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THE SITUATION IN KAMPUCHEA
IMPORTANCE OF THE UNIVERSAL REALIZATION
OF THE RIGHT OF PEOPLES TO
SELF-DETERMINATION AND OF
THE SPEEDY GRANTING OF INDEPENDENCE
TO COLONIAL COUNTRIES AND PEOPLES
FOR THE EFFECTIVE GUARANTEE AND
OBSERVANCE OF HUMAN RIGHTS
INTERNATIONAL COVENANTS ON HUMAN RIGHTS
OFFICE OF THE UNITED NATIONS HIGH
COMMISSIONER FOR REFUGEES
ALTERNATIVE APPROACHES AND WAYS AND MEANS
WITHIN THE UNITED NATIONS SYSTEM FOR
IMPROVING THE EFFECTIVE ENJOYMENT OF
HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
TORTURE AND OTHER CRUEL, INHUMAN OR
DEGRADING TREATMENT OR PUNISHMENT

SECURITY COUNCIL
Forty-first year

Letter dated 10 October 1986 from the Permanent Representative
of Democratic Kampuchea to the United Nations addressed to the
Secretary-General

I have the honour to transmit herewith for your information a document entitled "Torture and severe ill-treatment of political prisoners and prisoners of conscience by Vietnamese occupiers in Kampuchea".

I should be most grateful if you would arrange for this letter and the attached document to be circulated as an official document of the General Assembly, under agenda items 25, 88, 97, 99, 101 and 103, and of the Security Council.

(Signed) THIOUNN Prasith
Permanent Representative

ANNEX

Torture and severe ill-treatment of political prisoners
and prisoners of conscience by Vietnamese occupiers in
Kampuchea

On September 1986, Amnesty International (AI) issued a document on torture and severe ill-treatment of political prisoners and prisoners of conscience by Vietnamese occupiers in Kampuchea. Excerpts of the document are as follows:

AI has long been concerned about reports of torture and severe ill-treatment of political prisoners, including prisoners of conscience, in the People's Republic of Kampuchea (PRK) (*). It has recently received reports that people arrested on political grounds who do not admit to allegations made against them have been routinely tortured during interrogation. These prisoners have been held without charge by the PRK police or military authorities or by elements of the army or *chuyen gia* (advisory experts) of the Socialist Republic of Viet Nam present in the PRK.

AI has received similarly extensive information that political suspects have been systematically subjected to cruel, inhuman or degrading conditions of confinement while imprisoned without charge or trial during interrogation or thereafter. A considerable number of political prisoners are reported to have died in custody as a result of torture and their conditions of imprisonment.

The organization has on several occasions expressed grave concern about these reports to the PRK Government and has asked to meet and discuss these concerns with government officials. It has received no response.

SOURCES OF INFORMATION

AI's information comes from many sources. It includes testimonies from former political prisoners who said they themselves had been tortured or ill-treated or had witnessed the effects of such treatment on fellow prisoners. It also includes accounts by former PRK officials who were directly aware of the infliction of torture and abusive conditions of confinement on prisoners by the PRK governmental organs in which they worked, as well as accounts by relatives or friends of former or current political suspects.

Almost without exception these sources have requested anonymity for themselves for fear of retaliation, including arrest and torture, against them or people associated with them. Most have also asked AI not to disclose the names of current or former prisoners because of similar fears of reprisals. However, AI has information on hundreds of named current or former political detainees, many of whom are reported to have been tortured.

(*): Puppet regime installed by Vietnamese occupiers - Ed.

THOSE AT RISK

Those said to run the highest risk of torture include people accused or suspected of being involved or sympathizing with the armed or other organized opposition activities carried out against the PRK or the Vietnamese presence in the country by one of the three groups whose leaders are parties to the Coalition Government of Democratic Kampuchea (CGDK) or by various cholana (movements) linked to these groups. The three groups are: the Partie of Democratic Kampuchea, the Khmer People's National Liberation Front (KPNLF) and the National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC).

People alleged to have expressed or to hold opinions critical of the PRK's policies or practices or the role of Vietnamese personnel in the country are also said to risk torture, as are those thought to be trying to leave the country or to return from areas under the political influence of the CGDK or one of the opposition movements.

DETENTION CENTRES

Political suspects are reported to have been tortured while held for interrogation in numerous detention centres throughout Kampuchea, including:

- . Centres under the PRK Ministry of the Interior and its subordinate civil police forces. These include district level police "temporary detention offices", provincial and municipal level police "interrogation prisons" and the Central Prison, generally known as T3, in Phnom Penh, the capital.
- . PRK armed forces centres, including jails run by the PRK military police and other army units in the provinces, and jails run by the central Ministry of National Defence in Phnom Penh.

Vietnamese "experts" are reported to have participated in or been present during torture at these PRK centres, especially those at the provincial level and above. Such "experts" are also reported to have tortured political suspects in centres run exclusively by Vietnamese personnel. These include jails run by their propaganda and education brigades in PRK provinces and by the head offices of their "expert" corps in Phnom Penh.

CONDITIONS OF DETENTION HARSH, DEGRADING AND UNHEALTHY

Political suspects detained for interrogation appear to be kept in harsh, degrading and unhealthy conditions. The following picture emerges from reports received by AI: Detainees undergoing interrogation in centres at levels higher than the PRK district are generally held incommunicado in small and completely lightless solitary confinement cells that are poorly ventilated and insanitary. The detainees are constantly immobilized by shackles on both legs; sometimes they are also handcuffed. They are allowed no bedding or mosquito netting. Prisoners whose ill-treatment or torture during interrogation is being intensified are also deprived of food and water to the extent that their physical strength and resistance to illness are progressively undermined. They may not bathe or go outside their cells to relieve themselves and are permitted no

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medication or medical attention.

The aim of the torture and cruel treatment is reported to be to compel detainees to "confess" to the real or imagined opposition they are accused of and to inform on other suspects or people considered as opponents by the authorities. (Sometimes, apparently, the purpose of the abuses is to extract bribes from detainees or their families. In such instances, incommunicado detention is said to be briefly interrupted to facilitate the extortion.)

Although it is rarely reported that a suspect has been killed during the actual interrogation, there are frequent reports of prisoners dying during the indefinite period of detention without charge or trial that usually follows interrogation. Such deaths reportedly occur even though the torture is over and conditions have improved. The causes appear to be a combination of untreated or undertreated internal injuries sustained during torture, unattended diseases contracted during or after torture, and inadequate diet. Suicides have also been reported, as well as cases of prisoners having become insane after torture and ill-treatment.

METHODS USED

A variety of different tortures are reported to have been inflicted on political suspects detained for interrogation.

Most commonly cited are lengthy and repeated beatings and whippings. Prisoners are said to have been punched and kicked on the body, head and extremities; struck with pistol and rifle butts, truncheons, wooden staves with sharpened edges, and bamboo or iron bars; and whipped with electrical or steel cables, chains, rubber hoses or wet gunny sacks. Sometimes, it is said, several interrogators beat and whip a prisoner at the same time. The victim may be tied up during these assaults -- often with the thumbs bound together across the back with cords (see illustration) -- or he or she may be blindfolded and hung upside down from the ceiling with ropes.

Other reported tortures, inflicted either after or in conjunction with sustained beatings and whippings, include near-suffocation with plastic or rubber bags; near-drowning in vats of water; application of electric shocks on or in the ears and on the eyes or extremities; forcing of fish sauce or soapy water down the nose; blowing of lye powder into the eyes, nose, mouth and lungs; extended exposure under corrugated iron to intense sunlight and heat; and the insertion of nails through the thigh muscle to the bone. According to a number of reports, suspects have been threatened with being shot or beaten to death during interrogation and have been subjected to mock executions.

INTERROGATION TECHNIQUES

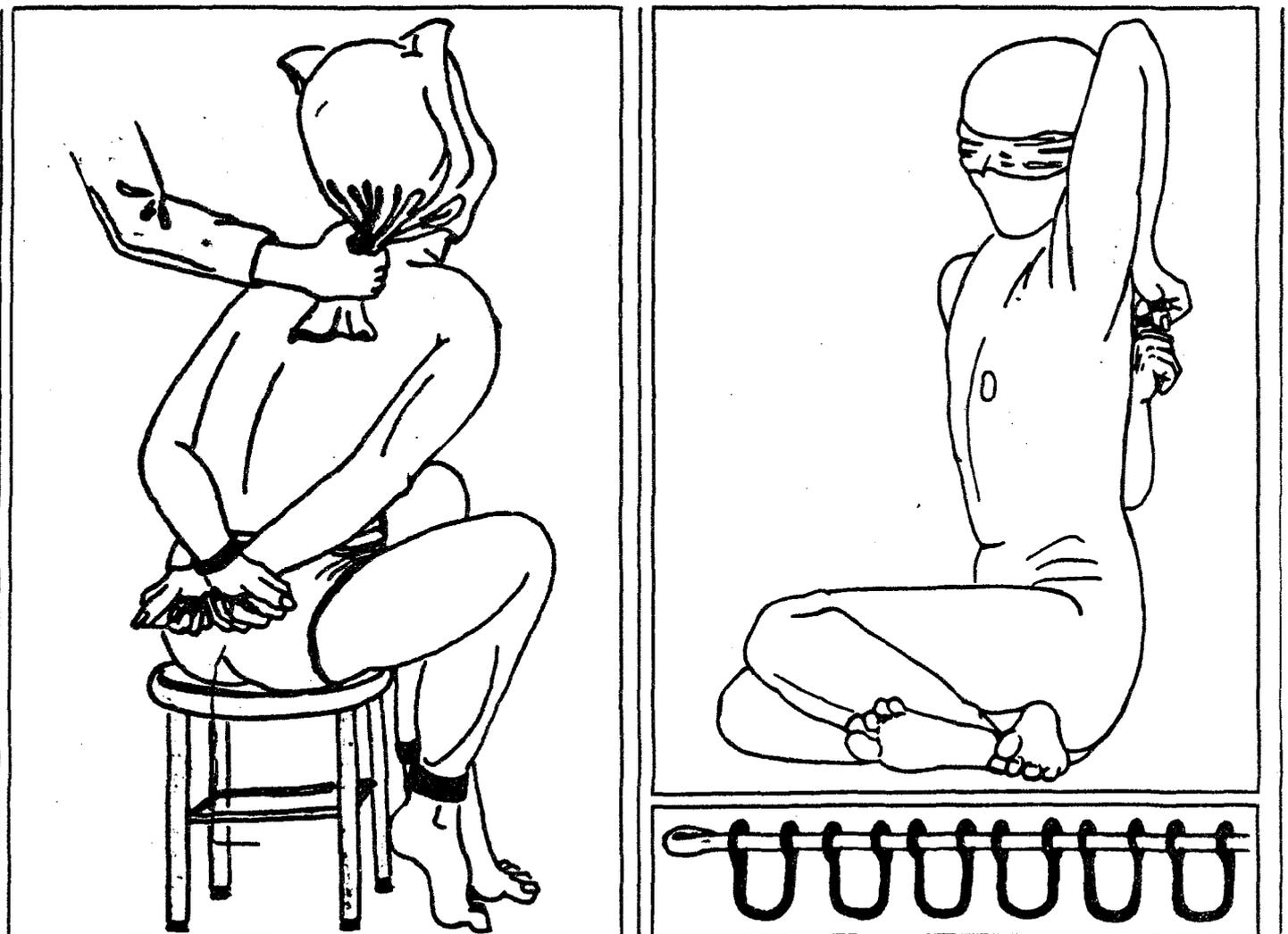
Former prisoners and former PRK officials have described three interrogation techniques and say the use of one or more depends on the suspect's willingness or ability to cooperate with his or her interrogators. The techniques are commonly known as:

- "Sweet-talking an answer" -- this apparently involves promising favorable treatment or even release and also trying to persuade detainees that they have been in the wrong politically. /...

- . "Getting an answer by putting ideas in the head" -- a combination of leading or suggestive questions, true or false claims that others have already confessed and fully implicated the detainee, and various forms of psychological intimidation.
- . "Forcing an answer" -- this is said to involve threats of and the actual use of physical violence, including torture, and the imposition of intolerable conditions of detention.

Detainees who are considered to have responded satisfactorily to the first two techniques are generally not tortured, it is said, although they may nevertheless be held incommunicado in leg irons in lightless solitary confinement cells for long periods before their conditions of detention improve. Torture appears to be reserved for suspects who resist or are unable to respond satisfactorily to the first two techniques.

SEPTEMBER 1986 Amnesty International File on Torture



The drawings above, left and top right, illustrate two of the torture methods reported to have been used on political suspects. On the left, a bound prisoner is seated on a stool and then has a plastic bag held over his or her head almost to the point of suffocation. Prisoners also have their thumbs bound together across the back, top right, and may then be kicked or beaten. The third drawing is of the type of shackle said to be used to immobilise prisoners in the cells: a group of them are shackled together, with one set of irons for their feet and another for their wrists.

NO REDRESS FOR TORTURE VICTIMS

Victims of torture and severe physical abuse in PRK detention centres are, to AI's knowledge, accorded no specific means of legal redress.

An August 1982 "Law on the Examination and Settlement of Citizens' Complaint and Denunciation Suits" theoretically affords citizens the right to file complaints about "erroneous acts that are contrary to political policy or the law" which have been committed by public bodies, officials or the military and which endanger organizations or armed forces units and which endanger a citizen's "legal interests". However, this statute makes no direct reference to the possibility of seeking redress against torture or ill-treatment. Moreover, former prisoners and PRK officials report that they know of no instance in which it has been used for this purpose; nor to AI's knowledge has the PRK ever officially publicized any case of the statute's use in such a manner.

Former prisoners report that detainees are often warned against trying to inform people outside prison of their treatment, and that it is often a condition of their ultimate release that they pledge never to make any such revelations on pain of rearrest and renewed abuse.

TESTIMONIES

FORMER PRISONERS

The following are excerpts from the testimonies of former political prisoners. Their place of detention at the time of the treatment described is in bold type.

'...MY HEAD WAS OVER A BOARD THROUGH WHICH NAILS HAD BEEN HAMMERED'

The Office of the Phnom Penh Capital Police: " ... They put me in a dark solitary confinement cell, where I was handcuffed and in irons ... I was taken out for interrogation ... They asked me to confess everything I had done ... They said if I hid anything, the organization (the ruling yarty) would not be able to pardon me ... they sent me back to sleep and think it over ... The next day ... they asked me whether I had thought it over and whether I had now recollected all the things that I had done. I asked them why I had been arrested. They said, 'He still doesn't recognize that he's a traitor!' ... They then tried to terrorize me by pistol-whipping me once and whipping me on the back seven or eight times with a length of rubber hose ... They said I was very stubborn, and that there were ways of dealing with me. They took out a plastic bag and put it over my head. I passed out and fell down. About a week later, after having been put back in the same room, I was called for interrogation again ... My legs were tied up and suspended from the ceiling so that my head was over a board through which nails had been hammered. They would raise me and drop me from a height so that my head would almost hit the nails, in order to break me psychologically. After this treatment was conducted by Khmer, two Vietnamese who had been standing there tapped me on the shoulder and, smiling, said I should confess, otherwise I would really be ill-treated ... They then tried to terrorize me into responding by hitting me four times ... "

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'THEY COVERED MY FACE WITH PLASTIC TO SUFFOCATE ME ...'

"T-3" in Phnom Penh: "... I was taken to a quiet interrogation room, where there were both Vietnamese 'experts' and Khmer. I was interrogated again about which party I was serving, and I said I wasn't serving any. They asked me over and over again about this ... I still didn't answer. Then they started beating me and kicking me around in a circle from one to the other, until I passed out. They revived me by pouring water on me. They said since I was keeping my trap shut I was going to get beaten some more. They covered my face with plastic to suffocate me ... A Vietnamese 'expert' hit me four or five times ... I was ill-treated this way for three days running."

'THE ILL-TREATMENT WAS THE SAME: BEATINGS, KICKING AND WHIPPING...'

Military Detention Office of Battambang province: "Immediately upon arrival, I was put in a dark solitary cell ... my legs were in irons ... I was there for four days and four nights before I was taken out for interrogation. During this period, I wasn't allowed to have a crap. .. I was being fed only once a day ... I was interrogated three times. In the first interrogation, they accused me of being involved in politics and serving the resistance ... There were four interrogators: two Khmer and two Vietnamese. At first they were nice. They gave me a cigarette ... I kept saying what had really happened, but they didn't believe me and started beating me. I was beaten with fists, kicked and whipped with electric cable ... After they had beaten me, they put me back in the cell, saying that I should think it over ... They said that if I confessed, they would release me ... The second time, the interrogation followed the same model. At first they were nice but then, when they didn't get the answers they wanted, the beatings started ... two days later I was again interrogated ... This time there were three Vietnamese and three Khmer ... The ill-treatment was the same: beatings, kicking and whipping ..."

'...THEY BEAT ME WITH BAMBOO'

Detention Centre of Vietnam Propaganda and Education Brigade "7704", in Battambang province: "I was not only blindfolded but handcuffed... At first they questioned me nicely... But once it became clear that my answers to their questions were the same as before, they took a plastic bag and covered my head with it down to my neck. There was a drawstring around the bag. After pulling the drawstring they beat me with a bamboo. This time I passed out..."

'THE MEN HAD ELECTRIC WIRES... ATTACHED TO THEIR EYES OR EARS...'

The Office of the Prey Chhor District Police, in Kompong Cham province: "... They first said we were in contact with the Sereikar (a term referring to the KPNLF or FUNCINPEC). At first they asked us nicely but when our answers didn't satisfy them they went right into hitting us. I was first slapped on both cheeks and told to respond. When I said I hadn't had any contact, they grabbed me by the hair and slammed my head into the ground. Then, when I still didn't respond, the Vietnamese 'expert' jumped into the room and kicked me in the back, knocking me to the ground again... At the time I was five months pregnant... The men were beaten much more severely to the extent that they were bleeding externally and covered with bruises... we were each interrogated about 20 times, sometimes three times a day... The men had electric wires from a motorcycle attached to their eyes or ears during interrogation..."

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'I WAS SURE I WAS GOING TO DIE'

The Office of the Sisophon District Police, in Batdambang province: "I was in a dark cell ... They began interrogating me. There were two interrogators ... Before the interrogation began I was trussed up with a *Krama* (traditional scarf). I wasn't fed before the interrogation ... The first question was to what extent I had been doing politics for the *para* (another term referring to the KPNLF or FUNCINPEC). I said I hadn't done anything... they began beating me. They body-punched me with their fists and kicked me in the chest with their combat boots. Then they also whipped me with rattan canes and with a chain ... The second day they interrogated me again ... I was tied up during interrogation. After I denied the accusations they removed their watches and put them on the table, and changed from light rubber sandals into combat boots, in order to begin the beatings. This time the beatings were more severe ... I was tied up specially for the beatings, with my thumbs held together behind my back with nylon fishing cord, with one arm over my back and the other behind my back ... They kicked me in the chest and on the shins, and they punched me in the stomach with their fists. My shins swelled up from the kicks. It was extremely painful. They also whipped me with rattan canes and a chain ... I kept pleading with them to show me some justice ... But they said they would beat me to death if I didn't respond honestly ... Finally, I collapsed into unconsciousness ... On the third day ... I was called again ... This time, they were more angry with me and beat me even more severely. This time, after beating and kicking me for a while, they blindfolded me with a *krama*. After six or seven more kicks I passed out again ... (on) the fourth day I was once again interrogated. This time I was whipped from the very beginning with a chain and with a rattan cane, while my thumbs were tied behind my back and I was blindfolded ... (on) the fifth day ... they were insanely angry and more violent than ever ... They beat, whipped and kicked me as hard as they could. I passed out against the wall, with my hands bleeding from where the chain had hit ... my shins were swelling and exuding pus from the infections that had developed ... When I was being beaten I felt that I had no hope of survival. I was sure I was going to die..."

FORMER OFFICIALS

The following are excerpts from the testimonies of former police or Ministry of Interior officials of the PRK. Their former function is indicated in bold.

'WE WOULD ... TORTURE THEM ...'

District police interrogator : "The three methods of interrogation are : first, 'sweet-talking an answer'; second, 'getting an answer by putting ideas in the head'; and third, 'forcing an answer' ... If the first method didn't work ... then we'd use the second method ... If the second method didn't work then we would force an answer. We might beat them up and then put them back in detention with no right to bathe, on reduced rations and hard labour ... We would close off all their rights and freedoms and torture them ... We could also place the prisoner in a dark cell ... There have been instances of prisoners being beaten or shot to death by the interrogators ..."

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'...NO ACCUSED ...EVER DARED TO BRING A SUIT ...'

Police training cadre: "According to the law, the accused has the right to file a suit against the interrogation cadres if the accused is ill-treated but as far as I know ... no accused have ever dared to bring a suit ..."

'...SUSPECTS CAN BE TORTURED'

Phnom Penh Capital Police interrogator: "Arrested suspects can be tortured. Any activity felt to be subversive can be a reason to arrest, imprison and torture someone ... The torture instruments include rubber truncheons ... and plastic bags ...prisoners are often ill-treated until they lose consciousness."

DISCIPLINE

Prison Administrator: "I've never heard of an interrogator or a guard being disciplined for having ill-treated a prisoner. I have, however, heard of interrogators or guards being disciplined for having allowed prisoners to make contact with their relatives outside by letter to ask for food and the like ..."
