



លេខាធិការប្រធានអង្គការសហប្រជាជាតិ

គណៈកម្មាធិការសិទ្ធិមនុស្សរបស់អង្គការសហប្រជាជាតិ ប្រចាំកម្ពុជា



MEMORANDUM TO THE ROYAL GOVERNMENT OF CAMBODIA

EVIDENCE OF SUMMARY EXECUTIONS, TORTURE
AND MISSING PERSONS SINCE 2-7 JULY 1997

21 August 1997



HR REC 13/97

22 August 1997

Your Excellency,

Herewith I submit to you a Memorandum which has been assembled by the Cambodia Office of the UN Centre for Human Rights. It deals with the serious matters of summary executions, missing persons and torture since 2 July. I have studied the material carefully and deem it of greatest importance that the Royal Government promptly initiate investigations into the information provided.

The information that the UN human rights office in Cambodia has obtained has been checked. Unsubstantiated allegations have not been included. The office is of course not a judicial body, it reports on relevant aspects of the human rights situation. Some of the sources cannot be given for obvious reasons. The Memorandum presents, in my opinion, a strong *prima facie* case. There is a need for a serious criminal investigation into each of the cases referred to in the appended document. Those responsible for summary executions or other serious crimes relating to human rights in this context must be brought to justice.

In this context, it also seems necessary that the Government clarifies that the institutionalized impunity which unfortunately has developed in Cambodia, partly through the impact of article 51 of the Civil Servants Act, shall not be allowed to hinder justice to be made.

I also recommend the Royal Government to establish a comprehensive inquiry into the human rights situation as it has developed since 2 July 1997. The nature and the scope of the information on violations, partly reflected in the appended Memorandum, call for a serious and comprehensive response from the Government. I need hardly emphasize that such an inquiry should be genuinely impartial and transparent. I would recommend that international expertise be included to assist in the inquiry and I would myself be willing to testify to a commission set out for the purpose.

His Excellency
Mr. Ung Huot
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Phnom Penh

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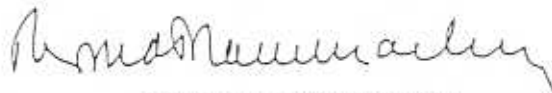
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I am also recommending that, as an immediate measure, a comprehensive list of places of detention and of the names of all persons detained since 2 July should be made public. I recommend that the Cambodia Office of the Centre for Human Rights be granted access to all places of detention, temporary and permanent, to enable it to establish facts independently. The Cambodia Office will continue to cooperate closely with the Government on all these matters, in the most open, transparent and constructive manner.

I note with concern that no one so far has been arrested or prosecuted for violations since 2 July, not even when Government spokesmen have admitted that a crime has been committed. I also note that common procedures have been disregarded in relation to cremation of dead people in a manner which not only seems to reflect a striking disrespect for family feelings but also appears to indicate an intention to destroy important evidence. I assume that prompt action have been taken to put an end to this malpractice. Furthermore, I have been most disturbed to note that military personnel have not always been cooperative with representatives of the UN Cambodia Office and that these UN officials even have been threatened with weapons. This has also to be remedied.

I give these reactions and recommendations in good faith. I intend to visit Cambodia in early September and look forward to discussing this Memorandum on that occasion with representatives of the Royal Government.

Please accept, Your Excellency, the assurances of my highest consideration.



Thomas Hammarberg
Special Representative of the United Nations
Secretary-General for Human Rights in Cambodia

cc:	His Majesty the King	Co-Ministers of Defense
	Acting Head of State	Chief of General Staff, RCAF
	Second Prime Minister	Minister of Justice
	Acting Chairman of National Assembly	Acting Chairperson, National Assembly
	Co-Ministers of Interior	Commission on Human Rights

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INTRODUCTION

This report presents information which the Cambodia Office of the United Nations Centre for Human Rights ("Cambodia Office") has collected and verified concerning 41, and possibly up to 60 politically-motivated extrajudicial executions¹ since the military coup of 2-7 July 1997². The cases described in this report do not include persons killed in combat.

It also reports on the incineration of a large number of corpses - mostly soldiers brought by Government troops to various pagodas in the capital - ordered to be carried out immediately, without questioning and outside usual legal and customary practice. In all except a few cases, the persons hastily cremated under these suspicious circumstances, are not included in the 41-60 cases of executions in custody. In addition to these, the Cambodia Office is investigating another ten instances of alleged executions which involve up to 40 other individuals.

The report then describes evidence of torture by members of the Special Forces Regiment 911 and the Royal Gendarmerie. It last provides a list of 16 individuals who have been reported missing by their relatives, friends or colleagues and whom the Cambodia Office has not been able to trace.

On 13 July 1997, the Second Prime Minister Samdech Hun Sen appealed to "the NGOs and human rights organizations to help monitor and immediately provide information to the Royal Government so that violations of law can be prevented in a timely manner". Acting Head of State Samdech Chea Sim on 16 July called for "the Cambodia Office of the United Nations Centre for Human Rights, the ICRC and the international organizations [...] to participate and

¹ An extrajudicial execution is the deliberate killing of a person in the custody of an agent of the Government carried out outside existing legal procedures. The death penalty was officially abolished in 1989, a policy which was confirmed in new Constitution of the Kingdom adopted in 1993.

² The dates of 2-7 July in this report reflect what a Ministry of Information report refers to as "The military operation" which is officially dated "2 to 7 July 1997". The operation, which resulted in the destruction of FUNCINPEC military backbone, the collapse of that party and that of the other opposition parties, effectively started on 2 July with the military takeover of the small Navy base of Prek Taten on the Tonle Sap.

cooperate closely with the competent authorities in case of flagrant violations of human rights". On 16 July, the Second Prime Minister appointed his advisor, Mr. Om Yeng Tieng, to liaise with the Cambodia Office on these matters. On 19 July, Mr. Om Yeng Tieng conveyed to the Cambodia Office the Second Prime Minister's invitation that it coordinate the monitoring activities of human rights violations in the country. This invitation was accepted and acted upon.

This report does not touch upon the issues of politically-motivated arrests and detention, of intimidation and harassment of political party officials and members and of the press and media in connection with the 2-7 July 1997 coup. These issues will be addressed in subsequent reporting.

The Cambodia Office has visited various places of detention where over 600 FUNCINPEC-affiliated soldiers were confined and regrouped during and immediately after the coup. It has obtained permission from Fifth Bureau of the RCAF General Staff on 17 July which has granted unhindered access to these detainees to interview them.

However, the Cambodia Office still has not received the written permission which would allow it to gain access to all places of detention - legal and illegal - where persons arrested in connection with the coup may be detained. Such visits would allow it to identify these persons and interview them confidentially in order to assess their conditions of detention and help clarifying the grounds for their arrest and deprivation of freedom. The Cambodia Office hopes that such permission will be granted without further delay.

I. ARREST AND DETENTION OF "ANARCHIC FORCES" AND "INFILTRATED KHMER ROUGE":

There is so far no evidence of an organized nationwide campaign to arrest political party officials and members. However, numerous people were arrested in the wake of the military operation, both soldiers and civilians, and temporarily detained. The Cambodia Office has confirmed the arrest, around and after the fighting, of over a hundred persons associated with the FUNCINPEC party in certain provinces: 7 in Kompong Cham, up to 100 in Siem Reap, 13 in Battambang, 31 in Prey Veng, 20 in Kompong Speu, at least 3 in Kompong Chhnang, 3 in Sihanoukville. Other arrests were reported in these provinces but could not be confirmed. These persons were provincial-level civil servants, soldiers, policemen,

gendarmes or local party representatives. Most were subsequently released by the end of July, either after administrative detention or after they were tried for "illegal possession of weapons" or for "organized crime". The latter were given suspended sentences (in Kompong Cham and Prey Veng). Several other persons have been missing since their arrest and the Cambodia Office has been unable to locate their whereabouts. Their names are listed in the last section of this report. It is not known what happened in other provinces.

In addition to these persons, over 600 persons accused of being "illegally recruited soldiers" or "anarchic forces" were arrested during and since the fighting of 2-6 July. They were detained in 6 locations in Kandal provinces including Ang Snuol (230), Kandal Stoeng (165), Ponhea Loeu district (94), Russei Keo district (42), Long Vek Small Division 1 base (46), Phnom Penh Thmei (50)³. By the end of July, these persons were regrouped in Tang Krasang military barracks.

The Cambodia Office was given access to these detainees by the Fifth Bureau of the Army General Staff on 17 July and began to visit them. By then, many had already been released or allowed to escape and the remaining were being transferred to Tang Krasang. Except in three documented instances which are described in the following sections of this report (cases 9 and 39 in Section II; and Section IV) the detainees appeared to have been treated humanely while held. They were provided with adequate food, sometimes clothing and afforded medical care provided by a visiting human rights NGO. After they received rudimentary political education, they were given assistance (some rice, 20,000 riels, a sarong and a kramma) and given the choice of either returning home or to their original army units. The Cambodia Office was not able to monitor the release and return home of these persons.

An assessment of the political affiliation of these persons based on on-site visits and random interviews with the detainees, shows that the overwhelming majority of them were regular army soldiers affiliated with the FUNCINPEC party or persons recently recruited by military officers from that party. They also included some civilians accused of supporting these forces as well as several dozens family members. The authorities detaining them confirmed that most were regular RCAF soldiers affiliated with the

³ These are official figures provided by the detaining authorities in these locations.

FUNCINPEC or persons recently recruited as soldiers by the FUNCINPEC party. In one location several of the inmates described several of the detainees as coming from Anlong Veng (the last base of the illegal Khmer Rouge) but could not provide any credible evidence supporting these claims. Gen. Preap Than, the director of the RCAF General Staff Fifth Bureau under whose authority these 600 detainees were held, told the Cambodia Office that there was a very small number of Khmer Rouge elements among the detainees, although he could not provide any precise figure. The Cambodia Office has been unable to identify any Khmer Rouge element among those arrested or killed during and following the fighting.

Two dozen other arrests in Phnom Penh and the provinces which appear to be politically-motivated have been reported since late July and are being investigated by the Cambodia Office. They will be the subject of a subsequent report.

II. EVIDENCE OF POLITICALLY-MOTIVATED EXTRAJUDICIAL EXECUTIONS AND KILLINGS OF FUNCINPEC LOYALISTS:

This section describes 41, and possibly up to 60, instances of extrajudicial executions committed by security personnel in their custody against persons, most of whom were affiliated with the FUNCINPEC party, since the 2-7 July military coup. Each instance has been carefully verified on the basis of more than one eyewitness testimony as well as other corroborating evidence, photographic or documentary, when available. The efforts of the Cambodia Office to establish facts have enabled it to discard numerous other allegations of killings it had received and which were proved to be unfounded.

Most of the 41-60 instances described here occurred between 2-6 July 1997 or in the following two weeks, though there are also more recent cases (see cases 39-41 below). The number of executions has significantly decreased since the end of July.

In 31 of the cases the victims have been identified by name and their political affiliation and position as well as the circumstances of their execution has been documented. In the rest of the cases, the victims have not been identified by name but the conditions in which their bodies were disposed of, found or exhumed leaves no doubt that they were executed in military or police custody. Wherever possible, photographic evidence has been gathered. It is presented in Appendix 1 to this report.

There appears to be a pattern of the deliberate targeting of certain senior officers, and their key associates and subordinates, of the former Moulinaka guerrilla movement (Mouvement de libération nationale du Kampuchéa). This was one of the three main resistance groups loyal to Prince Sihanouk which came to form the Armée nationale Sihanoukiste (later renamed the Armée nationale pour un Kampuchéa indépendant, ANKI) the military wing of the FUNCINPEC party after 1979⁴. After 1993 and the merging of the armed forces of the FUNCINPEC and the KPNLF, the Moulinaka group formed an active component of the FUNCINPEC-affiliated military force within the RCAF. Ho Sok, Gen. Chao Sambath, Gen. Maen Bun Thon, Gen. Ly Seng Hong, Hov Sambath, Thlang Chang Sovanarith, Dr Seng Kim Ly, Major Lak Ki - who have all been arrested and are presumed to have been executed (along with Gen. Kroch Yoeum) - as well as Gen. Nhek Bun Chhay and Som Norin and several others, who have escaped - and Gen. Chea Rittichutt, who is still missing since his arrest - were veteran members of this movement or closely associated with it.

Within this particular group, it appears that Gen. Chao Sambath, a senior ANS/ANKI and later RCAF intelligence officer, and his closest subordinates and proteges, have been, and continue to be, a distinct target group for execution or arrest. Eight persons known to have been executed have been closely associated with him.

This pattern of elimination of certain senior officers appears to be corroborated by other information. Groups of officers have been alleged by numerous sources to have been taken away and executed or to have "disappeared" after arrest. Verified information on many of these allegations has been difficult to obtain. A most disturbing example is the alleged execution on 9-11 July in Pich Nil of a group of 15 to 22 officers described as "ring leaders" loyal to the First Prime Minister (see cases 30 to 33 below).

Other persons affiliated with the FUNCINPEC party, as well as ordinary people with no known political affiliation or connections, have also been executed during and after the coup. It is difficult to know in each case whether these killings resulted from orders or were committed by local officials who took the opportunity to settle old disputes. It is however significant that no one has been arrested or prosecuted for any of the killings described in this report. In fact, the prevailing pattern of impunity in

⁴ This movement should not be confused with the "Molinaka and Neak Taorsu for Freedom" chaired by Prum Neakreach which won one seat at the National Assembly in the May 1993 elections.

Cambodia may have contributed to the scope of atrocities during and after the July coup.

The Cambodia Office's efforts to establish facts in all the cases of executions and torture has been made difficult for several reasons. The coup and the violence and widespread intimidation which followed created widespread fear among the population in general, and in particular when it comes to report about human rights violations. At the same time, rumors have spread, partly it seems, because of the lack of trust among the people in official media reporting. Also, in most instances, executions have been carried out in secrecy and the bodies of the victims have been disposed of - incinerated or buried in the forest, or in pagodas - immediately afterwards. In all the other places visited by the Cambodia, except for the Military Prosecutor's Office, the authorities have been cooperative.

Officers from the Cambodia office have also met official resistance on several occasions in their attempts to collect and verify information. They have at times been intimidated and insulted. This was the case during initial requests for access to detainees held illegally by Regiment 911. In another instance, on 5 August, while they were attempting to verify allegations of large-scale executions in the area of the Pich Nil pass, on Route 4, they were threatened with AK-47 being fired above their heads and intimidated by soldiers of Division 44 responsible for the area. They were clearly unwelcome in an area which has been insistently referred to by numerous sources as a location where many FUNCINPEC loyalists were executed and their bodies secretly burned.

In addition to the 41-60 instances described in this report, the Cambodia Office is currently attempting to verify another dozen reports involving the alleged execution of a further 55 persons. The Cambodia Office believes that the information presented in this initial report constitutes a conservative estimate of the real number of executions which occurred since 2 July 1997.

LIST OF INSTANCES OF EXTRAJUDICIAL EXECUTIONS:

A. Senior FUNCINPEC Military Officers:

1. Ho Sok, 45, Secretary of State at the Ministry of Interior and second ranking FUNCINPEC official in the Ministry of Interior. A Subordinate of Nhek Bun Chhay since the early eighties, he was

appointed head of Prince Ranariddh's personal bodyguard unit in 1990 and became one of the top security officials of the FUNCINPEC party. Status: Confirmed execution.

Ho Sok, aged 45, was arrested and taken in custody by Government security forces on 7 July, after he left the residence of the Singaporean Ambassador where he had taken refuge. He was transferred to the Ministry of Interior where he was reportedly interrogated and executed at about 5:00 pm on the same day. At about 3:00 am on 8 July, a body later identified as that of Ho Sok, bearing at least two visible bullet wounds - one across the neck and the other in the chest - was taken to Wat Langka by a group of heavily armed men dressed in combat fatigue. They ordered the body to be cremated immediately, which is in violation of the legal and customary practice whereby no cremation can be carried out without a proper certificate. In the morning of 8 July, following the cremation, a certificate bearing the name of Ho Sok and mentioning that he had died "by bullets" was issued by Phnom Penh Municipal Health Department (see copy attached in appendix 2 of this report).

Ho Sok is the only senior FUNCINPEC official whose execution in Government's custody has been officially recognized by the authorities since the coup. Following the appointment on 14 July of a commission to enquire into his death three senior officers of the Ministry of Interior's Central Department of the Criminal Police were officially suspended by the co-Ministers of Interior on 28 July 1997 for negligence in providing security for Ho Sok: Brig. Gen. Ma Chhoeun (First Deputy Director), Brig. Gen. Thân Im (Deputy Director) and Brig. Gen. Thong Lim (Director). None of these officers has so far been arrested or prosecuted. Gen. Thong Lim, one of the three suspended officers, had recently been appointed as a member of a newly-created Commission to Suppress Kidnapping led by the Commissioner of the Municipal Police, Gen. Net Saveuan.

2-3. Gen. Chao Sambath, alias Ngov, Deputy-Chief of the Intelligence and Espionage Department, RCAF Supreme Command since 1993. A top senior FUNCINPEC intelligence officer, he studied in July 1996 at the advanced intelligence school in Malaysia.

Lt. Gen. Kroch Yoeum, Under-Secretary of State, Ministry of National Defence (Third highest-ranking FUNCINPEC official in the Ministry of National Defence); former ANKI First Deputy Chief of Staff, member of the FUNCINPEC Steering Committee in charge of military affairs; appointed ANKI delegate to the Mixed Military Working Group during the transitional period; recently nominated by Prince Ranariddh to become Siem Reap Governor in place of Toan

Chay. Status: Confirmed arrests/missing since/presumed execution.

According to eyewitnesses, Gen. Chao Sambath was captured along with Gen. Kroch Yoeum and about thirty of their subordinates on 8 July 1997, at about 9-10:00 am, near Damnak Smach train station in eastern Udong district, Kompong Speu province. They were captured after being surrounded by the soldiers of paratrooper commando Regiment 911. Eyewitnesses confirmed that there was no exchange of fire during the capture and that no one was injured or killed when they were captured. The captives were searched and all personal belongings and weapons were confiscated. The soldiers (not the officers) were then stripped of their uniforms and left in their underpants. The group was then taken to a local school in Amleang where they were detained together with other soldiers captured in Udong district. There Gen. Chao Sambath and Gen. Kroch Yoeum were separated from the group and held in a separate building where the officers of Regiment 911 were staying. The rest of the captured soldiers was taken by truck to be detained at the base of Regiment 911 in Kambol commune, before being transferred to Tang Krasang military barracks ten days later⁵. At about 2:00 pm on the same day, according to a reliable military source, orders were issued by the RCAF General Staff to execute the two officers. They were handed over to a team of soldiers, reportedly belonging to Big Division 1⁶ and were transported in a military jeep to a location in the forest, behind Krang Sovan pagoda, where they were executed with three bullets each in the head. Kroch Yoeum was then fired a four bullet in the chest. Both men were initially buried by villagers and later cremated at the pagoda.

On 9 July, Gen. Prum Din, the Commander of the Special Military Region, told pro-Government newspaper *Rasmei Kampuchea* that he had heard that Chao Sambath had committed suicide in custody "by biting his tongue". The Cambodia Office has no evidence that Gen. Chao Sambath or Gen. Kruoch Yoeum were tortured before their execution.

In its 11 July issue, *Rasmei Kampuchea* quoted Col. Chap

⁵ Concerning the treatment of these soldiers in detention, see Section Three of this report on evidence of torture in Regiment 911.

⁶ Big Division 1 is a different unit from division from small division 1 of "jungle infantry" [toap prey] based in Long Vek which also participated in the coup. Big division 1 is based in Aural region and is said to be under the command of former Khmer rouge Gen. Keo Pong, whose unit also participated actively in the coup.

Pheakedei, the commander of Regiment 911, as saying that his men "got angry" and opened fire with B-40 rockets on Kroch Yoeum, Gen. Sâm Norin⁷ and their soldiers after they had been surrounded and refused to surrender, killing them on the spot.

Pro-Government newspaper *Chakraval* reported on 12 July the arrest of five "ringleaders" close to the First Prime Minister "who were in immediate command in the fighting: Ho Sok and Chao Sambath (6 July); Hov Sambath (7 July) and Kroch Yoeum, said to have been injured".

4 and 5. Maj. Gen. Ly Seng Hong, Deputy-Chief of Staff, RCAF General Staff (second highest-ranking FUNCINPEC official in the RCAF General Staff). Former Ministry of Agriculture officer before the war; member of the Moulinaka since 1979 who specialized in procurement; one of the six wanted FUNCINPEC military officers.

Maj. Gen. Maen Bun Thon, Director, Logistics and Transportation Department, RCAF Supreme Command. Member of the Moulinaka since 1979 who specialized in military training. Status: Confirmed arrests/missing since/presumed execution.

According to eyewitnesses, Gen. Ly Seng Hong and Gen. Maen Bun Thon and about thirty to forty of their subordinates were surrounded by a mixed military force led by Kompong Speu provincial army during the evening of 7 July, at about 6:30 pm, near Trach Dornng village, Bat Dang commune, Udong district. Witnesses from both sides, confirmed that there was no fighting at the time and that all the men captured, including their officers, were alive. CPP soldiers involved in the operation have stated they were under instructions to capture the fugitives alive and to use their weapons only if they came under fire. They also stated that only one soldier in the captured group was injured in the thigh in the group and that he was given medical treatment. The two generals and their men were then reportedly taken to Udong district police station, where they were temporarily detained before being transferred, supposedly "to Phnom Penh". Military sources said they had been taken to the headquarters of the provincial military sub-division in Kompong Speu. Following their transfer, the two generals have not been seen again. The Deputy-Commander of the Kompong Speu Military Sub-division denied having held anyone, even

⁷ Despite initial credible accounts that he had been killed by a B-40 rocket, Gen. Sâm Norin, one of the six wanted top generals, successfully escaped and is confirmed alive and safe.

temporarily, and said that all persons arrested in Bat Dang commune by his troops had been handed over to the RCAF General Staff.

In its issue of 14-15 July, *Rasmei Kampuchea* quoted Gen. Samreth Dy (CPP), Commander of the Third Military Region and Colonel Chap Pheakadei (CPP), ("both of whom are in charge of the operation of capture of the leadership of the opposition forces") as saying that nothing is clear about the fate of the "six generals and traitors" but that besides Gen. Nhek Bun Chhay, "all the others seem to have been killed"⁸.

6. Colonel Sok Vireak, Chief, Transmission Bureau, Army General Staff. A former KPNLF General Staff officer in charge of military training who joined Nhek Bun Chhay after the Paris Agreements. Status: Confirmed arrest/missing since/presumed execution.

According to colleagues of him, Col. Sok Vireak surrendered to the military authorities following the fighting on 5-6 July in Kompong Speu province and was held for two days at the Provincial Gendarmerie station. There he was visited and brought food and clothes by subordinates. A day later, around 7 July, according to military sources, he was "taken to Phnom Penh". He has not been seen since. His family was informed that he had been killed and held a funeral ceremony in mid-July 1997.

7. Colonel Thlang Chang Sovannarith, Deputy Chief-of-Staff of the Fifth Military Region, RCAF General Staff. A long-time Molinaka soldier who worked closely with Gen. Khan Saveuan, the commander of the Fourth Military Region, and Serei Kosal, Battambang First Deputy Governor, one of the six senior FUNCINPEC officers officially wanted. Status: Confirmed arrest/presumed execution.

Thlang Chang Sovannarith was reported by witnesses to have been captured near Prek Phneuv commune on 7 July while escaping towards Phnom Baset. Several hours after his arrest he was blindfolded, interrogated and severely beaten by the soldiers who held him before being executed. Relatives reported that on the day of his arrest he was in possession of a large amount of money and gold. His body was buried by local villagers. It was exhumed several days later and positively identified by relatives.

⁸ The six included Nhek Bun Chhay, Serei Kosal, Ho Sok, Chao Sambath, Kroch Yoeum and Ly Seng Hong.

8. Colonel Hov Sambath, Deputy-chief of Military Training Bureau, RCAF General Staff. A Moulinaka veteran, he was a senior FUNCINPEC officer who had specialized in military training. Status: Confirmed arrest/presumed execution.

Hov Sambath was reported by witnesses as having been captured while fleeing towards Phnom Baset by Kompong Speu provincial army near Chung Boeng village, in Makak commune of Udong district on 7 July. Witnesses say that he was executed in military custody the same day with seven bullets just outside Tuol Srakor village. Villagers were ordered by local authorities to cremate his body "to destroy all evidence that could lead his identification". He was however identified by the badge bearing his name on his military fatigue. His body was cremated on the following morning, on the side of the road, at about 4 kilometers from Watt Prek Phneuv. His ashes could not be collected as the area where he was incinerated has since been flooded. Pro-Government's newspaper *Chakraval* reported on 12 July that Hov Sambath was arrested on 7 July together with 4 other "ringleaders" (see photograph 20). It is not known who the four others were and what happened to them.

9. Lieutenant Colonel Sao Sophâl, 42, an officer of the First Bureau of the RCAF General Staff. Status: Confirmed arrest/missing since/confirmed execution.

Sao Sophâl was captured together with 35 other FUNCINPEC soldiers near Damnach Smach on 8 July by the soldiers of Regiment 911. They were searched and stripped of their uniforms. During the search, the soldiers reportedly found an identity card which bore his army rank as an officer. On the same day, he was taken with the 25 others to the base of Regiment 911 in Kambol where they were crammed in a small dark room used for storing rice. From there, on or around Saturday 12 July, he was taken out twice to be interrogated. He never came back from the second interrogation. He was later confirmed by reliable military sources to have been executed at the place where he had been captured, near Tbeng Khpuos village, along the railway line in Udong district. The commander of Regiment 911 initially denied having detained the group in his base. He later admitted their detention "for a couple of days" after being presented with evidence to the contrary. He however denied any knowledge of Lt. Col. Sao Sophâl and his fate and referred the question to the Fifth Bureau of the RCAF General Staff. The body of a man described by local villagers and soldiers as being that of an unnamed Lieutenant Colonel was exhumed on 18 July 1997, precisely at the location of the alleged execution of Lt. Col. Sao Sophâl as indicated by eyewitnesses. The man was in

his underwear, his hands were tied behind his back, and he displayed a bullet wounds in the head (see photographs 22 and 23).

B. Other identified FUNCINPEC military officers and soldiers:

10. Navy First Lt. Thach Soeung, aged about 30, an ethnic Khmer from southern Vietnam, stationed at Dâng Kaum Navy base on the eastern bank of the Tonle Sap. Status: Confirmed execution.

On 2 July, a large number of CPP troops from various provincial units, including from Kompong Cham, surrounded the small base of Navy Battalion 50, located opposite the village Tuol Ampil, near Prek Taten base, on the left bank of the Tonle Sap. They opened fire on the base which was at the time guarded by 5 FUNCINPEC Navy soldiers. Four of them surrendered and the fifth, Thach Soeung, tried to escape and jumped into the river. One of the attackers fired a B-40 rocket at him injuring him seriously. The soldier then entered into the water, grabbed Thach Soeung by the hair, pulled his head out of the water, and finished him off with several rounds of AK-47. His body was later buried by local villagers in a nearby ditch. The four other Navy soldiers were captured were taken to Kompong Cham for interrogation before being taken to Ta Khmau, then to Krang Yeov and later to Long Vek Small Division 1 base. In late July they were transferred to Tang Krasang barracks together with 11 other prisoners.

11 to 14. Seng Phally, Lt. Col. Chao Keang, Chao Tea and Thong Vichika - security officers working under Gen. Chao Sambath. Status: Confirmed arrests/confirmed executions.

On the morning of 7 July, 4 young men, handcuffed and gagged or blindfolded with *krammas*, were brought to Watt Unalom by a policeman who had found their bodies in the trunk of a car near Watt Phnom. The four have been positively identified as:

1) Seng Phally, alias Huot Phally, aged 25, single, a gendarme who worked as chief of the security team at the Pipoplok 2 Hotel/Casino in Phnom Penh, an establishment belonging to Gen. Chao Sambath. He was arrested in the evening of 5 July, reportedly at the hotel where he had returned from home to work at the end of the afternoon. The body was identified by relatives at Watt Unalom. He bore a bullet hole in the temple, was handcuffed and blindfolded with a *kramma*.

2) Lt. Col. Chao Keang, aged about 25. He was an officer in the Research and Intelligence Bureau of Chao Sambath and was considered a close protege of him. He was also the manager of the Regal Hotel/Casino, another establishment protected by Chao Sambath. His body and that of his younger brother (see 3 below) were identified by a relative at Wat Onalom. Chao Keang had a bullet hole in the right temple, was handcuffed and blindfolded.

3) Chao Tea, 29, brother of Chao Keang, a security guard at the Regal Hotel/Casino. His body bore a bullet hole in the left side of the chest and in the right side of the stomach. He was also handcuffed and blindfolded.

4) Thong Vicchika, aged about 27-28, a body-guard of Chao Sambath and a security staff at the Regal Hotel/Casino.

15 and 16. Execution of two unidentified soldiers. Status: Confirmed arrest and execution.

A local resident who eyewitnessed the scene, said that at about 3:00 pm on Sunday 6 July, two FUNCINPEC soldiers, including an officer, were captured and executed by CPP soldiers near "Hun Sen's library" west of Phnom Penh university compound. The two men reportedly raised their hands in surrender but were captured and executed. The Colonel was reportedly first injured in the leg and then shot with a bullet in the head. Their bodies remained on the scene of the killing until 8 July where they were seen by numerous witnesses (see photograph 24).

17. Dr Seng Kim Ly, a military medical doctor. Status: Presumed execution.

Dr Seng Kim Ly was known to be a close associate and long-time friend of Gen. Nhek Bun Chhay. During the coup, he was at home in the same suburb where Nhek Bun Chhay had his residence. He was found dead in his looted house by relatives after they returned to the house on 7 July. He had been shot with 3 bullets in the head and chest. The position in which he was found - sitting at a desk in his study, his head bent over his desk in a pool of blood - suggests that he was executed. The victim was not known to be armed or actively involved in politics.

18-21. Four unnamed body-guards of Nhek Bun Chhay were summarily executed after his office-cum-house in Somnang 12 was taken over on

Sunday afternoon by CPP soldiers. According to local residents and military sources, they were attempting to contact their superiors in the radio room when they were summarily executed. Their execution was reported by the TV following the fighting. Their bodies, together with the bodies of several other FUNCINPEC soldiers assigned to protect the house were displayed on the street until 8 July. The four were then buried in a shallow grave inside the compound of Nhek Bun Chhay's house. The eyes of the four men had been gauged out by the soldiers, according to one eyewitness. Status: Summary executions.

22. Major Lak Ki, Head of Operations, Research and Intelligence, RCAF High Command. Status: Confirmed arrest/confirmed execution.

Major Lak Ki was an intelligence officer who had long been associated with Gen. Chao Sambath first at the headquarters of the ANKI, and after the formation of the new Government in 1993 in the Research and Intelligence Bureau of the Army High Command. On 5 July, at 11 pm, he was still at his home in Tuol Kork with his wife and daughter. He reported in a phone conversation at the time that he could not leave his house because the area was surrounded by soldiers. Witnesses saw him being arrested by a group of gendarmes on 6 July and taken to the gendarmerie headquarters in Tuol Kork, Phnom Penh. He has not been seen alive since. On 7 and 8 July, the dead bodies of three men were found along National Route 6A. Photographs of the bodies were taken. One of them was identified as being Major Lak Ki. His body was found in Kien Khleang village, Prek Liep commune, Russei Keo district, Phnom Penh. It had been deposited at around 1 pm on 7 July, by the western side of Route 6A. Local villagers buried the body at 5:00 pm on Thursday, 10 July, at about 100 meters away. The only marks on the body were around the neck indicating strangulation with a cord, and around the wrists, indicating the victim had been handcuffed (see photograph 1).

23. Pheap, a body-guard of Major Lak Ki, in his late twenties. Status: Confirmed arrest and execution.

A corpse of a man in his late twenties was similarly deposited on the western side of Route 6A at around the same time as that of Major Lak Ki on 7 July. It was left at about 100 m from the former FUNCINPEC office, close to Wat Khtau, in Khtau village, Bakheng commune, Russei Keo district. It was subsequently taken to the pagoda and cremated there. The victim was approximately in his late twenties, wore a red T-shirt and camouflage shorts. His body

looked still fresh. He had marks around his wrists, suggesting he had been handcuffed, and marks around his neck indicating he had been strangled with a cord. Witnesses saw two men coming out of a white Toyota saloon car which had been driving from Phnom Penh, pulled the body out from the rear seat, stood for a moment, looking around, before going back into the car and driving away northwards. Photographs of the body made it possible to identify him as Pheap, a body-guard of Major Lak Ki (see photograph 2).

24. Dok Rany, 27, an officer and body-guard of Gen. Chao Sambath who worked at the Research and Intelligence Bureau. Confirmed execution.

A third corpse was found by villagers at around 1-2 pm on Tuesday, 8 July, in Kdey Chas, in a field, at about 50 meters from the National Route 6A. It was found face down in a field, behind bushes, about 50 m west of Route 6A, near Kdei Chas village, Kdei Chas commune, Muk Kampuol district, Kandal province. He had just been shot with one bullet in the right temple, near the eye-brow and blood was still flowing from the wound. An empty AK-47 cartridge was found on his body. His mouth had been gagged with a kramma and a shirt and his hands were tied behind his back with new metal handcuffs. The body exhibited no sign of torture.

Sources reported that they had seen a white land-cruiser, with darkened windows, no immatriculation plate and four persons inside wearing uniforms. The car drove quickly up the dirt-road leading off Route 6A and almost ran into an oxcart coming from the fields. The victim was taken out of the car and hurriedly shot. The vehicle then sped away, reportedly moving northwards on Route 6A. The victim has been identified as being Dok Rany, an officer and body-guard of Gen. Chao Sambath (see photographs 3 and 4).

25 and 26. Ros Huon, aged 23, Sopheap, aged 25, two alleged members of the Gendarmerie. Status: Confirmed executions

On Tuesday 8 July, at about 6:30 am, the dead bodies of two unidentified men in military uniforms were dropped from an ordinary civilian car in front of the Faculty of Economics and Business, near Watt Phnom, in central Phnom Penh. The two men had visibly been executed a few hours earlier, as blood continued to pour out of the bullet wounds of one of them. The body of the other bore marks of torture. The bodies were displayed there for a couple of hours before being taken away by the police at about 8:00 am. On the same day, the bodies of two men which had been reportedly found

near Watt Phnom were brought to Watt Unalom. They were registered in the pagoda book as two members of the gendarmerie named Pheap and Ruos Mean.

In its 10 July issue, *Rasmei Kampuchea* reported that the two men had been shot with AK-47 in the head. Their wrists bore marks of handcuffing. The police said that they were national level gendarmes and identified them as Ruos Hoeun, aged 23 and Sopheap, 25 but did not provide a reason for their execution (see photographs 5 to 7).

C. Other verified instances of executions:

27. Dok Sokhun, alias Michael Senior, a Khmer-Canadian journalist who taught English at ACE Language School in Phnom Penh. Status: Confirmed execution.

He was executed on Monday 7 July, at about 4 pm while taking pictures of Government soldiers looting houses near Au Russei market. He was first shot in the leg by a soldier who took his camera. Another soldier finished him off with three bullets. His wife was an eyewitness to the murder. She returned to Canada on 11 July 1997.

28. Major Aek Eng (CPP), Head of Administration of Phnom Penh Thmei police station. Status: Confirmed arrest/Presumed execution.

On 6 July 1997, at about 10:00 am, according to a senior district police officer, Aek Eng was arrested by FUNCINPEC soldiers near his place of work along with four other police colleagues named Thou Pong, Tep Chanda, Phol Khoeum and Mok Man. Aek Eng showed his police card which bore mention of his rank as a major but was executed on the spot with three bullets. Several villagers confirmed his killing. The four other men were tied up, stripped of their police uniforms, left in their underwear, beaten and humiliated as they were made to jump and crawl. As fighting broke out nearby, the soldiers fled leaving the four men behind. They were untied by villagers and let go. Several witnesses confirmed his killing.

29. An unidentified man in civilian clothes, escorted by two armed soldiers, was witnessed on 8 July being transported in the back of a white-color Nissan pick-up driving from Phnom Baset towards Trapeang Thnaot village, Makak commune, Udong district. The car

stopped on the outskirts of the village at around 4:00 pm and three gunshots were heard by villagers. After the pick-up departed back towards Phnom Baset, villagers found the body of the man who had been executed with three bullets shot through his right ear and which had exited on the other side. The victim was described as being in his mid-thirties, dressed with dark trousers, yellow long-sleeves shirt with an underwear T-shirt. His body was covered with tatoos from the ankles up to the top of the chest, back and arms. Villagers said that his body was cremated with rubber tires. A visit to the alleged location of the cremation confirmed their claims (see photograph 21). Status: Confirmed execution.

30 to 33. At least four, and possibly up to 22 persons described as FUNCINPEC soldiers executed and cremated in Pich Nil on 9, 10 and 11 July 1997 by Military Region 3 soldiers. Status: Confirmed executions in at least 4 cases (Photograph 12 to 15).

On 15 July 1997, the Cambodia Office discovered in a location on the left side of National Route 4, at Pich Nil pass, a large cremation site where three heaps of ashes containing the remainder of burned human bones and two pairs of manacles were found. Two reliable accounts received subsequently indicated that these were the remaining of 4 FUNCINPEC soldiers whose bodies, enveloped in bags, had been delivered on 10 July, at about 9:30 pm, by soldiers from Division 44 posted at Srae Klong bridge (the base of that Division). The bodies were cremated on 11 July in that location (see photographs 12 to 15).

A subsequent visit to the area led to the discovery of a shallow grave where the bodies of two men had been freshly buried (see cases 36-37 below). The bodies were blindfolded, hand tied in the back with manacles, and a bullet wound in the head. A military leather belt was found near the grave (see photographs 8 to 11).

More than half a dozen corroborating accounts by separate sources have been collected by the Cambodia Office which has tried to verify them. They say that on 9 July 1997, a large number of FUNCINPEC soldiers - from 15 up to 22 persons - were taken in military vehicles by soldiers from Military Region 3 based in Kompong Speu and were executed and burned in the region of the Pich Nil pass. The victims were described as being "ring-leaders" loyal to Prince Ranariddh, and as including FUNCINPEC senior officers. The Pich Nil pass region is under the exclusive military authority of Division 44 based in Srae Klong. Besides the large cremation site shown on pictures 8 to 11, the Cambodia Office has so far been unable to find another similar site in the area. It believes

however that these reports, which come from a variety of independent sources and offer a large degree of consistency, offer credible indications that a large number of persons have been killed and buried or cremated in this area shortly after 5-6 July.

During a renewed visit to that area on 5 August, soldiers from Division 44 fired in the air over a dozen rounds of automatic weapon with the clear intent to intimidate the Cambodia Office team. Their commander came later with several of his men, all heavily armed with M-16, grenades and B-40s. Four took position along the road in front of the team's vehicles, while their commander came to enquire in an intimidating manner. He requested that no visit be made in the area without prior authorization from him or the commander of Division 44. He stated that this area in Pich Nil was a usual "dumping place" for people, like thieves, killed in Phnom Penh and that since 1993 about 40 had been taken there to be either killed or burned. He denied any knowledge of recent execution and cremation in the area, despite material evidence to the contrary (see photographs 12-15).

34 to 36 (and possibly 45). On 17 July, at about noon time, the body of a soldier was witnessed floating near the bank of the Tone Bassac near Watt Chum Leap, in the village of the same name, Rokakpong commune, Saang district, Kandal province. The body was headless and both hands were tied up behind the back with a kramma. It was dressed in dark olive military uniform. It was swollen but not yet in a state of decomposition which indicated that the victim had died only a few days earlier. There were two marks of bullets in the region of the stomach. The local police pulled the body onto the bank of the river in an attempt to examine and identify it. After a quick examination, they pushed it back into the water.

Shortly after that body was pushed back into the river, two other bodies in exactly similar conditions (in military uniforms, beheaded, hands tied behind the back, swollen and rotting) were witnessed upstream from the place where the first body was seen, bringing the number of such bodies to three. All three bodies were seen downstream from a near military camp. On the same day, local fishermen reported having seen another two bodies floating in the middle of the Bassac river. They were dressed in military uniforms, had been beheaded and their hands were tied behind their back.

According to a 24 July *Rasmei Kampuchea* report, the swollen body of a beheaded person with hands tied behind the back was seen floating on the Bassac river at Chrouy Takeo, Koh Thom district, Kandal.

37 and 38. Two unidentified men, blindfolded and with their hands tied behind the back. Status: Confirmed executions.

On 24 July 1997, the bodies of two unidentified men were exhumed from a shallow grave near Pich Nil. Both men were handcuffed, blindfolded and had been shot with bullets through the head. Two bullet casings of calibre 38 were found near the bodies, indicating that the two men were shot at close range with a pistol, and then buried. At the time of the exhumation, blood and body fluids were still coming out of the head wounds, indicating that these executions took place only a few days before the discovery of the grave, probably on 20 July 1997. During a second visit on 5 August, the two bodies had disappeared. The soldiers from Division 44 confirmed that they had burned the bodies, a statement which accorded with material evidence (see photographs 8 to 11).

39. Pheap, aged 33, a bodyguard of the First Prime Minister. Status: Confirmed execution.

Pheap was one of the several hundred men captured during and after the 5-6 July coup and taken to be temporarily detained and given political education in Tang Krasang military barracks. On 27 July, at about 19:00, he returned to Tang Krasang after having drunk alcohol outside. Several bodyguards of Phun Pheap, whose soldiers were garrisoned in the same base, beat him up and denied him access to the base. Then, according to witnesses, three bodyguards of Huor Sareth, the newly-appointed commander of Tang Krasang, intervened, took him to the former office of Nhek Bun Chhay and beat him to death. On the following morning, the soldiers took his body outside the base, wrapped its upper part in a plastic sheet and buried it in a shallow grave. His body was exhumed several days later, bearing distinct signs of strangulation and indicating that his neck had been broken. None of the soldiers who killed him were punished (see photographs 16 to 19).

40-41. Sok Vanthorn, 21 and Sou Sal, two villagers from Ampeov village, Kompong Speu province. Status: Confirmed execution.

On 9 August 1997, at about 8 am, soldiers from Regiment 37⁹ stationed in Au commune arrested Sok Vanthorn, aged 21 without any explanation. He had no known party affiliation and was an ordinary farmer. The soldiers also arrested three other men: two brothers named Sou Si and Sou Sal, both former Khmer rouge soldiers who defected over one year ago, near the village, and a third villager named Haim Bek. Sou Si had a weapon. On 11 August, villagers and relatives saw Sok Vanthorn and Sou Sal tied up along a trail. Their faces and back bore black marks and one of them had a blood stained swollen face, indicating they had been beaten. On 14 August, villagers found the bodies of Sok Vanthorn and of Sou Sal at the foot of the mountain. Their hands and ankles were tied. They had broken necks. Their eyes were gauged out. Their heads, chests and stomachs were cut open. Their livers and gal bladders had been removed. They were identified by their relatives and other villagers. The other two men reportedly escaped and are hiding, out of fear of being executed. The soldiers who arrested them told villagers that they had come to destroy "anarchic soldiers". The commander of the unit which arrested them disregarded villagers pledges for mercy requesting that they be treated humanely as the Constitution provides for. The commander said they were robbers but villagers rejected that accusation. After they found the bodies, villagers asked the soldiers who remained in the village why they had been killed, but received no answer. The soldiers threatened that anyone reporting this killing would in turn be killed.

III. SUSPICIOUS CREMATIONS:

From 5 to 9 July 1997:

Forty-six bodies were brought in and dumped at the crematorium of a Phnom Penh pagoda between 5 and 9 July. Most of the bodies were brought on 6-7 July, during day and at night. A few others were brought on 8-9 July. Brought by CPP soldiers, there were no identification papers, death certificates, authorizations for cremation or police or army reports. The soldiers, who were armed, ordered to cremate the bodies immediately and without questions. They bodies were referred to by the soldiers as being those of "Khmer rouge". Approximately half of them were described as having bullet wounds to the head and the other half had bullet wounds in

⁹ This newly-formed Regiment was formerly attached to Division 1 based in Choam Sa Ngae commune, Phnom Sruoch district. It is reportedly exclusively constituted of Khmer rouge defectors.

the chest and stomach. Only a few of these bodies - those which were delivered to the pagoda on 8-9 July - were soldiers who had died from combat injuries. Several had been taken from Calmette hospital. Only four of the bodies, which reportedly were those of high-ranking military officers, were allowed to be briefly washed by their relatives before cremation.

In the case of Ho Sok (executed on 7 July, brought to Watt Lanka on 8 July); of Seng Phally, Chao Keang, Chao Tea and Thong Viccheka (executed on 5-6 July and brought by the police to Wat Unalom on the morning of 7 July - see cases number 13-16 above) and in the case of a fifth corpse which was brought to the same pagoda on the same morning, but which could not be identified, the police ordered that cremation of the bodies be conducted without question and proper cremation permit.

After 10 July:

Between 9 and 11 July, according to a variety of reliable corroborating accounts, the bodies of 4 and probably up to 22 soldiers were alleged to have been executed by military personal in Pich Nil and burned (see cases 30 to 33 above, and photographs 12-15).

Late July:

Early afternoon, on 28 July, a dead body was delivered to Watt Preak Put by four policemen without any documentation such as a cremation certificate, a death certificate or a police report. They just said that the dead person was a robber and ordered that he be promptly cremated. The right side of the head was caved in, a bullet obliterating the right eye. The face was very bloody. Another bullet wound could be seen on the stomach. The body appeared to have been dressed up again after the killing as the clothes - a dark-green color bodyguard uniform - bore no stain of blood nor bullet hole in the region of the stomach. The policemen ordered that the body be promptly cremated, which was done within a couple of hours. This body has been identified as being that of Neou Vannak, executed the same day by the police, according to witnesses (photograph 25).

A corpse which bore clear signs of summary execution was brought to Watt Preah Put on 30 July 1997 by an ambulance from Calmette hospital under police instructions. The police said that this was the body of a robber who had been found near the Institute of Technology. The pagoda staff was ordered the immediate cremation of the body. No sanitation clearance was produced as it is normally

required to for a burial or a cremation. No record was made of the body's identity in the pagoda's registry as usually required, nor was there any police record or order for cremation. The police had come to inspect the body and left their bloodied rubber gloves behind. This was the body of a man, aged 30-40, who had been shot through the mouth and the bullet exited through the back of the head. The Cambodia Office, which saw the body at the pagoda, has collected credible accounts that this person was extrajudicially executed but could not establish the motivation.

IV. EVIDENCE OF TORTURE AT REGIMENT 911 AND ROYAL GENDARMERIE HEADQUARTERS:

A. Allegations of torture by Regiment 911:

Following their capture on 8 and 9 July by paratroopers of Special Forces Regiment 911 in eastern Udong district, 33 FUNCINPEC soldiers, including a Lt. Col. named Sao Sophâl, were taken to be detained in the base of that military unit. Upon arrest all had been searched, undressed and were wearing only their underpants. Upon arrival at the 911 base in Kambol, they were crammed into a small room under the staircase of a building and detained there for 9 nights and 10 days. The room, normally used to store rice, was devoid of light and proper ventilation. It measured approximately 2 x 6 meters. The detainees were allowed out of the room twice a day only for bathing, and for going to the toilets. Not all of them could sit at the same time, not to mention lie down. The heat was such and the air so scarce that every day several of them fainted from suffocation and exhaustion. Calls to the guards to open the door to allow them to breathe met with no response. Most of them contracted a disease which made the skin of their arms and hands peel off.

The purpose of their detention in 911 base appeared to be to obtain confessions from them. They were interrogated by four officers of Regiment 911. The interrogation began after the second day of detention. It took place every morning, in some cases, in the afternoon, in a small bamboo and thatch hut located near the entrance of the base. The hut had been partitioned into two small rooms to allow two interrogations at the same time. All detainees were interrogated one by one, and once each, except for one of them who was interrogated a second time and never returned (see case number 9 above).

Nearly all 33 detainees were tortured in various degrees.

They were brought for interrogation in groups of 4 to 5, all tied up by one arm to a single rope and were made to wait outside the interrogation room. One after another they were then handcuffed, taken in and interrogated. During the interrogation they were made to sit on a chair, in their underpants, facing the interrogator. The interrogation began with initial intimidation and threats to compel them to cooperate. If they did not respond to the satisfaction of their interrogators, they were blindfolded and tortured. While blindfolded, a blade was placed against the neck and they were threatened with having their throat slit. If they resisted, then physical torture would start.

The torture involved beatings with a belt, the wooden leg of a table, a wooden plank, kicking with combat boots and the knees, punches in the face and the body and blows to the blade of the upper part of the nose with the edge of the hand. It also involved death threats, by pointing the end of a gun against the head and threatening to shoot. An iron vice was also used on several detainees, to squeeze their fingers or hands until they responded satisfactorily.

They were tortured to obtain intelligence, extract confessions and make them sign a statement of guilt prepared on a standard model. They were forced to provide biographical details about their military life, their political affiliation and connections; to admit that there was a plan underway by the FUNCINPEC to conspire against the CPP; to confess that they were Khmer Rouge soldiers brought from Pailin or Anlong Veng; to provide lists of names of all senior and other officers they knew were present in Tang Krasang military barracks at the time of the attack on 5-6 July 1997; and to confess that they had been brought to Phnom Penh to fight Hun Sen.

The detainees realized quickly that their interrogators were not interested in finding the truth but wanted solely to obtain certain responses. As one of them explained, in words echoed by several others: "They asked me whether I was a Khmer Rouge from Pailin or Anlong Veng. If I responded that I was not a Khmer Rouge, then they beat me up. So I had to admit to avoid being beaten. They also asked what was the purpose of the war we were pursuing and who did we want to kill. The expected response was "Hun Sen". The more you resisted the more you would be tortured". One of them described his experience of torture with the iron vice: "They first inserted my thumbs laterally between the jaws of the vice and began to screw it on. They asked whether it hurt. I said yes. Then they screwed it on further. It was very painful. Until I answered to their questions with a lie. If you kept resisting, they would insert both

of your hands, side to side, vertically between the jaws of the vice. With this method they could obtain 100% positive answers". A detainee undergoing interrogation saw another detainee who did not belong to his group being interrogated in the room next to his. The interrogators forced the man's head in a bucket of water until he fainted and defecated on himself. Ten days after their release, several of the tortured detainees still had clear marks of blows on the back, shoulders and arms. Photographs were taken.

Lt. Col. Sao Sophâl, aged 42, was among the 33 men taken at Regiment 911 paratrooper base on 9 July 1997. On 12 July, he was taken twice out of the detention room for interrogation and never came back. He was the only soldier in the group who had been identified as an officer, all other officers having thrown all identity papers away before being captured. He was confirmed executed by a very reliable source. A Captain in charge of the detention of the group told the detainees after his disappearance that Lt. Col. Sophâl had been executed because he was an officer. He also told them that they all would be executed and that there was nothing they could do against them.

At the end of the interrogation each individual was made to sign a one and a half page long statement which would then be used as evidence. Detainees stated that the degree of torture depended on the personality of the interrogators but also on the amount of alcohol absorbed by the soldiers conducting the interrogation. None of the 33 men detained, who were interviewed individually, were Khmer rouge soldiers but regular RCAF soldiers affiliated to the FUNCINPEC party. The list of these persons and their units of origin was compiled by the Cambodia Office.

B. Allegations of torture (and execution) by elements of the Royal Gendarmerie¹⁰:

Several senior FUNCINPEC military officers arrested during and since the military coup by the Royal Gendarmerie were also

¹⁰ The Royal Gendarmerie actively participated in the fighting on 5-6 July 1997. At least three armored personnel carriers transporting heavily armed gendarmes were photographed near the frontline. Gen. Sao Sokha, the Deputy Commander of the Gendarmerie, confirmed to the Cambodia Office that his forces had been in charge, among other tasks, to takeover the zone of the residence of Chao Sambath. In the following days, the involvement of the Royal gendarmerie was confirmed officially by the Second Prime Minister.

reportedly tortured during interrogation at the headquarters of that force in Tuol Kork. Several of them disappeared afterwards. One of them, who survived, a former officer assigned to the protection of the First Prime Minister, was arrested on 17 July in Phnom Penh as he was hiding. He was taken to the headquarters of the Royal Gendarmerie and was held illegally in a room until 21 July when he was transferred to the legal custody of the Military Prosecutor's Office. His detention at the headquarters of the Gendarmerie was confirmed by a senior officer there. On 18 July he was tortured to be forced to sign a confession admitting that he had recruited soldiers illegally by forging the signature of the Chief of Staff of the RCAF. He was severely beaten and threatened to be executed. He was later produced on the official TV and stated that he had been involved in shipping large quantities of weapons inside the country on behalf of the First Prime Minister. He continues to be detained at the office of the Military Prosecutor.

At the time of his detention there, several other men were seen being taken in, their face covered with a piece of cloth to avoid identification. They were kept in separate rooms, next to his. He said that he heard screaming on several occasions. The Cambodia Office has gathered credible information that two men arrested by gendarmes and held at their headquarters on 6 July 1997, were Major Lak Ki and one of his bodyguards. The two men were interrogated and executed and their bodies dropped from a car on the following day along National Route 6A (see case number 22-23, photographs 1-2). During a visit to the Gendarmerie Headquarters, a man whose face was maculated with blood, both hands tied in the back, was seen being marched across the base escorted by two Gendarmes.

V. PERSONS REPORTEDLY MISSING SINCE 2-7 JULY 1997:

The following is a list of 16 persons who have been reported missing by relatives and/or colleagues since 5-6 and who could not be traced by the Cambodia Office as of 21 August 1997. They are FUNCINPEC senior and middle-ranking military, police and civilian officers. They also include six KNP members. Since their arrest was reported, the whereabouts of these persons has been unknown. They may be in hiding, or they may have reached the Thai border or left officially for Thailand. They may also have been detained in illegal places of detention or executed.

By late July the Cambodia Office had compiled the names of over 50 persons reported missing. Its attempts to verify these

allegation has enabled it to disconfirm about half of them.

In addition to these 16 missing persons, the Cambodia Office is also currently seeking clarification concerning the fate of 18 Navy soldiers and officers who were taken into custody by Small Division 1 in Long Vek on 2-4 July. Eight of them were transferred by the Royal Gendarmerie to its headquarters in Phnom Penh on 11 July. They have been missing since.

1. Brig. Gen. Chea Rittichutt, a founding member of the Moulinaka movement and the Governor of Kep-Bokor - missing since 7 July 1997.

Chea Ritichutt was reported by an eyewitness to have been arrested, along with Gen. Ly Seng Hong and Gen. Maen Bun Thon on 7 July, at about 7-8 am near Damnach Smach village, in eastern Udong district, Kompong Speu after they were surrounded by and surrendered to a mixed team of provincial army and police. He has been alleged by several sources to have been killed among the group of 15 to 22 FUNCINPEC soldiers taken to Pich Nil. The Cambodia Office could not confirm these reports. According to other sources, he went into hiding after 6 July. He has been missing since his arrest.

2 to 4. Navy officer Meas Sarou, Deputy-director, First Bureau, Navy, based in Chrouy Changvar, and one of his body-guards, and a third person, a woman named Luch.

Meas sarou was an officer assigned to the River Naval Base of Chrouy Chanvar, on the Mekong river, near Phnom Penh. He was reportedly arrested with four of his soldiers and a woman named Luch, aged 25, at the base on 5 July, at about 13:00 by a large group of CPP Navy soldiers coming from Prek Taten navy base (which was attacked and overran two days earlier by these soldiers). Two of the 5 may have been released. Of the remaining three, two were reportedly executed along Route 6A but their bodies could not be located. They were in their late twenties. It is not known what happened to Mrs. Luch.

5. Ung Sim, Second Deputy Governor, Kompong Speu province - missing since his arrest, reportedly near Pich Nil by CPP soldiers on 7 or 8 July 1997.

6. Col. Saom Sarath, Deputy Chief-of-Staff, Third Military Region - missing since he was arrested on 7 July, at about 5:30 pm at the border of Kampot and Sihanoukville with 16 of his men by a mixed team of police, gendarmerie and military. During the arrest, two cars and weapons were seized. After their arrest they were taken to

the military office in Prey Nup district, opposite the gendarmerie base. According to the Gendarmerie, they were held there until 9 July until they were all released at about 9:00 am. Colonel Sarath's wife however stated that she visited him at about 3 pm on the same day and he was still held there. A military source reported that he may have been arrested in Srae Klong (base of Division 44) and executed together with another man.

7-12. Six KNP National Council members were arrested by CPP troops while they had gathered in a house in Stoeng Kandal. The six included Put Som Ang, male, aged 42, a KNP activist in Siem Reap province, and Sam Sophan, 38, an activist in Takeo province. All six missing since 4 July.

13-14. Major So Lay Sak and Major Chin Vannak, officers working in the Logistics department of the RCAF General Staff - were reportedly arrested on 6 July near the house of Gen. Nhek Bun Chhay - have been missing since.

15. Som Taing, Deputy Chief, Inspection Office, Provincial Governor's Office, Kompong Speu - missing since 9 July 1997.

16. Chum Sarith, Chief, Criminal Bureau, Provincial Police, Sihanoukville - missing since 8 July.

APPENDIX 1
PHOTOGRAPHIC EVIDENCE



PHOTOGRAPH # 1



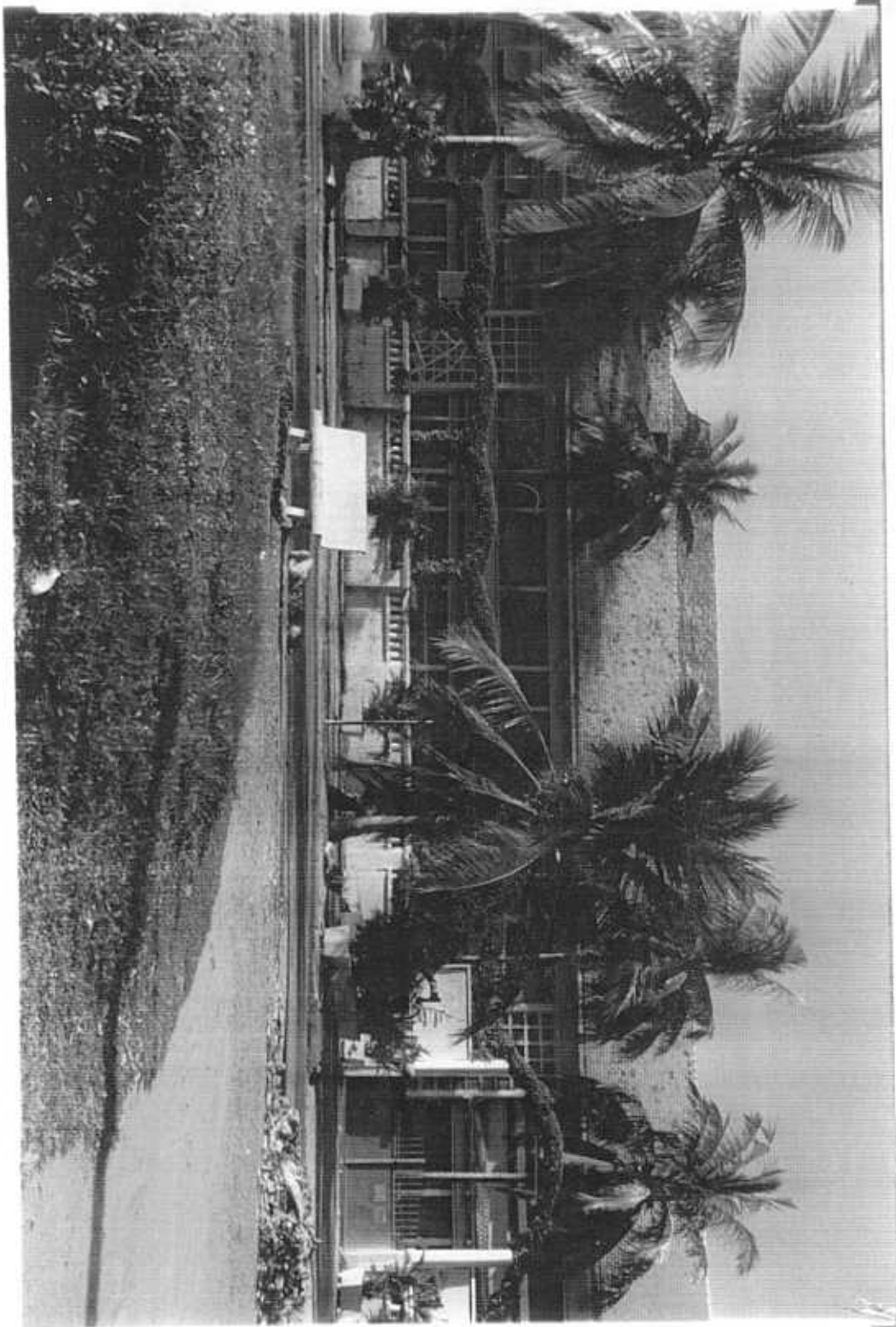
PHOTOGRAPH # 2



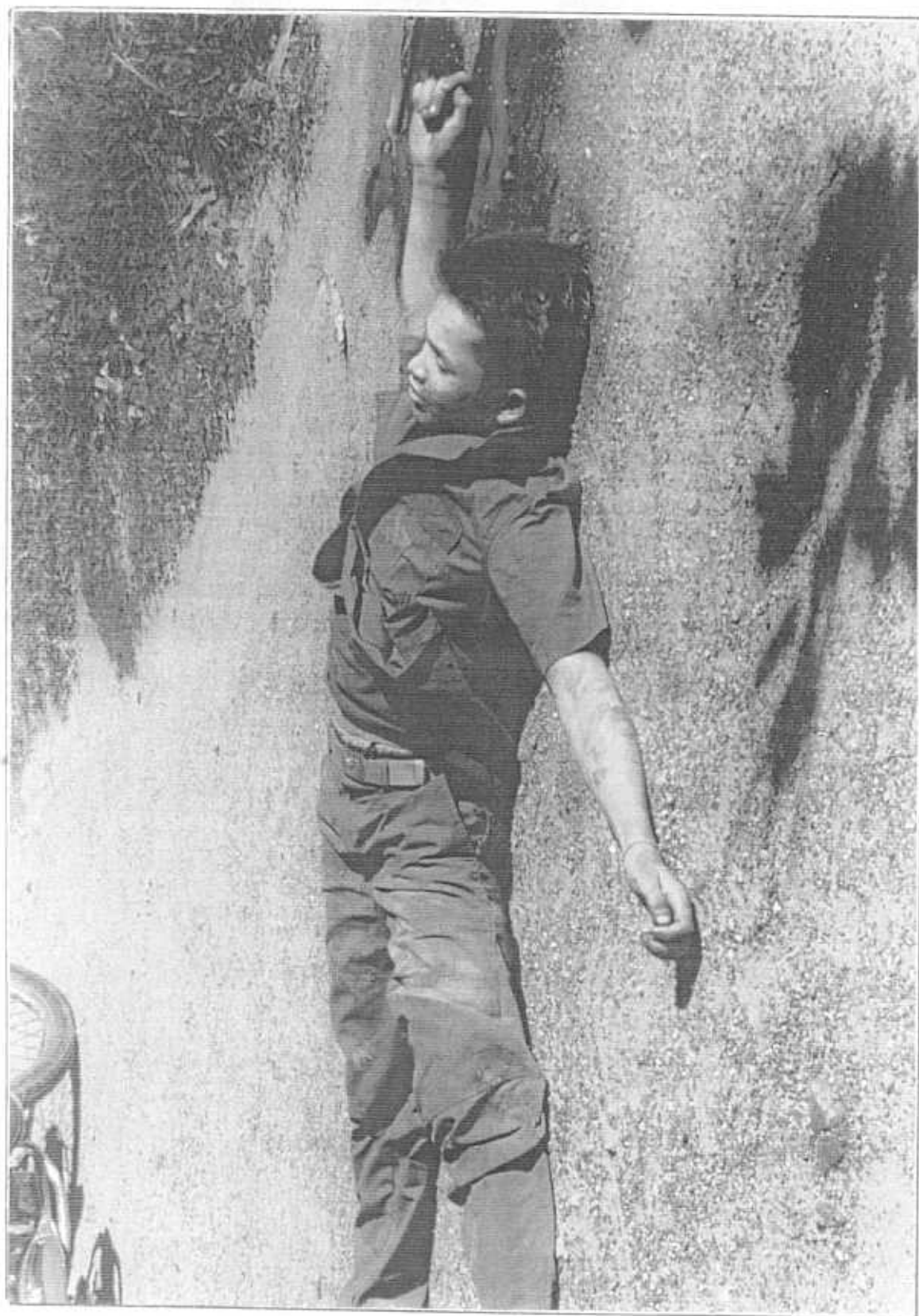
PHOTOGRAPH # 3



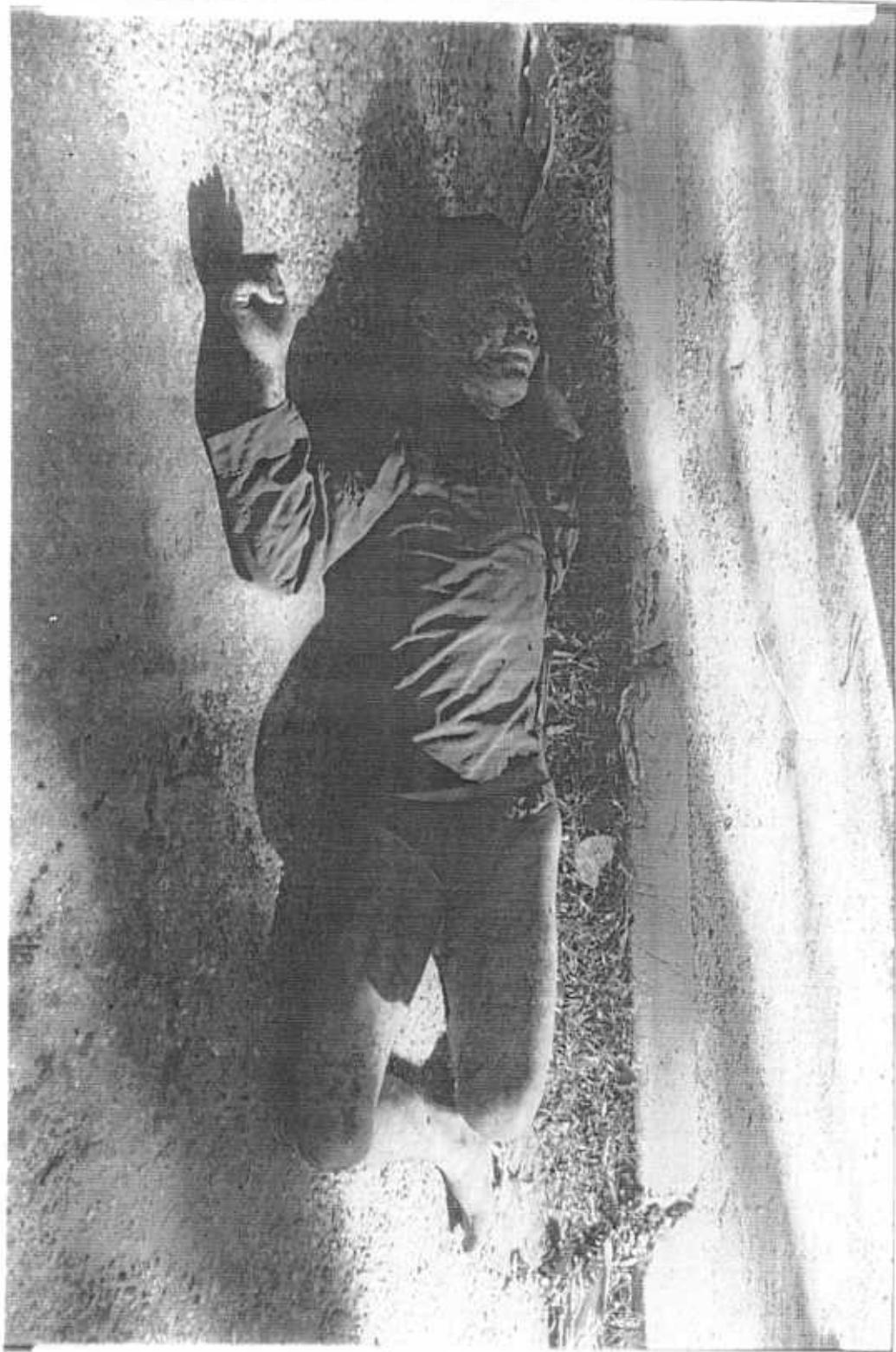
PHOTOGRAPH # 4



PHOTOGRAPH # 5



PHOTOGRAPH # 6



PHOTOGRAPH # 7



PHOTOGRAPH # 8



PHOTOGRAPH # 9



PHOTOGRAPH # 10



PHOTOGRAPH # 11



PHOTOGRAPH # 12



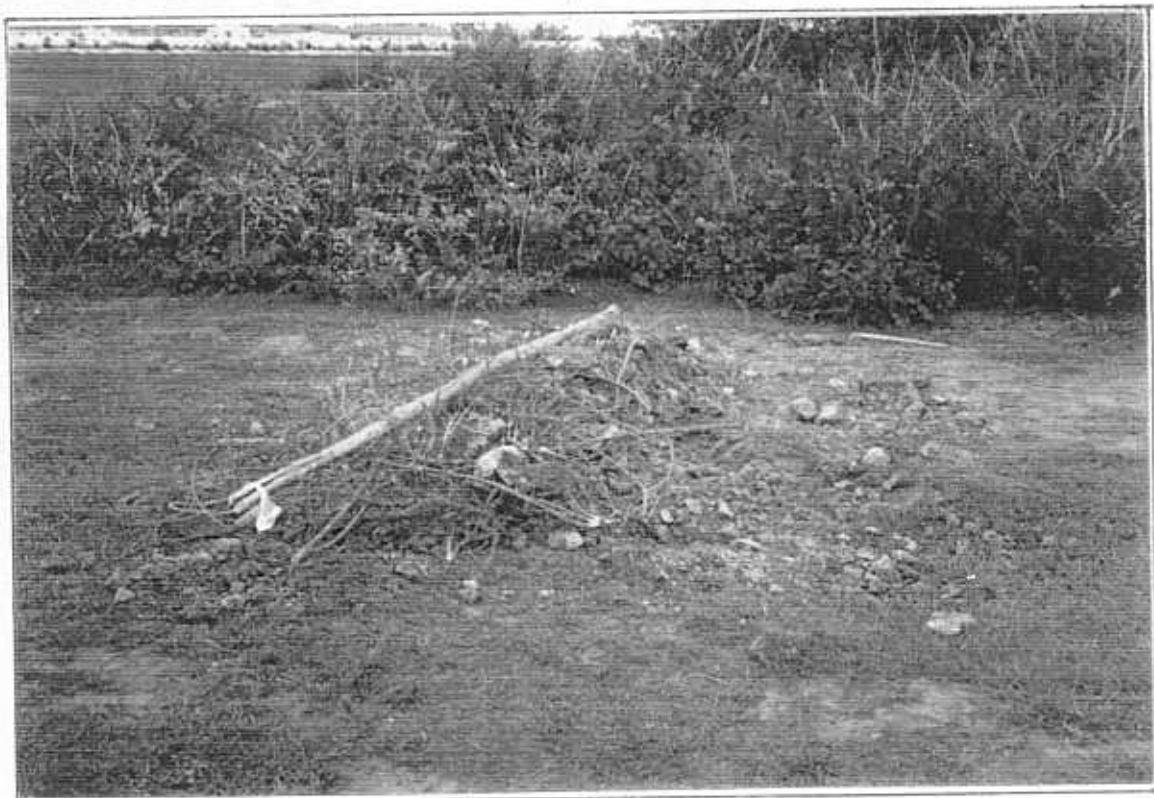
PHOTOGRAPH # 13



PHOTOGRAPH # 14



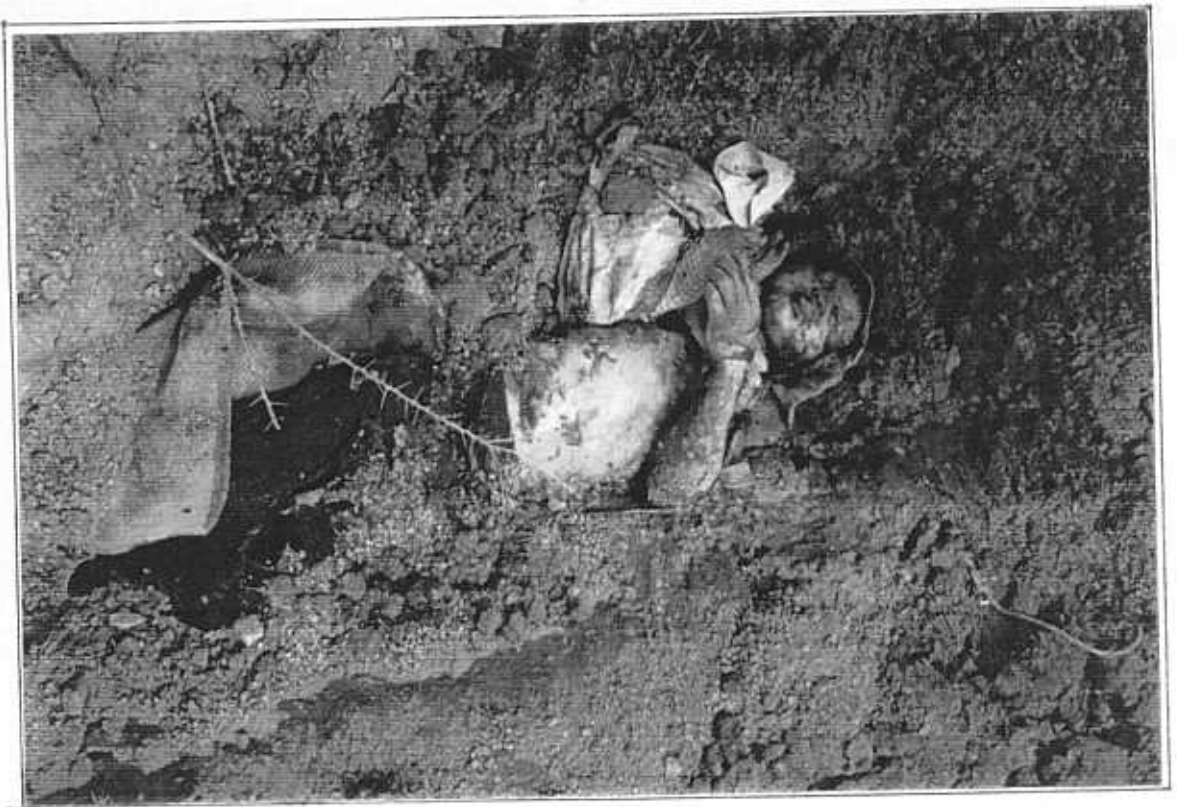
PHOTOGRAPH # 15



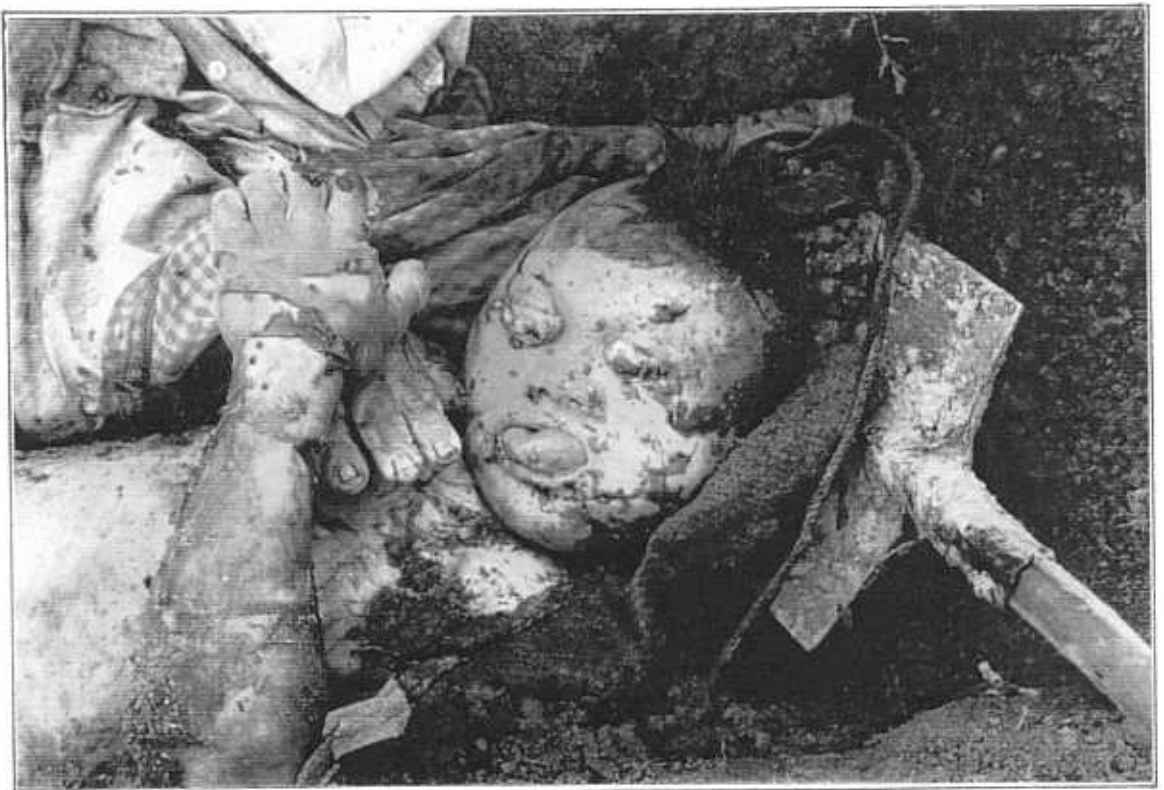
PHOTOGRAPH # 16



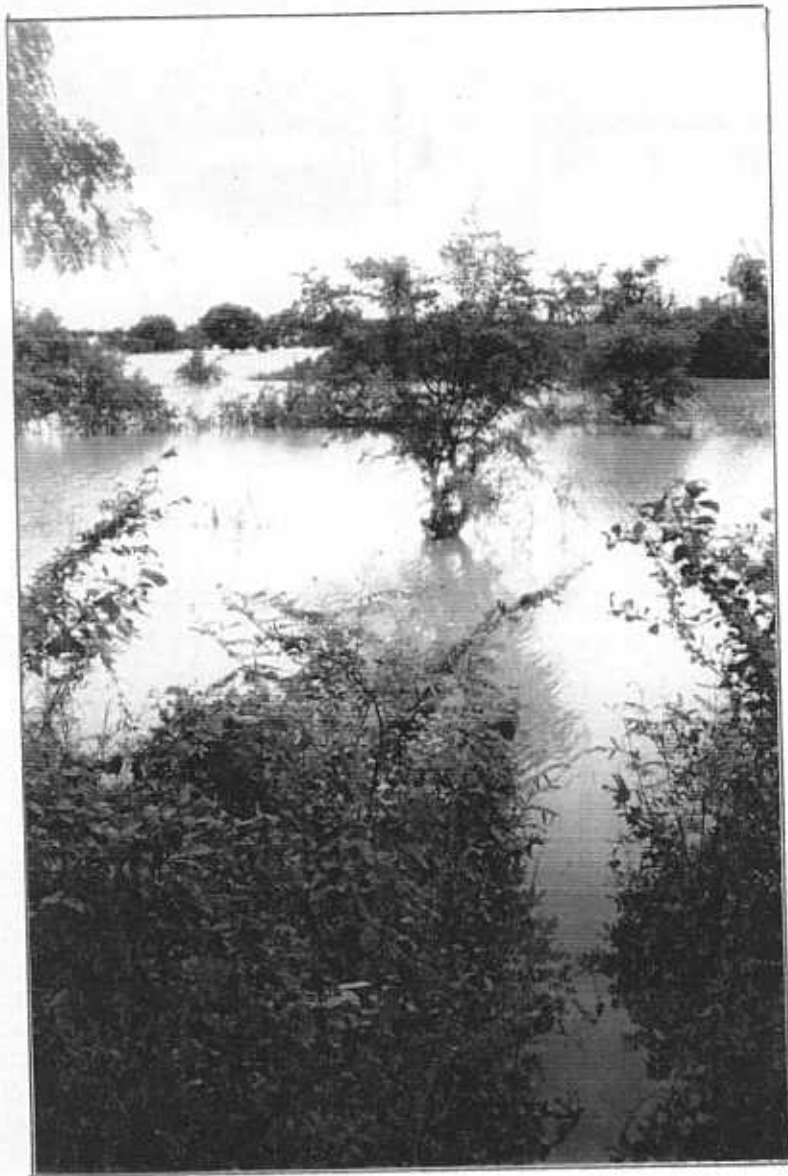
PHOTOGRAPH # 17



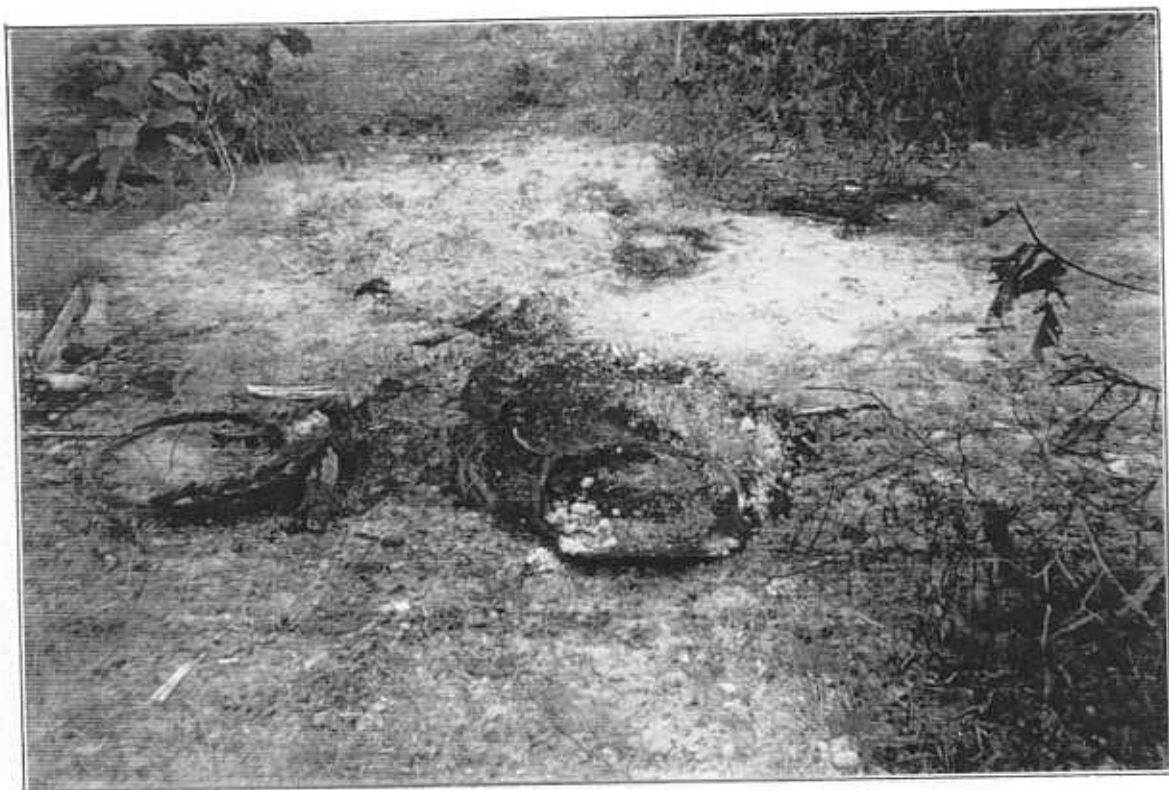
PHOTOGRAPH # 18



PHOTOGRAPH # 19



PHOTOGRAPH #20





PHOTOGRAPH # 22



PHOTOGRAPH # 23



PHOTOGRAPH # 24



PHOTOGRAPH # 25

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

.....

ក្រសួងកសិកម្ម
រុក្ខាប្រមាញ់
និង
នេសាទ

រាជធានីភ្នំពេញ, ថ្ងៃទី

ខែ

ឆ្នាំ ១៩៩៩

របាយការណ៍សង្ខេប

សរុបលទ្ធផលបុព្វនាគរ

(ពីថ្ងៃទី ២២ ដល់ ថ្ងៃទី ០៧ ខែ កក្កដា ឆ្នាំ ១៩៩៧)

I . ចំណុចភ្នំពេញសរុប :

- ចាប់បាន	២៥៥ ទាក់
- សារភាព	៤៦ ទាក់
- បែបបទអាវុធ	១០៨៣ ដើម
- រថក្រោះ	៦ គ្រឿង
- រថពាសដែក	៥ គ្រឿង
- រថយន្ត	១៤ គ្រឿង
- វិទ្យុទាក់ទង	០២ គ្រឿង
- ស្លាប់	០៩ ទាក់

* ខាងលើនេះ ៦ ទាក់ រួស ១០ ទាក់ :

II . លទ្ធផលតាមចំណុច :

១. ស្ថានសត្វ	
- ចាប់បាន	២៨ ទាក់
- ស្លាប់	០១ ទាក់
- សារភាព	០៩ ទាក់
- បែបបទអាវុធ	១៦១ ដើម
- រថយន្ត	០១ គ្រឿង
- ខោអាវ និងអគ្គសញ្ញាណប័ណ្ណមួយចំនួន	

២. វត្ថុភ្លើង	
- ចាប់បាន	១៨៤ ដើម
- សារភាព	៤៧ ទាក់
- អាវុធ	២៣៦ ដើម
- រថពាសដែក	០២ គ្រឿង

៣. ស ១ (ព្រលានយន្តហោះ)

- អាវុធ	៨៨ ដើម
- រថក្រោះ	០១ គ្រឿង

គ្រឹះស្ថានពិបាកជំងឺក្នុងភ្នំពេញ
ផ្នែកអនាម័យការពាររោគរាតត្បាត

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

លេខ : 555/97

លិខិតអនុញ្ញាតិបញ្ជូនប្រមូលសព

- យោងប្រកាសរបស់វិស្វកម្មស្រីស្រែសុខាភិបាល លេខ ០១-៨៦ ប្រកាស ច្រង់ច្រូត ៣ ប្រកាស ៣៣.៣១ ស្តីពីការដឹកសពចេញ ចូល ឆ្លងសង្កាត់ក្រុង ។
- យោងអនុក្រឹត្យរបស់ក្រសួងសុខាភិបាល ចុះថ្ងៃទី ២០ តុលា ១៩៧១ ស្តីពីរបៀបប្រមូលសពសាធារណៈនៅក្នុងភ្នំពេញ ។
- យោងលើខ្លឹមសារសំខណៈកម្មវិធីការប្រយោជន៍ជំងឺក្នុងភ្នំពេញ លេខ ១២១៨ បកស្រាយ ចុះថ្ងៃទី ២៣ កញ្ញា ១៩៨៦ ស្តីពីវិធីស្រាវជ្រាវ ប្រឆាំង ។

**ផ្នែកអនាម័យបង្ការរោគរាតត្បាតភ្នំពេញ
បានអនុញ្ញាតអោយដឹកសព**

ឈ្មោះ **ហ៊ុន សែន** ភេទ **ប្រុស** កំណើត **២៤** ខែ **១១** ឆ្នាំ **១៩៤៥** ទីស្នាក់នៅ **ភ្នំពេញ**
 លេខប្រកាស **១១៧** ចុះថ្ងៃទី **១៧** ខែ **០៧** ឆ្នាំ **១៩៧៦**
 សង្កាត់ **បឹងកេងកង** ខណ្ឌ **បឹងកេងកង** ក្រុង **ភ្នំពេញ**
 ដែលបានបញ្ជាក់ពី **ការស្រាវជ្រាវ** លេខ **១២១៨** បកស្រាយ ចុះថ្ងៃទី **២៣** កញ្ញា **១៩៨៦**
 ចុះថ្ងៃទី **០៩** ខែ **០៧** ឆ្នាំ **១៩៩៧**
 ដែលបានទទួលការអនុញ្ញាតពីថ្ងៃទី **០៧** ខែ **០៧** ឆ្នាំ **១៩៩៧**
 សម្រាប់ **១៧** ថ្ងៃ នៅ **ភ្នំពេញ**
 ដោយជម្រើស **គ្រឹះស្ថាន** **សុខាភិបាល**
 ដើម្បីយកមកបញ្ជូនប្រមូលសព **សុខាភិបាល** ទីស្នាក់នៅ **ភ្នំពេញ**
 ស្រុក **ស្រះចក** ខេត្ត **ស្រះចក** ចុះថ្ងៃទី **០៨** ខែ **០៧** ឆ្នាំ **១៩៩៧**
 ដោយ **សុខាភិបាល** ខេត្ត **ស្រះចក** ចុះថ្ងៃទី **០៨** ខែ **០៧** ឆ្នាំ **១៩៩៧**

គ្រឹះស្ថានពិបាកជំងឺក្នុងភ្នំពេញ និង សុខាភិបាលភ្នំពេញ បានអនុញ្ញាតិបញ្ជូនប្រមូលសព
 ក្នុងរយៈពេល **០៩** ខែ **០៧** ឆ្នាំ **១៩៩៧**
 ប្រធានផ្នែកអនាម័យការពាររោគរាតត្បាត

(Signature)
 ១៩៩៧.០៧.០៨

Letter of authorization to incinerate Ho Sok issued on 8/7/97 by Phnom Penh's health office.

- ស្នាម ០២ ទាក់

- រមួស ០១ ទាក់

៤. ស ២ (តាំងកសាង)

- អាវុធ ២២៩ ដើម

- ថេក្រោះ ០១ គ្រឿង

- ថេតាសដែក ០១ គ្រឿង

- ថេយទ្ត ១៣ គ្រឿង

៥. ស ៣ (ចំណុចដាយក្រុង គោ ១២)

- អាវុធ ១៤៨ ដើម

- ថេក្រោះ ០៤ គ្រឿង

- ស្នាម ០៣ ទាក់

៦. ចំណុច ១៨០ ភូមិភាគទី ២

- ចាប់បាន ៥៤ ទាក់

- ស្នាម ០៣ ទាក់

- បែក្រសអាវុធ ១១៤ ដើម

III .ចំណុចវាចាត់ដីង :

- ចាប់មនុស្ស ៧០ ទាក់

- អាវុធ ៤៤ ដើម

- ស្នាម ០៤ ទាក់

- បាញ់អោយរមួស ០១ ទាក់

IV .ចំណុចបណ្តាស្រុក របស់ខេត្តកណ្តាលដុំវិញពុំពេញ :

សរុបអាវុធ ១០១ ដើម , គ្រាប់បែក ១ គ្រាប់

- ចំណុចតាខ្មៅ : អាវុធ ២២ ដើម . គ្រាប់បែក ១ គ្រាប់

- ផ្ទះ ហ្វូ សុខ (ស្ពាន) អាវុធ ២៧ ដើម

- ចំណុចស្រុកភៀនស្វាយ អាវុធ ១២ ដើម

- ផ្ទះ ញឹក ប៊ុនឆៃ (ចោមចៅ) អាវុធ ២៧ ដើម

- ផ្ទះ ចៅ ប៊ុនស្រី (ចោមចៅ) អាវុធ ១២ ដើម

V .លទ្ធផលបណ្តាចំណុចក្នុងស្រុក : (ពុំទាន់សារុបលទ្ធផលបានពិតប្រាកដនៅឡើយ)

ហ្នូ-សុខស្នាម, ឆ្នើក-ដុំកំណែ

ឆ្នើក

គេស្នាម!!



លោកហ្នូ-សុខ ដកចេញចាប់ធានាដល់ស្នាមឆ្នើក

ករណីលោក ហ្នូ-សុខ

ដែលបានស្លាប់ នៅក្នុងក្រសួង

មហាផ្ទៃ បានធ្វើឱ្យមន្ត្រីប៉ូលីស

ពរួប ត្រូវបញ្ឈប់ផង។ មន្ត្រី

ប៉ូលីស របស់គណបក្សប្រជាជន

កន្លែងនេះនៃ ៤ក