2013 Women’s Hearing with the Young Generation
on
Gender-Based Violence during the Khmer Rouge Regime

Report on the Proceedings
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<td>CDP</td>
<td>Cambodian Defenders Project</td>
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<td>CPK</td>
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This report summarizes the proceedings and results of the Women’s Hearing with the Young Generation, held on 24 September 2013 in Phnom Penh, Cambodia. The Women’s Hearing was organized by Cambodian Defenders Project (CDP), in partnership with Transcultural Psycho-Social Organization (TPO) and the Victims Support Section (VSS) at the Extraordinary Chambers in the Courts of Cambodia (ECCC).

Women’s Hearings serve as a non-judicial, transitional justice mechanism for survivors of the Khmer Rouge. They provide a forum for truth-telling about sexual and gender-based violence (SGBV) that took place during that time. The 2013 Women’s Hearing with the Young Generation specifically sought to create intergenerational dialogue between survivors of the Khmer Rouge and youth, to raise awareness of SGBV and initiate discussion about responses to past crimes and prevention of future violence against women.

At the Women’s Hearing with the Young Generation, four female survivors of the Khmer Rouge regime shared their experiences of SGBV before a panel of Cambodian students and an audience of over 400 participants. The audience comprised mainly students from local universities but also Civil Parties and representatives of national and international organizations, including the ECCC. Six university students sat on the panel, supported by a Student Task Force of an additional ten students. Following the survivor testimonies, the Student Panel publicly issued a Panel Statement with findings on the issue of SGBV during the Khmer Rouge regime and recommendations to various stakeholders.

This event forms part of the joint project on women and transitional justice in Cambodia, being implemented by VSS, TPO and CDP since 2011, with financial support by the United Nations Trust Fund to End Violence against Women (UNTEVAW).

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1 According to the United Nations Declaration on the Elimination of Violence against Women, adopted by the General Assembly on 20 December 1993, gender-based violence is defined as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”. In its General Recommendation Number 19, the Committee on the Elimination of Discrimination against Women (CEDAW) understands the term to encompass “violence that is directed against a woman because she is a woman or that affects women disproportionately”.

From 17 April 1975 to 6 January 1979, the Communist Party of Kampuchea (CPK), commonly known as the Khmer Rouge, ruled Cambodia and renamed the country ‘Democratic Kampuchea’. Under the leadership of Pol Pot, Nuon Chea, Ieng Sary and other members of the CPK, the entire country was transformed into a vast labor camp accompanied by detention centers, in order to achieve the CPK’s ‘socialist revolution’. The population was forced to perform hard labor under inhumane conditions. This resulted in the deaths of thousands due to starvation, disease and harsh living conditions. At the same time, the CPK relentlessly pursued the elimination of individuals they perceived to be enemies of the regime. During the nearly four years of CPK rule, detention, torture and mass executions of innocent people were commonplace. An estimated two million people perished during this time.

Unknown to many, various forms of SGBV against women were also committed alongside the killings and abuses. Studies conducted by CDP in 2008 and 2011 examined the characteristics of this violence and concluded that a wide range of SGBV crimes took place during this time. These included: rape; gang rape by multiple perpetrators; mass rape of multiple victims; rape with a foreign object; forced nudity; sexual exploitation; and a state practice of forced marriage.

In the absence of population-based quantitative studies, the exact geographical extent, number of victims and perpetrators, and cases of SGBV crimes remain unknown. The lack of quantitative data has contributed to a myth that the Khmer Rouge did not commit SGBV against women. Further, this myth can be traced back to a CPK moral code for cadres which stipulated a punishable crime for ‘moral

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2 The Women’s Hearing focuses on the experience of female SGBV victims. Male experience of SGBV has been reported but not yet sufficiently researched.

3 Nakagawa, Gender-Based Violence During the Khmer Rouge Regime – Stories of Survivors from the Democratic Kampuchea, 2008; Natale, 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, 2011; both available at www.gbvkr.org/publications and material/research and documentation
offences’. CDP research shows that, in reality, sexual offences by cadres were rarely investigated, victims were never compensated and perpetrators hardly punished. Paired with the social discrimination and stigmatization faced by victims, this myth intensifies the taboo associated with SGBV experience and prevents many women from seeking support and access to justice.

In past years, efforts have been made in Cambodia to deal with the legacy of the CPK by furthering transitional justice processes. The most prominent mechanism is the ECCC, a hybrid-international war crimes tribunal to prosecute the senior leaders of the CPK. The ECCC is the only judicial avenue for crimes committed during Democratic Kampuchea. At this Court, victims can participate as Civil Parties, with a range of procedural rights and the right to claim collective and moral reparations. Many SGBV survivors are among the Civil Parties admitted up to this stage of the court trials. The Court has charged ‘forced marriage’ as a crime against humanity in one of the cases but has not tried this charge in the proceedings so far.

Parallel to the ECCC trials, civil society organizations have initiated non-judicial transitional justice mechanisms, such as community forums or victim-perpetrator dialogues, and other support services for survivors of Democratic Kampuchea. Since 2011, VSS, in cooperation with TPO and CDP, has been implementing a joint project on women and transitional justice in Cambodia. This project serves to engage women in transitional justice processes to assist them to exercise their rights to truth, criminal justice, rehabilitation and non-recurrence of such crimes. In addition to providing survivors with psycho-social and legal support, the project incorporates outreach activities to raise public awareness of SGBV during the Democratic Kampuchea, in order to create a more supportive environment for survivors.

Despite the work of the ECCC and civil society organizations, the post-war generation in Cambodia demonstrates very limited knowledge about the history of their country. The official education system has only recently included the Khmer Rouge period in the curriculum of history classes. Many young Cambodians receive only bits and pieces of information about this time from their parents, peers or media, which sometimes leads to disbelief or misunderstanding. SGBV committed against women during Democratic Kampuchea is hardly known about amongst this section of the population.
OBJECTIVES AND PROCEEDINGS

The Women’s Hearing with the Young Generation 2013 followed two previous Women’s Hearings held in 2011 and 2012. Each of them adhered to the same format with survivors giving public testimony before a panel, which then issues a statement with findings and recommendations. In 2011, the focus of the Women’s Hearing was on sexual violence during the Khmer Rouge in Cambodia. Expanding on this theme, the 2012 Asia-Pacific Regional Women’s Hearing aimed to shed light on SGBV during conflict more generally, by hearing testimonies by women from three countries in the region.

All three Women’s Hearings have sought to complement the efforts of the ECCC in dealing with past mass crimes. They offer a non-judicial transitional justice platform to:

- empower survivors of SGBV, by giving them a voice to break the silence surrounding these crimes and express their needs and demands
- honor survivors by publicly acknowledging their suffering, as well as their strength and courage
- fight stigmatization and discrimination against survivors, through awareness-raising of the impacts they face and their concerns
- create a more accurate historical record, by documenting survivor experiences.

The Testifiers

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Central to the Women’s Hearings are the testimonies of survivors of SGBV during the Khmer Rouge regime. These personal accounts expand our understanding of violence in conflict and the particular experience of women and girls. They also give insight to the longevity of pain and suffering caused by those who perpetrate such crimes.

Through contacts with Civil Parties, cooperation with other civil society organizations and work in communities, CDP identified and approached a number of women survivors of SGBV to participate in the 2013 Women’s Hearing. Of the women who volunteered, four were selected to testify. CDP proceeded to prepare and guide these women through the process, with the support of our psychologist, Ms. Srea Ratha.

In order to prepare the women to testify at the Hearing, CDP staff:

- informed the women as to what is involved in a Women’s Hearing and its procedures
- formally asked the women for their consent to participate
- provided psycho-education on possible reactions to giving testimony and coping strategies
- documented their stories and helped them practice delivering their testimony
- followed up with the women, as to their reactions and experiences after the Hearing.

Following the Women’s Hearing, testifiers indicated that the event had been a positive influence in their lives. The women stated that prior to their testimonies they felt hopeless and upset due to previously not having had the chance to speak out about the violence committed against them. They were also anxious to speak publicly in front of a large group for the first time. Following their participation in the Women’s Hearing, all four expressed their relief and feeling of being supported by the audience, especially when seeing audience members crying and feeling empathy for them. They were happy that they had been encouraged and motivated to let other people know about their experience. All four women agreed that being part of the Women’s Hearing was beneficial for them because they had a chance to express their concerns and demands. They hoped that there will be further Women’s Hearings in the future for the many other survivors who are still waiting for their chance to speak out, and encourage women to participate.

The Panel

The 2013 Women’s Hearing turned its attention to the post-war generation by engaging students from different universities and fields of study throughout the entire process. While panels in previous years have been staffed with international and national experts on gender and SGBV, the 2013 Women’s Hearing recruited volunteer university students for the panel and to issue the Panel Statement.

In preparation for their role, a Task Force of 17 students was trained by experts over a period of two days on relevant topics. These included: issues of gender; SGBV; psycho-social impacts for victims; Khmer Rouge history; and panel statement writing. From the Task Force, six students were elected by their peers to sit on the Panel. Panel members had the opportunity to meet and get to know the testifiers prior to the Women’s Hearing. Two Advisers, Ms. Kasumi Nakagawa, Lecturer at Pannasastra University of Cambodia, and Mr. Duong Savorn, CDP Project Coordinator, provided guidance to the Student Task Force throughout the process of drafting the Panel Statement.
In a follow up session after the Women’s Hearing, Student Panel members expressed satisfaction and gratitude for having participated in the event. The Panel members were especially grateful to the testifiers for sharing their stories and acknowledged the difficulty of publically testifying. They commended the women’s bravery in doing so. They emphasized the importance of raising awareness of SGBV perpetrated during the Khmer Rouge and stated that they had not known about these issues before the Women’s Hearing. Panel members committed to undertaking a number of actions, such as presenting on the Women’s Hearing to their class or discussing the Women’s Hearing amongst classmates.
During the Women’s Hearing 2013, four survivors testified about their personal experience of SGBV during the Khmer Rouge regime. Their testimonies were guided by questions asked by CDP Program Officer, Ms. Hang Charya. The following chapter contains edited excerpts from their statements.

**Mom Vun**

My name is Mom Vun. I am 65 years old. I work as a traditional medicine healer and for others on their plantations.

**Life under the Khmer Rouge**

When the Khmer Rouge came to power initially they were very good. But two months later they started to seize and confiscate all property. My big house was dismantled to make a collective place and they told me it would be returned when the country is stable. My property was lost and my parents were taken to be executed. They were accused of being the Commune Chiefs, but they were just traditional music instrument players. I worked in the cooperative because I just delivered a baby, so my work was light. Now I still have five out of sixteen children. During the Khmer Rouge regime, six of my children died because they had nothing to eat.

**Experience of SGBV**

I was forced to get married. They said to me, ‘You must get married’. I didn’t know my husband, not the name nor what he looked like. Sixty couples were married on that wedding day. Only one chicken and two vases of flowers were given for the reception. They asked me to marry a man with eight children. I rejected once but four days later they asked me again until the wedding day. We sat on the floor and committed to live together as a couple and work hard in the rice fields and raise children.

At 3pm we were sent home. At night, we didn’t want to be together. We pretended to be married and we said we will get a divorce later. We didn’t know someone was watching. Then the Khmer Rouge militia pointed a gun at us and said we must have intercourse. They said, ‘You must lie down and let him fuck you. Why is it so difficult?’ They just stood there until we had intercourse. Then they said, ‘They already fucked, let’s go’.

They came on six nights to make sure we had intercourse. We had to do as they told us in order to survive. The gun was there pointing at us all the time. If we refused we could have gotten killed. Someone was killed because she refused in the same situation. In order to survive we agreed to have sexual intercourse even with four people watching. When I got pregnant, they separated me from my husband; they didn’t let us live together. During and after giving birth, my husband could visit me for two days.
**Witnessing SGBV**

There was one woman. She was accused of being Vietnamese and committing ‘moral offenses’. Before killing her, she was raped. I and other people carrying fertilizers saw it at Wat Kdey but we kept quiet. A few people held her hands and legs and then someone else came to rape her. Her body was then cut, her lungs were taken to be eaten and her gallbladder used for white wine. We didn’t talk about it or discuss it until today. The victim just passed away. It happened ten meters from where we stood. The woman was shouting and then we saw it but didn’t pay attention, we just continued to work. We just glanced over there but never dared to look at it.

There was a cadre who raped five women. He collected five women to keep in one place. He always slept on the hammock and those ladies slept inside the mosquito net. When he needed one, he just took one. After that, they came back and they just cried; they didn’t talk about it. Five women were taken one after another every night. That cadre was one of the powerful guys, Comrade Sear. He could do whatever he wanted to do.

A woman named Then was eighteen years old and she was taken away by a big guy about twenty meters from where I slept. The woman said, ‘Help me, don’t do that to me!’ Then we heard a bang and that woman died. They used their power, they could take anyone.

Every month or two weeks a new group of five women came to replace the old group of five women. The women were not from our area. They came to live in our collective. They were about 21, 22, 25 years old, something like this. I saw them weeping and crying and someone said, ‘All of us were raped by the cadre’. They reminded me not tell anyone or we would get killed. It was the only time I heard and talked about it with them. They did it every two days; those five women. After they raped someone three times, they eliminated them.

In 1977, there was a marriage for the people in the unit organized by the Khmer Rouge. One of Khmer Rouge cadre who had power took the wife from her future husband and had sexual intercourse with her first. After the cadre slept with the wife, he gave the woman back to the husband but the man did not accept her, so the wife and the husband were shot.

**Impact and Reaction**

I actually did not get angry with the man who slept with me, but I was so angry with those who forced us and watched us having intercourse. I was trying to hide for a long time but now I have to release it so that the locals, internationals, students and younger generations know what happened to me.

They tried to kill us but we didn’t die. If we refused to have intercourse I am sure that I
would have died. I would like to speak out for you to understand how bad it was. I felt very embar-
rassed and it was a fateful moment in my life. This is very painful and I will remember it until my dying
day. I never told this story to anyone because I am embarrassed. I continue to struggle. I try to make
sure that I earn a living and raise my children and ensure that they are not living in suffering.

**Demands and Message**

Please ensure that the Khmer Rouge Tribunal finishes quickly; try the accused very soon. I would like to
say to everyone to please try to make sure that there is no re-occurrence of the Khmer Rouge regime
and no return of the Khmer Rouge period.
Yam Lash

I am from Ochhrov village, Ochhrov commune, Prey Nob district, Sihanoukville province. I am Khmer-Islam, I am 76 years old.

Life during the Khmer Rouge

I lived at Ochhrov village, Ochhrov commune. During that time I worked to follow the orders of Angkar at District 37, digging dams, farming and carrying dirt, without enough food to eat. My family and my children were taken and killed in early 1977 but I did not see where they died. I cannot find them. I often saw Khmer Rouge tying up three, five or seven people in a line, to kill them in the moonlight. I have thirteen siblings. Now there are only three still alive. My brother was taken away and buried alive.

Because I worked so hard my body became swollen at the worksite. I went to stay at the hospital but the Khmer Rouge did not let me stay in the hospital. They forced me to work, dig and carry dirt. I dug the ground and dirt fell down onto me and they carried me to hospital. I stayed in the hospital for a long time. My body and my legs were swollen but there was no medicine to treat me, only coconut water. A unit chief complained about me because I stayed for so long in the hospital and forced me to leave the hospital. I had no house at that time, so I decided to go stay with my cousin.

Experience of SGBV

In 1977, one night at around 10pm a Khmer Rouge cadre called me to come out of my house. I replied, ‘What do you call me for?’ He replied, ‘Comrade, just come downstairs!’ I said, ‘What is the matter, comrade?’ When I arrived downstairs, he accused me of wanting to flee to Vietnam. I said, ‘No, I’m not, I don’t want to go anywhere’. Then he forced me to walk around 30 meters away from the house. There he started to push me to lie on the trunk of a coconut tree and he started to strangle my neck. I nearly died when he released me. Then he took off my skirt and he raped me very cruelly. It was like calves sucking milk. It was not like husband and wife who are willing to have sex together. My body was very painful. When he stopped raping me he threatened me by saying, ‘Don’t tell this story to anyone. If you dare to say something, I will kill you.’ I was very scared and didn’t let anyone know about what had happened to me that night.

After he had raped me, he put his index finger into my vagina. He scratched it and pushed it up and down which hurt me very much. I thought he would kill me but after that he pushed me on the ground and I lost consciousness. I woke around 4am. My face and sexual organs were swollen. I heard the rooster crow and I tried creep to my cousin’s house. My cousin was very surprised because she thought they took me away to be killed. She said, ‘Oh, you came back? I thought they had killed you.’ I replied, ‘No’ and she asked me further, ‘Why did they take you away, for what?’ I told her that they took me

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6 Khmer-Islam is an ethnic minority group in Cambodia who follow the Islamic belief.

7 The CPK perceived Vietnamese and the ethnic Vietnamese minority in Cambodia to be enemies to the regime and targeted them for killings, detention and torture.
away to rape me. We were ashamed and cried together at the house. We did not talk much but kept silent until the next morning because we were afraid of being killed.

In the morning, I went to request rice from the cooks but they didn’t give me any. They asked me where my mobile unit was. I told them I was in Comrade Pin’s mobile unit and they told me to wait until Comrade Pin came. At 11am, all people came back from carrying dirt. The chief cook asked Comrade Pin why the unit member didn’t go to work. I replied I could not go because I was sick, my face, my arms, my legs were swollen. Suddenly, he got angry and he beat me three times with a pestle. At the same time he asked me why I didn’t go to work. I replied, ‘I could not go’ and then he took a pestle and pounded it on my vagina two or three times in front of many people. It was very painful. No one dared to help me. Some people pitied me but some didn’t pity me, they said that I was taking advantage of their work.

**Impact and Reaction**

Every day, I still have physical pain. I have no power, I am weak, I have heart problems, and I get emotional. My vagina still hurts and just gets better once in a while when I take medicine.

I feel very angry, painful and ashamed. I have tried to hide it for more than 30 years, since 1979 on until I filed a complaint at the Court.8 I joined many activities. Now I want the next generation to know about my story, what the Pol Pot regime did at that time. I want it to be heard inside and outside of the country about how they used their power to mistreat their people.

**Demands and Message**

I decided to talk about my story here because I participated in this event last time.9 I saw many internationals and other victims younger than me. They were very brave, if they could share their story, why can I not do it? I am over 70 years old now, why should I still keep this story secret? That’s why I became brave enough to tell my personal story now to the brothers, sisters and next generation, to let them know about it. I am old now. I am not scared to talk about it.

I want to send a message to other victims who have the same experience like me, ‘Please be brave enough to speak about your personal story to the public, in and outside of this country. Let them know about it’. I want the Khmer Rouge Tribunal to try the senior leaders as soon as possible because now I am getting old and I am afraid I will die before the end.

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8 Yam Lash is a Civil Party at the ECCC.

9 Yam Lash attended the Asia-Pacific Regional Women’s Hearing 2012 as audience.
Los Vanna

My name is Los Vanna. I am 60 years old. I live at Ochhrov village, Ochhrov commune, Prey Nob district, Sihanoukville province. I am a farmer.

Life during the Khmer Rouge

In 1975, my mother and my relatives were separated. The Khmer Rouge destroyed my big house to set up a rice storehouse and they ordered us to build small cottages to live in. The Khmer Rouge destroyed the Khmer-Islam religion. The Khmer Rouge used my mosque to feed pigs, it became a pig cage. The Khmer Rouge forced me to build dams, dig canals and do farming. They forced me to eat pork. If I had refused, they would have killed me. The Khmer Rouge separated me and my husband to work in different cooperatives until 1977. The Khmer Rouge forced me to leave Kampong Speu province. In the same year of 1977, my husband was a buffalo guard. One day, he disappeared and only his buffalo was to be seen. I cannot find him to this day. I think he was killed by the Khmer Rouge during that time.

Experience of SGBV

One night in 1977, a week after the disappearance of my husband, I came back from digging canals. After I had dinner, I went to bed without taking a bath and I didn’t change my clothes. They were dirty and full of mud but I was very skinny and very tired. At midnight, the Unit Chief came to my house and called me. I immediately thought, ‘Oh, they just took my husband to be killed. Now they take me to be killed’.

I heard he called me, ‘Comrade, comrade, please come downstairs!’ At that time, I felt I had no soul. I didn’t know what would happen to me. I just knew that he would take me to be killed. I trembled and tried to go downstairs. I asked him, ‘What’s the matter, Comrade?’ but he didn’t reply. I saw he had a gun, an axe and a piece of string. He pushed me to move forward and he followed me to a place 1 km away from my house which has a large chicken tree.

There was only him and me at that place. I didn’t know him. I just knew that he was a Unit Chief and that he killed and arrested people. He pushed me to lie on the trunk of the tree and he took off my trousers. I thought he would kill me; he would cut my stomach and collect my liver and my gallbladder to put in wine to eat. But in fact, he pushed his finger into my vagina.

He pushed very strongly, which hurt me very much. Then he had his way with me. After that, he threatened me, ‘Do not tell anyone!’. If I did, he would kill me. I was very tired and hid quietly under the tree for half an hour. I was afraid he would come back again and tried to walk back home. At 5am, I heard the bell’s sound, which rang to call all people to work. It was so painful but I didn’t tell anyone because I was afraid of being killed. During the working time, I asked my friend to give me a traditional medical massage. My friend told me she also was raped by the Unit Chief one time. We hid our stories and didn’t share them with anyone else.
Now this woman has already died and the Unit Chief named Say who raped us was also killed. He used his power to abuse us and didn’t let us tell anyone about what he had done to us. If we reported, we would be killed. We obeyed him and did not dare to say anything. I suffered very much because he put his finger into my vagina and pushed strongly, which hurt me a lot. This gave me health problems until today but I have tried to find medicine to treat myself and I keep trying until today.

Witnessing SGBV

I know Mrs. Yam Lash’s story. She is my cousin. She was raped after she left the hospital and came to stay with me. At that night, there was a soldier who came and called her but I didn’t know where he brought her. I just thought he would take her to be killed. I pitied her very much and I was very scared. In the early morning, I saw her coming back and I asked her, ‘Sister, you came back? Why did he take you away, for what?’ She told me that he took her away to rape her. Then she went to bed with a lot of pain.

Impact and Reaction

I am not happy. I cannot forget, I am scared and still angry. I want the NGOs and all of you to help me reduce my stress. It was very difficult 30 years ago, I still suffer from the rape. I never told this story to anyone before but now I can tell it to my relatives. I listened to a radio show on women talking about the same story like mine. That’s why I wanted NGOs to call me to speak about my rape experience. I am 60 years old now and I’m not ashamed anymore. I want to tell the public, especially the young generation, to let them know about my suffering and my story.

Demands and Message

Young generation, national and international organizations and everyone who listened to my story today, inside and outside of this country, please help to support me and other people who have suffered from rape during the Khmer Rouge regime. Don’t discriminate us because I could not avoid it at that time. Please help to support me and don’t let this regime occur again. Don’t let this war happen a second time.

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10 Since 2010, CDP is running the monthly radio show ‘Women under the Khmer Rouge Regime’, which invites SGBV survivors to share their experiences.
Chea Nom

I am from Snam Prash commune, Bakan district, Pursat province. I am 76 years old.

Life under the Khmer Rouge

I lived in Phnom Penh. My father was a major in the police and my husband was a driver. We used to be a well off family. My father was well off and supported the family.

When the Khmer Rouge took control of Phnom Penh, I was forced to move to my home town. I moved to Takeo, my home town. I was forced to work but we worked isolated. My husband, children, brothers and sisters in-law and my parents suffered from atrocities. They were beaten and taken to the hospital. They stayed for one week then they died. Why? They were given rabbit pills and not allowed to eat and drink any food.

The Khmer Rouge learned that my father used to be a police officer and then they decided to kill him. They killed anyone who was a government official. There are only six remaining siblings. During the Khmer Rouge regime, I was forced to do farming. On top of this, I suffered from starvation. My children also died, four of them. My father died first, about a half month after, in the beginning of 1977. Then, my mother was forced to work and she died before the body was given to me. I don’t know where they took her body to.

Experience of SGBV

One night, after I returned from work at a farm north of Baray Vihear 2 village, I saw they were drying salt. During the night under the moonlight, I pretended to go to bathroom and stole a handful of their salt. Suddenly, Mom who was urinating nearby saw me and shouted, ‘A thief stole salt, a thief stole salt!’ I hurried to throw the salt away but she caught my hand to show the evidence. Then she called two militias to arrest me. The two militias were both young. They ordered me to walk like a dog and I tried to walk until we arrived at a big palm tree. We met a man who was a palm tree climber named Kiem and he said to those militias, ‘You go away, I keep this woman here. I torture her until she dies.’

After those militias left, the man began to abuse me. He took off my skirt, raped and beat me with two sticks until I became disabled until this day. This side of my hip is injured. Nowadays, with Khmer traditional medicine, it is a little better. After he raped and beat me with two sticks, he cut some leaves to cover my body. He maybe thought I was already dead. My vagina was hurting very much and bleeding. I lost consciousness. Around 3am, I tried to crawl home.

At that time, I had just delivered a baby. My aunt named Sae took care of my baby. She wondered where I had been for so long. There were rumors that I had stolen salt and was taken to the prison. I crawled back home with a lot of pain in my body. When I got close my home, I met another militia who asked me where I came from. I replied, ‘I go back home because I am not well’. Then, they arrested me.
and imprisoned me at Baray Vihear 2, where many prisoners were detained. I was imprisoned only for two days. Because of my bleeding, the district committee released me.

Impact and Reaction

I used to feel like I wanted to do harm or take revenge. But after I performed holy Buddhist ceremonies, I removed all these thoughts of revenge from my head. In fact, I had been suffering for many years. But today it is better because I wanted to share. It is my intention to let people learn about the suffering to prevent it from happening again.

I still have physical injuries. I still feel pain on my left hip. My mind seems to be ok but as I recall the memories, it makes me suffer again. I have strived for my children and myself and my honor, and I must struggle. I want to encourage other survivors to do it like me.

Demands and Message

I would like to tell those who struggle, ‘Be aware and record your story to pass it on to the next generation’. I wish that the Khmer Rouge senior leaders will be tried as soon as possible.

I have my way of reconciling these events within myself. I don’t know how many people are suffering from that but I would like to encourage the victims and survivors to feel brave enough to break the silence, so that you can feel relaxed for a better mental health.

I would also like the government to resolve the problem as soon as possible to forbid this from happening again. You are lucky that you were not born during that time. It was very bad for me that my siblings, husband and parents died. We want peace; we do not want the war. My request is that I want to see those people brought to justice. I am 76 years old now. I am afraid that I will not see justice. I want my children and grandchildren to hear the recorded voice of my testimony.

My request is that I would like to encourage all people to be clever and educated, not to be like my generation, and I would like you to get rid of the suffering.
After the testimonies, the floor was opened to the audience to ask questions or make comments on what they had heard. During this open floor discussion, one survivor of sexual violence during the Khmer Rouge regime found the courage to share her personal experience captured in this edited excerpt.

**Chan Phay**

I live in Ao village, Daun Chum commune, Bakan district and Pursat province. I am a victim of the Khmer Rouge regime which lasted for 3 years, 8 months and 20 days, like other victims. I have had help from international organizations which came to explain to me. They took me to see the Court for two times. Sorry, I am trembling.

I want to talk about myself and the Khmer Rouge period. During that time I had a strong spirit. I lived in the Bakan District. I was digging the canal with my husband, my beloved husband, at the time. The Khmer Rouge forced me to carry gravel. My husband was working to build a bridge. One day at lunch time, everyone came for lunch and we were in the queue. Then my husband was taken away and I was just looking around to no avail. I couldn’t see my husband, I only saw other people’s husbands. I said, ‘I want to go to the bathroom’. They said, ‘Ok, then go and come back and eat’. Then I went to the bridge construction site to look for my husband. There was an old man. He said, ‘Your husband was beaten with a stick and now he was dragged into the well’. I was not scared anymore and started to scream, ‘Whoever killed my parents, my brothers and sisters and my husband, come and take me as well!’

The chief of the site was the chief of the soldiers. He said, ‘Hey, traitor’s wife! I have loved you for a very long time and you didn’t accept me’. I said, ‘How could I love you and accept you?’ I couldn’t do it because at the marriage at that time there were many couples, 30 to 40 couples, and no family, no monks and pagoda leaders. I was screaming and crying and then the chief said, ‘Arrest that girl! That traitor, chain that girl!’ I was chained.

I was crying and screaming all the time for my parents, sisters and brothers, but to no avail. I was chained. I could only see the sky and the stars. When I opened my eyes, all I saw were stars. I was chained. Because I didn’t get married to the chief, I was chained. He ordered other people to come to play with my breasts, to play with my vagina, to squeeze my breasts. Then they used a tool to mutilate my genitals.

My feet were spread apart and then I became unconscious eight times. I said I would bite their penis but then they put their penises into my mouth. I tried to avoid it. I just prayed for the god to help me. I got bitten by ants and other insects. They came again to kiss and rape me. They just kissed me over and over. At that time, I was not that thin. I was well built. I tried to resist. I swore at them, I cursed at them. They just didn’t care. They just came and kissed me and played with my breasts over and over again.
I appeal to students, survivors, the audience, all Cambodian people and civil society organizations to help remember this and find justice for me in 2013. I would like to appeal to the NGOs which organized this event to continue helping victims all over the country. People were killed after rape and when a girl got pregnant, she was thrown in the gas and burnt alive and no one was taking up the case. Now we have NGOs, we have public officers. We have international NGOs who help the government to stay away from chaining and shackling. I would like the students to continue to study. Don’t be gullible, be brave. I encourage Cambodian survivors and students. I wish you a long life and happiness forever.
A six member Student Panel listened to the testimonies and asked questions of the testifiers. Following testimony given, Panel members expressed their gratitude to the testifiers, acknowledging their strength in surviving these experiences, their courage in speaking out and generosity in sharing their stories.

A Student Task Force, comprising ten other university students, supported the Student Panel to develop a Panel Statement, which is detailed below.

**Student Panel and Task Force members:**

Cheng Channita, Chhun Siakva, In Ratha, Keo Bopha Osaphea, Keo Rattana, Khonh Chantha, Khut Ich, Adi-Mere Misivono, Nay Udom, Noch Sreyneang, Phay Saphea Panha, Rim Sovannary, Sem Hak, Sor Chhivgech, Thorn Phearo, Youn Sreynich
Introduction to the Student Panel Statement

The Khmer Rouge regime, as the Cambodian people and the world have come to know, was a genocidal regime that killed almost two million Cambodians between 1975 and 1979. This regime has been considered the darkest chapter of the Cambodian history. During that era, Cambodian people, especially those living in the capital of Phnom Penh and in various towns across the country, were forcibly transferred to remote areas of various provinces where they were to perform farming. In general, the Khmer Rouge forced the people to overwork in return for extremely limited food that was barely enough. Moreover, throughout the period, the people faced bitter tragedies and grave and brutal violations of their rights. These include violations of the right to live, the right to choose their own spouse and accusations against innocent people of being enemies who were subsequently tortured and executed. Nonetheless, one form of violence committed by the Khmer Rouge is still neglected – gender-based violence.

Gender-based violence is a form of violence committed against an individual on the basis of his or her gender. The word ‘gender’ is not used to refer to the person’s sex (i.e. if the person was born a male or female), but ‘gender’ refers to the state of mind created in a society regarding men and women (roles and behavior deemed as appropriate in that society and values placed on men and women, boys and girls).

Gender-based violence encapsulates physical, sexual and psychological violence against the victim. Such violence can take the form of intimidation, assault, domestic violence, rape and sexual assault, psychological and economic violence, violence in relation to dowry (the bride pays dowry to her husband for their marriage), violence in relation to exploitation, sexual harassment, threats or intimidation at the workplace or school, trafficking of women, sex exploitation, forced marriage, forced pregnancy and forced prostitution.

Various research studies, especially the research by Professor Kasumi Nakagawa and the Cambodian Defenders Project, show that there were cases where gender-based violence was committed during the Khmer Rouge regime. These cases include among others rape, rape and murder, gang rape and rape through means of forced marriage.

However, for the victims although more than 30 years have passed, their sufferings from such violence remain while true justice has not yet been achieved for them as victims. In addition, it is most disappointing that gender-based violence during the Khmer Rouge regime does not really receive attention from the Extraordinary Chambers in the Courts of Cambodia, the Royal Government and relevant organizations. Especially, the youth has not come to know about this issue. In this effect, the Cambodian Defenders Project has created the 2013 Women’s Hearing with the Young Generation on ‘Gender-based Violence during the Khmer Rouge Regime’. The purpose of this event is to seek justice for the victims by giving them the opportunity to reveal their secrets and to narrate their stories about gender-based violence in public. Moreover, the event provides Cambodian people (especially the young generation) ideas, new understanding and examples—so that they become informed and reflect the issue and thus partake in seeking justice for the victims of gender-based violence in the Khmer Rouge regime, as well as getting actively involved in eliminating gender-based violence today and in the future.
Findings of the Student Panel

The Women’s Hearing this year engaged youth as the Panel of the Hearing. They come from various universities: Royal University of Law and Economics, Royal University of Phnom Penh, and Paññasatra University of Cambodia.

After in-depth and thorough research on the issue of gender-based violence and having heard all the testimonies of the victims, the panel noted that most gender-based violence during the Khmer Rouge regime occurred to women, but it also happened to male victims. Female victims include Muslim women and other ethnic groups. The Panel also found and are of the view that Democratic Kampuchea was a regime that considered sexual abuse as an immoral act and that a person who committed such an act should be punished by death. However, through examining the testimonies the panel found that most offenders of immoral act were Khmer Rouge cadres with rank and power. This means that the Khmer Rouge were the same people who both prohibited and committed ‘immoral acts’, whilst the victims were helpless, innocent and living in misery. The system did not provide any proper justice to victims of such violence.

It is true that the victims of such brutal acts did not have the ability to defend themselves against their offenders and that they suffered physically and psychologically. The victims of this brutality felt scared, painful and ashamed when someone came to know about their secret. The image of the event continues to exist in their mind — it is unforgettable for them. The victims also suffer physically after having been raped. The physical scars left from such acts have caused the victims terrible pain. The scope of human right violations committed during the regime was extensive but, at present, true justice has not yet been achieved for the victims.

Amongst the four victims heard, two are direct victims and the two others are both victims and witnesses. Having heard their testimonies, the Panel considers that there were many forms of gender-based violence committed during the Khmer Rouge regime. These forms include forced marriage, rape, sexual harassment and sexual torture. All forms of this violence were committed by powerful people during the Khmer Rouge regime. Factors that contributed to the commission of these crimes are:

- People in power of the Khmer Rouge regime were given the authority to prosecute, execute and torture at their own will. They often tortured the victims by means of sexually harassing them in public, and death threats to prevent the victims opposing the Khmer Rouge regime and making all acts committed to them public.
- People in power of the Khmer Rouge regime considered abuses as their entertainment.
- People in power often killed their rape victims so that evidence was destroyed.
- People in power of the Khmer Rouge regime were not punished in accordance with the applicable laws.
- Victims did not have the right to complain or they were so scared that they dared not to report the incident to the Khmer Rouge authority.

Having seen the sufferings and injustice imposed on the victims and having seen that no proper resolution has been established to address such issues, the panel offers the following recommendations:
Recommendations of the Student Panel

Having heard the testimonies provided in the Women’s Hearing with the Young Generation and having seen all the problems the victims have faced, the Student Panel has prepared the following recommendations to the parties concerned:

A. To the Royal Government of Cambodia

1. Give care and value to victims of gender-based violence during the Khmer Rouge regime. Provide psychological reparations such as creating medical centers for them to receive counseling by providing funds and providing psychologists for free.
2. Continue to support and cooperate with non-government organizations in order to foster provision of free psychological counseling service so that it reaches out to as many victims as possible.
3. Include gender-based violence (both during the Khmer Rouge regime and present) into the study curriculums (for secondary schools, high schools, and universities). Improve the quality of education and promote the teaching and learning of this issue by implementing study tours to the places where such violence occurred.
4. Disseminate the law on gender-based violence so that it reaches out to remote areas across the country, and enhance the implementation of law and law enforcement by punishing those committing this crime with fairness and transparency. Eliminate corruption so that justice can be brought to the victims.
5. Put in place a national contest scheme on history subjects, especially the history of the Khmer Rouge, so as to encourage the young generation to conduct research on the history.
6. Preserve the Khmer Rouge crime sites as evidence so that the next generation becomes informed—because we are now losing some of such sites.
7. The government should provide a package of funding to the non-government organization that works on gender-based violence during the Khmer Rouge regime so that the organizations can continue its work.
8. Strengthen protection mechanisms and national security measures to ensure that such events will not be repeated.
9. Promote the establishment of clubs that study on gender issues, at various universities.

B. To the Extraordinary Chambers in the Court of Cambodia

1. Include crimes related to gender-based violence during the Khmer Rouge regime, besides forced marriage, into Case 003 or Case 004 so that the perpetrators are punished and justice and psychological peace can be brought to the victims.
2. Speed up the court proceedings. In particular, the Panel wishes to see forced marriage to be included in Case 002/02, which is the next segment of the main trial.

C. To Non-Government Organizations

1. Expand the scope of the project on gender-based violence during the Khmer Rouge so that more victims have the opportunity to share their stories with the young generation. Then, the youth will come to know more broadly about this issue.
2. Put in place activities such as workshops, public forums, training programs on the history of the Khmer Rouge, on psychological rehabilitation, and on gender-based violence, and
study tours to crime sites.
3. Create psychological counseling services provided by experts to more victims.
4. Monitor law enforcement regarding their implementation of the law on gender-based violence and provide recommendations as to how the law can properly be implemented.
5. Join with the governments of other countries where gender-based violence occurred in order to share experience and seek better and more effective solutions to the issue.
6. Establish, support and participate in activities that prevent and combat gender-based violence.

D. To the Youth
1. Conduct in-depth research on the history of your own country, especially study on the hidden issue of gender-based violence during the Khmer Rouge regime and use the knowledge gained from such research properly in order to prevent the history from repeating itself.
2. Participate in activities that address gender-based violence. Such activities can be training programs, public forums, workshops and study tours. By participating in these activities, the youth can come to understand about this issue and can refrain from committing such violence.
3. Disseminate information and share knowledge amongst others in order to eliminate all forms of gender-based violence and abolish discriminations against the victim. The youth can instead provide encouragement to the victims by supporting them.
4. Be determined that you will not commit any form of gender-based violence and encourage people around you, especially family and friends, to end gender-based violence. Report to competent authorities in time when gender-based violence occurs.

E. To Donors
1. Provide funds to non-government organizations or the youth that run projects related to gender-based violence during the Khmer Rouge regime.
2. Continue to financially and materially support these non-government organizations and the youth so that they can continue their activities helping victims of gender-based violence.
3. Provide support for the compilation of historic documents about the Khmer Rouge regime which are examined by experts to preserve these documents for the next generations to study and understand about their past generations.
4. Support non-government organizations so that they continue to run the Women’s Hearing in the following years to come.
5. Broadcast the Women’s Hearing internationally so that other countries that have encountered similar events can take Cambodia’s case as an example.

F. To the Media
1. Promote the broadcast of news on gender-based violence so that the general population understands about this issue more deeply.
ACKNOWLEDGMENT

CDP, TPO and VSS extend their grateful thanks to the many individuals and organizations that made the 2013 Women’s Hearing with the Young Generation a success.

First and foremost, we owe our gratitude to the testifiers Mom Vun, Yam Lash, Losh Vanna and Chea Nom for their courage, strength and inspiration.

We thank the members of the Student Task Force and Student Panel for being role models to other young people: Cheng Channita; Chhun Siakva; In Ratha; Keo Bopha Osaphea; Keo Rattana; Khonh Chantha; Khut Ich; Adi-Mere Misivono; Nay Udom; Noch Sreyneang; Phay Saphea Panha; Rim Savannary; Sem Hak; Sor Chhivgech; Thorn Phearo; and Youn Sreyrich.

We also extend our thanks to the speakers Sok Sam Ouen, Duong Savorn and Hang Vannak; the facilitators Theresa de Langis and You Sotheary; the Panel Advisor Kasumi Nakagawa; and the national and international transcribers for their contributions to the event.

We thank the Department for Media and Communication of the Royal University of Phnom Penh for their film recording of the event.11

We gratefully acknowledge the generous funding of the UN Trust Fund to End Violence Against Women and the technical support provided by GIZ Civil Peace Service.

11 The film can be viewed at http://gbvkr.org/publications-and-materials/audio-visual-material/
**Cambodian Defenders Project (CDP)**
As one of Cambodia’s oldest civil society organizations, 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. Women’s human rights, especially their access to justice, have always been a central to the work of CDP. In 2006, CDP produced one of the first research studies focusing on gender-based violence during the Khmer Rouge regime. In 2009, CDP founded a special project to raise awareness of the occurrence of such violence during Khmer Rouge rule and to increase access to justice and support for survivors of this period.

**Transcultural Psychosocial Organization Cambodia (TPO)**
TPO Cambodia was established in Cambodia in February 1995 as a branch of the Netherlands based NGO TPO International. After being registered in 2000 as an independent local NGO, TPO Cambodia is the leading Cambodian NGO in the field of mental health and psychosocial interventions. With the establishment of the ECCC, TPO initiated a comprehensive psychosocial program to support witnesses and Civil Parties, as well as to raise awareness of mental health issues amongst the general population. Working in close cooperation with the Witness and Expert Support Unit (WESU) at the ECCC and the VSS, TPO provides a variety of psychosocial services through its Cambodian mental health experts. These range from on-site psychological support during and after the ECCC proceedings, to culturally adapted individual trauma treatment and community-based self-help groups.

**Victims Support Section of the Extraordinary Chamber of the Courts of Cambodia (VSS)**
The VSS was established to support the ECCC by assisting victims who want to participate in the proceedings. This consists of processing complaints and applications of victims who seek to exercise their right to participate. To that end, the VSS provides legal and administrative support to the Civil Party lawyers and informs victims about their rights relating to participation and reparations. It supports the work of the Co-Prosecutors and the Co-Investigating Judges by processing complaints and Civil Party applications and preparing reports for these offices. It also maintains contact with Civil Parties and their lawyers regarding the status of their complaints and applications, and keeps them updated regarding developments in individual cases. Lastly, the VSS ensures the safety and well-being of victims who participate in the proceedings. This involves ensuring that victims properly understand the risks sometimes inherent in participation, as well as providing them with protective measures and other assistance, like psycho-social support.
Annex A: Agenda of the Women’s Hearing with the Young Generation Women’s Hearing with the Young Generation to be held on 24 September 2013 in Phnom Penh

AGENDA

7:30 – 8:00 Registration

8:00 National Anthem

8:00 – 8:15 Welcome and Opening Remarks
  - Sok Sam Oeun, Executive Director, Cambodian Defenders Project

8:15 – 8:30 Psychological Briefing
  - Srea Ratha, Psychologist, Cambodian Defenders Project

8:30 – 9:00 Expert Testimony: Gender-Based Violence during the Khmer Rouge Regime
  - Duong Savorn, Project Coordinator, Cambodian Defenders Project

9:00 – 10:00 Survivor Testimony of Mom Vun

10:00 – 10:30 Coffee Break

10:30 – 11:30 Survivor Testimony of Yam Lash

11:30 – 12:30 Survivor Testimony of Los Vanna

12:30 – 14:00 Lunch Break

14:00 – 15:00 Survivor Testimony of Chea Nom

15:00 – 16:00 Open Floor Discussion

16:00 – 16:30 Coffee Break

16:30 – 17:00 Panel Statement

17:00 – 17:30 Closing Ceremony
  - Hang Vannak, Chief of Victims Support Section
Annex B: Press Release on the Women’s Hearing with the Young Generation

Media Release

*For immediate release*: 26 September 2013

**Women’s Hearing and the Young Generation 2013**

The Cambodian Defenders Project (CDP), in partnership with Transcultural Psychosocial Organization (TPO) and the Victims Support Section at the Extraordinary Chambers in the Courts of Cambodia (ECCC), hosted its third Women’s Hearing on 24 September 2013.

The Women’s Hearing heard the public testimonies of four women who bravely spoke to end the silence on gender-based violence during the Khmer Rouge. Their accounts of forced marriage, rape, sexual humiliation and torture are heartbreaking; their survival is a testament to their fortitude and determination.

The aim of this year’s Women’s Hearing was to improve knowledge and understanding of the young generation about the broader history of the Khmer Rouge, acknowledging the experiences of survivors of gender-based violence. The Hearing sought to engage young people in advocating for support and justice for survivors, as well as preventing gender-based violence now and in the future. Most of the 400 plus attendees were university students, including the six members Panel (with representation from fields of law, finance, psychology and gender studies).

**Panel Statement key points and recommendations**

For many of the students on the panel and in the audience, this is the first time we have heard about gender-based violence that took place during the Khmer Rouge regime. We learned a lot from the testifiers and are impressed and inspired by their courage and resilience. We make the following recommendations.

**Government to:**

- Establish reparations for free counseling and other supports for survivors of gender-based violence during the Khmer Rouge
- Enforce the law and ensure punishment for perpetrators of gender-based violence during the Khmer Rouge, and provide greater transparency around the legal process
- Ensure historical evidence of this violence is kept for future generations to know and understand it by: preserving the crime sites and evidence of torture; and holding a history competition on this subject at a national level to engage youth
- Raise awareness nationwide of gender-based violence under the Khmer Rouge by: including information about it in school and university curriculums; and conducting study tours of crime sites
- Fund NGOs to work on issues of gender-based violence under the Khmer Rouge
- Establish mechanisms to ensure that the Khmer Rouge type of regimes never happen again.
ECCC to:
• Expedite Cases of 002
• Include gender-based violence crimes on forced marriage in the indictment of Cases 003 and 004.

NGOs to:
• Conduct work on gender-based violence under the Khmer Rouge so that this issue is not forgotten
• Provide counseling and other supports for survivors; and provide survivors with opportunities to tell their story and support them to do so
• Work more with authorities and law enforcement on responding to gender-based violence
• Hold workshops, forums and training to engage the young generation on issues of gender-based violence during the Khmer Rouge, about prevention of such violence and reconciliation
• Work with NGOs of other countries which have also experienced conflict to share experiences and knowledge about responding to these issues
• Conduct more in-depth study of the history of gender-based violence under the Khmer Rouge to better understand the past and inform prevention responses.

Youth to:
• Support victims of gender-based violence in the past and today
• Actively report gender-based violence to the authorities
• Participate in more training and study of gender-based violence in the past and today in order to understand and prevent it
• Share information with each other.

Donors to:
• Provide more funding to NGOs working on gender-based violence
• Support documentation of gender-based violence in conflict so that future generations will know about these events
• Support NGOs to hold future Women’s Hearings
• Raise awareness of the topic in the international arena and share the experience with others.

Media to:
• Provide greater coverage of this topic to ensure that it remains in the consciousness of the public and authorities, and that survivors’ voices are heard.

Next steps
In the next week, the Panel will formalize their complete Statement. Over the coming months, CDP will take the testimonies and Panel Statement and make them publically available in a report, to be published on the Gender-Based Violence website: www.gbvkr.org

A video of this year’s Hearing will also be uploaded to the website. Please see this site for videos and reports of the previous Women’s Hearings in 2011 and 2012.
**Women’s Hearing participants**

**Survivor testifiers:** Mrs MOM Vun, Mrs YAM Lash, Mrs LOS Vanna and Mrs CHEA Nom

**Student Panel (PUC, RULE, RUPP – psychology, law, finance and gender studies):**

Main panel: SOR Chhivegech; PHAY Sakphea Panha; KHUT Ich; RIM Souvannary; IN Ratha; KEO Bopha Osaphea

Support panel: Adi Mere MISIVONO; KHONH Chantha; CHHENG Channita; CHHUN Siakva; KEO Rattana; NAY Udom; NOCH Sreyneang; SEM Hak; THORN Phearc; YOUN Sreynich

CDP Organizers: Mr DUONG Savorn; Ms HANG Charya, Ms SREA Ratha, Ms YE Beini