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Table of Contents

LETTER

If We Fail1

DOCUMENTATION

Ke Pauk Defended Himself2
 Selected Confessions and Telegrams8
 Was There Criminal Intent?12
 Master Genocide Site Data14
 KR View of Family16
 Cambodia's 1976 Elections20
 List of Prisoners Smashed at S-2121

HISTORY

Khmer Rouge Documents Discovered23
 A Job Done in Exchange for Survival26
 Voices from S-2128
 Documentary Photographs32

LEGAL

East Timor's Special Panel34

PUBLIC DEBATE

Thoughts on the United Nations Decision39
 Was Amnesty the Price for Peace in Cambodia?41
 A Bad Omen for the Victims of the KR?42
 Statement from the Royal Government44

FAMILY TRACING

Love for His Homeland Cost Him His Life47

KHMER ROUGE ARTS

KR NOVEL: The Sacrifices of Our Mothers48
KR SONG: Youngsters of the SolidarityBack Cover

Victim



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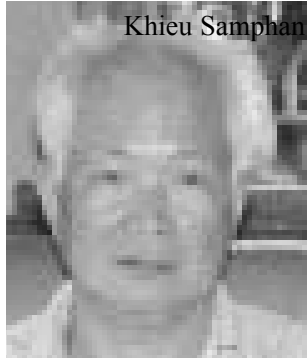
IF WE FAIL...

We all—Cambodians and the international community—will continue to point fingers at each other for the rest of our lives and for many generations to come, if we fail to establish an independent tribunal to judge the crimes committed by the Khmer Rouge leaders. Worse still, many Cambodians will continue to believe that foreigners ordered Khmer to kill Khmer.

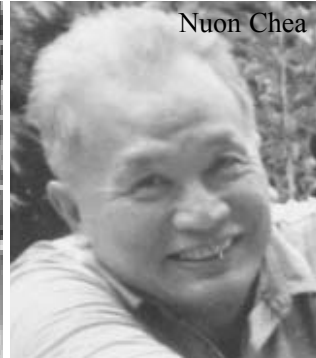
World history has shown that if traumatic parts of a country's history are not dealt with, they will continue to haunt the population, cause untold misery, and lead to intolerable levels of hatred and distrust. Such countries cannot move forward.

Who has the obligation to determine the history of the Khmer Rouge for succeeding Cambodian generations and for humanity?

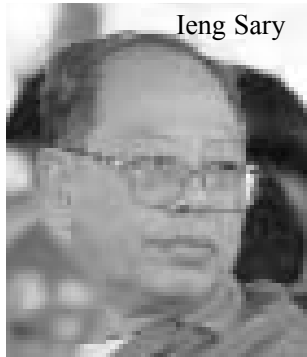
Youk Chhang
Editor-in-chief and Publisher



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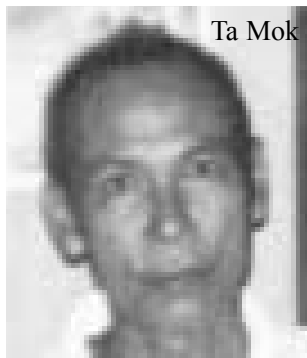
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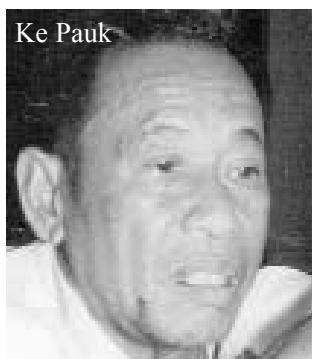
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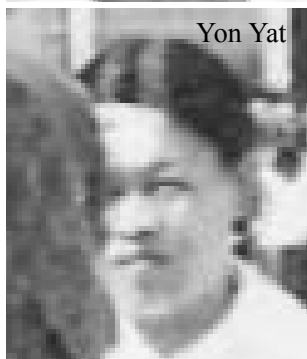
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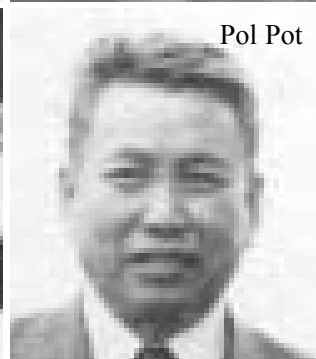
Ke Pauk



Son Sen



Yon Yat



Pol Pot

Died, February 15, 2002

Died, June 10, 1997

Died, June 10, 1997

Died, April 15, 1998

Ke Pauk Defended Himself to His Death

Ke Pauk



Photo: Heng Sinith

This document is an incomplete copy of the original. It is not known how many pages are missing.

Ke Pauk's Autobiography from 1949-1985



I joined the struggle during 1949 in the Khmer Issarak period. After the Geneva Conference, I abandoned the struggle and returned home. In 1957, Siv Heng, the secretary of the Party, contacted me and told me to rejoin the struggle. I did

so and enlisted in Svay Teab subdistrict, Chamkar Leu district, in the same year. A person named Tieb, the secretary of the district, accepted me. However, at that time, the Party had some relationship with Vietnam.

In 1958, after I became a member of the party, they assigned me to carry out some activities in Chamkar Leu district, my birthplace.

In late 1958, Siv Heng and Pen Yut betrayed [the Party]. When Siv Heng, a secretary of the party, did so, the communication between the rural areas and the city [Phnom Penh] was cut off.

In 1959, there was a struggle for the position of party secretary. During that period Tou Samouth was

disguising himself as a worker. But Siv Heng, who betrayed [the party], ordered the spies to arrest and kill Tou Samouth. Communication between the rural areas and Phnom Penh was still disconnected.

In 1960, the first general assembly of the Party was conducted at Phnom Penh Railway Station. A general assembly held in 1964 was attended by Yong, from the Eastern Zone, a protégé of Sao Phim. Yong worked at my side and controlled all cadres mentioned above.

In late 1964, Koy Thuon came and held an assembly for the region in Koky Thom district. The assembly promoted him to secretary, followed by subordinates Yong, Sat... I was at the bottom of the list.

After a while, we had some relationship with one another and planned to destroy Yong. Koy Thuon was responsible for this. It was in 1967. After the death of Yong, Sao Phim examined the activities in Braes Meas village, Chamkar Andaung district. By this time, I had some power and reestablished good relationships with all cadres on the right side of the Mekong River.

My political bases during that time included:

Baray district: Chhouk Ksach, Treal, Sralao, Chreaneang, Korky Thom and Krava subdistricts.

Tang Kork [district]: Srayong, Svay Phleung and Chreaneang subdistricts.

Cheung Prey district: Sampornng Phai, Sdaeng Phai, Cheung Chhnok, Ta Prong and Braes Meas subdistricts.

Chamka Leu district: Chamkar Andaung, Svay Teab, Speu, Chiyo, Lvea Leu, Neang Leung and Ta Brok subdistricts.

Stung Trang district: Tuol Preah Khleang, Prey Kakk, Me Sarchrey, Dang Kdar, O' Mlou, Naom Koh Sma, Tuol Sambuor and Boeng Ket subdistricts.

Kampong Siem district: Romeas, Srak and Rumchek subdistricts.

Prey Chhor district: Chrey Vien and Samraong subdistricts.

Stung district: Krasaing and Popork subdistricts.

Santuk Leu district: Sandan, Moan Rit and Kleng subdistricts.

Prek Prasap district: Memot, Russey Keo, Ta Mao, and Saob subdistricts.

In mid-1967, the Zone Committee's composition was Koy Thuon as secretary and I as deputy secretary, and Doeun, Sreng, Bra, Thaong and Sam-At as members. At that time, Brother Nuon was away at Prey Chhor assigning forces.

In 1968, I began working in the jungle. At that time, Koy Thuon and Doeun stayed in the city, while Sreng was positioned along Road Number 7. The rest stayed in the forest with me. In 1968, Bra was shot by the enemies in Region 130. Thaong Sam-At was arrested by the enemies and transported to Chamkar Andaung.

1968 was a year of riot provocation. My brigade provoked people in Krava, Bakksma, Lvea Leu and Tabrok Post. Our riot at Krava failed, while at Tabrok we confiscated three guns. After the riots, 250 rioters escaped to the forest in the area of Koky Thom. They were starving.

In April 1968, we had a hard time. We did not have enough food to eat and the enemies kept attacking us. We escaped in disarray; some of us were arrested or killed. Most were later detained and forced into confessing. Only ten to twenty personnel and I remained, and we carried on our movement in the forest and in all districts described above.

In June-July, 1968, the enemies were very active. My family moved from their home in Kampong Som to Kratie. We lost a child during the relocation. My wife took care of the whole family.

In 1970, Lon Nol released some Khmer Rouge prisoners. I had to contact these forces and reeducate them. They were Chan, Tol, Khann, and Phy, etc. Adding these people to my existing forces in the forest, I had about 30-40 men. When the 1970 coup broke out, I was in Chamkar Leu preparing to send forces to Stung, Sandao, Kampong Svay, Santuk, Baray and Tangkok, Kampong Siem, and Prey Chhor, each with a group of men. Many groups were sent to Chamkar Leu and Stung Trang. They were put in charge of military propaganda and local authority organization.

After completing these tasks in July, upper brothers ordered me to Siem Reap. Before I went, I assigned a brigade of 60 men to go to Siem Reap ahead of me to organize village and subdistrict authorities there. I was

accompanied by Sot, who was my deputy.

Early in 1972, the Zone and Central Committees ordered me to Kampong Cham to work as a zone deputy secretary and a regiment chief. There I began to prepare three kinds of military forces:

1) District military forces: one company (120 men) per district

2) Regional military forces: one region had one or two battalions (each of which consisted of 60 to 500 men)

3) Zone mobile units: 13 battalions were assigned (each of which consisted of 360 to 500 men).

Note: In July 1970, all leaders from all over the country arrived in Boeng Lvea. I was in charge of preparing their settlements. Later, [I] went to Region 130 [and] upper Stung Trang.

In February 1972, the Central Committee ordered me to cooperate with a central unit, called Unit 39, led by Brother Khieu, to sweep clean the enemies around Kampong Thom. We prepared forces and fought at the same time. We almost liberated the city, but we could not, so we surrounded it.

From the end of 1972 to the beginning of 1973, there was a revolt emerging in

Angkor Chey in Siem Reap province. I went there and took some actions to suppress it. After that I returned to Kampong Thom. In April 1973, prince Sihanouk ordered me to greet him at Angkor. As soon as I met him, I returned to Kampong Thom.

In July 1973, I prepared forces to attack Road No. 6. We entered randomly, such as at Bakham, Cheung Prey and an area between Skun and Prek Kdam. The Central Committee held a meeting and vowed to fight and clean Road No. 6 from Prek Kdam to Skun, Tang Kork, Kang Meas and Prey Chhor. We successfully swept and cleaned these areas. [The Central Committee then] told me to organize zone military forces to take over Kampong Cham in two prongs; Koy Thuon and I took one prong each. My plan was to reach the provincial town, textile factories and Sup military base. Koy Thuon did not attack, but allowed the enemies to move in from behind, from Tonle Bet. As a result, we could not liberate Kampong Cham. We decided to surround it for the time

being.

In September 1973, the Central Committee pledged to attack all over the country. It organized many plans:

The Eastern Zone [forces] attacked Road No. 1, and the upper and lower Mekong River.

The Southwestern Zone attacked Road Nos. 2, 3 and 4.

The Western Zone was attacked from the northwest to areas between Road Nos. 4 and 5, Baset Mountain and Anglong Kan.

The Northern Zone used three brigades to liberate Road No...[?]. When attacking Road No. 5, we came from three directions east of Tunle Buon Muk. Our first attempt failed. We then reorganized troops and launched another attack. We succeeded. We swept and controlled Road No. 5 in a section from Udong Market to Phnom Penh, about 30 km.

My target was taken over successfully, but not others. After half a month of controlling the position above, the higher level decided to launch offensives on Udong. But I could not accomplish this mission. So, I discussed with Brother Khieu the idea of attacking Road No. 4 in cooperation with the Southwest Zone. When we had almost liberated Road No. 4, the special zone forces who had been arrested confessed to the enemies and led them to take back the area. But we succeeded in capturing Udong. After a short period, Division 80 from Phnom Penh took it back again. Later we annihilated the enemies and confiscated tanks, artillery, and thousands of tons of ammunition.

After Division 80 was defeated, Koy Thuon allowed the enemies to recapture Road No. 6 from Siem Reap provincial town to Chy Kreng district. Then, the Central Committee conducted a meeting in July 1974, in which they assigned me to Siem Reap to defend Angkor. I then resigned from my current position as zone staff for the purpose of defending Angkor. Koy Thuon was ordered to take charge of my troops, which were moving into Phnom Penh.

In Siem Reap, at the beginning, I attacked from the west and controlled the area from Puok to Siem Reap for 25 days. The enemies were lacking in food, and as a result, we beat them easily.

Later on, the enemies launched Operation 802, which was under the command of Koy Thuon. But, I defended the town by using zone and regional troops. The enemies withdrew. When the Party prepared to launch a major offensive on Phnom Penh, I prepared to do so on Siem Reap. In the end, Phnom Penh and Siem Reap were captured at the same time.

When nationwide liberation was obtained, the Central Committee transferred Koy Thuon to the Ministry of Economy and Commerce, as the minister. Regional troops were also withdrawn. Only Division 312 was left. I was transferred to Kampong Cham to take charge of the political, military and economic sections and also the rubber plantation. As I was assigned to Kampong Cham, Siem Reap and Oudar Meanchey were labeled as Region 35, which was directly controlled by the Central Committee. The Central Zone consisted of western Kampong Cham, Kampong Thom, western Kratie and Muk Kampoul on the other river bank. From then on, these areas were classified as the Central Zone. The committee of this zone comprised me as the secretary, Sreng as the deputy secretary, and Tol and Chan as members. Koy Thuon and Doeun had been sent to Phnom Penh.

In [...] 1975, in Phnom Penh, the Central Committee held meetings to refashion its guidelines. The national democratic revolutionary way was over. It had to abandon this and practice a new way. It chose revolutionary socialism. After a new political stance was identified, the Central Committee spread it to the people. Returning from Phnom Penh, I gathered about 500 cadres in the center of Kampong Cham provincial town, telling them about the abandonment of the old revolutionary stance, people, and democracy, and spreading word of the new stance, socialist revolution, to them.

Note: After the meeting to identify the new political stance of the Central Committee, there were some arguments, one of which was about evacuating the cities (however, cities had already been emptied). I remarked that we should evacuate only governmental staff, while ordinary people should remain in the cities. Then we assigned a new authority to control the cities. However, some argued that if we did so, it was just an

“exchange of horses.”

After the new political stance had been spread throughout the country, the Central Committee held another meeting in Preah Keo Pagoda on the Four-Year Plan. The meeting agreed on all the points in the plan. The plan had two primary objectives:

- 1) Defend the country from the annexation of Yuon [Vietnam].
- 2) Develop the country quickly with the speed of great leap forward.

In order to achieve the two objectives, the Party had to set up cooperatives using the experience of the five-year war. The meeting was in total agreement. [We] decided to set 100 families in one cooperative, in which they had communal eating. In so doing, they mentioned they would have military forces to defend the country and labor forces to construct dams and irrigation systems, etc.

At the same time, there was a preparation to print banknotes. When the notes were actually printed and circulated, there was a decision to stop this process. The defense department began dispatching military forces to the borders. The cooperatives were also set up.

In early 1977, there was news leaking from Phnom Penh. I saw a document about as thick as my little finger, which had one section erased so that I could not read it. When I read and placed the erased section against the light, Koy Thuon's name was clearly revealed. As I saw this, I summoned Sreng, Tol and Sey to meet me and told them not to say anything; otherwise, they might be killed.

A few days later, an order was sent from Phnom Penh to arrest Hoh, who was accused of being a major, and Achar Ven, a former monk in Phnom Penh, enticed by Vorn Vet. At that time, Achar Ven had been the secretary of Prek Prasap district, and later was a regional secretary.

After Hoh and Achar Ven were arrested, they retrieved answers from them relating to Koy Thuon. A document relating to Koy Thuon was sent to me. He was in an assembly whose participants were from Region 41 and 42.

Note: The Central Zone was divided into three regions: Region 41 covering Prey Chhor, Cheung Prey,

Kang Meas and Kampong Siem districts; Region 42 comprising Tang Kok, Baray, Stung Trang, Chamkar Leu and Prek Prasap districts; and Region 43 including Santuk, Kampong Svay and Stung districts.

When I was conducting an assembly in Region 41, a messenger from Phnom Penh arrived, telling me to get prepared for an inspection mission to various locations. However, as I reached Phnom Penh, I met Pol Pot and Brother Nuon Chea. They showed me documents from all regions and ministries. Furthermore, the answer was too clear to correct. At that time, Brother Khieu and Duch were security chiefs.

I had to make some explanation to the ministry, since the ministry worked closely with me. I said, "It is difficult to say, because all comrades are life-and-death friends. However, if Angkar has decided already, I do not have any complaint." Some soldiers had served me since 1968, but they were accused of being CIAs. I did not know what to do, except to tell them that I had just put them forward for the higher level [upper brothers].

In February 1977, Phnom Penh sent security trucks to arrest the chiefs of the ministries of agriculture, industry, commerce and public affairs. I protected the chief of rubber plantations, because I considered him as my parent. I requested the higher level to call him to Phnom Penh themselves. But this rubber plantation chief, named Ta Sat, escaped to the forest.

In the same year, security trucks from Phnom Penh arrived, bringing with them five or six chiefs of Region 41, five or six chiefs of Region 42, and five or six chiefs of Region 43. After they arrested all regional committee members, they arrested the leaders of regional ministries, since each region had its own ministries.

After that, they also arrested the regional commander in chief. In total, 50 to 60 regional cadres and ministries were arrested.

Note: The chiefs of Region 35, Siem Reap-Oudard Meanchey, were also arrested like the Central Zone's.

Toward May 1977, security trucks from Phnom Penh appeared again to arrest the chiefs of all districts, two or three chiefs in one district. Then, some subdistrict chiefs were also taken with them (but not from all subdistricts).

In June 1977, the first stage of capturing was over. By that time, only I remained and the Central Zone had no cadres left. The upper brothers decided to transfer cadres from the Southwestern Zone to fill the unoccupied positions. They sent about 200 cadres from that zone. The first was Kang Chab, who had worked in the stadium. The higher level decided to make Region 35 of the Central Zone into the new Northern Zone where I served as secretary, Kang Chab as my deputy, and Ta An as member.

After working in the new Northern Zone for a while, there was an answer [order] from Kampot to arrest a line of cadres of Kang Chab and send them to Phnom Penh. I did not know where they were sent to after that.

From then on, the new Northern Zone was divided in two: Kang Chab took charge of the Siem Reap-Oudard Meanchey region under the direct control of the Central Committee; as for me, I was told to stay in the Central Zone.

For cadres sent from the Southwestern Zone to the Central Zone, those whose names appeared in the confessions were taken back to Phnom Penh, but they were seen alive after the Vietnamese invasion. Those who were not on the list of conspirators continued to stay.

Please be aware that good cadres from the Southwest Zone are still alive. [But those who] added some salt [this figuratively means overdoing what they were told] to the documents caused a lot of trouble to the public. For instance, there was a cadre called Ty, who was sent from Kampot to work as the secretary of Baray district. He ordered the arrest of more 70 brothers from Bak Sma, accusing them of being bandits. When I visited them, I could recognize some of them as people who had assisted me in my political struggle. When asked, they said they did not know why they were detained. I ordered Comrade Ty to release all of them and prepared food for them. I set up a one-day meeting in Bak Sma to apologize to them.

In another example, the secretary of Sandann was transferred from the Southwestern Zone. He severely maltreated people. He even burnt them to death in brick kilns.

In short, evil cadres from the Southwestern Zone

caused a lot trouble for my zone.

That was why I told Brother Khieu in 1979 that I had run out of ideas, because they had destroyed our fundamental political foundation. I also personally talked to Ieng Sary (but I dared not do this with Pol Pot) in 1978, telling him that it was not good to do things like this. Should problems arise, we would not know what to do. Ieng Sary replied hesitantly that he did not know what to do, either, and the Chinese Cultural Revolution had also faced these problems.

In conclusion, I believe that Pol Pot had misled us since 1975. From 1975, when we practiced the new policy, people starved, foreign aid was not accepted, and cooperative tasks required too much labor.

One day, they attempted to hurt me. At that time, Ta An had already arrived. It was at January 1st Dam. Pang was also at the dam. Returning, Pang gave me a lift to Phnom Penh and he took handkerchiefs to seal the mirror(s). I asked him why. He said no one could see. I knew this was not good, so I was ready to reach for my pistol. Arriving at Skun, as we left the car to piss, we saw guards standing in the buffalo-horn military formation. Then I asked Pang once again why he did that, since it was not good at all. He asked me, “Are there patrolling forces from Skun to Prek Kdam? I told him there were forces along the way. From Skun, there were soldiers positioned along the road. So he did not do anything. In Phnom Penh he said I was to walk across barbed wire. I said to myself that this was the time for me. However, he brought me to see Pol Pot. As I met Pol Pot, I informed him about this, but he did not say anything.”

In 1978 before the Vietnamese invaded Cambodia, when we were conducting the fifth general assembly in the national assembly building, people became disorganized. Then Cheng An reported there was a small boat floating on the river. But, when closely inspected, it was a boat loaded with handmade bran-cake. Nevertheless, the assembly was closed. Pol Pot told me to stay to see a movie. I was wondering what was going on. I decided to stay in the building of the Central Committee. To my amazement, at one in the morning, they captured Ta Keu and Vorn Vet. After that, Pol Pot asked me whether

I saw the movie. I had thought it was a motion picture. In fact, it was the scene of arresting Ta Keu and Vorn Vet. They accused Vorn Vet of working with both China and Vietnam, and that he wanted to become the prime minister.

When Vietnam invaded and camped along the border, at first it was OK for me; Pol Pot still continued to lead the fight, but his ideology had changed. He changed radically in about 1984 or 1985 to now. He once met me and seemed to tell me to resign.

At first, [Pol Pot] appointed the committee of Dang Rek, which consisted of Ta, Brother Khieu and me. In October 1980, [Pol Pot] ordered me to take charge of internal tasks. In June 1982, [he] called me from inside to work; at the time his attitude toward me was not changed.

By September 1984, when working in a house in the Cardamom mountains, I recognized that Pol Pot seemed to behave oddly toward me. Every time we had done such work before, he called me to meet him. But this time he met only Brother Khieu.

By 1985, I came up to work again. Then Pol Pot ordered me to resign from the military. At the time, he did not mention why. Wanting him to be clear, I asked him. He said he wanted me to be the secretary of the battlefields. But, when I arrived at Peou River, he ordered me to Koh Kong. I stayed there for one month. One day Pol Pot's messenger told me to meet Pol Pot. Pol Pot asked me whether I had any problem. I replied I had none, except that I heard that only I would remain in the Northern Zone. But when the Yuon arrived, this rumor was quiet. After that he told me, “If you want to win the election for a representative in the future, just buy many rice mills and charge people little. They'll surely vote for you.”

Lastly, Pol Pot invited me to join a meeting of Regional Revolutionary Angkar. I asked Comrade Yann to meet Pol Pot. He told me, “To meet Pol Pot, give [me] 10,000 Baht.”

Ke Pauk was DK secretary of the Northern Zone (later known as the Central Zone).

Selected Confessions and Telegrams Relating to Ke Pauk

Dany Long and Mony Visal Khuoy

◆ On April 2, 1976, Ke Pauk sent telegram 94 to Brother Pol (copied to Brother Nuon, Brother Khieu, and Documentation) on the situation of the enemy, the masses, and agricultural production in the Northern Zone. The telegram reads: "...[regarding] the above-mentioned activities, the zone has advised the regions to pay much attention to investigate these activities. We captured former cooperative group leaders..."

◆ Em Min, called Sen, was an assistant cadre in Baray district. He was arrested on March 30, 1977. There was a note on his confession that the letter was to be sent to Comrade Pauk. The confession was dated May 14, 1977.

◆ The first confession of Um En, called Ham, the political chief of Regiment 2, Division 117, was dated May 1, 1977. There was a note "to Comrade Pauk one copy" dated May 14, 1977. This confession was linked to the arrest of a treasonous network in the North, especially in Divisions 117 and 170. The chief of Division 170, named Chakrei, had already been captured, while Oeun, chief of Division 310, and Suong, chief of Division 450, could not be grasped hold of.

◆ On the confession of Ly Hak, the chief of Russey Keo Technical School, who was arrested on May 4, 1977, was a note addressed to Ke Pauk. Ly Hak's answer implicated four individuals in an allegedly treacherous network in the Northern Zone.

◆ The confession of Yung Peou, the chief of the Security Office of Region 106, dated May 24, 1977, described the hiding of Sreng's soldiers in the Northern Zone. This confession was sent to Pauk.

◆ The confession of Chann Mon, called Tol, from Region 42, was copied from a tape recorder on June 11, 1977. He confessed that Pauk had led him to the forest to join the revolution from 1964-1967: "Chann Mon, called Tol, was introduced by Pauk to Angkar in June

1965. After February 17, 1977, betrayers, such as Sreng, Tol, Ngin, and Tang in the Northern Zone, were arrested. Brother Pauk indoctrinated political ideology to cadres in the zone, and he ordered Mon to hunt down the remaining betrayers, who were the network of Khuon. Pauk ordered Chan to arrest Un, who managed to escape from Chamkar and headed toward Prek Brasab.

◆ "In early 1977, because people in the Eastern Zone moved to the Northern Zone one after another, Brother Pauk held a meeting at January 1 Dam. In order to keep up with changes, Brother Pauk told Chan to contact Sarun about people from the east. Pauk still ordered Chan to seek out and arrest traitors. Later, Pauk traveled to Siem Reap to hunt for traitors and to reorganize administrative systems in each district in the Northern Zone. In June 1977, Brother Number One, in his mission of giving lectures, organized the committee of the Northern Zone, which had Pauk as the secretary, Se as the deputy secretary, and Chan as member. On September 18, 1977, Brother Pauk sent a letter to Chan telling him to work in Kampong Cham. When Chan arrived in Kampong Cham, at 4 p.m. on September 18, 1977, he was arrested right away."

◆ Mao Choeun, called Ly, the chief of logistics of Division 174, was arrested on September 18, 1977. The reason for his arrest was that Mao Choeun, called Ly, had ordered five youths to lay mines to destroy an ammunition depot. At about 5 p.m., two depots were burned to the ground. Later, Brother Pauk came down to question the cause of the fire, and at about 2 a.m., Angkar arrested Mao Choeun.

◆ On October 1, 1977, Brother Pauk appointed Pheng Sun, called Chey, and some other comrades to participate in the celebration of the 28th anniversary of China; they were invited by Chinese engineers at handicraft factories in Kampong Cham. After the celebration, the

Party had a plan to detain networks of the CIA. Pheng Sun, called Chey, was arrested on October 3, 1977.

◆ The confession of Sieng Phon, called Pha, an assistant in Battalion 701, Division 714, Central Zone, shows that he was arrested on October 2, 1977. The reason was that at the end of December 1976, Pha was assigned by Se to defend Brother Pauk regarding a plot to assassinate Brother Pauk. There was a note dated November 11, 1977 saying the confession was to be sent to the Central Zone and Brother Nuon.

◆ The confession of Koam Chann, called Chann, the secretary of Region 43, Central Zone, dated December 3, 1977, stated: “In July 1975, Brother Number One named the Northern Zone's central committee, in which Brother Pauk was the secretary, Sreng was the deputy secretary, Tol was the permanent member, and Ngin, Sey and Chan were members of the Northern Zone.”

◆ A report on the enemy situation in Muk Kampoul district, Region 22, dated March 19, 1978, stated: “Please inform the Western and the Central Zones, because my region [Region 22] has already taken appropriate measures. In the past the enemies stayed in Preychheubuon, but presently they have moved to Peam. One group is in Sambaur Meas subdistrict, while the other is in Prek Tasek subdistrict. They have approximately 30 members armed with 3 AK rifles and 4 AR-15s. In another group, there are enemies who escaped from the east. They have 12 members armed with 2 AK rifles, one M-79 and 2 AR-15s. On the night of March 18, 1978, they detained one woman and a child.” One copy was sent to Pauk.

◆ On March 20, 1978, Office 870 stated that the Eastern Zone had sent a report on enemy activities in Muk Kampoul district. One copy was sent to the office and requested that the office send one copy to brothers. One copy went to Brother Pauk.

◆ A telegram dated March 29, 1978 reveals that Comrade Pauk reported to Office 870, and the report was copied to Uncle Nuon and Documentation. The report mentions: “I would like to report to Angkar: On March 27, 1978, at 4 p.m., the soldiers of Region 41 detained two youths, named Chhan and Ry, at Unit 512 of the Air Force. They wore in gray and had a motorbike. They were arrested because they did not

have a travel permit and identification card. They said they were on a mission to repair airplanes at Veunsai Airfield in Kratie. Please inquire Med about the above-mentioned issue. Is there any name as reported above? If there is, please inform Comrade An of Region 41 to receive these comrades.”

◆ In Telegram 03 dated April 12, 1978, Comrade Pauk reported to Office 870. This telegram was copied to Uncle Nuon, Uncle Vann, Uncle Van and Documentation: “For the last issue of the day, I [Pauk] took the list of Brother Vann and your letter to ask Comrade Choeun for ammunition as mentioned in that list. The ammunition needed was AT shells and anti-personnel landmines. I would like to request that Angkar provide more ammunition and landmines. Moreover, I also would like all sectors to prepare their weapons during the anniversary. Please, Angkar be informed. In addition, as to the gasoline that was pumped out from the tanks, Angkar advised us to store it in Kratie and the Western Zone. However, our brothers believe that if we do so, it will make it difficult for the Central Zone to use it. They suggest keeping it on a floating ship in Kampong Cham. What is Angkar's opinion?”

◆ Telegram 2, 680 [radio band], dated April 12, 1978, was sent from Comrade Pauk to Office 870, and was copied to Uncle Nuon, Uncle Vann, Uncle Van and Documentation. It said, “I would like to report about the battlefields on Highway 7 adding to the battles in each direction: the battlefields in the west, from Prek Choar to Road 22 all the way to Road 22. At this point, the enemy also shelled us and the situation seemed chaotic. On the battlefield east of Road 22, from the east side of Veal Veng, Stoeng Bambek, toward Kampong Rokar. At this point the enemy's situation changed. ...On April 10, 11, and 12, 1978, the enemy mounted attacks on us at Kampong Rokar with their infantry, tanks and artillery. We pushed the enemy back in Katum. We neutralized two villages completely, and are now pursuing the enemies who assaulted Khjeay.”

◆ On April 18, 1978, Pauk sent Telegram 05 to Office 870, which was copied to Uncle, Uncle Nuon, Uncle Vann, Uncle Van and Documentation. The telegram mentioned “the situation of the enemy in the

battles of Highway 7. On April 18, 1978, in the battlefields in the west, where the enemy is presumed to be, the enemy has not taken any significant actions against us. However, there was a strange occurrence along Road 22. The enemy erected a flag on the border of Trapoang Phlong, but we did not know what their purposes were. As for us, we continuously assaulted the enemies from 5 in the morning right to 5 in the evening at Kampong Roka, Speanbanla, O Pha-av, east of O Smach to Road 22, Camp 27, Chong Peuk, and Svay Ngoar, east of Prek Choar. We attacked with our infantry and artillery units, making the Yuon panic. We annihilated trenches and some of their forces. The enemies are still disorganized at Katum and east of Memot.”

◆ On April 29, 1978, Comrade Pauk sent Telegram 09, 586 [radio band], to Office 870. The telegram was copied to Uncle, Uncle Nuon, Uncle Vann, Uncle Van and Documentation. It mentioned the results of both western and eastern battles that occurred on April 29, 1978. It said: “We completely neutralized Kampong Sralao in the western battle 4 or 5 km west of Road 22, on longitude 03 and latitude 85. We killed or injured more than 50 enemies. They left 27 corpses behind. We confiscated



Ke Pauk

some weapons and equipment. At Katum, Memot, we liberated Choamampil, Leachleu and Leachkrom villages, Choam subdistrict, Memot district. Also, the enemy moved from west of Katum and attacked us from the south of Veal Changkran and from Veal Changkran to the borders of Sala Leu Krom, Chrakkranh, Sautey. These villages are located inside enemy territory, whereas Sautey in ROUNG subdistrict, Memot district is in our territory. We shelled the enemy from the east and the west, forcing them to retreat back onto their land.”

◆ On May 4, 1978, Comrade Pauk sent Telegram 10, 393 [radio band], to Office 870. It said: “1) I arrived at the battlegrounds at 6:30 p.m. on April 4, 1978 and received Angkar's letter. 2) [Regarding] the battle situation in eastern Katum, Memot, the enemies positioned in Beong Maurong Leu and Krom bordering us were suppressed. 3) In the battle west of Kampong Rokar to Camp 27, Oroung and Svaynhoar, the enemy counter-attacked us terrifically to the east of Road 22, but we were not broken. 4) The target of Da, Prek Choar: the enemy has about two regiments and is growing. 5) Our forces have moved from Kampong Cham to the east of Steung and are coming continuously. Regarding the above-mentioned situation, I would like to request Angkar to send Comrades Vin and Ya to help me in order to work as a team to surround and attack the enemy. 6) Confirm: Brother Phim proposed transferring one battalion from Region 20 and some soldiers of Comrade Kim to attack the enemies at Sa-am.”

◆ On May 6, 1978, Comrade Pauk sent Telegram 11, 477 [radio band], which said, “I would like to inform Brothers that I have received your telegram and I would like to report on the enemy situation on May 5, 1978, as follows:

◆ The situation of the battles located east and west of Highway 7 and the battle of Katum. We have attacked the enemies and liberated our land completely. Many enemies were killed or injured; one enemy tank was disabled. I have prepared the units of the Eastern Zone, Division 4 and Region 21. We are working together to continue to launch attacks on Camp 733.

◆ On the western battlefield from Kampong Roka to Camp 27, the enemy launched some attacks on us,

too, but we pushed them back.

◆ The enemies who moved along Highway 7 arrived at Sa-am village in the afternoon of May 4, 1978. They were not larger than a regiment; they had 3 to 5 tanks, which were still inside the land they controlled; they were not brave enough to move along Highway 7. I have planned to attack from the east using Division 603 and from the west using Central Zone forces. I will begin the attack on May 6, 1978; but the offensive will occur on May 7.”

◆ On May 9, 1978, Comrade Pauk sent Telegram 13, 330 [radio band], to Office 870. It was copied to Uncle, Uncle Nuon, Uncle Vann, Uncle Van and Documentation. It said: “I would like make an additional report on the results of the May 8 attacks of Tat and Vann's targets. We killed and injured some enemies. To the east of Kampong Rokar, we continuously attacked the enemies. Our forces reached northern Veal Damreisy at point 753 and shot five enemies dead, two of which were high-ranking soldiers. We confiscated five AK rifles and one enemy Jeep. At Comrade Vann's target, we destroyed the enemy at O Pha-av, called Spean Dek. Spean Dek was completely neutralized and the enemies were routed. Now, we are

preparing forces to pursue them for the second time. In the fight, we confiscated some weapons and approximately 50 enemies were killed or injured.”

On December 18, 1978, in his confession, Kheang Sihorn, called But, said that “Brother Van told me that Brother Pauk (the secretary of the Central Zone) was a deputy secretary of the party. When he was sick and before he boarded the plane, Vy advised, 'I don't know how long I'll stay there, since my illness is serious. If you have some information relating to the CIA, inform Brother Pauk, not Brother Van, for Brother Pauk is responsible for the North and Northeast Regions.' On August 18, 1978, when the flood was threatening, I sent a letter relating to Brother Pauk reporting on the flood and asking for suggestions from him. However, I did not receive any answer. Brother Van asked me about Brother Pauk, and I told him, 'I only wrote a report to him and requested advice, but he did not respond.'”

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

Mony Visal Khuoy is a member of the DC-Cam's Database Project.



Photo courtesy: Joseph Kofmann



Was There Criminal Intent in Executing Family Lines?

Kalyan Sann

Toek Seng Eng



Some of the more than 21,000 prisoners detained and killed at S-21 were children who were convicted because of their parents' alleged criminality. These children were eventually executed along with their parents.

Sometimes entire families were arrested and later killed together. In other cases, family members were arrested and detained separately, but in the end, were also killed. When a family member committed an offense, other members were also considered to be guilty. Several cases have been discovered in which entire families were murdered:

◆◆◆ Toek Seng Eng, a technical railroad worker, his wife Mak Nay Sim, six children and two grand-children were detained at S-21 on December 19, 1976. His family members were killed successively on December 21, 25, and 28 of the same year, while he was interrogated for seven months and finally executed on September 19, 1977.

◆◆◆ On December 26, 1977, Thou Hai, his wife Ham Trav, and their seven children were sent to S-21. Thou Hai was a worker at the A-5 wood factory. His offense was "demolishing the revolution," which was classified as traitorous. His wife and children were also considered as "enemies," like him, and were condemned to death. The S-21 Committee made a note on his confession, "Leave this to Comrade Mok so that he can verify with Region 25 and 33, Southwestern Zone."

◆◆◆ The list of those incarcerated and killed at S-21 during 1976 contained 12 people from the same family. They were Long Thin, the father, Nhem Mlis, his wife, and their children: Long Thiravuth, Long Serey-roath, Long Morakot, Long Neary, Long Vaniroath, Long Viyada, Long Vathana and Long Baramey.

◆◆◆ On April 7, 1977, Nun Huy made a list of the members of two families, Srun's and Mai Lun's, which was to be dispatched to Duch, the chief of S-21. These two families had 18 members. Duch replied to Huy, "Please interrogate four and execute the rest."

◆◆◆ The list of prisoners who were destroyed by Brother Huy Sre's section, prepared on July 13, 1977, reveals that 178 agricultural workers and 160 children were slaughtered.

◆◆◆ On a list entitled "Summary of those having a tendency" were 17 names, of which 9 were children. On the list, Duch wrote on May 31, 1978, "Uncle Peng, kill all."

The special issue of Revolutionary Flag Magazine, which was published in October 1978, revealed the Khmer Rouge's view toward parents and children: "if the parents possess 100 oppressive elements, the children have 50." In other words, the Khmer Rouge perceived that if the parents were feudal or imperialist, at least half of the children would adopt this attitude.

In Democratic Kampuchea, the slogan "To dig up grass, one must dig up the roots," meant executing the whole family, and this occurred throughout the country. Din Dorn, a former youth chief in Kalkorm village, Tramkakk subdistrict, Tramkakk district, Takeo province, described the family of Prum Chaosou, the

education minister in the Lon Nol regime. The family was evacuated to Tramkak district, Takeo province in 1975 and later killed. Yem Kuoy, a resident of Thmey village, Sre Ronong subdistrict, Tramkak district, Takeo province, stated that his older brother, who had been a policeman in Kampong Speu province during the Lon Nol regime, was sent to the Krang Tachann security office along with his wife and children.

Ros Samonderakk Vuthic, who lives in Phnom Penh, divulged that he was able to escape death because he moved to live in a place where no one knew him. However, all of his family members were killed by the Khmer Rouge.

Did the Khmer Rouge intend to wipe the Khmer people from the face of the earth or kill only those who they perceived to be their enemies? Murdering family lines was an early step toward wiping out the Cambodian race. But because there was not enough time—three years, eight months, and twenty days - such a plan was not able to succeed. If the Khmer Rouge had not been overthrown on January 7, 1979, no Cambodians would have survived, except a handful of members of the Khmer Rouge clique.

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

Eng Reaksmei



Toek Koam Serei



Eng Vutha



Long But Dara



Long Socheat



Long Thy Neary



Master Genocide Site Data

Mapping The Killing Fields Of Cambodia 1995-2000

No.	Site No.	Site Name	Data of Pits and Victims by SITE FORM		Data of Pits and Victims by FIELD REPORT		YEAR Report Report Set/Year
			Estimated Pits	Estimated Victims	Estimated Pits	Estimated Victims	
			(Continued from the February 2002 issue)				
356	080902	Chamkar Svay	0-50	300-500	20-50	300-500	1998
357	080903	Wat Kasap Preah Vihear	N/A	N/A	N/A	N/A	1998
358	080904	Wat Ang Serei Sour Sdei	N/A	10,000	N/A	N/A	1998
359	080905	Pralay Ta Pe	Lake	N/A	2 ponds	2,000-5,000	1998
360	080906	Tvear Tik	2 lakes	2,000-5,000	N/A	N/A	1998
361	080907	Baseth Traey Troeng	execution	300	N/A	more than 7,000	1998
362	080908	Chamkar Svay	execution	7,000	N/A	N/A	1998
363	100201	O Lornng	execution	few hundreds	N/A	200-300	1998
364	100202	Vityealai Preah Kosomakk	execution	few hundreds	N/A	50-100	1998
365	100301	Sala Srok Prek Prasap	1	N/A	N/A	N/A	1998
366	100302	Wat Chroy Ampilwell		100-150	well	100-150	1998
367	100401	Kok Kduoch	1	89	N/A	89	1998
368	100402	Kok Kduoch	N/A	N/A	N/A	N/A	1998
369	140303	Trapeang Mong	1	60-70	1	60-70	1998
370	140304	Trapeang Mchou Thnoeng	2	100-200	2	100-120	1998
371	140305	Trapeang Trav	3	150-200	3	150-250	1998
372	140501	Tuol Cheung Chap	2	138-150	2	138-150	1998
373	140502	Trapeang Chambakk	3	350-500	4	350-500	1998
374	140503	Phsar Me Sang	1	150-200	1	150-250	1998
375	140504	Vityealai Me	8	300-520	8	300-500	1998

Sang							
376	140601	Tuol Po Borei	50-74	8,000-10,000	about 74	8,000-10,000	1998
377	140901	Tuol Neak Ta	3-5	40-50	more than 7	12,000-15,000	1998
Snay							
378	140904	Neak Ta Yong	100	200	about 100	100-250	1998
Yauy							
379	140905	Trapeang Reang	107	150-250	about 100	200-250	1998
380	141201	Wat Prey Sva	60	800-1,500	42	804	1998
381	141202	Vityealai Prek	15	1,084-2,500	10	1,048	1998
Sandek							
382	141203	Wat Prey Daem	5	564-680	5	680	1998
Thnoeng Khang Cheung							
383	141204	Wat Prey	41	1,200-2,500	40	1,200-2,500	1998
Chheang							
384	160201	Tuol O Kanseng	20-30	300	N/A	N/A	1998
385	160202	Kuk O Kanseng	N/A	N/A	N/A	N/A	1998
386	170401	Wat Kok Thlorok	47	35,000-36,000	N/A	about 200	1998
Leu							
387	170402	Wat Kinin	N/A	N/A	N/A	N/A	1998
388	170403	Prey Prasat	3	90-100	3	270-300	1998
389	170601	Munty Santesokh	N/A	N/A	N/A	N/A	1998
Kralanh							
390	170602	La Pikhead	N/A	35,000-36,000	N/A	35,000-36,000	1998
Phnom Trung Bat							
391	190301	Phabaing	N/A	N/A	N/A	N/A	1998
392	190302	Prey Ta Chem	N/A	N/A	N/A	N/A	1998
393	190303	Tuol Khmaoch	N/A	N/A	N/A	N/A	1998
394	190304	Chann Tu Tauch	N/A	N/A	N/A	N/A	1998
395	210401	Wat Preah Theat	200-300	5,000-6,000	200-300	15,000-17,000	1998
Suor Sdei							
396	210501	Tuol Ta Khlok	40-45	275-280	40-50	275-280	1998
397	210502	Tuol Krasaing	15-16	75-80	15-16	75-80	1998
Em							
398	210503	Prey Sokhon	4-5	1,000-1,200	4	12,000-15,000	1998
399	010701	Banteay	4	over 400	N/A	N/A	1999
400	010702	Andaung Sep	1	over 300	N/A	N/A	1999
Pheng							
401	010703	Trapeang Suon	2	N/A	2	N/A	1999

(Continued in the April 2002 issue)

A Khmer Rouge View:

Khmer Rouge Views on Family Building

Family building is a natural behavior of human-kind, without which society would not make any progress. Yet, if one holds an inappropriate view toward this issue, family building will not go smoothly. Consequently, life in the family will face endless physical and mental crises. Therefore, revolutionary male and female youths must grasp, understand and possess a sound view toward setting up a new family in order that our revolution continuously progresses in the right way.

A Non-revolutionary View toward Family Building

In imperialist, feudal and capitalist societies, and in enemy-controlled territories at present, people always link family building to economic benefits. They think only about becoming rich or being a high-ranking, high-profile person in society by using all means of evil tricks, even though this may result in the invasion of their own country by the imperialists and suffering for the people. In short, they care about nothing but their own personal benefits.

Furthermore, these people try to launch propaganda, educate and spread this wrong view systematically to our revolutionary male and female youths, causing them to think only about personal gains, like money, gold, diamonds, rank, and reputation, and not about the fate of their nation and people. And, they cannot see or feel the suffering resulting from the oppression and robbery of the people. That is the reason why in the old society (Sangkum Reastr Niyum) prior to the liberation and in territories that are temporarily enemy controlled, many of our male and female youths, who are full of such an oppressive view, build their families or choose their spouse only for personal gain.

In other words, they seek benefits or family happiness without caring about national interests and the fate of the people.

For instance, if a man chooses his wife, he chooses a daughter of a wealthy, high-ranking officer, so that he will become a rich or high-ranking person, too.

For the girl or her parents, they look only at the grooms with wealth and rank, so that after the marriage, their daughter can live in comfort or become a prestigious person like her husband. There is no consideration of whether those brides and grooms have nasty morals. They do not care whether the parents-in-law are traitors, robbers or ruthless murderers. Consequently, some young women marry to husbands as old as their fathers or grandfathers, as long as these husbands are rich or powerful.

With such an incorrect view, the imperialist, feudal, and capitalist societies have few families in which the couples get along well with each other. Many embarrassing events, such as arguments, domestic violence, divorce, and disappointment leading to suicide, occur frequently in each family.

The major reason is that each family is in a society full of injustice, cheating, gambling, corruption and many other immoral acts. Thus, the families are inevitably affected. Even in a small family, distrust and dishonesty occur. Everyone thinks only about his or her personal gains and pleasures. This is in rich families. For poverty-stricken ones things get worse, for they receive all kinds of oppression from the feudal imperialists and capitalists, and in the enemy-controlled territories, none of the families live happily.

Revolutionary View toward Family Building

As revolutionary male and female youths, we consider family building as an important issue of the country and the people. If the country is invaded by the imperialists, if the country becomes a “servant,” our families will be labeled as “servants” as well. If our people are seriously oppressed by the reactionary imperialists and capitalists resulting in endless sufferings, our families will endure the same things. Therefore, in order to provide our families with true prosperity, the country and the people must be rescued from all oppressive behaviors of the feudalists, capitalists and imperialists. Thus, building a family is not just about personal reasons and continuation of the bloodline but, most importantly, about accomplishing the crucial and honorable mission of liberating the country, the people, and the poverty-stricken class. Only then can we begin building a socialist and communist society in which people do not persecute one another.

How should our youths choose their spouses?

In order to accomplish revolutionary tasks successfully and attain our great goal mentioned above, our youth must be very cautious in choosing their wives or husbands.

1. Stick to sexual morals and avoid improper behaviors such as secret love or open unacceptable love practices. If [you] have any problem, you should present it to Angkar and the cooperative honestly for assistance.

2. Determinedly respect organizational discipline. In the issue of family building, the youths have to comply with whatever decision is made by Angkar, without disappointment, displeasure or jealousy. Only Angkar and the collective can examine what needs to be done thoroughly. Therefore, do not act based on personal feelings.

3. Do not rush; do not be as impatient as you feel. Examine the biography of the spouse meticulously first. In short, the spouses must be clean in both morals and politics, and have no connection with enemy

networks or bad elements.

4. If [you are] in the same unit, choose the one with a strong revolutionary attitude, no matter what position he or she holds, and as long as he or she resolutely fights and works hard to fulfill the tasks set by Angkar for the sake of the revolution and the people.

Therefore, we are not choosing those with an attractive physical appearance and who know how to decorate themselves in a modern, imperialist fashion, or the sons or daughters of wealthy families, or those with high education acquired from Sangkum Reastr Niyum, or wonderful conversationalists, or comrades honored with pistols or rifles, or high-ranking persons.

So far, in our revolution, there have been some comrades who have not understood the revolutionary view toward family building, and married their spouses according to their own passion. Some did it through the old view.

For example: The men chose white-skinned and beautiful women, or daughters of the rich, or women with high education acquired in Sangkum Reastr Niyum.

Female youths chose men who have pistols, wear modern clothes, are talkative, have certificates from the old regime (Sangkum Reastr Niyum), or have a high rank in the revolution. Based on such a wrong view, some of them unknowingly married bad elements, which is a disaster to the party, the revolution, and themselves.

The consequences of improper family building

As you all know, our enemies—the U.S. imperialists and their traitorous satellites, and the reactionary feudal capitalists—have failed in all their attempts and have no possibility of rising up again. The military attacks of the U.S. on us failed. Its economic measures against us were also ineffective. Thus, it cannot break us from outside. As a result, the enemies, including strategic enemies, tactical enemies and class enemies,

who are still living in the liberated zones, are organizing plans to attack us from within by adding more and more forces to burrow and destroy us from within and breaking family ties. Having family relationships as a tool, they persuade us to break away from the revolution and then turn against the revolution, or betray the country and the people to benefit their families and protect their social class.

This situation is real. Our enemies are busy planning their evil tricks to be carried out against our revolution and in liberated regions. Therefore, our male and female youths must pay more attention and be careful in building a family. If we do not respect organizational discipline and the collective, take a firm hold of the revolutionary stance, and are too free in unacceptable sexual relationships, we will be unable to build a good family in conformity with the revolutionary guidelines.

In some cases, their spouses are secret agents. For example: in some places, our comrades in authority marry the sons or daughters of capitalists or feudal landowners. When persuaded through family affections, our comrades begin to favor capitalism and move away from the revolution. When they have conflicts between the party's line and the benefits of the feudal landowners or capitalists, obviously these comrades will act in favor of them, more or less, and violate some party guideline.

Another example: In one place, the enemies sent a pretty female spy to lure our military cadres. One of them, who was morally weak, secretly fell in love with her without the knowledge of Angkar. Later on, seeing that this comrade was fond of her, she began to provoke him to hate other cadres and cause troubles in many units, ceaselessly. Unconsciously, that comrade believed in her, supported every piece of information she invented and spread it to others, causing disorder in the military, and worse, destroying internal solidarity between the military and the base. At last, she brought

our comrade to defect to the enemies.

All of these events have been occurring in the military, in the government and in the youth units.

The bad consequences resulting from inappropriate family building, disobeying organizational discipline, failing to stick to the revolutionary stance, and many other factors can be disastrous to the party, to the revolution, and to the individuals involved. When one marries a bad element, he or she works less intensely for the party. Some people even requested to leave the party and the revolutionary movement, which is flourishing and winning enormous victories. Thus, these people's future will be pitch black.

Educating the Family after Marriage

We have to make it clear that each family is a part of the great revolutionary family. Accordingly, husband and wife are members of the party and participants in the movement. In order to make our families good revolutionary ones that are able to fulfill the tasks set forth by the party, the revolution and the people, now and in the future, the people must understand the political stance, ideology and organizational discipline from this moment on. Do not leave your wives at home to do the housework and raise children like in the old regime. Furthermore, as a husband, one has to pay much attention to educating his wife in conformity with the party's line but, most importantly, hand her to Angkar and the collective to help educate her. And, the husband must allow her to take part in various types of work with the people, the masses, so as to improve her morality in the revolution.

Definitely avoid such actions as not permitting her to participate in labor with the people by being concerned about exhaustion, losing her looks, or considering your wife as a special person who only you can educate. Avoid educating your wife based on personal feeling. Due to previous experience, educating your wife with a personal view does not result in much. Only by handing your wife to Angkar and the collective,

to help educate her, and allowing her to participate in the work force, can you build a good family.

When she becomes your wife, you could leave her alone at home without educating her about the revolution. Even worse, you could spoil her because of your affection for her and personal feelings. Some women, when they were living with their parents, were good. But when they become wives, their personalities change to arrogance, like the wives of senior governmental staff in the old regime. This will result in damaging the power of the party, the revolution and the husband, which lead to the loss of the masses' confidence in the country's leadership.

Therefore, our youth must understand well about the aim of educating the family.

The Roles of Our Revolutionary Youth and Family Building

The party has never prohibited family building, but our youths must have a clear perspective on it. Most importantly, our youths must be aware of the heavy revolutionary responsibility. Our youths must understand it is an honor for them that the party places her trust in them and dares to give heavy, but indispensable, revolutionary tasks to them to fulfill.

As you all know, the Communist Party of Kampuchea (CPK) has been leading our country, the people and the youths in launching a national and democratic revolution, which drove the U.S. imperialists and its satellites away, and defeated the traitorous Lon Nol, Sirik Matak, Son Ngoc Thanh, and In Tam, the symbols of reactionary feudal capitalists and satellites of the U.S. imperialists. Then we began to build socialism and communism to create a society in which human beings do not persecute one another.

Thus, we have a long time ahead of us to work hard. Our youths have the obligation to succeed us in the next generation and to continue to carry out our plan until it is finally accomplished. Therefore, they must prepare themselves from now on in order to

succeed us in leading the revolution and building the nation. Most importantly, they must work hard to execute all tasks in the revolution while they are still young and energetic. As a result, their revolutionary attitude in all sectors—politics, ideology and assignment—will be strengthened. This fortification will ensure the persistence of our nation's colorful revolution.

In this dry season, the CPK is leading the country, the people and the youths in attacking the enemies. These attacks are historic. In the forefront, we are attacking the enemies fiercely, causing them to fail even more until they fail completely. At the rear, we must work at full force in the field to change the living conditions of the people in the bases and strengthen and widen collectivization. At the same time, we must push and work hard on the mission of building revolutionary forces in all sectors, especially the Communist Youth Party of Kampuchea, an important factor in strengthening the cooperation between workers and peasants, so that these youths are suitable for their role as the right hand of the party.

This is the biggest opportunity for all of us as communists, especially the youths, to participate in the work force and temper ourselves in these three big movements. Therefore, our youths must eliminate completely incorrect views toward family building, such as moral offenses, eagerness to marry too young, disobeying organizational discipline, or ignoring the collective advice on family building. We must be aware that families can be built at all times, but each person has only one youth. If we just allow it to go past uselessly, it will not come back and in the end we will be regretful.

Please, all of our revolutionary youths, grasp this rare opportunity to participate in the three big offensives to be launched in this dry season in order to accomplish the dry season's plan and other plans in the future for the party, the revolution and the people.



Cambodia's 1976 Elections

Sophearith Chuong

On March 8, 1976, the Khmer Rouge held a meeting attended by Comrade Secretary (Pol Pot), Comrade Deputy Secretary (Nuon Chea), and Comrades Hem (Khieu Samphan), Doeun, Sreng, Hang, Sot and Touch. The meeting's agenda was the election to be held on March 20, 1976 and the situation in the north (offices 109 and 103).

Comrade Hem reported to the meeting the on principle of the election, issues relating to the election, how the election should be carried out, representatives' characteristics, and how to launch the campaign.

At the same time, Angkar focused on the political benefits of the election, how to carry out the election of the People's Representative Assembly, and the election campaign. Angkar emphasized, "In the past, there were two constitutions, the King's constitution of 1947 and the constitution of the traitors (Khmer Republic). Now we have our own constitution, and what's more, we are setting up the People's Representative Assembly. This is a legal preparation to put the old regime to an end. In fact, we have ended it already. But we need to do it in a legal way. Therefore, we will have a people's assembly, which acts as lawmaker [legislature]. This organization will then create a new government, which we call the law enforcement body. Once we do this, the old regime will be completely forgotten. This is the national and international political meaning of the election."

Regarding the election proceedings, Angkar mentioned, "We are not going to organize an election in a capitalist manner. Instead, we will conduct it in an absolute peasant way. However, we need to carry it out smoothly, so that the enemy will not take this

opportunity to attack us. Moreover, the world is watching us. We want to show the world that we have won, but we are not arrogant; we act modestly inside and outside the country."

Angkar also emphasized the tasks of the election commission, the requirements for candidacy, which bases had to understand procedures thoroughly in order to explain the election to the masses, and elections in large rural work sites, factories, and the military. Armies in bases, zones and regions, and night guards were regarded as farmers. Thus, there were no separate elections for them. The representative of the military was chosen from the top ranks.

As for the People's Representative Assembly, Angkar added, "It is different from the old assembly. Our representatives live close to the people, work with the people and help solve the problems of the people. They leave the people only when they are invited to attend meetings once or twice a year or to join some special meetings. In addition, we are creating a standing committee of the assembly to work on a daily basis in Phnom Penh."

For the campaign, Angkar mentioned, "If someone asks [about the election], we have to answer politely; do not act in a way that might cause people to perceive us as oppressive. At the same time, do not chat about the assembly with the people, which may imply that we are flippant and the assembly does not have any value. Explain to the internals that being a representative is not about rank or reputation. Try to avoid these, so that solidarity is not lost."

Sophearith Chuong is a staff-writer for Searching for the Truth.

List of Prisoners Smashed at S-21 (Tuol Sleng)

Compiled by Nean Yin

(Continued from the February 2002 issue)

No.	Name	Role	Place of Arrest	Date of Entry	Date of Execution	Others
132	Ou Sa, aka Sarin	General Population	Region 25	July 18, 1976	February 22, 1976(?)	
133	Ka Im	Spy	??	??	March 2, 1976	
134	Khuon Chann	Corporal	??	??	March 5, 1976	Died of illness
135	Pao Houreak	Student	??	??	March 8, 1976	
136	Suong Chheng	Representative	??	??	March 14, 1976	Died of illness
137	Sim Chheang	General Population	??	??	March 19, 1976	Died of illness
138	Um Soeun	Private	??	??	March 19, 1976	Died of illness
139	Khoem Neou	General Population	??	??	March 26, 1976	Died of illness
140	Meas Siho	General Population	??	??	March 27, 1976	Died of illness
141	Um Bobby	Teacher	??	??	March 28, 1976	Died of illness
142	Sa Khom	Private	??	??	March 29, 1976	
143	Yuos Meng	First Lieutenant	??	??	March 29, 1976	
144	My Muniratanak	First Lieutenant	??	??	March 29, 1976	
145	Chum Savat	Private	??	??	March 29, 1976	
146	Tes Vannsy	Sergeant	??	??	March 29, 1976	
147	Dy Chhut	Private	??	??	March 29, 1976	
148	Mut Samet	Private First Class	??	??	March 29, 1976	
149	Chea Mao	Private	??	??	March 29, 1976	
150	Nguon Akta	MP Medic	??	??	March 29, 1976	
151	Im Sokhun (F)	Military Secretary	??	??	March 29, 1976	
152	Long Morakatt (F)	Financial	??	??	March 29, 1976	Long Boret's line
153	Long Neary (F)	Student	??	??	March 29, 1976	Long Boret's line
154	Kim Phary	Student	??	??	March 29, 1976	
155	Kim Song	General Population	??	??	March 30, 1976	Died of illness
156	Kim Ketsamny	??	??	??	March 30, 1976	Catholic
157	Kim Sovannara	??	??	??	March 30, 1976	Catholic



158	Long Vanyroath	??	??	??	March 30, 1976	Long Boret's line
159	Ou Dalin (F)	Daughter of Ou Lon	??	??	March 30, 1976	
160	Ou Pideng	Son of Ou Lon	??	??	March 30, 1976	
161	Ou Pun	Son of Ou Lon	??	??	March 30, 1976	
162	Long Viyada	??	??	??	March 30, 1976	Long Boret's line
163	Long Vatana	??	??	??	March 30, 1976	Long Boret's line
164	Long Barmey	??	??	??	March 30, 1976	
165	Im Saom	Private	??	??	March 30, 1976	
166	Mour Pech	Combatant	??	??	March 30, 1976	
167	Tao Kim Huy	Combatant	??	??	March 30, 1976	
168	Thach Chea's 4 Children	??	??	??	March 30, 1976	
169	Nang Keo (F)	??	Region 33	April 7, 1976	??	Laotian
170	Nang Dav (F)	Wife of Cheureunsub	Region 33	April 7, 1976	??	Laotian
171	May Cheureunsub	Mechanical Engineer	Region 33	April 7, 1976	??	Laotian
172	Thau Bunthary	Aircraft Engineer	Region 33	April 7, 1976	??	Laotian
173	Ke Vallra	??	Region 22	??	April 8, 1976	Indian
174	Muhamad	??	Region 22	??	April 8, 1976	Indian
175	Ke Soda	??	Region 22	??	April 8, 1976	Indian
176	Isma Y	??	Region 33	??	April 8, 1976	Indian
177	Mogama Douyitriya	??	Region 33	??	April 8, 1976	Indian
178	Ajiph Sarabiby (F)	Cattle Raiser	Region 25	??	April 29, 1976	Indian
179	Kim Dat	Cattle Raiser	??	April 11, 1976	??	Pakistani
180	Asukhannran Brahim	Student	Region 25	April 11, 1976	??	Pakistani
181	Me Dam	Cattle Raiser	Region 25	April 11, 1976	??	Pakistani
182	Abdullah	Cattle Raiser	Region 25	April 11, 1976	??	Pakistani
183	Kong Sen	Cattle Raiser	Region 25	April 11, 1976	??	Arab
184	Nasy Assmatt	Cattle Raiser	Region 25	April 11, 1976	??	Pakistani
185	Kim Karin Yabou	Import & Export	Region 25	April 11, 1976	??	Indian
186	Sa Fa	Cattle Raiser	Region 25	April 11, 1976	??	Arab
187	Sa It	Cattle Raiser	Region 25	April 11, 1976	??	Pakistani
188	Hassan	Cattle Raiser	Region 25	April 11, 1976	??	Pakistani
189	Karim	Trader	Region 25	April 11, 1976	??	Pakistani

(Continued in the April 2002 issue)

Nean Yin is the team leader of the Microfilm Project of the Documentation Center of Cambodia.

Historical Treasure:

Khmer Rouge Documents Discovered in Rumduol District, Svay Rieng Province

Rasy Pheng Pong

In addition to working as a farmer, Suos Saran was employed as a worker in his home village of Prey Keav in Kampong Chak subdistrict, Rumduol district, Svay Rieng province. About ten days before the Pchum Benn Day of 2001, he was hired to carry soil to fill an area in front of the house of Hing Phun and his wife, Khoem Samheng, for a fee of 2500 riel per cubic meter. When digging up the soil, he discovered three American-made ammunition containers buried together about half a meter deep in the ground. When he opened the three containers, he found that two were empty. But the third contained tightly wrapped documents enclosed in a plastic bag. Despite being illiterate, he was certain that these documents belonged to the Khmer Rouge. After a quick examination, he gave the three containers to the landowner

and took only the plastic bag to cover the bottom of his earth-moving baskets.

Hing Phun and his wife gave the documents to the village chief for safe keeping. The three rusty, corroded containers were piled up against the kitchen wall of the village chief's home.

The documents were housed in simple notebooks decorated with a dancing angel on the cover, a symbol of grace and beauty. A careful inspection revealed that some of the documents were lost due to exposure to the elements. Some of the pages on the outside were damaged, but most on the inside were in good condition.

Inside the notebooks were the names of prisoners awaiting execution. Many prisoners on the lists were interrogated before being sent to the execution sites. In



A bullet boxes holding the Khmer Rouge documents

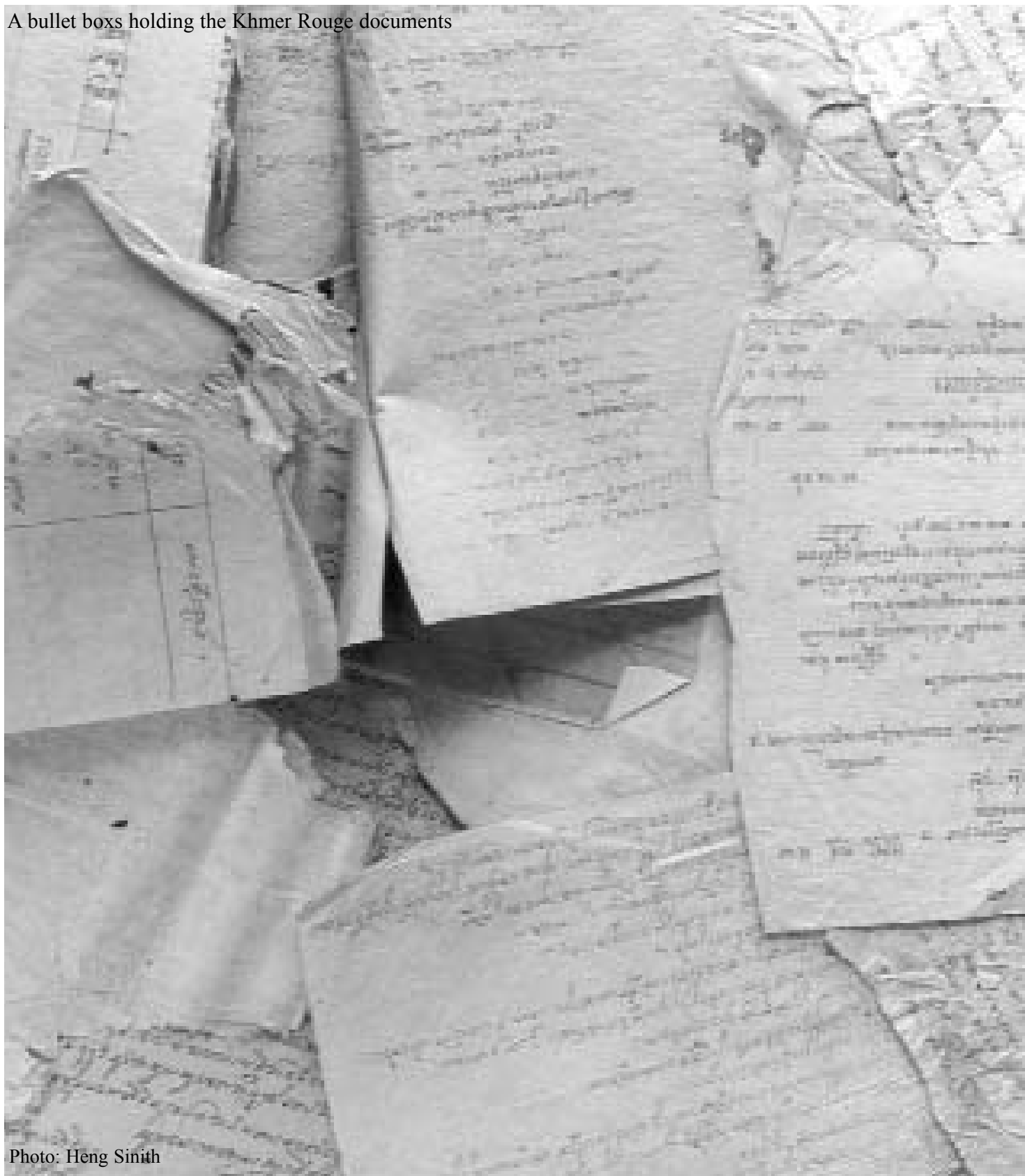


Photo: Heng Sinith



In addition to these books were lists made on A4 paper and other documents that contained the minutes of meetings, programs, reports, and confessions officially signed by the prison warden, interrogators and witnesses in the interrogation rooms. The names of many Prey Keav villagers were on the lists. Some people in Prey Keav village expressed their sadness, saying that these documents reminded them of their lives under the Pol Pot regime.

Peou Run reported that most of the names on the lists were those of people arrested from Bosman and Thnathnung subdistricts, Rumduol district. While he did not mention any specific names, he cited the reasons for many of the arrests: the accused had stolen cows, had been drunk or had robbed.

Hundreds of pages of the documents were clearly identified as being prepared in a security office located inside Bakrong Pagoda, Svay Chek subdistrict, Rumduol district. Peou Run said these documents led to the arrest of innocent people. In reference to them, he recalled that many prisoners were escorted past his house on their way to the security prison. Those prisoners were interrogated outside the security building, under two big trees located approximately 30 m from where the documents were discovered.

The house where Hing Phun and his wife live today was where Khmer Rouge security units were housed during the regime. Khoem Nara, a younger sister of Khoem Samheng, added that security units also stayed at several nearby houses. Khoem was a member of the cooperative women's unit in Prey Keav village, Kampong Chak subdistrict. She saw many captives brought there to be interrogated, but she had never witnessed an interrogation. She did, however, hear distressing cries for help that indicated the extreme physical pain the prisoners were in.

Villagers recalled three men who worked at the security office. One was a man named Kan who interrogated prisoners under two trees near the house. The people of Kampong Chak subdistrict described Kan as the only individual who inflicted unbearable torture on the prisoners. Another, named Ek Saren, alias

Nam Saren, was a ferocious cadre whose responsibility was to tie up prisoners. Last, Sao Saret was the chief of a security office in Bakrong Pagoda; he supervised all activities carried out in the prison.

At the end of 1977, an event occurred that caused chaos throughout Svay Rieng province: the beginning of the hunt for those who worked for Sao Phim, the secretary of the Eastern Zone. The majority of Svay Rieng residents, as well as those living in Rumduol district, were evacuated to Pursat province as a result of the hunt. Most Eastern Zone Khmer Rouge cadres were executed or escaped in panic. Khoem Nara and Khoem Samheng felt that the reason the documents were placed in the ammunition containers was to hide evidence of the crimes of Eastern Zone cadres.

Sao Saret, Ek Saran, Kan and other people like Chan Ieng were all killed by the Southwestern Zone Khmer Rouge in 1978. The Southwest Zone then assumed control of the Eastern Zone.

When the Khmer Rouge was overthrown by the armies of the Khmer People's National Liberation Front (KPNLF) in cooperation with Vietnamese Army in

January 1979, the people in Kampong Chak subdistrict took the opportunity to escape from the war. Khoem Nara revealed that the Vietnamese Army camped at the security office of the former Eastern Zone Khmer Rouge, the spot where the documents were found. Many trenches had been dug for defense in this area. After the Vietnamese soldiers withdrew, people returned to their homes and have made new lives for themselves as farmers.

Many other records of the Khmer Rouge regime have been found as a result of extensive, thorough research. About 600 pages of prisoner records and confessions have been found that demonstrate the killings and torture inflicted in the eastern part of Cambodia. Given the recent withdrawal of the United Nations from the negotiations on establishing the Khmer Rouge tribunal, these recently discovered documents might help them to reconsider their decision.

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

A Job Done in Exchange for Survival

Vannak Huy

“I did not wish to work in S-21. I did not want to wait for death. Every day I saw the misery of the prisoners and my peers, who were tortured and killed. I wanted to escape from this place, but if I had done so my family would be murdered.” Saom Met



Saom Met (2002)

Saom Met was a guard at S-21. He told me that he had never discussed his experience at the prison with any journalist before.

Village cadres coerced Saom into joining the revolution in 1973 at the age of 15. He first became a combatant in Division

12, which was part of the regime's Special Zone. In mid-1974, when Division 12 was fighting on the battlefields of the Mekong River, Basac River and Ka-am Samna, Met became a messenger for Ta Nath, the division's secretary. After liberating Phnom Penh on April 17, 1975, Division 12 was changed to Division 703, and was placed under the command of the military's General Staff. Saom then served as a military messenger for many of his battalion's committee members.

In 1975, the chief of Division 703 assigned Saom to study military tactics at the Division 703 technical school in Takhmau. In 1976, Ta Nath was named as an assistant on its staff. Ta Nath chose some of the messengers from the Division to work at S-21. (Ta Nath's original

name was In Lorn. He was executed at S-21 on December 25, 1978 after being accused of conspiring with the Vietnamese. His confession is stored at the Documentation Center of Cambodia.) Saom was among them; he was told to guard the “special prison” or “Dam Pheng Prison,” which was located near Phsar Thmei market. Saom noted that this prison was under the control of S-21. This minimum-security facility was mainly used to temporarily detain prisoners committing minor offenses, although some of its prisoners, who were thought to have committed serious crimes, were sent from this prison to S-21.

In 1977, Duch, the chief of S-21, assigned Met to guard prisoners at S-21 under the supervision of Peng. Among his duties was bringing food to prisoners. In mid-1977, Saom saw Phy, the secretary of a battalion in Division 703, being arrested; he was then sent to S-21. During the war, Saom had worked as Phy’s messenger. He said that he could do nothing to help Phy. About two weeks later, Phy was executed at Boeng Cheung Ek (today known as the “Killing Fields”).

Saom recalled that he once inadvertently allowed a prisoner to escape S-21, when he allowed him to defecate alone. Khim Vat, called Hor, the prison’s deputy chief, incarcerated Saom for this negligence. Saom echoed Hor’s threatening words: “You caused the prisoner to escape, now you sleep in the cell for him.” A week later Hor released him after the prisoner was recaptured. (In 1979, Duch shot Hor to death when they were escaping to the Thai border, after the Vietnamese entered Phnom Penh.)

After mid-1977, Saom saw many combatants and cadres from Division 703 being imprisoned in S-21. Their arrests occurred at the same time the Khmer Rouge were busy fighting the Vietnamese along the border. He continued that during that time, even combatants of S-21 were disappearing. Witnessing the atrocities in the prison, he wanted to run away to Vietnam. Saom said, “If I had escaped from the prison, I could survive, but not my family.”

In 1978, Saom’s older brother, Saom Meng, was arrested and sent to S-21. Him Huy, the deputy chief of

the prison’s temporary guard, told Saom Met about the arrest. Him advised Saom not to be disappointed and to work harder so that Angkar would not notice him. Soon after, Angkar investigated Saom’s biography and forced him to take on intensive work in Prey Sar. There, he farmed with a children’s unit until the Vietnamese soldiers arrived.

Prey Sar was also known as S-21 K or Office 24. This prison was a division of S-21 and was under the supervision of Nun Huy, known as Huy Sre. Prey Sar grew food to support S-21 and its divisions. It was also used to hold young men and women who had committed minor offenses. If they did not refashion themselves, they would be sent to S-21.

In 1980, the government of the People’s Republic of Kampuchea and Vietnamese specialists rounded up some of the former staff members of S-21 for “correction.” Saom was not among them; he asserted that it was because he was just a simple youth. In the same year, he was married. He told his story to his wife and to some villagers in informal meetings with local drinkers. He said some people cursed and insulted him when they learned about his past.

Saom is eager to see justice for the victims of the Khmer Rouge: “I want a prosecution of the Khmer Rouge leaders. I believe the sooner the tribunal is created, the faster the people will stop being suspicious of my past experience.” He wants full freedom in his daily life.

Brief biographies of S-21 cadres stored at DC-Cam showed that Saom Met was born in 1957 into a poor peasant family. His father was Saom Sok and mother Uk Nan; they had six children, all males. Before joining the revolution, he made a living by producing Khmer noodles and bartering rice for tools, while during the revolution he was a soldier. “Before the joining the revolution, I had not conducted any political activities,” said Saom.

Vanak Huy is a supervisor of DC-Cam’s Publication Project. He is also the author of Khmer Rouge Division 703: From Victory to Self-destruction.



(Continued from the February 2002 issue)

The Chinese and Vietnamese blended Soviet notions of implacable revolutionary justice with ideas of redemptive “thought reform” or “reeducation” that had roots in pre-revolutionary China and Vietnam, but very little resonance in Cambodian history.

Drawing on this tradition, the Chinese and Vietnamese pursued what Peter Berger and Thomas Luckman have called a “therapy” strategy to deal with deviants, as opposed to that of “nihilation” pursued in the USSR and later at S-21. In all four countries prisoners were expected to confess fully and openly to accusations, reassessing their past to harmonize with the requirements of the Party. They were also supposed to express profound remorse. Redemption, however, was difficult to obtain and seldom complete. The characters of those accused of counterrevolutionary activities were permanently stained, but after “rectification,” far fewer victims were killed in China and Vietnam than in the USSR. Instead, thousands of “enemies” spent long periods in prison.

In the closing months of 1978 Cambodian officials at S-21 toyed with the idea of adapting a similar strategy, perhaps in line with the amnesty offered by Pol Pot to former “enemies” earlier in the year. A document from Office 870, as the Central Committee was called, promised leniency to people who had “joined the CIA, done work for the Vietnamese, or entered the KGB” before 1975; those who had offended later would be judged on a case-by-case basis.

In 1978, perhaps reflecting this change of tactics, S-21 was referred to in some confessions as a “reeducation hall” (sala kay pray), the name used at the time by provincial prisons in DK. According to Pon’s notebook, a policy was inaugurated in October 1978

not to beat Cambodian prisoners, instead reserving the fury of *santebal* for “foreigners such as Vietnamese, and CIA agents of imperialist powers.” According to Vann Nath, the number of prisoners held at S-21 dropped sharply at about that time, following celebrations honoring the CPK’s eighteenth birthday. His memory is corroborated by S-21 entry statistics for October and November. The cells reserved for senior cadres were cleaned and repainted, and rules affecting the prisoners were generally relaxed. Pon claimed in his notebook



Voices from S-21
Chapter Five: Forcing the Answers
David Chandler

that confessions could now be extracted without beating from “80 percent” of the prisoners, but added that if political approaches failed, interrogators could still “rely on beating.” In December he wrote, “Instead of not beating them at all, beat them only a little bit at most”. The new policies were not framed in terms of previous errors, and those who had presided over the massive violence of 1977 at S-21 remained in power.

In a case from December 1978, an interrogator referred to the reforms in his notes attached to a confession:

As for [the prisoner], when I first did politics with him

he was willing to talk, but he said he had entered the CIA [only] in 1977. For two days he insisted on this story. After he had spoken and written all this down, right up to 1978, he said he had not betrayed the Party. At this point I took him up [close] to me and pointed out to him the Party’s new line about helping [prisoners], and then I threatened him and said if he didn’t speak I would beat him. At that point he agreed to continue telling his story.

No documentation survives to explain the motivation for the reforms, and because the prison closed soon afterward, it is impossible to say whether these reforms

might have foreshadowed wider ones, conceivably involving the “reeducation” and release of some of the prisoners. For the remainder of the prison’s existence, however, death sentences remained in effect, and the prisoners held at S-21 on the eve of the Vietnamese invasion were murdered on the spot. Pon’s December 1978 entries, the last in his notebook, close by asking: “If it’s necessary to break a particular person, should we use a special torture, special interrogators, or different methods?” Five months earlier, his immediate superior had posed the same question in his notebook, suggesting that interrogators must be “experienced,” that beating should coincide with other “work,” and that the prisoner’s health should be taken into account. Chan closed his notes by asking: “Should an interrogator beat [a prisoner] with his hands?” His answer was, “If it must be done, a little will suffice.”

Ironically, although thought reform and other Sino-Vietnamese notions of redemptive justice found few echoes either in prerevolutionary Cambodian culture or in DK, it seems likely that the merciless procedures used at S-21 came to the country through a Chinese official who had observed the Moscow trials in the 1930s, rather than through Vietnam or directly from the USSR.

This official was K’ang Sheng (1898-1975), who had masterminded the Chinese reeducation campaign at Yan’an in 1942 and 1943 and the more sweeping national purges of the 1950s. K’ang Sheng was the head of Mao’s secret police. After becoming the head of the Chinese Communist Party’s security and spying operations in the Kuomintang-controlled areas in 1931, he had lived for several years in the USSR, where he had studied Soviet security and interrogation procedures, and observed the beginning of the purges. Using his Soviet contacts, K’ang himself saw to it that several expatriate members of the CCP were purged. When K’ang Sheng returned home in 1937 his experience proved useful and pleasing to Mao, and he was probably responsible for introducing Soviet purge techniques to China. During World War II K’ang Sheng took charge of the Chinese version of *santebal*; he became known at the time as “Mao’s pistol,” and the 1942-1943

“rectification” and “rescue” purges he supervised were especially vicious and thorough. When they were over he admitted that fewer than 10 percent of those who had “confessed” were genuine spies or enemies.

Emerging from semi-retirement in the 1960s, “venerable K’ang” became a senior ideologue of the Cultural Revolution, closely allied with the so-called Gang of Four, and involved in the purges that swept through the Party in 1967 and 1968. When he died in 1975 he received a full state funeral. Five years later, with the downfall of the Gang of Four, he was posthumously expelled from the Communist Party.

A former Chinese official who has been involved in Cambodian affairs since the early 1960s has said that K’ang Sheng had befriended Pol Pot when the latter (as Saloth Sar) visited Beijing in 1966. At the time K’ang was in charge of liaison with foreign Communist parties and is known to have favored those that appeared to be sympathetic to Chinese attacks on Soviet “revisionism.” During Saloth Sar’s visit, K’ang Sheng became a key member of the Case Examination Committee (later renamed the Central Case Examination Group), a secret entity established in May 1966 to “manage the purge of senior counterrevolutionary revisionists.” Although there is no way of telling whether Saloth Sar learned about the facility from K’ang Sheng then or later, it may well have provided an institutional model for S-21.

K’ang Sheng and Saloth Sar probably renewed their acquaintance on the Cambodian’s subsequent visits to China in 1970 and 1971. When K’ang Sheng died in 1975, the Chinese official said, Pol Pot visited the Chinese Embassy in Phnom Penh to present his condolences in person. If this connection between Pol Pot and K’ang Sheng indeed existed, a plausible line of descent for S-21 can be established from Soviet security procedures and ideology in the 1930s and the Soviet-style Chinese purges later on.

Torture at S-21

Keeping these precedents and continuities in mind, we can return to the practice of torture at S-21 and the rationale given for torture by people working there. No records detailing the frequency of torture at the prison have survived. To study the phenomenon,



we must rely on the scattered memoranda that passed between interrogators and their superiors, supplemented by interrogators' confessions, marginal notes that appear on some confessions, three study texts written by S-21 officials, and the interrogators' notebook compiled in 1976.

These documents clearly do not reveal the full range of tortures that were inflicted on prisoners at S-21. They also give no clear idea of the frequency with which torture was applied, of any policy developments affecting torture, or of the duration and intensity of the tortures that were imposed. It seems likely that the administration of torture, like everything else at the prison, became routinized as the "system" evolved over time, as interrogators overcame their initial hesitation, and as some methods of torture came to be preferred over others.

By the middle of 1977, as we have seen, S-21 was running relatively smoothly. With a year's experience

of trial and error, interrogators had become more adept at both "doing politics" and inflicting torture. They certainly had a clearer idea of what kinds of documentation satisfied their superiors, what tortures "worked," and how prisoners and their confessions could be "processed" expeditiously. As time went on, interrogations became swifter, and confessions became shorter. Increasingly, confessions were tape-recorded and the transcriptions typed. Elaborate summaries were then drawn up to connect confessions, military units, geographical regions, and "strings of traitors." How the wholesale bureaucratization of procedures at the prison affected the frequency or intensity of torture, however, is impossible to say, although we know that torture and beatings continued apace in 1977. The photographer Nhem En remembered "lots of screaming, especially at night, when there was no noise in Phnom Penh. The cries were so loud that we could hear them from half a mile away." In a similar vein, the



**A torture fashion inflicted at S-21.
Artist: Van Nath, a former S-21 prisoner.**

former guard Khieu Lohr told Alexander Hinton: “I could hear screams, but no words. Sometimes everything went quiet. “ Kok Sros, interviewed by Douglas Niven, said he heard people screaming under interrogation “every time I went on duty” and also “whenever a prisoner disobeyed a guard.”

The cries of people being tortured were treated at the time as an administrative problem that compromised the secrecy of the prison’s operations. “Problem of political education,” Tuy wrote in his notebook. “Sometimes the sound of prisoners being beaten can be heard outside [the prison].”

Often the interrogators’ zeal accomplished nothing. In many cases neither the prisoner nor the interrogators knew what crimes had been committed or what the prisoner’s often garbled admissions meant. A key feature of most interrogations was to ask prisoners abruptly why they had been arrested and then to beat the ones who said they didn’t know. Lacking information themselves, the interrogators resorted to torture, and, as Aristotle pointed out more than two thousand years ago, confessions that flow from torture often bear little relation to the truth.

Interrogators often lost control. The temptation must have been overwhelming when three young men, armed with heavy sticks, whips, electrical current, and other devices were locked in a room with a helpless, shackled, supposedly treasonous prisoner. “If violence is considered normal in a social collective,” Wolfgang Sofsky has pointed out, “it gradually becomes a binding norm.” Ma Meang Keng (alias Rin), a former interrogator, confessed that violence was a dead end and its own reward, as he recalled a deceptively relaxed conversation with his colleagues:

A fortnight later...the one named Noeun, the one named Sreng, and I were taking a break on the top floor of the canteen [at S-21]. At that time, Noeun said, “In [interrogation] group 1, all you hear everywhere is the sound of beatings, and [people] asking [prisoners] if they are ‘C’ [i.e., CIA] or not....With a question like that, what can anyone answer, if some of them don’t even know what ‘C’ stands for? You

never hear [people in] Group 1 ‘doing politics’ at all, all they think of is beating, and when all they think of is beating, the enemies answer confusingly, accusing this one, accusing that one. This is the weak point of Group 1.” The one named Saeng said that it was the same near where he was: all you ever heard were thuds and crashes and people screaming, “C or not C?” when they don’t know “C” chicken from “C” duck.

As this harrowing passage suggests, a balance between torture and politics was often impossible to achieve, especially when the interrogators had so little training in either politics or interrogation, so much administrative leeway, so much testosterone, and so much combat experience. “Doing politics” in DK, reversing Clausewitz, amounted to waging war by other means. Like the Red Guards in Mao’s China, the interrogators at S-21 had been taught that the Party’s “enemies” were to be “smashed” in “storming attacks.” They had also been told that they were the regime’s “life-breath” (donghaom). Emerging from bursts of overheated, haphazard training into the secret and supposedly rational world of S-21, they proceeded to “smash enemies” without hesitation, with their bare hands and a variety of weapons.

Prisoners’ comments about torture were rare. They were also unwelcome. For example, when Ney Saran wrote in his confession, “The answers I gave on 28.9.76 were given after I had been severely tortured, and I offer them with this in mind,” the passage was crossed out by Duch, who sent the document back with the notation: “You have no right to report on such matters to the Organization.”

(Continued in the April 2002 issue)

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Documentary Photographs

Kalyan Sann

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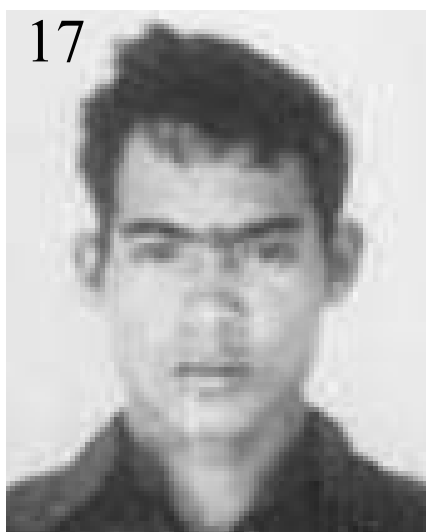
15. Tim Heng, age 19 in 1977, was a member of the guard unit at S-21. He was born in Tuol Kantuot village, Koh Thom subdistrict, district 18 (Koh Thom), Region 25. His father was Tim and mother Phlong Khun. He had seven siblings: four brothers and three sisters. He joined the revolution on November 23, 1974 and began working at S-21 in September 1975. He is now a resident of Kandal province.

16. Pev, originally from Division 703, was a guard and prisoner receiver at S-21. He was born in Saang Phnom subdistrict, Saang district, Kandal province. (Present status unknown.)

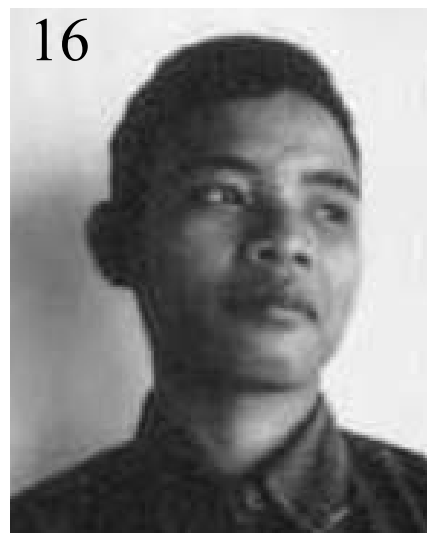
17. Yeu Matt (revolutionary name Chhan) was age 23 in 1977. A Muslim, he was a deputy chief of a hundred-member unit guarding S-21. His birthplace was Kampot village, Kampot sub-district, Kampot district, Region 35. His father's name was Yeu Sim and his mother's was Le Peul, called At. He joined the revolution in June 1971 and began working at S-21 in late 1976. In February 1977, he was detained at S-21. (Present status unknown.)

18. Sim Mel (revolutionary name Man) was age 22 in 1977. A Muslim-Khmer, Sim was born in Baren village, Svay Treal sub-district, Saang district, Kandal province. His father was Sas Kae and his mother was Kheah. Sim joined the revolution in April 1971. In August 1975, he began serving S-21 in an animal-rearing unit at Boeng Tumpun. In July 1976, he was transferred to an interrogation unit. In August 1977, he was sent to join in the agricultural unit at Prey Sar (S-21Kh). He was arrested on October 28, 1977 and smashed on April 30, 1978.

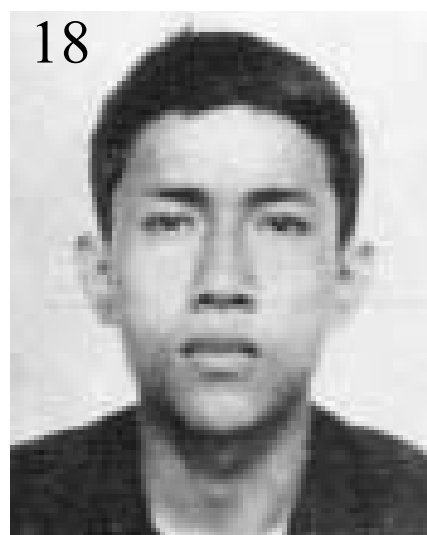
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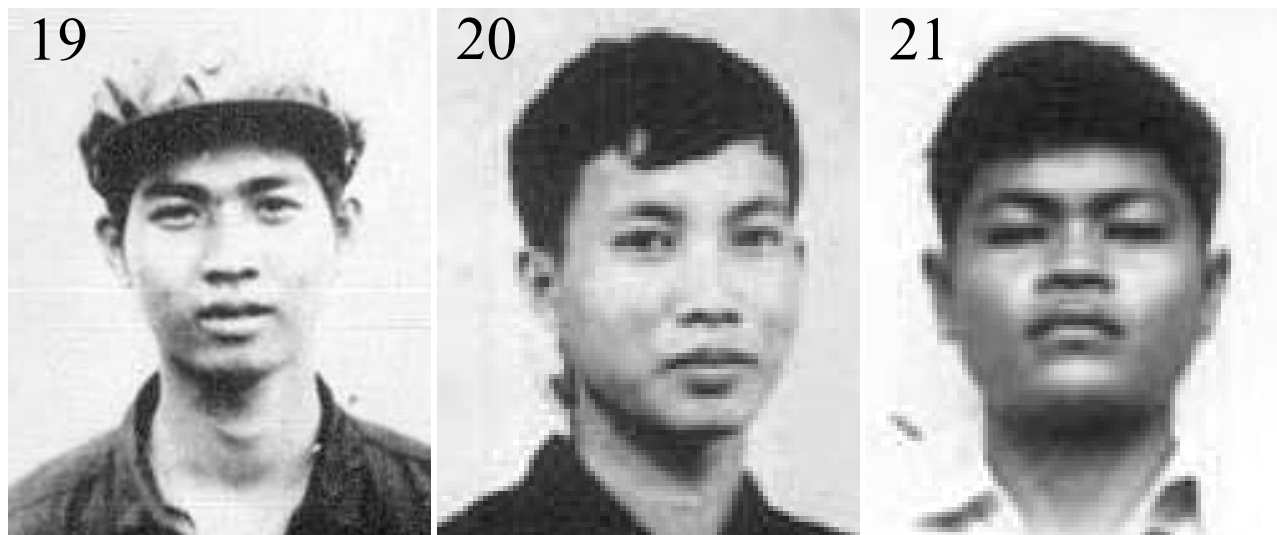
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18



19. Khork Sros (revolutionary name Sros) was born on July 16, 1950 at Prek Tatieng village, Chroy Takeo subdistrict, district 18 (Koh Thom), Region 25. He was one of the ten children (six males and four females) of Chakk Khork and Hun Lo. He joined the revolution on



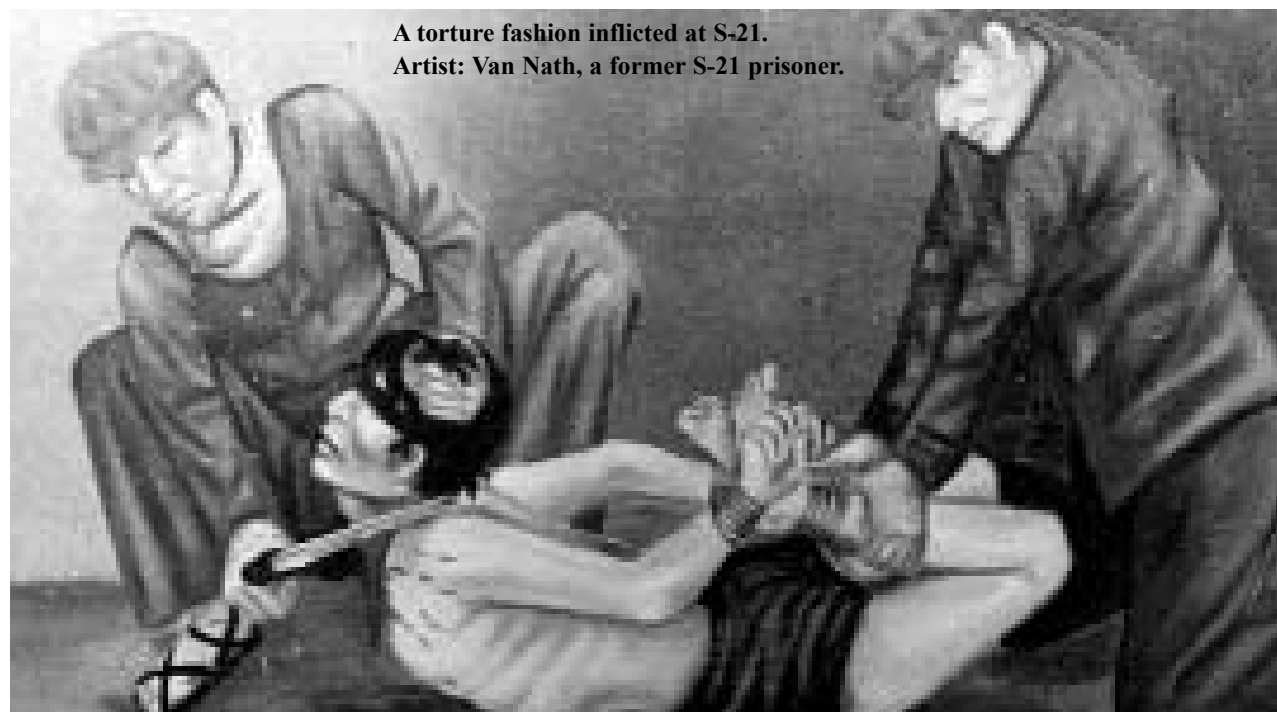
March 15, 1974 and began working as a combatant in the guard unit of S-21 on December 16, 1975. His education was grade 7 under the old education system. He is currently living in Kandal province.

20. Sry, a photographer at S-21, was subsequently arrested and detained in his own prison. (Present status unknown.)

21. Linh, a guard at S-21 who had been transferred from Division 703, was detained in S-21 in mid-1977. (Present status unknown.)

Continued in the April 2002 issue.

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



A torture fashion inflicted at S-21.
 Artist: Van Nath, a former S-21 prisoner.

East Timor's Special Panel For Serious Crimes

Suzannah Linton

(Continued from the February 2002 issue)

The KR Tribunal's formulation is that crimes committed by a subordinate do not relieve the superior of personal criminal responsibility if: (a) that person had effective command and control or authority and control over the subordinate, and (b) the superior knew or had reason to know that the subordinate was about to commit such acts or had done so, and (c) the superior failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators. This notably includes the important requirement that the superior must have "effective command and control or authority and control" over the subordinate, drawn from the Statute of the ICC. This means that the commander must have actual authority over those subordinates and have been able to prevent the crimes or punish his subordinates.

Superior Orders

In international law, two positions have arisen in relation to the question of superior orders (orders given by a military superior, a civilian leader or a government):

1. Superior orders are never a defense, but may be considered as a mitigating factor. This derives from the statute of the International Military Tribunal at Nuremberg (IMT), and is used in the statutes of the ICTY and ICTR. This reverses the duty on a subordinate who is faced with a blatantly unlawful order; instead of the duty to obey orders, he or she is placed under an obligation to disobey that blatantly unlawful order.

2. Superior orders may in certain limited situations amount to a defense. This derives from some World War II jurisprudence under Control Council Law No. 10, which moved away from the hard line of the IMT Charter when dealing with persons in subordinate positions (the accused at the IMT were all in leadership positions) and certain military manuals such as the

US Army Field Manual and the British Manual of Military Law. The ICC Statute takes this position.

There has therefore been a dispute about the elements of the doctrine of superior orders in customary international law. The drafters of both the East Timor and Cambodia legislation chose the first option. This is often criticized as being unrealistic in view of military organization and the importance that military discipline places on the need for subordinates to obey superior orders. The situation is particularly acute when subordinates are involved in highly pressured situations (e.g., active combat situations), which are not conducive to a process of mental reasoning by which they assess the legality of the orders given to them. However, it is not irrelevant that Cambodia's law is aimed at leaders; it is therefore in a position not unlike the IMT at Nuremberg, where the defense of superiors' orders was deliberately denied to the accused, who were all in a position of authority as the givers of orders.

In both East Timor and Cambodia, problems arise from the use of domestic law as an integral part of the internationalized domestic tribunal. In occupied East Timor, one could not be found guilty under Indonesian law if one acted in pursuance of superior orders in circumstances set out in Article 51 of the Indonesian Penal Code. In Cambodia, too, the 1956 Penal Code (Articles 99-101) provided that superior orders could amount to a defense in certain situations. It was therefore not criminal to act in pursuance of superior orders in both East Timor and Cambodia. But the drafters of Regulation 2000/15 and the KR tribunal law removed this defense, even for those crimes prosecuted under the relevant domestic law.

It has already been noted that international law has not been settled on the issues of superior orders as a defense, even in relation to crimes of universal jurisdiction. This raises a serious issue of legality, for

is silent on the issue of age, perhaps because all juvenile perpetrators falling under the law would now be adults, and in any event a child would be unlikely to have been a leader or one of those most responsible for the crimes committed by the Khmer Rouge under the 1956 Penal Code. When an accused was under 18 years of age, the court was obliged to examine the capacity for discernment, and punishment would vary according to the level of discernment. There is no minimum age of criminal responsibility under current Cambodian law, but it is argued that the Cambodian constitution incorporates international standards on juvenile justice, such as those set out in the Convention on the Rights of the Child, which defines a child as someone who is below the age of 18.

Procedure

The East Timor atrocity cases are processed in accordance with UNTAET's Transitional Rules on Criminal Procedure. These govern the conduct of all criminal proceedings, whether serious crimes or not. The procedure draws mainly from the civil law tradition, with influence from common law jurisdictions, as well as some of the provisions for the international tribunals and the ICC. An investigating judge specifically appointed to the Special Panels ensures that the rights of suspects are protected, and issues documents such as arrest warrants and exhumation orders.

The investigating judge is empowered to order detention for up to six months (with monthly reviews), but thereafter detentions must be reviewed by a panel of judges. Serious crimes indictments are filed at the district Court of Dili, and the cases prosecuted before the Special Panels. As already noted, appeals are to the Court of Appeals. Evidentiary rules are relaxed: all that is relevant and of probative value is admissible; this is subject to certain exceptions such as in sexual offense cases and confessions obtained by way of torture.

Cambodia's famously unsatisfactory criminal procedure will apply to proceedings under the Law on Extraordinary Chambers. The laws that will apply include the 1993 Constitution, UNTACT Law, and

the 1993 State of Cambodia Law on Criminal Procedure (SOC Law). In order to strengthen human rights protections for an accused, the Law on Extraordinary Chambers has attempted, through Article 35, to strengthen the core due process rights afforded to accused persons. This repeats Article 14 (3) of the International Covenant on Civil and Political Rights. The law also provides that the court may seek guidance in procedural rules established at the international level.

Without any indications of torture or improper pressure from the investigating authorities, many East Timorese who committed crimes during the 1999 violence have made admissions of guilt to the Special Panel. Before such a plea can be accepted as valid, Section 29A.1 of UNTAET Regulation 2000/15, which mirrors Article 65 of the ICC Statute, obliges the Special Panel to establish whether:

- (a) The accused understands the nature and consequences of the admission of guilt;
- (b) The admission is voluntarily made by the accused after sufficient consultation with defense counsel; and
- (c) The admission of guilt is supported by the facts of the case that are contained in:
 - (i) The charges as alleged in the indictment and admitted by the accused;
 - (ii) Any materials presented by the prosecutor which support the indictment and which the accused accepts; and
 - (iii) Any other evidence, such as the testimony of witnesses, presented by the prosecutor or the accused.

In sharp contrast, there is no such procedure in Cambodia for dealing with a guilty plea. What does exist is a clear tendency for confessions to be extracted during the investigation stage, particularly during police custody. The confession is contained in the dossier of the Judicial Police, which by law is considered authentic unless evidence to the contrary is shown. An accused who seeks to retract his confession at trial faces an uphill battle to convince the court to disregard the

confession. Many published reports about the Cambodian justice system have highlighted the use of torture to obtain confessions, the admissibility of confessions made to the Judicial Police as evidence of guilt, and the willingness of judges to accept confessions as the main, sometimes only, evidence of guilt.

Learning from the East Timor Experience

Despite the problems in design identified in the first part of this paper (see the previous two issues of Searching for the Truth), there was always much potential for the Serious Crimes Project to bring justice and accountability to East Timor. While an ad hoc

international tribunal was and continues to be the public's preferred option, some would argue that an internationalized domestic tribunal was perhaps the best that could have been done given the international community's decision to leave justice to Indonesia, the nation that occupied and brutalized East Timor for 24 years. To date, over 30 serious crimes indictments have been filed against more than 50 individuals. There have been 12 judgments delivered, out of which only one has been in a case prosecuted as a crime against humanity. There have been no acquittals and two cases were dismissed on jurisdictional or procedural grounds.

An official visit of East Timorese delegation to Democratic Kampuchea.



Ngo Pin

A Khmer Rouge cadre (interpreter)

Two final appeals have been delivered by the Court of Appeals. Several warrants for the arrest of indicted persons have been sent to Indonesia, but no one has been surrendered to stand trial in East Timor.

These figures do not tell the whole story, and were achieved despite tremendous odds. The Serious Crimes Project has had a troubled record, facing major problems that have prevented the fulfillment of that promise, and which have arguably caused further injustice to the people of East Timor. UNTAET chose to make East Timor an experiment in international justice. Apparently without considering, or without giving adequate consideration to, the resources that would be needed for implementation, it created a highly ambitious vehicle of justice with mixed panels of local and domestic judges prosecuting cases brought by a primarily international prosecution in the newly reestablished district Court



of Dili in one of the poorest nations in the world. Its subject matter jurisdiction and substantive law were virtually lifted from the ICC Statute. It created a specialist investigation unit under the control of the Office of the Deputy General Prosecutor for Serious Crimes, functioning independently from current crime investigations.

Since late 2000, international and local NGOs, members of the public, the media and even other UN bodies (e.g., the Security Council and the High Commissioner for Human Rights) repeatedly raised concerns about UNTAET's lack of meaningful support to the investigation and prosecution of serious crimes, the project's perceived ineffectiveness, and many aspects of the way that investigations and prosecutions were being conducted. The Serious Crimes Project came to be widely regarded as failing to bring justice to the people of East Timor and its performance (or rather, its perceived under-performance) was cited as grounds for the creation of an ad-hoc international criminal tribunal. UNTAET commissioned internal investigations, but inexplicably failed to act on recommendations that were made and permitted the situation to continue. This led many to conclude that justice and rule of law for East Timor were simply not priorities for the mission.

Fortunately, UNTAET has now started to address some of the issues that led to the weakness of the Serious Crimes Project. A new Deputy SRSG (Special Representative of the Secretary General of the United Nations) has taken an active interest in addressing the problems. The Serious Crimes Unit has now been removed from the control of the Ministry of Justice and comes under the supervision of the SRSG's office. Meaningful resources have finally been made available and offices are being opened in the rural districts of East Timor. Prosecutors are now permitted to supervise investigations directly. There is new leadership at the Ministry of Justice and in the Office of the General Prosecutor, including the Serious Crimes Unit. These are changes that are likely to bring

positive results, but it remains to be seen what can actually be achieved in the remaining months of the project's existence (UNTAET's mandate expires shortly, although the Serious Crimes Project will continue to be administered by its successor mission until mid-2003).

The recommendations and suggestions that follow in this paper are made in the expectation that there is a genuine will to establish a vehicle of justice that is worthy of the terrible sufferings of the Cambodian

people. With the KR Law in force but not yet implemented, there is still time for Cambodia to gain much from a closer look at the Serious Crimes Project. Lessons learnt, if applied, will certainly benefit the KR tribunal. In making the following comments, the author takes no position to whether the United Nations should enter into a memorandum of understanding. There is, however, no doubt that an enormous amount of international assistance, whether from the United Nations, donor countries or NGOs, will be needed if there is to be a chance of securing accountability for the crimes of the Khmer Rouge in accordance with international standards of justice.

(Continued in the April 2002 issue)

Suzannah Linton practices International Law and has worked on accountability for gross violations of human rights in many countries, as well as at the International Criminal Tribunal for the former Yugoslavia. She worked in Cambodia in 2001/2002, has published several legal studies on accountability for the Democratic Kampuchea era.



S-21 prisoner



S-21 Interrogator

Thoughts on the United Nations Decision to Cease Negotiations with the Cambodian Government on Establishing A “Mixed” KR Tribunal

Raymund Johansen

The United Nations has made a wise decision in pulling out of negotiations with the Cambodian government to establish a so-called “mixed tribunal” to try the former leaders of Democratic Kampuchea for the massive human rights crimes perpetrated under their regime. The only reason the Cambodian government originally approached the UN for assistance in bringing the KR leaders to justice was as a tactic in its end-game fight with the remaining KR forces. Once the Cambodian government cut deals with the majority of the former KR leaders and captured the holdout, Ta Mok, it began to backslide on its purported commitment to justice. After these events the Cambodian government found itself saddled with the idea of a trial, and as the United Nations in good faith continued to work towards justice for the people of Cambodia, the Cambodian government began furiously maneuvering to avoid the prospect of a trial for which it no longer had any use, and over which it could exert no control.

Then came what can only be described under the circumstances of the Cambodian judiciary as the harebrained idea of a “mixed tribunal” composed of the politically captive Cambodian judges and foreign judges appointed by the United Nations. (Make no mistake about it. The present judiciary of Cambodia must do precisely as they are instructed in any case involving the powers-that-be in this country. If they do not, they cease to be judges. It is that simple. Previously I was under the illusion that in the context of something so serious as the proposed Khmer Rouge trial, surely Cambodian judges would follow only the law. My personal experiences working with those who know the Cambodian judicial system well has thoroughly

disabused me of these notions.) Just to make sure that there would be no convictions, the Cambodian government did not approve of, the Cambodian judges would outnumber the foreign judges at all three levels of the tribunal. To cap it all off, we were told that any decisions would be subject to a “super-majority” provision that would supposedly grant the foreign judges a “veto” power by requiring that at least one of them vote with the majority for a binding decision. (What the proponents of this super-majority provision failed to mention was that a “draw” between the Cambodian judges and the foreign judges at any level of the tribunal would have the effect of an acquittal.)

International tribunals to bring to justice the perpetrators of massive human rights atrocities are required where the necessary political will to provide justice is lacking in the nation-states involved. A perfect current example is the former Yugoslavia. In contrast, where the political will to see that justice is done exists and the perpetrators are available to the domestic courts of the nation-state concerned, there is no need to establish an international tribunal to ensure that justice is done. The point to note is that either the political will exists or it does not, and where it does not, no amount of “international” participation or assistance will change that fact. In such a case, a truly international tribunal will be required.

There can be little doubt but that the necessary political will to bring the Khmer Rouge criminals to justice is, and has been, sorely lacking within the current government of Cambodia, whose main concern is the maintenance of its domestic power and the establishment of international legitimacy. The holding of a Khmer

Rouge trial under the current governing legislation is intended by this government to bolster the latter, period, and to do so while maintaining control over the results of that trial. In short, the Cambodian government wishes to have an illegitimate political show trial—a judicial song-and-dance—but with the stamp of international approval. The United Nations is one-hundred percent correct in refusing to associate itself with such a precedent. If the Cambodian government wishes to hold a Khmer Rouge tribunal over which it will have control, convicting and acquitting as it sees fit, it can do so alone. On the other hand, if the Cambodian government wishes to hold a tribunal over which it will exert no political influence, it is free to do that as well, and should then have the cooperation of the United Nations and the international community.

To those who protest that a tribunal without UN participation will have no international legitimacy, the answer is, “nor should it.” The objective of UN participation is not to give legitimacy to an illegitimate judicial process, but to ensure that the process is in fact legitimate. This is the key point that those presently decrying the UN decision to wash its hands of this mess seem to be missing. (At least one hopes that they are, and that the controlling concept of these officials is not that, since the Khmer Rouge leaders are guilty anyway, what difference does it make if they are convicted according to law or government fiat, just so long as most of them are found guilty.) A legitimate trial will not be possible under any scenario in which the Cambodian judiciary, as presently constituted and controlled by the executive branch, plays a role. To stage the kind of sham tribunal that will result under the present “Khmer Rouge Trial Law” will amount to nothing more than adding insult to the injury of those who suffered and died so horribly. Better no trial than that trial.

My personal experience of Cambodians is that they are survivors who have no illusions about their leaders’ main concern, which has always and forever

been the maintenance of privilege and power. This is why the vast majority of Cambodians have long been in favor of a truly international tribunal to try those responsible for crimes committed under the Khmer Rouge regime. The Cambodian government, with witting or unwitting help from foreign quarters, has been concocting an elaborate charade that will give the stamp of legitimacy to an illegitimate judicial process. Neither the United Nations nor those nations that profess respect for the rule of law should assist in this charade any longer. Should the political leaders of Cambodia wish to work in good faith for the establishment of a truly independent court to find justice for the people of Cambodia, the UN should keep its door open for them. Otherwise, they should be left to do as they please.

Raymund Johansen is a DC-Cam Legal Advisor.

Khmer Roueg Slogans

- ◆ Revolution against imperialism is not an action of inviting guests to have meal, writing articles, braiding, education, softness or fear of enemy. But it is a class wrath seized to topple another class. (*KR notebook Nhok: 78*).
- ◆ Externally, American imperialists are powerful, but their internal strength is weak because people do not support them. (*Nhok, p.77*)

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Was Amnesty the Price for Peace in Cambodia?

Peter Maguire

Now that the trial of Slobodan Milosevic has begun, some say that this single prosecution marks the dawning of “a new era of international accountability.” Overshadowed by the celebrations in The Hague, on February 8, after four and a half years of negotiations, the United Nations announced that they would not participate in a trial for Khmer Rouge leaders in Cambodia. While it is all too easy to pin the blame on Cambodian Prime Minister Hun Sen—bubbling beneath the surface of an incredibly stale legal debate was a more significant clash between the competing claims of national sovereignty and universal human rights. If we have entered a new era of international accountability, it looks remarkably similar to the previous one: the rules only apply to some.

Between 1975 and 1979, at least 2 million people died as a result of the Khmer Rouge experiment in stone-age communism. After the Vietnamese toppled the regime in 1979, did the UN or the Carter administration support efforts to try Khmer Rouge leaders? No, the U.S. voted repeatedly for the genocidal regime to retain Cambodia’s seat in the UN General Assembly throughout the 1980s. Although he had been sentenced to death in absentia in a 1979 show trial, Khmer Rouge leader Ieng Sary served as Cambodia’s representative at the United Nations.

Serious discussion about trying Pol Pot and other Khmer Rouge leaders did not resume until 1990-91 when ASEAN leaders attempted to negotiate a treaty to bring an end to the Cambodian civil war. Hun Sen served as Cambodia’s representative at the negotiations, “I still remember with pain that in 1990-1991...I alone insisted on the word ‘genocide,’ but I was attacked and accused as a person with no goodwill to end that war.” When the Paris Treaty was finally signed in 1991, there was no mention of genocide.

Ultimately, the Khmer Rouge were not defeated

by the UN or the long arm of “universal jurisdiction”; instead, they were stopped by a brutally Machiavellian series of political moves orchestrated by Hun Sen. Over the objections of western governments and human rights groups, he granted an amnesty to Khmer Rouge leaders Ieng Sary and other defectors in 1996 and 1997. These defections and the death of Pol Pot pushed the war crimes issue to center stage in 1998. When the UN recommended moving the trials to a third country and holding trials under their auspices in 1999, Hun Sen flatly rejected the plan, “I think this is the talk of a lawyer. A lawyer is a lawyer. I respect what a lawyer argues. A lawyer is not a politician.” More significantly, the Prime Minister rejected the assumption that these were legal questions: “So, if the lawyers have evolved and changed both in morals and in politics, I think that they should end their careers as lawyers and work in politics.”

The unresolved issues at the heart of the clash between the UN and Cambodia were among the most important in contemporary international politics: did “universal jurisdiction” trump national sovereignty? Former Australian Ambassador to Cambodia, Tony Kevin, accused the UN of attempting to bully Cambodia: “In treating the legitimate claims of the RGC [Royal Cambodian Government] with such contempt, the UN was responding to an increasingly influential international view, centered mainly in Europe and North America, that individual human rights are now more important than the national sovereignty of small Third World states.”

During the 1990s, the UN, backed by a well funded human rights industry, pushed for a new international order based on an expanded set of rules for statecraft that challenged the sanctity of national sovereignty. The sad irony was that as human rights

groups and civilian lawyers refined and expanded new codes of international criminal law, western leaders could not summon the resolve to prevent genocide. While the rules on the books were more comprehensive than at any time in human history, the most basic distinction of both the customary and codified laws of war—the distinction between soldier and civilian—all but disappeared in places like former Yugoslavia, Rwanda, East Timor, and Sierra Leone during the 1990s.

The double standard of contemporary international law is most apparent in Sierra Leone, where the UN promised a “mixed” war crimes tribunal based on “the Cambodian model.” Even with the most important defendant, Foday Sankoh, in custody, no trials have begun and their budget has already been slashed. Meanwhile in the two ad hoc UN tribunals in the Hague and Arusha, the UN has already spent close to a billion

dollars to prosecute less than fifty individuals. In the long shadow of September 11th, with American prisoners of war facing more traditional forms of military justice, triumphant claims about universal jurisdiction sound increasingly hollow. If Slobodan Milosevic’s extradition and trial mark the dawning of “a new era of international accountability,” then it is not much different from the previous era, as both share several sets of rules and standards of accountability. Today, Khmer Rouge leaders Ieng Sary, Nuon Chea, Khieu Samphan and many others, live free. Perhaps amnesty was the price of peace in Cambodia.

Peter Maguire has taught the law and theory of war at Columbia University and Bard College. He was the historical advisor of documentary Nuremberg: A Courtroom Drama.

A Bad Omen for the Victims of the Khmer Rouge?

Bunsou Sour

These days, it seems that justice is becoming more globalized. The case of Slobodan Milosevic is a good example. The former president of Serbia, he became the president of the Federal Republic of Yugoslavia in 1989 and held onto power until 1997. Milosevic organized the mass murders of thousands of people in a fierce campaign aimed at satisfying his thirst for power.

On February 12, 2002, Milosevic was brought before the International Criminal Tribunal in The Hague, Netherlands. He was the first head of state to face such an international trial. Milosevic’s trial began just four days after the UN decided to walk away from negotiations with the government of Cambodia over the establishment of a Khmer Rouge tribunal.

This is the first major trial for crimes against humanity since the Hitler’s henchmen were brought to justice by a military court following World War II.

Milosevic, 60, is charged with 66 criminal counts pertaining to genocide and war crimes in Croatia, Bosnia, and Kosovo, killing thousands and forcing the displacement of more than a million people. Each count of the indictment carries with it a sentence of life imprisonment.

Millions of people throughout the Balkans sat in front of their televisions to watch the live broadcast of the first trial. It took years to build the case against him.

The case of Augusto Ugarte Pinochet, military dictator of Chile from 1973-1990, provides another example. Shortly after he became head of state in 1974, he began curtailing political activity. In 1977, the United Nations Human Rights Commission condemned his regime for its practice of torturing detainees. After an assassination attempt in 1986, Pinochet dealt even more harshly with dissidents.

Although the Chilean constitution shielded Pinochet from prosecution within Chile, it did not protect him from charges brought against him overseas. While seeking medical treatment in Britain in October 1998, a Spanish judge requested Pinochet's extradition to Spain to face charges of human rights violations committed during his regime. In early 1999 Britain's highest court ruled that Pinochet could be extradited to face criminal charges for actions alleged to have occurred after September 1988, when Britain signed an international human rights agreement. The agreement allowed signatory nations to prosecute individuals—including former heads of state—accused of torture, genocide, and other human right violations.

It is difficult to compare these two cases directly with that of the Khmer Rouge, where there are important differences in both political will and the time frame in which action was taken. The UN and the government of Cambodia spent four and a half years working on the establishment of the extraordinary chambers in the courts of Cambodia for the prosecution of crimes

committed during the period of Democratic Kampuchea. However, few concrete accomplishments can be cited to date. In the meantime, the Khmer Rouge leaders are getting older, and the Cambodian people are still waiting to see if the UN-assisted tribunals will help them find justice for themselves and their loved ones who died under the regime.

A recent bad omen for the victims of Cambodia is the death of Ke Pauk, former DK secretary of the Northern Zone (later known as the Central Zone). He died before facing trial. Kaing Guek Ieu, aka Duch, is being detained, but is awaiting his release pursuant to Cambodia's Statute of Limitations. Unless there is a strong indication that the trial of the Khmer Rouge leaders will be established soon, these former leaders will die one after another, leaving millions of Cambodians without justice.

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



Statement from the Royal Government of Cambodia In Response to the Announcement of the UN's Pullout from Negotiations on the Khmer Rouge Trial

I have received a letter from His Excellency Hans Corell dated 8 February in which he conveys the message that the United Nations will no longer negotiate with the Royal Government of Cambodia towards the establishment of the Extraordinary Chambers. I must express my dismay at this completely unexpected announcement.

It is surprising to read that the UN Secretariat believes “it is not likely that we would resolve this through further negotiations,” considering how far both parties have come, precisely through the process of negotiation since the two different drafts for the law were placed on the negotiating table two and a half years ago. It was by no means an easy task to sail through uncharted waters and design an unprecedented national court with international participation. Compromises were made on both sides along the way, but I believe that the model we designed, and which was promulgated into Cambodian law on 10 August 2001, forms a sound basis. I believe that the Law establishing the Extraordinary Chambers, which is based within the Courts of Cambodia, with international participation and meeting internationally accepted standards, embodies all the fundamental principles agreed to between the two sides during the negotiations.

Only three weeks ago I wrote to Excellency Hans Corell along these lines, and provided a detailed response to the eleven points he raised concerning the Law, clarifying our position and suggesting, on a number of points, that the concerns could be addressed in the proposed Articles of Cooperation to be signed by both parties—a document that we have always said would govern international participation in the Extraordinary Chambers.

As further background to my statement here today, I am releasing my letters to Excellency Hans Corell dated 23 November 2001 and 22 January 2002, as well as other documents, including the English translation of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea. To date, we have respected Excellency Hans Corell's wish for a “gentlemen's agreement” to keep exchanges between us confidential. However, given the present unilateral action by His Excellency Hans Corell to cut off discussions, and given certain misinterpretations of Cambodia's positions that emerge from the UN spokesman's briefing on 8 February, it seems highly desirable to place the documents on the public record at this stage.

I would like now to respond directly to the two main points in the long and complicated briefing statement given by Excellency Hans Corell on Friday, 8 February:

First, a general assertion is made that the Extraordinary Chambers “as currently envisaged, would not guarantee...independence, impartiality and objectivity,” and there is an abstract reference to “international standards of justice.” But Excellency Hans Corell does not provide a single instance in which the Law on the Extraordinary Chambers contradicts such standards.

The second major point relates to the relationship between the Cambodian Law establishing the Extraordinary Chambers and the proposed Articles of Cooperation to be signed by both parties. In my letter of 19 November, I stated that in our view “the Law, which was adopted by the Cambodian legislature under the Constitution of Cambodia, has determined the jurisdiction and competence of the Extraordinary Chambers as well as their composition, organizational structure and decision-making procedures, while the Articles of Cooperation are to determine the modalities of cooperation between the Royal Government of Cambodia and the United Nations in implementing those provisions of the Law concerning foreign technical and financial support.”

We see a clear distinction between the nature and purpose of the Law and the Articles of Cooperation. In no way do we wish to reduce the Articles of Cooperation “to the status of a technical and administrative document subordinate to the Law” (to use Excellency Hans Corell’s words). Neither is it correct to say (as did the spokesman for the Secretary-General) that the Cambodian government has “rejected the UN proposal” that UN assistance will be governed by the agreement between the UN and Cambodia. In fact, this is precisely what we envisage to be the role for our Articles of Cooperation, as a normal basis for agreement on cooperation between a member state and the United Nations.

A number of member states of the United Nations, which have been strong supporters of the negotiations towards establishing the Khmer Rouge trial, have already expressed their keen desire for the process to continue. Excerpts from these statements will be made available following this meeting.



Son Sen and Pol Pot



Son Sen

Pol Pot

Love for His Homeland Cost Him His Life

Vannak Sok

When I was young, I used to visit the State's Palace of Chamkar Morn with my mother, because her sister, named Uy Sarom, was an adopted child of Marshal Lon Nol and Mrs. Kheng. My grandfather was Ma Hort, known as Ma Huot, of Kampong Tralach district of Kampong Chhnang province.

My grandmother was Lien, born in Kampot province. My mother said that my grandfather joined the military in the Sangkum Reastr Niyum (Popular Socialist Community) and held a position as a bodyguard of Marshal Lon Nol, who was at the time the governor of Battambang province. My grandfather had no blood relation with the Marshal, but he was a very loyal bodyguard. Moving to Phnom Penh, he was a military member and a supervisor of the chefs, while my grandmother babysat the Marshal's two children, Pros Pich and Pros Kuch.

Following the coup, he moved to the State's Palace of Chamkar Morn with Lon Nol and his family. During the period of instability, the Marshal sent his adopted and blood children to the US. Between 1973 and 1974, he advised my grandparents to leave the country, but they did not. The Marshal told them, "If we stay here, we'll die." My grandfather was not convinced, since many high-ranking officials did not attempt to escape and no one would kill a simple chef like him. In early 1975, the Marshal left the country under the pretense of seeking medical treatment, without arousing the suspicion of other government officials.

On April 17, 1975, the Khmer Rouge captured Phnom Penh. My grandfather was shocked to witness the brutality of the Khmer Rouge, who immediately shot those who refused to leave the city. The Khmer Rouge forced the people to leave in only three days.

At first, my grandfather prepared to travel to the west on Road No. 5 toward Kampong Chhnang, which was his birthplace. However, after he discovered

the number of people on that road, he changed his destination to his brother-in-law's home in York Bat village, Kbal Koh subdistrict, Kien Svay district, Kandal province. There, the Khmer Rouge provided rice and corn to eat. But this was not enough, so he and his relatives dug banana trunks to supplement their food allowance. Even though such food stopped him from going hungry, it did not have enough nutrients to sustain his body, and as a result, he became bloated.

He trudged seven kilometers to my mother's house in Koh Brak village. My mother was his niece. As she saw him, she quickly ran to him in deep sympathy. My mother asked him, "How did you become swollen like this?" He replied, "I haven't had enough to eat." My mother asked, "Why do you come here in this condition?" He said because he was too hungry and thought my mother's region was much better. My mother then boiled the rice given by the Khmer Rouge for him. While eating he said the rice was very delicious that he did not need to eat it with other food, just salt. After the meal, he told my mother that the Marshal had suggested that he leave the country, but he had not. Now it was too late.

Three days later, he went home because he was worried that his wife would become restless after not seeing him for many days. We never saw him again. We were told that his family had been evacuated to Pursat province. We had never received any information from him. On January 7, 1979, some people returned to their homes. And only then did we learn that none of his family survived. My mother, Uy Phat, now lives in Koh Brakk village, Phoum Thom subdistrict, Kien Svay district, Kandal province, only because she was not evacuated to Pursat.

Vannak Sok works on the DC-Cam's magazine distribution.

Khmer Rouge Novel:

The Sacrifices of our Mothers

(Continued from the February 2002 issue)

I could see only the subdistrict chief wearing shorts, begging the demonstrators, saying that he did not know anything and that he was under other people's command. This man was in such a panic that he could not wear his trousers properly. Because the demonstrators could not find the two devils, they destroyed the furniture of the district office, and tore out its documents and spread them on the floor. They almost got the truck up to the house of contemptible Kanthum, the major's wife, located just east of the office, but they saw that the house was locked. They returned to the office and wrote graffiti on the office wall that cursed the officers. Then the demonstrators dispersed.

The villagers then composed a song, which later became a folk song, sung from one generation to the next: "When the villagers of Samlot were suffering, with weapons in hands they stood up to protest. Contemptible Kanthum was panicked and ran about aimlessly, while the subdistrict chief came up wearing shorts. The panic-stricken Chhuon jumped into the contemptible Phon's car and dashed away to Pailin."

This song became popular in the village. It boosted the courage of the people to continue to struggle.

One week later, at about 4 a.m., when I was folding my sleep mat, Mum ran up the house in panic and shouted, "Dear, the soldiers have surrounded the village!" Just as she did so, I saw many heavily armed soldiers emerging from all directions. Some of them were already climbing into my neighbors' houses. On the ground, I saw contemptible Chhuon and the man with the pipe giving commands to their men, "Shoot anyone who resists! Ransack every corner for suspected weapons. I need the leaders alive." Then these fascist, barbarous men kicked elder Khut and Nam down the stairs. Their hands were tied up tightly. At the same time, Uncle Tra, Uncle Pring and Uncle Khoeun were escorted slowly from the west. Another group of soldiers rushed up my house. Mum stood stiffly under with her hands holding mine and my

brother's. Dad had gone. They searched the house for a long time, but it was useless. The corporal shouted down, "I can't find anything, sir!" Khuon shouted back, "That's enough! We have caught enough people. Let's return to the base." They then thrust the arrestees violently into a truck and drove out of the village. I tried to look at them in deep sympathy and they caught my eyes.

The families of those arrested sold their valuable belongings to bribe the officers to give them information about their husbands. But, it was useless. Their money was lost, but their husbands' whereabouts were still unknown. Those soldiers and officers tricked them out of their inheritance. They lied to them that the information would be given to them on this day or that day. But when the day arrived, they told them to wait until the next day, and then another day, endlessly. After such a promise, they demanded more money to bribe this and that high-ranking official. Our people did not have enough food to eat, let alone more money to give them. They now lost everything—money, time, and effort—and were humiliated for being easily cheated by these crooks. More ruthlessly, seeing only women left in the family who visited their offices frequently, they disrespected the daughters and wives of the victims and raped them like animals.

Half a month later, the military base and the district office declared that Elder Khut, Uncle Nam, Uncle Pring, Uncle Tra and Uncle Moeun had hanged themselves in custody, and claimed that their bodies had been cremated already. The families of the dead requested the remains, but they were threatened with imprisonment. All they could do was return home in great despair.

As for my father, he never returned to the village in daylight. Occasionally, he came home at night. I asked him where he was going. He told me he was heading to grandfather's house on the mountain. After being told of the news, he quickly realized that this was not true. He said strongly that those uncles were killed, and had not hanged themselves. He swore to avenge these uncles' brutal murders. He bore a grudge against the despicable

Chhuon and Phon, and he determined to kill them in the future.

One day in the beginning of the harvest season, an ox-cart driver informed the villagers that the man with the pipe had been killed by the Khmer Rouge at Rung Khen Channel. His body was shattered with numerous bullets and his mouth was filled with mud. I, then, imagined that he robbed the farmers' land, and so deserved eating mud. However, the driver added that the police had also arrested three Khmer Rouge soldiers, who were to be publicly executed the following day.

The next day, we went to observe the execution of the three Khmer Rouge, east of Preah Mountain, since contemptible Chhuon gathered all people to witness the event, so as to keep them from imitating the three criminals and to forever terrify the people.

Only when they led the prisoners to the execution site, did we know that one of the three "Khmer Rouge" was my father. I looked at him in dismay. When I turned to Mum, she was already beginning to weep. Dad probably did not know that his daughter was watching him. We stood only about 50 meters away, but it seemed there was an ocean separating us from talking or touching each other. When the time arrived, they tied him onto a pole. Dad wore shorts. His swollen body

was covered with cuts and bruises. He trudged up with difficulty. His swollen eyes almost blinded him. There was a large cut on his eyebrow. His mouth was bleeding heavily. Was Dad thinking about his family at this very last moment? Maybe he did not know that his son and daughter were in the crowd.

I turned my eyes to look at his two companions close by. They warmly smiled at my father, then everyone heard an improbable shout: "Bravo, Kampuchean Revolution! Bravo, Kampuchean Revolution! Bravo, Kampuchean Revolution!" This cry shocked everyone; it suddenly shook my heart and made it go wild. The shout of victory "Bravo, Kampuchean Revolution!" and the shout of rejecting the reactionary officers and soldiers were made loudly in the middle of the forest.

All of a sudden, the people ran in violently and fought furiously with the police. Panicked, the enemies shot the three prisoners dead. Twelve soldiers: six knelt and the others stood. They aimed at my father first. Another person held a pistol ready to give the order. At this point, I was not brave enough to open my eyes to see. The bangs were like thunder. I felt such grief that my chest almost burst. I wanted to hug him just like I did when he visited us some nights. I wanted to cry the loudest. **(Continued in the April 2002 issue)**

Thank-you Letter

From the Cabinet Chief of Preah Vihear's Provincial Office

To Youk Chhang, the Director of the Documentation Center of Cambodia (DC-Cam), P.O. Box 1110, Phnom Penh.

Every issue of DC-Cam's magazine is sent to Preah Vihear's provincial office via taxi. We distribute this historically valuable document to the province's high-ranking officials (the four governors), the staff of the provincial office, and the seven district offices of the province. On behalf of the governmental staff of Preah Vihear province, I would like to express my deepest gratitude to Mr. Director and your colleagues, who have spent time and energy to dispatch this document to us. With this document we can read and conduct research on the total destruction on all sectors of Khmer society, which all Cambodians, of all generations, must remember forever that in ruling the country, leaders have to consider seriously and thoroughly before executing any action if the nation is to develop. In contrast, simple errors made by these leaders will lead the entire society into tragedy, just like what the Khmer Rouge did after April 17, 1975.

Tbeng Meanchey, February 5, 2002

Cabinet Chief

KHMER ROUGE SONG:

YOUNGSTERS OF THE SOLIDARITY GROUP, JOYFULLY STUDY AND WORK SIMULTANEOUSLY

Compiled by Sayana Ser

We, the youngsters of the solidarity group, are glittering, working together with our parents, grandparents, and uncles and aunts, to stimulate the development of the new Kampuchea.

In the morning we study literature, arithmetic, culture, and history of the unrivaled, courageous, strenuous revolutionary struggle of the Kampuchean people.

In the afternoon, we build fishing equipment with brother teachers. Some tend cattle. Others carry hay or soil back and forth or water vegetables.

We reconstruct our country, eliminate imperialism, and help both rural and urban areas to achieve prosperity.

We are living in the new Kampuchea, and we are so happy to be able to participate in building the country, making it a harmonious place for the people.

We study and work simultaneously with our brothers, uncles and aunts, and parents, under the leadership of Angkar and in the revolution.

Our bright future is right in front of us. When we grow up we'll follow our brothers to continue to hold the flag and to ensure the survival of the revolution.

The 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 phone (855) 23 21 18 75 or (855) 12 90 55 95 or Email: dccam@online.com.kh. Thank you.

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