Cambodia’s Dirty Dozen
A Long History of Rights Abuses by Hun Sen’s Generals
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Map of Cambodia

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Summary

Under Prime Minister Hun Sen, Cambodia is in a human rights freefall. Despite the strong human rights provisions in the 1991 Paris Peace Agreements and the 1993 constitution—and billions of dollars in development aid, including a plethora of technical assistance devoted to the rule of law, judicial reform, and human rights—the country is rapidly reverting towards a one-party state.

The speed of the collapse of even the patina of democracy and basic rights has been startling. Over the past year alone the opposition Cambodia National Rescue Party (CNRP) has been dissolved and the official leader of the party, Kem Sokha, jailed on spurious treason charges. The founding leader of the CNRP, Sam Rainsy, was convicted yet again on trumped-up charges in multiple criminal cases; to avoid imprisonment he has been in exile since 2015. His successor, Kem Sokha, was arbitrarily arrested in September 2017 and remains in prison.

In September 2017 the Cambodia Daily was forced to close, while in May 2018 the owners of the Phnom Penh Post were coerced by the government into selling the paper to a Malaysian company with ties to Hun Sen. The government has ordered FM radio stations to stop broadcasting news produced by Radio Free Asia (RFA) and the Voice of America (VOA); two former RFA journalists have been arbitrarily detained and accused of espionage simply for providing information to a foreign news organization. Critical voices have all but disappeared from the country’s media. Five staff members of the highly regarded Cambodian Human Rights and Development Association (ADHOC) were jailed and now are out on bail awaiting trial on politically motivated charges. Human rights organizations and other critics of the government have responded by self-censoring to avoid being targeted.

The list of attacks on basic rights and freedoms could go on and on.

Hun Sen has been Cambodia's prime minister since 1985 and since 2015 chairman of the ruling Cambodian People's Party (CPP), which has been in power since 1979.1 With the fall of Zimbabwe's Robert Mugabe, he is now among the world's five longest-serving autocrats.

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1 Hun Sen became prime minister on January 14, 1985, following a short period as acting prime minister after the death of Prime Minister Chan Si in December 1984.
As with many other despots, he talks about himself in the third person and has tried to create a cult of personality, including naming hundreds of schools (many donor-financed) after himself. His official title in Khmer is “Samdech Akka Moha Sena Padei Techo Hun Sen,” which literally translates to “princely exalted supreme great commander of gloriously victorious troops.” He has called himself the “five-gold-star general to infinity.”

The impetus for this crackdown appears to be that Hun Sen and the CPP fear that without such measures they cannot be sure of winning the next national elections scheduled for July 2018. The CNRP had unprecedented success in the 2013 national elections despite systematic and structural biases and significant fraud. It repeated that success in the 2017 commune elections. Cambodia’s urban and younger voters, increasing as a percentage of the population, have strongly supported the opposition. Many Cambodians, as is common in other countries after long periods of authoritarian rule, simply yearn for change.

Hun Sen has responded by suggesting that engaging in opposition politics or criticizing him, the CPP or the government is a form of treason. While providing no evidence, he has railed against alleged efforts to stage a “color revolution,” accusing the United States and other foreign powers and organizations of plotting to “overthrow” the government. While these are the most intense attacks on critics since his 1997 coup against his then-coalition partners (the royalist party, FUNCINPEC, led by Prince Norodom Ranariddh), disdain for pluralism and democracy has long been the hallmark of Hun Sen’s rule.

Human Rights Watch has previously documented Hun Sen’s egregious human rights record. In his time in power, hundreds of opposition figures, journalists, trade union leaders, and others have been killed in politically motivated attacks. Although in many cases those responsible for the killings are known, in not one case has there been a credible investigation and prosecution, let alone conviction. In some cases, triggermen or fall guys have been prosecuted; higher-ups have been left untouched. Many other critics have been arrested, beaten, harassed and intimidated, including human rights workers, labor leaders, activists and members, land rights activists, and members of a rising generation of bloggers and others expressing their views online. CPP-controlled courts have convicted hundreds of people on trumped-up charges or other politically motivated grounds.

While Hun Sen has orchestrated repression, he has remained in power by creating a cadre of ruthless members of the security forces to implement his vision and orders. He has done
this by promoting people based on loyalty to him instead of the institutions they formally serve, such as the military, gendarmerie, and police.

This report details the responsibility of 12 of these senior security force officers for human rights abuses in Cambodia from the late 1970s until the present:

- Gen. Pol Saroeun, Supreme Commander of the Royal Cambodian Armed Forces (RCAF);
- Gen. Kun Kim, Deputy Supreme Commander of RCAF and Chief of the RCAF Mixed General Staff;
- Gen. Sao Sokha, Deputy Supreme Commander of RCAF and Commander of the Royal Khmer Gendarmerie (GRK);
- Gen. Neth Savoeun, Supreme Commissioner of the Cambodian National Police;
- Lt. Gen. Chea Man, Deputy Commander of the Army and Commander of Military Region 4;
- Lt. Gen. Bun Seng, Deputy Commander of the Army and Commander of Military Region 5;
- Lt. Gen. Choeun Sovantha, Deputy Commander of the Army and Commander of Military Region 2;
- Lt. Gen. Chap Pheakdey, Deputy Chief of the RCAF Joint General Staff and Commander of Special Forces Paratrooper Brigade 911;
- Lt. Gen. Rat Sreang, Deputy Commander of the country-wide GRK and Commander of the Phnom Penh Gendarmerie;
- Gen. Sok Phal, Deputy Supreme Commissioner of National Police and Supreme Director for Immigration;
- Gen. Mok Chito, Deputy Supreme Commissioner of National Police and Secretary-General of the National Anti-Drugs Authority; and

These 12 men are the backbone of an abusive and authoritarian political regime over which an increasingly dictatorial Hun Sen rules. Each is politically and personally close to Hun Sen and helps ensure that the army, gendarmerie, and police perform a political role in guaranteeing his and the CPP’s continued rule. Each has throughout his career served in
government jobs paying relatively modest salaries, yet each has amassed large amounts of unexplained wealth.

Although each of the 12 has a legal responsibility to represent the state instead of a political party—and to carry out their duties in an impartial and neutral manner—all act in an openly and highly partisan manner. Each is a member of the CPP Central Committee, the party's highest policy-making body. Members of the Central Committee are required to carry out all party policies. This conflicts with international human rights standards, which protect the rights of members of security forces to be members of a political party, vote, and privately express their personal opinions, but requires them not to be politically partisan in carrying out their professional duties or otherwise be seen to favor members of one political party over others. It also appears to violate article 9 of Cambodia’s Law on the General Status of Military Personnel of the Royal Cambodian Armed Forces (1997), which states that “[m]ilitary personnel shall be neutral in their functions and work activities, and the use of functions/titles and the state’s materials for serving any political activities shall be prohibited.”

The abuses in which the 12 are implicated include violations of human rights, war crimes, and crimes against humanity committed from the 1970s to the present. Most of the 12 have been implicated in the use of unnecessary, excessive, and sometimes lethal force against protests about unfree and unfair elections, land confiscations, labor abuses, and low wages. Many have also been involved in non-political abuses against the ordinary population, such as land takings, murder, torture, and arbitrary detention. Some participated in Pol Pot’s Khmer Rouge regime from April 1975 to January 1979. All have had roles in subsequent periods: the Vietnamese-backed People’s Republic of Kampuchea (PRK) from January 1979 to April 1989; the PRK’s direct successor, the State of Cambodia (SOC), from April 1989 to June 1993, including the period during which the United Nations Transitional Authority in Cambodia (UNTAC) administered the country (March 1992 to June 1993); the Provisional Government of Cambodia and its direct successor Royal Government of Cambodia (RGC) from July 1993 to the present.

Each of the 12 is part of a kind of Praetorian Guard for Hun Sen. All 12 owe their senior positions in the security forces to personal links to Hun Sen dating back two decades or more, and their willingness to abuse human rights. Pol Saroeun and Kun Kim were, like Hun Sen, members of the Khmer Rouge military-security apparatus, all three having been
local cadre in the Khmer Rouge East Zone. Hun Sen crossed into Vietnam in 1977 and became a key figure in the Vietnamese-sponsored organization in 1978 of armed and other opposition to Pol Pot’s government, serving as the PRK’s foreign minister, the world’s youngest. Pol Saroeun, who arrived in Vietnam in 1978, was also a significant player in the Vietnamese-backed opposition at that time. Sao Sokha, Chea Man, and Choeun Sovantha were either aides to Hun Sen in 1978 or became members of the small number of armed forces units he set up at that time. Kun Kim, Neth Savoeun, and Sok Phal became close to Hun Sen from at least the early 1990s, and Chap Pheakdey from at least the middle of that decade when he played a key role in Hun Sen’s 1997 coup. Chuon Sovan and Rat Sreang were both originally protégés of Kun Kim, through whom they became linked to Hun Sen.

Khmer Rouge-era Abuses

The two generals with the longest known records of human rights abuses are Pol Saroeun and Kun Kim. Both are former members of the military-security apparatus of Pol Pot’s Communist Party of Kampuchea (known as the Khmer Rouge). While in power, the Khmer Rouge were responsible for the deaths from execution, starvation, and disease of an estimated 1.2 to 2.8 million Cambodians, between 13 and 30 percent of the population, including deaths in which Pol Saroeun and Kun Kim are implicated via their responsibilities at Khmer Rouge security offices, which were interrogation, hard labor, and execution centers. Pol Saroeun was vice-chairperson of the Khmer Rouge East Zone General Staff, which oversaw the zone-level S79 Security Office, and Kun Kim was chairperson of the Tbaung Khmum District Security Office in the Zone’s Sector 21.

PRK-era and SOC Period Abuses

The policies and practices of the Khmer Rouge devastated Cambodian society and created conditions for the success of the Vietnamese invasion in December 1978 and the creation of the PRK in January 1979. The new government incorporated not only Pol Saroeun and Kun Kim, but also many other former Khmer Rouge at various levels. Among them was Hun Sen, another one-time member of the Khmer Rouge military-security apparatus who, during his time as a Khmer Rouge commander, played an unclear role in areas where crimes against humanity were committed.
The PRK was opposed by the Khmer Rouge, which reformed and fought an almost continuous guerrilla war against the Cambodian government from 1979 to 1998, the year Pol Pot died amidst the collapse of the Khmer Rouge movement. It was also opposed by various non-communist anti-PRK movements, most notably the National United Front for an Independent, Peaceful, Neutral and Cooperative Cambodia (FUNCINPEC), founded in 1981 by Cambodia’s former King Norodom Sihanouk and later led by his son, Norodom Ranariddh.

A one-party state, the PRK established and enforced its rule through widespread political imprisonment without charge or trial and a system of torture of thousands of political detainees, many of whom died from such ill-treatment and abysmal detention conditions.

Ten of the 12 officials profiled here are implicated in these abuses via their service in various PRK and SOC (successor to the PRK) political, military, intelligence, and police units, the institutional bases from which they rose to their current prominent security force positions. Abuses committed during repression of rising popular dissatisfaction with the PRK and its reliance on Vietnamese backers include arbitrary political detention and routine torture in a provincial prison run under the authority of Pol Saroeun when he was governor there; in the municipal prison of the capital, Phnom Penh, when Neth Savoeun was a senior police officer there; and in the political security apparatus of the Ministry of Interior when Sok Phal was an important cadre there.

**UNTAC-era Abuses**

In October 1991, SOC, FUNCINPEC, a second non-communist opposition group (the Khmer People’s National Liberation Front), and Pol Pot’s Khmer Rouge signed the Paris “Agreement on a Comprehensive Political Settlement of the Cambodia Conflict,” which was also signed by 18 foreign governments. This and attendant documents (the “Paris Agreements”) mandated the United Nations Transitional Authority in Cambodia (UNTAC) to demobilize most of Cambodia’s various armed forces and establish direct control over key sectors of its various existing administrative organizations in order to create a neutral political environment for UN-organized elections, which were held in May 1993.

During the UNTAC period, several of the 12 individuals profiled here were implicated in SOC political violence, which included political killings, targeting FUNCINPEC and other non-violent political opponents and aimed at ensuring a CPP victory in the UN elections.
that were held in May 1993. According to one UNTAC report, SOC was responsible for 39 incidents of “killing of political opponents” that resulted in a total of 46 “casualties,” as well as 25 “killings, the primary purpose of which is to intimidate the civilian population and other summary executions” that resulted in a total of 40 “casualties.” The report listed hundreds of other cases of SOC abuses, including enforced disappearances and torture. The numbers in the report understate the extent of the violations because UNTAC could not investigate all cases or specify who was responsible in all of the cases it did investigate.²

FUNCINPEC nevertheless outpolled the CPP in the elections, but CPP elements led by Hun Sen threatened to violently oppose the election results and, on this basis, successfully demanded from the UN the formation of a FUNCINPEC-CPP coalition with Prince Ranariddh as first prime minister and Hun Sen as second prime minister. The different titles meant little, as each had the same legal powers.

**Abuses since UNTAC (1993-Present)**

After the departure of UNTAC in 1993, CPP political violence flared again, including against media critics and the new opposition Khmer Nation Party led by former FUNCINPEC finance minister Sam Rainsy, who was the target of a number of assassination attempts. The 1993 coalition arrangement lasted until July 1997, when Hun Sen ousted Prince Ranariddh in a coup.

Many of the 12 are implicated in the 1993-1998 political violence, notably Kun Kim, Chap Pheakdey, Chea Man, Bun Seng, Choeun Sovantha, Neth Savoeun, and Sao Sokha. Most played important roles in the July 5-6, 1997 coup by Hun Sen against then first Prime Minister Norodom Ranariddh and his royalist FUNCINPEC party, which resulted in more than 100 mostly royalist opposition party members being summarily executed. An August 1997 report by the UN human rights office in Cambodia documented 41 and “possibly up to 60 politically-motivated extrajudicial executions” after the coup.³ Special Representative of the UN Secretary-General for Human Rights in Cambodia, Thomas Hammarberg, later

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said that there were dozens of other instances of summary killings, murders, and disappearances after the coup.

The killings sent opposition politicians and activists into exile in fear for their lives. Although most politicians returned under a deal brokered by Japan, the United States, and the UN to participate in elections in July 1998, the electoral process was violent and fundamentally flawed.

The 1997 coup and 1998 ballot were followed by further CPP-manipulated national assembly elections in 2003, 2008, and 2013, which the CPP claimed to have won by greater or lesser margins and in the course of which CPP neutralized FUNCINPEC, rendering it politically moribund. This, however, did not end electoral and popular challenges to Hun Sen and the CPP’s political dominance, nor stem their growing reliance for power on economic practices characterized by elite land-grabbing and exploitation of low-wage factory workers. From 1998 to 2008, challenges to Hun Sen and the CPP were in political party terms increasingly represented by the Sam Rainsy Party (SRP). In social terms, they were increasingly manifest in protests against loss of land and housing and mostly trade union-led strikes for better pay and working conditions.

In 2012, Sam Rainsy and Kem Sokha, leader of the Human Rights Party, joined forces to create the Cambodia National Rescue Party (CNRP) to compete with the CPP in the 2013 elections. These elections were characterized by systemic irregularities and were neither free nor fair. The CPP claimed a narrow victory that has kept Hun Sen in power.

The Impossibility of Democratic Reform with Politicized Security Forces

Hun Sen and the CPP are increasingly reliant on the 12 commanders – and many other senior security personnel in the army, gendarmerie, and police – who are the subject of this report. This trend was confirmed and highlighted by a significant increase at the 2015 CPP Congress of the number of security force officers and other government officials with security responsibilities in the CPP Central Committee (see Appendix 1). By Human Rights Watch’s calculation, at least 80 such officials were added. At the CPP Congress in January 2018, held to adopt party plans for the 2018 national elections, there was another large
insertion of security force personnel, among whom are 64 military officers, mostly of lieutenant general rank, according to documents seen by Human Rights Watch.⁴

Hun Sen has declared his “absolute determination” to maintain order and political stability in Cambodia so he can become prime minister again after national elections scheduled for 2018.⁵ Given their past record and current positions, Hun Sen can rely upon these 12 commanders and their subordinates to commit human rights abuses whenever it is considered necessary, including for their own power and economic interests. This danger should be viewed both in light of their long records of violating human rights and in the context of the 2013 national elections and those scheduled for 2018. The 2013 elections were followed by peaceful mass protests against CPP-orchestrated fraud and a new wave of large-scale strikes by workers for higher wages. Aggressive attempts by the security forces to deter and suppress such gatherings sometimes precipitated social unrest, to which the security forces responded with excessive violence, including unnecessary lethal force resulting in the deaths of at least seven people in early 2014. The CPP condemned the protests and strikes as a CNRP plot to foment a “color revolution.” Since then Hun Sen and the CPP have launched an escalating campaign of human rights violations targeting the CNRP and Cambodian media and civil society, claiming this is necessary to prevent any “color revolution” that it says might otherwise occur in connection with the 2018 elections, including as a result of protests against fraud.

This report begins with a detailed history of the three main components of the contemporary Cambodian security forces—the army, gendarmerie, and police—tracing the development of their chains of command. This is followed by 12 individual profiles. The report concludes with recommendations for security sector reform in Cambodia addressed to the Cambodian government, the United Nations, and donors and other governments. These recommendations are made in light of the failures of previous efforts by the international community in this area, but with the recognition that security sector reform is


crucial for promoting and protecting human rights in Cambodia. If the security forces are not professionalized and key abusers are not appropriately held to account, there is little possibility of democratic reform – or indeed any kind of structural reform – in Cambodia.

Please see chapter 14 for a full set of recommendations.
Methodology

This report is based on extensive in-person interviews, including with senior CPP civilian and military officials, members of the military and police, civil servants, judges, prosecutors, foreign and Cambodian diplomats, foreign and Cambodian journalists and human rights workers, academics, and others, some of whom also provided open source and other materials from their files. In addition, it relies greatly on published and, in some cases, unpublished written materials in English, Khmer, Vietnamese, Chinese, and French, including online and printed media reports, books, and journals, and documents disseminated by or held in the archives of the Cambodian and other governments, United Nations bodies, and international and domestic human rights organizations. These materials include underlying data that have formed the basis for various human rights reports and related publications on Cambodia from the 1980s to the present and are on file with Human Rights Watch. The texts of the interviews are on file with Human Rights Watch.

Because of the government’s increasing pressure on domestic human rights organizations, including arbitrary arrest and physical assault of their staff, all specifics about sourcing from these organizations are omitted from this report. Instead of specifics, we use the phrase “domestic human rights organization records” to denote material from these sources.

Because of the escalating assault on human rights activism, journalism, and other non-partisan research in Cambodia, the names of many of the interviewers and interviewees and other identifying information about them have been omitted to protect them from possible retaliation by the authorities, including Hun Sen and the senior security force commanders who are the subjects of this report. Any incomplete sourcing in footnotes is to protect sources.

Also, on file with Human Rights Watch are downloaded versions of all recently published Khmer and Vietnamese-language online news media and other online resources cited in the report, which in some cases may no longer be accessible online.
Background

Cambodian Armed Forces 1978 to Present

Anti-Pol Pot Insurgencies before January 1979

The current Royal Cambodian Armed Forces (RCAF) of the Royal Government of Cambodia (RGC) are the successors to the Revolutionary People's Armed Forces of Kampuchea (RPAFK) of the People's Republic of Kampuchea (PRK) set up in 1979 after the Vietnamese invasion of Cambodia that precipitated the collapse of the regime of the Communist Party of Kampuchea (CPK, widely referred to as the Khmer Rouge).

The RPAFK was born out of guerrilla forces opposing Khmer Rouge rule. These insurgents had been operating on Cambodia's borders with Vietnam, Laos, and Thailand even before the CPK took power in Cambodia on April 17, 1975. Under Vietnamese auspices, the first formal unit was set up on April 22, 1978.

The first Cambodians organizing and headng these forces and units were communists who had spent many years in Vietnam, some having gone there as early as 1954, and had fled or dissociated themselves from Pol Pot's Khmer Rouge before April 1975. This included future Cambodian government officials such as Pen Sovan, Chan Si, Khang Sarin, Soy Keo, and Bou Thang. They were later joined by defectors from the CPK, most of whom fled Khmer Rouge purges. For example, in May 1978 the former CPK East Zone Sector 21 regimental vice-chairman Hun Sen, who had been in Vietnam since June 1977, also became involved. From around September 1978, the anti-Pol Pot Khmer Rouge organizations in Vietnam were joined there by other former CPK East Zone military cadre, the most senior of whom were ex-East Zone General Staff Vice-Chairmen Heng Samrin and Pol Saroeun.

The establishment of a single coordinated Cambodian command for the various Cambodian units in formation was incomplete when the Vietnamese launched a large-scale invasion to overthrow the Pol Pot Khmer Rouge on December 25, 1978, which took Phnom Penh on January 7, 1979.6

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Omitting mention of contributions by others, Hun Sen has claimed that the present RCAF has its origins in the Cambodian armed forces he and a number of aides helped set up subordinate to a “Command Committee 578” established in May 1978 with Hun Sen as the committee’s military commander. This was just one part of a larger command structure headed by Vietnamese army officers. The command committee’s troops included a number of units designated battalions, such as Battalion 125, Battalion 246, and Battalion 207, founded on July 20, 1978. However, these were not at full strength, and the total number of men under Hun Sen’s command, who were designated as responsible for fighting in that part of Cambodia east of the Mekong River, was only 100.

Elements of these and other units set up under Vietnamese auspices during the remainder of 1978 and before January 7, 1979 participated in a minor way in the Vietnamese invasion, in which for propaganda purposes some Vietnamese forces masqueraded as Cambodian troops, actions that paved the way for the birth of the PRK. Such forces subsequently formed part of the nucleus of the post-January 7 military of the PRK. However, Command Committee 578 was dissolved. On November 25, 1978, Hun Sen was reassigned to take

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charge of youth affairs in the anti-Pol Pot political organizations then still being put together in Vietnam.\textsuperscript{11} Hun Sen and most other publicly proclaimed PRK leaders remained in Vietnam until late January or early February 1979 when the Vietnamese flew them to Cambodia to begin participating in the administration of the country. Hun Sen was named Minister of Foreign Affairs.

During the next decade, according to official Vietnamese and Cambodian accounts, a total of some 200,000 Vietnamese troops and 10,095 Vietnamese officials were deployed into Cambodia to defend and help build PRK structures, including at the party Central Committee, national government ministry, provincial, and municipal levels and especially in the military, security, and foreign affairs fields.\textsuperscript{12} High-level consultations between PRK and Vietnamese leaders were frequent and substantive. Initially, at least, as the Vietnamese account puts it, “our cadres and specialists did everything – they ‘did all the work, serving as both master and servant!’” in a process of regime-building “from the top down.”\textsuperscript{13} As other official Vietnamese histories recall, this included the formation of security forces, a fact stressed in the internal history of the Cambodian party with regard to both the army and the police.\textsuperscript{14} Speaking of Vietnamese officials on duty in Cambodia, an internal PRK Council of Ministers document stated, “We should discuss all tasks with the fraternal advisors. Weigh heavily the opinions of the foreign advisors … At all levels and in all sectors, we should discuss with the fraternal advisors in order to agree on weekly and

\textsuperscript{11} Pen Sovan, \textit{Summary Biography}, p.148.


\textsuperscript{13} Huỳnh Anh Dũng, Notes on Cambodia (1975-1991).

monthly programs and planned activities.”  

A PRK-era senior security official later recalled “There was an appearance of dialogue between the Vietnamese and Cambodians, but whatever the advisors said we had to follow.”

*Foundation of the Revolutionary Peoples Armed Forces of Kampuchea (RPAFK)*

Arriving from Vietnam before other Cambodian officials was Pen Sovan, First Secretary of the then still secret PRK communist party organization, which emerged in 1981 as the Revolutionary People’s Party of Kampuchea (RPPK), at which time it had only 835 members. It was not until the mid-1980s that the RPPK membership matched the number of Vietnamese officials in the country.

In 1979, before the RPPK revealed itself, Pen Sovan was first PRK Minister of National Defense and Supreme (akkeak) Commander of the RPAFK. He then became Chairman (prime minister) of the PRK Council of Ministers until his purge on December 2, 1981, when he was arrested in Phnom Penh during an operation in which Pen Sovan alleged Hun Sen played an important role and as a result of which Sovan was imprisoned in Vietnam for many years.

During his short period in power, Pen Sovan worked with Vietnam to construct the RPAFK from the Ministry of National Defense down to divisions and smaller units at every level. On the Cambodian side, the work was carried out by the RPAFK Supreme (akkeak) General Staff, which was under the Ministry of National Defense. The ministry was divided into three main units through the PRK period: Supreme General Staff, the Supreme Political

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18 SPK, January 19, 1979; Pen Sovan, *Summary Biography*, p.162; Phnom Penh Radio, January 6, 1979 (as monitored in this and below citations by the US Foreign Broadcasts Information Service).


Commissariat, and the Supreme Logistics Directorate.\(^ {21} \) The Supreme Political Commissariat was responsible for ensuring the loyalty of the armed forces to the ruling party, the goal being to achieve 100 percent political control of the army from top to bottom.\(^ {22} \)

The first appointee as Chief of the Supreme General Staff was Soy Keo, who was briefly replaced in mid-1981 by Khang Sarin, but then resumed the post.\(^ {23} \) A chain of command was instituted in which national-level RPAFK divisions and smaller specialized units, and RPAFK municipal and provincial forces were attached and subordinated to the Ministry of National Defense via the Supreme General Staff.\(^ {24} \) The latter functioned as “the center for coordination of all undertakings” of the ministry “on a daily basis,” including “giving out orders to the armed forces.”\(^ {25} \) However, sub-national armed forces were concurrently under a system of “unified command committees” chaired by local party and administrative heads responsible for their operations in tandem with police and militia.\(^ {26} \) This reflected the fact that in addition to its field combat role of fighting Pol Pot Khmer Rouge remnants, the RPAFK was also responsible for “ensuring public order and security.”\(^ {27} \)

Most PRK political and military structures were regularized by the time the June 1981 PRK constitution was adopted. At a time when the Khmer Rouge were fighting a guerrilla war along the Thai border with direct support from Thailand and China and at least indirect support from the United States, the United Kingdom, and others, the constitution defined the RPPK as “the force directly leading the entirety of the revolutionary tasks” in the country. It made the Chairperson of a PRK Council of State the Supreme Commander of the


\(^ {22} \) Phnom Penh Radio, 8 December 1979; SPK, March 1, 1980; Phnom Penh Radio, March 5, 1980; Phnom Penh Radio, April 23, 1980; Phnom Penh Radio, April 26, 1980; CPP, *History of the Struggle*, p.22.


\(^ {24} \) Phnom Penh Radio, June 4, 1982; Phnom Penh Radio, July 16, 1982; Phnom Penh Radio, March 19, 1981.

\(^ {25} \) Phnom Penh Radio, March 5, 1984.


\(^ {27} \) SPK, April 3, 1979.
armed forces but stipulated no command authorities. It characterized the PRK Council of Ministers—the government—as “the organ directly managing society and directly leading the strengthening of the national economy.” The Council of Ministers was also responsible for “strengthening and increasing the national defense forces,” “implementing the gathering up of troop forces,” and “taking other necessary measures in order to defend the nation,” but the Constitution was silent with regard to specific command and control authority.  

**The RPAFK after Pen Sovan**

Because of conflict with Vietnamese authorities over policies to be pursued by the PRK, Pen Sovan was replaced as prime minister by Chan Si, another veteran of a long stay in Vietnam who had already taken over Pen Sovan’s post as defense minister before Sovan’s removal.  

He then ceded this post to Bou Thang, while Soy Keo remained as Chief of the Supreme General Staff, which played a more prominent role after the purge of Pen Sovan.  

The post of Supreme Commander, occupied by former CPK East Zone General Staff Vice Chairman Heng Samrin as Chairman of the PRK Council of State, was in practice ceremonial.  

The function of “high command” continued to be carried out on its behalf at the national level by the Ministry of National Defense and the Supreme General Staff, which also oversaw the commanders of military regions that began to be organized by the mid-1980s to control groupings of provincial forces in conjunction with the aforementioned local unified command committees.  

This kept the armed forces out of the control of former East Zone CPK military cadre, such as Heng Samrin and Pol Saroeun.

On February 10, 1982, the PRK promulgated a “Law on the Organization and Activities of the Council of Ministers,” elaborating on the 1981 PRK Constitution. It stated that the PRK Council of Ministers governed only in the economic and social spheres, without mentioning any command authority over army and other forces.  

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31 See, for example, Phnom Penh Radio, July 31, 1984.

32 Phnom Penh Radio, October 16, 1984; Phnom Penh Radio, April 9, 1982; Carney, “Heng Samrin’s Armed Forces,” p.166.

“Proclamation on the Working System of the Standing Committee of the Council of Ministers,” dated March 31, 1982, reinforced this depiction of the Council of Ministers as a primarily socio-economic government. It did place the Ministry of Interior under Council Chairman (prime minister) Chan Si, but not the Minister of National Defense (then Bou Thang), who therefore appeared to enjoy significant autonomy vis-à-vis the prime minister.  

The RPAFK under Hun Sen

Chan Si died on December 31, 1984. Hun Sen—with Vietnamese backing—replaced him as Chairman of the Council of Ministers on January 14, 1985, and has been prime minister of Cambodia ever since. After taking office, Hun Sen further strengthened the authority of the Supreme General Staff via a sub-decree reiterating that it had command over the whole of the PRK armed forces. Soy Keo was removed as Chief of the Supreme General Staff and replaced by Koy Buntha, who was promoted to Minister of National Defense in December 1986. Ke Kimyan became Chief of the Supreme General Staff.

In August 1988, by which time Vietnam had withdrawn half its troops and most of its officials from Cambodia, and with the PRK resisting Vietnamese suggestions that it make a peace deal with the Khmer Rouge as well as other Cambodian adversaries, Hun Sen issued a Proclamation making himself, as chairman of the Council of Ministers, “in charge directly ... of the leadership of military and security work,” while reducing the Minister of Defense to the person in charge only of the construction of military fortifications. In December 1988, Hun Sen oversaw another military reshuffle: Tea Banh took over from Koy Buntha as Minister of National Defense, a post Tea Banh has held ever since. Pol Saroeun took over from Ke Kimyan as Chief of the Supreme General Staff.

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36 Brad Adams interview with Kong Korm, November 23, 1999; Phnom Penh Radio, January 14, 1985; From September 1993-98 Hun Sen was co-prime minister, first with Prince Norodom Ranariddh until Hun Sen’s July 1997 coup, and then with Ung Huot.
37 PRK, Sub-Decree 25 ANKr, November 20, 1985.
Among the various figures who came to prominence in the military and defense realms in the 1986-1988 period, only Pol Saroeun was an ex-East Zone CPK army defector linked to Hun Sen. Koy Buntha had parted ways with the Khmer Rouge and gone to Vietnam before 1975. Tea Banh, an ethnic Thai, had left the Khmer Rouge ranks in 1974 and taken refuge in Thailand in 1975. Tea Banh had joined the PRK defense ministry in 1979 and then become Minister of Posts, Telecommunications, and Transport before returning to defense. Ke Kimyan had no Khmer Rouge background. He had originally distinguished himself in the PRK military ranks as a commander fighting Pol Pot Khmer Rouge guerrillas in northwest Cambodia and had then become Secretary of the RPPK Committee and chairman of the provincial administration for Battambang province.

Pol Saroeun, as chief of staff, enjoyed de jure command authority over the whole of the PRK armed forces and was de facto the most powerful military figure, next to Hun Sen himself. This fact was publicly manifested when he presided over gatherings of national, regional, provincial, and other local military units, to which he gave military orders and political instructions.

Cambodian People’s Armed Forces, State of Cambodia, and the United Nations Transitional Authority in Cambodia

In preparation for further Vietnamese troop withdrawals and a possible peace agreement, including the Khmer Rouge and other opposition forces, in April 1989 chief of state Heng Samrin promulgated a new constitution transforming the PRK into the State of Cambodia (SOC). Pursuant to the constitution, the RPPK remained the “leading force of the

44 PRK, Sub-Decree 25 ANKr, November 20, 1985; UNTAC, “Report on Interviews.”
Cambodian society and state.” As Chairperson of the Council of State (Heng Samrin) remained “supreme (akkeak) commander” of what the constitution re-designated the Cambodian People’s Armed Forces (CPAF), but the Council of State’s military-security functions were limited to “deciding” on promotions and awards on “the recommendation of the Council of Ministers.” The Council of Ministers continued to directly govern society and the leadership of national development work. In the military-security sphere, it remained responsible for “strengthening and increasing the national defense forces,” “implementing the gathering up of troop forces,” and “taking other necessary measures in order to defend the nation,” but the new constitution, like the one it replaced, was silent with regard to specific command and control authority.

In July 1989, an SOC law was adopted on the “readjustment of the organization, role, and tasks” of the Ministry of National Defense. It stipulated that the ministry “leads and governs all categories of troops” and must “cooperate with the police forces in order to defend the security and order of society,” but these powers were still effected via the Supreme General Staff.

In February 1992, the SOC superseded the 1982 PRK law on the cabinet with a “Decision on the Working System of the Council of Ministers.” It again described the government as first and foremost “an organ governing the society and economy.” However, it granted the prime minister authority to lead Cambodia’s military and security work, sharing responsibility for the former with Minister of National Defense Tea Banh but giving new Minister of Interior Sar Kheng (Chea Sim’s brother-in-law), an ex-East Zone Khmer Rouge

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51 SPK, July 15, 1989.

This was the situation when the United Nations Transitional Authority in Cambodia (UNTAC) began deploying to the country in March-April 1992 with a mandate from the October 1991 Paris Agreements to demobilize most of Cambodia’s various armed forces and establish direct control over key sectors of its various existing administrative organizations, including “national defense.” All of this was specified in order to create a neutral political environment for UN-organized elections, which were held in May 1993.\footnote{UN, “Cambodia: UNTAC,” http://www.un.org/en/peacekeeping/missions/past/untacbackgr2.html (accessed January 3, 2009).} The process was supposed to be managed by an UNTAC-created Mixed Military Working Group (MMWG) with participation by CPAF and the armed forces of Pol Pot’s Khmer Rouge and non-communist opponents of CPP, most notably the royalist FUNCINPEC. However, the Khmer Rouge reneged on their commitment to the agreement, after which the SOC refused to keep its commitments on demilitarization and demobilization. The Khmer Rouge resumed guerrilla warfare against the SOC, which, with UNTAC approval, launched military operations against the Khmer Rouge. The elections took place amidst armed conflict.\footnote{Peter Bartu, “‘The Fifth Faction’: The United Nations in Cambodia, 1991-1993” (unpublished manuscript), pp.129-333.}

As for UNTAC attempts to oversee CPAF, the CPP correctly assessed that this would fail in the face of its “one-party system” of bureaucracy “controlling the social structure from top to bottom,” which was “so integrated that UNTAC simply could not penetrate it” and “could easily withstand anything.”\footnote{Nem Sowath, Win-Win Policy of Samdech Techo Hun Sen in International Context, (Phnom Penh, Reahoo, 2012), p.22.} In practice, Hun Sen and Pol Saroeun continued to exercise full control over CPAF, while Ke Kimyan, whom Pol Saroeun outranked in the CPP hierarchy, was assigned to liaise with UNTAC via its Mixed Military Working Group. Major decisions at the MMWG, especially those of serious political import, had to be made with Pol Saroeun’s approval, especially because Hun Sen considered that Ke Kimyan was sometimes dangerously “soft” on UNTAC and FUNCINPEC.\footnote{UNTAC, “Who’s Who;” UNTAC, “Report on Interviews;” for a specific example, see Phnom Penh Radio, June 11, 1993.}
Cambodian People’s Armed Forces under Co-Prime Ministers

FUNCINPEC and its coalition partner, the Buddhist Liberal Democratic Party (BLDP), won 68 of 120 seats in the UNTAC election. Hun Sen and the CPP threatened secession of seven eastern provinces and renewed civil war if they were not made equal partners in a new government, including maintaining de facto control over the military and police. According to General John Sanderson, leader of UNTAC’s military component, “if Hun Sen had been exposed as the mastermind of the secession he would have been weakened to the point of not being able to become the co-prime minister.”

This is exactly what later transpired. On June 3, 1993, King Norodom Sihanouk proclaimed a post-election interim coalition government of FUNCINPEC and the CPP. With no legal authority and apparently without consulting his son, FUNCINPEC leader Prince Norodom Ranariddh, Sihanouk worked with the CPP to be named head of state, prime minister, and Uppermost High (utdam … choan kpuoh) Commander of the Cambodian National Armed Forces. This government immediately unraveled under domestic and primarily international opposition, but Sihanouk remained Uppermost High Commander of a multi-partite Cambodian Armed Forces proclaimed on June 10. However, Sihanouk made it clear he would not actually command any forces.

A provisional government was soon formed with Norodom Ranariddh and Hun Sen as co-chairpersons. Sihanouk put them in co-command of “the Cambodian National Armed Forces, auxiliary forces, police forces, and security forces of Cambodia,” concurrently with their government posts as co-ministers of national defense and of interior. They immediately began issuing joint orders. Ke Kimyan was named chief of the armed forces Supreme (akkeak) General Staff, whose deputies included general officers from both FUNCINPEC and the CPP.

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60 Phnom Penh Radio, June 3, 1993.
Royal Cambodian Armed Forces (1993-present)

On September 21, 1993, a new, post-UNTAC constitution was adopted creating the Kingdom of Cambodia. It made the monarch paramount (kampoul) commander of what became known as the Royal Khmer (Cambodian) Armed Forces (RCAF). However, in line with the general principle that the “king reigns but does not rule,” the constitution also stipulated that these armed forces were under the command of supreme (akkeak) commander(s) separately appointed. The constitution also put the government in charge of national defense and ensuring “public order and security.”

Article 2 of the July 20, 1994 Law on the Organization and Functioning of the Council of Ministers specified that the government “governs, commands, and utilizes the military, police, and other armed forces and the administration of their conduct of activities.” Speaking without specifying singular or plural at a time when Norodom Ranariddh and Hun Sen were First and Second Prime Ministers, respectively, with equal powers in a coalition government, article 9 empowered the prime minister(s) to “command all activities of the Royal Government in every sphere.” Article 19 specified that deputy prime ministers act only in accordance with a non-permanent delegation of prime ministerial authority and make decisions related to the overall leadership of the government only with prime ministerial approval. Article 15 gave the prime minister(s) the power to appoint, transfer, and remove “high-ranking” military and other officials without reference to other authorities. The CPP legal interpretation of this law has ever since put Hun Sen in “direct command” of the armed forces and police. The armed forces comprise the “land, air, and water armies.”

In January 1996, the legal authority of the Ministry of National Defense was defined in a brief law that stated it was “competent to lead and govern in the realm of national defense.”

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70 RGC, Royal Kram ChS/RKM 1197/05, November 6, 1997.
defense,” but said nothing specifically about its authority over the armed forces, apparently leaving existing elaborations in administrative law and practice intact.\(^7^1\) This set-up was operationalized via a series of administrative laws affirming that the Supreme General Staff was in “direct command leadership” of various intervention divisions and brigades, including elite units based around Phnom Penh, such as Brigade 70 and Brigade 911.\(^7^2\) In addition to a wide variety of staff services, such as an intelligence 2nd Bureau and a separate intelligence Research Group, the Supreme General Staff was in charge of a number of specialized combat arms headquarters, such as a Special Forces Command.\(^7^3\) It was also in “direct command leadership” of Cambodia’s six military regions.\(^7^4\)

A prime ministerial sub-decree dated November 24, 1993 affirmed the existence of six military regions “placed under the direct command leadership of the Supreme General Staff” and military operational sectors “directly under” these regions.\(^7^5\) They in turn commanded regional divisions or brigades\(^7^6\) and had authority over subordinate “military operational sub-sectors,” mostly organized as provincial and sometimes as district army contingents.\(^7^7\) They shared this with local governors via the latter’s chairpersonship of unified command committees with authority over all security forces in their areas of administration.\(^7^8\) RCAF’s involvement in general security affairs at all levels was laid down in a statute declaring that, “when circumstances necessitate, the RCAF shall be able to participate in the defense of public security.”\(^7^9\)

\(^{71}\) RGC, Law on the Creation of the Ministry of National Defense,” January 24, 1996; Yoeun, Droite, pp.311-312.
\(^{72}\) RGC, Sub-Decree 35 ANKr, July 14, 1994; RGC, Sub-Decree 64 ANKr, October 20, 1994; RGC, Sub-Decree 51 ANKr, August 25, 1994; RGC, Royal Decree DS/RKT/1097/211, October 28, 1997.
\(^{73}\) RGC, Sub-Decree, 17 ANKr, November 18, 1993; Ibid.
\(^{74}\) RGC, Sub-Decree 12 ANKr, November 24, 1993; PGC, Kret, July 5, 1993; (KOC), “List of Senior Officers in Charge of Bureau and Units Under the General Staff,” November 1995.
\(^{75}\) Ibid.
\(^{76}\) Ibid.
\(^{77}\) Ibid.
\(^{78}\) RGC, Sub-Decree 22 ANKr, May 9, 1994; RGC, Sub-Decree 156 ANKrBK, March 31, 2014.
\(^{79}\) RGC, Royal Kram ChS/RKM 1197/05, November 6, 1997.
In the provisional and then constitutional governments of 1993, Ranariddh and Hun Sen were named concurrently as co-supreme commanders of the armed forces and police. 80 In the context of this FUNCINPEC-CPP power sharing, Pol Saroeun had to step down from the position of chief of the Supreme General Staff, which was returned to Ke Kimyan. His primary deputy was FUNCINPEC Gen. Nhek Bunchhay, while Pol Saroeun held a secondary deputy post. 81

As detailed below, in early July 1997 Pol Saroeun and other CPAF senior officers most loyal to Hun Sen carried out a coup under Hun Sen’s direction against FUNCINPEC. Believing it was unnecessary, Tea Banh and Meas Sophea chose not to participate. The coup removed Ranariddh as First Prime Minister, killed many senior FUNCINPEC officers, drove Nhek Bunchhay and other surviving FUNCINPEC military leaders into more than a year of guerrilla opposition, and drove many FUNCINPEC and other political challengers to the CPP into temporary exile. All this fundamentally shifted the balance of power within the civil administration and security forces in Hun Sen’s and the CPP’s favor, positioning them to orchestrate fundamentally unfree and unfair national elections in July 1998, in which they claimed to defeat FUNCINPEC and the emerging Sam Rainsy Party.

On November 30, 1998, Hun Sen became sole prime minister. By this time, he had completely eliminated FUNCINPEC officers from command authority, although a few remained in nominal posts. This was seen in CPP military circles as ending a period of “ambiguous commands and orders” and beginning one of ensuring “a single competent leadership over the whole country.” 82 In February 1999, Hun Sen restructured and further reshuffled the military command. The Ministry of National Defense remained designated “to lead and govern over the national defense sector,” but still without “direct command leadership” over military units or bodies commanding such units. The ministry was also not empowered to perform key staff functions like intelligence gathering and analysis. 83

Instead, direct command leadership of RCAF was placed within a newly formed single Supreme Command merging the previous Supreme General Staff into the previous

80 PGC, Kret, July 2, 1993.
81 PGC, Kret, July 5, 1993; KOC, “List of Senior Officers.”
82 Sowath, Win-Win Policy, pp.267-268.
83 RGC, Sub-Decree 37 ANKr, February 16, 1999.
Supreme Command to form a single body headed by the RCAF Supreme Commander. Together, the Supreme Commander, a number of deputy supreme commanders, a chief and a number of deputy chiefs of the newly named Mixed General Staff were made the superiors over the Army Command, Navy Command, the Air Force Command, RCAF intervention divisions and brigades, and various Supreme Command staff offices, including its Research and Intelligence Directorate. Some RCAF units were soon amalgamated into new ones and others reorganized and re-designated. In this setup, the Army Command was given some intermediate power over military regions and several provincially based intervention brigades not attached to any RCAF division. However, the Mixed General Staff was made even more powerful than the previous Supreme General Staff and vis-à-vis all other command organs. Hun Sen soon stressed that this was done to ensure the “absolute loyalty” of the armed forces to the “national cause” of “maintaining and strengthening … social stability, security and order.”

For internal CPP political reasons, Ke Kimyan was named new Supreme Commander, while Pol Saroeun was named Chief of the new Mixed General Staff and a deputy supreme commander. It was specified that in the absence of Ke Kimyan, Pol Saroeun would assume the functions of Supreme Commander, together with those of Chief of the Mixed General Staff. Ke Kimyan, who opposed and did not participate in the 1997 coup, was said to lack power to give orders to Pol Saroeun, who had given orders to key military forces participating in the coup. In practice, authority over RCAF resided with Pol Saroeun, Kun Kim, a longtime confidante of Hun Sen and key participant in the 1997 coup, and certain Military Region commanders. Together, they guaranteed Hun Sen’s continued position as prime minister.

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84 RGC, Royal Decree NS/RPT/0199/21, February 24, 1999.
85 Sowath, Win-Win Policy, pp.269-270.
87 CPP, History of the Struggle, pp.182-185.
On November 9, 1999, Hun Sen appointed Kun Kim a deputy supreme commander of the RCAF. On January 22, 2009, Ke Kimyan was removed as Supreme Commander of RCAF and replaced by Pol Saroeun. Kun Kim was appointed Chief of the Mixed General Staff. A number of new and additional deputy supreme commanders were also appointed, including Hing Bun Hieng and Sao Sokha, both of whom were key players in the coup.

**RCAF Today**

The RCAF today comprises the Army, Navy, and Air Force. A 2013 government defense strategic review noted that the 1999 restructuring of its top command structure left in place a number of “overlapping roles, responsibilities and nomenclature within job titles” and a lack of definition with regard to the order of battle. However, a review of CPP-controlled and CPP-friendly media since 2012 demonstrates that within the existing Supreme Command/Mixed General Staff, chief of staff Kun Kim functions de facto as the predominant command authority over RCAF. All the indications in such media are that Supreme Commander Pol Saroeun and Army Commander Meas Sophea exercise less authority, and that Minister of National Defense Tea Banh has little or no such direct authority.

An analysis of the posts held by the membership of the CPP Central Committee as expanded by an extraordinary party congress in January-February 2015 showed that, in addition to the gendarmerie, navy and air force, the RCAF then comprised the following land army units: Intervention Division 2, Intervention Division 3, the Prime Minister’s bodyguard unit (officially known as the Bodyguard Headquarters – BHQ), Intervention Brigade 70, Intervention Brigade 911, Intervention Brigade 1, Intervention Brigade 11, Intervention Brigade 14, Special Military Region Battalions 3 and 4, Military Region Regiment 42 and operational sub-sector forces, Military Region 2 Brigade 21 and operational sub-sector forces, Military Region 3 operational sub-sector forces, Military Region 4 Brigades 41 and 42 and operational sub-sector forces, and Military Region 5

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90 RGC, Royal Decree S/RoKT/1199/192, November 9, 1999.
91 RGC, Royal Decree NS/RoKT/010/061, January 22, 2009.
93 The media monitored includes the online versions of Kampuchea Thmey, Bayon Television, Nokorwat News, Reaksamey Kampuchea (CEN), Daoem Ampil (DAP) News, Koh Santepheap, and Fresh News Asia (Khmer).
Brigades 51, 52, and 53 and operational sub-sector forces. In August 2017, an Intervention Brigade 128 subordinated to Military Region 1 was created, subsuming Regiment 42.94

The arrangement within the military-defense realm, as described by Pol Saroeun, is that the Supreme Command is formally “a top institution within the hierarchy of RCAF” and “a base for coordination between the general staff and the Ministry of National Defense,” but the “command of the entire forces” remained the “responsibility of the general staff.”95 A chief aide to Tea Banh has also explained that while the general staff is “subordinated” to the Ministry of National Defense, it is “independent” of it. Similarly, although it is “subordinated” to the Supreme Command, it retains “command and control of all forces,” including those of the military regions, and is the structure directly responsible for “cooperating with [other] security forces to protect and maintain social order.”96

Further Control by the CPP Over the Armed Forces

Though Hun Sen signed the Paris Agreements on behalf of the CPP and committed to ending party control over the armed forces and other state institutions, the CPP has never relinquished control over the military (or police, judicial, or other state officials). Senior military officers have long been members of the CPP Standing Committee and Central Committee and attend party meetings. This practice has become more open and formal in recent years.

Internally, the CPP continues to place a high priority on expanding the number of officers and soldiers in the armed forces while excluding members of other parties, although former members of other parties who have defected to the CPP are allowed.97 RCAF senior officers, such as Mixed General Staff Chief Kun Kim, have publicly acted as CPP work team

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96 Sowath, Win-Win Policy, pp.55-56.
97 CPP, History of the Struggle, p.289.
leaders to do grassroots party building since the CPP fared poorly in the 2013 elections.\textsuperscript{98} This was extended after the CPP congress of January-February 2015 to openly carrying out political proselytizing, including promoting Hun Sen’s leadership of the CPP, in uniform and among troops in military formation.\textsuperscript{99}

Hun Sen’s continuing ultimate command authority over the RCAF was demonstrated at a gathering he convened on July 23, 2015 at his personal headquarters at Tuol Krasang in Kandal province of almost 5,000 senior army, gendarme, navy, air force, and police officers from all over Cambodia. According to CPP-friendly media, they comprised the leadership of 180,000 security forces.\textsuperscript{100} On this occasion, he defined in six points the “duties of the armed forces,” including in national defense and domestic political security. With regard to the latter, he issued an “absolute order” that the armed forces must “ensure there will be no color revolution” in Cambodia – a reference to various anti-government upheavals in Eastern Europe – and that they must do so by “eliminating acts by any group or party” deemed “illegal.”\textsuperscript{101} CPP-friendly media reported that what Hun Sen meant by a “color revolution” was a purported plot by the opposition Cambodia National Rescue Party (CNRP) to incite mass protests to overthrow him.\textsuperscript{102}

Minister of National Defense Tea Banh echoed Hun Sen’s order to the security force commanders in a follow-up speech on July 28, 2015, adding that the opposition’s purported plotting of color revolution in the past had made him “very angry” and that it


\textsuperscript{101} Hun Sen, “Duties of the Armed Forces” (phearekech robas kang-kamlang pradap avu), July 23, 2015.

was now necessary to “control democracy” in Cambodia to prevent “anarchy.” On July 29, Chea Dara, an RCAF deputy supreme commander, explained to a meeting of military and police officers that this means they must defend the CPP against the CNRP and maintain Hun Sen in power because “the army belongs to the CPP,” and Hun Sen was the person “rearing, nurturing, leading, and commanding” it. Gendarmerie chief Sao Sokha was one of several RCAF deputy supreme commanders attending Chea Dara’s presentation.

After Hun Sen’s July 23, 2015 speech, ostentatious political partisanship by top RCAF and GRK commanders reached new heights and was given high-profile publicity in CPP media. Among those most prominently displayed demonstrating such CPP domination of the military were RCAF Supreme Commander Pol Saroeun, RCAF Chief of Mixed General Staff Kun Kim, and GRK National Commander Sao Sokha, who appeared at party gatherings standing against a background of CPP logos to disseminate party policy and oversee and urge its implementation. They and other RCAF senior commanders have also functioned as CPP masters of ceremonies at events welcoming newly recruited party members, including defectors to the CPP from the CNRP.


During subsequent months in 2015, Hun Sen’s order to prevent the supposed threat of a color revolution was disseminated via the chain of command to military region and other local army and gendarme units down to the province and district levels. Pol Saroeun and other RCAF commanders also told them that the political opposition to Hun Sen was comprised of “dishonest and unprincipled persons” who “are always making things up, distorting them, and using demagoguery with the evil intent of toppling the Royal Government.”


On September 9, 2015, CPP Vice Chairperson Say Chhum secretly instructed that local armed forces who had not already done so must issue public statements of support for Hun Sen’s position on border issues.\(^\text{109}\) RCAF Supreme Commander Pol Saroeun echoed this in follow-up public statements starting the same day, repeating his characterization of CNRP critics of Hun Sen as an “unethical group that lies and distorts the truth.”\(^\text{110}\) Sao Sokha subsequently followed suit.\(^\text{111}\) The requested local unit support duly ensued.\(^\text{112}\) Instructions to the armed forces to act against the opposition were repeated, at times in even more threatening tones, in 2016, especially after small civil society-led peaceful protests in May against the politically motivated arrest and charging of five human rights defenders in connection with activities aimed at opposing human rights violations.\(^\text{113}\)

Amid government use of temporary detention, threats and other intimidation to suppress these protests, Hun Sen’s youngest son, Maj. Gen. Hun Manit, a member of the CPP Central Committee and chief of the Directorate of Military Research and Intelligence at the RCAF Supreme Command Headquarters, presented the official view as to why this was necessary. In an interview published in early June 2016, he affirmed that with new elections coming up in Cambodia, the authorities could not allow nongovernmental organizations “to mobilize people to defy the government,” explaining that “small


\(^{111}\) “Motion of General Sao Sokha Supporting Samdech Akkeak Moha Sena Botei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia” (nhatti robas neay utdam-senei sao sokha koam-tro champoon samdech akkeak moha sena botei techo hun sen), [n.d.], http://beta.nokorwatnews.com/?p=46981#sthash.PB9s8Axb.dpuf (accessed September 13, 2015).


mobilization is a start and will lead to bigger demonstrations if it is not kept under control.” He added that “the senior protesters are well known within Cambodia as well as abroad for their frequent protest on land, human right or democracy issues.”

On July 4, 2016, Deputy Prime Minister and National Defense Minister General Tea Banh reiterated that the government’s national defense policy required the RCAF to block any “color revolution,” a label the CPP continued increasingly to apply to all peaceful demonstrations.

On July 5, 2016, according to CPP-controlled media reports, Supreme Commander Pol Saroeun appealed at a Supreme Command planning meeting “to the whole military that it must immediately eliminate and dispose of any and all individuals with a mentality desirous of destroying the peace, fomenting social turmoil in Cambodia, and the like.” Pol Saroeun went on to say that every army unit must participate in the prevention of every offense against all RGC policies and political programs. The general moreover emphasized that “the army must join together with the citizenry in each locality with the aim of strengthening national solidarity to fend off in a timely manner extremist forces that are fomenting instability in national society and in particular absolutely to pre-empt the fomenting of turmoil or any activity the mentality of which is desirous of destroying the peace, which must be immediately eliminated.” Among the deputy supreme commanders present were Kun Kim and Hing Bun Hieng, both of whom soon endorsed Tea Banh’s and Pol Saroeun’s remarks.

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A report presented to a CPP Central Committee plenum on July 19, 2016 called upon the party to take every opportunity to launch strong offensives against the opposition, including by “continuing to strengthen the tools of state power, especially the armed forces.”

The armed forces’ potential to conduct political repression nationwide has been significantly enhanced since September 2015 via the relaunching, intensive reactivation, and expansion of the Veterans Association of Cambodia, of which Hun Sen is Chairperson and Kun Kim Secretary-General. The Association is effectively an unarmed paramilitary CPP mass organization. By June 2016, it claimed a total membership of 72,250, with a hierarchical structure of committees and branches at the national, provincial, municipal, district, and commune levels. As at the top, the Association is headed at the local levels by active duty security force officers, mostly army, but also police and gendarme, assisted by state authorities with judicial police powers.

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119 “Veterans Association of Cambodia” (smakum atit yutachun kampuchea) (Number 1: First Semester 2016), passim.

Chairperson and Vice-Chairperson are Kun Kim’s long-time proteges Chuon Sovan and Rat Sreang, the capital’s police and gendarmerie commanders respectively, installed at a ceremony over which Kun Kim presided.121 Nationally, the membership incorporates both ex-military and ex-police who officially participate in its activities under such regular security force command authority.122

Blatant security force commander partisanship has continued as the CPP geared up for local elections in 2017 and national elections in 2018. On November 4, 2016, the Deputy RCAF Supreme Commander Gen. Et Sarat, responsible for military training, ordered RCAF officers to ensure that the armed forces “absolutely oppose” all activities deemed to “intend to destroy the security, good order, and stability of society.”123 Four days later, Deputy Prime Minister and Minister of National Defense Gen. Tea Banh explained to a RCAF Day gathering attended by Supreme Commander Gen. Pol Saroeun, among other senior officers, that “the opposition” was responsible for efforts to create instability. Tea Banh praised the security forces for having prevented these activities by timely suppression of demonstrations and protests.124

At a ceremony on February 2, 2017, the defense minister followed up with an appeal to all armed forces personnel “not to believe in incitement by the opposition party.”125 He


122 “Mr. Kun Kim Meets More Than 200 Veterans Members and Retirees in Srei Santhor District” (ហិរញ្ញវត្ថុព្រះអង្គរាជធានី ថៃ សុគន្យ រ៉ឹត្សែរាជធានី និងហិរញ្ញវត្ថុព្រះអង្គរាជធានី ថៃ សុគន្យ), June 2, 2016, http://www.dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9F%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%8B%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F%6956.html (accessed June 3, 2016).


125 “H.E. Tea Banh: Nowadays, When Political Problems Arise in Cambodia, the Army Cannot Stand Idly By” (មន្ត្រនគណៈកម្មកម្មកម្មការខុសប្រការសម្រាប់ពន្ធកម្មសម្រាប់នាយករដ្ឋមានសមាប្រការ, February 2, 2017, http://dap-
decided those using “tricks” and “insults” and not giving due credit for the country’s development and told Cambodia’s military that it should be ready to stop any “hurricane” of change gathering strength in the context of upcoming elections, explaining “politics always comes to haunt us and make trouble for us.” In another apparent reference to the CNRP, Tea Banh stated, “We consider [our] forces are the forces that can stop or prevent it from implementing its desires easily.”

On February 7, 2017, it emerged that RCAF and the police had been tasked by the government with prevention of any “color revolution” in an “action plan” of an inter-ministerial “Committee to Solve Strikes and Demonstrations of All Targets.” This mission was formalized in a separate order to RCAF.

In mid-February 2017, Hun Sen resurrected the language of a long-standing dire warning to those whom he accused of fomenting such purportedly revolutionary plots, advising them to “get their coffins ready already,” adding that he was “not joking.” Later that month, the prime minister admonished anyone who thought they could hope to win an election against the CPP, saying they were “dreaming” because he had in his hands an army that was under orders to “defend peace ... no matter what the cost.” Tea Banh chimed in with

In this context, the government’s 2017 budget increased the budget of the armed forces by almost 20 percent over 2016, elevating it to US$464 million.\footnote{“Manet touts spending boost for armed forces,” \textit{Phnom Penh Post}, November 14, 2016, http://www.phnompenhpost.com/national/manet-touts-spending-boost-armed-forces (accessed November 14, 2016).} This is part of a trend evident since 2006, when the armed forces budget had been US$75.7 million. While some of these increases may be explained by a period of border clashes with Thailand, the primary purpose appears to be ensuring that RCAF will “stand on the side of the CPP” against the CNRP, particularly in the context of elections.\footnote{“In Peacetime, Cambodia’s Military Spending Soars,” \textit{Cambodia Daily}, November 24, 2016, https://www.cambodiadaily.com/news/peacetime-cambodias-military-spending-soars-120934/ (accessed November 24, 2016).}

As before the national elections of 2013, in late 2016 senior security force officials began carrying out CPP grassroots strengthening activities in the provinces. Deputy Supreme Commander Gen. Chea Tara, during a trip to distribute gifts to voters in Battambang, touted Hun Sen not only as Prime Minister, but as CPP Chairperson.\footnote{“Mr. Dr. Chea Tara Takes More than 10 Million Riel of the Samdech Kralaehom Foundation to Present to Women Who Have Given Birth and 56 Families Suffering Deaths in Kok Khmum Commune” (អ្នកមនុស្ស ក្នុងការអោយយុទ្ធសាស្រ្តនឹងការសំរេចនៃក្រុមហ៊ុនស្តេចសេវាកម្មអោយយុទ្ធសាស្រ្តជាតិ និងថ្មីរៀបការដោយសីលធនា នៅក្នុងក្រុងក្លោះកូន), November 28, 2016, http://www.freshnewsasia.com/index.php/en/localnews/40387-2016-11-28-09-22-18.html, accessed November 28, 2016; for the activities of Gen. Uk Keumlek, a Ministry of Interior Secretary of State, see “The CPP Thmar Kol District Work Team Meets to Sum Up the Results of the Work to Register Voters and Disseminate a Number of Instructions” (ក្រុមហ៊ុនស្តេចសេវាកម្មក្នុងក្រុង្រមគុណ ឆ្លើយបំពេញប្រការផ្តល់សុវត្ថិភាពរបស់អ្នករៀបរាប់រៀនជូននិងបំពេញច្បាប់ជាច្រើន), December 12, 2016, http://www.freshnewsasia.com/index.php/en/localnews/41492-2016-12-12-02-58-57.html (accessed December 12, 2016).}

Such activities increased following a December 2016 CPP Central Committee Conference, designated as an extraordinary party congress, at which the strategy it had formulated for winning the June 2017 commune and 2018 national elections was pronounced. The
strategy emphasized the importance of CPP leaders going down to the grassroots to strengthen and mobilize support for the party.\footnote{135}{“CPP to Convene its 40th Central Committee Conference in the 3rd Week of This December” (CPP ສຸກລະເມີດຄວາມສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ), December 7, 2016, http://www.freshnewsasia.com/index.php/en/localnews/41072-2016-12-07-00-18-52.html (accessed December 7, 2016); “CPP to Do an Extraordinary Congress in Mid-December” (CPP ສຸກລະເມີດຄວາມສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ), December 6, 2016, http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9F%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%8B%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/23285.html (accessed December 6, 2016); “CPP to do an Extraordinary Congress in Mid-December” (CPP ສຸກລະເມີດຄວາມສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ), December 6, 2016, http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9F%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%8B%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/23285.html (accessed December 6, 2016); “CPP congress to map out election plan,” Phnom Penh Post, December 8, 2016, http://www.phnompenhpost.com/national/cpp-congress-map-out-election-plan (accessed December 8, 2016).} With Hun Sen presiding, 1,860 party delegates attended the conference, including 495 Central Committee members.\footnote{136}{“This Morning the CPP Convenes a Central Committee Conference at Koh Pech” (FN ສຸກລະເມີດຄວາມສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ), December 17, 2016, http://www.freshnewsasia.com/index.php/en/localnews/41992-2016-12-17-05-46-17.html (accessed December 17, 2016); “Results of the 40th CPP Central Committee Conference of the 5th Mandate” ( результатຄວາມສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ ກໍ່ຄວາມສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ ທີ່ສາທາລະນະລົບລາວ), December 18, 2016, http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9F%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%8B%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/24371.html (accessed December 18, 2016).} Honorary CPP Chairperson Heng Samrin vowed in his speech that “no evil power” would be allowed to “hinder” the CPP’s development of Cambodia.\footnote{137}{“Samdech Heng Samrin Hopes that the People of Cambodia Will Continue to Entrust the CPP to Lead the Country” (ителяຮູບສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ), December 17, 2016, http://www.freshnewsasia.com/index.php/en/localnews/41998-2016-12-17-04-52-16.html (accessed December 17, 2016).} In discussing the CPP’s “ever greater strengthening of the country's defence ramparts,” the conference communiqué highlighted its “solid maintenance” of “political stability and public order and security,” to which it said the meeting had given a further impetus. As party chairperson, Hun Sen ordered all party members to “begin conducting a further intensification of activities going down to the grassroots” in connection with the 2017 and 2018 elections.\footnote{138}{“Samdech Techo Hun Sen Orders CPP Members to Increase the Intensity of Their Going Down to the Grassroots” (ителяຮູບສາມາດຂອງກຳມະຍຸດ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ ປະຊາຊົນ ທີ່ສາທາລະນະລົບລາວ), December 18, 2016, http://www.freshnewsasia.com/index.php/en/localnews/42083-2016-12-18-11-45-29.html (accessed December 18, 2016).} This included the senior commanders who are the subject of this report, as well as a wide variety of other security force general officers.\footnote{139}{See individual sections, below; “Mr. Khieu Sopheak Takes Gifts to Distribute to More Than 100 Families Citizens Suffering Shortages in Thkauv Commune, Kampong Trabek District” (ມັກຊີ ບຣູຈາ ບຣູຈາມັກຊີ ບຣູຈາ ເຊັ່ນໜ້າການສິນລັບມື້ຮອງການສິນລັບໃນທ໌ກູ້ເຂວງ, ວັນນະມະລີ), December 24, 2016,}
Royal Khmer Gendarmerie, 1980s to Present

The Royal Khmer Gendarmerie (GRK) has its institutional origins in the PRK Phnom Penh-based Regiment 70, which included a military police battalion. However, this military police battalion, which had jurisdiction only over military personnel, was dissolved in October 1991 at the time of the Paris Agreements on Cambodia.\(^{140}\)

The establishment of the gendarmerie as a militarized policing force with jurisdiction over both civilians and military personnel was envisaged in a July 1993 decree that launched special training for it.\(^{141}\) The formation of a gendarmerie was encouraged by UNTAC, supported by Sihanouk, and financed by France, which initially also provided considerable training. France's goal was to create a politically neutral and highly professionalized security force answerable to Sihanouk. However, before the force was operational Sihanouk had become politically marginalized. Hun Sen and the CPP took the opportunity to subvert the GRK for their own political purposes and soon succeeded in making it into their best-trained force for use against their political enemies.\(^{142}\)

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\(^{142}\) Peter Bartu, “Attachment C to Cambodia Political Report,” September 19, 2004; Brad Adams interviews with CPP officials, RCAF officials, French and Australian military officials based in Cambodia, and French government officials then based in Cambodia and Paris.
The GRK was formally inaugurated in November 1993, under the command of Keo Samuon, with Sao Sokha as his sole deputy. Keo Samuon was replaced at the head of the gendarmerie in May 1994 by former Regiment 70 commander Kieng Savut. Many gendarme recruits came with Kieng Savut from the old regiment, which in late 1991 had participated in joint operations with police against anti-CPP urban unrest, during which as many as six people were killed by gunfire, some as a result of excessive use of lethal force. Recruits came in particular from Regiment 70’s Battalion 246, a unit set up in Vietnam in June 1978 under Hun Sen and Vietnamese military command, and from Regiment 70’s disbanded military police contingent.

Other recruits came from former members of the PRK Ministry of Interior’s “A3” paramilitary Combat Police and operatives of its covert “A-Team” units. The PRK Combat Police, created in March 1986 and operational until November 1991, committed many politically motivated extrajudicial executions during counter-insurgency actions in the late 1980s and early 1990s. These abuses were sometimes conducted in coordination with the army and ordinary police in PRK “mixed force” formations. Some elements of the A-Teams, which included personnel who had moved over from Regiment 70, especially Battalion 246 and the former military police battalion, assassinated FUNCINPEC and other anti-CPP parties during the run-up to the 1993 elections. For many in GRK circles, the gendarmerie was a kind of resurrection of the Combat Police or a place where former A-Team personnel found new employment and assignments.

143 RGC, Sub-Decree 17 ANKr, November 18, 1993; RGC, Sub-Decree 77 ANKr, December 21, 1994.
In line with the FUNCINPEC-CPP coalition arrangement which resulted from the elections, the GRK also incorporated some FUNCINPEC officers and men, and some of the former supposedly had command authority. However, in reality the gendarmerie was overwhelmingly under CPP control since its inception.151

Although formally a part of the post-election Royal Cambodian Armed Forces (RCAF) answering to its command body, the Supreme General Staff, the GRK was autonomous from it and “placed under the direct command of the Prime Minister(s),” on whose authority the scope of their activities was determined. The Gendarmerie was given the power to conduct judicial and administrative policing nationwide to suppress crime and maintain public order, doing so with regard both to military personnel and civilians, and thus to arrest both and turn them over to the custody of the courts for investigation and trial. Under prime ministerial command, gendarmes were also authorized to provide forces to carry out their powers at the request of the ministry of interior, ministry of national defense and other ministries, including via special military operations.

The GRK headquarters was headed by a single commander functioning in consultation with the prime minister(s). The GRK commander had direct control over a headquarters “country surface” force regularly deployed in contingents around the country, headquarters mobile intervention forces available for deployment anywhere, and a headquarters military police unit operating nationally in cases where the target of those operations was military personnel.152

The headquarters General Staff was eventually organized into five commissariats: Information and Security, Operational Planning, Research and Justice, Force Sourcing, and Logistics and Technology.153 Following the affirmation in the 2007 Criminal Procedure Code that gendarmes enjoyed all the same powers as civilian police officers, the gendarmes increasingly usurped powers from the civilian police.154 Municipal and provincial GRK

151 Interview with senior GRK officer, November 10, 1995.
152 Pol Saroeun, DFID Strategy, p.32; RGC, Sub-Decree 09 ANKr, February 22, 1994; RGC, Sub-Decree 77 ANKr, December 21, 1994; RGC, “Chronology of the Royal Gendarmerie.”
154 “Commemorating the 22nd Anniversary of the Laying of the Foundation Stone for the Construction of the Headquarters Building of the Country-Surface Gendarmerie” (rumleuk khuop loek ti 22 neung banhchoh pathamselia sang-sang akear
general staffs commanding gendarmes were placed under the “direct command leadership” of the GRK national headquarters, while having control of gendarmes established at the district and eventually, it was envisaged, the commune levels. However, like the police and army at these levels, local gendarmes answered concurrently to municipal, provincial and district unified command committees chaired by governors of these territorial administrations empowered to suppress everything from armed opposition movements to ordinary criminal activities deemed to threaten public order.

Kieng Savut had a notorious reputation as a CPP henchman and serious human rights abuser. France provided training and funded much of the GRK’s operations in its early years, in spite of the fact that, according to a senior French military advisor stationed in Cambodia at the time, “We had a lot of problems with Kieng Savut. He was installed by the CPP. France wanted somebody else with a better reputation. We knew about him beforehand.”

Another senior French official at the time said that France “realized almost immediately that Kieng Savut was a serious problem. We knew he had been a senior member of the A-teams. Vietnamese officials told France about Kieng Savut at the beginning because they didn’t like him either. France knew of his role in violence and that he was involved with the mafia through casinos, and that he funneled money to Hun Sen. However, it took 2-3 years for the French government to fully accept the role of Kieng Savut in violence and corruption.

According to a senior French official stationed in Cambodia at the time, French “police and defense attaches wrote many reports about Kieng Savut. [Ambassador] Le Lidec knew all about Kieng Savut from the beginning. He owned all the brothels near the Martini Club and

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155 RGC, Sub-Decree 09 ANKr, February 2, 1994; RGC, Sub-Decree 56 ANKr, September 21, 1994; RGC, Sub-Decree 44 ANKrBK, May 27, 1995.

156 RGC, Sub-Decree 11 ANKr, March 8, 1994; RGC, Sub-Decree 22 ANKr, May 9, 1994; RGC, “Chronology of the Royal Gendarmerie;” RGC, Sub-Decree 156 ANKrBK, March 31, 2014.

157 Brad Adams interview with French military officer who requested anonymity because he did not have permission to speak publicly, June 29, 2001.

was involved in drug-trafficking in 1995-96. He also trafficked girls. He was only a gangster and had no professional qualities. But France needed him at the beginning of the project.\textsuperscript{159} Later France asked Hun Sen for him to be removed after his forces carried out a widely publicized attack on the home of a senior Cambodian police official in Phnom Penh, allegedly as the result of a dispute over the proceeds from drug trafficking. “Le Lidec wanted Kieng Savut removed after he shot up Heng Peo’s house. This was the last straw, too embarrassing to ignore.”\textsuperscript{160} A deputy of Kieng Savut, Sao Sokha was appointed as his successor. According to the same French official, France was also aware that Sao Sokha was “involved in criminal activities and violence.”\textsuperscript{161}

As Chairman of the national GRK General Staff with direct command over the national mobile intervention gendarmes, which included infantry, armor and motorcycle squadrons, Sao Sokha gained increased political favor from Hun Sen, especially after he personally arrested key CPP security force officers who unsuccessfully tried to stage a coup to oust Hun Sen and Ranariddh on July 2, 1994.\textsuperscript{162}

Realizing he had been vulnerable to ouster by CPP-controlled security forces, Hun Sen has since made the GRK one of the most important mainstays of his hold on power.\textsuperscript{163} Its position was further enhanced because of the crucial role GRK forces, especially those commanded by Sao Sokha, played in Hun Sen’s July 1997 coup against FUNCINPEC.

As a reward to for his services, on July 24, 1997 Sao Sokha was designated an advisor to Hun Sen with the rank of a government under-secretary of state.\textsuperscript{164} In May 1999, Sao Sokha

\textsuperscript{159} Brad Adams interview with French official who requested anonymity, May 21, 2001.
\textsuperscript{160} Ibid.
\textsuperscript{161} Ibid.
\textsuperscript{163} UNOSGRC, “Monthly Report for May 1996.”
\textsuperscript{164} RGC, Royal Decree ChS/RKT/0797/88, July 24, 1997.
was appointed national GRK commander, where he has remained ever since.\footnote{RGC, "Four Gold Star General Sao Sokha."} In January 2009, he was appointed concurrently as an RCAF deputy supreme commander.\footnote{RGC, Royal Decree NS/RoKT/010/061, January 22, 2009.}

Cambodian Police, 1979 to Present

\textit{PRK Ministry of Interior and Police}


At a time when the main military threat to the PRK was the Khmer Rouge acting now as a guerrilla force, the PRK Ministry of Interior was originally empowered to “organize, command, and instruct” every level of the People’s Police forces. These were defined as an “armed force belonging to the Party” assigned to “defend political security” and “maintain social order” by combating both the PRK’s political enemies and ordinary crime. The ministry was also in charge of ensuring the political loyalty of the police of the RPPK, with powers to order the police to arrest, detain, interrogate, and build legal cases, and imprison alleged political and common criminal “targets.” It was responsible to the PRK Council of Ministers for the accomplishment of all these tasks, while having to clear promotions, demotions, transfers, and dismissals of police officers with the council, chaired from January 1985 by Hun Sen, following the purge of Pen Sovan in 1981 and death of Chan Si in 1984. To carry out its work,
the ministry was originally divided into seven directorates, including a Directorate of People’s Security and a Directorate of People’s Police.\textsuperscript{170}

Although the authority of the ministry over police was national, at the municipal, province, district, ward, and subordinate levels, it was shared with the RPPK leadership there.\textsuperscript{171} The authority of local party and state authorities over security forces also extended to the military and was effected through their chairmanship of “unified command committees” controlling and coordinating often joint operations by “mixed forces” of various security units.\textsuperscript{172}

The primary criterion for recruitment into and promotion in the police was political loyalty, and by the mid-1980s there were more than 10,000 police officers. They were tasked to suppress all opponents of the PRK and the Vietnamese presence in Cambodia, Khmer Rouge or otherwise, including “undercover enemies” within the ranks of the PRK itself.\textsuperscript{173}

In practice, this meant the police aimed to eliminate three kinds of opposition: armed insurgency, organized but non-violent oppositional groups, and individual peaceful dissent. Such police repression was carried out via routine abuse of human rights, including torture and cruel, inhuman or degrading treatment, prolonged arbitrary detention without charge or trial, or unfair trials. Torture was facilitated by the usual practice of holding prisoners incommunicado while undergoing interrogation, completely isolated from the outside world and even from fellow inmates, often in “dark cells.” Contact with relatives was usually severely restricted throughout a prisoner’s detention. Being sent to court was used as a threat against those prisoners who did not break under torture: police told those in their custody that unless they took the opportunity to “confess,” a revolutionary people’s tribunal would sentence them to extraordinary long periods of imprisonment or even death. Prisoners slated for release were warned by the police never to talk about the ill-treatment inflicted upon them, on pain of re-arrest. Within the system,

\textsuperscript{170} PRK, Sub-Decree 04 ANKr, January 11, 1983.

\textsuperscript{171} PRK, “Guiding Opinions and Orders on the Struggle Against Traitors to the Revolution and on the Maintenance of Security and Good Order in the New Situation,” 1979; PRK, Decision No. 143 SRoCh, November 20, 1981; PRK, Sub-Decree 04 ANKr, January 11, 1983.

\textsuperscript{172} PRK, Phnom Penh Capital Party Affairs Management Committee, “Order Accompanying Correspondence: Written Record of the Meeting of the Capital United Command Committee” 333 KoABPh-DA, November 18, 1982.

\textsuperscript{173} CPP, History of the Struggle, pp.41-52.
according to former PRK officials, police were not punished for having tortured or mistreated a prisoner, despite legal provisions making this possible. Conversely, disciplinary action was sometimes taken against those who were caught being too lenient with or solicitous of prisoners, such as by allowing them contact with relatives bringing food or medicine. As of the mid-1980s, there were probably more than 5,000 political prisoners detained in the PRK, the majority held by the police.174

From the latter part of 1981, the Ministry of Interior was headed by senior RPPK cadre with no Khmer Rouge background and no historical links to Hun Sen.175 In July 1989, Hun Sen signed a sub-decree redefining the functions of the Ministry of Interior, much reducing and further specifying and restructuring its powers over policing. Its main tasks were still to defend what was now called “political security” and social order so as to fend off those “performing activities opposing or destroying” the state and quell common criminality. The ministry itself still had national powers to “investigate and research crimes; arrest, detain, and build criminal cases” against targets and to take up special cases on the specific instructions of the SOC Council of Ministers.

The Ministry of Interior lost the power to command sub-national police, retaining only such tasks as training them and inspecting their work. In this context, municipal, provincial, district, ward and commune police and auxiliaries were fully placed under the “direct governance” of authorities at those levels, alongside army and other security forces placed under unified command committees. Police under such command dealt with both political security and common criminal matters.176

At the same time, the Ministry of Interior was expanded into 20 directorates, two of which were most important for carrying out the ministry’s own special political policing work: “the Counter-Intelligence Directorate (‘Political Defense 1’)” and “the Anti-Reactionaries

175 SPK, October 17, 1981; SPK, March 18, 1986; Vickery, Kambuchea, p.80.
Directorate (‘Political Defense 2’).” A separate directorate with national policing powers with regard to common criminality was in charge of small specialist units organized as the criminal and economic crimes constabulary.177

**UNTAC, the Ministry of Interior, and the Police**

A further SOC sub-decree, promulgated immediately after the signing of the October 1991 Paris Agreements, reaffirmed the Ministry of Interior’s overall responsibilities for “defense of political security” and “public order,” but still with virtually no direct authority over sub-national police. However, the Ministry of Interior retained command over previously established specialized police forces with a national remit, including those responsible for suppressing anti-SOC activities. It still had 20 directorates, among which four with special national political policing tasks were now internally designated “Defense of Political Security Directorates” 1, 2, 3, and 4.178

Together with a Bodyguard Directorate, those for defense of political security were under a designated Deputy Minister of Interior, Sin Sen, one of four deputies to the then Minister of Interior, Sin Song. Both were former East Zone Khmer Rouge who had crossed into Vietnam in 1977. In the rejigged nomenclature, Defense of Political Security 1 was responsible for what was called “anti-sabotage,” which meant “fighting other parties/factions,” including by deployment of elite mobile units anywhere in the country. Defense of Political Security 2 was responsible for “collecting of confidential information.” Defense of Political Security 3 was responsible for immigration and related matters. Defense of Political Security 4 was generally responsible for guarding SOC installations and gatherings, whereas the separate Bodyguard Directorate was responsible for the close protection of particular individuals and groups of individuals. Together the ministry’s four political security directorates comprised 4,650 police officers out of a total 47,684 in all categories nationwide.179

Municipal, provincial, and district police performed political security functions there,

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177 SOC, Sub-Decree 73 ANKr, July 11, 1989.
178 SOC, Sub-Decree 26 ANKr, November 1, 1991.
organized as bureaux and offices within municipal/provincial and district police
commisariat and inspectorates, respectively.\textsuperscript{180}

The Ministry of Interior also still had a Criminal and Economic Constabulary Directorate,
concentrating on serious common crimes, including crimes related to property and
narcotics. Common and economic criminal policing at the sub-national levels was taken
care of by bureau and offices with the police commisariat and inspectorates there.\textsuperscript{181}

The Paris Agreements’ mandate for UNTAC to exert direct control over specified functions
of SOC, the opposition FUNCINPEC, and other former insurgent administrations in
Cambodia included “public security.”\textsuperscript{182} A UN survey mission that visited Phnom Penh in
November-December 1991 interpreted this as including direct UNTAC control over the SOC
Ministry of Interior.\textsuperscript{183} However, in advance of the arrival of UNTAC on the ground, the CPP
reorganized parts of the SOC administration. One aspect of this was the hiving off in late
January 1992 of a Ministry of National Security from the Ministry of Interior, with defense of
political security and maintenance of public order functions moving to the new security
ministry.\textsuperscript{184} The scaled-down Ministry of Interior, with the civilian Sar Kheng as minister,
was left with formation of policy, training, inspection, and statistical activities with regard
to the organization of territorial administration.\textsuperscript{185} Sar Kheng has held the post of Minister
of Interior to this day and has essentially the same remit.

The Minister of National Security was Sin Song, with Sin Sen as Deputy Minister.\textsuperscript{186} The
former Defense of Political Security directorates were given new names. The most
important were Defense of Political Security Directorate 1 (codenamed S21), now called the

\textsuperscript{180} UN, “United Nations Survey Mission” Annexes 3 and 4; UNTAC, “State of Cambodia Government Authorities List;” UNTAC,
“Commissariat de Police de la Province de Banteay Meanchey,” May 21, 1993.
de la Province de Banteay Meanchey,” May 21, 1993.
\textsuperscript{182} UN, “Cambodia: UNTAC.”
\textsuperscript{184} Phnom Penh Radio, January 30, 1992.
Anti-Terrorism Directorate, and Defense of Political Security Directorate 2 (codenamed S22), now called the Intelligence Directorate.\textsuperscript{187} By law, they, their deputies, and various other national security officials had judicial police powers, but Interior Ministry officials did not.\textsuperscript{188}

\textbf{1993: RGC Ministry of Interior and Police}

Under the coalition Provisional Government of Cambodia formed after the May 1993 UNTAC elections, the Ministry of Interior and Ministry of National Security were recombined into a single Ministry of Interior and National Security, of which the government’s co-chairmen, FUNCINPEC’s Norodom Ranariddh and CPP’s Hun Sen, were co-ministers.\textsuperscript{189} Each party named a deputy minister to run the ministry on a day-to-day basis; Sin Sen was appointed for the CPP.\textsuperscript{190}

As co-minister, Hun Sen made “public security” his priority, stressing the role of police down to the commune level in ensuring suppression of what he called “the extremists, the opportunists, and the imposters” whom he alleged were disturbing it.\textsuperscript{191}

After the promulgation of the Constitution of the Kingdom of Cambodia in September 1993 and creation of the RGC with Ranariddh and Hun Sen as First and Second prime ministers, respectively, Sar Kheng and FUNCINPEC’s You Hokry became co-ministers of interior, with CPP’s Im Chhunlim and a FUNCINPEC appointee as the ministry’s original two secretaries of state, and Sin Sen and another FUNCINPEC appointee as its original two under-secretaries of state.\textsuperscript{192}

\begin{itemize}
\item \textsuperscript{188} SOC, Law on Criminal Procedure, January 29, 1993.
\item \textsuperscript{189} “Ranariddh on Control of Defense, Interior Ministries,” \textit{AFP}, Phnom Penh, June 22, 1993.
\item \textsuperscript{190} Phnom Penh Radio, July 19, 1993. Sin Song was replaced by Sin Sen after Sin Song participated in a fake CPP “secession” in June 1993 in order to pressure Sihanouk, FUNCINPEC and UNTAC to agree to a coalition government. Hun Sen removed Sin Song on the pretext that Sin Song and other acted without the approval of Hun Sen and the CPP. Sin Song later retaliated by attempting a coup on July 2, 1994, which failed. Sin Song fled to Thailand.
\item \textsuperscript{191} Phnom Penh Radio, August 18, 1993.
\item \textsuperscript{192} Phnom Penh Radio, October 29, 1993; RGC, Kret, November 1, 1993.
\end{itemize}
On December 20, 1993, Ranariddh and Hun Sen signed off on a new sub-decree specifying that the Office of the Ministry of Interior was “competent to govern all provinces and municipalities administratively, to govern the National Police of Cambodia, and to protect national security and public order and the safety of the subjects” of the Kingdom. Its local governance powers included gathering statistical data, such as voter registration data and information on foreigners in the country; receiving regular reports and specific requests for security force actions from local administrations; and rescinding municipal and provincial orders, when deemed necessary. They also covered keeping track of and receiving complaints from the population about the actions of municipalities and provinces, but not the police.¹⁹³ In January 1996, the provisions of this sub-decree were reiterated in a new law that repeated the ministry’s general powers, but left specifics as they were in the sub-decree and other detailed administrative law.¹⁹⁴ This administrative law maintained the PRK-era distinction between what has come to be codified as “center-level” versus “sub-national police,” with the former sometimes also referred to as “Ministry of Interior police” or as the police of a particular central directorate or subordinate directorate.¹⁹⁵

According to the December 1993 sub-decree, the Ministry of Interior’s specific policing powers included investigating crimes, carrying out arrests and detention, and sending case files and evidence to the prosecution, plus defense of the country’s borders and lines of communication, and regulating the use of firearms and explosives. The structure of the Office of the Ministry included a Supreme Directorate of National Police to be headed by an official taking the newly created post of Supreme Director of National Police, to whom was subordinated a police Intervention Unit, and five Central Directorates. These were the Border Police Central Directorate, the Public Order Central Directorate, the Justice Central Directorate (also known as the Judicial Police Central Directorate), the Security Central Directorate, and the Means Central Directorate, each headed by a chairperson whose rank

¹⁹³ RGC, Sub-Decree16 ANKrDecember 20, 1993.
¹⁹⁴ RGC, Royal Kram NoS/RoKMo/0196/08, January 24, 1996.
was equivalent to that of a deputy supreme director. According to an organigram that was part of the sub-decree, the Supreme Directorate of National Police had line authority over municipal and provincial police commissariats and via them over district police inspectorates and commune administrative police posts, but the central directorates had no such authority. Their authority was only over directly subordinate directorates.  

For the time being, many of the police posts, including that of Supreme Director of National Police, remained unfilled, leaving Sin Sen in effective charge of national-level police. Along with Sin Song, he played a key role in an attempted coup against Hun Sen and Ranariddh on July 2, 1994, a putsch backed by CPP Chairman Chea Sim and Minister of Interior Sar Kheng and motivated by their disappointment at not enjoying senior positions in the coalition government.

As a result of the coup’s failure, Sin Song fled to Vietnam and then Thailand, where he remained for many years, while Sin Sen was arrested and imprisoned. Chea Sim’s house was surrounded but Hun Sen was persuaded not to arrest him. Chea Sim and Sar Kheng lost considerable power within the CPP, including any residual control of the police.

In this context, a July 20, 1994 Law on the Organization and Functioning of the Council of Ministers specified in its article 2 that the government “governs, commands, and utilizes the military, police, and other armed forces and the administration of their conduct of activities.” Article 9 empowered the prime minister(s) to “command all activities of the Royal Government in every sphere.” Article 15 gave the prime minister(s) the power to appoint, transfer, and remove “high-ranking” military and other officials without reference.

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196 Under the Security Central Directorate, there were four directorates: General Information (ex-S22), Anti-Terrorism (ex-S21), Foreigners, and Bodyguards. Under the Justice Central Directorate, there were three: Criminal Police, Economic Police, and Technical and Scientific Police. Under the Public Order Central Directorate, there were four directorates: Security of Society, and Public Order, Protection Police, and Administrative Police. RGC, Sub-Decree 16 ANKr, December 20, 1993.

197 RGC, Sub-Decree 16, December 20, 1993.


to other authorities. The CPP legal interpretation of this law has ever since put the prime minister in “direct command” of the police and armed forces.

An August 23, 1994 sub-decree signed by Ranariddh and Hun Sen further rejigged the Ministry of Interior and filled the position of Supreme Director of National Police with Hok Longdy, the personal choice of Hun Sen. The sub-decree provided that the ministry police directorates solely under him included those for the Intervention Police, the Anti-Drugs Police, the Land Border Police, the Maritime Border Police, and the Technical Border Police. Over time, additional ministry police directorates were also subordinated in this way, including those for the Tourist Police, Patrimony Protection Police, the Anti-Human Trafficking and Minor Protection Police, and the Command Constabulary.

Appointments of security force officers at these senior levels has remained a prime ministerial prerogative, and four Ministry of Interior Central Directorates were placed in separate categories, not entirely under the Supreme Director for National Police; these were Security; Justice (Judicial Police); Public Order; and Means. With a view to exerting simultaneous control over the forces of these parts of the ministry and also to marginalize Sar Kheng, Hun Sen began pushing to have his personal “Advisor for Interior and National Security Affairs,” Em Sam-an, appointed to the Interior Ministry. By 1995, Hun Sen had succeeded in having him made a secretary of state, effectively taking over the authority previously enjoyed by CPP figures like Sin Song and Sin Sen and becoming senior secretary of state at the ministry, a post he held until his death in March 2018.

201 Yoeun, Droite, pp.314-315.
202 RGC, Sub-Decree 94 ANKr, August 23, 1994.
203 RGC, Royal Decree NS/0610/467, June 8, 2010.
204 RGC, Sub-Decree 135 ANKrTK on the Appointment and Transfer of National Police Posts, July 29, 1996; RGC, Sub-Decree 94 ANKr, August 23, 1994.
205 Interview with a former senior Ministry of Interior official, October 17, 1997; PGC, Sub-Decree 02ANKr, July 17, 1993; “Replacement of Arrested Official,” Reaksamei Kampuchea, July 20, 1994.
According to a 2006 decision, although Sar Kheng formally led and managed “all activities” of the ministry, he did not have “direct control” over the police and, specifically, the ministry’s central security component. Instead, Secretary of State Em Sam-an was empowered to “assist” him with regard to both command functions. This ensured his power to sign off on superior orders directed to center-level police.

Hok Longdy, who led a faction of the police in the July 1997 coup (Sar Kheng refused to participate), remained as Supreme Director and then Supreme Commissioner of National Police until his death in a helicopter crash in November 2008, after which he was replaced by Hun Sen’s nephew-in-law Neth Savoeun.

The RGC Ministry of Interior and Police Now

Legally and practically, Supreme Commissioner of National Police Neth Savoeun shares operational command authority over center-level police with Em Sam-an. As under the PRK, he also shares command authority over municipal, provincial and other local police with municipal, provincial, district, and commune governors in their capacities as chairpersons of unified command committees over all security forces in their areas of administration. As of 2014, the total number of police in Cambodia was officially said to be 52,000. In February 2016, Hun Sen ordered the recruitment over the next seven months of 4,500 new police officers, to replace those who had left the service since 2014, saying this was necessary in order to “keep public order” and for “society’s security.”

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207 RGC, Decision 494 SSR, June 26, 2006.
211 RGC, Sub-Decree, 22 ANKr, May 9, 1994; RGC, Sub-Decree 156 ANKrBK, March 31, 2014.
212 CPP, History of the Struggle, p.188.
of December 2017, the official figure for police nation-wide was 58,198, of whom 17,897 were center-level.\textsuperscript{214}

According to the 2007 Criminal Procedure Code, the chairpersons and vice chairpersons of the Security Central Directorate and some other Central Directorates, plus the chairpersons and vice-chairpersons of their subordinate directorates and of a number of other directorates, as well as personnel heading a wide variety of offices subordinated to various directorates, are all judicial police officers with national jurisdiction. Governors and deputy governors of municipalities, provinces, and districts and chiefs of rural and urban communes are also judicial police officers, but only with local jurisdiction. The Minister of Interior still has no judicial police powers.\textsuperscript{215}

In April 2014 a major structural initiative created two new supreme directorates: one for immigration (i.e., control over foreigners) headed by Gen. Sok Phal and another for identification (i.e., Cambodian identity documents, including those for domestic use and passports) headed by Gen. Mao Chandara. The two supreme directorates were created by combining existing Ministry of Interior and police units to form omnibus bodies of quasi-ministerial rank. They were specified as being separate from the National Police and instead formally part of the Ministry of Interior, but not placed under Sar Kheng as such.\textsuperscript{216}

\textsuperscript{214} RGC, Code of Criminal Procedure of the Kingdom of Cambodia (2007), articles 60, 67, 68, http://www.wipo.int/wipolex/en/text.jsp?file_id=240881 (accessed July 10, 2015). The practice over time has become that the central and their subordinate directorates also have some authority over municipal and provincial police bureaux with the same areas of functional responsibility that are also under the authority of the municipal and provincial police commissariats. See, for example, an organigram produced by the Ministry of Interior, Supreme Commissariat of National Police, Judicial Police Central Directorate, Directorate of Anti-Economic Crime, Provincial/Municipal Bureaux of Anti-Economic Crime Police,” On the Structure of the Anti-Economic Crime Police,” [n.d.], but dated by context to 2014.


Another recent major initiative has been the re-creation starting in August 2015 of a force resembling the A3 Combat Police set up by the PRK in 1986, then officially dissolved in 1991. Whereas the A3 were established as a militarized force to fight the Khmer Rouge, this new police “special intervention force” was established to fight the government’s main and legal political enemies. Capable of using “infantry weapons,” including sniper rifles, it was assigned to participate together with the army in “fending off evil situations” that might be created by “unfriends” of the government and others “of an opposition tendency” whenever the ordinary police were unable to handle such situations.217


I. Gen. Pol Saroeun, RCAF Supreme Commander

In the Khmer Rouge, 1968-1978

According to his official Khmer Rouge-era biography, Pol Saroeun alias Mam Von was born on March 18, 1948 in Prey Angkrong village, Chrey Thom commune of Romeas Hek district in Svay Rieng province. He joined the Khmer Rouge movement in March 1968 and became a member of the CPK in 1971. After the Khmer Rouge victory in April 1975, he was a member and then a vice chairman of the military General Staff of the CPK East Zone, which oversaw the Zone Security Office designated S79, where members of the East Zone military accused of betraying the revolution were detained without charge or trial, often tortured during interrogation, and then arbitrarily either executed or held for “re-education.” Re-education took place at a workplace run by Pol Saroeun.

When CPK Secretary Pol Pot launched a general and murderous purge of the East Zone in May 1978, Pol Saroeun escaped into the jungle, where he tried to organize armed opposition to the purge and massacres of the East Zone population by forces answering to Pol Pot. When this insurgency failed, he took refuge in Vietnam in September 1978, joining fellow ex-East Zone CPK military cadre Hun Sen there.

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218 Documentation Center of Cambodia, Document I08276, “Biography of Mam Von, aka Pol Saroeurn, Political chief of the East,” http://www.d.dccam.org/Database/Lod/details.php?keyword=&numRecords=100&page=530&idnum=I08276&lang=eng (accessed September 22, 2012); on the 2017 provisional voter registration roll, his birthdate is given as August 18, 1949 (document 05-703-073). Not knowing or falsifying one’s age on official documents is common in Cambodia, so official birthdates can be accepted at face value. Therefore, in this report, all birthdates are qualified as official ones.


220 Interview with former East Zone CPK cadre Men Chhan, Phnom Penh, August 6, 1990.

In the PRK, 1979-1991

With the January 1979 establishment of the PRK, Pol Saroeun became chairman of the PRK administration for Takeo province and head of the PRK’s communist party (Revolutionary People’s Party of Kampuchea – RPPK) structure there. He benefitted from the Vietnamese policy of co-opting ex-CPK elements, who were willing to cooperate in construction of the PRK, regardless of their role in the Khmer Rouge.

In these capacities, Pol Saroeun oversaw the creation and operation of a provincial security apparatus, including detention facilities where people accused of opposition to the PRK and the Vietnamese occupation were held indefinitely without charge or trial. Some were allegedly involved with the anti-PRK guerrilla campaign of Khmer Rouge remnants or with non-Communist anti-PRK insurgent groups, while other detainees were accused of non-violent political dissent. Hundreds of political detainees were held in the Takeo provincial prison. Many were subjected to severe torture to get them to “confess” to being “Pol Pot” (Khmer Rouge).

Decisions about how long a prisoner would be held were made by the provincial committee headed by Pol Saroeun. The committee also oversaw prisons operating at the district level.

Declaring himself impressed by Pol Saroeun’s performance in Takeo, Hun Sen made his former East Zone CPK comrade a Deputy Minister of National Defense and chief of the PRK armed forces Supreme General Staff in August 1988 as part of the promotion of many former Khmer Rouge members into key PRK posts. This was followed by Pol Saroeun’s elevation in April 1989 to the RPPK’s Central Committee and Political Bureau.

223 Gottesman, Cambodia After the Khmer Rouge, pp.68, 75.
224 Lawyers Committee for International Human Rights (LCIHR), notes on interview with former prisoner of Takeo provincial jail, Thailand-Cambodia border, March 2, 1985, prepared for LCIHR, Kampuchea: After the Worst (New York: 1985).
225 LCIHR, notes on untried political detention in the PRK, November 1984, prepared for LCIHR After the Worst.
228 Phnom Penh Radio, April 11, 1989.
rechristening of the RPPK as the Cambodian People’s Party (CPP) in 1991, Pol Saroeun became a member of its Standing Committee.\textsuperscript{229}

As chief of the Supreme General Staff, Pol Saroeun had de jure powers of command over the whole of the PRK armed forces.\textsuperscript{230} Reflecting his importance in the highest circles of the ruling party, he was also considered the most influential figure in the armed forces.\textsuperscript{231} He thus enjoyed command authority over armed forces involved in the same kinds of political imprisonment practices that he had instituted in Takeo: arbitrary detention bereft of judicial process and characterized by torture and cruel, inhuman or degrading treatment or punishment carried out in military-run facilities at the national, regional, provincial and unit levels.\textsuperscript{232}

Such military detention of political suspects was almost universally without charge or trial, and prisoners were often held indefinitely on the basis of unsubstantiated and exaggerated or simply false allegations of opposition activity. These frequently resulted from unreliable evidence arising from torture, abusive conditions of incarceration and other forms of coercion inflicted on political and other suspects as a matter of course.\textsuperscript{233} Torture in military custody was facilitated by the fact that prisoners were usually held incommunicado while undergoing interrogation completely isolated from the outside world and even from fellow inmates. Prisoners were often held in “dark cells” for long periods of time.\textsuperscript{234}

Among Pol Saroeun’s many duties as chief of the Supreme General Staff was responsibility for its “Research Commissariat” or intelligence branch, a main component of which was often referred to by the codename Q101. Q101 ran networks of agents disguised as ordinary people, identifying suspected enemy operatives whom military intelligence officers were

\textsuperscript{229} Phnom Penh Radio, January 11, 1992.
\textsuperscript{230} PRK, Sub-Decree 25 ANKr, November 20, 1985.

Pol Saroeun and UNTAC, 1991-93

Pol Saroeun remained in his position of military authority through the UN-organized elections of May 1993. He also exercised significant influence over Takeo province. There, as elsewhere in Cambodia, the CPP subverted efforts by UNTAC to create a neutral political environment for the elections. UNTAC, “Report on Interviews.”

Operating according to the mixed force doctrine of joint operations by all security forces, the Takeo police simultaneously engaged in activities to prevent and contain legitimate opposition political party activities, including via covert operations by units known as “A teams.” Another aspect of CPP “grassroots strengthening” in Takeo was its use of “reaction forces” against the opposition. These comprised civilian auxiliaries who acted

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237 UNTAC, “Report on Interviews.”


against the opposition at police instigation, but who were supposed to appear to be unconnected with the police.\textsuperscript{240}

Under Pol Saroeun’s watch, the 1993 election campaign in Takeo was characterized by CPP-orchestrated murders of FUNCINPEC and BLDP members and supporters, including grenade attacks, and large numbers of arbitrary arrests of opposition activists.\textsuperscript{241}

**Pol Saroeun in the Immediate Post-UNTAC Period, 1993-1996**

After the UNTAC elections and the formation of a coalition government, Pol Saroeun had to make way for FUNCINPEC appointees, moving down from chief to deputy chief of the Supreme General Staff of the new Royal Cambodian Armed Forces (RCAF).\textsuperscript{242}

During the failed coup by CPP leaders against Hun Sen and Ranariddh in July 1994, the Supreme General Staff mostly sided with the two prime ministers, with the strongest CPP support coming from Pol Saroeun.\textsuperscript{243} His re-established political clout gave him much increased command authority over CPP-affiliated RCAF units and also over Q101.\textsuperscript{244}

In this period, the RCAF was implicated in large numbers of human rights violations, often either in connection with ongoing military operations against remnant Khmer Rouge insurgents or with efforts by RCAF officers and men to accumulate wealth via looting and pillage and a spreading practice of forcibly evicting villagers with land tenure claims and selling the land to foreign investors. RCAF soldiers also engaged in murder and rape. Military intelligence officers in particular operated secret detention centers where torture and executions took place.\textsuperscript{245}

\textsuperscript{240} UNTAC, “The Takeo Papers,” March 15, 1993, pp.1-2; see also UNTAC Control Team, “Recommendations for Control Mission,” March 25, 1993; and UNTAC Control Team, “Planning Meeting for Control Team 2 – Ampil,” [n.d].


\textsuperscript{242} PGC, Kret, July 5, 1993; KOC, “List of Senior Officers.”

\textsuperscript{243} Koh Santepheap, September 28, 1994.

\textsuperscript{244} Interview with Nhek Bunchhay, Phnom Penh, November 14, 1995.

Some of the worst abuses were committed by the RCAF intervention units answering most directly to the Supreme General Staff. As in the PRK period, people were often detained extra-legally without charge or trial, justified by arbitrarily labeling the victims as “Khmer Rouge.” Some detained people were summarily executed in the field.246

Among the most notoriously abusive RCAF contingents was the Q101 subunit S91 in Battambang, located in Army Military Region 5. S91 was staffed by veteran CPP officers both from the Q101 headquarters in Phnom Penh and from the Military Region 5 General Staff.247 Through these two channels, they answered to the Supreme General Staff and in particular to Pol Saroeun.248

After the May 1993 elections, S91 concentrated on abducting, torturing and extra-judicially executing alleged common criminals, kidnapping businessmen for ransom, and murdering purported Khmer Rouge sympathizers. The killings continued through at least January 1994, while illegal detention and extortion persisted through the middle of that year. The UN human rights office in Cambodia and NGOs reported the results of their investigations to the government. The government instructed the Supreme General Staff to bring the alleged perpetrators to justice, but it took no action.249 Under public pressure, the government then created a special investigation commission, but although it found that the allegations were true no one was prosecuted for S91’s crimes.250

In 1996 Pol Saroeun was the highest-ranking CPP military figure to support Hun Sen’s suggestion that the party take armed action against FUNCINPEC, in particular to


248 Interview with Nhek Bunchhay, Phnom Penh, November 14, 1995.


“annihilate” its military machinery. He also played a key role in carrying out Hun Sen’s decision to strengthen the CPP’s military position vis-à-vis FUNCINPEC by vigorously courting Khmer Rouge military commanders via secret negotiations urging them to break away from Pol Pot’s leadership and join RCAF as CPP members.

Among the first Khmer Rouge commanders whom Pol Saroeun persuaded to defect was Keo Pung, who came over in February 1996 and was made deputy commander of Army Military Region 3. Pol Saroeun also headed a CPP military team that then initiated talks with Khmer Rouge military commanders associated with former Khmer Rouge Deputy Premier for Foreign Affairs Ieng Sary and engineered their defection, and then that of Ieng Sary himself in August 1996.

At the Time of Hun Sen’s July 1997 Coup

In June 1997, Pol Saroeun intensified efforts on behalf of Hun Sen to bring over all Khmer Rouge troops and leaders to the CPP except the senior CPK Khmer Rouge triumvirate of Pol Pot, Nuon Chea and Ta Mok, explaining that, those three aside, they were no different from himself and other former Khmer Rouge already in CPP ranks. He also declared that in order to fend off challenges arising from FUNCINPEC’s attempts to compete with the CPP for predominance in preparation for National Assembly elections scheduled for July 1998, “there will have to be a small war before the elections,” indicating that CPP was planning to arrest First Prime Minister Ranariddh, who soon fled Cambodia.

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Pol Saroeun was the most senior CPP military officer at Hun Sen’s side when the latter launched his coup against FUNCINPEC on July 5-6, 1997. Politically, the coup targeted Prince Ranariddh, but militarily it was aimed at Pol Saroeun’s nominal superior in the Supreme General Staff, first deputy chief Gen. Nhek Bunchhay, who commanded FUNCINPEC forces. Pol Saroeun was with Hun Sen and coup tactical commander Kun Kim when Hun Sen declared that members of the FUNCINPEC machinery that he had wanted to “annihilate” since 1996 must be swept “cleanly away,” using a common Khmer Rouge euphemism for execution.255

While Kun Kim coordinated the coup forces’ attacks, Pol Saroeun also gave orders, particularly to recent Khmer Rouge defector Keo Pung, who launched a series of assaults with a special forces unit comprised mostly of other defectors. His forces swept from Kampong Speu west of Phnom Penh across the city to the east. Keo Pung’s troops first hit Nhek Bunchhay’s main base areas west of the capital and then Nhek Bunchhay’s in-town residence before forcing him and FUNCINPEC remnants to attempt to escape on July 6, pursuing them as they fled.256 Although Nhek Bunchhay got away and made his way to Thailand, Keo Pung’s troops captured a number of senior FUNCINPEC officers, including members of the Supreme General Staff, who were then executed.257 According to an August 22, 1997 report by the UN human rights office in Cambodia, they were among the at least 41 and “possibly up to 60” victims of “politically-motivated extrajudicial executions” after the coup.258 Some captured FUNCINPEC officers were allegedly taken to Pol Saroeun before they disappeared.259

256 Brad Adams interview with former US embassy official, April 2000; Brad Adams interview with Australian military officer stationed in Cambodia at the time of the coup, December 17, 2001; Brad Adams interviews with unnamed RCAF officials, 2001; Brad Adams interviews with CPP military and civilian officials, UN officials, local residents; Interview with Hun Sen, September 21, 2007.
259 COHCHR File Note, “Interview with the [deleted] of [deleted], Kampot Town, 15 April 1998.”
Pol Saroeun as Chief of Staff after the Coup, 1997-2009

The month after the coup, Pol Saroeun was rewarded with a promotion to the additional post of Adviser to the RCAF Supreme Commander (now effectively Hun Sen alone) with the rank of government minister.260 In February 1999, Pol Saroeun was named Chief of the Mixed General Staff and an RCAF deputy supreme commander.261 From this time, the real authority over RCAF resided with Pol Saroeun, Kun Kim, and certain Military Region commanders, who together guaranteed Hun Sen’s prime ministership.262

Over the next decade, many violations were committed by RCAF units directly under Pol Saroeun’s Mixed General Staff or answering to it via the Army, Air Force or Navy Command. Violations included rape, extra-judicial killings or attempted killings, arbitrary detention, and torture or other severe ill-treatment of people arbitrarily detained or accosted by the military.263 Units involved included Infantry Division 2, Infantry Brigade 70, Special Force Paratrooper Brigade 911, Infantry Brigade 1, Intervention Brigade 11, Intervention Brigade 12, and Intervention Brigade 14. Also directly under the unitary Supreme Command and Mixed General Staff was the Research and Intelligence unit, still widely known as Q101.264 Increasingly, the implicated RCAF units were also more and more involved in sometimes violent land-grabbing, either seizing land for use by the units themselves, on behalf of military officers or government officials, or for sale or granting as concessions to private companies, or some combination of these various beneficiaries.265 On occasion, they deployed to prevent demonstrations by workers, as Brigade 911 forces did in May 2006.266

Other incidents in this period were also linked to Pol Saroeun’s personal interests. For example, in 2004, soldiers guarding land belonging to Pol Saroeun in Quartier 4 of

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261 RGC, Royal Decree, NS/RPT/0199/22, February 24, 1999.
263 Ibid.
265 Ibid.
266 Ibid.
Sihanoukville in Preah Sihanouk province seriously assaulted a man who drove his motorcycle past the property. One of them later threatened to kill a woman suspected of having witnessed the incident.267

Pol Saroeun as RCAF Supreme Commander Since 2009

In January 2009, Pol Saroeun was named RCAF Supreme Commander, while Kun Kim replaced Pol Saroeun as Chief of the Mixed General Staff.268 In the period between January 2009 and the run-up to the next national elections on July 28, 2013, the number of recorded human rights violations and other abuses in which RCAF was involved declined somewhat, according to figures compiled by Cambodian human rights monitors. Nevertheless, they continued to include extrajudicial killings and attempted killings, torture and other severe ill-treatment, and sometimes violent land confiscation.269

During the 2013 election campaign, Pol Saroeun displayed his entrenched political partisanship by campaigning publicly for the CPP as chairman of a party work team for Preah Sihanouk Province. There, he admonished voters to disregard opposition CNRP propaganda and instead ensure a CPP election by voting en masse for it.270 He led the CPP’s final rally of the provincial campaign.271 He also visited his old political base in Takeo province to endorse Hun Sen and other top CPP leaders, acclaiming their achievements for Cambodians.272

267 Ibid.
268 RGC, Royal Decree NS/RPhT/0109/069, January 22, 2009.
269 Ibid.
After the election, Pol Saroeun rejected credible allegations of CPP-orchestrated electoral fraud and irregularities and endorsed the officially announced results as genuine, while also speaking out in favor of possibly taking legal action against Sam Rainsy. Pol Saroeun presided over the installation of a new CPP headquarters in Preah Sihanouk Province and appeared prominently at a national rally marking the foundation of the CPP.

Following the security forces’ violent suppression of worker demonstrations and riots of January 2-3, 2014 in Phnom Penh, during which Brigades 911 and 70 played a part, carrying out arrests and occupying Phnom Penh’s working-class suburbs, Pol Saroeun praised Hun Sen for his support for RCAF’s contribution to the maintenance of “social order and stability.” In February 2014, Hun Sen added him to a government committee in charge of taking action against worker protests deemed illegal.

In 2015 and 2016, Pol Saroeun continued to do public party work on behalf of CPP, excoriate the CNRP, order prevention of its activities, extol what he characterized as the CPP’s many achievements, and praise the leadership of Hun Sen, who warned that if the CNRP ever tried to remove Pol Saroeun, the latter would mobilize RCAF to prevent this.

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On July 5, 2016, according to CPP-controlled media reports, Pol Saroeun appealed “to the whole military that it must immediately eliminate and dispose of any and all individuals with a mentality desirous of destroying the peace, fomenting social turmoil in Cambodia, and the like,” explaining that the army must “fend off in a timely manner extremist forces that are fomenting instability in national society and in particular absolutely to pre-empt the fomenting of turmoil or any activity the mentality of which is desirous of destroying the peace, which must be immediately eliminated.”

Since late 2016, Pol Saroeun has repeatedly emphasized RCAF’s key role in the maintenance of internal security and stability, crediting it with maintaining peace in the country thanks to Hun Sen’s leadership and political policies and making possible Cambodia’s economic development.

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all offences” contrary to such security and political stability. For example, on February 1, 2017, he declared that in order to fulfill this and its other missions RCAF was enjoying the benefits of Cambodia’s peaceful development by being further strengthened and expanded. At the end of February, he proclaimed that as the reinforced “solid backbone of the nation,” RCAF was absolutely determined to prevent any “color revolution.” In March 2016 he publicly insisted that all citizens must have “pointed and robust faith” in Hun Sen’s leadership. He also said in March that anyone who alleged the government was responsible for the loss of Cambodian territory to Vietnam must “be arrested and put in jail without exception.” That same month, following the death of Deputy Prime Minister Sok An, Pol Saroeun temporarily replaced this senior civilian official as head of a work team responsible for Takeo province, for several months adding this to his existing responsibility for CPP strengthening in Preah Sihanouk province and thus returning him for


that period to a position of authority over his original PRK political haunts in the 1980s, when he had been Takeo party and administrative chief.\textsuperscript{285}

Pol Saroeun has made a series of statements supporting the total crackdown on the opposition CNRP that began with the arrest of its leader Kem Sokha on September 3, 2017 and continues to the present. For example, at an October 10, 2017 gathering of RCAF commanders, he instructed them to enhance their vigilance against “ill-intentioned people” and “extremists” whom he warned were still intent upon carrying out “actions that bring chaos in society.”\textsuperscript{286} In a Facebook posting three days later, he elaborated that:

“in order to maintain peace and national security, Cambodia absolutely opposes any and all activities and interference in its internal affairs the mindset of which is to create reasons for a break up of national solidarity under the labels of democracy and human rights with the objective of serving the political interests of an individual or a small handful of persons and foreigners.”\textsuperscript{287} During a speech to a military training session on October 22, 2017, Pol Saroeun declared that RCAF’s “first and foremost duty” is to use its full strength to carry out whatever actions are necessary to prevent CNRP and other “extremists” from carrying out their purported plots to stage a color revolution.\textsuperscript{288} On December 6, 2017, he condemned the exiled Sam Rainsy as a traitor and again declared RCAF would absolutely never allow any color revolution in Cambodia.\textsuperscript{289}
II. Gen. Kun Kim, RCAF Deputy Supreme Commander, Chief of RCAF Mixed General Staff

Kun Kim in the Khmer Rouge, 1970-78

Kun Kim is a native of Chan Toung village, Sralap commune, in Tbaung Khmum district in what is now the province of the same name, which was previously part of Kampong Cham province.290 His official birthdate is January 1, 1954.291 Before 1975, he was a Khmer Rouge militiaman in its East Zone Sector 21 and then a bodyguard for the Secretary of Tbaung Khmum District in East Zone Sector 21.292

After the CPK seized power in April 1975, he became Chairman of the Tbaung Khmum District Security Office.293 In this role he allegedly oversaw the arrest, torture and execution of alleged enemies of the revolution in the district, including members of the Islamic Cham minority, abuses of a kind that the UN-assisted Extraordinary Chambers in the Courts of Cambodia have contended were crimes against humanity and genocide.294

Kun Kim in the PRK and SOC, 1979-1991

Kun Kim escaped the general purge of the East Zone launched by Pol Pot in May 1978, joining other East Zone Khmer Rouge who attempted to muster resistance to the purge.295

290 Interviews with local residents, Tbaung Khmum District, villagers in this area of Kampong Cham Province, October 30, 2005.
291 2017 provisional voter registration roll document 10-786-216.
292 Interview with Ung Phan, February 16, 2001; Interview with former Tbaung Khmum district CPK cadre, Phnom Penh, February 5, 2011.
Like many other former Khmer Rouge members, Kun Kim benefited from Vietnam’s policy of employing former Khmer Rouge regardless of their past, as long as they proved their political loyalty to the PRK and especially if they enjoyed the patronage of former East Zone superiors who held high PRK positions.\textsuperscript{296} Also in line with PRK policy, Kun Kim did not resume a post in Tbaung Khmum, where the population had demanded he be punished for his conduct as a security office chairman.\textsuperscript{297}

Instead, he was transferred to Kandal province, a place where he was not known, soon becoming an important cadre there with responsibilities over political arrests and the operations of the provincial prison and elsewhere.\textsuperscript{298} As of the mid-1980s, the Kandal province prison in Ta Khmao held a couple of hundred people without charge or trial for purported political and criminal offenses.\textsuperscript{299} Interrogation through torture was routine; some were fatally beaten. Others committed suicide or died from a combination of malnutrition and illness.\textsuperscript{300} Those detained included the PRK’s own officials, accused of contact with the non-Communist insurgent opposition to the PRK.\textsuperscript{301}

By the time of the 1991 Paris Agreements, Kun Kim was Kandal’s First Vice-Governor and a leading member of the provincial committee of the CPP.\textsuperscript{302} He played a key role in CPP political violence and other intimidation in the province aimed at securing an electoral victory over FUNCINPEC and other opposition parties in the UN-organized elections of May 1993.\textsuperscript{303} According to UNTAC documents, such CPP tactics began early in the electoral period in Kandal with CPP physical assaults, surveillance of opposition parties by the CPP police and administration and, initially, outright refusal of the CPP to recognize the right of the opposition to set up offices, accompanied by CPP allegations that opposition political

\textsuperscript{296} PRK, “Decision on the Problem of Cadres,” [n.d.]; Gottesman, Cambodia after the Khmer Rouge, pp.33, 46, 54, 60, 67-68.

\textsuperscript{297} COCHR, “Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997,” July 30, 1997; COCHR, “Political and Military Developments Relating to the Coup.”

\textsuperscript{298} Interview with Ung Phan, February 16, 2001; UNTAC interview with Pin Dam, July 17, 1992.

\textsuperscript{299} LCIHR, notes entitled “Numbers of Prisoners,” November 1984, prepared for LCIHR, After the Worst.

\textsuperscript{300} LCIHR, notes entitled “PRK Extracts,” November 1984, prepared for LCIHR, After the Worst.

\textsuperscript{301} LCIHR, notes on interview with former prisoner of Kandal provincial jail, March 2, 1985, prepared for LCIHR, After the Worst.

\textsuperscript{302} UNTAC, “Who’s Who.”

\textsuperscript{303} UNTAC interview with Pin Dam; UNTAC interview with Kan Man, May 2, 1993.
parties were “disturbing the social order.” As time went on, there were increasingly frequent reports of harassment and intimidation, followed by shooting incidents and murder in which CPP local authorities, police, and military personnel were implicated. UNTAC also reported that Kun Kim was involved in forced evictions carried out by demolition of people’s homes, allegedly even attempting falsely to convince the victims that UNTAC was behind their removal, while asking UNTAC’s Civilian Police component to intervene on his side against popular protests. Confrontations between provincial authorities and the population arising from land disputes, a topic much discussed between UNTAC and Kun Kim, were particularly severe and often involved refusal by provincial officials to recognize land documents of people complaining about being forced off their land.

Kun Kim and the Post-1993 Election Coalition Government

As part of the FUNCINPEC-CPP coalition that followed the elections, deputy governor Kun Kim was formally subordinated to a new Kandal governor who came from FUNCINPEC. At the same time, he was made a ranking officer of the provincial police. In these posts, he openly threatened FUNCINPEC officials during meetings, while secretly mobilizing CPP operatives in the province to maintain surveillance over FUNCINPEC figures and activists from smaller opposition parties.

In 1994-95, he was instrumental in helping Hun Sen begin establishing a new headquarters for his political and military activities in the Tuol Krasang area of Kandal,

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308 Interview with Hun Sen, September 21, 2007.

allegedly in part by channeling funds derived from local extortion and bribery.\footnote{310} Thereafter, Hun Sen was effectively based out of an increasingly fortified compound at Tuol Krasang, from which he directed factions of the Royal Cambodian Armed Forces and other security forces under his personal control.\footnote{311} Kandal also came to serve as a reservoir for the recruitment of such forces.\footnote{312}

In 1995, Kun Kim orchestrated supposedly mass messages of public support for Hun Sen after the detention of the FUNCINPEC-appointed Foreign Minister Norodom Sirivuth, one of the second prime minister’s most vociferous critics.\footnote{313} He also hosted Hun Sen during a speech in Kandal at which Hun Sen ordered CPP elements of RCAF Brigade 70, intelligence units of the armed forces supreme command, the armed forces general staff, the intelligence and anti-terrorist sections of the national police and the GRK to “take pre-emptive measures” to “completely eliminate” what he called “terrorists” opposed to him, destroying their “terrorist dens” and killing them if necessary, because if they were allowed to live they would “be like worms destroying the society and nation.”\footnote{314} This was one of several developments seen by observers as part of Hun Sen’s launching of “an extended, piecemeal coup against the royal government of which he is a part,” aimed at “destroying all opposition before the next elections,” scheduled for 1998.\footnote{315}

According to UN records, at a secret meeting of CPP leaders in April 1996, Kun Kim backed a suggestion by Hun Sen to use armed forces under the party’s control to settle disputes with FUNCINPEC.\footnote{316} After Hun Sen told CPP activists in Kandal in May that he was getting ready to come out of his headquarters in the province to use an “iron fist” against FUNCINPEC and a new opposition political party headed by Sam Rainsy, police answering

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\begin{itemize}
\item \footnote{310} “Special Battalion to Guard 2nd PM,” \textit{Cambodia Today}, November 29, 1995; Interview with Pin Dam, July 1, 1997.
\item \footnote{312} Bodyguard Unit of Samdech Hun Sen, “Request to Fulfill the 1,500 Person Authorized Strength By Asking for 283 Persons Be Taken from the Kandal Province Military Operational Sub-Region” (135/97), April 26, 1997.
\item \footnote{314} Phnom Penh Radio, November 26, 1995.
\item \footnote{315} “Corruption Destroys Cambodia’s Future,” \textit{Weekend Australian}, November 25, 1995.
\item \footnote{316} UNOSGRC, “Monthly Report for May 1996.”
\end{itemize}
to Kun Kim fired in the air to prevent Sam Rainsy’s party from carrying out activities in the province.\footnote{UNOSGRC, “Weekly Report #89 Covering the Period from 27 April to 5 May 1996;” UNOSGRC, “Weekly Report #95 Covering the Period from 16 to 23 June 1996.”} As UN reporting thereafter put it, Kun Kim was emerging as a chief “hatchet man” for Hun Sen, who officially designated Kun Kim as his “special envoy.”\footnote{UNOSGRC, “Monthly Report for January 1997;” “Phkay Preuk” column, Chakraval, August 14, 1997.}

After the March 30, 1997 grenade attack on a demonstration led by Sam Rainsy, in which at least 16 people were killed and more than 150 were injured, US Federal Bureau of Investigation officials who came to Cambodia to investigate the incident heard allegations that Kun Kim was involved in the operation, such as by helping to ensure those who carried out the attack were not caught.\footnote{FUNCINPEC, “Special Reports,” May 8 and 14, 1997; Letter from James P. Doran, Professional Staff Member for East Asian Affairs at the US Senate Committee on Foreign Relations, to Jesse Helms, Chairman, Committee on Foreign Relations, United States Senate, and September 21, 1999.} The attack was also followed by arrests of Sam Rainsy party members in Kandal.\footnote{COHCHR, “Reported Arrests of FUNCINPEC Party Officials in the Provinces,” [n.d.].}

Kun Kim, the July 1997 Coup and the 1998 Elections

In the days before the coup, forces loyal to Hun Sen disarmed large numbers of Ranariddh’s bodyguards and threatened his remaining forces with arrest if they did not surrender. The Chea Sim and Sar Kheng faction and their allies in the CPP, including then RCAF General Staff Chairman Ke Kimyan, opposed the putsch. But Hun Sen relied on security forces personally loyal to him, including his bodyguard unit, other army factions, and elements of the GRK and police to carry out the action.\footnote{Human Rights Watch, “Tell Them I Want to Kill Them,” p.40.}

Hun Sen commanded the July 5-6, 1997 coup against FUNCINPEC, which also targeted Sam Rainsy’s party, from his Tuol Krasang base in Kandal. Kun Kim was at his side, acting as his chief lieutenant and tactical commander in operations against what Hun Sen condemned as “anarchy forces,” his word for those opposed to him.\footnote{Interview with Hun Sen, September 21, 2007.} Kun Kim gave orders to Hun Sen-loyalist CPP units carrying out attacks, including those under Kun Kim’s personal
control. Among these were troops of the Kandal province military operations sub-sector provincial police. Hun Sen’s orders specified that they must “sweep all the anarchy forces cleanly away and dispose of them, all of them,” using a common Khmer Rouge euphemism for execution.

Hun Sen’s successful coup was followed by a wave of extrajudicial killings, cremations of unidentified bodies under suspicious circumstances, torture, and arbitrary detentions. Most victims were members of FUNCINPEC security forces. Kun Kim oversaw efforts to track down opposition activists in Kandal. Some of the bodies were found not far from Tuol Krasang. Others were discovered in different locations in Kandal, among them places where forces personally loyal to Kun Kim were deployed.

Immediately following the coup, Kun Kim, while remaining deputy governor of Kandal, was in de facto control of RCAF. In August, Hun Sen rewarded him with the status of a government minister. He was also given the title of Hun Sen’s “advisor for general affairs.” Kun Kim increasingly took advantage of his rise in political and military hierarchies to make money from legal and illegal logging using forces of Army Military

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325 Interview with senior CPP official, September 18, 2004; Interview with Hun Sen, September 21, 2007; See ECCC, Office of the Co-Investigating Judges, “Closing Order” (D427 English), pp.48, 51, 58, 188, 202-5, 233-4, and 266.
327 Interview with Pin Dam, Phnom Penh, July 8, 1997.
330 COCHR, “Political and Military Developments Relating to the Coup.”
331 Chakraval, August 14, 1997.
Regions 2 and 4, in collaboration with Kampong Cham Governor Hun Neng, Hun Sen’s brother, and other Hun Sen relatives.\textsuperscript{333}

This helped Kun Kim build up a war chest for CPP campaigning for the July 26, 1998 national elections, which pitted the CPP against remnant FUNCINPEC political leaders and the fledgling Sam Rainsy Party (SRP). Despite being a senior military official, Kun Kim electioneered vigorously for the CPP in Kandal.\textsuperscript{334} When FUNCINPEC and SRP campaigning brought out huge crowds, some in the CPP were shocked and worried by the extent of opposition to the CPP and began “preparing for worst-case scenarios.”\textsuperscript{335} By mid-July, pro-CPP troop movements began, reflecting mobilization by Kun Kim of pro-Hun Sen army elements in RCAF Brigade 70, Brigade 911, the Special Military Region (which included Kandal province) and Military Region 2, testing their readiness in case Hun Sen found himself in political trouble.\textsuperscript{336} On the eve of the vote, Hun Sen ordered preparations for counter-attacks from Kandal and elsewhere should the opposition win the elections.\textsuperscript{337}

In the event, the National Election Committee, which the CPP controlled, reported that the CPP won 41 percent of the popular vote, which it said translated into 64 of the 122 seats in the national assembly. The CPP lost badly in Kandal, reflecting the lack of popularity there of both Kun Kim and Hun Sen. FUNCINPEC and SRP credibly challenged both the vote count and the seat allocation formula applied, alleging widespread fraud and illegal misinterpretation of the formula.\textsuperscript{338} In response, CPP local authorities launched a campaign of harassment and threats against FUNCINPEC and SRP activists, prompting hundreds to take refuge in provincial and municipal party offices.\textsuperscript{339} In Kandal province, this operation was orchestrated by Kun Kim, with the help of contingents of the police and GRK.\textsuperscript{340}

\textsuperscript{333} Global Witness, \textit{Going Places ... Cambodia’s Future on the Move} (London: March 1998).
On August 18-19, 1998, FUNCINPEC and SRP lodged a request with Phnom Penh authorities to “hold a peaceful and non-violent demonstration” on August 23 to demand that the National Election Committee resolve election complaints.\textsuperscript{341} In response, a CPP Phnom Penh “Command Committee” including Phnom Penh police commissioner Neth Savoeun began holding regular meetings to plan how to prevent and suppress gatherings, acting on orders from Hun Sen himself, Kun Kim, National Police Chief Hok Longdy, and Deputy National Gendarmerie Commander Sao Sokha.\textsuperscript{342} Despite provincial security force efforts, especially by Kandal provincial police and gendarmes, to block entry by FUNCINPEC and SRP supporters into Phnom Penh, a crowd of 10,000 people from the capital and countryside attended the August 23 protest.\textsuperscript{343} On August 24, opposition supporters started a sit-in at the park across from the national assembly building, which was dubbed “Democracy Square.”\textsuperscript{344} On August 26, pro-CPP media reported that 40,000 of its supporters were ready to counter-demonstrate, and CPP in Kandal promised it would organize a force of that size.\textsuperscript{345}

Ignoring this and other threats, opposition supporters began a series of marches and mass demonstrations in Phnom Penh, while more and more gathered at Democracy Square amidst boisterous calls for Hun Sen to step down.\textsuperscript{346} On September 7, 1998, three grenades were thrown at Hun Sen’s unoccupied former residence in central Phnom Penh. The UN concluded that the attack was likely orchestrated by Hok Longdy in order to create

\textsuperscript{341} SRP, “To the Governor of Phnom Penh Municipality,” August 18, 1998; FUNCINPEC and SRP, “To the Governor of Phnom Penh Municipality,” August 19, 1998.

\textsuperscript{342} Interview with senior CPP official, September 18, 2004.


\textsuperscript{345} “Cambodia Opposition Stands Firm Amid Fears,” \textit{Reuters}, Phnom Penh, August 26, 1998; Personal communication from Demelza Stubbings of Amnesty International, August 26, 1998.

a pretext for suppressing opposition protest activities. \textsuperscript{347} Hun Sen proclaimed that the event was proof that FUNCINPEC and SRP were attempting a “real revolution, like a real coup d’état.”\textsuperscript{348} He declared that people must leave Democracy Square and other demonstrations must end by midnight, and that “it was time to arrest the organizers of the demonstrations.”\textsuperscript{349} A mixed force of police, gendarmes and army troops then attacked Democracy Square and other protest gatherings, but were unable to suppress demonstrations. Social unrest continued and even grew over the next several days and nights, despite new and violent mixed force operations.\textsuperscript{350}

With several senior CPP leaders and security force commanders unwilling to countenance even more violent actions, Hun Sen and Kun Kim started on September 11 to bring 10,000 pro-CPP civilian counter-demonstrators into Phnom Penh from Kandal. Armed with clubs, bamboo staves, and pistols, they attacked opposition supporters and bystanders, killing some and wounding some, while police and gendarmes took dozens into custody, holding some incommunicado.\textsuperscript{351} Demonstrations punctuated by back and forth street battles
continued until September 15, when Hun Sen’s forces regained full control of the streets.\(^{352}\) By this time, at least 21 people had been killed, including two wearing the robes of Buddhist monks, and at least 60 others injured seriously enough to have sought hospital treatment, including 16 with gunshot wounds.\(^{353}\)

**Kun Kim, 1999-2012**

With the CPP’s claim of winning the 1998 elections secured, Hun Sen appointed Kun Kim a deputy supreme commander of the RCAF in November 1999.\(^{354}\) Kun Kim was a notorious human rights abuser, but Hun Sen explained that there was no reason why he should take Kun Kim’s human rights record into account.\(^{355}\)
In the run-up to the next national assembly elections, held on July 27, 2003, Kun Kim played a key role in Hun Sen’s contingency planning for dealing militarily or otherwise with any political threat to Hun Sen’s power via the ballot box or mass protests during or after the vote. From his growing business interests, Kun Kim again contributed heavily to the CPP campaign, part of a pattern by which he gained power within the CPP relative to previously more important party veterans.356

In 2009, Kun Kim was promoted to the post of chief of the RCAF Mixed General Staff, and since then has been in charge of the army, navy and air force.357 Also in 2009, he became a member of the Permanent Committee of the CPP Central Committee, formally the party’s highest policy-making body.358 These moves reflected the prime minister’s fear that without men like Kun Kim in such high positions, he could lose power.359 As Hun Sen stressed in a speech to security forces in February 2011, the CPP’s operational assumption had to be “that peace, security, social order and stability are fragile, and can become chaotic at any time without an advanced prediction.” Pre-emptive measures must be taken to preclude this, he warned.360

In the 2013 Elections and Since

An upsurge in violence by RCAF and other security forces in 2012 seemed designed to ensure a large victory for the CPP in national assembly elections scheduled for July 28, 2013, in which the newly formed Cambodian National Rescue Party led by its then President Sam Rainsy and Vice President Kem Sokha appeared likely to pose a major challenge.361

356 Interview with senior CPP official, September 18, 2004.
359 “RCAF Officer Corps Sees Host of Promotions,” Cambodia Daily, April 11, 2011.
Kun Kim was very prominent in carrying out politically partisan actions during the 2013 election campaign. He was Chairman of the CPP Center-Level Working Group for Going Down to Help Oddar Meanchey province, where he stood as a CPP candidate and campaigned intensively for himself and the party.


had orchestrated 15 years earlier. RCAF-backed operations as suggested by Hun Sen stymied CNRP attempts to organize gatherings in the provinces of Kampong Cham and Oddar Meanchey. In Oddar Meanchey, a province dominated politically by Kun Kim, civilians and troops in mufti answering to him staged demonstrations that prevented CNRP leader Sam Rainsy from holding a political gathering in Anlung Veng district.

In Phnom Penh, the government deployed large numbers of armed police, gendarmes and sometimes army troops to deter and suppress CNRP-organized peaceful demonstrations and union-led non-violent strikes by workers demanding increased wages and improved working conditions. At least six deaths resulted from unnecessary use of lethal force by the gendarmes and police, including incidents in which they shot into crowds with live ammunition. Although no post-election deaths were attributed to army units, two based in Phnom Penh and thus very directly under the RCAF Mixed General Staff – Brigade 911 and Brigade 70 – were involved in operations to break up or prevent strikes and social unrest.

Meanwhile, in a series of public statements in 2014, Kun Kim continued his pre-election partisanship in favor of the CPP, backing the official election results, extolling Hun Sen’s political leadership, endorsing army and other security force suppressive operations, and threatening legal action against Sam Rainsy for supposedly fomenting “social instability” in Cambodia.

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He continued to make such statements in 2015 and 2016, delivering the same message to military personnel and civilian audiences alike, appearing alternatively in RCAF uniform and CPP clothing, the latter including while presiding over CPP grassroots-strengthening work in Oddar Meanchey province, while beginning the campaign there to have the
population vote for CPP in upcoming elections. He has also presided over ceremonies welcoming into the CPP people said to have defected from the opposition.

The brutal October 26, 2015 assault on two opposition members of the National Assembly, Kong Sophea and Nhay Chamraoen of the CNRP, was carried out by three intelligence officers from a base of Hun Sen’s Bodyguard Headquarters (BHQ) commanded by Lt. Gen. Dieng Sarun, a long-time and close protégé of Kun Kim. The assault took place in connection with a CPP-organized demonstration demanding CNRP Vice-Chairperson be removed as Vice-Chairperson of the National Assembly, an operation in which BHQ and CPP youth organizations played the main role.

Kun Kim himself, exercising his authority as Chief of the RCAF Mixed General Staff, as a CPP Standing Committee Member in direct political charge of party affairs and civilian administration in parts of Military Region 4, and as Vice Chairperson of the RCAF Unified Command Committee for the Cambodia-Thailand


Border Battlefield where a BHQ contingent is based, issued a petition from Preah Vihear Temple in the name of its officers and men backing the demand that Kem Sokha be removed as assembly vice chairperson.370

Anti-Kem Sokha gatherings ensued in his area of military and political authority, such as in Kok Man commune of Banteay Ampil district in Oddar Meanchey province on the afternoon of October 26. Both heavily armed members of the military in uniform, including from RCAF Intervention Division 2, and people dressed in civilian clothes demonstrated against Kem Sokha. Some protesters also called for the expulsion of then CNRP President Sam Rainsy from the National Assembly.371

In 2016, Kun Kim continued to combine his role as Chief of the RCAF Mixed General Staff and member of the CPP top leadership to give politically motivated orders to units directly under his authority, such as when he instructed Intervention Brigade 1 in May that it must cooperate with local authorities to “absolutely oppose any and all persons possessed of tricks and creating turmoil” deemed to be detrimental to the government.372 Similarly, he instructed Military Region 1 troops “not to allow a color revolution by a small handful of evil persons coming to conduct incitement, to break things up, create turmoil, or make


On July 8, 2016, he instructed Intervention Division 3 to carry out Pol Sareoun’s July 5 Supreme Commander order to “eliminate and dispose” those with an opposition mentality. That same day, he was invited to participate by video link in Hun Sen’s weekly meeting of the Council of Ministers, an unprecedented move that further elevated his political profile.

Also in 2016, in his capacity as Secretary-General of the Veterans Association of Cambodia with nationwide authority, Kun Kim toured the country giving its members orders “to absolutely oppose those doings” that the government deems politically “evil incitement or provocation leading to the breakup of national society,” saying it is the duty of association members to obey so as to “preserve the peace” in Cambodia and to “not allow a small handful of ill-intentioned persons to destroy it.”

In late 2016, Kun Kim reiterated the role of the military as a bulwark for the maintenance of what he characterized as “the security and the good order of the national society.” He emphasized his function as the delegate of Hun Sen in ensuring the military fulfills this role and promising that RCAF would “firmly oppose all deeds of dishonest and unethical persons who are constantly engaged in fabrication, distortion and demagoguery with the...
evil intent to overthrow the Royal Government,” the toppling of which “via any format whatsoever” must be opposed.\textsuperscript{377} In April 2017, he specified to the RCAF Navy that this is also its job.\textsuperscript{378}

Kun Kim has persisted in describing the role of the Veterans’ Association similarly, calling on all its members to join together to maintain peace and “tranquility” and to “do whatever is to be done” to prevent a reversal of Hun Sen’s policy successes.\textsuperscript{379} He has explained that this includes acting as the “agents, eyes, and ears” of the security forces at the local level in the provinces and liaising with them in Phnom Penh.\textsuperscript{380}


veterans to see Hun Sen as a “leader endowed with all the essential attributes of a noble nature and overflowing with the virtue of kindness.”

Since at least late 2016, Kun Kim’s deputy as Secretary-General of the Veterans’ Association has been Hun Sen’s eldest son, Lt. Gen. Hun Manet. Kun Kim has meanwhile also continued openly to function simultaneously as a member of the CPP Central Committee Standing Committee and “a high-ranking military official” in overseeing CPP work in Oddar Meanchey, the province where he is directly responsible for party work, including preparations for elections in 2017 and 2018.

Most recently, Kun Kim has repeatedly declared his backing for the all-out destruction of the CNRP and its alleged color revolution plots that began with the arrest of Kem Sokha. Speaking in his capacity as Secretary General of the Veterans Association, he said he was speaking on behalf of its entire membership to express “great fury” and “utter condemnation” of Kem Sokha’s “traitorous conduct” and total support for the measures taken against him “and his confederates” for their “unforgivable” crimes. On October 13, 2017, he addressed a Brigade 911 training session with instructions that it must
“absolutely oppose every evil ambition of wanting to make a color revolution.”385 He repeated this message in an October 17, 2017 speech to RCAF Intervention Brigade 1 in Kampong Chhnang.386 On October 24, 2017, he ordered RCAF Division 11 in Takeo province to “unite in the fight to absolutely oppose things intended to generate instability and to make a color revolution, as have been arranged by the leaders of the opposition party, Kem Sokha and Sam Rainsy.”387 Speaking in his dual capacities as Chief of the RCAF Mixed General Staff and Secretary General of the Veterans’ Association and in the names of all active-duty and retired military personnel, Kun Kim on November 16, 2017 declared full support for the Supreme Court judgment dissolving the CNRP on account of its unforgivable involvement in “treason” and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”388
III. Gen. Sao Sokha, Commander of National Gendarmerie; RCAF Deputy Supreme Commander

Sao Sokha in 1977-1978

Sao Sokha’s official birthdate is November 1, 1961 and place of birth is in Svay Rieng province.\(^{389}\) In a 2000 interview, he said that his parents were farmers. He studied up to grade 5. He had five siblings, but all were killed during the Khmer Rouge period.\(^{390}\) He went to Vietnam in late 1977 during a Vietnamese army incursion against the Khmer Rouge into Svay Rieng.\(^{391}\) In 1978, the Vietnamese assigned Sao Sokha to work for Hun Sen, for whom he became a bodyguard.\(^{392}\) He also acted as Hun Sen’s courier in a “mobile unit” and was placed in one of the fledgling anti-Pol Pot Khmer Rouge battalions Hun Sen was setting up in Vietnam.\(^{393}\)

Sao Sokha and the PRK/SOC, 1979-1991

After the creation of the PRK in January 1979, Sao Sokha was assigned to its army Division 1, tasked to defend Phnom Penh.\(^{394}\) It comprised four battalions, including Battalion 246, its main unit and one of those set up by Hun Sen in Vietnam.\(^{395}\) Division 1 was the core for the organization and recruitment of the PRK’s re-established Communist Party youth league in the RPAFK, which was directed by the Supreme Political Commissariat of the Ministry of National Defense.\(^{396}\) Sao Sokha played a role in these political strengthening


\(^{390}\) Brad Adams interview with Sao Sokha, February 22, 2000, Phnom Penh.

\(^{391}\) Ibid.; Peter Bartu interview with Sao Sokha, Phnom Penh, December 11, 2007.

\(^{392}\) Ibid.


\(^{394}\) Phnom Penh Radio, February 17, 1979; SPK, March 22, 1979; Phnom Penh Radio, April 8, 1979.

\(^{395}\) COHCHR, interview with security force officer, March 16, 2004; “Part of History” (Một phần lịch sử), QDND.

\(^{396}\) Phnom Penh Radio, December 8, 1979.
activities among military youth. Division 1 also conducted military and political training of new recruits for other PRK military units throughout the country.

In addition, Division 1 was active in operations in and around Phnom Penh to “strengthen the revolutionary power” of the PRK administration by suppressing alleged enemies “disguised among the people” and “crushing” persons the then-ruling RPPK deemed “reactionaries,” claiming as of June 1980 to have arrested 155 political enemies. Under the PRK, these included not only insurgent remnants of the Pol Pot-led Khmer Rouge but many other anti-PRK groups, armed and unarmed. During the remainder of 1980, Division 1 was increasingly split into contingents deployed to fight in the countryside. In 1981 it was decommissioned and provided forces for other units of the RPAFK, including the Phnom Penh-based Regiment 70, to which Battalion 246 was transferred.

Sao Sokha was then sent to Vietnam for advanced education. He returned to Cambodia in 1983 and rejoined the Ministry of National Defense Supreme Political Commissariat, where he lectured military personnel to ensure their political loyalty to the RPPK and helped expand party membership. This ideological work included teaching that action by the army to root out the enemy’s “clandestine forces” among the people was at least as important as conventional military operations. Trainees were also told that the military was responsible for maintaining social order. Pursuant to such political education, RPAFK units arrested many alleged “enemy spies” in the 1980s and early 1990s.

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397 RGC, “Four Gold Star General Sao Sokha.”
398 SPK, March 1, 1980; Phnom Penh Radio, March 5, 1980; Phnom Penh Radio, April 23, 1980; Phnom Penh Radio, April 26, 1980.
399 Phnom Penh Radio, June 18, 1980.
400 Phnom Penh Radio, October 17, 1980.
By the late 1980s, Sao Sokha also became involved in Ministry of National Defense intelligence operations, which were the purview of the “Research Commissariat” under the ministry’s Supreme General Staff. It had the authority to arrest people throughout Cambodia, including those who were suspected of enemy activities in the armed forces and the Ministry of National Defense, as well as other persons whose activities affected the military. In 1990, Sao Sokha was deployed on temporary duty with RPAFK Division 196, then fighting in Battambang province of western Cambodia. Like other RPAFK units, Division 196 conducted political arrests.

From 1979 to 1991, Sao Sokha was thus much involved with PRK entities that were integral to campaigns of arrest and detention on political grounds, which were almost universally without charge or trial and were characterized by the use of torture. The PRK’s prisons included military-run facilities at the national, regional, provincial and unit levels. Suspected enemy “links” and scouts arrested by commune and village militias were also handed over to higher level military officials. At the national level, the Research Commissariat sometimes placed prisoners in the PRK military stockade set up in the Tuol Sleng quarter of Phnom Penh, but it also had a special detention center in Tuol Kork district and a number of small secret detention centers. Some of the people the Research Commissariat interrogated were eventually transferred to the infamous Ministry of Interior/Phnom Penh Municipality prison known as T3.

Sao Sokha in the UNTAC and Post-UNTAC Period, 1991-1996

During UNTAC, Sao Sokha was tasked to liaise with the UN armed forces in Kampong Thom province, a key battleground with the Khmer Rouge. After the elections in May 1993, he was assigned to the newly formed Royal Khmer Gendarmerie (GRK). He was among the first officers from the CPP to join the GRK and became deputy commander of its national

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409 Interview with Sao Sokha, December 11, 2007.
411 Amnesty International, Political Imprisonment; LCIHR, After the Worst.
412 Ibid.
413 RGC, “Four Gold Star General Sao Sokha.”
forces upon its formal inauguration in November 1993.\textsuperscript{414} He was also chairman of its General Staff, with direct command over the national mobile intervention gendarmes, which included infantry, armor and motorcycle squadrons.\textsuperscript{415}

Sao Sokha and the GRK rose in Hun Sen’s estimation after Sao Sokha personally arrested other key CPP security force officers who attempted to overthrow Hun Sen and Prince Ranariddh on July 2, 1994. Sao Sokha was acting on a telephone call from Hun Sen, who had been informed of the attempted putsch by then-Phnom Penh Police Commissioner Neth Savoeun.\textsuperscript{416}

As the GRK expanded in 1994-96, UN human rights monitors recorded its involvement in predatory crimes ranging from roadside extortion to trafficking in narcotics. By 1996, the monitors were documenting multiple serious GRK human rights violations, including murders, torture and other ill-treatment.\textsuperscript{417} The GRK was also linked to illegal business activities, sometimes leading to violent confrontations with the police.\textsuperscript{418}

\textbf{Sao Sokha and the Hun Sen Coup of 1997}

The GRK and Sao Sokha played crucial roles in Hun Sen’s July 5-6, 1997 coup against FUNCINPEC and the run-up to it. A main target of Hun Sen’s operations was leading FUNCINPEC general Nhek Bunchhay. Pre-coup CPP military moves on FUNCINPEC included a gendarme attack on a FUNCINPEC base in Prek Ta Ten north of Phnom Penh.\textsuperscript{419}

On July 5-6, Hun Sen’s coup command center for Phnom Penh proper was headed by National Police Supreme Commissioner Hok Longdy, to whom GRK national commander

\begin{thebibliography}{99}
\bibitem{414}RGC, “Chronology of the Royal Gendarmerie;” RGC, Sub-Decree 11 ANKr, March 8, 1994; History of General Sao Sokha; RGC, Sub-Decree 17 ANKr, November 18, 1993; RGC, Sub-Decree 77 ANKr, December 21, 1994.
\bibitem{416}Interview with gendarme officer, November 10, 1995; Interview with Sao Sokha, December 11, 2007; Damnoeng Pel Preuk, July 5, 1994.
\bibitem{417}COHCHR, “‘Human Rights Violations by Members of the Security Forces’ (a memorandum to the High Commissioner for Human Rights),” February 27, 1996.
\bibitem{418}Ibid.
\bibitem{419}Interview with FUNCINPEC officer, July 2, 1997.
\end{thebibliography}
Kieng Savut and his deputy Sao Sokha were subordinated, along with Neth Savoeun. This was not the established RCAF hierarchy, upon which Hun Sen could not rely. Instead, it was a political structure created for the purpose of the coup fighting in which the effectiveness of the relatively well-trained gendarmerie was a decisive element and during which Sao Sokha was at times in direct contact with Hun Sen on tactical matters. From Hun Sen’s perspective, the titular head of the GRK, Kieng Savut, did not perform well in the fighting. Instead, Sao Sokha emerged to save the day, personally leading troops to defeat FUNCINPEC in western Phnom Penh.

Sao Sokha also led follow-up attacks that bottled up FUNCINPEC positions elsewhere in the capital, compelling FUNCINPEC officers to flee in disarray. Sao Sokha’s troops pursued these “anarchy forces,” and whom he ordered coup forces to “sweep … cleanly away and dispose of,” using a common Khmer Rouge euphemism for execution. Hun Sen’s victory was thus immediately followed by a wave of extrajudicial killings, cremations of unidentified bodies under suspicious circumstances, torture, and arbitrary detentions, most of the victims being members of FUNCINPEC security forces. The then-Special Representative of the UN Secretary-General for Human Rights in Cambodia, Thomas Hammarberg, reported that the GRK headquarters in Tuol Kork had been used to detain, torture and execute individuals. UN human rights investigators also found that at least 30 captured FUNCINPEC soldiers were detained by the GRK for interrogation at its Kambaul gendarmerie school, where they were tortured. They were then transferred to a holding center near Pochentong airport for “re-education.” In addition, Sao Sokha aided and

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420 Brad Adams interviews with CPP and FUNCINPEC military officials; Interview with Hun Sen, September 21, 2007.
422 Interview with Hun Sen, September 21, 2007.
423 Brad Adams interviews with CPP military and civilian officials.
424 Brad Adams interview with foreign military attache.
abetted attempts by other RCAF units to cover up their responsibility for extrajudicial executions of senior FUNCINPEC officers they had captured outside of Phnom Penh.429

GRK headquarters was also implicated in abusing a detainee in order to compel him to falsely testify against deposed FUNCINPEC commander Nhek Bunchhay, who had evaded arrest by Hun Sen’s forces. The detainee was a subordinate FUNCINPEC officer arrested by gendarmes in Phnom Penh and taken to Tuol Kork, where he was allegedly first tortured and threatened with death to compel him to write a “confession” implicating Nhek Bunchhay in illegal acts.430

According to Sao Sokha, “During the fighting the orders were given by political leaders. The normal military hierarchy didn’t work. If a soldier likes a politician he has to follow him. There was no hierarchy at all during this. I knew who I had to listen to. In a situation like this we have to know what side we are on.”431

As acknowledgment of his political loyalty during the coup, on July 24, 1997, Sao Sokha was designated an advisor to Hun Sen with the rank of a government under-secretary of state.432

The abuses in which the GRK was implicated prompted the UN secretary-general’s special representative for human rights in Cambodia to call for the GRK to be dismantled.433

Sao Sokha and the 1998 Elections

The GRK was also involved in the suppression of opposition party and popular protests alleging CPP-orchestrated fraud and irregularities in the July 1998 elections.434

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433 Report by Ambassador Thomas Hammarberg, Special Representative of the UN Secretary General for Human Rights in Cambodia, to the UN General Assembly, November 13, 1997. He stated: “Unless the Royal Gendarmerie is strictly and effectively brought under the rule of law, made to observe strict neutrality when carrying out its mandate, and demonstrates its professional effectiveness, it should be dismantled.”
Gendarmes were among the forces the CPP Phnom Penh Command Committee deployed against the protests. During the operations, security forces killed at least 21 people: some died as a result of excessive and unnecessary lethal force and others were extrajudicially executed in security unit custody. At least 60 others were injured. Among those killed were two people whose bodies were buried in shallow graves and had been tortured before being shot multiple times, execution-style. UN investigators found the two had been handed over by plainclothes police officers to a Phnom Penh Thmey district gendarmerie unit that killed them in custody on September 9.

Sao Sokha, 1999-2008

In May 1999, Sao Sokha was appointed National Gendarmerie commander. He has remained in this post ever since. The 1999 promotion appeared to be another reward for Sao Sokha’s political services to Hun Sen, the prime minister apparently having concluded he was much better at his job than Kieng Savut, who was moved to a non-command post at the Ministry of National Defense. This promotion was coupled with the naming of Sao Sokha as a member of a Hun Sen-created Committee for the Resolution of Strike and Demonstration Problems on All Fronts, which was tasked to “prevent and take effective measures to resolve all strike and demonstration problems” wherever they might occur.

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439 RGC, “Four Gold Star General Sao Sokha.”

440 Interview with security force officer, August 30, 2013; ECCC, “Note from General Em Saman, 11 September 2006.”

441 RGC, Decision Number 07 SSR, January 29, 1999.
This was aimed at the political opposition and the growing labor movement, which was largely made up of female garment workers.

Amidst ongoing and sometime serious tension with elements of the National Police, the GRK increasingly outclassed it in terms of operational effectiveness. According to a Cambodian human rights monitor, this included involvement in a steadily increasing number of human rights violations over the next decade.

Sao Sokha continued to take orders only from Hun Sen, including during the belated suppression of anti-Thai riots in January 2003, which resulted in the sacking and burning of the Thai embassy and many Thai-owned businesses. Gendarmes were only deployed once Hun Sen himself gave the word. Thereafter, with the next round of national assembly elections scheduled for July 2003, security forces were instructed to begin preparing to prevent or suppress any post-ballot demonstrations or other unrest. In late February 2003, some 500-700 police and gendarmes conducted anti-demonstration exercises as part of a cooperative effort to this end. This was coupled with a de facto ban throughout 2003 and beyond on most forms of peaceful assembly, such as strikes and protests about state-sponsored land-grabbing. This ban relied on a wilful misinterpretation of a 1991 law, wrongly maintaining that it allowed the authorities to ban demonstrations at will.

After the 2003 elections, mixed gendarme and police forces more and more often violently broke up gatherings and marches in Phnom Penh and the provinces attempting to ignore or defy the ban. They regularly applied excessive force in these operations, needlessly injuring students, workers and others, sometimes seriously. These operations also grew in size as they attempted to make the suppression more comprehensive. For example, on International Labor Day on May 1, 2006, gendarmes and police armed with assault rifles, batons, electric batons, pistols, tear gas, riot shields and fire trucks with water cannon

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442 Bartu, “Attachment C.”
444 Bartu, “Attachment C.”
barricaded all major roads into Phnom Penh in an attempt to prevent workers and others from rallying. From at least 2006, gendarmes began using live fire to disperse demonstrations.

In Phnom Penh and elsewhere, gendarmes also repeatedly participated in violent and illegal evictions of residents of land to which they either had rights or a claim to rights that had not been fairly adjudicated by the courts. They attempted to prevent human rights activists from documenting these abuses.

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monitors and journalists from observing such evictions and blocked villagers from gathering to protest such unfair trials. In March 2005, gendarmes were among security forces that opened fire during an eviction in Banteay Meanchey province, killing five people and wounding 40 others. In November 2007, they participated in a mixed eviction operation with police and army in Preah Vihear province during which a woman was shot to death while standing with her children, and a second person was also killed by gunfire. In March 2008, a gendarme contingent shot and wounded a protesting villager in Preah Sihanouk province.

By this time, senior gendarmes were allegedly heavily involved with illegal logging. Efforts by the chairman of the opposition Sam Rainsy Party’s committee on defense affairs, Cheam Channy, to look into such matters and other allegations of misconduct resulted in his arrest in February 2005 by the gendarmes on what became trumped-up charges that he was the leader of a conspiracy to form an “illegal army” to violently overthrow the government. He was convicted and sentenced to seven years in prison in sham trial by military court, although he received a Royal Pardon in 2006.


455 Interview with Cheam Channy, January 15, 2004.

In the run-up to the next election in July 2008, gendarmes blocked opposition party marching, shut down a provincial radio station that broadcast SRP and other opposition party programming, participated in hindering independent election monitoring, and arrested the editor of the SRP-affiliated *Moneakseka Khmer* newspaper, Dam Sith, after he published allegations relating to the activities of the government’s foreign minister while Cambodia was ruled by the Khmer Rouge.457

**Sao Sokha Further Promoted, 2009-2012**

After the 2008 elections, Hun Sen strengthened the GRK commander’s place within the security forces.458 Already an advisor to the prime minister and a member of the CPP Central Committee, Sao Sokha was elevated to the rank of a government minister.459 In January 2009, as part of a revamping of the RCAF leadership to bring the armed forces even more fully under Hun Sen’s control, Sao Sokha became an RCAF deputy supreme commander.460

Meanwhile, the reported instances of GRK involvement in human rights violations escalated, including new cases of participation alongside police and army units in forced evictions and excessive use of force in break-ups of rural and urban protests against land-grabbing.461 In one incident in Kandal province in January 2009, gendarme gunfire wounded two men.462 In another in Siem Reap province in March 2009, gendarmes wounded four unarmed villagers with live fire.463

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458 RGC, Royal Decree, NS/RPT/0908/1054, September 24, 2008.

459 RGC, Royal Decree, NS/RPT/1008/1083, October 4, 2008.

460 RGC, Royal Decree, NS/RPT/0109/061, January 22, 2009.


In October 2009, the CPP-dominated National Assembly voted in a new law on demonstrations with provisions the authorities have since misinterpreted to mean they have discretionary power to disallow any gatherings they deem potentially disruptive of public order. The CPP thus signalled to the GRK and other security forces that they continued effectively to enjoy license to repress exercise of the right to freedom of peaceful assembly at will, in particular if any attempt was made to exercise it outside of small “Democracy Plazas” (or Freedom Parks), the creation of which the law provided for.\(^{464}\)

With this came a further series of gendarme eviction and break-up operations, the latter still aimed primarily at land protesters and striking workers. Most of these were mixed force actions with the police and/or the army and sometimes involved shootings, beatings and arrests.\(^{465}\) On occasion, gendarmes and other security forces attempted to completely barricade off Phnom Penh to prevent protesters from entering the capital.\(^{466}\)

GRK abuses were accompanied by persistent gendarme efforts to use death threats and other intimidation to prevent investigations by journalists and civil society activists of allegations of illegal GRK business activities, amidst intensifying adverse public comment about gendarme participation in illegal logging and trafficking in precious wood.\(^{467}\)


gendarmes also shut down attempts by NGOs to conduct human rights and other lawful training seminars, which were arbitrarily deemed unlawful gatherings.468

Two particularly notorious incidents during 2012 involved the GRK. The first, on April 26, 2012, was the killing of Cambodian environmental activist Chhut Wutthy, which appears to have been directly connected to the GRK’s illegal business activities. He was shot dead after gendarmes and security guards from a company engaged in illegal logging stopped him from documenting such activities. Although the exact circumstances of his death remain unclear, a trial in the case appeared designed to shield those responsible for his death and further conceal their unlawful businesses.469 The trial judgments were based in part on the results of an investigation conducted by a committee established at the behest of Hun Sen, one member of which was Sao Sokha.470

In the second incident, in May 2012 gendarmes were among the mixed security forces that conducted a large-scale operation to suppress a supposed secessionist movement based in Prama village in Kratie province, where people were protesting alleged land-grabbing by a rubber company.471 The attack force shot dead a 14-year-old girl, Heng Chantha. While expressing his condolences for the girl’s death, Hun Sen justified the operation by baselessly claiming it had been necessary to suppress the supposed secessionism. He

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also complained that concern about the girl’s death should instead be directed against US atrocities in Afghanistan.  

Sao Sokha, the 2013 Elections, Their Aftermath, and Since

With the July 2013 elections approaching, the GRK was greatly upgrading its anti-demonstration capacity in “public order preservation training.” Carrying out Sao Sokha’s orders, this focused on how to concentrate large numbers of gendarmes to deal with urban protest and unrest scenarios, employing military assault rifles and armored vehicles together with tear gas and water cannon to confront demonstrators and arrest them at gunpoint, even when unarmed, as depicted in GRK publications. The training also stressed use of aggressive crowd control tactics, such as “push-back,” “attack and invade,” “block/block and stop” and “kettling.”

Even as new reports of GRK involvement in human rights violations surfaced, Sao Sokha openly stumped for the CPP and the continuation of Hun Sen as prime minister during the 2013 election campaign. He did so in his native Svay Rieng province as chairman of a CPP district working group assigned to the province.


Credible allegations that irregularities affected the final outcome of the election precipitated CNRP-led demonstrations in August 2013. The CNRP called for investigations, electoral reform, new elections, and for Hun Sen to step down. To deter and suppress the peaceful protests, the government began deploying large numbers of armed police, gendarmes and sometimes army troops in Phnom Penh and other towns. These deployments also aimed to prevent and break up strikes by workers demanding increased wages and improved working conditions.476

On September 15, 2013, the government deployed great numbers of police, gendarmes, and other security forces to stymie announced CNRP plans to begin a series of huge gatherings at Phnom Penh’s Democracy Plaza. Acting under orders from Hun Sen and Sao Sokha, among others, these security forces attempted to seal off the capital to prevent CNRP supporters from entering the city. Police and national and municipal gendarmes were reinforced by provincial gendarmes brought in from all over Cambodia on Sao Sokha’s instructions, so that gendarme contingents could concentrate at key points around Phnom Penh. However, by dawn the security forces were overwhelmed by the numbers of people appearing to attend the CNRP rally.477

The rally went ahead and went off peacefully, but the security forces remained in their positions and blocked CNRP supporters and tens of thousands of other Phnom Penh residents from going home afterwards. Gendarme and police reserves and other reinforcements armed with assault rifles and pistols deployed in the neighborhood of the Kbal Thnal and Monivong bridges, in southeast Phnom Penh, provoking social unrest. Various security force units and personnel opened fire with tear gas and eventually live rounds. One bystander was killed, probably by a police bullet. Gendarmes also fired live assault rifle rounds to disperse a crowd advancing on them from the location where the bystander had been killed, although no one was hit by this shooting.478

476 Ibid.
477 Interviews with Cambodian security force officers, September 15-16, 2013.
Gendarmes were also among the mixed forces who appeared at the scene of a fatal shooting by the police during efforts to break a strike by workers on November 12, 2013. After the victim, again a bystander, was killed by indiscriminate fire, municipal gendarme reinforcements then arrived to help the police secure the area. While so doing, the police and gendarme randomly beat many more young men in the area with truncheons. The beatings resulted in injuries to at least 26 people.479

Municipal gendarmes played the key role in the most serious round of post-election killings, again involving workers. Overnight on January 2-3, a special Phnom Penh Unified Command Committee headed by Justice (Judicial Police) Central Directorate Chairman Mok Chito deployed hundreds of municipal and district police and gendarmes to clear workers blocking roads in an industrial suburb of Phnom Penh. Violent clashes broke out, with some workers throwing rocks, sticks and petrol bombs and attacking property, while security forces, some of whom were injured, fired tear gas, smoke grenades, and, occasionally, live ammunition.480 On the morning of January 3, the Unified Command Committee authorities sent an even larger force of gendarmes to seize control of the area, some of whom fired their assault rifles indiscriminately, killing five people and arresting 10 others. The area was then occupied by troops of army Brigade 70. The 10 arrested were later tried, again despite no evidence against them, and sentenced to suspended prison terms. One of the other victims of the gendarme beatings later died of his injuries.481

On January 4, 2014, the government announced a complete closure of the Phnom Penh Democracy Plaza, using gendarmes and other forces to carrying out a clearing operation and then impose an arbitrary ban on freedom of peaceful assembly that remained in force until August 2014. From January until August, the park was barricaded by mixed security forces, including gendarmes.482

480 Ibid.
481 Ibid.
In a series of public statements in 2013 and 2014, Sao Sokha continued to make his pro-CPP position on the elections and their aftermath entirely clear. Just after the elections, on August 2, 2013 he convened a meeting of more than 500 gendarme officers from throughout Cambodia at which he declared the elections had been “free, fair and transparent,” thus supporting the official results and dismissing concerns about fraud and irregularities. In October, he again endorsed the official results and ordered all gendarmes to do so. During a gendarmerie weapons exercise on October 16, 2013, Sao Sokha said that “those who love the nation” were ready “to fight against any turmoil,” while also explaining that the “strong military presence” in Phnom Penh was there to “organize the security” of the capital. At the same time, he proclaimed that the deployment had made then CNRP President Sam Rainsy “afraid,” condemning him as a “slave” of foreign interests for at times having urged foreign governments to cut aid to Cambodia.

A little more than two weeks after the January 3, 2014 killing of workers by gendarmes, Sao Sokha spoke at the GRK annual conference. Referring to demonstrations and calls for Hun Sen to step down, he defended Hun Sen as the legal chief of government and blamed the violence and deaths on “third persons” and “extremist groups” whose members had “organized incitement out of a desire to overthrow the Royal Government.” In a speech at national gendarme headquarters in Phnom Penh on April 1, 2014, Sao Sokha issued a new order to all gendarme commanders to counter CNRP’s ongoing post-election demands by increasing gendarme action to defend public order. He suggested the CNRP might be pursuing a policy of using terrorism to back its demands and asserted that, in any case,
assenting to a change in Cambodia's leader as demanded in demonstrations could only have negative results for the country.487

On July, 21, 2014, Sao Sokha returned to Svay Rieng in his capacity as chairman of the district CPP working group, accompanied by gendarme subordinates also making the trip as CPP organizers, and called on the provincial gendarmerie to implement CPP policies.488 At a national GRK meeting on December 30, 2014, he called on gendarmes throughout the country to take timely action against what he condemned as “movements that bring about an adverse effect upon social stability and proper social order.”489

At the GRK annual conference on January 15, 2015, Sao Sokha justified gendarme actions during January 2014 as necessary in order to deal with demonstrations by the opposition. He described these gatherings as a “trick of the destroyers” intended to “push Cambodia into turmoil” and bring about political change, including the fall of the government of Hun Sen. Speaking of his counter-actions, Sao Sokha said that his tactics reflected negative lessons learned from the military conduct of Adolf Hitler and Vietnamese Communist guerrillas, declaring, “[S]peaking frankly, I learned from Hitler” and explaining that the best approach in dealing with adversaries was to use large forces to definitively defeat smaller ones, thereby reversing the war doctrine CPP armed forces had previously learned from Vietnamese mentors.490 Sao Sokha’s remarks reflected RCAF strategic doctrine according to which Hitler had brought about his own destruction by simultaneously fighting too many enemies during World War II.491


491 Sowath, Win-Win Policy, p.330.
Meanwhile gendarmes in Phnom Penh and the provinces have continued to break up or block peaceful gatherings, marches, protests and strikes, including CNRP events, sometimes using excessive force; participated in often violent evictions; and threatened those attempting to expose their allegedly illegal business activities.492

In 2015 and 2016, Sao Sokha continued to be involved in so-called CPP grassroots strengthening and otherwise openly to function as a promoter of CPP and Hun Sen’s rule, presenting the prime minister as Cambodia’s greatest leader since the kingdom’s glorious Angkor era and suggesting his replacement would result in a repeat of Pol Pot’s genocide. This reflected not only his CPP Central Committee membership, but also his September 2015 appointment to the party’s newly reestablished central Propaganda and Education Committee, a body specifically tasked with helping to ensure a CPP victory over the CNRP in upcoming elections.

In late 2016, Sao Sokha ordered a new round of training of national and other gendarmes, including those of Phnom Penh, in how to deal with groups deemed to threaten “security and public order.” This included practice in training firearms on protesters and using fire cannon against them. The GRK by this time had also acquired armored personnel carriers that Sao Sokha’s spokesperson confirmed could be used in operations “for public order and to protect security” and for which they appeared to be specifically outfitted.

In this period, Sao Sokha called on gendarmes to vote “correctly” in upcoming elections, an admonishment that his spokesperson confirmed referred “to the prime minister who has led us well – Prime Minister Hun Sen, who had led the country to have development..."
today.” Sao Sokha meanwhile oversaw CPP organizing and proselytizing activities in parts of his native Svay Rieng province.

Sao Sokha has unreservedly endorsed the complete destruction of the CNRP that began with the arrest of its leader, Kem Sokha, on September 3, 2017, and continues to the present on the false pretext that the party was attempting to carry out a treasonous color revolution. He immediately declared support for the detention of Kem Sokha.

At a training session for gendarme officers on October 5, 2017, he said they must follow orders “in particular absolutely not to allow a color revolution” and instead defend the government led by Hun Sen.

On November 16, 2017, shortly after presiding over a meeting of CPP members in Svay Rieng province, he declared his full support and that of all gendarmes for the Supreme Court judgment dissolving the “traitorous” CNRP and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.” On December 6, 2017, he denounced the exiled Sam Rainsy as a traitor and declared that the GRK was “absolutely loyal” to Hun Sen.

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IV. Gen. Neth Savoeun, Supreme Commissioner of National Police

Neth Savoeun in the PRK and SOC, 1979-1991

Neth Savoeun’s official birthdate is February 18, 1960.503 He was one of the earliest members of the PRK People’s Police and became a senior interrogator with the Phnom Penh Municipal Police.504 He quickly rose higher in the police ranks to become chairman of the municipal police’s administrative office, then head of its Criminal Bureau.505 By 1983, he was first vice chairperson of the capital’s police.506 In this period, the municipal police were engaging in arbitrary arrests of large numbers of people for political and other reasons.507

In 1984, one former police colleague explained his promotion to this post this way: “Neth Savoeun of the Phnom Penh Municipal Police became a big shot because he was so awfully brutal at interrogation. He even shot people during interrogation. Previously, he was head only of the criminal section, but because he was so bloodthirsty, he has gotten constantly promoted in status and is now first deputy director. He now carries out interrogation of the most important cases, not only criminal but also political. Sometimes, when he is bored, he will call someone in for a beating just for fun. Nobody dares protest his actions because everyone’s scared of him and his power.”508


504 With identification card number 0066. See RGC, Royal Decree, NS/RKT/1108/1234, November 18, 2008; Amnesty International, notes entitled “Compilation of Data on Prison/Camp Personnel and Units or Organization with Authority to Carry Out Arrests and Interrogations,” June 1986, prepared for Amnesty International, Political Imprisonment.


508 LCIHR, notes on interviews with former Phnom Penh municipal police officers, Thai-Cambodian border, October 1984, prepared for LCIHR, After the Worst.
While still in charge of the Phnom Penh Police Criminal Bureau, Neth Savoeun generally oversaw the torture of arbitrarily arrested detainees held without trial in the municipal “P.J.” (for “police judiciaire,” after its original, pre-1975 function) jail. Some of these detainees were sent for summary execution in the initial period of the regime because they were deemed to be resisting interrogation. Some prisoners died in detention and were buried behind the P.J. compound. Neth Savoeun also allegedly presided over systematic police extortion, kidnapping for ransom and bribe-taking in the capital.

Discussing municipal police use of torture, a former officer commented that although it was formally forbidden, in practice it was condoned and even encouraged by senior PRK and Vietnamese security force personnel advisors, who sometimes mocked proscriptive regulations and lessons as useful fictions that in fact made it easier to torture, while claiming it was not happening. The torture techniques applied to both alleged common criminal and political detainees included electric shock and plastic bag suffocation. Forced “confessions” were used as a basis for further arrests.

In addition to the P.J. jail, suspects were held without trial and often tortured in other detention centers over which the municipal police exercised control. These included the Phnom Penh section of the national prison in the capital known as T3, a re-education camp at Prey Sar on the outskirts of town, and various temporary detention facilities at the district and commune levels.

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Neth Savoeun and UNTAC, 1991-1993

By the time of the October 1991 Paris Agreements, Neth Savoeun had been promoted to the top of the Phnom Penh police force, being styled as Police Commissioner.\(^5\) He had also married Hun Kimleng, a daughter of Hun Neng, the older brother of Hun Sen and the governor of Kampong Cham province.\(^6\) In the capital, Neth Savoeun worked as part of the CPP municipal committee, including Phnom Penh’s then First Deputy Governor, Hok Longdy, to whom he was said to be particularly close. Neth Savoeun worked with Hok Longdy in carrying out operations to threaten and intimidate political parties competing with CPP to win the UNTAC elections.\(^7\)

Neth Savoeun in 1993-1997

According to senior FUNCINPEC officials, Neth Savoeun was so deeply implicated in violence against its party members during the UNTAC period that FUNCINPEC told the CPP that it would not agree to any formal role for him in the post-UNTAC coalition government.\(^8\)

In July 1994, Neth Savoeun played a key role in foiling an attempted coup against Hun Sen by CPP elements dissatisfied with his domination of the party.\(^9\) Following the arrest and removal of key coup organizers, Neth Savoeun became instrumental in Hun Sen’s subsequent long-term attempts to bring all security forces, including the police, under his control.\(^10\)

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\(^8\) Brad Adams interviews with senior FUNCINPEC officials, 1999-2000.

\(^9\) Damnoeng Pel Preuk, July 5, 1994.

\(^10\) Bartu, “Political Situation.”
Through Neth Savoeun and Hok Longdy, who was appointed National Police Supreme Director in August 1994, Hun Sen subverted the formal National Police chain of command, almost totally bypassing FUNCINPEC police officers and also marginalizing CPP Minister of Interior Sar Kheng, his party rival who had been implicated in the failed coup.\(^{521}\) Both were allegedly among the orchestrators of a series of political assassinations and attempted assassinations, kidnappings and other acts of political violence targeting media, union and other critics of Hun Sen.\(^{522}\) Neth Savoeun was suspected of being involved in the March 30, 1997 grenade attack on Sam Rainsy.\(^{523}\)

**Neth Savoeun, Hun Sen’s 1997 Coup and the 1998 Elections**

During Hun Sen’s July 1997 coup, Neth Savoeun was reportedly a field commander for armed forces that attacked the opposition in downtown Phnom Penh, operating alongside Hok Longdy, who oversaw an ad hoc command structure in that part of the capital that also included National Gendarmerie Deputy Commander Sao Sokha.\(^{524}\) Neth Savoeun was allegedly also among the organizers of the post-coup assassination of remnant FUNCINPEC stalwarts within the government carried out by police death squads in the run-up to the next national assembly elections, which were held in July 1998.\(^{525}\)

Neth Savoeun was then a member of the ad hoc “command committee” headed by CPP Phnom Penh Deputy Governor Chea Sophara that oversaw the violent suppression of demonstrations protesting fraud in the July 1998 national assembly elections. Acting under orders from Hun Sen himself, his special envoy Kun Kim, Hok Longdy and Sao Sokha, the committee deployed security forces, including Phnom Penh police forces, against these August-September 1998 protests, some of which were organized by FUNCINPEC and the SRP, some of which were without such direction. Security forces killed at least 21 people, including some who died as a result of excessive use of lethal force and others extra-

\(^{521}\) RGC, Sub-Decree 94 ANKr, August 23, 1994; Interview with senior Ministry of Interior official, June 30, 1997.

\(^{522}\) Brad Adams interviews with CPP civilian and police officials, Phnom Penh, 1999-2002.


\(^{524}\) Brad Adams interviews with multiple CPP military, police, and civilian officials. Brad Adams interview with senior FUNCINPEC military officials; Interview with Hun Sen, September 21, 2007.

\(^{525}\) Brad Adams interviews with confessed participant and other CPP police officers and officials, [n.d.].
judicially executed in security unit custody. At least 60 other people were injured during their suppression operations.

Neth Savoeun, 1999-2008

By 2000, Neth Savoeun had left the post of Commissioner of Phnom Penh Police to become Director of the Justice Central Directorate, responsible to Hok Longdy for the national-level judicial police investigating general and economic crimes. He continued to be involved in politically motivated repression of political opposition to CPP, such as the arbitrary detention of what CPP deemed a politically disloyal ministry of interior official, who was removed from his post after release.

In February 2003, in the wake of violent anti-Thai riots in Phnom Penh that included the sacking of the Thai embassy, located across the street from the Ministry of Interior, Neth Savoeun was named one of several deputy heads of what by this time had been rechristened as the Supreme Commissariat of National Police. Neth Savoeun was also moved from the Justice Central Directorate to the Security Central Directorate, working at this key unit to maintain Hun Sen’s power until it was taken over by Sok Phal in July 2003.

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528 RGC, Decision 64 SSR November 28, 2000.


530 Chakraval, February 1, 2003; “Police Reshuffle Reflects Riots, Old Alliances,” Cambodia Daily, February 7, 2003; Note to the ECCC from General Em Saman, September 11, 2006; RGC, Sub-Decree 28 ANKr, 18 January 2002.

531 COHCHR, biographical compilation, 2003; RGC, Sub-Decree 666 ANKrTT, July 11, 2003.
Neth Savoeun as National Police Supreme Commissioner, 2008-present

Neth Savoeun’s installation as Hok Longdy’s deputy was widely seen as positioning him possibly to one day advance to the top post. He replaced Hok Longdy after Hok Longdy died in a helicopter crash in November 2008, at which time he was promoted to full general. The official police chain of operational command over municipal, provincial and other local police formations had meanwhile been rejigged in a June 2006 ministerial decision to bypass Hun Sen’s CPP rival, Minister of Interior Sar Kheng, instead going from Hun Sen as prime minister to these forces via a designated secretary of state at the ministry. This same decision took away the Supreme Commissioner’s legal control over the national police Security Central Directorate. However, it left him with direct authority over the center-level judicial police of the Justice Central Directorate; the Public Order Central Directorate (including the center-level administrative, public order and security of society police); a center-level intervention police department, including anti-demonstration forces; and a Command Constabulary.

Since Neth Savoeun’s ascension to the top of the National Police Supreme Commissariat, police officers attached to it have been involved, alongside Security Central Directorate police and sub-national police forces, in the investigation or arrest and subsequent imprisonment after politically motivated trials of people falsely charged with involvement in insurrectionary plots. These have included human rights activists targeted in order to punish them for their human rights defense work, such as Leang Sokchoeun, sentenced to two years in prison in August 2010. They also included 13 people sentenced to prison...

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533 RGC, Decision 494 SSR, June 26, 2006.


535 Ibid.

terms in April 2014 in connection with alleged but unproven activities on behalf of the Khmer National Liberation Front movement.537

Neth Savoeun’s center-level judicial police have also been involved in the arbitrary arrest of people protesting land-grabbing by businesses closely linked to high-ranking government officials, such as the KDC company owned by the wife of Suy Sem, currently Minister of Mines and Energy.538 Center-level intervention police contingents have participated in the forceful break-up of industrial action by factory employees, seriously injuring workers, and in the forceful eviction of urban poor from their residences after they were denied adequate compensation for relocation, as in the ongoing case of residents of the Borei Keila area of Phnom Penh.539 In addition, they have been implicated in attempts to cover up arbitrary detention and ill-treatment of Cambodians recruited by politically connected firms to go abroad as migrant laborers, as in a 2011 case involving the T&P Company.540

Neth Savoeun, the Elections of 2013, and Since

Before, during and after the July 2013 national assembly elections, Neth Savoeun consistently displayed pro-CPP partisanship. During the campaign, he oversaw the party activities of a CPP work team assigned to three districts of Prey Veng province, explaining at a meeting there that it was the duty of all CPP higher-ups such as himself to engage in such grassroots work. The leader of the Works Team explained that such units provided reports on the local situation to superiors like Neth Savoeun.541 At a police gathering in early March 2013, Neth Savoeun said that there would likely be many problems in

538 Ibid.
connection with the elections, because “foreigners are aiming and amassing in order to strengthen the contrary or opposition parties vis-à-vis the power-holding party.”

Starting in August 2013, the government deployed large numbers of armed police, gendarmes and sometimes army troops in Phnom Penh to deter and suppress CNRP demonstrations and other gatherings, such as strikes by workers demanding increased wages and improved working conditions. In September and November 2013 and again in early January 2014, center-level and other police forces, including Command Constabulary contingents, answering to Neth Savoeun, operating alongside gendarmes and sometimes backed by army units, engaged in attacks on protesters, strikers and rioters, killing several and injuring and arresting many, justifying their actions in the name of maintaining social order and public security and punishing lawbreakers. At least seven deaths resulted from excessive or unnecessary lethal force by the gendarmes and police, including by shooting into crowds using live ammunition.

Neth Savoeun has publicly proclaimed his support for these security force actions, while continuing to display his loyalty to the CPP and condemn the opposition. On March 14, 2014, he praised the police for their many feats during various “confrontations” arising from the “abnormal” CNRP demonstrations, which he said constituted “incitement” aimed at overthrowing the government. On April 6, 2014, declaring he was speaking on behalf of the whole of Cambodia’s police forces, he condemned CNRP President Sam Rainsy,
baselessly accusing him of having committed illegal acts. Conversely, in birthday wishes dedicated to Hun Sen on April 2, 2014, Neth Savoeun described him as the “supreme genius in the leadership of Cambodia,” including with regard to the maintenance of social order in the country.

In a speech on May 13, 2014, Neth Savoeun lamented that the security situation in the country had deteriorated in 2014 as a result of demonstrations about land and housing disputes, human rights issues, and labor legislation. He said these problems had arisen because of infiltration of these events by politicians, civil society and a number of unions, which he spuriously declared had intentionally fomented violence. He praised the police for having dealt with these “poisonous manoeuvers” by restoring public order, stressing the police had done so in cooperation with the municipal authorities and the GRK. He specified that 23 “anarchists” who had instigated, incited, or directly perpetrated violence had been arrested during the course of these security force operations. In fact, there was no evidence that any of the 23, who included well-known human rights defenders, had committed any recognizably criminal offense, but they were nevertheless convicted to prison terms, although their sentences were suspended.

As part of an escalation of government suppression of the opposition during the second half of 2015, an arrest warrant was issued on November 13, 2015 for CNRP President Sam Rainsy. The warrant authorized enforcement of a prison sentence originally pronounced against Rainsy on April 25, 2011, when he was convicted on a politically motivated, trumped-up indictment for incitement to discrimination in connection with remarks he had made regarding a senior government official’s role under the Khmer Rouge regime. His

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remarks had also been the subject of complaint by this official to a French court, but the French court of cassation had ruled on April 27, 2011 that they “did not go beyond the admissible limits to freedom of expression in criticizing a politician.” Sam Rainsy was outside Cambodia at the time of the warrant and opted not to return to the country. On November 15, 2015, Neth Savoeun was named to a committee chaired by Ministry of Interior Secretary of State in Charge of National Police and Central Directorate for Security Gen. Em Sam-an; the committee was tasked with arresting Sam Rainsy whenever it becomes possible to do so.

During 2016, Neth Savoeun continued to operate publicly as a CPP official, disseminating party policies, carrying out activities in support of CPP efforts to win upcoming elections, and voicing his support for Hun Sen’s continuation as Cambodia’s leader. The prime minister, for his part, has warned that if the CNRP ever tries to remove Neth Savoeun, the Supreme Commissioner would mobilize his police to prevent it. In June 2016, police from all over the country began gathering at a National Police school in Kampong Speu province for further “anti-demonstration” training sessions under Supreme Commissariat auspices and scheduled to last through September.

Soon after the CPP Central Committee conference of December 2016, Neth Savoeun dispatched a subordinate to do CPP grassroots strengthening work on his behalf. From

mid-October to the end of November 2016, his National Police forces underwent a 45-day training course on riot control aimed at preventing and suppressing what it characterized as “incitement” to foment a “color revolution.” In this period, Neth Savoeun reiterated that a primary function of the police is to preserve “the security and good order of society,” reaffirming that in practice its usual operational partner in conducting such police actions was the gendarmerie under the command of Sao Sokha nationally and their respective subordinates locally, in line with the mixed force doctrine.

A February 2017 Ministry of Interior report reviewing the 2016 accomplishments of the National Police praised them for having successfully dealt with what it called “extremist groups that are continuing to nurture an ambition to conduct incitement with the intention of creating turmoil, disorder, and instability,” which it said were behind many demonstrations, including those using the pretext of raising “human rights issues.” For his part, Neth Savoeun, presiding at a Phnom Penh gathering the same month summing up...
the 2016 activities of his deputy Chuon Sovan’s Phnom Penh police, congratulated them on their work in 2016 in this regard.\footnote{559}

Neth Savoeun meanwhile personally carried out election-preparation activities as chairperson of a work team for Svay Antor and Kanhchriech districts of Prey Veng province, while again dispatching police subordinates to perform such work on his behalf.\footnote{560}

Neth Savoeun and forces under his command have played direct roles in the measures taken to destroy the CNRP. At the end of August 2017, he was assigned to investigate foreign support for the supposed CNRP color revolution.\footnote{561}

On the day the police took Kem Sokha into custody, all the senior and ordinary police officers of Neth Savoeun’s Supreme Commissariat of National Police condemned Kem Sokha’s “traitorous conduct” and “collusion with foreigners” and affirmed their support for his arrest.\footnote{562}

On October 18, 2017, the Supreme Commissariat of National Police disseminated a presentation based on material collated by Chhay Sinarith, one of Neth Savoeun’s deputies there, purporting to show the structure and organization of the color revolution plot, with the CNRP playing the key role but also including various international NGOs, Cambodian NGOs, and Cambodian media outlets, as well as a number of US government and US-government supported


\footnote{561}{Government to probe CNRP funding as part of investigation into ‘colour revolution,’ Thursday, August 31, 2017.}

\footnote{562}{ពិសោធន៍ព្រេះសារេវិង្គស្តែង ប្រៃការងារស្តែងវិជ្ជាគោលដៅស្តែង រាជការ អ៊ីនាវ ធរណៈការគ្រែកការពាររបស់}
On November 16, 2017, Neth Savoeun and “all police throughout the country” proclaimed their full support for the Supreme Court judgment dissolving the CNRP on account of its involvement in “treason” and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”

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V. Lt. Gen. Chea Man, Deputy Army Commander, Commander of Military Region 4

Chea Man in the PRK, 1979-1991

Along with Sao Sokha and Choeun Sovantha (see profile below), Chea Man, whose official birthdate is September 15, 1952, was present with Hun Sen in Vietnam in 1978 after Hun Sen had fled to Vietnam. As head of “Command Committee 578,” Hun Sen was then setting up armed units to fight Pol Pot’s Khmer Rouge. By 1987, Chea Man had become a deputy commander of the PRK’s elite national army Division 179. This unit was operating in northwestern Cambodia, primarily in PRK Military Region 4, fighting remnants of Pol Pot’s Khmer Rouge and other armed groups opposed to the PRK, such as FUNCINPEC.

In 1989, Chea Man became commander of Military Region 4 at a time when it comprised Siem Reap-Oddar Meanchey and Banteay Meanchey provinces. Troops in the region included “regular forces” comprising at least one brigade and a number of regiments, plus provincial and district battalions. These operated alongside one or more center-level divisions deployed to fight in the area, including Chea Man’s old unit, the 179th.

Working together with local militia and police in “mixed” formations, these forces conducted arrests of alleged “implanted enemy elements” and members of “hidden

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enemy networks” among the population. Those arrested were sent to military-run region and province-level prisons, where detainees were held without charge or trial. Many were tortured, typically before being transferred to the PRK’s provincial prison in Siem Reap, where they were also held without charge or trial. Those arrested also included alleged enemies within the ranks of government forces.

**Chea Man and UNTAC, 1991-1993**

In 1990, Chea Man was replaced as Region 4 Commander, but after the October 1991 Paris Agreements he reappeared in Military Region 4 as a deputy commander. The region command continued to oversee regional and local armed forces and coordinate their activities with the provincial and district police.

Military Region 4 was among the areas of Cambodia where CPP armed forces were most seriously implicated in human rights violations related to the electoral contest between the CPP and FUNCINPEC. According to UNTAC, the CPP’s plans to attack the opposition in Military Region 4 were mapped out at meetings held at its headquarters in Siem Reap. These actions were aimed at blocking other political parties’ ability to extend their influence and to isolate them from the population by pressuring and intimidating the public into concluding that voting for the CPP was the safest thing to do. Although in Siem Reap provincial town – where the UNTAC gaze was most intense – the CPP was prepared to allow the appearance of political freedom, in the countryside it remained determined to

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demonstrate its ultimate control. UNTAC found evidence that regional forces laid mines and fired artillery warnings to deter the ordinary population from protesting CPP corruption and ill-treatment. Uniformed troops looted the Siem Reap market. UNTAC also had reason to believe that regional forces formed armed gangs in mufti and were involved in other attacks to plunder and terrorize the population. In addition, as part of the formal CPP election campaign, regional troops were mobilized into mixed teams with other security force personnel to go down to the villages to proselytize for it.\textsuperscript{577}

**Chea Man from Coalition to Coup, 1993-1997**

Chea Man remained a deputy Military Region 4 commander after the 1993 elections and the post-election formation of a FUNCINPEC-CPP coalition and creation of the Royal Cambodian Armed Forces (RCAF).\textsuperscript{578} His area of operations was expanded by a November 1993 prime ministerial sub-decree that defined Military Region 4 as comprising Kampong Thom, Preah Vihear and Siem Reap-Oddar Meanchey provinces, although it ceded Banteay Meanchey to Military Region 5.\textsuperscript{579}

In the new Military Region 4, Chea Man was formally under a FUNCINPEC commander, Khan Savoeun, but the predominant military power in the area remained the CPP. This put Chea Man in a strong position to orchestrate operations against FUNCINPEC in Military Region 4 as part of Hun Sen’s July 5-6, 1997 coup, using regional and local army units under his command in coordination with CPP gendarmes and police in Siem Reap.\textsuperscript{580} As events unfolded, Khan Savoeun tried to arrange a no-combat deal in Siem Reap, but was rebuffed.\textsuperscript{581} The CPP mustered some 300 men to attack FUNCINPEC, which offered virtually no resistance.\textsuperscript{582} Two Khan Savoeun bodyguards were arrested by CPP soldiers from Siem

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\textsuperscript{578} Phnom Penh Radio, May 10, 1994.

\textsuperscript{579} RGC, Sub-Decree 12 ANKr, November 24, 1993.

\textsuperscript{580} Phnom Penh Radio, May 10, 1994; Interviews with senior FUNCINPEC military officers, October 25, 1997.


\textsuperscript{582} Ibid.
Reap Military Sub-region Battalion 3, who then executed them.\textsuperscript{583} CPP troops and gendarmes seized and looted the homes of FUNCINPEC commanders in Siem Reap town. Some 80-90 FUNCINPEC soldiers were arrested, disarmed and detained at the Military Region 4 headquarters training center. Dozens of other FUNCINPEC soldiers seized at the provincial seat and districts such as Puok were also held for interrogation at the home of the Military Region 4 armor commander, who conducted some of the questioning himself. Many were beaten during interrogation and forced to pay for their release.\textsuperscript{584}

In Varin district of Siem Reap, within Military Region 4, CPP soldiers arrested and executed a local man they accused of having betrayed the CPP by joining FUNCINPEC.\textsuperscript{585} The district police chief of Prasat Bakong and commune police chief of Kampong Plouk detained three FUNCINPEC soldiers and three traders associated with FUNCINPEC, all of whom also had to pay bribes to secure their freedom. Similarly, in Kralanh district, the CPP military commander arrested the senior FUNCINPEC figure in the district, whose interrogation produced the names of other FUNCINPEC members. Twelve were detained and made to pay bribes to be let go. Also detained in this district was a man serving as deputy commander of the intelligence battalion of a larger predominantly FUNCINPEC unit. Although he surrendered himself and his weapon, he was beaten unconscious during interrogation.\textsuperscript{586} Also in Kralanh district, CPP military seized a local FUNCINPEC leader, tied him to a pillar and pistol-whipped and otherwise assaulted him.\textsuperscript{587}

Amidst all this, Khan Savoeun and some other FUNCINPEC leaders and troops decided to fight back while withdrawing to the border with Thailand, from which they launched an attempt at armed opposition to Hun Sen.\textsuperscript{588}

\textsuperscript{583} Thomas Hammarberg, “Memorandum to the Royal Government of Cambodia Submitted by the Special Representative of the United Nations Secretary-General for Human Rights in Cambodia,” May 13, 1998.
\textsuperscript{585} Thomas Hammarberg, “Memorandum to the Royal Government of Cambodia Submitted by the Special Representative of the United Nations Secretary-General for Human Rights in Cambodia,” May 13, 1998.
\textsuperscript{587} COHCHR, “Various Communications Received Last Week,” July 29, 1997.
\textsuperscript{588} Brad Adams interview with Khan Savoeun, May 23, 2001.
Chea Man after the Coup, 1998-2013

With his nominal superior, Khan Savoeun, thus eliminated from the scene, Chea Man assumed the post of Military Region 4 Commander, a post he has held ever since. In November 1997, he was appointed an advisor to Hun Sen with the government rank of an under-secretary of state (later promoted to secretary of state). Also in 1997, he became a CPP Central Committee member and a deputy commander of the army. As of 2003, Chea Man commanded some 20,000 Military Region 4 troops, including those in regional Brigades 41, 42 and 43, in battalions and smaller contingents in the four military operational sub-sectors of Siem Reap, Kampong Thom, Oddar Meanchey, and Preah Vihear provinces, with a presence down to the district level, plus several battalions of border defense forces. Also deployed in Military Region 4 was national Intervention Division 2.

During the run-up to the 1998 national assembly elections, Military Region 4 troops continued to be implicated in politically motivated killings targeting FUNCINPEC. RGC courts were instructed not to prosecute in such cases. Also in this period, Region 4 troops were accused of non-political extra-judicial executions, the victims of which were alleged thieves. According to NGO records, since 2000, Military Region 4 forces have continued to be implicated in murder, attempted murder, assault, and politically motivated death threats and intimidation, instilling fear in the population.

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589 RGC, Royal Decree, ChS/RKT/1097/211, October 28, 1997; RGC, Royal Decree ChS/RKT 1197/246, November 19, 1997; RGC, Royal Decree NS/RTK/2008/1083, October 7, 2008.
593 Interview with Cambodian judicial official, April 6, 2014.
595 Ibid.
committed killings, torture, death threats, rape, extortion, enforced disappearance, and arbitrary detention.  

Chea Man, the 2013 Elections, and Their Aftermath

During the campaign for the July 28, 2013 national assembly elections, Chea Man openly displayed his political partisanship by campaigning for the CPP in this contest against the CNRP in his capacity as chairman of a CPP work team for Trapeang Prasat District of Oddar Meanchey Province. In Oddar Meanchey province on June 9, 2014, Region 4 brigades and other forces in the region, acting in and out of uniform, carried out an operation that prevented CNRP leader Sam Rainsy from holding a political gathering in Anlung Veng district of the province.

In June 2015, Chea Man instructed troops under his command regarding the “political situation” in Cambodia, telling them that it is their duty to work with other security forces and civilian authorities to “seek and find targets” for suppression because they were allegedly “generating public disorder,” something which the army must prevent. This was followed in August by dissemination among Military Region 4 troops of Hun Sen’s July 2015 order that the armed forces must “ensure there will be no color revolution” in Cambodia, and that they must do so by “eliminating acts by any group or party” deemed “illegal.”

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596 Ibid.
Meanwhile, Chea Man’s Military Region 4 troops have continued to be implicated in local human rights violations, above all land-grabbing sometimes backed by threats of armed force or other threats.601

Chea Man has joined other security force commanders in applauding Hun Sen’s ending of the CNRP’s electoral threat to the CPP and the prime minister’s continued rule. He proclaimed total support for the September 3, 2017 arrest of Kem Sokha, characterizing it as necessary in order to prevent disastrous turmoil in Cambodian society.602 On October 19, 2017, he vowed that he and his Military Region 4 forces were determined to “eliminate” Sam Rainsy, Kem Sokha and other “traitors” and affirmed their love for Hun Sen.603 On November 16, 2017, he and all the other officers of Military Region 4 expressed their full support for the Supreme Court judgment dissolving the “treasonous” CNRP and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”604
VI. Lt. Gen. Bun Seng, Deputy Army Commander, Commander of Military Region 5


Bun Seng’s official birthdate is October 30, 1952. His military identification number indicates he was an early member of the PRK armed forces, probably joining no later than 1979. By 1991, he was commander of the Pursat province military, part of PRK’s Military Region 5, which had been set up in 1988 and originally comprised Battambang and Pursat provinces, at a time when this area was a main battlefield on which the PRK opposed remnants of Pol Pot’s Khmer Rouge and other armed groups, such as those supporting FUNCINPEC. As commander of one of Military Region 5’s provinces, Bun Seng was a member of its General Staff Command Committee, which oversaw operations region-wide. In Pursat itself, he was in direct control of seven battalions of troops, plus supporting units.

Bun Seng and UNTAC, 1991-1993

During the period following the Paris Agreements, Military Region 5 was one of three regions where the armed forces of Hun Sen’s ruling Cambodian People’s Party were most seriously implicated in human rights violations related to the 1993 elections. In Military Region 5, the CPP, operating through region army units and other security forces, carried out a full-fledged campaign of violent political repression aimed at preventing FUNCINPEC and other opposition parties from conducting legitimate political activities and terrorizing the population into voting for the CPP. These troops engaged in extortion, rape and what

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605 2017 provisional voter registration roll, 00-757-408.
606 RGC, Royal Decree ChS/RKT/1097/211, October 28, 1997 (gives Bun Seng’s identification number as 145, pointing to a 1979 entry at the latest).
608 UNTAC, “Who’s Who.”
UN investigators characterized as "hooliganism," creating an overall atmosphere of fear both among opposition groups and the ordinary population.610

As noted above, officers from the Military Region 5 General Staff of which Bun Seng was a member served together with those from army intelligence in Phnom Penh in unit S91, which committed numerous severe human rights violations in Military Region 5 during UNTAC.611 S91 detained and executed members and supporters of FUNCINPEC and orchestrated attacks on FUNCINPEC offices, including operations during which FUNCINPEC activists were killed.612 After the May 1993 elections, S91 concentrated on extrajudicially executing alleged common criminals and kidnapping businessmen for ransom. Its killings, illegal detentions, and extortion continued into 1994, and no one was ever prosecuted for S91's crimes.613

Meanwhile, a prime ministerial sub-decree dated November 24, 1993 had expanded Military Region 5 to incorporate a third province, Banteay Meanchey, previously a part of Military Region 4.614 Bun Seng was one of several deputy Region 5 commanders, another being Khau Chhean, a member of a non-Communist group that vacillated politically between FUNCINPEC and CPP, while a third was FUNCINPEC officer Thlang Chang Sovannarith.615

In November 1996, as part of the run-up in the provinces to Hun Sen's military confrontation with FUNCINPEC in Phnom Penh, the CPP launched a campaign to confiscate allegedly illegal weapons from FUNCINPEC in Battambang. FUNCINPEC resisted.616 In early

614 RGC, Sub-Decree 12 ANKr, November 24, 1993.
615 RGC, Decision 08 SSR, February 16, 1997; COHCHR, “Information from [redacted], Deputy Commander of Intervention Unit of the General Staff, and His Wife,” July 20, 1997.
December 1996, armed clashes took place in the province between Military Region 5 forces and FUNCINPEC.\textsuperscript{617} FUNCINPEC remained defiant and further fighting followed.

When Hun Sen launched the July 1997 coup, FUNCINPEC commanders in Military Region 5 reacted in different ways. Khau Chhean threw his lot in with the CPP.\textsuperscript{618} FUNCINPEC deputy region commander Thlang Chang Sovannarith went to Phnom Penh, where he was captured and killed by the CPP after informing Hun Sen of his whereabouts.\textsuperscript{619} In Battambang, a number of FUNCINPEC officials were arrested, but none were killed, and those detained were eventually released, while others fled to the border with Thailand to join senior FUNCINPEC commander Nhek Bunchhay there.\textsuperscript{620}

On July 24, 1997, the CPP officer commanding Military Region 5, Hul Savoan, whom Hun Sen was said to believe had performed badly during the coup, was transferred to Phnom Penh.\textsuperscript{621} The same day, Bun Seng, whom Hun Sen was said to believe had performed well, was named an advisor to Hun Sen with the government rank of under-secretary of state (with a later promotion to secretary of state).\textsuperscript{622} He also became a member of the CPP Central Committee.\textsuperscript{623} For a while, Khau Chhean was given the post as Military Region 5 Commander and Bun Seng remained a deputy, but Bun Seng replaced him in January 1999 and became a deputy commander of the army nation-wide.\textsuperscript{624}

\begin{itemize}
\item \textsuperscript{617} UNOSGRC, “Interim Report No. 572.”
\item \textsuperscript{618} Brad Adams interviews with senior FUNCINPEC military officials, July 1997.
\item \textsuperscript{619} COHCHR, “Information from [redacted], Deputy Commander of Intervention Unit of the General Staff, and His Wife,” July 20, 1997; COHCHR, “Information from [redacted], 22 July 1997,” July 22, 1997; UNCHR, “Information from FUNCINPEC Source,” August 8, 1997.
\item \textsuperscript{621} Interviews with Khan Savoeun and Nhek Bunchhay, October 25, 1997; RGC, Royal Decree ChS/RKT 0797/101, July 24, 1997.
\item \textsuperscript{622} Interviews with Khan Savoeun and Nhek Bunchhay, October 25, 1997; RGC, Royal Decree ChS/RKT 0797/108, July 24, 1997; RGC, Royal Decree NS/RTK/2008/1083, October 7, 2008.
\end{itemize}
In the meantime, as the national assembly elections in July 1998 approached, a number of FUNCINPEC figures were murdered in Military Region 5.\(^{625}\) Within CPP circles, it was said that the perpetrators were Military Region 5 and other CPP assassins, a possibility the courts were instructed to ignore.\(^{626}\) The run-up to the February 2002 local elections for commune councils was accompanied by an upsurge in CPP political violence and intimidation nationwide, with RCAF in the countryside being implicated in the most serious abuses. According to UN human rights reporting, “problems were particularly acute” in Bun Seng’s Military Region 5. “Members of the military, in some cases including officers,” were “involved in illegally detaining non-ruling party activists, death threats, a rape threat, and an attempted killing.”\(^{627}\)

These abuses are part of a larger pattern of continuing human rights violations by forces under Bun Seng’s command: since 1999 he has directly commanded regional Brigades 51, 52 and 53, and military sub-sectors at the provincial level with contingents down to the district and border defense battalions.\(^{628}\) From 2000, these forces have been implicated in land-grabbing, including forced eviction, rape, death threats, assault, arbitrary arrest, torture, murder, attempted murder, extortion, and human trafficking, all affecting the ordinary population.\(^{629}\) In the context of national elections in July 2003, forces under Bun Seng engaged in further political violence, including political assassination, attempted political assassination, political intimidation, politically motivated death threats, and politically motivated arbitrary detention.\(^{630}\)

**Bun Seng, During and Since the 2013 Elections**

During campaigning for the July 2013 national elections, Bun Seng openly displayed his political partisanship by calling on Military Region 5 forces to support the CPP policy of

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\(^{626}\) Interview with Cambodian judicial officer, April 6, 2014.

\(^{627}\) UN, Special Representative of the Secretary-General for Human Rights in Cambodia, *Commune Council Elections 2002*, pp.4-5, 7, and 9.


\(^{629}\) Ibid.

\(^{630}\) Ibid.
keeping Hun Sen as prime minister. On March 30, 2013, Bun Seng distributed CPP policy materials during a meeting with party members in Samlaut district and advised them how best to achieve a CPP election victory. On June 26, he appeared at a religious ceremony in Battambang at which he promoted voting for the CPP.

Since the 2013 elections, Bun Seng has publicly instructed Military Region 5 forces to support their outcome and Hun Sen as prime minister. Speaking after army and other security forces in Phnom Penh applied excessive and unnecessary force to suppress demonstrations, strikes and social unrest between September 2013 and January 2014, killing nine people and injuring many dozens more, he praised Hun Sen’s policies of strengthening the armed forces in the name of national defense.

Bun Seng’s Military Region 5 troops have meanwhile continued to be implicated in local human rights violations, including unprovoked shooting or other injurious violence wounding unarmed CNRP-affiliated or other civilians; land-grabbing, sometimes effected with threats of armed force or other threats; and threats against journalists attempting to investigate illegal army activities.


636 Ibid.
Bun Seng has expressed the same welcome for the demise of the CNRP as other senior commanders. Upon Kem Soha’s arrest, he and his fellow Military Region 5 officers commended it as needed to prevent disastrous turmoil in Cambodian society.637 The forces under Bun Seng’s command followed up by declaring their “absolute determination to smash all efforts” at “color revolution.”638 Again on October 19, 2017, Bun Seng, speaking on behalf of RCAF in Military Region 5, declared “absolute opposition to all incitement activities” by “wrongly-motivated” persons such as Sam Rainsy and Kem Sokha, whose incitement he said was intended “to cause splits among the Khmer.” He proclaimed his and his forces “love” for Hun Sen.639 Then, on November 16, 2017, Bun Seng voiced his full support for the Supreme Court judgment dissolving the CNRP on account of its unforgivable involvement in “treason” and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”640
VII. Lt. Gen. Choeun Sovantha, Deputy Army Commander, Commander of Military Region 2

Choeun Sovantha was one of the young bodyguards of Hun Sen in Vietnam in 1978 when Hun Sen was in exile in Vietnam.641 His official birthdate is September 13, 1957.642 By no later than 1995, Choeun Sovantha was Commander of the Royal Government of Cambodia’s (RGC) Military Region 2.643 This comprised Kampong Cham (including what is now Tbaung Khmum), Prey Veng, Svay Rieng and Kratie provinces.644 Along with Military Regions 4 and 5, the Military Region 2 was among three in the country where CPP armed forces had been most seriously implicated in human rights violations targeting opposition political parties during the run-up to the 1993 elections.645

In 1996, as Hun Sen began advocating armed action against FUNCINPEC to “annihilate” its military machinery, Choeun Sovantha was among the CPP officers in RCAF upon whom he relied for unwavering support.646 In preparation for a possible showdown, the CPP carried

642 2017 provisional voter registration roll, document 01-723-704.
643 RGC, Sub-Decree 89 ANKr, August 17, 1995.
644 RGC, Sub-Decree 12 ANKr, November 24, 1993.
out intense efforts from early 1997 to co-opt FUNCINPEC officers in Military Region 2.\textsuperscript{647} In May and June 1997, it moved regional troops forward to reinforce Hun Sen’s military position in Phnom Penh.\textsuperscript{648} On June 17, region soldiers attempted to arrest leading FUNCINPEC figures in Kampong Cham, but were unsuccessful.\textsuperscript{649}

On July 2, 1997, Military Region 2 forces attacked a FUNCINPEC-manned military post, killing one FUNCINPEC soldier and wounding three others.\textsuperscript{650} This coincided with arrests of FUNCINPEC members in villages of Kampong Cham. When First Prime Minister Ranariddh of FUNCINPEC visited Kampong Cham on July 3, regional troops participated in an operation to disarm his bodyguards, while he escaped by flying to Phnom Penh.\textsuperscript{651}

On the evening of July 4 or early on July 5, 1997, four FUNCINPEC officers holding important positions in Military Region 2 disappeared after attending a meeting in Kompong Cham convened by a CPP superior. The four were Capt. Bou Sophal, alias Mak You Klin, Deputy Commander of the “Command Unit” of the Military Region headquarters; Sophal’s bodyguard, Pvt. Yuth Youeng; Maj. Chuop Em, the Deputy Commander of region G-2 (intelligence); and Maj. Luch Ton, Deputy Commander of region G-3 (operations). Late on July 6 or early on July 7, they were spotted being transported in a military vehicle in the direction of Chan Young rubber plantation in Lngieng commune of Tbaung Khmum district, an area controlled by the CPP Intelligence Battalion of Military Region 2 and CPP district armed forces. In September 1998, the Cambodia Office of the High Commissioner for Human Rights exhumed the bodies of two men executed there. One was identified as Bou Sophal. The other was probably Choup Em. No trace of Luch Ton or Yuth Youeng had emerged by the time of publication of a UN report on the cases in May 1998.\textsuperscript{652}

\textsuperscript{647} COHCHR, “Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997,” July 30, 1997.
\textsuperscript{648} COHCHR, “Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997,” July 30, 1997.
\textsuperscript{649} Ibid.
\textsuperscript{650} COHCHR, “Military Intelligence and July 2 Fighting,” [n.d.]; Brad Adams interviews with US diplomat, April 2000; Brad Adams interview with FUNCINPEC military official who switched sides to the CPP after the coup.
\textsuperscript{652} Thomas Hammarberg, “Memorandum to the Royal Government of Cambodia Submitted by the Special Representative of the United Nations Secretary-General for Human Rights in Cambodia,” May 13, 1998.
Military Region 2 troops played a key role in the coup. Some were part of the coordinated assault on FUNCINPEC in and around Phnom Penh that Hun Sen launched on the morning of July 5, while others arrived as reinforcements later that day and on July 6, securing one of the main entry points to the city via the bridge across the Tonle Sap River to the Chroy Changva peninsula, then attacking FUNCINPEC party headquarters in the colonial section of the city.\footnote{Brad Adams interview with French military official stationed in Cambodia, May 21, 2001; Brad Adams interview with RCAF soldier, May 24, 2001; Brad Adams interview with Canadian ambassador Gorden Longmuir, May 25, 2001; Brad Adams interview with senior RCAF officer, March 1, 2001; Brad Adams interview with senior FUNCINPEC military officer, May 14, 2001; Brad Adams interview with senior FUNCINPEC military officer, May 24, 2001; COHCHR, “The Kampong Cham Provincial Office July (1997) Report;” COHCHR, “Investigation in Kampong Cham Province on 23-25 July 1997,” August 7, 1997.}

During the coup, Military Region 2 troops also launched a general operation to disarm all FUNCINPEC forces in Kampong Cham province, after which they looted FUNCINPEC party offices. During this operation, more FUNCINPEC officers were arrested. Bodies of FUNCINPEC personnel were later seen floating down the Mekong River, which bisected the province, although other FUNCINPEC detainees were released unharmed after paying bribes.\footnote{Ibid.; COHCHR, “Information from Various Sources,” August 5, 1997; COHCHR, “Fifth Activity Report for the Month of July, 1997;” July 30, 1997; “Reported Arrests of FUNCINPEC Party Officials in the Provinces,” [n.d.]; Brad Adams interview with senior provincial official, February 21, 2000; COHCHR, “Reported Arrests of FUNCINPEC Party Officials in the Provinces,” [n.d.].}

In Prey Veng, FUNCINPEC officials were detained at a Military Region 2 base but later released. Others faced summary trials in which they were given suspended prison sentences on trumped-up charges.\footnote{Ibid.}

Two-and-a-half weeks after the coup, Choeun Sovantha was designated an advisor to Hun Sen with the government rank of an under-secretary of state.\footnote{RGC, Royal Decree ChS/RKT/0797/85, July 24, 1997.}

Military Region 2 troops also engaged in political violence during the run-up to the February 2002 local elections for commune councils. This was accompanied by an upsurge in CPP political violence and intimidation nationwide, but the worst CPP violence was in the Military Region 2 province of Kampong Cham, where the military was implicated in four murders of opposition political activists. Two were killed by armed gangs mainly
composed of military and police forces that roamed parts of the province and that UN human rights monitors believed were operating at the behest of the regional command structure. Military Region 2 forces were also involved in non-political acts of violence, including murder and other crimes that marked the immediate period following the commune elections.

During the 2003 national assembly elections, Kampong Cham was again one of the provinces most marked by political intimidation, harassment and violence.

In the list of Hun Sen’s personal advisors named on October 7, 2008, Choeun Sovantha was included, this time with the higher government rank of secretary of state. He has continued to serve since then as Military Region 2 Commander, giving him authority over the region’s Brigade 21 and Military Sub-Operational Sectors for the provinces of Kampong Cham, Tbaung Khmum, Prey Veng, Kratie, and Svay Rieng, each of which has contingents based down to the district level, plus authority over border defense battalions.

Since 2000, Military Region 2 forces have been implicated in non-political crimes and abuses, such as armed robbery, murder, attempted murder, assault, death threats, human trafficking, and rape, extortion, arbitrary detention, and enforced disappearances, plus land-grabbing, including forced eviction, and from ethnic minority groups.

After the government crackdown in Phnom Penh on the CNRP and other protests against fraud in the July 2013 national elections, Military Region 2 troops conducted operations to prevent or breakup CNRP gatherings in Choeun Sovantha’s area of command responsibility. On January 26, 2014, Military Region 2 units blocked roads as part of a CPP operation that deployed a large crowd of CPP members to prevent CNRP deputy leader Kem Sokha from attending a meeting with his party leadership and supporters in Kampong

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658 Ibid.
659 RGC, Royal Decree NS/RTK/2008/1083, October 7, 2008.
661 Ibid.
Cham province. The troops blocked CNRP members attempting to reach the headquarters, while the CPP activists besieged Sokha’s car en route from a hotel to the meeting venue.662 On May 4, 2014, Military Region 2 troops, including heavy weapons contingents from Brigade 21, deployed alongside police and gendarmes to seal entry points into the Kampong Cham provincial seat so as to prevent a CNRP procession headed by party leaders Sam Rainsy and Kem Sokha from accessing the area. Violence was prevented because the CNRP leadership decided not to press forward, despite being urged by party supporters to do so.663

In October 2014, Brigade 21 troops were given high-level indoctrination to make them an even more solid anti-CNRP force. They were instructed that the CNRP was engaged in “tricks” to overthrow the government, including by “criticizing” the CPP, organizing protests against past election fraud, and allegedly stirring up demonstrations by workers. The troops were told that Hun Sen’s policy was to take an escalating set of measures to prevent the CNRP from succeeding and that they must support such measures in order to maintain peace and ensure economic progress in Cambodia.664


Since 2014, in addition to acting against CNRP gatherings, Military Region 2 troops have been involved in other local human rights violations, including land-grabbing backed by armed force and preventing strikes by workers.665

Choeun Sovantha has participated in the public RCAF chorus of condemnation of the CNRP leadership, while extolling the role of Hun Sen. On September 3, 2017, Choeun Sovantha welcomed the arrest of Kem Sokha, and two days later, Military Region 2 forces under his command did the same.666 On October 19, 2017, Choeun Sovantha and all other Military Region 2 commanders proclaimed they and their troops were ready to turn their weapons on Sam Rainsy, Kem Sokha and others among “the group of traitors and those wanting to generate insecurity for the Motherland” and expressed their eternal gratitude to Hun Sen for having taken such good care of the armed forces.667 On December 6, 2017, he issued a statement on behalf of himself and all Military Region 4 forces reminding Sam Rainsy that “the entire army was created by Samdech Techo Hun Sen,” who is “the infinite commander of Cambodia” and whose government the armed forces are ready to die to protect,” regardless of the circumstances.668

665 Ibid.

666 ជំនួយរបាលបាលបំលុកមនុស្សជាតិជាមួយប្រការក្រុមដោយប្រឈមព្រៃនៅក្នុងក្រុមដ៏ម្រប់ម្រង យោងតាម និង ក្រុមដ៏ម្រប់ម្រងដែលប្រពន្ធរបាលជាមួយនឹងការជួយរបាលជាតិ និង ការជួយរបាលជាភាឡូរជាមួយព្រះមហាក្សត្រនាយកក្រុមដ៏ម្រប់ម្រង យោងតាម និង ក្រុមដ៏ម្រប់ម្រង។

667 ជំនួយរបាលមនុស្សជាតិជាមួយប្រការក្រុមដោយប្រឈមព្រៃ ម្រប់ម្រងផ្ទាល់តាមអំណាចក្រុមដ៏ម្រប់ម្រង តាមយោងតាមការជួយរបាលជាវគ្គ និង ការជួយរបាលជាភាឡូរជាមួយព្រះមហាក្សត្រនាយកក្រុមដ៏ម្រប់ម្រង យោងតាម និង ក្រុមដ៏ម្រប់ម្រង។

668 ជំនួយរបាលមនុស្សជាតិជាមួយប្រការក្រុមដោយប្រឈមព្រៃ ម្រប់ម្រងផ្ទាល់តាមអំណាចក្រុមដ៏ម្រប់ម្រង តាមយោងតាមការជួយរបាលជាវគ្គ និង ការជួយរបាលជាភាឡូរជាមួយព្រះមហាក្សត្រនាយកក្រុមដ៏ម្រប់ម្រង យោងតាម និង ក្រុមដ៏ម្រប់ម្រង។
VIII. Lt. Gen. Chap Pheakdey, Deputy Army Commander, Brigade 911 Commander

Chap Pheakdey after UNTAC, 1993-1997

Chap Pheakdey is said to be a native of Prey Veng province with links to Kun Kim, who helped ensure his promotion upward through the military ranks. His official birthdate is September 16, 1959. He emerged after the 1993 elections as a deputy commander of RCAF’s newly organized reserve intervention Division 1, officered by veterans of CPP and of FUNCINPEC.

From Division 1, Chap Pheakdey was transferred to Regiment 911, a special forces unit in formation since 1994 that was formally inaugurated on November 9, 1995. This unit was trained by Indonesia during the Suharto period, and also received training from France. It was originally commanded by a FUNCINPEC officer, but Chap Pheakdey replaced him. Contingents were deployed in late 1995-early 1996 to carry out anti-Khmer Rouge counter-insurgency.

In the first part of 1997, Regiment 911 was upgraded and renamed Special Forces Paratrooper Brigade 911. By this time, France had largely concluded its training of the unit, but it continued to receive Indonesian training and subsequently received increasing

669 2017 provisional voter registration roll, document 06-716-186.
levels of assistance from South Korea. This was connected to arrangements by which Brigade 911 provided security for South Korean-owned factories in the Phnom Penh area.

Chap Pheakdey and Hun Sen’s July 1997 Coup

Brigade 911 was one of the most reliable RCAF units in support of Hun Sen’s 1997 coup. It played a key role in Hun Sen’s moves to disarm FUNCINPEC, such as a July 2, 1997 attack on a FUNCINPEC position north of Phnom Penh. Acting on orders from Kun Kim, Chap Pheakdey organized operations against FUNCINPEC bases west of Phnom Penh early on the morning of July 5. Brigade 911 then participated in the attack on FUNCINPEC’s main base at Tang Krasang, where FUNCINPEC’s most important military commander, Nhek Bunchhay, then deputy chief of the RCAF Supreme General Staff, and other senior FUNCINPEC officers were located. It also stormed FUNCINPEC positions at Pochentong international airport outside Phnom Penh.

After furthering fighting in and around Phnom Penh on July 5-6, Brigade 911 mobile commandos, some helicopter-borne, for several days pursued FUNCINPEC forces fleeing northward into Kampong Speu province and headed for Kampong Chhnang province. They were under orders from Hun Sen to “sweep all the anarchy forces cleanly away and dispose of them, all of them,” using Hun Sen’s epithet for FUNCINPEC and a common Khmer Rouge euphemism for execution.

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676 Human Rights Watch interview, name withheld.

677 UNOSGRC, “Interim Report No. 572.”

678 Interview with Hun Sen, September 21, 2007; Brad Adams interview with Thach Sang, FUNCINPEC military officer, February 23, 2000.

679 Brad Adams interview with senior FUNCINPEC military officer, May 14, 2001; Brad Adams interview with Thach Sang, February 23, 2000; Brad Adams interview with CPP military official; Brad Adams interview with US embassy official, April 2000.

680 Brad Adams interviews with CPP, FUNCINPEC, and foreign military officials based in Phnom Penh.

681 Interview with Hun Sen, September 21, 2007; See Extraordinary Chambers in the Courts of Cambodia, Office of the Co-Investigating Judges, “Closing Order” (D427 English), pp. 48, 51, 58, 188, 202-5, 233-4, and 266.
Brigade 911 captured at least 40 FUNCINPEC officers, bodyguards and troops. They included at least eight senior FUNCINPEC officers who were then executed either by Brigade 911 or by other CPP units to which they were handed over by Brigade 911. The eight were among at least 41 and as many as 60 people killed in coup-related extrajudicial executions, according to an August 22, 1997 report by the UN human rights office in Cambodia.

Brigade 911 detained 32 other FUNCINPEC military personnel at its Kambol headquarters, torturing some of them in an attempt to get them to falsely confess they were “Khmer Rouge” or that Hun Sen’s coup was justified because Nhek Bunchhay had a secret plan to overthrow Hun Sen. Confronted by UN human rights officials about the detentions, Chap Pheakdey at first totally denied them, then tried to cover up of the fact that at least one was still being held. According to a UN report based on interviews with the detainees after Brigade 911 released them, “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. 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.”

Chap Pheakdey Since 1997

In 2006, Chap Pheakdey was implicated in the arbitrary detention of a Brigade 911 soldier involved in a land dispute in Phnom Penh. Taking the side of the other disputant, Chap Pheakdey invited the soldier to a meeting to urge him to accept a settlement, then

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686 Brad Adams, “Brigade 911 Had Brutal History.”
detained the man when he refused. Arbitrarily accused of “violating military discipline,” the soldier was held in a dark cell for three weeks.687

In 2010, Brigade 911 troops involved in a land dispute near a brigade training base in Me Mut district of what was then Kampong Cham province attacked four local families who challenged the brigade’s land claims, physically assaulting them, destroying their crops, and burning down their homes to drive them away.688

Chap Pheakdey has continually risen in the CPP and RCAF ranks. He joined the CPP Central Committee in 2005.689 He is also a deputy chief of the RCAF Mixed General Staff directly under Kun Kim and a personal advisor to Hun Sen.690

Chap Pheakdey after the 2013 Elections

The period after the 2013 elections saw mass demonstrations protesting the official results and factory worker strikes for higher wages and better working conditions. In part to confront protesters, Brigade 911’s troop strength was increased by a provincial recruitment campaign and it began to carry out operations on direct orders from the prime minister.691

On December 30, 2013, the government announced a January 2, 2014 deadline for workers to end strikes and related demonstrations, warning that unless the deadline was heeded,

687 Ibid.
688 Ibid.
it would deploy security forces to suppress worker actions it considered illegal. Defying
the ban, workers started gathering and demonstrating on the morning of January 2 in front
of many factories on the outskirts of Phnom Penh. Army, police and gendarme units
immediately began deploying to break them up. In some cases, they acted immediately to
do so; elsewhere they withdrew after initial reconnaissance.

Brigade 911 was the first to take major action. It deployed troops from its headquarters to
the nearby South Korean-owned Yakjin garment factory, where some workers were on
strike and where the Yakjin company had requested security force protection, according to
a government spokesman and the South Korean Embassy. The contingent was
commanded by a relative of Chap Pheakdey named Chap Sophorn. A number of
Cambodian labor and land rights activists and other monitors, including UN human rights
officials, began arriving at the scene. Brigade 911 detained three among the thousands of
workers present, and CPP media alleged the strikers were responsible for the collapse of a
factory fence.

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692 “Gov’t Unveils Legal Plan to Break Garment Industry Strike,” Cambodia Daily, December 31, 2013,
January 1, 2014).

693 “About 10 Persons Are Taken into Custody and a Number of Others Injured in a Clash in Front of the Yakjin Factory”
(បានបាយមុំជា១០គោលដៅត្រូវបាយជាប្រកួតនៅតំបន់មុខានេះយូបូសាលក្នុងប្រទេសកម្ពុជា), January 2,
(accessed January 3, 2014); “Demonstration Observers Call the Military Suppression at the Special Economic Zone a Serious
Korea pulled strings as Cambodia violently smashed labor protest,” Morning Sun, January 9, 2014,
http://www.themorningsun.com/general-news/20140109/south-korea-pulled-strings-as-cambodia-violently-smashed-

694 “Paratroopers Deployed at Protest: 15 Detained, Injured,” Cambodia Daily, January 3, 2014,
January 4, 2014).

695 “911 Paratrooper Forces Take into Custody Ten Ringleaders of the Disruption Inside the Yakjin Factory”
news.com/local-news/2014-01-02-08-04-54.html (accessed January 2, 2014); Domestic human rights organization
records, January 2, 2014; “Demonstration Observers Call the Military Suppression at the Special Economic Zone a Serious
The strike was peaceful, however, until Brigade 911 forces armed with assault rifles and other firearms physically confronted the crowd of workers, monks, and others, ignoring attempts by human rights monitors to defuse the situation.布拉格911部队使用金属管、刀具、弹弓和警棍袭击工人和观察者，导致混乱，其中一些人群成员在被扔瓶子和石头后做出了回应。布拉格911部队还进行了更多的逮捕，包括四名人权卫士和三名额外工人，所有这些人都是在被捕或被捕后不久被袭击或被袭击的，但他们没有任何参与人群的抵抗暴力。非人道的媒体报导称，该部队在卡姆波尔的雅金工厂逮捕了10名“首犯”以及几个参与“破坏”工厂工作和“煽动”罢工的组织，他们是在雅金工厂的行动中被发现的。它描述了布拉格911部队的逮捕作为一项更大规模的行动的一部分，由宪兵和其他安全部队进行，以遏制此类活动，人权观察员观察到宪兵与布拉格911部队在雅金行动中合作。解放军911部队还拘留了五名佛教僧侣，他们立即抗议第一起逮捕事件，被解职并在拘留期间受审。在初步审问后，一名僧侣被释放。695

Hun Sen family-owned media reported that the brigade had arrested and was interrogating 10 “ringleaders” of several groups carrying out actions to “disrupt” factory work and “stir up” strikes, having caught them in the act at the Yakjin factory in Kambol. It described the Brigade 911 arrests as part of a general operation by gendarmes and other security forces to suppress such activities, and human rights monitors observed gendarmes operating in concert with Brigade 911 during the Yakjin arrests.布拉格911部队还拘留了五名佛教僧侣，他们立即抗议第一起逮捕事件，被解职并在拘留期间受审。在初步审问后，一名僧侣被释放。695

After initial questioning in Brigade 911 custody, a


Phnom Penh court prosecutor initiated criminal proceedings against the 10 activists and workers, while releasing the five ex-monks.\footnote{Court of First Instance Prosecutor Decides to Temporarily Detain 15 Person} Brigade 911 held them incommunicado overnight, after which they were brought before the Phnom Penh Court and handed over to police custody.\footnote{Joint Media Statement: Civilians Killed and injured by Security Forces Amid Civil Unrest in Phnom Penh, LICADHO, et al. joint media statement, January 3, 2014, http://www.licadho-cambodia.org/pressrelease.php?perm=334 (accessed January 3, 2014).}

The 10 were among 25 people eventually tried by the court in connection with protests and demonstrations in late 2013 and 2014 on charges of instigating, inciting, or directly committing violent acts resulting in injuries to security forces and damage to property. They were all convicted despite a lack of evidence linking them to any of the alleged crimes. In the Yakjin case, the court made no serious inquiry into whether any of the 10 accused were involved in violence and resulting injuries or property damage, or whether the four activists had in fact attempted to calm the situation by urging nonviolence or were merely monitoring the situation.\footnote{Cambodia: Quash Convictions of 25 Activists, Workers, Human Rights Watch news release, June 1, 2014, http://www.hrw.org/news/2014/06/01/cambodia-quash-convictions-25-activists-workers.}

On May 30, 2014, all 25 were convicted and received suspended prison terms. Their trials appeared to be part of a systematic government effort to cover up excessive use of force by Brigade 911 and other security forces to suppress demonstrations and strikes. No security force personnel or commanders were ever prosecuted or disciplined for the killings or other actions.\footnote{Ibid.} Instead, Brigade 911 was extolled by RCAF as a “model unit” in 2014 for having “participated at every time and place in implementing” all Hun Sen orders, including by “excellently, valuably, and courageously defending the security and safety” of Phnom Penh.\footnote{Opening of the 17h Expertise Training Course at the 911 Special Forces Division 911}
In July 2014, at a ceremony over which Kun Kim presided, Brigade 911 was exhorted to “absolutely support” the continuation of Hun Sen as prime minister. To fulfill this and other tasks, later that month it began specialist training in “suppression of insurrections” during live-fire exercises organized under Kun Kim’s auspices.

In line with its previous conduct, on August 28, 2014, Brigade 911 troops disrupted a demonstration by workers at a factory near its Kambol headquarters protesting what they said were unfair dismissals of workers. The unit was thereafter praised by deputy chief of the Mixed General Staff and Deputy Army Commander Hun Manet, Hun Sen’s eldest son, for its suppression of what he called the “creation of instability” in Cambodian society.

In August 2015, Brigade 911 began a program to help create something resembling the A3 Combat Police set up by the PRK in 1986, then officially dissolved in 1991. The 911 program included training of selected police officers to become a “special intervention force” capable of using “infantry weapons,” including sniper rifles, to participate together with the army in “fending off evil situations” that might be created by “unfriends” of the...
government and others “of an opposition tendency,” whenever the ordinary police were unable to handle such situations.\textsuperscript{710}

At a November 2015 ceremony marking the anniversary of Brigade 911’s establishment, Chap Pheakdey portrayed Hun Sen as the creator of the unit and highlighted its ongoing mission to maintain “social security and order” so as to continue Cambodia’s development.\textsuperscript{711} Later that month, Hun Manet reiterated the importance of the unit as a force for “preventing each and every action of instability” in the country.\textsuperscript{712} Closing a Brigade 911 training session in January 2016, Chap Pheakdey depicted it as a Hun Sen favorite specialized in rapid reaction intervention operations.\textsuperscript{713}

In the run-up to and during the on-going process of liquidation of the CNRP on the false pretext that it was promoting a color revolution, Chap Pheakdey has championed actions against it. At a psychological warfare training event for Brigade 911 on August 18, 2017, Chap Pheakdey vowed “absolute opposition to incitement by a number of unethical persons who are amassing in readiness for the making of a color revolution” and his support for Hun Sen to be prime minister “forever.”\textsuperscript{714} On September 3, 2017, all the offices and men of Brigade 911 condemned Kem Sokha’s “traitorous conduct” and commended his arrest.\textsuperscript{715} On October 18, 2017, Chap Pheakdey denounced Sam Rainsy as a “pure


\textsuperscript{714} Կամբոդիայի Քաղաքային Պաշտպանության Ազգային Պահպանական Բոլոր Հարցեր Բոլոր Հարցեր Կարգահանություն, Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ Հուն Մանետ Սերմ
traitor” whose “elimination,” like that of the traitor Kem Sokha and any other such traitors, the army must support. On November 16, 2017, all the officers and troops of Chap Pheakdey’s Brigade 911 expressed their full support for the Supreme Court judgment dissolving the CNRP on account of its involvement in “treason” and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”
IX. Lt. Gen. Rat Sreang, National Gendarmerie Deputy Commander, Phnom Penh Gendarmerie Commander

Rat Sreang in Kandal and Banteay Meanchey Provinces, 1979-2003

Rat Sreang’s official date of birth is August 5, 1966. Born with the surname Sie, he adopted his new name when he joined the GRK after its formation in 1993. In the SOC period, he was a Kandal province military cadre, subordinated to Kun Kim in the days when Kun Kim was vice chairman of the province people’s committee with responsibility for military and security affairs. He has remained personally close to Kun Kim since the SOC era. After the creation of the GRK in 1993, he became the chairman of a bureau of the Kandal province gendarmerie, serving under its then commander Chuon Sovan. He was soon promoted to be commander of Banteay Meanchey province gendarmes before becoming Phnom Penh Gendarme Commander on September 23, 2013.

While commander of the Banteay Meanchey gendarmes, Rat Sreang became concurrently a deputy commander of the National Gendarmerie “country surface” forces deployed in contingents stationed nationwide. Reflecting his status as a veteran member of the ruling CPP and a stalwart subordinate of Sao Sokha and Hun Sen, he was among the most influential and powerful figures at the national level of the GRK. His high-level importance was buttressed by the presence of his brother, Sie Sambat, for many years Chief of the Criminal Offenses Research Bureau Criminal Department of the National Gendarmes and

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718 2017 provisional voter registration roll, document 05-874-768.
719 Interview with former Kandal province police officer, July 7, 2014.
722 Anonymous, “ŬŅȩŹř,” post to “Mengk999,” (blog), [n.d.], http://mengk9999.wordpress.com/%E1%9E%96%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93/.
the prominence given in official GRK media to what it reported as Rat Sreang’s achievements as Banteay Meanchey commander.\textsuperscript{723}

While in charge of the gendarmes in Banteay Meanchey, Rat Sreang was implicated in land-grabbing for his own use or on behalf of others, including by killing, wounding, or beating villagers during forced evictions; murder; assault; intimidation of journalists; arbitrary arrest and detention; beatings of suspects and detainees; and extortion.\textsuperscript{724}

Banteay Meanchey gendarmes also ran a drug detention center under Rat Sreang’s watch, where alleged drug users were arbitrarily detained without charge or trial and subjected to cruel, inhuman or degrading treatment and punishment and used as forced labor. Speaking to the media in January 2010 about conditions in the center, Rat Sreang conceded that some people there were forced to stand in the sun or “walk like monkeys” [i.e., on all fours] as punishment for attempting to escape.”\textsuperscript{725}

Rat Sreang and the 2013 Elections

Like other security force officers, Rat Sreang was openly partisan in favor of the CPP during the run-up to the July 28, 2013 elections. He displayed his loyalty in his capacity as a member of the CPP provincial Standing Committee for Banteay Meanchey responsible for “party strengthening” in localities in its Mongkolborei district.\textsuperscript{726} In the campaign period, he spent much of his time carrying out CPP activities in Mongkolborei, such as on May 2, 2013 when he called on the population there to vote for the CPP.\textsuperscript{727} He also toured in


\textsuperscript{724} Domestic human rights organization records.

\textsuperscript{725} Human Rights Watch, \textit{“They Treat Us Like Animals:” Mistreatment of Drug Users and “Undesirables” in Cambodia’s Drug Detention Centers} (December 2013), pp.9,12,15,37, http://www.hrw.org/node/120957.


Banteay Meanchey again in late June, acting as a delegate of members of the CPP national Central Committee Standing Committee and urging people to vote for the CPP and support continuation of Hun Sen as prime minister.728

**Rat Sreang as Phnom Penh Gendarme Commander, September 2013-January 2014**

Upon taking charge of the Phnom Penh gendarmerie on September 23, 2013, Sreang became – alongside municipal police commissioner Chuon Sovan – one of the two senior-most security force officers in charge of “managing demonstrations” in the capital.729 With Chuon Sovan, he endeavored to “defend against” gatherings deemed to be “illegally instigated by opposition groups or inciters.” Ideally, this was to be done by “pre-empting or preventing” them, but if action with that objective failed, he was to “suppress” them.730 After Chuon Sovan ordered an attack on a striking workers’ procession in the Steung Meanchey area of Phnom Penh on November 12, 2013, during which police under his command used excessive lethal force, killing one person and wounding three others with pistol fire, Rat Sreang deployed municipal gendarmes to carry out mop-up operations during which they and other security forces severely beat young men they detained or chased from the area, injuring 23.731

While Chuon Sovan left the country on December 24, 2013, Rat Sreang remained in command of the Phnom Penh gendarmerie, working instead under Mok Chito, who both

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replaced Chuon Sovan and then assumed an even more powerful position as chairman of the Unified Command Committee for Phnom Penh, putting Chito in overall charge of all security matters throughout the capital.\textsuperscript{732} Rat Sreang was in tactical control of gendarmes on the ground, commanding them either by radio or personally at the scene of operations.\textsuperscript{733}

On January 2, 2015, municipal and subordinate district gendarmes played the key role in enforcing a government deadline that day for garment workers to end the strikes and demonstrations demanding an increase in Cambodia’s core wage. On the morning of January 2, as workers nevertheless gathered to demonstrate in front of many garment factories on the outskirts of Phnom Penh, army, police and gendarme units began deploying. A first break-up operation was carried out by army Brigade 911, which violently dispersed the demonstration and arrested 15 people, handing them over to the custody of Rat Sreang’s gendarme mop-up forces. On Rat Sreang’s orders, 10 of the 15 were transferred to the court for pre-trial detention, while the five others, all monks, were released.\textsuperscript{734}

Overnight on January 2-3, on orders from Mok Chito, hundreds of security forces were deployed to clear workers who had blocked roads in the Veng Sreng industrial suburb of the capital.\textsuperscript{735} Municipal and subordinate district gendarmes under Rat Sreang comprised the majority of these “mixed forces.”\textsuperscript{736} Violent clashes broke out, with some workers


\textsuperscript{733} Interview with a Cambodian security force officer, February 1, 2014 and July 24, 2016.


\textsuperscript{736} “Hundreds of Citizens Levy Themselves to Come Protest in Front of the Phnom Penh Royal Capital Court of the First Instance and Shout Demands for the Release of Vorn Peou” (ជាតិមាន៦ជីវប្រយុទ្ធដើម្បីអារម្មណ៍គ្នារលើក្រុងក្នុងប្រទេសក្រុង)
throwing rocks, sticks and petrol bombs and attacking property, while security forces, some of whom were injured, fired tear gas, smoke grenades, and, occasionally, live ammunition. They also beat many people, including three young men whom they arrested overnight, apparently at random, who were eventually tried and convicted of perpetrating violence, although there was no credible evidence they had been involved in any acts of violence.\(^{737}\)

Municipal and subordinate district gendarmes under the on-the-spot command of Rat Sreang, who brandished an automatic pistol, were predominant among the mixed forces the Unified Command Committee fielded on the morning of January 3 in the Veng Sreng area, with orders to seize control from workers who remained in the area. In the operation against the workers, some of whom were acting violently, throwing rocks and bottles from such a distance that few or none could reach the gendarmes, the gendarmes nevertheless fired their assault rifles indiscriminately, killing five people.\(^{738}\) They arrested 10 others, again apparently at random, beating them and many others. One of the victims of the gendarme beatings later died of his injuries. The 10 workers arrested on the morning of January 3 were also eventually tried and convicted of perpetrating violence, despite no credible evidence they had done so.\(^{739}\)

At the time they fired their weapons the gendarmes were generally at a safe distance from the workers and rioters. According to media reports and video evidence of the events reviewed by Human Rights Watch, security forces shot into the surging crowds at a moment when they were in no immediate lethal danger. Despite inflicting deaths and injuries, gendarme assault rifle fire only precipitated further and more destructive rioting.\(^{740}\)

\(^{737}\) Ibid.


\(^{739}\) Ibid.

Speaking to the media, Rat Sreang defended the fatal shootings not as necessary to protect gendarmes or others from harm, but as necessary to clear the protest, saying: “we cannot allow them to block the road, and we have to crack down on them,” asserting “we have no choice.”

Municipal and subordinate district gendarmes were again present when security forces broke up protests in front of the Phnom Penh court on January 4, 2014, demanding the release of those arrested on January 2-3. That same day, the authorities arbitrarily banned all demonstrations and strikes until further notice, including at Phnom Penh’s Democracy Plaza, designated by law as a site for peaceful political and other assemblies. At the time, the plaza was being used for this purpose by the opposition Cambodia National Rescue Party (CNRP).

Municipal and subordinate district gendarmes provided support to the clearing of Democracy Plaza on January 4 by occupying the surrounding areas, where they also were available as a reserve force in case the security forces at the park needed reinforcement. After January 4, such gendarme forces continued to patrol the park and its vicinity jointly with police, deterring anyone who attempted to enter it or gather on its perimeter, such as a group of CNRP youth activists who wanted to sing songs of non-violence at the park edge, but fled after one song to avoid a security force break-up operation. Rat Sreang, in further comments to the press, endorsed this use of the gendarmerie.


743 Ibid.


Rat Sreang also personally led a joint gendarme-police operation on January 27, 2014 characterized by the lightning speed with which it was carried out, that drove peaceful protesters supporting independent radio station-owner Mom Sonando’s demand for increased radio broadcast capacity and a television license away from the vicinity of the Ministry of Information. Firing smoke grenades and wielding batons against protesters who offered no resistance, the gendarmes and other security forces, using nearby Phnom Penh City Hall as their base, injured at least 10 people, several of them seriously.746

**Rat Sreang as Phnom Penh Gendarme Commander after January 2014**

At a municipal ceremony on August 28, 2014, Rat Sreang praised the gendarmes under his command for their good discipline in carrying out their missions, including by doing an “excellent” job in “preventing strikes and demonstrations on many occasions” and thus maintaining order and security in the capital.747 He repeated his defense of their use of assault rifles, saying, “Why do we use AKs like this? We carry weapons like this to combat criminals.”748 In September 2014, Hun Sen family-owned media praised Rat Sreang for his “firm leadership” of the Phnom Penh gendarmerie, declaring this ensured safety and security in the capital.749

During the latter part of 2014, gendarmes in Phnom Penh continued to carry out preventive and suppressive operations against strikes and demonstrations. On October 2, municipal gendarmes intervened to disrupt a strike by workers in Po Senchey district of the capital.

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seizing their bullhorns and scuffling with the workers. On October 5, they stood by to prevent a protest by teachers from approaching Hun Sen’s rarely used Phnom Penh residence, backing up police who stopped them some distance away. They performed the same function as a reserve force when local para-police violently stopped a procession of land rights activists from Preah Vihear province from marching on the prime minister’s house on October 21, as a result of which 18 people were injured.

On November 11, 2014, gendarmes joined local police in surrounding a Phnom Penh pagoda in an effort to deter those present in the pagoda from joining a demonstration against alleged land-grabbing, an operation that also included police arrest of two monks. They were detained for trial on politically motivated charges of “participation in a group or a conspiracy” formed “to commit one or more felonies,” based on security force assertions that bamboo and other flagpoles the monks were taking to the demonstration were intended for use as weapons against the security forces. They were released on bail in April 2015 but the case against them has not been dropped.

On February 1, 2015, Rat Sreang was promoted into the CPP Central Committee at an extraordinary party congress. On April 9, 2015, his brother Sie Sambat, now a brigadier general, was promoted to be Commissioner of the National Gendarmerie’s Justice Commissariat, and a second brother, Brig. Gen. Sie Tauny, was promoted to assistant to

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National Gendarmerie Commander Sao Sokha. A son, Maj. Sie Tin, is commander of the Phnom Penh Gendarmerie Intervention forces.

In 2016, Rat Sreang continued to highlight his determination to prevent “any and all activities whatsoever” the government deemed to constitute an “attempt” to “wreck political stability or the tranquility and peace in national society,” and was promoted from major general to lieutenant general. Meanwhile, Phnom Penh gendarmes continued to participate in operations to suppress peaceful assembly, such as blocking a gathering attempting to mark the anniversary of the January 2014 killings of workers during the social unrest on Veng Sreng Street described above.

In late 2016, Rat Sreang’s Phnom Penh gendarmes participated in a new round of GRK training in how to deal with groups deemed to threaten “security and public order.” As vice-chairperson of the Veterans’ Association of Phnom Penh, he also participated in a meeting of this de facto CPP auxiliary force led by his political patron Kun Kim, at which the latter praised Hun Sen and stressed the role of veterans in liaising with local active duty security officials. In April 2017, he joined in the chorus of senior security force commanders instructing men and women under their command to be “absolutely loyal” to

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760 Ibid.


Hun Sen’s government by “absolutely not allowing the occurrence of any color revolution.”\textsuperscript{763}

On November 16, 2017, Rat Sreang declared his full support and that of the whole of the Phnom Penh Gendarmerie for the Supreme Court judgment dissolving the CNRP on account of its unforgivable involvement in “treason” and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”\textsuperscript{764}
X. Gen. Sok Phal, Supreme Director of the Supreme Directorate for Immigration

Sok Phal in the PRK and SOC, 1979-1991

In 1979, Ung Sok Phal (calling himself Sok Phal) joined the fledgling People’s Police of the PRK, then subordinated to a Ministry of Interior empowered to “organize, command, and instruct” all police and comprised of seven directorates, including a Directorate of People’s Security and a Directorate of People’s Police.765

Sok Phal rose within the security force system to become an important cadre of the Directorate of People’s Security, which carried out what were also known as “defense of political security” functions, that is suppression of those the PRK defined as its political enemies.766 He was thus an important player at the apex of a PRK system of torture and political imprisonment without charge or trial, or only after unfair trials, in which thousands of people were held. These included not only people accused of involvement in Khmer Rouge and other insurgencies, but of non-violent opposition to the PRK or to the presence in Cambodia of its Vietnamese backers, among them dissidents within the PRK and ruling party ranks.767

Although the PRK Ministry of Interior had authority over police nationwide, it shared this authority at the province, municipality, district, ward, and subordinate levels with CPP leaders at those levels.768 The latter were also required to cooperate with Ministry of Interior level forces, especially with regard to what were considered high-value political

767 Amnesty International, Political Imprisonment; LCIHR, After the Worst.
“targets,” and particularly in Phnom Penh, where relations between the ministry and municipal political security personnel were unusually close.769

In 1986 interviews, a former PRK police officer described in detail the normal procedure in political cases: once the police had arrested a suspect, they would produce a dossier on him or her and send the suspect together with the dossier for further interrogation by personnel of the relevant police unit or by Ministry of Interior “defense of political security” personnel. These cadre were responsible for conducting “the full investigation in order to determine precisely what the case is all about and what should be done about it.” Relying primarily on “confessions” from detainees extracted by specialist “interrogation bureaux,” these cadre also determined the period of imprisonment, reflecting their judgement of the seriousness of the alleged “treason” and the extent to which the detainee had cooperated with the investigation and shown signs of political repentance. In the relatively few cases in which the defense of political security directorate cadre concluded an example should be made of the detainee via a public trial, they still did not involve the courts in a meaningful way: they decided the charges and the sentence, and the Ministry of Interior sent the dossier to the Ministry of Justice, which then staged sham judicial proceedings.770

People held by the Ministry of Interior were mostly placed in the part of the largest prison in Phnom Penh, known as T3, which the ministry ran.771 Many held there were kept in cruel, inhuman or degrading conditions, and many died in custody as a result. The Ministry of Interior also ran special and secret political detention facilities, where some detainees simply “disappeared,” having either been executed or succumbed to ill-treatment.772


770 Ibid.


772 Amnesty International, Political Imprisonment; LCIHR, After the Worst.
Sok Phal and UNTAC, 1991-1993

The Paris Agreements provided for UNTAC to have direct control over the State of Cambodia (SOC; the former PRK) public security sector. SOC created a new Ministry of National Security, which was hived off from the Ministry of Interior, in hopes that it could escape UNTAC control. Sok Phal was appointed chairperson of the new ministry’s Intelligence Directorate, formerly known as the Defense of Political Security 2 Directorate. It performed the function, well-established since the PRK era, of collecting information to identify political enemies, along with the new ministry’s Anti-Terrorism Directorate (ex-Defense of Political Security 1). A post-Paris Agreements law adopted by SOC affirmed that the heads and deputy heads of such directorates enjoyed national authority as judicial police officers, which included the power of arrest.

The CPP employed a plethora of tactics to evade UNTAC control in public security and other realms and tried to intimidate the opposition and its supporters with a covertly orchestrated campaign of political violence. Because of the UNTAC presence, it was no longer feasible to overtly arrest, detain or imprison opponents. Instead, the Ministry of National Security was used as a base for the formation of covert intimidation, harassment and assassination units targeting FUNCINPEC and other opposition parties. Its operations were one part of CPP’s overall pre-election repression.

In particular, the SOC minister and deputy minister for national security worked with defense of political security and other police and security force officers to conduct intelligence-led political violence in Phnom Penh and elsewhere in Cambodia. A key role in such operations was played by secret units known as “A-teams,” which the CPP created to obstruct the activities of opposition parties.

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776 Brad Adams interview with former SOC police officer, Phnom Penh, March 2000.
through violent and other means, and to infiltrate UNTAC. A senior SOC operative who admitted being involved in planning killings of opposition activists and participating in meetings of senior officials later recalled: “The CPP was afraid they would lose the 1993 election, so Sin Song and Sin Sen, who were responsible for internal security, worked with generals from the police and army to create new structures.... A-teams reported to Sok Phal, who reported to Sin Sen.” Another security force source stated that although Sok Phal “worked for Sin Sen, he also reported directly to Hun Sen during UNTAC. The chain of command during UNTAC was Hun Sen to Sok Phal.”

Sok Phal was allegedly also responsible for ensuring implementation of CPP orders that the police not investigate CPP crimes of political violence, even while they went through the motions of pretending to do so. This was pursuant to a CPP policy of portraying political violence as being committed by elements beyond its control and a CPP practice of seeming to cooperate with UNTAC to “investigate” incidents, but only in order to conceal CPP command and control.

An UNTAC report written in April 1993 and based on internal CPP documents obtained during UNTAC efforts to implement the Paris Agreements states that A-teams were “engaged in activities wholly detrimental to the creation of a neutral political environment.” The same document concluded that the SOC, knowing this was in violation of the terms of the Paris Agreements, had “taken every step to conceal their existence from UNTAC and the populace.” A Ministry of National Security document entitled “Building up A-92 Forces” obtained by UNTAC and on file with Human Rights Watch describes the role of one of the A-teams, A-92, in considerable detail. A covert command structure

778 Brad Adams interview with former SOC police officer, Phnom Penh, March 2000.
running from the commissioner or deputy commissioners of security in each province was established that recruited people with high standing, such as professors, teachers, medical practitioners, monks and “other persons with influence among the ranks of the popular masses.” A-92 operatives were directed to infiltrate and subvert “all the various political organizations having a policy of opposition to the Cambodian People’s Party.” The aim was to uncover information about their strategies and supporters, and to disrupt them by seizing control of vital functions, including economic resources. Their functions included creating “misunderstanding among the popular masses about the opposition parties, to foment activities that undermine their reputations and interests, to create contradictions and splits among their forces, and to use pre-emptive methods to prevent the opposition parties from gaining the advantage in the election.”

The document said that A-92 personnel would:

Carry out, either personally or through intermediaries, the destruction and forestallment of the stratagems, plans, methodologies, tricks and activities of the opposition parties which aim at expanding their influence and their membership and to destroy us. They are also to achieve any of a number of goals, primarily those such as eliminating the influence, propaganda and psychological warfare of the opposition parties, and in particular to eliminate their influence among the popular masses.

The document continued: “It is imperative to set up Assistance Groups both in the ministries and in the provinces and municipalities. These are to be selected from among the security forces. ... The Ministry specifies that this document is to be kept top secret.”

UNTAC records show that A-Teams encouraged and directed their members to carry out attacks and then cover up evidence of official complicity. As reaction forces had no

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784 Ibid.
official links to SOC security forces, police were able to deny involvement. Documents uncovered in Takeo, Prey Veng, and Kompong Cham provinces show that members of the security forces were encouraged to meet quotas for incidents, and cover up CPP complicity by appearing to assist UN investigators. Thus, the same people who were behind the crimes were able to influence investigations.\textsuperscript{786}

These units were greatly feared not only among overt opposition groups, but within SOC and the CPP, with would-be reformers within the regime describing the security apparatus as deeply opposed to political change and tasked with sabotaging the democratization processes to which the SOC had committed itself via the Paris Agreements.\textsuperscript{787}

**Sok Phal under the RGC Security Central Directorate, 1993-2003**

Sok Phal stayed on as Chairman of the Intelligence Directorate after FUNCINPEC won the May 1993 elections and a FUNCINPEC-CPP coalition government was formed with co-prime ministers. In the RGC’s re-amalgamated Ministry of Interior, Sok Phal remained in his same post, answering to a CPP secretary of state.\textsuperscript{788} A December 1993 RGC sub-decree restructured the security forces, creating a Supreme Directorate of National Police, which exercised considerable authority over a number of Central Directorates, which were subdivided into directorates. One of these was the General Information Directorate, the new name of the unit of which Sok Phal remained chief and which was placed under the Security Central Directorate.\textsuperscript{789} The officers of these units enjoyed national jurisdiction, but did not have substantial operational command authority over local police.\textsuperscript{790} After a time, ...

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\textsuperscript{786} UNTAC Information/Education Division, “Reaction Forces and ‘A’ Groups,” April 12, 1993.


\textsuperscript{788} Interview with Khan Savoeun, Surin, Thailand, October 17, 1997.

\textsuperscript{789} RGC, Sub-Decree 16 ANKr, December 20, 1993; COHCHR, “Ministry of Interior,” 1995; RGC, Sub-Decree 94 ANKr, August 23, 1994.

the General Information Directorate went back to the name Intelligence Directorate, with Sok Phal in charge as before.\textsuperscript{791}

Throughout these changes of nomenclature, Sok Phal’s directorate was one of the most powerful center-level security force units in Cambodia.\textsuperscript{792} Hun Sen used it to assert authority over not only FUNCINPEC, but the CPP Minister Sar Kheng, whom Hun Sen did not trust.\textsuperscript{793}

With a corps of 250-300 officers and more than 2,000 persons, including secret operatives, some masquerading as journalists, working directly for him, Sok Phal kept up and extended his intelligence files on all politicians, building on work he had done since the 1980s.\textsuperscript{794} He presided over an expanding monitoring of telecommunications via placement of personnel in telecommunication firms, directed at the opposition, including senior FUNCINPEC figures, such as in the above-mentioned case of Foreign Minister Norodom Sirivudh, who were arrested and imprisoned on trumped-up charges as a result of Sok Phal’s illegal wiretapping.\textsuperscript{795} Intelligence assets were also employed for surveillance of NGOs, businessmen and CPP members, including Sar Kheng.\textsuperscript{796}

During and after Hun Sen’s July 1997 coup and the national assembly elections of 1998 and 2003, the main work of Sok Phal’s Directorate remained surveillance operations aimed at civilian targets, above all opposition political parties at national and local levels.\textsuperscript{797} He also continued to be responsible for preventing the police from investigating political killings and other anti-opposition CPP operations, and an insider characterized his unit as

\begin{itemize}
\item \textsuperscript{791} RGC, “Ministry of Interior” November 30, 1998; RGC, Royal Decree NS/0610/467, June 8, 2010; Human Rights Watch interview with senior police officer, name withheld.
\item \textsuperscript{792} COHCHR, interview with Sin Sen, Phnom Penh, January 20, 2004.
\item \textsuperscript{793} Human Rights Watch interview with senior police officer, name withheld.
\item \textsuperscript{794} Ibid.
\item \textsuperscript{795} Brad Adams interview with former police officer, Paris, 2004.
\item \textsuperscript{796} Interview with former police officer, Stockholm, 2004; Human Rights Watch interview with senior police officer, name withheld.
\item \textsuperscript{797} Interview with General Chao Phally, December 5, 2003.
\end{itemize}
“of most importance to the CPP” in maintaining power and in particular for Hun Sen’s political machinations.\textsuperscript{798}

\textbf{Sok Phal as Chairman of the Security Central Directorate, 2003-2014}

On July 11, 2003, Hun Sen promoted Sok Phal to be Chairman of the Security Central Directorate, putting him in charge of all the old PRK defense of political security functions and the new functions performed by directorates added since the early 1990s.\textsuperscript{799} This included authority over the General Information/Intelligence, Internal Security, Anti-Terrorism, Immigration, the International Police (Interpol), and Bodyguard Directorates and their judicial police officers with national jurisdiction.\textsuperscript{800}

By 2005, Sok Phal was concurrently a Deputy Supreme Commissioner of National Police, in which capacity he acted as an “assistant” to the Supreme Commissioner (originally Hok Longdy, later Neth Savoeun).\textsuperscript{801} In late 2005, he also joined the CPP Central Committee, at the same time as other Hun Sen top security force favorites like Kun Kim and Neth Savoeun.\textsuperscript{802}

\textbf{Sok Phal and Suppression of Khmer Krom Activism and Anti-Hun Sen Leafletting}

From 2009, the Security Central Directorate played a key role, together with other center-level police and sometimes also sub-national police, in the suppression of peaceful political activism among Khmer Krom, including anti-Hun Sen leafletting by them and

\begin{itemize}
  \item \textsuperscript{798} Interview with Sin Sen, Phnom Penh, January 20, 2004; Human Rights Watch interview with senior police officer, name withheld.
  \item \textsuperscript{799} RGC, Sub-Decree on an Appointment to a High-Ranking National Police Officer Post 666 ANKrTT, July 11, 2003; Human Rights Watch interview with senior police officer, name withheld; RGC, Sub-Decree on an Appointment to a High-Ranking National Police Officer PostNumber 668 ANKrTT, July 11, 2003.
  \item \textsuperscript{800} RGC, Royal Decree NS/0610/467 June 8, 2010; RGC, organigramme, “Supreme Commissariat of National Police,” [n.d.] (but dated by context to 2014).
  \item \textsuperscript{801} “PM Call on Gov’t Officials to Tackle Terrorism,” \textit{Cambodia in Focus} (New Zealand), July 2005; For an explanation of the functions of deputy supreme commissioners, RGC, “The Supreme Commissariat of National Police Issues a Proclamation on the Duties of the 14 Deputy Supreme Commissioners,” June 3, 2014 (document in Human Rights Watch possession).
\end{itemize}
Khmer of Cambodia (Khmer Krom is a term applied to people who identify as ethnic Khmer and who were either born in what is now southern Vietnam or descended from ancestors born there; substantial Khmer Krom communities still inhabit parts of the lower Mekong Delta in Vietnam but others have migrated more or less recently to areas within Cambodian territory).\textsuperscript{803}

The Security Central Directorate's actions followed a series of crackdowns since 2007 by Vietnamese authorities on protests, in particular by Khmer Krom Theravada Buddhist monks peacefully protesting Vietnamese government restrictions on their religious freedom and what they said was inadequate teaching of Khmer in Vietnam.\textsuperscript{804} They included operations in April 2009 aimed at arresting five former Khmer Krom monks who had taken refuge in Cambodia after serving two years in prison in Vietnam for their involvement in the Khmer Krom protest movement and in January-May 2010 of alleged Khmer Krom and other leafletters.\textsuperscript{805} The latter operation resulted in five people being sentenced to prison for their purported leafleting activities, including an employee of a human rights organization.\textsuperscript{806} The Security Central Directorate played a role in further operations, arrests, and trials of Khmer Krom and other alleged leafletters in 2011, with 10 more being sentenced to prison.\textsuperscript{807}

In March 2013, with the help of Thai authorities, the Security Central Directorate arrested seven Khmer Krom and other Cambodians in Thailand, including some allegedly involved in the anti-Hun Sen leafleting cases described above. They were transported into Cambodia


\textsuperscript{805} Ibid.


and detained in Phnom Penh.\textsuperscript{808} They and six others not arrested were accused of involvement in a Khmer National Liberation Front founded by one of the six, who was resident in Denmark and had declared his organization aimed to “save” Cambodia from rule by “the dictator Hun Sen.”\textsuperscript{809} After Hun Sen alleged the suspects were “armed rebels” and “terrorists,” a Phnom Penh court convicted them after a one-day hearing in March 2014 of insurrectionary “treacherous plotting” against the government, despite the fact that no compelling evidence substantiating this charge was presented. Instead, the cornerstone of the case was the distribution of leaflets that the prosecution described simply as “opposing the government.”\textsuperscript{810} The 13 were sentenced to from five to nine years in prison.\textsuperscript{811}

**Sok Phal and Refoulement of Uighur Asylum-Seekers to China**

Between May and October 2009, small groups of ethnic Uighur Muslims from China arrived in Cambodia to seek asylum and refugee status.\textsuperscript{812} Many had fled a harsh crackdown by Chinese authorities on Uighur activism in their native Xinjiang province and claimed they would be subjected to severe religious and political persecution if returned to China. However, the Cambodian government came under increasing pressure from the Chinese government to send them back. In this context, on December 17, 2009, Hun Sen signed a government sub-decree that paved the legal way for this, doing so in a manner that contravened Cambodia’s international obligations as a party to the 1951 Refugee


\textsuperscript{811} Phnom Penh Municipal Court, “Judgment” (Number 21 KB3Ngo), April 11, 2014 (document in Human Rights Watch possession).

Convention and which empowered the Immigration Directorate of the Security Central Directorate to play a key role in such transgressions of international refugee law.

The same day as Hun Sen signed the sub-decree, 20 Uighur asylum seekers were placed in what was described as a safe-house jointly managed by the Cambodian authorities and the United Nations High Commissioner for Human Rights (UNHCR), which had issued them with letters stating they were “Persons of Concern under UNHCR’s protection, awaiting a determination regarding their asylum claims.” However, on the evening of December 18, armed immigration police seized all 20. The Uighurs were then flown, against their will, out of Cambodia on a Chinese plane on December 19, 2009.\footnote{813} This action was a flagrant violation of their rights under the Refugee Convention against non-refoulement – not being returned to a place where your life or freedom is at risk.\footnote{814}

**Sok Phal During the 2013 National Elections and Since as Immigration Supreme Director**

Like other senior police, military, and gendarme officers, Sok Phal campaigned for the CPP during the run-up to the July 2013 National Assembly elections, in his case in the capacity of the chairman of a CPP “grassroots strengthening” team for a district in Battambang province. Among other things, he presided over the enrollment of new CPP members.\footnote{815}

In January 2014, Hun Sen arranged the promotion of Sok Phal to full general.\footnote{816} This proved to be a prelude to Sok Phal’s appointment as Supreme Director of a newly created Immigration Supreme Directorate, set up in April 2014 by combining the existing

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Upon assuming his new post, Sok Phal gave up his posts as Deputy Supreme Commissioner of National Police and Chairman of the Security Central Directorate.\footnote{818}{“The Royal Government Decides to Create Supreme Directorates for Immigration and Identification” (ប្រកួតប្រជុំរបស់ស្ថាហករដ្ឋមន្ត្រីបង្កើតក្រុមហ៊ុនសេដ្ឋកិច្ចនៃស្ថាហករដ្ឋមន្ត្រីមន្ត្រីផ្លូវមន្ត្រីក្រុមហ៊ុនសេដ្ឋកិច្ច), April 2, 2014, http://www.dap-news.com/2011-06-14-02-39-55/84120-2014-04-02-07-49-59.html (accessed April 5, 2014); “Ceremony Creating 2 Supreme Directorates and Appointing Supreme Directors and the Chairman of the Police Academy of Cambodia” (ប្រកួតប្រជុំរបស់ស្ថាហករដ្ឋមន្ត្រីបង្កើតក្រុមហ៊ុនសេដ្ឋកិច្ចនៃស្ថាហករដ្ឋមន្ត្រីពីមន្ត្រីក្រុមហ៊ុនសេដ្ឋកិច្ចបានបង្កើតនៅថ្ងៃទី២មោសេស្ថាហករដ្ឋមន្ត្រី, April 23, 2014, http://www.dap-news.com/2011-06-14-02-39-55/85236-2014-04-23-10-24-47.html (accessed May 1, 2014); “Heads of New Departments of Immigration, Identification Sworn In,” Cambodia Daily, April 25, 2014, http://edition.bayontv.com.kh/bayontv-national-news/30108-2014-08-08-11-30-04.html (accessed August 8, 2014).} Since late 2014, a wave of ethnic Montagnard asylum seekers from Vietnam has arrived in Cambodia, coming across the border into Ratanakiri province. They are members of Jarai and other upland minority groups mostly practicing forms of Christianity that the Vietnamese authorities persecute as a form of “evil way” religion. In December 2014, the Refugee Directorate of Immigration Supreme Directorate allowed 13 Jarai asylum seekers to register in Phnom Penh as such, and the Minister of Interior subsequently issued them with proclamations recognizing them as refugees. But the Refugee Directorate initially refused to allow any among the more than 300 other Montagnard asylum seekers who had been in Cambodia at some point since late 2014 even to register to seek a determination whether they also qualify as refugees. During 2014-2015, at least 54 were summarily refouled from Ratanakiri into Vietnam. Those remaining in Cambodia lived in fear of

Sok Phal’s approach to the Montagnard issue appeared to aim at fulfilling internal CPP policy according to which Montagnard efforts to seek refugee status and asylum in Cambodia are “a trick by unfriendly circles, including the United Nations High Commissioner for Refugees,” to sabotage relations between Cambodia and Vietnam. According to the CPP policy, this “trick” is something that Cambodia and Vietnam must therefore cooperate to “prevent and smash,” especially as the purported sabotage includes plots to “wreck the Vietnamese revolution.” In practical terms, the policy requires the two governments’ security forces working together to stop Montagnards from crossing into Cambodia, and those of Cambodia to ensure those who manage to do so to either be sent to a third country or be arrested and returned to Vietnam.\footnote{820}{CPP, *History of the Struggle*, pp.260, 267-268, 275-276.}


On January 20, 2016, the government announced that the 13 recognized as refugees would be forcibly resettled to a third country, while promising it would work “on assessing,
evaluating, and interviewing” 171 other Montagnards. A spokesperson for the UNHCR, which is mandated to assist the government in such work, described the announcement as a government agreement “to resume registration and processing for the existing group of Montagnard asylum-seekers while UNHCR agreed to continue seeking appropriate solutions for these individuals,” saying “these solutions could involve voluntary repatriation or resettlement to a third country,” a formulation that opposed refoulement but also omitted mention of any possibility of resettlement in Cambodia itself. However, in early February 2016, a Ministry of Interior spokesperson declared that most of the asylum seekers would be deported, while Sok Phal said that processing of asylum claims had not yet begun.

The 13 recognized refugees left Cambodia on May 27, at which time UNHCR said the 171 were finally undergoing “registration and refugee status determination by the government’s Refugee Department.” However, in early June 2016, 30 Montagnards had reportedly returned to Vietnam “voluntarily.” On June 8, 2016, the government arranged for a group of Vietnamese police and other officials to accompany its own officials to visit some asylum seekers in Phnom Penh to persuade them to return home, contrary to international standards according to which asylum seekers should not have to meet authorities of a country from which they have fled. In mid-July 2016, another 16 returned to Vietnam, under UNHCR supervision. Sok Phal hailed their departure, but did not reveal the status of government processing of the other Montagnards, who remained at risk of refoulement.

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In late March 2017, almost 50 Montagnard asylum-seekers fled Cambodia for Thailand after being told that their claims for refugee status had been denied. Many of them and others still reportedly rejected by Sok Phal’s Immigration authorities had what an authoritative NGO official characterized as “strong cases” to receive such recognition. An immigration official told the media that since the government had given this status in 2015 to 123 Jarai from Vietnam, only three more had been accorded recognition. As of early April 2017, 96 Montagnards remained in de facto strict house arrest in Phnom Penh. They faced an increasingly imminent prospect of refoulement to Vietnam as “persons who do not have the right to live in Cambodia,” although for some the possibility of appeal of the initial Immigration judgment remained. Sok Phal meanwhile ordered immigration police to further strengthen border controls by returning to their countries of birth all persons entering Cambodia illegally, meaning those without the proper paperwork allowing them to come into the country, a position seeming to bar entry to and promise summary refoulement of asylum-seekers.

By early October 2017, only 20 of the Montagnards who had come to Cambodia seeking asylum since late 2014 had been granted refugee status, even though many more were deemed by UNHCR and non-governmental organization refugee experts as qualified for it. These included 23 who remained in Cambodia whom Sok Phal declared must be returned to Vietnam, where he said they would face “no problem,” although he conceded they might end up in jail.

On the domestic political front, Sok Phal meanwhile became part of an escalation of government suppression of the opposition during the second half of 2015, which culminated with issuance of an arrest warrant on November 13, 2015 for Sam Rainsy, who

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831 Government intent on deporting asylum seekers despite warnings, Thursday, October 5, 2017.
was already outside the country at the time. The warrant authorized enforcement of a prison sentence originally pronounced against Rainsy on April 25, 2011, when he was sentenced to jail time on a politically motivated charge of incitement to discrimination.\(^\text{832}\)

On November 15, 2015, Sok Phal was named to a Ministry of Interior committee tasked with arresting Sam Rainsy whenever it becomes possible to do so.\(^\text{833}\)

Sok Phal has come out full-square behind the extirpation of CNRP from Cambodia's political life. Upon Kem Sokha’s arrest on September 3, 2017, Sok Phal and all Immigration Police condemned the CNRP leader’s “traitorous conduct” and hailed his detention for prosecution.\(^\text{834}\) On October 19, Sok Phal convened a meeting of senior and other Immigration Police officers at which he denounced the “color revolution schemes ... formulated by opposition party groups” on “the instructions and orders of Great Power America.” Sok Phal instructed his subordinates to report any such activities observed in the course of their work.\(^\text{835}\) Two days later, he issued a statement as “the representative of Immigration Police forces” denouncing Sam Rainsy as a traitor in league with Kem Sokha and other “power-mad” traitors who “care nothing at all about the national interest.” He affirmed support for actions already taken against them and that the Immigration Police were standing by to “smash and destroy” them.\(^\text{836}\) Speaking on November 16, 2017 as head of the Immigration Police and in the name of all its officers, Sok Phal stated full support for the Supreme Court judgment dissolving the CNRP on account of its unforgivable involvement in “treason” and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”\(^\text{837}\)


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XI. Gen. Mok Chito, Deputy Supreme Commissioner of National Police

Mok Chito, whose official birthdate is December 7, 1962, was reportedly a section chief of one of the Ministry of Interior’s defense of political security directorates in the PRK and SOC periods. Following the Paris Agreements, Mok Chito reportedly worked for the new ministry’s Anti-Terrorism Directorate, formerly the Ministry of Interior’s Defense of Political Security Directorate. He played a key role in the “A-Teams,” helping to lead them in the Phnom Penh area in particular. Numerous former police officials allege that Mok Chito has been involved in many political and other killings, kidnappings, torture and other abuses.

Mok Chito after UNTAC, 1993-2012

After the May 1993 elections and the formation of a FUNCINPEC-CPP coalition, Mok Chito became chairman of the Criminal Police Bureau of the Phnom Penh Municipality Police Commissariat. In this capacity, he vowed to take “strong measures” against alleged “subversives” in the capital, relying both on uniformed and undercover police officers to conduct operations. This was a period of ongoing political assassinations, notably of journalist critics of the government, actions that he allegedly helped oversee and cover up, either by simply obstructing investigations or by orchestrating the murder of assassins whom he feared might implicate him and others in such crimes.

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840 Brad Adams interviews with former members of A-Teams.

841 Brad Adams interviews with current and former police officers and senior CPP officials.


843 See, for example, Amnesty International, “Chan Dara, Journalist at Koh Santepheap Newspaper, Uch Saosarith, Editor of Preap Norm Sar Newspaper, and Other Preap Norm Sar Journalists” (AI Index ASA 23/11/94), June 14, 1994; Amnesty International, “Tou Chhom Mongkol, Editor-in-Chief, 2 editors (names unknown) and other staff at Antarakum Newspaper” (AI Index ASA 23/11/94), June 15, 1994; “Antigovernment Newspaper Editor Killed in Capital,” AFP, Phnom Penh, September
rife with kidnappings for ransom of members of an emerging business elite, especially ethnic Chinese. Numerous current and former police officials alleged that instead of generally suppressing such crimes, Mok Chito organized and profited greatly from some of them.

In early 1997, Mok Chito blocked efforts by the opposition Khmer National Party (KNP), led by former FUNCINPEC minister Sam Rainsy, to lend public support to garment factory worker protests for better pay and conditions. He was present at the scene of the March 30, 1997 grenade attack against Sam Rainsy. He refused to cooperate with a US FBI investigation into the incident.

With official complaints from the public and within the police ranks related to his alleged behavior mounting, Mok Chito became so notorious that he was assigned to the Phnom Penh police Bureau for Administration of Foreigners, then suspended from this post in December 1998. However, he was soon reinstated as head of Phnom Penh’s municipal police.
criminal police.\textsuperscript{849} New allegations, including further legal depositions, of his covert involvement in committing or covering up political assassinations and kidnappings for profit ensued.\textsuperscript{850} He was nevertheless promoted, becoming chairman of the national-level Justice (Judicial Police) Central Directorate under the Supreme Commissioner of National Police at the Ministry of Interior. In this post, Mok Chito had direct control over a small number of elite national-level judicial police, having the whole of Cambodia within its jurisdiction, including most notably the Directorate of Criminal Police.\textsuperscript{851}

As head of the Justice (Judicial Police) Central Directorate, Mok Chito publicly presided over the politically motivated arrests of high-profile human rights activists, such as those of then Cambodian Center for Human Rights President Kem Sokha and Community Legal Education Center Director Yeng Virak in 2006.\textsuperscript{852} This was part of a larger pattern of harassment and intimidation of such activists, who were typically threatened with prosecution on trumped-up charges before being released. He also became involved in a similar pattern of persecution of a growing number of land and housing rights activists.\textsuperscript{853}

\textsuperscript{849} COCHR interviews, names withheld; COCHR Election Unit, “Political Killings: Structure and Organization,” June 2003.

\textsuperscript{850} For a reference to this distinction between national-level and sub-national-level judicial police, see “The Royal Government Took Measures for the Governnance of Civil Servant, National Police and Military Offices, Contracted Officials and Floating Staff in 2015” (reachathoathabinal mean vitheanakar sam reap krupkrong muntrei reachakar sivil yothea nokorbal cheat muntrei chaop kechsanya neung bokkulik andet knong chhnam 2015” March 10, 2015, http://www.kampucheathmey.com/local-news/general-news/26705-2015-03-10-07-26-54.html (accessed March 10, 2015); For a reference to this directorate, see “Ministry of Interior Minor Crimes Police Send to Suspects of Mugging to Court” (nokorbal prumatoan kameut sral krasuong mohaphtey phchoun chon chunsay 2 neak chhak kabaup teou tolak, March 10, 2015, http://beta.nokorwatnews.com/%E1%9E%93%E1%9E%82%E1%9E%9A%E1%9E%94%E1%9E%B6%E1%9E%9B%E2%80%8B%E1%9E%96%E1%9E%92%E1%9E%A0%E1%9F%92%E1%9E%98%E1%9E%91%E1%9E%8E%E1%9F%92%E1%9E%8C%E2%80%8B%E1%9E%80%E1%9E%88%E1%9F%92%E1%9E%9A/ (accessed March 10, 2015). The Justice Central Directorate fortnightly collates information about all crimes allegedly committed throughout Cambodia, based on reports from the Supreme Commissariat of National Police and provincial and municipal police commissariats. See, for example, “Central Directorate for Judicial Police, Supreme Commissariat of National Police, Ministry of Interior, Rabaykar, November 30, 2009 (document in Human Rights Watch possession).

\textsuperscript{852} Ibid.

\textsuperscript{853} Ibid.
Meanwhile, renewed allegations surfaced of his involvement in kidnappings and murders dating back to the 1990s.\textsuperscript{854}

In April 2012, Hun Sen appointed Mok Chito chairman of a special committee to oversee an investigation into the shooting death of prominent environmental activist Chhut Wutthy in Koh Kong province, killed while investigating illegal business dealings involving the gendarmerie. In May, the committee visited the province and produced an implausible account of how Chhut Wutthy had died, leading to the conviction of an apparent scapegoat for the murder, who was then released after serving a truncated sentence. The investigation and trial, which Mok Chito attended, appeared designed to shield those truly responsible for Chhut Wutthy’s death from prosecution.\textsuperscript{855}

**Mok Chito in the National Elections of July 2013, Post-Election Repression, and Since**

Like other senior Cambodian military, gendarme and police officials, Mok Chito openly supported Hun Sen’s ruling CPP in its campaign for the National Assembly elections held on July 28, 2013. Mok Chito was chairman of a CPP work team assigned to campaign for the CPP in Kien Svay district of Kandal province and dispatched police officers under his authority to conduct CPP campaign activities there.\textsuperscript{856}

Cambodia became engulfed in an intensified human rights crisis after the 2013 elections. Attempts by government security forces to prevent or suppress these initially peaceful assemblies precipitated violence on several occasions during September-December 2013. On multiple occasions, police and other security units used excessive and unnecessary lethal force, killing two people and injuring many others. The police and other security forces also arbitrarily arrested several people who were later convicted of crimes against

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\textsuperscript{854} Victim complaints filed to the Phnom Penh and Ministry of Interior Judicial Police, dated June 6, 2008; March 3, 2009 (documents in Human Rights Watch possession; names of plaintiffs withheld).


the security forces and property, despite a lack of credible evidence against them. Nevertheless, the scale of the CNRP demonstrations and worker strikes continued to grow.\textsuperscript{857} When CNRP Vice-President Kem Sokha received a death threat, Mok Chito declared this a matter of no police concern.\textsuperscript{858}

On December 24, 2013, Mok Chito became acting Phnom Penh Municipality Police Commissioner for 12 days, in the absence of regular municipal police chief Chuon Sovan, who was out of the country.\textsuperscript{859} At the same time, he joined the Phnom Penh Unified Command Committee, the body responsible for security force operations in the capital, including those of the police and gendarmerie.\textsuperscript{860} On December 26, he blamed CNRP for inciting strikes and asserted this was part of an illegal attempt “to topple the government,” an allegation for which no evidence has ever emerged.\textsuperscript{861} On December 31, 2013, he warned that the police would take action if workers caused “chaos in the city.”\textsuperscript{862} He then assumed overall operational control of the Phnom Penh Unified Command Committee as its acting chairman.

On the morning of January 2, 2014, as workers gathered to demonstrate in front of the many garment factories on the outskirts of Phnom Penh, Mok Chito deployed security force units to break them up. Overnight on January 2-3, it sent hundreds of municipal and district police and gendarmes to clear workers protesting by blocking roads in the Veng

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Sreng industrial suburb of Phnom Penh. Violent clashes broke out, with some workers throwing rocks, sticks and petrol bombs and attacking property, while security forces, some of whom were injured, fired tear gas, smoke grenades, and, occasionally, live ammunition. They also beat many people, including three young men whom they arrested and who were eventually tried. On the morning of January 3, a large force of gendarmes launched an operation to seize control of the Veng Sreng area, some of whom fired their assault rifles indiscriminately, killing five people and arresting 10 others. The area was then occupied by army troops. One of the other victims of the gendarme beatings later died of his injuries. The 13 people arrested were later tried and convicted of being responsible for the violence, even though no credible evidence was adduced against them.

Since then, Mok Chito has been promoted both within the police and CPP ranks. In December 2014, Hun Sen named him a deputy supreme commissioner of national police, at which time he gave up his previous position as the head of the Justice (Judicial Police) Central Directorate. In February 2015, he joined the CPP Central Committee, and in November 2015 the prime minister appointed him Secretary-General of the National Authority for Combating Drugs, a post he holds concurrently with his place as police deputy supreme commissioner. Like Sok Phal, Mok Chito was named to a Ministry of

863 According to the testimony of police and gendarme officers who appeared at April 25-May 23, 2014 hearings in the trial of people arrested during the Veng Sreng events.


Interior committee tasked with arresting Sam Rainsy whenever it became possible to do so. In October 2017, he was made a full police general.

Meanwhile, Mok Chito has continued to conduct so-called grassroots strengthening on behalf of CPP and in support of Hun Sen remaining Cambodia’s prime minister. In late 2016, Mok Chito and a subordinate went to Takeo province on a visit during which the latter, speaking as Mok Chito’s representative, praised Hun Sen’s performance as prime minister.

On the day of Kem Sokha’s arrest in September 2017, Mok Chito’s anti-drugs authority expressed complete support for the arrest of Kem Sokha for having colluded with foreigners to carry out a traitorous color revolution and conduct espionage, thus having adversely affected national security in an unforgivable manner.
XII. Gen. Chuon Sovan, National Police Deputy Supreme Commissioner, Phnom Penh Police Commissioner

Chuon Sovan in Kandal Province, 1979-2010

Chuon Sovan’s official birthdate is July 14, 1958. During the SOC period, he was a military cadre in Kandal province, working under Kun Kim. He has remained personally close to Kun Kim since then. After the creation of the GRK in 1993, Chuon Sovan became commander of the Kandal province gendarmes, in which post he remained through around 2010. An active member of the CPP, he also became a personal favorite of Hun Sen, with whom he often met socially at the prime minister’s Tuol Krasang residence and headquarters outside the provincial chief town of Ta Khmao. By early 1997, he was concurrently a personal bodyguard with an officer’s rank for Hun Sen, who decorated him for his services.

A month after Hun Sen’s July 1997 coup against his former government coalition partner, FUNCINPEC, Chuon Sovan was formally appointed an advisor to Kun Kim, who had been Hun Sen’s key tactical commander for the putsch.

While Chuon Sovan commanded the Kandal province gendarmes, they were implicated in a wide range of human rights violations, including assaults and death threats; intimidation of opposition political activists; and violent land-grabbing during which they allegedly unlawfully shot villagers in conflict with a business closely associated with Kun Kim.

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872 2017 provisional voter registration roll, document 05-194-386.
873 Interview with former Kandal province police officer, July 7, 2014.
875 Interview with former Kandal province police officer, July 7, 2014.
876 RGC, Decision 09 SSR, January 10, 1997.
877 RGC, Sub-Decree 154 ANKrTT, August 6, 1997.
Chuon Sovan as Deputy Supreme Commissioner of National Police and Phnom Penh Police Commissioner

By 2011, Chuon Sovan had been promoted and transferred to Phnom Penh, where he was a deputy Supreme Commissioner of National Police, with at least some responsibilities over municipal police personnel. This was part of the process by which Hun Sen consolidated his and the CPP’s hold on the security forces at the national and Phnom Penh levels, including by his 2008 installation of Neth Savoeun as Supreme Commissioner of National Police and 2009 installation of Kun Kim as Chairperson of the Mixed General Staff of the Royal Cambodian Armed Forces (RCAF).

On October 3, 2012, Chuon Sovan assumed the concurrent post of Commissioner of Phnom Penh Municipal Police, replacing Touch Naroth. It soon became apparent that Chuon Sovan was more willing than Touch Naroth to employ force, including lethal force, to suppress political and social opposition, including via application of a 2009 Law on Peaceful Demonstrations containing provisions to restrict public assemblies. After his appointment, Chuon Sovan implemented such restrictions by using the police to prevent or break up gatherings that the authorities arbitrarily deemed to threaten “security, safety and public order,” particularly if protests were scheduled for outside government-designated “democracy plazas” or “freedom parks,” for which the 2009 law provides.

Against this legal backdrop, Chuon Sovan argued that preemptive crime prevention was preferable to ex-post facto suppression, the ideal being to prevent all assemblies deemed...
likely to lead to disruption of social order, such as strikes. In so doing, he exercised his authority as Phnom Penh police chief to deploy subordinate district and other police units, including commune-level administrative police, both of which were routinely assisted in their operations by grassroots public order and security para-police.

In line with the “mixed forces” concept dating back to the PRK period, Chuon Sovan coordinated municipal police operations with those of the GRK. From the beginning, he associated himself closely with his former boss, National Gendarmerie Commander Sao Sokha. He did the same later with his ex-military colleague from Kandal province, Rat Sreang, who had been a subordinate of Chuon Sovan in the Kandal province gendarmes, then commander of the Banteay Meanchey province gendarmes before becoming Phnom Penh Gendarmerie Commander on September 23, 2013. He also at times coordinated police activities with those of troops of Hun Sen’s Bodyguard Unit in carrying out “security and order” tasks.


Chuon Sovan’s appointment as Phnom Penh police commander came as the Cambodian government was preparing to host the summit of the Association of Southeast Asian Nations (ASEAN) and related meetings, including with leaders of major non-ASEAN powers, US President Barack Obama among them, which took place from November 15 to 20, 2012. The government heightened security measures before and during these events, including by intensifying restrictions on freedom of assembly, something in which Chuon Sovan played a key role. On November 7, 2012, he deployed municipal police in riot gear to drive urban land rights protesters away from a vigil they had set up in front of the US Embassy.

On November 12, 2012, Chuon Sovan convened a meeting of municipal and subordinate district and other police units to make final arrangements for the summit. He declared his intention to continue to suppress all demonstrations and assemblies that had not received advance authorization from the municipality and the Ministry of Interior. On November 13, his police, operating in concert with gendarmes, intervened to prevent one such gathering by hundreds of activists from Cambodia and Southeast Asian countries to promote human rights in conjunction with ASEAN summit.

Phnom Penh police suppression of peaceful demonstrations and association continued after the summit. On November 26, 2012, center-level intervention and district police,

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operating in concert with gendarmes, used excessive force to break up a protest by some workers after their factory’s dismissal of two union members. Explaining such actions, Chuon Sovan stated that although in principle striking workers had the right to demonstrate, in practice he had instructed his police to suppress any gathering deemed not to be in line with “the rule of law.” On December 3, 2012, they clashed with hundreds of garment workers striking to demand the rehiring of two union leaders sacked from their factory jobs. On international Human Rights Day (December 10), they blocked a march by people marking the occasion, and one NGO worker was briefly detained simply for taking a photograph of Chuon Sovan.

On March 13, 2013, Daun Penh district police, operating alongside gendarmes, participated in the violent break-up of a demonstration by housing and land rights activists demanding the release of prominent human rights defender Yaom Bopha. Five demonstrators were seriously injured as a result of being beaten with batons or riot shields. On April 25, 2013, Daun Penh police, operating together with gendarmes, forcibly prevented land and housing rights activists from attempting to go to the CPP national headquarters compound in Phnom Penh to present a petition. On June 14, 2013, municipal police roughed up several women land and housing rights activists during a protest against the continued detention of human rights defender Yaom Bopha, causing at least four of the victims to faint.

Chuon Sovan again justified such actions by declaring that the gathering lacked the

893 Ibid.
He similarly defended the need for a police operation the next day to prevent anti-eviction protesters from presenting a petition to the Royal Palace, provoking a melee in which one petitioner was injured.

Chuon Sovan and the Elections of 2013

The operations against civil society organizations and activists were carried out as national assembly elections scheduled for July 28, 2013 pitting the CPP against the opposition CNRP approached. During the campaign, Chuon Sovan was openly partisan in favor of the CPP and Hun Sen. He was vice chairperson of the party’s work team for Peam Reang district of Prey Veng province and chairperson of the CPP work team for Boeng Tumpun commune of Phnom Penh’s Meanchey district. He dispatched his police force subordinates to stump on his behalf for the CPP and Hun Sen. Conversely, in early June 2013, Chuon Sovan and his police facilitated a demonstration in Phnom Penh against CNRP Vice President Kem Sokha.

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During the election campaign, Hun Sen and CPP campaigners repeatedly warned that any opposition election win could result in a “war” initiated by the CPP to protect national interests.\(^{904}\) This would include maintaining Hun Sen as prime minister to avert a situation in which Cambodia was “turned upside down.”\(^{905}\) In this context, Chuon Sovan said a few days before the vote that the police were planning to deploy 5,500 men on and after July 28 to prevent any possible violence arising from opposition rejection of a CPP claim of victory.\(^{906}\)

**Chuon Sovan, Suppression of Post-Election Unrest, 2013-2014, and Since**

Problems arising from CPP-orchestrated electoral fraud and irregularities plunged Cambodia into a human rights crisis.\(^{907}\) On election day, Chuon Sovan led a contingent of 100 police deployed to suppress rioting at a Phnom Penh polling station by people protesting what they said was electoral fraud at this voting location and during which two gendarme vehicles were torched.\(^{908}\) From August 2013, demonstrations began contesting the officially announced results, calling for investigations into their bases, for electoral reform, for new elections, and

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for Hun Sen to step down. From September, these were organized by the CNRP, which also decided to boycott attendance of the National Assembly.909

On August 15, 2013, Chuon Sovan began implementing orders from “the upper echelon” to conduct training for municipal police and police from all districts of Phnom Penh in how to “defend public security and order.”910 The same day, he illegally ordered the temporary detention of a print shop owner and worker and two students in connection with the alleged printing and planned distribution of leaflets calling for non-violent political change.911 By August 23, the training was being extended to the commune administrative police who, like district police, were kitted out with riot gear thanks to increased post-election budget outlays from the Ministry of Interior.912 Such financing also covered a distribution by Chuon Sovan of pistols to police officers.913 Deputy Phnom Penh police commissioner Chuon Narin, speaking as Chuon Sovan’s representative, declared the police “must absolutely defend the legal government and legal prime minister begotten by the election” results, that is, a CPP government led by Hun Sen.914


On September 1, 2013, Chuon Sovan personally commanded a mass training session and operational exercise for more than 2,000 municipal and subordinate district police in full riot gear, who practiced deploying street barricades, using gas grenades and working with fire trucks operating water cannon. He spoke of “large-scale suppression” in order to “defend the nation, which is legitimately led by the CPP.”

From early morning on September 15, 2013, municipal, district and national police participated together with national, provincial, municipal and district gendarmes in an attempt to deter a large-scale CNRP gathering at Democracy Plaza that day and make impossible significant gatherings elsewhere in the capital. That afternoon, Chuon Sovan took direct command of a contingent of police deployed to prevent people from breaching street barricades installed to keep them from gathering to protest in locations other than Democracy Plaza. These police used water cannon and smoke or teargas grenades to keep would-be protesters at bay.

At the scene, Chuon Sovan explained that he was enforcing restrictions laid down by the municipality and blamed violence on the CNRP for failing to ensure these were respected and thus acting illegally. On the evening of September 15, after the CNRP gathering at Democracy Plaza itself went off without incident, police and other security forces’ ongoing attempts at near-total obstruction of freedom of movement in and around Phnom Penh provoked social unrest, which the security forces violently suppressed, including by use of excessive and lethal force that resulted in the shooting death of one person and serious injuries to several others.

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injuries to at least a dozen others. The fatal round came from a type of pistol carried by police as standard issue.\textsuperscript{918}

While Chuon Sovan was presiding over a new massive police exercise on October 21, 2013, workers from a garment factory attempted to march on Hun Sen’s downtown residence to stage a protest asking for government intervention to bring about resolution in their favor of a number of disputes with their management. Hearing of this, Chuon Sovan ordered the police to deploy to “arrest these gang leaders.” Trucked to the scene, the police attempted to contain the demonstrating workers, beating both those who resisted and those trying to flee.\textsuperscript{919}

On November 12, 2013, Chuon Sovan personally took the lead in suppressing a follow-up protest by workers from this factory, himself giving the attack order for an operation using municipal and district police to break up a peaceful march by its workers and then to suppress social unrest that this precipitated in Phnom Penh’s Meanchey district.\textsuperscript{920} During this operation, indiscriminate police fire killed one bystander, and nine other people were wounded by unnecessary police use of firearms. The police shootings occurred after Chuon Sovan spurned attempts by human rights workers to defuse the situation.\textsuperscript{921}

After the government set a deadline of January 2, 2014 for an end to what it arbitrarily deemed illegal strike activities, municipal and subordinate district police were among those deployed to enforce the prohibition. However, Chuon Sovan happened to be out of


the country during the ensuing security force violence, which brought about the death of six people.\footnote{Mr. Mok Chito Moves Up to Be Acting Commissioner of the Royal Capital Police Replacing Chuon Sovan for 12 Days} Chuon Sovan returned to Cambodia on or about January 4, 2014, the day Hun Sen’s government arbitrarily banned all demonstrations.\footnote{Mr. Mok Chito Moves Up to Be Acting Commissioner of the Royal Capital Police Replacing Chuon Sovan for 12 Days} From then until late July 2014, the authorities enforced this ban by deploying security forces, including municipal and subordinate district and commune police, without regard to genuine security concerns, sometimes to break up even the smallest and entirely peaceful gatherings with unnecessary force. During this period, police and other security forces also occupied Democracy Plaza, turning it into an armed camp.\footnote{Mr. Mok Chito Moves Up to Be Acting Commissioner of the Royal Capital Police Replacing Chuon Sovan for 12 Days} Chuon Sovan played a key role in such operations.

and around 1,000 supporters to demand government authorization for an expansion of his radio broadcast capabilities and granting of a television license, leaving at least eight protesters injured.928

On February 14, 2014, police subordinate to Chuon Sovan expelled protesters from a building they had occupied in the Borei Keila area of Phnom Penh, injuring at least five people.929 On February 20, they dispersed a small gathering by youth activists attempting to mark World Social Justice Day near Democracy Plaza, injuring one person whom was also temporarily detained.930 On February 27, they obstructed distribution of strike leaflets by union activists, holding two of them temporarily in arbitrary detention.931 On March 3, they broke up a gathering of land and housing rights activists calling for the release of 21 people then still held in pre-trial detention in connection with the events of January 2-3, injuring two gathering participants.932

On March 6, 2014, Chuon Sovan led a further round of mass training of municipal and subordinate district police in exercises aimed at dealing with any further “unauthorized” CNRP demonstrations.933 Later in March, Chuon Sovan also oversaw the training of


specialized municipal and district intervention police. On July 15, 2014, municipal police and other police arrested four CNRP members of the national assembly elect and a CNRP youth leader whom they falsely accused of being responsible for violent clashes between protesters demanding the reopening of Democracy Plaza and para-police attempting to keep them away from the park’s perimeter. This was the beginning of a wave of arrests of other CNRP parliamentarians and activists, all of whom were falsely charged with “insurrection,” an allegation for which there is no credible evidence, but which Chuon Sovan endorsed at a July 30, 2014 review gathering of municipal police. He attributed all violence that had occurred over the past year to alleged instigation by “CNRP, civil society and some unions,” thus implying they were to blame for all deaths and injuries that had taken place, whether among demonstrators, workers, protesters or the security forces themselves. He described police behavior throughout as “perfect” and distributed a gift from Hun Sen of the equivalent of US$25 to every police officer under his command.

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The CNRP national assembly members arrested in connection with the events of July 15, 2014 were later granted temporary release but remain at risk of prosecution for their alleged role. On July 21, 2015, 11 CNRP activists arrested were wrongfully convicted of “insurrection” in connection with the events and were sentenced to prison terms ranging from 7 to 20 years, which they are currently serving.

Chuon Sovan was also named to a Ministry of Interior committee tasked with arresting Sam Rainsy whenever it becomes possible to do so.

On February 19, 2016, Chuon Sovan was elevated to the rank of full general, a promotion that domestic human rights monitors saw as a reward for his services to the CPP. In an annual report made public on March 30, 2016, his Phnom Penh Municipality police congratulated themselves that during 2015, they had “prevented political instability, the break-up of the internal unity, reduced violence, prevented mass social disasters and maintained safety.” It explained:

The majority of [demonstrations and strikes] have been perpetuated by some politicians, civil society groups, federations and unions that oppose the government. [They] stoke incitement and attract activists and protesters to call on the government, ministries, institutions, and relevant local authority to solve their demands. We have paid attention to these strikes and demonstrations and resolved them through cooperation to protect security and safety and keep order.

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In a speech to the Municipality Police the next day, Phnom Penh Governor Pa Socheatevong warned them that with elections coming, they must be ready to continue their suppressive operations against those who cause “political instability.”

On May 9, 2016, Chuon Sovan proclaimed the necessity for such operations when explaining the temporary detention for questioning that day of six human rights defenders and social activists. The defenders and activists had gathered peacefully to call for the release of five human rights defenders who had been detained since late April and held on politically motivated charges in connection with their activities aimed at opposing human rights violations. Chuon Sovan stated that any “protest, march, or concentration of people” without the prior authorization of the government that could in the view of the police “adversely affect political security, order, or stability” would as a matter of course be “broken up, dispersed, and prohibited from proceeding,” and “representatives” of such gatherings would be taken into police custody for questioning and until they agreed to cease and desist from staging them. A series of actions along these lines over the next several months had the desired effect of deterring exercise of the right to peaceful assembly.

On the political front, Chuon Sovan participated as Chairperson of the Veterans’ Association of Phnom Penh in a late 2016 meeting of this de facto CPP auxiliary force led by his political patron Kun Kim, at which the latter praised Hun Sen and stressed the role of veterans in liaising with local active duty security officials.

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947 “Messrs Kep Chutima, Mam Bunheng, and Pa Socheatevong Provide a 73 Million Riel Budget to Resolve Veterans’ Problems” (មន្ត្រីកែវ ជុគ្រិម, មាស បុណ្យ និង ប៉ាស៊ីតសំឡង គឺមានការផ្តល់ប្រាក់ រីលែន ១៧៣ លាននាក់ ដើម្លើងការបញ្ហា).
In the run-up to and during the on-going process of liquidation of the CNRP on the false pretext that it was promoting a color revolution, Chuon Sovan has offered his full support. On August 7-8, 2017, he presided over automatic weapons live-fire exercises by the militarized intervention police set up in August 2015 for special operations against those “of an opposition tendency.”

It was clear that the training was for dealing with demonstrations. On October 21, 2017, Chuon Sovan issued a statement in his name and that of all Phnom Penh police condemning Sam Rainsy, Kem Sokha and other “power-mad” traitors against whom action had already been taken. He added, “I would like to make it clear that all police forces” at the municipal district levels in Phnom Penh “have already prepared themselves in advance in order to eliminate any and all groups wanting creating disorder because they want society to be in turmoil,” explaining that the police were “merely standing by for orders from their superiors, at which time the police force will be ready to conduct operations to defend public security and order.”

Speaking on November 16, 2017 as Phnom Penh Police Commissioner and in the name of all the municipality’s personnel, Chuon Sovan affirmed full support for the Supreme Court judgment dissolving the CNRP on account of its unforgivable involvement in “treason” and for Hun Sen’s call for further pre-emptive measures against color revolution plots and politicians “serving foreign interests.”
XIII. UN Recognition of the Importance of Security Sector Reform

Failed Promises

The structural problems with Cambodia’s security sector have antecedents dating back to the period after independence from France in 1953, including organization of the security forces under the Khmer Rouge regime and the PRK and SOC governments. These problems were supposed to be addressed and substantially reduced by measures included in the 1991 Paris Peace Agreements and by deployment of UN peacekeeping forces during UNTAC administration of the country from March 1992 to September 1993.

That Cambodia’s security forces continue to be dominated by the abusive figures chronicled in this report is in significant part a legacy of the failure of the international community to respond more fully and resolutely to the Hun Sen government’s use of partisan and personalized state security forces to determine the country’s political trajectory. The UN and the 18 states that, together with Cambodia, signed the Paris Peace Agreements on October 23, 1991, mandated UNTAC to oversee an end to Cambodia’s civil war and act to ensure a neutral political environment for free and fair elections to set the country on a path to a democratic future. This included provisions for an UNTAC-supervised regroupment and cantonment of all competing Cambodian military forces followed by a mandatory 70 percent demobilization of troop strength, with a possible demobilization of residual forces, or otherwise their post-election control by a democratically elected government. It also included provisions for UNTAC “direct control” over national defense and public security functions of the competing Cambodian political administrations, specifically for the purpose of ensuring a “neutral political environment.”952

After the accords were signed, however, UNTAC, the UN Secretary-General, the 18 signatories, and other UN member states did not prevent Pol Pot’s Khmer Rouge from reneging on its military commitments or respond effectively when Hun Sen’s State of Cambodia also abandoned its commitments. They failed to overcome resistance by the

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CPP to imposition of direct UNTAC control over matters related to national defense and public security. When the CPP lost the 1993 election, Hun Sen and the party threatened the secession of seven border provinces with Vietnam and to attack UNTAC forces. UNTAC and the international community blinked, ensuring the election results were overturned and Hun Sen was able to retain the position of co-prime minister. He and the CPP retained control over the country’s security forces, paving the way for the 1997 coup that ended dual-party governance and for fundamentally flawed elections in 1998 that left Hun Sen in full control of the government.

Importantly, the Paris Agreements contained no provisions for furthering security sector reform once UNTAC’s mandate was terminated, a major defect. Nevertheless, the Agreements committed Cambodia during the UNTAC period and in the future:

- To ensure respect for and observance of human rights and fundamental freedoms in Cambodia.
- To support the right of all Cambodian citizens to undertake activities that would promote and protect human rights and fundamental freedoms.

The agreements committed the other signatories similarly “to promote and encourage respect for and observance of human rights and fundamental freedoms in Cambodia as embodied in the relevant international instruments in order, in particular, to prevent the recurrence of human rights abuses.”

More recently, the UN Security Council and UN Secretary-General have recognized the importance of security sector reform to the proper exercise of state power more generally and embraced standards of direct relevance to conditions in Cambodia today and to remedying the pervasive security sector abuses detailed in this report.

**UN Security Sector Reform Standards**

The UN has recognized that overcoming security sector shortcomings, like those identified in Cambodia, is critical for reducing and preventing human rights violations. In February 2007, the UN Security Council, under the then-presidency of the Slovak Republic, held its

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953 Ibid.
first-ever debate on security sector reform. The Slovak Republic concept paper for the debate declared that the “overarching objective” of security sector reform must be “to ensure that the security institutions,” the core ones being the “armed forces, police, gendarmeries, paramilitary forces, presidential guards, intelligence and security services, coastguards, border guards, customs authorities and reserve and local security units” – perform their statutory functions consistently “with democratic norms and principles of good governance and the rule of law.” The paper stressed that security sector reform be “inextricably linked with other stabilization and reconstruction priorities such as transitional justice, rule of law and human rights.” It stressed that security sector reform was not amenable to any “quick-fix solution,” because experience showed that “short-term targets lead to dysfunctional and unsustainable outcomes.” Instead, reform must be “a long-term endeavour.” It called on the UN to take advantage of its legitimacy and experience to promote “comprehensive, coherent and coordinated international support” to reform. Otherwise, unreformed security sectors would remain in place as a “decisive obstacle to peace, stability, poverty reduction, sustainable development, rule of law, good governance and the respect for human rights.”

The Security Council debate resulted in a UN Secretary-General report on the role of the UN in supporting security sector reform distributed in January 2008. It defined security sector reform as a process in which the goal is “the enhancement of effective and accountable security for the State and its peoples without discrimination and with full respect for human rights and the rule of law.” It lamented that past lack of UN conflict resolution efforts effectively addressing security sector reform issues at their outset had sowed the seeds of future conflict, saying this resulted from having ignored the reality that the “effectiveness, accountability and democratic governance are mutually reinforcing elements of security” requiring “impartiality and respect for human rights among security actors.”

At the same time, the report suggested that such situations could be corrected even after the end of major UN operations by pursuing long-term security sector reform via an “inclusive process in which national and local authorities, parliaments and civil society … are actively engaged” to establish “sustainable peace and development on the basis of

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human rights.” In the report, the Secretary-General stressed that for the reform process to succeed, “the participation of non-State actors such as civil society organizations and the media is critical.” He also highlighted the importance of UN assistance in “the development of an international consensus on security sector reform principles and practice” based on international human rights law and standards and possibly authorized by a Security Council or General Assembly resolution. He noted such assistance could include “facilitation of national dialogue: supporting national and local authorities, security sector actors, civil society and other non-State actors with the goal of facilitating transparent and inclusive reform,” one aspect of which could be vetting of security force personnel.955

A second Secretary-General’s report on security sector reform was circulated in August 2013. It commented that recent events in diverse context were further demonstrating the need for reforms to mitigate “ politicization” of the security forces as part of “ political transition” in post-conflict situations in order for societies to emerge from “ repressive rule” and to prevent the reversion to conflict, including by “ addressing those deficits in the security sector” that may lead to or exacerbate conflict. At the same time, the report said, “ effective monitoring of the security sector by democratic oversight mechanisms is also important to prevent human rights violations and to build trust in security institutions.” Against this background, he advised that UN support for security sector reform must promote processes and outcomes that “ are inclusive and accountable, comply with human rights standards, and aim to enhance the social contract between the State and society and, ultimately, between the people and the security institutions empowered to protect them.” He praised UN efforts at strengthening civil society networks to monitor security force activities.

Ultimately, the report stated, “ the success or failure of security reform efforts depends on the political environment in which reform is carried out,” an environment that could be improved by the UN and member States concerned with a particular country situation “ moving beyond a narrow partnership with formal authorities towards a whole-of-society approach with particular focus on engaging civil society” and “ informed by the aspirations and needs of the population.” Specifically, he said, human rights monitoring was “ crucial”

to “ensuring that security sector reform strategies guarantee the full respect for human rights by security sector institutions undergoing reform.” In this regard, he commended the use of “monitoring and evaluation frameworks, including indicators, benchmarks, targets and objectives” to “clearly assess the impact of security sector reform.” To make the outcome positive, he also commended the use of vetting of security force officials “to ensure the non-recurrence of serious human rights violations.”  

Reflecting the Secretary-General’s reports, on April 28, 2014, the UN Security Council unanimously adopted Resolution 2151 stating that “reforming the security sector in post-conflict environments is critical to the consolidation of peace and stability, promoting poverty reduction, rule of law and good governance, extending legitimate State authority, and preventing countries from relapsing into conflict” and that an “accountable security sector and accessible and impartial law-enforcement and justice sectors are equally necessary to laying the foundations for peace and sustainable development.” It also recognized that the political will of the national authorities is “critical for the progress of security sector reform,” meaning that “security sector reform needs to be in support of, and informed by, broader national political processes, inclusive of all segments of society, including the participation of civil society,” but also needs to be accompanied by processes “addressing impunity for violations and abuses for human rights” committed by security force personnel. It noted that the UN is “particularly well positioned to support and coordinate sector-wide reforms” based on these principles and encouraged Member States to support such reforms.

In another serious reflection on past shortcomings, a UN Secretary-General’s Internal Review Panel concluded in 2012 that there had previously been a “systematic failure” in meeting UN responsibilities to prevent and respond to serious violations of international human rights and humanitarian law and to protect people at risk. The Secretary-General therefore urged action to ensure that the UN meets its prevention responsibilities in all countries, which in turn led to the development of the UN’s “Human Rights Up Front”

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action plan and initiative. These called on the UN system to stay attuned to human rights violations that can signal worse to come, to develop UN programmatic strategies to avert risks of serious violations and crises, and to engage proactively with country situations to generate political support for early and preventative action, including by raising concerns about risks of serious human rights violations with national authorities and other relevant parties. 958 Among the latter are UN member states with whom the UN should engage to have them fulfill their own human rights responsibilities, and whose support the UN considers necessary for successful protection and prevention action. 959

In line with these UN policies and procedures, on June 8, 2016 then Secretary-General Ban Ki-moon telephoned Cambodia’s Minister of Foreign Affairs and International Cooperation, Prak Sokhonn. He expressed concern about the deteriorating human rights situation in Cambodia, specifically with regard to reports reaching him of “widespread intimidation, harassment and arrests of civil society actors, the media, staff and members of the National Election Commission, and members of the opposition,” and called on the government to “ensure full respect for human rights” in the country. 960 Dovetailing with growing international concern about the sharply worsening human rights situation in Cambodia, this “rare”—as the media characterized it—highest-level UN demarche was immediately welcomed by Cambodian civil society groups, but rejected by the government. 961

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XIV. Recommendations

For the past 25 years a plethora of resolutions and reports by the United Nations General Assembly, Commission on Human Rights, Human Rights Council, UN special representative, UN special rapporteurs, and the UN High Commissioner for Human Rights have called for determined action to address impunity and to professionalize and depoliticize the Cambodian military, gendarmerie, and police. Cambodia’s donors have repeatedly made similar calls, as has Cambodian civil society.

Many Cambodian human rights defenders and civil society activists have risked their lives to help transform Cambodia into the rights-respecting democracy promised in the Paris Agreements and Cambodia’s constitution. Not only have they been unsuccessful, but the government has frequently responded with physical attacks, arrests and lengthy prison sentences. While they have done exemplary work, they have not been backed up by the international community, which does not seem to have adequately grasped the reality of impunity and the need for a change in the leading personnel in Cambodia security forces.

Foreign governments and donors in particular do not seem to appreciate the corrosive effect that politicized leadership of the security services and impunity have had on all aspects of governance, including efforts to institute the rule of law and combat the scourge of corruption. In part for this reason, the institution-building efforts demanded and supported by them over the past 25 years since UNTAC have largely failed, leaving a tragic mark on the post-Paris period.

The culture of impunity needs to be addressed head-on, not ignored or downplayed, as so many foreign governments and donors have done over the past 25 years. Governments and donors should end their own culture of talking in generalities and avoiding confronting senior government, CPP and security force officials.

Voluminous documentation exists about the records of individuals in high-ranking official positions in Cambodia. Only with an adequate awareness of the track records of Cambodian leaders they deal with and the situation in which they work can governments, diplomats, and donors begin to press the government to address impunity. Without memory, justice is impossible.
A good place to start would be to closely examine the record of the individuals named in this report and other notorious officials. Individuals who face credible allegations should be investigated and, where appropriate, prosecuted, removed from their positions, and replaced with apolitical professionals whose allegiance is to the state and the public – not to Hun Sen or the CPP.

These steps should be part of wider security sector reform efforts, which are crucial to ending serious and systematic violations of human rights and establishing genuine democratic institutions. Without this, Cambodia has a bleak future.

While primary responsibility for such reform lies with the Cambodian government and National Assembly, the donor community continues to have significant leverage to demand that such reform be undertaken and more generally that the human rights commitments embodied in the Paris Agreements, international human rights law and standards, and UN principles are finally respected and institutionalized in Cambodia.

**Concerned governments, Cambodia’s donors, the UN, and other influential actors should:**

- Support independent investigations of the persons named in this report for possible prosecution under domestic laws and jurisdictions. Those jurisdictions that allow prosecutions for gross human rights abuses, crimes against humanity, war crimes, or torture under “universal jurisdiction” laws should consider investigations and, where appropriate, prosecutions.
- Impose targeted sanctions such as travel bans or asset freezes against individuals responsible for serious human rights abuses (such as through the US Global Magnitsky Act or similar legislation), including officials who are the subject of this report.
- Continue to fully support the work of Cambodian human rights organizations and human rights defenders in Cambodia.
- Continue to support the work of the UN Office of the High Commissioner for Human Rights, the UN special rapporteur on the situation of human rights in Cambodia, UN special procedures, and UN treaty bodies.
- Press the Cambodian government to cooperate fully with, and allow unhindered access to, all UN mechanisms. Support the Cambodia UN Country Team to actively
implement its responsibilities in accordance with Human Rights Up Front mandate with a view to intensifying UN actions to promote and protect human rights and respond to rights violations, including by criticizing unlawful policies and practices, and making concrete recommendations to address them.

- Support civil society groups that assist victims of security force abuses.

Regarding the politicization of Cambodia’s security forces, concerned governments, Cambodia’s donors, the UN, and other influential actors should:

- Call for the creation of a professional and politically neutral military, gendarmerie, and police service that is independent of ruling party control and whose leadership is appointed by an independent commission, which also has the power to audit each service, investigate complaints, and dismiss officers who violate a professional code of conduct.
- Press for a ban on senior military, gendarmerie, and police officials holding official or unofficial positions of leadership in political parties.
- Insist on enforcement of article 9 of the Law on the General Status of Military Personnel of the Royal Cambodian Armed Forces (1997), which states that “[m]ilitary personnel shall be neutral in their functions and work activities, and the use of functions/titles and the state’s materials for serving any political activities shall be prohibited.”
- Support establishment of an independent commission to monitor the human rights record and the professional and politically neutral functioning of the military, gendarmerie, and police and to undertake a thorough process of vetting senior security force officers and others with significant command authority to ascertain which individuals have committed serious human rights violations. The commission should:
  - Consist of respected former members of law enforcement bodies, retired judges, and members of Cambodia’s human rights community, be supported by the UN, and be free from the influence of all political parties, security force chains of command, and government bodies;
  - Have full access to all relevant official documents, the power to subpoena documents and compel witnesses to appear and give testimony, effective
means to provide witness protection as necessary, and full authority and
discretion to make public statements throughout its inquiries; and
  • Suspend individuals under investigation from active duty and be
    empowered to make recommendations to the judicial system for
    appropriate criminal investigations and prosecutions.

• Make clear that future relationships with the military, gendarmerie, and police,
  including participation in joint military exercises and the provision of training and
  other support, will be guided by the findings of the monitoring commission and
  that in the absence of meaningful security sector reform security force assistance
  to the Cambodian government will be suspended.

• Publicly express support and offer assistance for a serious and thorough process of
  security sector reform in Cambodia implementing the principles and objectives laid
  out in the UN secretary-general’s reports of 2008 and 2013 and Security Council
  Resolution 2151 (2014); any such process should include monitoring and
  evaluation frameworks, including indicators, benchmarks, targets, and objectives
  to clearly assess the impact of security sector reform; and publicly communicate
  UN recommendations on security sector reform through conferences in Cambodia
  and elsewhere.

• Make clear to the Cambodian government that the continued failure to
  professionalize the security forces and ensure their independence from ruling party
  control will result in the reduction of assistance to the government, and that states
  will use their voice and voting power in international financial institutions,
  including the World Bank, to include conditions for grants and loans to the
  Cambodian government that require genuine progress in addressing Cambodia’s
  problematic human rights situation and its crackdown on fundamental rights and
democratic rule.
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Under Prime Minister Hun Sen, Cambodia is in a human rights freefall. Despite the strong human rights provisions in the 1991 Paris Peace Agreements and the 1993 constitution, and billions of dollars in development aid—including for technical assistance promoting the rule of law, judicial reform, and human rights—the country is rapidly reverting towards a one-party state.

Cambodia’s Dirty Dozen spotlights 12 senior security force officers who are the backbone of an abusive, authoritarian political regime. Together they form a praetorian guard for Hun Sen, owing their high-ranking and lucrative positions to personal links dating back two decades or more, as well as a demonstrated willingness to commit rights abuses. Instead of serving the public, each ensures that the army, gendarmerie, and police protect the continued rule of Hun Sen and the Cambodian People’s Party.

This report documents the role of these officials in the ongoing crackdown against the political opposition and peaceful protesters, land confiscations, and labor abuses. Many have also been involved in killings, torture, and arbitrary detention. Some participated in the murderous Khmer Rouge regime of 1975-79.

The report calls for independent criminal investigations and appropriate prosecutions of the 12 officials and other abusive security personnel. Such officials should be replaced with apolitical professionals whose allegiance is to the state and the public—not to Hun Sen or the ruling party. These steps should be part of wider security sector reforms, which are crucial to ending serious and systematic violations of human rights and establishing genuine democratic institutions in Cambodia.