

SEARING

MEMORIES

Victims, witnesses tell of sexual violence under the Khmer Rouge

By DENISE HRUBY / Phnom Penh

Before he died, Kong Vanna had one wish: To tell the story of his sister, and let the world know about the cruelty of Cambodia's Khmer Rouge, who had gang-raped and bludgeoned her to death as Kong watched helplessly. She was 21.

Duong Savorn is a lawyer with the Cambodian Defender's Project and interviewed Kong.

"I went to his home in Pursat province, and he showed me exactly where it happened, and where he stood while his sister was getting gang-raped and then killed."

Duong was first introduced to Kong in 2009, during a radio show he helped set up to find out if people were willing to speak about gender-based crimes under the Khmer Rouge regime, which killed an estimated 1.8 million Cambodians between 1975 and 1979.

Not much was known about rape and forced marriage under the Khmer Rouge when he began his radio show, he said, and no civil parties who were accepted at the Khmer Rouge tribunal, a Cambodian-UN hybrid court in Phnom Penh, have spoken out.

"I had done research and thought that it must have happened a lot under the Khmer Rouge, so we started a radio programme to inform people," Duong said.

One by one, survivors called in to speak about their experiences.

"We shared the story of the first woman who spoke out publicly in a booklet and on the radio show, and then more and more women called to share their experience. Women

Sexual violence against women was widespread under the notorious Khmer Rouge regime, which killed an estimated 1.8 million people between 1975 and 1979. Yet, as these crimes are not being heard at the Khmer Rouge tribunal, which heard closing statements in one trial this week, victims and witnesses take on the challenge of telling their story.

who had the strength and courage to speak about it after more than 30 years of silence," he said.

Witnesses of gender-based crimes also called, trying to give voice to the unknown number of rape victims who were later killed or simply "disappeared."

More than 30 years after the Khmer Rouge, Kong, now in his mid-50s, was one of those witnesses.

"He called our radio show in 2010 to share the story of his sister, but he was so emotional, his voice broke and he couldn't finish," Duong said.

A year later, the so-called "women's hearings" were created. Intended as a platform where victims of gender-based crimes under the Khmer Rouge are given voice, and witnesses can speak about friends and family members who were victimised, Duong asked Kong if he wanted to participate.

"When I contacted him for the first hearing, he was so glad," Duong said.

Accusing the perpetrators and crying at times, Kong spoke of his sister's fate. No one, he said, should ever have to experience similar pain.

"I saw this cruelty with my own eyes, it was crueler than animals. Never commit something so cruel. If (people) do this to our mothers and sisters, how much does that make us suffer? I saw it and suffered so much," he said.

Kong passed away three months later.

"Before, he sent me a message and said that he was

happy that his sister's story was finally recorded for the rest of the nation and the world. It was a goodbye message, I later realised, it seemed like he needed to share his sister's story before he could die," Duong said.

In many ways, the women's hearings, which has now been held for a third time, and other similar projects, are trying to achieve what the justice system has failed to do.

"It's to raise awareness, to give a voice to the victims and witnesses, to document these crimes and to acknowledge what happened," Duong said.

This week, the Khmer Rouge tribunal – formally known at the Extraordinary Chambers in the Courts of Cambodia (ECCC) – heard closing statements in the first "mini-trial" of Case 002, in which two senior government leaders, chief ideologist Nuon Chea and former head of state Khieu Samphan, face charges of crimes against humanity.

Co-accused Ieng Sary, former foreign affairs minister, passed away last year, and his wife, social affairs minister Ieng Thirith, was deemed "unfit to stand trial" due to Alzheimer's.

Because the tribunal's mandate is to try those who were "most responsible" for crimes against humanity and alleged genocide, only nationwide policies can be included in Case 002.

Rape and other gender-based crimes of the Khmer Rouge will therefore never be heard at the ECCC.

For Theresa de Langis, an expert on gender-based violence in conflict and post-conflict countries who has worked in Afghanistan and Timor-Leste, the tribunal misinterpreted the Khmer Rouge's policy on intimate relationships outside of marriage.

"The point of the rule was not to have a sexual relationship outside the state's control... it was not to oppose rape, but to punish both the



perpetrator and the victim," de Langis said.

Because women knew that they would be executed for being raped, they had no one to turn to for protection.

"People believe that women had never been more safe from rape than under the Khmer Rouge. But it was the opposite," she said.

De Langis said there is little hope that gender-based crimes other than forced marriage will ever be included in one of the outstanding mini-trials or the government-opposed cases 003 and 004.

De Langis came to Cambodia to watch the first women's hearing in 2011, an experience she said had touched her profoundly.

"One of the women testers said again and again that she wants to share her story with the next generation and a global audience," she said.

Through the Cambodian Women Oral History Project, in which De Langis plans to interview at length 25 survivors or witnesses of sexual violence, she hopes to build on the efforts of the women's hearings.

"It's important that oral history has different rules than a court investigation. Sokham (one of the interviewees) is telling the story of her friend who was raped and then killed when (the Khmer Rouge) found out that she was pregnant. She is telling this story because she says 'If I don't tell it, then there is no one else who can'. They worked alone and no one else saw her friend being taken away. It is to give tribute to her friend," De Langis said.