

Women's Hearing

True Voices of Women under the Khmer Rouge

**Report on the Proceedings of the 2011
Women's Hearing on Sexual Violence
Under the Khmer Rouge Regime**



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CAMBODIAN DEFENDERS PROJECT

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Cambodian Defenders Project

As one of Cambodia's oldest civil society organizations, Cambodian Defenders Project (CDP) is dedicated to providing free legal representation to the poor and vulnerable as well as promoting the rule of law, development of the judiciary and democratic governance in Cambodia. CDP took a relatively early interest in the issue of gender-based violence under the Khmer Rouge, producing the first focused research study on the topic in 2006.

Project on Gender-Based Violence During the Khmer Rouge Regime

The Project on Gender-Based Violence During the Khmer Rouge Regime (GBV Project) was founded in 2009 by CDP and aims to involve survivors of gender-based violence during the Khmer Rouge regime in the current transitional justice process. The GBV Project does this through a wide variety of advocacy, outreach and direct assistance initiatives. From 2012 onward, the scope of the GBV Project will expand from a focus on gender-based violence to include women survivors in general, with the goal of involving them in all aspects of the transitional justice process.

Acknowledgements

Many people came together to make the Women's Hearing a reality. Without the support and assistance of the following people, this initiative would not have been possible:

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Nancee Bright, Chief of Staff of the Office of the United Nations Special Representative to the Secretary-General on Sexual Violence in Conflict who represented the Office of the SRSG and gave opening remarks on the international significance of the Women's Hearing;

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Finally we would like to express our heartfelt gratitude and respect for Leang Korn, Preap Phin, Kong Vanna, and Net Savoien for sharing their stories at the Hearing. Their courage is truly inspiring.

**Dedicated to the victims who have died without ever seeing justice
or having a chance to tell their story.**

Foreword

Tragically, rape and other sexual and gender-based violations are widespread in times of conflict, and Cambodia is no exception. During Khmer Rouge rule sexual relations between unmarried couples was outlawed, with the possibility of both parties being executed if discovered. This was one of the ways in which the Khmer Rouge sought to control the people of Cambodia. The existence of this rule against sexual relations (which also mentions rape) has led many Cambodian people to believe that rape and other sexual crimes were rare. The consequent logic is that if rape and other sexual crimes actually did occur then both people were probably executed. In fact, rape and other sexual crimes were committed widely and with impunity.

When it was first proposed that Cambodian Defenders Project should do research to investigate the prevalence of sexual violence during the Khmer Rouge I thought that they could attempt the study, but that they wouldn't find any survivors to speak of sexual violence. To my surprise, the study proved that rape and other sexual crimes did occur, there are still survivors, and some of them wanted to speak out and break the silence around these crimes.

The aim of the Women's Hearing was to provide a forum for the survivors of sexual violence during the Khmer Rouge period to tell their stories and contribute to creating an accurate historical record of the crimes perpetrated under Khmer Rouge rule.

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In order to secure a future in Cambodia that is free from violence we must break the silence and impunity surrounding sexual violence during the Khmer Rouge period. Margot Wallström, United Nations Special Representative to the Secretary-General on Sexual Violence in Conflict, recently stressed this point in her address to the United Nations Security Council on conflict-related sexual violence: "... the history of rape has been a history of denial ... every speaker who adds their voice to this debate is helping to end centuries of silence that have made rape an effective 'secret weapon'". Therefore, we must "give rape a history, in order to deny it a future".

The courageous women and men who spoke at the Women's Hearing broke over 30 years of silence and did so in the context of a society that more often blames, shames and stigmatizes the victim of sexual violence than it delivers justice. Their courage has put sexual violence during Khmer Rouge rule on the national and international agenda and we give our thanks and respect to these inspiring people.

Sok Sam Oeun
Executive Director
Cambodian Defenders Project

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Introduction

In 2006, Cambodian Defenders Project (CDP) undertook the first ever research project focused on gender-based violence during the Khmer Rouge rule of April 1975 to January 1979. The project sought to reveal the truth about the prevalence of gender-based violence during the Khmer Rouge rule and, in doing so, uncovered a hidden part of Cambodian history – that rape and other sexual crimes occurred widely under the Khmer Rouge and that there are survivors of these crimes still alive today.

Through this research project CDP worked with survivors and witnesses of sexual violence who wanted to reveal the truth about what had happened during Khmer Rouge rule. From this grew the idea to convene a truth-telling forum on sexual violence during the Khmer Rouge.

True Voices of Women under the Khmer Rouge Regime was Cambodia's first truth-telling forum focused on women's experience of the Khmer Rouge and the first opportunity for women to publicly speak out about their experiences of sexual violence during this period. By documenting the Hearing through this report we hope that the experiences of those who testified at the Hearing are included in the historical account of the atrocities committed by the Khmer Rouge and that the recommendations from the panellists are given due consideration.

Proceedings of the Women's Hearing

On 7 and 8 December 2011, the Cambodian Defenders Project (CDP) convened the first Women's Hearing in Cambodia: *True Voices of Women under the Khmer Rouge Regime on Sexual Violence* at the Ecumenical Diakonia Centre in Phnom Penh, Cambodia.

The Women's Hearing (the Hearing) was established to hear women's experiences of sexual violence during the Khmer Rouge regime. Survivors of gender-based violence during the Democratic Kampuchea period have had great difficulties accessing justice and few opportunities to have their stories heard. The Hearing was the first truth-telling forum on sexual violence during the Khmer Rouge regime. As such, it complemented the truth-seeking efforts of the war crimes tribunal, the Extraordinary Chambers in the Courts of Cambodia (ECCC), and ensured that sexual violence was included in the historical account of atrocities committed by the Khmer Rouge. The Hearing provided survivors with access to transitional justice measures that they had not previously had access to.

The Hearing was open to the public and was attended by representatives from United Nations (UN) agencies, international and local non-government organizations (NGOs), female Civil Parties and students.

Distinguished guest speaker, Nancee Bright, Chief of Staff of the Office of the United Nations Special Representative to the Secretary-General on Sexual Violence in Conflict, opened the hearing by stressing the relevant United Nations Security Council Resolutions (UN SCR), including UN SCR 1325, UN SCR 1820, UN SCR 1888, UN SCR 1889 and UN SCR 1960, as part of the international framework to end impunity for sexual violence in times of war and conflict.

A panel of distinguished national and international human rights activists presided over the Hearing: Vichuta Ly (Cambodia), Manavy Chim (Cambodia), Heisoo Shin (South Korea) and Sylvia Marcos (Mexico). Through their deliberations the panel examined women's experiences of sexual violence as part of the whole range of atrocities committed against the civilian population by the Khmer Rouge regime from April 1975 to January 1979. Over the two days, the panel heard firsthand accounts of sexual violence from survivors and witnesses and was presented with expert testimonies on the Khmer Rouge. Historian Sombo Manara gave a historical background on the Khmer Rouge regime and life for civilians during this period; researcher Kasumi Nakagawa gave evidence on the extent, circumstances and actors of sexual violence during Khmer Rouge rule, and Silke Studzinsky, Civil Party Lawyer before the ECCC, gave an analysis of applicable laws and legal issues in prosecuting sexual crimes.

The panel heard firsthand accounts from two witnesses of sexual crimes, Ms. Preap Phin and Mr. Kong Vanna, and two survivors of gang rape, Ms. Leang Korn and Ms. Net Savoem. The panel was expected to hear a fifth testimony from another survivor on her experiences of sexual violence during the Khmer Rouge. She had never spoken of this before and she was very much looking forward to breaking her silence. Tragically however, she passed away shortly before the Hearing. The Hearing was dedicated to her and to the countless other victims who have died without ever seeing justice or having a chance to tell their story. Her story follows the testifiers' stories.

Based on the testimonies and evidence provided at the Hearing, the panel issued and publicly announced their findings and recommendations.

Background

Cambodia's Dark History

Based on testimony from Dr. Sombo Manara.¹

On 17 April 1975 the liberation force, the Khmer Rouge, arrived in Phnom Penh city declaring that it was the end of the civil war. People gathered in the streets cheering and welcoming the soldiers. A few hours after the arrival of the liberation force the shooting began. The soldiers convinced people to evacuate by using intimidation methods and claiming that the United States would imminently bomb Phnom Penh again. People were told that they were only leaving their homes for three days. No one ever imagined that the three days would turn into three years, eight months and twenty days, and that during this time they would be forced to endure such suffering.

The Khmer Rouge was a violent, totalitarian regime that ruled the country from April 1975 to January 1979. The objective of this revolutionary regime was to build a new Cambodia: an agrarian-based, classless society based on communist ideology. Currency, private ownership of property, independent livelihoods, unapproved sexual relations and family were all outlawed.² Instead, the population was put to work farming and building infrastructure to support the goals of the Khmer Rouge. This period was characterized by deprivation: deprivation of food and basic necessities; deprivation of rights, even the most basic of human rights; deprivation of rest and medical treatment; and deprivation of family and human relationships. The population endured forced transfer and evacuation; forced labor; imprisonment; forced marriage; and systemic violence including brutal beatings, torture, mutilation and executions. People were

absolute slaves. They lived in fear of death and in a constant state of suffering. It is estimated that around 1.7 million people died during this period.

While this history is well known in Cambodia today, what remains hidden is the widespread sexual violence endured by Cambodian women during this period.

The Hidden Truth: Sexual Violence during Khmer Rouge Rule

Based on testimony from Kasumi Nakagawa.³

More than 30 years have passed since Khmer Rouge rule, yet sexual violence during this time remains shrouded with silence and impunity.

Both men and women suffered extensively during Khmer Rouge rule and one person's experience should not be compared to another. However, it should also be acknowledged that women had additional burdens to bear just because they were women. In times of conflict such as during Khmer Rouge rule, women live in constant fear of being subjected to sexual abuse, simply because they are women. Threat or reality of sexual violence, specifically rape, was part of everyday life for women during the Khmer Rouge. Everyone knew that sexual violence was a reality of life under Khmer Rouge rule, not just those that directly witnessed or experienced it. Women and girls were subjected to widespread and systematic sexual violence, including rape prior to execution; rape as an instrument of torture; rape through forced marriage; rape over an extended period of time; gang rapes with multiple perpetrators and mass rapes of multiple

¹ Sombo Manara. 2011. Expert testimony presented at Women's Hearing: True Voices of Women under the Khmer Rouge Regime. Phnom Penh. 7 December.

² Katrina Natale. 2011. I Could Feel My Soul Flying Away From My Body: A Study on Gender-Based Violence during Democratic Kampuchea in Battambang and Svay Rieng Provinces. P. 15. Phnom Penh: CDP.

³ Kasumi Nakagawa. 2011. Expert testimony presented at Women's Hearing: True Voices of Women under the Khmer Rouge Regime. Phnom Penh. 7 December.

victims; sexual mutilation; forced nudity; and threat of rape.

It is also acknowledged that sexual crimes were most definitely also committed against men during this time. With the exception of one research on men having sex with men where 20 interviewees were questioned and reported cases of sexual abuses under the Khmer Rouge, so far no further information is available to the extent males were subjected to sexual violence. The Khmer Rouge did not address sexual violence/sexual relationships between the same sex at all.

Another key difference between the suffering of women and men during conflict in the Cambodian context is the psychological stress daughters endured from having to take care of their parents. In Cambodian tradition boys have an obligation to the family but it is women who bear the most responsibility in caring for their parents. During the Khmer Rouge, when everyone was suffering, including elderly parents who endured hunger or sickness, the society imposed a higher burden on daughters to take care of their parents. While suffering themselves, women also endured the psychological stress of feeling responsible for their parents. It is reported that for this reason some women agreed to have sex with Khmer Rouge soldiers in exchange for food or medicine for their parents.

Sexual crimes are common to most if not all conflict contexts. However, in Cambodia, sexual violence was particularly widespread, largely because the perpetrators enjoyed impunity. The risk for perpetrators that they would be punished for sexually violent attacks on women and girls was very low, especially for those in power who were able to make a judgment on their own case. This created a cycle of violence because the perpetrators knew they could enjoy impunity. During Khmer Rouge rule there were no mechanisms for victims to make a complaint or seek justice: no police, no courts, no NGOs.

Survivors of sexual violence during Khmer Rouge rule are still plagued by psychological and physical symptoms of their

trauma, yet many people in Cambodia today, particularly younger generations, do not even know that these atrocities occurred. There are still people in Cambodian society that want to avoid talking about sexual violence during the Khmer Rouge.

Most survivors of sexual crimes have been silent about their suffering for over 30 years. To identify yourself as a survivor of sexual violence, particularly rape, in Cambodia is to risk being blamed, stigmatized and discriminated against as well as shaming your family. The testifiers at the Women's Hearing broke 30 years of silence to share their stories and have their experiences and suffering acknowledged and validated.

Access to Justice

Based on testimony of Silke Studzinsky.⁴

The sexual violence reported by the victims and witnesses that testified at the Women's Hearing undoubtedly constitute crimes under national and international law and also violate numerous international agreements. The victims of these crimes, however, are unlikely to see justice. At the domestic level, felonies including sexual crimes are time-barred. The window to prosecute these crimes closed ten years after the crimes were committed, meaning that the victims have no legal recourse in Cambodian courts.

In 1997 the Cambodian government approached the United Nations for assistance in setting up a special trial to prosecute the senior leaders of the Khmer Rouge. After long negotiations between the United Nations and the Royal Government of Cambodia an agreement was reached to prosecute the senior leaders and those most responsible for the crimes committed during Democratic Kampuchea under a mixture of national and international law.

The hybrid court created from this agreement is called the Extraordinary Chambers in the Courts of Cambodia (ECCC). The ECCC's mandate is to *"bring to trial senior leaders of Democratic Kampuchea and those who were most responsible*

⁴ Silke Studzinsky. 2011. Expert testimony presented at Women's Hearing: True Voices of Women under the Khmer Rouge Regime. Phnom Penh. 8 December.

*for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia, that were committed during the period from 17 April 1975 to 6 January 1979".*⁵

In principle, there is scope to prosecute rape and other sexual crimes at the ECCC under national and international laws. In practice however, this process is more convoluted. Sexual crimes in their own right are not included as national crimes in the ECCC law, so for sexual crimes to be prosecuted they would need to be subsumed under the crime of torture. Regarding international law, the prosecution of rape under 'crimes against humanity' was specifically provided for in the ECCC law. The Pre-Trial Chamber however, granted the Defense's request to cross out rape as a listed crime under 'crimes against humanity' from the Closing Order. This decision can be reversed at any time, but as it stands, sexual crimes can only be prosecuted as enslavement and torture and 'other inhumane acts'.

The ECCC has commenced two cases so far. In the first case, one count of rape as a crime against humanity was brought against the defendant and charged. In the case currently before the ECCC it was noted that the evidence had *"established that under the Democratic Kampuchea regime crimes against humanity of rape were committed in diverse circumstances..."*⁶ However, rape was excluded from the initial indictment on the basis that the *"official CPK [Khmer Rouge] policy regarding rape was to prevent its occurrence and to punish the perpetrators"*.⁷ This is derived from the Khmer Rouge's "Twelve Codes of Conduct of the

Combatants", which expressly prohibited the abuse of women, including forcing a woman to have sex or having sex with a woman who is not your wife.⁸ Due to the existence of this policy, it is expressly stated in the Closing Order that *"it cannot be considered that rape was one of the crimes used by the CPK [Khmer Rouge] leaders to implement the common purpose"*.⁹

Studies into sexual violence in Democratic Kampuchea suggest that while the policy may have resulted in the punishment of some individuals, it did not prevent the occurrence of widespread sexual violence in Democratic Kampuchea¹⁰, with the vast majority of instances left unpunished, many with the knowledge of authorities. Further, there is evidence, including that which is currently before the Trial Chamber of the ECCC, that establishes that *"sexual violence was widespread and an integral component in the Khmer Rouge policy against the enemy, that authorities were aware of its occurrence and that such violence was carried out with impunity"*.¹¹

It is important to note that all sexual relations outside of marriage were prohibited under Code Number Six and classified as immoral acts. In the case of both consensual and nonconsensual relations, both parties were subject to punishment. This suggests that Code Number Six was less concerned with protecting women from sexual violence by state actors and more to do with regulating sexual activity as a means of subordinating human relations to the aims of the revolution.¹²

⁵ Law on the establishment of the Extraordinary Chambers in the Courts of Cambodia for the prosecution of crimes committed during the period of Democratic Kampuchea. 2004. Retrieved from http://www.eccc.gov.kh/sites/default/files/legal-documents/KR_Law_as_amended_27_Oct_2004_Eng.pdf

⁶ Extraordinary Chambers in the Courts of Cambodia. 2010. Closing Order. P. 351. Retrieved from <http://www.eccc.gov.kh/sites/default/files/documents/courtdoc/D427Eng.pdf>

⁷ Extraordinary Chambers in the Courts of Cambodia. 2010. Closing Order. P. 351. Retrieved from <http://www.eccc.gov.kh/sites/default/files/documents/courtdoc/D427Eng.pdf>

⁸ Y. Chhang. 2001. 'The 6th Code of Conduct', in Searching for the Truth. 15. <http://d.dccam.org/Projects/Magazines/Previous%20Englis/Issue15.pdf>, cited in Katrina Natale. 2011 I Could Feel My Soul Flying Away From My Body: A Study on Gender-Based Violence during Democratic Kampuchea in Battambang and Svay Rieng Provinces. P. 39. Phnom Penh: CDP.

⁹ Extraordinary Chambers in the Courts of Cambodia. 2010. Closing Order. P. 351. Retrieved from <http://www.eccc.gov.kh/sites/default/files/documents/courtdoc/D427Eng.pdf>

¹⁰ Katrina Natale. 2011. I Could Feel My Soul Flying Away From My Body: A Study on Gender-Based Violence during Democratic Kampuchea in Battambang and Svay Rieng Provinces. P. 39. Phnom Penh: CDP.

¹¹ Theresa de Langis & Silke Studzinsky. 2012. The ECCC, Sexual Crimes, and the Cambodian Women's Hearing. Prepublication.

¹² Theresa de Langis & Silke Studzinsky. 2012. The ECCC, Sexual Crimes, and the Cambodian Women's Hearing. Prepublication.

Testimonies

Here are the stories of the testifiers who courageously shared their experiences at the Women's Hearing and ended over 30 years of silence:



"I was a witness. It was inhumane. It was brutal. All of the men raped her and it made me feel nothing in my life anymore."

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Kong Vanna is 54 years old and today he is a farmer in Prey Veng Province. He is married with three sons. He had eleven siblings, but only four are still alive after the Khmer Rouge. In 1978, Mr. Vanna witnessed the gang rape and murder of his sister, Gung Somon (23 years old).

Mr. Vanna lived in the district of Kang Loe during the rule of the Khmer Rouge where he farmed, watched water buffalos and drove carts as directed by the regime. In 1978, shortly after a sister and brother of his were killed by the Khmer Rouge, a local militant¹³ came to his house to call his older sister, Gung Somon, for a meeting. Mr. Vanna was concerned for his sister and requested permission to accompany her to the meeting. On the way they were met by two men who ordered Mr. Vanna to leave, however he secretly followed his sister and the men to the meeting. Mr. Vanna witnessed the men lead his sister into a Pagoda, where four men were waiting. Mr. Vanna peered through an open window and recognized the men in the Pagoda with his sister. One man ordered his sister to take off her clothes. His sister refused. He then watched, from a few meters away, as the four

men tore off her clothes and consecutively raped his sister. Mr. Vanna was terrified, but he was ready to go inside to help her. The only thing that stopped him was that he knew the fate of his younger siblings and his mother if he did.

Fearful of being caught and unable to cope with watching the rape of his sister, Mr. Vanna moved further away. From his new position, Mr. Vanna could only hear the sound of his sister crying as if they were beating her. When he could no longer hear her cry he knew they had killed her.

Mr. Vanna immediately returned home to bring the news to his mother. His mother fainted and became sick until she passed away some time later. Three days later, Mr. Vanna returned to the place of the rape and discovered the burial site. He knew it was where they had buried his sister when he found a tree trunk with blood stains, his sister's underwear and necklace nearby, and her arms and legs protruding from the ground.

"I saw the stain of her blood on the ground from where she was dragged."

¹³ Local militants, known as Chhloubs in Cambodia, refers to Khmer Rouge soldiers living in villages to control the community and spy on and report civilians suspected of being spies against the regime.

"Those who tortured me, violated me, raped me, I call them inhuman."

Leang Korn is 53 years old and lives in Koh Kong Province where she runs a small business from her home. During Khmer Rouge rule Ms. Korn was raped and sexually assaulted numerous times.

During Khmer Rouge rule, Ms. Korn lived in Kampot Province where she farmed, dug canals and cared for other women's babies. In 1975, when Ms. Korn was six months pregnant, her husband was accused of being a spy and was arrested and killed by the Khmer Rouge.

In 1977, Ms. Korn was sent to a meeting with the Commune Chief. Before the Commune Chief interrogated her about her husband, she was ordered to undo the buttons on her shirt. Fearful of refusing, Ms. Korn complied. The interrogation was interrupted by the Village Chief who brought in a young girl accused of stealing. Ms. Korn was released and as she left she heard the girl scream and plead for them not to hurt her.

Early in 1979, Ms. Korn was sent to Kep to work and after a short time moved again to Okrsa. Shortly after arriving in Okrsa, a local militant aged around 15 years old came to tell Ms. Korn that his boss has ordered her to meet with him. Ms. Korn followed the boy into a forest where his boss and other men were waiting. She was accused of being a spy's wife and escaping her cooperative. She denied their accusations but they immediately began to beat her. The more she resisted and fought back the more they beat her. They tore off her clothes and the 15 year old boy held down her arms and legs and three men took turns to rape her. Ms. Korn lost consciousness and does not know what happened after that, including if she was raped or abused while unconscious.

"I just wanted to raise my head but my head was kicked down."



A few days later Ms. Korn was ordered to go back to Damnag Jangey. When she arrived she was called to a meeting along with three other women. Along the way, Ms. Korn got caught in a string along the ground and fell over. She was reproached and beaten by a local militant for not looking where she was walking. She was then dragged into the forest by a group of men. The men tore apart her shirt, took off her trousers, pressed down her hands and stepped on her legs. She did not dare to resist or fight back for fear of being beaten more. She was raped by three men before losing consciousness. When she regained consciousness her vagina was bleeding and she felt as though she could have been raped with an object.

"Then they just took turns to rape me. I was raped until I became unconscious again in that forest."

A few months later Ms. Korn discovered that she was pregnant. She was fearful of her reputation and how her parents would react so she hid the pregnancy. She tried to commit suicide but was unable to. When she delivered a baby boy her family and the village all knew what had happened. She was constantly shamed by the people in the village for returning and for not killing herself. Seven days after the delivery her baby died. Later on, Ms. Korn decided to leave the village and her family to escape the reactions of the villagers.

"I felt the moving body inside of me. I was so shocked ... I really wanted to die ... My reputation was no more. I tried three attempts to commit suicide but I couldn't do it."



"We were ordered to stand in a circle around a ditch – a mass grave."

Net Savoen is 51 years old and today she is a farmer in Svay Rieng Province and has three children. Ms. Savoen is the sole survivor of 30 women who were taken into the forest to be raped and killed by the Khmer Rouge.

During Khmer Rouge rule Ms. Savoen lived in Svay Rieng where, as a member of the women's mobile unit, she farmed the rice fields, carried earth and dug canals. In 1978, Ms. Savoen was sent to Pursat Province where she was put to work to build a reservoir.

One evening in 1979, Ms. Savoen was among 30 women who were selected for their strength to carry large sacks of salt from the forest back to the village. The group was led into the forest by ten local militants, aged around 17 or 18 years old. While walking through the forest the men stopped and tied up the women. Some women were crying and resisted but they were beaten until they complied. They kept walking until they came to a big hole dug in the ground; a mass grave. The men stopped and ordered the women to stand in a circle around the grave.

The men grabbed the women one by one, tore off their clothes, beat them and raped them. Once a woman had been raped by

at least two men, they beat her with an axe and finally cut her throat and pushed her into the ditch. Some women were raped by three to four men before they were killed.

Ms. Savoen was the last person alive. She was paralyzed with fear. She was beaten and cut with a knife many times. The men raped her with the knife and verbally tormented her. She was raped by two men and hit in the head with an axe three times before she lost consciousness. When she regained consciousness she was in a ditch surrounded by the bodies of the other 29 women. She was naked, bleeding heavily and barely alive. She checked among the other women to try to find survivors but they were all dead. She found some clothing to clean and cover herself and then began walking. After walking for a while she heard noises of chickens and people and she kept walking until she found her mother. Fearful of what would happen to her mother if she was found living there, Ms. Savoen decided to leave and started walking again. She found her way to another village and the people there helped her to recover from her injuries. Around 15 days later the Vietnamese troops marched in.

"I was thrown into that hole, full of the blood from the 29 women dumped there before me."

"The perpetrators were brutal. Inhuman."

Preap Phin is 45 years old and today she is a farmer in Svay Rieng Province. She is married with four children. Ms. Phin witnessed the gang rape and murder of a woman and the murder of a pregnant woman.

When the Khmer Rouge took over Ms. Phin was separated from her family and assigned to a children's mobile unit in Prey Veng Province. She did not see her parents and siblings again. In the children's unit she was ordered by the Unit Chief to herd the cows, dig canals and harvest rice.

When she was herding cows, an elderly woman brought her daughter, aged about 16 years old, to her unit and asked Ms. Phin to take care of her daughter for a few nights. The girls tended the cows together. One day the girls went into the forest to collect bamboo leaves for the cows because there was not enough grass. The girls were approached by two local militants, who offered them new shoes if they followed. Ms. Phin resisted but the men threatened to rape her if she did not follow. Ms. Phin knew one of the men, he was friends with her brother. They were led into the forest and the men grabbed her friend, tore off her clothes and one of the men raped her. Ms. Phin was forced to watch for 15 minutes as they raped her friend. Before the man was finished raping her friend, the other militant gave Ms. Phin a signal to run and escape. Ms. Phin ran and as she ran she heard the screams of her friend as they beat her. She never saw her friend again.

Ms. Phin went to visit her mother and told her what happened. Her mother begged her to stay silent to protect herself.



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Towards the end of the Khmer Rouge regime, she saw another incident in Prey Veng Province. When she went to pick tamarind fruits not far from the village, Ms. Phin saw two men, both wearing Khmer Rouge uniforms and carrying guns, running after a woman, who was visibly pregnant and screaming for help. But no one helped her. The two men caught her and beat her and dragged her into a water hole. They beat her to death with their guns and dragged her body away.

"I can never forget ... it is always there in front of me."

The Fifth Testifier

As mentioned earlier, tragically this testifier died shortly before the Hearing. While her story will be told, we will keep her identity hidden because she had not revealed her experience to anyone but CDP before her death. She will be referred to as Ming, the Cambodian word for Aunty.

Ming passed away at 55 years old in 2011. She was a widow with one daughter. Ming was born in Svey Rieng Province and she continued to live there during the Khmer Rouge regime. She was a trained midwife and so was ordered to work in the hospital during Khmer Rouge rule.

Through her work, Ming knew of and witnessed many atrocities. She treated a 15 year old girl who had been raped and tragically died shortly after. She discovered the bodies

of around 15 women who had their sexual organs mutilated before they were killed. She witnessed the Khmer Rouge kill four people by cutting their tongues out and cutting their throats. She also heard the screams of her fiancé as he was tortured to death.

Ming was also a survivor of sexual violence. One day at around 5pm Ming was taking a bath when a man called out to her. She replied and asked the man to wait, but the man, a local militant, came in, grabbed her and pulled her out of the bath. The man dragged her to a banana garden where four men were waiting. They held her down by the head and hands and one by one they raped her. Some of them wanted to kill her, but one man decided that they should not kill her so that they could use her again.

Story of Survival

"It [the pain] is unbearable and indescribable."

The effects of the trauma experienced by survivors are ongoing. In addition to experiencing physical and psychological symptoms of their trauma, survivors of sexual crimes are often subjected to discrimination and stigmatized by their communities and families.

Leang Korn was stigmatized and ostracized by her community for being a rape victim and for giving birth to a child outside of marriage. Unable to cope with the shame, Ms. Korn attempted suicide many times. However, she was able to work hard and save up enough money to run away from her village. Leang Korn still suffers from trauma today, and it is especially hard for her that she had to run away from her family and community. However, Ms. Korn met with a counseling service and over time felt supported and encouraged to speak about what happened to her, and one day she broke the silence and told her legal and psychological support team what she went through. She is now beginning to overcome her trauma. She feels lucky to have survived until today and is more relieved since speaking out about what happened to her. Ms. Korn is now motivated to tell her story so that the next generations know the truth about what happened during this time and so she can find justice.

For over 30 years Preap Phin has been afraid of talking about her experience and she is still frightened when she meets men. She decided she wanted to speak out at the Hearing so that it could be documented and younger generations would know the truth about what happened.

Kong Vanna still lives in the same village where his sister was raped. Two of the rapists are still alive and living in the same province as him. Most of the people living in his village talk about what happened to his sister because they don't know that he is her brother. Mr. Vanna felt angry and powerless and had not repeated the story since he told his mother the night his sister was raped and murdered. Mr. Vanna finds it particularly difficult to deal with his anger because he lives in the same village as two of the perpetrators and another one is working in a position of power in the same province. This reminds him every day of the lack of justice available to him. He is hopeless about ever finding justice for his sister.

Over time, Mr. Vanna came to realize that to advocate for anger or revenge, or to pretend it never happened has no benefit as these responses will cause even more pain. He then decided he wanted to speak out and tell the truth to get justice for his sister.

"I would sacrifice my life to find justice."

Net Savoien had kept her story secret for over 30 years. For 30 years she has suffered from physical and psychological symptoms of her trauma. She was unable to sleep and had severe headaches and chest pain. When she heard about the war crimes tribunal, the Extraordinary Chambers in the Courts in Cambodia, she hoped that speaking out would give her relief. Since talking about what happened to her and receiving counseling, Ms. Savoien feels some relief from her symptoms. She spoke at the Women's Hearing because she wants the world to know that her story is real; it happened to her and others during Khmer Rouge rule.

Messages from the Testifiers

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I would like to appeal to everyone to stop discriminating and having prejudices against people like me. I did not do this undignified act. I was a victim. I was raped.

– Leang Korn

I would like to beg you, men and women, please don't commit these kinds of sexual violence. Please consider if it happened to your mother, your sister, how you would suffer.

– Kong Vanna

Survivors of sexual violence need to break the silence and join together so people will know the truth about what happened during the Khmer Rouge regime and it will never happen again.

The public should stop discriminating against survivors of sexual violence. Instead, acknowledge their suffering and give them your support.

Men should not use violence.

The government should be preventing violence against women and the law should protect the victims.

Women need to take care of each other, take care of themselves and love themselves as they are.

Through its deliberations, the panel examined women's experiences of sexual violence as part of the whole range of atrocities allegedly committed against the civilian population by the Khmer Rouge regime from January 1975 to April 1979. The panel heard testimonies from women survivors and witnesses on sexual violence perpetrated in Democratic Kampuchea, including in today's provinces of Kampot, Pursat, Svay Rieng and Prey Veng. These testimonies were complemented by expert testimony on the background of the Khmer Rouge, the living conditions for women and the nature of sexual violence and the legal issues surrounding the prosecution of these crimes.

Before presenting the findings and their recommendations, the panel took a moment to reflect on the immense courage of the survivors and witnesses who broke the silence and spoke out about sexual violence during the Khmer Rouge.

FINDINGS

Based on the testimonies presented and the arguments offered, the panel issued the following findings:

On the contributing factors to sexual violence against women during the Khmer Rouge period:

1. There was a complete suspension of human rights and natural law during the rule of the Khmer Rouge.
2. State actors had total control over all aspects of women's and men's daily lives making them vulnerable to violence, including sexual violence.
3. The Khmer Rouge 'policy against the enemy', which purported the re-education, then punishment and finally eradication of the so called 'enemy' or 'bad elements', dehumanized those declared as an enemy. This made it possible for the Khmer Rouge to treat them in any way they determined, including using sexual violence. In all cases testified to, except for one which is non-conclusive, the evidence indicates that the victims were considered to be enemies or bad elements.
4. Perpetrators enjoyed impunity as they were rarely accused or convicted, and not punished for sexual crimes.
5. There were no mechanisms for victims to make a complaint of sexual crimes or any other crimes against the Khmer Rouge.

On patterns of sexual violence:

6. The women in Cambodia suffered numerous forms of sexual violence under the Khmer Rouge regime.
7. The rapes as described occurred in the context of broader human rights violations against the victims, including murder, beatings, arrests, forced labor, forced family separation, forced transfer and starvation.
8. The sexual violence suffered by women included the following acts:
 - a) systematic rape prior to execution;
 - b) sexual violence and rape as an instrument of torture to obtain information or a confession, or to intimidate, coerce or punish;
 - c) sexual violence involving repeated rape over an extended period of time, gang rapes with multiple perpetrators and mass rapes of multiple victims;

- d) sexual assault resulting in injury, possibly indicative of an object used in the rape;
- e) sexual mutilation;
- f) exchange of sex for medicine or food for their parents to fulfill their traditional obligations as daughters;
- g) forced nudity and threat of rape.

9. In all cases presented in the testimonies there was more than one perpetrator, and in all but one case the perpetrators either killed or attempted to kill the victim or victims.
10. Both perpetrators and victims included minors under the age of 18 years old.
11. Some of the perpetrators are still alive today, and at least one holds a position of power within a province.

On state accountability:

12. The perpetrators were of all levels within the Khmer Rouge, including senior, middle, and lower leaders as well as soldiers. The testimonies noted local militants, a Cooperative Chief and armed Khmer Rouge soldiers as perpetrators.
13. None of the perpetrators as described in the testimonies appear to have been held accountable for their crimes.
14. Sexual violence was an integral part of the Khmer Rouge's de facto enemy policy and, as such, it was not punished or prevented, and it could and should have been known by the most senior leadership of the Khmer Rouge regime who created and implemented the policy against the 'enemy'.
15. The Khmer Rouge's official policy on the prohibition of sexual relations, including both sexual violence against women and consensual sexual relationships between

men and women outside of marriage, did not serve as an effective prevention against sexual violence by local militants, soldiers and officials. The following contributed to the failure to prevent and punish sexual violence:

- a) the failure to prosecute and punish 'good revolutionaries' who were alleged perpetrators of sexual violence;
- b) the non-existence of a consequent and consistent implementation of the prohibition of sexual violence against women;
- c) the punishment of both people involved in cases of consensual relationships outside of marriage;
- d) the lack of an appropriate body or court to receive or adjudicate complaints.

16. Because sexual violence was so widespread during the Khmer Rouge period and the leaders of the Khmer Rouge failed to secure the safety of the citizens, Angkar, the synonym for the leaders of the Khmer Rouge, should be held accountable for the sexual crimes perpetrated under their leadership.

On impact on victims:

17. Survivors and witnesses of sexual violence suffer long-term trauma which includes psychological, physical and behavioral symptoms. Symptoms include:
- feeling shame, isolated and helpless;
 - experiencing headaches, chest pain, forgetting to eat, feeling confused, nightmares, and having trouble sleeping;
 - aggressive behavior, bad temper and excessive drinking;
 - depression.
18. The trauma experienced by survivors of sexual violence during the Khmer Rouge is unique, because:
- a) the trauma of survivors of sexual violence during

- the Khmer Rouge was compounded by the other abuses they experienced during that period;
- b) during the Khmer Rouge period survivors had no access to support and suffered from enforced silence;
 - c) survivors suffer from shame and fear – particularly fear of their story being revealed and then being ostracized by their family and community.

On demands of the survivors:

19. During this hearing we heard demands from the survivors for restitution for the suffering inflicted, including:
- a) full investigation, prosecution, conviction and sentencing for sexual crimes committed under the Khmer Rouge by the Extraordinary Chambers in the Courts of Cambodia (ECCC) as per its mandate and subject-matter jurisdiction;
 - b) full implementation of policies and laws to protect women from, and end impunity for, all forms of violence against women today;
 - c) assurances and action to ensure non-repetition of the atrocities of the Khmer Rouge period and a commitment to promote and protect the human rights of all;
 - d) more research to investigate and record an accurate historical record of the Khmer Rouge period and atrocities that includes sexual violence;
 - e) education curriculum in schools to teach the historical truth of this period for future generations;
 - f) memorialization, such as in monuments and stupas, to acknowledge, honor and recognize victims of sexual violence and of other abuses under the regime;
 - g) exposing the truth about the crimes that happened in the provinces and the atrocities that occurred throughout Democratic Kampuchea, not just in Toul Sleng and the Killing Fields;

- h) creating a record of the names of the victims of atrocities under the Khmer Rouge, including sexual violence.

On applicable international law and international standards:

20. The acts described in all testimonies constitute violations under numerous international agreements and are crimes under international law, including
- a) rape, torture and enslavement as crimes against humanity;
 - b) sexual violence as other inhumane acts under crimes against humanity;
 - c) sexual violence as a means of genocide, being the most aggravated type of crimes against humanity and included into the ECCC law, which makes direct reference to the Genocide Convention (ratified by Cambodia in 1950).
21. Although relevant international treaties were ratified by the Royal Government of Cambodia after 1979 and therefore after these crimes were committed, including most notably the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, entry into force 1981), the Convention on the Rights of the Child (CRC, entry into force 1990) and the Convention Against Torture (CAT, entry into force 1987) these conventions provide useful and universal benchmarks, a means of validation for witnesses of past atrocities, and a tool to prevent repetition of such acts in the future.
22. The United Nations' Women, Peace and Security Agenda, initiated in 2000 with the unanimous adoption by the UN SCR 1325 (2000) followed by UN SCR 1820 (2008) and UN SCR 1960 (2011), provides a framework for ensuring women's full participation in transitional justice so that their voices are heard, their experiences recognized, and their concerns addressed as a means of ensuring long-term peace with justice.

This should be considered by the ECCC and in all other transitional justice measures or reparations.

23. Internationally agreed policies and principles on preventing and remedying violence against women, including the 1993 Vienna Declaration and Program of Action, 1995 Beijing Declaration and Platform for Action and 1998 Rome Statute of International Criminal Court, are applicable in Cambodia.

RECOMMENDATIONS

Based on these findings of facts and law, the panel issues the following recommendations:

To the ECCC:

1. Investigate and prosecute sexual violence perpetrated by the Khmer Rouge.
 - a) After having severed case 002, include sexual crimes in the first trial and hold the accused liable under the enemy policy for sexual crimes outside of forced marriage to reflect the experience of the affected population.
 - b) In cases 003 and 004 investigate the extent, circumstances and actors of sexual violence as part of the conflict during this period and establish accountability for these violations under international criminal law, in particular as crimes against humanity, as war crimes and as genocide, and provide reparations as warranted. This is as per the mandate of the court to see justice for crimes committed between 17 April 1975 and 6 January 1979 under Khmer Rouge rule.
2. As mandated for the Victim Support Section under ECCC Internal Rules, develop and implement non-judicial mechanisms for transitional justice, including but not limited to reconciliation, memorialization and truth-seeking, to promote and support the recognition and inclusion of specific experiences of witnesses and survivors of sexual

violence under the Khmer Rouge period and ensure the needs of victims are included in gender-sensitive reparations, including provisions for healthcare, education, training, and school curriculums about the history of Khmer Rouge atrocities.

3. Enhance gender competence and sensitivity at the ECCC.

To the Royal Government of Cambodia:

1. As a sovereign state with an obligation to prevent all forms of violence against women including sexual crimes as per:
 - i. Article 45 of the Constitution of the Kingdom of Cambodia guaranteeing gender equality and prohibiting all forms of discrimination against women;
 - ii. the Rectangular Strategy for Growth, Employment, Equity and Efficiency, Phase II, recognizing “women are the backbone of the economy and society”;
 - iii. Neary Rattanak and gender mainstreaming action plans of ministries;
 - iv. relevant national policy and legislation, including the Law on the Prevention of Domestic Violence and Protection of Victims and its related National Action Plan to Combat Violence on Women,prevent violence against women in Cambodia by:
 - a) acknowledging the truth that widespread sexual violence occurred during Democratic Kampuchea;
 - b) protecting all victims of sexual violence from discrimination and stigmatization through raising public awareness and incorporating education about sexual violence into school curriculums to abolish the myths around sexual violence;
 - c) establishing a national trust-fund for reparations for victims of sexual violence during the Khmer Rouge in order to comply with obligations as stipulated in Article 16 of the United Nations Basic Principles and Guidelines on the Right to

- a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law as adopted and proclaimed by General Assembly resolution 60/147 of 16 December 2005;
- d) promoting women’s human rights and pro-actively preventing and protecting women from all forms of violence.
2. As a member of the United Nations General Assembly, adhere to obligations under Security Council Resolutions including those specified in UN SCRs 1325, 1820, 1888, 1889, and 1960 and:
 - a) report on the situation of survivors of sexual violence during the Khmer Rouge, including access to support and justice, in government reports on the above obligations;
 - b) regularly report on the prosecution rate of sexual violence as per UN SCR 1325 global indicators;
 - c) fully implement international human rights standards to secure the equal rights of women to enjoy all economic, social, cultural, civil and political rights, including access to justice as per international human rights treaties ratified by the government, such as the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child and their optional protocols.
 3. As Chair of the Association of Southeast Asian Nations (ASEAN) in 2012, provide leadership during the inauguration of the Institute for Peace and Reconciliation in ensuring a strong gender perspective within this new institute and that the issues of women, peace and security, including conflict-related sexual crimes, are addressed in ASEAN and maintain leadership on these issues as a member of ASEAN.
- To the United Nations:**
1. **To United Nations Special Representative to the Secretary-General on Sexual Violence in Conflict:**
Take up the issue with the ECCC, including calling for the establishment of alternative mechanisms, if required, to investigate sexual violence under the Khmer Rouge and prosecute rape as a distinct crime against humanity, as listed in the ECCC statute, to afford justice for past crimes and to serve as a deterrent for current and future sexual violence.
 2. **To UN Women:**
Serve as a secretariat and provide support and funding for a standing working group and national conference on sexual violence under the Khmer Rouge as a means of taking forward the recommendations and other relevant outcomes of the Hearing.
 3. **To Office of the United Nations Assistance to the Khmer Rouge Trials:**
Support the ECCC to fund and assign a senior level Gender Expert to the ECCC with a national counterpart to advocate from within the court for the inclusion of a gender perspective and attention to gender-based and sexual violence, and ensure these matters are part of the legacy of the ECCC to the national rule of law.
 4. **To United Nations Country Team:**
Support civil society engagement in directly addressing the needs of victims of sexual violence during the Khmer Rouge regime, as well as in Cambodia today.
 5. **To Relevant United Nations actors,** particularly the Special Rapporteur on Human Rights in Cambodia, the Special Representative of the Secretary-General on Sexual Violence in Conflict, the Special Rapporteur on Violence Against Women, its Causes and

Consequences, and the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees on Non-Recurrence:

- a) Work within their mandate to acknowledge and address the issue of sexual violence during the Khmer Rouge period.
- b) Provide technical assistance and support to the Royal Government of Cambodia in establishing a national trust-fund for victims of sexual violence in order to comply with its obligations as stipulated in Article 16 of the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, as adopted and proclaimed by General Assembly resolution 60/147 of 16 December 2005.

6. To Civil Society and Non-Government Organizations:

- a) Monitor the implementation of gender equality commitments for compliance with current national

and international human rights frameworks. This should include submitting the non-government organization (NGO) shadow report to CEDAW and other relevant treaty bodies, and identify and promote enhanced protections and implement as necessary.

- b) Mobilize constituencies to increase demand for human rights protection and promotion, especially for women and girls.
- c) As a medium for truth-seeking, provide historic records and documentation, and use these to raise awareness of the experience of women during the Khmer Rouge regime.
- d) Empower and mobilize survivors of sexual violence during the Khmer Rouge regime by maintaining and building on the network of survivors and supporting dialogue among them.
- e) Engage and support men to mobilize and campaign for men to prevent violence against women.

Issued on 8 December 2011 in Phnom Penh, Cambodia.

Meet the Panelists



Ms. Manavy Chim, Cambodia

Ms. Chim is the Founder and Executive Director of the Open Institute (<http://open.org.kh/en>), a local Cambodian NGO established in 2006. Ms. Chim also founded the Women's Empowerment for Social Change program and is currently the Editor in Chief of the Women Web Portal and the Women Bulletin of the Open Institute. Ms. Chim also volunteers to strengthen NGOs in Cambodia. She is currently a member of the Cambodian NGO-CEDAW Steering Committee, the Chairperson of both the Supervisory Board of Legal Aid of Cambodia (LAC) and NGO Education Partnership (NEP), and serves as the Vice Chair of CARAM Cambodia. Ms. Chim has served for more than 20 years at the Ministry of Foreign Affairs and International Cooperation.



Ms. Vichuta Ly, Cambodia

Ms. Ly is the Founder and Director of Legal Support for Children and Women (LSCW) in Cambodia, a non-profit organization contributing to the development of the rule of law, promoting access to justice and protecting human rights. In 2009, Ms. Ly participated in the Court of Women in Bali, Indonesia as an expert witness. Ms. Ly also lectures part time on Gender Studies at the University of Pannasastra, Cambodia and is an affiliate with the International Development Research Centre of Canada (IDRC) where she is the team leader of a research project on Justice and Perception of Justice for Women Defendants, and Women Victims of Crime in Cambodia.

Dr. Shin, an Adjunct Professor of the Graduate School of International Studies at Ewha Womans University, was a panellist on the International Tribunal on the Crimes Against Women of Burma (2010). She is also the representative of the Korea Center for United Nations Human Rights Policy (KOCUN) and a member of the United Nations Committee on Economic, Social and Cultural Rights (CESCR). Dr. Shin's career has also included: monitoring the violation of women's human rights and contributing to the development of general policies for protection, including from sexual harassment, as the Commissioner of the National Human Rights Commission of Korea; and contributing to the production the United Nations Secretary-General's In-Depth Study on Violence Against Women as a member of the International Advisory Committee.



Dr. Heisoo Shin, South Korea



Dr. Sylvia Marcos, Mexico

Dr. Marcos, a visiting Professor at Claremont Graduate University, School of Religion, researches and writes on gender and women's issues in ancient and contemporary Mexico. Dr. Marcos has conducted extensive ethno-historical research on the construction of gender and sexuality in both indigenous and colonial religious culture. She is the author and editor of several books and many articles on the history of psychiatry, religion, and women's popular culture in pre-Hispanic and contemporary Mexico.

Meet the Experts



Ms. Kasumi Nakagawa

Ms. Nakagawa provided expert testimony on violence against women during the Khmer Rouge regime. Ms. Nakagawa, originally from Japan, has been in Cambodia working for the empowerment of women since 1997. In 2006, Ms. Nakagawa conducted one of the first studies into gender-based violence during Khmer Rouge rule, titled *Gender-Based Violence during the Khmer Rouge Regime* (2007).



Mr. Sombo Manara

Mr. Manara provided expert testimony on the history of the Khmer Rouge regime. Mr. Manara is a History Professor and Deputy Chair of the History Department of the Royal University of Phnom Penh.



Ms. Silke Studzinsky

Ms. Studzinsky provided expert testimony on the legal aspects of sexual violence during the Khmer Rouge. Since 2008, Ms. Studzinsky has been working with the support of the Civil Peace Service of the German Development Organization DED (now GIZ) in Cambodia to represent Civil Parties before the Extraordinary Chambers in the Courts of Cambodia (ECCC). She is also the Senior Legal Advisor on the Khmer Rouge for the Cambodian NGO 'Legal Aid of Cambodia'.

The United Nations Special Representative to the Secretary-General on Sexual Violence in Conflict recently addressed the United Nations Security Council on Conflict-Related Sexual Violence. The following is an excerpt from this address. The complete speech can be found at <http://stoprapenow.org>.

"...conflict-related sexual violence is not specific to one country or continent: it is a global risk. The terror of unarmed women facing armed men is age-old and universal. The Security Council has led the way in recognizing that rape can acquire a strategic twist as a tactic of war. There is, today, broad recognition that the more brutal and shocking the crime, the more effectively it terrorizes communities into submission, and lends notoriety to groups vying for power.

[The report of the Secretary-General on Sexual Violence in Conflict] provides striking examples of sexual violence as a threat to security and impediment to peace-building. No one can read this report and remain unmoved. But, as many of you have asked me: What does it mean to appear in the Secretary-General's report? I would like to address that head-on, by highlighting three key implications:

Firstly, this report (based on United Nations-verified information) is an instrument in the hands of political leaders to help them track and address sexual violence that is linked with insecurity. It cites illustrative incidents that point to larger patterns. As the new Monitoring, Analysis and Reporting Arrangements mature, they will yield a deeper evidence base for action.

Secondly, it does not just highlight horror stories; these reports are a place to feature the stories of actions that have made a difference. Actions like enforcing command

responsibility and vetting perpetrators from the security forces. It is in the interests of every government to ensure that the national uniform symbolizes professionalism, discipline and service, not rape, pillage and terror.

The third point is that it provides a baseline for systematic engagement with parties to armed conflict, with the consent and partnership of governments. These reports are vehicles for putting names to some of history's complex horrors. The acts of sexual torture and terror recorded here are not inevitable byproducts of war, but crimes committed by combatants and their commanders. The 'fog of war' does not absolve them of that responsibility.

The report is also a historical record. This is critical, as the history of rape has been a history of denial. What explains the suppression of these stories? Perhaps the fact that the victim – not the attacker – is often shamed and stigmatized; that society is more likely to pass judgment, than to deliver justice. Perhaps it is because rape has been treated as a 'lesser evil' in a context of lethal violence; or traded away by negotiating parties as the price of peace. Whatever the explanation: every speaker who adds their voice to this debate is helping to end centuries of silence that have made rape an effective 'secret weapon'.

From the Congo to Cambodia, from Bosnia to Liberia, these crimes have been neglected at the peace table and stricken from the public record ... In Cambodia last year, women organized an informal hearing to spotlight sexual violence during the Khmer Rouge era that has been left unaddressed by formal mechanisms. Collectively, they broke over 30 years of silence. I have urged the governments of both Bosnia and Cambodia to deliver justice for these victims."



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