

# Table of Contents

Number 19, July 2001

*Letter: Khmer Rouge Profiting from Death* .....1

## DOCUMENTATION

Isoup Ganthay's Activities .....2

The Perils of Revolutions without Ideals .....5

Mass Graves in Kampong Chhnang .....7

Kaoly Thong Huot .....8

Vietnamese and the DK's Ministry.....11

Statement of Nuon Chea .....12

Ethnic Minority Prisoners at S-21 .....18

## HISTORY

A Guilty Dream .....20

Photo of Prum Ky .....22

Voices from S-21 .....25

Chrey O'Phneou Prison .....28

## LEGAL

Evidence in the Prospective Trials .....31

## PUBLIC DEBATE

EU Statement on Cambodia .....33

Tribunal Will Heal Cambodian Society.....35

The Khmer Rouge and the Vietnamese .....36

Bringing the Khmer Rouge to Justice .....39

How the Khmer Rouge Tribunal Was Agreed.....42

Draft Law on the Establishment of Extra-Ordinary

Chambers .....45

## FAMILY TRACING

Justice Is Not About Getting Revenge.....49

## KHMER ROUGE ARTS

**KR POEM:** Cambodian Natural Resources...Back Cover



**Prisoner in front of a confession table**

## Copyright ©

Documentation Center of Cambodia

All rights reserved.

Licensed by the Ministry of Information of  
the Royal Government of Cambodia,

Prakas No.0291 P.M99

August 2, 1999.

Photographs by the Documentation Center of  
Cambodia and Tuol Sleng Genocide Museum.

The English translation edited by

Youk Chhang and Wynne Cougill

Proofread by Julio A. Jeldres and Rich Arant.

**Contributors:** Sameoun Ouch, Rasy Pheng Pong, Nean Yin, Osman Ysa, David Chandler, John Ciorciari, Dmitry Mosyakov, Ben Kiernan, Thomas Hammarberg, Sam-An Keo. **Staff Writers:** Kalyan Sann, Sophal Ly, Sophearith Chuong. **Assistant Editor-in-chief:** Sokhym Em. **First Deputy Editor-in-chief:** Kosal Phat. **Second Deputy Editor-in-chief:** Sorya Sim. **Editor-in-chief:** Youk Chhang. **Graphic Designer:** Sopheak Sim. **Distributor:** Sopheak Try.

*Letter :*

## **KHMER ROUGE LEADERS ARE PROFITING FROM DEATH**

The surviving Khmer Rouge leaders are the only ones profiting from the discord between the Royal Government of Cambodia and the United Nations on the subject of establishing a tribunal to prosecute them. Coming to Phnom Penh from the jungle for the first time in twenty-one years demonstrates that they have confidence in their ability to profit from crimes they committed. Ieng Sary has not only been granted an amnesty by the King but has also gained from the government the wealthy autonomous zone of Pailin, which is controlled by his loyalists, including his son, Ieng Vuth.

The Khmer Rouge leaders are genuine profiteers who know when to play smart, when to

play ignorant and when to make use of the United Nations as well as the Royal Government of Cambodia to cover up their culpability.

Those Khmer Rouge leaders who were members of Democratic Kampuchea's Standing Committee must be held accountable for the policies they implemented, which resulted in the deaths of millions of people.

The United Nations and Royal Government of Cambodia should work to prevent the Khmer Rouge leaders from profiting from the death and agony of the Cambodian people. These bodies must cooperate so that all surviving Khmer Rouge leaders will be clearly held accountable for their acts.

*Youk Chhang*



# ISOUP GANTHY'S ACTIVITIES PRIOR TO HIS ARREST

*Sophal Ly*

**(Continued from the June 2001 issue)**

After being introduced by Thiounn Prasith, Isoup Ganthly was given an audience with king Sihanouk to ask his permission to open an office in Prague. But Sihanouk denied that he had the authority to make such a decision, saying that such authority rested with the political office of the United Front's Central Committee.

After Isoup Ganthly had stayed in Beijing for 20 days, the United Front government appointed him to be charge d'affaires of the Cambodian embassy in Tirana, Albania. From 1971 to 1973, he was appointed to work in East Germany, where there was no U.S. embassy. However, according to Isoup Ganthly, the Americans were still receiving information about the Kampuchean United Front. Nut Chhoeum (a CIA agent who spied on Sihanouk) fed the information he gathered to the United States.

In September 1974, the CIA became more active than ever before. Johnson, a CIA agent in Stockholm, requested that Isoup Ganthly lay low regarding the United Nations votes. However, Ganthly rejected this request, arguing that he could not be quiet: he had to fulfill the normal duties entrusted to him by his minister, communicate with those responsible at the Swedish Embassy, and report to the Ministry of Foreign Affairs.

Nguon Chhaykry, general secretary of the Ministry of Foreign Affairs, appointed Yem Sarong, Lon Nol's ambassador in Switzerland, to meet with Isoup Ganthly at the Hotel Dela Gar in Hamburg, Germany. The meeting was held to seek clarification on the possibility of a negotiation. Ganthly indicated that the United Front had not planned or thought about any compromise with the traitors, and felt that there was only one solution: that all governmental power must be returned to the United Front. Sum Vathnaya (a dentist and one of Lon Nol's friends) had several telephone conversations with Isoup Ganthly on the issue of negotiation. Ganthly told him that the United Front's

position was to win a total victory and that Lon Nol and seven other traitors would have to leave Phnom Penh in a hurry because the United Front Army would soon do battle to take over Phnom Penh.

In early October 1970, Isoup Ganthly returned to Beijing. On the way, he stopped in Prague to tell Shakov that he had been appointed to work in Albania. Shakov sent an agent named Shacolos to contact Ganthly once a month at the Hotel Totokrad in Yugoslavia. Each month, Isoup Ganthly provided information to Shacolos and received \$500 in return.

In Stockholm, Isoup Ganthly communicated with Dimitry, the first secretary of the Soviet Embassy, who in turn communicated his information to the Soviet ambassador on what the Soviet Union needed to do to continue Cambodian-USSR relationships. This information was also transmitted monthly.

In August 1974, Dimitry invited Isoup Ganthly to lunch, where he brought up the issue of compromise between the United Front government and the traitors in Phnom Penh. Isoup Ganthly said, "This issue cannot be discussed because the Front - both inside Cambodia and in Beijing - has taken a vehement stand that there will not be any compromise with the traitors in Phnom Penh." In September, Dimitry thanked Ganthly for helping correct "allegations by the Swedish FNL group about the Soviets' position on Cambodia" in Afton Pladeth newspaper. Isoup Ganthly knew that he had made a serious mistake because in making this correction, he had serve the interests of the Soviet Union to keep its embassy in Phnom Penh. Later, with the support of Thek Man (a National Assembly member, member of the Communist Party, and Secretary of the Swedish Commission to Vietnam, Cambodia, and Laos), he received two 2,500 Krona checks from the Swedish commission as a reward for protecting the Soviet Union.

In February 1975, a Chinese professor by the name of Shi, who was the director of the Swedish Ministry of Foreign Affairs-funded Foreign Policy

Institute, invited Isoup Ganthu to have dinner with him. While the two men were dining, professor Shi told Ganthu that the Americans were getting worried about the increasing instability of Lon Nol's government. Ganthu replied that Lon Nol and other traitors must leave Cambodia and let the Royal United Front government lead the country. Professor Shi, in turn, asked for a compromise, but Ganthu replied that he did not have the authority to do so, or to negotiate.

When he returned from Stockholm, Isoup Ganthu addressed the campaign of allegations against him. Then, he went to the Ministry of Foreign Affairs to present letters from Khieu Samphan and Hu Nim on the Mayagez issue and on new developments at the Cambodian embassy to France.

Knowing that Isoup Ganthu would return to Phnom Penh, CIA agent Johnson asked Ganthu to give him information when he returned to Stockholm. On 23 March 1975, Ganthu arranged a meeting on the occasion of the United Front's anniversary. Dimitry and the first counsel of the Soviet Embassy attended. While there, Dimitry gave Isoup Ganthu a faxed letter from Kosykin that was addressed to the Cambodian head of state and the president of the United Front.

In October, the Soviet ambassador invited Ganthu to drink wine and discuss some issues. The ambassador said that "his government wanted information on the recent developments in Cambodia, how the situation there was evolving, and what possibilities the Soviet Union had. The Soviets paid close attention to how the situation was developing in Cambodia and how its new political leaders viewed the Soviet Union. Ganthu reported that "the situation in Cambodia, according to Cambodian radio and other publications, is progressing well. People are working hard and the entire country has been transformed into a construction site. Cambodia is producing enough rice to feed all of the people evacuated from the cities." Regarding political guidelines, the deputy prime minister in charge of foreign affairs said in an interview with Newsweek that, "The new Cambodian political position values independence, neutrality, and non-interference into the affairs of other countries and mutual respect." Ganthu continued that, "The Soviet

Union made a mistake by keeping its embassy in Phnom Penh." The Soviet ambassador replied that his "government made a mistake and was willing to correct it...The Soviet government intends to respect the new Cambodian political guidelines and pledges to help build the country, as it has Vietnam." Although Ganthu described the Cambodian situation like this, the Soviet ambassador still insisted that "the Soviet government is concerned about Cambodia's current situation and fears that Cambodia may become the new Albania in Southeast Asia. Its greatest fear was that Cambodia could become a Chinese military base." Ganthu replied that "the new Cambodia will not allow any great power to place its military bases in Cambodia. Therefore, Cambodia will not have a Chinese military base.

## **2. The Soviet Plan to Overthrow the Democratic Kampuchea Regime**

During a discussion between Ganthu and the Soviet ambassador, Ganthu said that the Soviet Union planned to take over Cambodia in 1976 because they viewed Cambodia as being under Chinese command. On another front, the Soviets intended to help Vietnam in meeting its goal of creating a united Indochina. The plan was a political accommodation whereby a group of Cambodians would lead the country to liberation. The Soviets also had plans for an aggressive military confrontation with Cambodia. They already controlled two countries, Laos and Vietnam. The ambassador told Isoup Ganthu that the new Cambodia was not a country favorable to them and there was no possibility of the Soviets keeping their embassy there. Thus, the Soviet Union would oppose the new regime, but would observe the situation for a year before taking any action. If the situation continued to be disadvantageous for the Soviets, they would intervene in two phases.

First, the Soviets would help the anti-government movement on the Cambodian border and Kampuchea Krom to provoke instability. The Soviets would then bring the country's internal insecurity to world attention. They would use Son Ngoc Thanh forces, which operated along the borders, to train Khmer Kroms. In addition, the Soviet Union would cooperate with Vietnam and Laos. But while the Soviets would use Khmer Kroms in fighting

Kampuchea, they would not use Vietnamese in order to prevent a crisis in Kampuchea-Vietnam relations. The Soviets were trying to isolate Kampuchea while at the same time trying to prevent China from providing assistance to the Vietnamese. They also asked the Laotian government for help in restricting Chinese flights into Kampuchean airspace and set up plans to prevent Chinese ships from entering the country's waters.

In addition, the Soviets set aside some troops for battle in southern Kampuchea. After taking the southern part of the country, they would appoint a government and position tanks at Pochentong international airport. The next night, they would take over Phnom Penh. Next, the Soviets would transport troops and military apparatus via the Mekong to the city with the permission of the Vietnamese. Part of the troops and equipment would be sent to Kampong Som. If it was impossible to gain a military victory at any of these locations, the Soviets would bomb the country. After achieving victory, they would establish a national army in the eastern part of the country, using troops from Eastern Europe and the Soviet Union.

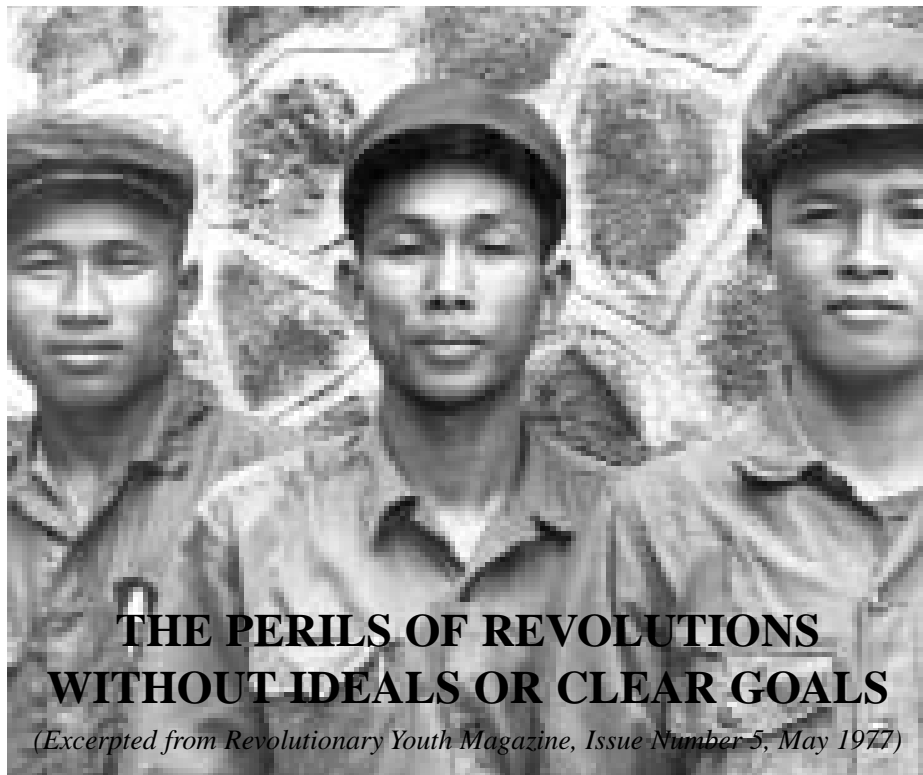
Next, the Soviets would bring in Cuban troops, as they had in Angola. If they could grasp power, they would allow Son Ngoc Thanh and the Khmer Kroam to operate from the east with Vietnam's support. However, if the situation in Thailand were to change (the Thai government had begun negotiations with Laos and Vietnam to normalize their economic and political relations), the Soviets felt they could use refugees who had fled to Thailand to launch attacks against Democratic Kampuchea.

In his confessions, Ganthly admitted his guilt because when the nation was at war and the people and revolutionary forces were sacrificing everything, leading miserable lives with insufficient food, he took his family of four on tour to foreign countries and wasted much money that was obtained through people's hard work. Furthermore, he hid his anti-revolutionary attitudes

from Cambodians both inside and outside the country and lied to Swedish journalists during interviews, saying he was not a communist. In addition, he admitted to committing offenses by providing information to Shalokov (the Soviet agent) about the Front and the United Front government. He also met secretly with the CIA at his home, telling them about the situation in Cambodia.

Isoup Ganthly admitted that he rejected all of the articles distributed on Ieng Sary and tried to obstruct meetings between Sary and the Republic of Vietnam. Moreover, he accused those around Sihanouk of being anti-communist, including Van Dy, Pong Peng Cheng, Ung Mang, and Tim Nang. Ganthly confessed that he had disappointed Sihanouk by sending letters to him, lying that he no longer had any power, and his power as head of state had also slipped away from him. He also told Sihanouk that political power had been placed under the control of Ieng Sary and the political office in order to lead the United Front. Ganthly said that he had found ways to make Sihanouk force Ieng Sary from power by creating an environment of acute distrust between the king and Thiounn Mom. He told Sihanouk that Mom refused to give any funds to the Commission members. In addition, he confessed that he had created mistrust between Sihanouk and Sarin Chhak by telling the king that Sarin Chhak had cooperated closely with Ieng Sary. Later, Angkar recalled Ganthly to Cambodia where he was arrested on 29 September 1976.





In the continuous struggle of our revolutionary youths, men and women, we have taken an active part in the most vigorous battles. However, some of our youth did not conduct revolution with ideals or clear goals. These people joined the revolution by followings others and merely floated along with the revolutionary movement. They were happy when the revolution was victorious and the revolutionaries experienced comfort. But when the revolution met with difficulty and intense obstacles, these same people were reluctant and very passive. Furthermore, they then changed their position to one of disappointment and offense at the revolution, cooperatives, and the Angkar's disciplines and assignments. For this reason, we know that they were merely seduced by enemies or bad agents, and were easily influenced to betray the revolution, the people and the nation. They would be involved in traitorous activities such as opposing the revolution, destroying the nation and their own compatriots, which are the most contemptible acts.

People of this type are very dangerous for the revolution as well as for the nation and its people. Their tendency is to move toward complete darkness; that is, they are certainly doomed to a completely destructive future. In our past movements, some of our revolutionary

youth took part in the revolution at a complex and difficult time, and they continuously struggled very hard. Some of them even shed their blood, sacrificing their lives at the front line; others were arrested, imprisoned and cruelly tortured by our enemies. Yet, when our enemy's agents seduced others only a bit, their revolutionary position collapsed and they agreed with the enemies.

For example, the enemy's agent can say things like: "...I pity you, comrade. You were with the revolution for a long time, but you do not have any significant position nor have you received any promotion,"

or "Socialist revolution is difficult. Now we have achieved independence, but we still cannot relax, have fun, go out for a drink or dance, or have girls to entertain us as we used to have in the previous regimes. Therefore it is not fun at all because there is no market, money or salary..." or that, "Comrade, you have been with the revolution for a long time, you should at least deserve this rank or that rank in the military hierarchy or this level or that level of salary, and you can go out for fun—have girls and go dancing whenever you want...etc." When the enemy said things like this, some of our revolutionary men and women were easily influenced to follow them. Some of them felt self-pity and then felt disappointed with the party and cooperative. Some others conspired with the enemy and betrayed the revolution and the party, destroyed the achievements of their own revolution, nation and people, to which they themselves had made contributions. They did not feel sympathy for the revolution's achievements and did not have long-term thoughts.

Why did these men and women who were with our revolution and involved in revolutionary struggle movements turned to oppose the party and revolution, and betray the nation and their own compatriots? It is not difficult to understand, for the reasons are not complex.

The main reasons are individualism and personal possessions, social status, rank, position and private ownership. These are non-revolutionary worldviews, and unclean biography and morality. Therefore, when the enemy found their weak spots, they jumped in the enemy's direction.

In other words, to clarify, the reason why a few of our revolutionary men and women easily followed the enemy is that they do not have ideal goals or clear directions for staging revolution.

These people forgot that when they stepped out of their house, abandoning family, parents, siblings and personal comfort temporarily to join the revolution, they were not seeking personal fortunes, status or rank, or any positions in the revolution. On the contrary, when we stepped out the door, we knew we had raging pain and anger at the imperialist Americans and their puppets who penetrated and were the aggressors against our territoriality and old and new colonialism. Their puppets and the feudalists and landlords oppressed and cheapened our people because we hated rotten corruption and all kinds of anarchy. In short, we sacrificed everything to join the revolution and the goal is to liberate the nation and people and wipe out corruption and other social diseases. We did not do that for any other purposes.

The question is why—after we gained victory and liberated our country and people, and got rid of corruption and all social problems, and most importantly we grasped hold of authority exclusively for ourselves—we do not work harder to defend our nation, our people and the evolutionary authority of our peasants and workers? Why do we not protect our revolutionary achievements as a result of our incalculable sacrifices and why do we not try to reconstruct our nation and improve our people's standard of living standards so that we can become prosperous as quickly as possible? Why are some of our comrades upset, offended and worried only about private ownership and individualism? Do we want to be crowned king in place of our previous king or become the oppressor class in place of the previous oppressor classes that we had just wiped out in order to continue the exploitation of our poor people, peasants and workers? Do we want to adopt rotted debauchery and corruption? These things do not fit into our revolutionary direction and idealism.

Our revolutionary men and women should think

deeply about whatever propaganda, insincere words, slanders against our party and revolution, or seductions are offered by our enemies, both those abroad and those inside the country. If our men and women have clear revolutionary direction in our movement and stand firm on our revolutionary idealism, and the ideals of communism at all times, they will not only reject the enemy's propaganda but will also be able to discover enemies, even those who have hidden inside our party and revolution for several years. In this respect, our comrades can both protect themselves from danger and help take an active and effective part in wiping out enemies from the party and revolution. They will also help defend our nation, party and the achievement of our revolution, authority, peasants and workers and our people in general to the maximum.

In conclusion, in all eras of revolution, our revolutionary men and women must have clear directions and idealism and if they have this, they will be able to constantly wage vigorous revolution and gain subsequent victory until one day we gain complete triumph. If our men and women only follow others and do their daily work like machines, just waiting to hear orders without thinking of the reasons or having any clear goals about who we staged the revolution for, we will not have a strong and clean revolution. Moreover, we can fall into the enemy's trap, be carried away by the enemy, or even betray the party, revolution, nation and people. Therefore, the danger is huge for the nation and revolution as well as our individual revolutionary men and women.

Our revolutionary men and women must think about the life and future of our revolution as these comrades continue the role of leading our revolution. The nation, people, and the Communist Party of Kampuchea place absolute hope and believe in our youth—the men and women of this generation—and entrust them with the future of our nation and the Kampuchean revolution. Therefore, it is a high honor for our revolutionary men and women of this generation and it is also valuable that these duties will be passed on to our comrades. Therefore, our revolutionary men and women must be proud of this honor, try to remove themselves from ideas of private ownership and individualism, and further continue the revolutionary role into the future successfully in line with our nation, people, and the Communist Party of Kampuchea's confidence in and expectations of the men and women of our generation.

# MASS GRAVES IN KAMPONG CHHNANG

*Sameoun Ouch*

*This brief report summarizes the results of a March 1997 trip to map genocide sites at Kampong Chhnang and Tik Phos districts of Kampong Chhnang Province.*

## **Kampong Chhnang District**

**Wat Ksam.** This wat is a memorial for victims of Democratic Kampuchea in Ksam subdistrict. It lies 500 meters west of the Kampong Chhnang provincial headquarters, at a latitude of 12° 46' 50.51" north and a longitude of 104° 39' 75.19" east. Its code is 40310 and its data file is R030609A..

Mr. Suos Sophal, age 55, lives in Damnak Porpoul village and is chief of the provincial office of Religion and Cults. He told our mapping team that in 1982 he moved the remains of 1,500 people from the nearby mass grave and put them in the memorial at Ksam pagoda. Now the remains of only 130 victims are left at the mass grave. The remains were moved in order to commemorate December 2nd and January 7th, when prayers were given to the victims of Democratic Kampuchea.

## **Tik Phos District**

**Banteay Chass.** This killing site serves as a memorial to the victims of Democratic Kampuchea. It lies in Sre Ta Chey village, Aphiwat subdistrict, about 300 meters from the headquarters of Tik Phos district. Its GPS coordinates are a latitude of 12° 03' 02.61" north and a longitude of 104° 31' 26.92" east. Its geographical data are recorded as code 40801 and data file R030702A.

Mr. Ung Vong Doeun, second deputy governor of Tik Phos district, told our mapping team that the Khmer Rouge began killing people in this district as early as April 1975, just after they captured Phnom Penh. The first victims were soldiers of the Lon Nol administration, who were arrested and transferred from the Eastern Zone. New people became the Khmer Rouge's next victims.

In the Khmer Rouge regime, people were divided into three categories. The first was "full-rights people" who had no political allegiance to any organization other than Democratic Kampuchea. The second category was the "base people"—those seen by the regime as "pure."

They were generally farmers and workers, and had no relatives associated with the previous regime. The third category was the so-called "new people," mainly those driven from the cities and towns who were characterized by the Khmer Rouge as having victimized the base people under previous regimes.

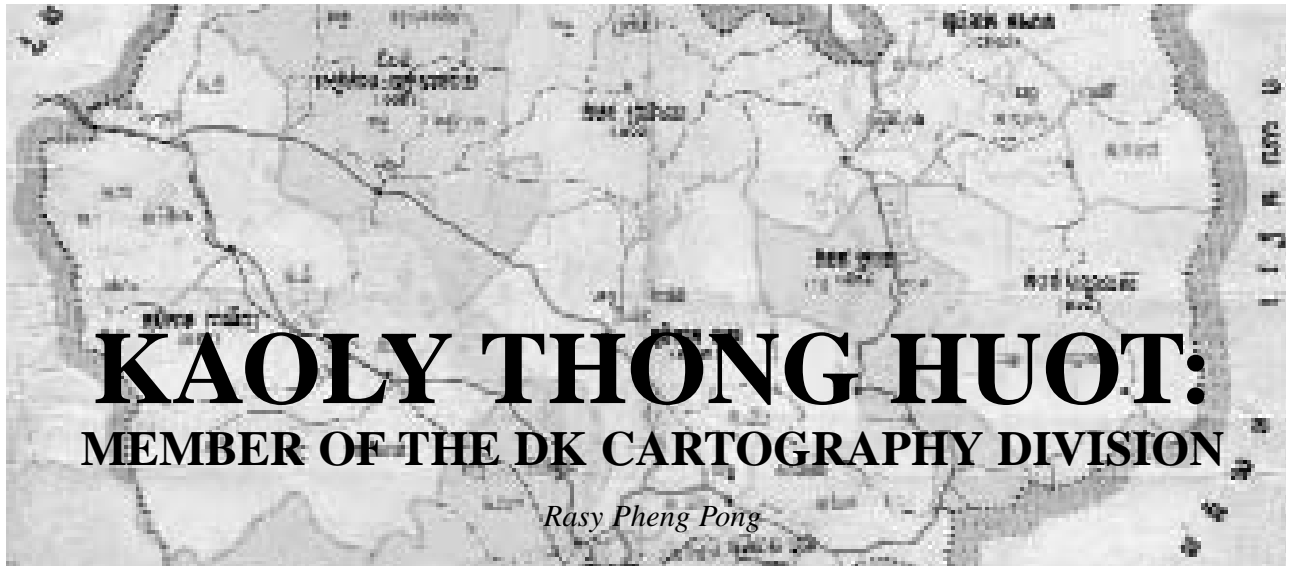
Vong Doeun added that he was in the third category. Some of the people with him were brutally tortured by the Khmer Rouge. Some were beaten up and forced to eat the skins of cows and cats. Others were tortured and submerged into water. Many simply disappeared. A few who could not bear the difficulty and misery committed suicide.

Mr. Ky Song Chhay, age 43, lives in Sreh Ta Chey district, Apiwat subdistrict. He is chief of the Religion and Cults Office of Tik Phos district. He was once involved in the exhumation of remains at the Banteay Chass site. He told us that there were four mass graves at the site. Each is about 30 meters long, 5 meters wide, and 2 meters deep. Each mass grave held about 1,000 bodies. He estimated that about 4,000 people were killed and placed in the graves. Song Chhay participated in exhuming various other small mass graves in this district, which he estimated contained about 2,000 victims' remains. He affirmed that the exhumation of those mass graves and pits was not yet complete. All the remains from the Banteay Chass site were kept at Sovanne-Sonaram pagoda. These remains gradually disappeared due to lack of care.

**Wat Sovanne-Sonaram.** This pagoda was both a prison and killing site. It lies in Ta Chey village, Aphiwat subdistrict, about 500 meters east of the district office of Tik Phos. The GPS coordinates for the prison are 13° 03' 10.87" north and 104° 31' 72.97" east. Its geographical data are recorded as code 40802 and data file R030703A.

Mr. Chea Kimlun, age 49, lives in Ta Chey village and is deputy of the district Office of Culture. He said that the bodies of the victims at this site were those of women and children. The killing was committed near the pagoda. He estimated that more than 100 victims' remains are in housed in 20 pits, with each pit containing 4 or 5 victims.





Kaoly Thong Huot's (alias Thoeun) confession document contains 46 pages. He was born in Angkleang village, Pralay subdistrict, Stung district, Kampong Chhnang province. He stated that his father was Kaoly (age 65) and his mother was Hun Roeun (deceased). Thoeun was the eldest of a family of one son and two daughters. In 1967, before the Democratic Kampuchea regime took power, he was a student at Kampong Thom High School. In 1972, he continued secondary school studies in Stung district, where he progressed from Grade 6 to Grade 3. At the end of that year, he passed the entrance exam for teacher training school in Kampong Kantuot.

During his studies there, he was persuaded by a man named Nai Cheak to hate communism because he felt that communism gave nothing but difficulty. He in turn persuaded other people to love the American ideology because it provided freedom. Nai Cheak lured Thoeun to become a CIA agent. In June 1968, Thoeun was recruited as a "full member" of the CIA (he was introduced to the CIA by Teu Sokun, while Nai Cheak inducted him officially). After that, Thoeun was given a mission by Nai Cheak. Thoeun was introduced to a group of six CIA agents and he became their contact at the teacher

training school. All these people were given the task of "defending a free world ideology and opposing communism." At the beginning of September 1968, Thoeun was assigned to teach at Kampong Thom High School with Nory, who was also a CIA agent (Nory was transferred to Kampot province after he was married).

Nai Cheak also told Thoeun to contact Chan Bo. At the end of December 1968, he was in frequent contact Chan Bo, a CIA agent in Kampong Cham. In his home village, Thoeun recruited six more CIA agents, two of whom were students in Grade 7 of Kim Houn School and four of whom were villagers.

In mid 1969, Chan Bo told Thoeun to marry a revolutionary woman (according to Chan Bo, he was told that all members of this family were "red"). The goal was to get closer to the revolution and obtain information, thereby serving the long-term plans of the CIA. In September 1969, Thoeun was married, but always had troubles with his wife. Every day, he scolded his wife for this reason or that reason because he felt that he had been married merely to fulfill his goal, not to seek family happiness.

In April 1970, all of the activities of his CIA network were postponed while the Khmer Rouge's

success in Kampong Thom was growing. More and more people were rebelling and following the Khmer Rouge movement. Public servants were scared and teachers in some districts were told to arm themselves with guns. In 1970, Chan Bo and members of his CIA network fled to Phnom Penh, fearing that the Khmer Rouge would arrest them. But Thoeun did not go to Phnom Penh. He was told to continue collecting information from the Khmer Rouge.

In 1971, he began efforts to meet Srun, chief of Stung district, in order to serve the revolution. At the end of January, his request was accepted. Srun was also a CIA agent, although he appeared to be a revolutionary. Afterwards Srun appointed Thoeun the new leader in Sa Kream subdistrict. Twenty-six CIA agents in the district instructed Thoeun to make contact and work with the new network in Sa Kream subdistrict. Thoeun's task was to distort the party guideline in order to divide the people and the party. In February 1971, Thoeun was at a meeting, led by Srun, with 15 CIA agents. Thoeun cited an important point of the meeting in his confession: "we must reduce our force from the liberated region and prevent people in Phnom Penh from leaving the city. We must spread propaganda that Angkar would soon confiscate the property of the wealthy and pronounce them to be collective properties. All former government employees will be killed because they are all feudalists." Thoeun also claimed that he destroyed tons of crops and recruited many CIA agents during that year. The purpose of his destructive activities was to make people distrust Angkar's leadership.

In February 1972, Thoeun was reassigned to work in Po Pork subdistrict because he had provoked many disputes in Sa Kream subdistrict. In Po Pork subdistrict, Thoeun undertook all the subversive acts that he could. He ordered Norn Chon and Pha-Nheav to secretly burn down rice barns in

Po Pork and An Long Kranh villages. In May, Thoeun and Me were reassigned to lead a dry-season rice production unit with the purpose of setting up plans to transport food supplies to Phnom Penh. In the second half of 1972, Thoeun was given more responsibility to launch activities against Angkar.

He secretly passed on food supplies from the liberated zones to Phnom Penh, Pursat and Kampong Chhnang provinces, and he also secretly contacted local traders and exported the rice, fish and meat from the liberated zones.

In early 1973, Thoeun was appointed deputy chief in charge of security in Stung district (Yin Chea was the district chief). In this position, Thoeun received order from comrade Laeng (a CIA agent who supported and advised Thoeun) to lift a road blockade to allow military personnel in Kampong Thom to transport supplies by tricking the district military forces into putting their combat forces on alert at Peam Bang River. In February 1973, Thoeun contacted Sang, Mol, Horn, and Chhan in order to implement plans to evacuate people from villages but not allowing them to bring any rice with them. In May Thoeun recruited seven more CIA agents and Laeng approved them as new members. These new members were deployed along the front line and were mobile so that their undercover activities were not noticed. In late 1973, Thoeun had a meeting with 23 CIA agents. Laeng chaired this meeting as before. Thoeun and Laeng instructed all CIA agents to implement plans to "destroy the collectives" in order to prevent collective work from progressing. Collective properties such as cows, ox carts and hoes were their targets of destruction.

In mid 1974, members of Thoeun's wife's family were sent to live in different zones. Laeng had arranged this separation because it was reported to him that members of Thoeun's wife's family did not agree with the plans to sabotage Angkar.

According to Laeng, sending them far away would prevent their secrets from being leaked. In late 1974, Thoeun had a secret meeting with district secretary Srun and 12 CIA agents in the Koh village office. Thoeun told these men to act against Angkar's slogan to "protect the collective regime" by doing whatever they could to further cut food supplies.

In December 1974, another meeting was arranged at Srun's house in Koh village that was attended by Thoeun, Laeng and Sim. The attendees agreed to make a new plan to destroy Po Pork dam. As in Thoeun's confession, Srun reasoned that "doing so will make people angrier with Angkar." After about half a month, around January 1975, Thoeun's force of 24 people, including Laeng and Sim, succeeded in sabotaging the dam and releasing all the water reserved for rice farming.

After the April 1975 liberation, all CIA agents were assigned to do their undercover work in different cooperatives to serve their long-term objectives of working against the Communist Party of Kampuchea. Laeng withdrew all of Thoeun's forces from Daung subdistrict, Banteay Stong and Por Pork, and allowed them to return to their home villages. In July, Thoeun was sent to work in the Region 43 security office. All other CIA forces were sent to Phnom Penh and to lead certain offices in Region 43. During his work in the security section, Thoeun and his men secretly released five prisoners.

In early 1976, Laeng was appointed as deputy chief of the security office of Region 43, providing a good opportunity for his network to continue their subversive acts. In mid March, Thoeun became a combatant in the Ministry of Industry of Region 43. Laeng told Thoeun to be patient with his rank as merely a combatant because this was an undercover plan to deploy CIA agents within ministries and offices of the revolutionary government. Thoeun's task was to destroy some factory supplies brought into Kampong Cham to disrupt factory functions.

He stated that it was easy to carry out this plan because he had been introduced to another 11 CIA agents. For nearly three months, Thoeun destroyed weaving machine parts and many other supplies. In May Thoeun was reassigned to cut trees at Prasat Sambo Prey Kuh. He did not do a good job as a tree cutter. In October he was assigned to saw wood in Stung district. At the sawing facility, Thoeun recruited a CIA agent named Khim.

In May 1977, the ministry reassigned him to supervise the lathe workshop of the weaving factory of Region 43. During that month, Angkar arrested Srun. Laeng was demoted and sent to work in the agriculture section in Stung district. Thus, their CIA network was becoming more and more unstable, placing Thoeun in a more difficult situation. Later, Thoeun met Pei and arranged another secret meeting with Lim and Poat to take measures to recruit more CIA agents. Thoeun recruited four new CIA members in the workshop, as had Paet. Thoeun ordered all his new members to do whatever it took to disrupt the workshop. On 22 September 1977 Thoeun was arrested at the Region 43 office and he and his family were sent to S-21. At S-21, Thoeun was assigned to prepare wood to make maps and blackboards. Thoeun could no longer go anywhere he wanted to as he did before. In early 1978, Thoeun was assigned to draw maps. After being accused of raping a woman named Hong, Thoeun was arrested again at S-21 on 21 July 1978.

He was interrogated at S-21 for nearly a month. He completed 46 pages of confessions about his activities against the revolutionary party from 1968 up to the day of his first arrest. His confession linked Thoeun to 150 people who were alleged members of his CIA network. The positions of each person he named were stated clearly. Thoeun also signed and thumb printed the end of his confession on 14 August 1978. An interrogator named Nan signed the confession on the same date.

# THE VIETNAMESE AND THE DK MINISTRY OF FOREIGN AFFAIRS

*File D01902: Minutes on Border Issues between Kampuchea and Vietnam*

Between 8 and 9 p.m. on 3 November 1977, Vietnamese chargé d' affaires Tran Suy Minh and Cao Minh met with comrade Hong at office B-1. After a short courtesy conversation, the business of the meeting proceeded:

VN Chargé d' affaires: We are here to offer a [an official] letter from the Ministry of Foreign Affairs of the Democratic Republic of Vietnam to the Ministry of Foreign Affairs of Democratic Kampuchea. [The essence of the letter, dated 28 October 1977, was to not recognize the Brévié line for territorial waters.]

Comrade Hong: Thank you comrade chargé d' affaires who has brought this letter for examination by the ministry. I would like to spell out our position on publishing this map. We have received the map your comrade has sent us. It is your right not to accept our position. In retrospect, we lost a large amount of territory. This was the result of the French policy on territorial division. Whoever views the land from Kep will say that Koh Tral belongs to Kampuchea. Historically and geographically, Koh Tral belongs to Kampuchea. However, we never revised our maps so that we could avoid negative impacts on our friendship. We think only about the present and the future. The use of the Brévié line has been in existence for a long time. In 1966, the South Vietnam Front for Liberation, together with Sihanouk, gave official recognition of the Brévié line between the two countries. We accepted it for the sake of friendly solidarity with Vietnam. Conversely, now Vietnam doesn't recognize it. It is not easy for us. We don't know for sure whether Vietnam wants friendship or something else.

For us, we cannot withdraw from the Brévié line. If Vietnam doesn't accept this line, we also can examine certain islands and provinces in South Vietnam. Actually we don't want to do that. The core issue is mutual understanding. Morally, Vietnam does not accept the line, while the soil grows up continuously. One day, how can

we enter and exit that area? Vietnam does not understand us in this respect. Mutual understanding leads to fruitful negotiation.

Border issue: The Vietnamese shelled our territories on a daily basis, along with troop invasions. Casualties and the destruction of property befell our people. We captured 40 people who confessed that Democratic Kampuchea wanted to conquer Prey Norkor; do you believe this? We have had no intention to invade or swallow Vietnamese territories. On the other hand, we are committed not to allowing Vietnamese to invade and swallow our territories. The Vietnamese side should examine this further. Our side wants friendship and solidarity with Vietnam. But we are committed to the protection of our territories. This is our position.

Chargé d' affaires: We would like to make the following comments:

The frontiers between our countries have been demarcated historically. You have mentioned the examination of islands and provinces in South Vietnam. This contradicts our comrade's statement that you are not talking about the past. As for the Brévié line, it is not a border; it is just a line dividing the governor and police on those islands. For this reason, in May 1976 the two delegations held talks to gain a resolution. But the negotiation on the territorial waters has not yet been finished. Moreover, if your side finds it difficult, we also have the same feeling. According to the map, we see the Brévié line running close to our islands. Only through negotiations by high ranking officials can this map be made clearer and a conclusion reached. We cannot do so. And we are here just to confirm our stand on the territorial waters, because there was no final decision at the meeting held in May 1976. The stand of our party is as clear as stated in the decision made by the fourth congress, which was on keeping friendship, solidarity.... As for the border issues, although there are difficulties, we stand on our stated position. We have no ambition to

take Kampuchea. Comrade Hong has said earlier that mutual understanding leads to fruitful negotiation. We think that if there is no meeting, there will be no mutual understanding. Meetings will lead step-by-step to mutual understanding.

The allegation raised by comrade Hong is that we had shelled and violated Kampuchean territories; this is far beyond our position. But in some cases, we were forced implement self-defense activities. And we think that solidarity and friendship cannot be protected unless territory is defended.

To sum up, we are in the mood to solve the problem based on reality and hope that it can be done.

Comrade Hong: We also aim to tackle the problem. We think that without an intention to carry out annexation and expand into Kampuchean territories in combination with mutual understanding, that the problem can be solved. The long existing Brévié line dates back 40 years. In 1966 the South Vietnam Front for Liberation also considered [it] a state boundary. This should have been understood by Vietnam. Once there is a recognition that it is a state boundary, there will be a solution to this problem. Geography and history show clearly that no matter how hard Vietnam denies its acceptance, we maintain firmly that we are not withdrawing.

As for the right to self-defense, we have no idea. But obviously our people have suffered great casualties in the crop fields as a result of the Vietnamese invasion. The situation is so tense that negotiations cannot take place. Another point.

We received information from Hanoi that people there are saying bad things about Kampuchea. In Paris there are enticements for the French to distort the human rights situation in Kampuchea. Acts are committed with an intent to provoke conflict and destroy the two countries' friendship. We have never said bad things about Vietnam.

Chargé d'affaires: The allegations that we invaded are rejected. On the contrary, it was Kampuchea itself who did it. We did nothing to irritate Kampuchea and did not speak ill of it. We cannot be responsible for the acts committed by the imperialists. They even talked negatively about us.

Comrade Hong: Once there is mutual understanding, there will be no swallowing of territories.

Chargé d'affaires: Mutual understanding and meetings can lead to solutions.

(Note: No mention was made the statement of the South Vietnam Front for Liberation, which recognized the Brévié line as a state boundary.)

---

## STATEMENT OF THE COMMUNIST PARTY OF KAMPUCHEA TO THE COMMUNIST WORKERS PARTY OF DENMARK, JULY 1978 BY NUON CHEA, DEPUTY SECRETARY, CPK

(Continued from the June 2001 issue)

We had to determine our line on the basis of our own conflicts. The situation was favorable for armed struggle. Because our party was united on this principle and this line, and our people supported the revolution wholeheartedly, the uprising against the ruling classes began in 17 out of 19 provinces. We had no weapons to speak of and no aid from outside. We had only a few carbines captured from the enemy. Sometimes we had weapons but no ammunition. Sometimes even if we had no ammunition, we carried rifles so as to frighten the enemy. Step-by-step we were able to expand our forces because we followed the party line of people's war.

### 2. The Armed Struggle, 1968-75

The people gave us support by hiding food and by hiding our guerrilla forces and cadres. This taught our cadres to be vigilant in following the party line of combining with the masses and relying upon the masses. Our army was not very big then. It fought with bows and arrows, especially in the northeast base areas. We gained the confidence of the people by showing them that traditional weapons could kill the enemy. The people then believed in the party line and the revolution. The enemy used all kinds of weapons, especially in the north-east where our Central Committee had its base. But this region was very strong; the enemy could not do a thing to us. However, the Vietnamese

revolution was in trouble then because the enemy had built strategic villages in South Vietnam. Having no land to escape to, the Vietnamese asked us for refuge and got it. This led to the 18 March 1970 coup d'état of the United States.

The US sought to destroy our revolution, but as we were strong, we began establishing our own state power in the liberated areas. We were successful immediately in 70 percent of the rural areas; if the US had not invaded, we could have liberated the whole country by June 1970. In 1967-68 many people said we were ultra-leftist; in 1970, everyone agreed we had the correct position. Everyone followed us. Socialist countries and other countries around the world supported us, enabling us to continue our economic, military and international work more effectively than before. But I would like to stress that even with favorable conditions, we kept the existence of our party secret and we continued to build upon the secret struggle as a fundamental tactic. We became masters of the situation because we had our bases in the rural areas, and because we had the forces of the united front.

At first, we did not notice our conflicts with Vietnam. To be frank, we thought the Vietnamese were our friends. But instead of helping us, Vietnam came to seize forces, to build up its own forces and to grasp our party as a whole. There were lots of difficulties. We had to fight the US-Thieu forces sent to help Lon Nol, while at the same time they tried to stab us in the back. Our party, of course, decided to resolve the principal conflict first: victory over Lon Nol.

The conflict between us and Vietnam deepened towards 1973 when Vietnam united with the US at the negotiating table. The US immediately imposed conditions, obliging Vietnam to pressure Kampuchea to come to the negotiating table. They tried, but we refused. The Vietnamese then made every effort to undermine our revolution. Meanwhile, as Vietnam and Laos laid down their arms, the US mobilized all its forces to bomb Kampuchea—all its forces in South-East Asia!—for 200 days and 200 nights, to force us to the negotiating table. Our party was resolutely opposed to kneeling to the US. Had we done so, the Lon Nol traitors in Phnom Penh would have gained time to build up their forces. We decided to struggle to the end. We were in any case able to resist the US air war, and by defeating the US air war, confidence grew in our

party line. More and more people were convinced that our line was correct I must make clear that awareness of the party line did not come overnight or through theoretical studies. It grew as a result of the concrete experiences and suffering of the people and as a result of class hatred. It was only through practice that understanding of the party line deepened.

In 1974, the year after the air war, our party decided to launch the final big offensive to liberate Phnom Penh and the whole country in the dry season of 1975. Vietnam was naturally informed. The Vietnamese believed the US would not allow us to win. Moreover, they were not prepared to allow us to achieve victory in advance of their victory. Consequently, they refused to transport ammunition being sent from China and other countries, but especially from China. We had to use ammunition captured from the enemy; we received nothing from Vietnam. The Vietnamese opposed our winning because they wanted to liberate Saigon and then send their forces to liberate Phnom Penh, to build up a political apparatus here and to create a new party, thereby eliminating the Communist Party of Kampuchea and establishing an Indochinese Federation.

In spite of these difficult conditions, our party did its best and liberated Phnom Penh on 17 April 1975, two weeks in advance of the liberation of Saigon. Once we had liberated the whole country and secured our independence and sovereignty, that is in June 1975, the Vietnamese sent their troops to occupy our island, Koh Way. We defended it and forced Vietnam to withdraw. What we want to make clear to you is that, throughout the period of national democratic revolution, there was a hard, complicated struggle involving difficulties with the Soviet Union and Vietnam, but we overcame these and won victory.

**Question: At the time of the founding of the Communist Party, was there any discussion of the political line for the period leading to communism?**

It is written in our party program that we shall continue our socialist revolution and advance towards communism after the national democratic revolution, but we did not go into details. We worked out our present tasks of socialist construction after liberation.

Our main tasks are to defend our state power and to continue the socialist revolution and socialist construction. We have defended our territory and sovereignty since liberation in a fierce, complicated struggle, especially

against Vietnam. We think this struggle will last a long time since Vietnam has enormous ambitions. It wants to force Kampuchea into an Indochinese Federation and will pursue expansionist aims in all of South-east Asia.

As for living conditions, we have basically solved our problems by means of irrigation projects. We are accumulating capital for the development of our country on the basis of independence and self-reliance.

### **3. On Building the Party Ideologically**

Having the right political line was not enough to ensure victory. Our party had to have, in addition, a firm revolutionary standpoint. This is partly because so much of our struggle was illegal. Thus, sometimes, if our cadres were not ideologically committed, they would surrender to the enemy or, once captured, they would tell secrets. To avoid this, we stressed ideological education.

During the struggle, we encountered many difficulties. For example, cadres who were separated from their families and not ideologically firm would sometimes decide to run back to their families and away from the revolution. And sometimes cadres were working underground within the enemy administration and receiving very high wages. Lacking a firm revolutionary standpoint, they would be bought. Thus our party could see that ideology was the key factor in implementing the political line as well as the organizational line. Ideological party-building was done in two ways: by destroying incorrect ideological standpoints and by building up the correct ideological standpoints of the party. For example, we had to: (1) build up the ideological standpoint of the basic class in the party, the working class consciousness. To do this we had to define the different classes in our society and the contradictions between them. From this base, we armed our cadres ideologically with the viewpoints of the working class. This was done by explaining the spirit of sacrifice for the good of all and the need to abandon private ownership in favor of collective ownership; and by teaching them party discipline, love of party work, methods of self-criticism and ways to unite closely with the masses. (2) Build up the ideological standpoint of revolutionary patriotism and revolutionary internationalism, the first being the fundamental standpoint. By this we mean striving energetically to make our own revolution, struggling successfully against imperialism and revisionism in our own country. This advances and supports the international

struggle. To speak only of internationalism while failing to carry out the revolution in one's own country is meaningless. We have to be concrete in this. We try to teach our people the principle of self-reliance in order to avoid making ourselves a burden to friendly countries. While they might like to help us, they must make their own revolutions and improve the living standard of their own people. Thus, we try as much as possible to avoid outside aid, to overcome all forms of suffering without seeking aid unless it is absolutely necessary. On the one hand, we try to avoid being too nationalistic, and on the other, to avoid being too internationalist. (3) Build up the ideological standpoint of constantly maintaining revolutionary ardor, especially the desire to be like ordinary people, especially the poor peasants. This is why our party cadres and our men and women in the army do not receive wages; they are told to serve the party and to receive only from the party. In this way, we avoid creating a new ruling class separated from the people. (4) Build up the concept of the mass outlook and of the mass line, that is, to have full confidence in the masses and to live among the masses, especially the poor peasants. Only by doing this can the revolution win victory and build its forces. We stress this to cadres because there are some who have petty bourgeois class backgrounds, specifically intellectuals who lack real confidence in the masses, especially in the poor peasants. We try to make them understand that these poor people can do everything. They conquered the enemy, do productive work and everything. Because they do everything, we must serve them. (5) Cadres are also instructed in revolutionary vigilance, that is, taking care to be on guard against the enemy. (6) We arm them with an understanding of dialectical materialism to enable them to analyze things and to understand the ideological standpoints of the party. All of these ideological standpoints have been propagated in the branches and cells of the party. This was done not by the reading out of documents but by analyzing daily activities, determining what was done wrongly and correcting shortcomings.

As for our books, they are only a few pages in length, as brief documents are more suitable for poor peasants. We also have some courses, mostly short ones for small groups—in underground work for two to three people—once or twice a month. There are also other courses held about twice a year in which party members are introduced to

revolutionary concepts and educated in our political, ideological and organizational line.

Even now, after liberation, we believe the ideological factor is the determining factor. In cadre education, we place stress on destroying old society ideological standpoints which remain powerful. Among leading cadres, we also stress defending and building up working class consciousness. This is to avoid revisionism. When a party becomes revisionist, it is not because the ordinary member becomes revisionist, but because the leadership leads the party towards revisionism. Although we say very little about revisionism outside the party, inside the party we have fought a lot against revisionism. It is partly for this reason that we avoid using the documents of others. We rely mostly on our own assessments of class struggle. This is more concrete. Some of our cadres who have lived overseas and who worked with foreign communists regularly request foreign documents, claiming we neglect the study of Marxism-Leninism. But we tell them that Marxism-Leninism develops by means of the struggle of the people; our experiences are with genuine Marxist-Leninist documents.

#### **4. The Organizational Line of the Party**

We build the party ideologically and organizationally by relying on our class analysis, taking the poor peasant and worker classes as the basic classes. Those who joined from the petty bourgeoisie or other classes tried to promote the standpoints of those classes, but they had to renounce their old standpoints and develop working class consciousness. Cadres are evaluated on the basis of their concrete activities. Their spirit has to be clean, uncorrupted and without entangling contacts with the enemy. We investigate life histories and class backgrounds both before and after they join the revolution. We do this to prevent infiltration by, for example, CIA, KGB or Vietnamese agents. By adopting these organizational principles, we have unity in the party and can cleanse our party of bad elements. We have not been 100 percent successful. The enemy is still attempting to undermine the party. Consequently, we are striving to strengthen political and ideological education and to clean the party.

In summation, we can say that our party is integrated and united through this political, ideological, and organizational work. It has become stronger and stronger. We have learned that as soon as you have a strong and clean

party, you will have a strong revolutionary movement. We still have some distance to travel on this path, and the enemy, both the imperialists and the revisionists as well as the Vietnamese, continue to fight us. Thus, the building of the party continues from one generation to the next. We hope to avoid the possibility of the next generation becoming revisionist. If we can guard safely the interests of our country, we will also contribute to the struggle throughout the whole world. We know about the emergence of revisionism in the Soviet Union and we are saddened by this. And about the destruction of the Indonesian party by the enemy. We have learned from these experiences and the experiences of other parties. We have tried not to fall by the wayside.

#### **Question: Is there a danger—from outside the country or inside the party—a danger of a new class being created?**

To clarify the nature of the struggle inside the party, yes, there are both dangers. Inside the party, there is a contradiction between the standpoints of private ownership and collective ownership. If we do not take care, it may become antagonistic. The other contradiction is external. Vietnam, in particular, is trying to undermine our party by military, political, economic and ideological means. The Vietnamese also try to infiltrate our party. We are not worried about the external, military aggression. We worry most of all about the enemy inside.

#### **Question: Why is illegal work still the fundamental or basic work?**

In this period, after liberation, it is secret work that is fundamental. We no longer use the terms “legal” and “illegal”; we use the terms “secret” and “open.” Secret work is fundamental in all that we do. For example, the elections of comrades to leading work are secret. The places where our leaders live are secret. We keep meeting times and places secret, and so on. On the one hand, this is a matter of general principle, and on the other, it is a way to defend ourselves from the danger of enemy infiltration. As long as there is class struggle or imperialism, secret work will remain fundamental. Only through secrecy can we be masters of the situation and win victory over the enemy who cannot find out who is who.

This also applies to foreign affairs. For example, the Soviet Union asked to come to Phnom Penh at liberation. They were preparing to send men to the Embassy. We said we could not possibly receive them and they were furious.



We base everything on secrecy. This is in the interests of the working classes.

**Question: Why do you not mention the Soviets externally?**

Inside the party we struggle resolutely against the Soviet Union, but we have many enemies now—US imperialism, Thailand, Vietnam—and for tactical reasons we must limit our enemies as much as possible. It should be clear that we oppose the Soviet Union and revisionism, but our line has to be different from the line taken in China because we are a small country.

Take another example: our attitude towards “the three worlds.” We have the same standpoint, exactly the same, but as for what we do, we have to bear in mind the concrete interests of our country.

**Question: Do you have a party program?**

Yes we have one, but only in Kampuchea. We still have many tasks; we have not done enough propaganda work internationally. The Vietnamese enemy has been able to make so much international propaganda against us because of shortcomings in our propaganda work in the international arena.

**5. On Concrete Work Before and After Liberation**

Before liberation, legal activities concerned work undertaken by different organizations such as the students’ union, workers’ associations, women’s association and other organizations. We did everything we were allowed to do under the enemy’s laws. There are also sub-categories of non-legal or non-open activities: semi-open and semi-secret forms or semi-legal and semi-illegal forms. Celebrating May 1st, for example, was both legal and illegal. Even though the ruling class might have caught us, we celebrated May 1st. We maintained the tradition once it was established. Perhaps it is different in your place.

The Communist Party of Kampuchea has never before been legal. This is also true of other progressive organizations we created. We developed the tactic of secrecy, firstly, to defend ourselves, secondly, to mobilize more forces, and finally to serve our struggle, for example, in mobilizing intellectuals. We found they would not join us if we used semi-illegal forms, but with legal forms such as celebrations and visiting temples, they joined in. Thus, we made them join us step-by-step. Many semi-secret and semi-illegal and secret activities were organized so as to protect the wholly illegal and secret activities of the party center. Thus, when the enemy attacked from the outside, he

struck semi-illegal and semi-secret activities only and we were able to defend our party and its leadership. In the neo-colonial, semi-feudal society, we had to work in complete secrecy, both inside the party and inside other organizations. This also applied to party members working among the masses. Since liberation, we continue secret work because we consider the strategic line to be more important than tactics. We have published the names of only a few of our cadres and members. Not many need to be public. During the war, all of them were secret. In this area, we learned from the blood-stained experience of the Communist party of Indonesia.

Operating secretly, our organization has the following rules. Three members are required to form a cell, for example, in a factory. If there are more than three members, a cell secretary must direct party work. If there are up to six people, we form two separate cells having no contact with each other. Even with five people, we organize two separate party cells which work secretly and separately. If the enemy discovers one cell, the other can continue its work. There are no direct contacts among cells. In each factory, there is one leading cadre. Only he knows this. He can go directly to the leadership. These procedures also apply to other sectors such as students. We form cells having no knowledge of each other and which are unable to contact each other. The same applies to contacts between the designated leading cadre and the leadership. Contacts are arranged through a third person. If the enemy captures the leading cadre, he will not be able to identify the leadership, only the go-between. This is our secret organization.

From our experience, secrecy is only one aspect of building up the organization. Of greater importance is the ideological level of the designated leading cadres. They must display great discipline. We had to be especially careful when work had to be done in the cities. Cadres can be forced to leave in a hurry. They should not live with their families. When they do, things get complicated. It takes them longer to escape. We have had some bitter experience with these things. Afterwards, we decided to observe party discipline more strictly. Permit me to say that we are speaking of concrete experiences and conditions in our country. It is up to you to decide what you can learn from these experiences. We offer these examples out of friendly revolutionary feelings.

Secrecy meant avoiding the law. For example, we

had to make our own identity cards so that our names would not appear in the register. If the enemy captured genuine identity cards, photos and work permits, it would have been easier to find us. Also, if revolutionaries did not have any work, the enemy might have noticed us. We opened a bookshop for ourselves, but to avoid letting out any of our names, we took shelter behind a third person and his name. During the war many cadres had to leave their jobs periodically, and we had to protect them. Contacts and meetings were at night; so were political training classes. We locked ourselves up in a room for two or three days until we were finished. Contacts between publicly well-known leaders, such as those who worked in parliament, and secret leaders were arranged through two or three other persons. We employed various tactics to overcome the oppression of the enemy. For meetings in a house, for example, we used signals, such as a scarf in front of the house. If the scarf was in place, it was safe to enter it; if it was not, the enemy was there. In the beginning we lost many people because the enemy knew the secret signals. From this we learned not to go directly into the house but to walk around the neighborhood, maybe go into a shop, drink something and ask about what was happening in the house. Sometimes good people would tell us in confidence about the enemy. Sometimes the neighbors were not revolutionaries, but they would warn us if spies and agents were there.

We also used couriers for messages, letters, carrying ammunition, etc. Couriers were not allowed to know our real places of residence. Otherwise, captured couriers could be forced to reveal them. We had to use a bridge of two or three other persons. If a messenger failed to show up, we did nothing for two to three days. But after this, we had to move elsewhere. When the enemy learned this, they tortured captured couriers right away so as to catch us. From bitter experience, we learned to abandon a safe house at once if a messenger was two to three hours late. The enemy came immediately a few times and we had to use arms in order to allow leading cadres to escape. This should give you an idea of our experiences. The tactics and techniques are of secondary importance only; most important is the class standpoint of cadres.

Since liberation, our experience relates to anti-party activities organized inside our party. They usually involve CIA, Vietnamese and KGB agents. Our experiences in this area are very recent, but it appears from what we have been

able to learn that CIA, Vietnamese and KGB agents have been working inside the party for a long time. When we observed that something was wrong, we thought it was an internal contradiction and attempted to resolve it by means of persuasion, self-criticism and so on. For example, the party had to give directives to a branch concerning the living conditions of the people. When nothing changed, we realized something was wrong. Where there were deviations to the left or to the right, we looked carefully into the backgrounds of the cadres. We also sought the opinion of the masses. We have thus been able to uncover enemy agents step-by-step. Generally, we discovered they had been engaged in enemy activities for a very long time. Sometimes good comrades had been imprisoned and tortured and afterwards they surrendered to the enemy. Upon release, they served as agents. We welcomed them back, accepted them, without looking at what had happened in prison. We now realize they had become agents of the enemy.

It is more widely known that the USA planned to seize power from us six months after liberation. The plan involved joint action on the part of the USA, the KGB and Vietnam. There was to be combined struggle from inside and outside. But we smashed the plan. Immediately after liberation, we evacuated the cities. The CIA, KGB and Vietnamese agents there left for the countryside and were unable to implement the plan. People who had infiltrated the party could not react immediately, but we discovered them later when they planned coups d'état. Their activities were coordinated with aggression from outside. These were not powerful people; their intention was to exploit the opportunity provided by Vietnam's attacks to assassinate our leaders and then announce it to the world. However, when the Vietnamese attacked, our army defeated them and we caught the traitors inside the party. Although we say plans have been crushed, we do not mean the enemy has given up. We have to continue to build and to defend our party and our leadership, and to apprehend the people who have infiltrated our party. We know the current plan involves not only Vietnamese agents, but has something to do with US imperialism and the KGB. All of them! A similar thing has occurred in Yemen, both North and South. And in Afghanistan. But as these things happen, the face of the Soviets becomes more and more clear.

**(Continued in the August 2001 issue)**

# LIST OF ETHNIC MINORITY PRISONERS INCARCERATED AT S-21

*Nean Yin*

No	Name of prisoners	Sex	Position	Date of Entry	Smashing Date	Ethnicity
1	Y Maul	M	Thieuky soldier	7/10/1978	NA	Pnong
2	Ploes Ngiep	F	Y Maul's wife	7/10/1978	31/10/1978	Pnong
3	Nharoung Mrev	M	Ambush unit	19/4/1978	10/6/1978	Pnong
4	Khek Sraul	F	Nharoung's wife	17/4/1978	21/4/1978	Pnong
5	Nha Ray Pleu	M	Ambush Unit	17/4/1978	??/5/1978	Pnong
6	Yang Baranh	F	Ray Pleu's wife	17/4/1978	21/4/1978	Pnong
7	Chak Paem	M	Ambush Unit	17/4/1978	27/5/1978	Pnong
8	Dang Chhauy	F	Paem's wife	17/4/1978	21/4/1978	Pnong
9	Y Peung Nel	M	FULRO army	24/10/1978	NA	Pnong
10	Y Phlen	M	FULRO army	24/10/1978	NA	Pnong
11	Vin Lay	M	Combatant of K-17, Region 105	20/10/1978	31/12/1978	Tampuen
12	Chha Chrey	M	Farmer	27/5/1977	NA	Chre
13	Chha Luk	M	Farmer	27/5/1977	NA	Chre
14	Chha Troeu	M	Farmer	27/5/1978	NA	Chre
15	Phoeun Phun	M	Combatant of Office K-17, Region 105	20/10/1978	NA	Tampuen
16	Hang Beut	M	Ambush Unit	17/4/1978	10/6/1978	Pnong
17	Bour Bun	M	Group Chief, Office K-10, of S-71	30/6/1978	NA	Kuoy
18	Sang Khep aka Pha	M	Walkie-talkie Repairman Combatant Organization	1/5/197?	NA	Tampuen
19	Khal Phal	M	Deputy Chief of Office Ch-46	18/3/1978	NA	Tampuen
20	Miem Prab	M	Member of Sub-district Committee of Sanday, Kratie	3/5/1978	NA	Pnong
21	Chy Hor aka Phan	M	Cultivating Combatant, Unit B-3	30/3/1978	27/5/1978	Kuoy
22	Kheuy Khom aka Khan	M	Driver of Ministry of Transportation	30/3/1978	29/4/1978	Pnong
23	Khlep Phin aka Ka	M	Rubber Molding Unit	30/3/1978	29/4/1978	Pnong
24	Vin Sen	M	Squad Chief, Supply Unit of Snuol District	12/4/1978	29/3/1978	Pnong
25	Ampornh Boeung aka Mai	M	Deputy Chief of Rubber Plantation of Snuol District	15/4/1978	29/4/1978	Pnong
26	Hann Song aka Kin	M	Chief of Factory Ch-6	8/4/1978	NA	Tampuen

27	Beunh Y Ban	M	FULRO army	26/6/1978	NA	Chre
28	Khlaong Y aka Chun	M	Chief of Combatants of Chbar District	12/11/1977	NA	Pnong
29	Kathou aka Ban	M	Deputy Chief of Commerce Section, Northern Zone	27/3/1977	NA	Kreung
30	Rum Khluon aka Chorn	M	Member of Transportation Committee, Northeast Zone	30/7/1978	NA	Tampuen
31	Srun Ly	F	Garment Unit K-16, Region 105	NA	NA	Pnong
32	Srev Phles	F	Female combatant of Unit K-16, Region 105	??/10/1977	NA	Pnong
33	Kruos Phaun	F	(Hang Baet's wife)	17/4/1978	21/4/1978	Tampuen
34	Pouy Tvang	M	Member of district of Northern Bakeo	12/11/1978	12/11/1978	Tampuen
35	Rass Lann Phum	M	(?)	14/6/1977	20/10/1977	Charay
36	Rass Lann Matt	M	(?)	14/6/1977	20/10/1977	Charay
37	Kosal Yeung	M	(?)	14/6/1977	20/10/1977	Charay
38	Bou Keo (Bou Khav)	M	Secretary of Kok Lac District, Region 101	??/3/1977	NA	Kavet
39	Bou Samut	F	Chief of Women is squad	1/7/1977	NA	Khmer-Pnong
40	Kak Khim	M	Cooperative worker of Sre Thom	14/8/1977	NA	Khmer-Pnong
41	Keo Veng	M	Combatant of Keo Sema's military	??/3/1978	NA	Laotian
42	Krang Khloeng (Ry)	F	Medical staff of K-80	NA	NA	Pnong
43	Kris Yen (Khun)	M	Chief of Child Unit K-17	??/8/1977	NA	Khmer-Pnong
44	Khveng Ngok (Leng)	M	Secretary of Battalion 502	??/1/1978	NA	Charay
45	Lay Khloeng (Dos)	F	Combatant of Unit K-16, Region 105	1/7/1977	NA	Pnong
46	Lit Chan	F	Laotian spy	5/11/1978	NA	Laotian
47	Muos Yep (Noeun)	M	Chief of Medical Staff, Region 105	27/4/1977	NA	Pnong
48	Nang Dav	F	Villager	7/4/1976	NA	Laotian
49	Nang Kev (Sy)	F	Villager	NA	NA	Laotian
50	Phan Khon	M	Deputy Chief of Commerce Section, Region 105	23/11/1977	??/5/1977	Laotian
51	Sath Khep (Khan)	M	Walkie-talkie Repairman Combatant Organization	1/5/1976	NA	Tampuen
52	Seng Pren (Hin)	F	Combatant of Unit K-16, Region 105	??/11/1977	NA	Pnong
53	Sy Tang (Bully)	F	Member of Medical Staff Unit K-8	??/7/1977	NA	Laotian
54	Soeng Klael (Nin)	(?)	Chief of Garage Y-1	12/11/1978	NA	Tampuen
55	Y Beunh E Ban	(?)	(?)	NA	NA	Charay
56	Pro Chraek (Khamvatt)	M	Chief of Sok San Cooperative	23/11/1977	19/2/1978	Tampuen
57	Prei Sraek (Khamvatt)	(?)	Chief of Cooperative	??/8/1977	19/7/1978	Pnong

# A GUILTY DREAM

*Osman Ysa*

Many Chams in Svay Khleang village (Village 5), Svay Khleang subdistrict, Kroch Chhmar district, Kampong Cham province have recount the bitterness they suffered during the Khmer Rouge reign. Some have scars on their bodies from wounds inflicted by the Khmer Rouge. Tam Man, 50, is a native of Svay Khleang village. He showed me a scar on his head that was the result of heavy blows from bamboo sticks. With a sense of relief, he recalled, "I was destined for death, but I survived." I asked him, "Why did the Khmer Rouge beat you?" "Because I was a dreamer," Man replied strongly, and recounted, "One morning, when I woke up, I heard my neighbors telling me I was dreaming, while shouting 'chop, chop...' Of course I was sleeping. I didn't realize anything. This is the reason why they [Khmer Rouge cadres] beat me with a bamboo stick, a scar of which remains." Tam Man said that his purported "offense" was committed at a detention center for male prisoners at Prek Ta Duong, Kroch Chhmar subdistrict and district. The detention center was used to house villagers from Svay Khleang who mounted a failed rebellion in late 1975.

On that night Ly Hak slept nearby Man, and could hear Man shouting during his sleep. Ly Hak had never expected that it led to an offense, "I thought that it would not be a crime to dream and act unconsciously." Man's co-worker Tin Sa said, "My sleep was disturbed by Man's clamorous scream of 'chopping.'"

Later that afternoon, Khmer Rouge cadres came and called out his name for interrogation. Man recounted, "When they called my name I don't know what happened. I didn't expect that my dream had become an offense. After I walked for 50 meters, the Khmer Rouge cadres came up from



behind me and delivered a blow to my head using a bamboo stick. I fell down. Then they picked me up and allowed me to walk further. About 100 meters away, they delivered two blows. I felt dizzy when he walked me 4-5 steps forwards. Then they let me sit down at a place where when I opened my eyes, I saw a killing pit, deep and huge, in front of me. I sat on the edge of the pit. At that moment a cadre walked toward me with a sharpened sword. One of the cadres grasped my hair and raised my head. Another one placed the sword on my throat and I felt they would cut my throat right away. They did not do so, but asked me to answer their question, saying that I would be released if my answer was correct; if not, I would be killed there.

They asked me why I dreamed. The question

made me realize the reason why I had been punished. Then I replied that on the night of the rebellion, there were many people banging the door of my house. I came out and saw villagers holding long-handled knives. I was so afraid that they were coming to chop me. When I slept I dreamed of this event. This was the right answer for them. They took the sword from my neck. They accompanied me back, leaving a verbal message not to tell anybody about this event. When I reached our residence, I dared not tell even my father who kept asking me [about it].”

Upon Man’s return, his colleagues stared at him; they saw a wound on his head and his clothes soaked with blood. There was no need to speak.

People knew what happened to him—the previous night’s dream. Smassa, Man’s co-detainee said, “When Man returned to the detention center he looked so faint with his head bleeding. I thought that it might have something to do with the previous night’s dream. No matter how many times I tried to ask him the reason, Man would never reply. I expected that he suffered mental illness, because since his return, he did not dare to talk with anybody.”

Witnessing such a horror, all detainees were on high alert during their sleep. Ly Hak, admitted, “I had less time to sleep because much of the time was spent taking care of youngsters to make sure that I covered their mouths when they were dreaming.”

## INSTRUCTIONS ON USING THE TERMS “ANGKAR” AND “PARTY”

*(Document Number D1266)*

We have observed that some people and organizations become confused in using the words “Angkar” and “Party.” Also, in other places there are bad elements and enemies burrowing inside; they use the term “Angkar” to cheat and destroy the party and revolution.

In addition, our party recognizes that the word “Angkar” is often used to denote individual people, which is not beneficial to building correct political, ideological, and organizational stances, and is in sharp contrast to the stance of socialist revolution of our party.

The Party’s Central Committee thus would like to give some advice to all bases, ministries and departments, and units, as follows:

1. The words “Angkar” and “Party” are to be used for organizations only, not individuals.
2. When addressing a person, we say “Comrade” calling the person by his or her name, position, or “Comrade representative” of this level or that level. For instance, we say “Comrade Teng, Comrade Secretary, Comrade Representative of Regional Angkar....

Please Angkar and Party members of all ranks, spread this educational propaganda on this problem to our people so that they can understand these terms thoroughly and use them correctly.

cc: All Divisions and Regiments

All Departments for implementation

With the highest revolutionary fraternity,

24 June 1977 (Son Sen)

With the highest revolutionary fraternity,

11 June 1977

Committee 870 (Pol Pot’s Office)

# RESEARCH VIA A PHOTO OF PRUM KY

*Sophal Ly*



Prum Ky's confession states that he was 38, an ethnic Khmer, and a native of Pralay village and subdistrict, Thmar Bang district, Region 11, Koh Kong province, Western Zone. Prum Ky's mother was Phim and his father

was Prum. At the age of ten he was sent to live at Wat Toap Khley, Koh Kong district, but returned home after two years of monkhood to help his parents farm. At the age of 18, Prum Ky again became a monk under the leadership of senior monk Chhan Chhleap. Later he married a woman named Chan and had two daughters.

According to his confession, Prum Ky was recruited to become a spy in 1967 by two men named Yorn Soeuy and Sokhom Vanna. Prum Ky and his partisans were put in charge of finding kloem chan (a special type of timber) and eavesdropping on the Khmer Rouge at Phnom Khmaoch and Phnom Chravap, which lie along the borders of Pursat and Battambang provinces. He was paid 500 Riel for this work. However, he stated that he never spied on the Khmer Rouge.

Early in 1971, a man named Roeun introduced Prum Ky to Chhann, secretary of Chan Sen Leu subdistrict and to Voeun, the subdistrict's deputy chief. Roeun asked Min to continue destroying the revolution in order to strengthen forces within the military ranks and local communities toward meeting their long-term goal of burrowing within the Party. Half a month later, soldiers from Batt Doeng invaded the village of Treapeang Kou. Once

Prum Ky reached the front, he ordered the troops to totally withdraw, thus allowing the enemies to destroy hundreds of villagers' houses. Prum Ky claimed in his confession that he did this as a way of making people turn against Angkar.

In mid-1973 Angkar sent Prum Ky for supplementary training in Oudong district. Prum Ky and his partisans used that opportunity to spy and extend their burrowing forces. When he returned to the unit, Angkar assigned him to lead a unit that would ambush newly deployed troops at Phnom Ethreus (as a consequence, the enemies managed to evacuate 500 families). By the end of 1973, Prum Ky was assigned along with five others to gather villagers' cows in Region 32. After taking 500 cows, activities were suspended.

In mid-1974, at the headquarters of Battalion 113 of the Special Zone, Prum Ky led troops to attack enemies along national road 4, where he managed to recruit three more forces. In the end of 1974, before returning to Region 11, Prum Ky joined a meeting to learn about directives to capture the city of Phnom Penh in 1975.

Prum Ky made contact with first lieutenant Nou through comrade Do (who had been a smuggler from Vietnam to Koh Kong). The meeting with Nou was held to seek ways to obstruct Angkar from achieving its aim of conquering Phnom Penh.

Ironically, according to his confession, Prum Ky committed a moral offense (having sex) with a woman named Khom. In the following days, Prum Ky was assigned to lead troops to attack enemies at a fortress known as Banteay Pory Chorpon, where the troops 1.5 km away were on alert. Prum Ky asked Nou to fire shells at the front troops he was

leading, leaving ten dead and ten wounded. The remaining troops were put in the same charge. The wounded soldiers were sent to a women's headquarters.

Realizing that the military unit could not defeat the enemies, even if it took a month, Angkar dispatched a unit of reinforcement troops led by comrade Chen. In only 3 days, 40 soldiers were killed and 90 wounded. On April 15, 1975, all enemies in the fortress fled to Koh Smach. Prum Ky and Neou ordered their men to gather spoils of war and keep them along the road. However, most of the ammunition gathered was later destroyed by bombardment. On April 17 the Khmer Rouge forces managed to capture Phnom Penh. Prum Ky and Neou were about to go to Koh Kong, but first called on Koh Smach for a meeting at the barracks of Captain Yen. The meeting was held to find ways to allow villagers to flee to Thailand. On the night of April 22, Heng Phon brought a thousand families to Thailand. On April 23 Angkar began collecting former Lon Nol soldiers. Prum Ky gathered up soldiers and then reported to Neou, who, in turn, took them to garages and electricity sheds, leaving orders that if there were questions from Angkar, they should answer only that "they are workers." Then Prum Ky and Neou assigned Thy and Chen to destroy a part of the ammunition collected at Banteay Tama Lea. Within ten days a person named Thy encouraged all the villagers of Neang Kok, Cheung Kruk and Mundul to leave for Thailand. A month after the liberation of Koh Kong, regional Angkar called for a cadre education session at Koh Kong High School. In the confession document of Prum Ky, Neou instructed, "All comrades, you have to go on with our activities especially inside the local communities and army. Do whatever needs to be done so that villagers can flee to Thailand, causing confusion and impediments to the revolution. Offer people a can of rice for 7-8 persons.

In the event of diseases, there is no need to give treatment. Comrades, you have to seek ways to make people deviate from the revolution, extend forces in local communities as well as in the army, especially bring together the high-ranking soldiers burrowing within the local communities."

Prum Ky stated that he and seven other people burrowed within the revolutionary ranks via an introduction by Min (Min was smashed by Angkar in 1974). Prum Ky and Min penetrated the revolution, but did nothing other than getting Angkar to trust them. Later Prum Ky became village chief of Thma Sar district, Region 11. He also led an army to Phnom Sruoch in Region 32.

Early in August 1975 Angkar called Neou for an education session. At that time, the regional Angkar planned to take workers from garages and lathes. Prum Ky brought those forces to hiding places in Sophat subdistrict. Neou called another meeting, "All comrades, you don't need to worry about food shortages. To make war, we must be absolute in terms of leadership; otherwise, there will be no victory over the revolution. The important question is the lack of forces. Comrades must extend their forces as much as possible, by educating soldiers in their units to follow our command. So, our plan to be implemented in April 1976 will be to capture Koh Kong as our base, from which we will achieve victory over all targets. When we win we, in cooperation with Thai troops, will break through national road 4 to Phnom Penh."

In early 1976, Prum Ky managed to entice six cadres in Regiment 11 of Region 11. The six provoked moral offenses and corruption within units and local communities, and urged them to leave for Thailand. Furthermore, from 50 to 200 cadres died as a result of malicious injections. This plan was revealed when a person by the name of Kem (in Neou's network) was arrested by Angkar.

On July 10, 1976 Neou was scheduled to have

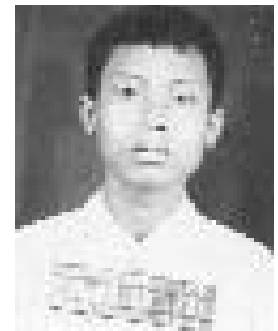


another meeting with Heng Phon to form a plan for a coup to be staged on September 25, 1976. Prum Ky deployed troops in Tuol Po village, Thma Sa district. Two days after the deployment, he was taken to Koh Sralao. Phat was arrested by Angkar in mid-August. The plan was postponed. However, they had to find ways to destroy Angkar at all times. Neou also said, “Although the plan is aborted, we must plan to set fire to the arsenal. Keeping this arsenal will allow Angkar to counter attack.”

The arsenal was burned down by women Phea and Laut of Platoon 303, Regiment 11. A day after this success, Prum Ky was assigned to harvest rice in Neak Kok. He was not arrested until November 11, 1976.

The above confession is an excerpt from the 51-page original, file number J84, which includes a four-page list of partisans. The confession concludes with the thumbprint of Prum Ky and the signature of an interrogator. On the front page is a note by an unidentified individual reading, “Two copies have already been sent to Angkar 13/7/[19]77” and a notation by Duch, “Respected Brother, the text by Prum Ky is clear, showing his background as a spy of the contemptible Sokhom Vanna (district chief of Thmar Bang) and other events to follow. His statement focuses mainly on the whole story and those who revealed the secret, namely contemptible Katt, Y, and Chhann. For Region 15, [I] would like to send a particular text on the case of comrade Siv. With respect, 12/7/[19]77.”

*Please send letters or articles to  
Documentation Center of Cambodia (DC-Cam)  
P.O. Box 1110, Phnom Penh, Cambodia  
Tel: (855) 23-211-875  
Fax: (855) 23-210-358  
Email: dccam@bigpond.com.kh  
Homepage: <http://welcome.to/dccam>*



**(Continued from the June 2001 issue)**

I beg the Organization to [kill] me because I have not followed the revolution ....I deserve to die because the Organization had [once] trusted me. I no longer wish to live, make no protests to the Organization, by the way of seeking justice. But I must declare that in my heart I have not betrayed the Organization at all. I declare my guilt...because I am dying. Long live the glorious revolution! Long live the Revolutionary Organization!"

The Party's efforts to obtain admissions of guilt were not always so successful. Sbauv Hin (alias Euan), the secretary of Division 310, was arrested in May 1977. After admitting that he harbored unrevolutionary concerns about his family and was partial to his military unit at the expense of national priorities, he veered off in a dangerously triumphant fashion:

I am supposed to report my plans for a coup d'état against the Party. In my nineteen years of revolutionary life I have fulfilled assignments as a Communist in which I was ready to sacrifice...my life for the cause of the liberation of my class and my nation. Under the Party's leadership I have repeatedly refashioned [*kay pray*] myself....

"I have nothing to hide from the Party. I have therefore had no thoughts of carrying out a coup d'état against the Party. I find this question preposterous because the thought had never occurred to me.... I regret very much that I had no advance knowledge that I was going to be arrested, in which case I could have proven my loyalty to the Party. However, it's too late now. I'm shackled in S-21."

Sbauv Hin was also shackled by his knowledge that there was no resisting the authority of the Party, even (or especially) when it was being nourished with

so much false, but pleasing, information. When Sbauv Hin closed this section of his confession with the sentence, "Only the Party knows my biography," he was simultaneously pleading innocent and acknowledging the Party's right to declare him guilty.

For days or months, interrogators at S-21 invade the prisoners' bodies, minds, and histories, teasing out, inducing, and inventing memories to coincide with prepackaged accusations and adjusted to the format of confessions. Prisoners and interrogators were engaged

in shadow-boxing, with the interrogator trying to get at the "truth" (without revealing what it was) and the prisoner trying to please or in some cases—but which ones?—to obfuscate the interrogator by concealing, spinning out, or doctoring his or her story. The interrogators were expected to coax and terrify the prisoners until they produced a document that coincide with the Party's "knowledge" of their "crimes" and the Party's readings of its oscillating history. In Milan Kundera's Kafkaesque formulation, it was always a case of the "punishment seeking the crime." The prisoners, in turn, had to blend, amplify, or suppress what they



**VOICES FROM S-21**  
**Chapter Four: Framing the Questions**  
**David Chandler**

actually remembered in order to construct the admissions demanded of them. For interrogators and prisoners alike, as Alexander Solzhenitsyn had written, the process resembled "a grandiose game of solitaire whose rules are...incomprehensible to its players."

The Party Center, to extend the metaphor, kept the rules concealed, and interrogators were encouraged to frame their questions in such a way that "the enemies can't grasp our intentions." The ensuing dialogue, unsurprisingly, came to resemble a game of blind man's buff. Many prisoners, it seems, were arrested primarily to force them to betray their superiors. Thus, several cadres arrested in 1976 were questioned to build a case

against the Eastern Zone secretary, Sao Phim, and in 1978, Kheang Sun Han (alias But), was pressed by his interrogators to implicate Son Sen.

All the prisoners in S-21, with a handful of exceptions, were killed not only because of their alleged guilt but also because the existence of the prison, its location, and its purposes needed to be kept secret. The exigencies of secrecy overrode the advantages, never taken seriously, of letting innocent prisoners out.

Prisoners were brought to S-21 for many reasons: because they had been named in other confessions, because their unit commanders were suspected of being “enemies,” or because they had come under the suspicion of security services in the zones. Hu Nim’s confession suggests that “enemies” were sometimes exposed at regular self-criticism meetings for cadres. The “enemies” were sent off to S-21 after they had been pushed into admitting treasonous behavior.

By and large, however, the ways in which prisoners were chosen, summoned, collected, and delivered to the facility are unclear, and so are the administrative relationship between S-21 and “education halls” (the word “prison” was not used elsewhere in the country, but we know that every zone in DK had its own *santebal* office, organized along lines similar to those of S-21).

These bureaus apparently reported to the zone secretaries rather than to S-21 or the Party Center in Phnom Penh. Aside from the confessions themselves, we know little about what written evidence was used as the basis for arresting people or was made available to interrogators at the prison. The narrow range of questions to which most of the prisoners responded suggests that little documentation had accompanied them to S-21.

Lower-ranking figures were usually inculcated by their membership in military or production units that had performed badly or by the arrest of their superiors, but the prisoners who were interrogated at length had to confess to treasonous crimes of their own as well as to crimes of association. Many of these individual crimes are completely implausible.

In their confessions, prisoners were always asked to implicate their associates. The “strings of traitors”

(*khsae kbot*) appended to nearly all of the confessions occasionally run to several hundred names, creating the impression of a vast, nationwide conspiracy. This is exactly what Duch and his superiors had in mind. “The world view of the [S-21] confession,” as Steve Heder had noted, “includes the individual who is confessing, the people above him who persuaded him to betray the revolution and the people below him whom he persuaded to betray it. Everything is seen in terms of networks and forces.”

Very few prisoners admitted to making decisions on their own. Instead, they usually confessed to being enticed to join or to betray the revolution by the rhetoric and friendly manner of higher-ranking people. Em Choeun, for example, heard someone talk about the failure of the revolution to deliver material prosperity. “I heard such a clear explanation,” he confessed a year later, “I became angry at the Party and began to take action to destroy it.” Hak Kim Chheang, beaten by his teacher as a boy, claimed that he had been recruited that every afternoon by a “Chinese spy” who saw him weeping, while Khim Phuong, a teenage girl, was attracted to treasonous conduct by descriptions of the plentiful possessions that might come from espousing “freedom.”

Often, the sponsors who brought people into the revolution later were accused of encouraging them to betray it. Many prisoners, probably because they were frightened and in pain, betrayed the people who had brought them into the Party, supposing that this information was what the interrogators wanted most.

The regime’s naïveté in filling the CPK’s ranks with so many “enemies” is never mentioned. Instead, the sequences of betrayal in the confessions were intended to emphasize the conspiratorial character of society outside the Party and to cut short and discredit any genuine revolutionary activity by prisoners or their erstwhile patrons.

In this fashion, many men and women who had devoted their lives to the revolutionary cause, including several who had been closely associated with Pol Pot, were made to confess long-standing “CIA” affiliations. The prisoner Re Bo at least knew what was expected of him and confessed: “I was a traitor from the day I

entered the revolution until the day I was arrested.” How could it be otherwise? In the eyes of the Party Center, someone who had truly joined the revolution could never conceivably have betrayed it. Someone who betrayed the revolution, conversely, could never have been loyal.

The “weak points” in confessions at S-21 were seen by Duch and his colleagues not as proof that prisoners had nothing to remember but as occasions when they were most strenuously attempting to conceal something. A prisoner’s moments of indecision or vagueness struck interrogators as deliberately “complicated” (*smok smanh*) and thus as further evidence of the prisoner’s guilt. In many cases, of course, isolation, sleeplessness, torture, and fear had already made the prisoners incoherent, suggestible, or both.

The two methods consistently used by interrogators at S-21 to obtain results were called “doing politics” (*tvoeu nayobay*) and “imposing torture” (*dak Tearunikam*). “Doing politics” involved insulting the prisoners, asking them questions, and persuading them that the Party knew their crimes already. The 1976 study notebook set out a seven-point procedure for interrogators:

1. First, extract information from them.
2. Next, assemble as many points as possible to pin them down with and to prevent their getting away.
3. Pressure them with political propaganda.
4. Press on with questions and insults.
5. Torture.
6. Review and analyze the answers so as to ask additional questions.
7. Review and analyze so as to prepare

documentation.

The opening and closing pairs of suggestions recall police procedures anywhere, but problems arise with suggestions 2 through 5. The difference between “political propaganda” and “insults” and the borderline between “pressure” and “torture” are not defined. The dehumanization of the prisoners, the lopsided power relations at S-21, the permissiveness of its culture, and the urgency with which the interrogations were carried out encouraged violence. Long before torture was applied, interrogations were routinely accompanied by kicks and punches. The former guard Kok Sros has recalled that prisoners were often “covered with blood” when they were taken back to their cells, an observation corroborated by the S-21 survivor Pha Thachan, and mug shots of many prisoners show of recent beatings.

As far as “doing politics” is concerned, a parallel from Vietnam in the 1950s is instructive. In the land-reform campaign launched by the newly installed Communist government, what were called *truy buc* methods were used to extract confessions from alleged “landlords” in the countryside.

*Truy buc*, which has been translated as “the constant repetition of demands and questions over a long period,” aptly describes the procedures used in “doing politics” at S-21 and in other interrogation facilities.

The forms of verbal pressures used are difficult to recapture. In nearly all the confessions the interrogator’s questions have been removed. The kind of interrogation dialogue so vividly depicted by Artur London, Solzhenitsyn, Jacobo Timerman, and others is missing.

(Continued in the August 2001 issue)



# CHREY O' PHNEOU PRISON

*Rasy Pheng Pong*

Chrey O' Phneou is a mountain that has long been famous to the villagers of Kong Pisey district, Kampong Speu province. Located 40 kilometers from Phnom Penh along national road 3 and two kilometers from Phsar Daem Roka (east of the national road), the mountain housed a security center for Region 33 of the Southwest Zone during the Democratic Kampuchea regime. This zone was under the administration of Ta Mok and was known for its ferocity in "sweeping away" all potential enemies of Angkar.

The former security center lies in Cheung Phnom village, Veal subdistrict, Kong Pisey district, Kampong Speu province. Formed in 1976, it was then called the Security Office of Region 33 or the Security Office of Chrey O' Phneou. It was used to imprison those who the Khmer Rouge thought owed some sort of political debt to the old regime.

None of the villagers or former cadres interviewed about the center had any exact knowledge of the security personnel who worked there, except for Ta Khon, the chief of security at the office (who lost an arm during the regime), and Ta Ben, his deputy. Many local villagers did agree, however, that all of these personnel came from regions outside their village. Khieu Lo said, "They [KR security guards] did not speak with a typical accent." Meas Meang asserted, "Most of the contemptible security guards were from Choam Sangke (Tborng District) or Katt Phluk, not from this village."

The words "Smashed by the Revolution" or "Smashed by Angkar" were routinely heard by prisoners of the Chrey O' Phneou security facility. An elderly woman named Nap noted that "the reason the Khmer Rouge arrested and brought me to the facility is the fact that my family had been smashed by the revolution." Her husband was tricked by a short note asking him to look after one of her brothers, a Sangreach (Buddhist monk), who, the letter asserted, was very sick." But her brother had actually already

been executed in 1970.



**Nap**

Nap continued, "When he [my husband] disappeared, I tried all means to find him, looking here and there. I also asked the village chief for information. Eventually, the chief told me my husband had been killed by Angkar." On the face of it, this grandmother could do nothing besides cry. If she had complained about her husband's murder, she herself might have been slaughtered.

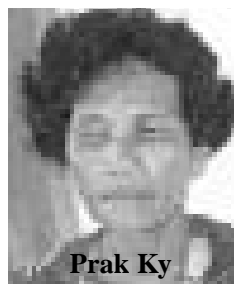
Many families suffered the same tragedy as Nap's. Prak Sarin, second deputy chief of Veal subdistrict, Kong Pisey district, explained, "Most of prisoners here had some kind of connection with their family members who had already been smashed by the revolution, meaning that when a husband or wife had been killed by Angkar, the rest of the family might also be brought to the Chrey O' Phneou prison." Even children or very old people were taken.



**Prak Sarin**

Prak Sarin stated, "It was because the Khmer Rouge found it easy to control and impose restrictions; otherwise, the families with lost relatives would become enraged by such acts of Angkar." A resident of Prey Khlong village, Veal subdistrict appeared to admire the Khmer Rouge's high degree of organization in making arrests, stating that they never targeted the wrong people. Either the security guards or heads of villages or subdistricts had perfect lists showing the names of individuals targeted for arrest.

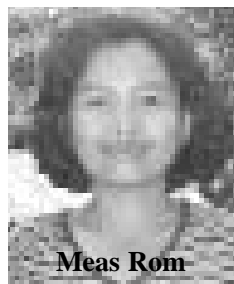
A woman named Prak Ky of Prey Khlong village remembered that she was not arrested right away, and that the guard spoke in acceptable manner and with courtesy. But the Khmer Rouge militiaman's gesture and speech were not an indicator of what was

**Prak Ky**

to come. Prak Ky's husband was lured to the prison in January 1976 under the pretext that he would be carrying goods from the cooperative. After her husband had been killed, Prak Ky fell into the category of "women whose husbands were smashed by Angkar" and became a prisoner along with many other such women.

People from Region 25, including soldiers from the Eastern Zone, who were later labeled as traitors of Angkar, were also brought to Chrey O' Phneou for imprisonment and/or execution. Prak Sarin recounted the unearthing of a number of pits containing skulls in the areas surrounding Chrey O' Phneou in 1982. He said he saw green military uniforms clothing hundreds of corpses, which he strongly believed to be those of Eastern Zone soldiers. Nap, too, saw truckloads of victims being brought to the prison; they have since disappeared. She claimed to have seen five to six trucks at a time.

Prisoners' labor was forced. Meas Leap uttered with sadness, "After I had been placed at the mountain, the security guards forced me to work harder than I did [in the base]. I was required to plow farmland from 3 a.m. to 12 p.m. without rest, and I had to look after three pairs of cows. Immediately after that assignment, at 3 p.m., I was supposed to go back to plowing. Those who were not asked to tend cattle were required to clear the forest."

**Meas Rom**

Meas Rom, 38, living in Prey Khlong village, Veal subdistrict, laughingly said, "Sometimes we tried to compete with our counterparts, carrying soil in exchange for enough food." She and other people found no way to get real food to eat, except on the 10th and 20th of every month. The second deputy of Veal subdistrict explained that the Khmer Rouge usually celebrated special days for the prisoners; the 10th and 20th were days when one could meet ones' relatives or spouse inside the prison

compound, and food was somewhat sufficient.

The workforce at the Chrey O' Phneou security facility fell into three categories. Those who had enough strength were considered as division one. Those who had less strength would go to division two, while those who were weakest, such as elderly women, would be classified as division three and were made responsible for looking after children, especially those who were left behind by their parents. Sometimes older women were also assigned to do farming and carry fertilizer to the rice fields. Prak, for example, was placed in a unit in charge of transplanting rice, carrying earth, digging canals, and making ponds. Her newly born child was left in the care of a grandmothers' unit. In the evening or at night around 8 to 9 o'clock, she picked up her baby from the unit.

Six cooperatives were subsumed under the security facility of Chrey O' Phneou. Each cooperative hall housed thousands of people and a medical unit. Nap complained that the medical service was available only for those with a serious illness. Several of Nap's neighbors died from diseases and many people died every day from starvation. According to Meas Rom, "I witnessed people dying a few times, such as the cases of Thol, Map and another one whose name I cannot remember."

The killing took place in the mid-afternoon, and the bodies were not taken away until around midnight. Eventually, this scene did not frighten people in their forties, let alone adolescents of 13. Rom said, "First I cried every night. But over time, witnessing several corpses quite often became normal. In the Children's Unit, people died every night; many died when they returned from work, due to exhaustion, and others died of cold from sleeping without a blanket to cover their bodies. In the morning, when the unit chief came to awake them, some of them had already passed away."

Older prisoners were not generally indoctrinated in political ideology. The chief and deputy chief of the prison, Ta Khon and Ta Ben, held such meetings only occasionally. But children were indoctrinated in some cases. According to a former prisoner in the Children's Unit, each time a meeting was held there would be no discussion other than indoctrination in the field of

absolute work and love for the revolutionary Angkar. Saroeun recalled his indoctrination by group leaders in an area north of Mount Chrey O' Phneou. "One day a person named Ra instructed the children to work harder for Angkar, convincing us that 'we were the sons of Agnkar. Children must be absolute and feel no nostalgia for anything. Our parents did something wrong. They deserved death. More importantly, we must dare kill our parents. Those who would dare to kill their parents please raise your hand.' At that moment all children raised their hands, including me."

Meetings were also held daily in the fifty-member and hundred-member units or between group leaders and their prisoners. The leaders' meetings were called every evening after dinner. Mas Leap said, "The meeting was held by leaders every day. The main objective was for us to work harder. For instance, today it is a meeting of group leaders, tomorrow it will be the fifty-member unit's turn, and the next the hundred-member unit's turn and so on in the circle manner." Nap recounted that "Ta Ben said that during the meeting, there must be vigilance. Now it's time to for screening. It will be applied in the same manner as that of rice crops, whose bran layers are normally screened from the grain."

The discipline carried out at the security office was very harsh. Due to lack of food, many people learned how to steal, which was against prison rules. One prisoner died because he picked up a baby frog while he was raking the field. Nap recalled, "At that time I pitied him so much. I saw him being beaten by militiamen with bamboo sticks and I walked away." Sarin explained, "[Who held] responsibility for execution in the Southwest Zone is hard to say. To speak frankly, in that era, permission was not required for any execution. An ordinary cadre could kill a person as they might a baby frog." According to Meas Rom, the number of people who died of starvation was almost equivalent to the number of those executed. The

corpses were buried in the jungles of Prey Sdach, Prey Khlong, and Wat Champa.

Very few victims incarcerated at the prison survived until 1979. Most of the survivors lost their relatives. Meas Leap and her sister Meas Rom recounted that they lost their mother after Angkar brought the women to the prison. Their arrests occurred after their father had been smashed. Son hinted that her five-year-old daughter died a miserable death in the prison of Chrey O' Phneou. It is noted that in 1977 Son and other 17 people in Phnom Tauch village, Sophy subdistrict, Bati district, Takeo province were caught and sent by ox-cart to the security office of Chrey O' Phneou. Son recalled the reason for their arrests, "We were the wives and children of Angkar's enemies." Ky lost five children and a husband at Chrey O' Phneou in just two years. Her husband was killed in January 1976, when she was three months' pregnant.

Tens of thousands of women and children died at the security office of Chrey O' Phneou. The survivors become widowed women and orphaned children. Currently, Nap lives alone, earning her living by farming. She was forced to do everything by herself from plowing and raking fields, transplanting rice seedlings to housework. On the verge of tears, Napp added, "Once when I passed by Mount Chrey O' Phneou, I remember seeing emaciated people in black uniforms walking to their work sites. Some were beaten and killed [along the way]."



**Bones of the victims**

# EVIDENCE IN THE PROSPECTIVE TRIALS OF FORMER KHMER ROUGE OFFICIALS

*John Ciociari*

(Continued from the June 2001 issue)

To prosecute former CPK leaders for crimes against humanity, the prosecution will need to prove that the Khmer Rouge attacks on enemies were directed against civilian groups and were taken on social, political, racial, religious or cultural grounds. To successfully convict the defendants for genocide, the burden is more difficult to meet. It requires that the CPK leaders intended to destroy a national, ethnic, racial or religious group, in whole or in part, by killing, seriously injuring or otherwise taking measures to bring about the group's destruction.

The documents make numerous allusions and explicit references to opponents of Angkar, which provides some evidence that political adversaries were deemed "enemies" or "no-good elements." The documents also contain circumstantial evidence that the terms were used to describe foreigners (especially Vietnamese) and suspected CIA agents or other functionaries of "U.S. imperialism" as well. Such definitions suggest the political and racial motivations of Khmer Rouge atrocities, which would satisfy the necessary precondition to crimes against humanity.

Using the DC-Cam materials to establish genocide may be somewhat more difficult. The CPK documents do not contain many obvious indications that "enemies" or "no-good elements" included ethnic, national, racial or religious groups. As noted above, there are limited references to the Vietnamese and to Caucasians. The documents also refer specifically to Thais and allude in certain places to the CPK's intent to eradicate religion. There is also abundant circumstantial evidence in the survivor petitions and in interviews conducted by leading historians that the Chams, Vietnamese, Caucasians and other minority groups were disproportionately victimized. However, there is little direct evidence that CPK documentary references to "enemies" and "no-good elements" included protected religious and minority groups. The prosecution will probably need to produce strong expert testimony, and testimony from a former CPK official if available, to establish that the terms "enemies" and "no-good elements" included groups targeted on

racial, national, ethnic or religious grounds. As with other CPK code words, the problem in defining "enemies" and "no-good elements" is their vagueness, which offers a potential loophole to the defense. The prosecution must show that the terms were always used to refer, at least in part, to persons targeted for political, religious, national, racial or ethnic reasons. If the defense establishes that the terms were sometimes used to refer to criminals, foreign military invaders or personal enemies of the CPK elite, it will have a valid argument that any use of the term is indefinite and may, in a given case, refer only to unprotected groups.

Like the definitions of "smash" and "sweep," the definitions of "enemies" and "no-good elements" need to be carefully limited. In some cases, such as when broad policy directives are set forth (e.g., "we must continue to screen our enemies"), it is sufficient to show that the definition of "enemies" encompasses protected groups; if CPK leaders implicitly tell their subordinates to kill off all Muslims and all foreign military invaders, the criterion for genocide is not lost. However, used to describe an individual event (e.g., "we smashed three enemies in Kampong Thom"), a broad definition would provide a clear loophole. Therefore, the prosecution should endeavor to limit the definitions as much as possible.

Limiting the term "no-good elements" may be less critical, because it usually appears in reference to general policies or practices ("we continue to sweep out no-good elements.") So long as the prosecution establishes that protected groups were among the intended targets of such general policies and practices, a relatively broad definition may suffice.

Needless to say, a more neatly tailored definition would be preferable, but the documents provide no compelling indication that criminals, foreign spies and other unprotected groups can be accurately excluded from the meaning of no-good elements."

It is much more important to limit the tribunal's understanding of the term "enemies," because many of the CPK documents reporting specific acts of killing make reference to "enemies" of Angkar. On its face, the term



could have a broad range of possible meanings, including unprotected persons. In a number of cases, “enemies” are clearly armed, attacking Vietnamese soldiers. To be successful, the prosecution must therefore attempt to split the definition of “enemies,” conceding that in certain cases, the term referred to foreign military forces, spies and paramilitary insurgents. In other cases, the term referred only to protected groups. This task will be difficult and will certainly require use of appropriate expert and lay testimony.

#### **4. Aliases**

Code names are equally important. Each of the top CPK officials was known by one or more aliases, and proving them is essential for individual prosecutions. The documents at DC-Cam provide myriad clues regarding the identities of CPK officials, and those clues can be pieced together to arrive at a complete evidentiary picture of the Khmer Rouge code names. Expert and lay testimony may also be helpful or necessary in establishing the aliases of particular individuals. A relative consensus appears to exist among scholars regarding aliases, which may have the practical effect of easing the burden of proof. Nevertheless, it remains possible that a criminal tribunal will require a substantial amount of evidence.

### **B. General Evidentiary Uses of the DC-Cam Materials**

#### **1. Underlying Offenses**

Most of the alleged crimes of former CPK officials will be imputed through the doctrine of command responsibility. According to historical consensus, only a small fraction of the torture, killing and other heinous acts of the CPK were carried out directly by top officials. The law therefore requires the prosecution, before proving that a given CPK leader satisfies the elements of command responsibility, to prove that their subordinates committed criminally punishable offenses.

The worldwide acclaim of Khmer Rouge atrocities is not sufficient to prove, for legal purposes, that subordinates of the CPK leaders perpetrated criminal acts. However, given the overwhelming mass of historical evidence, proving the occurrence of criminal acts is apt to be the easiest of the prosecutorial tasks. DC-Cam holds a variety of materials to help establish that widespread criminal acts were perpetrated by CPK party members.

##### **a. Mapping Reports**

The first sources of evidence are the Mapping Reports, which describe the locations and characteristics of prisons, skeletal remains and mass burial pits throughout

Cambodia. The DC-Cam Mapping Reports can be of great evidentiary import, because they are the most complete existing records of the physical evidence left by the DK regime. Coupled with expert forensic testimony regarding the age of the human remains and the likely manner of their death, the Mapping Reports can be tied effectively to atrocities during the period of CPK rule. Forensic experts may also be able to link particular prisons and torture devices in the Mapping Reports to the DK regime. The tribunal may choose to accept the Mapping Reports, coupled with expert forensic testimony, as accurate. Alternatively, the tribunal may employ the Mapping Reports as guides to facilitate independent judicial fact-finding inquiries. In either case, the Mapping Reports will provide weighty circumstantial evidence of torture, organized killings and mass burials perpetrated by CPK cadres.

It behooves the prosecution to use the Mapping Reports as aggressively as possible. Although more direct forms of evidence exist to show individual atrocities, the Mapping Reports are among the most compelling evidence of the broad geographic scope of the offenses and the systematicity of Khmer Rouge torture and killing. As discussed above, the widespread and organized nature of offenses provides circumstantial evidence that leaders knew of their commission and satisfy the *mens rea* requirement for command responsibility.

##### **b. Survivor Petitions**

A second compelling source of documentary evidence that CPK cadres committed widespread atrocities are the myriad petitions filed by survivors of the DK regime. DC-Cam holds well over 1.5 million petitions authored and signed by Cambodians across the country. Much of the information in the petitions is technically hearsay and may be afforded lesser weight by the tribunal pursuant to the civil-law rule. However, the sheer number of petitions filed makes their evidentiary weight substantial. In addition, the prosecution can bolster the strength of the documents by contacting their authors and obtaining sworn testimony to corroborate the petitions. In that respect, the petitions serve as a vast potential witness list for the prosecution or for the tribunal, if the latter seeks to undertake any independent fact-finding inquiries.

##### **c. Correspondence Documents**

Numerous CPK correspondence letters make explicit mention of offenses committed either by their authors or by other members of the CPK ranks. Such documents are direct evidence of criminal acts; if the

documents bear reliable indicia of authenticity, they will be difficult to refute. Their obvious limitation is that they provide evidence only for isolated or localized crimes. In that respect, they are well complemented by the Mapping Reports and petitions.

Decoding CPK euphemisms is the principal hurdle to overcome in using the correspondence documents. Usually, criminal acts are reported by code words, such as “Awe smashed them” or “Awe continue to screen out no-good elements.” Thus, in order to maximize the evidentiary value of such documents, the meaning of the coded terms must be firmly established.

## 2. Command Relationship

DC-Cam houses a variety of documents which can be used as evidence to establish the required command relationships. Documents can do so in two ways: first, they can show direct command relationships between two

or more persons. Secondly, they can be pieced together to demonstrate the general hierarchy and chain of command in Democratic Kampuchea (DK). Showing the broad chain of command provides circumstantial evidence that command relationships existed between particular persons.

Among the most useful documents at DC-Cam for establishing direct command relationships are correspondence letters from subordinates to their superiors. Many such documents include clear indications of superior-subordinate relationships between the author and recipient. They are often couched as reports and frequently seek the explicit guidance of the addressee. The natural limitation of such documents is that they only demonstrate a single command relationship; they do provide strong evidence that the addressee commanded a broader range of military or party officials.

(Continued in the August 2001 issue)

# STATEMENT BY THE PRESIDENCY ON BEHALF OF THE EU AT THE CONSULTATIVE GROUP MEETING ON CAMBODIA, 11-13 JUNE 2001 IN TOKYO

The European Union welcomes this opportunity to review the progress made by the Kingdom of Cambodia towards the goals set at the last CG meeting in Paris.

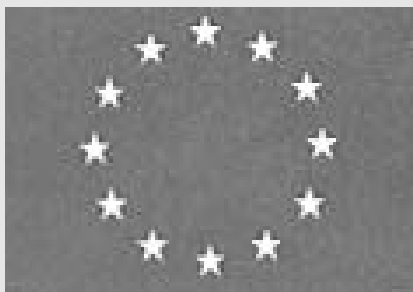
The Union welcomes the positive steps taken by the Royal Government of Cambodia over the last year. We congratulate Cambodia on macro-economic growth, overall political stability, improve fiscal performance and bank reform. We also continue to encourage the RGC to overcome the challenges which hamper Cambodia's development, including further growth and equitable distribution of income.

Important prerequisites for economic development and the reform agenda as a whole are a strengthened civil society in a stable social framework which is based on the rule of law and the development of transparent systems of governance. The EU would like to emphasise the urgent need to improve governance and strengthen the rule of law, and is ready to continue to help Cambodia in these fields. Law enforcement should be improved—to overcome impunity,

to safeguard human rights, and to provide a firm basis for sustainable economic development. On the issue of corruption, the EU is encouraged to note that the government regrets its rampant prevalence in the public sector. But more decisive action is still needed in this field, we urge the government to fully implement the National Anti Corruption Plan. The judicial system, including human resources, needs to be strengthened.

The ongoing reform towards decentralisation should be pursued. We are encouraged by the progress in preparations for communal elections in 2002. Given the right conditions, the elections will constitute an important step for accelerating democratic governance. We encourage the RGC to take every possible step to ensure that these elections will be free and fair, and take place in a secure and peaceful environment.

Similarly, the administrative reform should be given momentum. The EU welcomes the RGC's plan to increase public sector pay.



The EU strongly urges the RGC and the Cambodian Parliament to reach an agreement on the Khmer Rouge Tribunal. It urges the RGC and the Parliament to rapidly complete and adopt the law on the Tribunal, in order to try the Khmer Rouge leaders responsible for the most serious violations of human rights, in accordance with international standards of justice, fairness and due process of law. The EU urges the RGC and the Parliament to establish the tribunal without further delay.

The EU welcomes the RGC's increased focus on poverty eradication as reflected in the Socio-Economic Plan and PRSP process. Real disbursements to the social sectors still need to increase. This can be made possible by implementing the armed forces demobilisation program. The EU is really to contribute to such a program.

Transparency and accountability are key to our co-operation with Cambodia. A crucial implementation measure is to fill the National Audit Authority with qualified members and to make it operative rapidly.

The draft laws on land reform and the Forestry Law will be key tools to fight corruption and reduce poverty. The EU strongly encourages the RGC and the Cambodian Parliament to proceed with their adoption and implementation. We would also like to underline the importance of addressing the protection of the communities rights to land and, on forestry, the need for the Cambodian authorities to continue their work to redress the illegal logging issue.

The European Union continues to be strongly committed to Cambodia, and stands ready to continue to support Cambodia in her development efforts.

---

## **INTERNATIONAL DEVELOPMENT PARTNERS UNDERPIN SUPPORT FOR CAMBODIA'S DEVELOPMENT PROGRAM**

TOKYO, June 13, 2001—International donors met here with representatives of the Cambodian Government on June 12 and 13, 2001 to review Cambodia's efforts towards growth, poverty reduction and good governance. Donors complimented the Government on the continued progress it has made in implementing its reform program and the robust GDP growth attained over the past year, despite the negative impact of one of Cambodia's worst floods in history. At the same time, participants at the meeting recognized that the implementation of some important policy reforms has been delayed, and much remains to be done to ensure sustained economic development and poverty reduction. In this context, donors warmly welcomed the commitment of Prime Minister Samdech Hun Sen and the Royal Government of Cambodia to maintain and increase the tempo of the country's reform program. Donors pledged US\$560 million to underpin the momentum of the government's reform program.

Judicial and legal reform is urgently needed, as is further progress on anti-corruption including the establishment of the National Audit Office and public administration reform, including decentralization. Steps are also required to ensure free and fair local elections and adopt the Khmer Rouge Tribunal Law and establish the tribunal without delay. It is also important to take further steps to eliminate impunity and to promote human rights. Donors agreed that, with significant progress along these fronts, Cambodia should be able to make a successful transition toward sustainable development, with broad-based economic growth and significant poverty reduction. They also recognized the critical importance of continued support from the international donor community for the government and people of Cambodia and, in that context, pledged US\$560 million in assistance as well as support for the upcoming sub-district elections.

# A KHMER ROUGE TRIBUNAL WILL HEAL CAMBODIAN SOCIETY

*Sorya Sim*

This week at the Consultative Group meeting in Tokyo, the European Union strongly urged the Royal Cambodian Government and the National Assembly to establish a Khmer Rouge tribunal “without further delay,” according to an EU press release of June 12, 2001. On June 10, the newspaper *Reasmei Kampuchea Daily* stated that a former Khmer Rouge militiaman had been sentenced to 18 years in prison and to pay compensation of 2 million Riels. His crime was not that he had been a Khmer Rouge cadre, but that he had shot his own friend and ate the man’s liver the year before. Thirty-six year old Heang Hun, the accused, was believed to have behaved as a law-abiding citizen since the former Khmer Rouge soldiers were integrated into the military, the newspaper stated.

During my field research in Mondul Kiri, a provincial government official also stated that the former Khmer Rouge cadres had been integrated into Cambodian society. But a district official interviewed preferred, for the sake of national integration, not to name the Khmer Rouge who had unsuccessfully targeted him during the Democratic Kampuchea regime. In Pursat, I was told that a former Khmer Rouge cooperative chief is a prospective candidate for the 2002 subdistrict election. In Prey Veng, a former Khmer Rouge militiaman is now a village chief. In Kampong Chhnang and Takeo, former Tuol Sleng guards and prison cadres are

now living as farmers and traders. “Integrated” former Khmer Rouge now also live in Pailin or Anlong Veng. While they dare not live in their home villages, they do visit them during traditional Khmer holidays. For security reasons, the residents of these villages dare not talk about these men.

I wonder who will be the next “liver eaters.” I also wonder if we have enough legal resources at present to judge all of the former Khmer Rouge butchers. But I have little doubt that a tribunal, if held, would ban the next liver eaters, stop former Khmer Rouge from becoming subdistrict chiefs, and help villagers feel free to speak out against their former oppressors. The tribunal will help bring about national reconciliation. It will demonstrate that the government is there to protect people and that people can trust their government. Only then can Cambodia move along the road to robust development.



# THE KHMER ROUGE AND THE VIETNAMESE COMMUNISTS: HISTORY OF THEIR RELATIONS AS TOLD IN THE SOVIET ARCHIVES

*Dmitry Mosyakov*

(Continued from the June 2001 issue)

The compromise with Hanoi allowed Pol Pot to reserve for himself authority in the party leadership, and to provide the material and military aid for fighting groups, which he called the Revolutionary Army. In the period 1968-1970 this army conducted unsuccessful operations against the forces of the ruling regime, sustaining heavy losses, and did not have the slightest hope of coming to power. A great chance for Pol Pot and Khmer communists came in March, 1970. Their long-term enemy—Cambodian leader prince Sihanouk—was overthrown in the military coup d'état of March 18, 1970. Sihanouk had to enter into a military-political union with the communists in order to return to power. This became a turning point: in the eyes of thousands of peasants, they turned from enemies of Sihanouk into his protectors. The revolutionary army started growing as on yeast, and the mass base of the communists considerably increased. In this case the goals of purely communist reorganization obviously were set aside for the moment, and the slogans of protection of the legal chief of state and of national independence came to the fore. In April-May 1970, significant North-Vietnamese forces entered Cambodia in response to the call for help addressed to Vietnam not by Pol Pot, but by his deputy Nuon Chea. Nguyen Co Thach recalls: "Nuon Chea has asked for help and we have liberated five provinces of Cambodia in ten days." (RSAMH, Fund 5, inventory 75, file 1062. Information on the conversation of the German comrades with the deputy minister of foreign affairs of the SRV Nguyen Co Thach, August 17, 1978, p. 70).

In 1970, in fact, Vietnamese forces occupied almost a quarter of the territory of Cambodia, and the zone of communist control grew several times as power in the so-called liberated regions was given to the CPK. At that time relations between Pol Pot and the North Vietnamese leaders were especially warm, and one

could not tell that the Vietnamese aroused obvious hostility among the communist Cambodian leadership by their frank "elder brother" policy towards the Khmers.

The Vietnamese leadership did not even hide the fact that the Cambodian Communist Party, in association with the Vietnamese Workers Party (VWP), was given the role of the "younger brother", obliged to follow the directions of the "elder brother". The secretary of the VWP Central Committee, Hoang Anh, for instance, in his speech on the twentieth VWP Central Committee plenary meeting held in January, 1971, declared: "We should strengthen the revolutionary base in Cambodia and guide this country along the path of socialism. Here is the policy of our party" (RSAMH, Fund 89, list 54, document 3, p.21). Moreover, Soviet diplomats working in Hanoi noted: "Vietnamese comrades last year carefully raised one of the clauses of the former Indochina Communist Party program concerning creation of the socialist Federation of Indochina" (RSAMH, Fund 89, list 54, document 10). About VWP policy in determination of Indochinese problems and our goals implying from the decisions of the XXIV Congress of the C.P.S.U." (political letter) May 21, 1971, p. 14.)

The sense of this federation formation was the unification of Vietnam, Laos and Cambodia into one state after the victory of the Indochinese revolution under the direction of Vietnamese communists as "the elder brothers." It is natural that all these plans of Hanoi leaders were well known in Cambodia and could not help raising certain animosity and mistrust among Khmer communists not taking into consideration their views on Cambodia's future. Soviet representatives in Vietnam were well aware of the wary and even hostile attitude of Khmer and Lao communists to Hanoi's plans on restriction of the independence of Laos and Cambodia and a new reorganization of the former

territory of French Indochina. In the 1971 political letter, they noted that a “too narrow national approach of Vietnamese comrades towards the resolution of Indochinese problems, [and] noticeable attempts of submission of Laos and Cambodia problems to the interests of Vietnam, caused latent complaint of Lao and Cambodian friends” (RSAMH, Fund 89, list 54, document 10 (political letter) p.5).

This “latent” complaint is well visible in the correspondence of Pol Pot with Le Duan. In a 1974 letter, on the one hand he swore that “all our victories are inseparable from the help of our brothers and comrades-in-arms—the Vietnamese people and the Vietnamese workers party”—and on the other hand he quite definitely declare that “relations between our parties are based on mutual respect and non-interference in one another’s internal affairs” (On the History of the Vietnamese-Kampuchean Conflict, Hanoi, 1979, p. 20). It is completely obvious that the Khmer Rouge party and military apparatus “became more and more forceful, as the ambitions of their leaders and their genetic hostility and mistrust to the Vietnamese” grew (historically Khmers always disliked Vietnamese, considering them aggressors in relation to their home country). “The Khmer Rouge only sought an occasion to designate their own position, independent from the Vietnamese. In the liberated regions they prohibited the local population from coming into contact with Vietnamese, attacked (as if mistakenly) Vietnamese groups, seized wagon-trains with food supplies, ammunition and military equipment” (*On the History of the Vietnamese-Kampuchean Conflict*, Hanoi, 1979, p. 7).

The possibility for “insult” and “divorce” from Hanoi was granted to them by destiny: in 1973, after the conclusion of the Peace agreement in Paris, Pol Pot turned from formal into real leader of the liberated territory of his country. The reason for this change was that the Vietnamese in Paris, as in 1954 at Geneva, again agreed on full withdrawal of their forces from Cambodia. Their withdrawal loosened the Khmer Rouge leadership’s dependence on Hanoi’s instructions, saved their party structures from dense political and ideological custody in Cambodia by numerous Vietnamese advisers, and in fact disrupted the positions

of plainly pro-Vietnamese elements inside the CCP. Hem Samin, who very friendly to Vietnam and a first member of the United Front for National Salvation of Kampuchea, recalled that since 1973 people who had only joined the party at military party meetings “freely came in for rude and groundless criticism of pro-Vietnamese veterans” (V. Skvortsov, *Kampuchea: The Saving of Freedom*, Moscow, 1980, p. 68). The year 1973 was marked by the first wave of cadre emigration, when along with Vietnamese forces the country was abandoned by future well known figures of post-Pol Pot Cambodia like Miech Somnang and Keo Chenda. Pen Sovan, who became the head of the Cambodian People’s Revolutionary Party, which was reconstructed after 1979 by the Vietnamese), left the editorial committee of the Khmer Rouge radio station in 1973 and escaped into Vietnam (V. Skvortsov, *Kampuchea: The Saving of freedom*, Moscow, 1980. p. 93.) The Vietnamese withdrawal of forces and the weakening of Vietnamese control allowed Khmer radicals to begin realizing their plans to toughen domestic policy in the spirit of “the Great Leap Forward” and “the Cultural Revolution.” A sharp transition towards mass socialization and a reorganization of entire Khmer village life in the spirit of China’s large sub-districts started just after the Vietnamese withdrawal. Beforehand, it was a risky business, as it would inevitably have caused suspicions that the Cambodian communist leadership would not follow the Soviet-Vietnamese course, but would have more sympathy for the Chinese experience.

The Khmer Rouge position strengthened again after success on all fronts in their mass attack at the end of January and the beginning of February, 1973. Thus, Pol Pot more or less demonstrated to all that the new Vietnamese “betrayal” (“Hanoi has left us,” thus Khieu Samphan in a conversation with Sihanouk) had not affected the operations of the Khmer communists. Added to this was the sharp aggravation of relations with the Vietnam Workers Party due to the Khmer Rouge refusal, despite insistent Vietnamese “recommendations” to enter into negotiations with the Lon Nol government (W. Shawcross, *Sideshow*, p. 281), Under Pol Pot’s leadership the CPK, unlike in 1954, was ready for such a turn of events and independently capable of a military victory in the country. In the spring of 1973, in a

conversation with the Soviet ambassador, Le Duan stated that “the initiative in Cambodian affairs is not in our hands” (Fund 5, inventory 66, file 782. Record of conversation of the Soviet ambassador with the VWP Central Committee Secretary Le Duan, April 19, 1973, p. 78.) This was a fair but late recognition by the Vietnamese leader. Pham Hung—the member of VWP Politburo responsible for Cambodia—made unsuccessful attempts to act according to the Vietnamese scripts. It was clear to all that Pol Pot was waging his own war, independent of Hanoi. (Pham Hung held a few meetings with Pol Pot in January 24-26, 1973. Nayan Chanda, *Brother Enemy*, N.Y., 1986, p. 68.)

In April 1973, Hanoi openly advised its Soviet allies that it had no real control of the situation in the Cambodian Communist Party. In the same conversation with the Soviet ambassador, Le Duan declared that “the Cambodian People’s Revolutionary Party has contentions both with Sihanouk and with its own members. Their organization is situated in Beijing. Even the Chinese embassy in Hanoi has more contacts with them than we have. However, Khmer comrades are very careful. Our help to them is substantial. There is a possibility to get closer to them gradually” (RSAMH, Fund 5, inventory 66, file 782. Record of the Soviet ambassador’s conversation with the VWP Central Committee secretary Le Duan, April 19, 1973, p. 78).

Pham Van Dong told the Soviet ambassador about bitter alienation of the relations between Khmer and Vietnamese communists. In their conversation of April 14, 1973, the Vietnamese prime minister indicated that “our support and help to Cambodian friends is decreasing and its scale is now insignificant.” Pham Van Dong took a much more optimistic position than Le Duan when he was asked by the Soviet representative about the “presence of conspiracy in the Cambodian problem behind the Vietnamese back.” He said “we know that there are plans directed to the creation of difficulties in relation between the peoples of Indochina.

We, however, have enough forces to resist these plans. The leadership of the DRV is constantly working on the Cambodian problem” (RSAMH, Fund 5, inventory 66, file 782. Record of the Soviet ambassador’s conversation with the VWP Politburo member and

prime minister of Vietnam, Pham Van Dong, April 14, 1973, p. 80).

To all appearances, under the influence of Vietnamese leaders’ information on the significant independence of the Khmer leadership, Moscow officials came to a conclusion about the necessity of making their own contacts with the Khmer Rouge. In the same conversation with Pham Van Dong, the Soviet ambassador said that “comrades from the KPRP do not evaluate fairly enough their connections with the C.P.S.U., depending [the issue of] of recognition of Sihanouk by the USSR. We need their help to know the situation in Cambodia better.” (RSAMH, Fund 5, inventory 66, business 782. Record of the Soviet ambassador’s conversation with the VWP’s Politburo member and prime minister of Vietnam, Pham Van Dong, April 14, 1973, p. 85).

A little later, in June 1973, the envoy-counselor of the embassy of the USSR in the DRV informed Moscow: “in accordance with the assignment of the Center, I have passed the letter of the Central Committee of the C.P.S.U. to the KPRP Central Committee. In the conversation with the VWP Central Committee deputy chief of department Tran Khi Khien, he said that it was difficult to foresee a response of the Cambodian friends as to how they will consider the initiative of the Central Committee of the C.P.S.U.” (RSAMH, Fund 5, inventory 66, file 782. Record of the Soviet embassy to the DRV’s envoy-counselor’s conversation with the VWP Central Committee deputy chief of department Tran Khi Khien, June 16, 1973, p. 132). An Analysis of these documents proves, surprisingly, that Moscow’s attempts to create connections with the Khmer Rouge were undertaken indirectly, via its Vietnamese allies, in whom the Cambodian leadership had minimal confidence. The passing on of the official invitation for cooperation with the Khmers by means of the Vietnamese party worker ensured the blazing collapse of the whole project. As it now appears, Moscow, though wishing to establish direct ties with the Khmer Rouge leadership, at the same time did not want to complicate its relations with Hanoi by trying to approach the Cambodian leadership over Hanoi’s head.

(Continued in the August 2001 issue)

# BRINGING THE KHMER ROUGE TO JUSTICE

*Ben Kiernan*

**(Continued from the June 2001 issue)**

Vickery, who considers the Khmer Rouge guilty of “intolerable violence” and “mass murder,” argues that in “Cambodia, unlike China and Vietnam, nationalism, populism and peasantism really won out over communism.” “The violence of DK was first of all because it was such a complete peasant revolution, with the victorious peasant revolutionaries doing what peasant rebels have always wanted to do to their urban enemies.” Vickery believes an orthodox Marxist regime would have been preferable. Chandler, by contrast, holds Marxism responsible for the violence, downplaying other factors like racist or genocidal policies. He argues, “Under the regime of Democratic Kampuchea (DK), a million Cambodians, or one in eight, died from warfare, starvation, overwork, misdiagnosed diseases, and executions. Most of these deaths, however, were never intended by DK. Instead, one Cambodian in eight fell victim to the government’s utopian program of total and rapid social transformation, which its leaders had expected would succeed at far less cost.”

This technical denial of genocide, though in my view incorrect, is quite legitimate. Vickery and Chandler do not fit into the category of Holocaust revisionists like Serge Thion, who deny the very concept and the plausibility of genocide. Thion indefensibly prefers the term “deportation” for the fate of Jews in Nazi-occupied Europe, and casts doubt on the evidence for the gas chambers. (In the Cambodian case, Thion argues that the Khmer Rouge’s crimes should be tried in a Cambodian court, rather than an international one.) By contrast, arguments that the Cambodian people suffered not

genocide but “a peasantist revolution of the purest sort” (Vickery) or “the purest and most thoroughgoing Marxist-Leninist revolution” (Chandler), have a defensible intellectual basis.

The analyses of Vickery and Chandler are also more honest than a third position which consists, in the style of the *Wall Street Journal* editorial page, in noting that genocide occurred, while attempting to block investigation of it. I shall now examine various attempts to suppress the CGP’s historical accounting of the Cambodian genocide, in the hope of uncovering a lesson for future chroniclers of crimes against humanity. In conclusion, I shall weigh the arguments of those who reject the use of the term “genocide” in the Cambodian case, against the actions of those who have tried either to turn public inquiry to other issues, or simply to suppress the facts of the case.

The first attempt to derail the CGP came from a man describing himself as “a poor Chilean, a citizen of the Third World.” Julio A. Jeldres had left Chile before the 1973 coup, and subsequently moved to Australia and then Cambodia. In the 1970s, Jeldres not only was a supporter of the Pinochet military dictatorship in Chile, but was also a member of a Khmer Rouge international front organization. Within weeks of our launching the Cambodian Genocide Program, in 1995 Jeldres published an article entitled “Genocide Investigation Off on the Wrong Foot.”

In reply, I noted Jeldres’ support for the Pinochet regime. Jeldres quickly denied “doing work for the regime” of General Pinochet, claiming he was “a member of the Chilean Folk Dance Group, a non-political, cultural association.” But a statement



Jeldres published in 1975, which he signed as “President of the Chilean Club,” made no mention of folk dance. In it, Jeldres expressed his sympathies With Pinochet’s Chile, which he called a victim of “the Australian government’s attitude to my country.” He praised Pinochet’s 1973 coup for ensuring merely that “marxism was ousted.” Instead of protesting the destruction of Chilean democracy, Jeldres denounced the international outcry over it. Like Pinochet, he equated democracy with communism, and complained that the Chilean dictatorship was “the ‘target’ of a communist international campaign against us.”

So it was not surprising to find Jeldres later attempting to block action against another murderous regime, this time in Cambodia—especially because for at least five years, he had been an “Honorary Member” of the Khmer Rouge front organization known as FUNK. In 1976, he had privately boasted of this continued “honorary” status. In 1978, at the height of the genocide, Jeldres sided with the Khmer Rouge against their Vietnamese opponents, and even claimed that the Pol Pot regime told him all he needed to know. As he then put it, “I am kept fully informed by the Cambodian Embassy in Peking.” In 1995, campaigning against the CGP’s investigation of the Khmer Rouge period, Jeldres continued to claim that in 1978, Pol Pot’s embassy “was the only source of information on what was going on in Cambodia.” He was alone in excluding consideration of information from refugees and victims of the genocide.

In the 1980s, Jeldres was associated with another Khmer Rouge front, the exiled Coalition Government of Democratic Kampuchea. In the early 1990s, he joined the magazine *Khmer Conscience*, which published the writings of Bunroeun Thach. In Cambodia’s English-language press in 1995 and 1996, Jeldres continued to denounce the CGP’s investigation of the Khmer Rouge regime.

Attempts by such people to suppress the only research program to document Khmer Rouge crimes comprise a new variation on the politics of genocide denial. Long time allies and even members of Khmer

Rouge organizations have portrayed themselves as opponents of the genocide, thus seeking credibility for their demand that its investigation be cut short. This political chicanery should not, however, be confused with differing definitions of genocide, or with other scholarly debate about the nature of the tragedy.

The *Wall Street Journal* attack on the CGP was begun by Stephen J. Morris, who had met Julio Jeldres in Bangkok a decade earlier. Throughout the 1980s, Morris, like Jeldres and Bunroeun Thach, devoted himself to political activism in support of Cambodian factions who were allied to the communist Khmer Rouge, but whom Morris praised as “anti-communist.” In 1989, Morris complained that the democratic government of Thailand was selling out the Khmer Rouge. “It has now gone so far that Thai commanders have provided Phnom Penh’s artillery commanders with precise intelligence on the location of Khmer Rouge units.” In the winter of 1990, Morris addressed a meeting of Cambodians in Brighton, Massachusetts. According to witnesses, Morris “took the floor and in an impassioned speech warned Cambodians in the room that they should not do anything that would appear to support the Vietnamese-backed government of Cambodia, including bringing attention to Khmer Rouge atrocities. He did not support a trial of the Khmer Rouge and attributed his inside information about the Cambodian situation to having dined with Khmer Rouge leaders.” Morris wrote, “The real Khmer Rouge military aim...is to force Phnom Penh to accept a comprehensive political settlement such as the UN peace plan.” His attack on the CGP’s investigation of the Khmer Rouge was predictable. So was Morris’ praise for Stephen Heder, whose “pro-Khmer Rouge views” Morris had once noted.

More surprising was the *Wall Street Journal*’s readiness to give space to a writer who had embarrassed it once before. In 1990 Morris attacked Lesley Cockburn, an American Broadcasting Company producer, for her feature on Cambodia. Objecting to the feature’s accurate portrayal of the United States’

diplomatic support for the Khmer Rouge in the 1980s, Morris also pilloried what he called “Ms. Cockburn’s 1987 PBS Documentary, ‘Murder on the Rio San Juan.’” Cockburn had had nothing to do with that program, and the *Journal’s* Editor conceded that Morris had made “an error.” The *Journal’s* assault on the CGP attracted the attention of the *Reader’s Digest*, which investigated reprinting it. A *Digest* research editor called me on May 22, 1995, to ask, among other things, if I had ever used Marxist terms. He then called the head of my department at Yale and asked if I was a communist. More confidently, he questioned another senior member of the department “Did you know Kiernan was a communist?” But when my reply to Morris’ second attack appeared in the *Wall Street Journal* on May 30, the *Digest* decided not to republish his article.

The *Journal* gave Morris a third opportunity to repeat his allegations. The last word came when twenty-nine international Cambodia scholars wrote that “Kiernan has been an outspoken and untiring opponent of the Khmer Rouge for 17 years,” while “Morris supported a coalition government-in-exile which was dominated by the Khmer Rouge.” These scholars, who included Vickery and Chandler, despite their differences with the CGP on the issue of genocide, added: “We have full confidence in Professor Kiernan’s integrity, professional scholarship, and ability to carry out the important work of the Cambodian Genocide Program.”

Thus, a phase of the campaign ended. Having lost the debate in the academic world and the media, Morris moved to the realm of raw power. Ron Marks, a CIA officer seconded as Special Assistant to then Senator Bob Dole, drafted a letter repeating Morris’ charges against me. Six senior Republican Senators—Dole, Senate Majority Leader Trent Lott, Senate Foreign Relations Committee head Jesse Helms, and three others—sent the letter to the U.S. Secretary of State on August 7, 1995. Two of the signatories, Trent Lott and Jesse Helms, were associated with the Council of Conservative Citizens, which claims, among other things, that “interracial marriage amounts to

white genocide,” that Jews have “turned spite into welfare billions for themselves,” and that African Americans and Latinos suffer from “high crime and low intelligence.” In 1992, Senator Trent Lott had given the keynote speech to a national board meeting of the Council. “The people in this room stand for the right principles and the right philosophy,” he said (six years later Lott falsely claimed that he had “no firsthand knowledge” of the Council’s views).

As the letter went off to then secretary of state Madeline Albright, a Morris backer from the conservative Heritage Foundation approached Alphonse LaPorta, head of the State Department’s Office of Cambodian Genocide Investigations, and said, “If you don’t get rid of Kiernan, we’ll go after you.” LaPorta concluded that if I did not step down, the Senate would revoke the grant to the CGP, ending our investigation of the Khmer Rouge regime. I held my ground, with strong support from Yale University. On October 2, new support arrived. An editorial in the conservative *Washington Times* praised the CGP’s achievements and described the Morris and Dole campaign against me as “lunacy.” The issue blew over with the CGP’s Congressional backing enhanced.

On September 17, 1996, Nancy deWolf Smith of the *Asian Wall street Journal* called me from Hong Kong. She said, “something is becoming an issue.” This was that the previous month the Pentagon had not gained immediate access to the archives of the Khmer Rouge secret police, which CGP staff from the Documentation Center had discovered in Phnom Penh in March 1996. Smith had the impression, which we could not confirm, that these 1975-79 documents contained information on the fate of Americans missing in Cambodia from the 1970-75 war.

I explained that the Pentagon had not consulted me before sending its contract researchers directly to Cambodia the previous month. They had arrived at the Documentation Center saying, “It’s all settled.” They wanted to start work then and there, before the files had been catalogued.

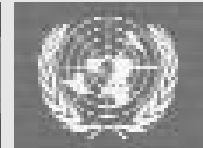
**(Continued in the August 2001 issue)**



Thomas Hammarberg

## HOW THE KHMER ROUGE TRIBUNAL WAS AGREED: DISCUSSIONS BETWEEN THE CAMBODIAN GOVERNMENT AND THE UN

*Thomas Hammarberg*



**(Continued from the June 2001 issue)**

In July 1998 the Secretary-General appointed the Group of Expert mentioned in the 1997 Assembly resolution. Sir Ninian Stephen (Australia), Mr. Rajsoomer Lallah (Mauritius) and Professor Steven Ratner (US) were requested (a) to evaluate the existing evidence with a view to determining the nature of the crimes committed by the Khmer Rouge leaders in the years 1975-79; (b) to assess, after consultation with the Governments concerned, the feasibility of bringing Khmer Rouge leaders to justice, their apprehension, detention, and extradition or surrender to the criminal jurisdiction established; and (c) to explore options for bringing to justice Khmer Rouge leaders before an international or national jurisdiction. The Group met in New York in August for a briefing by myself and the Secretariat and for discussions with some of the UN delegations. Due to the political turmoil in Cambodia after the July elections it was decided to postpone the mission to Phnom Penh until 14-24 November. It then met government officials, representatives of the judiciary, non-governmental groups, diplomats and other experts. They visited the Documentation Center of Cambodia, the National Archives and the Tuol Sleng museum (the previous school in Phnom Penh where the Khmer Rouge opened an interrogation center and to which at least 16,000 people were brought for questioning and thereafter execution). Though the three experts were accompanied by a representative of the Office for Legal Affairs, it worked independently of the Secretariat and myself. My only advice to them was to explore with care the possibility of a strong “Cambodian component” in the process, including the option of holding the trial in Cambodia itself. The Group met again, in privacy, in January and submitted its report to the Secretary-General on 22 February 1999.

The Group concluded that the evidence gathered to date showed that serious crimes had been committed under both international and Cambodian law and that sufficient evidence existed to justify legal proceedings against Khmer Rouge leaders for these crimes. The crimes included crimes against humanity, genocide, war crimes, forced labor, torture, crimes against internationally protected persons, as well as crimes under Cambodian law.

The Experts reported that the feasibility of apprehending Khmer Rouge leaders depended on the ability and the willingness of the Government, in whose territory suspects are located, to arrest or extradite them. They concluded that the Cambodian Government was able to apprehend Khmer Rouge leaders in its territory whose location was known and who were not protected physically from arrest. In their meeting in November 1998 with Prime Minister Hun Sen, he expressed the Government’s willingness and readiness to apprehend any person indicted by the independent prosecutor of the tribunal. The Thai government had expressed similar willingness.

The Experts analyzed the following legal options for bringing to justice Khmer Rouge leaders:

- a) a tribunal established under Cambodian law in a domestic court;
- b) a tribunal established by the Security Council or the General Assembly as an ad hoc international tribunal;
- c) a hybrid option of a Cambodian tribunal under UN administration;
- d) an international tribunal established by a multilateral treaty; and
- e) trials in third States.

Having considered these options, the Experts recommended that the United Nations, in response to the request of the Cambodian Government, should establish an ad hoc international tribunal to try Khmer Rouge officials for crimes against humanity and genocide committed from 17 April 1975 to 7 January 1979. They recommended that the Security Council should establish the tribunal or, should it not do so, that the General Assembly should do so. They also proposed that the Prosecutor of the International Tribunal for the Former Yugoslavia and of the International Criminal Tribunal for Rwanda serve as the Prosecutor of the new tribunal, with a Deputy Prosecutor specifically charged with direct responsibility for this tribunal.

The Experts, furthermore, recommended that the tribunal, including the office of the Deputy Prosecutor, be established in a State in the Asia-Pacific region, but not in Cambodia; that the Prosecutor establish an investigations office in Cambodia; and that the United Nations, in co-operation with the Cambodian Government, arrange for the unfettered dissemination of the proceedings in Cambodia by radio and television.

They also recommended that, as a matter of prosecutorial policy, the prosecutor limit his or her investigations to those persons most responsible for the most serious violations of international human right law. This would include senior leaders with responsibility for the violations as well as those at lower levels who were directly implicated in the most serious atrocities.

The Experts emphasized that the list of top governmental and party officials in Democratic Kampuchea might not correspond with the list of persons most responsible for serious violations of human rights. Certain top governmental leaders might have been removed from knowledge and decision-making while others not in the chart of senior leaders might have played a significant role. This seems especially true, the Experts wrote, with respect to certain leaders at the zone level, as well as officials of torture and interrogation centers such as Tuol Sleng. The Experts recommended that the prosecutor exercise his or her discretion regarding investigations, indictments, and trials so as to fully take into account the twin goals of individual accountability and national reconciliation in Cambodia. Another of their recommendations was the UN, in co-operation with the Cambodian Government and the non-governmental sector, encourage a process of reflection among Cambodians to determine the desirability and, if appropriate, the modalities of a truth-telling mechanism to provide a fuller picture of the atrocities of the period of Democratic Kampuchea.

### **Negative government reactions**

While the Experts were working on their recommendations, further defections had been announced. In late December 1998 Hun Sen received two key leaders from the Khmer Rouge, Nuon Chea and Khieu Samphan, in his residence outside Phnom Penh. Ieng Sary was present and seemed to have acted as an intermediary. In a symbolic sense this was a major event in Cambodian modern history. Though there was no doubt that the two old men had capitulated and came to pay their respect, Hun Sen appeared to turn the occasion into one of reconciliation and forgiveness. His statements were controversial and even took some of his ministers by bitter surprise. One metaphor he used was that “the time had come to dig a hole and bury the past” which appeared to be at odds with his support for a tribunal and the principle of justice.

Had there been a change of heart? Or had a price been paid for these crucial defections?

Hun Sen now stressed the importance of putting an end to civil war, that there might be a conflict between a trial and peace. When I met him in late January 1999 he handed me a memorandum for the Secretary-General, which raised the problem of maintaining peace while seeking justice. The memorandum also referred to the desirability of addressing crimes committed before 1975 and after 1979. The purpose of this memorandum was not clear to me. When I sought clarification he said that these points were only additional aspects for consideration by the Experts but should not be seen as a changed position; the 21 June 1997 letter was still valid. The test would be the reaction to the report of the Group of Experts which was conveyed to the Cambodian UN mission in New York on 23 February.

Unfortunately, the report had leaked to the media before that. There had also been some problems with the transmission to Phnom Penh from the Cambodian mission in New York and with the translation into Khmer language, all of which could explain some of the irritation that now appeared to surface in the Prime Minister’s office and the Foreign Ministry. On 3 March a first response was given to the Secretary-General. It was published immediately, though the Experts’ report had not been made public at this stage. The reply said, in part:

“We have never rejected the accountability of the Khmer Rouge leaders for the crimes of genocide in Cambodia. We just want, however, to caution that any decision to bring the Khmer Rouge leaders to justice must also take into full account Cambodia’s need for peace, national reconciliation, rehabilitation and economic development for poverty reduction. Therefore, if improperly and heedlessly conducted, the trials of Khmer Rouge leaders would panic other former Khmer Rouge officers and rank and file, who have already surrendered, into turning back to the jungle and renewing the guerrilla war in Cambodia.”

The letter also said that the Government now was studying the South African Truth and Reconciliation Commission as a possible model for Cambodia. These points were reiterated in a meeting between Minister for Foreign Affairs and International Co-operation, Hor Nam Hong, and me in Phnom Penh on 4 March.

On 6 March there was a further major development. One of the remaining key leaders, Ta Mok (or Chhit Choeun), the former secretary of the south-west zone and second deputy-secretary of the Communist Party of Kampuchea, was arrested at the Thai border in northern Cambodia and brought to a detention centre in Phnom Penh. From this moment the exchanges on a possible trial became much more real. The arrest also put time pressure on the discussions; according to Cambodian law no one can be held in pre-trial detention for more than six months.

The following week Foreign Minister Hor Nam Hong was sent to New York to meet the Secretary-General and to deliver an aide-memoire. The document, dated 12 March 1999, starts with a reference to the fact that Democratic Kampuchea was allowed to occupy the Cambodian seat in the UN until the signing of the Paris Peace Accords in 1991. It says that the Khmer Rouge was legitimised through the Accords and also became seated in the Supreme National Council during the transition period. Obviously the message was about UN hypocrisy.

The aide-memoire, further, referred to the June 1997 letter of the two Prime Ministers and stated that there was no concrete response from the UN until the second half of November 1998. “Only when the process of gradual disintegration and capitulation of the Khmer Rouge leaders and the ranks and file virtually reached its conclusion, then the 3 UN Experts arrived in Cambodia on a Mission”.

The surrender of Khieu Samphan and Nuon Chea was described as a culmination of “the total collapse of the Khmer Rouge movement militarily and politically”. The government would now focus on other priorities, primarily on economic development and poverty alleviation.

“... Ta Mok, as a top Khmer Rouge hard-liner, remains the most vicious murderer and has committed countless, most serious crimes until the very day he was captured by the Royal Cambodian Armed Forces... The process [against him] will ensure the standards of judicial fairness and effectiveness”.

It appears that the tribunal had been considered as a means of defeating the Khmer Rouge. When this goal now had been achieved through other means, there was no need to try anyone else than the one person who had refused to surrender: Ta Mok. When referring to the process against him, international standards were not mentioned.

Two legal arguments were put forward. One was that the Genocide Convention did not require that the crime of genocide necessarily be tried in an international court; its Article VI mentions the possibility of domestic proceedings. The other point appeared to be more absolute: that Article 33 of the Constitution prohibited the government from arresting and extraditing any Cambodian national to a foreign country. However, on scrutiny, neither of these arguments held up as particularly relevant or convincing (see below).

The Secretary-General had now received the advice of the Group of Experts and the negative comments from the government. On 15 March he submitted the report of the Experts to the General Assembly and the Security Council. In so doing, he expressed his own view that Khmer Rouge leaders responsible for the most serious of crimes should be brought to justice and tried before a tribunal which met the international standards of justice, fairness and due process of law. Impunity was unacceptable in the face of genocide and other crimes against humanity, he stated.

He emphasised that if such standards were to be met, the tribunal must be international in character. This did not necessarily mean that it should be modelled after the existing ad hoc tribunals or linked to them; other options could be explored taking into account the analysis and conclusions of the Group of Experts. He also underlined that the success of any international tribunal presupposed full co-operation of the Cambodian government.

(Continued in the August 2001 issue)

**THIS LAW WAS ADOPTED BY THE NATIONAL ASSEMBLY OF THE KINGDOM  
OF CAMBODIA ON 02 JANUARY 2001, DURING THE 5TH ORDINARY SESSION  
OF ITS 2ND LEGISLATURE**

**PHNOM PENH, ON JANUARY 2, 2001  
THE PRESIDENT OF THE NATIONAL ASSEMBLY**

**DOCUMENTATION CENTER OF CAMBODIA  
Phnom Penh, Cambodia**

**MINUTES ON THE SESSION OF THE NATIONAL ASSEMBLY OF  
KINGDOM OF CAMBODIA**

**A DRAFT LAW ON THE ESTABLISHMENT OF EXTRAORDINARY CHAMBERS IN  
THE COURTS OF CAMBODIA FOR PROSECUTING CRIMES COMMITTED  
DURING THE PERIOD OF DEMOCRATIC KAMPUCHEA**

**(Continued from the June 2001 issue)**

**His Excellency Mr. Sok An:**

I would also like to tell Samdech President and the Floor that they were impressed by the place, saying that they might encourage other countries to contribute to constructing a building nearby to serve as an office, and use Chaktomuk Hall as a trial hall. That building will probably not be small. It may have enough rooms to serve as offices for the Extra-Ordinary Chambers, and also have sufficient equipment. In addition, they thought that they would make efforts to encourage other countries to contribute funds to the construction of a justice mansion in Cambodia, which they called...[in French]. So, this is what they promised. But which level of the body will implement this will depend on the details moving forward. But I want to say that after completing the negotiations in Phnom Penh, the delegation convened a large meeting of related countries on its return to the United Nations and discussed this issue. They considered constructing a new office building close to Chaktomuk Hall, and they talked about the possible construction of a Justice Mansion. If we think it through, it is possible that they will do so because so far, for example, they have spent \$100 million a year on the Yugoslavia tribunal, and \$90 million a year on the Rwanda tribunal. So, comparing this with the amount necessary to build a Justice Mansion, with the encouragement of other countries, it is possible to have both an office building and a justice mansion. That is all.

**Samdech Heng Samrin:**

If there are no opinions from the Floor, please, vote on Chapter XIV.

**Secretary of the Meeting:**

Samdech President, Excellency Vice President, and the Floor. The support for Chapter XIV of this draft law is 92 out of 92. Thank you.

**Samdech Heng Samrin:**

Please, Chairman of the Commission, read Chapter XV.

**His Excellency Mr. Maoh Sophan:**

**CHAPTER XV: EXPENSES**

**Article 44**

The expenses and salaries of the Extra-Ordinary Chambers shall be as follows:

1. The expenses and salaries of the Cambodian administrative officials and staff, the Cambodian judges and reserve judges, the Cambodian investigating judges and reserve investigating judges, and the Cambodian prosecutors and reserve prosecutors shall be borne by the Cambodian national budget.

2. The expenses of the foreign administrative officials and staff, the foreign judges, the foreign co-investigating judge and the foreign co-prosecutor sent by the Secretary-General of the United Nations shall be borne by the United Nations Trust Fund.

3. The salaries of the foreign administrative officials and staff, the foreign judges, the foreign co-investigating judge and the foreign co-prosecutor shall be borne by the countries that contribute them at the request of the Secretary-General of the United Nations.

4. The defense counsel may receive fees from mounting the defense.

5. The Extra-Ordinary Chambers may receive additional assistance for their expenses from other voluntary funds contributed by foreign governments, international institutions, non-governmental organizations, and other persons wishing to assist the proceedings.

I would like to present to the Floor Chapter XV for debate and vote. Thank you.

**Samdech Heng Samrin:**

Please, the Floor, debate Chapter XV.

**Samdech Heng Samrin:**

If the Floor concurs on Chapter XV, please vote by a show of hands.

**Secretary of the Parliamentary Session:**

Samdech President, Excellency Vice President, the Floor, the support for Chapter XV of this draft law is 92 out of 92. Thank you.

**Samdech Heng Samrin:**

Please, Chairman of the Commission, read Chapter XVI.

**His Excellency Mr. Maoh Sopha:**

## **CHAPTER XVI: WORKING LANGUAGE**

### **Article 45**

The official working language of the Extra-Ordinary Chambers shall be Khmer, with translations into English, French, and Russian.

I would like to present to the Floor Chapter XVI for debate and approval. Thank you.

**Samdech Heng Samrin:**

Please the Floor, debate on Chapter XVI. If there is no dissent, but concurrence on Chapter XVI, please vote.

**Secretary of the Parliamentary Session:**

Samdech President, Excellency Vice President, the Floor, the support for Chapter 16 of this draft law is 92 out of 92. Thank you.

**Samdech Heng Samrin:**

Please, Chairman of the Commission, read Chapter XVII.

**His Excellency Mr. Maoh Sopha:**

## **CHAPTER XVII: ABSENCE OF FOREIGN TRIAL, INVESTIGATING JUDGES OR PROSECUTORS**

### **Article 46**

In order to ensure timely and smooth implementation of this law, in the event any foreign judges or foreign investigating judges or foreign prosecutors fail or refuse to participate in the Extra-Ordinary

Chambers, the Supreme Council of the Magistracy shall appoint other judges or investigating judges or prosecutors to fill any vacancies from the lists of foreign candidates provided for in Article 11, Article 18, and Article 26. In the event those lists are exhausted, any such vacancies shall be filled by the Supreme Council of the Magistracy from the candidates recommended by the Governments of Members States of the United Nations or from among other foreign legal personalities.

If, following such procedures, there are still no foreign judges or foreign investigating judges or foreign prosecutors participating in the work of the Extra-Ordinary Chambers and no foreign candidates have been identified to occupy the vacant positions, the Supreme Council of the Magistracy may choose to replace Cambodian judges, investigating judges or prosecutors.

I would like to present to the Floor Chapter XVII for debate and vote. Thank you.

**Samdech Heng Samrin:**

Let the Floor discuss Chapter XVII. Let's vote and approve Chapter XVII.

**Secretary of the Parliamentary Session:**

I would like to inform Samdech President, Your Excellency Second Vice President and the Floor that the support for Chapter XV....., Chapter XVII ....., (sorry, Chapter XVI)....., Chapter XVII, (sorry, Chapter XVII) is 92 out of 92.

**Samdech Heng Samrin:**

Let the Chairman of the Commission read Chapter XVIII, please.

**His Excellency Mr. Maoh Sophan:**

## **CHAPTER XVIII: EXISTENCE OF THE COURT**

### **Article 47**

The Extra-Ordinary Chambers in the courts of Cambodia shall be dissolved following the conclusion of these proceedings.

Let the Floor discuss and then approve Chapter XVIII. Thank you.

**Samdech Heng Samrin:**

Let the Floor discuss Chapter XVIII, please. If the Floor agrees on this chapter, please vote.

**Secretary of the Parliamentary Session:**

I would like to inform Samdech President, Your Excellency Second Vice President and the Floor that the support for Chapter XVIII is 92 out of 92. Thank you.

**Samdech Heng Samrin:**

Let the Chairman of the Commission read Chapter XIX, please.

**His Excellency Mr. Maoh Sophan:**

## **CHAPER XIX: FINAL PROVISION**

### **Article 48**

This law shall be proclaimed as urgent.

Let the Floor discuss and then approve Chapter XIX. Thank you.

**Samdech Heng Samrin:**

Let the Floor discuss Chapter XIX. Your Excellency Cheam Channy, please.

**His Excellency Mr. Cheam Channy:**

I, Cheam Channy, would like to pay my respects to Samdech First Vice President, Second Vice President, the Floor and the Royal Government's Representatives coming to defend the law. I wish Samdech and Your Excellencies success in approving the final chapter on Final Provisions. I would like to support the Royal Government's Representatives and the United Nations, which are prepared to implement this law.



Regarding the composition of the Cambodian side, especially judges, all concerned candidates and all members, please be very careful as this trial is a historic trial of humanity, which cannot be disguised, as some judges have done. I don't want to raise any case of which white was turned to black here. I just want to remind everyone, especially the judges in the present appeals court. I would like to remind Her Excellency in charge of the appeals court to control your staff and examine cases again by keeping white white and black black. Don't change.

I strongly hope and believe that we will make a change, and we are extremely careful because this is a trial that is relevant to the history of mankind, not only Cambodians. In addition, I have another short suggestion. Out of respect for the United Nations, we are moving forward quickly on the draft law. I would like to say that we believe in the United Nations, which has conducted trials of genocide and war crimes in some countries. We, therefore, hope that the United Nations will help find justice for Cambodia, like trials in Rwanda, and of the Nazis and Fascists in other countries. Finally, when the law is adopted, I would like it to be implemented very quickly without delay. I would like all factions to support this law like the National Assembly today. Please do not hinder our progress by dissenting or creating unforeseeable events in Cambodia. The factions that were involved must unquestionably come to the tribunal and the people for trial. I would like to come to an end. Thank you.

**Samdech Heng Samrin:**

Let the Floor provide approval for Chapter XIX, please.

**Secretary of the Parliamentary Session:**

I would like to inform Samdech President, the Second Vice President and the Floor that the supporting votes for Chapter XIX are 92 out of 92. Thank you.

**Samdech Heng Samrin:**

So let the Floor provide approval for the general contents of the law.

**Secretary of the Parliamentary Session:**

I would like to inform Samdech President, the Second Vice President and the Floor that the supporting votes for the general contents of Article 19 are 92 out of 92. Thank you.

**Samdech Heng Samrin:**

So let the Royal Government's Representative express his ideas.

**His Excellency Mr. Sok An:**

I would like to pay my respects to Samdech President again, Your Excellency Second Vice President and the Floor. Finally, I would like to profoundly thank the Floor for its deep understanding of the contents of the law on the Establishment of Extra-Ordinary Chambers. As I mentioned at the beginning, creating this draft law required gathering a lot of knowledge and wisdom from Your Excellencies, local lawyers and overseas legal experts, who worked together to make this law suitable to the local and international situation in order to gain unity and belief in the process of chambers. Today, I am very excited that the Floor has understood the real contents of the draft law clearly. It can be said that this is a historical parliamentary session because the draft law has been approved. This morning we can finish approving this important draft law with a unanimous voice, which is 100 percent of the parliamentarians present. I would like to end.

**Samdech Heng Samrin:**

I would like to inform the Floor that the Royal Government has requested the urgent discussion and approval by the Floor of the draft law on the election of a communal council. I would like to end this session until a new request letter is resubmitted to the National Assembly for the Permanent Commission of the National Assembly to put this law on the agenda. Thank you and please end the session now.

# JUSTICE IS NOT ABOUT GETTING REVENGE

*Sam-An Keo*

When the Cambodian civil war was at its peak in the early 1970s, I did not have any idea about why people were fighting each other because I was only about six years old. By the time the war had come to an end in 1975, I was able to understand some of the reasons behind it. I remember seeing the Khmer Rouge soldiers standing in front of my home, making an announcement through a bullhorn encouraging people to leave their homes and move away before the Americans started bombing. I also remember my father being hit by shrapnel just above his elbow. Since all hospitals were closed, some of my relatives had to apply first-aid to his wound.

Like many people living in Phnom Penh, our family was forced out of the city. On the way out of the city, I can remember seeing hundreds of corpses floating in the river, mainly soldiers in camouflage. While wounded, my father directed his family to head to his home village in Takeo province. After the Communists won the war, some knew that the Khmer Rouge would not forgive those who fought against them, and that hiding their identities was the best way to escape execution.

When my family had finally reached my father's home village, we suddenly found ourselves on a Khmer Rouge hit list due to my father's previous occupation as a police officer. Even though he was a poor policeman, he was still on their list. My father tried very hard not to expose his identity. As more and more people moved into the village, Angkar (Higher Organization) had asked people to volunteer for relocation. After hearing the announcement, my father had signed up. He hoped that by moving away from a familiar territory, he could completely hide his identity, and therefore, escape death. To me, that was a very smart move!

I remember very well when we were on the train heading toward Battambang. I was very hungry and my mother had to do what she could to find something for me to eat. When we finally reached our destination of Mong, Battambang, food was very scarce. Both of my parents had traded gold and US dollars for food from the local people.

Life was very hard in our district. The Khmer Rouge forced all adults and teenagers to work in the fields every day, rain or shine. People died every day of starvation or were executed. I was fortunate not to be put to work because of my age and sickness. My father, especially, worked very

hard with very little to eat. When he had food, he did what he could to save it for his children. From what I can remember about my father, he was a decent person.

Early one morning, my father left home to catch fish in the stream. Two Khmer Rouge soldiers saw him and asked him to come out of the water. They questioned him and tied him with a rope. He was left there alone for hours. When the local people found out about him, they immediately rushed home to tell my mother. She was able to get help from the neighbors to bring my father home. The events of that morning had struck with my father forever, and he was traumatized by them. He began to have nightmares and we could see death in his eyes. He became very sick. As our conditions worsened, my mother sacrificed all her belongings to keep my father alive by trading for food and medicines. Most men living in the village were killed. My father knew that it was just a matter of time before his turn would come.

One night, while everyone was sleeping, he quietly passed away. Everyone in our family had their heads shaved to honor my father's soul. His body was laid on the floor of our home for three days before my mother was able to find people to carry him to the field for burial. Most people were too weak and too afraid to come and help.

While my father was able to escape execution by the Khmer Rouge soldiers, he could not escape his ordeal. My father's death completely changed the life of my family. My mother could not function properly for a couple of years and my brother, sister, and I had to do the best we could to survive.

Currently, we live in the United States. Although I make a comfortable living here, I still miss my father and wish there had been a better way and time for him to die. Even though no one in our family is able to remember his burial site, I know in my heart that my father did not die in vain.

Like many Cambodians, I am in favor of bringing the Khmer Rouge to trial. I am asking for justice, but justice does not mean getting revenge. After all, if the current Cambodian government is strongly committed to bring a democratic process to the country, serving justice is very important. Equally important is for people to understand that they will face consequences should they choose to commit criminal acts. Once justice is served, my father and millions of other dead Cambodians will forever rest in peace.

**KHMER ROUGE POEM:**

**CAMBODIAN NATURAL RESOURCES**

*Compiled by Sayana Ser*

Oh, beautiful nation Cambodia, where many kinds of plants flourish, and birds and animals thrive in the jungle and under water.

Our country is full of natural resources, including diamonds and rice. They are invaluable and have existed everywhere since ancient times.

Rivers, lakes, and seas are numerous. Our fish are everywhere. This season's transplanted rice is healthy.

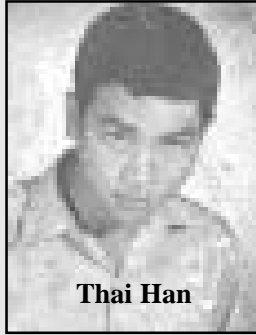
Forest products and tree fruits are available in all seasons. The songs of birds, big and small, imply that their numbers are great.

Our farmland is fertile. Farmers work hard in preparing to diversify their crops. Their harvests are used for food, clothes, and other things. It shows that this country is not poor.

[People] join as a force. Do not boast, be patient. It is only an illusion that farmers are living from hand to mouth.

Some of the rich have gone, and the rest, which amount to 90 percent, are poor as a result of exploitation. They have no clothes to wear, rice to eat, or money to spend. This has nothing to do with sin, but with exploitation.

**SEARCHING FOR A MISSING BROTHER**



**Thai Han**

May name is Thai Sokhom, daughter of Thai Cho (dead) and Khut Hakk, 76. I reside in Snar Py Muk village, Prek Khporp sub-district, Ek Phnom Phnom district, (former Sangke district), Battambang province.

I would like to search for a person by the name of Thai Han (now 50), who left the Faculty of Law while he was taking a preparatory course for the official entry exam. He stayed in the care of his cousin Chum Chuop and her husband Ven Von, a worker at the Seng Thai Textile Factory, Kilometer 6, Phnom Penh.

around April 17, 1975 I heard that Thai Han visited [our] homestead by bicycle, driving across Kampong Thom province. When he reached Kampong Kdei district, Siem Reap, information about him stopped.

Therefore I would call for your return because our mother is getting older, while waiting for you all the time.

I would also like to appeal to the general public that if Thai Han is found, I can be reached at House No.135, Group 9, Sna Mukpy village, Ek Phnom district, Battambang province.

Thank you.

ដើម្បីទប់ស្កាត់ការបោះពុម្ពនិងចែកចាយដោយឥតគិតថ្លៃដល់មន្ទីរស្រុក និងឃុំ នៅទូទាំងព្រះរាជាណាចក្រកម្ពុជា  
ទស្សនាវដ្តីចំនួន១០០០ ច្បាប់ជារៀងរាល់លេខនឹងដាក់លក់តែនៅក្នុងរាជធានីភ្នំពេញប៉ុណ្ណោះ មួយច្បាប់ក្នុងតម្លៃ ៧០០០ រៀល

មជ្ឈមណ្ឌលឯកសារកម្ពុជាអំពីការរំលោភបំពាន មូលនិធិនានា និងសាធារណជនគ្រប់រូប សូមជួយទប់ស្កាត់ការបោះពុម្ពផ្សាយទស្សនាវដ្តីនេះទៅតាមលទ្ធភាពដែលអាចធ្វើបាន។ ព័ត៌មាន  
បន្ថែមចំពោះការបោះពុម្ពផ្សាយទស្សនាវដ្តីស្វែងរកការពិត សូមមេត្តាទាក់ទងមកកាន់យកមជ្ឈមណ្ឌលឯកសារកម្ពុជាតាមទូរស័ព្ទលេខ (៨៥៥) ២៣ ២១១ ៨៧៥។ សូមអរគុណ!

The 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 By Email: dccam@bigpond.com.kh. Thank you.

A magazine of the Documentation Center of Cambodia: Searching for the Truth! Number 19 July 2001.  
Funded by the Royal Ministry of Foreign Affairs, Oslo, Norway, Section for the Human Rights and Humanitarian Assistance;  
Canadian International Development Agency (CIDA) through the Civil Society Fund, the Swedish International Development Cooperation Agency(Sida);  
the Royal Danish Government and the Royal Netherlands Government, The Hague.