the people from the north to the Eastern Zone to put an end to the conflict.

In 1973, Vorn went to Region 25 to initiate attacks in the southern part of the zone's battlefield. He was to play an important role in the ultimate struggle planned by the party. Forces in the southern battlefield consisted of two divisions: one of Comrade Nat and the other one of Comrade Roeun. Vorn said he himself was in charge of educating those forces, yet he dared not deviate from the party's guideline, fearing that such a secret would be revealed. Instead, he worked to [build support for









By the end of 1973, Angkar decided to take a unit in Eastern Zone to move up to Highway No.1. Vorn revealed that Chey Suon, Chouk, Chak Krei, Ly Phen and Sok were CIA, but they pretended to ignore to ensure secrecy. In 1974, Vorn warned them [to be discrete in their advocacy of] "free" [a.k.a. democratic] activities. However, because it appeared that the revolution was soon to win, Vorn instructed Chey Suon to secretly continue burrowing within [the party].

In mid-1974, Vorn made frequent contacts with Sao Phim, secretary of Eastern Zone through Chey Suon and knew that Phim was part of the main CIA network within the party. After 17 April 1975, the CIA planned to organize a coup against the authorities of the revolution. The coup was to be led by Ya (Nai Sarann). The network elements included Sao Phim, secretary of the Eastern Zone, Si (Chou Chet), secretary of the Western Zone, Nhim (Ros Nhim), secretary of the Northwest Zone, and Thuch (Koy Thuon), secretary of the Northern Zone. Vorn and Chey Suon were taken to Phnom Penh, giving Region 25 to subsume under Southwest Zone's control. Vorn organized and controlled the Ministry of Agriculture with Comrade An. He dismantled the Office of the Special Zone and took nearly a hundred people to organize factories in Phnom Penh. In addition, Comrade An brought some people from Region 15. Vorn proposed that Comrade Prang work to reconstruct roads and bridges.

In early 1976, Chakrei, Chouk, Chey and Thuch were wiped out by Angkar. Vorn found that the revolution became stronger, while CIA became weaker. This made him feel uncertain whether to stop or pursue antirevolution activities in a situation where he was in between Sao Phim's pincers.

In late 1977, Sao Phim proposed that the "upper level" attack the Vietnamese under the pretext that doing so would ensure independence in the task of protecting crops during harvest. In fact, Vorn said, Sao Phim intended to contact the Vietnamese. The party gave permission to do so. This was the reason why the Vietnamese managed to go deeper into Cambodian

territory. In January 1978, Vorn led Cambodian troops to curb the Vietnamese encroachment at Highway No. 7. Vorn met with Ke Pauk in a defeated manner and tried to lobby for fighting shoulder to shoulder with the Vietnamese. However, the forces of the Communist Party of Kampuchea (CPK) managed to push the Vietnamese troops backwards, bringing failure to Sao Phim. Some forces in Svay Rieng province were wiped out and Phim himself became seriously sick.

Since the battle at Highway No.7, Vorn met often with Pauk very often to follow up and report on the situations in other battlefields. In late March, Vorn drove a car to pick up a very sick Phim, so that he could be hospitalized in Phnom Penh. After that, Vorn had had no duty to work at the highway. After recovery, Phim caught a train to Battambang with Nhim in early April 1978 in an attempt to prepare forces in the Northwest Zone. Phim's plan was too late. The party learned in advance and then began wiping out within Eastern Zone and continued to the Northwest, North and Northeast Zones, which led to the destruction of workers' party's and CIA forces.

Vorn instructed lower-level leaders to postpone their activities, yet he was still trying to find ways to held Comrade Chan and Comrade Keu in order to continue to gather forces for further implementation in preparation for the [attacks] by the end of 1978 and early 1979. Vorn's plan failed. And on 2 November 1978, Vorn was arrested by Angkar.

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KHMER ROUGE AGGRESSION IN VIETNAM IN 1977-78?

Charles Bowers

TAN LAP

On 25 September 1977 many regiments of KR army thrust into Tan Lap commune in Tay Ninh Province where they killed 500 of the population who were hiding in underground shelters, as well as destroying five villages of the commune. In a single small hamlet of this commune they burnt about 100 houses. Many families were killed to the last man, woman or child. The raiders shot grownups with submachine guns and beat children to death with rifle butts. In one case, they strung a dozen children on a wire and dropped them into a well.

We interviewed Nguyen Thi Cu [in 1997], a 48-year-old widow who survived the massacre. On the night of the slaughter, her family went down to an underground shelter they had dug a few months before because of the increased tension in the border area. The KR troops fired into the two ends of the shelter with submachine guns

before throwing hand grenades in at their victims. One of Mrs. Cu's brothers who tried to escape was shot dead. It was sheer luck that the young woman was spared. She lay soaked with her relatives' blood, pretending to be dead, and waited till the following night to flee...

The people of Tan Lap had been sound asleep when the first rounds of shells fell on their commune. Thinking this was the habitual artillery provocation, they all rushed to the shelters. But from there they could hear the shouting of the KR troops approaching on all sides, "Kill them! Kill them all!" Their houses were set alight and flamed like torches, and in the light of the fires, the attackers began their massacre, first of those who were trying to escape, and then those who were hiding in the shelters. 25 families were completely wiped out that night. At the commune school which was also set on fire and turned



into a slaughter-house, eleven of the thirteen teachers were shot dead.

It was even more horrifying to hear how the Khmer Rouge troops treated their victims. 10-year-old Ngoc Anh was paralyzed with fright, and was squatting in the garden of his house. He was bayoneted as he sat there. Tran Thi Tuyet had been hit by an anti-personnel shell, and was lying in agony beside her baby when the KR snatched the child by the ankles and tore him in two. Mrs. Dong, five months pregnant, was spotted as she sat watching her husband die. She knelt before his murderers to ask for mercy but they grabbed her, cut her abdomen open with their knives, took out the fetus and threw it in her face. The KR troops withdrew to Khmer territory three days later, leaving a great number of mutilated bodies behind them, some cut to pieces, others beheaded, arms and legs removed, livers torn out.

BA CHUC

On 22 April 1978 a sizeable force of the KR army captured Ba Chuc commune in An Giang Province, close to the border. Ba Chuc was inhabited by many Vietnamese of ethnic Khmer origin. The KR troops herded the victims into groups of 30-40 and then shot them. A number of villagers sought refuge in pagodas, thinking that they would be safe, but the two pagodas of Phi Lai and Tam Buu were destroyed, and the people massacred. Local officials claim that 2,022 victims were butchered during this attack.

The Kampuchean [Khmer Rouge] troops shot all those who had taken shelter in the pagodas. There were pools of blood on the floors and grisly splashes on the walls. The pagodas are now called by the survivors "Pagoda 500," "Pagoda 600"...according to the numbers of people killed at these place. There are 850 skulls in a memorial at Ba Chuc, which is located next to the Phi Lai Pagoda where many of the killings took place in 1978. We interviewed three witnesses of the main killings, which seem to have taken place on three different dates in 1978: 17 and 24 March and 22 April. It should be noted, however, that Esther's account lists 14 April 1978 as the date of the killings. Esther's account also questions the figure of 2,022 dead, since only about 800 skulls are displayed in the memorial. We did not count the skulls in the new memorial, erected in 1989, but there were obviously more than 800. Many skulls could have been lost or eaten by animals before the memorial was properly enclosed.

17 March

The killings on this day were witnessed by farmer Ha Thi Nga, a 56-year-old woman who lives in Ba Chuc. She saw Pol Pot forces drive thousands of local people to the Le Quoy field where they shot them, and smashed in the skulls of children. Though she survived, she was seriously injured and she lay unconscious with the dead. When she recovered she found that she was the only survivor. Her whole family were killed, 35 in all, including seven adults.

24 March

The killings were witnessed by another farmer from Ba Chuc, 57-year-old Bui Van Le who witnessed many people being killed near Long Chan Pagoda. He said that 2,000 people were forced to go to the bridge by Pol Pot forces where many of them were killed. He and his family escaped to a cave up the mountains, but the Pol Pot forces found them and killed all of them, except Mr. Le, who was injured but escaped. He lost more than 100 relatives that day.

22 April

A 71-year-old farmer named Bui Van Cw, resident of Ba Chuc, witnessed the killings. He said that local people were driven into the Phi Lai Tu Pagoda, where many of them were killed by gunfire. A group of about 30 tried to escape the killing by hiding in a small space under the raised dais where the Buddha stands, but they were killed when a grenade was thrown through the entrance of the space exploding among them. This man lost his whole family on that day, his wife and four children, and 44 relatives in all. More than 300 were killed in the pagoda.

Sources:

- ♦ Kampuchea Dossier I &II, Hanoi 1978
- ◆ War Crimes of the Pol Pot and Chinese Troops in Vietnam, Hanoi 1979
- ◆ Vietnam Thailand Kampuchea by Helen Esther, Canberra 1980

Charles Bowers is volunteer for the Mapping Project (1995-1996).

MINUTES OF A KHMER ROUGE DIVISION MEETING

Note: This document (Catalogue No. N001448) details the minutes of a 1976 meeting regarding KR Divisions 170 and 290. It is archived at DC-Cam and was translated by Bunsou Sour

Comrade Tal:

- 1. Situation of enemies in the unit is still normal. Yet, on 12 September [1976] on the west bank of Neak Loeung, a man stole a bucket of unhusked rice. He was caught red-handed. At night, he asked permission to go to the toilet. Though accompanied, he tried to escape by diving into the Mekong River. Our "brothers" shot him dead without interrogation.
- 2. At the end of June a [KR soldier] named Bin Soeun ran away to Kanh Chriech district. He hid under the roof of a woman whose husband had been arrested by the Angkar, where he stayed until September, when we took him back to the "base."
- 3. Chum, a regiment cadre, took personal leave without permission. He stayed in Peam Chor district for 3-4 days and said he contacted a person named Chakrei. **Comrade Brother 89:**

I would like to report about the situation in Region 24 so that your comrades will be independent in governing Division 290. After being arrested, Chakrei

implicated certain individuals from Region 24 of making contracts with Vietnam and the Soviet Union in an attempt to attack our revolution on 30 September 1976. Now Chouk, secretary of the region, and his clique have already been arrested. Those arrested admit to what contemptible Chakrei said.

It is recommended that Division 290 be closely scrutinized regarding the [traitorous] network of Stung Slaut and the one of Region 24. Names of persons to be arrested are: 1) Chum Chan; 2) Khieu Ma; 3) Chum and 4) Yuos Yorn, brother of Yuos Sophon who is a cow thief.

After break, Brother 81 opened the session:

Examine the names of persons to be taken from Division 290, the cliques of the Region 24 network and the ones of Chakrei.

The floor asks for supporting documents of approval to [arrest] the four names mentioned above in Division 290

Comrade Duch:

After the meeting Comrade Sok and Comrade Tak of Division 170 are in agreement with the proposal to [arrest] 29 individuals, including the following:

1) Huong Peng Leng, typist; 2) Thach Sean,

logistics; 2) Thaong Saphai; 4) So Son; 5) Khoem Yan; 6) Nguon Touch; 7) Neou Phon; 8) Chiev Say; 9) Yok Saing; 10) Em Sot; 11) Huot Sam El; 12) Pen Penh; 13) Kroeun; 14) Ung Son; 15) Sok Khai; 16) Ken Ngon; 17) Tit Samit; 18) Samet; 19) Kong Soeun; 20) Ke Oeun; 21) Long Saret; 22) Keo Sok; 23) Chan Uon; 24) Kang Saret; 25) Tei Sophat; 26) Sok Peou; 27) Sin Song; 28) Pot Sokhan; and 29) Prak Phally.

The proposed names were chosen during a meeting between S-21 and Division 170. Eleven more names were chosen in a separate meeting on 15



100

100

September [bringing the total number to be arrested in Division 170 to 40].

Based on confirmation by S-21 and the Division, [we] have found subsequent [treasonous] activities by the named individuals. And based on the principle set by the Angkar, the network elements of Chakrei must be [arrested]. It was agreed to [arrest and imprison] the named individuals.

[The meeting also] resulted in the decision to [arrest] two more individuals: the wife and a niece of contemptible Chakrei.

Procedures for arrest

1. We must draw from our experience, doing

whatever is necessary to avoid confusing Angkar. Keep firm control of the unit and be secretive. Practically, coordinate with S-21 in order to apprehend [the traitors] while continuing to administer the unit after their arrest [and removal].

- 2. The division must have people on hand to prevent capture of the warehouse and weapons.
- 3. For Division 290: S-21 and the division have to take them from the garage.
- 4. For Division 170: S-21 and the division have to decide on more detailed measures in order to arrest the 40 people. The two women must be considered later on.

The meeting ended at 22:15 hours.

A KHMER ROUGE TELEGRAM

Note: This telegram, archived at DC-Cam (Catalogue No. L01045 (01bbk)), was sent from Comrade Chhon to Comrade Brother Pol in November 1975.

To Comrade Brother Pol with respect,

We would like to report on the withdrawal of people from the East [Eastern Zone] to the North [Northern Zone]. There are some disagreements, and [there is] disrespect for Angkar's advice at the receiving points, as noted below:

On 30 November, both sides agreed to accept the people the East [Eastern Zone] will send to Stung Trang [district] and Preah [Prek] Prasap [district]. Preah Prasap will take [people] from Chhlaung district, and Stung Trang will take [people] from Peam Chileang district and Krauch Chmar district. The region and districts have gathered the number of people we wanted. They have to withdraw from Region 21. We have already transported them to the other side of the river. However, both of the [receiving] points absolutely refuse to accept Islamic people. They take pure-Khmer people only. So the people who were withdrawn on the 30th have big problems.

I immediately advised the region and districts to stop this [action] temporarily and wait for advice from Brother and the Northern Zone. Comrade Pok [a.k.a. Ke Pauk] is probably unaware of these problems. I advised the region and districts to take the Islamic people back to their villages. According to the final decision of the meeting, we are not to send the Islamic people to Kracheh [province]. The Northwest and the North are to accept them, so that we can keep them away from the Mekong River to help ease the atmosphere. However, they did not accept them. Brother, please make a decision on this problem.

In principle, the zone withdrew fifty thousand people to the North. More than one hundred thousand more Islamic people remain in the Eastern Zone. We only withdrew the people in important places along the river and at the border. We did not withdraw the people from Tbaung Khmum. This withdrawal is the dispersal strategy according to the decision that you, Brother, had discussed with us before. But if the North refuses to accept them, we'll continue to do our best to keep charge of the Islamic people. That will not be a problem.

But we will not have enough people to reach one hundred fifty thousand, if the Northern Zone does not accept the Islamic people.

Wishing you, Brother, good health and success.

Chhon (reporter's name), 30 November 1975 Copied and sent to: ◆ Brother Noun ◆ Brother Yem ◆ Brother Doeun ◆ Documentation











KHMER ROUGE GUERILLA TRAINING MANUAL

Note: This document (Catalogue No. D21931) is archived at DC-Cam and was translated by Bunsou Sour

1. Military nature

1) Squad Chief; 2) Group Chief; 3) Deputy Chief of Group; 4) Handgun group leader; 5) Machine gun group; 6) Insertion of magazine; 7) Insertion of cartridges; 8) Carrying of ammunition; 9) Handgun group deputy leader; 10) Handgun...and a hand-grenade 11) Handgun....and a number of grenades; 12) Guiding way....handgun ...a number of grenades; 13) Handgun...a grenade; 14) Grenade thrower; and 15) Bring a message along with a long gun or a pistol.

2. Military techniques to be trained

- 1) Grouping: A Group Chief or Group Deputy Chief stands still and raise his/her left hand and calls out signaling gathering of forces. Then the first squad has to stand behind the chief or deputy chief, between home a space of six steps shall be made. And the second or third squad comes next on the right hand side.
- 2) Lining up a squad: Soldiers must rush to follow their squad chief with the same step space. The first soldier in a row shall raise his left hand, while the followers stretch their left hand to touch the left shoulder of the front man. The remaining men do the same thing until the end of a row.
- 3) Queuing: Squad members come to the front and check whether they are in a straight queue or not. If yes, they shout to stop, and the soldier drop their hands at the same time, and then report to Group Chief or Group Deputy Chief the number of attendants-how many are present, how many are missing.
- 4) Right face: Before turning right with the body: Move with the left heel. The right heel with instep. And then move the left leg to join the right.
- 5) Left face: Before turning left with the body: Move with the left heel. Right heel with instep. And then move the right leg to join the left.
- 6) About face: Move the right leg backward with a

- 0.15m-space. Move backward and then join the right leg with the left.
- 7) At ease: Make a 0.5m-step with the left hand raised and placed on the belt in the front. Place the right hand down along the trouser seam.
- 8) At attention without weapon: Stand tall and move your left foot to pair off with the right one, heels touching and the insteps stretched. Raise your head up and make your body straight. Drop both hands down, parallel with trouser seams.
- 9) At attention with weapon: As above, but the right hand, holding weapon, must be placed down with the thumb and fingers holding the upper part of the gun and the butt end adjacent and parallel to the right leg. 10) Saluting with weapon: There are several steps to follow when raising your weapon to your shoulder: 1)
- The right hand holds the weapon next to the right leg. The left hand takes the weapon by the armpit, with left elbow masking the chest and then the right hand holds the handle. 2) The right hand takes the weapon up to the shoulder, while the left hand moves along to the bottom of the gun butt. The right hand has to be close to the body with the weapon. 3) Put the left hand back.
- 11) Lowering weapon: There are three ways to lower your weapon: 1) Right hand holds the bottom of the gun butt and moves it down to the waist, while the left hand raises upward to catch the weapon by the armpit with the left elbow covering the chest. 2) Right hand holds the gun on the left hand and then turns it around by the waist. 3) Left hand moves back to parallel the trouser seam. Right hand drops down the weapon with the butt setting next to the toes of the right foot. When the squad is called, raise the weapon by the waist and put the hands forward, in the way mentioned earlier. When the chief orders to lower, resume the original order.
- 12) Carrying a weapon







There are for ways of carrying weapon by a shoulder strap: 1) Right hand raises the gun, pushing forward. Left hand holds the weapon at a place lower part of the right hand. 2) Left hand holds still and the right hand takes the sling of the gun and tightens it. 3) Right hand move the sling to the one side and places the gun on the right shoulder. Drop the left hand, while the right hand moves down to the gun butt.

13) Placing weapon front of the toes

1) Raise the right hand hold the gun sling by the armpit. 2) Right hand jerks the sling with the weapon moved in front. Left hand holds the gun by middle of the chest. 3) Left hand still holds the gun and the fight hand holds the gun over the left hand by the waist. 4) Left hand places along the body paralleling the trouser stitches. The right hand drops the gun in its original position.

14) Weapon inspection

There are five moves for weapon inspection.

1) Move the left foot forward and raise the gun by the waist with its point directing forward. 2) Right hand move the mobile pin backward. 3) Move the right foot to join the left. The gun butt is moved forward with its gunpoint directing backward on the shoulder. 4) Right foot moves backward along with the bottom of the gun butt. Right hand closes the mobile pin. The gun is kept by the waist, moving its point in front. 5) Left hand throw to one side along the stitch of the right leg, while right hand lowers the gun to its original position.

15) Military salute on the march

There are two steps in saluting: 1) Carry gun by a shoulder strap. When facing high ranking [military] official, touch the bottom of the gun butt and make [your] self hard. 2) Raise the head at the official. The salutation will not finish unless six steps have already been taken behind the official. And then turn back and remain in the same position. Without weapon, there must be a salutation by hand. After passing the official by six steps, drop the hand, and in case of holding something on the left hand, the right hand raise to salute, or in case of holding something with both hand, turning your head is enough.

16) Military salute wearing beret

There are two ways of salutation with beret. 1) Be ready to raise the right hand to the other side with the fingers close to each other. And turned the hand upside down. The finger points is placed above the eyebrow at the end of the eye. And the elbow is placed above the shoulder. 2) Stretch the hand to one side and drop it down in original position.

17) Using weapon

Soldiers must know how to use weapon well. Do not fire a gun without a real purpose. Doing this will waste the ammunition and national interest or harmful to ourselves.

- 1) Before leaving for a fighting, military chiefs have to mobilize the troops and make a weaponry inspection to make sure that there are no guns too old or with rusty conditions within the gun slots or to avoid unexpected incident of unconscious explosion, which may cause death of our soldiers.
- 2) If gun malfunctions, it must be brought to the gunsmith for repair. Concerning the cartridges, they must be supplemented in case of shortages. Upon return from any fight, weapons must be collected and examined. Soldiers are required to clean them.

18) Long distance firing technique

Military chiefs have to instruct their men to know how to use guns effectively in terms of the distance and how to calculate the right speed of the bullet with the target.

- 1) Fire a gun by standing within a distance of 500 to 700m.
- 2) Fire a gun by sitting within a distance of 300 to 500m.
- 3) Fire a gun by lying on the earth within a distance of 50 to 200m.
 - 4) Throw grenade within a distance of 20 to 30m.
 - 5) Rush to bayonet within a distance of 5 to 7m.

19) Targeting the enemy

To shoot a man standing, the gun must be raised closely to the right shoulder and turn the head a bit. Close your left eye and aim at the man through the meter on the upper part of the gun and a mark at the gunpoint. To shoot a man sitting, [you] should aim at

his bending knee(s). To shoot a man lying, [you] should aim at his upper throat.

20) Shooting standing

- 1) Move your left leg forward. Jerk the gun to the waist. Place the its point to the front. Sit on [your] right heel.
- 2) The gun butt rest against the right shoulder. Move [your] body forward a bit. Move finger(s) to the second arm.
- 3) Close your right eye. Open the right eye and aim against the meter and the post at the gunpoint and shoot.

21) Shooting seated

- 1) Move left hand forward. Jerk the gun to the waist. Move its point in the front. Sit on the right heel.
- 2) Bend the trigger, insert cartridge and rest the gun butt against the shoulder. Right elbow raises above shoulder. Move forward a bit. Left elbow places against left knee. Then open the trigger.
- 3) Close left eye, while open the right one checking through the meter against the post on the edge of the gunpoint. Stop for a while the breath and shoot.

22) Shooting lying down

- 1) Jerk the gun to the waist. Let down the left knee and left elbow on the earth and stretch the body forward. Stretch the two legs backward.
- 2) Open the trigger and insert cartridge(s). Place the gun butt against the right shoulder.
- 3) Close the left eye, while opening the right and aim the target by the meter against the post on the edge of the gunpoint. Stop the breath for a while and shoot.

23) Using bayonet

- 1) Forward
- 2) Turn back
- 3) Right Face and Left Face
- 4) Bayonet upward

24) Explaining how to bayonet

- 1) Raise the weapon in the manner of military salutation.
- 2) Wave the gunpoint forward, while the left foot moves forward along with the weapon.

3) Both hands hold the weapon and the right foot moves to join the left one. If another thrust is required, move the left foot forward one more time.

25) Ten hand signals

- 1) When seeing one person, raise your left hand.
- 2) When seeing two to three person... (no explanation)
- 3) When seeing cattle, raise your left hand upward with the elbow parallel to the shoulder.
- 4) When seeing vehicle or ox-cart, raise your left hand making a spiral.
- 5) When seeing a route, raise your left hand stretching straight forward.
- 6) When you want to move forward, raise your left hand forward.
- 7) When calling for machine gun, raise your left hand bending upward and downward.
 - 8) When stopping, have your hands crossed.
- 9) When moving back, raise your left hand, bending backward.
- 10) When seeing house or fortress, raise your left hand folding up on the shoulder.

26) Seven signals by whistle, trumpet, or drum

- 1) Wake up
- 2) Meeting
- 3) Dining
- 4) Emergency
- 5) Praying
- 6) Sleeping
- 7) Calling boss or chief

27) Secret speech codes

When departing in search of enemy, the boss has to inform his men about the signals so that we and the enemy can be distinguished clearly. However, the words have to be changed day after day. Doing this way enemy could not cheat us by the word we have already used. So therefore before going patrolling, or going to battlefield, there must be a use of verbal signal, e.g, to, "foreigner," we respond, "national," only then can we recognize our members.

28) Seven ways of guarding

- 1) Stationary post
- 2) Military post











- 3) Chief on duty
- 4) Officer on duty
- 5) Guard
- 6) Original regulations
- 7) Other regulations: Chief is the one of higher rank or more intelligent. In the absence of the chief, his assistant is required to take over his duty, overseeing the original regulations and other regulations concerned.

29) Guarding regulations

- 1) No smoking, no eating, no drinking.
- 2) No sleeping or sitting.
- 3) Wrapping a piece of cloth around the ears is not allowed.
- 4) Laying weapon too far from reach is not permitted.
- 5) No moving more than 15m from the post-either to the left, right or to the front.
- 6) No talking with friends or women, unless otherwise there is a real need to stop them for information and there is permission from chief. Stand 50m from strangers with gun butt at waist and gun pointed forward.
- 7) No quitting a stationary post without permission from the chief on duty or the fortress officer.
- 8) In case of business, there must be permission from the chief or officer on duty.
 - 9) Observe trees or other materials around you.
 - 10) Subordinates salute superiors.

30) Guarding at daytime

There are two people at the stationary position. One stands on the ground, while the other sits on the top of the tree from which he can maintain regular surveillance over enemy. When seeing the enemy, he must go down and tell the standing guard immediately so that the standing guard can pass the information to group or squad chiefs at the back. In case that the standing guard sees the enemy is near, he must open fire on the enemy to alarm our comrades. Be responsible for the in-and-out walkers and make a strict checking against them in search of materials subjected to seizure, especially the weapon or explosive devices.

31) Guarding at nighttime

There are two guards, each of which is takes a two-hour shift night duty. One stands at the post, while the other patrols and watches for enemy within a 15-step radius of the post. Observe trees around you to make sure that the enemy is not able to advance and capture or ambush us. Neither burning nor smoking is permitted. Remember that guard is an eye-and-nose representative of an army. Progress or retrogress of an army depends on the guard.

32) Guarding in the jungle

Big mound or big tree must be used as a hiding position one km from the squad. The same distance can be applied to the standing guard in the fortress. When seeing enemy about 20m or 100m from us, we



must shout to have him/her stopped. If we fail to call him on time, we must aim and fire at the enemy to alarm our forces. After that run to join our members not from the front but from the left or right or from the back. Doing so prevent enemy from knowing our real position. At the distance of 200m or 300m, signals must be used to make sure that who is who-enemy or our member. When seeing enemy, call military chief and shout to stop him at a distance of 50m from which we ask the enemy to drop his weapons and raise his both hands. Our weapon is placed by the waist with its point directing forward before going to check the



enemy. The way to check is to go from the left or the right hand side. The two soldiers (guards) must raise the two weapons aiming at the enemy's chest. At night, when we see enemy directing to us at a distance of 50km, we have to communicate. If correct response is made, another step is taken, that is, to ask him more. In case the enemy's answer does not correspond, immediate fire must be opened. The gunpoint must be aimed at the enemy, telling him to drop any weapon he would have and not to move or jerk. If the enemy does not follow our instruction, we have to fire at him since we do not trust him.

33) Three ways of challenging while on night duty When seeing any person coming, we must challenge them in the following ways:

- 1) Stop!
- 2) Stop! Don't come any closer!
- 3) Stop! Don't come any closer, or you will be shot!

34) Patrols

There are thirteen patrollers assigned to carry out a patrol in front of the squad or group. Before departing, there must be six persons acting as guides paving the way in advance. For paving forest, there must be a distance of 50m, while the open space 100m. Look around, here and there. When seeing something, we must inform our chief or signal by shooting as a state of emergency. Guides shall also be assigned to look at the back to see whether there are enemies moving from the back.

The guides at the back have to position five to ten meters from each other. They must not talk loud and are not allowed to smoke or burn something. In case of fighting, they must deploy as a network. Standing shooting is not advisable, but sitting or crawling based on the self-reliance strategies we have learned.

35) Ten patrolling duties

- 1) Knowing when to go
- 2) Knowing when to come
- 3) Knowing the way out
- 4) Knowing the way in
- 5) Knowing our signals
- 6) When seeing any enemy, ask one person to inform the chief. Hide ourselves completely

- 8) When we manage to hide ourselves, we should make sure that how many people are there and where are the ones leading the way going.
- 9) If we outnumber the enemy, we must surround and catch them following our rule.
- 10) Don't speak loud, either at daytime or nighttime 36) How to Fight

Soldiers are required to undergo military training to create favorable condition and have advantage over enemies. As for enemies, they do not have us troubled. There are twelve things to train for: 1) Screaming, 2) Exercise, 3) Travelling, 4) Settling, 5) Deployment, 6) Weapon, 7) Ambush, 8) Hiding, 9) Changing position, 10) Crossing a creek or stream, 11) Fighting in mountains, 12) Escaping from encirclement.

3) Travelling

When moving, order is required. Moving here and there, forward and backward is not allowed. The men are supposed to obey their chief, who tells the men:

- 1) When moving, there must be a lookout at the right and left corners and in all directions. No speaking. No smoking or burning at night.
- 2) In case of long distance, we must stop after every four kilometers walked. Pause for fifteen minutes and then continue. If smoking cannot be avoided, [we] must ask soldiers to guard one or two kilometers from the troops.

4) Settlement (making camp)

The chief must choose a campsite in the jungle, whether for day rest, or night; whether the place has just been captured from enemy. Before settling, make sure that entry and exit are available and all directions patrolled. The shelter is suggested to have a distance of four to five kilometers from the battlefield. Not many villagers are allowed to be informed about this or otherwise, when captured, the villagers would be interrogated about our group. Entering villages and eating there is permitted. Before settling, we are required to ask the villagers for details about the location. How far away is the enemy? Is there water? Is there a short cut-by railway or simple path? Once settled, please report to the general chief about the battle.

5) Deployment methods

- 1) Half a squad deploys in a front line, 50m forward: squad chief stays with machine gun operator, deputy chief stays with messenger (squad has no flank protection)
- 2) Half squad deploys on left, half right (at 50m) in brush, trees, or around a pond
- 3) Squad deploys from left to right when encountering a creek, path, or enemy
- 4) Squad deploys on the left and right hand sides (50m apart) to encircle enemy
- 5) Squad deploys 50m from each other in open spaces
- 6) Squad deploys into rows on narrow path with comrades ahead
- 7) Squad deploys into rows 50m from each other: with comrades on right and left flanks

7) Ambush

An ambush unit has three to thirteen members, one of whom is chief, responsible for all aspects. The chief ensures the availability of good weapons, daggers, grenades, rice and a pot for cooking. Entry into villages and alerting villagers to your presence is prohibited.

- 1) Learn how to ambush; know how to creep or crawl, aim for an effective shot, know how to estimate the speed of bullet to reach it target, and adhere to the customary rule of integrity and justice.
- 2) When we know which way the enemy is exiting, it is suggested that we find a thick forest to hide ourselves and be ready for an attack. When we find we are in a good position to fight the enemy, we must storm attack to make them panic stricken. If they are able to retaliate from their position, run away and make them chase us, so that they become separated. But if they run away, we are required to chase them. Do not let them escape.
- 3) When seeing enemies resting or eating, we must try to secretly crawl in closer and closer so that we can easily shoot or throw grenades when they are unaware. Then we must rush in and seize their equipment.









Don't be scared of death. Do whatever needs to be done to destroy them.

- 4) When seeing enemies in a state of vigilance, it is not advisable to do anything to them. Wait until they move further and become tired. When they think that they are out of danger, we must attack. Another point, when we find enemies carrying their wounded and dead, we must attack and kill them to the last.
- 5) Try to dig holes on the road, cut off bridges, ambush trucks or horses ridden by the enemy. Regardless of the prospect of failure or success, we must devastate them.
- 6) Try to find a straight path, dig trenches, and install machine guns ready to fire at enemies in queues. In front of the machine guns, there must be punji pits covered with grasses along the both sides of the road. When we fire at the enemies, they will escape by crawling or creeping. So, of course, they have to be killed this way. The same applies to trucks or ox-carts. When we open fire they will try to escape by jumping down and then hit the sharp sticks in the punji pits.
- 7) Every ambush unit must follow these tactics so that the enemy is very scared of us. They must think that they are always under threat of ambush.

8) Hiding

Hiding is the main tactic to avoid being seen by ground enemies and their pilots, while still being able to see them easily. There are five times to hide:

- 1) When knowing the location of the chief/ commander's post
 - 2) When knowing the location of the enemy
 - 3) When escaping from the enemy's bullets
 - 4) When hiding from pilots
- 5) When knowing the way back and the way in. Do not turn back right away without seeing the left and right corners. One squad moves back, while two return fire.

9) Changing positions

Changing positions is common. Sometimes we withdraw, sometimes we advance, and sometimes we fire at the enemy at a short distance. Before changing positions, one has to consider four things in advance: To where? Through where? When? How?

Where: find a mound or big tree behind which to hide.

Through where: find a way out of the field or forest so as not to be seen.

When: wait until enemy fire lessens before moving. How: we either creep or crawl; if our target is far, lie down every 4 or 5 steps.

10) Crossing a creek or stream

Each group must have three or four long-handled knives to fell trees, and hoes or spades to place machine guns. 1) If we encounter a deep creek, stream or river with no bridge, while carrying heavy things and cannot swim, we must find bamboo or wood to make a raft. Collect vines and weave them into a one-Hat width rope, lashing four poles together. Then assign a soldier to swim up to the other side of the river and tie one end of the rope to a big tree. 2) If we are in a battle and want to capture the location from the enemy, one squad crosses the water, while two squads provide covering fire. Here, the first squad ties the rope to the other side. Once the first squad is across, they begin firing, so that the other two squads can cross. Once we are all on the other side, we must deploy accordingly.

11) Fighting in mountains

When we are fighting the enemy in mountains, if we are at the foot of the mountain, we must separate. One squad keeps fighting, while the other two move up through the left and right corners. Search for vines to weave into a big rope. One man is must hold the end of the rope. If the mountain is rocky, the men must climb one after another. When the first man has reached the peak, he is required to secure the rope to a big tree, then those below start climbing the rope. When all men manage to get to the top, deployment must be made to reinforce the first group in the fight.

12) Escaping from encirclement

If the enemy surrounds us while we are eating or sleeping, the chief has to be spiritually strong, shouting for separation of our forces into three subgroups to counterattack the enemy. If we cannot, a whistle must signal our men to break through enemy lines: the group in the north rushes north, the south rushes south, the left rushes left, and the right rushes







37) A triangle group

One or two squads move forward. The second squad moves forward, while the first squad to the left and the third on the right and the back. The first squad and the third squad come forward, catching the second squad in the middle and at the back. Each soldier has to walk five or ten meters from each other. Squad or group deploys in lines in the front.

38) Following after

Assigned guides walk fifty or a hundred meters ahead, while the first, second and third squads are supposed to follow after them with a gap of fifty or a hundred meters (in case of forest). The soldiers themselves have to walk five meters from each other. If the guides and the first squad encounter enemy attack, the second squad has to move to the left and the third moves to the right. However, the first squad has to be informed about the arrival of the second and third squads who have to come up altogether with the first squad before opening fire.

39) Group of equal position

Width from one squad to another shall be of fifty or a hundred meters. A five-step distance shall be made from one to another to follow. The three squads have to be in a parallel line-the first squad on the left, the second in the middle and the third on the right.

- a) All squads deploy in lines and move forward
- b) All squads move to the middle
- c) Each squad member has to move up one by one

40) Diverting group

First squad positions 50m left Second squad positions in middle Third squad positions 50m right

41) Guides

Guides have to be with deputy chief. When moving ahead, they have to look at all corners-left and right-in order not to get lost. They must walk ten or twenty

meters away from each other. When seeing a bush, they must be careful and check if enemies hiding there.

1) When encountering a bridge, they must examine thoroughly to make sure that they are not standing on the bridge which is already to collapse because of the pillars made ready to fall down or tied with bombs. On the other hand, if we heard sound of gunfire from any direction, there must be more attention and tell our messenger to inform chief of group and then go further to make sure that the target is our side or enemies. If there are enemies, how many of them and where they are going.

2) Must go along big mounds, huge bush to avoid enemy's visibility. When seeing bush, forest, stream, ox-cart, there must be signaling. Often look at our comrades. If our comrades stop, we stop too. But the way we stop, we must lie on the earth.

42) Encountering enemy

When we walk and see enemy infantries along the forest, our chief has to shout or signal our soldiers to deploy in lines-on the left, on the right with a distance of five meters from each other. And we have to be altogether at the same time. Don't move much or less than our members. Then ask a person to inform all squad chiefs. If our group is so far from the enemy barrack, [we] must crawl further in order we are able to shoot or throw grenades more easier. Before opening fire, we must have received order from our chief and make sure that we are coming altogether. If so, the chief orders immediate attack.

43) Encountering vehicles

When seeing any vehicle along the way, the squad must be deployed in groups and lines along the way. Keep hiding behind bush, dike, main mound and have to be five meter away from each other. Hiding so far away from the path is not advisable. The closer we are the better we are able to struggle. And then wait for the gunfire by our chief to signal the start.

44) Encountering planes

When seeing any flying airplane, the chief has to blow the whistle to inform the soldiers to take refuge behind or under big tree, sparse forest and hide along rather thin bush that can cover our bodies. If we decide









to stay at an open space, we have to lie on the earth. Don't move, but stay still like a cut trunk. Doing this way enemy could not recognize us. If we have two or three trees, we have to deploy our members accordingly. Rush to the tree closest to you. If you cannot run, stay still. If there is creek, stream or river, we must take refuge and wait until the whistle of the chief is blown. Then we come to gather and monitor our members to make sure that no one is missing.

45) State of emergency

During a state of emergency, we must separate to rest, sleep, or eat. Instead, we must divide our members into three angles. In the state of emergency, for instance, when the enemies open fire, our chief has to shout as a signal of division of our troops and turning to the enemies. Lie on the earth (two or three people at one place) with a distance of five meters from each other. If the space is too small, separation is the most suitable way. But parallel line must be arranged. Don't move further, while realizing that our chief and comrades are on the right hand side.

46) Departing for attack

Before departing, each squad chief gets his orders from the group chief or group deputy chief. The squad chief looks after six men, while his deputy controls six men and listens to the chief and knows: the types and numbers of weapons we have, amount of ammunition, types and numbers of grenades, etc.

47) Search for enemy

The group looks at the left and right corners. When encountering enemy, the guide must signal and then we follow. The group and squad have to catch up to the guide before opening fire. Two squads move forward and the third exchanges fire.

48) Withdrawal from attack

After withdraw from the attack, the chief has to whistle telling his men to regroup to review equipment-lost or gained-and then report to the group chief. The meeting must be held 100m from each squad. Before getting involved in struggle, the chief is required to tell his men about where to withdraw and rejoin in any place quiet and far from the enemy.

49) Reporting our withdrawal

The group chief is required to report to the zone military chief.

- 1) When?
- 2) Why?
- 3) How many of us died?
- 4) How many of us wounded?
- 5) How many weapons destroyed? What kinds?
- 6) How much ammunition have we used?
- 7) How many hand grenades have we used?
- 8) What is the balance?
- 9) Other equipment?

50) Reporting the enemy's withdrawal

- 1) Where did the struggle take place?
- 2) Which day?
- 3) What time?
- 4) When did they withdraw?
- 5) Why?
- 6) How many of them were killed?
- 7) How many weapons were captured from them? What kinds?
 - 8) How many hand grenades? What kinds?
 - 9) How much ammunition? What kinds?
 - 10) Other equipment?

51) Information to report after battles

- 1) Weapons taken from enemy
- 2) Direct the machine guns at the enemy's retreat
 - 3) Number of enemy killed
 - 4) Number of enemy arrested
 - 5) Number of weapons seized from enemy
 - 6) Ammunition taken from enemy
 - 7) Equipment taken from enemy
 - 8) Number of our men killed
 - 9) Request for more ammunition
 - 10) Request for reinforcements
 - 11) Request for more grenades
 - 12) Request for support weapons

Bunsou Sour is the Editor-in-Chief of the Special English Edition series of Searching for the Truth magazine.











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O AMPIL CHILD LABOR CAMP

Khin Sin

Keo Yin, 40, resident and commune clerk of Pich Changva sub-district, Rolea Phiat district, Kampong Chhnang province, knows much about the crimes committed by the Khmer Rouge here, especially crimes against children. He saw, first-hand, arrays of mass grave pits, and other things related to the KR's crimes.

During the Khmer Rouge period, Yin, then about 12 years old, worked at the O Ampil Child Labor Camp. Then he was transferred to mobile work brigade of Pich Changva, where there was a reservoir known as O Ampil Dam. The dam, measuring three kilometers long, 5 meters high, and 7 meters wide, was built by a child work force of some 200 children under the age of ten, from 1976 to 1977. Although many children died, the work force was kept at 200 through constant "recruiting" from nearby cooperatives.

Prior to this KR civil engineering project, the area was a natural, shallow reservoir, collecting water from mountainous areas of Pich Changva and Trapeang Chan subdistricts, before it rushed into the Mekong River. However, the Khmer Rouge aimed to increase the reservoir's capacity and assigned 200 children to build a dam. Of course the children had no technical skills, and since it was completed in 1977, the poor construction and annual flooding has led to the erosion of the dam. Today the dam is virtually unrecognizable.

Keo Yin remembers that children were recruited from all cooperatives in Pich Changva sub-district and the KR told the parents that their children would be going to school. To keep up this ruse, the KR supervisors, mostly young girls, were called "teachers." Once at the camp, children in the camp were not allowed to visit their parents, and vice versa. The children were made to do hard labor from dawn to dusk, and were fed starvation rations. Each day only a single ladle of rice soup was provided to group of five children. And all 200 children were required to sleep together under a 50mx4m shelter covered by palm leaves. The beds were a half-meter off the ground and were patrolled by the female "teachers" every night so that no child could escape.

When children did unsatisfactory work or ran away from the camp, they were severely punished. Runaways were quickly caught and returned to camp, where they were mercilessly tortured by their teachers, in front of the other children. During torture the children were forced to say, "Comrades, please do not follow me. I will commit wrongdoing again. And if I do, I deserve torture."

Personal hygiene and health care were non-existent. Children did not even receive a blanket to keep warm at night. They dressed in rags and slept without mosquito nets. Generally, the children were allowed to bath only once a month. Their poor hygiene resulted in many skin infections, and the only treatment they ever received was the application of arch tun say, a traditional medicine, which literally means "rabbit dung." Children died every day from starvation and disease. When there were too many dead to bury easily, the "teachers" had to ask adults for assistance to drop the corpses into Trapeang Lpeak pond, located about a kilometer away from the dam site.

Keo Yin said that the Khmer Rouge rules were very strict. All the supervisors were females, recruited because they were "base people," loyal to the KR. The young women were so fierce that the children lived in constant fear of beatings and torture. Children dared not speak, even when they were sick and exhausted. If ten or twenty children died one after another, the teachers would take new recruits from village-based or sub-district-based cooperatives to make up the missing number. Also, children that turned ten years old during their work at O Ampil Child Labor Camp were then transferred to the mobile work brigade of Pich Changva sub-district. This went on until the end of 1978. In early in 1979 the labor camp was disbanded and the surviving children were sent into nearby mountainous areas, only to die of malaria and starvation.

This article illustrates just one case of the Khmer Rouge's systematic abuse of children between 1975 and 1979. Keo Yin laments that only a very few children survived O Ampil Child Labor Camp, and so far, he has heard nothing about any of those survivors in the sub-district. Keo Yin stated, "Among all the different regimes I lived through, only the Democratic Kampuchea regime committed such abuses against children."

Khin Sin is a consultant of DC-Cam's museum construction project.

TUY KIN: A TRAUMATIZED PERPETRATOR

Rasy Pheng Pong

Tuy Kin served as a Khmer Rouge soldier from 1970 to 1979. Her Khmer Rouge past has haunted her for more than twenty years and she suffers from psychological problems that make her too ill to continue her work as a laborer. Today she receives treatment for trauma-induced psychological problems at her homestead in Koh Thom district, Kandal province.

The Documentation Center of Cambodia (DC-Cam), in cooperation with the Transcultural Psychosocial Organization (TPO), launched a pilot project in early 2003 to provide psychological treatment to former victims and cadres of the Khmer Rouge. The project is funded by the Netherlands Embassy in Bangkok. For this project, DC-Cam and TPO chose Koh Thom and Sa-Ang districts in Kandal province as the mission target area. First, DC-Cam locates victims or former low-ranking Khmer Rouge lower-ranking cadres, and second, mental health professionals from TPO assess their mental health. Finally, they implement the counseling process. In the first six months of the project, the mental health team treated 15 people diagnosed with psychological disorders.

On 27 June 2003, with Tuy Kin's biography in hand, the project team; led by Doctor Chhim Sotheara, Director of TPO, along with Doctors Chi Vuthi and Khoam Sok Andet, and myself (Rasy Pong Pheng) of DC-Cam; met with Ms. Kin. Kin described the symptoms of her illness, from exhaustion and fatigue, to feelings of fear and terror. The team of clinicians carefully analyzed this information, along with Kin's responses to their questions. Dr. Chhim returned a week later to treat Kin. He realized that her





psychological problems were compounded by symptoms of schizophrenia and depression, likely caused in large part by experiences as a Khmer Rouge soldier. Prior to her treatment by TPO, Tuy Kin was treated by village-based physicians or traditional medicine practitioners. But it never cured her. Doctor Chhim of TPO explained that her disease will take time to cure. And the treatment itself must involve attention from a professional psychiatrist or psychologist, her community, and especially from her family. The mental health specialists will work to help her understand the cause and effect relationship between traumatic events of the past, and her current psychological problems. This is often quite difficult, since most patients simply think that they are suffering the effects of a physical disease, rather than a psychological problem tied to previous horrific events.

During the period of Democratic Kampuchea (1975-1979), roughly two million innocent people died of disease, starvation, forced labor and systematic execution. Kin was arrested in 1980 on charges of involvement with the Khmer Rouge movement and murder of 300 S-21 (Tuol Sleng) prisoners. She was jailed in Kandal province for a total of 18 months, and her mug-shot is currently displayed at Tuol Sleng Genocide Museum. Today, Kin lives under her neighbors' suspicions about her Khmer Rouge past. Kin says, "I know that some villagers hate me, accusing me of being [a member of] Pol Pot's [clique]. I do not have ill feelings towards them. Although I served as a soldier of Pol Pot, I never killed people." Hor Leang Sri, a village-based physician who used to treat Kin, says, "Before, I hated her very much. I even wanted to take her life because she is a former Khmer Rouge cadre. Other villagers thought this way, too. After I treated her, I stopped hating her. I think she was only an instrument of the Khmer Rouge."

Many survivors (victims and perpetrators) live to this day with psychological scars from that period. Kin says, "I never enjoy happy life at all." Today, Kin receives free treatment for her psychological problems from TPO, and is cared for by her husband and 19-year-old daughter.

Rasy Pheng Pong is the Mapping Project Team Leader with the Documentation Center of Cambodia. He is currently assisting the Center's Forensic Team. 001

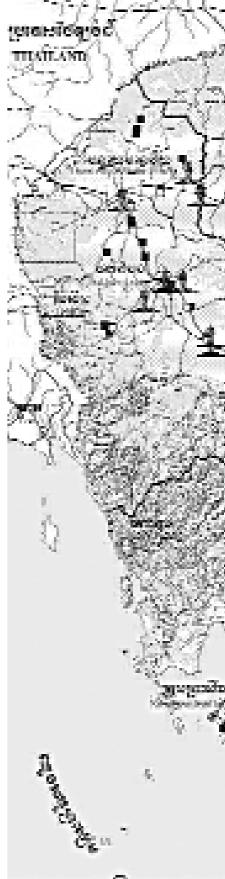
MAPPING THE KILLING FIELDS: GEOGRAPHIC INFORMATION SYSTEMS IN THE HISTORICAL RECONSTRUCTION OF THE CAMBODIAN HOLOCAUST

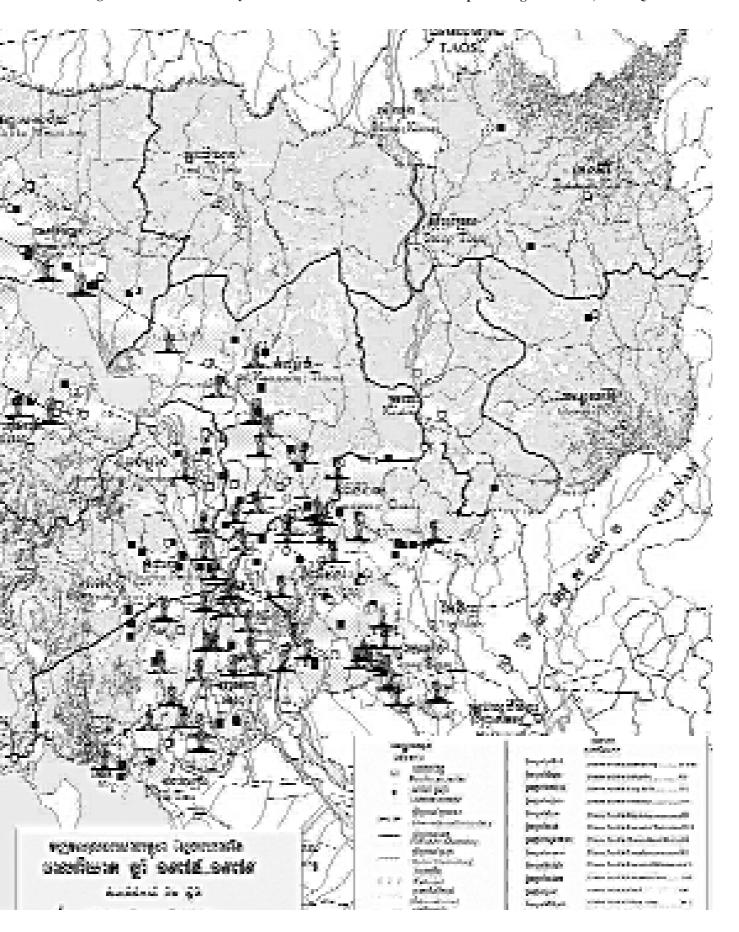
John D. Ciorciari with Rasy Pheng Pong

About fifteen kilometers southwest of Phnom Penh, amid the small farming community of Choeung Ek, lies a quiet field surrounding an old Chinese-style pagoda. For generations, it was home to a peaceful cemetery where villagers performed traditional Buddhist rites for the deceased. It was an unlikely site for some of the most notorious crimes in modern history. However, as the Khmer Rouge revolution upturned Khmer society and culture, the Pol Pot regime soon upturned the earth at Choeung Ek and transformed the tranquil cemetery into the most extensive of Cambodia's "Killing Fields." Between 1977 and 1979, over 16,000 "enemies" of the Communist Party of Kampuchea (CPK) arrived from nearby Tuol Sleng (S-21) Prison, the regime's central Phnom Penh office for torture and interrogation. Every day truckloads of prisoners arrived at Choeung Ek, where they were lined up on their knees, clubbed to death with ox-cart handles, and thrown sloppily into mass burial pits. The stench of poorly covered corpses soon replaced the calm aroma of incense, as many thousands of detainees died without a single trial.

Regrettably, Choeung Ek is just the most infamous of thousands of mass burial sites scattered throughout the Cambodian countryside. Although the Khmer Rouge regime governed for less than four years, an estimated two million Cambodians died under their rule, over one quarter of the country's population. There is a virtual consensus among historians and the general public that mass extra-judicial killing took place in Democratic Kampuchea (DK). Myriad witness accounts and abundant physical evidence make that conclusion inescapable. Nevertheless, historians have differed sharply on how to interpret the abuses of the Pol Pot era. Some contend that the CPK leadership carried out a carefully orchestrated and centralized plan of genocide or other crimes against humanity to achieve racist or ideological ends. Others assert that the abuses of Democratic Kampuchea resulted more from local disorder and score settling than centrally plotted attacks. Scholars also differ as to whether inhabitants of certain areas of the country enjoyed much better conditions than others.

These debates are important from both historical and legal standpoints. To understand how the Cambodian holocaust happened, to prevent future abuses, and to assign legal accountability, it is imperative to discern the respective roles that the CPK leadership and local actors played in perpetrating the atrocities in





various parts of Cambodia. Although many sources of evidence are available to historians and lawyers, this chapter focuses on ways that geographic information systems (GIS), including global positioning satellite (GPS) technology can contribute to an enhanced understanding of the Khmer Rouge period. We begin with a brief overview of the DK regime and its abuses. Second, we describe how the Documentation Center of Cambodia (DC-Cam) has used GPS technology to map the Cambodian "Killing Fields," along with CPK prisons and genocide memorials constructed by survivors of the Pol Pot era. Third, we proceed to address the importance of this GIS-generated information in reconstructing the history of the DK period and assigning legal culpability to high-ranking officials of the Khmer Rouge regime.

Cambodia's Reign of Terror, 1975-1979

On 17 April 1975, Khmer Rouge soldiers marched into Phnom Penh, declaring a successful revolution and an end to five years of civil war. Dressed in simple black clothing, and adorned with the tra-ditional redand-white scarves of the Khmer peasantry, they initially received cheers from war-weary city dwellers. Within hours, those cheers were muted as the Khmer Rouge began evacuating the city and forcing approximately two million people to depart for unnamed rural destinations carrying their possessions on their backs.

As Cambodians streamed out of their capital, revolutionary cadres established a series of checkpoints around the city. Thousands of officers and soldiers from the deposed republican regime of Lon Nol were seized, taken to undisclosed locations, and summarily executed.

The evacuation of Phnom Penh was the first step in the Khmer Rouge program to return to "Year Zero," erasing history and eradicating the foreign influence that the radical forces blamed for Cambodia's tormented modem history. "Cleansing " Democratic Kampuchea meant removing all traces of the former regime, breaking down the traditional landholding class, establishing a pure Maoist agrarian society. By achieving that "Super Great Leap Forward," the Khmer Rouge promised a self-sufficient and independent Cambodia immune from social injustice and foreign depredation. A clique of shadowy leaders including Pol Pot, Nuon Chea, Ieng Sary, Mok, and Khieu Samphan led the secretive new regime, which called itself only Angkar ("the Organization.")

To eliminate traditional social structures and ways of life, the Khmer Rouge scattered urban dwellers to rigidly controlled agricultural communes in the countryside. There, both rural "base people" and "new people" from the city endured strict re-education programs designed to produce the "blank hearts and minds" that Angkar deemed conducive to ideological indoctrination. Intellectuals, ethnic minorities, Buddhist monks, and other perceived enemies of the revolution were often targeted for special abuse. Many families were deliberately separated to ensure primary loyalty to the revolution, and religious rights were drastically curtailed. Money was abolished, almost all ties to the outside world were suspended. Minor infractions, such as stealing food to avoid starvation, were frequently punished by imprisonment or death. While Angkar announced its triumphs over Radio Phnom Penh, Cambodian and resident foreigners died at staggering rates from extra-judicial killing, starvation, and inadequate medical care. Even members of the revolutionary arty were not immune. Fears of domestic opposition and of Vietnamese, Soviet, and American infiltration led to frequent purges of the party ranks. By 1979, a considerable fraction of party cadres had been imprisoned, tortured, and killed. Many wound up in the burial pits at Choeung Ek. Others filled similar sites around the country.

Mapping the Abuses of Democratic Kampuchea

Since its inception in 1995, DC-Cam has endeavored to map the Cambodian killing fields. Through interviews and physical exploration throughout the country, DC-Cam has identified over 19,471 mass burial pits in 348 separate clusters. Many of those sites contain--or once contained--the remains of thousands of people. The identified mass graves are located throughout 170 Cambodian districts, and that number is almost certain to rise as additional regions of the country are explored. In addition, DC-Cam has located 185 buildings and sites once used by the CPK for security offices. In general, those security offices served as prisons and interrogation centers. Many also contain











torture facilities. Finally, DC-Cam has discovered 77 memorial structures constructed by survivors of the DK regime to honor the deceased. Like the mass graves, CPK security offices and memorials are scattered throughout the country, with the greatest concentration located in the densely populated regions near the Great Lake of Tonle Sap and Cambodia's major waterways-the Mekong, Tonle Sap, and Tonle Bassac Rivers.

Much work remains to be done before the mapping of Cambodia's Killing Fields is complete. In certain provinces, and in many districts that have already been partially surveyed, there remain sub-districts that have not yet been mapped. Mapping teams still have not visited sites in many parts of Preah Vihear, Uddar Meanchey, and Siem Reap provinces. In many of unexplored sub-districts, preliminary information suggests that mass gravesites exist. However, many such sites are situated in the most remote and inaccessible locations in Cambodia. The scarcely populated highlands in the northeast and southwest of the country have been difficult due to the density of landmines, the presence of malarial jungle, and the scarcity of navigable roads. Some of these areas are also quite dangerous due to the presence of armed bandits and gangs of former Khmer Rouge guerillas, who sometimes obstruct this type of research. The last miles to be traversed by the mass grave mapping teams will be especially difficult. However, further research in these areas will doubtlessly reveal additional mass graves, prisons, and memorial sites.

Once discovered, sites are recorded by use of a hand-held Trimble GeoExplorer GSP reader, which measures positions by reference to the World Geodetic System established by the United States Defense Mapping Agency in 1984. The coordinates of each site are fed into the Cambodian Geographic Database (CGEO), a digital database managed with the CDS/ISIS for Window software program. The database then generates a series of maps showing the locations of the various sites identified. With Arc View software, the CGEO can display a nation-wide map or more specific maps of provinces, districts, or individual villages. The countrywide map below shows an overview of the historical findings on Khmer Rouge prisons and

execution sites to date. The Arc View program can produce more detailed maps on specific areas of the country and permits the user to add or subtracts the locations of rivers, roads, administrative boundaries, and the locations of political offices. These markers reveal the precise locations of each identified mass gravesite, prison, or memorial.

As field research proceeds, the CGEO will continue to grow and shed further light on the geographic distribution of CPK abuses. This GIS database already constitutes the most comprehensive available resource detailing physical evidence of the atrocities of Democratic Kampuchea. The remainder of this chapter explores why the CGEO is important in reconstructing the history of the 1975-1979 period, assigning accountability for the regime's abuses, and preserving memory of the Cambodian tragedy.

The Historical Debate: Anarchy or Centralized Terror?

Although the existence of mass atrocities in Cambodia during the DK period is beyond doubt, there has been sharp disagreement on how to interpret the available historical evidence. These widely divergent views reflect the difficulty of obtaining accurate information about Democratic Kampuchea, which with few exceptions sealed itself off from the outside world. The debate also reflects the fact that analysts of the Pol Pot era have been deeply divided in their interpretations of available data. The fierce politics and emotion surrounding the Indochina Wars has only compounded academic disputes. This section describes how GIS technology and the mapping data can help to resolve certain important historical issues.

The Death Toll

Historians have locked horns over myriad issues of DK history, including some of the most basic factual issues. For example, there is considerable scholarly debate over the number of people killed in Cambodia between 1975 and 1979. Michael Vickery estimates that roughly 750,000 died, attributing the rest to U.S. carpet-bombing and the 1970-1975 civil war. David Chandler estimates that one million perished, while Ben Kiernan, Stephen Heder, Judith Banister, and Paige Johnson put the figure between 1.5 and 1.8 million

deaths. Craig Etcheson presents the highest figure, arguing that over three million people died during the period. The CGEO mapping data cannot resolve the foregoing debate alone, but it can contribute to a more definitive estimate. In combination with well over 1,000 interviews, documentary analysis, and ongoing forensic analysis of mass gravesites and skeletal remains, mapping data suggest that at least 2,038,735 million people may have died under the Pol Pot regime.

The Degree of Central Planning and Control

The dispute over the DK death toll represents just one front in the battleground of competing historical interpretations. Analysts have also taken fundamentally different views on the nature of the Khmer Rouge regime and its objectives. According to a number scholars writing during and immediately after the DK era, the Pol Pot regime was highly centralized and exerted powerful control throughout most areas of Democratic Kampuchea. Kiernan broadly endorses this position. He stresses the "racialist ideology" of the party leadership and its strong hand in directing local attacks against Cham Muslims, Buddhist monks, ethnic Vietnamese, hill tribes, and other ethnic and religious minorities.

Chandler takes a different view, arguing that the regime's extreme--and ultimately misguided-communist and nationalist goals produced the violence more than "racialist" or genocidal policies. He concludes that most of the deaths resulted from malnutrition, illness, and exhaustion--unintended consequences of a utopian program that CPK leaders thought would succeed at much lower cost. Ponchaud offers a similar argument, calling the abuses of the CPK "a perfect application of an ideology pushed to the farthest limits of its internal logic." Like Kiernan, their theses imply a strong element of central planning in Democratic Kampuchea, but they differ on the degree to which killings were intentional policy outcomes.

Vickery adds another interpretation to the mix, characterizing the Khmer Rouge revolution as a peasant-based revolt against the exploitative bourgeois class. He argues that the abuses of the DK era were essentially products of a peasant-based revolution against the entrenched bourgeois class. "National, populism, and peasantism really won out over commu-

nism," and violence stemmed less from the leadership than from the nature of a peasant revolution, enabling peasants to do "what peasant rebels have always wanted to do their urban enemies." Vickery suggests that local actors bore considerable responsibility for the violence, arguing that the worst abuses were generally "aberrations from policy rather than its goals."

Vickery also asserts that many areas of the country suffered from comparatively few abuses during the DK era. Angkar divided the country into two special administrative areas (around Kratie and Phnom Penh) and seven major zones: the Eastern, Northeast, Northern, Central, Northwest, and Southwest zone was further divided into sector (damban), districts, sub-districts, and village cooperatives. A chain of command extended from the Central Committee of the CPK through zones and smaller administrative units. Vickery asserts that the Northwest Zone and parts of the Northern and Central Zones were subject to the greatest brutality. He concludes that the Southwest Zone--led by the infamous one-legged "Butcher," Ta Mok--was the DK zone par excellence, a "relatively if frighteningly well-run place, in no way the total chamber "of horrors [that Khmer Rouge] policy is supposed to have represented and [that] it became in less well-organized zones."

Both Vickery and Heder argue that the Eastern Zone represented something of a special case in Democratic Kampuchea, at least after 1977, when fighting with Vietnamese-backed insurgents intensified. While Kiernan presents the massive Eastern Zone purges as part of a broader genocidal policy, Vickery and Heder see the zone as an area gradually consumed by civil war. Sorpong Peou and Serge Thion generalize that view and treat the DK era as one of broad-based civil struggle and domestic insecurity. Peou characterizes much of the regime's violence as "pre-emptive" security measures and asserts that the party leadership "made several--unsuccessful--attempts to limit the killing." Thion essentially agrees, treating the regime as one that "never stood on its feet" and fought continually with rival factions to establish order in Cambodia. Both authors imply that the killing resulted more from disorder and local excesses than a deliberate and centrally controlled plan.









In detailed recent analysis, Heder presents a more nuanced study of the relative roles of high-ranking and local CPK actors. He criticizes Kiernan and others for overstating central control and planning in Democratic Kampuchea and "Nazi-fying" the Pol Pot regime. He acknowledges that an elaborate chain of command and system of meetings and reports have the leadership in Phnom Penh meaningful capacity to steer events in the provinces. However, based on extensive interview research, he asserts that local commanders often abused power, committing unauthorized atrocities that central leaders were unable to effectively control.

Again, GIS technology cannot provide a panacea to resolve this complex historical debate, but it can contribute to a more accurate understanding. If the Khmer Rouge regime exerted strong central control and pursued similar policies across Democratic Kampuchea, one would logically expect to see a relatively even distribution of mass gravesites and prisons throughout the populated areas of the country. By contrast, if local actors were responsible for much of the killing, it stands to reason that some areas would suffer from much greater abuse of power than others. It would be quite an extraordinary coincidence if local CPK officials in all regions of Democratic Kampuchea exceeded their authority to a similar degree.

Thus far, mapping data support the first view. Using GIS technology, DC-Cam has plotted the locations of all of the villages and city quarters that staff members have visited over the past seven years. Interviews have revealed that the vast majority of those villages and quarters--which number several thousand--were inhabited between 1975 and 1979. Plotting the locations of those villages and quarters does not provide an exact measurement of population density in Democratic Kampuchea, but it does provide a good visual approximation. By superimposing a lot of village locations on a plot of mass grave and prison sites, one can visualize the rough "density" of Khmer Rouge terror across various populated areas. To date, this GIS "density map" shows a remarkable consistency across most of the areas studies.

Most of Cambodia's population has long lived in the fertile lowlands surrounding the Tonle Sap and the country's major rivers. The areas with fewer explored villages generally fall into two categories. Most of those areas simply have very low population density. The thickly forested Cardammon Mountains in the west and jungles of the north and northeast are the main examples. Other unexplored areas fall into insecure regions where landmines, unexploded ordinance, poor roads, and (until 1999) Khmer Rouge guerrilla insurgents. Some of these area will become accessible in the coming months and years and will yield important additional data.

One can see that mass gravesites are spread quite evenly across the surveyed communities, which reflect most of the populated areas of the country. Extensive interview research confirms that the vast majority of these burial pits were filled between 1975 and 1979. The GIS map shows plainly that no zone in Democratic Kampuchea was spared of mass killing. This data does not prove that most killings resulted from centrally orchestrated policies, but it provides circumstantial evidence to that effect. Only in a few remote regions in the north and northeast of the country have DC-Cam researchers found significant populated areas without mass graves.

This data defies the thesis that most killings were results of counter-insurgency measures or local officials run rampant. The DK regime was surely not faced with a uniform threat of insurgency in all populated parts of the country. Nor is it likely that local officials in almost every populated region exceeded their authority and carried out unauthorized executions on a massive scale. It the central government was powerless to excesses, and if zone or lower-level leaders acted with relative independence, one would expect much greater variation from zone to zone, region to region, district to district. GIS technology presents a very different picture and suggests a profound role for the central government.

This view is reinforced by the striking correlation between the locations of mass graves and former CPK security offices. Many burial pits are immediately adjacent to security offices, which served as the main administrative sites for the provincial penal system in Democratic Kampuchea. GIS technology makes that







correlation clear.

If local officials carried out large number of unauthorized executions and sought to hide the killing from disapproving superiors, one would expect the mass graves to be reasonably concealed. Placing them around CPK security offices would make little sense. These offices were among the most likely destinations for high-ranking security officials. Surrounding them with mass graves would ensure that excessive local abuses would be noted and reported.

It is theoretically possible that abuses occurred at prisons throughout the country and that CPK leaders were powerless to stop them. However, as argued about, it would be extraordinary for security officials in so many different areas to abuse their power to such a gross degree. Almost all of the Party security offices have mass graves nearby. Perhaps more importantly, there are relatively few mass graves in areas far from a CPK security office. This confirms documentary and testimonial evidence that CPK security offices served as the physical locus for many of the killings.

It is difficult to reconcile this GIS-generated data with the image of a state in decentralized chaos. Even if the DK leadership was powerless to prevent the killing everywhere, it was surely better able to control events in certain parts of the country than others. The data shows a very uniform density of abuses in security offices around Cambodia. This strongly suggests that the DK leadership played a major role in ordering, or at least condoning, massive atrocities in the field.

The Legal Debate:

Crimes Against Humanity or Just Mass Killing?

The issues discussed above are not only important for historical reasons. They also have great legal relevance. For years, Cambodians have awaited justice for the abuses of Democratic Kampuchea. After lengthy negotiations, the United Nations and Cambodian government recently agreed to convene a Khmer Rouge tribunal. The tribunal will be empowered to hear criminal cases against individuals alleged to be most responsible for the atrocities of the 1975-1979 period. Defendants may be charged for a variety of offenses, including genocide, torture, war crimes, and crimes against humanity. GIS data cannot contribute much proof for

most of the enumerated crimes. However, as described below, it can help to prove a few important elements of one key offense--crimes against humanity.

Elements of the Crime

Crimes against humanity are among the oldest and most notorious offenses against international law. The law governing the Khmer Rouge tribunal (the "KR Tribunal Law") adopts a standard definition of the offense: Crimes against humanity, which have no statute of limitations, are any acts committed as part of a widespread or systematic attack directed against any civilian population, on national, political, ethnical, racial or religious grounds.

The acts that qualify as prohibited attacks includes "murder, extermination, enslavement, deportation, imprisonment, torture, rape, persecution on political, racial, and religious grounds, and other inhuman acts."

There are strong reasons to believe that Khmer Rouge leaders committed crimes against humanity. However, a number of elements must be established for a CPK defendant to be judged guilty of that offense. First, the defendant must have carried out, ordered, aided and abetted, or acquiesced in prohibited acts such as murder, torture, and arbitrary imprisonment. Second, those attacks must have been taken "against a civilian population." Third, the attacks must have been conducted on the grounds of the victims' race, nationality, ethnicity, religion, or political characteristics. Fourth, the atrocities must have involved state action. Finally, they must have been "widespread or systematic" in nature.

GIS technology can provide some help in establishing the existence or absence of each of the first three elements. Mapping data can demonstrate in a clear, graphic manner that killing and imprisonment took place in civilian areas across the country. To date, GIS mapping data confirms clearly that abuses occurred across areas populated by various racial, national, ethnic, and religious groups. This suggests that crimes against humanity were most likely committed for political reasons. This hypothesis is supported by a wealth of documentary and testimonial evidence about CPK efforts to "smash" or "sweep away" political enemies of the revolution. These included members of the Lon Nol regime, and perceived supporters of U.S.











"imperialism," Soviet "revisionism," and Vietnamese "hegemonism."

However, GIS mapping data does not exclude the possibility that protected groups were sometimes targeted for attack based on religion or ethnicity as well. When superimposed on demographic data, GIS maps can also provide visual and statistical insight regarding the disproportionate impact of killing in regions inhabited by certain protected minority groups. For example, findings to date reveal that certain areas in Kampong Cham province contain particularly large numbers of mass graves. Given the large number of Cham Muslims resident in those areas, the data supports Kiernan's asseration that Chams in eastern Cambodia tended to suffer statistically disproportionate abuse under the regime. Similar clusters of mass graves exist in parts of Prey Veng, Svay Rieng, and Takeo, where many ethnic Vietnamese lived, and around Phnom Penh, heavily populated by ethnic minorities and supporters of the deposed Lon Nol regime. This apparent correlation, coupled with other sources of evidence and with forensic studies, could establish that certain minority groups suffered statistically higher execution rates than the majority population. Disproportionate impact would not prove that certain groups were singled out for abuse, but it would contribute circumstantial evidence to that effect. It would also suggest the possible occurrence of genocide, which prohibits only attacks based on religious, racial, national, or ethnic grounds.

"Widespread or Systematic" State Action

In order to constitute crimes against humanity, killings must also have been "widespread or systematic" in nature, and they must have constituted state action. The term "widespread" usually connotes the existence of large numbers of victims, while "systematic" abuses are those planned and directed against certain types of individuals. The requirement of state action is normally interpreted to mean that abuses must have been instigated or tolerated by governmental authorities.

The sheer number of mass graves revealed in GIS maps reveals beyond dispute that killings were "widespread" between 1975 and 1979, apparently meeting the requirement that crimes against humanity be "widespread or systematic." Some legal experts have argued that even a large number of abuses must be somewhat systematic in nature to meet the definition of the crime. As discussed above, the presence of strikingly similar mass graves in so many areas of the country suggests a centrally guided plan of terror. In addition, the close proximity of so many mass graves to CPK security offices reinforces the bulk of documentary and testimonial evidence that many killings in Democratic Kampuchea were carried out as part of a "systematic" process of state action involving imprisonment, interrogation, and execution.

Why is the Label of the Khmer Rouge Offenses **Important?**

The label applied to the crimes of the Khmer Rouge regime is more than academic matter. It also has profound political, and arguably moral, importance. Although genocide is often touted as the most abhorrent of offenses, crimes against humanity are certainly not far behind. In the public perception, they rank above mass killing as something more coldly plotted, more diabolical. Many victims of the Khmer Rouge regime may be unsatisfied by a legal judgment that DK leaders were guilty of only "ordinary" murder. The scale and character of atrocities in Democratic Kampuchea demand special categorization. To achieve genuine reconciliation in Cambodia, the public must perceive justice to be done. That is not a reason to reach false legal conclusions, but it is a reason to use available evidence, including GIS data, to prove crimes against humanity to the extent that they were committed.

GIS Technology and the Promotion of Accountability

By presenting thousands of identified mass graves and scores of DK prisons--many with remnants of primitive torture devices--provide harrowing reminders of the need to establish accountability. In addition to revealing countless instances of killing and other atrocities, the burial sites and detention facilities makes it implausible--and indeed practically inconceivable-that any DK leader was unaware of that members of the party were carrying out mass killing and other criminal acts between 1975 and 1979. Further, the overwhelming physical evidence supports a strong inference that Khmer Rouge leaders failed to take effective countervailing action. This combination of







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apparent knowledge and complicity is enough to establish guilt under the doctrine of superior responsibility, applied in the Nuremberg court and the international tribunals for the former Yugoslavia and Rwanda.

Even more ominously, the mass gravesites and prisons provide compelling circumstantial evidence that CPK atrocities were part of a centrally orchestrated plan ordered, aided and abetted by the DK leadership. The similarities among prisons, mass grave sites, and witness accounts from distant and disconnected provinces are simply too great and too consistent to be attributed to coincidence. The apparent orchestration and direction of mass crimes from the central leadership makes the imperative of legal accountability even greater. UN and Cambodian officials should take these appalling and decaying mounds of evidence as further moral and practical incentives to establish procedural mechanisms that will build a rule of law in Cambodia and deliver credible justice to the survivors of the Pol Pot regime.

Conclusion:

Preserving Historical Memory

As discussed above, GIS technology can be helpful in developing a more accurate understanding of history and in establishing accountability for the myriad abuses of the Pol Pot regime. However, it also offers one final and very important function. GIS technology helps DC-Cam publicly disseminate part of the history of the DK era in an inexpensive, highly accessible manner. Preserving the memory of CPK becomes more and more important over time. As physical evidence of mass burial pits and security offices gradually deteriorates, it is imperative that public memory of the Pol Pot regime be preserved. Indeed, the tragedy of that dark period will be greatest if it is forgotten. Cambodians and others can best prevent the recurrence of mass human rights abuses by remembering, understanding, and dealing with the difficult legacies of the past.

Historical studies are most useful if they can be effectively shared, and according to the old adage, a picture is worth a thousand words. The power of images cannot be underestimated in preserving the public recollection of historical periods and events. Whether

via posters, magazine and newspaper photos, or Internet pages, GIS technology makes the results of the mapping project easy to display. The maps leave a striking, visual impression of CPK terror and are easily comprehensible to viewers of all ages, literacy and education levels. This makes GIS technology extremely useful as a means to preserve collective memory of the Cambodian tragedy. One large version of the map is now featured at the Tuol Sleng Genocide Museum in Phnom Penh. Many others have been distributed to local communities throughout the country and to interested person abroad. GIS technology thus helps to ensure that the truth about the magnitude of the abuses of Democratic Kampuchea can be known to Cambodians and to the world.

Lastly, GIS technology can help preserve historical memory of the Pol Pot era by helping interested persons visit the country's many memorial sites. Few of those sites are advertised to the public, but it is important that they not be overlooked. Scalable GIS maps can show the street locations of the 78 memorial sites identified to date. Such maps make it easy for scholars and members of the public to visit the sites.

GIS maps of the country's many genocide memorial sites provide a visual reminder of the process of reconciliation in Cambodia. Beside the mass graves and prisons that reveal the unimaginable crimes of the CPK, one finds testimony to the courage and resilience of the survivors of Democratic Kampuchea. Preserving the memory of their suffering and ultimate survival will be as vital for Cambodians in the future as it is for historians reconstructing the country's troubled past.

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Rasy Pheng Pong is the Mapping Project Team Leader with the Documentation Center of Cambodia. He is currently assisting the Center's Forensic Team.

FORENSIC ANALYSIS OF THE REMAINS OF KHMER ROUGE VICTIMS

Rasy Pong Pheng

The Documentation Center of Cambodia (DC-Cam) has been working on a project with a team of North American forensic experts to analyze bones from Cambodian genocide memorials. The forensic team has traveled to Kampong Speu, Kampong Cham, Kandal and Takeo provinces and Phnom Penh municipality. Two of the forensic specialists, Dr. Michael Pollanen and Dr. Kathy Gruspier have long experience investigating crimes against humanity, including previous work in East Timor. They have been working with DC-Cam to collect forensic evidence documenting the genocide committed by the Khmer Rouge from 17 April 1975 to 6 January 1979, which resulted in at least 1.7 million dead.

For many years, the Cambodian genocide perpetrated by the Khmer Rouge has been ignored by the government, save for some token efforts made by the People's Republic of Kampuchea (PRK) regime in 1979, after the ouster of the Khmer Rouge. However, despair over the government's neglect of the issue has been replaced, recently, by tempered feelings of hope as government of Cambodia and the United Nations (UN) agreed to establish a mixed tribunal. The draft agreement was signed on 6 June 2003 at Chaktomuk Conference Hall in Phnom Penh. Ironically, this is the same location at which the PRK's Khmer Rouge tribunal was held after the ouster of the KR.

From 14-24 June 2003, the forensic team worked at two memorials: Wat Ampe Phnom in Ampe Phnom village, Svay Kravann sub-district, Chbarmorn district, Kampong Speu province; and near Athruos mountain, Phnom village, Phsardek sub-district, Ponhea Leu district, Kandal province. The forensic research, combined with previous DC-Cam archival and mapping research, resulted in the documentation of systematic massacres carried out in similar manners, from one place to

another. In Kampong Cham, Kampong Speu, Kandal, and Takeo provinces, the analysis revealed that victims were hacked with knives or axes, clubbed with hoes, and shot in the head. The analysis also revealed that victims were male and female of all ages.

Poor bone preservation is a constant problem. At Skun and Nokor pagodas in Kampong Cham province, where many bones are kept, most bones were friable and decaying rapidly. Only a small number of the bones were intact enough for analysis. In Kampong Cham, the team traveled by boats to Trea Py and Koh Phal execution sites in order to search for unexcavated mass grave pits. But the team had to return empty-handed, because the pits had already been excavated or some parts of them had slid into the Mekong River.

In the last few days of the analysis, the team analyzed skulls and other bones stored in the Tuol Sleng museum. They analyzed them thoroughly, taking many photographs. They found that similar types of torture were carried out at Tuol Sleng, as in the provincial sites analyzed. The more we understand about the Khmer Rouge regime, the closer Cambodians are to finding truth, for which survivors having been waiting such a long time. The forensic investigation in the Kingdom of Cambodia has piqued interest in such research among students and others. And DC-Cam plans to design and construct an educational forensic exhibit at Tuol Sleng Genocide Museum. The display will graphically educate a wide-range of people, Khmer and foreigner, young and old, about the gruesome methods of Khmer Rouge torture and execution.

Rasy Pong Pheng is the Mapping Project Team Leader with the Documentation Center of Cambodia. He is currently assisting the Center's Forensic Team.

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MAK TORK: THE LEGACY OF THE KHMER ROUGE REVOLUTION

Sochea Phann



Koh Thom district is located along the Bassac River (a tributary of the Mekong) in Kandal province and borders Vietnam. Almost all villages in Koh Thom district fell under Khmer Rouge control in April 1970, and the villagers were considered to be "liberated Khmer." A DC-Cam research team visited Po Rama village, Koh Thom district and met a man named Mak Tork. He lives in a hut on a small rice field, which barely sustains he and his children. He said that he moved there after he married since it was his wife's home village. After the death of his wife three years ago, he planned to move to his home village, but does not yet have enough money.

Mak Tork was born in 1960 in Prek Tamem village, Prek Sdei sub-district, Koh Thom district, Kandal province, about three or four ilometers from where he lives now. His father's name is Nou Mak and mother's, Srot Ut. She passed away 1972. According to Tork's biography made during the Khmer Rouge regime, he joined the Khmer Rouge Revolution on 13 January 1973. He was introduced to the Khmer Rouge by Khien. In the Khmer Rouge regime, Koh Thom district was called District 18, and Kandal province Region 25. However, Tork thought that he joined the revolution in about 1972. He joined the revolution because a village

chief named Leum propagandized that they would liberate the country from the Lon Nol regime. He said, "No one forced me to do so; I did it voluntarily. Like other people, we wanted the King to return."

Mak Tork joined the revolution, the only person in Prek Tamem village to do so, and his parents encouraged him. First he was a soldier in a unit in Koh Thom, under the command of the district unit commander named Ta Kat. The unit headquartered in Khporb village, Sampeou Poun sub-district, Koh Thom district and was under the command of Region 25. Tork had the responsibility of preventing Vietnamese people from smuggling. A year later Tork visited his home, and wanted to stay. "I preferred to farm rather continuing my duty in the army," he explained. However, in July 1973, Tork rejoined the revolution when the US and the South Vietnam bombarded Koh Thom district. Tork said that the war started in Koh Thom in 1970 and destroyed many homes. [Nguyen Van Thieu]'s soldiers entered the village and stole people's food. As a result, he joined the [Khmer Rouge's] Southwest zone army in order to fight against the Americans and the Lon Nol army more strenuously. Tork was in Battalion 117 (Hun), Regiment 127 (Chhun), Division 12, Special Zone (Ta Nat and Pin). At first he patrolled in Prek Ta Em village, then in Boh Ankanh, Prek Bra, Champuh Kaek and Koh Krabei villages. His unit trained him in politics and battle tactics, taught by Launh and Chhan. His unit won many battles, like the battle of Kuol Torting.

During the Phnom Penh offensive in 1975, his unit attacked from the east bank of the Bassac River through Koh Krabei and Champuh Kaek villages toward Chbar Ampeou bridge. After the KR took control of Phnom Penh in 1975, Battalion 117 received an order to defend the Cambodian-Vietnamese border, in Svay Rieng province. However, Tork did not go. He was assigned to farm and dig water channels in Prey Sar under the supervision of S-21 prison guards. There he met some











of his village neighbors, like female Comrades Tai Kry and Pen Sreng, who were accused of having unclean biographies and avoiding responsibility by visiting their homes. They were forced to work very hard, days and nights, and were given little food. "I left my home and parents to serve the nation, but what I got was torture," complained Tork. Besides hard physical labor, Angkar demanded that they join a denunciation meeting, in which they criticized each other.

Tork was sent from S-21 priosn in 1978 to work at a medicine manufacturing section at Takhmau hospital. He was nervous because he knew that normally when someone was sent out of the prison, they were killed. Luckily, he was not. At the hospital, Tork saw the Khmer Rouge burning corpses in the midwife building of the hospital. Up to two or three truckloads of corpses were burnt at a time and then taken from Phnom Penh and buried. Each time they burnt bodies, the Khmer Rouge prevented people from watching. Tork assumed that the corpses were of prisoners from Tuol Sleng.

In January 1979, Tork fled along with Pen Sreng and his other friends. He met Duch at Boeng Tnaot village and joined the flee with Duch. "Duch ordered youths to dig trenches," he said. Tork said he complained that "We are so tired of digging these useless trenches.

It takes us days and nights to complete the work. Farm dikes are everywhere, just lie close to it we'll be safe. We know where the mortar shells will fall just as they are shot out of the cannons." Tuy heard it and reported to Duch. Duch, Ho and Chann were about to shoot Tork, but Tork threatened them with a hand grenade. After that, Tork's group fled in a separate way from Duch's. Later, Tork was told that Ho and his wife had their throats cut open with the sharp edge of the stem of palm leaves.

Later Tork met Ta Mok and traveled with him days and nights, without food, through mountains until they reached the Thai border.

Because of the Khmer Rouge's propaganda and the fear for the Vietnamese, Tork dared not return home. In 1980, he and twenty other friends climbed down the mountain to farm in Ampil village. Because the farm was not productive, they entered a refugee camp along the Cambodian-Thai border.

Tork arrived home in 1981, where he found only his father and older sister. Tork married in 1981 and has four children. Today he's a widower. His work is farming. He doesn't care about social issues anymore. He is so disappointed with what happened. He is poverty-stricken, even his present house is built on the land of his wife's relatives. He does not know what his children's future will be. His children are not properly educated, nor is he. He said, "When I was young, I did not go to school; I had to run away from the war and later joined the revolution."

This is the legacy of the past which Cambodian people inevitably have to endure. What should we do about this? How should the problem be solved? Should we let people continue to live in such miserable conditions because of the past?

Sochea Phann is a member of DC-Cam's Promoting Accountability Project.

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DOES THE LOSS OF LIVES IN THE KHMER ROUGE REGIME RELATE TO THE BUDDHIST LAW OF "ACTION AND RESULT"

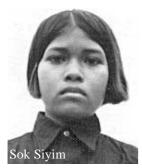
Dany Long



Khieu Yen is 78 and lives in Svay Sranoh 1 village, Roka-ar sub-district, Kang Meas district, Kampong Cham province. She has four children, 3 daughters and a son. Today she lives with her eldest daughter who was able to escape the Khmer Rouge's massacre. Yen recalled that in 1972, her son, Sok Nin (revolutionary name Phann), left home to join the revolution with his friends, was a messenger for Division 310. Yen's third child, daughter Sok Yim, joined the revolution in about



1973 through the introduction of Comrade Hang. She served as medical staff Hospital 98, Division 310.

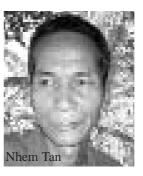


And her youngest daughter, Sok Siyim, was introduced into the revolution by her brother in 1976, and also worked in Hospital 98, Division 310.

Three months after 17 April 1975, Nin returned home to take Yen, Siyim, a nephew

named Nhem Tol, and younger female cousins named Ming Hoeun and Phon to Phnom Penh to work as medical staff. In Phnom Penh, Yen cooked for her children. In 1977, Yen, who was not accustomed to living in the city and she missed her oldest daughter Yoeun, asked her son to bring her back to the village. She returned by boat. Two months later she was told that Angkar had detained Nin. She was very shocked, but she could do nothing since it was all she could do to avoid being arrested as well. In addition, cousin Hoeun said that Yim was executed for moral offense.

Nhem Tan, 62, Tol's father, said that in late



1979, he visited Tuol Sleng museum, which a few months earlier had been a notorious prison, in order to look for his missing younger brother and son. Two hours after walking through the rooms of the stinking prison, he found three

mug shots of Nin on a wall. The first shot reveals Nin's hands were tied to the back by the elbows wearing trousers and short shirt. In the second shot the KR put a piece of board in front of him saying "crime of betraying collective." The third shot he wore shorts and his hands were tied to the back by the elbows. Tan also saw photographs of Eoun (secretary of the North Zone), his wife and three children. He assumed that Eoun's arrest led to the arrest of Nin. At that very moment, he said, if he saw a KR he could kill them, but for now he waits for justice by the rule of law.

Shortly after 7 January 1979, a fortuneteller told Yen about what happened to her children. The fortuneteller said that among her three disappeared children, only Siyim was still alive, while Nin, Yim and Tol had died. Whenever she goes to the pagoda, she always says prayers to her dead children. Yen said, "It is hard to describe the grief and nothing will ever replace my children."

26 years have passed, but Yen cannot forget her children. As a devout Buddhist, she believes the death of her children is "action and result." "This is the result of my children's action in their previous lives to die so young," she bemoaned. Is Yen right to blame "action and result" for the loss of her children?

Dany Long is a member of DC-Cam's Promoting Accountability Project

SHE TALKS ABOUT HER PAST

Kalyan Sann



Ou Aun, 69, is a widow with 5 children. Her husband died 31 years ago. Today she is living with her children and grandchildren in Po Tunle village, Koh Thom "K" sub-district, Koh Thom district, Kandal province.

She was born in 1934 (the year of the pig) in Po Tunle village, where she lives to this day. Her father was Ou and mother Hang, who were farmers. She said, "My father was a pure farmer. He told me that money and gold were in the field; he never did businesses other than growing crops." She has three sisters, of which she is the youngest. When she was 10 years old, her mother died of cholera, and so did her 3-year-old younger sibling. She said that unlike now, when she was young cholera killed many people, because there were very few hospitals in the rural area. Patients had to go to Phnom Penh by boat or foot and could not get treatment in time. Ten years after the death of her mother, her father married a woman named Thao who bore him a son. Fortunately, her stepmother was sympathetic toward her siblings. She brought them up well and arranged marriages for all of them. Today, her stepmother is 86. Her father died five years ago at the age of 90.

She had a joyful childhood and she never went hungry. Her father had hectares of fields on which he grew corn, rice, tobacco, beans, and sesame, depending to the season. The agricultural produce from the field could sustain her family for the whole year, and still they had surplus to trade for salted fish, sugar, and other foods.

When she was young there was no fear of war. Cambodia was under French and Japanese rule. Sometimes, the Issarak militants traveled across her village, but they never hurt the residents. The Issarak militants wore black clothes, walked quietly through the village, and never stayed or asked for food.

When she was young, Aun did not receive an education. Cambodia did not have schools, but had pagodas that only accepted boys. Later, she attended basic education for adults. But she said, "I learnt nothing, because my [two daughters] disrupted me all the time; before long I abandoned the class."

She was married at the age of 20 to Srorn, a farmer. They received farmland from her father in Koh Rorka village, Koh Rorka sub-district, Peam Chor district, Prey Veng province. Later Aun and her husband moved to the new land with their child. The couple acquired more land by slashing new forest area and buying from other farmers. On their land they grew crops which fed them all year round. Later they saved enough money to build a big house, plus, they had plenty of land for their children's inheritance.

After Lon Nol's coup d'état in March 1970, Vietnamese troops moved into Cambodia, frightening the villagers and causing them to flee back into the countryside. Her family, with four children by then, rode two bicycles back to Koh Thom district, leaving behind houses, cattle, boats, field and stored agricultural produce that they had worked hard to earn. She broke into laughter, "This is like a saying which goes 'Khmer can run away, the Vietnamese have clothes." Two months after she arrived in Po Tunle, US planes began to bomb areas suspected to contain Viet Cong soldiers.

In 1971, when her sixth child reached the age of 7, her husband was killed by a US bomb. In 1972, the Khmer Rouge took control of almost all of Koh Thom district. Agricultural produce were placed into a cooperative and then redistributed to people according to the number of members in each family.

On 17 April 1975, all people living in Po Tunle were evacuated to Kaam Samnor, near he Vietnamese border. Then people from other areas were allowed to live in Po Tunle. Some part of the village became a security office and execution site. Aun said that the reason that the Khmer Rouge took people from Po Tunle to live near the Vietnamese border was that the Khmer Rouge regarded them as "full-fledged" citizens. She added, "We all were called full-fledged, but we were starved and war-weary."

In Kaam Samnar, the Khmer Rouge appointed Aun to work with elderly and pregnant women collecting material to build house roofs. Since palm trees were scarce in the area, they collect a plant called "Treng," and sometimes hay.

In about 1975, Angkar conscripted her oldest son into the army. Aun said, "When my son was called, they

summoned me to a meeting. I made no complaint in the meeting, since they said that my son had to go no matter what. The next day they took him away." She was lucky, her son returned home when the Khmer Rouge collapsed in 1979. Her other children were conscripted into mobile units according to their sex and age.

In 1976, Aun a large infection developed on her left leg. The medical cadres insisted on amputating her leg, but she strongly objected. She said, "They said the amputation would save my life. Nonetheless I told them I would rather die than lose a leg." Five months later she recovered. She was allowed to go back and join her cooperative, but she was no longer able to travel far and lift heavy objects. The cooperative chief then assigned her to collect and husk corn, and to assist the chefs in the kitchen. She did this job until 1979.

Aun said that sometimes in Kaam Samnar, people starved because the rats destroyed the rice. Angkar would then order people to kill a rat a day on top of their daily work. Without a rat, one would not be given food. Sometimes the nearby river overflowed and flooded the dining area. Angkar ordered people to build a dam abound the dining hall. The chefs then had to bring food by boat to people who could not come to the hall to eat. In times of shortage, people had to eat rice mixed with corn, ripe banana or potato. Sometimes they ate only corn. Aun mentioned that in Kaam Samnar banana and cassava were abundant. Banana had big fruits and cassava had long and large roots. The roots were eaten with rice or ground into powder to make noodles.

Aun said that in her cooperative, people had enough food all the time though was not always rice. They even had noodles or dessert on some occasions.

In addition to work, people had to attend meetings in which all they had to do was sit and listen to the speech of the cooperative and village chiefs. The cooperative chief was basically the Angkar. If he told to do something, people had to obey. Otherwise, they would be killed.

In 1978, fighting between Vietnamese and Khmer Rouge soldiers broke out. Mortars were used everyday and people had to hide themselves in trenches in order to escape the shelling. Sometimes they had to sit in the trenches all day. Only when the fighting subsided could they continue their daily chores. Near the end of 1978, panic grew. The combination of land, sea and air attacks by the Vietnamese forced the Khmer Rouge and villagers further into Cambodia.

After the Khmer Rouge regime was overthrown in January 1979, people returned to their homesteads. When she arrived in Po Tunle, Aun saw many half-buried mass grave pits in which legs and limbs of victims stuck out. She also saw blood stains at the site. Only then did she and the villagers and realize that the Khmer Rouge turned their village into an execution site. Later, a memorial was erected in which they put victims' bones to remember the atrocity.

When they first arrived, the villagers faced food shortages. But they worked hard on the land that the government provided them. Today in Po Tunle, living conditions have improved. Most people have large wooden houses with baked-clay tile roofs. However, occasional floods destroy farms. Some people have gone to the city to seek better jobs, and others sold their rice fields and started small businesses.

Aun compared the today with the Khmer Rouge period, "Now things are different. We eat as we please, as long as we have the money. In the Khmer Rouge regime we couldn't choose what we ate."

Aun sometimes describes her Khmer Rouge experience to her grandchildren, but they could not believe it. She said, "My grandchildren are living in happiness; they do not believe what I tell them. I advise my children and grandchildren to avoid such a regime; if it returns they would suffer so much. I'm old. What I could do is to advise them to study hard so that they would not be repressed like my generation."

Kalyan Sann is a staff-writer for Searching for the Truth.

SPECIAL COURT FOR SIERRA LEONE

Suzanah Linton

Since 1991, a particularly vicious civil war has been raging in Sierra Leone between its government and the rebel Revolutionary United Front (RUF). The winds of peace seemed to have prevailed when the warring parties signed the Lomé Peace Agreement on 22 May 1999. In addition to a general ceasefire, this granted amnesty to the RUF rebel leader Foday Sankoh and his followers, appointed him Vice-President and made provision for the establishment of a truth and reconciliation process. When signing the Lomé Agreement, the Special Representative of the Secretary-General appended a statement that the United Nations understood that the amnesty provisions of the Agreement would not apply to international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law. Shortly thereafter, the United Nations Mission in Sierra Leone was established to help implement the Lomé Agreement and assist in the disarmament, demobilization and reintegration process.

However, fighting between government and rebel forces resumed in violation of the agreement. RUF attacks on United Nations peacekeepers, in particular its abduction of five hundred of them, hardened the position of the international community and renewed the impetus to restore rule of law in Sierra Leone through the means of criminal justice. Following a request for assistance in prosecuting those responsible for the atrocities by the Sierra Leone government, the Security Council requested the Secretary-General to enter into negotiations with Sierra Leone with a view to concluding an agreement on the establishment of a special court for the prosecution of atrocities.

NEGOTIATING THE SPECIAL COURT

Sierra Leone's law does not incorporate international crimes such as crimes against humanity and after a decade of sustained armed conflict, the country was not financially placed to establish a new regime for such prosecutions and to implement it in accordance with international standards. International assistance was thus required to ensure the correctness and credibility of any judicial proceedings. The international community was however reluctant to establish another ad-hoc tribunal due to the cost implications.

On 4 October 2000, the Secretary-General reported to the Security Council on his negotiations with the government of Sierra Leone (Sierra Leone Report) and appended a draft statute for the court (Special Court Statute) and agreement with Sierra Leone. The Security Council accepted the majority of the proposals, but suggested several changes in relation to the personal jurisdiction of the court, its size and funding. As a result, the current vision for the court is that of an internationalized tribunal, separate from the Sierra Leonean criminal justice system, that will be jointly administered by the United Nations and Sierra Leone. In accordance with the Security Council Resolution 1315 of 2000, the Statute directs itself toward the prosecution of those who bear the greatest responsibility; particularly those leaders who, in committing such crimes, had threatened the establishment and the implementation of the peace process in Sierra Leone. It is expected that the court will only try between five and thirty people, juveniles and adults. In a novel development, it will also have jurisdiction to address "any transgressions by peacekeepers and related personnel in Sierra Leone" where the Sending State is unwilling or genuinely unable to carry out an investigation. The agreement recognizes the primary responsibility of Sending States to discipline their peacekeeping troops, and exercise of the Special Court's jurisdiction must be authorized by the Security Council on the proposal of any state.

It will have jurisdiction over crimes against humanity, serious violations of Common Article 3 and Additional Protocol II, serious violations of international humanitarian law and selected provisions of Sierra Leone law. It will be staffed with both local and international judges and prosecutors. Its temporal jurisdiction will cover crimes committed since 30 November 1996, the signing of the Abidjan Accords,







the first comprehensive peace agreement between the Sierra Leone government and the RUF. As the conflict is ongoing, there is no cut-off date.

The Special Court will have concurrent jurisdiction with the primacy over Sierra Leonean courts. Under Article 8 (2), it has the power to request that any national Sierra Leonean court defer to its jurisdiction at any stage of proceedings. The obstacle to prosecutions created by the amnesty provisions of the Lome Peace Accords has been removed, for the Sierra Leonean government has agreed to a provision in the Statute that such amnesties will not be a bar to prosecution.

This is an internationalized tribunal that will only be established once there is sufficient funding, raised through voluntary contributions. Relying on individual states to contribute towards the cost of establishing and operating the Special Court is risky and could jeopardize the very creation of the court. As a result of compromise reached between the Security Council and the Secretary-General, an agreement will not be entered into with Sierra Leone establishing the court until the United Nations Secretariat has obtained sufficient contributions to finance the establishment of the court and twelve months of its operation. In addition, pledges equal to anticipated expenses for the following twenty-four months are also required. The estimated budget of the court over three years set at US\$ 114 million, which has now been scaled down to US\$ 16.8 million for its establishment and first year of operation and US\$ 40 million for the next two years. At time of writing, it appeared as if the reduced budget for the establishment and first year of operation would be met and that steps would be taken to conclude an agreement with the government of Sierra Leone on the establishment of the court.

STRUCTURE OF THE SPECIAL COURT

Unlike the internationalized tribunals of Cambodia and East Timor, Sierra Leone's Special Court will be created by a treaty between the United Nations and the Sierra Leone government. It is neither 'grafted' onto the existing criminal justice system, part of a peace-keeping mission nor created as an organ of the United Nations. Rather, it is a 'treaty-based sui generis court of mixed jurisdiction and composition'. The most

immediate obvious advantaged of this is that is avoids problems caused by a weak underlying criminal justice system.

Its judiciary will consist of a minimum of eight judges (rising to a maximum of eleven should a second trial chamber be warranted by the caseload) sitting as a trial chamber and an appeals court. Article 20 attempts to ensure jurisprudential consistency by requiring the Appeals Chambers to consider the jurisprudence of the ICTY and ICTR Appeals Chamber. Each trial chamber is to comprise a panel of three judges, two appointed by the Secretary-General, with particular focus on judges from member states of the Economic Community of West African States and the Commonwealth; the remaining judge is to be 'appointed by the Government of Sierra Leone', which does not necessarily mean it will appoint one of its own nationals. The Appeals Chamber will comprise of five judges, two of whom will be appointed by Sierra Leone and the rest by the Secretary-General. This is therefore a court controlled by the United Nations.

The Chief Prosecutor of the Special Court will be an international appointed by the Secretary-General, while the Sierra Leone government, in consultation with the United Nations, will appoint a Deputy. Likewise, an international will be appointed Registrar.

SUBSTANTIVE LAW

Article 2 adopts a definition of crimes against humanity that contains elements of all of the ICC, ICTY and ICTR definitions, but is at the same time, distinguishable from each. For example, the ICTY and ICTR both identify 'rape' as a potential crime against humanity; Article 2 of the Special Court Statute is posited between this and that of the ICC and identifies 'rape, sexual slavery, enforced prostitution, forced pregnancy and any other form of sexual violence' as potential crimes against humanity. Unlike the ICC Statute, the 'other forms of sexual violence' here need not be of comparable gravity to those that are listed, nor do the 'other inhumane acts' have to be of similar gravity to the offences listed. The 'missing' crimes such as enforced sterilization, forcible transfer of population and other severe deprivation of liberty in violation of fundamental rules of international law, present in the ICC Statute, could



arguably be covered by the Special Court's widened terminology 'any other form of sexual violence' or 'other inhumane acts'. In line with the current state of customary international law, it neither requires a nexus with an armed conflict nor a discriminatory element for all crimes against humanity.

Mirroring article 4 of the ICTR Statute, Article 3 provides for the prosecution of violations of Common Article 3 and Additional Protocol II. The Sierra Leone Report identified both Common Article 3 and Article 4 of Additional Protocol II, when committed in an armed conflict not of international character, as having long been considered customary international law and particularly since the establishment of the ICTY and ICTR, have been recognized as customarily entailing individual criminal responsibility. It should be noted that the listing of offenses here is not exhaustive and other crimes relevant to Sierra Leone, such as enslavement, are not necessarily excluded from the ambit of Article 3.

Article 4 is unusual. Only three crimes felt to be specific to the Sierra Leone situation are to be prosecuted, and then, as 'serious violations of international humanitarian law' rather than as the routinely used laws and/or customs of war on which international prosecutions of war crimes since Nuremberg have been based:

- (a) Attacks against the civilian population as such, or against individual civilians not taking a direct part in hostilities;
- (b) Attacks against peacekeeping personnel involved in humanitarian assistance or a peacekeeping mission, as long as they are entitled to the protection given to civilians under the international law of armed conflict;
- (c) Conscripting or enlisting children under the age of 15 years into armed forces or groups or using them to participate actively in hostilities.

The Sierra Leone Report goes to some length to justify the inclusion of attacks against peacekeepers and the use of child soldiers, but does not explain the exclusion of other violations recognized as customary in nature and which were extensively perpetrated in Sierra Leone, such as sexual assault in all its manifestations and enslavement. The conception of attacks

against peacekeepers as an international crime draws from the 1994 Convention on the Safety of UN and Associated Personnel, and was first criminalized in Article 8.2(b)(iii) of the ICC Statute. United Nations peacekeepers in Sierra Leone came under hostile attack on many occasions and were also kidnapped and held hostage. According to the Secretary-General, the peacekeeper was already protected by existing customary international law that prohibits attacks against civilians and persons hors de combat at the time of the adoption of the ICC Statute; he identifies the peacekeeper as a civilian, rather than as non-combatant. His assessment is that peacekeepers in Sierra Leone were regarded as "a targeted group within the generally protected group of civilians which because of its humanitarian or peacekeeping mission deserves special protection.... [but this] does not imply a more serious crime than civilians in similar circumstances, and should not entail, therefore, a heavier penalty".

There are two aspects to the forced recruitment and use of child soldiers, a terrible feature of the fighting in Sierra Leone--the unenviable task of working out how best to deal with brutalized children who brutalized others, and the simpler task of dealing with those who brutalize children through abduction or forced recruitment and turn them into killing machines. Article 4 (c) turns itself to the latter; the problems of the child soldier as both criminal and victim in the Special Court Statute are discussed below in relation to individual criminal responsibility. One of the celebrated achievements of the ICC Statute is the categorization as a war crime of the act of "[c]onscripting or enlisting under the age of fifteen years into the national armed forces or using them to participate actively in hostilities". The Secretary-General's original draft, based on his doubts about whether it is customarily recognized as a war crime entailing individual criminal responsibility, had required that the child under fifteen be abducted and forcibly recruited for the specific purpose of active participation in hostilities. Excluded as a result of this definition were girls abducted and enslaved either for the sexual gratification of soldiers, or kept to perform domestic chores, as well as children who are used for dangerous but non-combat functions, such as the carrying

of weapons. The Security Council has modified this to conform with what is sees as 'the statement of law existing in 1996 and as currently accepted by the international community', the ICC Statute's definition. As a result, Article 4(c) now allows for the prosecution of those who conscript or enlist children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities.

The final group of offences prosecutable at the Special Court are a selection of crimes under Sierra Leonean law--sexual offenses against young girls drawn from the 1926 Prevention of Cruelty to Children Act and offenses relating to wanton property damage under the 1851 Malicious Damage Act. Resort to domestic legislation was a recommendation of the Security Council in Resolution 1315, to cover situations which are either not, or are inadequately regulated in international law.

Individual criminal responsibility under the Special Court's Statute, contained in Article 6, mirrors that of the ICTY. Also replicated are the ICTY's provisions on official capacity, command responsibility, superior orders, non bis in idem and rights of the accused. However, in light of the possible resort to Sierra Leonean law, individual criminal responsibility in relation to those crimes is to be determined in accordance with national law. Unlike the Serious Crimes and Extraordinary Chambers regimes, it has here been correctly recognized that the applicability of two systems of law requires that the elements of the crimes are governed by two different bodies of law and that this should also be reflected in the rules of procedure followed. Hence, although the Rules of Procedure and Evidence of the ICTR are to apply mutatis muntadis to proceedings at the Special Court, the judges are empowered to amend or adapt those rules to the specific needs of the court and can have resort to Sierra Leone's 1965 Criminal Procedure

Act. In light of the extent of atrocities committed by child soldiers, the Statute contains numerous provisions relating to juvenile justice. According to the Secretary- General, the Special Court's Statute has had to strike a balance between the Sierra Leonean government and civil society, and the international and local NGO community. The government and civil society clearly want juveniles to be held accountable for their actions, while NGOs object to any kind of judicial accountability for children below 18 years of age for fear that such process would place at risk the existing child soldier rehabilitation program. Several options were considered in relation to juvenile justice, but the one that has been adopted for the Special Court grants it jurisdiction over juveniles between fifteen and eighteen years, and then only in particularly serious cases, where the acts could include him or her within the ambit of those 'most responsible' for the carnage in Sierra Leone. It is believed that very few juveniles, if any, will in fact come before the court. The Security Council has stressed that other institutions, such as the Truth and Reconci-liation Commission, are better suited to deal with juveniles.

In the event that juvenile prosecutions are undertaken, Article 7 requires that the matter be handled in a child-specific manner in accordance with international standards of human rights, in particular, the rights of the child. The Prosecutor is obliged to ensure that the child rehabilitation program is not placed at risk, and that where appropriate, resort should be had, where available, to alternative truth and reconciliation mechanisms. Juveniles will not be sentenced to imprisonment if found guilty, but may be subjected to various measures, such as guidance and supervision orders, community service orders, counseling and correctional training. A special chamber dealing exclusively with juvenile justice is to be created, with at least one sitting and one alternate judge having the necessary expertise in this area; it would appear that this chamber may operate under different procedures which take into consideration the needs of juvenile justice. Suitably skilled staff will also be recruited in the prosecution.

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CAN THE INTERNATIONAL COMMUNITY HELP AVERT GENOCIDE IN THE DEMOCRATIC REPUBLIC OF CONGO?

Giginie Ladisch

"Our evaluation, from what we know, it could be a genocide" said Carla del Ponte, prosecutor for the UN war crimes tribunals for Yugoslavia and Rwanda on 13 May, referring to the latest outbreak of violence in the Democratic Republic of Congo.

Prosecutor Del Ponte's statement comes at a time when the fragile peace process in Congo is threatened by massacres reported to have taken place in Bunia, the capital of Ituri in the eastern part of the country. The Ituri region has been the site of much of the fiercest fighting during the sprawling war that has been raging in Congo for the last five years. As part of the peace process, Ugandan forces that had taken control of the area withdrew from Bunia on May 7. But the power vacuum that was created by their departure has led to renewed clashes between the militias of rival ethnic groups, especially the Lendu and the Hema.

Thousands of residents have fled Bunia and according to the UN mission in Congo, at least 280 people have been killed since 4 May, including women and children. Some bodies had been decapitated, and others had their hearts, livers and lungs missing. Witnesses described the death and mutilation that occurred as Lendu tribal fighters killed civilians and combatants and then ripped out their hearts, which they ate while still warm. "The sight of a corpse with a missing liver and heart is horrific, especially when you know that those parts were eaten by fellow human beings," Acquitte Kisembo, a 28 year old medical student, told the Associate Press.

The UN mission in Congo said it would investigate these allegations of cannibalism, but it is not the first time such accusations have arisen in Ituri. On 15 January, UN investigators confirmed that rebels had committed cannibalism, rape, torture, and killing. "The perpetrators of these atrocities will be placed under the spotlight and will be obliged to answer for their actions. They may eventually be the target of prosecution before the International Criminal Court," warned Serigio Vieira de Mello, UN High Commissioner for Human Rights, in a statement on April 8. The Democratic Republic of Congo is a party to the International Criminal Court, so the court has jurisdiction over war crimes, crimes against humanity and acts of genocide committed on its territory.

A Call for Action

Jean-Marie Guehenno, head of the UN peacekeeping operations warned that without decisive action there would be "a bloodbath" in the DR Congo's Ituri province between the Lendu majority and Hema minority.

The Lendu, predominately farmers, and the Hemas, traditionally cattle-raisers have been in conflict for centuries over the Ituri province's rich mineral deposits, vast timber forests and fertile land. These rivalries were exacerbated as war broek out in 1998 when Rwanda and Uganda invaded Congo to overthrow President Laurent Kabila. Rwanda and Uganda entered the war as allies but ended up supporting rival rebel groups. When Ugandan troops withdrew on 7 May, it is suspected that they distributed arms to the Hema militia, which was preparing itself to take over Bunia once the Ugandan force of 6,000 left the area, setting the stage for the violence that erupted.

According to a study released in April by the International Rescue Committee at least 3.3 million people have died as a result of the war in the Congo since August 1998, when the war erupted, through November 2002 when the survey was completed. "This is a humanitarian catastrophe of horrid and shocking proportions," says George Rupp, president of the IRC. "The worst mortality projections in the







event of a lengthy war in Iraq, and the death toll from all the recent wars in the Balkans don't even come close. Yet, the crisis has received scant attention from international donors and the media."

Last week, UN Secretary-General Kofi Annan wrote to all 15 Security Council members asking them to consider sending peacekeeping troops to Eastern Congo. France has indicated that it is prepared to send peace-keeping troops to the Democratic Republic of Congo, provided there is a clear mandate and that other governments join. "France is willing to contribute to the stabilization of Ituri and right now we are studying ways of taking part in an international force," according to foreign ministry spokesman Francoise Rivasseau.

The United Kingdom has announced that it is also considering Mr. Annan's request for 1,000 peace-keeping troops to be sent to Ituri. Lady Amos, the new international development secretary, told the BBC's Breakfast with Frost program: "The UK has made its priorities absolutely clear, which is to work on conflict resolution in Africa, particularly in the Democratic Republic of Congo..."

The United States has not yet made any commitment to send troops to the Congo but is reviewing the matter, according to an official at the Office of War Crimes Issues in the US State Department. The United States gave \$ 250,000 to the Ituri Pacification Committee, inaugurated in April and tasked with implanting a new local-level administrative authority in Ituri and creating an acceptable structure to maintain law and order, and ensure the withdrawal of Ugandan troops from the territory.

Genocide Warning

The United Nations has a force of about 700 soldiers in the region, but it neither has the mandate nor the equipment to stop the fighting. UN officials have warned of a humanitarian disaster if the international community does not stop the fighting. According to the BBC, some officials have likened recent killings and racial tensions in the area to the

start of the Rwanda genocide in 1994.

Sergio Viera de Mello, UN Commissioner for Human Rights, warned that, "Although the situation has stabilized in the last few days as warring groups engaged in talks, further egregious human rights violations, and perhaps even a genocidal conflict, may not be averted unless an adequate deterrence capacity is put in place, pending the establishment of central Government authority."

If the violence in the Congo amounts to genocide, international humanitarian law requires international actors to prevent continued violence and prosecute war crimes in the region. The 1948 Convention on the Prevention and Punishment of the Crimes of Genocide defines genocide, whether committed during a time of war or peace, as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group."

The Genocide Convention imposes a general duty on States parties "to prevent and to punish" genocide. Parties to the convention can bring a case before the International Court of Justice alleging that another State party is responsible for genocide. The first case of this sort was brought against Yugoslavia by Bosnia-Herzegovina in 1993 and is still pending.

Although the treaties themselves are binding only on States that are parties to the treaties, in a 1951 advisory opinion the International Court of Justice observed that the principles underlying the Genocide Convention are part of customary international law, which binds all states.

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EXAMINING THE CAMBODIAN VIEW OF A KHMER ROUGE TRIBUNAL

Khamly Chuop

Note: This paper was written prior to the UN's adoption of the mandate for Extraordinary Chambers to address the atrocities of the Khmer Rouge from 1975-1979. The mandate (Draft Agreement) was signed by the UN and Cambodia in March of this year.

INTRODUCTION

Many people are seemingly unaware of the Khmer Rouge atrocities committed in Cambodia from 1975-1979. Tragically enough, since the Holocaust in World War II, the world has seen a staggering number of genocides and other crimes against humanity, of which, Cambodia's experience is but one. For example, similar crimes were perpetrated in Guatemala, Haiti, Sierra Leone, Rwanda, and the former Yugoslavia, each resulting in the murder of innocents numbering from several hundred to several hundred thousand, or more.

Even among these horrible numbers, the Cambodian case stands out. The Khmer Rouge atrocities were committed over a period of almost four years. The long, horrific reign of Pol Pot's Khmer Rouge resulted in staggering numbers killed, making Cambodia's genocide one of the 20th century's most awful events, ranking in enormity with Hitler's Nazism and the Hutu's extermination of Tutsis in Rwanda. Author and Southeast Asia historian David Chandler has called Pol Pot's murderous revolution, "...the prairie fire of revolution..." and, "...one of the fiercest and most consuming in this century of revolutions." It is for this reason that the Cambodian case should be fully understood for history's sake, to prevent it from happening again.

As these tragedies have occurred, international laws have been developed and the use of war crimes tribunals has progressed to prosecute those responsible. Although war crimes tribunals have been a regular part of international politics for decades, they, and international tribunals, can still be considered to be in the

early stages of development. They have not occurred often, and when they have, they have not necessarily been successful. In Cambodia, the challenges of the relative youth of international tribunal development are exacerbated. The Cambodian government and the United Nations have been negotiating a Khmer Rouge tribunal since 1997. Both sides have contributed to the tedium of negotiations and deserve criticism. Problems came to head in February 2002 when the United Nations backed out of the tribunal talks completely. Only last month [month and year] was a key UN General Assembly passed a draft resolution urging UN Secretary-General Kofi Annan to restart negotiations. Although not officially a mandate, it shows that a mandate will likely come to pass in the near future. [And it has. Since this paper was written, the UN and Cambodia have signed a draft agreement to prosecute the crimes committed during the period of Democratic Kampuchea. Although as of October 2003, the Cambodian government had yet to ratify the agreement.]

This paper aims to fulfill two objectives. The first is to provide some theoretical background with which to analyze a potential Khmer Rouge tribunal. The second is to describe the views of Cambodians with respect to a potential KR tribunal. The theoretical background comes from several sources and includes discussion of basic international political theory. The view of most Cambodians is that a tribunal is necessary. The main reason for this, a strong desire for truth and justice, is examined; along with views on the Cambodian government and the legal system. This paper offers insight into why Cambodians favor a tribunal, and describes some of the doubts Cambodians have about the government and the legal system.

POLITICAL THEORY ON WAR CRIMES TRIBUNALS

It is important that the discussion of a Khmer Rouge

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tribunal be placed in theoretical context. This provides a larger backdrop on which to view the arguments for and against a tribunal. There are two main arguments against war crimes tribunals, both of which claim that backlash against a tribunal causes socio-political unrest. The first argument is that a tribunal would perpetuate conflict. The second argues that a tribunal can cause political instability. Prime Minister Hun Sen himself has argued many times that the country could be thrown into a civil war if former Khmer Rouge leaders are brought to trial. Although the Khmer Rouge was ousted from power in 1979, they were an active rebel group

until at least 1997. Therefore, Thomas Hammerberg, special representative of the UN Secretary-General on Human Rights in Cambodia in 1999, said, "the Government's concern that arrests and trials might cause unrest should be taken seriously, even if it appears to be contradicted by the official assurance that the Khmer Rouge is finally defeated."

There are five arguments in support of war crimes tribunals. They each concern the building up of a sturdy peace. Some, but not all, apply to the Khmer Rouge case. The first argument in support of a war crimes tribunal is the idea that by doing so, threatening leaders













will be purged. This would not apply much to Cambodia's case, as the men that would likely be put on trial may not be in positions of leadership. Although not official leaders, they may be leaders of unofficial Khmer Rouge organizations. The argument can be made that by purging former Khmer Rouge leaders, any present organization of the Khmer Rouge will probably be weakened.

The second argument is that a tribunal would deter future war crimes. In the overall scheme of things, placing the Khmer Rouge on trial may deter other individuals from partaking in similar acts. Although there have been instances in the past where individuals

> changed their actions because of the threat of being held accountable, it is unknown whether a tribunal will have that effect on former Khmer Rouge cadres.

> The third argument supporting war crimes tribunals is that they help rehabilitate renegade states. Again, this argument will have to be modified in the Khmer Rouge case. Instead of a renegade state, holding a Khmer Rouge tribunal could help rehabilitate the Khmer Rouge party itself, if one still exists. This argument applied more prior to the final surrender and dissolution of the KR in 1997.

The fourth is that by having a tribunal, blame can be placed on individuals and not ethnic groups. In the case of the Khmer Rouge, the issue of ethnicity does not necessarily relate since the crimes perpetrated here were Khmer on Khmer. However, placing blame on key individuals is pertinent to the KR case. A tribunal should focus on former KR leaders (especially senior and mid-level) who are directly implicated in the most serious atrocities. It is

important to make the distinction between those that gave orders and those that carried out those orders. It is argued that if it were not for key leaders, the regime's rule would not have been as murderous. A tribunal aiming to place the blame on key individuals greatly applies in the Khmer Rouge case.

The fifth argument is that a war crimes tribunal establishes the truth about wartime atrocities. The establishment of truth is not only a theoretical argument, but one that also comes intuitively. Youk Chhang, founder and director of the Documentation Center of Cambodia (DC-Cam) has spoken about this very issue. In an interview with Peter Lloyd of the Australian Broadcasting Corporation he said, "...it's not a matter of punishment, it's a matter of bringing out the truth, of laying down the foundation for the rule of law. It's a matter of relief for the survivor to judge, so that he can move on, to forgive, forget what happened." For Mr. Chhang, bringing out the truth is more important than punishing the perpetrators.

And some argue that failure to hold a tribunal actually denies the existence of an atrocity. And denial of an atrocity is part of the atrocity itself. In an attempt to avoid such a fate in Cambodia a project entitled, Seven Candidates for Prosecution: Accountability for the Crimes of the Khmer Rouge (Heder and Tittemore 2000) was undertaken. The objective of the project was to provide evidence that would help in the prosecution of former Khmer Rouge leaders. Heder and Tittemore stated that, "without a tribunal there would never be legal documentation of responsibility for the Cambodian killings." This underscores the importance of holding a KR tribunal, not only to Cambodia, but to the international community as well. It is through a tribunal that truth and justice will be found. Having a tribunal is logical and is more socially beneficial than denying people truth and justice. If victims are denied a tribunal, this is a denial that an atrocity ever took place, and is part of the atrocity itself.

THE CAMBODIAN VIEW

Truth-Justice-Hun Sen-The Cambodian Legal System

All Cambodians alive today have been touched directly or indirectly by the atrocities committed by



the Khmer Rouge. Those touched directly live with sadness and other emotions that stem from the abuses and deaths that occurred under the KR's rule. Not only do they have to deal with deep emotions, but they have to live with tough economic, political, and social conditions in Cambodia, the result of 30 years of civil conflict.

Stories from those that survived the Khmer Rouge are all sadly similar. They are stories of pain, often the least of which is physical. They are stories of the pain of loss, and the pain of remembering what they've seen and experienced. From 1975 to 1979, an estimated 17,000 people were tortured at Tuol Sleng (S-21) prison in Phnom Penh, and then taken to Choeung Ek, the most famous "killing field" in Cambodia, located just a few kilometers southwest of Phnom Penh. Here, almost every prisoner from S-21 prison was systematically executed. Chhum Mey, one of only a handful of survivors of S-21, was jailed for six months. Today, he is 69 and works as a mechanic. In a Washington Post article, after hearing that the UN had pulled out of the Khmer Rouge tribunal talks this last February, he said, "My nightmares have come back." He had hoped that a tribunal would help exorcise his demons, but said, "...if there is no justice, people like me will continue to be tortured everyday." Another survivor, Moeun Nath, a 67-year-old nun who lost five children to the KR, said at a 2002 Day of Anger ceremony, "I cannot describe [my feelings] even today. Even though [the KR] rule is over, for me it's not over unless those responsible are punished."

Many survivors suffer physical and mental ailments because of what the regime did. It hurts them deeply that those that did horrible things to them are not held responsible, and live freely among them. As someone once said, it is easier to get away with killing ten thousand people than it is killing just one. To date, this seems to be the case Khmer Rouge. The amount of injustice experienced by Cambodians at the hands of the KR cannot be quantified. However, with a tribunal, it seems that Cambodians will at least be able to hold some of the leaders of the murderous regime responsible.

Cambodians largely favor a Khmer Rouge tribunal,

but the reasons for this support are complex. They are mixed with emotional, political, cultural, and religious considerations, which are difficult to understand. Adding to this complexity is the diversity of Cambodians' socio-economic backgrounds. However, in general, Cambodians share a similar desire to find truth and justice. This desire is affected by how Cambodian's view the integrity of Prime Minister Hun Sen, the government, and the legal system.

Truth

Finding truth is important to officially document the atrocities of the Khmer Rouge regime, to help alleviate the suffering of the survivors, and to provide a permanent record of the terrible Khmer Rouge story for future generations. Youk Chhang has been one of the most outspoken advocates concerning the need to preserve memory, and find truth and justice for victims of the Khmer Rouge atrocities. Himself a survivor of the Khmer Rouge, Mr. Chhang founded DC-Cam to document all that could be found about the Khmer Rouge regime and their atrocities. As stated previously, Mr. Chhang believes that the importance of holding a tribunal, is to bring out the truth. As the Nuremberg trials brought about new truths and understandings regarding Germany's Nazi Party, so would a Khmer Rouge tribunal regarding KR practices and reasoning. This helps to illustrate that a tribunal is not necessarily about survivors getting revenge, rather, it is about getting information-answers to questions regarding "the big picture." The truth will allow Cambodians, and the international community, to know what happened, and why.

In Cambodia, the truth is also important to those that have died. This can be difficult for Westerners to understand. Cambodian Buddhists think about their ancestors on an almost daily basis. In Bhuddist homes, one almost always finds altars, for the living and the dead. They are usually decorated with offerings of incense, food, water, and money. These offerings are meant to take care of people in life, and death. In addition, Cambodia has several important holidays dedicated to care and remembrance of the dead. One that can be considered even more important than New Year's is Pchum Benn, the "Festival of the Dead." During

this time, Cambodians make food offerings at temple so that their ancestors will not go hungry in the afterlife. During Pchum Benn in 2002, [former] Phnom Penh governor Chea Sophara, who lost 27 relatives to the KR, stood at the Choeung Ek killing fields and said, "There is no question the Khmer Rouge leaders must be tried, otherwise the spirits of the victims will never be appeased."

Another holiday is the national "Day of Anger." The objectives of this national holiday are to renew calls to try those responsible for the genocide, and to pray for and remember dead relatives. Last year about 3,000 Cambodians attended the Day of Anger ceremony at Choeung Ek. It is clear that Cambodians feel that having a tribunal to find the truth is for the benefit of the living and the dead. Trying former Khmer Rogue leaders help to alleviate the suffering of survivors, as well as the suffering of the dead. In some ways it seems that the suffering of their dead relatives is more important than their own because it is they who have lost the most and have been taken away from this world. It is also because they no longer have a voice, and it is up to those living to find the truth and seek justice.

In addition to helping to provide a sense of peace, of closure, for the living and the dead, the truth will educate the generations of today and tomorrow to help ensure that these atrocities will never be repeated. Youk Chhang said in a Times Educational Supplement, "There is a lot of ignorance. Many of today's children cannot believe it happened. They cannot accept that children killed their own parents in their country." A history of the KR is not taught in Cambodia's public schools. Therefore, a Khmer Rouge tribunal would also help to educate the younger generation.

At last year's Day of Anger ceremony at Choeung Ek a student said, "I do not know much about the Khmer Rouge, but I know the meaning of genocide from my studies in school. Whoever is responsible for genocide must be prosecuted to ensure it never happens again." Her statement helps to illustrate that, people want and need to know what happened, and that, thankfully, some young people are aware of the extreme importance of knowing to make sure history does not repeat itself.

In an interview with American National Public Radio (NPR), Nellie Pelourge of the Cambodian human rights organization Licadho said, "...that a trial would allow the atrocities to be documented so that they're never forgotten." She also said, "I think it's very important for all of us to know our history, whether good or bad. We need to get a sense of who we are." With this statement, she touches on the fact that Cambodians are still trying to understand their identity, their history. Most Cambodians want to share what happened to them so that it can be recorded in history. To have been abused and to have that forgotten, to have suffered over a million deaths and have those forgotten, and to think that future generations may know nothing of the suffering under the KR are terrifying thoughts. Finding the truth will prevent these things from happening. The truth will help the living and the dead find peace, and will ensure that the suffering endured by the victims of the murderous Khmer Rouge will never be forgotten.

Justice

Standing next to a grave at Choeung Ek, Keap Vibot, a 17-year-old student, said, "I'm angry when I see this. Where is justice?" Many Cambodians have this question; people believe that those responsible should be punished. This is the type of justice that is discussed here. And since the meting out of justice depends directly on the legal system and the government under which it operates, Cambodians' views on Prime Minister Hun Sen, the government, and the legal system are also discussed in this paper.

Pol Pot's 1975-1979 Khmer Rouge killed at least 1.7 million Cambodians through overwork, starvation, disease, and systematic execution, during three years and nine months of brutal rule. It is clear by the extent of the killings and the effects of the regime on the survivors and the country as a whole require that those responsible must be punished. The purpose of any trial is to find the truth and dispense justice. This is a large reason that Cambodians support a Khmer Rouge tribunal.

A source of much discontent among Cambodians' is the fact that countries that have experienced genocides fairly recently, like Rwanda, Sierra Leone, and the







former Yugoslavia, have gotten, or are getting justice,

whereas Cambodia continues to wait after almost a quarter-century. Lao Mong Hay, director of the Khmer Institute for Democracy, told NPR that he doesn't understand why there can be an attempt for justice for the atrocities in Bosnia and Rwanda, but not for Cambodia. Youk Chhang wrote, "In Sierra Leone, the United Nations is assisting the establishment of a special tribunal and even in Belgrade, former home of a genocidal regime, the largest Serb party decided to expel those who were responsible for the heinous crimes committed in the 1990s." Mr. Sak Sam Bon, a teacher, told NPR how he spent four years digging canals during the Khmer Rouge-era, and how the Khmer Rouge killed his mother and two siblings. He also spoke of an overwhelming need for justice among people in Cambodia. Mr. Sak Sam Bon's comments illustrate how he, like so many other Cambodians, has gone through so much, and yet nothing has been done to punish those responsible for it, to find justice. This need for justice is made more pressing

This need for justice is made more pressing because of the amount of time that has passed since the atrocities of the Khmer Rouge. Vann Nath told NPR he's waited for more than 23 years for justice, yet only two Khmer Rouge leaders are in jail. Youk Chhang told the Australian Broadcasting Corporation, "...now, it is time for Cambodia to prove by action that they are serious about bringing the Khmer Rouge to justice." It is indeed time that the perpetrators be held responsible.

Justice is needed for Cambodians, and for the international community. And an international tribunal would illustrate to the world that one cannot get away with genocide and other crimes against humanity. Thus, the Cambodian government is obligated to its people and the international community to respond to the calls for an international tribunal. In a Washington Post article, Mr. Chhang was quoted saying, "Allowing [the Khmer Rouge leaders] to escape justice is just too painful of a thought to contemplate. How can the killers of so many go unpunished? How can our government let that happen? How can the world let that happen?"

Although justice is sought through any tribunal, it is very clear that the people of Cambodia want real

justice, not imperfect justice. Lao Mong Hay said, "It would be better to have no trial than a flawed one. What's the point of holding a trial if it won't bring about real justice?" Sam Rainsy, leader of his selfnamed opposition party (SRP) to Prime Minister Hun Sen's ruling Cambodian People's Party (CPP) says concerning the UN withdrawal of the tribunal talks this last February that, "The UN is right to withdraw from this travesty of justice that Hun Sen wants to implement." Although some would argue that a flawed trial is better than nothing, others are adamant in their opposition to a "show trial." They fear that demands made by the Cambodian government will prevent a tribunal from meeting international standards of justice, fairness, and due process of law.

Hun Sen

Cambodians' faith in Prime Minister Hun Sen and the government can be characterized as "limited." Since negotiations for a Khmer Rouge tribunal began, Hun Sen (of the CPP) has been leading negotiations with the UN. It was he that initially asked the UN for help in creating a tribunal to try former Khmer Rouge leaders in 1997. But, both Cambodians and the international community have observed Hun Sen's obvious reluctance and ambivalence towards a tribunal, which has been displayed by the lengthy time periods that it has taken to agree on certain parts of a tribunal and some controversial and contradictory remarks by him.

Sam Rainsy (of the opposition SRP) has been one of the loudest voices in the debate over a Khmer Rouge tribunal. He has spoken openly about his views of Hun Sen and the Cambodian government and his views are shared by many others. He has said, "So long as Hun Sen, [Senate President] Chea Sim, and the present CPP leaders are in power, [we can] never hope to have any fair trial, any credible trial of the Khmer Rouge." Lao Mong Hay shares this view and says, "Hun Sen has never really wanted a tribunal. He was just supporting it for his own political gain."

There is doubt about Hun Sen and his desire for a Khmer Rouge tribunal. Mr. Sak Sam Bon told NPR, "...a tribunal is a must, but not when [a tribunal] depends on the [whims of the] ruling party.... Our government, you know, it's like a mischievous child." And like a mischievous child, it cannot be trusted since it often acts on a whim. An article in the New York Times stated, "Prime Minister Hun Sen, whose word is final here, has pursued a policy of ambiguity over whether he wants a trial." A Washington Post article stated, "UN officials, Cambodian opposition leaders, and human rights advocates have questioned Hun Sen's commitment to a fair trial." More specifically, an Inter Press Service article quoted Hun Sen saying, "I do not worry whether the United Nations will participate in the trial or not," and that, "...foreigners should not control the trial of the Khmer Rouge." Hun Sen is apathetic about the UN's participation. It is widely acknowledged that the UN would hold a tribunal to legitimate standards of fairness and justice, and Hun Sen's apathy is startling and depressing.

A piece of evidence that displays how Hun Sen's intentions differ from that which he presents to the media can be found in a dialogue between he and the former prime minister of Thailand, Chuan Leekpai, in 1998. He said, "If Ta Mok, Nuon Chea, and Khieu Samphan [three very senior former KR leaders] could disappear, it would be better. The USA wants them, but I feel that those leaders will never give themselves up under any condition. If they can find refuge somewhere that no one can find them, it would be the best solution." Although it was unclear whether Hun Sen was asking Thailand to hide them, help them escape to China, or kill them, it shows that Hun Sen does not really care for a tribunal. It should be noted that these three men are among seven listed as likely candidates for prosecution in a potential KR tribunal (Heder and Tittemore 2000).

Politically, Hun Sen benefits by supporting a tribunal. Political gain is both domestic and international. Hun Sen's CPP claims responsibility for having helped Vietnamese troops oust the Khmer Rouge, which is often stated as a reason that people support the CPP. In addition, since most Cambodians want a tribunal, the CPP's public support of a tribunal helps garner additional popular support. An Inter Press Service article pointed out that, "UN participation in the trial of the Khmer Rouge...would have enabled Hun Sen to make claims on an important political front: that a tribunal investigating Khmer Rouge crimes was held during his term. It would also have come in handy for the 2003 general elections." Sunai Phasuk, researcher at the Bangkok-based Asian Network for Democracy, says that national and international legitimacy is something Hun Sen, "...has been trying very hard to achieve." And international legitimacy is very important to Cambodia as a whole, as it is one of the poorest countries in the world, and is trying to recover from a long, recent period of war and civil conflict. A tribunal would show the world that Cambodia is trying to better itself.

As always, risks accompany benefits. Hun Sen and the Cambodian government face two major drawbacks in supporting a tribunal. One, Hun Sen and other members of the government could be embarrassed by the truth of their involvement with the Khmer Rouge. And two, a tribunal has the potential to reveal that China, a major supporter of Cambodian development and a regional political ally, played a large role in the success of the Khmer Rouge. Such revelations would likely cause China to become unfriendly towards, or at least unsupportive of, Cambodia.

There are a number of reasons that Hun Sen has been dragging his feet regarding a Khmer Rouge tribunal. Hun Sen himself was a junior Khmer Rouge military commander prior to his defection to Vietnam in 1977. And he is not alone. A Kyodo News article wrote, "[Sam Rainsy says many mid-level Khmer Rouge commanders that carried out the Killing Fields genocide [currently] work in Hun Sen's government." Again, a Reuters article wrote that, "Hun Sen is one of several government ministers with a Khmer Rouge background." Even more damning was an article in the South China Morning Post that wrote, "Virtually every politician in Cambodia was at one time either part of, or allied with, the Khmer Rouge guerillas." It is clear that the Prime Minister and other officials have a personal stake in a KR tribunal. An Inter Press Service article stated, "the tribunal's proceedings could hurt their image and more importantly their domestic political fortunes." Although their jobs may not necessarily be at stake, the embarrassment







they may experience will be large.

Bullying from China is another reasons that Hun Sen has been reluctant to move timely through negotiations. Although China's involvement with the Khmer Rouge is well-known, China does not want a full disclosure of their involvement. Sam Rainsy feels that the input of the United States is necessary to balance the strong influence of China on a potential KR tribunal. Sam Rainsy claims that Hun Sen's Chinese backers will only support a tribunal if China's invol-vement with Khmer Rouge atrocities is shielded from international scrutiny. And Cambodia clearly wants to avoid upsetting China.

The Cambodian Legal System

The Cambodian government has insisted that any KR tribunal be held in Cambodia and that Cambodian judges preside, possibly outnumbering international judges. This would give the Cambodian government "ultimate control" over a tribunal. Such demands calls into question the state of the Cambodian legal system and its integrity. Sadly, it is clear to both Cambodians and the international community that the Cambodian legal system is corrupt.

In an interview on American National Public Radio (NPR), Lao Mong Hay said, "The United Nations mission [and] Cambodian observers all have agreed that our judicial system is not very competent, to say the least. Our courts are not independent. Our judges are not independent. So how can we have a fair trial?" Activist Sok Sam Oeun, lawyer and coordinator of the Cambodian Human Rights Action Committee, said, "Our criminal justice system is a failure. The government can influence the judges. There are judges with links to the governing party." The integrity of the courts and judges is a very serious concern. If the Cambodian government has control over a tribunal, it is likely that their judges would easily be influenced.

In 1999, Thomas Hammerberg, former UN human rights rapporteur for Cambodia, wrote that, "the courts are under-resourced and subject to political or military pressure. It is reported that the majority of crimes are committed by people whose job it is to enforce the law." And these crimes go unpunished. Donor countries

and organizations are well aware of the corruption that pervades Cambodia's legal system, and to this day continue to pressure Cambodia to reform. The probability that Cambodia's corrupt government and legal system would preside over an "international" tribunal to find truth and seek justice is one of the most frustrating issues concerning a Khmer Rouge tribunal.

CONCLUSION

Negotiations for a Khmer Rouge tribunal are grueling and frustrating, and many obstacles remain. Fortunately, political theory shows that a tribunal is the just line of action to pursue in this case. It also illustrates that there are many more potential benefits than risks in holding a Khmer Rouge tribunal. And among Cambodians, there is a general consensus supporting a tribunal because people want to find the truth and justice. However, a tribunal must meet international standards of justice, fairness and due process of law, and doubts remain about this likelihood as illustrated in this paper's serious critiques of Prime Minister Hun Sen, the government, and the legal system. In spite of these doubts, the United Nations has recently announced that talks of a tribunal will resume after a nine-month hiatus. However, the extent of their dedication to a tribunal is yet to be seen. And it is likely that tribunal negotiations will continue to face the same challenges. Agreement on a Khmer Rouge tribunal has come frustratingly close, but momentum now seems to be fading. This should not be allowed to happen.

One must remember that more than twenty-three years have passed since the fall of the Khmer Rouge, and the victims continue to wait for truth and justice, while former KR leaders live in freedom and prosperity among their victims. It is Cambodians that suffered most at the hands of the KR, and it is their feelings, opinions, and views that need to be heard and understood. This paper has begun to address the Cambodian perspective, and it is hoped that others will be moved to address this subject further.

Khamly Chuop, a reader, submitted this article.

MOVING ON REQUIRES LOOKING BACK

Alex Boraine and Paul van Zyl

In the wake of conflict, violence and human rights abuse, one would expect those committed to peace to embrace the idea of reconciliation. Yet the notion has become controversial in some quarters--not because of its true meaning, but because it has been exploited by those with cynical agendas and shady pasts. The leaders of abusive military regimes in Central and Latin America have often invoked reconciliation to mean, "forgive and forget." An enforced national amnesia that masquerades as reconciliation should obviously be rejected by anyone who seeks to build a sustainable peace.

On the other hand, a proper understanding and implementation of reconciliation is crucial in coming to terms with a divided and violent past. Real reconciliation requires and honest examination of history to uncover and recognize past crimes. Rather than silencing and marginalizing victims, it demands that their voices be heard and their suffering acknowledged.

Argentina's new president, Nestor Kirchner, expressed this eloquently in his inaugural address, stating that he intended to rule "without rancor but with memory." Justice and accountability are also central elements of genuine reconciliation. Reparations should also be provided to victims, not only to compensate them for their losses, but also to send the message that violations are no longer acceptable.

Without truth, justice and reparations, victims and their communities will feel that the new order has failed them. Condemned to the perpetual status of victim, they can become vulnerable to unscrupulous leaders who seek to exploit their anger and insecurity. Both Rwanda and the former Yugoslavia reveal the deadly consequences of allowing a sense of historical grievance to be manipulated by nationalist and racist politicians. Without genuine reconciliation, yesterday's victims can all too easily become today's perpetrators. The recent apology and guilty plea by Biljana Plavsic, former leader of the Bosnian Serbs, at the International Criminal Tribunal for the former Yugoslavia, can play an important role in dispelling the myth that Serbs have been victims only and bear responsibility for recent conflicts. By accepting punishment and expressing remorse, Plavsic has opened the door to real reconciliation in the region.

Reconciliation also requires a changing of the old guard. In societies where venal leaders have spawned abusive institutions, a secure peace will not emerge until the police, the military, courts and other organs of government undergo fundamental change. If the combustible mix ethnic and religious groups in postwar Iraq is to hold together, it will require the creation of state institutions that have completely shed the repression and sectarianism of the past.

It is obvious that massive discrepancies in wealth and power lie at the heart of man's intractable conflicts. Those who retain disproportionate privileges in the aftermath of violence often fail to recognize that re-conciliation cannot be secured in a context of ongoing inequality.

While nothing can excuse the reckless, cynical and counterproductive policies of President Robert Mugabe in Zimbabwe, they would be less accepted if, after independence, whites had adopted a more progressive approach to an equitable distribution on wealth.

In this context, it is amazing to consider how far South Africa has come in building a "rainbow nation" committed to reconciliation. But Zimbabwe should serve as a cautionary lesson for whites who continue to control the majority of South Africa's wealth. Real reconciliation involves painful sacrifice, including a commitment to remedying the inequalities that endure after the fighting stops.

Lasting reconciliation requires far-reaching legal, political and economic change. But it also depends on the actions of leaders who played a prominent role during the conflict. Visionary leaders, like Nelson Mandela or Aung San Suu Kyi, are able to show magnanimity even when it would be both understandable and expected for them to demand retribution. But rapprochement will not lead to reconciliation unless this generosity is reciprocated by a commitment to address and remedy a legacy of abuse by those responsible for it.

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THE HEART AND SOUL OF PHOTOGRAPHER SINITH HENG



I was born on 4 April 1968. My mother was a weaver and my father a farmer and carpenter. I have four brothers and two sisters. Before 1975, our family lived in Prek Khkauv village (formerly Prek Thaong village), Ksach Kandal district, Kandal province, about 5 km

from Phnom Penh. Prek Thkauv had about 30 families. In early 1975, many Prek Thkauv villagers moved to a refugee camp in Phnom Penh in order to escape shelling, making my village a quiet place for the first time. My father, older brother and I stayed behind to tend cattle and catch fish from ponds around the village for my mother to sell. Three of my older brothers were in Phnom Penh with her. My sisters lived in another village.

On 15 April, my family met to celebrate the Khmer New Year. But the celebration was cut short because of the fighting around the city. When the fighting reached my village that night, I jumped into a trench and stayed there until daybreak. When I came out, I saw people raising white cloths in surrender. There were many Khmer Rouge soldiers on Chroy Changva Bridge waiting to cross the Mekong River. They forced my father to ferry them to the opposite bank so that they could proceed to downtown Phnom Penh. He continued to ferry people across the Mekong amidst the chaos of evacuation. I saw many worried-looking people from Phnom Penh walking past our house. Some had nothing to eat because they had not brought food along with them. A few families sought refuge in my house for a week or a month, after which the Khmer Rouge moved them to other places. When all of the Phnom Penh people were gone, it was

the turn of our villagers to be evacuated. Fortunately, my family was allowed to stay because my father had carpentry skills. My unmarried siblings stayed with our parents, but the married ones were put on boats and sent up the Mekong River. We left each other in tears.

The village became quiet again. At about 7 p.m. one evening, I witnessed a few Khmer Rouge soldiers walking past our house, leading a group of people who were tied up. They were walking to the north and their heads were down. After a few minutes, I heard a deep voice cry out, which told me that a soldier had hit someone. I heard my father and an elderly man say that the Khmer Rouge were taking those people for reeducation, but I knew that the hidden meaning of "reeducation" was execution.

The Khmer Rouge began to mix "base people" from many villages into groups. Because my father was a carpenter, he was ordered to make rakes and plow blades. My mother was placed into the middle-aged group, which tended crops. My elder siblings were put into mobile units, while at 13 I was assigned to tend cows.

My job each day was to keep two cows healthy. My cows were named Khla (tiger) and Prakk (silver). Prakk was a docile cow. Khla, as its name suggests, was an aggressive cow. It was the strongest and defeated all other cows in the village. But both were very obedient. They would lie down on command so I could ride them. I loved them and they loved me. The cowboys in our village were ordered to lead their cows to graze far from the village, but I was lucky. I was able to stay near the village since my cows were among the four pairs that were the village's "model cows."

One time, I was very sick. I shivered alone under a jackfruit tree and fell asleep. When I woke up, my cows had gone. I was very nervous because I knew that if I









could not find them, I would be punished. At the time, whenever I made a minor mistake, I would be panic. Later I found my cows in a herd of others.

In 1976, the Khmer Rouge began to select members for their mobile units. One of my brothers, who was a few year older than me, joined the village's mobile unit, while I continued to tend cattle. We were very delighted when we were able to meet once a month.

In 1976, we had to get up at 3 a.m. I had to collect the dung of my cows, put it in compost holes, and then report to my group leader on how much I gathered. Cowboys also had to carry one cubic meter of earth before going to bed. We worked in groups of three: one dug earth and the other two carried the earth away. Some nights, we were told to catch rats or transport hay.

In 1977, the Khmer Rouge forced the people to work harder. As far as I know, they killed more people during the period from late 1976 to 1977. People began starving because groups were given only three cans of rice to make a watery soup. They tried to supplement their soup with leaves of yam and other plants. We all became so bony thin that our knees rubbed against each other when we walked; it was very painful. People had a saying; "Knees twist and rub against each other, creating fire."

Unable to resist hunger, I began to steal food. I climbed coconut trees and then used a stick to pierce the skin of the coconut. I did not pick the fruits, as that would leave evidence behind. I picked jackfruits and hid them at the banana plantation, and returned later to eat them. I stole bird eggs from nests and ate small frogs I caught. One day when I was picking banana at the plantation, a sub-district chief named Dum arrived on his bicycle. My friend and I dashed away, jumping over thorny bushes. We were panic-stricken; our hands were shaking, but we got away with it. I remember my father stole a coconut from a tree behind our house. He put rice in it and threw it into a fire. It produced smoke that kept insects away from the cows. There was only a little cooked rice, but we shared it among our family members. It was delicious!

Because I had a natural talent for whistling, some people asked me to whistle for them at night. As a reward,

they gave me some food to bring back home. When I had free time, I helped my mother in the fields. I wanted to lighten her work, but I became exhausted quickly. In the afternoon, I tied my cows in the stable and waited for my mother on the road in case she needed me to carry her baskets. My mother was the weakest woman in her group of eight. She always walked behind the others.

In late 1978, some people complained about my father, saying that he could not keep a secret. In the regime there was a saying: "keep quiet, live longer." My father was not a quiet man; he said whatever was on his mind. Someone became angry with my father and reported him to the sub-district chief. The chief then summoned my father to meet him that night, telling him to prepare to leave; he was going to receive education the following morning. My father came home to tell us before he left. My mother was grieving, but did not cry. My older siblings were all sad. My father said, "Don't worry, but tomorrow they will kill me." He reminded my mother to take good care of us since he could no longer protect us. He brought with him one black shirt and trousers to wear when he died. He left home at 7 p.m. To our amazement, he returned at 9 p.m., telling us the Khmer Rouge would not kill him unless he made another mistake.

Different groups of Khmer Rouge administered my village. The first group was kind and very young. They called old people nhorm, in the way a monk would address the laity. A month later the Khmer Rouge sent new cadres from far-flung places to head my district. These people were killers. In late 1977 and early 1978, the third group, called the "center people," arrived. These people were also kind [like the first group]. When they came, they took curtains down from the theatres to make clothes for the villagers. They also returned clothes that had been taken from the people. But a few months later, the Khmer Rouge Southwest cadres came. These cadres' eyes were formidably red (many Cambodians believe that someone who is very vicious and eats human flesh has red eyes).

In late 1978, the Khmer Rouge summoned all of our villagers, young and old, to watch a movie. The area where the movie was shown was roped in so no one could







My father died of exhaustion on 20 April 1979. Then I helped my mother support our family. I smoked fish that I caught and sold them along with other goods that my mother sold. I also sold seasonal fruits. In 1979 I started third grade in a village school and graduated in 1981. In 1984, I entered the fine arts school (the part of the University of Fine Arts that teaches young people acting) to study composing. I stayed with my older brother near Wat Phnom in Phnom Penh at this time.

In 1988, I went to Koh Kong province to work as a coolie. When I had saved up 1000 Baht (US\$25), I returned home. I got married in 1990 at the age of 27. I earned no money after we were married, and relied on my mother-in-law to support us. I decided to work as a construction worker, and when the United Nations Transitional Authority in Cambodia (UNTAC) arrived, I worked for them.

I began my photography career in 1993, taking portraits of local tourists in front of the Royal Palace. My first camera was made in Germany. I had wanted to become a journalist since I was at school, but no one thought I would make a good journalist. However, in December 1993, a local newspaper called Khmer Ekreach employed me. A year later, I worked for the Cambodia Times. In October 1996 I worked for Cambodia Today, which went bankrupt in 1997. Later I became a freelance photographer for The Cambodia Daily and international media such as Reuters, AFP, Time Magazine, Newsweek and The New York Times. In August 2001, I went to Bangkok to attend a conference and display my photographs.

After the UN withdrew from negotiations with the Cambodian government on establishing a Khmer Rouge tribunal in June 2002, I planned to launch a photo exhibition on the Khmer Rouge to help keep this issue

alive. Mr. Youk Chhang, director of the Documentation Center of Cambodia, supported and encouraged me to hold the exhibition at Tuol Sleng Museum (Tuol Sleng was the central-level prison in Phnom Penh where over 20,000 people were killed). I asked my friends, "If your parents had been killed during the KR regime, what would you do to the murderers apart from shooting them?" All of them said, "Without guns, we would go to the courts." I asked a foreigner, "What would you do if you suffered like the Cambodian people?" He said, "I am happy right now; I don't want to talk about it." This answer made me reconsider my plan. However, for educational and reconciliation purposes, the exhibition was launched in November 2002. I received many compliments and recommendations from those who saw it. I have been trying to tell the world about the Khmer Rouge regime. I want to meet their most ferocious murderers and have them reveal their [motives] to me. I want to make photographic records about the lives of those perpetrators. I do not want to show the history of their murders, but their lives as spouses and villagers. I was very happy that the United Nations resumed negotiations with the Cambodian government on the Khmer Rouge tribunal, which led to the agreement signed by Hans Corell and H.E. Mr. Sok An on 6 June 2003.

I am going to Denmark to share experiences with Danish students. I will talk about my personal experience and the Khmer Rouge regime. I hope to get new ideas from the Danes that could help my career, and hopefully my country. It is an honor for me to have a chance to go to Denmark. If I am given an opportunity to meet high-ranking Danish officials, I will ask them to help move the Khmer Rouge tribunal process forward at a faster rate.

I am a photojournalist who puts his heart and soul into his nation's interests. I want to become a Cambodian photographer who is internationally renowned. I hope in the future that Cambodia will be led by politicians who do not oppose each other, as they do today.

Today, Sinith Heng is a photo journalist working in Cambodia.

THE FIERCE LOVE BETWEEN MOTHER AND DAUGHTER

Joanna Rebecca Munson

The love between mothers and daughters can be fierce. It can be powerful, and in the face of adversity, devastating. In the tragic paring down of her family, Pom Sarun found herself, in the last months of 1975, left with the survival of her mother and her daughter in her hands. She was their lifeblood, she is their savior. It was she who finished her work in the rice fields, on the dam, fishing the Tonle Sap, as quickly as possible in order to steal away and scavenge for food for her family. Snails, palm water, extra rice, bananas, mushrooms. It was she who, as group chief, generously doled out food for her team and did not take more for herself, in fact accepting only the leftovers. In thanks, her team kept secret her daily forays into the forest and the field to nourish her dying mother and stick-thin daughter. Of course, in the awful calculus of the Khmer Rouge regime, no amount of effort on her part, no Herculean feats of cunning and daring, could save them. The equation just did not work. More work did not equal survival.

Her mother, Thou Am, had been a cook for the Prince's wife in Phnom Penh. Before that, she sold sweets in the marketplace in Prey Veng province, after her husband, Pom Soum, had abandoned the family in 1953. Her humble beginnings were a blessing, for she guided for the well-educated and city-raised Sarun through the horrors of the Khmer Rouge. She taught her to farm and to be a competent villager. She taught Sarun to hide the education she had received in the best schools in Phnom Penh.

Sarun, born in 1950, and her two older brothers had moved to join their mother in Phnom Penh in 1956. They were raised with the Prince's family and, despite their mother's social class, attended and graduated from schools comprised almost entirely of upper class students. After primary school, Sarun received three certificates for her work in the lycee. After four years, she received

her "diplome," after another one year, she received her baccalaureate 1 and then two years later, in 1968, her baccalaureate 2. She excelled in school. In 1968, she began a one-year teacher training course in order to become a high school teacher. In 1969, she began her studies at both the Faculty of Pedagogy and the Faculty of Law. Her oldest brother worked as a technician for a sugar factory and her younger brother was a bridge installation technician.

Having refused to marry until she completed her teacher-training course, Sarun was married in 1970 to a Chinese-Cambodian who and spent the better part of three years trying to persuade her to marry him. She was not in love with him. But her mother reminded her that Sarun's family was not rice, and her mother was alone in the world. And Tain Hak Khun was a well-educated bachelor from a very rich family. He had studied business administration in Peking and then Hong Kong, and come back to Cambodia in 1965 to administer the family's various businesses, including their restaurant Kok Meng, their perfumed and clothing store, and their jewelry store. He loved her fiercely, but with a jealousy and protectiveness that threatened to stifle her ambitions. He did not want her to work, he did not want her to study, he did not want her out in the world. In order to make him happy, Sarun began working for his import/export business, but she refused to end her studies. In 1971, she gave birth to a baby boy, Sambot, who was followed one year later by a baby girl named Pich Chan Mony. That tiny girl she held in her arms in Phnom Penh, very much alive and kicking, would die quietly of starvation in Sarun's arms five years hence, her last words whispered through the mesh of hammock. "Mum, I am hungry."

Sarun would have graduated from the Faculty of Pedagogy and the Faculty of Law in 1975. Instead, the Khmer Rouge arrived. Her brothers and their wives had already come from outside the city to escape the bombs, and so the "liberation" found the entire family under one roof, mother, brothers, sisters-in-law, husband, son and daughter. They were evacuated to Sarun's mother's home village of Kampong Krasaing. After only three months there, the Khmer Rouge murdered her younger brother, who had worked as a soldier at the Department of Finance in the Lon Nol regime. They came to ask the brother to work in another village, a poorly disguised beckoning to death. He was murdered in the Koc Kak pagoda, leaving behind a pregnant wife. His death heralded the beginning of the horrific downsizing of Sarun's family, from nine to four to two left alive in 1979.

After his death, they were transferred to the region west of Phnom Penh. One sister-in-law died from diarrhea and the other sister-in-law, having given birth to a baby boy, was sent away from the family. Sarun's son was also sent away, to work, at six years old, in a children's work unit. A few months after their transfer, Sarun's husband committed suicide. The physical cause of death was ingesting the poisonous fruit of the Sleng tree, which makes one's tongue bleed. But that was just the outward cause of death. He committed suicide because he was a rich and well-educated man who found himself incapable of taking care of his family, because of the shame of seeing his wife hit by a Khmer Rouge soldier, because he was starving and skinny, and because of guilt. He felt deep guilt, anguished guilt was heavy as a bomb, because before 1975, Sarun had told him that Cambodia would become communist, had begged him to move the family abroad. He had refused to believe that Cambodia, with all its riches, would ever turn communist.

Impotent in the face of the Khmer Rouge, with no skills to speak of, Tain Hak Khun was a defeated man. Sarun told him, "Don't worry, I can do. Just follow me." But he said he could not live in this world, it was too hard to adapt to the situation. The day after Sarun was beaten with a cattle prod, for hiding her watch in a palm leaf (neighbors must have told the soldiers on her), her husband ate the poisonous fruit. The blood from her beating at the hands of the Khmer Rouge soldier was little in comparison to the deep red river that welled up on her husband's tongue after eating the fruit of the Sleng tree.

In 1976, her older brother died. Sarun explains in English: "Because of no food and the men eat a lot and no energy, no power, skinny, skinny, skinny, works so hard, and so die. Not just our family, all family, every family, sometimes whole families."

Sarun was left with her mother and her daughter. At three o'clock in the morning, she would go to the field to work, leaving her daughter to be taken care of by her mother. Her group would work at rice planting or picking, at digging the dams, or fishing the Tonle Sap until 12 noon, when they would stop for a meal. At 1:30 or 2:00 PM, they would begin work again, working until the sun set over the rice fields, a red globe of flame. Sometimes, they would continue work until midnight, lighted by the electricity from a generator. At dinner, Sarun would save her food for her mother and daughter, wrapping it in a lotus leaf, and running without stop from her work unit to the base camp. The fastest route to the camp was through a mass gravesite, "but I never worry about corpses, worry only about food to eat and the soldiers of Pol Pot," Sarun says. At night, the lightning bugs would look like the lit tips of soldiers' cigarettes and send fear into her heart. The corpses were buried in shallow graves and wild dogs would dig them up. Sometimes a leg would be visible, gnawed on by the dogs and insects. The smell was awful. Water was scare, so the corpse-filled dirt caked on Sarun's legs could not be washed away. Instead, they used the useless cityclothes brought with them from Phnom Penh to wipe away the death smell.

Once in the cooperative, Sarun would cook for her mother and daughter and they would be happy eating together. After eating, she would run a few kilometers away to a lake that still contained water and fill up her family's water pitchers. After delivering the water to her mother and daughter, she would then run back to her work unit camp and, sometimes with no sleep, begin her day all over again.

Her mother stayed alive so long because they had jewelry, Sarun explains. At four or five at night, Sarun would pretend to go looking for something. Instead, she would scout out the way to the Muslim community 12









kilometers away, where she could exchange her jewels for rice, cane sugar, and bananas. Later, under cover of darkness, Sarun would steal away from the cooperative, with the jewelry hidden in a kramar beneath her toolarge black shirt. She would have a bamboo jug tied around her body in which to collect crabs and keep palm water. Two kilometers to the west of the camp, train tracks bisected the landscape, with Khmer Rouge soldiers policing it in groups. Sometimes she would wait two or three hours before it was safe to cross. Sarun says, "I do it alone. I believe, I trust only my self, since I can keep myself alive until now."

The night her mother died, Sarun returned from the Muslim community with rice, cane sugar, and banana to feed her week mother. Her mother was lying in bed with her head to the east, and her granddaughter, daughter, and a cousin surrounding her. As the others slept, Sarun began to cry and the tears fell onto her mother's skin. Her mother said to her, "Do not regret the jewelry. We can only buy the things if we have the life. When we die, we cannot take these things with us. You have to sell all the things that you have to get the life."

She said, "You have to sleep, daughter. You work so hard and have only a half-hour to sleep more. No need to wait up with me. There are many people around me now."

Her last words to Sarun were, "Do not hit your daughter. Be gentle with her." She said this because the girl had been born the same year (the year of the Pig), same day, and same month as Sarun's youngest brother, who had drowned in the river at age six. Now Pich Chan Mony was almost six. Her mother believed that the little girl was his reincarnation and worried about the girl's fate.

After the death of Thou Am, Sarun carried her daughter, papoose-style, on her back while she worked. Her daughter could not walk, so skinny was she. Sarun walked with a child on her back and her belongings on her head. One day she was so tired that she told her daughter, "So, daughter, you walk." Her daughter scolded her, "But I cannot walk." One night before her daughter died, Pich Chan Mony begged for sugar. Sarun climbed the palm tree, a kramar around her waist, a knife secure in its folds, and a bamboo jug to collect the water. She boiled the palm water and made sugar, and then cooked rice with the sugar and maize. She cooked this food to help the swelling in her daughter's limbs. The next day, it rained and rained. Her daughter slept in a separate hammock from Sarun. Tired, hungry, scared, sad, Sarun tried to sleep. "Mum, I want to sleep with you." Sarun was up from her hammock, across the hut, and then with daughter in her arms, back into her own hammock to rest. "Mum, I want to go to toilet." Tired, hungry, scared, sad, Sarun hit her daughter. One slap on the head. One slap only. Two hours later, her daughter was dead.

She was given one day off of work to bury her daughter. Later, she was sent far away from the cooperative to work, since she no longer had any dependents to take care of. Of children's death, Sarun remembers two stories: sometimes when a child would die, the family would not tell anyone, in order to continue receiving the child's food rations. Second, she recalls that if a child died, sometimes they would cut the body up into small pieces and fry the flesh, in order to exchange the meat, which they pretended was from mice or other small animals, for rice and other food. Three or four months after her daughter's death, it is harvest time and there is more food for everyone. If only her daughter had held on.

Around April of 1977, Sarun was assigned to marry Choeuth Sarath. She says, "Because I have no children, like that, they select by themselves that we need to marry this, this, who." Before 1975, Sarath was a Lon Nol soldier. He was married to the sister of a Khmer Rouge soldier, and this caused problems. Sarath was imprisoned, but he escaped and came to work in the same cooperative as Sarun. Sarun recalls, "We stay like brother and sister, no love...He and me never touch because I am not happy and very tired."

In August 1977, Sarun decided to escape to a Thai border camp, but she became sick from malnutrition and malaria. "Now I recognize I near die," she remembers, "Sometimes I know nothing around me." She could not stand or even sit. But she recalled what her mother had told her, that she had to be an optimist and that the jewelry should be used to "buy the life." Sarun begins to test the Khmer Rouge nurses to see who would accept







the jewelry in exchange for better food and protection, and not kill her for possessing it. "Sometimes they like, sometimes no, they kill us. So I do the test, one week, two week." She watched one nurse who had continued to wear makeup, despite the Khmer Rouge control, "she wears the makeup and she likes herself." One day Sarun said to her, "I am near death. I have one souvenir to give you, and when I die, this is the price you can pay to hire someone to bury me near my mother's grave." She was being deceptive, since she did not really want to be burried near her mother, but rather wanted to pay for the protection of the nurse. At first the nurse refused. Sarun told her that if she said it was a mistake and killed Sarun for it, that was okay, but if not, then she should keep the jewelry. During the next week, Sarun was given better food, and at the end of the week she was selected to be transferred to a larger and better-equipped hospital. of the seven people transferred, only Sarun was not a Khmer Rouge cadre. Of the nurse, Sarun says, "I think she is not the pure Khmer Rouge. Sometimes family is Khmer Rouge, so children just follow."

The hospital Sarun was transferred to was reserved for Khmer Rouge soldiers. The doctors were Chinese and the food more plentiful and better than anything in the cooperatives. Sarun says with a laugh, "There I became well and looked so nice!" It was here that Sarun accomplished her "achievement," as she calls it. Her eyes light up in the telling. The hospital was divided into work groups, just like the cooperatives. Of the seven groups, the third group was the most corrupt, "very stingy". They were supposed to be administering to the pregnant women, but would instead use the supplies for themselves. Since arriving at the hospital, Sarun had been very careful to conceal her education and background, acting as if she could read and write only a few words of Khmer. Now she decided to use her education to expose the corruption. On small pieces of paper, she wrote a note condemning the practices of the third group. She gave one note to a doctor's daughter who slept next to her, who in turn gave it to her father, without revealing its author. Other notes she passed surreptitiously around the hospital. Soon the leaders of the third group were exiled from the hospital and sent to work in cooperatives. Sarun laughs at the memory of her achievement.

Three or four months after arriving at the hospital, Sarun was sent back to her cooperative. But she never got there, "I run away and visit the graves of my family. I see bones but never scared." Instead of returning to her work group, she ran to the home of a middle-aged Khmer Rouge female cadre, who had been her group chief at one point. Sarun says, "In one hundred people, maybe one, two are gentle. She like me because I work hard, industrious." The chief had explained to Sarun how to find her, should she ever need her help. It took Sarun three nighs and four days to make it to Battambang, but before she was able to reach the woman's home, she was arrested. She told the soldiers that she was the group chief's daughter, as the chief had instructed her to do, and they dragged her off to the chief's home. The group chief accepted her into her home without hesitation.

It was now 1978, and Sarun worked in a cooperative near Battambang until she was transferred with three friends to work at Phnom Sampeou. The fall of the Khmer Rouge regime to the Vietnamese on 27 January 1979 found her and her three friends living together in Battambang. One year later, when she went to ask the government for a job, she met Sarath again. Sarath, with his excellent Vietnamese language skills, had been promoted to a high position in the new Vietnamese-installed government. Even though they had not lived as husband and wife previously, they decided that since they had been through so much, they might as well stay together. Sarun's son came to live with them in 1980, and another son was born in 1981, followed three years later by her last son. At each birth, Sarun cried constantly for her daughter. She could not stop the tears.

During this time, Sarun worked for the public schools as a teacher, and then became director of the high schools in 1987. She held this position until 1994, when she transferred to work full time at the Cambodian Brewery Limited as a sales supervisor for Region 1. Teaching was her passion, but she refused to become involved in the system of corruption, and she could not earn enough money without it. Today, Sarun works long hours in order to keep her sons in school in America. She loves them deeply, there is no question.

Yet in the retelling of her life, Sarun's mother and daughter play the leading roles. Their absence is only physical; in the heart and mind, they are present and very painful. They are present in her thoughts, always, constantly. The love between mother and daughter is a fierce one, and, in the face of death, it can threaten to consume the living. But throughout her life, Sarun has fought the elements, worked as hard as she can, making the best of every situation. She has refused to be consumed,

and in fact her love for her daughter led her to welcome me, a foreigner, into her home, because she saw the ghost of her daughter in my face. A stronger woman I have rarely witnessed. In her own words, "If someone can do, I can do. If can climb the palm tree, I can. If 53 or 54 years old, I can. I am not scared about this."

Joanna Rebecca Munson is a fellow at the University of Chicago.

Letter from Readers:

SONGS BRING BACK MEMORIES

Thank you very much for all the hard work you and your great team have been doing in Cambodia to collect, document and preserve all the information about the Khmer Rouge and evidences of their incomprehensible atrocities against the people of Cambodia. The significance of your mission and work is invaluable and you and your team deserve my sincere respect and gratitude. I happened to stop by your official website and had an opportunity to listen to the KR songs that you have put online. It brings back a lot of sad, unforgettable memories. I was totally brought back in my mind to Cambodia of 1975-1979 to relive the tragic experiences of the Khmer Rouge, while listening to the songs. The songs do, indeed, bring back lots of [memories] of places and of friends, some of whom were not lucky enough to make it to see the light of freedom! Please kindly let me know how I can get more Khmer Rouge songs and music. Do you have plans in the future to put more songs on your official website? Once again, Sir, please accept my sincere appreciation. May God bless your work and protect you. And also may you always be healthy to continue to fulfill your honorable mission!

Sincerely,

Heang Suy Siek

WHAT IS THE IMPORTANCE OF TAKING REVENGE?

Whatever happened, serious or trivial, is now many years old. The country has partially changed its face. If we kill the people who are connected to the Democratic Kampuchea regime or punish them to life imprisonment, we should ask ourselves if the lost lives and properties be recovered? No. Therefore our immediate needs are:

- 1. A tribunal which conforms to international standards of justice has to be formed quickly and commence its process in accordance with national and international wishes. Do not find excuses to let time pass by uselessly. International standards of justice are important because the regime committed the crimes against humanity.
- 2. After the trials are completed and the guilty have been convicted, the government should send a letter to the King requesting an amnesty for them. Then Cambodian people and the international community will be satisfied, because they will have seen eyewitness testimony and the decision of the trials.

What is the importance of taking revenge? Working together like combined threads of rope, we reconcile from now on and the country will develop. The past is a lesson to avoid.

Nou Hun



Documentation Center of Cambodia would like to appeal to governments, foundations and individuals for support for the publication, Searching for the truth. To contribute, please contact (855) 23 21 18 75 or (855) 12 90 55 95 or by Email: dccam@online.com.kh. Thank you.

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