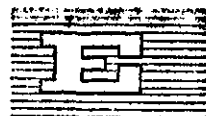


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COMMISSION ON HUMAN RIGHTS  
SUB-COMMISSION ON PREVENTION OF DISCRIMINATION  
AND PROTECTION OF MINORITIES  
Thirty-first session

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF  
APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE  
SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Submission from Amnesty International under  
Commission on Human Rights decision 9 (XXIV)

[Original: English]

[14 July 1978]

By this statement, Amnesty International would like to draw the Commission's attention, through the Sub-Commission, to the serious allegations of violations of human rights in Democratic Kampuchea made by refugees who have left the country since 1975. Amnesty International is deeply concerned by these allegations which include continuing summary executions, maltreatment, arrests and disappearances.

Verification of details has been made difficult by the lack of access to the country for independent observers, and queries and expressions of concern about specific reports of human rights violations have not been answered by the Government of Democratic Kampuchea. In this context, reports by refugees constitute, together with official statements, the main sources of information on the human rights situation in Democratic Kampuchea.

As regards information available from official sources, Amnesty International notes that since 1975 no official statement has made any reference to the existence of laws or judicial institutions or procedures guaranteeing the rights of individual citizens in Democratic Kampuchea. On the contrary, the 1976 Constitution of Democratic Kampuchea includes loosely-worded provisions which threaten fundamental human rights. For example, Article 10 states:

"Any systematically hostile or destructive activity that endangers the people's State receives the most severe punishment.

"Any case besides the above mentioned activities is treated by means of re-education within the State's organs or people's organizations"<sup>1/</sup>

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<sup>1/</sup> Unofficial translation provided in 1976 by the former Mission of Democratic Kampuchea in France.

Article 20 (paragraph 2) states:

"Any reactionary religion interfering with Democratic Kampuchea and her people is strictly prohibited." (2/

Amnesty International has also noted with concern the statement in September 1977 by the Prime Minister of Democratic Kampuchea, Pol Pot, that "reactionary elements" carrying out activities "against the Cambodian revolution" should be either "educated" or "neutralized" or "eradicated". The Prime Minister declared in the same statement that such "elements" constituted "1 or 2% of the population" and that they are regarded as "enemies" of Democratic Kampuchea. (3/

On 20 March 1978, a broadcast from Phnom Penh radio stated: "We must absolutely avoid implementing Party discipline among the masses by evoking fear or by making threats of any kind, such as by saying that anyone who violates Party discipline will be punished or tortured." (4/ This clearly indicates that the State recognizes its responsibility for the repressive practices which have occurred.

As far as is known to Amnesty International the only attempts made by the Government of Democratic Kampuchea to deny the allegations were statements by Foreign Minister Ieng Sary who is reported to have denied in May 1977 that "hundreds of thousands" had been executed (Reuter, 8 May 1977) and to have made a similar denial recently in Tokyo (Times, 14 June 1978).

Amnesty International is particularly concerned by the following allegations by refugees from Democratic Kampuchea:

1. Summary executions of many people because of their position under the former administration, or because of their opposition to official policy. It is further alleged that in some cases relatives of those regarded as "traitors" or "enemies" have also been executed. Many refugees have alleged that large-scale summary executions of officers of the former Republican army occurred in 1975 and early 1976, sometimes involving their family dependants, and that many officials of the former administration were either executed or "taken away" and never heard of again. More recent refugee reports indicate that a number of civil and military leaders of the present administration were summarily executed in 1977 for attempting to organize opposition in various provinces of the country. The regional leaders alleged to have been executed in spring 1977 include the secretary of the Oddar Meanchey/Siem Reap region, named Soth, his deputy, named Hien, the chief of Kompong Cham region, named Has, the secretary of Kompong Thom, named Seng, and other junior officials from north of the country. (5/

2/ idem

3/ Speech by Premier Pol Pot, Phnom Penh radio of 28 September 1977, in BBC Summary of World Broadcasts, FE/5632/C/1.

4/ BBC SWB of 28 March 1978, FE/5773/B/5, and Le Monde of 16/17 April 1978.

5/ Statement by François Ponchaud's statement in Oslo, April 1978.

Among other recent reports is that of a refugee named Chieu Kien, who worked as a carpenter in a factory of Kompong Kol (Battambang province) until he fled to Thailand in mid-March 1977. He has alleged that 11 "members" of the factory were executed in February and early March 1977 for having connections with "traitors" who had tried to organize opposition. Those allegedly killed included the manager of the factory, Phok Lim, his brother, Phok Lieng, workers from the factory, Duong, Nan, Houl, Sarun, Chhat, and "members" of the Kompong Kol military management, L'Achar Phol, Thol and Knon. 6/

One of the most recent allegations of summary executions was made by a boy aged 15, Yim Sot Tannakit, who arrived in Thailand in March 1978. Yim Sot Tannakit alleged in June 1978 that he had witnessed the execution of 77 villagers, accused of being "rebellious traitors", in a forest near the village of Utra (Siem Reap province) in February 1978. Yim reported that his family was among them. According to him, the villagers were taken to the forest with their arms tied behind their backs and were killed by Khmer Rouge soldiers by being hit on the back of the neck with shovels. Yim further alleged that he was himself clubbed and left for dead, but that he survived and managed to flee. 7/

2. Arrest and subsequent disappearance of people considered to have committed acts "hostile" to the State or to the authorities. Many refugees have reported the disappearances of members of their families, neighbours or colleagues who were taken away on the orders of the authorities and never heard of again. It has also been alleged that in some areas any act considered "disobedient" by the local authorities is likely to be punished by them at their discretion without any process of law or formal safeguards.

For instance, a refugee named Ear Soth, who worked in sugar-cane fields near Kompong Kol (Battambang province) until spring 1977, has alleged that in June 1976 he saw a "Khmer Rouge" called Chhen kill a boy who had asked him for some soup to eat. 8/ Ear Soth stated in June 1978 that he fled from Democratic Kampuchea in May 1977 because since February of that year local leaders and soldiers around him (Kompong Kol/Battambang area) were disappearing every day, being "taken away" with their arms tied behind their backs. 2/

3. Use, in some areas, of cruel, inhuman and degrading treatment against people who are detained or singled out for execution. Most specific instances of maltreatment reported by eye-witnesses are related to killings or summary executions, but some instances of maltreatment of detainees have also been reported.

A defector named Mao Sras alleged in June 1978 that during the 1975/76 purges of personnel from the former administration, he witnessed the execution of an ex-captain, named Kiv San, and of a group of children whom he had asked to kill

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6/ Cited in François Ponchaud's statement in Oslo, April 1978.

7/ Times, 14 June 1978 and International Herald Tribune, 15 June 1978.

8/ Statement by Ear Soth at Oslo in April 1978.

2/ Statement by Ear Soth during a press conference in Paris on 29 June 1978.

with an iron bar. Mao Sras - who was a district official (third in rank in the district) in Kompong Cham province until June 1976 - stated that he refused to kill them but saw it done by others. He further alleged that he saw several of his "comrades who had served the revolution" being "massacred" and that he was himself arrested at the end of June 1976 and held for one month and seven days chained by the waist to a post with his arms tied by manacles. 10/

A refugee named Kong Samrach, who worked in a village near Staung (Kompong Thom province) from December 1975 till June 1977, alleged that men and women who were found to have sexual relationships outside marriage were arrested, brutally mutilated and left to die. He reported that the head of his village had power of life and death over the villagers and cited the example of a man called Buonna who was executed for refusing to give a tin of rice and milk to two guards who were searching his hut. 11/

A Swedish journalist, Erik Pierre, reported in July 1976 on a Vietnamese family who had spent several months in a labour camp for foreigners in Democratic Kampuchea before they returned to Vietnam in early 1976. According to the account of one of the family's relatives, the camp was strictly guarded and held about 3,000 people, mainly Vietnamese and Chinese, who were separated into groups of about 200 people; no contact between the groups was allowed and people who did not fulfil the work requirements were beaten with sticks. He further reported that no one in the family had seen anybody being beaten to death, but that they had heard of such cases. Erik Pierre noted that it was unclear from this report whether or not the whole camp had been dissolved towards the end of 1975. 12/

4. Discrimination against various groups of the population depending on their social or religious background, and the forced assignation of groups of people to work camps, entailing restricted freedom and resulting for many in separation from their families.

An article in the Malaysian review, Islamic Herald of October/November 1977, presented interviews with three unnamed Muslim refugees from Kampuchea who alleged that the Chams (Cambodian Muslims, whose largest concentration was in Kompong Cham province before 1975) have been systematically dispersed, prevented from practising religion and speaking the Cham language. The refugees gave the names of Muslims - religious leaders and ex-government officials - who were executed after April 1975. These included, for instance, the Kadhi, Imam Tabib Ahmad, Tuan Syahid Ali and others, allegedly executed in mid-June 1975 at Kompong Deras, Keruchma district, for performing prayers instead of attending a meeting called by a local Khmer Rouge leader; ten others - named in the article - were allegedly executed later in the same place for petitioning the local leader about marriage practices imposed by the authorities. According to one of the refugees cited in the article, the Muslim population of Kompong Rakapram (Kompong Cham)

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10/ Statement by Mao Sras during a press conference in Paris, 29 June 1978.

11/ Statement by Kong Samrach in Oslo in April 1978.

12/ "Swedish correspondent's report on Vietnamese refugees from Cambodia" in BBC SWB of 12 July 1976, FE/5257/A3/1.

was dispersed in 1976 in this way: on 1 February 1976 a meeting was organized in Kompong Rakapram by a local leader named Broum Samit who invited the Muslims who wished to leave Kampuchea to register their names and on 15 February they were taken away in 25 trucks driving towards Battambang. Half-way, at Pursat on 16 February, seven of the trucks took the road to Liaj, while the other 18 headed towards Mong Resei; at Mong Resei, each family was transferred into one bullock cart and taken to Kompong Kocha and towards Kompong Guah. The refugee alleged that the Muslim families were later separated, each forced to live with larger groups of non-Muslims, forbidden to meet or assemble in a group and to practice religion, and that Muslim youths were separated from their parents. 13/

Many refugees of other religious persuasions have reported the closure of churches and pagodas, the execution or disappearance of many religious leaders and the prohibition to practice religion. Yugoslav journalists who visited Democratic Kampuchea in March 1978 were told by the Minister of Culture and Education, Yun Yat, that Buddhism is incompatible with the goals of the revolution and is "a relic of the past, forgotten and surpassed." 14/

Amnesty International is aware that many allegations of human rights violations by refugees remain uncorroborated. However, the number and consistency of these grave allegations give cause for grave concern. A nonpartisan examination of all available information indicates that fundamental human rights are being grossly violated in Democratic Kampuchea.

Amnesty International would welcome any steps taken by the Government of Democratic Kampuchea to allow independent international observers to carry out investigations within the country, and to set up appropriate mechanisms to protect the fundamental human rights of individual citizens in Democratic Kampuchea.

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13/ "Fate of Muslims in Kampuchea" by Dato Ahmad Nordin, in Islamic Herald Vol. 3, No. 6/7, October/November 1977, pp. 8-14.

14/ Excerpts from dispatch by Tanjug's special correspondent, Slavko Stanic, in BBC SWB of 28 March 1978, FE/5773/B/5.