

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/Sub.2/414/Add.6
16 August 1978

Original: ENGLISH/FRENCH

COMMISSION ON HUMAN RIGHTS
SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES
Thirty-first session

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF
APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-
COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Submission from the International Commission of Jurists under
Commission on Human Rights decision 9 (XXXIV)

By letters dated 3 and 18 July and 10 August 1978 the International Commission
of Jurists has submitted the following documents: 1/

1. Memorandum on human rights in Democratic Kampuchea;
2. Some general indications concerning violations of human rights in
Democratic Kampuchea, by François Ponchaud*;
3. A collection of testimonies by refugees from Democratic Kampuchea: 2/
 - (i) Five testimonies by refugees who left Democratic Kampuchea in 1977
and are now in France*;
 - (ii) Six further testimonies by refugees who left Democratic Kampuchea in
1977 and are now in France;
 - (iii) One testimony by a refugee who left Democratic Kampuchea in 1975 and
is now in France;
 - (iv) Five testimonies by refugees who left Democratic Kampuchea in 1978 and
are now in Thailand;
 - (v) Supplementary note with extracts of 8 refugee statements;
 - (vi) A series of testimonies collected in the Buriram prison (Thailand)
by an ex-employee of the Battambang hospital.

1/ Owing to the limited time for translation and reproduction, only parts of the
submission are reproduced in the present document. These parts are marked with an
asterisk. The remaining parts will be made available to the members of the Sub-Commission
on Prevention of Discrimination and protection of Minorities in the original language,
as received.

2/ The submitting organization informs that for fear of reprisals against their
families, all but one of the refugees preferred that their names should not be disclosed.
Their names have been replaced by numbers 1 to 4, 6 to 27 and 28(a) to 28(h). The
submitting organization states that refugees number 3, 4, 6, 7, 8, 9, 10, 18, 21, 24,
and 26, who live in France, can be interviewed, if the Commission on Human Rights so wishes

E/CN.4/Sub.2/414/Add.6
page 2

Translation of certain Khmer words used in the documentation

- Achar: Buddhist celebrant
- Angkar: "Organization", which the people understand to mean both the Party and the State
- Chhlôp: Literally "spies". Used to denote "guerrillas".
- Dambân: Administrative area: "district".
- Kamaphibal: Official.
- Kanak: Literally "committee", "sect". Used by the people to denote presiding officers of various committees: "Kanak phum" - village headman, "Kanak srok" - chairman of the srok committee.
- Phum: Village.
- Sangkat: Administrative area: commune, quarter.
- Srok: Administrative area: ward, sub-department.
- Stoeung: River.
- Ta: "Elder".
- Yôthea: Khmer Rouge soldier.

Explanation of certain French terms

- "Peuple nouveau", "peuple ancien": "New people", "old people" - population liberated on 17 April 1975 or before that date.
- "Troupes mobiles" or "première force": "Mobile" or "front line forces" - consisting of young people or young field workers.
- "Thang": Measure of rice varying between 30 and 50 kg.
- "Boite": Measure of rice, about 200 g, from the condensed milk can used for the purpose.

* Underlined names and vertical lines in the margin denote people who have been killed.

SOME GENERAL INDICATIONS CONCERNING VIOLATIONS OF HUMAN RIGHTS IN
DEMOCRATIC KAMPUCHEA BETWEEN 1975 AND 1978

by François Ponchaud

After studying the testimony of several hundred refugees, it has been possible to establish the following facts with certainty:

1. EXECUTIONS

Nearly all the OFFICERS, SENIOR OFFICIALS, POLICEMEN, INTELLIGENCE AGENTS, CUSTOMS OFFICIALS and MILITARY POLICE were executed during the first few days after the victory of 17 April 1975. Detailed and completely independent accounts were obtained concerning the towns of Phnom Penh, Battambang, Siemréap, Oddar Méan Chhey, Pailin, Préah Vihear and other smaller settlements.

People in these categories who succeeded in concealing their identities during the first few months have been systematically sought out, especially since early 1976, and executed.

In a very large number of cases, the wives and children of these people are also reported to have been executed.

NON-COMMISSIONED OFFICERS, ARMY PRIVATES, MINOR OFFICIALS, HEADMEN of 10, 50 or 100 households and members of PARAMILITARY MILITIA GROUPS were treated differently according to the region concerned: some were executed during the days immediately following the revolutionary victory; others were sent to extremely hard labour camps, practically death camps (Veay Chap near Samlaut, Ta Ngè near Battambang); yet others were allowed to go back to their native villages, where some of them were executed in 1975, while the remainder have been actively sought out since 1976 and have mostly been executed.

Cases of summary execution of DOCTORS, ENGINEERS, PROFESSORS, TEACHERS, STUDENTS and SCHOOL PUPILS occurred during the first few weeks (Doctor Tan Pok at Battambang) but this does not seem to have been the general rule. They were sometimes resettled in special villages (Préah Net Préah, Koh Sothin) and were sometimes absorbed in the population, but were placed under special supervision. The slightest offence on their part against revolutionary morale (grumbling, lack of zeal at work) was punished by death. Since 1977, it seems that they have been systematically sought out and executed.

Persons showing any disapproval of the régime (grumbling, loss or deterioration of tools, loss of buffaloes, criticism of food, questions asked at meetings, etc.) are generally subjected to verbal correction ("edification" = kasang), sometimes accompanied by punishment (deprivation of food, bastinado, exposure to the sun without food or drink, etc.). They are sometimes imprisoned (monti santesok = "security building"). A second or third offence means death.

E/CN.4/Sub.2/414/Add.6
page 4

In 1977 and 1978, bloody purges struck at the State machinery itself. In the northern region at least (Battambang, Siemréap, Oddar Méan Chhey, Préah Vihear, Kompong Thom) and even in Kratié-Kompong Cham, large numbers of officials (from headmen of 10-family groups to regional administrators) were arrested and executed, usually with their families. Peasants working under the orders of certain officials sometimes suffered the same fate.

2. DEPORTATION OF POPULATIONS

The populations of PHNOM PENH and of ALL CITIES and large TOWNS in the "governmental areas" were deported during the days immediately following 17 April 1975. The hospitals were emptied, the wounded, sick and surgery patients being obliged to leave their beds. Those who could not do so were killed on the spot. This deportation affected over 4 million people and caused the death of many old people, small children and women in labour.

As from August-September 1975, the population of Phnom Penh evacuated to regions south of the capital was again deported to the north-western part of the country. This deportation caused many deaths owing to the weak state of the people transported. At the end of 1977 several cases of population deportation were again reported in the north-western region.

3. DISLOCATION OF FAMILIES

Husbands and wives are generally separated and meet only from time to time, especially in the case of "new people".

Small children are usually placed in the care of old women in cooperatives and from the age of six years are practically cut off from their parents. They belong to the Party and are seldom allowed to live in a family.

After the age of 13 or 14, adolescents join the "mobile forces" and only very seldom see their parents again.

Although there have been cases where young women from towns have been obliged to marry disabled ex-servicemen, this is not a general practice. On the other hand, marriage between young men and women depends entirely on the good will of Angkar.

4. RELIGION

The most influential Buddhist priests were executed a few days after the revolutionary victory. The rest were sent to special camps and were then forced to resume secular life as from 1976. The pagodas which were not destroyed during the war have been turned into warehouses or used for other profane purposes. Statues of the Buddha have been desecrated and most often smashed.

Moslems are especially persecuted. The Christian and animist religions cannot be practised.

Paris, 13 July 1978

Five testimonies (Nos. 1 to 5) by refugees who left
Democratic Kampuchea in 1977 and are now in France

No. 1

Age: 27

Occupation: Peasant, later Lon Nol soldier

Place: Phum Kien Sangkè, Srok Chikreng, Siemréap Province.

Date of flight from Kampuchea: December 1976

"At the time of the change of régime, was at Siemréap, then went to Samrong Leu (Chikreng) for 1 month. Then again transferred to Prey Sneut, and finally to Kien Sangkèr.

After the change of régime, the Khmers Rouges prohibited travel from village to village. After about two months, they transferred the "new people", together with the "old people", making them do very hard work. Then they called out the names of the Lon Nol soldiers and killed them. To conceal this, they took them away in lorries, but they killed them. Among them were EL POY, PIN NEUV, SUN PHALY, THACH SIMON and OU SAEM. I knew these five people very well. They killed them near the pagoda of Thna Chnang, in Phum Thnal Tasik.

They treated people like animals, giving us nothing to eat but watery soup. "Objections" were prohibited, there was no freedom of speech.

Married people, like my wife and myself, could not live together, as Angkar assigned different tasks, such as building dykes and ricefield channels."

Signed:

E/CN.4/Sub.2/414/Add.6
page 6

No. 2

Age: 42

Occupation: Carpenter

Place: Kompong Kol, Battambang Province

Date of flight from Kampuchea: 20 March 1977

"I fled because of the lack of food and especially because the Khmers Rouges had accused me of being in touch with traitors. Early in January, Khmers Rouges came to arrest 30 members of the "mobile forces" and killed them. On 3 March 1977 they again killed about forty of the "mobile forces". They also killed many employees of the sugar factory, as follows:

1. PHOK LIM, manager of the Kompong Kol factory
2. PHOK LIENG, his brother
3. Achar PHOL, of the Kompong Kol military authority
4. Comrade THOL, of the military authority
5. Comrade KUON, of the military authority
6. Ta HOUL, leader of the mobile forces
7. DUONG, mechanic
8. NAN, mechanic
9. SARUN, factory worker
10. CHHAT, hunter, providing food for the workers
11. A Khmer Leu whose name I do not know.

The Khmers Rouges killed them, accusing them of being traitors."

NOTE: The list of names in this testimony coincides exactly with those given by CHAN VON and EAR SOTH, witnesses at the Oslo Hearing.

No. 3

Age: 23

Occupation: Son of a peasant, schoolboy in third grade

Place: Chong Kal, Oddar Méan Cheay Province

Date of arrival in Thailand: 29 April 1977

"After the end of the war, on 17 April 1975, I returned to my native village of Chong Kal in Oddar Méan Cheay Province. I was enrolled in the mobile forces of Chong Kal, which are the main forces of the srok, carrying out various tasks such as cultivating paddies and other fields, building dykes, channels and paddy ditches and making embankments which the 'old forces' and 'intermediate forces' could not do. In fact, they are the main force which initiates productive work throughout the ward.

At Chong Kal there were 1,025 adults in the mobile forces, all young men and women. I stayed there for two years, until 29 April 1977, when I fled to Thailand.

Immediately after the end of the war, they tried to collect together all the officers from second lieutenant upwards, saying: "You must go to Angkor Vat to improve your military training and strengthen our army, in order to protect our frontiers and our country". The 52 officers of Oddar Méan Cheay who had not yet fled agreed gladly. Each one was then told to prepare a motor cycle and they were taken to Chong Kal; each had been asked to take one metre of nylon cord, under the pretext that that would be used to tow them if there were breakdowns on the way, because short-cuts would be used. It was also specified that those who had insignia should wear them conspicuously, so that it should be easier for the comrades to identify them. The officers did not notice this ruse and did everything they were told to do.

Before they arrived at Chong Kal, the Khmers Rouges had evacuated all the population to Sras Asram, about 3 km north-east of the village, alleging that they had to search the village for arms and ammunition. In fact, this was done to ensure that the people were not there when the officers arrived. When they came to Chong Kal the Khmers Rouges allowed them to rest and gave them a banquet. In the afternoon, they began to take them away in twos and fives with their hands bound. They took them south-east of Chong Kal, about 4 km away, to the forest of Prey Teuk Thlauv, where they began to kill them one after the other. As there were not enough graves, some corpses were left lying there until 1977, when only skeletons and putrefaction remained.

The Khmers Rouges then began to look for the families of the officers they had killed and for the families of those who had fled to Thailand.

E/CN.4/Sub.2/414/Add.6
page 8

Then they began a search to collect all the wives and children of the officers. They said to the wives: "Prepare your belongings to go and join your husbands who are studying the art of war at Angkor. You must not be separated any longer! There have been five years of war with all these separations, but now we are at peace. Angkar does not want the people to be unhappy, it does not want you to be separated from husbands and children. You must be united, to be happy together forever, for a happy life in the new Kampuchea". At the thought of their husbands and for love of their children, all the officers' wives were happy and had no idea that the revolutionary Angkar had killed their husbands. They trusted them implicitly, and prepared their belongings and their children. They assembled by villages and were taken to collect together at Chong Kal. Then they were taken to Phum Choeung Téan, 4 km south of Chong Kal, and from there to a place called Paoy Ta Maung, 2½ km south of Choeung Téan. On arrival there, they were killed, the officers' wives and their children, regardless of age, big and small, even the babies. Until 1977, the place was left so that there were three common graves side by side, 10 metres from each other, 2½ metres square. Four pairs of women's shoes were left on the graves to mark them.

Then, still at Chong Kal, they made a plan to seek out the non-commissioned officers, arresting them one after the other and imprisoning a large number in a secret place called a "security building" (Santesok). Among them were Sergeants CHHOT, HAO and SARUDEUNG, whom I knew.

1976

The Khmers Rouges had another extermination plan, according to curricula vitae that they examined: soldiers and officials of all services whose curricula did not conform with their régime were to be eliminated at any cost. There was a man I knew, a peasant called SUM, of Chong Kal village. When he was coming back from lifting fish traps in the river 5 km from the village, he was accused of being an enemy and consorting with the enemy. During the evening meal they surrounded his house and arrested him. They took him to a secret place, interrogated him with torture, put irons on his hands and feet and left him bound in the prison. In the morning they took out Ta Sum and organized a meeting which he attended with hands and feet in irons and chains round his neck. They made him sit down in the middle of the crowd, which listened to the loud accusations against him by the head of the Khmers Rouges. The whole assembly was surrounded by armed Khmers Rouges, waiting to avoid any disturbance. The meeting finally condemned Ta Sum. Five Khmers Rouges and their leader led him out of the village of Chong Kal still bound; they slung him over a bicycle like a pig and crossed the village towards the south between the villages of Chong Kal and Phum Choeung Téan, about 2 km away, where there is a forest called Prey Russey. They killed Ta Sum on the east side of the road in a bamboo thicket and put three bamboo branches on his grave.

Then there was Ta SUOEUN, in the village of Prey Thon, in the Sangkat of Chong Kal, and CHUOEUN from the village of Chong Kal. These two people had simply spoken of a dream they had had, in which a flight of vultures had landed quite close and a flight of crows had all died. As soon as they had recounted this, the Khmers Rouges arrested them both and put them in the "security building" (prison), accusing them of being traitors and enemies. Ta SUOEUN died of starvation in prison, but CHUOEUN succeeded in breaking his bonds and fled to Thailand.

MEAS Van, a schoolboy in the third grade at the Chong Kal school, and PEK Yéan, soldier, were both members of the "mobile forces" of the srok. Being hungry - as life in the mobile forces was very hard - they went to look for fish and frogs during the night. They did not go further than 10 or 15 metres from the camp, but were accused of being in touch with the enemy and with the CIA. They were imprisoned until 1977. MEAS Van died of malnutrition and disease in prison, while PEK Yéan managed to escape to Thailand.

YEAN, a girl from the village of Chong Kal, had quarrelled with her husband. They arrested and imprisoned her and then killed her in the forest 2½ km east of the village of Choeng Téan.

SOEUNG ENG (soldier) and SOEUNG EL (peasant) living in Phum Ampel, Sangkat Pongro, Srok Chong Kal, fell ill and stopped work for five days. They were accused of being enemies seeking freedom and revolt. The two brothers were arrested and imprisoned without food, being forced to do hard labour, until 1977, when they died.

1977

Owing to the internal division of members of the Party in the northern region and in the country, the situation became increasingly tense. Officials from other regions came to arrest such officials of the northern region as THOUCH, SOTH, SIEN, SENG, SAT, HIEN and PEUOU. Then they arrested the Kanaks and vice-chairmen of the Srok, one after the other, such as DIP, NO, TEM, RY, SONG and DAM.

Then they told us to draw up our curricula vitae, even the communists, in order to seek out enemies with a view to building a new society.

One day they called out two young members of the mobile forces, CHEA (peasant) and CHAMREUN (former teacher). They said that it was to take them to a meeting, but in fact they killed them at Kaul Robas, 1½ km east of the village of Chong Kal. As they were not properly buried, wild dogs dragged them from their graves, and their hair and shreds of their clothing were found in the rice fields.

E/CN.4/Sub.2/414/Add.6

page 10

Then they seized LU (peasant) and SOPHAT (schoolboy), who were in the mobile forces and shut them up in the temple of the Chong Kal pagoda. They slashed their bodies when interrogating them and then clubbed them to death at Kauk Phnéas, more than 1 km north of Chong Kal. Their grave is in the middle of the rice field and we saw a broken barrow handle covered with blood, a fragment of a scalp and hair still sticking to it, by a tree near the grave.

Then they seized HAING (soldier) and CHAM (peasant girl) from Choeung Téan and accused them of having given rice to the enemy. They took them to the Chong Kal prison and then clubbed them to death near Prey Russey, 2 km north of Chong Kal.

Sometimes they caught one person, sometimes two, and these people disappeared. We presume that they had been killed. Everyone lived in terror. They had disclosed a secret plan: "During 1977 the country must be cleared of all soldiers (with five days' service and more), officials of all services, intellectuals and students". They also added: "Old people born long ago know the culture, civilization and various customs of the former society. They must not be kept alive! We must keep only the children who do not know any society but the new one! They are easier to guide and educate for progress".

Thus, we were all living in fear.

Signed:

E/CN.4/Sub.2/414/Add.6
page 11

No. 4

Age: 23

Occupation: Peasant

Place: Chong Kal Srok, Oddar Méan Chhey Province

Date of flight: 29 April 1977

In 1973, his native village of Choeung Tien had already been taken by the Khmers Rouges. He fled with his parents and then went back. That presented no problem at the time.

"There is no freedom: husbands and wives do not live together, husband, wife and children are all separated. Sometimes they see each other after 1½ or 2 months. Those who ask to see each other must bear the consequences [NOTE: they will be liable to punishment]. A husband and wife may sometimes meet after the task assigned to them is completed.

There is no right of complaint.

Early in 1977, the villagers were collected to eat together in one place; everything was pooled - cattle, buffaloes, barrows. 140 families eat together. Working hours are from 6 a.m. to 10 p.m.

Early in 1977 the régime changed making way for a new, even more ferocious stage. I have seen executions with my own eyes, as my house was near the prison ("kanlaeng santesok") east of the village. I saw people when they were being bound, for instance THAN, SMAEU, CHAM, HAINC, PHLU, SOUR, NAN and NAT. They were all peasants but had been accused of giving rice to "the enemy" or of being "in cahoots" with the enemy. I saw many others who were killed, but I was frightened and I did not know their names. It was impossible to count them all. The prison was surrounded by a very close bamboo fence. There were bars to which prisoners were tied so that they could not lie down but could only sit. They did basket work during the day. There were about 50 people.

In early 1977 the village and district officials were arrested, up to the Kanak of the Damban. They were assembled and told that behind the lines it was no longer necessary to be armed, since that made work difficult. They laid down their arms and were then arrested one after the other. It was known that they had been killed, because the new lot said that the old ones were traitors and revisionists. As for their wives and children, they were deported south with the rest of the population. The new lot freed people from prison and then killed them.

Signed:

E/CN.4/Sub.2/414/Add.6
page 12

No. 5

LEM DEN

Age: 26

Occupation: Son of an average peasant, then major in the revolutionary army

Place: Oddar Méan Chhey

Date of flight: 23 June 1977

Joined the revolutionary army in 1972, became a party member in 1973. Went to fight in 1974. After being captain of the 1st Company of Battalion 905, he became its major, with Langn and Votch as assistants. In January 1977, was in charge of Battalion No. 35, at Phum Kauk Khmous, Srok Samrong, Oddar Méan Chhey.

"Towards the end of February 1977, the situation changed in Damban 106, i.e. in Siemréap and Oddar Méan Chhey. People from Phnom Penh arrested many officials:

comrade <u>SOTH,</u>	secretary of the Damban;
<u>HIEN,</u>	deputy secretary;
<u>BENG, SIEN, SUN,</u>	members.

In the army:

comrades <u>POL,</u>	general (prathien kang pol)
<u>HUON,</u>	lieutenant general
<u>PENG,</u>	regimental chairman (prathien vora senathom)
<u>SUN,</u>	regimental chairman
<u>CHHIENG, LIM, THUON,</u>	regimental chairmen
<u>VOCHTOU, SAOM,</u>	deputy battalion commanders (vorasematouck)
<u>SAN, SIM, RET,</u>	battalion commanders.

In the provincial administration:

<u>TEM,</u>	committee chairman of Srok Ampel
<u>NOUR,</u>	committee chairman of Srok Khnong Koal
<u>RONG,</u>	committee chairman of Srok Anlong Veng
<u>DIP,</u>	committee chairman of Srok Samrong
<u>NY,</u>	committee vice-chairman of Srok Ampel

E/CN.4/Sub.2/414/Add.6
page 13

<u>SUOEUM,</u>	headman of Khum Ampel
<u>SUOR,</u>	headman of Khum Meng
<u>CHUM,</u>	headman of Khum Suv Laok
<u>MINEAS</u> (?),	headman of Khum Kauk Mon
<u>CHHENG,</u>	headman of Khum Sy Liem
<u>SUN,</u>	headman of Khum Kou
<u>VAT,</u>	chairman of the Srok kang chalats

Many ordinary people were also arrested and killed, after being accused of plotting a coup d'etat to overthrow the régime. Anyone committing the slightest offence is killed: thus, my wife, my father and my two younger brothers were put to death."