



PRESS RELEASE

An invaluable opportunity for the Khmer Rouge Tribunal to finally address forced marriage during the Khmer Rouge

Following the decision by the Supreme Court Chamber (SCC) to overturn the Trial Chamber's previous orders severing Case 002, CDP urges the Extraordinary Chamber in the Courts of Cambodia (ECCC) in the re-sequencing of the current proceedings to bring the charges of forced marriage to the forefront of issues to be decided in the first sub-trial. In the original Severance Order, which the SCC has found to be unsound both in procedure and substance, forced marriage was not set to be heard as part of Case 002/01 but rather at a later undetermined date.

The inclusion of forced marriage in the current case to be heard is not only of great importance for the large number of Cambodians who suffered from this practice, but also logical, both in that it is representative of Case 002 as a whole and it would not significantly prolong the trial. As one of the most prevalent crimes during the Khmer Rouge regime, forced marriage is representative geographically, in the number of victims, in the number of civil parties, in the severity of the crime, and with regard to the characteristic features of the regime.

Geographically, the Closing Order identifies forced marriage as a practice that affected all areas not only throughout the Khmer Rouge regime, but in areas under their control even before the Lon Nol regime fell. The number of victims due to the lack of adequate research in this area is largely unknown. Given that such marriages were organized throughout the country in nearly every cooperative, that the age range for selection as a potential spouse was between 15 to 35 years, that it affected cadres and civilians from all social groups, and that unmarried as well as formerly married women and men were counted among the victims, one can begin to get a picture of the magnitude of this practice and thus its relevance to the current proceedings. This is further reflected in the number of civil party applications received on this issue, with forced marriage victims comprising the second largest group of civil parties in number.

The practice itself was implemented as a way to break family bonds and divert loyalty away from the family structure and towards the state or 'Angkar'. In creating non-loving unions between complete strangers, the Khmer Rouge not only created lasting psychological trauma, but stripped Cambodians of a major life decision, passing the determination of people's lives from their own hands into the hands of the State. Such practice manifests the Khmer Rouge goal to exert total control over all aspects of private and public life of the population – a characteristic feature of the regime's crimes. Further compounding this trauma, incidences of marital rape occurred frequently with Khmer Rouge cadre forcing newly wed partners to consummate their marriage by keeping vigil outside their homes on their wedding night.

The non-inclusion of forced marriage into the currency of proceedings becomes even more counter-intuitive, given the comparatively little amount of time it would add to the schedule. Disregarding the content of the new Severance Order, the common policy on regulation of marriage will have to be proven as a basic element to demonstrate responsibility of the accused. If forced marriage is included, it would need only a few additional testimonies to show the implementation of this policy and the impact it caused.

On behalf of all forced marriage victims supported by CDP who have repeatedly called for the adjudication of this issue, CDP reminds the Trial Chamber of this historic opportunity to show them that they are not forgotten.

15 February 2013

For inquiries please contact:

Duong Savorn, Project Coordinator

Cambodian Defenders Project, Project Coordinator

Phone: 012 800 812

Email: Savorn@cdpcambodia.org