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KHMER ROUGE ARTS

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Pol Pot



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Letter :

SHADOW OF THE PAST

◆ Will the draft law on the establishment of extraordinary chambers for prosecuting the crimes committed during Democratic Kampuchea ever come into force?

◆ Will senior DK leaders - Nuon Chea, Ieng Sary, Khieu Samphan, Ta Mok, Ke Pauk and Ieng Thirith - as well as the man perhaps most responsible, Duch (Chief of S-21 prison), ever be brought to trial?

◆ Will the millions of Cambodian people victimized by the DK regime ever have a chance to hear what exactly happened during the regime so that they can forgive the lower-ranking Khmer Rouge cadres who slew their family members?

◆ Will the course of seeking justice for the more or less two million victims slaughtered by the

barbarous regime ever be free from political interference?

◆ When will Cambodians understand that genocide is a crime against humanity that requires the participation of all people, regardless of their social status or color, and is an obligation of all human beings to share their resolve to prevent such a crime from ever occurring again?

◆ When will Cambodian children have a chance to study the history of their country's genocide at school?

Until these questions are satisfactorily answered, Cambodia will remain in the shadow of its past.

Youk Chhang

country and of many people, and has a progressive manner. In contrast, if the request is egotistic, containing a penchant for long-standing mood (non-revolutionary and non-progressive), we have to educate those people to be enlightened by resorting to the spirit of patriotism [and] loving collectivism, namely to the gradual current of our revolutionary progressivism. Absolutely, we must not meet or respect any blind, selfish request, whereas we have to lead the people and masses to everlasting enlightenment. Yet, we absolutely do not oblige them to carry out the revolution without awareness, clarity, complexity, or satisfaction.

For example, regarding the leading of the masses and people to build up new irrigation systems, when they are yet to understand the significance of the new systems, to see the interest in building them or to have confidence in the idea of the creation, we cannot settle the problem of irrigation. If we have a correct mass line, we would probably not force people and the masses to build new dikes or dig new canals based on the plan set up by the party, saying “any one who does not make revolution must be labeled as a traitor.”

However, we do not allow the people to follow old traditions and customs in building up tiny, ugly dikes like before. If [we] have a correct mass line, we would educate and instruct the people and the masses in advance so that they could understand the importance of the new irrigation systems and their own huge advantages in that creation. Make them believe and be clear about building new irrigation systems, which could help solve the problem of water diversion and contribute to the defense and reconstruction of Democratic Kampuchea effectively and with their own hands. We then stir up and enhance the movement of building the new dike systems, lead and organize the masses to the practice at their work sites.

By doing so, the mass movement will be actively involved day and night. The work will go faster and the people will all be satisfied. This is the real sense of the mass concept and the mass line. In all kinds of work, even small, big, heavy, light, difficult or easy, whenever we have a firm mass concept and a correct mass line, we are certain to achieve our goal successfully.

GRAVESITES IN KAMPONG CHAM

Sam Oeun Ouch

Chamkar Leu District

This district is located 15 kilometers from the provincial town of Kampong Cham. Several of its inhabitants were slain by the Khmer Rouge. Now it bears a significant number of victims' remains. On July 7, 1998 the Mapping Team of the Documentation Center of Cambodia visited Chamkar Leu District with the purpose of obtaining information and taking photos of any execution sites.

1. Prison of Comrade Sao

This prison served as a security office and prison under the administration of Democratic Kampuchea. Situated 54 kilometers from the

provincial town, the Comrade Sao site is located in Por Preng Village, Speu Subdistrict, Chamkar Leu District at a latitude of 12°20'44:81" north and a longitude of 105°19'48:86" east. The data are classified as file (030201) R07703A.



Pei Nakk

Pei Nakk, chief of Por Preng Village, Speu Subdistrict, told us that Comrade Sao prison was established in 1973. He went on to recount that people targeted for imprisonment included “old” and “new” people accused of either moral

offenses or owing some sort of political allegiance to the old regimes. No inmate survived.

2. The Prison's Execution Site

This execution site is located in Por Preng Village, Speu Subdistrict at a latitude of 12°20'48:01" north and a longitude of 105°19'58:01" east. The information is classified as file (030202) R07074A.

Pei Hakk asserted that in 1975 and again in 1976-1977, the Khmer Rouge brought purported soldiers, government employees, 17 April People, teachers, educated individuals, merchants, military police and spies to be exterminated at this field. During 1977-1978 the relatives of those previously executed were taken to be killed according to the theory of "To dig up grass, one must dig up its roots." Hakk estimated that nearly ten thousand people were executed here.

3. Wat Porpreng

Currently this wat functions as a memorial preserving the remains of those who perished during Democratic Kampuchea's control. The wat is located at a latitude of 12°20'35:88" north and a longitude of 103°19'48:15" east. This information is classified as file (03020) R070704B.

Pei Nakk affirmed that efforts to maintain the remains and establish a memorial had been made by local authorities with the assistance of local villagers. Only a small fraction of the bones had been exhumed for the purpose of the annual "Day of Anger"—a massive demonstration against the Khmer Rouge atrocities. Many of the bones have been disturbed as a consequence of animal activity, while the memorial suffers disrepair and abandonment.

4. Sam Prison

This prison was also an execution site established during Democratic Kampuchea. It is situated at a latitude of 12°20'48:25" north and a longitude of 105°20'24:17" east. This information is classified as file (030204) R070705A.

5. Chamkar Ta Mom

Located 3 kilometers from National Road 71 at a latitude of 12°20'12:72" north and a longitude of 105°15'56:28" east, Chamkar Ta Mom stands approximately 600 meters from Chamkar Andaung. The site can be identified by its present use as a mango and durian farm. Thousands of families were slain at Chamkar Ta Mom by the Khmer Rouge. Even now the villagers still have a desire for vengeance against Khmer Rouge brutality.



Sum Sam

Sum Sam, 47, currently living in Ta Mom Village, Chamkar Andaung Subdistrict, Chamkar Leu District, claimed that he saw the execution site after 1979 when he was returning home from his Khmer Rouge assignment. In

1984 Sam saw several bones scattered about by people looking for precious jewels around the bodies.

Like Sum Sam, Chhun Iv, a villager in Lvea Leu Subdistrict, also witnessed events there when he resided adjacent to the execution site. Iv affirmed that the Khmer Rouge henchmen took 20 (or more) truckloads of victims to be killed there twice a month. The people victimized included both old and young, men and women. The killings occurred between 1975-1979.

The two witnesses reaffirmed that those killed were "17 April People." Between 1976 and 1978, the Khmer Rouge killed both old and new people there. Chamkar Ta Mom was a main execution site for Region 42. On the right hand side of the site are 20



Chhun Iv

pits, each 4x4x2 meters in size and capable of holding 50 to 100 victims, while on the left there are 30 pits, 3 B-52 pits and 4 wells.

These witnesses estimated that there were 6,200 victims there.



DAILY NOTES OF A KHMER ROUGE CADRE

The victories in the beginning of this year's dry season, especially since 1 January 1975, were enormous victories on all three fronts.

Phase One: 1 January 1975-6 January 1975 was the overall assault period. As early as 1 a.m., our party's commander and chief gave orders to launch attacks, even though [we did not have] a match or a brick. In the party's circular, the People's War must be waged carefully, but the radio, authors, and publication teams were not informed in advance. Using the radio, we misled people again and again. Angkar's tricks and secret policies have yielded fruitful results.

Lower Mekong: We took over Neak Loeung completely in just three days, much faster than we had expected (one month). The reasons were: 1) We were well prepared; our cadres began educating youths as early as December. 2) We gathered forces and kept secret when we greeted the South Vietnamese delegation. 3) The enemies, including the U.S., the CIA, and Lon Nol, underestimated us; they thought only about the ONU victory.

Phase Two: Due to the secret burrowing of the peace alliance [forces] inside our Angkar, we lost 100 lives in the Northern [zone], Region 304 - Prek Phneou, Porpeal Khe, and O Kong - leading to a stalemate. Our forces at the Mekong were sent to Ka-am Samnar, and the enemies moved forward to Peareang with 3,000 and received 1,000 defectors (five battalions). In the face of the tough fight and hot situation in the battlefields, our male and female youths were determined to fight on in high patriotic spirit; no one thought about their own lives. Secretary cadres also stayed on in the battlefields. In short, in this phase we had some accomplishments. Undeterred, we planned to fight even harder despite

the fact that we have a limited amount of ammunition. For example, we should have had 30 shells for each cannon, but we had only 5 to 10.

Phase Three: We liberated Ka-am Samnar on 20 January 1975, and annihilated the enemies' ships. At the end of this phase, a small number of the enemies' ships still traveled up the river. We made a fantastic assault on Kampot. Sadly, I left the battlefield on 25 January 1975. From then until 15 February, the enemies could not do us any harm or transport anything. We began to attack Neak Loeung right away, rather than other locations. This morning the U.S. broadcast fearfully that we shelled and hit our targets. If we compared the enemy's forces and ours, we could see that theirs was getting weaker and weaker. They were running out of food, although the U.S. had been bringing food in by air. Angkar mentioned that the [group of] Khmerization would be defeated sometime during this dry season. However, the U.S. and Thieu [Ki] will not let us win easily.

Point One: They try to transport [food supplies] while requesting more aid from their Congress using the excuse of negotiations, since they know that they won't win the war.

Point Two: They bombed us day and night in 1973 (195 days and 195 nights), especially around Phnom Penh. If they bomb us again, we won't be discouraged. However, there is a small possibility that this wouldn't bring about any changes, since we are not in the city.

Point Three: The 7th Force was ordered to transport 3,000 to 100,000 infantry from Kampong Som. Again the possibility is small, for there must be strikes in the U.S. and the U.S. doesn't love Lon Nol like its own children. In short, the U.S. would be

beaten. Its satellites, like Bangkok and Thieu [North Vietnamese] will meet difficulties. Thieu are now busy fighting with South Vietnam. In contrast, our armed forces are growing in size (although some soldiers are sick). We'll definitely win the military war, while the People's War has to be won in the field, through politics, economy, diplomacy, movements, enemies' soldiers, and even overseas students. If we only fight, we won't gain full victory, despite the fact that we now possess military superiority. We have accomplished missions in the fields of politics, economy and diplomacy, but not so well. In general, we will win. We won't push them out, but if the external soldiers run away [little would affect us].

Advantages of external work, especially radio: If politics, economy, and diplomacy are broadcast unsuccessfully, it will affect the military. Propaganda is not the basis of our victory; it is a tool, we should use. We can use poor peasants to operate the Phnom Penh radio station. (Intellectuals from the outside joined our labor force three years ago, but they still have not changed their views; this is a problem.) We go abroad: 100% safe. 2) We have good and adequate equipment. Difficulties: 1) We do not speak the country's language, but we're getting closer to it. 2) Too far from the battlefields, making it difficult to communicate. 3) People are not one; discrimination between groups occurs. Heighten the spirit. Bad reading, bad singing, we have to be responsible. Leaders are also to be responsible. Our radio conducts campaigns and secretly persuades and encourages people to struggle; note that our radio is the front's radio.

Importance: 1) The voice of the front (the voice of Angkar) is nationalistic. 2) Since we do not have entertainment, the radio acts as a source of enjoyment for the whole country. 3) Military broadcasts can be heard in general and radio is an important tool; AKI used to broadcast internationally. In today's situation, cooperating

with the army is more vital than ever.

Up to 15 January 1975: There was some criticism. The radio could not serve the movement at the right time. Sometimes it broadcasts unclearly. The music was too soft and the composers wrote the songs with some inconsistency (the script was too long). Since 15 January 1975, we've improved quite a lot, both in reading and in art. Do whatever needs to be done except producing slow lullabies, *Bang Korng Kha Ek* [a traditional song use for funerals] and poems. We have noted the following situations:

1) People don't understand the value of radio. They just sing and read the script as Angkar told them. The belief that one word can contribute to the fight against enemies has yet to exist. Everyone does not understand very well. 2) The solidarity movement is limited in serving the ministry. There are many groups: Reading groups, people from overseas, and locals. Comrades from overseas have not become accustomed to working hard, although they try to be conditioned. Good solidarity can be achieved if some comrades eliminate personal affairs and become committed for the sake of the ministry. 3) We have not yet led the ministries. People are vague on the objectives of the work to be done, so please obey orders. There should be core leaders in core ministries, which means our comrades and friends struggle to abolish privacy and build a core leadership. Contradictions are unavoidable, but keep in mind that we are brothers and sisters. 4) We have not reached the desired point of trying to get a grip on knowledge by oneself and self-improvement. Angkar has helped by creating study sessions. According to [our] observations, there are no limits to active involvement. We are happy with the revolution. It is admirable that our comrades try to work hard in order to promote our life style, instead of playing sports. However, we have tried to bring the radio into operation. Basically, we craft changes and development while we're still young. **(Continued in the May 2001 issue)**



ONE ASPECT OF THE NEGATIVE EFFECTS OF THE U.S. BOMBING AND THE POSSIBILITY OF RECOVERING AMERICAN REMAINS FROM THE RATANAKIRI-BASED VIETNAMESE MILITARY CAMP-84

Bun Sou Sour

Rattanakiri, especially Ta Veng District, was a main target of U.S. bombing in Cambodia and was ravaged during 1965-71. The region was heavily carpet-bombed from 1968 to 1971.

The Khmer Rouge came to power and began their propaganda campaigns in Rattanakiri province. Their popularity with the local populace increased day-by-day as a result of the U.S. bombing and the conspiracy between the ruling government led by Field Marshal Lon Nol (1970-75) and the U.S. Government.

According to Kham Khoeun, Governor of Rattanakiri Province, during the four years of bombing, a great number of villagers were seriously injured by bomb fragments and a yellow poisonous powder dropped from U.S. planes. Before eating, local people had to put their dishes and spoons in boiling water to alleviate the negative effects of the powder. Khan Khoeun reaffirmed that the bombing pits still retain their shapes.

He stated that because villagers could not endure this situation, most of them decided to flee from their villages into the forests to escape being killed and establish a struggle movement that coincided with the rise of such top Khmer Rouge leaders as Pot Pot, Ieng Sary, Khieu Samphan, and Son Sen alias Ta Khieu or Ta Venta.

The Khmer Rouge tried their best to entice the people, mostly ethnic minorities, to join their

movement. Kham Khoeun joined the movement in 1970 in Ta Veng Village, Ta Veng Subdistrict, Ta Veng District. During that period, the Ta Veng region was completely isolated from the administration of the U.S-backed Lon Nol government.

On 25 December 1999, a Documentation Center of Cambodia mapping team, led by Sour Bun Sou, and a research team led by Tieng Sopheap Vichea, conducted research in Rattanakiri with the aim of locating Khmer Rouge “killing fields.” We arrived at the district headquarters at 10:20 a.m., where we met district authorities, including the District Chief, 3rd Deputy Chief Yeng Khuong, and many other officials. Our aim was to conduct interviews with members of ethnic minorities who had joined the Khmer Rouge struggle against the U.S. bombing campaign, and with those who survived repression by the Khmer Rouge, who came to distrust the ethnic minorities. We also searched for execution sites from the Pol Pot regime.

Informants told us about the remains of a military camp, probably built more than thirty years ago, along the boundaries of Rattanakiri Province 10 kilometers west of Vietnam. The camp is adjacent to the Ban Lung provincial town of Rattanakiri. This huge Vietnamese military camp, which was an important target of U.S. bombing, is located in Ta Veng District, Rattanakiri Province. According to Yeng Khuong, 44, a highlander who served as a

soldier in Ta Veng District, the camp was named Vien Tam Toeun, Vietnamese for “Camp-84.” The base contained a staff headquarters and a hospital.

Yeng Khuong was born in Bang Kaet Village, Ta Veng Leu Subdistrict, Ta Veng District. At the age of 13, he, members of his family, and people from three villages were forced to live in the jungle in the vicinity of Camp-84 to escape from the U.S carpet bombing. Because he was young, he could walk freely in the jungle (older people were not allowed to do so). Even though there was a strict prohibition on walking in the jungle, the people living there still sometimes saw Vietnamese soldiers walking with captured Americans whose hands were shackled. These accounts led to search attempts for these missing U.S. soldiers.

In 1998, a team in charge of searching for American soldiers missing in action during the Indochina war reached Ta Veng region in search of remains. At that time, those who had said that they saw Americans being taken through the jungle were asked to show the location where they witnessed these events. However, these informants were unable to lead the team to any remains, perhaps because the events in question took place more than 20 years ago.

On 17 December 1999 Yeng Khuong, who was also a soldier stationed in Ta Veng District, and six other villagers tried to find their way to the camp to search for remains. After a three-day search, they found the camp, which is located at spot 48 (on a map), west of Vietnam. On the first day of the search, the team reached O Trang after boarding a motor-driven boat. On December 18, the team arrived at the Ro Hat Toek area on foot. And on December 19, they reached the camp.

On arrival, Yeng Khuong, who initiated the search, found common graves that had been given serial numbers from 1 to 100. In addition, there were

dozens of graves that were larger than the others. He stressed that although there were many graves, he suspected that some held the remains of U.S. soldiers because they were longer than the common graves and bore no serial numbers. Moreover, they found military trenches, medical cans with Chinese script, cooking stones, rubber sheets, broken artillery, and a rope-trap. Yeng Khuong brought only the trap back with him.

It is possible that Yeng Khuong’s suspicions are correct, and that the alleged sightings of Americans being walked by Vietnamese soldiers will lead to a successful search for the remains of U.S. military personnel missing in action in Cambodia, particularly in Rattanakiri Province. But this will require a great effort, sufficient financial support, and close cooperation and good connections with the local villagers and authorities of Taveng. However, of all the local villagers, only Yeng Khuong and his six followers know how to find the camp.

I am optimistic that this secret camp, which was hidden for more than 30 years, will reveal the story of some of the American soldiers missing in action in Cambodia. The mapping team and witness Yeng Khuong are very willing and eager to make the effort necessary to search for the remains in order to reduce the pain of the soldiers’ family members who are living with uncertainty about the fate of their husbands, fathers, and sons.

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NOTE FROM THE MINISTRY OF FOREIGN AFFAIRS OF DEMOCRATIC KAMPUCHEA TO THE MINISTRY OF FOREIGN AFFAIRS OF THE SOCIALIST REPUBLIC OF VIETNAM

(MAY 15, 1978)

(Translated from the French version released by the Kampuchean side)

Democratic Kampuchea has the firm will to live in peace and maintain close friendly relations with all neighboring countries according to the principles of equality and mutual respect.

To create conditions for a quick solution of problems arising from the acts of violation and aggression committed by the Socialist Republic of Vietnam against Democratic Kampuchea, the Government of Democratic Kampuchea sends this note to the Government of the Socialist Republic of Vietnam requesting it to take the following urgent measures:

1. Stop carrying out any attack of aggression, invasion and annexation against the territory of Democratic Kampuchea; stop any act of provocation and violation against the territory, territorial waters and air space of Democratic Kampuchea; stop strafing, shelling and bombing raids against the territory and territorial waters of Democratic Kampuchea;

2. Stop sending spies to gather intelligence in the territory, territorial waters and islands of Democratic Kampuchea; stop carrying out any act of subversion and interference in the internal affairs of Democratic Kampuchea; stop carrying out attempts at coups d'état or other forms of activities aimed at overthrowing the Government of Democratic Kampuchea;

3. Definitively abandon the strategy aiming at putting Kampuchea under the domination of Vietnam in an "Indochinese federation" following the doctrine of "one party, one country and one people" in an "Indochina" belonging to Vietnam.

4. Respect the independence, sovereignty and

territorial integrity of Democratic Kampuchea; respect the rights of the Kampuchean people to decide for themselves their own destiny.

If the Socialist Republic of Vietnam complies through concrete acts with the present four-point note within a period of seven months from the present date to the end of 1978, stopping during this period all acts of violation or aggression which encroach on the independence, sovereignty, territorial integrity and security of Democratic Kampuchea, then it will create an atmosphere of friendship and trust. In this atmosphere, the Kampuchean side and the Vietnamese side can meet to find, in all sincerity, a correct and definitive solution to the different problems.

The Government of Democratic Kampuchea is of the opinion and is convinced that this is the only solution which conforms with the interests of the Vietnamese and Kampuchean people, capable of fostering friendship between the Vietnamese and Kampuchean peoples, and allowing Vietnam and Kampuchea to live as good neighbors in peace and prosperity. This is the only solution which conforms with the principles of non-alignment and the interests of the world's peoples, and which would contribute to peace in this region.

If the Socialist Republic of Vietnam persists in committing acts of provocation, violation, aggression and annexation against the territory of Democratic Kampuchea, the so-called negotiations proposed by Vietnam are nothing but continued deception, and the independence and justice-loving peoples in the world will feel more and more hatred for the aggressive and expansionist face of the Socialist Republic of Vietnam against Democratic Kampuchea.

Hanoi's Yen Lang residential area, came to Ho Chi Minh City under the pretext of taking leave to visit his family in the south, bringing with him new instructions from the Chinese Embassy and detailed job assignments for our group. Vuong Nhu said that other members of the group operating in the north would help us spread our propaganda in the south. The northern group comprised Tran Hoat, Trieu Diem Hoa (Tran Hoat's wife), On Thinh Nam, Ly Dao Le (On Thinh Nam's wife), and my own sister. This group was responsible for organizing the border crossing to get documents from inside China. The southern group was composed of Vuong Nhu, Quan Gia Nghia, Hoang Duong Thanh and Luu Khac Hien, and was responsible for getting documents and newspapers from the Chinese Embassy in Hanoi and

sending them to different addresses in the south. The Hanoi group included Tran Hoat and his wife, Ly Nghiep Chi (my brother, living at 101, Hang Gai Street), Hoang Duong Thanh, and Le Nhu Con. Lu Tho Ninh was working in Haiphong, Ly Nghiep Thanh was in Hai Hung, and On Thinh Nam and Vuong Quang Thien were in Quang Ninh. They and many others were living under assumed names and addresses.

“All the books, newspapers and documents, including a great quantity of Chinese maps drawn according to Chinese views and printed in Peking, were sent either directly from Peking or via the Chinese Embassy in Hanoi, from which they were transferred to Ho Chi Minh City.”

(Continued in the May 2001 issue)

A friendship photograph of DK and China at Angkor



(Continued from the March 2001 issue)

In late April 1977, Hu Nim was followed into S-21 by Siet Chhe (alias Tum), who had replaced Chan Chakrei on the military general staff in 1976 after serving as secretary of Sector 22 in the Eastern Zone. There, as a known protégé of Pol Pot, he may have been expected to keep tabs on Sao Phim and other cadres. Siet Chhe had studied under Saloth Sar at the Chamraon Vichea middle school in the 1950s.

He had been brought into the Communist movement by Saloth Sar and his wife, Khieu Ponnary. He had accompanied Sar to Office 100 in 1963 and had nursed him through bouts of malaria and other ailments. By 1977, however, probably because of his association with the Eastern Zone and with intellectuals of his generation in the Party who were then being purged, Siet Chhe's credit had run out. Perhaps, as he suggested in his confession, other Party members were jealous of his high status. His arrest was a

clear indication that loyalty in the CPK was never a two-way street. Indeed, because Siet Chhe was thought to have betrayed his trust—or perhaps, as he claimed, because he was innocent and still hoped for intercession from Pol Pot—his interrogations were particularly severe. Moreover, just before his arrest he had been working closely with Son Sen. His former mentor, to avoid being implicated himself, was probably zealous in pushing for a confession.

Like Keo Meas, Siet Chhe tried to send private memoranda to the “upper brothers” from S-21. The fact that these documents survive in the archive

suggests that they never left the prison. Siet Chhe's high status, however, probably kept Duch and his colleagues from destroying them. They are worth quoting in detail.

In the first of them, written a week after his arrest, Siet Chhe denied the charges leveled against him. Three days later, he wrote to “Brother 89,” Son Sen:

“I am suffering horribly, brother! Never in my life have I run into anything like this! When my daughter was in the enemies' [Lon Nol's] prison, I thought it was a normal thing—a struggle between the enemy and us! Now that I'm confined in the revolution's prison (*kuk padevat*) on the other hand, I can't understand it, it's enormously confusing, but in the end I can see clearly that it was the CIA group, the Vietnamese consumers of territory, and people working for the KGB who have dropped me into the revolution's prison.”

Siet Chhe told Son Sen that “three traitors” had slandered him. He claimed to have reported everything about the issue “to the Organization in detail through S-21.” By communicating directly with the “upper brothers” he hoped to negotiate his fate. Later in the memorandum, however, he noted that “I have always understood without any firsthand knowledge [of the place] that once entering S-21, very few leave; that is, there's only entering; leaving never happens. Brother, if this is the case, I have no way out.”

His appeal for mercy is rendered more



VOICES FROM S-21
Chapter Three: Choosing the Enemies
David Chandler



quasi-independent and linked by marriage to Sao Phim. Because he was so popular, the Party Center held off arresting him for several months.

Within the zone itself, conditions varied from sector to sector. In the main rice-growing area, located primarily in Sector 3, there was usually enough to eat, and relatively few executions took place. In the more sparsely populated sectors 1, 4, 5 and 6, “new people” were assigned to clearing often malarial forests, conditions were much worse, and death tolls from disease and malnutrition were among the highest in DK. In formulating the Four-Year Plan, Pol Pot and his associates had high hopes for the northwest, which was expected to produce 30 percent of the nation’s annual yield for every year of the plan. The Party Center expected the zone’s “new people,” most of whom had no experience in farming, to fulfill the regime’s unrealistic hopes to harvest three tons of rice per hectare.

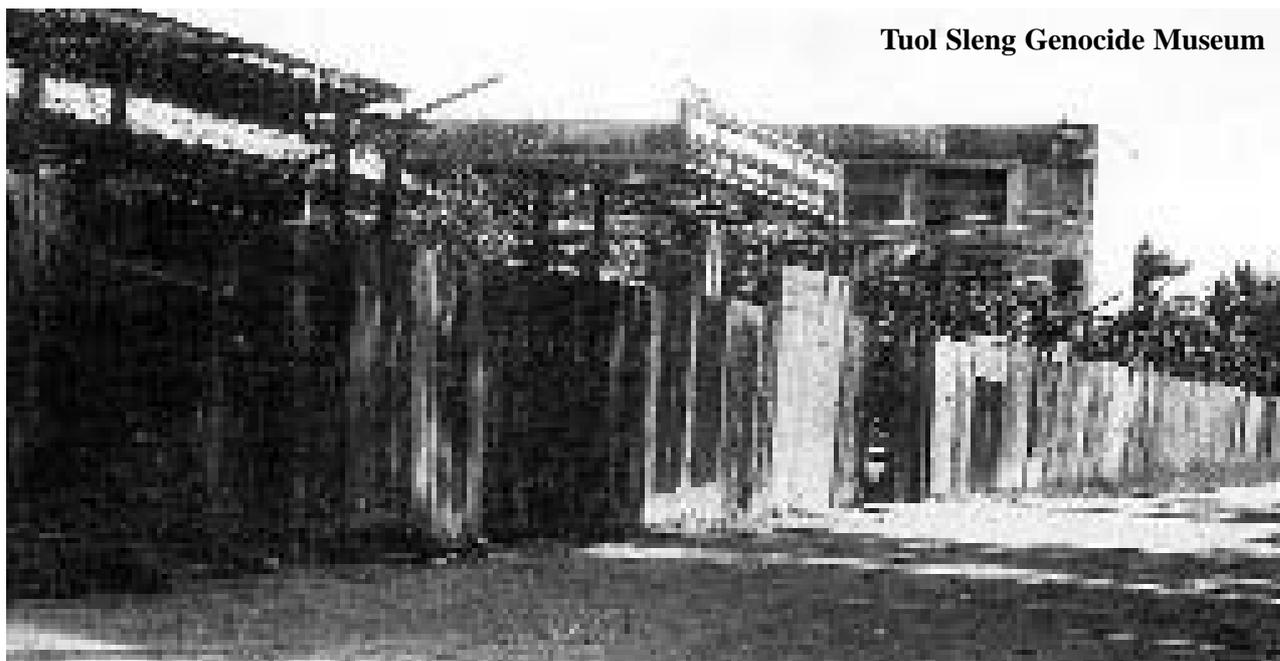
In mid-1976 Khieu Thirith, who was Ieng Sary’s wife and Pol Pot’s sister-in-law, visited the northwest and was distressed by what she saw. “Conditions were very queer,” she told Elizabeth Becker in 1980. “The people had no homes and they

were all very ill.” Instead of blaming these conditions on commands emanating from the Party Center, she told Becker, as she had probably told Pol Pot, that “agents had got into our ranks.”

One of these “agents,” presumably, was Phok Sary, a sector official who was arrested in 1978 and was made to shoulder the blame for some of the problems in the zone:

“I gave instructions to wreck the paddy harvest by harvesting it unripe. There was also to be wrecking when it was threshed. I designated Chaet to burn paddy...and a lot of already harvested paddy was burnt. I told forces in the districts that robbers and new people were burning the paddy. My goal was to create turmoil among the people, between the base people and the new people. This stymied the Party’s [Four-Year] Plan.. When the paddy was being farmed, the only action was to wreck it along with the equipment used for planting and harvesting. In addition, the forces attached to the district secretary were instructed to starve the people of rice, to make them eat gruel, so as to get them to make demands on the Organization.”

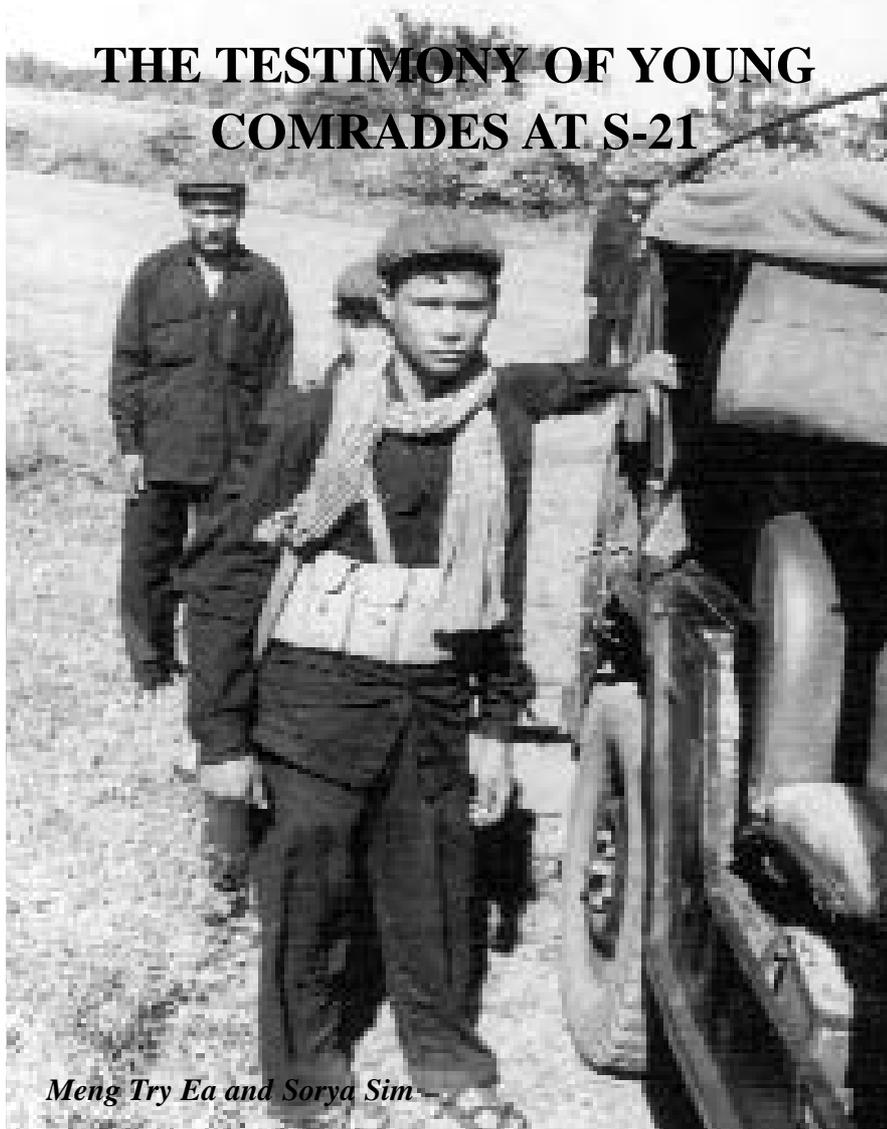
(Continued in the May 2001 issue)



Tuol Sleng Genocide Museum

VICTIMS AND PERPETRATORS

THE TESTIMONY OF YOUNG COMRADES AT S-21



Meng Try Ea and Sorya Sim

(Continued from the March 2001 issue)

At the Center, Soeu found he was given no freedom to communicate with or visit his family. He was sent from place to place and he began to cry. He wanted to come back home, but it was too late. A militia chief, rejecting Soeu's reason, had told Soeu that he was old enough and if he joined the revolutionary army, his family would live freely and happily.

Before coming to S-21, Sat was approached

by Rin, the Baribo district chief. A few months after he had joined the Khmer Rouge, Sat was told he had to move nearby rather than to the Center. "We hoped we would be sent to work in the capital of Kampong Chhnang province, but when the trucks arrived in Kampong Chhnang province they did not stop. Afterward, everyone began to doubt and worry about where we were going and what our tasks would be," Sat said. Un joined the revolution and was sent to work at various places and finally was assigned to work as a guard at the S-21 prison in the Center.

Doeun's parents had died in the civil war. He lived with his uncle in Ang village, Porpel sub-district, Baribo district. Doeun was recruited to work in a unit with one hundred other boys, and assigned to work on the

Damnakk Chambakk, Spean Dek and Oluos dam projects. Doeun and other children in his unit had already spent a year there when they were told to go study, but not where. In his own words:

"The chief did not tell us where we were going or what we would be doing. He lied and told us we had to go study. I am sure that not only I had no idea where we were going or what work we would be doing. Other boys in the trucks did not know either. We all did what our chiefs ordered us



to do.” Doeun finally became an electrician at S-21. Also told to go to school was Phai, who ended up as an S-21 animal husbandry worker in 1977. His family and other villagers had been evacuated from Chann Trak village to live on Chi Pit Mountain in Ola Khmeng village, to the areas controlled by the Khmer Rouge. In the evacuation process, “They would kill anyone who disobeyed their orders,” said Phai. He himself was initially told by a sub-district chief that “It was necessary that every child joined the revolutionary armed forces,” to fight against Lon Nol, and he joined. “After the liberation in April 1975, I was told to go study. Instead, I was sent to work at the Center. Both Set and Noeun, who left with me to the Center, died.”

There are instances where child cadres were instructed to leave for the Center during a meeting, or while they were sleeping at night. They followed their chiefs’ orders because they were afraid of the chiefs’ brutality. During the civil war, La was living in Trapeang Chann village in a Khmer Rouge-controlled area. At that time, La was moved from place to place far from his village and parents. In 1973, he worked on the Prek Chik dam project, and after that on the Spean Dek dam. He was finally assigned to join the Khmer Rouge armed forces in Kbal Damrei, Porpel sub-district. When he became a sub-district cadre, La worked and lived under the control of Neou, who was tall, thin, and in his early 20s. La describes his departure from home to work in the Center:

“I had to obey Neou’s orders because Neou was mean and cruel. Neou killed many people in the village, including Mon, his own cousin, in 1974. Everyone was afraid of him, especially sub-district cadres who worked under his control. In 1975, Neou killed a village teacher in front of every child cadre in Kbal Damrey. I left the village for the

Center on May 21, 1975, after a meeting. At the midnight meeting, Neou assigned us to leave the village and work elsewhere. The Khmer Rouge in Region 31 tried to recruit young sub-district and district cadres to work for the party in the Center because there was a big demand for armed forces to work for the revolution.

Khann, a former S-21 animal husbandry worker, was born in Olympic village, Porpel sub-district, Baribo district. Khann never attended school because of the civil war. Schools were closed and villagers were evacuated to the forests and mountains. Khann became a sub-district cadre in 1975. A few months later, he was assigned by Thy, a sub-district chief, to go to work for the party in the Center. Khann recaps:

“One night in 1975, Thy came and woke me up while I was sleeping. He told me to pack and go to the district headquarters. When I finished packing, I thought they were taking me to be killed, because there was nothing, only killing at midnight. I caught the truck and left the village, but I did not know where I was going.”

In 1974, Pheap was also forced to join the Khmer Rouge armed forces to fight against the Lon Nol regime. Pheap reviews his story:

“At that time, I tried my best to escape recruitment, but it was inescapable. I pretended to be ill when the village chief came and asked me to attend a meeting at the district headquarters. But the chief did not care if I was ill. He said it was the party’s orders so everyone had to obey. A year later, in 1975, when I had to catch the truck at the district headquarters for the Center, I escaped home and pretended to be ill. Unfortunately, a month later, I was assigned once more to join the second march to the Center.”

During the civil war Thim’s family lived in a

Khmer Rouge-controlled area. Thim was assigned by Ta Khchao, chief of Kampong Tralach district, Kampong Chhnang province, to join the Khmer Rouge armed forces to fight against the Lon Nol regime. Both Thim and his mother did not like to work for the Khmer Rouge regime, but it was an inescapable duty. Although Thim’s mother was not happy to see her son join the Khmer Rouge army, she could do nothing. She tried her best to get the district chief to allow her son to stay, but she failed. Yan recalls, “I did not want my son to join the Khmer Rouge armed forces because I have only one son in the family and he was very young. I knew that he could not bear such a difficult responsibility.”

During the civil war, Thim was responsible for transferring water, food and ammunition to the soldiers at the front. After the war ended, he served as a district cadre and was assigned to leave the village for the Center.

No one could ask the district chief to allow him to stay in the village. The former S-21 nurse said “My mother did not want me to leave and work far away from her. When she found out, she rushed in tears to see Ta Khchao to ask him to allow me to stay with her. But it was in vain because Ta Khchao would not even listen to her.”

(Continued in the May 2001 issue)



S-21 youths practicing martial arts



TEP YUNUS

Osman Ysa

Tep Yunus, who was born in 1950 to Man Vy and Res Leh in Phnom Tauch village, Sre Cham subdistrict, Prey Nup district, Kampot province, was thought to be an enemy of Angkar because he fled to the forests to escape the Khmer Rouge regime on 16 April 1976. About a week earlier, he had told his family that he was leaving.

Yunus was with a mobile unit (*kong chalat*) based far from his home village. His mother Man Vy recalled, “They kept accusing Yunus of having been a second lieutenant, at every meeting it was second lieutenant, second lieutenant. He told me that ‘Mother, I probably won’t be able to stay, I’m going away.’ I asked him where he was going. He responded ‘Somewhere, anywhere.’ I told him if you go and the Khmer Rouge find you they will kill you. He said he was going, he had asked Allah, he said ‘Insa Allah [Allah’s will], Malinhan Allah [Allah alone decides all].’ He said if Allah permits he would study again. He said not to let the Khmer Rouge have his *keitap* [book teaching Muslims and explaining the Qur-an]. If he went, that I should burn it instead, not to let them tear it up and use it for cigarette paper.” She added, “He was a Lon Nol soldier for about a year after he returned from his studies, but he had no [officer] rank.”

Yunus’ younger brother Math gave an additional reason why Yunus fled: “My brother could not stay, because of religion, because he was a student of our *oukeuma* [Islamic religion]. He prayed [*sambahyang*] in secret and when he rested,

he secretly read his *keitap* and the Qur-an. They forced him to eat pork, did not let him read [the *keitap* and the Qur-an], did not let him pray, and he could not stay. He went to the forest to fight.” (The explanations given by Vy and Math do not appear in Yunus’ confession.)

Before Yunus left, his mother asked him, “Who are you going with? Do you know the way?” Yunus answered, “There are five others and they know the way.” She did not forbid him. “I did not know how I could stop him. If he got away, that would be good, because if he stayed and they were accusing him of being a soldier, he would not live. So if he went he would live and if he stayed he would die.”

Several days later, on the Khmer New Year holiday, all those in Yunus’ mobile unit got a reprieve from their duties to join in celebrations arranged by the Khmer Rouge (the celebrations did not follow Khmer traditions). Seizing this opportunity, Yunus fled with five colleagues. (In his confession, Yunus named them: Sen, Ry, El, El—two men with the same name—and Ham.)

Upon learning that Yunus had disappeared from his unit, his chief ordered personnel to question his parents. When his parents said they did not know their son had disappeared, the Khmer Rouge warned them: “If you, the parents of Yunus, have the idea of hiding the enemy, Angkar will kill the entire bloodline,” Man Vy recalled. “They said that many times. In spite of this, his entire family

was happy, thinking, “Lucky he went. They only questioned us and did not arrest us.”

Yunus planned to meet Toun Mit (his teacher of Islam) in the forest. Mit incited people who were dissatisfied with the regime to run off and hide in the forests. According to his confessions, “Sen, a former soldier, invited me to run off to Veal Rinh mountain. There were six of us. When we reached Veal Rinh mountain, we did not see Toun Mit in the forest, so we waited there.” Neither Yunus’ mother nor his brother Tep Math knew he had contacted Toun Mit. Vy related that, “Mit fled to the forest, but in a different group than Yunus.”

With no food supplies, the six friends came out of the forest at night to steal potatoes from the fields. “At the foot of Anlong Thom mountain, about three or four kilometers from the national highway, there were fields, and he [Yunus] and his starving friends gathered potatoes. He said they ate the potatoes raw, skin and all, because they had no knives, no fire,” recalled Math, repeating what Yunus had told him when visited his family for one day before returning to the forests.

Within 26 days, all five of the men who ran off to the forest with Yunus were dead. Yunus’ words to his younger brother are similar to those in his confession, “The revolutionary army shot five to death, only Yunus lived...I stole potatoes, sugar cane, pineapples, mangoes...” But Yunus did not state in his confessions that he had once sneaked back to visit his family.

Recalling Yunus’ visit home, Vy stated, “He came at night and called his mother. He wanted his mother to cut his hair. ‘My hair is too long, cut it short. I am the only one left.’ He gathered more clothes to take back with him.” In tears, she continued: “When he came, his body was so thin,

really skinny. He had nothing when he came; he was empty-handed. He slept at home for two nights, then left again.” Math recalled, “He came at about 9:00 pm, he snuck in. I did not dare say anything, I was afraid Pol Pot [cadre] would take us again. We were all in the house when he came. He had nothing with him.”

Math kept repeating, “If they had seen him that day, they would have killed us all.” He remembered that, “Yunus hid in the bushes, there was a hole in a cluster of bushes, and he slept on the ground in there. No sleeping mat to lay out, so I used branches and leaves to cover him. It was hot that day. I did whatever to live through the day. I covered him with palm leaves and tree branches so he could not be seen. When anybody walked toward the area I pretended to urinate there, and when they saw that they would not approach.” Math continued, “When my brother ran off to be a forest bandit, everyone knew. If they had seen him they would have grabbed him right away.”

His mother’s description was similar: “When I wanted to meet my child in the bushes, both us parents pretended to urinate there and didn’t dare talk for long. We were afraid they would find out.” She described her fears just as Math had. “If they found out, they would have killed the whole family. My son had nothing to eat during that day ... he ate once in the afternoon a little plate of rice of the kind they gave us,” she said as she motioned to show the size of the plate and continued, “The rice was to be divided, I took little, his father a little, put it in our shirt pockets and gathered it, as there was no other food. We took it to him.”

At 9:00 pm the following day, Yunus prepared to travel. Math stated, “Before he left my father said, ‘What to do, child? If you stay, you’ll die. I won’t

stop you. If you go and do survive that will be good.” In parting, Yunus said, ‘Brother, I’m leaving again, and whether I live or die is up to Allah. If I live we’ll meet again.’” According to Math, when Yunus left, his father accompanied him to a forest line called Boeng Ta Loh, about a kilometer from Phnom Tauch village. In a bundle on his shoulder, Yunus carried his *keitap*, Qur-an, fez, and *sarong*.

Math recalled, “About two weeks later we

heard news that they captured him and sent him to Koh Khyang. We heard he was seen being marched along, but only heard this, and did not dare ask around any further.”

The circumstances of Yunus’ capture are not known for certain. But according to his confession, he was arrested on 14 May 1976. About five months after hearing the news of his arrest, his father became ill and was sent to the subdistrict’s Boeng Ta

Srei Hospital, where he died. The Khmer Rouge did not allow the corpse of Yunus’ father to be brought home for the traditional religious ceremonies.

Yunus was arrested by Angkar on 14 May 1976 and sent to S-21 six days later. His confession is 13 pages long. On the first page, “Tep Yunus, forest bandit, captured from Phnom Veal Rinh, Kampot,” appears. Page four contains his personal history: “During January through November 1972, was a CIA soldier in Kampong Som with rank of corporal. On 17 April 75 evacuated from Phnom Tauch village. On 16 April 76 Sen invited him to go to the forests. On 14 May 1976, arrested by Angkar.” In the section on “Organizational Contacts,” Yunus stated that, “Toun Mit was the top leader and created two traitors named Sen and Leh. Leh recruited four traitors in the village...Sen recruited five forest bandits...

Tep Math, younger brother of Tep Yunus



[among them Tep Yunus].” The villagers interviewed for this study stated that only Toun Mit survived after 1979; all the others had disappeared during the Pol Pot regime. Yunus was executed at S-21 on 10 June 1976.

The Stories of Lep Tort and Toun Mit

Lep Tort fled to the forests with a group of 40 people from Prey Nup district, 9 of whom were Cham. They had contacted Toun Mit about their plans to escape. Mit and three of his group leaders, Ta Chen, Say and Lay (the latter two were interpreters), were to go to Malaysia to request assistance, promising that they would meet Tort’s group in a mountainous area called O Chhamchha when they returned in six weeks. However, Toun Mit and Ta Chen did not return. The group of 40 was in a difficult position. If they returned to their villages, they would be arrested and killed because the Khmer Rouge would consider them to be “forest bandits” (a term they applied to anyone who fled from their control and was synonymous with “enemy of Angkar”).

Tort stated that aside from his group of 40, he saw one other group of 19, the majority of whom were Cham. The two groups stayed at different sites and had no contact. Tort did not see the group of six that included Yunus.

He recalled, “Ta Chen, member of the Khmer Rouge district committee, held a meeting to recruit a special group of about 30 Cham people that knew one another and met near the stream in Tuol Toteung village. Ta Chen said that ‘My life depends on you. Now they begin to stop religion, they start to have communal eating, if any of you have the capacity to run to the forest and build a military force, I invite you to do so.’”

On the morning after the meeting, Chen, Mit,

Say and Lay got in a vehicle and headed to Kampong Som (Sihanoukville). Tort said that the four men would go to Malaysia in their boat to request aid, and would trade gold collected from the people for weapons. Tort added, “Ta Chen promised my group that we would meet in six weeks at Moat Peam Kampong Smanh [a forested mountain west of Khan Prey Nup]. But nothing was heard of them. No one returned, because the boat ran aground near Malaysia and all except Mit were killed. Mit’s contacts with Malaysia were without result, because the gold was gone and the people with him had died. He could not return for the meeting.”

Tort continued: “The people left inside had hopes of receiving outside aid and arms, and many fled to the forests. After their hopes did not materialize, if they had returned to their villages they would have been killed.. So they hid in the forests until 1977, with almost all being killed in Khmer Rouge attacks. There were only 15 survivors of the group of 40 who fled to Vietnam and became soldiers in the Kampuchean National Salvation Front and in cooperation with Vietnam were victorious over the Khmer Rouge on 7 January 1979. As for the other 19-member group and the 6-member group, no one survives.” Mit returned to his birth village after 1979 and told Tort his story as related above. He died in 1999 at Prey Thnong village in Kampot province.

Including those who went to Malaysia, a total of 69 persons fled to the forests of Prey Nup district. In 1979 only 16 were still alive.

Today most of the people in Khan Prey Nup assume that the reason they were evacuated to Kampong Speu and Kampong Chhnang province in 1977 was because of those who fled to become “forest bandits.”

“THE NUMBER”—QUANTIFYING CRIMES AGAINST HUMANITY IN CAMBODIA

Craig Etcheson

(Continued from the March 2001 issue)

The largest mass grave located to date is believed to have contained the remains of some 7,000 victims.

In many districts visited by the Documentation Center’s mapping teams, additional genocide sites are believed to exist, some of which are reputed to be very large, but which could not be surveyed by the team due to a variety of unfavorable conditions ranging from security concerns, inclement environmental conditions, or scheduling problems. Thus, there exist many more additional sites in districts already visited than are currently reflected in the raw data. Moreover, in many cases for sites actually surveyed, for a variety of reasons, the team made no attempt to estimate the actual number of mass grave pits, and therefore those sites are recorded as containing zero mass grave pits and zero victims. (We will return to this question below, under the topic of limitations of the data.) Thus, the raw count of more than twenty thousand mass graves remains a conservative estimate, even for the 150 districts at least partially mapped to date.

Breaking Down the Data

Mass grave mapping teams have located 125 Khmer Rouge prison facilities to date, a total of nearly one per district, which is quite a high number for a country whose officials denied the existence of any prisons at all. The data suggest that on average, each of these prisons “processed” nearly ten thousand persons, with fatal results for all persons so processed. However, this average varies considerably from province to province. In some provinces—Preah Sihanouk and Svay Rieng—the average is

much lower, in the vicinity of five hundred victims per prison, while in others—especially Kampong Chhnang and Kampong Thom—the average is significantly higher, up to more than forty thousand victims per prison in one case. An average of one hundred and fifty mass graves are associated with each prison, though again, the provincial average ranges widely, from a low of one mass grave per prison in Ratanakiri and eight in Kratie, to a high of 524 mass graves and approximately three thousands victims per site, which in turn reflects the finding that there were typically from three to four mass grave sites associated with each prison.

Demographic estimates of the provincial populations as of June 1975, after the first major round of population relocations carried out by the Khmer Rouge, show there are great regional population variations within Cambodia. In the sparsely populated mountainous northeast, provinces such as Ratanakiri, Mondulakiri and Stung Treng each boast less than one percent of Cambodia’s total population. The densely populated lowland provinces of Battambang, Kampong Cham, Kampong Chhnang, Kampong Thom and Kandal together account for more than half of Cambodia’s entire population.

Comparing the number of victims found in mass graves for each province to the population of that province helps us get a better feel for the patterns of violence in the Khmer Rouge regime. Kampong Chhnang is an anomaly, with only four percent of the total population, but more than twenty percent of the total victims. This may be accounted for due to the

fact that very large numbers of people were transferred to Kampong Chhnang for execution from the Eastern Zone of Democratic Kampuchea during the so-called “Eastern Zone Massacres” in the first half of 1978. Another factor which may account for the disproportionate execution rate in Kampong Chhnang is the fact that the Khmer Rouge, with Chinese technical assistance, were building a very large military airport complex in Kampong Chhnang using slave labor. According to some accounts, the slave labor brigades employed in the massive construction project were routinely executed when they became too weak to perform efficiently. As a result, Kampong Chhnang earns the highest score on the “Brutality Index,” which is derived by dividing the percentage of total victims into the percentage of total population for each province.

In general, provincial scores on the Brutality Index cluster around 1.0, with most provinces ranging from 0.5 to 1.5, indicating a general uniformity in execution rates across all parts of Cambodia. On the other end of the range from Kampong Chhnang, Svay Rieng is another anomaly, with a Brutality Index score of 0.17. This may be because many victims from Svay Rieng—which is surrounded on three sides by Vietnam—were reportedly transferred to sites in adjacent, more secure provinces for execution. Another set of exceptions again is found in the provinces of the Northeast. This is consistent with the known fact that Khmer Rouge leader Pol Pot developed a somewhat bizarre anthropological theory that the tribal minorities populating the Northeast in some sense represented pure “original” Cambodians, largely uncontaminated by Buddhism and other Khmer traditions, or by urban “diseases” such as commerce. Consequently, demands from the Party Center for purges of this population cohort were muted in comparison with the bulk of the lowland population. Finally, it should be noted that the data on

Battambang, in particular, remain incomplete, with few sub-districts fully surveyed to date. Therefore it is likely that the Brutality Index for that province will rise substantially as more data are collected.

Estimating the Total Death Toll

Besides execution, what about other causes of death during the Khmer Rouge regime, such as starvation, disease and overwork? Anecdotal evidence from survivors strongly suggests that the toll from these other causes of death was also very high. How high? According to historian Ben Kiernan, data collected by Milton Osborne suggested that executions amounted to only 31% of all deaths during the Khmer Rouge regime. The demographer Marek Sliwinski estimates that about 40% of the death toll resulted from execution, 36% from starvation, 13% from diseases, and the remainder from either combat or natural causes. Other work carried out by a political scientist, Steve Heder, suggested that different proportions of the total death toll could be attributed to execution for urban versus rural dwellers, about 33% among “new people” and 50% among “base people.” Thus the various estimates of the proportion of deaths resulting from execution range from a low of about 30% for the overall population to a high of 50% among base people.

The implications of these figures are enormous. If these calculations of the proportion of deaths due to causes other than execution are accurate, then we begin to approach an astonishing conclusion. It begins to look possible that the original Cambodian estimate of 3.3 million deaths during the Khmer Rouge regime might be very nearly correct.

If as little as 31% of the death toll was the result of executions, then a total of 3.3 million deaths would imply slightly more than one million executions, and the Documentation Center data suggest they have already found more victims of execution than that. If we apply Heder’s top estimate

of 50% for base people to the entire population, and find upon the completion of the mass grave surveys that the number of suspected victims of execution is around 1.5 million, then we again end up with a figure in the vicinity of three million total dead in the Pol Pot time. In either case, we would be driven to the conclusion that not one million, not two million, but rather three million Cambodians died untimely deaths during the Khmer Rouge regime.

Problems and Limitations of the Data

It is important to note that these figures all represent preliminary findings. More data need to be collected. There are numerous uncertainties in the existing mass grave data set. Resolving those uncertainties in the data will require further research. That research continues at the Documentation Center. Meanwhile, the five-year mark of this research project offers an opportunity to make an assessment of the strengths and weaknesses of the

existing data, and to note some problems and limitations in the methodology that can be addressed in future efforts.

Scholar Michael Vickery has criticized the use of mass grave data to construct estimates of the death toll during the Khmer Rouge regime. Although his criticism predates the Documentation Center’s mass grave mapping project, some of his points may nonetheless apply. Referring to overall estimates of the Khmer Rouge death toll current as of 1984, Vickery argued, “Given the lack of precision inherent in all the data and estimates, it is impossible to reach more accurate final totals, or to more precisely apportion the decrease [in the Cambodian population] among executions, deaths from illness and hunger, or failure to reproduce due to changed living circumstances. Some of the burial pits discovered provide evidence that mass executions occurred, but there is as yet no way to count the



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Cyan Magenta Yellow Black

number of executions separated from death due to other causes. Yathay pointed out that in Pursat in 1976-77 mass graves were for those who died of hunger and illness, while executions took place in isolation in the forest. Moreover, some of the 500,000 war victims are buried in mass graves, and without forensic tests it is probably impossible to determine whether death occurred before or after 1975. A decline of 400,000 does, I would say, indicate failure of the DK system, but some of the more extreme estimates of death from execution and hunger must be relegated to the realm of black propaganda. It is simply impossible to take the generally accepted population figure for April 1975, the population alive today, demographically acceptable birth rates, and project an extermination figure of 1-2,000,000.”

There are a number of points in Vickery’s arguments which the Documentation Center data must address. First of all, Vickery’s argument that it is demographically impossible for the death toll to have been as high as 2,000,000 is not supported by the analyses of actual demographers. Marek Sliwinski’s demographic analysis estimates that between 1974-75 and 1979, the total population of Cambodia declined by somewhere between 1.9 million and 2.5 million, with his most likely estimate 2.16 million. Demographers Judith Banister and Paige Johnson argue that the decline in population between 1975 and the end of 1978 was 1.8 million.

Vickery further argues that it is impossible to distinguish between mass graves containing victims of starvation or war, as opposed to those containing victims of execution. Documentation Center mapping teams have located a number of sites over the years where the local informants say that the mass graves were in fact not from Khmer Rouge executions, but rather from the bombing, the 1970-1975 war, from victims of mass starvation and even one or two associated with the Vietnamese invasion of 1979. As Vickery suggests, however, this is

difficult to prove absent forensic analysis. Moreover, in some cases, starvation appears to have been a Khmer Rouge method to execute large numbers of people easily and cheaply, but all the same, those instances are not recorded in the mass grave data as executions per se, since the mapping project is an effort to find out about executions of people in custody.

On two occasions only, if memory serves, have Documentation Center mapping teams discovered mass graves that were attributed to victims of bombing during the 1970-1975 war. It appears that the vast majority of the victims of bombing were simply vaporized, which is not surprising if one considers what happens in a B-52 “footprint.” Those bombing fatalities who were not shredded to tiny bits, it would appear, tended to get the benefit of traditional Cambodian cremations; the U.S. strategic bombing of Cambodia ended in August 1973, and it was just around that time that the Khmer Rouge began to institute their draconian policies in the liberated zones which henceforth prohibited traditional religious and funeral practices, including cremation.

Interviewers of the Documentation Center mass grave mapping teams have accumulated a great deal of experience in this peculiar line of work, and have learned how to dig down beneath the surface claims and extract information which permits them to assess the reliability of their informants. Thus, to call into question the information collected in sub-districts across the whole length and breadth of Cambodia, where local witnesses testify to the existence of Khmer Rouge execution centers and the location of the mass graves in which the victims’ remains were discarded, presumes a nationwide conspiracy of unlikely proportions. Although it appears possible that certain socially acceptable and collectively shaped myths may influence the precise contours of the narratives collected by mass grave

mapping teams, it seems highly improbable that these social pressures would extend so far as to the fabrication of ruins of former prison facilities, or the placing of physical evidence such as shackles in those ruins. In any event, while interviews with eyewitnesses are an important part of the data collection procedure, that is far from the whole procedure. Actually, the first step in the mass grave mapping process is to locate the sites of former Khmer Rouge security centers; the country is littered with the ruins of these prisons, which were often destroyed by irate locals in the aftermath of the Khmer Rouge regime. In some cases, however—quite tastelessly, one has to say—Khmer Rouge prison facilities were salvaged and now function as the local CPP headquarters. The next step in the mapping process, after finding a former Khmer Rouge prison facility, is to locate people who survived incarceration there during the Khmer Rouge regime, or who were “employed” at the security centers. This tends to be much more common than one might think. In many instances, it has been possible to find actual perpetrators—employees of the Santebal security organization—who worked at a particular security center. Sometimes, these people give what amount to confessions of what they and their colleagues did during the Khmer Rouge regime. From there, the mapping teams work outward to determine where inmates from a particular security center who did not survive the experience were buried. Thus, the mass grave mapping process does not simply rely on interviews with locals who happen to be randomly encountered. The process involved in these mapping expeditions is actually structured.

It bears repeating that the virtually all of these mass graves sites are located at, or quite near—usually within a kilometer or so—of the Khmer Rouge security centers. It turns out that local informants, in most cases, recall the names of the cadres who were in charge of these Khmer Rouge

prisons or killing centers. As often as not, it is subsequently possible to locate these former Khmer Rouge security cadres for follow-up interviews. Moreover, the Documentation Center has a huge archive of internal documents from the Khmer Rouge secret police, and it sometimes transpires that researchers can take the names associated with a particular killing place as provided by local informants, and then verify that information by reference to the Khmer Rouge’s own internal documents. Sometimes, on the other hand, this process works the other way around; names are garnered from Santebal documents in the Documentation Center archive, and then Documentation Center investigators go out, locate those individuals, and in the course of interviewing them, obtain new information about various Khmer Rouge security centers.

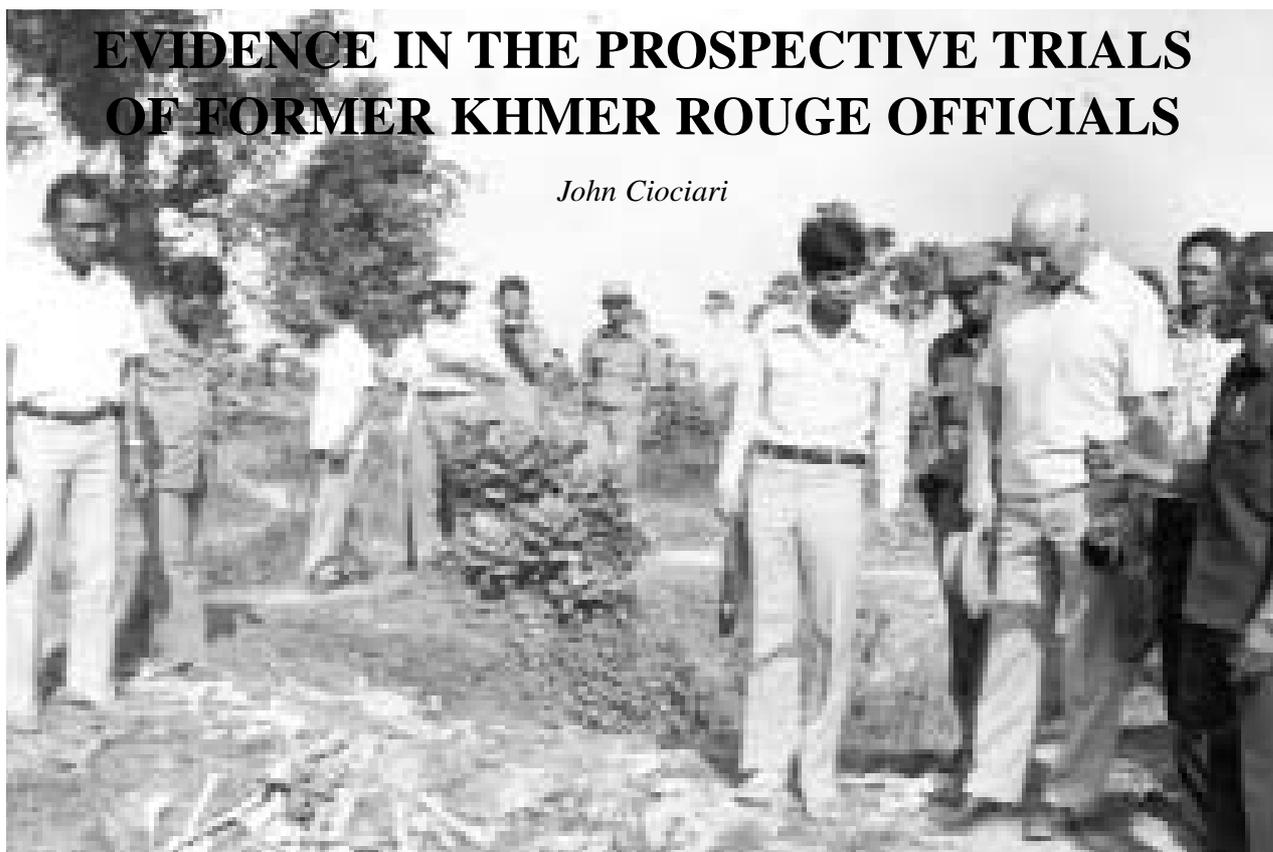
A key question in assessing the overall validity of the mass grave mapping data set is the reliability of estimates of the numbers of mass graves and victims.

There is no doubt that the quality of the reporting by different mass grave mapping teams over the years has varied considerably. For this reason, some of the quantitative estimates at particular sites, and some witness testimony gathered in various locales—particularly from some of the missions carried out in the earlier years of work—may deserve revisiting. Still, the skill and experience of these teams has grown year by year, mapping trip by mapping trip, and the teams have become quite professional at their task. The estimates of numbers of victims—in particular mass grave pits—is generally not based on passer-by guestimates or the lore provided by local CPP officials. In some cases, information about victim counts at particular sites comes from people who participated in mass grave exhumations at those sites.

(Continued in the May 2001 issue)

EVIDENCE IN THE PROSPECTIVE TRIALS OF FORMER KHMER ROUGE OFFICIALS

John Ciociari



INTRODUCTION

This legal report is organized as follows: Section I provides an overview of the types of materials available at DC-Cam and clarifies the scope of my documentary review. Section II sets forth my numerous legal assumptions relating to the substantive law on alleged crimes, the doctrine of command responsibility, and the applicable rules of evidence. Section III discusses general ways in which documentary evidence can be used to establish the elements of command responsibility, as well as the underlying criminal offenses of subordinates. Section IV describes more specifically the types of documents available at DC-Cam that can be applied to establish the requisite elements of the alleged crimes. It then proceeds to discuss a variety of issues relating to the usage of the DC-Cam materials as evidence. Section V presents examples of how the documents at DC-Cam can be used to establish the culpability of certain individuals who served as high-ranking CPK officers during the DK regime. Finally, Section VI presents some very brief conclusions.

I. OVERVIEW OF THE HOLDINGS OF DC-CAM

DC-Cam currently holds over 350,000 pages of documentation and various other materials relating to the period of CPK rule over Cambodia, 1975-79. The holdings of DC-Cam will increase substantially in the near future, as its director and staff have recently discovered over 100,000 pages of additional documentation related to the DK period. Further, DC-Cam will soon receive more than one thousand pounds of identified Khmer Rouge documents from various outside archives and repositories. Most of the current holdings of DC-Cam can be divided into the following categories:

1. Correspondence Letters

DC-Cam houses a large number of correspondence letters between members of the CPK armed forces or political hierarchy. The letters are usually couched as reports transmitted from lesser-ranking officials to their superiors, though some are directives from superiors to subordinates. Other CPK correspondence letters include requests for assistance or information.

2. Minutes from CPK Meetings

DC-Cam holds minutes from the meetings of a variety of CPK committees, including the Party's Central Committee, the Standing Committee of the Central Committee, zone and regional committees, and certain military bodies.

3. Official CPK Party Proclamations

The CPK leadership issued a limited number of public proclamations. The most noteworthy such proclamation was made at a CPK Congress in early 1976.

4. Confessions and Confession Reports

Confessions extracted from prisoners at S-21 prison (also known as "Tuol Sleng") are numerous. They are often framed by the reports of S-21 interrogators, whose notes may be considered another form of CPK correspondence.

5. Notebooks and Personal Records

DC-Cam has also obtained the personal notebooks or diaries of CPK soldiers or employees and notebooks revealing certain activities of Ieng Sary and Ieng Thirith.

6. CPK Publications

Copies of the CPK periodical, entitled "Banners of Revolution," and copies of Youth League magazines, including "Revolutionary Youth" and "Red Flag," are available.

7. Prisoner Biographies

CPK officials recorded biographical information about each of the prisoners entering S-21 and other prisons. DC-Cam has copies of the biographies of several thousand prisoners, with photographs attached.

8. CPK Biographies

When an individual began employment with the CPK, biographical information was taken and recorded. Such biographies for over 12,000 CPK soldiers and officials are available at DC-Cam, and most are accompanied by photographs. DC-Cam also has a documentary biography of Thiounn Prasit, former DK Ambassador to the United Nations, 1975-92.

9. Petitions

DC-Cam has on file the signed petitions of over one million survivors of Democratic Kampuchea to the Cambodian government. Many detail Khmer Rouge atrocities and name specific victims, witnesses or perpetrators. Some petitions also identify the locations

of CPK prisons and mass graves.

10. Mapping Reports

The staff of DC-Cam has conducted extensive research on the physical remains of Khmer Rouge atrocities. Their reports, unlike the foregoing materials, do not date from the DK period. Nevertheless, they provide a meaningful source of information about the locations of mass burial pits, prisons and other physical artifacts.

11. Interview Transcripts

DC-Cam holds transcripts from various interviews conducted by the director and staff. In addition, DC-Cam has unofficial copies of interview transcripts from outside sources, including the press. Some of the interview transcripts date from the DK period, while others were recorded after January 1979.

12. News Clips, Audio and Video Tapes

Among the DC-Cam materials are nearly 1,000 news clips, audio and video tapes relating to events of the DK period and transmitting related information. Films produced by the DK government have also been identified off-site, as have cassette recordings prepared by the CPK government.

13. Chinese and Vietnamese Documents

The holdings of DC-Cam also include over 1,000 pages of documents from Chinese and Vietnamese sources, reporting certain of their activities with the CPK. DC-Cam is still working with sources in Vietnam to collect additional CPK materials, including interviews with former Vietnamese cadres involved with the Khmer Rouge.

14. Vietnamese Petitions

In addition, DC-Cam possesses petitions by Vietnamese citizens to their central government in Hanoi, complaining of offenses committed by the Khmer Rouge in the course of the border conflict between the CPK and Vietnam.

Although the majority of the documentary holdings of DC-Cam are in Khmer, a significant fraction of the documents has been translated into English by members of the DC-Cam staff, with the assistance of outside experts. In addition, the DC-Cam staff has prepared English summaries of certain important



documents.

My review of the DC-Cam materials has been limited to documents with English translation. Therefore, my analysis necessarily hinges somewhat upon the judgment of the DC-Cam staff and director, who have translated what they have determined to be the most relevant documents. The materials with English translation include the mapping reports, the Ieng Sary/Ieng Thirith notebooks, the Thiounn Prasit biography, and selected documents from the remaining categories above, including the “At-Risk Documents,” an important collection of documents totaling approximately 7,000 pages which bear the signatures of key CPK officials or otherwise bear special relevance. In analyzing the documents, though I have referred to all of the source types above, I have paid particular attention to the CPK correspondence, minutes of CPK committee meetings and confession records, which appear to provide some of the most useful evidence. Consequently, my review is not based upon a large or necessarily representative sample of DC-Cam’s aggregate holdings and should be read with that caveat in mind.

II. LEGAL ASSUMPTIONS

At the time of this writing, it remains unclear how the prospective trials of former CPK leaders will be governed. In particular, the Cambodian government and the United Nations have yet to agree upon the rules of evidence and principles of substantive criminal law to be applied by the responsible tribunal. In drafting this report, I am thus compelled to make extensive legal assumptions, both with respect to substantive criminal law and the rules of evidence. The evidentiary value of DC-Cam materials will necessarily hinge upon the ultimate choice of legal rules and principles to govern the tribunal. To illuminate the bases for my conclusions, and to help you assess the value of this report, I will restate the most important of my legal assumptions below.

I have drawn my legal assumptions from the principles of international criminal law, as elucidated by the classic authoritative “sources” of international law. Those sources include (1) international conventions, interpreted according to the methodology set forth in the Vienna Convention; (2) customary international law,

typically defined as those norms which are reflected in consistent state practice and adhered to out of a sense of legal obligation (*opinio juris*); (3) “general principles of law,” a relatively vague concept based on national practices and a determination of “a common underlying sense of what is just in the circumstances”; (4) judicial decisions and scholarly works, including the views of leading international jurists and the opinions of leading domestic and international courts and tribunals; and (5) “soft-law” resolutions, decisions and reports of international political organs, most notably the organs of the United Nations system.

Among the most important sources for my legal assumptions are the governing statutes and decisions of the international criminal tribunals established for the former Yugoslavia and Rwanda (ICTY and ICTR, respectively). Those tribunals provide strong indications of the contemporary principles and practice of international criminal law. However, as former CPK leaders are likely to be tried in a mixed international and domestic tribunal, aspects of Cambodian law will probably be applied as well. To the extent that Cambodian law diverges from international law, my assessments and conclusions will need to be reviewed with that divergence in mind.

A. Substantive Criminal Offenses

The following section presents, in an abbreviated fashion, the relevant rules of substantive international criminal law that appear to have existed as of the onset of the DK regime. The substantive law of the 1975-79 period will govern any prosecution of former CPK leaders pursuant to the universally recognized principle of *nullem crimen, nullem poena sine lege*, under which an individual cannot be convicted of a crime which did not exist at the time of the relevant act’s commission.

International criminal law creates individual liability for certain violations of international law which are so grave that they constitute offenses against the entire international order. A number of different offenses can give rise to international criminal liability. Below, I have summarized my understanding of the sources and basic elements of the international crimes most relevant to the DK regime. **(Continued in the May 2001 issue)**

ROMANTICIZING THE KHMER REVOLUTION:

How Two Politically Correct Academics Got It Wrong on Cambodia

Sophal Ear

Nowhere was the war so brutal, so devoid of concern for human life, or so shattering in its impact on a society as in Cambodia. But while the U.S. government and news media commentary have contrived to avoid the subject of the death and devastation caused the U.S. intervention in Cambodia, they have gone to great lengths to paint a picture of a country ruled by irrational revolutionaries, without human feelings, determined to reduce their country to barbarism. In shifting the issue from U.S. crimes in Cambodia to the alleged crimes of the Cambodian revolutionary government, the United State has offered its own version of the end of the Cambodian war and the beginning of the new government.

--Porter and Hildebrand, 1976

Questions that are obviously crucial even apart from the legacy of the war—for example, the sources of the policies of the postwar Cambodian regime in historical experience, traditional culture, Khmer nationalism, or internal social conflict—have been passed by in silence as the propaganda machine gravitates to the evils of a competitive socioeconomic system so as to establish its basic principle: that “liberation” by “Marxists” is the worst fate that can befall any people under Western dominance.

--Chomsky and Herman, 1979

In 1976, American scholars Gareth Porter and George C. Hildebrand published a small but significant book entitled *Cambodia: Starvation and Revolution*. It is important for two reasons. First, it was the first English-language book purporting to describe the events unfolding in Cambodia in 1975 and 1976. Second, it rationalized everything the Khmer Rouge did and were doing: from evacuating Phnom Penh residents and hospital patients to forcing monks into hard labor. In their book, Porter and Hildebrand (hereafter P-H) offer what appears to be insurmountable evidence that contradicts reports of atrocities taking place in revolutionary Cambodia, re-christened Democratic Kampuchea.

Using “suppressed” documents and “official” bulletins courtesy of the Government of Democratic Kampuchea (i.e., the Khmer Rouge), they argue that the April 17, 1975 evacuation of Phnom Penh was due to the U.S. war on the people of Cambodia, which resulted in the overpopulation of Phnom Penh (from 600,000 to 2-3 million between 1970 and 1975). Furthermore, they claim that the explosion of corruption under the Lon Nol regime was the direct result of U.S. foreign aid, which in turn exacerbated death, malnutrition, and disease in Phnom Penh, making it

uninhabitable. P-H refer to the Khmer Rouge only by their more palatable coalition name of NUFK (National Front for a United Kampuchea, also known by its French acronym FUNK, which is used throughout this essay). They pepper their book with propaganda photos directly from the regime.

In their second chapter, entitled “The Politics of Starvation in Phnom Penh,” P-H attack media reports of atrocities, saying they were based on a single account written by journalist Sidney Schanberg for the *New York Times* three weeks after the evacuation, from within the French embassy. P-H write, “The article was a weak foundation for the massive historical judgment rendered by the news media. It contained no eyewitness reports on how the evacuation was carried out in terms of food, medical treatment, transportation, or the general treatment of evacuees.” While it is true that Schanberg could not venture outside the embassy (through no fault of his own), he probably saw more than P-H could have: they themselves were nowhere to be found in Cambodia at that time. Continuing their critique, P-H write, “Nor was there any extensive analysis of the reasons Schanberg attributed to the revolutionary leadership for the [evacuation] action.” Here, P-H refer to the circumstances of postwar Cambodia, circumstances which they insist were deplorable because of U.S. actions that prompted the evacuation.

P-H discount stories similar to Schanberg’s as sensational (by their titles alone): “commentators and editorialists expected revolutionaries to be ‘unbending’ and to have no regard for human life, and because they were totally unprepared to examine the possibility that radical change might be required in that particular situation.” Nowhere is the politically correct academic’s romance with revolutions more obvious than here. P-H expect revolutionaries to bend and to be humanitarian because, simply put, revolutionaries are good and so too are their revolutions. Phnom Penh was in the jaws of starvation when the Khmer Rouge “liberated” it, they argued, and there was no other alternative than to evacuate everyone (which, in fact, happened). By defending Khmer Rouge policies, and by extension the Khmer Rouge themselves, P-H resort to official explanations and sources of information. Revolutions notwithstanding, there is no mention of any crimes committed by the Khmer Rouge during the evacuation. To the contrary, numerous counterexamples of reasonable, if not caring, Khmer Rouge actions are elaborated. **(Continued in the May 2001 issue)**

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

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

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

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

(Continued from the March 2001 issue)

Article 20

The co-prosecutors shall prosecute in accordance with existing procedures in force. If necessary, and if there are lacunae in these existing procedures, the co-prosecutors may seek guidance in procedural rules established at the international level.

In the event of a disagreement between the co-prosecutors, the following shall apply:

The prosecution shall proceed unless the co-prosecutors or one of them requests within thirty days that the difference shall be settled in accordance with the following provisions.

The co-prosecutors shall submit written statements of fact and the reasons for their different positions to the Director of the Office of Administration.

The difference shall be settled forthwith by a Pre-Trial Chamber of five judges, three Cambodians appointed by the Supreme Council of the Magistracy, with one as President, and two foreign judges appointed by the Supreme Council of the Magistracy upon nomination by the Secretary General of the United Nations. Article 10 shall apply to the judges.

Upon receipt of the statements referred to in the third paragraph, the Director of the Office of Administration shall immediately convene the Pre-Trial Chamber and communicate the statements to its members.

A decision of the Pre-Trial Chamber, against which there is no appeal, requires the affirmative vote of at least four judges. The decision shall be communicated to the Director of the Office of Administration, who shall publish it and communicate it to the co-prosecutors. They shall immediately proceed in accordance with the decision of the Chamber. If there is no majority, as required for a decision, the prosecution shall proceed.

In carrying out the prosecution, the co-prosecutors may seek the assistance of the Royal Government of Cambodia if such assistance would be useful to the prosecution, and such assistance shall be provided.

Article 21

The co-prosecutors under this law shall enjoy equal rank according to each level of the Extra-Ordinary Chambers.

Each co-prosecutor shall be appointed for the period of these proceedings.

In the event of the absence or withdrawal of the foreign co-prosecutor, he or she shall be replaced by the reserve prosecutor.

Article 22

Each co-prosecutor shall have the right to choose one or more deputy prosecutors to assist him or her with prosecution

before the chambers. Deputy foreign prosecutors shall be appointed by the Supreme Council of the Magistracy from a list provided by the Secretary General.

The co-prosecutors shall be assisted by Cambodian and international staff as needed. In choosing staff to serve as assistants, the Director of the Office of Administration shall interview, if necessary, and with the approval of the Cambodian co-prosecutor, hire staff who shall be appointed by the Royal Government of Cambodia. The deputy director of the Office of Administration shall be responsible for the recruitment and administration of all foreign staff. The number of assistants shall be chosen in proportion to the Cambodian judges and foreign judges. Cambodian staff shall be selected from Cambodian civil servants and other qualified nationals of Cambodia, if necessary.

Chapter VI is about general contents. It is about the solutions to conflicts relevant to indictments by co-prosecutors when the co-prosecutors disagree on indictment. For example, one prosecutor might indict while another might not. So, there should be a pre-trial chamber to deal with this problem. The pre-trial chamber must comprise five judges, of whom three are Cambodian and two are foreigners, for dealing with conflicts over indictment among co-prosecutors. The co-prosecutors can appoint deputy prosecutors to assist them in their work. Deputy Cambodian prosecutors shall be appointed by the Supreme Council of Magistracy, and deputy foreign prosecutors shall be selected from the list submitted by the Secretary General of the United Nations. Staff recruitment is the same as for the appointment of prosecutors. Cambodian staff shall be selected from Cambodian civil servants, and foreign staff shall be selected from the list of the Secretary General of the United Nations. One more important point relates to seeking assistance from the Royal Government: the Royal Government must provide the assistance referred to in this law. The Royal Government must provide assistance as requested by the co-prosecutors. This is my brief for Chapter VI, and I would like to submit it to the Floor for discussion and approval. Thank you.

Samdech Heng Samrin:

Let the Floor discuss Chapter VI . If the Floor has no dissent on Chapter VI, please approve Chapter VI.

Secretary of the Parliamentary Session:

I would like to inform Samdech Acting President, Your Excellency Second Vice President, and the Floor that the supporting voices for Chapter VI of the draft law are 94 out 94. Thank you.

Samdech Heng Samrin:

After having approved Chapter VI, let the Chairman of the Commission read Chapter VII, please.

His Excellency Mr. Maoh Sophan:

CHAPTER VII: INVESTIGATIONS

Article 23

All investigations shall be the joint responsibility of two investigating judges, one Cambodian and another foreign, hereinafter referred to as co-investigating judges in accordance with existing procedures in force. If necessary, and if there are lacunae in these existing procedures, the co-investigating judges may seek guidance in procedural rules established at the international level.

In the event of disagreement between the co-investigating judges, the following shall apply:

The investigating judges shall proceed unless the co-investigating judges or one of them requests within thirty days that the difference shall be settled in accordance with the following provisions.

The co-investigating judges shall submit written statements of fact and the reasons for their different positions to the Director of the Office of Administration.

Upon receipt of the statements referred to in the third paragraph, the Director of the Office of Administration shall immediately convene the Pre-Trial Chamber and communicate the statements to its members.

A decision of the Pre-Trial Chamber, against which there is no appeal, requires the affirmative vote of at least four judges. The decision shall be communicated to the Director of the Office of Administration, who shall publish it and communicate it to the co-investigating judges. They shall immediately proceed in accordance with the decision of the Pre-Trial Chamber. If there is no majority as required for a decision, the investigation shall proceed.

The co-investigating judges shall conduct investigations on the basis of information obtained from any source, including the Government, United Nations organs, or non-governmental organizations.

The co-investigating judges shall have the power to question suspects, victims and witnesses, and to collect evidence



in accordance with existing procedures in force. In the event the co-investigating judges consider it necessary to do so, they may issue an order requesting the co-prosecutors to interrogate the witnesses.

In carrying out the investigations, the co-investigating judges may seek the assistance of the Royal Government of Cambodia, if such assistance would be useful to the investigation, and such assistance shall be provided.

Article 24

During the investigation, suspects shall be unconditionally entitled to assistance of counsel free of charge if they cannot afford it, including the right to interpretation of the proceedings into and from a language they speak and understand.

Article 25

The co-investigating judges shall be appointed from among the existing judges or from judges who are additionally appointed in accordance with the existing procedures for the appointment of judges, who have high moral character, a spirit of impartiality and integrity, and who are experienced in criminal investigations. They shall be independent in the performance of their functions and shall not accept or seek instructions from any government or any other source.

Article 26

The Cambodian co-investigating judges and the reserve investigating judges shall be appointed by the Supreme Council of the Magistracy from among Cambodian professional judges.

The reserve investigating judge shall replace the regularly appointed investigating judges in case of their absence or withdrawal. The reserve investigating judges may continue to perform their regular duties in their respective courts.

The Supreme Council of the Magistracy shall appoint the foreign co-investigating judge for the period of investigations, upon nomination by the Secretary General of the United Nations.

The Secretary General of the United Nations shall submit a list of at least two candidates for foreign co-investigating judge to the Royal Government of Cambodia, from which the Supreme Council of the Magistracy shall appoint one sitting investigating judge and one reserve investigating judge.

Article 27

All investigating judges under this law shall enjoy equal status and rank and the same terms and conditions of service. Each investigating judge shall be appointed for the period of the investigation. In the event of the absence or withdrawal of the foreign co-investigating judge, he or she shall be replaced by the reserve investigating judge.

Article 28

The co-investigating judges shall be assisted by Cambodian and international staff as needed. In choosing staff to serve as assistants, co-investigating judges shall comply with the provisions set forth in Article 13 of this law. I would like to submit Chapter VII to the Floor for discussion and approval. Thank you.

Samdech Heng Samrin:

Let the Floor discuss Chapter VII, Your Excellency Sam Rainsy, please.

His Excellency Mr. Sam Rainsy:

I would like to thank Samdech President, the Floor and the government's representatives. First, I wish to ask the Royal Government's representative about Article 23, which reads "The co-investigating judges shall receive assistance from the Royal Government." Can the word "assistance" mean cooperation? Because assistance in French means providing something. If assistance means working together, we should use the word "cooperation" in order to make this word mean not only assistance but also collaborating. For instance, when suspects are needed to come and answer, but they don't come, then cooperation from the Royal Government is required. The word "assistance" and the word "cooperation" might not mean the same.

The second question is relevant to Article 24. I wish to ask the Royal Government's representative if suspects have rights to choose their own defense lawyers. Of course, referring to the law, suspects have rights to receive defense lawyers, but I want be certain about whether they have the right to choose their own defense lawyers. The suspects should not be forced to accept defense lawyers with whom they are not satisfied. The suspects should be allowed to choose their own defense lawyers no matter what, and have the right to deny the lawyers provided. Regarding lawyers, I request the government's representatives to clarify if defense lawyers must be chosen among members of the Board of Lawyers or can be chosen from any other source. Thank you.

Samdech Heng Samrin:

Let Your Excellency Senior Minister Government’s Representative, answer the questions.

His Excellency Mr. Sok An:

Again, I would like to pay my respects to Samdech Acting President, Your Excellency Second Vice President and the Floor. I would like to clarify these two questions. Regarding the word “assistance,” the first question is whether we should add the word “cooperation” or not in Article 23. Investigations are written about in Article 23, especially in Chapter VII, whose core contents are about the principles of co-investigating judges. Normally, power is divided into three branches: legislative power, executive power and judicial power, with each branch remaining separate. In Article 23, we mentioned the possibility of assistance. If we add the word “cooperation,” it seems that we might be moving in a direction away from the principle of the separation of power. In the article, we balanced and considered thoroughly that the Royal Government will provide assistance when the investigating judges need it. I think that the word “cooperation” needs to be added. We need to know how to write this, and we have to consider the principles that I mentioned.

The second question is relevant to Article 24, which refers to lawyers. Article 24 says that during the investigation, suspects shall be unconditionally entitled to the assistance of counsel free of charge if they cannot afford it. The content of Article 24 is wide open, and suspects are not prohibited from choosing their own lawyers. For me, I think that Article 24 contains enough latitude, as it is wide open for suspects to choose their own lawyers. Sometimes, suspects cannot find their own lawyers because it is not easy. Some lawyers do not want to be involved in these complicated cases, so there is no guarantee that they can find or cannot find one. That is why we made it optional. If they cannot find lawyers, we will help them find lawyers. We are afraid that suspects will be unable to hire lawyers, so the authorities will help find lawyers for them. But Article 24 does not forbid or hinder suspects from choosing lawyers. I would like to answer to this extent.

Samdech Heng Samrin:

Please.

His Excellency Mr. Maoh Sophan:

I would like to add a little bit. Your Excellency asked me from where lawyers shall be selected. Lawyers shall be selected from the ranks of legally certified lawyers, irregardless of whether they are Cambodian lawyers or foreign lawyers. As to the legal statutes regarding lawyers, foreign lawyers cannot defend any case in the Cambodian courts - they only can accompany Cambodian lawyers. Lawyers must be from among the group of legally certified lawyers. And if foreign lawyers are registered with the Board of Lawyers, they can serve as defense counsel. So, all lawyers must be on the Board of Lawyers. Thank you.

Samdech Heng Samrin:

If there are no opinions from the session, please vote on Chapter VII.

Secretary of the Parliamentary Session:

Samdech President, Excellency Vice President, the whole session, the support of Chapter VII of this draft law is 94 over 94. Thank you.

Samdech Heng Samrin:

Let’s have a break for refreshments.

Samdech Heng Samrin:

Let’s continue to debate. [Excellency] Chairman of the Commission, read Chapter VIII.

His Excellency Mr. Maoh Sophan:

I’ll continue to read.

CHAPTER VIII: INDIVIDUAL RESPONSIBILITY

Article 29:

Any suspect who planned, instigated, ordered, aided and abetted, or committed the crimes referred to in Articles 3, 4, 5, 6, 7, and 8 of this law shall be individually responsible for the crime.

The position or rank of any suspect shall not relieve such person of criminal responsibility or mitigate punishment.

The fact that any of the acts referred to in Articles 3, 4, 5, 6, 7, and 8 of this law were committed by a subordinate does not relieve the superior of personal criminal responsibility if the superior had effective command and control or authority and



control over the subordinate, and the superior knew or had reason to know that the subordinate was about to commit such acts or had done so and the superior failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators. The fact that a suspect acted pursuant to an order of the Government of Democratic Kampuchea or of a superior shall not relieve the suspect of individual criminal responsibility.

I would like to submit Chapter VIII to the whole session to debate and vote. Thank you.

Samdech Heng Samrin:

The whole session, let's debate Chapter VIII.

His Excellency Mr. Pen Panha:

In general, I support Chapter VIII on individual responsibility. But I would like the session examine the words "and" and "or," which should be clearly used in Articles 3, 4, 5, 6, 7, and 8 of this draft law. This also applies below. I may be wrong to understand that [any person who] violates any article shall be responsible. Also related to this point are Articles 3, 4, 5, 6, 7, and 8 of this draft law and third paragraphs of Articles 3, 4, 5, 6, 7 and 8. Thank you.

Samdech Heng Samrin:

Representative of the government.

His Excellency Mr. Sok An:

Samdech President, the session, regarding the words "or" and "and." This is about the first paragraph. In the first paragraph we used the word "or" to mean that any one of the cases is subject to charges. And any suspect that "planned, instigated, commanded, or committed:" meaning that instigated or committed is also [charged]. So, I think the word "or" is appropriate. That is to not to mean that unless the first plus the second plus the third [act] becomes subject to charges. The "or" is divided into three parts, part one or part two is charged, meaning instigated or committed as in Articles 3, 4, 5, 6, 7, and 8. This is for "or." As for "and," I think that this is a grammatical rule to indicate the end of counting, like a, b, and c, which also means a, b, c, but according to semantics, we usually say a, b, and c. So, we say 3, 4, 5, 6, 7, and 8, meaning the list ends with 8.

Samdech Heng Samrin:

The session agrees on Chapter VIII. No problem, no more opinions [no dissent], please vote.

Secretary of the Parliamentary Session:

Samdech President, Excellency Vice President, the whole session, the support of Chapter VIII of this draft law is 91 out of 91.

Samdech Heng Samrin:

After the session approved Chapter VIII, Chairman of the Commission, read Chapter IX.

His Excellency Mr. Maoh Sophan:

CHAPTER IX: OFFICE OF ADMINISTRATION

Article 30:

The staff of judges, the investigating judges and prosecutors of the Extra-Ordinary Chambers shall be supervised by an Office of Administration. The Office of Administration shall have a Cambodian Director, a foreign Deputy Director and such other staff as necessary.

Article 31:

The Director of the Office of Administration shall be appointed by the Royal Government of Cambodia for a two-year term and shall be eligible for reappointment. The Director of the Office of Administration shall be responsible for the overall management of the Office of Administration. The Director of the Office of Administration shall be appointed from those with significant experience in court administration, be fluent in one of the foreign languages used in the Extra-Ordinary Chambers, and be a person of high moral character and integrity. The foreign Deputy Director shall be nominated by the Secretary General of the United Nations and appointed by the Royal Government of Cambodia, and shall be responsible for the recruitment and administration of all foreign staff, as required by the international components of the Extra-Ordinary Chambers, the co-investigating judges, the co-prosecutors' office, and the Office of Administration. The Deputy Director shall administer the resources allotted against the United Nations Trust Fund. The Office of Administration shall be assisted by Cambodian and foreign staff as necessary. All Cambodian staff of the Office of Administration shall be appointed by the Royal

Government of Cambodia at the request of the Director. Foreign staff shall be appointed by the Deputy Director. Cambodian staff shall be selected from the Cambodian civil service system and, if necessary, other qualified nationals of Cambodia.

Article 32

All staff assigned to the judges, co-investigating judges, co-prosecutors, and Office of Administration shall enjoy the same working conditions according to each level of the Extra-Ordinary Chambers. I would like to submit Chapter IX to debate and vote. Thank you.

Samdech Heng Samrin:

The Floor, please debate on Chapter IX. Excellency Un Ning.

His Excellency Mr. Un Ning:

Samdech President of the session, Excellency Vice President. I just want to have a little bit of clarification from the government representative. A phrase in paragraph 2 of Article 31 says that The Director of the Office of Administration shall be appointed from those with significant experience in court administration. I want the point “court administration” to be clarified; does it mean good experience in both administration and the court, or together as “court administration?” I question this point because if [these two words] are separated, those who shall be appointed can either have experience in administration or in court work. Without separation, the person must have both. I want a clarification of this point because certain points in Chapter VII, Article 23, paragraph 3, say that the co-investigating judges shall submit written statements of fact and the reasons for their different positions to the Directors of the Office of Administration. Here, both co-investigating judges and co-prosecutors, if disputed, must report to the Director of the Office of Administration. If he or she is not a lawyer or judge, how can he or she manage; if the person is a pure administrator, this is a problem we need to consider; and I want a clarification of this point. Thank you.

Samdech Heng Samrin:

Please, Representative of the government.

His Excellency Mr. Sok An:

My respects, again, to Samdech President. Regarding the points Excellency Un Ning raised, I would like to clarify a little bit on the spirit of establishing this Office of Administration. The Office of Administration, we can say, is an important mechanism to make this trial work. We agreed on the principle to have a mixed composition of the trial staff, meaning foreign and Cambodian, so, the Office of Administration shall have to be responsible for managing general operations of the trial, meaning of Cambodian and foreign officials, staff, or judges. Yes, so we provide that those who work here are Cambodian and foreign. Yes, the Director is a Cambodian official, a point that Mr. Un Ning said I should make. We appoint officials with experience in the administration of justice or courts. I would like to stress that what we want is what we have written in the text and at that point we start a new line. So, we cannot tell if [the two words] are together or separated. I would also like to stress that they are together. We would like to have a person who has experience in administration related to courts to facilitate this trial to proceed well. And that person will also be assigned to manage finance. On the foreign side, they shall establish what is called a Trust Fund, it will be a separate fund. So, the foreign officials will manage this fund to facilitate the operations of foreign officials who work on the trial. For our officials, they have also a lot of work related to our officials, judges, and staff, and to the financing of the process, We provide that Cambodian officials and judges’ salary will be provided by the Cambodian Royal Government.

So, there is Ministry of Economy and Finance. So, there are two parts. For our officials, we organize ourselves; for foreign officials, they will manage them through Trust Fund, yes. I would like to stress again that the two words should be written together. That is, in Khmer, Ratha Bal Tolaka, in English, court administration, meaning manage administrative work in the court. That is it.

Samdech Heng Samrin:

If no more opinions, please vote on Chapter IX.

Secretary of the Parliamentary Session:

Samdech President, Excellency Vice President, the floor, the support of Chapter IX of this draft law 92 out of 92. Thank you.

(Continued in the May 2001 issue)



THE END OF THE REVOLUTION

David Ashley

In July 1992, Pol Pot declared that: “As regards the question of what the prerequisites are to make a judgement to determine what’s right and what’s wrong, the answer is: Strength! Strength! ... If you possess strength, then you’re right, and if you lack strength, then you’re wrong.”

If he truly believed that, then he can have had few illusions about how history would judge him and his movement. Pol Pot may have died just in time to escape international justice, but he lived just long enough to see his revolutionary dream finally and definitively expire. He died with his Democratic Kampuchea (DK) movement at its weakest point in at least thirty years, with the fewest number of soldiers and smallest amount of territory under control. He died with his greatest enemy, the Vietnamese-backed Cambodian People’s Party (CPP), in its strongest-ever position. He died having been betrayed by almost everyone, including those he had long suspected and those he had most trusted. In his final months, he did not even have the comfort of hiding behind his beloved mask of secrecy. Despite his prodigious ability at self-delusion, Pol Pot must have died aware that his life’s work was ending in abject failure.

How did it come to this? How had he led one of the world’s most feared guerrilla movements, after nearly 50 years of struggle and which five years before had been prepared to take on the world, to such a pathetic end? This article seeks to describe and explain the final years of the Khmer Rouge by drawing, principally, on internal and external KR documents and interviews with former cadre.

Succumbing to the Inevitable

At one level, there is a historical inevitability about the decline and demise of the Khmer Rouge, the last Maoist insurgency in Southeast Asia and one of the last in the world. Pol Pot, like successful communists elsewhere, always believed his success was due to mass popular support for the Party’s correct line and leadership. But the truth was very different. The masses were never allowed to know the Party’s true line and leadership, which they were supposed to support, and coercion had to be used to fill the gap between rhetoric and reality, between the official and the popular perception of what “the people wanted.” In fact, the Khmer Rouge was successful only when it could ally traditional

nationalism, a united front with Prince Sihanouk, and outside military assistance. It only won the 1970-75 war thanks to North Vietnam and China, and only recovered from its disastrous defeat in 1979 because of help from Thailand and China. When the movement was left largely to its own devices, as after the Geneva Accords of 1954 and the Paris Agreements of 1991, it failed to achieve either political or military success. And the DK’s record in its one period of power suggested the movement’s leadership was not only astoundingly ruthless but also fractious, unrealistic and extremely incompetent.

Notwithstanding his record, Pol Pot retained leadership into the 1990s. This was because of the remaining members of the CPK Standing Committee, he was by far the best strategist and the only one who could retain the loyalty of the others, who tended in any case to be geographically spread out along the Thai border. In addition, sheer longevity gave a legitimacy to both his leadership and his ideas and methods. But the perpetual long-term failure of Pol Pot’s initiatives, however logically persuasive and tactically successful they appeared at first, eventually undermined his leadership. Mass-murder could be excused, but failure couldn’t be. The disillusionment felt by those who had earlier fallen under Pol Pot’s spell is neatly described by a former DK “intellectual”: “Of the leaders, only Pol Pot was good at thinking and analyzing. When speaking about an issue, Pol Pot was very good at explaining it in a very lucid, clear way which convinced you that he’d found a complete solution to the problem. But when it came to implementation, his solution would fail. Then he’d put forward another idea which would again seem very convincing and yet the same thing would happen again. And so, after a time, I no longer believed in him.”

1979-90: The Rebuilding of the Movement

By late 1978, Pol Pot reluctantly recognized that the Vietnamese threat necessitated a suspension of his “super great leap forward”-his attempt at a short-cut to communism-and a return to the “united front” tactics which the Party had successfully employed before 1975. But the trouble with “united front” tactics, which involve deceptively disguising the real goals of a revolution in order to gain the short-term

Sen's CPP and Prince Ranariddh's FUNCINPEC as a U.S.-inspired arrangement to isolate the Khmer Rouge and prevent the CPP's collapse. He believed the "entente" was intent on subverting the Paris Agreements and replacing them with an alternative "bipartite" settlement, whereby the West "tried to win over the Prince and the various other factions to join together with the contemptible puppets" who thereby gained international aid and recognition. Whilst he believed the old and new enemies had "contradictions because they both like to devour all of Cambodia by themselves," he saw them as united in wanting to eliminate DK as the main obstacle to their ambitions.

The events of 1992 and 1993 only served to confirm his faith in this analysis. Pol Pot viewed UNTAC's failure to dismantle the CPP State apparatus and the subsequent establishment of the "two-headed" coalition government as a Western attempt to legitimize the "Vietnamese puppet" regime. To accept "peace" and risk the DK's territorial, organizational and military strength in a context where the CPP retained administrative control would, he believed, be akin to suicide. Beginning in early 1992, Pol Pot thus sanctioned a return to military struggle designed to force UNTAC and, later, the coalition government into the knowledge that the Khmer Rouge could not be excluded. He did so convinced that, so long as the DK increased and demonstrated its strength, the balance of power would always shift in its direction and that its former allies would come round.

Pol Pot's strategy depended, however, on a grossly over-optimistic idea of the movement's political and military strength. His conviction that the DK's offensive could prevent the 1993 elections being held and that its boycott of the elections would be overwhelmingly supported was dramatically disproved by events. His hope that massacres of ethnic Vietnamese civilians would provoke a mass pogrom went unanswered: as so often before, when he wanted "the people" to rise up and do something, he had to order his army to do it for them. By June 1993, Pol Pot acknowledged that the movement was now isolated domestically and internationally and that "an ordinary person or a stupid person" would think "that we've now been defeated." He nonetheless persisted in his delusion that the DK had overwhelming popular strength and that an extra military push would drastically weaken the CPP and persuade Prince Ranariddh and King Sihanouk to revert to the quadripartite option. But he, like others, was to be betrayed by Ranariddh

and outwitted by Hun Sen. Instead, it was the government who mounted a surprise offensive in August 1993: despite prior warnings, Pol Pot refused to believe that his former allies were going to mount an attack on his new base at Phnom Chat, which he had set up only a few kilometers from a FUNCINPEC military position. Having moved there only a few months before from the Southwest, which he considered no longer politically reliable, Pol Pot made his fateful, final move to Ta Mok's Anlong Veng.

1994: The Seeds of Dissent

Any hopes for an early settlement finally died in July 1994 when the government ended negotiations and formally outlawed the DK. Pol Pot had previously insisted that "the bottom line is that we need friends until the day we die." But now he claimed that a friendless Khmer Rouge had no choice but to continue a potentially endless military struggle alone against the combined forces of the "new" and "old" enemies. He seemingly believed that by fighting on whatever the difficulties, the DK would, as in 1970, be in a stronger position to exploit the situation when the "social and national contradictions" in Phnom Penh inevitably exploded. Pol Pot was right in thinking that the coalition wouldn't last. But by the time the government fell apart, so had the Khmer Rouge. Pol Pot's strategy failed for three reasons.

First, the loss of foreign material and logistic support critically affected the DK's military strength. The Paris Agreements and subsequent U.S. pressure on Thailand to end links with the Khmer Rouge left the latter without outside allies for arguably the first time in its history. With no hope of obtaining short-term victory against a far larger enemy and facing difficulties in purchasing and bringing adequate ammunition across the Thai border, the leadership admitted the need to continue the "struggle for a further period" and to revert to a "parsimonious," "prolonged war." The new tactics, like the strategy itself, harkened back to the anti-Sihanouk armed struggle of 1968-69. They sought to dispense with the need for substantial military supplies and large-scale military forces by employing self-made "traditional weapons," such as poisoned bamboo stakes, felled trees and hand-made mines. The "traditional weapons" were to be made and used by "the poor peasants," acting, in theory, out of "class anger" but, in reality, more often out of compulsion.

While the radio constantly boasted of their offensive effectiveness, it was obvious that such weapons were, above all, cheap and easily accessible means to defend the DK's base areas. (Continued in the May 2001 issue)

GREAT GAIN AND LOSS

Yimsut Ranachit

(Continued from the March 2001 Issue)

Before the evacuation my brother, Serey, was allowed to come home because since his wife Sa Oum was about to give birth to their first child. Everyone in the family was worried about the possibility that she might deliver the baby on the road. But what could we do? She had to wait until we got to wherever it was we were going. Since many people were working away from town, many members of the family were still far away. The cadres told us that everyone would be reunited at our final destination, wherever that may be.

Early that day before we began the journey, everyone was ordered to gather along the main road out of town. Only the soldiers escorting us knew our exact destination. Most of the elders were very concerned that they might be killed at a place called Wat Yieng, a former Buddhist pagoda about ten miles South of Tapang. Wat Yieng was a well-known torture and processing center, a place where most people were killed.

“If we pass through Wat Yieng, we’ll be OK,” I heard one of my neighbor say quietly and hopefully.

The rest just sat quietly under a shade tree and prayed very hard. All wanted to live and see another sunrise. The sooner we get out of Wat Yieng, the better we would be. I continued to pray.

The trip was difficult on my sister-in-law. Her pregnancy had not been easy, physically speaking. She had had a miscarriage earlier and was hopeful that this one would make it. Her father was very old; he couldn’t walk far from home due to his swollen knee joints. Serey helped his pregnant wife walk while I helped his father-in-law. There wasn’t much room for our essential belongings, such as sleeping mats and blankets. I carried most of our sleeping mats and blankets by tying a long cotton cloth, the Khmer *kroma*, around them. Some families were dragging their small children along by the arms; they were crying along the way. It was a scene we had witnessed numerous times under Angkar’s “great leap forward.”

When we arrived at Wat Yieng, after what seemed to be a very long and exhausting hike, the leader of our escorts ordered us to stop along the road and wait. He then went inside to meet with Angkar Leu (High Organization) cadres in charge of the facility. While waiting we all prayed and prayed.

I then remembered the words of my neighbor: “If we pass through Wat Yieng, we’ll be OK.”

I have never been one to pray much, but I began to pray in earnest as well. I was hoping that we could make it through the process. About 20 minutes later, our escort returned with the cadres in charge and more families with them. There were more Mith Tmey families, about 15 in all. I watched the group from a distance of about 20 yards, close enough to see people’s faces.

I stared at a few very familiar faces in the crowd of new people. My heart skipped a few beats. I know these people! I know these people! I almost screamed and wanted to rush out to meet them right then. I got up and was about to rush out to them, but logic and common sense held me back. I did not want to jeopardize anything, certainly not at this notorious place. My heart was still skipping a few beats and my adrenaline was pumping very hard with a sense of extreme joy. Words cannot explain my tears of joy, which were flowing like waterfalls on my face.

My dad look very, very old and so did my dear mom. They had both changed a lot, but I knew in an instant that it was they. They wore just rags, much like the rest of us. My siblings were behind them. I was so pleased knowing that my family was almost intact after all these years. All of them were there, except two. I counted them again and again to make sure. My oldest brother Larony, and my older sister Mealenie were not among the group. But most of them were right here, quite close to me. They looked terrible, I thought, just skin and bones. It took a little while to recognize my younger brothers, who were not wearing shirts, but they were all there. They had grown taller. After more than

three years of separation, most of them were right there before my eyes and I hesitated. I had dreamed of and waited for this day for years. Now that they were in front of me, I hesitated.

Their hopeless eyes just stared down to the ground, oblivious of their surrounding. They did not see or recognize either my brother Serey or myself in the crowd. They looked just awful, like dispirited people with little hope. They did not appear to be the same people I knew. Serey walked by and grabbed my left arm tight. He was breathing down on my face.

“Don’t stare, Ah Knack!” He spoke sternly into my left ear, using my nickname to emphasize that he meant it and I had better obey.

“That’s mom and dad! And our brothers!” I whispered back to Serey with excitement.

“I know, wait a while,” he pleaded with me now.

I saw tears on his cheeks. I knew then that he wanted to rush to them as much as I did. However, we had to exercise a little discipline and be very cautious, then more than ever. We did not know our fate or theirs, not at that moment.

I made eye contact with one of my little brothers, Ah Long. I wryly smiled at him, hoping that he would recognize me. He did not respond, to my disappointment. He just looked away into thin air. I knew it was they! Had I changed so much that none of them recognized me? Were they being cautious like Serey and I had been? I still wanted to risk it all and rush to them and give them all a great big hug. I wanted to tell them how much I missed them in the past years. I could not and I was just as frustrated as hell.

After about an hour of sitting along side the road, we were ordered to move out again. The soldiers began to count the people as they passed by. I kept on looking back to see my long lost family. To my absolute joy, they followed my original group of Mith Tmey people from Tapang. I was so happy that I briefly forgot the threat of execution by Angkar Leu as we were marching away from this execution center. I was careless about that. I was so very happy to see my long lost loved ones again. They were right behind my group! Nothing would matter now, I thought. I am with my family again at last.

This march retraced the trip I made to Tapang town. People were more at ease and felt a little better

after we were away from Wat Yieng. We have passed gate one. Nonetheless, everyone was unsure of what would happen next or what to expect ahead of us. I was simply very happy to have my family nearby again, even if I had not yet made direct contact. I knew I would soon. “Be very patient, Ah Knack!” I reminded myself sternly.

The trek went on until we reached National Highway 6, the main drag between Battambang city to the west and Siem Reap to the east. The soldiers ordered us to camp for the night, while they picked prime spots to tie their military hammocks to sleep. There was no food, absolutely nothing from Angkar Leu for us to eat. We had to take care of ourselves. People just crashed and fell asleep after the exhausting march. A few even snored loudly while some children cried. It didn’t matter. I had experienced this before. I took my small sack of cooked-dried rice; a commodity reserved for an emergency like this one, and casually walked over toward my parents and brothers. Hesitantly and nervously, I walked past them. I could see and feel their eyes fixed on me as I walked past. Perhaps they were looking at what I was eating and not me? They were still looking at me quietly when I returned.

“Mom, dad, everyone. It is I, Nachith,” I tried to stroke my long hair into the back of my head to show my face to them. What happened next surprised me. They all just looked at me blindly and said nothing. They did not recognize me after just three years. “It is me, your son, Nachith,” I insisted. “Do you all still remember me?” I cried with a sense of desperation and frustration.

Mom was the first to grab and feel my face with her hand in the dim campfire light. She looked as though she had just seen a ghost. She then wept quietly, trying to suppress an outburst that could be heard by the soldiers. She did not recognize her own son after three years. My dad did not fare well either. No need for words. Tears of joy were enough. Everyone else soon surrounded me. They would not let me go, afraid that I might be gone again.

My two little brothers, Monica and Seiha, had forgotten who I was. Only my two younger brothers Long and Nosay still vaguely remembered Serey and me. The four of them got my emergency rice. I would have given my right arm if it would help ease their hunger and suffering.

“Where are Serey and Sa-Oum?” Mom asked nervously, still weeping. “I’ll go get them, stay here,” I said and walked quickly back to my campsite. My younger brothers followed. They were more interested in looking for something to eat than being curious. I grabbed two of them by the head and would not let them go as we walked.

We met Serey halfway. He was also yearning to see our family again. When I disappeared from the camp, he knew exactly where I was. He had to follow to make sure I did not stir up trouble for all of us. We went back quietly to bring Sa Oum to see our family.

The reunion was bittersweet for all of us. We did not sleep much that night, but were quietly chatting and sharing our memories. Good and bad memories were flooding back and everyone was in tears most of the time. We were lucky to be alive, up to that point, and to have found each other again.

The recent loss of my friend Laive and my favorite hen were momentarily forgotten when I found my family. I still deeply missed Laive, but I now had my family to comfort me once again. However, as fate would have it, it turned out to be a short reunion under Angkar Leu’s genocidal regime.

DIARY

(Translation)

The Documentation Center of Cambodia has brought to light more than 400 notebooks and personal diaries written during the Khmer Rouge period. They belonged to both Khmer Rouge cadre and Khmer Rouge victims. Those written by the cadre mostly depict personal matters relating to the daily work of Angkar, discussions held at livelihood meetings or political education sessions, and military strategies from the central level. In contrast, the personal diaries of victims generally recount their life stories from the heart. Both notebooks and personal diaries help illustrate the fact that expressions of feelings may not be curbed even in circumstances of hardship, misery, and vicious suppression.

(Continued from the March 2001 issue)

Ru Eil, 12 February 1976

On 8 February 1976 I helped organize a constitutional ceremony, in which I talked in front of more than 1,000 people. It was the first time I had given a speech in front of such a large crowd. I felt a little nervous at the beginning, which made my voice tremble for a short time. But after a while, I was in full control. I did not do this for my own advantage; rather I did it for the sake of the entire nation. I try to support the organization as much as I can.

Rueil, 17 February 1976

Yesterday, while seeing Dany off to Germany, I saw a male friend. After only a short acquaintance, I could read his mind easily. After knowing each other such a short while, he tried to turn our relationship into a love affair. Oh, is this the meaning of friendship between a man and a woman? I had never thought about such matters. I suppose our relationship is just a normal one, rather than love. I have already made my decision. I swore to love only one man, who will be my first and last lover. I would never change my mind, even if I met a man with better looks, better characteristics, or better education. I will express what I have in my heart to this male friend so that he will not be broken hearted. I must keep my promise and never change my heart, for I have considered this matter seriously before making up my mind. If my decision is wrong, I will accept all the consequences. I pray to God to change the mind of my friend and not fall in love with me, as I will only be one man’s lover.

Rueil, 19 February 1976

Oh, peaceful nature in the freezing nights of winter, you make my mind wander and keep me thinking about when

I was accused of telling other people about the weakness of my brother. Oh, God. It's true that no one likes to have his or her mistakes leaked to other people. He or she would be worried or angry, but actually, everything he or she does can be criticized. I don't mean to make other people hate you; nor do I look down on you. What I try to do is let those who are your intimate friends remind you and help you correct your shortcomings. Is this my unforgivable mistake, which causes your embarrassment? I feel very bored with you, no matter to what degree you love me. Moreover, I never hope to gain your admiration for my merits. Conversely, it would be fine if you revealed your shortcomings to your most intimate friends. I don't mind.

My dear brother! You've made me so worried; you treated me so horribly. Even though you did this unintentionally, it really hurts me. I've tried to explain to you, but you understood nothing about my feelings, causing me to be unable to study properly. I've never thought at all that I am an emotionally weak person. I can't stand your anger time and time again, which makes me lose my confidence in continuing to learn about you. Also, a new argument begins just as soon as the old one has subsided.

I decided to return to my hometown, no matter how difficult it is, to be as far away as I can. And I pretend that I'm the only child in the family - no brothers or sisters. And I try my best to serve my country with my small knowledge, without thinking about anything else. I also continue studying to forget him and keep thinking that I am alone and independent. I have my parents, and my good and bad friends. Oh, is it my beloved elder brother? This stems from too much love, which in turn becomes jealousy. [He] doesn't want to have me loved more than him. This is [the nature of] my brother. Oh my sinful life, when will it come to an end? Why is my life turning out to be the same as my mother's life?

Rueil, 1 March 1976

Today is the day that my friend Kanol told me that he loves me and begged me with tears in his eyes to love him. What a problem! I've firmly decided that I love only one person. I have only said the word "love" to one person, and have used it no more than twice. Thus, I strongly reject all proposals from other men. I don't feel a bit of excitement to hear someone confess his or her love for me.

Oh, my friend, please forgive me. Y, my great friend, I will marry because of duty, not out of love or sympathy. Y! Where are you now? When we meet each other again, how shall we behave? Or will we never see each other again?

Oh, love, love of duty, love by force, love with no way out, love required by duty. Is this the existence I deserve?

15 January 1977

How can I be happy about the marriage? I man whose mind I've never known was forced to marry me and is to set up house with me. Oh my God! It is so terrible. All of the reasons I used in arguing with my mother I could not use with the organization [Khmer Rouge]. The only choice is death. But to die because of a marriage is too cowardly. What should I do? I cannot marry him with no love at all. What a disgusting love. The period of my youth is ending on 17 January 1977. My wish to be a virgin for the rest of my life is being destroyed. What about the groom? Is he marrying me for the sake of duty or what? Does he love me? I have nothing left but despair. If I can escape, I'll go at once. Oh my lovely and respectful mother, what should I say when I meet you? You are not going to be present at this wedding. I feel so sad, mother, I don't know how to solve this problem. Probably my life is over.

7 September 1977: The Red Earth of the Northern Region

Time seems to be moving uncontrollably fast. We have been living here for seven months. This seven months has left constant memories under the roof of this small cottage where we began our family life. We cooperatively built a true family here. What a revolutionary family! We met each other because of this revolution and we love each other through the organization. The red earth of this region makes trees flourish. Water flows endlessly down the rivers along the valleys, mixing with the joyful sounds of birds singing. In another direction are the farmers' rice paddies, which constantly change colors, while our plantations are also continually transforming. The small paths that divide the farms

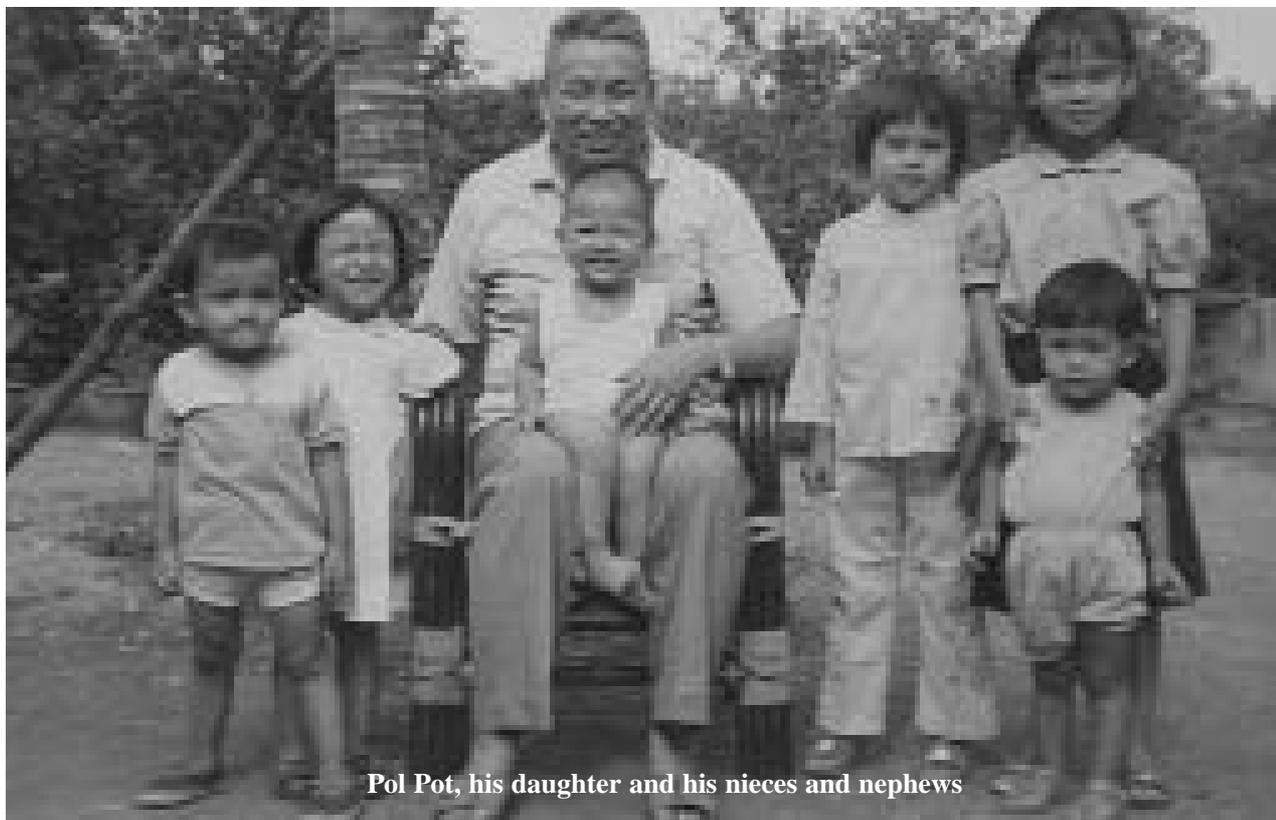
also divide each field into smaller plots that are drawn like checkerboards with amazing beauty. Plateaus of different elevations provide magnificent scenery, especially at dawn and dusk. We will never forget this place. With the natural beauty of the red earth, our lives seem to be cheerful and we have nothing to worry about. A happiness that seemed impossible has now occurred. Although we were not in love with each other in the beginning, through our efforts it grew gradually, day by day, and now

I've found true happiness in this new society. Even though I haven't fulfilled my earlier wishes, at the moment I'm satisfied with my life. We always feel happy, no worries or tensions on our minds, although we work hard physically. Love and tenderness, which never happened in the past, have now evolved to a sentimental attraction between us. Red earth creates happiness and harmony in our family, just like its natural splendor. The memory of our newly built family in this area will never be forgotten. Also, this place has given me some new experiences with nature and the people around me in the revolution. Oh, red earth; I wish my family were as red as your color.

17 January 1978

A year has passed and I've gone through many obstacles in my life. I have understood extensively the people around me, my own feelings, and the difficulties and benefits of revolutionary life. I was struck by diseases, but have resisted. While I was hospitalized, I got to know several individuals. There can be no comparison between the conscious struggle against a social environment with narrow-minded people and the struggle to overcome all kinds of hardship. I prefer the latter over the former. I always completed my duties happily and successfully. But the emotional struggle at the red earth makes me feel bitter and sad, and I've had to calm myself down many times. Sometimes, I have felt angry with myself, and have wept shamefully over my destiny. The organization's line is perfect, pure, and just; it's just the practitioners who are unwise, impure, and tricky.

(Note: the Documentation Center of Cambodia has not yet found the family of the woman who wrote this notebook)



Pol Pot, his daughter and his nieces and nephews

KHMER ROUGE POEM:

COMMITTED TO FOLLOWING THE MODEL OF THE GREAT VICTORY OF APRIL 17

Compiled by Sayana Ser

The sky was very dark for more than two thousand years. We lived like the dead, drenched with suffering.

Yet even though heavy mountains of feudalists, capitalists and imperialists were being placed on our chest, we still stood up for combat.

September 30, [19]51 marked the landslide earthquake, horrifying enemies at the moment of the party's founding and the party's attack with only two arms.

[The party] mounted thunderbolt shock assaults, sustaining a long-term movement with two political weapons.

March 18, [19]70 marked a great leap forward together with utmost revolutionary war, to defeat American imperialism.

The Revolutionary Typhoon swept the bitchy enemies away-three mountains-after which [we] enjoyed five consecutive years of shining triumph.

On April 17, [19]75 Kampuchea is bright red; our workers and farmers are actively involved in the glorious liberation.

All rural and urban areas are absolutely committed to complete [victory] for more honor to Angkor Wat.

Dikes are glittering, making irrigation systems perfect, which is favorable for agricultural and industrial purposes, leading to the great leap forward.

The great victory of April 17 is meaningful for the line of independence and hardship endurance.

We, male and female combatants, are upholding the stance of hot combat, learning this essence to achieve our revolutionary goal.

Carry out shock assaults to construct the country and overcome difficulties for the sake of the motherland's prosperity-great leap forward, be bright red at all times.

Bravo April 17! Bravo the Organization of the Kampuchean Party! Bravo victory at all times! Bravo Splendid Populace!

**ដើម្បីទប់កម្ពុការបោះពុម្ពនិងចែកចាយដោយឥតគិតថ្លៃដល់មន្ទីរស្រុកនិងឃុំនៅទូទាំងព្រះរាជាណាចក្រកម្ពុជា
ទស្សនាវដ្តីចំនួន១០០០ច្បាប់ជារៀងរាល់លេខនឹងដាក់លក់តែនៅក្នុងរាជធានីភ្នំពេញប៉ុណ្ណោះ មួយច្បាប់ក្នុងតម្លៃ ៧០០០រៀល**

មជ្ឈមណ្ឌលឯកសារកម្ពុជាអំពាវនាវដល់រដ្ឋាភិបាល មូលនិធិនានា និងសាធារណជនគ្រប់រូប សូមជួយទប់កម្ពុការបោះពុម្ពផ្សាយទស្សនាវដ្តីនេះទៅតាមលទ្ធភាពដែលអាចធ្វើបាន ព័ត៌មានបន្ថែម
ចំពោះការបោះពុម្ពផ្សាយទស្សនាវដ្តីស្វែងរកការពិត សូមមេត្តាទាក់ទងមកតាមមជ្ឈមណ្ឌលឯកសារកម្ពុជាតាមទូរស័ព្ទលេខ (៨៥៥) ២៣ ២១១ ៨៧៥ ។ សូមអរគុណ!
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