

## **Khmer Krom in Pursat Province Share Stories of Suffering in Forum with ECCC Co-Prosecutor Andrew Cayley**

**By Laura Vilim**

On June 13, 2010, Khmer Rouge Tribunal co-prosecutor Andrew Cayley spoke to more than 200 Khmer Krom residents of Pursat province to address concerns that they have been overlooked by the Tribunal and excluded from participation in its proceedings. The forum, held in Pursat's Rumlech commune, Bakan district, was organized by the Documentation Center of Cambodia's (DC-Cam) Living Documents Project and was intended to provide an opportunity for Khmer Krom residents in Pursat to engage directly in dialogue with officials from the Tribunal (officially know as the Extraordinary Chambers in the Courts of Cambodia (ECCC)).

The forum was held at Wat Rumlech pagoda, a historically significant place where the Khmer Rouge rounded up and executed hundreds of Khmer Krom toward the end of their regime.

### **History of the Khmer Krom in Pursat Province**

The Khmer Krom, also known as “lower Khmers,” are ethnically Khmer but have historical roots in the lower Mekong Delta region of Vietnam. This area of Vietnam was part of Cambodia's territory until the French colonialists changed the countries' territorial borders in the late 19<sup>th</sup> century, ceding the area to Vietnam. The change triggered the migration and resettlement of many Khmer Krom families to within the contemporary borders of Cambodia. During the reign of Preahbat Monivong (1927-1941), a number of Khmer Krom migrated further to the Bakan district of Pursat province to establish a Khmer Krom village, after finding the area conducive for farming. Rumlech commune had more Khmer Krom residents than did the other areas within Bakan district.

Despite sharing a common race, religion, tradition and culture with the Khmer, the Khmer Krom were targeted by the Khmer Rouge regime because they were seen as having a “Vietnamese brain in a Khmer body.” This perceived connection to and sympathy with Vietnam, one of the Khmer Rouge's main political enemies, was unacceptable in Democratic Kampuchea, where even the slightest suggestion of opposition was punishable by death.

The Khmer Krom in Pursat province suffered particularly gravely at the hands of the Khmer Rouge. According to Rumlech commune chief Ouk Moun, who spoke at the forum, prior to 1970 there were 1,500 Khmer Krom families living in three villages in the commune. Today, after the Khmer Rouge executions and evacuations from 1975 to 1979, less than 50 Khmer Krom families remain. “The killing [in Rumlech



*A Village Forum with over 200 people in attendance was held in Rumlech Pagoda, Rumlech commune, Bakan district*

commune] was against everyone, but the Khmer Krom suffered severely,” Ouk said. “Young people in the commune today do not believe Khmer could kill Khmer. This makes it mandatory for us to tell our story.”

**“I do sincerely recognize your suffering”**

DC-Cam’s forum in Rumlech commune and Co-Prosecutor Cayley’s remarks there were intended to recognize these crimes committed against the Khmer Krom from 1975 to 1979. Opening remarks by Bakan district chief Sao Daroeun stressed the forum’s importance as an opportunity for dialogue between the Khmer Krom and Tribunal officials that would ultimately result in a better understanding between the two groups.



*ECCC international co-prosecutor Andrew Cayley spoke to over 200 Khmer Krom at a village forum in Rumlech commune, Bakan district, Pursat*

Cayley then began his remarks to the villagers, acknowledging their suffering and explaining the status of the Tribunal’s current and future proceedings with respect to the Khmer Krom. “I recognize the suffering of the Kampuchea [Khmer] Krom people during the Khmer Rouge,” Cayley said. “I know there is a feeling among some of your community that you have not been properly considered by the Court. But I want to say to you today, sincerely, that I am here because I do recognize what happened to you as a people.”

The Khmer Krom’s concerns of exclusion from the Tribunal stem in large part from a January 2010 decision by the Court’s co-investigating judges that genocide charges and other offenses would not be brought against the Khmer Rouge leaders currently in detention for the regime’s treatment of the Khmer Krom. As a result of this ruling, several Khmer Krom civil party applicants from Pursat province who had been provisionally accepted in the ECCC’s Case

002 (against accused Ieng Sary, Noun Chea, Ieng Thirith and Khieu Samphan) were rejected because their claims were now seen to be outside the scope of the Tribunal’s investigation. The co-investigating judges said their decision was based on procedural grounds rather than an historical judgment that the Khmer Krom were not victims of genocide and other crimes. But many members of the Khmer Krom community took the ruling as a substantive decision by the Tribunal that their suffering was somehow not as grave or widespread as that of other groups, especially in light of the co-investigating judges announcement in December 2009 that genocide charges could be brought against the detained Khmer Rouge leaders for their treatment of the Cham Muslim and Vietnamese minority groups.

Cayley worked to assure the crowd before him that this was not the case. After explaining the status of Case 001 against the director of the S-21 prison system Kaing Guek Eav, alias Duch, and the ongoing investigation of Case 002, he declared his commitment to including evidence of the Khmer Krom’s suffering in Case 002, whether or not they were allowed to become

formal civil party participants. Cayley made clear that many individuals and groups have applied to be civil party participants but have not been accepted by the courts because of the complicated nature of the rules of acceptance. “If you were not accepted, it does not mean your suffering did not occur or matter. Your evidence—what you said—can still be part of the case even if you are not a civil party,” Cayley said.

“We [in the prosecutor’s office] are aware of the suffering of the Khmer Krom under the Khmer Rouge [and] we recognize the crimes committed against you based on your ethnicity, your special place in this country,” Cayley continued. He then gave his word that the Khmer Krom and the crimes committed against them will be included in a document the prosecutors submit to the co-investigating judges at the end of the Case 002 trial “so that the judges and the world can hear what happened to you as a people.”



*Mr. Cayley presents a plate to the district chief, Mr. Sao Daroeun, to commemorate his visit to Rumlech commune*

To demonstrate the seriousness of his commitment to including the Khmer Krom in Case 002, Cayley ended his remarks by dedicating a plaque from the ECCC to the people of Rumlech commune to commemorate his visit. It was inscribed with the words “Let those who read this in future years remember the suffering and tragedy that befell the Khmer Krom people during the time of the Khmer Rouge so that it might never happen again.”

### **Questions and Answers**

Following Cayley’s address, the Khmer Krom in attendance were invited to ask questions and share their stories with the co-prosecutor. One of the attendees asked why, if all Cambodians and the international community know Pol Pot and his regime killed people, there must be witnesses at the Tribunal to establish the Khmer Rouge’s crimes. Cayley explained that the legal process established by the ECCC ensures that facts are established in a fair way and that the truth is discovered: “The world needs to know [what happened under the Khmer Rouge regime], and it needs to be done in a legal way. The world and this country need to see that these trials are done in a fair way, so no one in the future can say ‘these people did not get a fair trial.’” The audience seemed to approve of Cayley’s response, clapping after his answer was translated.

Meas Chanthorn, chief of Rumlech commune when the Khmer Rouge came to power and the oldest member of the Khmer Krom in the commune to survive the regime’s purges, spoke next. He asked why the ECCC did not send staff to investigate the allegations of genocide and crimes against humanity in Rumlech commune if they knew the Khmer Krom suffered in that region. He also asked why the ECCC accepted genocide charges against the Cham Muslim minority but not the Khmer Krom.

Dale Lysak, the Assistant Prosecutor at the ECCC, responded by telling the audience that information they submitted to the Tribunal about what they experienced and witnessed under the Khmer Rouge will be used for two important reasons in Case 002. First, it will be used as



evidence to establish the elements of the crime of genocide against the Vietnamese. “The Khmer Rouge viewed as suspect anyone connected to the Vietnamese,” Lysak said. “And it was because of that view that the Khmer Krom population was targeted by the Khmer Rouge. Because of who you were and what group you belonged to, you were subject to arrest and execution in this area.”

Second, Lysak said the information is important to the prosecutors to establish crimes that occurred on the very ground that the forum was being held. Toward the end of their regime, the Khmer Rouge brought many people by train to Rumlech commune, rounded them up at Wat Rumlech pagoda, and executed them. The Documentation Center of Cambodia is now working to build a permanent memorial near the pagoda to preserve the remains of those who were killed.

### **Sharing Experiences**

The forum moderator, Dara Vanthan from DC-Cam, then asked the attendees to share before the forum what they witnessed and experienced under the Khmer Rouge. One woman stood to speak, sharing that 39 of her family members, including her parents, were killed by the Khmer Rouge. Starting to cry, she said that she was with her father when he died, and her life was spared only because he pleaded with the cadre not to kill his daughter. Her mother died when she was injected with water by Khmer Rouge cadre. She said she was only able to survive because of the Vietnamese invasion in 1978-9.



*A female participant shared her stories with other attendees at the forum. She lost 39 family members to the regime and was spared the life only because her father pleaded with the cadre not to kill.*

Phan Saray, a 56-year-old woman from Por Yum village, also spoke. “I survived. I made it through so much during the genocide regime. I would like to give you my testimony,” she said. Por Yum village was already under the control of the Khmer Rouge when they came to power in the rest of the country in 1975. Phan Saray’s son died of starvation in 1976, and soon after that time she and many other people in the village were evacuated to another village and ordered to live in cooperatives. Because she could read and write, Phan Saray sometimes was made to work for the cooperative chief as a note taker at Khmer Rouge cadre meetings.

In one meeting she attended, the cooperative chief mentioned the Khmer Krom and their connection to the Vietnamese. The chief said there were two million Khmer Krom living in Democratic Kampuchea, and the Khmer Rouge leadership wanted all cooperative members to write their biographies so that Khmer Krom could be identified and separated from the Khmer. Phan Saray said she remembers this incident because she is Khmer Krom, a fact she had kept hidden from the Khmer Rouge before the biographies were ordered. Phan Saray further recalled that four or five days after this meeting, all of the Khmer Krom in her cooperative, including herself, were sent by Angkar to another cooperative and given much more work to do.

In an interview after the forum, Phan Saray spoke further about her experiences. “I was lucky to survive that regime,” she said. “The Khmer Rouge used the cooperative system to separate out Khmer Krom people they were going to kill from other individuals.” Phan Saray said her family was able to survive because they received special treatment from one of the Khmer Rouge cadres who was related to her father. That cadre tried to convince other Khmer Rouge cadre that Phan Saray and her family were not Khmer Krom. Her father was also brave enough to stand up to the Khmer Rouge and deny his Khmer Krom background, saying that the family was not closely related to its Khmer Krom ancestors (they actually were close; Phan Saray’s grandfather was Khmer Krom). The cooperative chief also helped the family during the initial evacuation by directing them to a work cooperative rather than one where all Khmer Krom were executed.



*Ms. Phan Saray shared her experiences during the KR regime with the co-prosecutor and people in attendance at the forum*

When asked for her reaction to the forum, Phan Saray said “this meeting was important for me because it gave me an opportunity to express my feelings and memories about what I suffered to the officials from the ECCC.” She said meetings in the villages are useful for people who do not have the means or the ability to travel to Phnom Penh to view the Tribunal proceedings. She also spoke of the significance of allowing people to share their stories and allowing those who cannot share to listen. Finally, she said the meeting was encouraging because she now believed ECCC

officials were investigating the crimes that occurred in Pursat against the Khmer Krom and that they were interested in learning more about the Khmer Krom’s suffering.

### **Memories of the Eastern Zone Evacuation**

Forum moderator Dara then asked the audience if anyone had witnessed the Khmer Rouge executions of people from the Eastern Zone and if they would be willing to share those stories. In 1978, the Khmer Rouge Party Center leadership, fearing disloyalty among members of the Eastern Zone military and administration because their anti-Vietnamese resolve was not strong enough, conducted a purge of the Zone’s leadership. Many of the Eastern Zone inhabitants were killed in the purges, and many others were evacuated by Khmer Rouge cadre to provinces further west, where they would be farther away from Vietnamese influences. One of the provinces where they were relocated was Pursat. Cadre in Pursat then singled out these individuals for execution, based on their alleged ties to Vietnam.

Phan Soeung, a 60-year-old man from Por Yum, was a witness to these executions. He saw the killing of about 700 people that had been evacuated to Pursat from the Eastern Zone. The Khmer Rouge used machetes and wooden bars to kill the Eastern people “mercilessly,” Phan Soeung said, “beating them like animals.” He said witnessing these murders made him fear his parents and twenty other of his family members who were killed died in the same way.

In an interview after the forum, Phan Soeung further related his experiences under the Khmer Rouge. He was a monk from 1970 to 1975, but was forced to disrobe after the Khmer Rouge came to power. He was separated from his family, forced to work in a mobile unit and forced to marry a woman he only met on the night of his wedding. Phan Soeung told the forum that in 1977, he heard a regime henchman say there were too many Khmer Krom—“those with Vietnamese minds and Khmer bodies”—to be killed. Before the Khmer Rouge regime, Phan Soeung recalled that there were hundreds of Khmer Krom families in Pursat province and only a few Khmer families. “Now it is the reverse,” he said. “The only Khmer Krom who are still living here today survived [the Khmer Rouge] because they were evacuated to other regions. All who stayed died. Those here today are returnees from other regions.”

For Phan Soeung, the forum was important because it “showed that the Tribunal is paying attention to us and cares about justice for the Cambodian people. It is also important for the younger generation to hear [these stories] so they will not do the same things as the Khmer Rouge regime and history will not repeat itself.”