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Khmer Rouge Cadres

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Letter:

IENG SARY'S AMNESTY AND THE KHMER ROUGE DRAFT LAW

It is clear that the flood has been away from the villagers bringing along the ancestor spirits back to their respective places. The flood is a fact, while the matter of ancestor-spirit or bloodsucking evil spirit (pret) is a long-standing belief of Cambodian people. The natural disaster—flood—is being coped with by the people themselves as well as by the intelligence of the royal government of Cambodia, political parties, non-governmental organization, and international community as well as the United Nations. Regularities would exist in the homesteads of villagers. Human beings are a vital factor to the basis of development. In the meantime, Ieng Sary and other Khmer Rouge leaders, who have never caused any flood but had millions of people killed and people throughout the country enslaved for building the country (of DK), are yet here not far away from every one of us who are victims, and haven't yet been brought to justice under any norm. So far mixed signals are being sent in the light of Ieng Sary and Khmer Rouge Draft Law. Cambodian Tribunal Task Force does not seem to have “contributed” to any prominent and official accomplishment.

Amnesty in favor of Ieng Sary?

It is important for the public to note that sufficient laws and evidence are not lacking, but political will is in the case to prosecute the Khmer Rouge leaders. Taking advantage of this, Ieng Sary is working hard to bolster the legitimacy of his doubted amnesty. To my thinking, it is better to grant him a clear amnesty from war crimes prosecution and a lifetime ban from participation in Cambodian politics on political grounds, rather than to pretend that he will not be tried because evidence and law are lacking.

To see Ieng Sary, who is one of the Khmer Rouge leaders and is actively attempting to go abroad, escape arrest and prosecution while other rank-and-file Khmer Rouge cadre such as Chhuok Rin, Duch, or Nuon Paet are serving lifetime imprisonment is not a matter of real justice. To act as if Ieng Sary himself doesn't understand anything and meant well is to begin the process of historical revisionism. This needs to be very clear among all of Cambodian people as well as the whole world for the sake of history and the comprehension of the people of future generations.

In regard to Ieng Sary, His Majesty The

King's correspondence with Pierre Sane, Secretary-General of Amnesty International, on 13 September 1996 said that, “...as Constitutional King, who reigns but does not rule, I would be obliged to comply with the two prime ministers of the Royal Cambodian Government in the question of according amnesty to Mr. Ieng Sary and his partisans “ex-Khmers Rouges”. But I would demand that in this serious question 2/3 of the members of the National Assembly support our two Prime Ministers before a royal amnesty is formally accorded.” The King also wrote, “...if, one day, an International Tribunal was to convene somewhere to judge Messrs. Pol Pot, Ieng Sary, Ta Mok, Khieu Samphan, Nuon Chea, Son Sen and other “notorious” Khmers Rouges, I will support, as a Cambodian citizen, this Tribunal and its judgement.”

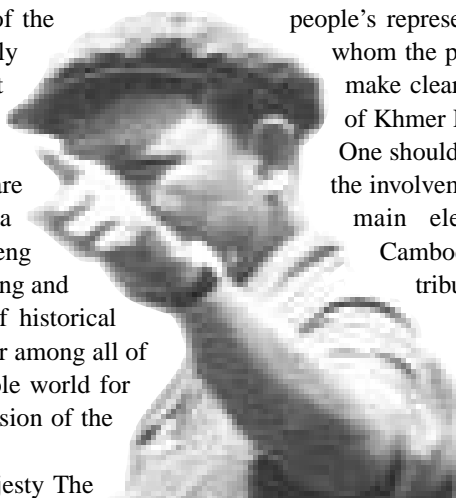
What is not clear then about the King's Amnesty for Ieng Sary? Clear is the fact that Ieng Sary has never been tried once by a Mixed Tribunal.

Khmer Rouge Draft Law

There are clear indications that a majority of the Members Parliament actually want to move ahead with the Khmer Rouge draft law. Justification can be made that because the Cambodian Tribunal Task Force has not yet clarified some points of the Khmer Rouge draft law. It makes good sense but it is not working. Perhaps, it is important for deputies now to indicate their “willingness and intention” about the Khmer Rouge draft law and the entire process respecting to the Khmer Rouge tribunal. It is possible to say that we, on way or other, know or heard about the different factions by various political party and how they feel, pro or con, and why about the Khmer Rouge draft law. All members of the parliament, in the name of people's representatives who serve the people and for whom the people voted, should air their views and make clear their positions toward the prosecution of Khmer Rouge crimes.

One should note that this is the only way to ensure the involvement of the United Nations, which is the main element for ensuring hope for the Cambodian people today in the Khmer Rouge tribunal.

If members of the parliament keep quiet and do not make clear their positions, then they should be ready to share the blame for this gross miscarriage of justice for the Cambodian people. *Youk Chhang*



CONFESSION OF A PRISONER NAMED SO TUON

By Sophal Ly

(As with all such “confession” documents from the archives of Tuol Sleng, the reader is cautioned that the following was extracted under torture, and that the truth of that facts asserted cannot be assumed.)

So Tuon, whose revolutionary name was Mao, was born in Prey Chek Village, Sre Cheng Sub-district, Sre District, Region 35, Siem Reap Province. Mao was arrested and questioned on May 13, 1977 on an accusation of treachery. According to file J00289, Mao responded: “Once I joined the revolution, I had two aims: 1) to burrow myself inside the revolution in order to destroy the revolution; and 2) to recruit traitorous network elements from among the revolutionaries in an attempt to counter- attack the revolution.”

After 1959, there emerged another man named Tuon (not the subject of this “confession”, hereinafter “the other Tuon”) who was a ringleader of Chan Raingsei’s traitorous network elements based in Sre Cheng Sub-district. Tuon and the other Tuon later jointly persuaded Khmer Rouge cadre that “Yuen” (a derogatory Khmer term for Vietnamese) had secretly

stashed some weapons, and that a Yuen woman knew the secret site. This propaganda was leaked to Chan Raing Sei, who then allowed the woman to excavate the pits and promised to give a reward to anyone who found the hidden weapons. “Any one who joins in the traitorous movement will be rewarded with 500 riel a month; and anyone who locates the weapons will be given a further reward.” Mao joined in the activity of searching for the hidden weapons, along with Dul, Kory, Un (later “smashed”), Chim, Choem, Chheng, Cheun, Khoem, Sotr and Teu. After the recruitment, the other Tuon set out the tasks: “First, search for the guns; second, keep track of old traitorous elements burrowing within the populace.”

Chanha Hoeun, instructor of Ayai, a kind of Khmer traditional art, in which two singers perform, lived in Trapeang Veng Village, Chi Kreng District, Siem Reap Province. He was made responsible for keeping track of the entire process. It took Mao a few months to find two sets of batteries. Then Mao reported to Chan Raing Sei for the reward promised. Later, Mao reported about a former revolutionary named Nhem Khann, who then was serving a prison sentence of few months.

The “confession” document goes on to say that in 1961-1962, Mao met an elderly man named Sath, who grieved over the loss of his deceased grand-father, who used to cooperate with the revolution. Mao was suspicious of Sath’s use of the words “cooperate with the revolution”. To clear up his doubt, Sath explained, “They did what you are doing right now. Rice production, assisting to establish “ghost associations”, and assisting each other in time of disease. This is the picture of mutual assistance during the time of business, that is the essence of politics”. On his return, Mao reported to the other Tuon that there were no former revolutionaries, but only new ones. The other Tuon responded, “Who are new revolutionaries?” Mao replied, “We all are helping each other. In its essence, these kinds of activity serve the political concept, and we will lead them in establishment of “ghost associations”. Tuon did not readily accept this idea.



From 1964 to 1968, the revolutionary movement advanced progressively. Sath instructed Mao to encourage the involvement of the masses to be against manual labor and the tax-collection carried out by the government, and gave instructions to maintain surveillance, remain undercover, and prepare unhusked rice in case of national emergency. Mao just kept reporting. Tuon asked repeatedly about the identity of the main ringleader of the revolution. Mao replied, “I have also asked him (Sath). Sath referred to radio broadcasts from Battambang Province that ‘there were revolutionary armed insurrections directed from the jungles. Therefore, we had to be vigilant against contribution-collecting for the cost of this university, which really was a barrack of enemies, not in our people’s interest. So, we have to continue to struggle’.” According to the “confession”, on February 25, 1968, there occurred an insurrection. Mao joined in this insurrection. “Comrade Chres assigned him as messenger. Toward May-June, the other Tuon was smashed. Mao then returned to the bases.

In October 1969, Angkar required Mao to work at Angkar’s office until 1970. Angkar also assigned Ta Hoeun a position of responsibility there. Ta Hoeun permitted Mao to go on with the treachery. After the (Lon Nol) coup, Ta Hoeun assigned Mao to work in Krasaing Village, and along National Road 4 with comrades Keo and San. In October 1970, Ta Hoeun called the three in for a meeting, where comrade Keo and comrade San were dismissed from the bases and assigned to work in various capacities. Mao was put in charge of a military unit, while Ta Nge was made district secretary and Sok was made sub-district secretary. Mao informed Ta Hoeun that since Ta Hoeun had appointed him to work with comrade Keo, he had done nothing, and had had no say in the revolutionary work, as all forces were under the control of comrade Keo and comrade San. Ta Hoeun

replied: “Now all forces are under us. So, try hard to build them up.”

In February 1971, Ta Hoeun once again met with Mao. Mao reported about the situation of the unit and names of people newly recruited, namely Sath, platoon cadre, and Say, group cadre. Ta Hoeun went on to instruct Mao, “You, comrade, are required by Angkar to dispatch all troops in this platoon to the region in early March. Therefore, once you lead the unit in the region, you have to have a good grasp of your unit and work closely with comrade Kvang, divisional deputy secretary, in order to carry out traitorous activities.” Later, Mao asked for permission from Ta Hoeun to visit Region 35 for a period of one week, with Sath acting as supervisor of the platoon in the interim. Upon his return to Phong Sub-district, Mao learned that his platoon had

S-21 prisoner



already been dismantled and integrated into the old military unit by the company cadre. Realizing that the party had planned for the unit to attack the base militiamen, Mao tried to shirk combat. Upon arrival, Angkar assigned the unit to counter-attack the enemy, but assaults were continually repulsed. Mao managed to recruit three more individuals, namely Sophy, the unit cadre, comrade Boeun, a group cadre, and comrade Lun, combatant from Region 33. In December, Mao was put in charge of a new platoon in Region 33.

In March 1972, Mao was transferred by Angkar to company commander in Region 55, Angkor Borei. There, Him always lectured about organizational systems; “About the organization of the previous regime and that of those who went to live in the jungle. They were designated as “members”. For the new recruits after the coup, they were assigned by Un to be secretaries of district or sub-district.” Then Mao and comrade Him came to the regional office for a training course. However, Un forced them to return to the position of deputy secretary of District 56. Mao spent two or three days at the regional office before meeting with Ta Hoeun. Ta Hoeun said: “This course makes me have a clean-cut grasp of things. No matter if they are old or new issues, I have to do as assigned.” Mao reported about the tasks supervised by Un in the mobile brigade. Ta Hoeun then gave instructions: “We have nothing to worry about. Once we arrive at any place, we have to recruit traitorous elements in the unit. Therefore, our treacherous work must continue on.” One day, “Ta 15” [Editor’s Note-Ta Mok, according to an elderly woman named Kul My, Ta Mok’s cousin. Ta Mok’s pseudonym was “Ta 15”, as he was born in Ta Keo Province with regional code number 105 called the regional unit based to the south of National Road 4 to attend a battlefield experience meeting. There appeared an anonymous letter revealing the matter of conflicts of ‘old and new’ tasks or positions. Mao reported to Ta 15 for cleansing of the alleged involvement of himself and Ta Hoeun. Ta Hoeun was then arrested by Ta 15.

In February, 1973, Angkar assigned Mao to attack the enemy with his unit. After the battle, the unit crossed the river to the east of National Road 2 to prepare a regiment. After the preparations, the party planed to open an attack on enemies based between

National Road 3 and National Road 4. The unit accomplished this first objective. The party’s second objective was to keep the enemy engaged for another week, during which time, the unit would destroy the party’s plan along National Road 4 by allowing the enemy to capture National Road 3. However, this plan was “aborted due to the consciousness and standpoint against the party”. The ones who were to carry out the plan were comrades Saom, Keo, Savoeun, Chheun and Mao.

In 1974, the party had another plan to carry out assaults on the battlefield of Phnom Penh. The party called all cadres to attend training courses so that they could have a “clean-cut” understanding before returning to their respective units. At each prong, there were two objectives: 1) attack in the battlefield and 2) defense. Battalion 122 was obliged to open a frontal attack along with other units. Mao was put in charge of targets against party on irregular basis. Networks responsible for contacting traitorous elements were Saom, who was assigned as leader, and Sam On of the divisional staff, who was to cooperate in carrying out traitorous activities on the battlefield in 1973-1974. In 1975, Division 11 was in charge of defense along the Tonle Bassac. Other units were responsible for other main prongs. On January 1, 1975, bombardments along the Mekong River began. The division unit won successive victories. As for Division 11, far from defending, it had permitted enemies to capture “Wat Chouk Leap”, which had been liberated since 1973. Cadre who carried out anti-Tonle Bassac battlefield activities were: 1) comrade Saom, leader; 2) comrade Sam On, in charge of staff and preparing for activities; and 3) To Nim. The regiment cooperated with Battalion 124, consisting of comrades Sreng, Kea, Moan Buon Hoeung, Savoan and Mao, all of whom carried out activities against the party plan on battlefronts in 1975. In March, 1975, Division 12 returned to the Mekong River to reinforce Division 11. As a result, enemies were pushed out of Koh Anlong Chen from Wat Set Tbo to Prek Tam Hun Sanh. Mao joined in the attack with Division 12 until April 17, 1975. During that time, Mao was injured and was then hospitalized for a period of one month. When he left the hospital, Mao asked his messenger to escort him to meet with Chheun, of

Division 811, for additional instructions. “About the practice of traitorous activities. [You] have to work hard and try to recruit more forces for our treacherous networks.” After delivering these instructions, Mao returned to the hospital until 17 April, waiting for comrade Saom who would inform him about the traitorous forces.

The “confession” document goes on to state that Mao called in traitorous cadre for instructions on the anti-party activities in order to undermine the party’s plan of constructing irrigation systems west of Kampong Speu Province. “First, encourage the combatants to desert their units, and second, try to reduce soldiers’ food rations set by Angkar in order to deteriorate health conditions and the effectiveness of the labor force.” After this plan was commenced, it “was very effective, and resulted in continual desertions by combatants and deteriorating health conditions”. In addition, Mao managed to recruit two more people named Samrith Yoeun and Heng.

In 1976, Saom told Mao to rearrange traitorous forces who had already been disbanded in preparation for further activities. Mao then listed the names of combatants who had been integrated into artillery units to prepare for carrying out activities. They were Kut, Thean, Buoy, Sem, Kruos, Thal, Pheap, Chay, and Suon. Saom pointed out; “This was a plan of sabotage to provoke turmoil during the upcoming anniversary of the April 17, 1975 Triumph” to be held in April, 1976. This plan intended to cause chaos during the celebrations. We just try whether we can succeed or not.” Comrade Savan prepared four members of the company to carry out this plan, but it was postponed.

In May 1976, the party planned for divisional cadre in each unit to grow rice on 200 to 300 hectares. During the agricultural production process, Mao began impeding the party’s plan. For example, when the rainy season began, the party wanted the divisional cadre to grow short-term rice. Usually, rice seedlings were transplanted within a period of between 15 to 18 days, but now the period was extended to 20 or 25 days. Four cadre, Hy, Suon, Uk, and Long, who were under Savan, also joined in this plan. Long and Hy were ready to work in Pochentong and comrade Thy was responsible for Region 33 which collected the yield, while comrade

Uk of Battalion 128 was taken by Angkar.

In January 1977, comrade Saom attended a meeting held at comrade Phal’s home at Tuol Tum Pong. Participants included comrades Sam On, divisional cadre of Unit 801, Keo Savoeun of Division 801, Savan, Phal of Regiment 51, Division 502, To Nim, from the tank section, Hoeun, a regimental cadre of Unit 51, Bang, the chief of Hospital 94, Heng, cadre of Battalions 503 and 502. The meeting focused on a plan for 1977. Saom raised two points: “1) Examine the planned activities to be carried out against the party’s plan, whether they are possible or not; 2) Examine the work of recruiting traitorous forces carried out over the past year. Plan for 1977: go on with the planned activities against the party and the process of recruiting treacherous forces”. After Saom’s comments, members of the meeting reported about their work carried out over the previous year. Saom then went on to say: “Our 1977 goal is to accomplish our traitorous plan by organizing a coup during the Angkar’s victory anniversary to be celebrated soon. Because during that time all cadre from various organs will have no weapons, except those who would be guarding along the fence surrounding the forum.... So, we will assign some cadre to mingle among the participants, while directing our special forces to target these guards. When this is accomplished, other locations will be conquered in short order. Then we will broadcast on radio calling upon regional and zone cadre to pounce on the forum immediately. To sum up, there are only two objectives: to be ready for the planned coup and prepare our forces.” A month later, Mao called in all cadre to be briefed about comrade Saom’s plan and be given their respective assignments. However, on May 13, Mao was arrested by Angkar.

The “confession” document of So Tuon, alias Mao, contains an attached list of persons implicated therein as “traitors”. This list includes the names of comrades Hy and Long, whose names are marked by tiny square boxes. On the cover page, there is a note by “Khieu” (Son Sen’s alias) reading: “To comrade Roeun. Kindly read the attached document written by the contemptible Mao and quote names of those from Unit 801. Tomorrow, I will meet you to work on this. This evening I am still busy. Keep secret. 2-6-77, Khieu.”

SON SEN

- ◆ Born in 1930, Tra Vinh, Vietnam.
- ◆ (Wife: Yun Yat, Minister of Education and Culture who presided over the total suppression of Buddhism.)
- ◆ 1946 Phnom Penh Teacher's Training College.
- ◆ 1950 To France for education. Became ally of Pol Pot and his major military strategist.
- ◆ 1956 Returned from France and appointed Director of Studies in the Teacher Training School. Later transferred to the Kampong Kantuot Teachers College (US funded).
- ◆ 1959 Visited Czechoslovakia.
- ◆ 1960 Joined KPRP.
- ◆ Transferred to be Principal of a government high school in Takeo Province, accused of being anti-monarchy in his old job.
- ◆ 1963 Accused of being one of the instigators of the riot in Siem Reap. Took part in the Central Committee of the Third Party Congress.
- ◆ 1964 Went underground in Phnom Penh.
- ◆ 1968 Chief of Political Committee in the Southwest Zone.
- ◆ 1969 Administration Office of Northeast Zone.
- ◆ 1971 Attended the CPK congress.
- ◆ 1972 Chief of the General Staff of DK.
- ◆ 1976 Minister of Defense of DK.
- ◆ 1977 September 24, his troops kill 300 Vietnamese civilians in a cross-border raid.
- ◆ 1978 Shared command in the massacres of more than 100,000 Eastern Zone Khmer in six months.
- ◆ Under his authority, the Tuol Sleng extermination center tortured and murdered 20,000 cadres.

Son Sen



WAS SON SEN AN ENEMY OF POL POT?

By Meng-Try Ea

Son Sen, alias “Khieu” or “Brother 89”, former full-rights member of Standing Committee of the Communist Party of Kampuchea and Minister of National Security, along with his wife, Yun Yat, alias “At”, former Minister of Culture and Information of Democratic Kampuchea, along with all family members, were murdered at the command of Pol Pot in June, 1997 in the so-called “last Khmer Rouge stronghold” at Anlong Veng.

The murders stemmed from Pol Pot’s accusation of Son Sen’s being an underground enemy agent of Phnom Penh. Pol Pot told Nate Thayer, “Since the integration began...my protégés have captured three letters from Son Sen’s brother-in-law in Kampong Thom, which is under Hun Sen’s control.” When did Son Sen become disloyal? Is it true that Son Sen and Yun Yat betrayed Pol Pot?

The “confession” of Sun Ty, alias Teanh, member of staff logistics, who was arrested by Angkar on December 10, 1978 and brought to Tuol Sleng for interrogation, describes “anti-revolutionary plans” which involved Son Sen. The confession document speaks of two plans. The first plan was to assassinate Brother and first party secretary Pol Pot, second party secretary Ieng Sary, alias Vann, and Chinese delegate Toeng Yong Kuy. The second plan was to attack the party in the dry season of January 1979. The following is a report reciting the assassination plot against these leading cadre:

“I would like to report about the plot to assassinate upper brothers and guests of the party and state visiting Kampuchea” (an excerpt from file D07377)

I met Kan, Khieu’s brother, through Khieu when I was transferred from the logistics section. I went out with Brother Vann a few days after my stay in the Ministry of Defense. This was maybe in mid-August 1978. During my stay in the Ministry of Foreign Affairs before my flight to New York on September 9, 1978, there had still been no contact. I arrived in Phnom Penh in early November, 1978. In the evening after dinner, I visited comrade Kan in his room. Comrade

Kan said we had never had success in our plan. I asked him ‘what plan? Which one?’ First he mentioned about the plot to assassinate Brother Number One through Brother At and Kan by using poison. Brother At could have access [to the dining room]. Ham was there at mealtimes and managed to put in the poison. During a chat, Kan said the poison was available since Neary Nan, Chhay’s wife (Propaganda and Education) was in position. Kan said the poison came from Hong Kong network elements through Sok’s wife. Kan went on to say the failure to poison Brother Number One resulted from the fact that Brother’s meal was served by security guard(s) from start to finish.

About the plot to assassinate Chinese guest (Toeng Yung Kuy)

Concerning the plot to assassinate Toeng Yung Kuy, Kan claimed Brother Khieu assigned him to murder the Chinese guest by one of two ways: poisoning or shooting.

Kan was made responsible for poisoning, while a woman was in charge of shooting. Kan said the reason for his assignment was that he himself was in charge of protocol affairs and could have more access and opportunity to poison an individual, not only by way of putting poison into water or in steamed rice. Kan said first he intended put poison in a bottle of water, but he found no way to do so as the Chinese guest was thoroughly guarded. Kan said if the water-container’s stopper was just a bit loose, the guards would also not open it and serve the guest. Even with a proper container, the guards had to test the water and wait two or three minutes before serving the guest. Realizing these strict precautions, there were no more attempts. As for the dining section, there was also no possibility, because after cooking, the food was handed over to organizers. People with no duty were not allowed to come closer. The table was constantly watched. The food was served immediately after the guest had sat down. Kan said he also had a chance to come close to the place where the food was being prepared, but they kept an eye on him. Regarding the planned shooting, Kan asserted the task was given to a woman named Sin,



Kan's sister-in-law, and three other women, because the four were working there during the guest's visit to Phnom Penh. According to Kan, Sin and another woman were in charge of shooting, and the other two were responsible for eavesdropping.

Kan said the second woman to Sin was a roommate. She was rather short but well built. She was friendly. The other two had the same opinion. 'I would like to tell you the truth that Kan did not mention the three women's names. If I knew, I would have to tell you to the best of my knowledge'. Kan said the shooting plan failed as Toeng Yung Kuy was not careless and some others came inside after relaxing a little bit in the corridor. Kan said the plan was organized only in Phnom Penh. There was only one gun, which was provided by Brother Khieu.

Plot to shoot Brother Van (Ieng Sary)

Kan said Khieu was once enraged by Brother Van and assigned his messenger, Noeun, to shoot Brother Vann, but he failed. Khieu was angered by the way Brother Van and Vorn intended to overthrow him (25-12-78, Teanh).

I would like to report about my activities with Vorn

I have had frequent contact with Vorn since Angkar assigned Vorn to supervise the ammunition section. Once he met me, Vorn always educated and pushed me to work hard, as planned by the CIA, especially to recruit cadre first. He also told me not to worry about the activities because he and comrade Khieu would take care of them.

Perhaps in mid-June 1978, Vorn asked me to go to the Economic Department as soon as I could. There, Vorn gave me an authorized letter requesting all kinds of ammunition, especially those made in China. The manifest, with Vorn's signature on the margin, was sealed by Committee 870. The ammunition, transported in two convoys to Svay Rieng for Khieu, filled more than 100 trucks. After receiving this letter, Vorn educated me repeatedly and strengthen my stance to believe in him and comrade Khieu. Vorn talked for a long time and eventually assigned me another job

outside transportation. Vorn continued:

"Comrade Khieu is far from us. He has told me to inform your comrade more so that you can feel warmer. As for the secret telephone, we cannot talk properly. This is my job and Khieu's. I and Comrade Khieu planned to attack the party in this coming dry season. The second priority of Neou is transportation of ammunition. If you accomplish this goal, it would be a victory. Now the ammunition is available. The problem we will face is in transportation. Think of possibilities for both land and water transport. If the problems of transportation can be worked out, that would be great. First, all kinds of ammunition have to be sorted and classified. And each arsenal has to have clear signs indicating in which categories ammunition has to be classified so that we will not be confused and waste a lot of time in an emergency. Work must be scientific. When you all come back, a meeting must be held to assemble and discuss these ideas in more detail with comrades Mot, Thim, and Phon. Second, means of transport is not the problem. Motor driven boats are also available. What we are going to do is to prepare and load the ammunition. Third, the ammunition has to be classified. Preparation of guns is a secondary matter. Ammunition needs to be organized according to the above advice before December 1978, and no later than January 1979. Fourth, there will be no problem of forces, who can be assembled at any time we need. At that time there will be no need to keep secret. However, our arsenal must be guarded at all times. Fifth, in

December 1978, I will be issuing a series of manifests, which will be valid throughout the nation, for transportation of military equipment from Office 780. At about 10 am, I will be leaving the office in preparation for the transportation.”

Three days later, I asked comrade Maut, comrade Phon and comrade Thim to join a meeting. I presented the ideas of Vorn in the meeting. All participants discussed and then were in total agreement with Vorn’s instructions. During these three days, I did not attend the meeting. I did not think very much. Yet, now it is clear to see the traitorous activities against the party. Which way should I choose whether to tell the party the truth or not? I thought that if I report to the party, the party may not believe me, for Vorn was on the standing committee, while comrade Khieu was Central Committee in charge of all military affairs. Therefore, I chose not to report to the party. I would better follow the instructions from Vorn and Kheiu. Perhaps two days after the meeting, Vorn called me by phone to meet him at the Economic Support Office, where I was asked to report the result of the preparation of ammunition as planned. I recited the above-mentioned work plan. In addition, I described that the preparation of the ammunition at main arsenals was not entirely smooth. I warned that there would be confusion if we rushed. Now comrade Maut and comrade Thim went down to ensure that the procedure was completed by December, 1978. Vorn said, “Do whatever needs to be done at all costs.” Vorn always strengthened my stance whenever he met me. Before leaving the office, he left a message asking me to go to the Economic Support Office along with comrade Maut. I did not remember the exact date, maybe the 26th or 27th of June, 1978. I and Maut went there as directed. Vorn greeted us in his usual manner. But he warned the security guards to go downstairs. Then Vorn asked us to go further with our report: “How does the preparation work proceed?” This time I asked comrade Maut to report on the matter, which was not far different from the last time. Vorn said, “If comrade is absent, can you proceed?” I, Teanh, responded there would be no problem as many other comrades can take care of it.” Vorn went on, “Comrade Teanh does not work at logistics section anymore. Therefore, comrade Maut has to be responsible for the accomplishment of the discussed plan. Yet, comrade Phon and comrade

Thim must also be in charge.” I and Maut helped Vorn for about two hours that morning. When it was time to leave, Vorn asked Maut to come first and they made an appointment to meet each other at the Ministry of Foreign Affairs on June 26, 1978, at 1.30 p.m. When the day arrived I went there, where I met comrade Nat and comrade Hok. At nearly two p.m., Vorn arrived and asked me to go upstairs. A moment later, Brother Number Two showed up. During the meeting, Brother Number Two spent one hour giving instructions. Then Vorn also presented his impression in favor of the Brother’s comments. Finally, Brother Number Two asked every participant to give their impressions. No one had much to say, except total agreement with the party’s assignment. At 4 a.m Brother Number Two returned home. Vorn asked me to meet with him until 5 a.m. During the last meeting, Vorn asked me again and again about the matter of ammunition, whether or not Maut could work out the assigned plan. At that time, Vorn still instructed me to keep the plan secret, promising that he would be meeting with me as long as the secret was not leaked and that if so he would push harder. December 24, 1978, Teanh.

Respected Party

I have known Vorn and Khieu for a long time. Before I didn’t know him clearly. Only when the Yuon encroachment neared Svay Rieng, maybe in November 1977 and comrade Kheiu was in the battlefield there, did I, Vorn, and comrade Khieu realize we were in the same line.

After receiving an assignment to transport ammunition according to a plot against the party in the coming dry season, I was very worried that the plot against the party was unworkable, no matter how hard the opponents tried. First, I thought that I had to report to the party. However, after repeated considerations, I was not so confident that the party would believe me as Vorn was Standing Committee, while comrade Khieu was Central Committee, and a main figure in the party, in charge of general military affairs, and he promised to protect my life.

Respected Party, although



Son Sen



Ieng Sary

I, both as a party candidate and a free Khmer, had lived with brothers for a short period of time, maybe one year, I was much in favor of the party. During one year in the Northeast Zone, I knew Brother Van much more than Brother Secretary. At that time I respected and loved Brother



Vorn Vet

me about the successors of Vorn. I said I didn't know. I thought if I answered I would be questioned and indoctrinated by comrade interrogator. Some comrades had been forgiven by the party even after they reported their activities against the party in a straightforward manner. At this time I was no

longer afraid. I said I would report to the party what I had done so far. Although I had such commitment, I still had no clean-cut idea.... I was very worried. I was still doubtful until I saw comrade Dam from the Northeast being forgiven. I was educated by comrade interrogator when he was cleaning my wound. Then I came up with another commitment that I had to make a heart-to-heart report to the party.

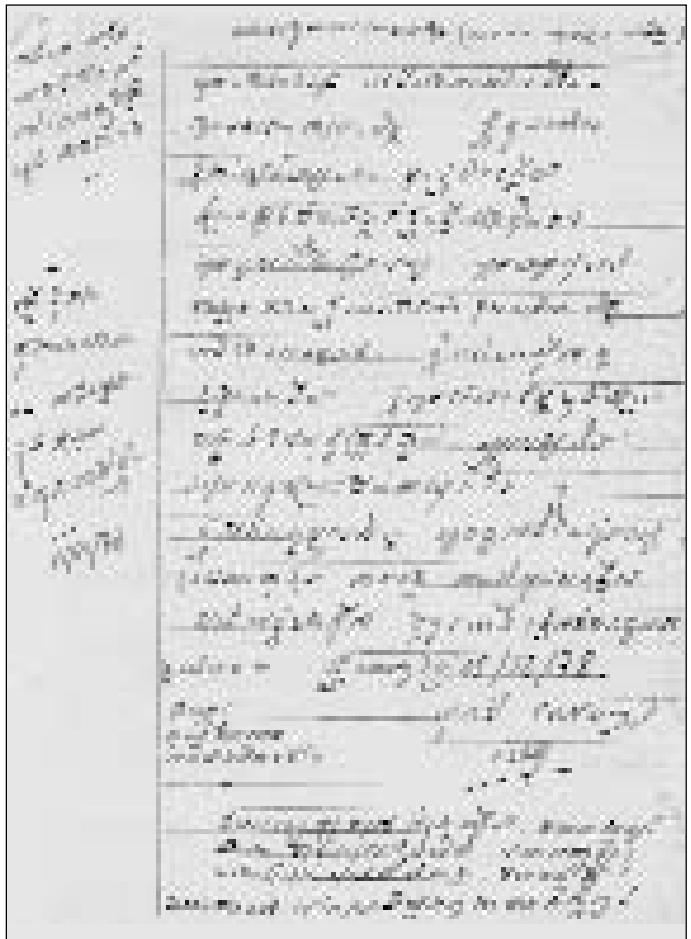
December 24, 1978
Sun Ty alias Teanh

December 24, 1978

Teanh

I would like to give my impression upon my arrest by the party

I was arrested on the night of December 10, 1978. Upon my arrival at the re-education camp, I thought that if I implicated Vorn, that comrades wouldn't believe me. First, I said I was loyal to the party. Second, I responded similarly. Third, I began to reveal issues straightforward regarding the following: 1) plot to attack the party in the coming dry season; 2) year of entry into the revolution; and 3) who will be the successors. First of all, comrades in charge asked me to write about the plot to attack the party in the dry season. Then I agreed to reveal only the order [by comrade Vorn and/or comrade Kheiu] to supply ammunition, not the plot. So, I just showed something both true and false. Comrade interrogator(s) then questioned me. I agreed, but all of my responses were not entirely true. Next, comrade interrogator asked me to write my history of traitorous activities in detail from the day of treachery until the day of my arrest. While I was writing, comrade interrogator started asking



BIOGRAPHY OF COMRADE KONG



(Continued)

Therefore, we wanted to have honor in the name of revolutionists and also wanted to live a comfortable life as middle-class individuals, who were oppressing and swindling poor workers and farmers.

2) Proud of the nation, proud of my own people, and proud of the revolution vanished by the way

French imperialists and all stripes of oppressive class and international revisionists, such as France, Soviet and Yuon, brainwashed and indoctrinated me for dozens of years.

3) Idealism: I lived far away from the homeland and people for quite a long time and during the life-and-death struggle movement against the enemy, I had never been directly involved. As a result, I had no chance to temper myself and to be actively involved in the real practice.

4) Private ownership was still most concerned, which included influenceism, rankism, and individualism. Revisionists indoctrinated us to concentrate and understand the essence of individual happiness. Individual heroism and ascendants' heroism were overshadowed by materialism, such as agricultural production.

Transitional period from view and stance of revisionism to communism

1) During my stay in China before meeting the party

2) May 20, 1970 to July 11, 1971

Revisionist stance and view were our basis. However, we were committed to joining the struggle movement against American aggression in China and chose not to return to France. On the other hand, we took a strong view that in the war of national liberation, the power-holding class before the coup, which included Sihanouk and Penn Nouth, could not possibly head the movement toward success. We then refused to accept a position as secretary for propaganda proposed by Penn Nouth and Thiounn Mumm and to be ambassador to Chile and Cuba as proposed by Sarin Chhak. Then I sought advice from the party. I tried to fight against the protocol of working process, which traced back to the old regime. I argued that the old regime had no democracy but partisanship, and allowed the exiled-government to manage and head the struggle movement in the country.

We had a clear view and stance on the struggle matter, that there is no compromising with American imperialists

and traitors. Concerning the authority, we saw it as an absolute necessity that the authority had to be in the hands of people, workers, and peasants (we would say there was a party's leadership, but it had no name yet). For another reason, we also wanted to have the country's independence gained and didn't wish Cambodia to be a satellite country anymore.

During a short period of stay in China, I found that China assisted in the struggle movement frankly without any interference in our internal affairs. As for revisionists, they were still in favor of contemptible Lon Nol and were going on with activities of breaking up among the front and arguing for negotiation with contemptible Lon Nol. Obviously, the view and stance of Soviet revisionists were becoming contradictory to mine in the field of the nation's fate. Meanwhile, at the international press conference held in Cuba in late 1970, we were in favor of the view and stance of Soviet that is against the idea of compromising with traitors. Since then the contradiction with revisionists on this matter had progressively evolved. In the meantime, the stance against China was heavily defeated.

2) July 1971-September 1971

Brother Ieng Sary, the party's representative, arrived in Peking and held a session aimed at educating members of the front in Peking in September 1971. The education session promulgated and indoctrinated the basic view and stance regarding the revolutionary war for the liberation of the nation as well as the people. The party especially educated about the long-term stance of struggle in circumstances of difficulty with a commitment of no compromise, hesitation, and commitment to independence and self-reliance. The party also distinguished the border between opponent and enemy both in the country and in the international arena. The said view and stance of the party sparked a strong contradiction to mine, especially as to the Soviets, who were constantly against the revolution of Kampuchea headed by the Communist Party of Kampuchea. Moreover, through the lecture of Brother Party's Representative, I was made the aware of the territory-swallowing ambition of Vietnamese revolution. The reported information brought to the conference by the party's representative was manifest. My commitment to follow the absolute view and stance of the party was really contrary to my knowledge and deep sentiment in favor of long-standing indoctrination by all kinds of revisionists.

Therefore, it was a life-and-death issue between the

view and stance of the party and of mine. With the party's sympathy, patience, and state of being absolute, in combination with my ideal embedded since childhood—devotion of everything to the nation and worker class—I chose to gradually give up the view and stance of the party. Among the public at the inauguration ceremony, I carried out self-criticism against such revisionist view and stance. In the meantime, I also raised the antagonistic behaviors against us as well as China during my stay in China.

After Brother Ieng Sary's discussion, I was happy and very honored to be a member of the brilliant Communist Party of Kampuchea on October 30, 1971. Thiounn Prasith and Keat Chhon were my sponsors under the chairmanship of Brother Ieng Sary.

3) After October 30, 1971, I gradually started building up and strengthening view and stance of the party. Meanwhile, I was assigned among the public as member of Committee of National Union Liberation Front based in Peking. At the same time, I was designated as representative of A.K.S.I Agent in Peking. However, I asked the party for my service in the country. After being an assistant to the delegation headed by comrade Ieng Sary and Kheiu Samphan who had visited certain countries in Asia, Europe and Africa, I was given permission to return to Kampuchea on May 27, 1974 with the delegation itself.

Reason for my entry

1) Desire to temper and buildup myself in the real practice in order to become a qualified candidate of the Communist Party of Kampuchea so that I could serve the party more actively and effectively;

2) Desire to have honored-position in the revolution.

My stay in Region 1: May 1974-May 1975

After my visit as assistant to the delegation headed by Ieng Sary to the liberated areas of Laos and South Vietnam (in May and Early June 1974), I carried out my task in Region 1 under the administration of Brother Van.

First, I had a duty to quote daily brief information from national and international radio broadcasts and then reported to Brother Party's Representative on a weekly basis. Later, I was assigned to hold another position in the office of Central Committee of the Communist Party of Kampuchea under the presidency of Brother Vann.

Besides, I had another duty to follow up A.K.S.I News and translate articles into French. Our office was adjacent to the one of National Union Front of Kampuchea directed by Brother Va, who was at the moment acting as representative of Brother Vann, Chief of Bureau of Central Committee of the Communist Party abroad. At first, I had a clean-cut idea and was very happy with the work in Region

1. The party constantly educated me both in the field of view and stance. I had more knowledge on the strategies of the party in accomplishing the democratic nationalism as well as self-reliance and self-mastery.

I had made major shortcomings affecting my revolutionary tasks: 1) in early 1975, I fell in love with a woman who was then a member of Yuvakak working with radio broadcasters of "Voice of National Union Front of Kampuchea". I reported this matter to Brother Va, representative of the radio and proposed marriage. I decided to divorce my first wife of foreign nationality for the fact that I might not win the favor or trust of my colleagues as well as 'base people'. For another reason, I took subjective view that the party was encouraging its candidates to rearrange new families among base people. My big confusion was really a great sacrifice for the party. However, it was not a genuine devotion as it served as a bridge toward my favorite position in the revolution.

My mistake resulted from the failure to follow the instruction of Brother Party's Representative who asked me to wait for the party's decision. I proposed to the woman directly which was contrary to our revolutionary tradition. The error made the woman very concerned about the future of my two daughters. Worse, she did not feel warm by my morality. She predicted, "Once you dare divorce a girl, next time you would practice in the same manner." Such issue worried her so much that she could not broadcast radio properly. As a consequence, it seriously affected the great movement of ultimate assaults on enemies in early 1975 when the enemies were very active in peace alliance.

The second time the party forgave my moral mistake. The party was so patient and tried tirelessly to educate me to have a clean-cut idea of political duties in continuing to fulfill the revolutionary task until the day of great victory on April 17, 1975.

2) Another flaw was my spirit of middle-of-the road consciousness with no high revolutionary vigilance.

From June to November 1974, in Region 1, I attended a livelihood meeting of deputy branch level with a traitor Seang Layny named Hak, the big national traitorous network of sabotage agent of Soviet's KGB. According to its response through the party, we learned that he was wrecking our revolution by deviating guidelines during a period of translation of articles in Romance languages before sending them to the broadcasting team. I saw only his individual extreme ambition and sympathy toward Yuon. Due to the fact that we had the same revolutionary world view, I was not so clear about his traitorous activities.

(Continued)

Prak Khan



PRAK KHAN AND INTERROGATION AT S-21

By Osman Ysa

Fifty-three confessions of Tuol Sleng prisoners held at the Documentation Center of Cambodia contain the signature of Prak Khan. Fifty-one documents bear statements by Prak Khan demonstrating his position as

“interrogator”, while the remaining two indicate “re-writer”. All confessions hold exact dates of interrogation. In 1976, Prak Khan interrogated five people. In 1977, he interrogated ten inmates and re-wrote a prisoner’s confession. In 1978, Prak Khan interrogated 35 prisoners and re-wrote a prisoner’s confession. In early 1979, before he fled to Thailand, Prak Khan interrogated another inmate.

The 51 people brought to S-21 for Prak Khan’s interrogation were arrested in different places and at different times. Twenty-three of them were Khmer Rouge high-ranking cadre working in various units, ministries and offices; fifteen were taken from military ranks; eleven were secretaries of districts and regions; and the other two were accused of espionage. The fifty-one people were of different nationalities: forty-two were Khmer, five were Phnong ethnicity, two were Chinese, one was Muslim, and one was Vietnamese.

Among the 53 confessions, two show that Prak Khan started his interrogation work on September 3, 1976 and finished on January 4, 1979. These dates are possibly valid, albeit they must be cross-checked against the two-page-long history of Prak Khan himself. The history reads: “In July 1976, I entered S-21”. In addition, there are three other confession documents of significance as they were examined by high-ranking leaders of Democratic Kampuchea. The three confession documents are: 1) Thou Hai, sawmill A-5, state-run industry, with a note reading: “To Comrade Mok”, secretary of Southwest Zone and member of Standing Committee of the Communist Party of Kampuchea in charge of the General Staff; 2) Em Min, member of Baray District, Region 42, Kampong Thom,

with a note “To Comrade Pauk”, secretary of Northern Zone and member of Central Committee and Standing Committee of the Communist Party of Kampuchea; 3) confession document of a prisoner named Eng Meng Heang alias Chhon, chief of Power Committee Th-28, on which is a note: “Important. Quickly send it for examination by the ministry so that no-good elements can be swept cleanly away before we go to grasp the Ministry of Commerce.”

On each confession document, Prak Khan made a brief note about traitorous activities of the confessor. For example, on one he came to the conclusion that the individual’s “activities and partisans’ activities were not completely honest. Some high ranking individuals are still hidden. Systematic account of his partisans from beginning to end are not clear, for example he did not

in S-21 named “Sim Meil alias Man’ also used to beat inmates for confession, which resulted in the deaths of at least four people.

El Him, currently living in Cham Kraom Village, Prek Thmei Sub-district, Koh Thom District, Kandal Province, became deaf as a consequence of a blow from a bamboo stick wielded by a Khmer Rouge interrogator at Office 18. He recalled: “The interrogator made me admit my traitorous activities. I replied I had done nothing. Then they took a bamboo stick to beat me to the point that I became unconsciousness. Once I woke up, I could not hear. Then they stopped asking me and asked me to work as office guard there. Since then, I have been able to hear nothing.” Van Nathh, a former inmate of S-21 who survived due to his expertise as an artist, recounted: “I was questioned in a prison in



All these people had been interrogated by Prak Khan himself before their being taken to be executed.

mention much about the plots of those whose names appear above.” Four confessions had been written by Prak Khan for the prisoners.

That Prak Khan was involved in torture with the aim of extracting confessions from inmates is proved by his note: “For these people I could question them based on principles from the beginning to end. I didn’t need to beat them”. A “list of Santebal S-21”, used for political education also evidences his use of torture: “Interrogation is an insistent issue for those who want to learn the enemy’s secrets, who try to use tricks so that they can hide their traitorous activities and their ring leaders. This is a duty of defending the country with absolute and boiling class struggle. Torture is a measure to be taken to suppress the enemy and force them to confess.” Similarly, an interrogator of Muslim ethnicity

Region 4 before being brought to Tuol Sleng. I did nothing treasonable. So I had nothing to admit. Then they tortured me with electricity. The first time I was sitting in a chair, but later I fell out of the chair and went unconscious. When I regained consciousness, they threw water on my face so that they could go on with their interrogation.”

When asked “Do you think all Khmer Rouge interrogators are vicious?”, Van Nathh replied: “It’s hard to say. We don’t know their characteristics. But most of them were young and had no education.” Van Nath went on to say, “I saw prisoners lying dead in the room where I was being kept at Tuol Sleng and young people were kicking the heads of the corpses frivolously for fun.” Sok Ra and Neou Kantha, interrogators at S-21 like Prak Khan (later arrested),

recalled their unexpected immoral acts against female inmates.

The two-page biography of Prak Khan held in the archive of the Documentation Center of Cambodia helped me to find Prak Khan. Many arguments concerning the Khmer Rouge interrogators' characteristics seem to be no difference. It was almost unbelievable to meet the former Khmer Rouge interrogator. He is rather polite and as friendly as other people. Prak Khan gave me a warm welcome. He invited me to go upstairs and sit on a nice red carpet. After introducing myself, I showed him his recorded history and read it in front of him. He admitted that it was true and that he had written it himself when he first assumed his position at S-21. Prak Khan detailed his experiences at the prison. However, he denied his position as an "interrogator", despite the document. He recounted, "Before April 17, 1975, I worked in artillery unit 138 of Division 12 (later known as Division 703) headed by Ta Nat. After Phnom Penh was captured, the divisional forces had no more duty to attack enemies. So, they had to do rice farming. First, I grew rice in the vicinity of Kra Beou River, Kra Att Ach Kok, maybe in Kandal Stung District. Then Angkar took me to remove houses along Boeng Tum Pun Dam. In the rainy season of 1975, Angkar brought me to Prey Sar (S-12 Kh or Office 24) for rice farming. There I did not do anything contrary to their principles. One year later, I was transferred to S-21."

In his research on the history of Khmer Rouge cadre at S-21, Ie Meng Try noted that all Khmer Rouge cadre were thoroughly trained in political affairs and strategy at military units in Ta Khmao, Boeng Tum Pun, and Prey Sar. Prak Khan never mentioned anything about any political sessions or strategy indoctrinations. He did recount; "I worked as security guard in the compound of S-21 for five or six months. I suffered an infection from my old, poorly-healed wound received during the fighting with Lon Nol soldiers. I then suffered half-body beriberi, could not see clearly with one eye, and could not breath properly with both lungs. Angkar took me to be hospitalized in Ketomelea Hospital and Monivong Hospital, where I was treated by Chinese doctors. I did not leave the hospital until the arrival of Vietnamese troops in 1979." Prak Khan insisted repeatedly: "I worked as security guard of S-21

for only five or six month and then sometime in 1977 I was hospitalized." When showed a prisoner's confession, Khan uttered with surprise, "Oh, I can remember now. Some prisoners' scripts were very elegant, but some other's were not. I was asked to rewrite the confessions, while for others they used a typewriter. Then I just put my name as interrogator and sent it to others. That's it." However, the script in the confession documents are not the same as his.

When asked whether there were any Muslim ethnicity working at Tuol Sleng, he replied, "I knew Man (Sim Mel alias Man), who was a Muslim. The contemptible Man beat prisoners to death, which resulted in his own arrest and death as he could not get the complete responses from the beaten prisoners." Based on the 'list of smashing', Man was smashed on April 30, 1978. Prak Khan said, "I left S-21 in 1977, so I did not know any more." However, Khan learned about the date of Man's execution on April 30, 1978. "I also was in S-21 when I heard Man was killed," asserted Khan.

The fifty-one confession documents (dated from September 3, 1976 to January 4, 1979) bear the name and signature of Prak Khan as "Interrogator". Prak Khan's wife sitting next to him stated, "I have never known what he did in Pol Pot's time as we got married after 1979. Since then he has never told me about this."

Prak Khan has never admitted his wrongdoing directly, but he expressed his remorse; "I have experienced bitterness. Since then I have never committed such evil activities. I do acts of merit. At that time their rule required me to do so. Now I realize my mistakes. I will never commit such acts again. I know it is a big thing, so big that I cannot say even a word. Now I hate guns so much. I will not accept it although some people may give me."

Currently, Prak Khan is 44. He is head of a big household with five children. The whole family lives in a remote village in Takeo province. He does both business and farming. The family is now living at an average standard. Prak Khan and his wife are very friendly and villagers are fond of them. No one has learned of the bitter history of Prak Khan or his past. In conclusion, Prak Khan affirmed, "One day I will be a witness in case that a tribunal is held. There is nothing to be afraid of, as it is true. I will say what I have seen."

So what is justice for Prak Khan?

KILLING PITS IN BANTEAY MEANCHEY PROVINCE

By Sophal Ly

Thmar Puok is one of the districts of Banteay Meanchey where the most barbarous killings happened under the reign of Democratic Kampuchea, leaving numerous mass graves in Thmar Puok District. Thmar Puok is approximately 43 kilometers to the northwest of Banteay Meanchey Provincial town. It takes four hours by car because the roads are not in good conditions. Security is not a concern. On June 22, 1999, at 12: 30 p.m, the mapping team of the Documentation Center of Cambodia reached Thmar Puok District for information gathering. We recorded the exact location by GPS devices, which information is classified as file No.R062208A. Thmar Puok is bounded on the east by Phnom Srok District, on the south by Svay Chek District, and on the north by Banteay Ampil District. During the Democratic Kampuchea regime, this location was subsumed under Region 5, Northwest Zone. In Thmar Puok District, the following are the main grave sites:

1) Banteay Teahean (Barrack)

Banteay Teahean is located 700 meters to the north of Thmar Puok District Headquarters at latitude 13°35'3087" north, longitude 102°57'2689" east. Currently, the barrack is a military base of Division 7, next to which there are four mass graves. Each grave is 8 meters long, 3 meters wide and 2 meters deep. Of the three, only one pit has been exhumed. The other two still hold victims' remains.

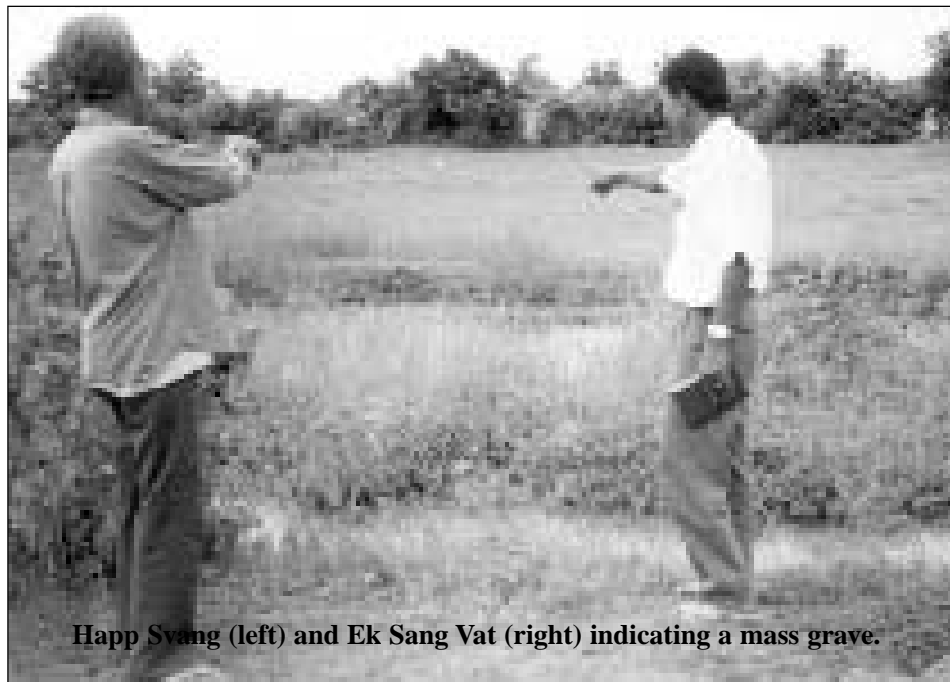


Mr. Ek Sangvat, 47, born in Andaung Thlong Village, Thmar Puok Sub-district, Battambang Province (present Banteay Meanchey), who is District Chief of Thmar Puok, is also a Khmer Rouge victim; one of those who survived the regime. Sangvat said he knew about some of the Khmer Rouge

massacres at security facilities of Thmar Puok District. These massacres were carried out in three steps: first, the Khmer Rouge rounded up police, soldiers, those who owed some sort of political debts to Lon Nol, students, the rich, "feudalists", and "capitalists", and brought them to the security facilities. No one was permitted to escape. Second, the Khmer Rouge assembled base people accused of such minor offenses as walking from one village to another without permission or having extra rations of fish or snails. These victims were executed in another place. Third, the Khmer Rouge tricked base people into growing hemp along the river, where they said there would find enough to food to eat. In fact, these people were slaughtered in the military barracks of Thmar Puok, adjacent to the present-day Thmar Puok High School.

In early 1977, Southwest Zone people came in, accusing Northwest Zone people of treachery. As a result, former district chiefs were executed and new ones put in their places. The Southwest Zone people carried out a deceitful policy, calling both high-ranking and rank-and-file cadres for a meeting, at which they were informed that rank-and-file people would be relocated. In reality, all were killed. After the elimination of Northwest Zone cadre, the Southwest Zone people began their policy of killing base people.

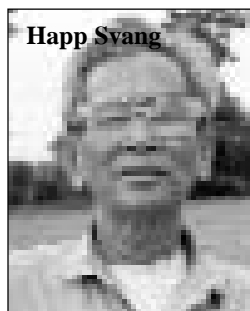
Mr. Sang Vat went on to say that in 1982, the government of the People's Republic of Kampuchea carried out a policy of collecting and preserving victims' remains. Sang Vat stated, "I also joined the exhumation with Mr. Happ Svang. We collected the remains to be preserved at a thatch-roofed memorial of four square meters at Wat Po Veal, Thmar Puok District. At the time of exhumation, the corpses were not yet completely rotten. I saw blindfolds attached to the victims skulls. However, the exhumed remains were destroyed in a Khmer Rouge offensive in 1985. During the attack, the Khmer Rouge burned down houses and



Happ Svang (left) and Ek Sang Vat (right) indicating a mass grave.

the memorial holding about 700 remains, of which 400 were unearthed from around the barracks and the remainder from the area Andaung Sep Pheng.”

Mr. Happ Svang, 69, was born in Wat Chass, Thmar Puok District, Battambang (the present-day Banteay Meanchey) Province. In Pol Pot’s time, he lived in the same place, serving as a teacher in the section of social affairs in Thmar Puok District, and as a traditional medicine man for such diseases as



swelling, diarrhea, fever, or failure to menstruate. He also took part in the exhumation with Mr. Sang Vat. With regard to the mass graves, Svang recounted; “The Khmer Rouge used as a pretext for the mass evacuations the need to grow cotton and hemp. But in fact, they rounded up people from the same family line and brought them all to a hall with the doors and windows shut. The hall was known as the “Art Performance Hall”, and could hold approximately 5,000 people. It was used as a barracks for Division 7, based in Puok District, and at night, truckloads of people were transported there for execution”

2) Andaung Sep Pheng

This well is located in Por Pleak Village, Kum

Rou Sub-district, Thmar Puok District, at longitude 103° 02’4525” east, and latitude 13°55’0222” north. It is about 1.5 kilometers from the District Headquarters of Puok. The well is 8 square meters and 10 meters deep. According Mr. Sang Vat, the Khmer Rouge took people incarcerated in the security facilities for disposal in this well. He claimed that he also took part in the exhumation of more than 300 remains from this well, which were then brought to be preserved at Wat Po Veal.

These remains were destroyed along with those incinerated at the barracks. Mr. Happ Svang noted that the well was very deep. After a session of killing, the Khmer Rouge covered the corpses in the well with a layer of leaves in preparation for another wave of execution. There were about seven layers. Svang claimed he knew this because he had helped to exhume the remains with Ek Sangvat in 1982.

3) Trapeang Suong

There are two gravesites in Trapeang Suong, which is located in Dek Keh Village, Banteay Chhmar Sub-district, Thmar Puok District. They are approximately 7500 meters from the district headquarters. Trapeang Suong is located at longitude 103°04’0559” east, and latitude 14°04’451”north. Mr. Ek Sangvat said he had not known these two gravesites before. But Sang Vat had asked for help from Captain Ki Keav, commander of Military Engineering F-7, who knew this location very well. The graves had once been disturbed in a search for supposed jewels, but the villagers had found nothing but bones and scraps of clothing. Sang Vat noted that it was not easy to find the gravesites, as the Khmer Rouge had slaughtered people secretly. To date, the Documentation Center of Cambodia has mapped 25 gravesites in Banteay Meanchey Province.

25th ANNIVERSARY OF THE COMMUNIST PARTY OF KAMPUCHEA

Revolutionary Youth Magazine, Number 9, September 1976

(Continued)

These are obvious experiences stemming from the flesh and blood of the nation, the people and our Kampuchean male and female youths, and they are also glorious, correct, bright guidelines for the Communist Party of Kampuchea well known in the country as well as in the world.

Therefore, the auspicious occasion of the Ceremony Commemorating the Great Victorious 25th Anniversary of the Birth of the Communist Party of Kampuchea to be held on September 30, 1976 is the new period of Socialist Revolution, the construction of socialism, and defense of the country in a systematic manner as thoroughly planned by the party. Our revolutionary male and female youths in cooperatives, villages, sub-districts, military units, ministries, revolutionary departments and in factories, industries, and handicraft sections, are committed to modeling upon the history of heroism of the party in the period of twenty-five years for gradual refashioning. In the meantime, our revolutionary male and female youths are also committed to learning and grasping guidelines in all fields, as well as organizational principles of the party based upon independence, self-reliance, and self-mastery, and managing the destiny of our national country, so as to carry out a shock assault resolutely to build up socialism and our Democratic Kampuchea toward a progress with a great leap forward in all fields, including industry, communication, culture, social affairs, health, as well as the field of promoting living standard of the

people.

Our revolutionary male and female youths are convinced, by the correct and glistening leadership of our Communist Party of Kampuchea who used to lead the people and revolutionary youths to fight for a complete victory in a short period of time, that the party will guide the people and our revolutionary youths toward the socialist construction and national defense for more triumphs in the near future.

On the occasion of the Ceremony Commemorating the Great Victorious 25th Anniversary of the Birth of the Communist Party of Kampuchea to be held on September 30, 1976, our revolutionary male and female youths with most sincere sentiment would like to wish the party to be constant, powerful, and active, mental and physical strength, and stronger stance of political, consciousness, and organizational discipline for the sake of socialist revolution and national defense for accomplishment of more victories.

Meanwhile, our revolutionary male and female youths are committed to model upon the heroism, great devotion, sharp attack, and the stance of independence, self-mastery, self-reliance and managing the destiny of our national country and revolutionary politeness of the party. Also, we will derive experiences from the grasping of the party's political consciousness and organizational guidelines in order to protect the revolution, the country and the people forever. Moreover, we will respect and follow with sincere and absolute stance the party's instructions forever.

TEN-FOLD CHARACTERISTICS OF THE PARTY FOR THE CONSIDERATION OF CADRES

(Revolutionary Flage, Number 8, July 1978)



1. A Staunch Revolutionary Stand in Terms of the Political Line of the Party

The party's political guidelines are vital to the fate of the nation. If the party's political guidelines are correct, there will be a great victory and liberation of the nation and the people. Otherwise, there will be no victory and the nation as well as the people will become oppressed servile servants. For example, after our Communist Party of Kampuchea chose correct political guidelines, the nation and people were liberated in a short time with the revolutionary involvement of the people. As a result of our Communist Party of Kampuchea's political guidelines in terms of mastery and self-reliance, Yuon enemy of aggression could neither swallow our territory, exterminate our race, topple the authority of worker-peasants, nor our Communist Party of Kampuchea. Even better, the people can completely defend the country, bolster socialist revolution, socialist construction and improvement of people's living conditions.

Party candidates must have a correct and staunch political stance. Be neither right nor left in fulfillment of the concrete political tasks of the party that they must implement successively, in particular in their work of

defending the country and building a democratic Kampuchea in this current period of socialist revolution and constructing socialism.

Our party's political guidelines have, since the birth of the party, experienced constant threat of obstruction by revolutionary democratic nationalism, socialist revolution, hidden enemies burrowing within the party such as CIA, Yuon dogs, and KGB agents, who deviated from the party's political guidelines, being either right or 'left', affecting the interests of the revolution and our people. Their aim was to spoil the political guidelines of the party in an attempt to lead the country into being a lackey of the American lackeys or the Yuon. Even worse, the Yuon enemies carrying the signboard of "revolution" destroyed, stymied and deviated our party's political guidelines in the fashion of gentleness, threat, indirectness, directness, straightforwardness and so on. Yuon enemies were enraged by the way the Communist Party of Kampuchea had its own independent political guidelines. They took the view that it was not possible to swallow Kampuchea into the Indochina Federation without the destruction of the independent guidelines of the Communist Party of Kampuchea. However, to date, they have not yet reached

their goal but are being gradually subjugated. In the international arena, the situation is not so different. Revisionists are also planning to mangle our political guidelines of the correct revolutionary party, to put the party under their control, and oppress and consume the party for their interests.

Every party member has to be obliged to have supplementary education in the field of the party's political guideline so as to:

- ◆ correctly carry out the party's political guidelines;
- ◆ protect the party's political guidelines from being mangled by either open or secret enemies;
- ◆ take the initiative in order to make the party's political guidelines extremely effective in their tangible implementation. We, party members of the Communist Party of Kampuchea, are committed to practice and protect the party's guidelines more than we do our own lives.

2. A Staunch Revolutionary Stand in Terms of the Proletarian Ideology of the Party

Hold a staunch revolutionary stand in terms of political guidelines and the proletarian ideology of the party. Use political guidelines as your basis. Ideology is a factor inspiring the exercise of political guidelines. Revolutionary ideology instigates correct implementation of the political guidelines of the party. Non-revolutionary ideology stymies the practice of the political guidelines of the party.

All stripes of enemies, both 'open' and 'closed', are keen in attacking the party and the revolution in the field of ideology. If they succeed and the non-revolutionary ideology is put in place, it may mean that they achieve their goal of capturing the party.

For example, Yuon enemies are intending to control and topple our Communist Party of Kampuchea. They always attack our party's ideology that is 'revolutionary violence', by announcing that Kampuchea should not struggle by revolutionary violence but by assembly. They also attack our ideology of self-mastery and self-reliance by a statement that such a tiny nation cannot be in self-mastery and self-reliance without assistance from a 'bigger' country. It is a reflection of the fact that Yuon enemies will do whatever needs to be done to cause the party's ideology to fall into their satellite, subjugation, reliance and belief they are able to be the leader of "Indochina". However, the evil activities and anti-revolutionary secrets of Yuon enemies have already been smashed and revealed publicly.

What needs to be done with the Staunch Revolutionary Stand in Terms of the Proletarian Ideology of the Party:

- ◆ Must build up a staunch and correct stand in terms of proletarian ideology in the fields of materialism, right to power, and morality of living;
- ◆ Must build up a staunch and correct stand in terms collective ownership in all fields: materialism, right to power, and morality of living in the fashion of collectivism is assigned. Must build up a high stand of devoting private ownership and be absolute in all fields: materialism, right to power, and morality of living;
- ◆ Must build up a stand of sharp attack and endurance of hardship in all circumstances in order for absolute class struggle in defending the country as well as Democratic Kampuchea in the direction of socialist revolution;
- ◆ Must be highly vigilant of "great" personal and private ownership over materialism, right to power and morality of living.

Every party member has to get rid of non-proletarian ideology and absolutely build up the proletarian ideology of the party so as to be a revolutionist and a party member of the Communist Kampuchea forever.

3. A Staunch Revolutionary Stand in Terms of the Internal Solidarity and Unity of the Party

The Communist Party of Kampuchea is the hard core and symbol of national solidarity and unity. The Communist Party of Kampuchea used to have an admirable tradition in terms of solidarity and internal unity and experience with tough and complicated challenges of attack for the protection of the party's solidarity and unity. Territory-swallowing and racially exterminating Yuon enemies and their lackeys burrowing inside the Communist Party of Kampuchea carried out open and closed activities aimed at breaking up the party's internal solidarity and unity. They deviated from our party's political guidelines and ideology, as well as organization. Even worse, they separated people and combatants from our party. However, the Communist Party of Kampuchea, party members, and our combatants adhere to the staunch revolutionary stand in terms of solidarity and unity and have participated in attacks against the Yuon enemies and their 'dogs', resulting in the purity of the stand the party and failure of the Yuon enemies to destroy the party and swallow the beloved territory of Kampuchea.

(Continued)



Photo: Hong Hun, female combatant arrested October 1976.

Voices from S-21

Chapter two: A Total Institution

By David Chandler

(Continued)

From mid-February to mid-April 1977 alone, 1,249 men and women were brought in during purges of the Northern and Northwestern Zones.

In 1978 prisoners' photographs included placards giving their names and numbers in a monthly admission sequence. Entry records, although incomplete, suggest that at least 4,352 prisoners came to S-21 in 1978. Only 59 prisoners are listed in the scattered records for May, although the mug shot numbers for that month go up to 791. Although there are many lacunae in the photo archive for 1978, the highest number for all the months except May and August (for which no photographs survive) corresponds roughly with the entry records. I

have added 732 to the recorded May entries, to arrive at a total estimate of 5,084 prisoners in 1978.

The high intake from April through June reflected the purges in the eastern part of Cambodia. By the end of the year, the prison population had dropped dramatically. In December 1978, as a note from Huy to Duch suggests, there were 279 prisoners in the "big prison" (presumably the main, western buildings), as well as 45 "Vietnamese," undoubtedly prisoners of war, and 33 other prisoners in the "special prison." There were also 14 prisoners "working" at that time. These would have included the 7 men known to have survived incarceration at S-21. Although the totals listed here come to only 13,206, given the lacunae in the data it seems prudent to estimate the prison population between 1975 and 1979 as approximately 14,000.

The vast majority of prisoners at S-21 were young, ethnic Khmer males from rural backgrounds. They were socially and ethnically indistinguishable from the people who held them captive. With some exceptions, people labeled "class enemies" or "new people" and those suspected of minor crimes were generally held in provincial prisons. Only 238 of the prisoners whose confessions survive, or 6.4 percent, were women. This disparity can be explained by the fact that far fewer women than men served in the military units so heavily targeted by Santebal, and very few held positions of responsibility in DK and so could be accused of serious counterrevolutionary crimes. The number of women in the prison population, however, was undoubtedly higher than the number of women's confessions would suggest. We know that dozens of higher-ranking prisoners' wives and even some of their mothers were incarcerated at S-21 and put to death, often without undergoing interrogation. Those female prisoners who wrote confessions, on the other hand, included several holding high rank, such as district chiefs, factory and hospital administrators, and military cadres, as well as representatives of most traditional female callings such as nurses and cooks. Roughly 500 of the prisoners whose confessions have survived, or slightly more than 10 percent of the total, had held positions of responsibility in DK. In this category I include the political secretaries of military units and government offices, the secretaries of individual sectors and their assistants, regimental and divisional military

commanders, cadres running industrial enterprises such as factories and railways, and those working in such government ministries as foreign affairs, information, industry and trade. Thirty of those purged had at one time been members of the Party's Central Committee.

Although their fates were the same, higher-ranking prisoners at S-21 often received special treatment. Kok Sros has recalled that the cadres quartered in the so-called "special prison" slept on beds and received the same rations as the staff. After they had been interrogated and tortured, he said, they were bathed and patched up by S-21 paramedical personnel and given time to compose more "accurate" confessions. Hoping to postpone or lessen torture, and perhaps in some cases hoping to be released, many senior cadres decided to cooperate and wrote confessions of several hundred pages. The guards assigned to them, Kok Sros recalled, were chosen from the best in the contingent. The special treatment that the cadres received can be explained in part by lingering feelings of respect for high-ranking figures, but it is more likely to have been connected with the Party Center's requirement that they be kept healthy and comfortable enough to compose plausible confessions.

None of the confessions provide descriptions of day-to-day life at the prison or any details about prisoners' relations with each other. In this respect the sources from S-21 are much sparser from those we can consult in studying the Holocaust, or the Argentine "dirty war," or the Chinese and Soviet prison camps, not only because survivors of these facilities are far more numerous but also because the secrecy and the "discipline" of S-21 shut off the prisoners from each other and shut us off from nearly everything that was produced at the facility except confessions, memoranda, and self-critical autobiographies. In addition, unlike the Nazi camps, S-21 had very few "trusties." The better treatment accorded some high-ranking prisoners did not include permission to fraternize with the staff. Instead, to use Wolfgang Sofsky's phrase, the prisoners "existed in a tertiary social region, a world of misery and namelessness."

After mid-1976, when Tuol Sleng expanded, prisoners deemed to require extensive interrogation, but not senior enough to be confined in the "special prison," were kept in cinder-block cubicles measuring two

meters by eighty centimeters, where they were shackled by one ankle to the floor. Less important prisoners, like Vann Nath, were confined in large classrooms on the second floor of the complex, "lined up in rows and shackled to the floor with ankle irons.....A long pole was inserted into the sprockets of each ankle iron and secured at the end of the room."

Male and female prisoners were segregated, and women with small children stayed with them while their husbands underwent interrogation and before all the family members were taken off to be killed. Scattered entry records reveal that wives and children were often kept at S-21 for very short periods—sometimes as little as two days—before their executions, and one document suggests that in early July 1977 seventy-five prisoners, identified only as sons or daughters of those previously executed, were "smashed" (komtec) at Prey So. Confessions of prison personnel suggest that female prisoners were frequently harassed and occasionally assaulted. Vietnamese female prisoners were especially vulnerable to attack.

Isolation, poor food, and silence were crucial to breaking the prisoners down in preparation for their interrogations, for as Foucault has suggested, "solitude is the primary condition of total submission." The prisoners' day began at 5:00 A.M., when they were awakened and strip-searched. They were then encouraged to engage briefly in awkward calisthenics, without being unshackled from the floor. Nearly twenty years later, Vann Nath recalled the "gymnastics" vividly:

Then were heard a voice order, "All of you get up." When I sat up I saw a small boy, about thirteen years old, standing with a rod made of twisted electric wire, maybe a meter long.

"Why are you sleeping? It's nearly dawn," the boy said. "Don't be lazy. Do some exercises."

"How can I exercise, brother?" a prisoner asked.

"How stupid you are, you old coot," the boy said. "Get the shit buckets, put them under the bars, and jump together."

All the prisoners followed his instructions. The noise of the shackles and buckets clanged throughout the room. I tried to jump a few times with the others. How could we do that, with one ankle fastened to the shackles and the other foot jumping?



S-21Cadres

S-21 prisoners

Those scheduled for interrogation could be taken off to as many as three sessions a day, scheduled from 7:00 A.M. to noon, from 1:00 P.M. to 6:00 P.M., and from 8:00 P.M. to midnight. Those who stayed behind were forbidden to communicate with each other; they were allowed to address guards only when they needed to relieve themselves.

Prisoners in the large classrooms were “washed” every three or four days by being hosed down en masse through open windows. Food consisted of a few spoons of watery rice gruel, garnished with bits of water convolvulus (trokuon) or banana leaves, served up at eight in the morning and eight at night. Prisoners soon lost weight and suffered from diarrhea, “numbness” (spuk), swollen limbs, and a range of skin diseases. As their resistance weakened, they were infected by other prisoners. Many of them died before they could be taken off to be killed. If they died at night, their bodies were not removed until the next morning. The contradiction between treating prisoners like animals and expecting them to provide detailed, supposedly rational confessions was central to the culture at S-21, and it was never resolved. Would more humane treatment have led to “truer” confessions? There is no way of knowing, but humane treatment of prisoners was almost always out of the question. There was no need, from the administrators’ point of view, even to keep the prisoners healthy.

After a month of confinement Vann Nath recalled:

After they starved us for so long and we were unable to walk, unable even to sit up, we had no resistance, we had no strength in our hearts for resistance. It was all gone. We just lay there waiting for the day that we would die.

Over the lifetime of the prison, conditions for prisoners varied in response to the number being held and the intensity of the Party Center’s fears. In 1975, before Santebal moved to Tuol Sleng and its operations became secret, several inmates were released and either sent to the prison’s agricultural facility at Prey So or returned to their former units. Later on a handful of prisoners, like Ung Pech and Ruy Nikon, were unshackled and allowed to perform manual work on the outskirts of the prison.

(Continued on page 40)

A SAMPLING OF DOCUMENTARY EVIDENCE LINKING THE KHMER ROUGE LEADERS

By Steve Heder

(Continued)

For example, a telegram of 19 January said that during attacks 2 kilometres deep into Vietnamese territory, forces operating out of the Zone's Sector 24 had not only "smashed 30 enemy military homes," but also "burned down a number of homes of ordinary people". In addition, they had "smashed two enemy motor boats in which everybody was ordinary enemy people, on account of which the ordinary people in these boats were all smashed to smithereens." Thus, "in sum, we smashed 30 head of enemy this 18 January." There were also unknown casualties from the "continued shooting" of 107mm rockets into the Vietnamese market town of Hok Ngeu, which had thus been set on fire. On the home front, ordinary Cambodian people who had purportedly been herded off by attacking Vietnamese forces but were now "gathered back up by us" were "being re-educated, differentiated and purged". A follow-up message from the East explained that ordinary people who were living near the border have all been made to withdraw and stay at the rear, and they are constantly in re-education meetings. Moreover, Yuon enemy link elements are being purged so that they are not chaotically in amongst the good ordinary people, and they are being kept under separate surveillance and being re-educated separately."

Another message, dated 20 March, reported that Vietnamese attacks seemed to be concentrated on certain East Zone sector forces whose "contemptible" leading cadre had purportedly been providing intelligence to the Vietnamese, and that "measures" were being "taken with initiative against anyone who is no good" among these sector forces.

A few other messages in this period were copied only to Nuon and not to Van. One example is a telegram of 14 February 1978, apparently from Son Sen, reporting the capture by Central Committee Division 180 of two Vietnamese. The Division Secretary, Sâm Huoy alias Meah Tal (later purged) had been instructed to send the prisoners to S-21. Another is a 29 March 1978 message from Central Zone Secretary

Pok reporting the arrest by the Zone's Sector 41 military of two men who claimed to be combatants of Central Committee Division 502. In this message, addressed to "Committee 870", Pok asked the Organization to check the prisoners' story with Division 502 Secretary Met and to get back to him.

Conversely, some documents were copied to Ieng Sary but not Nuon. For example, an 8 April 1978 telegram, apparently from Son Sen, reported that Central Committee Division 703 Secretary Pin (later purged) had been wounded when his vehicle hit an anti-tank mine, an incident that was blamed on "internal enemies". As a result, efforts were being made to "assess and research to find internal enemies in order to take timely measures" against them. Another message the same day reported that forces had fought their way "into the Dong Thap population centre and the market south of Trapeang Pream and Toeng Chouv," all on Vietnamese soil, and brought "about the death and injury of many head while burning down hundreds of homes." It also reported that DK forces were "continuing to fire into Toeng Chouv with 107s and DK75s" (rockets and recoilless rifles, respectively). This message copied to Van added that "the situation in the grassroots" in Cambodia itself "is that we are continuing with further purges one after the other."

Khieu Samphan

None of these reports from the grassroots is explicitly copied to Khieu Samphan. This appears perhaps surprising in the light of Ieng Sary's comments that as Chairman of the Central Committee's administrative office 870, Khieu Samphan would have received and seen many documents of a general nature. However, it may be that he received all of the documents described in more, because, as noted above, in addition to being cc'd to members of the Standing Committee resident in Phnom Penh, they were also marked to be sent to "Office" (muntir) and to "documentation" or archives (aekasar). The "office" in question could be that which Khieu Samphan chaired, or his office may have been in charge of the Central

Committee archives, or both. If that were the case, then Khieu Samphan's guilty knowledge would have been considerable.

DOCUMENTS OF THE GENERAL STAFF: SOU MET AND MEAH MUT

DC-Cam's holdings of the minutes of meetings of Central Committee military units and various messages between Son Sen and those units implicate two surviving CPK cadre at just below the senior level: Sou Met, the former Secretary of Central Committee Division 502, which incorporated the DK air force; and Meah Mut, the former Secretary of Central Committee Division 164, which incorporated the DK navy. Met regularly and Mut occasionally attended General Staff meetings, spoke at them and listened to reports by colleagues and to pronouncements by Son Sen. The documents provide information on the involvement of both units and their secretaries in arrests both of ordinary people and of cadre and combatants, on their knowledge of other such arrests as revealed to them by Son Sen and by division and regimental cadre who attended these gatherings (almost all of whom are now dead), and on their knowledge of various "smashing" and "sweepings", including of purge victims to whom the especially damning label of "super-traitors" was applied. Tittmore concludes that these documents

"may be probative in establishing ... various elements of accomplice liability" on the part of Sou Met and Meah Mut for international crimes, and in particular "may constitute direct or circumstantial evidence" that they "were involved in planning, instigating or ordering the commission of offenses, with an awareness of their act of participation and a conscious decision to so participate." More specifically, the documents "may constitute evidence that these ... suspects had knowledge of and instigated, encouraged or ordered atrocities as aiders and abettors" of atrocities.

In a message sent to Son Sen on 22 February 1976, Mut reported on the recent arrest by Division 164 of eight persons and the interrogation of one of them, whose "responses" identified those detained as members of "a group of ... bandits who are hiding out in the vicinities west and north of Veal Rinh", the seat of Prey Nup district, and who had been doing political opposition "work among the masses in the grassroots" there.

Met attended a meeting of leading cadre of Central Committee divisions on 16 May 1976 at which other secretaries reported on arrests their units had carried out. Pin, the Secretary of Division 703 (later purged), informed those present of the arrest of "two skinny, long-haired persons ... at the Central Market" in

Phnom Penh, while Sâm Huoy alias Meah Tal (later purged), the Secretary of Division 180 (290), reported that it had arrested "four enemies": "two CIAs" and "two soldiers".

A General Staff situation report covering the period from mid-July to the end of August 1976 notes that Division 164 had arrested four "workers" who had "cut the barbed wire and entered [an] ammunition dump" in late July. They had already been sent "to the police [nokorbal].

(Continued)



FOUR WAYS TO PROSECUTE TORTURE COMMITTED IN THE DK ERA

By Jan van der Grinten

(Continued)

The thresholds that are part of the definitions of war crimes and crimes against humanity would not apply.

The conclusion of the Group of Experts on this subject was that although a court might have to examine closely whether the criminality of torture as of 1975 met the standards of *nullum crimen sine lege*, the inclusion of torture in the statute of any court seems justified (Report, P.23)

Ratner and Abrams (Accountability, p.255, 256) express their doubts as to whether torture can be recognized as having been an independent crime under international law in 1975. If however a court decided in favor of criminality, they state:

“then the historical record leaves little doubt regarding culpability. As the archives of Tuol Sleng bear witness, Democratic Kampuchea employed torture systematically against tens of thousands of enemies of the regime. The evidence of individual guilt is stronger for these acts than for any other crimes.”

Nevertheless, the draft law on the establishment of extraordinary chambers in the courts has no separate provision referring to torture as an independent crime under international law.

4. Torture as a crime under domestic law

Article 500 of Cambodia's Penal Code of 1956, prohibits the use of torture. Its definition of torture resembles the internationally accepted definition, though official conduct is not mentioned in the



definition.

Assuming that this Penal Code was in force during the DK era (There might be doubts about that. Nevertheless has not been proven that Democratic Kampuchea repealed or denounced the Penal Code at the time it took power, see Abrams and Ratner, *Striving for Justice: Accountability and the crimes of the Khmer Rouge*, 1995, p149), prosecution would be easier under the provisions of this code because the additional elements of crimes against humanity (systematic or widespread, possibly nexus to an

armed conflict) and war crimes (linkage to armed conflicts, protection limited to certain groups of people) would not have to be proved. However, the defendants could rely on the various defenses that are provided by the 1956 Penal Code, which might give them a defense that they would not, or not to the same extent, have under international law. These include, among others, the defenses of youth, force majeure and superior orders.

Probably the most serious threat to a successful prosecution under domestic law is the provision for a statute of limitations. This could prevent any prosecution of torture under domestic law after 1989, if not investigated before that year, as the term for prosecution of torture is 10 years.

Ratner and Abrams (*Striving*, p. 155, 156), discuss three other interpretations and options that would be available to prosecutors and courts, which I

will summarize below.

First, they argue the absence of a functional judicial system in Cambodia since 1975 has served to toll the statute of limitations since that time. An improvement of this position could be put forward by asserting that Khmer Rouge leaders should not benefit from their own destruction of the Cambodian legal system during the late 1970s. Though the Cambodian Penal Code has the implicit presumption behind it of a functioning judicial system within a government with control over its territory, such has not prevailed since 1979.

In my opinion, one would create one problem by solving another with this argument. If a court would be willing to assume that the statute has been suspended on the above mentioned grounds, based on the principle that no one may improve his position by virtue of his wrongdoing, the question might come up whether Khmer Rouge-leaders put to trial are responsible not only for the lack of an effective judicial system during their time in power, but also for the period afterwards, and therefore may never benefit from the statute of limitations. Moreover, this argument could only be valid if the non-existence of an effective judicial system after 1979 could be proven. It might be doubted whether a (Cambodian) prosecutor would base himself on that assumption at all.

Second, a court might determine that the 1979 in absentia trials of the Khmer Rouge leaders by the PRK served to suspend the statute, and that both that government and successive governments have been investigating the crimes of the Khmer Rouge since that time. Indeed, there was a comprehensive investigation by the governmental Research Committee on Pol Pot's Genocidal Regime in the early eighties. The results of this large-scale research project were published in 1983. Investigations ordered by judicial authorities indeed interrupt the statutory period, under provisions of the Penal Code. A court would have to deal with the question whether these kinds of investigations are to be considered as investigations that interrupt the statutory period in terms of the Penal Code.

Ratner and Abrams state that the shortcomings of this option are obvious: the 1979 trials are themselves quite suspect as legal precedents, and since that time any bona fide criminal investigation of KR atrocities by

Cambodian authorities has not been conducted. Apparently they do not consider the above mentioned investigations the kind of criminal investigations the Penal Code refers to.

Third, a new domestic law could be passed lengthening or eliminating the statute of limitations in cases of crimes against humanity, including Genocide. This approach has had ample precedents.

Crimes against humanity as part of international law, do not have a statute of limitations. Neither has the 1984 Convention against torture. If torture should be considered as having been an independent crime by 1975, no statute of limitations would apply. On these grounds, it could be argued that under obligations of international law, a domestic statute of limitations does not apply to torture. Nevertheless, defendants have in my opinion a strong position arguing that a suspension or elimination of the statute of limitations, even after the period that prosecution could have been started, is contrary to legal protection under domestic law.

The draft law nevertheless extends the statute of limitations for an additional 20 years for the crimes of homicide, torture, and religion persecution, crimes which are thus brought within the jurisdiction of the Extraordinary Chambers (Art.3).

Conclusion

Any legal ground to build up a prosecution of torture has its own thresholds and evidentiary problems. War crimes can not be committed without the existence of an armed conflict, and not against non-protected persons and property under the Geneva Conventions. Crimes against humanity are by their very nature widespread or systematic, and possibly require a nexus to an armed conflict for the 1975-1979 period. Torture is a substantive crime under international law, but was that so in the 1975-1979 situation? Prosecutors will have to prove that torture was a fundamental and peremptory norm, *jus cogens*, by 1975.

Finally, torture is a crime under domestic law, but the term for prosecution has evidently expired. Its doubtful whether the solutions to this legal problem can bring about suspension or elimination of the statute of limitations as far as they regard on persecution of torture as a crime under domestic law after the statute period has been expired.

SLAVERY AND SLAVERY-RELATED PRACTICES

By Elizabeth van Schaack

Slavery has gradually evolved from a moral offense to an international crime. The first modern instrument condemning slavery was the 1815 Declaration Relative to the Universal Abolition of the Slave Trade, signed by the major European powers as part of the Congress of Vienna. In the Declaration, European powers condemned the slave trade as repugnant to the principles of humanity and universal morality. The Declaration establishes a duty on signatory states to prosecute and punish violations.

Prohibitions against the slave trade expanded during the 19th century. The international community came to recognize not only the illegality of the slave trade, but of the practice of the slavery itself. The international community's recognition of the unacceptableness of slavery grew out of general principles of natural law and was eventually codified in numerous international instruments. The recognition of the illegality of slavery in an ever greater number of domestic legal systems helped to establish the specific norms of international law on the subject. The increasing number of countries acting against slavery in their domestic law, together with the growing number of international agreements condemning slavery and the slave trade, gave rise to norms of customary law in the late nineteenth and early twentieth centuries prohibiting the slave trade and eventually slavery itself. These norms of customary international law, in other words, evolved out of the growing global consensus against slavery.

Seventy-nine separate international documents and instruments have addressed the slave trade, slavery, forced labor and other slavery-related practices. These instruments reflect and give substance to the general principle of law proscribing slavery. According to the Restatement (Third) of the Foreign Relations Law of the United States, section 702, it is accepted customary international law that a state violates international law if, as a matter of state policy, it practices, encourages or condones slavery or the slave trade and torture or other cruel, inhuman, or degrading treatment or punishment. There is no question that slavery in its most basic

forms- the buying and selling of individuals and their treatment as property- is recognized as being contrary to customary international law. In addition, slavery-like practices, such as harsh and inhumane forced labor, may constitute torture and cruel, inhuman and degrading treatment or punishment (see section below). This is hardly surprising, as the prohibitions against all of these practices are underpinned by the same fundamental notions of the sanctity of the person.

Precisely which practices fall within the prohibition against slavery-related practices is somewhat less clear. Outside the realm of classic slavery, illegal actions are defined not so much by their type as by the degree of inhumanity with which they are carried out. As such, slavery-related practices, such as forced labor, may constitute cruel, inhuman and degrading treatment or punishment.

As discussed above, since the early nineteenth century, numerous agreements condemning and outlawing slavery and the slave trade have been signed. This section shall consider the most recent and most important.

The 1926 Slavery Convention, to which a large number of states are parties, defines slavery in Article I (1) as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised." This definition suggests that more than "classic" slavery may be proscribed by law. It demonstrates that the values underpinning the international community's condemnation of slavery are equally opposed to other inhumane labor practices. The signatories to the 1926 Slavery Convention pledged in article 5 "to take all necessary measures to prevent compulsory or forced labor from developing into conditions analogous to slavery." The Convention stipulated that forced labor "may only be exacted for public purposes," and "in territories in which compulsory or forced labor for other than public purposes still survives," the parties to the Convention, "shall endeavor progressively and as soon as possible to put an end to the practice." (Wars and national emergencies, for example, would constitute a public



S-21 prisoner

purpose). Such forced labor was to be considered “of an exceptional nature.” Anyone compelled to participate in forced labor “shall always receive adequate remuneration.” Removing workers from “their usual place of residence” is also forbidden. In short, forced labor, if used for other than public purposes (that is to say as a matter of course, rather than an exceptional event) and administered without humanity (involving forced reallocations and/or insufficient pay) would constitute, like slavery, a violation of the Convention.

The 1930 Convention Concerning Forced or Compulsory Labor (Forced Labor Convention) reinforces this view that forced labor is generally a violation of human rights. The signatories of the Convention pledge “to suppress the use of forced or compulsory labor in all its forms within the shortest possible period.” Forced labor may, however, sometimes be used for the following purposes: compulsory military service, service as a punishment for a crime or service demanded by a national

emergency. The Convention articulates a long series of requirements for the use of forced labor demanding respect for all normal worker rights, including: adequate wages, safe working conditions, maximum hours of work, respect for individual and family rights, and the right not to be removed from one’s place of residence. In some circumstances, a worker may expressly and freely contract around the minimum provisions of the Convention. In addition, Article 18 specifies that “only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labor.” The general requirement of the Convention is that forced labor be only infrequently used, and when used, its application be humane.

Though few states are parties to the 1930 Convention, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) says in its preamble that it was made “having regard” to the 1930 Convention. Most states are parties to the Supplementary Convention, including Cambodia, which ratified it on 12 June, 1957. The Supplementary Convention expands the list of prohibited practices under the 1926 Slavery convention, outlawing debt bondage, serfdom, the sale of women into marriage and the sale of children into labor.

The Abolition of Forced Labor Convention (1957), to which 52 states are parties, expands upon the earlier prohibitions against Forced Labor. In Article 1, the signatories promise not to make use of forced or compulsory labor:

- (a) As a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;
- (b) As a method of mobilizing and using labor for purposes of economic development;
- (c) As a means of labor discipline;
- (d) As a punishment for having participated in strikes;
- (e) As a means of racial, social, national or religious discrimination.

Slavery used with the intent to destroy a group based upon characteristics enumerated by the Genocide Convention, may rise to the level of genocide.

Black Paper

THE ANNEXATIONIST NATURE OF VITENAM

Department of Press and Information of the
Ministry of Foreign Affairs of Democratic
Kampuchea
September 1978

1. The acts of Aggression, Expansion Annexation of Vietnam in the Past

The acts of aggression and annexation of territory perpetrated by the Vietnamese in the past as well as at present, have clearly shown the true nature of the Vietnamese and Vietnam, that is a nature of aggressor, annexationist and swallower of other countries's territories. The annexations of Champa and Kampuchea Krom by the Vietnamese have demonstrated it.

a. Champa

Champa was founded in the second century, at the epoch of Nokor Phnom in Kampuchea. Its

territory covered the Central part of the present Vietnam. Its people were called Cham, Champa had an old and brilliant civilization in Southeast Asia, as demonstrated by the My Son monuments. The Vietnamese had unceasingly perpetrated acts of aggression and annexation against Champa.

◆ In 1471, the Vietnamese took over the capital of Champa, Vijaya, and called it Binh Dinh. From this date, Champa began to decline and progressively disappeared as a nation. The Vietnamese afterwards “swallowed” the whole territory of Champa and absorbed the Cham people who lived in the South of the capital Vijaya.

◆ In 1611, the Vietnamese annexed the region of Phu Yen in the South of Qui Nhon.

◆ In 1653, they annexed the region of Khanh Hoa, (Kantara in Cham language), near Nha Trang and Phan Rang (Panduranga in Cham language).

◆ 1693, the Vietnamese “swallowed” the whole Champa by annexing the region of Phan Thiet.

The Cham race was totally exterminated by the Vietnamese. In a parallel direction with their conquest of Champa, the Vietnamese also enforced their colonial yoke over Laos.

After the take over of Champa, the Vietnamese went on stepping up their expansion in the direction of Kampuchea Krom (Southern Kampuchea in Khmer language).

b. Kampuchea Krom

It is the part of territory of the present South Vietnam including the western region of Donai’s river and the Mekong’s delta. France called it “Cochinchine”. This territory had been an integral

part of Kampuchea for more than 2,000 years. The Vietnamese began to encroach on this territory at the beginning of the 17th century.

In 1623, they obtained the authorization to come and trade at Prey Nokor, which they afterwards named Saigon. They took this occasion to send several tens of thousands of their people to live there.

The Vietnamese requested the authorization to carry on business in Prey Nokor (Saigon) only for five years. But at the end of that period, they refused to leave. In 1645, Kampuchea claimed the restitution of Prey Nokor (Saigon), but the Vietnamese refused. In 1653, Kampuchea demanded once again the return of Prey Nokor (Saigon) to the motherland. The Vietnamese promised to do so. But these were only fallacious promises for in fact, they further settled several tens of thousands of their compatriots in Prey Nokor. Using this place as a spring-board, the Vietnamese have carried on their expansion and annexation.



The dates below, given by way of guidance, show the penetration of the Vietnamese into Kampuchea's territory. But they do not mean that the Vietnamese took possession of these territories at these dates, for the whole nation and people of Kampuchea have always fought against the Vietnamese invasion and annexation.

◆ In 1699, the Vietnamese occupied the provinces of Ba Ria (Phuoc Le), Kampong Sraka Trei (Bien Hoa) and Prey Nokor (Saigon).

◆ In 1715, without the knowledge of the Khmer authorities, the Vietnamese through their adventurers practically controlled the provinces of Peam Banteay Meas (Ha Tien) and Kramuon Sar (Rach Gia).

◆ In 1732, the Vietnamese occupied the provinces of Peam Me Sar (My Tho) and Long Hor (Vinh Long).

◆ In 1757, the Vietnamese tried to implant the border at Moat Chruok (Chau Doc).

◆ In 1758, the Vietnamese took possession of Preah Trapeang province (Tra Vinh) and Khleang province (Soc Trang).

The Kampuchea's people have waged an unceasing struggle against the Vietnamese penetration in order to recover the territories belonging to them. Let us quote the main events:

◆ In 1731, the people of Ba Phnom province (Eastern Kampuchea) rose up to drive out the Vietnamese.

◆ In 1738, the Kampuchea's army expelled all the Vietnamese out of Peam Banteay Meas (Ha Tien).

◆ In 1743, the people of Khleang province (Soc Trang) revolted and expelled all the Vietnamese. In 1748, they prevented the Vietnamese from coming back. The Kampuchea's army crushed the Vietnamese army at Sap Angkam, Pursat province.

◆ In 1776, the people of Peam Me Sar (My Tho) and Long Hor (Vinh Long) provinces revolted and the Kampuchea's army liberated the two

provinces.

◆ In 1835-47, the people of Preah Trapeang (Tra Vinh) province rose up against the Vietnamese. In 1845, the whole Kampuchea's people rose up to crush the Vietnamese.

◆ In 1858, the people of Maot Chrouk province (Chau Doc) liberated their territory and rejoined it to Kampuchea again. Kampuchea's army drove the Vietnamese out of the provinces of Khleang (Soc Trang), Preah Trapeang (Tra Vinh) and Kramuon Sar (Rach Gia).

Under the French colonial rule (1863-1954), the Vietnamese took possession of other Kampuchea's territories. They were in collusion with the French colonialists who had taken possession of the region of Prey Nokor (Saigon) in 1859. During this colonial period Kampuchea lost the following territories:

◆ In 1870-1873: Raung Damrei (Tay Ninh) province, the region located along the two Vaico rivers, the territories of Peam Banteay Meas (Ha Tien), Moat Chrouk (Chau Doc) and Prasat Dap (Dong Thap).

◆ 1890-1914: Choeung Preah province (Song Be).

◆ 1929, the French colonialists annexed the region of the Darlac (Dac Lac) and gave it to the Vietnamese.

◆ In 1939: the French colonialists administratively attached the islands of Koh Tral (Phu Quoc) and Koh Russei (Hon Doc) and a number of other islands to Cochinchina, and consequently to Vietnam.

Up to the Second World War, the Vietnamese annexed 65,000 square kilometres of Kampuchea Krom's territory, absorbed more than one million of Kampuchea's people (the present number of the Kampuchea Krom's people called "Khmers Krom" is nearly 4 million).

(Continued)

THE CHILD SOLDIERS OF S-21: THE INVISIBLE VICTIMS OF ANGKAR

By Meng-Try Ea

According to the S-21 internal documents of the Khmer Rouge regime, 1,685 cadres worked in the S-21 prison. They were guards, interrogators, catchers and husbandary workers. Of the 762 S-21 cadre biographies held at the Documentation Center of Cambodia (“DC-Cam”), 169 are of

31) into an S-21 cadre like? As part of the propaganda of the Khmer Rouge, Pol Pot said, “To establish the new society, [we] require new people.” The Khmer Rouge militias were new because they were only twelve or thirteen years old. These child militias were assigned to work for



Before and Now



Before and Now



cadres from region 31, Kampong Chhnang province. DC-Cam researchers went to Kampong Chhnang province and interviewed 18 former S-21 cadres as well as 24 relatives of 19 former S-21 cadres who did not survive the Khmer Rouge regime. These S-21 cadres left their beloved Korng-rey mountain, schools, ricefields and families to serve the Khmer Rouge revolution in the Machim (Center). What was the process of turning a child from Kampong Chhnang (region

the party in the Center as S-21 cadres after being indoctrinated into “correct” political standpoints and having their biographies recorded by the district chief. Some child militias were happy both to join the Khmer Rouge revolution working as militias and to leave their families to work for the party. However, some were not happy at all. Comrade Mot, a former Khmer Rouge cadre, said that some children wanted to be militias because they wanted to work less and receive better rations.

A former Svay sub-district militia man from Samokki Mean Chey district, Comrade Kong, recalled that the reason he decided to serve as a militia was for better rations and better working condition in the village. In contrast, Comrade Thim did not want to be a militia at all because there was no one to look after his old mother at home. Yan, the mother of Thim, asked comrade Rin, the Kampong Tralach district chief, not to recruit her son into the militia group as she would be alone at

district, Kandal province. After the training course, these militias were assigned to be catchers, guards, interrogators and husbandary workers at the S-21 prison under the control of the S-21 director, known as “comrade Duch”.

Comrade Duch said that his deputy director, “comrade Hor”, was responsible for bringing prisoners to the S-21 prison. He added that comrade Hor usually went down to the provinces to pickup the prisoners following an order from



home and there would be no one there to help her. Rin refused.

In 1975, the district chief assigned the militias to leave the village to work for the party in the Center. Rin ordered comrade Soeu to leave the village for the Center by taking the truck at the district headquarters. Comrade Soeu at first hesitated but when he was told that his fellows were living in the same village, comrade Peou, comrade Hong and comrade Moeun had joined the march then he too decided to go. Comdare Soeu recalled that along the way to the Center he and his fellows were very happy, singing and laughing, but that after arriving at S-21, everyone was in tears and did not think they would survive the Khmer Rouge regime. Before beginning work at the crucial Khmer Rouge institution called S-21, militias were assigned to a four-month period of military training that included bombing and fighting tactics at Steong Prek Thnoat, Ta Khmao

comrade Noun Chea, the first deputy secretary of Communist Party of Kampuchea, and from himself, Duch. A former S-21 catcher, comrade Peou confirmed that sometimes catchers went to pickup the prisoners by Jeep or Truck (Kamang Ka). He added that S-21 catchers were very good at fighting because these catchers were trained by the Chinese. According to comrade Peou these Chinese trainers sometimes also joined them on the prisoner roundups, especially with the Eastern Zone soldiers in 1978. Comrade Peou remembers that one of the Chinese trainers was Hor Wan Hung.

Guards were responsible for security both outside and inside the prison. Guards worked in shifts from 6 am to 11 pm or from 11 pm to 6 am. The guards had to be cautious every second. When there was a problem, such as a prisoner trying to escape, the guards had to ring an alarm and turn on the electric wire fence immediately. Moreover,

guards who worked inside had to work closely with the interrogators. A former guard, comrade Kheng recalled the cooperation of the two groups, noting that interrogators had to show their orders to the guards indicating which prisoners they wanted to take out for interrogation. For example, prisoner number 6 or 7 would be asked for, upon which the guards brought the needed prisoners out to the interrogators. Prisoners were blind-folded and walked to the interrogation house, where they were sat on a chair and interrogated. The interrogators prepared confessions for the S-21 chief, who would decide on each case. Punishment was encouraged by the S-21 chief under the pretext of nation reason, class reason and international reason. Comrade Soeu recalled that the interrogators were violent and brutal, and always beat the prisoners with a tree branch, shoes, or an electric wire whenever they were not pleased with the prisoners' answers. Comrade Soeu added "The interrogators some of whom were children ordered the prisoners to bow down or sit down so that they could beat them. Some prisoners were killed under the torture."

The husbandary workers were responsible for raising sheep, goats, and rabbits, and providing production supplies to support S-21 and its sub-units. The husbandary workers had to look for grass and morning glory to feed the animals, in addition to caring for them generally. Comrade Chiem, a former husbandary worker, complained that his working conditions were very bad. He worked all day, everyday, without Saturdays or Sundays off.

In addition to their main duties the S-21 cadres had to attend the weekly meeting. The meeting was mainly to indoctrinate them on the standpoints of the S-21 cadres, to strengthen the Angkar, and generally to impress upon them the correctness of the Marxist-Leninist-Maoist world

view. It aimed to make the S-21 cadres separate further from their parents and selfishness, and increase ties to Angkar and the cooperative. Comrade Soeu asked permission from comrade Peng to visit his family, but Peng would not allow it. Comrade Soeu said that the S-21 cadres tried to work hard to serve the Khmer Rouge revolution because they were told that their parents at the village were taken care of very well by the Angkar. Therefore, the S-21 cadres did not have to think about their families at the base areas but only tried to work hard. Comrade Soeu recalled the Khmer Rouge indoctrination "Only tried to make yourself good and work hard to serve the party. Do not think about your parents at the base because they all were provided three meals per day."

Only eighteen of the region 31 children of them survived the Khmer Rouge revolution returned to see their beloved Korng-rey mountain schools and ricefields. Unfortunately the chance has gone. These former region 31 children could not go to school or go to the ricefield to play with their fellows but to plow and harvest to feed their families. These former region 31 children are living in sorrow with the unforgettable events of 1975-1979.

Excerpted from the research paper titled, "The Child Cadres of S-21: The Invisible Victims of Angkar" by Ea Meng-Try of the Documentation Center of Cambodia (DC-Cam). The research paper is funded and published by the British government.

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RECLAIMING CAMBODIAN HISTORY

THE CASE FOR A TRUTH COMMISSION

By Jaya Ramji

(Continued)

While genocide and crimes against humanity must not fester, a trial of top leaders combined with a truth commission could minimize this risk and establish a shared historical memory to enable Cambodians to leave the Khmer Rouge era in the past.

Interviewees repeatedly emphasized the need to find out who supported the Khmer Rouge, both directly and indirectly. Due to the secrecy of the Khmer Rouge, most Cambodians are ignorant of the composition of the Permanent Committee and other committees that planned the genocide. The regime has been characterized as a “prison without walls,” as it was organized to strip the prisoners (Cambodians) of their freedom and individuality. Prisoners could not take any actions that were not approved by the wardens (the Khmer Rouge leadership), and they could only see the guard in charge of their cellblock. They did not know the identity of other guards nor of prison officials. Most knew the warden’s name (Pol Pot) but had never laid eyes on him. Fortunately for those investigating this era, including the Documentation Center of Cambodia (DC-Cam), the Khmer Rouge left a long paper trail, documenting their killings with obsessive regularity.

DC-Cam has undertaken a large amount of the necessary information gathering, but there is still much work to be done in this realm. The data already collected must be analyzed and weighed by an independent, authoritative body. In addition, fact-finding expeditions and research are needed in the realm of indirect support and the culpability of other nations. Thus not only must the prison warden be found, but also the government that funded the prison and the organizations that sent advisors to help run it. It may be necessary to examine the culpability of those members of the international community who were capable of breaking into the prison and freeing the prisoners but failed to act. To cull the amount of knowledge of the Khmer Rouge era that Cambodians seek, then, it seems a truth commission with its strong research and investigation focus may be more

effective than a tribunal.

The interviews suggest that some Cambodians, particularly those from rural areas and lower socio-economic classes, place a higher priority on peace and stability than on retributive justice for the Khmer Rouge. Some Cambodians from higher socio-economic classes believe that Buddhist philosophy prescribes amnesty and truth over revenge. While a strong argument can be made for the punishment of genocidal regimes in terms of international law precedents and the deterrence effect, a fragile state such as Cambodia may not be able to withstand the ramifications of widespread trials. If the number and composition of defendants in a trial were limited at the outset, other Cambodians involved in Khmer Rouge activities would have much less to fear from a trial. While old wounds would still be opened, fear of punishment on the part of the general populace could be assuaged. Further, a truth commission could point to the guilty lower down in the Khmer Rouge chain of command and enumerate their acts while granting amnesty and allowing society to heal.

Both interviewees and the state of the country after twenty years of war highlight the need for an accountability mechanism to provide substantial reparations to the Cambodian people. The top priorities are establishment of an educational system and the rule of law. While neither of these goals can be achieved without the cooperation of the Royal Cambodian Government, the government also needs international assistance in the form of both training and funding. An international tribunal that aims to prosecute many members of the Khmer Rouge would be extremely expensive and would poach funds from the more important goal of development. When presented with the choice between a trial and development of civic institutions necessary for democratic stability, the answer for a large number of Cambodians would be development.

RECOMMENDATIONS

Working from the assumption that a truth commission is vital to rehabilitate Cambodian society, it is

easy to articulate several recommendations about its structure. By definition, a truth commission is a highly flexible accountability mechanism, and can be sculpted to fit the needs of each individual country.

First, the Cambodian genocide was characterized by highly centralized control, which made it almost impossible for Cambodians to disobey the orders of the Khmer Rouge cadres. Many of those who survived the Khmer Rouge era did so because they followed orders, ranging from rationing meals in portions that caused people to starve, to bayoneting people in the backs of their necks. While it is clear that the top leaders are culpable, the question of guilt becomes much more complex when applied to the rest of the population. A truth commission for Cambodia would have to take this into account, and one recommendation would be to follow the model of conditional amnesty by the South African Truth and Reconciliation Commission. In the unique Cambodian context, an amnesty provision would allow people to express their experience as both victim and perpetrator at the same time, rewarding them with amnesty if they confess to the atrocities that they committed. Thus participation in the “punishment” of admitting guilt publicly metes its own rewards. This would encourage Cambodians to tell their stories, even if they must admit to killing other Cambodians. In the case of Cambodia, an amnesty provision seems to be the only realistic avenue for obtaining testimony from a large percentage of the population.

While the majority of interviewees rejected amnesty for top leaders, their opinions on amnesty for lower-ranking Khmer Rouge criminals were less clear. If a trial is limited to top leaders, amnesty can be extended to those lower on the command chain after they have confessed in front of a truth commission. Through such a structure, punishment can be meted out to those guilty of committing atrocities in the Khmer Rouge era in a manner that will help to end the cycles of retributions and revenge. While blanket amnesties condone past abuse and encourage future abuse, a conditional amnesty would help to rebuild civil society by encouraging dialogue and ordering non-legal punishment. The social humiliation of public confession and apology is punishment in and of itself, and public acknowledgment of atrocities can be as beneficial to victims’ healing processes and to advancing the rule of law as a legal judgment.

A Cambodian Truth Commission would

necessarily be located in Cambodia in order for it to fully investigate and take testimony. However, interviewees unanimously held that the Cambodian Government would be incapable of conducting an unbiased trial or truth commission. Thus a truth commission could be set up under U.N. auspices or with the support of ASEAN. Many interviewees stipulated a desire for judges from Western democracies, but Cambodian representation was also important to some respondents. The option of anonymity should be available to potential witnesses. The current political situation in Cambodia and the presence of many former Khmer Rouge members in positions of power make fears of retaliation real concerns. The more damaging the testimony, the greater the fear of reprisals will be. Thus if a truth commission does not have provisions for anonymity, it will run the risk of losing witnesses with the most pertinent information.

The interviewees unanimously accepted the importance of widespread distribution of results, but the implementation could be problematic in Cambodia. There are two major difficulties faced by such distribution: freedom of the press and due process considerations. In the case of Cambodia, given the concerns heard regarding the lack of freedom of the press, it is imperative that international organizations are involved to ensure a fair, thorough, and impartial distribution of findings. This is also vital for due process considerations. A truth commission must be extremely careful when naming perpetrators. While there was much enthusiasm among the interviewees for publishing perpetrators’ names, accusations of guilt must be examined carefully when determined in a non-judicial forum. If the truth commission used the model of conditional amnesty, the resultant voluntary confessions of guilt sidestep due process problems.

In terms of the distribution of results, there was much less enthusiasm for naming victims. Interviewees objected to publishing victims’ names of two reasons: there were countless victims and people already know the names of those killed. Again, the Cambodian experience is different from that of many other countries, particularly in Latin America, where truth commissions have been established. First, the massive scope of this genocidal regime, killing off nearly a third of the Cambodian population, makes investigation of each and every victim all but impossible. Second, the hope that a friend or family member may be alive somewhere has been extinguished

over the last twenty years, so people do not need to see their loved ones' names in writing to confirm their death. Third, such a long time period has passed since the atrocities occurred that people have borne witness with family members and friends and do not feel the pressing need to have their story heard and legitimated. This last circumstance is also a result of the fact that the atrocities committed under the Khmer Rouge have been acknowledged; more than denial, the problem is that crimes have never been fully investigated. Thus a Cambodian Truth Commission need not publish victims' names.

Extremely difficult philosophical questions are raised in the debate between a trial and a truth commission. On the one hand, there is the gut reaction of the need to punish those responsible for horrifying abuses of human rights. Nate Thayer's interview of Pol Pot on October 22, 1997, highlights this reaction. Pol Pot's claim that he felt no remorse for his role in the genocide provokes the impulse that he should have been punished and in that way forces to regret his atrocious crimes. However, a tribunal has numerous ramifications far beyond individual being prosecuted. One must step back and examine not only the ethnocentricity of a trial solution, but also the repercussions that a trial would have on a fragile democracy. First, Buddhist philosophy appears to support the concept of amnesty. Second, a trial may be an easy way for the rest of the world to wipe their hands of their guilt for allowing such regime to exist and for certain countries, for supporting the Khmer Rouge years after the deeds of the genocidal regime were well documented. The combination of a tribunal and a truth commission will ensure that a full picture of Cambodian history is painted, while preventing the instability that could result from universal trials.

The most important structural elements of a truth commission are information collection and examination of the chain of command. From interviews, it appears that finding out who was behind the Khmer Rouge or put more simply, finding out the truth is the highest priority of many Cambodians. A truth commission is better equipped for this type of research than a tribunal, given its inherent fact-finding mandate. Although a trial judgment could be published and distributed, the findings of a truth commission would be far more accessible to the general public. Most importantly, the findings of a truth commission would address the Khmer Rouge era in its

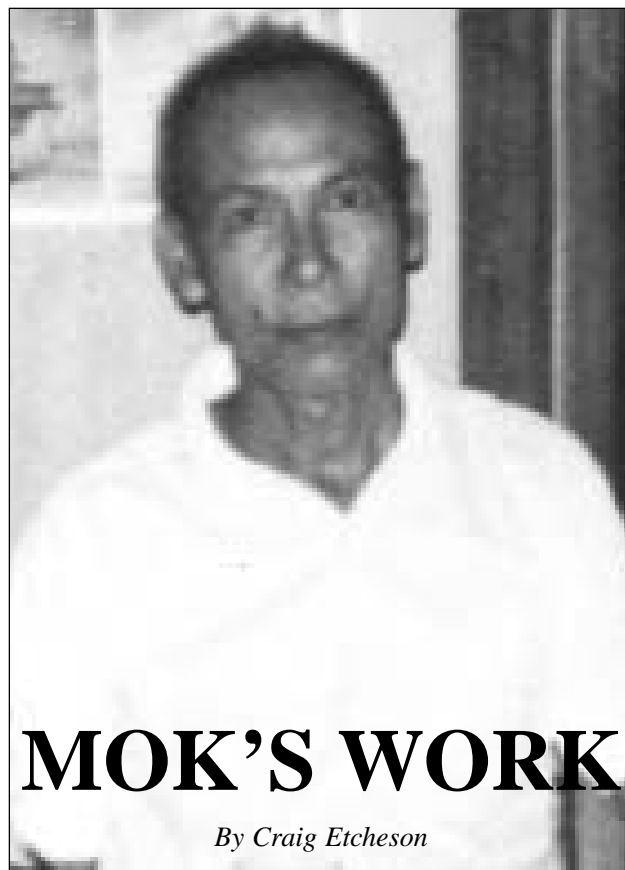
entirety, painting a picture of the chain of command and those responsible from 1975 until 1979. Thus, philosophically and structurally, a truth commission is vital for the reconstruction of Cambodian society.

By using non-legal punishment to address lower-ranking perpetrators of serious human rights abuses, we can achieve the goal of implementing justice without tearing apart a fragile democracy. The question, then, is not whether to pity Pol Pot more than pity those he massacred, but how to realistically assess what is necessary to rehabilitate a nation that has suffered through twenty years of war. Those who committed crimes as grave as those of Pol Pot should face an international tribunal; other Cambodians should be aided by a truth commission in constructing a collecting social history.

CONCLUSION

From the author's interviews with Cambodians, a trial for top leaders and a truth commission for lower-ranking members of the Khmer Rouge are advised. In March 1999, United Nations Secretary General Kofi Annan and the U.N. Group of Experts on Cambodia endorsed the idea of an international tribunal for Khmer Rouge officials and a truth commission for other Cambodians. The Cambodian government rejected this proposal in favor of a domestic trial with a minority of foreign judges and technical assistance from the United Nations. This plan does not include provisions for a truth commission.

While the Cambodian government's concerns about sovereignty are understandable, particularly given the treatment that Cambodia has received at the hands of the international community over the past twenty years, the choice of a domestic trial is short-sighted. Only a truth commission can address the long-term needs for education and social reconciliation. It is widely accepted that the Cambodian judiciary has neither the impartiality nor independence needed for a fair trial of the Khmer Rouge. Further, a truth commission is consistent with Cambodian history and culture. A truth commission is necessary to paint a larger picture of Cambodian history, which is vital to heal Cambodian society. Over twenty years after the tragedy, it is time that Cambodians are granted recognition and redress of the heinous crimes that they suffered at the hands of the Khmer Rouge. This would be accomplished most effectively through an international tribunal for top leaders of the Khmer Rouge and a truth commission for other Cambodians.



MOK'S WORK

By Craig Etcheson

(Continued)

In September 1977, Chhim Somaly was arrested along with 86 other people. "They took me to Sang Tonle Bati. They took me to be executed. All 85 people died. I was the only one to survive...." While at Sang Prison, she recalled,

We did all kinds of work, from transplanting rice seedlings to digging and carrying dirt. While we carried dirt, we were chained together....they always chained you. Not until you entered the prison, then they shackled you... The shackles were made of iron about the same size as window bars. They bent it to fit your ankle. And then there were loopholes so they could slide in the long bars to fit 10 people in a row.... In my room, there were ten rows, ten people per row.... They never released you.

Another woman from a local village became a prisoner at Sang in a different way. Chhim Sun wondered why suddenly her husband was not coming to visit her every ten days, as has been allowed by the Khmer Rouge. Eventually, someone told her that he had been arrested and taken to Sang Prison. So Sun went

there to search for her husband. When she arrived at the prison, she was accosted by several very young Khmer Rouge cadres, who told her, "The moth sees the flame, but does not know the flame means death. It just keeps rushing in." She was astonished at the arrogant attitude displayed by the young Khmer Rouge, and thought, "Children this small should not be saying this to me." The child cadres then took her into custody, and there she remained as a prisoner until the Vietnamese army came in January 1979 and drove away the prison guards, allowing all the surviving people at Sang Prison to finally escape. While Sun was at Sang, she witnesses many terrible things. "Seventy or eighty people would go at one time from each village. They all died and none remained."

So it was at Mok's Sang Prison, until the liberation finally came from the vicious oppression of the Khmer Rouge regime. Once Khmer Rouge control had been broken, the villagers rose up and captured all the Khmer Rouge cadres who remained in the area. Many of the former guards and other employees of Sang Prison were then brought by the new authorities to the Killing Field near Sang Prison, and forced to exhume the mass graves there, so desperate were the surviving people to search for evidence of their loved ones.

The Patriarch Monk at the temple remembered the exhumation of the mass graves at Tonle Bati in 1979. "Only about 30 to 60 mass graves have been excavated. There are many more left to be excavated," he said. The remains of thousands of victims were removed from the Sang Prison Killing Field and placed in a memorial built on the site of the former Khmer Rouge prison. (A picture taken in 1980 of the remains recovered at from the Sang Prison Killing Field is on the cover of this issue of "Searching for the truth.") There they laid to remind people of the suffering during the Khmer Rouge regime, and of the evil of people like Mok.

But over the years, some villagers came and tore down the roof of the memorial, seeking building materials for their homes. After twenty years, the thousands of skulls and other bones in the memorial were beginning to deteriorate dramatically. The monk decided that something had to be done to preserve the memory of the crimes of the Khmer Rouge regime. "I

observed the remains in a sad state, just sitting there exposed to the sun, wind, and rain. The remains have decayed and have even been eaten by cows. That inspired me to think that if the remains continued to lie in the state they were in they would certainly vanish and no evidence would be left for younger generations to see.”

So in late 1999, the monk raised the money to build a new memorial adjacent to the site of Sang Prison, and with a big ceremony, they moved the remaining evidence of Mok’s work at Sang Prison to the new memorial. He says that the government plans to tear down the ruins on the Sang Prison site, and build a school of administration there. When that happens, he says, of the remaining evidence of the prison and the mass graves which have not yet been excavated, “all will be gone.”

All, that is, except the memories of those who still survive. There are some things that cannot be forgotten, no matter how hard people many try. The survivors Sum Rim has such memories. She recalls that when the people excavated the Sang Prison Killing Fields after the fall of the Khmer Rouge regime, they found babies, infants who had been stuffed into plastic bags, suffocated, and then tossed into the mass grave pits on top of their parents, like so much garbage. She remembers, “Why would they waste their energy hitting a three or four month old baby? It was much easier to just place it in a bag and bury it. That’s why I say that is how we Khmer people suffered.....That’s why I say those who don’t know still don’t know.” That is true, but the Khmer people must at least know the truth about Sang Prison and Mok’s work.



(Continued from page 23)

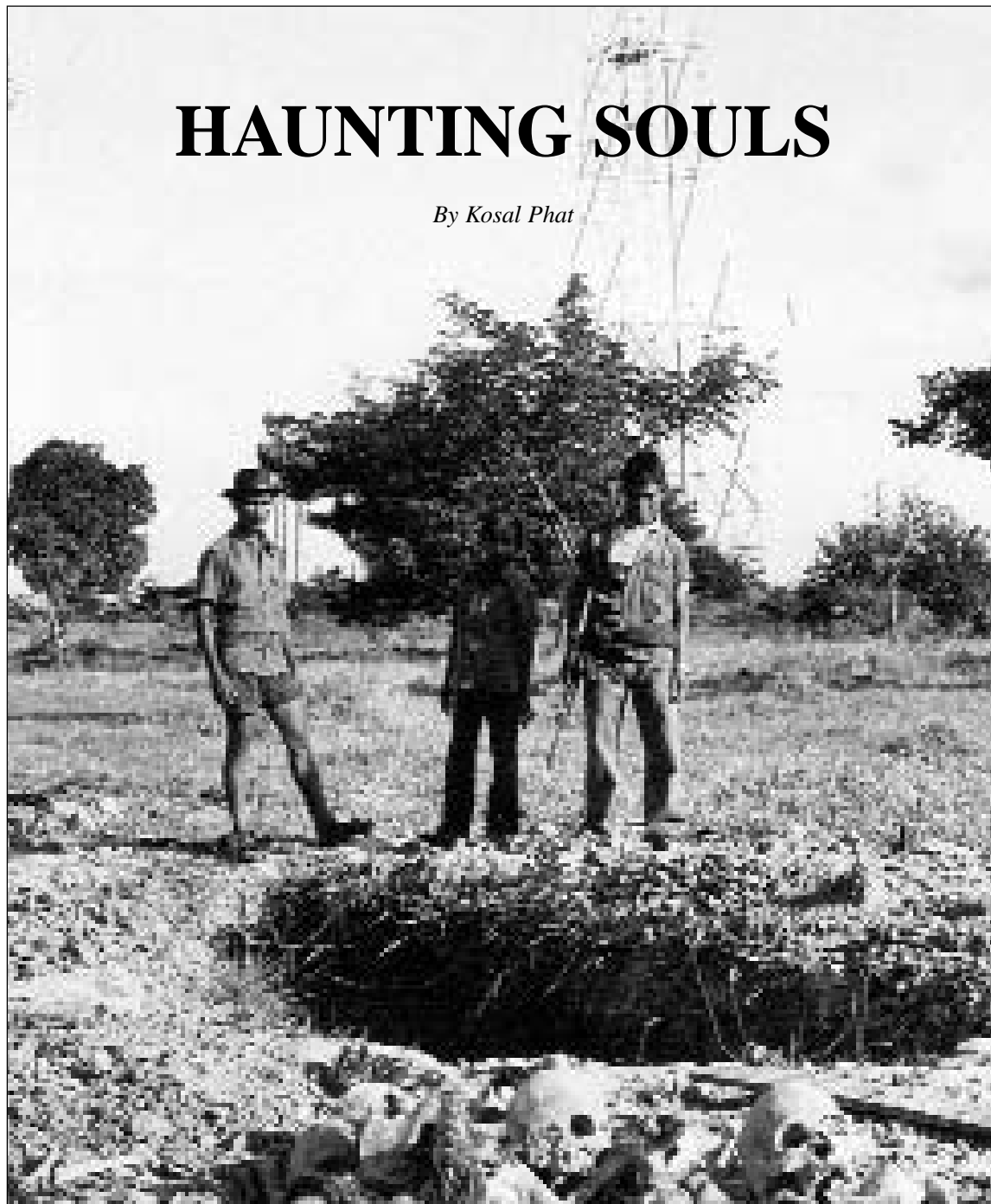
In early 1978, a dozen other men—including Vann Nath and three other known survivors—were detailed by Duch to paint and sculpt images of Pol Pot. In the closing months of DK, as conditions worsened in the fighting with Vietnam, Pol Pot seems to have toyed with the idea of establishing a cult of personality similar to those that surrounded his mentors Mao Zedong and Kim Il Sung. The “trusties” at S-21 were recruited to provide a fitting monument. Talking to David Ashley in 1995, Vann Nath recalled:

“Near the end we had to design a revolutionary monument. The design was first taken to Nuon Chea who approved it and was then supposed to be taken to Pol Pot for his approval. The monument was like those in China and Korea and featured Pol Pot at the front of a line of people with his right hand stretched skywards and with him were a number of people indicating the progress of the revolutionary struggle, beginning with axes and knives and ending with abundance, with guns and B-40s. Duch said that the plan was to destroy the temple at Wat Phnom and replace it with this monument. If the Vietnamese hadn’t invaded, I think that’s what would have happened.”

For over fourteen thousand men, women, and children confined in S-21, there was no revolutionary struggle “beginning with axes and knives and ending with abundance.” For days or months on end they inhabited an anteroom to death. Their struggle ended not with abundance but when their skulls were smashed with ox-cart axles at the killing field of Choeung Ek. **(Continued)**

HAUNTING SOULS

By Kosal Phat



At mid-night of July 24, 2000, Patriarch Keo Kosal and two other monks at Ka Koh temple “saw” a shocking phenomenon of hundreds of Khmer Rouge victims walking out of the grave site towards the nearby main temple, the former Khmer Rouge prison. Reverend Kosal believed, by digging accidentally into one of hundreds of mass graves, that he has opened the home of the Khmer Rouge victims whose souls were

wandering and were asking him to do something for them.

The Khmer Rouge converted Ka Koh temple into a Security Office 08 and a prison in 1973 and operated this prison up to the fall of the DK regime in 1979. This prison was in District 56, Region 33, Southwest Zone. Over 5000 people were estimated to have been killed at this prison. Reverend Kosal, whose father was also

Wat Kakoh, former Security Office 08

killed at Ka Koh prison, said, “I saw hundreds of the dead walking, groaning in pain toward the temple... looking like they are seeking their vengeance....” He explained, while looking at some emerging bones in the pit, that “The souls of the dead from diseases are at rest, but the souls of those who were tortured and chopped to death without knowing their mistakes are restless, thus becoming the angry souls wondering around....” It is merely superstitious to many of us, but one of the few survivors from this prison has similarly lived in an annoying puzzle as raised by the Reverend Kosal when referring to the haunting souls. He is always wondering why he was tortured unjustly and thousands of those pitiful and innocent people were cruelly hacked to death.

Mr. Choch, aged 68, one of the six Base People arrested and sent from the village to Ka Koh prison said, “I was intentionally accused by the village chief of being New People serving the Lon Nol regime. During the first seven-day interrogation at Ka Koh prison, he was severely beaten several times a day.” After his real class status was revealed, I gained trust from the Khmer Rouge security group led by Comrade Puth and his deputy Comrade Sruoy. Choch did whatever he was told to do in the prison up to 1979 for his survival. At present, Choch himself lived life as a handicapped person as a consequence of the Khmer Rouge beating.

The worst thing he saw at Ka Koh prison was a large-scale killing in 1978.

He said, “I saw Comrade Chim, District Chief (of District 56, Region 33, Northwest Zone) rode her red CL-brand motorbike to the prison on the day he saw the mass execution. She asked to see the prisoner lists on a small desk about 20 meters away from the pits, where Comrade Puth, Security Chief, and his deputy were sitting. Then without examining, she kept drawing red lines across names in the list as thick as a book and marked a “x” sign at the end of each name, page after page, and all red. Then she whisked away and

Comrade Puth ordered his ten men to begin to bring about 30 people each time and asked their victims’ names before they were blindfolded, their arms tied to the back, and walked to the gravesites. The victims were then made kneel around the pits, bending their head over the pit just waiting for the full-force blows from the Khmer Rouge killers. I saw people in convulsion before death. Not only their parents, but also very young children were killed. I watched the event with my body shaking. The Khmer Rouge security men just kicked the dead bodies into the pits.”

To anyone like Choch, it is clear that village chiefs made their lists of their perceived Angkar enemies and send them up to Comrade Chim, District chief, who later gave the red marks “x” as “order-to-kill” to Comrade Puth, Security Chief to slay thousands of people.

Reverend Keo Kosal said, “He will give a proper religious ceremony for the remains after washing to appease the souls of the victims....” But that does not seem an acceptable answer to Choch and Cambodian people. Choch said, “...I really want to know who else above Comrade Chim were behind the killing.” Had Ta Mok, then Secretary of Southwest Zone, ordered Comrade Chim to kill thousands of people at Ka Koh prison during the DK regime?

**VOICE FROM THE GRAVE:****TONLE SAP LAKE MASSACRE***By Ronnie Yimsut*

The first horrific blow came when I was laying face down to the ground with a corpse partially covering my lower body. It whacked me just below my right shoulder blade. I heard a simple “pop” sound—followed by an excruciating pain. I tried, but no use. I was still wide awaked and suffering from unbearable pain.

The next massive blow hit me just above my neck on the right side of my head. It dented my skull nearly one half of an inch. I believe it was the one that knocked me out and put me to sleep that night. The rest of the clubbing, which included at least 15 blows, landed everywhere on my skinny little body. Fortunately, I did not feel them until much later. I do not remember anything after that, except that I slept very well that night, unconscious from the beating.

I woke up to the familiar sound of mosquitoes buzzing like bees over my body. Only this time there were tons and tons of them feasting on other peoples’ blood and mine. I was unable to move a muscle, not a one. Both my terrified eyes were opened, but they were blurry. I thought I had been blinded. I was completely disoriented. I could not remember a thing. I thought that I was sleeping at home, in my own bed. I wondered why there were so many mosquitoes? They didn’t bother me at that time because I could not feel a thing. Where am I? Why can’t I move? I was still tied up with the cloth rope.

After a few minutes I was able to see just a little, but everything else was still blurry. I saw a bare foot in front of my line-of-sight, but I didn’t know whose it belongs to. Suddenly, reality set in at full blast and I immediately broke into heavy sweat. I was shaking uncontrollably. The memories of the events that occurred earlier came rushing back and smacked me right in the head. I suddenly realized the sharp dull pains all over my skinny body and head. I was very cold. I had never been so cold in my entire life. Fear ran

rampant in my mind. I didn’t think of anyone else, but about myself. I realized where I was and what had happened. “Am I already dead? If I am, why do I still suffer like this?” I kept on asking myself that same questions over and over again, but always came to the same conclusion. I am still alive. I am alive! But why? I could not understand why I was still alive and suffering. I should have been dead. I wished then and there that I were dead like the rest of people, my family and friends, who were laying and scattering all around me.

The faint light of a new dawn broke through the darkened sky, revealing my shriveled, blood soaked body in the mud. It must have been about 4 or 5 o’clock in the morning, January 1, 1978. “Not a Happy New Year today,” I thought. It was still dark and cold. My motor skills came back little by little until as time progresses. I was able to move with great difficulty. I pushed myself to sit up by supporting myself on the pile of dead bodies. I began to work to untie myself from the cloth rope. I broke the rope after a few painful tries. My eyesight was also fully back, but I wished then that I was blind after seeing the scattered bodies laying at every direction. Some of them were beyond recognition. Some were completely stripped naked. Bloodstains, which had already turned to a dark color, gave the area a new dimension. It definitely was not a sight for sore eyes.

I tried to look around for my relatives, but my system would not comply. My neck and body were stiff with excruciating pain. My head hurt—oh how it hurt so badly. I could only feel around my with my two hands and try to hang on so that I would not fall back down. Everywhere I touched was cold flesh. My hands were both trembling and I could not control them from shaking. I just sat there in my attempt to get oriented.

I cried my heart out when I recognized a few dead bodies next to me, one of which was Sa-Oum and her unborn

child. I suddenly remembered the bare foot I saw when I first woke up. It was hers. Her swollen belly was openly exposed. Her unborn child was still inside, dead. Her elderly father and her two sisters were all piled up on top of each other and side-by-side as though they were embracing just before they lost their lives.

A little further away, laid the rest of my family members and neighbors. The body of my parents and siblings, what left, were strangely twisted and awkwardly contorted. A few bodies nearby were beyond recognition. I just could not go on. My cries turned to a sobs; It was the only sound around besides the mosquitoes, which continued to torment my almost bloodless body. I began to fade and feel as though my life was slipping away. I passed out again on top of the dead bodies. I was totally out cold.

I woke up to the sound of people coming toward the killing field. I slowly pushed my self and sat up to listen closely. I began to panic: "They are back to finish me off," "I told myself. "They are going to bury me alive!" I reasoned. They might as well. I had absolutely nothing to live for. Technically, as far as the Khmer Rouge was concerned, I was already dead.

I wake all resigned to give up the hope for life as the voices got closer and louder. At that very moment, my survival instinct automatically took control. I pushed myself very hard, inching my way towards nearby bushes. I was no more than 20 feet away from where I was earlier and I now commanded a good view of the area. The people soon arrived at the site. I was right-the soldiers were back with a new batch of victims with them. Most of the people were men, but there were a few women amongst them. Their hands were all bounded together around the back at elbow, but with real rope this time instead of cloth one. "There's no way they can get out of that rope," I said to myself.

The soldiers, who were smiling and talking among themselves just like another day at the office, continued to whip and pushed the victims forward. It looked like they simply herding a herd of cattle? not human beings. Soon after, one of the older soldiers gave a simple command. In the broad morning light, I again witnessed the slaughter of human lives. In a matter of seconds the victims were all clobbered mercilessly to death, just like the rest of my family and friends whose bodies were still scattered on the muddy ground. My heart just stopped beating. My entire body shook convulsively and I wanted to throw up. My left hand squeezed tightly over my mouth so that I wouldn't accidentally cry out and give myself away. I felt as though I was going through the same ordeal all over again. My mind just couldn't take it anymore. It went blank and I passed out

again in the bush.

It wasn't until the following night before I was really awake. A whole day had gone by just like I wasn't there. I remember waking up several times during the day, but everything was kind of foggy. Soon after I woke up, more people were coming toward me again. I assumed they were more victims to be butchered. I did not wait to find out. I decided then that I wanted to live for one purpose only. It was to revenge for the dead of my family, friends, and neighbors. Vengeance was all the powerful motivation that I ever needed. I was no longer fearful? more like extreme angry feeling than anything else that kept me going.

I bid my goodbye to my love ones and I began to slip away from the area by crawling on all my elbows and knees. I couldn't walk at all, even if I had wanted to. I was no longer bleeding, but I knew that I was in a bad shape. I was very weak, hungry and very thirsty. My lips cracked like mud in the hot sun. My entire body cracked from the layers of mud and blood that had been banked in the hot sun. I had to find water soon or I would die of thirst.

I worked my way west along the shallow-dried up canal and then turned north. By this time it was really dark and chilly again. My elbows and knees were all cut up and badly bruised, but I bit my lower lip and relentlessly kept one going.

I soon found my self in the middle of a forested area. Impenetrable brush. I went back and forth trying to find a way to get through the thick forest. I ended up back where I had started earlier, near the killing area again. After the fourth or fifth time of trying, I found myself in the middle of the forest, utterly lost. extremely frustrated, I howled like a wolf without any fear of Angkar's executioners.

As I later learned, my being lost in the forest and all my back tracking trips was a good strategy. It is the one that most likely confused the Khmer Rouge's experienced trackers who were searching the escaped survivors. I remembered it took them almost a week to locate, capture, and to kill my friend Laive. I intend not to let that kind of thing being repeated. However, I was not the only survivor to escape the execution, evidently. During the night, I heard a movement deep in the forest, but I did not dare making a sound for fearing that I could be the subject of a manhunt. I intended to live, no matter what it takes. I needed to live, for the sake of my dead family and friends.

I knew that I was getting very weak and needed to find my way out of this tangled web of thick thorn brush soon if I was to remain alive. I spent the night right where I was, crying myself to sleep. That night I slept like a log, without a dream or nightmare.

MY MEMORY

By Ky Lim

On 17 April 1975, the entire country of Cambodia, under the dreamlike rule of Lon Nol, was in the process of losing the war to the Khmer Rouge or the Khmer Liberation Army. It was also the day of victory for the Khmer Rouge who had worked hard and struggled for a long time to conquer the city of Phnom Penh from the Lon Nol Republic. This was the day in which the people throughout the country of Cambodia awaited the victory of a group of Khmer that had been struggling. This group was called the Khmer Liberation Army. On this day, since morning, along the roads and homes, there was silence. Only the sound of rumbling bombs could be heard. The sound of guns could be heard near and far, firing randomly every minute. I could hear the sound of Chinese GMC cars driving up and down, each car filled with soldiers. I could not distinguish what side the soldiers belonged to, because sometimes I saw them dressed in black and sometimes I saw them dressed in camouflage. They were all mixed together. Once in a while a civilian motorcycle could be seen driving into the city in haste. It was uncertain where it was going. Everyone's faces revealed signs of worry because of the events that were passing within the country. We did not know what would happen the next day.

That day I was in my cousin's home near De Po Market because I had to escape from my house. For two or three days, there had been heavy shelling around my house. When I witnessed such events, I had many reasons to worry about my house and my few belongings.

I wanted to return home in order to bring some things with me. Later in the day, everyone was silent. When I saw, in the silence, that there were no army cars driving back and forth I decided to return to my house which was near an alligator farm on Pochentong Street. When I left, I did not dare drive my motorcycle because I was afraid it would be stolen along the road. Some days earlier, I heard that a Lon Nol soldier seized the motorcycle of a civilian driving along the road. I rode my bicycle along the small shops. The large streets

were usually filled with army cars driving fast and dangerously. Sometimes there were crowds of soldiers walking in large groups and I was afraid of them. I rode my bicycle along Doung Ham Street lining Tep Pan Street, until I reached my house.

When I reached this area, it was so silent underneath the hot sun in the dry season. Once in a while, I heard the rumbling sound of bombs and this made me feel even more distressed. I could hear the sound of guns, sometimes from the distance and sometimes very nearby. Not long after, I ran up my house and quickly gathered my things, stuffed my clothes into a French bag, and collected half a bag of rice, dried fish, and two large tails of prah fish that my mother had salted for me in Takeo Province. When I finished preparing my things and while I was dragging a bag of clothes downstairs, one bullet flew into the air and barely missed my husband's ears! He screamed to me, "Go, leave immediately! You cannot stay! They are certain to shoot and kill us!" When I heard this, I helped to quickly tie up the bags of clothes and rice and placed it on the bike. I led the bike out and left regretting I had to leave my home, standing there alone and silent. I felt sorry for the chickens nibbling on the rice I had given them, unaware of the chaotic events that were passing. I took one opportunity to pick four or five zucchinis in front of my house and brought it with me for cooking. I led my bicycle and ran so that I could quickly enter the small roads. There were also trees to hide me from the eyes of the soldiers that were shooting. I walked until I reached my cousin's house in De Po Market.

When I reached home after lunch, each house became even more silent. I could only see army cars and soldiers walking along the roads. The soldiers were dressed in black with a white scarf wrapped around their necks. Some rolled up their pants. Everyone watching from inside their homes thought they were probably the Liberation Army, the army of the White Scarf! A little while later, probably around 1:00 in the afternoon, I saw cars and cars of soldiers in black with a white scarf wrapped around their necks, carrying a white flag, yelling, "Victory!" At this time the people in their homes gathered outside and helped in yelling congratulations and victory to the Liberation Army. Some people even ran to find white cloth to tie on to the end of sticks so they could wave it in the air in

congratulations with the others. My neighbors and my family in the house gathered and talked, “We should help congratulate with the others and welcome them. From now on, our country will be at peace.” Each person was happy because they believed their country had achieved peace and stability and would no longer suffer from shooting and shelling like today. So many people were injured and killed by the shelling and many did not dare walk outside.

The chaos and the shooting suddenly ceased. When the army cars past by other cars stopped driving along the roads. Once again it became completely silent. It became even more silent and once in a while I could see two or three soldiers walking along the road inspecting each house. These soldiers were young. They wore Chinese caps, rolled up their sleeves and pants, wore rubber tire shoes, carried a gun, had one or two bullets tied to their waists, and carried a bag of rice on their back. When I saw these soldiers my older sibling said to me, “I feel sorry for them. They are all so young and they have come to serve as liberation soldiers. They do not know what it is like to be exhausted and hungry. We do not know where they come from.” We were talking, when suddenly a cyclo driver drove past our house carrying some injured people. My older sibling saw this and went out to tell them, “If they are hit by a shell, you should take them to the Soviet Hospital.” I observed the events of that day with mixed feelings of worry and fear, because I have never witnessed anything like this before. There were people freshly injured, there were soldiers carrying rifles that ought to be feared, and along the roads it was completely quiet. What will it be like tomorrow? Everyone’s faces showed signs of uneasiness and worry. We simply looked blankly at each other. We were not certain what we should say or do. We could only wait and see what would happen.

A moment later, two soldiers walked in front of my house. At that time, my older cousin was washing his Peta car. The soldier walked over and asked, “Who is the owner of this Peta?” My older cousin replied, “Yes, I am the owner.” The soldier then ordered my older cousin to give him the car keys. Then he said, “I would like to ask to drive the car for work. In a little while I will bring it back.” My older cousin was a person who was very hard. He was a military police.

He replied, “No! I will not give it to you! Why is it so easy for you to borrow someone else’s car?” The soldier then raised his voice and said, “Are you going to give it to me or not? Comrade, in a little while you will not have a car, a motorcycle, or even a house! They are all the property of Angkar.” When he heard this, my cousin’s father-in-law dragged his hands away. He was afraid there would be problems so he handed the car keys to the soldier and let him drive away. When the soldier drove away, he drove away so quickly black smoke appeared. My cousin said, “He probably doesn’t even know how to drive.” He felt incredible remorse for his car.

Approximately 2:00 in the afternoon, when my family and I gathered and sat together in the house, two soldiers suddenly knocked on the door and commanded us to open up. When we opened the door, my older brother asked, “Brother, what business do you have?” The soldier answered, “All brothers and sisters in every house are requested to prepare their things and leave the city for three days so that we can organize and prepare the city and then you can return. Don’t take too many things with you. You are only leaving for three days and then you will come back.” When we heard this, everyone was scared and worried. We did not know what to think. We got together and asked, “We are leaving for three days, where are we going and where will we sleep? What will we have to eat?”

The families next door observed each other back and forth, still afraid to leave. They wanted to know what others would do first. Not long after, a car filled with soldiers dressed in black, drove along the streets, commanding all citizens to move ten kilometers away from the city for three days so they could re-organize and prepare the city. After they made their announcement, I saw many people leaving from the roads on the East. My cousin was not yet satisfied. He ran and asked them, “Brother! Brother! Where are you going?” They answered him, “They are forcing us out of our homes for three days. No one can stay. They will kill you right there in front of everyone. I have seen it. Don’t stay. Leave with everyone else. Just follow everyone else.” When we heard this, my family and I prepared to leave like everyone else. At this time, I was completely terrified, I cried. I was so worried that I would be separated from my parents. I thought that

perhaps they would not be able to find me, because we did not know where we were going. I missed my older sister who lived in Kilo 4. I didn't know what it was like for her family and I wondered how the little children would fare along the journey. When I thought about how much they would suffer, I cried the entire time. I prepared my things and cried at the same time. When I thought about it, I wanted to go and try to find my older sister because I was only with my husband's family. At that time I missed my older sister very much. I missed my mother and father who were in Takeo Province. I wasn't sure if they were well or not. At this time we were all separated from each other. We did not know where everyone went.

In front of the houses, the number of people began to increase. They were walking their children, carrying bundles of clothing. Some carried bundles on their shoulders while other carried their goods on their heads. Some cried loudly on the streets, because they had been separated from their parents and family. Some families had people on the cyclo and had their children push from behind. At that time I carried a suitcase of clothes, some important items, and medicine. My husband led the motorcycle with a bag of clothes placed in the front and a bag of rice in the back. Everyone was walking out with sad and unhappy faces and tears of remorse for the homes in which they had peacefully lived in everyday. The roads were filled and crowded with people. Even if we had a motorcycle or a car, we could not drive it, because the roads were so crowded. We could only walk one behind the other. The entire city that day was filled with people who had to leave their homes and go outside of the city for three days according to the command of the Liberation Army. Along the roads, after a while, I could see soldiers dressed in black. There were both men and women. They held bottles of soda in their hands for fun. Some raised the bottles and after they drank from it, they threw the bottle and shattered it on the ground. When people saw the soldiers like this everyone became increasingly afraid. They were scared of their brutality. At this time the city transformed into chaos as people screamed and cried. Some of the animals people brought with them were dogs and pigs. Little children were so hot they cried. Some were thirsty and some cried because they were hungry. On the street, I saw

soldiers dressed in black walking and piercing the pillows and blankets and scattering the stuffing all over the place.

When I walked out of De Po Market, I walked straight into Stung Meanchey. I followed the road until I reached the base of the bridge where the road divided towards the Soviet Hospital. I saw people pushing the beds of patients who were sick and had a serum attached to them. Some were still having surgery performed on them and were not yet properly stitched up. Blood stained the white sheets that covered them. When I saw this I became nervous. As I walked along and past the Stung Meanchey Bridge, I encountered the fresh corpses of soldier who were recently shot. Blood flowed from their necks. They lied on the ground wearing the uniform of the Lon Nol army. They had on khaki uniforms the color of horse dung. Some lied there bloated and it was not certain when they had died. There were three soldiers placed barely apart from each other on the road. When I passed such fresh corpses, I was so frightened my hands became dry and cold.



Ky Lim

Since I was little until I am this big, I have never seen anything like this. This is the first time. On the 17th of April 1975, I have seen everything, the most horrific scenes possible. After I walked past the corpses I saw people who had recently died from their sickness because the Khmer Rouge had forced them to leave the hospital.

After walking for one evening and night was approaching, we reached a glass factory. We all agreed to rest here for only a little while, because the glass factory was more than 10km away from the city. Therefore we agreed to stay there and rest for three days then return home again. That night, hundreds of families stopped here to cook and rest. The glass factory became like a camp for hundreds of people who had set up camp there. Children were crying and people were crying and screaming because they had lost their children. They had lost each other and they didn't know where their children were because there were so many people. Some of the children were sick and their cries filled the place.

At that time I took some rice so I could cook it. As I sat there making the fire, I felt sorry for the families who left with nothing. They were not able to bring anything with them. They did not even have rice to eat. They walked around and tried to buy rice from others but no one would sell. The people who lived in the villages nearby acted like they hated and despised the urban people. Even when people begged them for water they refused to give it to them. Such scenes were too difficult to bear. This was only one night. What will happen in the coming days? How insufferable will it be?

After the rice was cooked everyone gathered and ate in tears. Our hearts were so full we could barely swallow the rice, because we were separated from our families. I turned around and looked behind me. There was one Chinese family that asked to buy a scarf full of unhusked rice. They gathered together to unhusk the rice because they did not yet know how to beat the rice. This was probably a rich family. When I saw them forced to experience something so horrible, it looked unbearable.

That night, everyone slept in silence. Once in a while I heard the sound of guns firing from the distance and I could not sleep. I thought that the war was

probably not yet over. Everyone slept in silence. Some of the children cried. They were probably hungry or sick. That night I saw soldiers dressed in black walking around with a flashlight and inspecting all the areas. But I didn't know what they were looking for.

In the morning, we woke up and walked around looking for firewood to cook rice with. We wanted to cook it first in case there was an emergency and we were not able to cook the rice on time. At that time I walked to a well so I could draw some water to cook rice with. When I reached the well, I saw a crowd of people around the well. I thought that they were waiting to draw out water. But when I came close I heard people chattering loudly. Everyone was staring into the well. When I got there and I also stared in, I was terribly shocked. Inside the well was a human corpse who had died there, its head floating above the water. I then ran back and told my family. Everyone shuddered. They wanted to vomit, but they could not. Last night we had drawn water from this same well to cook our rice. We had even bathed in the water. At that time, my brother-in-law said, "I wondered, when we drew water from that well, why was it so difficult to draw the water? By the time we could get a pail of water, we had to dip our pail in two or three times. I could not imagine there was a corpse inside the well, that's why it was so difficult." When we met such a horrible situation, we decided to walk to a village pond to draw water and cook our rice. When I walked to the pond, I saw there were many soldiers dressed in black walking from the distance towards the gathering where people were living. As I drew water I wondered where so many soldiers were going. When I reached the place, I saw them tell the people to sit around together and then they told them, "After you have finished eating, leave this place immediately. Whatever district you are from, go to that district." When each person heard this, everyone wondered and worried greatly. At that time one man asked, "But they told us that we only had to leave the city for three days and then they would allow us to return." The soldier replied, "You will not enter again. Angkar has ordered everyone to leave the city." Afterwards, their people separated and walked forward, carrying rifles as if they had an urgent job to perform. After we heard the message, everyone, including myself and the others, cooked our rice and prepared our

journey forward, with the intention to return to my native district and land in Kirivong District, Takeo Province. I thought that if we reached Takeo, I will meet my mother and father and I will live with them. I will not live in Kirivong District.

After we finished eating our meal, we gathered together and began our journey again. At that time, I saw a line of people walking in a row. They had on civilian clothes. Some wore shirts and some were shirtless. Two soldiers dressed in black guarded from the front and from behind. Everyone wondered, but no one dared ask, because they were forcing us to leave as quickly as possible. They did not let us stand there and watch.

All the people, including my family, were able to begin our journey from one place to another. Whenever we rested, there was always a soldier forcing us to get up and continue walking. They did not allow us to rest in one place. All the people and I left the city in this manner from 17 April 1975 until we finally reached the base of Kirivong District after 21 days, with great difficulty and suffering. Since I was very young, I have never encountered anything like this before.

Thankgiving Letter

I personally would like to express my gratitude to the Director of the Documentation Center of Cambodia, who has been providing us copies of “Searching for the Truth”.

Once again, on behalf of the students of the Faculty of Pharmaceutics, I would like to thank and wish you and your colleagues happiness and success in order to search for evidence for the younger generations, and for the upcoming trials of the leaders of Democratic Kampuchea.

Sincerely yours,

Phnom Penh, July 30, 2000

Vice-president

Ky Sophal

Mr. Ly Leng, district deputy governor of Ponhear Krek, Kampong Cham

To

Youk Chhang, Director of the Documentation Center of Cambodia

Dear Excellency,

I personally would like to express my heart-to-heart appraisal of your and your staff's outstanding efforts in searching for documents, sources of information, photographs and other physical evidence to be publicized so that the people of Cambodia can see and comprehend what happened during the reign of Democratic Kampuchea. Photographs and information appear in the magazine may otherwise have never been known to survivors of the Khmer Rouge terror, let alone the younger generations born after January 7, 1979.

Respected Excellency, before “Searching for the Truth” was launched, I always envisaged that the secrets of what happened during the Khmer Rouge era would never be documented, that the truth about it would be lost to history, and that the younger generations would never believe that such barbarous acts had ever been committed-I thought that they would vanish into thin air. Now, on the contrary, a large quantity of materials, photographs, and information have been researched, assembled and documented in detail, and are even being publicized throughout the country.

After the distribution of the magazine by the Documentation Center of Cambodia, I am so touched by the images and essence of the articles that I am sometimes both amazed and frightened, and feel as though the events happened only a short time ago. This gives me a feeling of gratitude toward those who saved my life, as well as to the people of Cambodia, who suffered the wonton torments carried out by the notorious regime. All of these images and documents remind me of their historical value, both to the nation and the world. The documentation is for the sake of Cambodian society as a whole, in both the present and the future. It is not aimed at provoking the breaking up of society or a thirst for vengeance, but at informing the younger generations.

I would like to wish you and your colleagues happiness and success in the brilliant work.

Ly Leng

CHARGING INTO RICE FARMING IN THE RAINY SEASON

Compiled by Sayana Ser

The assaults to do rice farming in the rainy season are carried out extremely and quickly without error, while fertilizers have already been prepared.

Areas with fertile soil produce better crops. Agricultural activities have continued since the beginning of the dry season, and increased when the rain came and water was available. Forces are organized to begin the farming.

We have dams and dikes, through which problems can be settled on time. Ordinary rice is gradually transplanted. As a result, there will be no shortage of food.

Plowing and raking should be continued with diligence in order that the land will have no grass.

From April until now, fields are full with newly transplanted rice. Healthy transplanted seedlings appear in the vast cultivated land.

After the transplantation, building of dikes must be intensified, while fertilizers and water are being supplied. Irrigation must be done with care to make sure that all fields receive enough water.

Places where water is not provided must be sustained by waterwheels and water-pumps. All means must be used on both daily and monthly basis.

All dikes and dams must be watertight. Water must be kept on rice plants for their health.

Plowing, raking and transplantation are at full strength and front forces carry out shock assaults to finish the task.

**ដើម្បីទប់ទល់ការបោះពុម្ពផ្សាយដោយឥតគិតថ្លៃ ដល់មន្ទីរស្រុក និងឃុំ នៅទូទាំងព្រះរាជាណាចក្រកម្ពុជា
ទស្សនាវដ្តីចំនួន១០០០ ក្បាលជារៀងរាល់លេខ និងដាក់លក់តាមបណ្តាញទីរួមខេត្តនិងក្រុង មួយច្បាប់ក្នុងតម្លៃ ៧០០០ រៀល**

ថវិកានៃការបោះពុម្ពផ្សាយទប់ទល់ដោយឥតគិតថ្លៃនៃស្ថាប័ននេះបានមកពីការប្រគល់ជូននូវឥណទានពីការលក់ដីរបស់រដ្ឋាភិបាល មូលនិធិនានា និង សាធារណជនគ្រប់រូប សូមជួយទប់ទល់ការបោះពុម្ពផ្សាយទស្សនាវដ្តីនេះទៅតាមលទ្ធភាពដែលអាចធ្វើបាន ព័ត៌មានបន្ថែមចំពោះការបោះពុម្ពផ្សាយទស្សនាវដ្តីស្វែងរកការពិត សូមមេត្តាទាក់ទងមកនាយកមជ្ឈមណ្ឌលឯកសារកម្ពុជាតាមទូរស័ព្ទលេខ (៨៥៥) ២៣ ២១១ ៨៧៥ ឬ (៨៥៥) ១២ ៩០៥ ៥៩៥ ។ សូមអរគុណ។

Documentation Center of Cambodia would like to appeal to governments, foundations and individuals for support of the publication of *Searching for the truth*. For contribution, please contact (855) 23 211 875 or (855) 12 90 55 95. Thank you.

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