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WATCH

CAMBODIA'S DIRTY DOZEN

A Long History of Rights Abuses by Hun Sen's Generals



Cambodia's Dirty Dozen

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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.

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
- Gen. Chuon Sovan, Deputy Supreme Commissioner of National Police and Commissioner of the Phnom Penh Municipality Police.

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

² United Nations Transitional Authority in Cambodia (UNTAC), “Human Rights Component Final Report,” September 1993.

³ Cambodia Office of the United Nations High Commissioner for Human Rights (COHCHR), “Memorandum to the Royal Government of Cambodia: Evidence of Summary Executions, torture and missing persons since 2-7 July 1997,” August 21, 1997, p.2, http://cambodia.ohchr.org/WebDOCs/DocStatements/1997/Statement_21081997E.pdf, accessed October 31, 2012.

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

⁴ Mech Dara and Ananth Baliga, “CPP inner circle expands, dwarfing China’s and Vietnam’s,” *The Phnom Penh Post*, January 22, 2018, <https://www.phnompenhpost.com/national-politics/cpp-inner-circle-expands-dwarfing-chinas-and-vietnams> (accessed January 24, 2018); Provided on condition of confidentiality, copies on file with Human Rights Watch.

⁵ “Samdech Techo Hun Sen Proclaims His Determination to Act Absolutely in Order to Defend Peace, Political Stability and Development; Samdech Techo Says Having Development Is Better Than Having the Outbreak of Turmoil” (សម្តេចតេជោ ហ៊ុន សែន ប្រកាសថា នឹងប្តេជ្ញាថាខាងក្រោមការពារសន្តិភាព ស្ថិរភាពនយោបាយ និងការអភិវឌ្ឍ សម្តេចតេជោថា មានការអភិវឌ្ឍន៍ប្រសើរជាងមាន ចលាចលកើតឡើង), June 7, 2016, <http://www.freshnewsasia.com/index.php/en/25913-2016-06-07-02-13-56.html> (accessed June 7, 2016).

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 heading 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

⁶ Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia Under the Khmer Rouge, 1975-78 (Third Edition)* (New Haven: Yale University Press, 2008), pp. 392-411, 440-442; Timothy Carney, "Heng Samrin's Armed Forces and the

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.⁷ 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 100.⁸

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.⁹ Such forces subsequently formed part of the nucleus of the post-January 7 military of the PRK. However, Command Committee 578 was dissolved.¹⁰ On November 25, 1978, Hun Sen was reassigned to take

Military Balance in Cambodia,” *International Journal of Politics* (Vol. 16, No. 3: Fall 1986), pp.153-160; Pen Sovan and Neang Savun, *Pen Sovan: Summary Biography and the Cause of the Cambodian Nation and Motherland* (*pen svoan chivapravoat neung bophahet cheat meatophoum Kampuchea*) (Seattle: Khmer Vision, 2002), pp. 129-154; “Pen Sovann Out to Settle Old Scores,” *Phnom Penh Post*, May 16-29, 1997, <http://www.phnompenhpost.com/national/pen-sovann-out-settle-old-scores>, accessed October 12, 2012; Heng Samrin, *Lord Supreme Great Princely Land Force Commander Heng Samrin* (*samdech akkeakmohaponheachakrei heng samrin*) (Phnom Penh: Ariyathoar, 2013), pp.99-152; Merle L. Pribbenow II, “A Tale of Five Generals: Vietnam’s Invasion of Cambodia,” *Journal of Military History* (No. 70: January 2006), pp. 459-484.

⁷ Hun Sen, “Address at the 4th Anniversary of Cambodian Veterans Day,” June 21, 2011, <http://cnv.org.kh/address-at-the-4th-anniversary-of-cambodian-veterans-day/> (accessed August 28, 2012); Hun Sen, “Selected Comments at the Celebration of the 4th Anniversary of the Cambodian War Veterans,” June 21, 2011, <http://cnv.org.kh/selected-comments-at-the-celebration-of-the-4th-anniversary-of-the-cambodian-war-veterans/> (accessed August 28, 2012).

⁸ Public remarks by Hun Sen, August 22, 2016, <https://www.facebook.com/hunsencambodia/videos/1078918852156611/> (accessed August 24, 2016).

⁹ Anonymous, Facebook post, “BTC I. ‘Liberation’ Chapter XI: Cambodia (#29)” (*BTC I. “Giải Phóng” Chương XI: Campuchia (#29)*), August 16, 2015, <https://www.facebook.com/notes/vi%E1%BB%87t-nam/btc-i-gi%E1%BA%A3i-ph%C3%B3ng-ch%C6%B0%C6%A1ng-xi-campuchia-29/501606653255069/> (accessed December 20, 2015).

¹⁰ “An Unforgettable Part of History” (*Một phần lịch sử không thể lãng quên, Quân đội nhân dân [QĐND]*), January 2, 2012, <http://www.qdnd.vn/qdndsite/vi-vn/61/43/khoa-hoc-nghe-thuat-quan-su/mot-phan-lich-su-khong-the-lang-quen-/171869.html> (accessed January 21, 2016); “Re: Vietnamese Volunteer Troops and Military Experts in K: Answer #16, posted on 4 June 2010,”

<http://www.vnmilitaryhistory.net/index.php?PHPSESSID=2snlbo39tfo3tjtvbc6hhtb212&topic=16326.msg229387#msg229387> (accessed January 4, 2015); “Standard Document: Vietnamese Volunteer Troops and Military Experts in K (II)” (*Tài liệu chuẩn: Quân tình nguyện và Chuyên gia quân sự Việt Nam tại K [II]*), November 7, 2014, http://nguoidongbang.blogspot.com/2014/11/tai-lieu-chuan-quan-tinh-nguyen-va_7.html (accessed January 4, 2015); “Part

charge of youth affairs in the anti-Pol Pot political organizations then still being put together in Vietnam.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.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.”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.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

3: Shoulder-to-Shoulder Amidst Tribulation” (*Kỷ 3: Kề vai sát cánh trong hoạn nạn*), *Quân đội nhân dân*, December 27, 2013, <http://www.qdnd.vn/qdndsite/vi-vn/61/43/35-nam-ngay-quan-tinh-nguyen-viet-nam-giup-nhan-dan-campuchia-thoat-khoi-hoa-diet-chung/ky-3-ke-vai-sat-canh-trong-hoan-nan/280706.html> (accessed January 5, 2015); Carney, “Heng Samrin’s Armed Forces,” p.160.

¹¹ Pen Sovan, *Summary Biography*, p.148.

¹² Huỳnh Anh Dũng, “Notes on Cambodia (1975-1991)” (*Ghi chép về Campuchia [1975-1991]*), <http://vietsuky.wordpress.com/2012/12/01/220-ghi-chep-ve-campuchia-1975-1991-1/> (accessed June 20, 2015); Cambodian People’s Party, History of the Struggle and Development of the Cambodian Motherland and Cambodia-Vietnam Relations from 1989 to 2013 (*pravoat ney kar ta-sou neung aphivoat meatophoum kampuchea neung tumneak-tumnorng kampuchea-vietnam pi chhnam 1989 dal chhnam 2013*) (Phnom Penh, 2015), pp.8-9, 221-230.

¹³ Huỳnh Anh Dũng, *Notes on Cambodia (1975-1991)*.

¹⁴ Nguyễn Văn Hồng, The Unwanted War: A Memoir (*Cuộc Chiến Tranh Bất Buộc: Hồi ức*) (*Ho Chi Minh City: Nhà Xuất Bản Trẻ*, 2004), p.99; Trần Xuân Ban, et al., History of the 7th Infantry Division (1966-2006) (*Lịch sử Sư đoàn bộ binh 7 [1966-2006]*), <http://www.quansuvn.net/index.php?topic=4304.120> (accessed December 28, 2008); Trần Bá Điểm, et al., History of the 330th Infantry Division/Military Region 9 (1976-2001) (Internal Distribution Only) (*Lịch Sử Sư Đoàn Bộ Binh 330 Quân Khu 9 [1976-2001] [Lưu Hành Nội Bộ]*) (Hà Nội: Nhà xuất bản quân đội nhân dân, 2004), pp.84-116; CPP, *History of the Struggle*, pp.39-52.

monthly programs and planned activities.”¹⁵ 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.”¹⁶

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.¹⁷

In 1979, before the RPPK revealed itself, Pen Sovan was first PRK Minister of National Defense and Supreme (*akkeak*) Commander of the RPAFK.¹⁸ 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.¹⁹

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.²⁰ 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

¹⁵ Evan Gottesman, *Cambodia after the Khmer Rouge: Inside the Politics of Nation Building* (New Haven: Yale University Press, 2002), pp.143-144.

¹⁶ Brad Adams interview with Sin Sen, May 20, 2002.

¹⁷ Pen Sovan, Pen Sovan: Summary Biography, pp.155-157; People’s Republic of Kampuchea (PRK), “Decision on the Problem of Cadres” (*sechkdey samrech ampi panhaha kammaphiba*), signed “First Secretary,” dated by context to early 1979; SPK [official government news agency, as monitored in this and below citations by the US Foreign Broadcasts Information Service], July 3, 1979; CPP, *History of the Struggle*, pp.18, 20-21.

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).

¹⁹ “Pen Sovann Out to Settle Old Scores,” Phnom Penh Radio, July 21, 1981; Pen Sovan, *Summary Biography*, pp.215-217; *Phnom Penh Post*, May 16-29, 1997.

²⁰ Phnom Penh Radio, June 18, 1980; Carney, “Heng Samrin’s Armed Forces,” pp.157-167.

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

²¹ Pen Sovan, *Summary Biography*, p.215; SPK, April 3, 1979; SPK, July 26, 1979; Phnom Penh Radio, January 30, 1989.

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.

²³ Phnom Penh Radio, April 8, 1979; Pen Sovan, *Summary Biography*, pp.155-157; PRK, “Decision on the Problem of Cadres,” [n.d.]; SPK, July 3, 1979; Phnom Penh Radio, October 9, 1981.

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.

²⁶ PRK, Phnom Penh Capital Party Affairs Management Committee, “Order Accompanying Correspondence: Written Record of the Meeting of the Capital Unified Command Committee,” 333 KoABPh-DA, November 18, 1982; Phnom Penh Radio, May 6, 1988; State of Cambodia (SOC), Sub-Decree 73 ANKr, July 11, 1989; United Nations (UN), “Report of the United Nations Fact-Finding Mission on Present Structures and Practices of Administration in Cambodia, April 24 – May 9, 1990,” June 1990, p.47; UN, “United Nations Survey Mission to Cambodia: Public Security and Civil Police in the State of Cambodia,” pp.29, 31.

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.²⁸

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.²⁹ 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.³⁰ 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.³¹ 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.³² 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.³³ A follow-up

²⁸ PRK, “Constitution of the People’s Republic of Kampuchea” (*roathathoamanunh ney satheanaroat pracheameaneut Kampuchea*) articles 4, 59, 64, 66, June 27, 1981.

²⁹ Phnom Penh Radio, July 22, 1981; SPK, January 2, 1985.

³⁰ Phnom Penh Radio, December 13, 1983; Phnom Penh Radio, January 2, 1982.

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.

³³ PRK, “Law on the Organization and Activities of the Council of Ministers,” February 10, 1982.

“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.³⁴

The RPAFK under Hun Sen

Chan Si died on December 31, 1984.³⁵ 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.³⁶ 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.³⁷ 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.³⁸

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.³⁹

³⁴ PRK, “Proclamation on the Working System of the Standing Committee of the Council of Ministers,” 01PRK, March 31, 1982.

³⁵ SPK, January 2, 1985.

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.

³⁸ Phnom Penh Radio, December 22, 1985; SPK, December 11, 1986.

³⁹ Huỳnh Anh Dũng, Notes on Cambodia (1975–1991); CPP, History of the Struggle, pp.14–15; Phnom Penh Radio, August 20, 1988.

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.⁴⁰ 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.⁴¹ Ke Kimyan had no Khmer Rouge background.⁴² 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.⁴³

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.⁴⁴ 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.⁴⁵

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).⁴⁶ Pursuant to the constitution, the RPPK remained the “leading force of the

⁴⁰ United Nations Transitional Authority in Cambodia (UNTAC), “Report on Interviews of Pann Thai, Khem Sophoan, Phuong Siphon, Ke Kimyan and Nhek Huon,” August 3, 1993.

⁴¹ Nem Sowath, *Revolution in a Distant Village: The Tea Banh Story* (Phnom Penh: Reahoo, 2009), pp.157-158.

⁴² Michael Vickery, *Kampuchea: Politics, Economy and Society* (London: Frances Pinter, 1986), pp.80-82; UNTAC, “Report on Interviews;” Sowath, *Revolution* pp.127-139.

⁴³ Nguyễn Văn Hồng, *The Unwanted War*, p.99; Phnom Penh Radio, October 13, 1985; SPK, October 25, 1985.

⁴⁴ PRK, Sub-Decree 25 ANKr, November 20, 1985; UNTAC, “Report on Interviews.”

⁴⁵ Phnom Penh Radio, January 29, 1990; Phnom Penh Radio, August 31, 1990; Phnom Penh Radio, January 30, 1990; Phnom Penh Radio, January 11, 1992; Phnom Penh Radio, August 6, 1990; Phnom Penh Radio, November 28, 1990.

⁴⁶ Huỳnh Anh Dũng, *Notes on Cambodia (1975-1991)*.

Cambodian society and state.”⁴⁷ 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.”⁴⁸ The Council of Ministers continued to directly govern society and the leadership of national development work.⁴⁹ 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.⁵⁰

In July 1989, an SOC law was adopted on the “readjustment of the organization, role, and tasks” of the Ministry of National Defense.⁵¹ 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.⁵²

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

⁴⁷ “Constitution of the State of Cambodia” (*roathathoamanunh ney roat Kampuchea*), article 4, April 30, 1989; Phnom Penh Radio, May 5, 1989.

⁴⁸ SOC, “Constitution,” article 62; Phnom Penh Radio, May 5, 1989; SOC, “Constitution,” article 60; Phnom Penh Radio, May 5, 1989.

⁴⁹ SOC, “Constitution,” article 64; Phnom Penh Radio, May 5, 1989.

⁵⁰ SOC, “Constitution,” article 66; Phnom Penh Radio, May 5, 1989.

⁵¹ SPK, July 15, 1989.

⁵² SOC, “Law on the Rectification of the Organization, Roles, and Duties of the Ministry of National Defense,” July 20, 1989; UNTAC, “Report on Interviews.”

and veteran CPP civilian administrator without security force experience, no responsibility for the latter.⁵³ An April 1992 law to similar effect backed this up.⁵⁴

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 1993.⁵⁵ 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.⁵⁶

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."⁵⁷ 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.⁵⁸

⁵³ UNTAC, "Who's Who in The State of Cambodia: Cambodian People's Party," November 14, 1992; SOC, Decision on the Working System of the Council of Ministers, 97/SSR, February 2, 1992, points 1, 11.

⁵⁴ SOC, "Law on the Organization and Functioning of the Council of Ministers," April 6, 1992.

⁵⁵ UN, "Cambodia: UNTAC," <http://www.un.org/en/peacekeeping/missions/past/untacbackgr2.html> (accessed January 3, 2009).

⁵⁶ Peter Bartu, "'The Fifth Faction': The United Nations in Cambodia, 1991-1993" (unpublished manuscript), pp.129-333.

⁵⁷ Nem Sowath, *Win-Win Policy of Samdech Techo Hun Sen in International Context*, (Phnom Penh, Reahoo, 2012), p.22.

⁵⁸ 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."⁵⁹

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.⁶⁰ 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 10.⁶¹ However, Sihanouk made it clear he would not actually command any forces.⁶²

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.⁶³ They immediately began issuing joint orders.⁶⁴ Ke Kimyan was named chief of the armed forces Supreme (*akkeak*) General Staff, whose deputies included general officers from both FUNCINPEC and the CPP.⁶⁵

⁵⁹ Brad Adams phone interview with General John Sanderson, December 18, 2001.

⁶⁰ Phnom Penh Radio, June 3, 1993.

⁶¹ Phnom Penh Radio, June 4, 1993; Phnom Penh Radio, June 13, 1993; Phnom Penh Radio, June 11, 1993.

⁶² Phnom Penh Radio, June 22, 1993.

⁶³ Phnom Penh Radio, July 2, 1993.

⁶⁴ Phnom Penh Radio, July 6, 1993; Phnom Penh Radio, July 16, 1993.

⁶⁵ Phnom Penh Radio, July 4, 1993; Provisional Government of Cambodia (PGC), Kret, July 5, 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 (*kampou*) 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.⁶⁶ The constitution also put the government in charge of national defense and ensuring “public order and security.”⁶⁷

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.⁶⁸ The CPP legal interpretation of this law has ever since put Hun Sen in “direct command” of the armed forces and police.⁶⁹ The armed forces comprise the “land, air, and water armies.”⁷⁰

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

⁶⁶ Royal Government of Cambodia (RGC), “Constitution of the Kingdom of Cambodia,” September 21, 1993, article 23; Phnom Penh Radio, September 30 – October 5, 1993.

⁶⁷ RGC, “Constitution,” article 52; Phnom Penh Radio, September 30 – October 5, 1993.

⁶⁸ RGC, Royal Kram 02/NS/94, July 20, 1994; RGC, “Law on the Organization and Functioning of the Council of Ministers,” July 20, 1994.

⁶⁹ In Yoeun, *Droite de la Fonction Publique* (Phnom Penh, 2013), pp.314-315.

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.⁷¹ 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 911.⁷² 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.⁷³ It was also in “direct command leadership” of Cambodia’s six military regions.⁷⁴

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.⁷⁵ They in turn commanded regional divisions or brigades⁷⁶ and had authority over subordinate “military operational sub-sectors,” mostly organized as provincial and sometimes as district army contingents.⁷⁷ 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.⁷⁸ 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.”⁷⁹

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.⁸⁴ Some RCAF units were soon amalgamated into new ones and others reorganized and re-designated.⁸⁵ 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.⁸⁶ 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.”⁸⁷

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.⁸⁸ 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.⁸⁹ 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.

⁸⁴ RGC, Royal Decree NS/RPT/0199/21, February 24, 1999.

⁸⁵ Sowath, *Win-Win Policy*, pp.269-270.

⁸⁶ RGC, Ministry of National Defense, “Personal Directory of the RCAF Senior Officers,” 2002; US Embassy Cambodia, “Royal Cambodian Armed Forces,” 2003.

⁸⁷ CPP, *History of the Struggle*, pp.182-185.

⁸⁸ RGC, Royal Decree NS/RPT/0199/22, February 24, 1999.

⁸⁹ KOC, *Defending the Kingdom of Cambodia 2000: Security and Development* (Phnom Penh: 2000), p.46.

On November 9, 1999, Hun Sen appointed Kun Kim a deputy supreme commander of the RCAF.⁹⁰ 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.⁹¹

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.⁹² 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.⁹³

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

⁹⁰ RGC, Royal Decree S/RoKT/1199/192, November 9, 1999.

⁹¹ RGC, Royal Decree NS/RoKT/010/061, January 22, 2009.

⁹² RGC, *Defense Strategic Review 2013* (Phnom Penh: December 4, 2012), p.12.

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

⁹⁴ “Samdech Dech Hun Sen Is Making a Trip to Ask After the Weal and Woe of the Troops in Military Region 1, Steung Treng Province, in Order to Sort Out Difficulties for the Armed Forces ” (សម្តេចតេជោ ហ៊ុន សែន កំពុងធ្វើដំណើរចុះសាកសួរសុខទុក្ខក្នុងតំបន់យោធពលកម្ពុជាកើតឡើង ខេត្តស្ទឹងត្រែង ដើម្បីដោះស្រាយការលំបាក របស់កងកម្លាំងប្រដាប់អាវុធ), August 16, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/62887-2017-08-16-01-38-39.html> (accessed August 16, 2017).

⁹⁵ “Cambodia: Party Extends Control of Security Forces,” Human Rights Watch news release, February 4, 2015,” <https://www.hrw.org/news/2015/02/04/cambodia-party-extends-control-security-forces>; Pol Saroeun, *DFID Strategy of Samdech Techo Hun Sen* (Phnom Penh: 4S Printing, 2014), p.32

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.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.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.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."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.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

⁹⁸ "General Kun Kim Graciously Presides over a Ceremony to Disseminate the Substance of the 38th Conference of the CPP Central Committee" (*neay utdamsenei kun kim anhcheun chea athipatei pithy phsap-phasay khlo-m-sar sannibat kana-kammathikar kandal kana-pak prachachun loek ti 38*), July 6, 2015, <http://beta.nokorwatnews.com/?p=31306#sthash.ePX98Ga3.dpuf> (accessed July 26, 2015).

⁹⁹ "Mr. Ung Samkhan Goes Down to Listen to Activity and Result Reports of Party Officials in the Dang Tung District Grassroots" (*lok ung samkhan choh sdap robaykar sakammapheap neung lattaphal kar-ngear noe moulathan srok dang tung*), July 20, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/95545-2015-07-20-07-17-29.html> (accessed July 20, 2015).

¹⁰⁰ "Analysis: Strongman Techo Hun Sen Issues Strategy Against Color Revolution and to Preserve Tranquility" (*vipeak: boras khleng techo hun sen chenh yuttasas prachang patevoat reaksa pheap-soksan*), July 23, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/95757-2015-07-23-07-58-54.html> (accessed July 23, 2015).

¹⁰¹ Hun Sen, "Duties of the Armed Forces" (*phearekech robas kang-kamlang pradap avut*), July 23, 2015.

¹⁰² "Analysis: Strongman Techo Hun Sen Issues Strategy Against Color Revolution and to Preserve Tranquility" (*vipeak: boras khleng techo hun sen chenh yuttasas prachang patevoat reaksa pheap-soksan*), July 23, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/95757-2015-07-23-07-58-54.html> (accessed July 23, 2015).

was now necessary to “control democracy” in Cambodia to prevent “anarchy.”¹⁰³ 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.¹⁰⁴ Gendarmerie chief Sao Sokha was one of several RCAF deputy supreme commanders attending Chea Dara’s presentation.¹⁰⁵

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.¹⁰⁶

¹⁰³ “Tea Banh Recalls Time Before Political Détente,” *Cambodia Daily*, July 29, 2014, <https://www.cambodiadaily.com/news/tea-banh-recalls-time-before-political-detente-89845/> (accessed July 29, 2015); “Defence chief vows to ‘control’ democracy,” *Phnom Penh Post*, July 29, 2015, <http://www.phnompenhpost.com/national/defence-chief-vows-control-democracy> (accessed July 29, 2015).

¹⁰⁴ “Four Gold Star General Chea Tara Says the Army Belongs to the Cambodian Peoples Party” (*lok phkay meas 4 chea tara tha kangtoap chea toap robas kana-pak pracheachun*), July 29, 2015, <http://www.rfa.org/khmer/news/politics/Dara-said-RCAF-is-belong-to-CPP-07282015235842.html> (accessed July 29, 2015).

¹⁰⁵ “A RCAF Chief Proclaims that the Army Belongs to the CPP” (*me kang yothea khemara phoumin prakas tha kang toap chea robas kanapak pracheachun Kampuchea*), July 29, 2015, <http://vodhotnews.com/31138> (accessed July 29, 2015).

¹⁰⁶ “Mr. Pol Saroeun Delivers Keynote on the Value of Peace to Youth Activists of the Union of Cambodian Youth Federations of Phnom Penh Capital” (*lok pol saroeun thwoe bapakatha sdei pi tamlay ney santipheap choun dal sakammachun yuvachun sahapheap sahapoan yuvachun kampuchea reachatheany phnum penh*), August 24, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/97747-2015-08-24-05-26-18.html> (accessed August 24, 2015); “General Kun Kim Graciously Presides over the Listening of Keynotes on the Evolution and Flourishing of the CPP” (*neay utdamsenei kun kim anhcheun chea athipatey sdap bopakatha sdei pi kar vivoat rik-chamraoen robas kana-pak pracheachun kampuchea*), [n.d.], <http://beta.nokorwatnews.com/?p=35802#sthash.HjoUNsQH.dpuf> (accessed July 25, 2015); “The Center’s Committee for Going Down to Help Svay Rieng Province Convenes a Meeting to Sum Up the Results of Duty Implementation” [n.d.], <http://beta.nokorwatnews.com/?p=36006#sthash.X03PHURJ.dpuf> (accessed July 26, 2015); “Mr. Sao Sokha Delivers Keynote on the Role of the Gendarmerie in Preserving Peace and Stability” (*lok sao sokha thwoe bapakatha sdei pi tuo-neaty robas kang reachavut-hat knong kar the-reaksa neou santipheap neung satherapheap*), August 25, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/97629-2015-08-22-04-15-28> (accessed August 25, 2015); “Mr. Sao Sokha, Central Committee Member, Joins in to Preside Over Meeting to Check Upon and Examine the Results of Work Activities” (*lok sao sokha smachik kana-kammathikar kandal choul-ruom chea athipatei knong kech prachum truot-pineut lathaphal sakammappheap kar-ngea*), August 29, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/98065-2015-08-29-03-02->

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.¹⁰⁷ 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."¹⁰⁸

o8.html (accessed August 29, 2015); "More Than 500 CNRP Members Join Up with the CPP Political Way of Life in Oddar Meanchey Province" (*samachik kana-pak sangkruoh cheat cheang 500 neak chaul ruom thwoe chivapheap nayobay chea muon kana-pak pracheachun neou khet utdar meanchey*), August 1, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/96302-2015-08-01-04-58-09.html> (accessed August 1, 2015); "Mr. Meas Sophea Graciously Proclaims Recognition of 800 New Members in Chey Sen District" (*lok meas sophea anhcheun prakas tutuol-skoal smachik thmei 800 near neou srok chey sen*), August 22, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/97618-2015-08-22-03-12-27.html> (accessed August 22, 2015).

¹⁰⁷ "Ceremony Disseminating Samdech Techo's Recommendations to the Kampong Thom Military Operations Sub-Sector" (*pithy phsap-phas anusas samdech techo dal tamban pratebatkar soek rorng kampung thom*), August 4, 2015, <http://kampuchearthmey.com/kpt/?p=49999> (accessed August 4, 2015); "Takeo Province Governor Tells the Army to Prepare Itself to Suppress Those Using a Color Revolution to Topple the Royal Government" (*aphibal khet takeo prap kang-toap triem khluon bangkrap neak praoe patevoat poar phduol reacharoathaphibal*), August 11, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/96898-2015-08-11-08-37-12.html> (accessed August 11, 2014); "Armed Forces Must Respect Their 6-Point Role and Duty in Order to Defend Security and Order" (*kamlang pradap avut treou kaorup tuoneaty pheareakech chamnuon 6 chamnoch daoembey karpear santisok sandap-thnoap*), August 18, 2015, <http://kampuchearthmey.com/kpt/?p=58048> (accessed August 18, 2015); "Dissemination of the 6-Point Duty to Samdech Techo Hun Sen's Soldiers" (*kar phsap-phasay pheareakech 6 chamnoch dal pol teahean robas samdech techo hun sen*), August 18, 2015, <http://kampuchearthmey.com/kpt/?p=58142>, accessed August 18, 2015; "Army Commander: RCAF Must Defend the Legal Government" (*me toap choeng kok: kang yotheapol khemora phoumin troev karpear reacharoathaphibal srap chbap*), August 25, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/97856-2015-08-25-10-31-59.html> (accessed August 25, 2015); "Mr. Tie Vinh Meets and Chats with Members in Mondulseima District" (*lok tie vinh chuop samneh-samnal chea muoy smachik smachika neou srok mondulseima*), August 29 2015, <http://dap-news.com/2011-06-14-02-39-55/98079-2015-08-29-05-27-09.html> (accessed August 29, 2015).

¹⁰⁸ "General Chea Tara and the Troops on the Preah Vihear Temple Point Proclaim Support of Samdech Techo Hun Sen's Mechanism for Solution of Border Problems" (*neay utdamsenei chea tara neung kang-toap teus prasat preah vihear prakas koam-tro yunnakar dah-sray banhaha prum-den robas samdech techo hun sen*), August 21, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/97546-2015-08-21-02-58-54.html> (accessed August 21, 2015); "General Chea Tara: Among the Troops on the Battlefield Proclamation of Complete Support for Samdech Techo Hun Sen's Mechanism for Solution of Border Problems with Neighboring Countries" (*neay utdamsenei chea tara: knong kang-toap samoraphoum muk prakas kaom-tro yang penh-tumheung loe yunnakar dah-sray banhaha prum-den chea muou prates chit khang robas samdech techo hun sen*), August 22, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/97631-2015-08-22-04-30-01.html> (accessed August 22, 2015); "Police, Military Show Support for Hun Sen on Maps Issue," *Cambodia Daily*, August 24, 2015, <https://www.cambodiadaily.com/news/police-military-show-support-for-hun-sen-on-maps-issue-92354/> (accessed August 24, 2015); "Defend Absolutely to Not Allow a Color Revolution in the Kingdom of Cambodia" (*karpear dach-khat meun aoy mean patevoat poar knong reachea-anachak kampuchea*), August 28, 2015, <http://beta.nokorwatnews.com/?p=43321#sthash.Qsg1l4Lf.dpuf> (accessed August 28, 2015).

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.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."¹¹⁰ Sao Sokha subsequently followed suit.¹¹¹ The requested local unit support duly ensued.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.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

¹⁰⁹ CPP, "Dear Chairpersons of the Capital and Province Party Committees" (*chumreap choun prathean kana-kammathikar reachatheany khet*) 46/15 LorChoKorK (stamped "secret"), September 9, 2015, document in Human Rights Watch possession.

¹¹⁰ "The Army Proclaims Excoriation of Those Distorting and Wrecking the Royal Government's Map and Border Case" (*kang-toap thkaol tos dach ahangkar neak bangkach-bangkhouch reacharoathaphibal knong somnom-roeng phen-ty neung prum-den*), September 10, 2015 (accessed September 10, 2015); "Cambodia's Army Head Implores All Military to Absolutely Standing in the Way of Any Individual with a Tendency to Create Something Untoward with Regard to the Nation, Religion, and Society" (*pramuk kang-toap chumrunh aoy yothea teang-as tup-skot aoy ban dach-khat neou bakkul na del mean ninneanakar bangko aripheap champuoh cheat sasana neung sangkum*), September 15, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/99154-2015-09-15-07-43-36.html> (accessed September 15, 2015).

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 champuoh samdech akkeak moha sena botei techo hun sen*), [n.d.], <http://beta.nokorwatnews.com/?p=46981#sthash.PB9s8aXb.dpuf> (accessed September 13, 2015).

¹¹² "Lieutenant General Va Sireut, Tbaung Khmum Province Gendarmerie Commander Proclaims Support for Samdech Techo's Pronouncement on the Border Problem" (*utdam-senei try va sareut me banhcheakar kang reachavut-hat khet tbaung khmum prakas koam-tro sech-kdey thlengkar robas samdech techo hun sen sdei ampi banhaha prum-den*), [n.d.], <http://beta.nokorwatnews.com/?p=47619#sthash.Wi4lvNCp.dpuf> (accessed September 16, 2015).

¹¹³ "Cambodia: Cease Campaign to Curtail Rights Monitoring, Politically-Motivated Prosecutions Threaten all Human Rights Work," Human Rights Watch news release, May 3, 2016, <https://www.hrw.org/news/2016/05/03/cambodia-cease-campaign-curtail-rights-monitoring>.

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.”¹¹⁴

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.¹¹⁵

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.”¹¹⁶ 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.¹¹⁷

¹¹⁴ “Intelligence Chief Talks About Protests and Regime Change,” *Khmer Times*, June 1, 2016, <http://www.khmertimeskh.com/news/25624/intelligence-chief-talks-about-protests-and-regime-change/> (accessed June 2, 2016).

¹¹⁵ “RCAF officials told to protect the gov’t,” *Phnom Penh Post*, July 5, 2016, <http://www.phnompenhpost.com/national/rcaf-officials-told-protect-govt> (accessed July 6, 2016).

¹¹⁶ “Army Head: It Is Necessary Immediately to Eliminate and Dispose of Any Individual Whose Mentality Is That of Wanting to Wreck the Peace” (ប្រមុខកងទ័ព: ត្រូវកម្ចាត់ចោលភ្លាមចំពោះបុគ្គលណាមានចិត្តចង់បំផ្លាញសន្តិភាព), <http://bayontv.com.kh/archives/71756>, July 5, 2016 (accessed July 6, 2016); “Prevent Activities the Mentality of Which Is to Wreck the Peace in Cambodia” (ទប់ស្កាត់សកម្មភាពដែលមានចិត្តបំផ្លាញ សន្តិភាពនៅកម្ពុជា), <http://beta.nokorwatnews.com/?p=108665>, July 10, 2016 (accessed July 10, 2016).

¹¹⁷ “Army Head: It Is Necessary Immediately to Eliminate and Dispose of Any Individual Whose Mentality Is That of Wanting to Wreck the Peace” (ប្រមុខកងទ័ព: ត្រូវកម្ចាត់ចោលភ្លាមចំពោះបុគ្គលណាមានចិត្តចង់បំផ្លាញសន្តិភាព), <http://bayontv.com.kh/archives/71756>, July 5, 2016 (accessed July 6, 2016); “Prevent Activities the Mentality of Which Is to Wreck the Peace in Cambodia” ទប់ស្កាត់សកម្មភាពដែលមានចិត្តបំផ្លាញ សន្តិភាពនៅកម្ពុជា), <http://beta.nokorwatnews.com/?p=108665>, July 10, 2016 (accessed July 10, 2016); “General Hing Bunhieng: Soldiers Are the

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.”¹¹⁸

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.¹¹⁹ 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.¹²⁰ In Phnom Penh, the Association’s

Servants Serving the People; Wherever They Are, They Must Do Only Good Things Helping the People” (ឧត្តមសេនីយ៍ក្នុង ប៉ូនហៀង: ទាហានគឺជាខ្ញុំ បំរើបស់ប្រជាជន រស់នៅកន្លែងណាក៏ត្រូវធ្វើតែទុក្ខជួយប្រជាជនយ, July 6, 2016, <http://www.freshnewsasia.com/index.php/en/28287-2016-07-06-09-00-11.html> (accessed July 6, 2016); “General Kun Kim Affixes Promotions on Officers on the Cambodia-Thailand Border Direction” (នាយឧត្តមសេនីយ៍ កឹម ប៉ាក់ បានឆ្លុះសក្តិ នាយទាហាន នៅទីស្រីស្រីនៃ កម្ពុជា-ថៃ), July 9, 2016, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/10154.html> (accessed July 9, 2016).

¹¹⁸ Central Committee, CPP, “Report on the General Situation in the First Semester and the Objectives of Party Duties in Semester 2, 2016” (*robaykar sdey pi speapkar tou-teou chha-meas ti 1 neung teus-dav pheareakech robas kanapak chha-meas ti 2 chhnam 2016*), July 19, 2016.

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

¹²⁰ “Ceremony Recognizing the Composition of the Veterans Association of Cambodia Committee” (ពិធីប្រកាសទទួលស្គាល់ សមាសភាពគណៈកម្មាធិការសហគមន៍អតីតយុទ្ធជនកម្ពុជា), December 15, 2015, <http://beta.nokorwatnews.com/?p=66243#sthash.eG1vtvi2.dpuf> (accessed December 16, 2015); “General Kun Kim Graciously Presides Over the Ceremony Recognizing the Dangkao District Committee of the Veterans Association of Cambodia” (នាយឧត្តមសេនីយ៍ កឹម អញ្ជើញជាមេធាវីភាពក្នុងពិធីប្រកាសទទួលស្គាល់គណៈកម្មាធិការ សហគមន៍អតីតយុទ្ធជនកម្ពុជាខណ្ឌដង្កោ), December 18, 2015, <http://beta.nokorwatnews.com/?p=66948#sthash.DNR8ITnp.dpuf> (accessed December 19, 2015); “Meeting of the Kampong Thom Province Veterans Association of Cambodia to Strengthen the Quality of Its Work” (កិច្ចប្រជុំសហគមន៍អតីតយុទ្ធជនកម្ពុជាខេត្តកំពង់ធំ ដើម្បីពង្រឹងគុណភាពការងារ), January 6, 2016, <http://kampuchearthmey.com/kpt/?p=138593> (accessed January 8, 2016); “The Chairperson of the Veterans Association of Cambodia for Kampong Chhnang Province Issues Death Benefits to Two Families of Veterans in Two Districts” (ប្រធាន សហគមន៍អតីតយុទ្ធជនកម្ពុជាខេត្តកំពង់ឆ្នាំងចុះបើកប្រាក់ មរណៈសង្គ្រោះជូនគ្រួសារអតីតយុទ្ធជន២គ្រួសារនៅក្នុងស្រុក២), January 8, 2016, <http://kampuchearthmey.com/kpt/?p=142917> (accessed January 9, 2016); “Anlung Veng District Committee of the Veterans Association of Cambodia Arranged for a Ceremony to Issue Death Benefits to the Families of Three persons Who Passed Away” (គណៈកម្មាធិការ សហគមន៍អតីតយុទ្ធជនកម្ពុជា ស្រុកអង្គរវង់ បានរៀបចំពិធីប្រគល់ប្រាក់ មរណៈសង្គ្រោះ ជូនគ្រួសារអតីតយុទ្ធជន ដែលបានទទួលមរណភាព ចំនួន៣នាក់), January 29, 2016, <http://kampuchearthmey.com/kpt/?p=163897> (accessed January 29, 2016); “Mr. Chuon Sarun Is Appointed the New Chairperson of the Province Veterans Association of Cambodia, While the Governor is Honorary Chairperson” (លោក ជួន សារុន ត្រូវបាន តែងតាំង ជា ប្រធាន ទីស្តីការ អង្គការ យុវជន ខេត្ត កំពង់ចាម, រីឯ ឯកឧត្តម ហ៊ុន សែន ជា ប្រធាន គណៈកម្មាធិការ ខេត្ត កំពង់ចាម), January 29, 2016, <http://www.freshnewsasia.com/index.php/en/28287-2016-07-06-09-00-11.html> (accessed July 6, 2016).

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

ត្រូវបានតែងតាំង ជាប្រធានថ្មីសមាគម អភិវឌ្ឍន៍ជនកម្ពុជាខេត្ត ខណៈអភិបាលខេត្តជាប្រធានកិត្តិយស), June 8, 2016, <http://www.freshnewsasia.com/index.php/en/26051-2016-06-08-14-17-16.html> (accessed June 8, 2016).

¹²¹ “Mr. General Chuon Sovan Appointed Chairperson of Phnom Penh Capitol Veterans Association While Mr. General Rat Sreang Is Vice-Chairperson” (លោក ឧត្តមសេនីយ៍ ជួន សុវណ្ណ ត្រូវតែងតាំង ជាប្រធានសមាគម អភិវឌ្ឍន៍ជន រាជធានីភ្នំពេញ ខណៈលោក ឧត្តមសេនីយ៍ រ៉ាត ស្រីង ជាអនុប្រធាន), September 15, 2015, <http://dap-news.com/2011-06-14-02-39-55/99183-2015-09-15-11-03-38.html> (accessed September 15, 2015).

¹²² “Mr. Kun Kim Meets More Than 200 Veterans Members and Retirees in Srei Santhor District” (លោក កុំ គីម ជួបប្រជុំ មាជិក អភិវឌ្ឍន៍ជនវ័យចាស់ លើសពី ២០០ នាក់នៅស្រុកស្រីសន្ធរ), June 2, 2016, <http://www.dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%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).

¹²³ “General Et Sarat: RCAF Supports and Defends All Activities that Are in Proper Accordance with the Law” (នាយឧត្តមសេនីយ៍ ឥត សាវ៉ាតៈ កងយោធពលខេមរភូមិន្ទគាំទ្រ និងការពាររាល់សកម្មភាពដែលត្រឹមត្រូវតាមច្បាប់), November 4, 2016, <http://www.freshnewsasia.com/index.php/en/internationalnews/38618-2016-11-04-08-13-35.html> (accessed November 4, 2016).

¹²⁴ “Deputy Prime Minister Tea Banh: Even Though Some Political Instability Has Been Fomented by the Opposition, the Economy Nevertheless Remains Perfectly Good” (ឧបនាយករដ្ឋមន្ត្រី ទៀ បាញ់៖ ទោះបីជាអស្ថិរភាពនយោបាយខ្លះ បង្កឡើងដោយ ពួកប្រឆាំង ប៉ុន្តែសេដ្ឋកិច្ចកម្ពុជានៅតែល្អប្រសើរ), November 8, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38883-2016-11-08-05-31-48.html> (accessed November 8, 2016).

¹²⁵ “H.E. Tea Banh: Nowadays, When Political Problems Arise in Cambodia, the Army Cannot Stand Idly By” (ឧ.ប.ទៀ បាញ់៖ បញ្ហានយោបាយ កើតឡើងនៅកម្ពុជា សព្វថ្ងៃកងទ័ព មិនអាចឈរនៅស្ងៀម), February 2, 2017, <http://dap->

decried 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.”¹²⁶

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.”¹²⁷ This mission was formalized in a separate order to RCAF.¹²⁸

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.”¹²⁹ 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.”¹³⁰ Tea Banh chimed in with

news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/28116.html (accessed February 2, 2017).

¹²⁶ “Banh warns of ‘hurricane’ of change,” *Phnom Penh Post*, February 6, 2017, <http://www.phnompenhpost.com/national/banh-warns-hurricane-change> (accessed February 7, 2017).

¹²⁷ “‘Colour’ coups on group’s agenda,” *Phnom Penh Post*, February 7, 2017, <http://www.phnompenhpost.com/national/colour-coups-groups-agenda> (accessed February 8, 2017).

¹²⁸ “National Defense Ministry Proclaims the Army Is to Defend Cambodia’s Peace and Absolutely Oppose Color Revolution” (ក្រសួងការពារជាតិ ប្រកាសឱ្យកងទ័ពទាំងអស់ការពារសន្តិភាពរបស់កម្ពុជា ហើយប្រឆាំងដាច់ខាតនូវបដិវត្តន៍ពណ៌), March 2, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/48535-2017-03-02-06-00-53.html> (accessed March 2, 2017).

¹²⁹ Human Rights Watch, *Tell Them I Want to Kill Them: Two Decades of Impunity in Hun Sen’s Cambodia* (2012), <https://www.hrw.org/report/2012/11/13/tell-them-i-want-kill-them/two-decades-impunity-hun-sens-cambodia>, p. 40; “Samdech Techo Will Not Appease Anyone Destroying Peace” (សម្តេចតេជោ នឹងមិនអត់ឱនឱ្យជនណា ដែលបំផ្លាញសន្តិភាព), February 13, 2017, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/29136.html> (accessed February 13, 2017).

¹³⁰ “Samdech Techo: Some Say Once Victorious in 2018, They Will Suppress Those Not Recognizing the Results” (សម្តេចតេជោ : មានអ្នកខ្លះថា ឈ្នះនៅឆ្នាំ២០១៨ ហើយនឹងបង្ក្រាប អ្នកមិនទទួល ស្គាល់លទ្ធផល), February 22, 2017, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/30015.html> (accessed February 22, 2017); “Samdech Techo Hun Sen Proclaims Once More the Defense of Cambodia’s Peace No Matter What the Cost” (សម្តេចតេជោ ហ៊ុន សែន ប្រកាសម្តងទៀតឱ្យការពារសន្តិភាពរបស់កម្ពុជា ទោះបីត្រូវតែដកថ្លៃណា

a threat that RCAF would not allow public calls for “change,” the slogan used by CNRP supporters who had called during the 2013 national election campaign for replacement of Hun Sen by Sam Rainsy.¹³¹

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.¹³² 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.¹³³

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.¹³⁴

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

កំដោយ), February 28, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/48349-video-inside-57.html> (accessed February 28, 2017).

¹³¹ “H.E. Tea Banh Absolutely Will Not Allow the Shouts of Change! Change! That Would Bring About a Lack of Peace in Cambodia” (ឧ.ប.ជ្រៀត បាញ់ មិនអនុញ្ញាតឱ្យស្រែកផ្លាស់! ផ្លាស់! ដែលនាំឱ្យបាត់សន្តិភាព ក្នុងប្រទេសជាតិខ្មែរ), February 25, 2017, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/30423.html> (accessed February 25, 2017).

¹³² “Manet touts spending boost for armed forces,” *Phnom Penh Post*, November 14, 2016, <http://www.phnompenhpost.com/national/manet-touts-spending-boost-armed-forces> (accessed November 14, 2016).

¹³³ “In Peacetime, Cambodia’s Military Spending Soars,” *Cambodia Daily*, November 24, 2016, <https://www.cambodiadaily.com/news/peacetime-cambodias-military-spending-soars-120934/> (accessed November 24, 2016).

¹³⁴ “Mr. Dr. Chea Tara Takes More than 10 Million Riel of the Samdech Kralahaom Foundation to Present to Women Who Have Given Birth and 56 Families Suffering Deaths in Kok Khmum Commune” (លោកបណ្ឌិត ជា តារា នាំយកមូលធិនិស្សេចក្រឡាហោម ជាង១០លានរៀល ប្រគល់ជូនស្រីសម្រាលកូន និងគ្រួសារមរណៈ៥៦គ្រួសារ នៅឃុំកោកឃ្មុំ), 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” (ក្រុមការងារ CPP ស្រុកថ្មកោល ប្រជុំបូកសរុបលទ្ធផលការងារចុះឈ្មោះបោះឆ្នោត និងផ្សព្វផ្សាយសេចក្តីណែនាំមួយចំនួន), December 12, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/41492-2016-12-12-02-58-57.html> (accessed December 12, 2016).

strategy emphasized the importance of CPP leaders going down to the grassroots to strengthen and mobilize support for the party.¹³⁵

With Hun Sen presiding, 1,860 party delegates attended the conference, including 495 Central Committee members.¹³⁶ Honorary CPP Chairperson Heng Samrin vowed in his speech that “no evil power” would be allowed to “hinder” the CPP’s development of Cambodia.¹³⁷ In discussing the CPP’s “ever greater strengthening of the country’s defence ramparts,” the conference communique 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.¹³⁸ This included the senior commanders who are the subject of this report, as well as a wide variety of other security force general officers.¹³⁹

¹³⁵ “CPP to Convene a Its 40th Central Committee Conference in the 3rd Week of This December” (CPP **នឹងបើកសន្និបាតគណៈកម្មាធិការកណ្តាល លើកទី៤០ នៅសប្តាហ៍ទី៣ ខែធ្នូនេះ**), 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 **នឹងធ្វើ មហាសន្និបាត វិសាមញ្ញ នៅពាក់កណ្តាលខែធ្នូ**), December 6, 2016, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%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 **នឹងធ្វើ មហាសន្និបាត វិសាមញ្ញ នៅពាក់កណ្តាលខែធ្នូ**), December 6, 2016, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%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).

¹³⁶ “This Morning the CPP Convenes a Central Committee Conference at Koh Pech” (នៅព្រឹកថ្ងៃនេះ CPP **បើកសន្និបាតគណៈកម្មាធិការកណ្តាល នៅកោះពេជ្រ**), 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” (លទ្ធផលសន្និបាតគណៈកម្មាធិការ កណ្តាល គណបក្សប្រជាជនលើកទី ៤០អាណត្តិទី ៥), December 18, 2016, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%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).

¹³⁷ “Samdech Heng Samrin Hopes that the People of Cambodia Will Continue to Entrust the CPP to Lead the Country” (សម្តេច **ហេង សំរិន សង្ឃឹមថា ប្រជាជនកម្ពុជានឹងនៅតែផ្តល់សច្ចៈធម៌ឱ្យគណបក្សប្រជាជនកម្ពុជាដឹកនាំប្រទេស**), December 17, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/41998-2016-12-17-04-52-16.html> (accessed December 17, 2016).

¹³⁸ “Samdech Techo Hun Sen Orders CPP Members to Increase the Intensity of Their Going Down to the Grassroots” (សម្តេច**តេជោ ហ៊ុន សែន បង្គាប់ឱ្យសមាជិក CPP បង្កើនការចុះមូលដ្ឋានឱ្យខ្លាំងក្លា**), December 18, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/42083-2016-12-18-11-45-29.html> (accessed December 18, 2016).

¹³⁹ See individual sections, below; “Mr. Khieu Sopheak Takes Gifts to Distribute to More Than 100 Families Citizens Suffering Shortages in Thkav Commune, Kampong Trabek District” (លោក **ខៀវ សុភក្ត្រ នាំយកអំណោយ ចែកជូនប្រជាពលរដ្ឋ មានជីវភាពខ្វះខាតជាង១០០គ្រួសារ ក្នុងឃុំថ្កូវ ស្រុកកំពង់ត្របែក**), 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

<http://www.freshnewsasia.com/index.php/en/localnews/42523-2016-12-24-10-57-35.html> (accessed December 24, 2016);

"General Ma Chhoeun and Mrs. Uk Maly Gracisouly Preside Over a Ceremony of the Conference of the Party Committee of Sautip Commune, Prey Chhor District" (នាយឧត្តមសេនីយ៍ ម៉ាឈឿន និងលោកស្រី អ៊ុក ម៉ាលី អញ្ជើញជាអធិបតី

ក្នុងពិធីសន្និបាតគណៈកម្មាធិការគណបក្ស ឃុំសូទិញ ស្រុកព្រៃឈរ), December 24, 2016 ,

<http://www.freshnewsasia.com/index.php/en/localnews/42526-2016-12-24-14-43-31.html> (accessed December 24, 2016);

"CPP Youth in Pailin Province Meet to Sum Up 2016 Work and Directions for Implementation of 2017 Work (យុវជន គណបក្សប្រជាជនកម្ពុជាខេត្តប៉ៃលិន ប្រជុំបូកសរុបលទ្ធផលការងារឆ្នាំ២០១៦ និងទិសដៅអនុវត្តការងារបន្តឆ្នាំ២០១៧), December 27, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/42718-2016-12-27-09-41-55.html> (accessed December 27, 2016);

"Mr. Moeng Samphan Convenes a Conference Summing Up the Results of the Work and the CPP Political Program in the Communes of Bavet City" (លោក ម៉ុង សំផន បើកសន្និបាតបូកសរុបលទ្ធផលការងារ និងកម្មវិធីនយោបាយគណបក្សប្រជាជនកម្ពុជា ឃុំសង្កាត់ ក្នុងក្រុងបាវិត), December 31, 2016, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/25448.html> (accessed December 31, 2016).

¹⁴⁰ UNTAC, Military Component, "Organization of the Ministry of Defence," [n.d.]; RGC, "Chronology of the Royal Gendarmerie of Cambodia" (*kalabavoat ney kangreachavuthat kampuchea*), [n.d.].

¹⁴¹ RGC, "Chronology of the Royal Gendarmerie;" RGC, Sub-Decree 11 ANKr, March 8, 1994.

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.¹⁴³ Keo Samuon was replaced at the head of the gendarmerie in May 1994 by former Regiment 70 commander Kieng Savut.¹⁴⁴ 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.¹⁴⁵ 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.¹⁴⁶

Other recruits came from former members of the PRK Ministry of Interior's "A3" para-military Combat Police and operatives of its covert "A-Team" units.¹⁴⁷ 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.¹⁴⁸ 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.¹⁴⁹ 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.¹⁵⁰

¹⁴³ RGC, Sub-Decree 17 ANKr, November 18, 1993; RGC, Sub-Decree 77 ANKr, December 21, 1994.

¹⁴⁴ RGC, "Chronology of the Royal Gendarmerie;" RGC, Sub-Decree 11 ANKr, March 8, 1994; RGC, Sub-Decree 51 ANKr, August 25, 1994.

¹⁴⁵ COHCHR, internal memo to provincial offices and election monitoring teams, 1998; Amnesty International, "State of Cambodia: Human Rights Developments, 1 October 1991-31 January 1992" (ASA23/02/92), April 1992.

¹⁴⁶ "Part of History" (*một phần của lịch sử*) and "Vietnamese Volunteer Troops" (*quân tình nguyện Việt Nam*), posted in <http://www.vnmilitaryhistory.net/index.php?topic=16326.160;wap2> (accessed on November 7, 2014); Carney, "Heng Samrin's Armed Forces," p.160; Interview with senior GRK officer, Phnom Penh, August 30, 2013.

¹⁴⁷ Interview with senior GRK officer, November 10, 1995; COHCHR, untitled draft paper (on the history of human rights violation perpetration in Cambodia), June 4, 2004.

¹⁴⁸ CPP, *History of the Struggle*, p.48; COHCHR, untitled draft paper, June 4, 2004; Phnom Penh Radio, October 2, 1990; Phnom Penh Radio, October 11, 1990.

¹⁴⁹ COHCHR, untitled draft paper, June 4, 2004.

¹⁵⁰ Interview with senior GRK officer, August 30, 2013; "UN envoy urges scrapping of Gendarmerie," *Phnom Penh Post*, November 21 - December 4, 1997; COHCHR, internal memo to provincial offices and election monitoring teams, 1998.

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.”

¹⁵³ RGC, Sub-Decree 136 ANKrBK, August 25, 2009.

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 pathamseila 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.¹⁵⁵ 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.¹⁵⁶

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.”¹⁵⁷

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.”¹⁵⁸

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

banhcheakarathan reachavut-hat loe phtey prates), July 14, 2015, <http://beta.nokorwatnews.com/?p=33153#sthash.TtDOhdmU.dpuf> (accessed July 14, 2015); RGC, Code of Criminal Procedure of the Kingdom of Cambodia (2007), http://www.wipo.int/wipolex/en/text.jsp?file_id=240881, Chapters 2-4 (accessed July 10, 2015); Steve Heder, “Cambodia in 2010 Hun Sen’s Further Consolidation,” *Asian Survey* (Vol. 51, No. 1: January/February 2011), pp. 208-209.

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.

¹⁵⁸ Brad Adams interview with senior French official who requested anonymity, Paris, October 13, 2000.

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.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.”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.”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, 1994.¹⁶²

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.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.¹⁶⁴ In May 1999, Sao Sokha

¹⁵⁹ Brad Adams interview with French official who requested anonymity, May 21, 2001.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

¹⁶² RGC, “Life History of His Excellency Four Gold Star General Sao Sokha” (*chivapravoat ek-utdam neay utdamsenei phkay meas buon sao sokha*), [n.d.]; United Nations, Office of the Secretary General’s Representative for Cambodia (UNOSGRC), “The Royal Cambodian Armed Forces,” 1995; Interview with senior GRK officer, November 10, 1995; *Damnoeng Pel Preuk* (newspaper) July 5, 1994; Interview with Sao Sokha, December 11, 2007.

¹⁶³ UNOSGRC, “Monthly Report for May 1996.”

¹⁶⁴ RGC, Royal Decree ChS/RKT/0797/88, July 24, 1997.

was appointed national GRK commander, where he has remained ever since.¹⁶⁵ In January 2009, he was appointed concurrently as an RCAF deputy supreme commander.¹⁶⁶

Cambodian Police, 1979 to Present

PRK Ministry of Interior and Police

Institutionally, the foundation of today's Cambodian police is dated to January 7, 1979, when the PRK was created.¹⁶⁷ The first PRK Minister of Interior, the late CPP Chairman Chea Sim, who died in 2015, is credited with taking the lead in setting up and developing this police force.¹⁶⁸ A former CPK East Zone Khmer Rouge cadre, Chea Sim was implicated in serious crimes there before crossing into Vietnam in 1978 and becoming involved in opposition to Pol Pot's leadership of the CPK.¹⁶⁹

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,

¹⁶⁵ RGC, “Four Gold Star General Sao Sokha.”

¹⁶⁶ RGC, Royal Decree NS/RoKT/010/061, January 22, 2009.

¹⁶⁷ Hun Sen, “Keynote Address at the 65th Anniversary of the Establishment of the National Police,” May 16, 2010, <http://cnv.org.kh/?p=1151> (accessed June 30, 2010).

¹⁶⁸ “Life History of the Lord Supreme Great Dharma Bayan Tree Chea Sim” (*chivapravoat samdech akkeakmohathoamapothisal chea sim*), June 8, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/92837-2015-06-08-10-10-39.html> (accessed June 8, 2015); Hun Sen, “Keynote Address at the 65th Anniversary of the Establishment of the National Police,” May 16, 2010, <http://cnv.org.kh/?p=1151> (accessed June 30, 2010).

¹⁶⁹ “Cambodia: Chea Sim Death Shows Failings of Khmer Rouge Court,” Human Rights Watch news release, June 8, 2015, <https://www.hrw.org/news/2015/06/08/cambodia-chea-sim-death-shows-failings-khmer-rouge-court>.

the ministry was originally divided into seven directorates, including a Directorate of People's Security and a Directorate of People's Police.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.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.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.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,

¹⁷⁰ PRK, Sub-Decree 04 ANKr, January 11, 1983.

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.

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.

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

¹⁷⁴ Amnesty International, notes entitled “Prisons in the PRK,” August 4, 1986, prepared for Amnesty International, *Political Imprisonment and Torture* (ASA 23/05/87) (London: June 1987).

¹⁷⁵ SPK, October 17, 1981; SPK, March 18, 1986; Vickery, *Kampuchea*, p.80.

¹⁷⁶ Phnom Penh Radio, May 6, 1988, May 10, 1988; SOC, Sub-Decree 73 ANKr, July 11, 1989; UN, “Report of the United Nations Fact-Finding Mission on Present Structures and Practices of Administration in Cambodia, 24 April-9 May 1990,” June 1990, p.47; UN, “United Nations Survey Mission to Cambodia: Public Security and Civil Police in the State of Cambodia,” pp.29, 31.

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,

¹⁷⁷ SOC, Sub-Decree 73 ANKr, July 11, 1989.

¹⁷⁸ SOC, Sub-Decree 26 ANKr, November 1, 1991.

¹⁷⁹ UN, “United Nations Survey,” pp.5-6, 14-15, 26, 28-31, and 40-41.

organized as bureaux and offices within municipal/provincial and district police commissariats and inspectorates, respectively.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 commissariats and inspectorates there.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."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.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.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.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.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

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.

¹⁸¹ UN, "United Nations Survey," Annexes 3 and 4; UNTAC, "Government Authorities List;" UNTAC, "Commissariat de Police de la Province de Banteay Meanchey," May 21, 1993.

¹⁸² UN, "Cambodia: UNTAC."

¹⁸³ UN, "United Nations Survey Mission," p.4.

¹⁸⁴ Phnom Penh Radio, January 30, 1992.

¹⁸⁵ SPK, January 31, 1992; UNTAC, "Who's Who;" UNTAC, "Liste nominative de fonctionnaires du ministère de l'Intérieur de l'Etat de Cambodge," August 12, 1992.

¹⁸⁶ UNTAC, "State of Cambodia Telephone Directory, 14 September 1992"; UNTAC, "Who's Who."

Anti-Terrorism Directorate, and Defense of Political Security Directorate 2 (codenamed S22), now called the Intelligence Directorate.¹⁸⁷ By law, they, their deputies, and various other national security officials had judicial police powers, but Interior Ministry officials did not.¹⁸⁸

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.¹⁸⁹ Each party named a deputy minister to run the ministry on a day-to-day basis; Sin Sen was appointed for the CPP.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.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.¹⁹²

¹⁸⁷ UNTAC, “Ranks List of National Security Ministry,” Mok Chito, letter to the Editor, “Reckless claims do rights organisation little credit,” *Phnom Penh Post*, November 16, 2012, <http://www.phnompenhpost.com/index.php/2012111659766/National-news/reckless-claims-do-rights-organisation-little-credit.html> (accessed November 16, 2012).

¹⁸⁸ SOC, Law on Criminal Procedure, January 29, 1993.

¹⁸⁹ “Ranariddh on Control of Defense, Interior Ministries,” *AFP*, Phnom Penh, June 22, 1993.

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.

¹⁹¹ Phnom Penh Radio, August 18, 1993.

¹⁹² Phnom Penh Radio, October 29, 1993; RGC, Kret, November 1, 1993.

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-Decree 16 ANKr December 20, 1993.

¹⁹⁴ RGC, Royal Kram NoS/RoKMo/0196/08, January 24, 1996.

¹⁹⁵ RGC, “Sub-Decree 27 ANKrBK, January 30, 2009; “Thai Authorities Hand Over to Cambodian Competents a Khmer Murderer Who Robbed and Shot to Death a Japanese National” (**អាជ្ញាធរថៃប្រគល់ឃាតករខ្មែរម្នាក់ ឲ្យអាជ្ញាសម្រាប់ប្រឆាំងជនជាតិជប៉ុនឱ្យសមត្ថកិច្ចកម្ពុជា**), *Khmerload*, May 4, 2013, <http://www.khmerload.com/news/13106> (accessed May 20, 2013); “Two Hands-on Perpetrators and Three Accomplices Detained in a Case of Robbery of a Motorcycle and Murder” (**យោធព័ន្ធដនដៃដល់ ឃាតករ និងអ្នកពាក់ព័ន្ធ ៣នាក់ ក្នុងករណី រំលោភសម្លាប់ យកម៉ូតូ**), October 30, 2012, <http://www.yolprom.com/news/20121030-349> (accessed November 1, 2012).

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.¹⁹⁶

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.¹⁹⁷ 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.¹⁹⁸

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.”¹⁹⁹ 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

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.

¹⁹⁸ Brad Adams, “Marking the Anniversary of the Cambodian Coup Attempt,” *Cambodia Daily*, July 2, 2014, <https://www.cambodiadaily.com/opinion/marking-the-anniversary-of-the-cambodian-coup-attempt-62966/> (accessed July 4, 2014).

¹⁹⁹ RGC, Royal Kram 02/NS/94, July 20, 1994.

to other authorities.²⁰⁰ The CPP legal interpretation of this law has ever since put the prime minister in “direct command” of the police and armed forces.²⁰¹

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.²⁰² 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.²⁰³

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.²⁰⁴ 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.²⁰⁵ 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 2018.²⁰⁶

²⁰⁰ RGC, “Law on the Organization and Functioning of the Council of Ministers,” July 20, 1994.

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.

²⁰⁶ “‘Source’s on Possible Defense Ministry Changes,” *Reaksamei Kampuchea*, November 19, 1995; Interview with a former senior Ministry of Interior official, October 17, 1997; <http://www.interior.gov.kh/en/structure-chart> (accessed December 29, 2014);

“General and Peace Sage Em Sam-an Deceased as of the Morning of 24 March 2018” (នាយករដ្ឋមន្ត្រីស្រីយ័ន សម្តេចនាយករដ្ឋមន្ត្រី ឯម សំអាត ទទួលមរណភាព នាព្រឹកថ្ងៃទី២៤ មីនាស៊ី) March 24, 2018, <https://www.dap-news.com/kh/ព័ត៌មានក្នុងប្រទេស/68219.html> (accessed March 25, 2018).

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.²⁰⁷ This ensured his power to sign off on superior orders directed to center-level police.²⁰⁸

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.²⁰⁹

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.²¹⁰ 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.²¹¹ As of 2014, the total number of police in Cambodia was officially said to be 52,000.²¹² 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.”²¹³ As

²⁰⁷ RGC, Decision 494 SSR, June 26, 2006.

²⁰⁸ “Extortionists’ arrested in Phnom Penh to be deported,” *Phnom Penh Post*, January 8, 2013, <http://www.phnompenhpost.com/national/%E2%80%99arrested-phnom-penh-be-deported> (accessed January 10, 2013).

²⁰⁹ “Gen. Neth Savoeun, Hun Sen’s Nephew-in-Law, Tapped as Police Chief,” *Voice of America Khmer*, November 11, 2008, <https://khmerisation.wordpress.com/2008/11/12/gen-neth-savoeun-hun-sens-nephew-in-law-tapped-as-police-chief/> (accessed August 25, 2012).

²¹⁰ Extraordinary Chambers in the Courts of Cambodia (ECCC), “Note on Meetings with Security Commission Chairman and Vice Chairmen,” August 29, 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.

²¹³ “National Police to bolster ‘security’ with 4,500 new cops,” *Phnom Penh Post*, February 12, 2016, <http://www.phnompenhpost.com/national/national-police-bolster-security-4500-new-cops> (accessed February 13, 2016); “Ministry of Interior Explains the Information About the Selection of an Additional 4,500 National Police Forces”

of December 2017, the official figure for police nation-wide was 58,198, of whom 17,897 were center-level.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.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.²¹⁶

(ក្រសួងមហាផ្ទៃ ពន្យល់ជុំវិញ ព័ត៌មាននៃ ការជ្រើសរើស កងកម្លាំង នគរបាលជាតិជាង ៤៥០០នាក់ បន្ថែមទៀត), February 12, 2016, <http://www.dap-news.com/2011-06-14-02-39-55/108830-2016-02-12-14-24-27.html> (accessed February 13, 2016).

²¹⁴ បាយការណ៍ចុងក្រោយ បង្ហាញថា កម្លាំងមានមន្ត្រីនគរបាលជាតិ ជិត៦ម៉ឺននាក់ នៅទូទាំងប្រទេស

²¹⁵ GGC, 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.

²¹⁶ "The Royal Government Decides to Create Supreme Directorates for Immigration and Identification" (ដរដ្ឋាភិបាល សម្រេចបង្កើត អគ្គ នាយកដ្ឋាន អន្តោប្រវេសន៍ និងអគ្គនាយក ដ្ឋាន អត្តសញ្ញាណកម្ម), 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" (ពិធីប្រកាស បង្កើត អគ្គនាយកដ្ឋាន ២ និងប្រកាសមុខតំណែង ជាអគ្គនាយក និង ប្រធានបណ្ឌិត សកានគរបាល កម្ពុជា ធ្វើ ឡើងនៅថ្ងៃទី២៤ ខែមេសា) 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://www.cambodiadaily.com/news/heads-of-new-departments-of-immigration-identification-sworn-in-57344/> (accessed April 25, 2014); "H.E. Lieutenant General Dy Vicchea Is Appointed Chairman of the Security Central Directorate" (ឯកឧត្តម ឧត្តមសេនីយ៍ឯក ឌី វិជ្ជា ត្រូវបានតែងតាំងជាប្រធាននាយកដ្ឋាននគរបាលសន្តិសុខ), August 8, 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

<http://edition.bayontv.com.kh/bayontv-national-news/30108-2014-08-08-11-30-04.html> (accessed August 8, 2014). Downward, their supreme directors exercise authority jointly with local governors and police commanders over municipality and province police immigration and identity document work, which is generally handled by designated deputy police commissioners at these levels. “Proclamation of the Transfer and Appointment of a Deputy Commissioner Post in Banteay Meanchey Province” (ប្រកាស ផ្ទេរភារកិច្ច និងតែងតាំង មុខតំណែង ស្នងការរងម្នាក់ នៅខេត្តបន្ទាយមានជ័យ) June 25, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/89301-2014-06-25-12-50-54.html> (accessed June 25, 2014); “General Sok Phal Joins in the Appointment of a Deputy Commissioner in Charge of Immigration at the Preah Sihanouk Province Police Commissariat” (នាយឧត្តមសេនីយ៍ សុខ ផល ចូលរួមតែងតាំង ស្នងការរង ទទួលការងារ អន្តេប្រវេសន៍ នៃស្នងការរដ្ឋាន នគរបាល ខេត្តព្រះសីហនុ) (នាយឧត្តមសេនីយ៍ សុខ ផល ចូលរួមតែងតាំង ស្នងការរង ទទួលការងារ អន្តេប្រវេសន៍ នៃស្នងការរដ្ឋាន នគរបាល ខេត្តព្រះសីហនុ), June 28, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/89503-2014-06-28-05-28-08.html> (accessed June 29, 2014); “Ceremony Transferring and Promoting Police Officials in Svay Rieng Province” (ពិធីផ្ទេរភារកិច្ចតែងតាំងមុខតំណែងនិងបំពាក់ឋានន្តរស័ក្តិដល់មន្ត្រីនគរបាលនៅស្នងការខេត្តស្វាយរៀង), July 19, 2014, <http://www.nokorwatnews.com/detailnews.php?newsid=43132&mnu=2&cid=4> (accessed July 30, 2014); “General Sok Phal Leads a Work Team to Go Down and Inspect and Survey Vietnamese Nationals Living on the Tonle Sap Lake” (នាយឧត្តមសេនីយ៍ សុខ ផល ដឹកនាំក្រុមការងារ ចុះត្រួតពិនិត្យ និងជំរឿនស្ថិតិ ជនជាតិវៀតណាម ដែលកំពុងរស់ នៅលើផ្ទៃ បឹងទន្លេសាប), August 24, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/93545-2014-08-24-03-40-26.html> (accessed August 24, 2014); “Ministry of Interior Immigration Supreme Directorate Suppresses 12 Illegally Resident Vietnamese Nationals” (អគ្គនាយកដ្ឋានអន្តេប្រវេសន៍ក្រសួងមហាផ្ទៃបង្ក្រាបជនជាតិវៀតណាមរស់នៅខុសច្បាប់១២នាក់), October 30, 2014, <http://nokorwatnews.com/detailnews.php?newsid=46502&mnu=2&cid=4#sthash.ubVT04Sl.dpbs> (accessed November 3, 2014); “Immigration Supreme Directorate Disseminates Immigration Work at the Posat Province Commissariat” (អគ្គនាយកដ្ឋាន អន្តេប្រវេសន៍ ផ្សព្វផ្សាយការងារ អន្តេប្រវេសន៍ នៅស្នងការខេត្ត ពោធិ៍សាត់), January 14, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/102828-2015-01-14-02-58-59.html> (accessed January 20, 2015); “General Sok Phal, Immigration Supreme Director, Presents Cars, Motorcycles and Computers to the Kandal and Kampong Speu Province Commissariats” (នាយឧត្តមសេនីយ៍ សុខ ផល អគ្គនាយក អន្តេប្រវេសន៍ ប្រគល់ រថយន្ត ម៉ូតូ និង កុំព្យូទ័រ ជូនដល់ ស្នងការ ខេត្តកណ្តាល និង កំពង់ស្ពឺ), February 10, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/86109-2015-02-10-07-18-33.html> (accessed February 12, 2015).

²¹⁷ “The National Police Supreme Commissariat Will Expel Any Police Forces Who Have Not regularly Participated in Training” (អគ្គស្នងការនគរបាលជាតិ នឹងបណ្តេញកងកម្លាំងនគរបាលណាដែលមិនចូលរួមហ្វឹកហ្វឺនជំនាញឡើងទាក់), October 15, 2015, <http://kampuchearthmey.com/kpt/?p=88126>, accessed October 15, 2015; “National Police Force Learn Tactics From 911 Brigade,” *Cambodia Daily*, October 16, 2015, <https://www.cambodiadaily.com/news/national-police-force-learn-tactics-from-911-brigade-97355/> (accessed October 17, 2015).

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 1971.²¹⁸ 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.²¹⁹

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.²²⁰ When this insurgency failed, he took refuge in Vietnam in September 1978, joining fellow ex-East Zone CPK military cadre Hun Sen there.²²¹

²¹⁸ Documentation Center of Cambodia, Document I08276, “Biography of Mam Von, aka Pol Saroeun, Political chief of the East,”

<http://www.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.

²¹⁹ US government document, “SUBJ IIR 6 024 055 97/Interview with Mao Phouk, former deputy chairman, Khmer Communist Eastern Zone Messenger Network;” Kiernan, *Pol Pot Regime*, p.395; Interview with former East Zone Khmer Rouge combatant, April 15, 1981 and May 26, 1981, Khao I Dang, Thailand.

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

²²¹ Kiernan, *Pol Pot Regime*, pp. 392-411, 440-442; Carney, “Heng Samrin’s Armed Forces,” pp. 153-160; Pen Sovan, *Summary Biography*, pp.129-154; “Pen Sovann Out to Settle Old Scores,” *Phnom Penh Post*, May 16-29, 1997; Heng Samrin, *Lord Supreme*, pp.99-152; Pribbenow, “Five Generals,” pp.459-484.

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.²²² 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.²²³

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).²²⁴

Decisions about how long a prisoner would be held were made by the provincial committee headed by Pol Saroeun.²²⁵ The committee also oversaw prisons operating at the district level.²²⁶

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.²²⁷ This was followed by Pol Saroeun's elevation in April 1989 to the RPPK's Central Committee and Political Bureau.²²⁸ After the

²²² Phnom Penh Radio, April 2, 1980; Phnom Penh SPK, June 26, 1984, and January 13, 1987.

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*.

²²⁶ LCIHR, notes entitled “Numbers of Prisoners,” November 1984, prepared for LCIHR, *After the Worst*.

²²⁷ Phnom Penh Radio, April 17, 1993; Phnom Penh Radio, August 20, 1988; SPK, August 23, 1988.

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.²²⁹

As chief of the Supreme General Staff, Pol Saroeun had de jure powers of command over the whole of the PRK armed forces.²³⁰ Reflecting his importance in the highest circles of the ruling party, he was also considered the most influential figure in the armed forces.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.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.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.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

²²⁹ Phnom Penh Radio, January 11, 1992.

²³⁰ PRK, Sub-Decree 25 ANKr, November 20, 1985.

²³¹ UNTAC, "Report on a Meeting with Thou Thon," June 21, 1992.

²³² Amnesty International, notes entitled "Prisons in the PRK," August 4, 1986, prepared for Amnesty International, *Political Imprisonment*.

²³³ Amnesty International, notes entitled "A Pattern of Political Arrest and Imprisonment," August 25, 1986, prepared for Amnesty International, *Political Imprisonment*.

²³⁴ Amnesty International, notes entitled "Prisons in the PRK," August 4, 1986, prepared for Amnesty International, *Political Imprisonment*.

empowered to detain and interrogate.²³⁵ Q101 had the authority to order arrests throughout the country, including of 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. Like other political detainees, those in Q101 custody were held without charge or trial and often subjected to torture.²³⁶

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.²³⁷ Pol Saroeun was the CPP's number one 1993 election candidate in Takeo and helped supervise CPP campaign activities there, operating through the CPP-controlled military, police, and civil administration to carry out CPP "grassroots strengthening" operations.²³⁸ To this end, CPP control of the provincial military was tightened, CPP indoctrination of officers and men intensified, and provincial and other armed units right down to the village level openly conducted party building and election campaign activities and carried out surveillance of members of the population suspected of supporting FUNCINPEC, BLDP and other opposition groups.²³⁹

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

²³⁵ PRK, Sub-Decree 25 ANKr, November 20, 1985; UNTAC, Military Component, "Force Structure: SoC Armed Forces," September 16, 1992, pp.5-7.

²³⁶ Amnesty International, "Update on Political Prisoners" (AI Index 23/001/1991), March 1991; 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*; Amnesty International, notes entitled "Nation-Wide Authority to Carry Out Political Arrests in the PRK," August 28, 1986, prepared for Amnesty International, *Political Imprisonment*.

²³⁷ UNTAC, "Report on Interviews."

²³⁸ CPP, "List of Candidates: Takeo," [n.d.]; UNTAC, "Report on Interviews;" UNTAC, "Recommendations for Control Mission," April 25, 1993.

²³⁹ UNTAC, "Findings of the Control Team: Military Matters," April 14, 1993.

against the opposition at police instigation, but who were supposed to appear to be unconnected with the police.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.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).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.²⁴³ His re-established political clout gave him much increased command authority over CPP-affiliated RCAF units and also over Q101.²⁴⁴

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.²⁴⁵

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].

²⁴¹ UNTAC Electoral Component, "CC&E Report/Takeo Province," January 5, 1993; UNTAC Electoral Component, "CC&E Report/Takeo Province," February 15, 1993; UNTAC Information/Education Division, "Background on Takeo Province," [n.d.]; UNTAC, "Control Team," March 1993; UNTAC, "Incidents and Problems Related to the Electoral Process," October 27, 1993.

²⁴² PGC, Kret, July 5, 1993; KOC, "List of Senior Officers."

²⁴³ *Koh Santepheap*, September 28, 1994.

²⁴⁴ Interview with Nhek Bunchhay, Phnom Penh, November 14, 1995.

²⁴⁵ Human Rights Watch, *Cambodia at War* (New York: 1995), pp.77-78; Amnesty International, "Kingdom of Cambodia: Diminishing Respect for Human Rights" (ASA 23/02/96), May 1996, p.39.

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

²⁴⁶ Amnesty International, “Attack by Soldiers on Villagers of Banteay, Ko Lo-ap Commune, Kratie District, Kratie province” (AI Index ASA 23/04/94), April 21, 1994; Amnesty International, “Three Villagers (Names Unknown) from Sei La Keyo Village, Kom Ping Poi District, Battambang Province” (AI Index ASA 23/05/94), 16 May 1994; Human Rights Watch, *Cambodia at War* (New York: 1995), pp.58-64; Amnesty International, “Kingdom of Cambodia: Diminishing Respect for Human Rights” (ASA 23/02/96), May 1996, pp.31-38; Amnesty International, “Kingdom of Cambodia: Still Waiting for Justice: The Children of Krang Kantoul” (ASA 23/005/2002), September 2002.

²⁴⁷ Human Rights Watch, *Cambodia at War* (New York: 1995), pp.67-69; COHCHR, interview with Nhek Bunchhay, January 13, 2004.

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

²⁴⁹ Human Rights Watch, *Cambodia at War* (New York: 1995), pp.77-78; Amnesty International, “Kingdom of Cambodia: Diminishing Respect for Human Rights” (ASA 23/02/96), May 1996, p.39.

²⁵⁰ RGC, Decision 74 SSR, July 11, 1994; Human Rights Watch, *Cambodia at War* (New York: 1995), pp.77-78; Amnesty International, “Kingdom of Cambodia: Diminishing Respect for Human Rights” (ASA 23/02/96), May 1996, p.39.

“annihilate” its military machinery.²⁵¹ 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.²⁵²

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 3.²⁵³ 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 1996.²⁵⁴

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.

²⁵¹ UNOSGRC, “Monthly Report for May 1996.”

²⁵² UNOSGRC, “Weekly Report #92 Covering the Period from 20 to 26 May 1996”; UNOSGRG, “Monthly Report for November 1996;” Interview with Pol Saroeun, June 28, 1997.

²⁵³ Phnom Penh Radio, August 15, 1996; UNOSGRC, “Monthly Report for October 1996;” “Khmer Rouge Defectors Ask Position in Government,” *Reaksmei Kampuchea*, August 22, 1996.

²⁵⁴ UNOSGRC, “Weekly Report #103 Covering the Period from 2 to 8 September 1996;” Phnom Penh Radio, August 8, 1996; “Top Khmer Rouge Defectors Reportedly in Bangkok,” *AFP* Phnom Penh, August 8, 1996; UNOSGRC, JW, “Defection Case: Talk with Col. Vong Kim Han,” August 14, 1996; UNOSGRC, “Weekly Report #103 Covering the Period from 2 to 8 September 1996;” Cambodia Office of the UN Center for Human Rights (COUNCHR), “Interviews Conducted at Phum Dong Village, Phnom Malai, Banteay Meanchey Province,” September 27, 1996; UNOSGRC, “Monthly Report for November 1996;” COHCHR, “Talk with Om Van,” January 26, 1997; COHCHR, “Om Van, Phum Dong, Malai,” January 26, 1997; COHCHR, “I Chhean (Ex-Commander of NADK Big Division 415, Mayor of Pailin), Pailin, January 27, 1997; COHCHR, “Prum Sou, Deputy Governor of Banteay Meanchey Province, Ex-Commander of NADK Small Division 519, Phnom Penh,” January 22, 1997; Phnom Penh Radio, August 16, 1996; COHCHR, “Phon Phaen (Ex-Deputy Commander of Division 705, Now District Governor of Sampoeu Luang) Sampoeu Luang, Front 250,” January 25, 1997.

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

²⁵⁵ Interview with Pol Saroeun, June 28, 1997; Interview with Hun Sen, Phnom Penh, September 21, 2007; See ECCC, Office of the Co-Investigating Judges, "Closing Order" (D427 English), pp.48, 51, 58, 188, 202-5, 233-4, 266.

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.

²⁵⁷ COHCHR, "Screening Interviews on 28 July 1997," August 4, 1997; COHCHR, "Interview with 29-year-old Bodyguard to Nhek Bunchhay, on 18 July 1997," July 20, 1997.

²⁵⁸ Human Rights Watch, *"Tell Them I Want to Kill Them": Two Decades of Impunity in Hun Sen's Cambodia* (2012), <https://www.hrw.org/report/2012/11/13/tell-them-i-want-kill-them/two-decades-impunity-hun-sens-cambodia>, p.40.

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

²⁶⁰ RGC, Royal Decree, DS/RKT/0897/148, August 11, 1997.

²⁶¹ RGC, Royal Decree, NS/RPT/0199/22, February 24, 1999.

²⁶² Brad Adams interview with subordinate of Pol Saroeun in Paris, 2004.

²⁶³ Ibid.

²⁶⁴ RCAF High Command, "Organization of the RCAF High Command," 2006; "Key post for premier's son," *Phnom Penh Post*, January 16, 2012, <http://www.phnompenhpost.com/national/key-post-premier%E2%80%99s-son> (accessed October 22, 2015).

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.

²⁷⁰ "Mr. Pol Saroeun: It Is Necessary to Know How to Manage One's Members in Order Not to Be Defeated by Opposition Party Propaganda" (លោក ប៉ុល សារ៉េន : ត្រូវចេះគ្រប់គ្រង សមាជិកខ្លួន កុំឲ្យបាញ់ ការបោសសម្អាត របស់បក្សប្រឆាំង), May 27, 2013.

<http://www.dap-news.com/2011-06-14-02-39-55/64813-2013-05-27-08-02-47.html> (accessed May 28, 2013).

²⁷¹ "Mr. Pol Saroeun Leads More Than 6,000 Members on a Procession Ending the Election Campaign in Preah Sihanouk Province" (លោក ប៉ុល សារ៉េន ដឹកនាំ សមាជិកជាង ៦ពាន់នាក់ ដង្ហែបញ្ចប់ យុទ្ធនាការ រកសំឡេងឆ្នោត នៅខេត្តព្រះសីហនុ), July 26, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/69186-2013-07-26-10-15-54.html> (accessed July 26, 2013).

²⁷² "General Pol Saroeun Inaugurates the Wat Prey Kabbas Accomplishments" (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន សម្ពោធសមិទ្ធិផល វត្តព្រែកប្បាស), June 3, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/65229-2013-06-03-02-51-02.html> (accessed June 4, 2013).

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.²⁷³ 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.²⁷⁴

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."²⁷⁵ In February 2014, Hun Sen added him to a government committee in charge of taking action against worker protests deemed illegal.²⁷⁶

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.²⁷⁷

²⁷³ "General Pol Saroeun Supports the Government Statement Condemning Sam Rainsy" (នាយករដ្ឋមន្ត្រី ប៉ុល ហ៊ុន សែន គាំទ្រសេចក្តី ថ្លែងការណ៍របស់ រាជរដ្ឋាភិបាល ថ្កោលទោស សម រង្ស៊ី), April 7, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/84466-2014-04-07-07-11-12.html> (accessed April 4, 2014).

²⁷⁴ "Proclamation of Transfer of Duty of Chairperson of the Cambodian People's Party in Preah Sihanouk and Prey Veng Provinces" (ប្រកាស ផ្ទេរភារកិច្ច ប្រធានគណបក្ស ប្រជាជនកម្ពុជា ខេត្តព្រះសីហនុ-ព្រៃវែង), March 1, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/81908-2014-03-01-01-39-58.html> (accessed March 2, 2014); "Despite Absence of Party President, CPP Marks 63rd Anniversary in Style," *Cambodia Daily*, June 30, 2014, <http://www.cambodiadaily.com/news/despite-party-president-absence-cpp-marks-63rd-anniversary-in-style-62735/> (accessed July 1, 2016).

²⁷⁵ "Supreme Command Meets to Sum Up 2013 Training Work" (អគ្គបញ្ជាការប្រជុំបូកសរុបការងារហ្វឹកហ្វឺនឆ្នាំ២០១៣), January 22, 2014, <http://edition.kpt-news.com/local-news/2977-2014-01-22-08-51-50.html> (accessed January 22, 2014).

²⁷⁶ "Hun Sen Adds Armed Forces Chiefs to Strike Committee," *Cambodia Daily*, February 21, 2014, <http://www.cambodiadaily.com/news/hun-sen-adds-armed-forces-chiefs-to-strike-committee-52873/> (accessed February 26, 2014).

²⁷⁷ "General Pol Saroeun and Mr. Osman Hasan Meet and Chat with Approximately Almost 500 Khmer Islam Brothers and Sisters in Preah Sihanouk Province" (នាយករដ្ឋមន្ត្រី ប៉ុល ហ៊ុន សែន លោកឧកញ៉ា អូស្មាន ហាស្សាន់ ជួបសំណេះសំណាល បងប្អូន ខ្មែរឥស្លាមប្រមាណជិត៥០០នាក់ នៅខេត្តព្រះសីហនុ), August 10, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/96790-2015-08-10-03-36-06.html> (accessed August 10, 2015); "Army Head Pushes All Military Absolutely to Fend Off Individuals Whose Tendency Is to Foment Instability for the Nation and Society" (ប្រមុខកងទ័ពកម្ពុជា ជម្រុញឱ្យយោធាទាំងអស់ ទប់ស្កាត់ឱ្យ បានដាច់ខាតនូវបុគ្គលណា ដែលមាននិន្នាការ បង្កអវិភាព ចំពោះជាតិសាសន៍ និងសង្គម), September 15, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/99154-2015-09-15-07-43-36.html> (accessed September 15, 2015); "The Army Proclaims Undeserved Condemnation of Those Distorting the Government's Case on Maps

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.”²⁷⁸

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.²⁷⁹ He specified that RCAF’s role included “preventing

and the Border” (កងទ័ពប្រកាស ថ្កោលទោសដល់អ្នកបង្កាច់បង្អួច រាជរដ្ឋាភិបាល ក្នុងសំណុំរឿងផែនទី និង ព្រំដែន, September 10, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/98875-2015-09-10-10-37-10.html> (accessed September 10, 2015); “Supreme Command Headquarters Convenes a Meeting Summing Up the work of 2015 and Objectives for 2016” (អគ្គបញ្ជាការដ្ឋានបានបើកកិច្ចប្រជុំបូកសរុបការងារឆ្នាំ២០១៥និងទិសដៅឆ្នាំ២០១៦), January 8, 2016, អគ្គបញ្ជាការដ្ឋានបានបើកកិច្ចប្រជុំបូកសរុបការងារឆ្នាំ២០១៥និងទិសដៅឆ្នាំ២០១៦ (accessed January 9, 2016); “Rally in Preah Sihanouk Province Commemorating the 37th Anniversary of the 7 January Victory Day” (ប្រារព្ធមិធីទិវាជ័យភ័ក្ត្រខួបអនុស្សាវរីយ៍លើកទី៣៧ជ័យជម្នះលើកម្រកនៅខេត្តព្រះសីហនុ), January 7, 2016, <http://kampuchearthmey.com/kpt/?p=139775> (accessed January 7, 2016); “Mr. Pol Saroeun Gives an Introduction on the Value of Peace to Activists of the Phnom Penh Capitol Cambodian Youth Federation” (លោក ប៉ុល សារ៉េន ធ្វើបាបកថា ស្តីពីតម្លៃ នៃសន្តិភាព ជូនដល់សកម្មជន យុវជនសហភាពសហព័ន្ធយុវជន កម្ពុជា រាជធានីភ្នំពេញ), August 25, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/97747-2015-08-24-05-26-18.html> (accessed August 25, 2015); “Hun Sen Warns Opposition of Backlash by Armed Forces,” *Cambodia Daily*, October 20, 2015, <https://www.cambodiadaily.com/news/hun-sen-warns-opposition-of-backlash-by-armed-forces-97603/> (accessed October 21, 2015).

²⁷⁸ “Army Head: It Is Necessary Immediately to Eliminate and Dispose of Any Individual Whose Mentality Is That of Wanting to Wreck the Peace” (ប្រមុខកងទ័ព: ត្រូវកម្ចាត់ចោលភ្លាមចំពោះបុគ្គលណាមានចិត្តចង់បំផ្លាញសន្តិភាព), <http://bayontv.com.kh/archives/71756>, July 5, 2016, accessed July 6, 2016; “Prevent Activities the Mentality of Which Is to Wreck the Peace in Cambodia” (ទប់ស្កាត់សកម្មភាពដែលមានចិត្តបំផ្លាញ សន្តិភាពនៅកម្ពុជា), <http://beta.nokorwatnews.com/?p=108665>, July 10, 2016 (accessed July 10, 2016).

²⁷⁹ “Mr. Pol Saroeun: Cambodia is Able Not Only to Maintain Internal Security, But Also Even Helping UN Peace-Keeping Operations” (លោក ប៉ុល សារ៉េន: កម្ពុជាមិនត្រឹមតែអាចថែរក្សាសន្តិសុខផ្ទៃក្នុងប៉ុណ្ណោះទេ ថែមទាំងជួយប្រតិបត្តិការរក្សាសន្តិភាព UN ទៀត), November 2, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38427-2016-11-02-07-05-17.html> (accessed November 2, 2016); “Mr. Pol Saroeun Convenes a Meeting to Disseminate ‘Work Results in the First 9 Months of the Year and the Immediate Duties of the Military’” (លោក ប៉ុល សារ៉េន បើកកិច្ចប្រជុំផ្សព្វផ្សាយ «លទ្ធផលការងាររយៈពេល៩ខែដើមឆ្នាំ និងភារកិច្ចចំពោះមុខរបស់យោធិន»), November 3, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38528-2016-11-03-08-35-05.html> (accessed November 3, 2016); “Gen. Pol Saroeun: ‘Cambodia Achieved Independence by Way of a Movement of the Army and Subjects Under the Leadership of Samdech Norodom Sihanouk’” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន: «កម្ពុជាទទួលបានឯករាជ្យ ដោយចលនាកងទ័ព និងប្រជារាស្ត្រ ក្រោមព្រះរាជបូជនីយកិច្ចរបស់សម្តេច នរោត្តម សីហនុ»), November 8, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38872-2016-11-08-04-22-42.html> (accessed November 8, 2016); “Gen. Pol Saroeun: ‘Peace Is in Contradiction with War, But All of Us Must Focus on the Single Objective, Namely, Maintaining Peace’” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន: «សន្តិភាព មានទំនាស់នឹង សង្គ្រាម តែយើងទាំងអស់គ្នា

all offences” contrary to such security and political stability.²⁸⁰ 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.²⁸¹ 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.”²⁸² In March 2016 he publicly insisted that all citizens must have “pointed and robust faith” in Hun Sen’s leadership.²⁸³ 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.”²⁸⁴ 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

ត្រូវផ្ដោតលើគោលដៅតែមួយគត់គឺការរក្សា សន្តិភាព»), November 22, 2016,

<http://www.freshnewsasia.com/index.php/en/localnews/39875-2016-11-22-03-48-13.html> (accessed November 22, 2016).

²⁸⁰ “Gen. Pol Saroeun Pushes All Troop Commanders to Continue Paying Attention to Building Up and Strengthening Ways of Defending the Nation to Make Them Solid in Every Respect” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន ជំរុញឱ្យមេទ័ពទាំងអស់ បន្តយកចិត្តទុកដាក់ កសាងពង្រឹងរបៀបការពារជាតិ ឱ្យបានរឹងមាំលើគ្រប់វិស័យ), December 27, 2016,

<http://www.freshnewsasia.com/index.php/en/localnews/42701-2016-12-27-07-06-40.html> (accessed December 27, 2016).

²⁸¹ “Gen. Pol Saroeun: The Country Has Peace Providing Opportunities for the Army to Strengthen and Expand Its Capacity, Making It Ever Sharper” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន ៖ ប្រទេសជាតិមានសន្តិភាព ផ្តល់ឱកាសឱ្យកងទ័ព ពង្រីកសមត្ថភាព កាន់តែមុតស្រព), February 1, 2017, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/28048.html> (accessed February 1, 2017).

²⁸² “Gen. Pol Saroeun: the Cambodian Army Must Solidly Defend Peace and Absolutely Oppose Color Revolution” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន៖ កងទ័ពកម្ពុជាត្រូវការពារឱ្យបានរឹងមាំនូវសន្តិភាព ប្រឆាំងដាច់ខាតបដិវត្តន៍ពណ៌), February 27, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/48277-2017-02-27-12-05-08.html> (accessed February 27, 2017).

²⁸³ “Gen. Pol Saroeun Insists All Citizens Have Pointed and Robust Faith in the Leadership of Samdech Techo Hun Sen in Order to Develop and Raise Living Standards Even More Better” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន ទទួចឱ្យពលរដ្ឋទាំងអស់ មានចិត្តទុកដាក់យ៉ាងមុតមាំលើការដឹកនាំរបស់សម្តេចតេជោ ហ៊ុន សែន ដើម្បីបន្តអភិវឌ្ឍន៍ និងបង្កើនជីវភាពកាន់តែប្រសើរឡើង), March 26, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/50758-2017-03-26-07-21-24.html> (accessed March 27, 2017).

²⁸⁴ “Gen. Pol Saroeun Will Send to Jail Those Accusing the Royal Government of Ceding Land to Vietnam” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន នឹងបញ្ជូនអ្នកចោទ រាជរដ្ឋាភិបាល យកដីឱ្យវៀតណាម ទៅដាក់គុក), March 29, 2017, <http://www.dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/33397.html> (accessed March 29, 2017).

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.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.”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.”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.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.²⁸⁹

²⁸⁵ “Gen. Pol Saroeun Appointed by Samdech Techo as Chairperson of Center-Level Work Team for Going Down to Help Takeo Province, Replacing Samdech Sok An” (នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន ត្រូវបានសម្តេចតេជោ តែងតាំងជាប្រធានក្រុមការងាររដ្ឋាកំណាម ចុះជួយខេត្តតាកែវ ជំនួសសម្តេចសុខ អាន), March 20, 2017, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/32564.html> (accessed March 20, 2017); “Samdech Say Chhum Will Graciously Appoint Mr. Pol Saroeun as Chairman of CPP Work Team for Going Down to Help Takeo Province, Replacing Samdech Sok An” (សម្តេច សាយ ឈុំ នឹងអញ្ជើញតែងតាំងលោក ប៉ុល សារ៉េន ជាប្រធានក្រុមការងារ CPP ចុះជួយខេត្តតាកែវ ជំនួសសម្តេច សុខ អាន), March 22, 2017, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/32713.html> (accessed March 22, 2017); “New role for RCAF chief,” *Phnom Penh Post*, March 22, 2017, <http://www.phnompenhpost.com/national/new-role-rcf-chief> (accessed March 22, 2017).

²⁸⁶ RCAF head calls for readiness, Thursday, October 12, 2017.

²⁸⁷ នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន ជម្រុញឲ្យទាហានទាំងអស់ ត្រូវចូលរួមការពារបញ្ហាសន្តិសុខការបោះឆ្នោតព្រឹទ្ធសភានិងបោះឆ្នោតសភាឲ្យបានល្អ, ក្តាប់កម្លាំងឲ្យបាន និងធ្វើឲ្យបាន

²⁸⁸ នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន: កងយោធពលខេមរភូមិន្ទ ប្រឆាំងដាច់ខាត និងមិនបណ្តោយឲ្យក្រុមជ្រុលនិយមណាមួយ ឬនរណាម្នាក់មកបំផ្លិចបំផ្លាញសុខសន្តិភាពរបស់ប្រជាជនកម្ពុជាបានឡើយ

²⁸⁹ នាយឧត្តមសេនីយ៍ ប៉ុល សារ៉េន ប្រកាសមិនឱ្យបដិវត្តន៍ពណ៌កើតឡើងនៅកម្ពុជាដាច់ខាត ហើយហៅលោក សម រង្ស៊ី ជាជនគួរកំផាត់

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.

²⁹³ Academic's interview with former Tbaung Khmum district CPK cadre, Phnom Penh, February 5, 2011; Henri Locard, "Bophea Region dambon 20 to 24, Investigated 24-26 August 1993"; Interview with local residents, Tbaung Khmum residents, December 15, 2014.

²⁹⁴ Extraordinary Chambers in the Courts of Cambodia (ECCC) document D313/1.2.12; COHCHR, "Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997," 30 July 1997; COHCHR, "Political and Military Developments Relating to the Coup;" Interviews with local residents, Tbaung Khmum district, December 15, 2014; ECCC, Office of the Co-Investigating Judges, "Closing Order" (D427 English), pp.55-58, 108-196.

²⁹⁵ COHCHR, "Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997," July 30, 1997.

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.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.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.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.²⁹⁹ Interrogation through torture was routine; some were fatally beaten. Others committed suicide or died from a combination of malnutrition and illness.³⁰⁰ Those detained included the PRK's own officials, accused of contact with the non-Communist insurgent opposition to the PRK.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.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 1993.³⁰³ 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

²⁹⁶ PRK, "Decision on the Problem of Cadres," [n.d.]; Gottesman, *Cambodia after the Khmer Rouge*, pp.33, 46, 54, 60, 67-68.

²⁹⁷ COHCHR, "Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997," July 30, 1997; COHCHR, "Political and Military Developments Relating to the Coup."

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

²⁹⁹ LCIHR, notes entitled "Numbers of Prisoners," November 1984, prepared for LCIHR, *After the Worst*.

³⁰⁰ LCIHR, notes entitled "PRK Extracts," November 1984, prepared for LCIHR, *After the Worst*.

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

³⁰² UNTAC, "Who's Who."

³⁰³ UNTAC interview with Pin Dam; UNTAC interview with Kan Man, May 2, 1993.

parties were “disturbing the social order.”³⁰⁴ 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.³⁰⁵ 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.³⁰⁶ 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.³⁰⁷

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.³⁰⁸ 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.³⁰⁹

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,

³⁰⁴ UNTAC, “Province of Kandal, Activity Report, 8-16 August 1992”; UNTAC, “Province of Kandal, Activity Report, 15-30 September 1992”; UNTAC, “Province of Kandal, Activity Report, 1-15 October 1992”; UNTAC, “Activity Report for Kandal Province, 4-29 January 1993.”

³⁰⁵ UNTAC, “Activity Report for Kandal Province, 7 November-8 December 1992”; UNTAC, “Activity Report, Kandal, 1 February-2 March 1993”; UNTAC, “Activity Report for Kandal Province, 4-29 January 1993”; UNTAC, “Incidents and Problems Related to the Electoral Process,” October 27, 1993.

³⁰⁶ UNTAC, “Province of Kandal, Activity Report, 25-31 July 1992.

³⁰⁷ UNTAC, “Province of Kandal, Activity Report, 15-30 September 1992”; UNTAC, “Province of Kandal, Activity Report, 1-15 October 1992.”

³⁰⁸ Interview with Hun Sen, September 21, 2007.

³⁰⁹ UNTAC, “Interview with Chak Sarik,” September 10, 1993.

allegedly in part by channeling funds derived from local extortion and bribery.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.³¹¹ Kandal also came to serve as a reservoir for the recruitment of such forces.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.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."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 1998.³¹⁵

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.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

³¹⁰ "Special Battalion to Guard 2nd PM," *Cambodia Today*, November 29, 1995; Interview with Pin Dam, July 1, 1997.

³¹¹ "Hun Sen Backs Defectors from Ranariddh Party as Rift Widens," *AFP*, Ta Khmao, 19 April 1997; "Cambodian Military Pledges Neutrality But Threats Remain," *Reuters*, Phnom Penh, April 27, 1997; "Cambodia: A Soft Coup," *The Economist*, April 26, 1997.

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.

³¹³ "Hun Sen Says Assassination Danger Lingers," *Cambodia Daily*, November 27, 1995.

³¹⁴ Phnom Penh Radio, November 26, 1995.

³¹⁵ "Corruption Destroys Cambodia's Future," *Weekend Australian*, November 25, 1995.

³¹⁶ UNOSGRC, "Monthly Report for May 1996."

to Kun Kim fired in the air to prevent Sam Rainsy's party from carrying out activities in the province.³¹⁷ 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."³¹⁸

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.³¹⁹ The attack was also followed by arrests of Sam Rainsy party members in Kandal.³²⁰

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.³²¹

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.³²² Kun Kim gave orders to Hun Sen-loyalist CPP units carrying out attacks, including those under Kun Kim's personal

³¹⁷ 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."

³¹⁸ UNOSGRC, "Monthly Report for January 1997;" "Phkay Preuk" column, *Chakraval*, August 14, 1997.

³¹⁹ 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.

³²⁰ COHCHR, "Reported Arrests of FUNCINPEC Party Officials in the Provinces," [n.d.].

³²¹ Human Rights Watch, *"Tell Them I Want to Kill Them,"* p.40.

³²² Interview with Hun Sen, September 21, 2007.

control.³²³ Among these were troops of the Kandal province military operations sub-sector provincial police.³²⁴ 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.³²⁵

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.³²⁶ Kun Kim oversaw efforts to track down opposition activists in Kandal.³²⁷ Some of the bodies were found not far from Tuol Krasang.³²⁸ Others were discovered in different locations in Kandal, among them places where forces personally loyal to Kun Kim were deployed.³²⁹

Immediately following the coup, Kun Kim, while remaining deputy governor of Kandal, was in de facto control of RCAF.³³⁰ In August, Hun Sen rewarded him with the status of a government minister.³³¹ He was also given the title of Hun Sen's "advisor for general affairs."³³² 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

³²³ Brad Adams interviews with senior CPP and FUNCINPEC military and civilian officials, November 27, 1999, February 23, 2000, and February 15, 2000; COHCHR, "Information from Sam Kanitha and Maonh Sophan," July 19, 1997; Brad Adams interviews with senior RCAF officials, March 1, 2001 and February 15, 2000.

³²⁴ Brad Adams interviews with various UN and CPP officials, 1997, 1998, 1999, 2000, 2001; Brad Adams interview with provincial police official, December 21, 2002.

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.

³²⁶ Human Rights Watch, *"Tell Them I Want to Kill Them,"* p.40.

³²⁷ Interview with Pin Dam, Phnom Penh, July 8, 1997.

³²⁸ COHCHR, "Floating Bodies of 3 to 5 Military in Tonle Bassac – Saang District, Kandal," July 29, 1997.

³²⁹ COHCHR, "Information from Lt. Col. Om Piseth, Deputy Commander of Intervention Unit of the General Staff and His Wife," July 20, 1997; COHCHR, "Information from Serey Kosal's Wife, 22 July 1997," July 22, 1997; COHCHR, "Allegation of Extrajudicial Execution," July 31, 1997; COHCHR, "Possible Identification of Three Persons Executed Along Route 6A," August 7, 1997; COHCHR, "Information from FUNCINPEC Source," August 8, 1997; COHCHR, "3 Summary Executions Along Route 6A Across the Chrouy Changvar Bridge," August 10, 1997.

³³⁰ COHCHR, "Political and Military Developments Relating to the Coup."

³³¹ *Chakraval*, August 14, 1997.

³³² Eglises d'Asie, Dossiers et Documents No.1/2000-16/01/2000: Francois Ponchaud, "Cambodge: Le Point Sur La Situation Politique et Sociale de 1er Novembre 1999 au 31 Decembre 1999," January 2001.

Regions 2 and 4, in collaboration with Kampong Cham Governor Hun Neng, Hun Sen's brother, and other Hun Sen relatives.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.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."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.³³⁶ On the eve of the vote, Hun Sen ordered preparations for counter-attacks from Kandal and elsewhere should the opposition win the elections.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.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.³³⁹ In Kandal province, this operation was orchestrated by Kun Kim, with the help of contingents of the police and GRK.³⁴⁰

³³³ Global Witness, *Going Places ... Cambodia's Future on the Move* (London: March 1998).

³³⁴ COHCHR, "Media and the Elections: Updated Statistics, 23 July 1998."

³³⁵ "Cambodian Strongman Feeling the Heat as Opposition Wins Support," *Reuters*, Phnom Penh, July 12, 1998.

³³⁶ SRP, "Appeal for Demilitarized Electoral Process," Phnom Penh, July 16, 1998; Interview with senior CPP official, September 18, 2004.

³³⁷ COHCHR, "Memo," July 16, 1998.

³³⁸ International Crisis Group, "Cambodia's Elections Turn Sour," September 10, 1998.

³³⁹ Human Rights Watch, "Cambodia: Opposition Activists Targeted in Post-Election Reprisals," August 10, 1998.

³⁴⁰ COMFREL and NICFEC, *Directory of the Third National Assembly of the Kingdom of Cambodia, 2003-2008* (Phnom Penh: June 2005), p.93.

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.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.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.³⁴³ On August 24, opposition supporters started a sit-in at the park across from the national assembly building, which was dubbed “Democracy Square.”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.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.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

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.

³⁴² Interview with senior CPP official, September 18, 2004.

³⁴³ COHCHR, “Telephone Monitoring Report from Kandal,” August 23, 1998; “Thousands Defy Ban and Join Cambodia Poll Protest,” *Reuters*, August 23, 1998.

³⁴⁴ SRP, “Thousands Start Vigil in Park,” August 24, 1998; “Cambodia Opposition in Protest Against Vote,” *Reuters*, Phnom Penh, August 24, 1998; “Cambodia Election Protest Kept Up with Vigil Outside Parliament,” *AFP*, Phnom Penh, August 24, 1998.

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

³⁴⁶ “Cambodian Strongman Renews Coalition Appeal Amid Persisting Crisis,” *AFP*, Siem Reap, September 3, 1998; “Cambodia’s Sihanouk Cautious on Vote Talks,” *Reuters*, Phnom Penh, September 4, 1998; “Cambodia Opposition March, Talks Deadlock,” *Reuters*, Phnom Penh, September 6, 1998; “Cambodian Opposition Calls for Hun Sen to Step Down,” *Kyodo*, Phnom Penh, September 6, 1998; “15,000 Cambodians in March Against Hun Sen,” *The Australian*, September 7, 1998.

a pretext for suppressing opposition protest activities.³⁴⁷ Hun Sen proclaimed that the event was proof that FUNCINPEC and SRP were attempting a “real revolution, like a real coup d’état.”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.”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.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.³⁵¹ Demonstrations punctuated by back and forth street battles

³⁴⁷ COHCHR, “Alleged Grenade Attack on Hun Sen’s Residence, September 7, 1998,” December 3, 1998.

³⁴⁸ “Cambodia’s Hun Sen Blames Opposition for Grenades,” *Reuters*, Siem Reap, September 7, 1998.

³⁴⁹ “Cambodian Premier Issues Ultimatum for Demonstrators to Disperse,” *AFP*, Phnom Penh, September 7, 1998; “Cambodia Protester Killed as Police Break Up Demonstrations,” *AFP*, Phnom Penh, September 7, 1998; “Cambodian Leader’s Home Attacked,” *AP*, Phnom Penh, September 7, 1998.

³⁵⁰ “Cambodia’s Sam Rainsy Goes Free; Anti-Hun Sen Motorcades Throng Phnom Penh,” *AP*, Phnom Penh, September 8, 1998; “Riot Police Move in to Clear Cambodian Opposition Protesters,” *AFP*, Phnom Penh, September 8, 1998; “Cambodian Riot Police Break Up Anti-Hun Sen Protest,” *AFP*, Phnom Penh, September 8, 1998; “Riot Police Break Up Cambodian Protest,” *AP*, Phnom Penh, September 8, 1998; “Police Break Up Cambodia Protest,” *AP*, Phnom Penh, September 8, 1998; Human Rights Watch, “Human Rights Watch Condemns Violence and Police Crackdown Against Demonstrators in Cambodia,” September 9, 1998; “Police, Mobs Clash for Third Day in Cambodia,” *New York Times*, September 9, 1998; “Monk Shot Dead as Police Clash with Protesters in Cambodian Capital,” *AFP*, Phnom Penh, September 9, 1998; “Crowds Gather Again, Offerings Burned Where Monks Shot,” *AP*, Phnom Penh, September 9, 1998; “Monks Missing, Feared Dead,” *VOA*, Phnom Penh, September 9, 1998; “Chance for Cambodia Deal Bleak, But Still Hope,” *Reuters*, Phnom Penh, September 9, 1998; “‘Buddhist Monk Dead’ in Cambodia Clashes,” *BBC*, Phnom Penh, September 9, 1998; “Cambodian Monks Beaten, Fearful, Stay Off,” *Reuters*, Phnom Penh, September 15, 1998; “Cambodia’s Military Reopens Streets Following Protests,” *Australian Broadcasting Corporation*, Phnom Penh, September 9, 1998; “One Injured as Cambodian Police Open Fire on Defiant Protesters,” *AFP*, Phnom Penh, September 10, 1998; “Cambodians Clash with Police for Fourth Day in Defiance of Rally Ban,” *AFP*, Phnom Penh, September 10, 1998; “Clashes Erupt Near Home of Cambodian Prince,” *Reuters*, Phnom Penh, September 10, 1998; “Police Scatter Cambodia Protesters,” *AP*, Phnom Penh, September 10, 1998; “Thousands in Streets of Phnom Penh Cheer for Peace,” *New York Times*, September 11, 1998; “Big Anti-Government March Broken Up in Cambodia,” *Reuters*, Phnom Penh, September 10, 1998; “Cambodian Protests Swell as Thousands Take to Capital’s Streets,” *AFP*, Phnom Penh, September 10, 1998.

³⁵¹ “Lundy’s Police act After Tea Banh Refusal,” *Phnom Penh Post*, September 12-17, 1998; Interview with senior CPP official, September 18, 2004; “Demonstrations Spread Through Capital,” *Phnom Penh Post*, September 12, 1998; “Statement by

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

Samdech Chea Sim, Chairman of the National Assembly," September 13, 1998; Interview with senior CPP official, September 18, 2004; "One Dead as Pro-Hun Sen Crowd Marches In," *Reuters*, Phnom Penh, September 11, 1998; "Police Ordered to Seize and Dispose of Bodies," *VOA*, Phnom Penh, September 11, 1998; "Another Protester Killed in Cambodia's Demonstrations," *Kyodo*, Phnom Penh, September 11, 1998; "One Killed, Several Wounded as Rival Party Supporters Clash in Cambodia," *AP*, Phnom Penh, September 11, 1998; "Rival Cambodian Protesters Battle it Out as Prince Bids for Peace," *AFP*, Phnom Penh, September 12, 1998; "Protest Degenerates Into Dirty War," *The Australian*, September 12, 1998; "Pro-government Supporters Flood Cambodian Capital," *Reuters*, Phnom Penh, September 12, 1998; "Cambodian Demonstrations," *VOA*, Phnom Penh, September 12, 1998; "Violence Thwarts Cambodia Rally Plan," September 12, 1998; "At Least Five Injured as Cambodian Marchers Clash in Street Battles," *AFP*, Phnom Penh, September 12, 1998; "Rival Cambodian Protesters Battle it Out as Prince Bids for Peace," *AFP*, Phnom Penh, September 12, 1998; "Prince Ranariddh Hints at Compromise," *AP*, Phnom Penh, September 13, 1998; "Gov't Supporters March in Cambodia," *AP*, Phnom Penh, September 13, 1998.

³⁵² "Armed Pro-government Mobs Reclaim Streets of Cambodian Capital," *AFP*, Phnom Penh, September 13, 1998; "Government Stages Big March in Cambodia," *Reuters*, Phnom Penh, September 13, 1998; "Protests go on as Cambodian Opposition Seeks Talks with King," *AFP*, Phnom Penh, September 14, 1998; "Cambodian Activists Beaten, Arrested," *AP*, Phnom Penh, September 14, 1998; "Cambodia's Ranariddh Appeals to Supporters to Halt," *Reuters*, Phnom Penh, September 14, 1998; "Cambodia Police Shoot to Scatter Protesters," *Reuters*, Phnom Penh, September 14, 1998; "35 Detained in Crackdown on Protesters in Cambodia," *Kyodo*, Phnom Penh, September 14, 1998; "Cambodian Activists Beaten, Arrested," *AP*, Phnom Penh, September 14, 1998; "Cambodian Activists Take Anti-Hun Sen Fight to the Streets," September 14, 1998; "Opposition Say Cambodia at 'Turning Point' Despite More Street Violence," *AFP*, Phnom Penh, September 14, 1998; "Cambodian Parties Agree to Meeting," *AP*, Phnom Penh, September 14, 1998; Amnesty International, "Fear of Torture/Fear for Safety/Fear of Disappearance" (ASA 23/25/98), September 15, 1998; "Cambodia Capital Calm After Protests Subside," *Reuters*, Phnom Penh, September 15, 1998; "Cambodia Capital Quiet, Tense, Ahead of Talks," *Reuters*, Phnom Penh, September 15, 1998.

³⁵³ "Statement by Ambassador Thomas Hammarberg, Special Representative of the UN Secretary General for Human Rights in Cambodia," New York, September 16, 1998; "UN Gravely Concerned by Cambodia Deaths, Missing," *Reuters*, Phnom Penh, September 16, 1998; "Death Toll Rises," *VOA*, Phnom Penh, September 18, 1998; Amnesty International, "Kingdom of Cambodia: Demonstrations Crushed with Excessive Use of Force" (ASA 23/26/98), September 22, 1998.

³⁵⁴ "Respect Our Sovereignty," *Asiaweek.com* (www.asiaweek.com/magazine/99/1126/nat.cambodia2.hunsen.html), November 26, 1999 (accessed August 21, 2012).

³⁵⁵ Francois Ponchaud, "Cambodge: Le Point Sur La Situation Politique et Sociale de 1er Novembre 1999 au 31 Decembre 1999," *Eglises d'Asie, Dossiers et Documents No.1/2000-16/01/2000*: January 2001.

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.

³⁵⁷ Steve Heder, "Cambodia in 2010: Hun Sen's Further Consolidation," *Asian Survey*, Vol. 51, No. 1 (January/February 2011), p.208.

³⁵⁸ <http://www.cpp.org.kh/site/struture/12/3> (accessed June 3, 2013).

³⁵⁹ "RCAF Officer Corps Sees Host of Promotions," *Cambodia Daily*, April 11, 2011.

³⁶⁰ Hun Sen, "Speech at the Closing Ceremony of 2010 Stocktaking and 2011 Direction-Setting Conference," February 24, 2011, http://www.cnv.org.kh/2011_releases/24feb11_stocktaking_moi_speech.html (accessed March 1, 2011); Hun Sen, "Selected Comments at the Closing of the Ministry of Interior's Annual 2010 Stocktaking and 2011 Directive Setting Conference," February 24, 2011, http://www.cnv.org.kh/2011_releases/24feb11_stocktaking_moi_comments.html (accessed March 1, 2011); Hun Sen, "Address at the Celebration of the 100th Anniversary of the International Women's Day March 8," March 7, 2011, http://www.cnv.org.kh/2011_releases/07mar11_100th_women_day_speech.html (accessed March 29, 2011).

³⁶¹ Human Rights Watch, *World Report* (2013), (New York: Human Rights Watch, 2013), Cambodia, <http://www.hrw.org/world-report/2013/country-chapters/cambodia?page=1>; "Joint Statement by the Sam Rainsy Party (SRP)

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.³⁶²

Cambodia was thrown into an intensified human rights crisis by the neither free nor fair 2013 elections, in which the CPP-controlled National Election Committee claimed CPP won 68 seats to the CNRP's 55 seats. The CNRP immediately vowed to contest the results, raising the prospect of mass anti-CPP demonstrations like those of 1998. Recalling them, Hun Sen repeatedly warned, starting from his first post-election appearance on July 31, 2013, that these could be countered and defeated by mass action of the sort that Kun Kim

and the Human Rights Party (HRP)," July 17, 2012, http://www.nationalrescueparty.org/en/our_party/ (accessed August 22, 2012); "Cambodia Democratic Movement of National Rescue," http://www.nationalrescueparty.org/our_party/cdmn/ (accessed August 22, 2012); "Cambodia: Escalating Violence, Misuse of Courts, Repression Undermines 2013 National Election Credibility," Human Rights Watch news release, February 1, 2013, <http://www.hrw.org/news/2013/02/01/cambodia-escalating-violence-misuse-courts>; "Cambodia's two main opposition parties have joined forces to challenge Prime Minister Hun Sen's 27-year grip on power at a general election next July, a spokesman for the new group said Wednesday," October 2, 2012, http://live.channelnewsasia.com/news/asiapacific/afp_asiapacific/cambodia-s-two-main-opposition-parties-team-up-to-fight-pm-hun-sen/333298.html (accessed October 10, 2012); "Opposition Merger Means 'a Chance To Win,' Analyst Says," *VOA*, June 28, 2012, <http://www.voacambodia.com/content/opposition-merger-means-a-chance-to-win-analyst-says-160700365/1405480.html> (accessed June 28, 2012).

³⁶² "H.E. Kun Kim and His Wife Keung Chandy Kun Kim Meet and Chat with Citizens and the Women's Association in Samrong City, Oddar Meanchey Province" (ឯកឧត្តម គង់ គឹម និងលោកជំទាវ គីង ចាន់ឌីគង់គឹមជួបសំណេះសំណាលជាមួយប្រជាជនពលរដ្ឋ និងសមាគមស្ត្រីក្នុងក្រុងសំរោងខេត្តឧត្តរមានជ័យ), June 19, 2013, <http://kpt-news.com/local-news/29563-2013-06-19-08-09-08.html> (accessed June 20, 2013); "NEC Issues the Official List of Names of CPP Candidates Standing for Election as Members of the National Assembly in 2013" (គ.ជ.ប បញ្ចេញបញ្ជី ផ្លូវការបេក្ខជន ឈរឈ្មោះ គំណាងរាស្ត្រ គណបក្ស ប្រជាជនកម្ពុជា ឆ្នាំ២០១៣), May 4, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/63399-2013-05-04-08-32-18.html> (accessed May 4, 2013); "H.E. Kun Kim and His Wife Keung Chandy Kun Kim Meet and Chat with Citizens and the Women's Association in Samrong City, Oddar Meanchey Province" (ឯកឧត្តម គង់ គឹម និងលោកជំទាវ គីង ចាន់ឌីគង់គឹមជួបសំណេះសំណាលជាមួយប្រជាជនពលរដ្ឋ និងសមាគមស្ត្រីក្នុងក្រុងសំរោងខេត្តឧត្តរមានជ័យ), June 19, 2013, <http://kpt-news.com/local-news/29563-2013-06-19-08-09-08.html> (accessed June 20, 2013); "Unified Command Committee of the Frontline Battlefield Sums Up the Work of Six Months of 2013 and Gives Decorations to Frontline Troop Commanders" (គណៈបញ្ជាការឯកភាពសមរភូមិមុខប្រយុទ្ធសាស្ត្រសហការរវាងខែឆ្នាំ២០១៣ និងបំពាក់គ្រឿងឥស្សរិយយសដល់មេទ័ពជួរមុខ), June 19, 2016, <http://kpt-news.com/local-news/29529-2013-06-19-03-01-02.html> (accessed June 19, 2016); "Mr.Kun Kim Goes Down to Strengthen the Party in Oddar Meanchey" (លោក គង់ គឹម ចុះពង្រឹងបក្ស នៅឧត្តរមានជ័យ), May 3, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/63355-2013-05-03-08-51-01.html> (accessed May 3, 2013); "Mr. Kun Kim Goes Down to Chat with Party Members" (លោក គង់ គឹម ចុះសំណេះសំណាល ជាមួយ សមាជិកបក្ស), January 16, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/56103-2013-01-16-08-29-52.html> (accessed January 21, 2013); "Mr. Kun Kim Meets and Chats with Party Members in 3 Communes of Anlung Veng District" (លោក គង់ គឹម ជួបសំណេះសំណាល ជាមួយសមាជិកបក្ស នៅឃុំ៣ ក្នុងស្រុក អង្គ្គងវែង), May 2, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/63286-2013-05-02-08-36-47.html> (accessed May 3, 2013).

had orchestrated 15 years earlier.³⁶³ 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.³⁶⁴

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.³⁶⁵ 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.³⁶⁶

³⁶³ "Samdech Techo: No One Has the Right to Force Hun Sen to Step Down from Power" (សម្តេចតេជោ ៖ គ្មានអ្នកណាមានសិទ្ធិមកបង្ខំឱ្យហ៊ុន សែន ចុះចេញពីអំណាចបានទេ), July 31, 2013; http://kpt-news.com/index.php?option=com_content&view=article&id=31558:2013-07-31-13-14-25&catid=1:latest&Itemid=65 (accessed July 31, 2013); "We can protest, too: PM," *Phnom Penh Post*, February 26, 2014, <http://www.phnompenhpost.com/national/we-can-protest-too-pm> (accessed February 29, 2014).

³⁶⁴ "CNRP forum disrupted in Kampong Cham province," LICADHO, Flash News, January 26, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=32> (accessed January 30, 2014); "Opposition Party: The Civilians Obstructing National Rescue Party on the Road in Oddar Meanchey Were Undercover Military" (បក្សប្រឆាំង ជនស៊ីវិលរារាំងមន្ត្រីបក្សសង្គ្រោះជាតិកាមង្គល់នៅខេត្តឧត្តរមានជ័យ ជាយោធាបង្អាប់), June 9, 2014, <http://vodhotnews.com/22025> (accessed June 10, 2014); videos of the events in Human Rights Watch possession

³⁶⁵ Human Rights Watch, "Human Rights Watch Submission for the Review of Cambodia by the Human Rights Committee in Advance of the Adoption of the List of Issues," June 6, 2014, <http://www.hrw.org/news/2014/06/06/human-rights-watch-submission-review-cambodia-human-rights-committee>.

³⁶⁶ RCAF High Command, "Organization of the RCAF High Command," 2006; Brad Adams, "Brigade 911 Had Brutal History Before Garment Factory Strike," *Cambodia Daily*, January 9, 2014, <http://www.hrw.org/news/2014/01/09/brigade-911-had-brutal-history-garment-factory-strike> (accessed January 22, 2014); "As Garment Sector Strikes Loom, Soldiers Watch Over Factories," *Cambodia Daily*, February 27, 2014, <http://www.cambodiadaily.com/archives/as-garment-sector-strikes-loom-soldiers-watch-over-factories-53275/> (accessed March 3, 2014); "General Kun Kim and General Chea Tara Have a

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

Dissemination Meeting on 2013 Work and the Direction for Continuation of Implementation for the Commanders of Units on the Frontline Battlefield” (នាយឧត្តមសេនីយ៍ គន់ គឹម និងនាយ ឧត្តមសេនីយ៍ ជា តារា ប្រជុំផ្សព្វផ្សាយ ការងារឆ្នាំ ២០១៣ និងទិសដៅអនុវត្ត បន្តដល់មេបញ្ជាការ កងឯកភាព សមរភូមិមុខ), February 8, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/80503-2014-02-08-06-39-48.html> (accessed February 8, 2014); “The Cambodia-Thai Command Committee Sends Best Wishes to Samdech Techo” (គណៈបញ្ជាការសមរភូមិកម្ពុជា-ថៃ ជូនពរសម្តេចតេជោ), April 7, 2014; http://www.cen.com.kh/localnews/show_detail/19?token=ODJhOWJjNm (accessed April 7, 2014); “General Kun Kim Inaugurates Brigade 8 Meeting Building” (នាយឧត្តមសេនីយ៍ គន់ គឹម សម្ពោធអគារសាលប្រជុំ កងពលតូចលេខ៨), April 12, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/84844-2014-04-12-06-29-45.html> (accessed April 13, 2014); “General Kun Kim Graciously Opens a Meeting on Strengthening the Work of the Army Joint Staff” (នាយឧត្តមសេនីយ៍ គន់ គឹម អញ្ជើញបើកកិច្ចប្រជុំពង្រឹងការងារ សេនាធិការចម្រុះកងទ័ព), <http://www.dap-news.com/2011-06-14-02-39-55/85065-2014-04-21-06-55-20.html>, accessed April 21, 2014; “General Kun Kim Goes Down to Ask After the Weal and Woe of the Troops of the Brigade 52 Unit” (នាយឧត្តម សេនីយ៍ គន់ គឹម ចុះសួរសុខទុក្ខកងទ័ព នៅអង្គភាព កងពលតូច លេខ៥២), May 3, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/85840-2014-05-03-04-03-26.html> (accessed May 3, 2014); “General Kun Kim Goes Down to Examine the Development of the Handicapped Military Center in Kampot” (នាយឧត្តមសេនីយ៍ គន់ គឹម ចុះពិនិត្យមើល ការអភិវឌ្ឍន៍ មជ្ឈមណ្ឌលយោធនភិការ នៅកំពត), June 9, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/88146-2014-06-09-08-47-27.html> (accessed June 9, 2014); “The Oddar Meanchey Province CPP Meets to Sum Up the Results of the Vote to Elect 2nd Mandate Province, City, and District Councils” (គណបក្សប្រជាជនកម្ពុជាខេត្តឧត្តរមានជ័យ បានប្រជុំបូកសរុបលទ្ធផលបោះឆ្នោត ជ្រើសរើសគ្រប់ ប្រឹក្សាធរដានី ខេត្ត ក្រុង ស្រុក ខណ្ឌ អាណត្តិទី២), May 29, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/26676-2014-05-29-13-46-38.html> (accessed May 29, 2014); “The Cambodia-Thai Battlefield Command Committee Proposes the Taking of Legal Action with Regard to Sam Rainsy” (គណៈបញ្ជាការសមរភូមិកម្ពុជា-ថៃ ស្នើឱ្យចាត់ការតាម ផ្លូវច្បាប់ចំពោះលោក សម រង្ស៊ី), April 7, 2014, http://www.cen.com.kh/localnews/show_detail/19?token=ZWY2YWYzMm (accessed April 8, 2014).

population vote for CPP in upcoming elections.³⁶⁷ He has also presided over ceremonies welcoming into the CPP people said to have defected from the opposition.³⁶⁸

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.³⁶⁹ 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

³⁶⁷ “Cold-Weather Gear of Samdech Techo and Samdech Kittipreutbandit Presented to the Army in Pailin” (អាវរងារបស់សម្តេចតេជោ និងសម្តេចកិត្តិព្រឹទ្ធបណ្ឌិតបានបន្តជូនដល់កងទ័ពនៅប៉ៃលិន), November 5, 2015, <http://kampuchearthmey.com/kpt/?p=99118> (accessed November 5, 2015); “General Kun Kim Takes Cold-Weather Gear to Provide to the Navy” (នាយឧត្តមសេនីយ៍ គន់ គឹម នាំយកអាវរងារដល់ជូនកងទ័ពជើងទឹក), November 15, 2015; <http://beta.nokorwatnews.com/?p=59964> (accessed November 16, 2015); “Mr. Kun Kim Praises the Hard Work of the Officials of the Anlung Veng District CPP Work Team” (លោក គន់ គឹម សរសើរការខិតខំ មន្ត្រីក្រុមការងារ គណបក្សប្រជាជនកម្ពុជា ស្រុកអង្គឆែង), February 24, 2016, <http://www.dap-news.com/2011-06-14-02-39-55/109705-2016-02-24-06-59-36.html> (accessed February 24, 2016); “Oddar Meanchey Province Welcomes the 37th Anniversary of the 7 January Victory” (ខេត្តឧត្តរមានជ័យ អបអរ ខួបលើកពពទ្ធិវិជ័យ៧មករា), January 10, 2016, <http://kampuchearthmey.com/kpt/?p=138577> (accessed January 12, 2016); “Mr. Kun Kim Meeting Disseminating the Decisions of the 39th CPP Central Committee Conference” (លោក គន់ គឹម ប្រជុំផ្សព្វផ្សាយ សេចក្តីសម្រេចចិត្ត របស់អង្គសន្និបាត គណៈកម្មាធិការ គណបក្ស លើកទី ៣៩), January 24, 2016, <http://www.dap-news.com/2011-06-14-02-39-55/107519-----cpp---.html> (accessed January 24, 2016); “Mr. Kun Kim Reminds Officials Under His Authority They Must Seek to Understand the Suffering of the Citizens in the Grassroots” (លោក គន់ គឹម រំលឹកមន្ត្រី ក្រោមឱកាស ត្រូវចុះស្វែងយល់ ពីសុខុមាលភាព នៅតាមមូលដ្ឋាន), <http://www.dap-news.com/2011-06-14-02-39-55/110067-2016-02-29-00-56-26.html> (accessed February 29, 2016); “The Oddar Meanchey Province-Level CPP Leadership Convenes a Meeting to Sum Up the 2015 Work to Strengthen Grassroots Work” (ថ្នាក់ដឹកនាំគណបក្សប្រជាជន ខេត្តឧត្តរមានជ័យ បើកកិច្ចប្រជុំបូកសរុបការងារឆ្នាំ២០១៥ ពង្រឹងការងារតាមមូលដ្ឋាន), December 13, 2015, <http://beta.nokorwatnews.com/?p=65620#sthash.bafm2ukj.dpuf> (accessed December 15, 2015); “General Kun Kim Graciously Presides Over the Ceremony of the Monthly Meeting to Sum Up CPP Work for April and to Put Forward Objectives for March” (នាយឧត្តមសេនីយ៍ គន់ គឹមអញ្ជើញជាអធិបតីក្នុងពិធីប្រជុំបូកសរុបការងារគណបក្សប្រជាជនកម្ពុជាប្រចាំខែមេសានិងលើកទិសដៅខែឧសភា) April 30, 2016, <http://beta.nokorwatnews.com/?p=91856> (accessed May 1, 2016); “Mr. Kun Kim Participates in the Meeting to Sum Up the Results of Party Work in Anlung Veng District” (លោក គន់ គឹម ចូលរួមប្រជុំបូកសរុបលទ្ធផលការងារបក្សនៅស្រុកអង្គឆែង), February 25, 2016, <http://beta.nokorwatnews.com/?p=80031> (accessed February 26, 2016).

³⁶⁸ Aun Pheap, “Ruling Party Claims Another Mass Defection,” *Cambodia Daily*, December 28, 2015, <https://www.cambodiadaily.com/news/ruling-party-claims-another-mass-defection-104015/> (accessed December 29, 2015).

³⁶⁹ Human Rights Watch, *Cambodia: Dragged and Beaten: The Cambodian Government's Role in the October 2015 Attack on Opposition Politicians* (May 26, 2016), <https://www.hrw.org/report/2016/05/26/dragged-and-beaten/cambodian-governments-role-october-2015-attack-opposition>.

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

³⁷⁰ “General Kun Kim Representing All Officers, Non-Commissioned Officers, and Soldiers Requests Samdech Heng Samrin to Remove Mr. Kem Sokha” (នាយឧត្តមសេនីយ៍ កង គឹម គំណាងនាយទាហាន នាយទាហានរង និងពលទាហាន ទាំងអស់ ស្នើសុំ សម្តេច ហេង សំរិន ដកលោក គឹម សុខា), October 26, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/101417-2015-10-26-09-04-53.html> (accessed October 26, 2016).

³⁷¹ “Oddar Meanchey Citizens and Troop Protest for the Removal of Mr. Kem Sokha from the Post of Vice Chairperson of the National Assembly” (ប្រជាពលរដ្ឋ និងកងទ័ព ខេត្តឧត្តរមានជ័យ តវ៉ាទាញដកលោក គឹម សុខា ចេញពីតំណែង អនុប្រធានរដ្ឋសភា), October 26, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/101420-2015-10-26-09-09-05.html> (accessed October 26, 2016); “CPP Oddar Meanchey Province Supports the Action to Protest for the Removal of Kem Sokha from the Vice Chairpersonship of the National Assembly” (CPP ខេត្តឧត្តរមានជ័យ គាំទ្រសកម្មភាព តវ៉ា ដកលោក គឹម សុខា ចេញពី អនុប្រធានរដ្ឋសភា), October 26, 2016, <http://www.dap-news.com/2011-06-14-02-39-55/101424-cpp-.html> (accessed October 26, 2016); “More Than 500 Citizens and Soldiers in Banteay Ampil District Issue Petitions Requesting the Removal of Mr. Kem Sokha from the Position of First Vice Chairperson of the National Assembly” (ពលរដ្ឋនិងទាហានជាង៥០០នាក់ នៅ ស្រុកបន្ទាយអម្ពិលធ្វើពាក្យស្នើសុំដកលោក គឹម សុខា ចេញពីតំណែងអនុប្រធានរដ្ឋសភាទី១), October 26, 2015, <http://kampusathmey.com/kpt/?p=93686> (accessed October 26, 2015).

³⁷² “General Kun Kim Graciously Presides Over the Ceremony of the Meeting to Sum Up the April Monthly CPP Work and Put Forward Objectives for May” (នាយឧត្តមសេនីយ៍ កង គឹមអញ្ជើញជាអធិបតីក្នុងពិធីប្រជុំបុគ្គលិកសរុបការងារគណបក្សប្រជាជនកម្ពុជាប្រចាំខែមេសានិងលើកទិសដៅខែឧសភា), April 27, 2016, <http://beta.nokorwatnews.com/?p=91856> (accessed May 1, 2016); “General Kun Kim Participates in the Meeting to Examine the Results of the Work of Intervention Brigade 1” (នាយឧត្តមសេនីយ៍ កង គឹម ចូលរួមប្រជុំត្រួតពិនិត្យ លទ្ធផលការងារ របស់កងពលតូចអន្តរាគមន៍លេខ១), May 10, 2015, <http://beta.nokorwatnews.com/?p=95033> (accessed May 11, 2016).

instability.”³⁷³ 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.³⁷⁴ 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.³⁷⁵

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.”³⁷⁶

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

373 “General Kun Kim Takes Raincoats to Present to the Troops Defending the Border Line in Steung Treng Province” (នាយឧត្តមសេនីយ៍ គន់ គឹម នាំយកអាវស្បែងជូនកងទ័ពនៅការពារបន្ទាត់ព្រំដែន ក្នុងខេត្តស្ទឹងត្រែង), May 17, 2016, <http://www.freshnewsasia.com/index.php/en/24302-2016-05-16-11-59-10.html> (accessed May 18, 2016).

374 “General Kun Kim Bestows Ranks on Officers at the Cambodia-Thailand Border Front” (នាយឧត្តមសេនីយ៍ គន់ គឹម បំពាក់ឋានន្តរសក្តិនាយទាហាននៅទីស្រីព្រំដែនកម្ពុជា-ថៃ), July 8, 2016, <http://beta.nokorwatnews.com/?p=108418> (accessed July 9, 2016).

375 “General Kun Kim, Deputy Supreme Commander and Chief of the Mixed General Staff Participates in the Council of Ministers Plenary via Video Conference” (នាយឧត្តមសេនីយ៍ គន់ គឹម អង្គុយបញ្ជាការរង នាយរងសេនាធិការចុះ ចូលរួមប្រជុំ ពេញអង្គកណៈរដ្ឋមន្ត្រី តាមរយៈ video conference), July 8, 2016, <http://beta.nokorwatnews.com/?p=108289> (accessed July 9, 2016).

376 “General Kun Kim Appeals to Veterans to Continue to Unite Monolithically” (នាយឧត្តមសេនីយ៍ គន់ គឹមអំពាវនាវ ឱ្យអតីតយុទ្ធជន បន្តរួបរួមសាមគ្គីគ្នា ជាដាច់ខាត), August 1, 2016, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/12191.html> (accessed August 1, 2016); “Mr. Kun Kim Meets More Than 200 Members of the Veterans Association and Retirees in Srei Santhor District” (លោកគន់ គឹមជួបបសហជីក អតីតយុទ្ធជននិងត្រូវបានចាត់ទុកថាជាស្រុកស្រីសន្ធរ ២០០នាក់នៅស្រុកស្រីសន្ធរ ២០០នាក់), <http://www.dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%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 2, 2016).

evil intent to overthrow the Royal Government,” the toppling of which “via any format whatsoever” must be opposed.³⁷⁷ In April 2017, he specified to the RCAF Navy that this is also its job.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.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.³⁸⁰ He instructed

³⁷⁷ “Gen. Kun Kim Takes Raincoats to Present to the Armed Forces in Kampong Chhnang Province” (នាយឧត្តមសេនីយ៍ គង់ គឹម នាំយកអាវរដូវភ្លៀងក្នុងប្រដាប់អាវុធនៅក្នុងខេត្តកំពង់ឆ្នាំង), November 4, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38620-2016-11-04-08-42-42.html> (accessed November 4, 2016); “Gen. Kun Kim Reminds the Navy to Go All Out to Defend Territorial Integrity” (នាយឧត្តមសេនីយ៍ គង់ គឹម គ្រឿងរំលឹកកងទ័ពជើងទឹក ឲ្យខិតខំការពារប្រឈមភាពទឹកដី), March 26, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/50752-2017-03-26-06-18-52.html> (accessed March 26, 2017).

³⁷⁸ “Navy told ‘defend national unity,’” *Phnom Penh Post*, April 5, 2017, <http://www.phnompenhpost.com/national/navy-told-defend-national-unity> (accessed April 6, 2017).

³⁷⁹ “Gen. Kun Kim Meets, Chats with, and Asks About the Weal and Woe of 535 Cambodian Veterans in Posat City” (នាយឧត្តមសេនីយ៍ គង់ គឹម ជួបសំណេះសំណាលសួរសុខទុក្ខ អតីតយុទ្ធជនកម្ពុជា នៅក្រុងពោធិ៍សាត់ ៥៣៥នាក់), November 4, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38622-2016-11-04-08-38-08.html> (accessed November 4, 2016); “Gen. Kun Kim Distributes More Than 4,000 Raincoats as Gifts From Samdech Techo Hun Sen and Samdech Kittipreuttibandit to the Force Units Defending the Border” (នាយឧត្តមសេនីយ៍ គង់ គឹម ចែកអាវរដូវភ្លៀងជាឯកភាព ៤ពាន់អាវ ជាអំណោយរបស់សម្តេចតេជោ ហ៊ុន សែន និងសម្តេចកិត្តិព្រឹទ្ធបណ្ឌិត ជូនកងកម្លាំងការពារព្រំដែន), November 6, 2016, <http://www.freshnewsasia.com/index.php/en/38746-2016-11-06-13-33-34.html> (accessed November 6, 2016); “Gen. Kun Kim: Samdech Techo’s Win-Win Policy Has Brought Cambodia an End to War and Familiarity with Calm and Peace” (នាយឧត្តមសេនីយ៍ គង់ គឹម៖ នយោបាយឈ្នះឈ្នះសម្តេចតេជោ ហ៊ុន សែន នាំឲ្យកម្ពុជាបញ្ចប់សង្គ្រាមស្តាប់សុខសន្តិភាព), November 8, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38736-2016-11-06-08-18-30.html> (accessed November 8, 2016); “Gen. Kun Kim: ‘Veterans Are Our True Heroes; Authorities at Every Level Must Pay Attention to Them’” (នាយឧត្តមសេនីយ៍ គង់ គឹម៖ «អតីតយុទ្ធជនជាវិជនដ៏ពិតប្រាកដរបស់យើង អាជ្ញាធរគ្រប់លំដាប់ថ្នាក់ត្រូវយកចិត្តទុកដាក់ចំពោះគាត់»), November 20, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/39716-2016-11-20-02-26-56.html> (accessed November 20, 2016).

³⁸⁰ “Gen. Kun Kim Chats with and Proclaims Provision of 4 Residences to Veterans in Siem Reap Province” (នាយឧត្តមសេនីយ៍ គង់ គឹម សំណេះសំណាល និងប្រកាសផ្តល់នៅឋាន៤ខ្នង ជូនអតីតយុទ្ធជននៅខេត្តសៀមរាប), December 11, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/41481-2016-12-11-16-55-28.html> (accessed December 11, 2016); “Gen. Kun Kim Meets and Chats with Veterans in Preah Sihanouk Province and Decides to Construct 4 Houses for Impoverished Veterans in Difficulty” (នាយឧត្តមសេនីយ៍ គង់ គឹម ជួបសំណេះសំណាលជាមួយអតីតយុទ្ធជនក្នុងខេត្តព្រះសីហនុ និងសម្រេចសាងសង់ផ្ទះ៤ខ្នង ជូនអតីតយុទ្ធជនក្រលំបាក), March 25, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/50693-2017-03-25-07-27-00.html> (accessed March 25, 2017); “Messrs Kep Chutima, Mam Bunheng, and Pa Socheatevong Provide a 73 Million Riel Budget to Resolve Veterans’ Problems” (លោក កែប ជុតិមា, លោក ម៉ម ប៊ុនហេង និងលោក ប៉ា សុជាតិវង្ស ផ្តល់ថវិកា ៧៣លានរៀល ដោះស្រាយបញ្ហាអតីតយុទ្ធជន), December 22, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/42370-2016-12-22-00-31-18.html> (accessed December 22, 2016); “(សមាគម នគរបាល ខណ្ឌឫស្សីកែវ នាំអំណោយ ថ្នាក់ដឹកនាំថែរក្សា ដល់ខ្នងផ្ទះរបស់ អតីតយុទ្ធជនកម្ពុជា), January 30, 2017, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E>

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.”³⁸¹

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.³⁸² 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 2018.³⁸³

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.³⁸⁴ On October 13, 2017, he addressed a Brigade 911 training session with instructions that it must

1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/27856.html (accessed January 30, 2017).

³⁸¹ “Samdech Kittipreutibandit Bun Rany Hun Sen Provides Six Houses to Veterans in Kampot Province on Her Birthday” (សម្តេចកិត្តិព្រឹទ្ធបណ្ឌិត ប៊ុន រ៉ានី ហ៊ុន សែន ផ្តល់ផ្ទះ៦ខ្នង ដល់អតីតយុទ្ធជននៅខេត្តកំពត នៅក្នុងថ្ងៃខួបកំណើត), December 14, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/41798-2016-12-14-11-21-11.html> (accessed December 14, 2016).

³⁸² “Mr. Hun Manet: The Royal Government Does Not Abandon Veterans; It Always Goes All Out in Paying Attention to Them” (លោក ហ៊ុន ម៉ាណែត៖ រាជរដ្ឋាភិបាល មិនបោះបង់អតីតយុទ្ធជននោះទេ គឺតែងតែខិតខំយកចិត្តទុក្ខដាក់), December 1, 2016, <http://www.dap-news.com/kh/top-news/22926.html> (accessed December 2, 2016).

³⁸³ “Mr. Kun Kim Instructs CPP Members in Oddar Meanchey Province to Prioritize Keeping an Eye On Citizens’ Suffering and Difficulties” (លោក គង់ គឹម ណែនាំសមាជិកគណបក្សប្រជាជនខេត្តឧត្តរមានជ័យ សំឡឹងមើលទុក្ខលំបាកប្រជាពលរដ្ឋជាអាទិភាព), November 20, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/39741-2016-11-20-11-28-38.html> (accessed November 20, 2016); “5-Year CCP Plan for Oddar Meanchey Province: The Important Things Are Resolving Problems Faced by Citizens and Improving Service Provision” (ផែនការ៥ឆ្នាំ របស់ CPP ខេត្តឧត្តរមានជ័យ៖ ការដោះស្រាយបញ្ហាប្រឈមរបស់ប្រជាពលរដ្ឋ និង កែលម្អការផ្តល់សេវាជាច្បាប់សំខាន់), January 2, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/43284-2017-01-02-05-43-54.html> (accessed January 2, 2017); “Mr. Kun Kim Tells Party Work Teams to Make Every Effort to Resolve Problems for Citizens in the Grassroots” (លោក គង់ គឹម ប្រាប់ក្រុមការងារបក្ស ឱ្យប្រឹងប្រែងដោះស្រាយបញ្ហារបស់ប្រជាពលរដ្ឋក្នុងមូលដ្ឋាន), March 17, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/50008-2017-03-17-06-48-23.html> (accessed March 17, 2017).

³⁸⁴ អតីតយុទ្ធជនកម្ពុជាទូទាំងប្រទេស ប្រកាសផ្តោលទោសទង្វើក្បត់ជាតិ លោក គឹម សុខា និងគាំទ្រចំណាត់ការរបស់រាជរដ្ឋាភិបាល

“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

³⁸⁵ នាយឧត្តមសេនីយ៍ គន់ គឹម ប្រាប់កងទ័ពឆ័ត្រយោង៩១១ ឲ្យរួមគ្នាប្រឆាំងរាល់ការប៉ុនប៉ងផ្តួលរំលំរាជរដ្ឋាភិបាល

³⁸⁶ នាយឧត្តមសេនីយ៍ គន់ គឹម ប្រាប់កងទ័ពទាំងអស់ នៅកងពលតូចអន្តរាគមន៍លេខ១ ឲ្យរួមគ្នាប្រឆាំងរាល់ការប៉ុនប៉ងផ្តួលរំលំរាជរដ្ឋាភិបាលស្របច្បាប់ ដឹកនាំដោយសម្តេចតេជោ ហ៊ុន សែន

³⁸⁷ នាយឧត្តមសេនីយ៍ គន់ គឹម នាំអារវងារបស់សម្តេចតេជោ ហ៊ុន សែន ជាង ៣ពាន់អារវងារកងទ័ព និងអំពាវនាវឲ្យកងទ័ពរួមគ្នាការពារសន្តិភាព ប្រឆាំងក្រុមជនក្សក់ជាតិ

³⁸⁸ នាយឧត្តមសេនីយ៍ គន់ គឹម កងទ័ព និងអតីតយុទ្ធជនកម្ពុជា ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះគុណការកំពូល កាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចតេជោ ហ៊ុន សែន

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

³⁸⁹ RGC, "Four Gold Star General Sao Sokha;" 2017 provisional voter registration roll, document 05-977-306.

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.

³⁹³ RGC, "Four Gold Star General Sao Sokha;" Hun Sen, "Hun Sen, Selected Comments at the Closing of the Extra-Ordinary General Assembly of the Nationwide Representatives of the Cambodian Veterans Association and the Celebration of the Third Anniversary of the Cambodian Veterans Day, 21 June 2010," <http://cnv.org.kh/speech-at-the-closing-ceremony-of-extra-ordinary-congress-of-representatives-of-cambodian-veteran-association-nationwide-and-3rd-anniversary-of-cambodian-veteran-day/> (accessed September 23, 2010); Interview with Sao Sokha, Phnom Penh, December 11, 2007; "Part of History" (*Một phần lịch sử*), QDND.

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.³⁹⁷ Division 1 also conducted military and political training of new recruits for other PRK military units throughout the country.³⁹⁸

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.³⁹⁹ 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.⁴⁰⁰ 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.⁴⁰¹

Sao Sokha was then sent to Vietnam for advanced education.⁴⁰² 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.⁴⁰³ 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.⁴⁰⁴ Trainees were also told that the military was responsible for maintaining social order.⁴⁰⁵ Pursuant to such political education, RPAFK units arrested many alleged “enemy spies” in the 1980s and early 1990s.⁴⁰⁶

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.

⁴⁰¹ Phnom Penh Radio, January 22, 1981; “Part of History” (*Một phần lịch sử*), QDND; UNTAC, “Organization of the Ministry of Defence;” UNTAC, “Regiment 70,” June 30, 1992.

⁴⁰² Phnom Penh Radio, January 22, 1981; “Part of History” (*Một phần lịch sử*), QDND; Phnom Penh Radio, May 27, 1981.

⁴⁰³ Phnom Penh Radio, January 13, 1984; Phnom Penh Radio, March 6, 1984; Interview with Sao Sokha, December 11, 2007.

⁴⁰⁴ SPK, May 28, 1986.

⁴⁰⁵ Phnom Penh Radio, January 3, 1989.

⁴⁰⁶ Phnom Penh Radio, August 17, 1984; Phnom Penh Radio, October 1, 1987; Phnom Penh Radio, January 24, 1990.

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.⁴⁰⁷ 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.⁴⁰⁸ In 1990, Sao Sokha was deployed on temporary duty with RPAFK Division 196, then fighting in Battambang province of western Cambodia.⁴⁰⁹ Like other RPAFK units, Division 196 conducted political arrests.⁴¹⁰

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.⁴¹¹ 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 T3.⁴¹²

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).⁴¹³ He was among the first officers from the CPP to join the GRK and became deputy commander of its national

⁴⁰⁷ Interview with Sao Sokha, December 11, 2007; PRK, Sub-Decree 25 ANKr, November 20, 1985.

⁴⁰⁸ Amnesty International, *Kampuchea: Political Imprisonment and Torture* (London, 1987); LCIHR, *After the Worst*.

⁴⁰⁹ Interview with Sao Sokha, December 11, 2007.

⁴¹⁰ Phnom Penh Radio, March 12, 1984.

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 1993.⁴¹⁴ He was also chairman of its General Staff, with direct command over the national mobile intervention gendarmes, which included infantry, armor and motorcycle squadrons.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.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.⁴¹⁷ The GRK was also linked to illegal business activities, sometimes leading to violent confrontations with the police.⁴¹⁸

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.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

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.

⁴¹⁵ RGC, "Four Gold Star General Sao Sokha"; UNOSGRC, "The Royal Cambodian Armed Forces," 1995.

⁴¹⁶ Interview with gendarme officer, November 10, 1995; Interview with Sao Sokha, December 11, 2007; *Damnoeng Pel Preuk*, July 5, 1994.

⁴¹⁷ COHCHR, "'Human Rights Violations by Members of the Security Forces' (a memorandum to the High Commissioner for Human Rights)," February 27, 1996.

⁴¹⁸ Ibid.

⁴¹⁹ Interview with FUNCINPEC officer, July 2, 1997.

Kieng Savut and his deputy Sao Sokha were subordinated, along with Neth Savoeun.⁴²⁰ 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.⁴²¹ 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.⁴²²

Sao Sokha also led follow-up attacks that bottled up FUNCINPEC positions elsewhere in the capital, compelling FUNCINPEC officers to flee in disarray.⁴²³ Sao Sokha's troops pursued these⁴²⁴ "anarchy forces," and whom he ordered coup forces to "sweep ... cleanly away and dispose of," using a common Khmer Rouge euphemism for execution.⁴²⁵ 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.⁴²⁶ 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.⁴²⁷ 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."⁴²⁸ In addition, Sao Sokha aided and

⁴²⁰ Brad Adams interviews with CPP and FUNCINPEC military officials; Interview with Hun Sen, September 21, 2007.

⁴²¹ Brad Adams interview with Sao Sokha, February 22, 2000; Brad Adams interview with Australian Military Attache, March 2, 2000.

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.

⁴²⁵ Interview with Hun Sen, September 21, 2007; *Ibid.*; ECCC, Office of the Co-Investigating Judges, "Closing Order" (D427), September 15, 2010, pp.48, 51, 58, 188, 202-5, 233-4, and 266.

⁴²⁶ Human Rights Watch, *"Tell Them I Want to Kill Them,"* p.40.

⁴²⁷ COHCHR, untitled draft paper, June 4, 2004.

⁴²⁸ "Cambodia: UN Officials on 'Consistent', 'Credible' Reports on Torture," *AFP*, Phnom Penh, July 20, 1997.

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

⁴²⁹ COHCHR, "Interviews with Supposed Khmer Rouge Soldiers Under the Control of Mr. Phon Pheap at Kambaul Camp Near the Border of Kandal and Kampong Speu Provinces," July 28, 1997.

⁴³⁰ COHCHR, "Summary of Interview with RCAF Lt.Col., name withheld[redacted]," July 24, 1997.

⁴³¹ Brad Adams interview with Sao Sokha, February 22, 2000.

⁴³² RGC, Royal Decree ChS/RKT/0797/88, July 24, 1997.

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."

⁴³⁴ "Cambodia's Elections Turn Sour," International Crisis Group, news release, September 10, 1998.

Gendarmes were among the forces the CPP Phnom Penh Command Committee deployed against the protests.⁴³⁵ 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.⁴³⁶ Among those killed were two people whose bodies were buried in shallow graves and had been tortured before being shot multiple times, execution-style.⁴³⁷ UN investigators found the two had been handed over by plainclothes police officers to a Phnom Penh Thmey district gendarme unit that killed them in custody on September 9.⁴³⁸

Sao Sokha, 1999-2008

In May 1999, Sao Sokha was appointed National Gendarmerie commander. He has remained in this post ever since.⁴³⁹ 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.⁴⁴⁰ 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.⁴⁴¹

⁴³⁵ Interview with senior CPP official, September 18, 2004.; RGC, "Four Gold Star General Sao Sokha;" "Flying Tigers' Pay Doubled," *Cambodia Daily*, April 2, 1998; "Monk Shot Dead as Police Clash with Protesters in Cambodian Capital," *AFP*, Phnom Penh, September 9, 1998; "Crowds Gather Again, Offerings Burned Where Monks Shot," *AP*, Phnom Penh, September 9, 1998; "Monks Missing, Feared Dead," *VOA*, Phnom Penh, September 9, 1998; "Chance for Cambodia Deal Bleak, But Still Hope," *Reuters*, Phnom Penh, September 9, 1998; "'Buddhist Monk Dead' in Cambodia Clashes," *BBC*, Phnom Penh, September 9, 1998; "Cambodian Monks Beaten, Fearful, Stay Off," *Reuters*, Phnom Penh, September 15, 1998.

⁴³⁶ "Statement by Ambassador Thomas Hammarberg, Special Representative of the UN Secretary General for Human Rights in Cambodia," New York, September 16, 1998; "UN Gravely Concerned by Cambodia Deaths, Missing," *Reuters*, Phnom Penh, September 16, 1998; "Death Toll Rises," *VOA*, Phnom Penh, September 18, 1998; Amnesty International, "Kingdom of Cambodia: Demonstrations Crushed with Excessive Use of Force" (ASA 23/26/98), September 22, 1998.

⁴³⁷ "UN Dig Up Two Bodies from Shallow Graves Near Phnom Penh," *AFP*, Phnom Penh, September 10, 1998.

⁴³⁸ "Statement by Ambassador Thomas Hammarberg, Special Representative of the UN Secretary General for Human Rights in Cambodia," New York, September 16, 1998; "UN Gravely Concerned by Cambodia Deaths, Missing," *Reuters*, Phnom Penh, September 16, 1998.

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.⁴⁴² According to a Cambodian human rights monitor, this included involvement in a steadily increasing number of human rights violations over the next decade.⁴⁴³

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.⁴⁴⁴ 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.⁴⁴⁵ 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.⁴⁴⁶

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

⁴⁴² Bartu, "Attachment C."

⁴⁴³ Graph produced by the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) depicting statistics for 2001-2011, July 29, 2013 (document in Human Rights Watch possession).

⁴⁴⁴ Bartu, "Attachment C."

⁴⁴⁵ *Kampuchea Thmey*, February 27, 2003.

⁴⁴⁶ "Cambodia: The New Law on Demonstrations," International Federation for Human Rights, press release, October 29, 2009, <https://www.fidh.org/en/region/asia/cambodia/The-new-Law-on-Demonstrations-A> (accessed August 16, 2015).

barricaded all major roads into Phnom Penh in an attempt to prevent workers and others from rallying.⁴⁴⁷ From at least 2006, gendarmes began using live fire to disperse demonstrations.⁴⁴⁸

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.⁴⁴⁹ They attempted to prevent human rights

⁴⁴⁷ “Global Witness must be entitled to continue its mandate in Cambodia,” Cambodian Human Rights Action Committee (CHRAC), news release, December 16, 2002, <http://www.licadho-cambodia.org/pressrelease.php?perm=24> (accessed November 28, 2015); LICADHO, “Violence erupts during labor demonstrations in Kandal and Kampong Chhnang,” LICADHO, article, August 26, 2004, http://www.licadho-cambodia.org/articles/20040826_00:00:00/12/index.html (accessed September 1, 2015); CHRAC, *Crackdown On Gatherings and Demonstrations by Phnom Penh Authorities - Since January 2003* (Phnom Penh, November 2004); LICADHO, *Restrictions on the Freedom Of Assembly in Cambodia* (Phnom Penh, December 2005), pp.3-4, 6, 9; LICADHO, *Freedom of Assembly in Cambodia: December 2005 To September 2006* (Phnom Penh, November 2006); “Violent Measures Used to End Bright Sky Garment Workers Strike in Cambodia,” LICADHO, news release, November 26, 2006; “Unlawful Abuse of Land Protesters in Phnom Penh,” LICADHO, news release, October 17, 2007; “Violence Against Union Members Condemned,” LICADHO, news release, February 7, 2008; “Crackdown on Attempted Peaceful Protest by Workers and Teachers,” LICADHO, news release, August 7, 2008; LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia 2008-2009* (Phnom Penh: September 2010), www.licadho-cambodia.org/.../1432010-HRDReport2008-2009Final-EN; LICADHO, *Activity Report: Promoting and Defending Human Rights* (Phnom Penh: December 2008), pp.4-5.

⁴⁴⁸ CHRAC, *Crackdown On Gatherings and Demonstrations by Phnom Penh Authorities - Since January 2003* (Phnom Penh, November 2004); LICADHO, *Freedom of Assembly in Cambodia: December 2005 to September 2006* (Phnom Penh, November 2006); LICADHO, *Activity Report: Promoting and Defending Human Rights* (Phnom Penh, December 2007), p.2.

⁴⁴⁹ “Further land abuses in Phnom Penh perpetuates the cycle of poverty, violence,” LICADHO, news release, September 19, 2005; “Joint Statement on the Eviction of Sambok Chab Village,” CHRAC, news release, June 7, 2006; “Excessive force used in Deykrahorm eviction,” Housing Rights Task Force, news release, August 30, 2007; “Developer 7NG continues to target villagers on the footsteps of Cambodia’s National Assembly,” LICADHO, news release, October 4, 2007; LICADHO, *Activity Report: Promoting and Defending Human Rights* (Phnom Penh, December 2007), pp.1-2, 6; “More Violence In Phnom Penh Land Cases,” Bridges Across Borders, news release, February 22, 2008; LICADHO, *Dey Kraham Community Land Case Explained* (Phnom Penh, January 2008), <http://www.licadho-cambodia.org/%2Freports%2Ffiles%2F118DeyKrahormCommunityLandCaseExplained.pdf>; LICADHO, *LICADHO Annual Activity Report: Promoting and Defending Human Rights* (Phnom Penh, December 2008), p.1; “Tear Gas and Gunfire During Latest Violent Eviction In Cambodia’s Capital,” LICADHO, news release, February 28, 2008, http://www.licadho-cambodia.org/articles/20080228_00:00:00/72/index.html; LICADHO, *Land Grabbing & Poverty In Cambodia: The Myth Of Development* (Phnom Penh, May 2009), p.13; LICADHO, *Restrictions on the Freedom Of Assembly in Cambodia* (Phnom Penh, December 2005), p.5; “Cambodian military police mobilised to protect land concession of ruling party Senator,” LICADHO, news release, February 8, 2007, http://www.licadho-cambodia.org/articles/20070208_00:00:00/51/index.html; “Violent land eviction in Cambodia’s tranquil beachside Municipality,” LICADHO, news release, April 20, 2007; “Illegal forced eviction of 105 families in Sihanoukville,” LICADHO, news release, July 10, 2007; “Sihanoukville Land Eviction: 13 Arrested Should Be Released & A Social Land Concession Given to Poor Families,” LICADHO, news release, April 27, 2007; “Government must Take Action over Chi Kreng Violence,” LICADHO, news release, October 5, 2007; LICADHO, *Activity Report: Promoting and Defending Human Rights* (Phnom Penh, December 2007), p.2; LICADHO, *LICADHO Annual Activity Report: Promoting and Defending Human Rights* (Phnom Penh, December 2008), p.2; LICADHO, *Land Grabbing & Poverty In Cambodia: The Myth Of Development*

monitors and journalists from observing such evictions and blocked villagers from gathering to protest such unfair trials.⁴⁵⁰ 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.⁴⁵¹ 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.⁴⁵² In March 2008, a gendarme contingent shot and wounded a protesting villager in Preah Sihanouk province.⁴⁵³

By this time, senior gendarmes were allegedly heavily involved with illegal logging.⁴⁵⁴ 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.⁴⁵⁵ He was convicted and sentenced to seven years in prison in sham trial by military court, although he received a Royal Pardon in 2006.⁴⁵⁶

(Phnom Penh, May 2009), p.24; "Eviction and Land Grabbing Surges Across Cambodia," LICADHO, news release, April 2, 2010; LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia 2008-2009* (Phnom Penh, September 2010), p.33.

⁴⁵⁰ "Open Letter by International Federation for Human Rights (FIDH), the Centre on Housing Rights and Evictions, Human Rights Watch, and Amnesty International Regarding the Forced Eviction of Residents of Boeung Kak Lake in the Phnom Penh Municipality," FIDH, news release, December 4, 2008; "Cambodian Villagers Sentenced to a Year in Prison in Long-Standing Land Dispute," LICADHO, news release, November 27, 2009.

⁴⁵¹ CHRAC, *High Price of Land: The Deadly Eviction of Kbal Spean* (Phnom Penh: August 2005); "Charges Dropped against the Accused of a Killing Case in Kbal Spean Village," CHRAC, news release, August 16, 2005; LICADHO, *Human Rights in Cambodia: The Façade Of Stability* (Phnom Penh: May 2006), p.5.

⁴⁵² "Investigation Needed into Preah Vihear Shootings," LICADHO, news release, November 16, 2007; "Preah Vihear Eviction - Action Needed Over Killings and Looting," LICADHO, news release, November 22, 2007.

⁴⁵³ LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia, 2008-2009* (Phnom Penh: September 2010), p.37.

⁴⁵⁴ Global Witness, *Taking a Cut: Institutionalised Corruption and Illegal Logging in Cambodia's Aural Wildlife Sanctuary – a Case Study* (London: November 2004), pp.6-7, 27-28, 31-32, 35, 38-40, 47.

⁴⁵⁵ Interview with Cheam Channy, January 15, 2004.

⁴⁵⁶ "Cambodia: Opposition MP Jailed After Sham Trial," Human Rights Watch, news release, August 10, 2005, <http://www.hrw.org/news/2005/08/08/cambodia-opposition-mp-jailed-after-sham-trial>.

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

⁴⁵⁷ LICADHO, Freedom of Assembly in Cambodia: December 2005 to September 2006 (Phnom Penh: November 2006), p.7; LICADHO, Restrictions on The Freedom of Expression In Cambodia's Media (Phnom Penh: May 2009), p.23; "Arrest of Election Observer Feared," LICADHO, news release, July 31, 2008; "Dam Sith quietly leaves for America," *Phnom Penh Post*, August 18, 2008, <http://www.phnompenhpost.com/national/dam-sith-quietly-leaves-america>, accessed January 12, 2015.

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.

⁴⁶¹ "Military Police Brutality during Unlawful Land-Grab," LICADHO, news release, January 18, 2009; "Police and Military Burn and Bulldoze Houses During Land Eviction in Cambodia's Northwest," LICADHO, news release, November 19, 2009; "Community Leaders Rally for Land Rights in Phnom Penh," LICADHO, news release, June 21, 2010; "LICADHO Condemns Violence in Kampong Speu," LICADHO, news release, June 10, 2011; "Five Shooting Incidents at Land Dispute Protests in the Past Two Months Show Alarming Increase in Use of Lethal Force," LICADHO, news release, January 26, 2012.

⁴⁶² LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia, 2008-2009* (Phnom Penh: September 2010), p.50.

⁴⁶³ "Government Must Take Action Over Chi Kreng Violence," LICADHO, news release, March 21, 2009; "Solve Cambodia's Land Crisis in Courts, Not with Bullets," Human Rights Watch, news release, September 12, 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 The

<http://www.hrw.org/news/2009/09/12/solve-cambodia-s-land-crisis-courts-not-bullets>; LICADHO, *LICADHO Activity Report: Promoting and Defending Human Rights* (Phnom Penh: December 2010), p.1; Amnesty International, *Cambodia Amnesty International Report 2010* (London, 2010), <http://www.amnesty.org/en/region/cambodia/report-2010#>.

⁴⁶⁴ FIDH, *Analysis of the Law on Demonstrations Adopted by the National Assembly in October 2009* (Paris: October 2009).

⁴⁶⁵ LICADHO, *Activity Report: Promoting and Defending Human Rights* (Phnom Penh: December 2011), p.1; LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia, 2008-2009* (Phnom Penh: September 2010), passim; “Beating and Arrest of Eleven Boeung Kak Lake Villagers and Children,” Center on Housing Rights and Convictions,” news release, April 21, 2011; “Police Break up Demonstration by 2,000 Garment Workers; 8 Injured, 2 arrested,” ADHOC, news release, May 8, 2011; “Authorities Conduct Mass Detention of Forest Activists in Phnom Penh,” Center for Human Rights (CCHR) - Community Legal Education Center (CLEC) - Cambodian League for the Promotion and Defense of Human Rights (LICADHO), news release, August 18, 2011; LICADHO, *Freedom of Expression in Cambodia: The Illusion of Democracy* (Phnom Penh: December 2010), pp.8-10, 13; LICADHO, *The Delusion of Progress: Cambodia’s Legislative Assault on Freedom of Expression* (Phnom Penh: October 2011), pp.28-29; LICADHO, *Activity Report: Promoting and Defending Human Rights* (Phnom Penh: December 2011), pp.2, 9; “Stop Gun Violence Impunity: Arrest and Prosecute the Svay Rieng Shooter,” LICADHO and CLEC, news release, February 21, 2012; LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia, 2010 – 2012* (Phnom Penh: December 2012), pp.13, 15, 28, 34, 36-37, 45-46, 52, 56; LICADHO, *2012 in Review: Use of Force Against Peaceful Protests* (Phnom Penh: February 2013), http://www.licadho-cambodia.org/articles/20130213_20:55:00/134/index.html.

⁴⁶⁶ “Union Workers Gather to Demand for Better Minimum Wage,” ADHOC – CCHR – CLEC – LICADHO, news release, July 25, 2010.

⁴⁶⁷ LICADHO, *Restrictions on The Freedom of Expression in Cambodia’s Media* (Phnom Penh: May 2009), pp.25, 27-28; “30 Land Protestors Arrested in Clash with Cambodian Military Police,” LICADHO, news release, August 24, 2009,

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

http://www.licadho-cambodia.org/articles/20090824_00:00:00/97/index.htm; LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia, 2008-2009* (Phnom Penh: September 2010), pp.39, 46, 50; LICADHO, *Freedom of Expression in Cambodia: The Illusion of Democracy* (Phnom Penh: December 2010), p.29; LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia, 2010 – 2012* (Phnom Penh: December 2012), p.35.

⁴⁶⁸ LICADHO, *The Delusion of Progress: Cambodia's Legislative Assault on Freedom of Expression* (Phnom Penh: October 2011), pp.25-26; LICADHO, *Attacks & Threats Against Human Rights Defenders in Cambodia, 2010 – 2012* (Phnom Penh: December 2012), pp.50-51.

⁴⁶⁹ Human Rights Watch, *"Tell Them That I Want to Kill Them,"* pp.58-63.

⁴⁷⁰ "Cambodian Committee to Investigate Killing of Environmental Activist," *VOA*, April 29, 2012, <http://www.voanews.com/content/cambodian-committee-to-investigate-killing-of-environmental-activist-149559265/370493.html> (accessed October 23, 2012); "Cambodian Environmental Activists Press Murder Probe," *VOA*, May 1, 2012, <http://www.voanews.com/content/cambodian-environmental-activists-press-murder-probe-149818385/370247.html> (accessed October 23, 2012); "Families of Slain Men Question Official Version," *Cambodia Daily*, April 30, 2012; "Killing of Mr. Chut Wutty," ADHOC, news release, May 4, 2012, <http://adhoc-cambodia.org/?p=1593> (accessed October 23, 2012).

⁴⁷¹ LICADHO, *The Mam Sonando Case Explained* (Phnom Penh: August 2012), p.1.

also complained that concern about the girl's death should instead be directed against US atrocities in Afghanistan.⁴⁷²

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.”⁴⁷³

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.⁴⁷⁴ He did so in his native Svay Rieng province as chairman of a CPP district working group assigned to the province.⁴⁷⁵

⁴⁷² “Cambodia: After US, ASEAN Leave, Media Critic Jailed,” Human Rights Watch, news release, July 17, 2012, <http://www.hrw.org/news/2012/07/17/cambodia-after-us-asean-leave-media-critic-jailed>; “Hun Sen Takes Aim at US During Speech,” *Cambodia Daily*, June 15, 2012, <https://sahrika.com/2012/06/15/hun-sen-takes-aim-at-us-during-speech/> (accessed June 25, 2016).

⁴⁷³ “The Kambaul Gendarme Training School Implements Concrete Order Preservation Training” (*sala feuk-feun kang reachavuthat kambaul anuvoat cheak-sdeng feuk-feun reaksi sandap thnoap*) Gendarmerie Magazine (*tuosanavodtei kang reachavuthat*), (Year 18, Number 49: 2012), pp.31-33; “The Commissariat Subordinated to the Surface of the Country Gendarmerie Closed the Meeting Summing Up the 2012 Results and 2013 Goals” (*snangkarathan chamnoh banhcheakarathan kang reachavuthat loe phtey prates ban bet kech-prachum bauk-sarop lattaphal chhnam 2012 neung teus-dav chhnam 2013*)” Gendarmerie Magazine (*tuosanavodtei kang reachavuthat*) (Year 19, Number 52: 2013), p.11. “Kettling” is a security force tactic involving the formation of large cordons of security force personnel who then move to contain a crowd within a limited area.

⁴⁷⁴ LICADHO graph depicting statistics for 2012-2013, July 29, 2014 (document in Human Rights Watch possession); “Police Beat Boeung Kak Protesters, Leaving Five Injured,” LICADHO, news release, March 13, 2013; LICADHO, *Year 2013 in Review: A shrinking space for assembly and expression in Cambodia* (Phnom Penh: March 2014), http://www.licadho-cambodia.org/articles/20140319_14:22:00/140/index.htm (accessed April 4, 2014).

⁴⁷⁵ “Mr. Chea Samnang Brings Gifts to Monks at Wat Moream Chas” (លោក ជា សំណាង នាំយកអំណោយ ទៅប្រគេនព្រះសង្ឃនៅវត្តម្រាមចាស់), October 29, 2012, <http://www.dap-news.com/2011-06-14-02-39-55/51707-2012-10-29-04-31-58.html> (accessed October 29, 2012).

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.

⁴⁷⁸ "Cambodia: Free 6 Randomly Arrested During Unrest," Human Rights Watch news release, February 20, 2014, <http://www.hrw.org/news/2014/02/19/cambodia-free-6-randomly-arrested-during-unrest>.

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

⁴⁷⁹ “Cambodia: Steung Meanchey Trial Deeply Flawed,” Human Rights Watch news release, May 11, 2014, <http://www.hrw.org/news/2014/05/11/cambodia-steung-meanchey-trial-deeply-flawed>.

⁴⁸⁰ Ibid.

⁴⁸¹ Ibid.

⁴⁸² “Cambodia: Drop Cases Against Opposition Politicians,” Human Rights Watch news release, July 17, 2014, <http://www.hrw.org/news/2014/07/17/cambodia-drop-cases-against-opposition-politicians>.

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.⁴⁸³ In October, he again endorsed the official results and ordered all gendarmes to do so.⁴⁸⁴ 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.⁴⁸⁵

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.”⁴⁸⁶ 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,

⁴⁸³ “Mr. Sao Sokha: The Gendarmes Fulfilled Their Role Well During the Campaign and Voting” (លោក សៅ សុខា ៖ កងរាជអាវុធហត្ថ បំពេញតួនាទីបានល្អ ពេលយោសនា និងបោះឆ្នោត), August 3, 2013, http://www.cen.com.kh/localnews/details_more/19?token=YjVkyYyOW (accessed August 5, 2013).

⁴⁸⁴ “Koh Kong Province Gendarmes Open a Study Session on Plans for the Dissemination of the ‘S’ Book on the General Elections” (អាវុធហត្ថ ខេត្តកោះកុង បើកវគ្គសិក្សា ផែនការ ស្តីពីការផ្សព្វផ្សាយ សៀវភៅ «ស» ស្តីពីការបោះឆ្នោតសកល), October 21, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/74126--lr.html> (accessed November 1, 2013).

⁴⁸⁵ “Military Police Test Weapons as Security in Phnom Penh Builds,” *Cambodia Daily*, October 17, 2013.

⁴⁸⁶ “Gendarmes Declare Their Determination to Defend the Constitution and Royal Government” (កងរាជអាវុធហត្ថ ប្តេជ្ញាការពារ រដ្ឋធម្មនុញ្ញ និងរាជរដ្ឋាភិបាល), January 23, 2014, http://www.cen.com.kh/localnews/show_detail/135?token=ZjMyODQwYm (accessed January 26, 2014).

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

⁴⁸⁷ “Commander of the Territorial Gendarmerie Orders Leadership of All Sections to Increase Action to Defend the Security of Society While the Opposition Party Continues to Display Demands” (មេបញ្ជាការកងរាជអាវុធហត្ថលើផ្ទៃបញ្ជាឱ្យថ្នាក់ដឹកនាំតាមបណ្តាញផ្នែកទាំងអស់បង្កើនកិច្ចការពារសន្តិសុខសង្គម ខណៈគណបក្សប្រឆាំងនៅតែសំដែងការទាមទារ), April 1, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/24314-2014-04-01-08-21-41.html> (accessed April 1, 2014).

⁴⁸⁸ “Svay Rieng Province Gendarmes Celebrate the 21st Anniversary of the Birth of the Gendarmerie” (កងរាជអាវុធហត្ថខេត្តស្វាយរៀង ប្រារព្ធខួបលើក ទី២១ឆ្នាំ កំណើត កងរាជអាវុធហត្ថ), July 21, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/90923-2014-07-21-03-16-28.html> (accessed July 21, 2014).

⁴⁸⁹ “Country-Surface Gendarmes Assemble to Sum Up the Results of the Work in the Old Year and Lay Out Plans for the New Year” (កងរាជអាវុធហត្ថលើផ្ទៃប្រទេសជួបជុំគ្នាបូកសរុបលទ្ធផលការងារឆ្នាំចាស់និងដាក់ចេញផែនការឆ្នាំថ្មី), December 31, 2014, <http://www.nokorwatnews.com/detailnews.php?newsid=48669&mnu=2&cid=4> (accessed January 2, 2015).

⁴⁹⁰ “Cambodia: Commander Admits Partisan Use of Force,” Human Rights Watch news release, January 24, 2015, <https://www.hrw.org/news/2015/01/24/cambodia-commander-admits-partisan-use-force>.

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

⁴⁹² “Court Charges Protesters as Supporters, Police Scuffle Outside,” *Cambodia Daily*, January 4, 2014, <https://www.cambodiadaily.com/archives/court-charges-protesters-as-supporters-police-scuffle-outside-50079/> (accessed January 6, 2014); “Freedom Park tune cut short,” *Phnom Penh Post*, January 10, 2014, <http://www.phnompenhpost.com/national/freedom-park-tune-cut-short> (accessed January 11, 2014); “CNRP eyes March for ‘final’ push,” *Phnom Penh Post*, January 13, 2014, <http://www.phnompenhpost.com/national/cnrp-eyes-march-%E2%80%99final%E2%80%99-push> (accessed January 14, 2014); “CNRP Cancels Meeting as CPP Supporters Turn Out in Force,” *Cambodia Daily*, January 22, 2014, <http://www.cambodiadaily.com/news/cnrp-cancels-meeting-as-cpp-supporters-turn-out-in-force-50938/> (accessed January 23, 2014); “CNRP Meet Halted Amid Intimidation,” *Phnom Penh Post*, January 22, 2014, <http://www.phnompenhpost.com/national/cnrp-meet-halted-amid-intimidation> (accessed January 23, 2014); “Amid Outpouring of CPP Support, CNRP Calls Another Rally,” *Cambodia Daily*, January 27, 2014, <http://www.cambodiadaily.com/news/amid-outpouring-of-cpp-support-cnrp-calls-another-rally-51050/> (accessed January 28, 2014); “A Rock and a Hard Place,” *Phnom Penh Post*, January 27, 2014, <http://www.phnompenhpost.com/national/rock-and-hard-place> (accessed January 28, 2014); “Beehive Rally Violently Broken Up,” *Phnom Penh Post*, January 27, 2014, <http://www.phnompenhpost.com/national/beehive-rally-violently-broken> (accessed January 28, 2014); “Media Beatings Condemned,” *Phnom Penh Post*, January 29, 2014, <http://www.phnompenhpost.com/national/media-beatings-condemned> (accessed January 30, 2014); “Man Charged for Firing Slingshot at Protesters,” *Phnom Penh Post*, January 29, 2014, <http://www.phnompenhpost.com/national/man-charged-firing-slingshot-protesters> (accessed January 30, 2014); “Lawmaker’s Morning at Park Ended by District Guards,” *Cambodia Daily*, April 3, 2014, <http://www.cambodiadaily.com/news/lawmakers-morning-at-park-ended-by-district-guards-55636/> (accessed April 4, 2014); “City Official Attacked at Khmer Rouge Memorial Ceremony,” *Cambodia Daily*, April 18, 2014, <http://www.cambodiadaily.com/news/city-official-attacked-at-khmer-rouge-memorial-ceremony-56700/> (accessed April 19, 2014); “CNRP Holds a Citywide Rolling Rally,” *Phnom Penh Post*, May 5, 2014, <http://www.phnompenhpost.com/national/cnrp-holds-citywide-rolling-rally>, accessed May 5, 2014; “Military Stops CNRP Rally in Kompong Cham,” *Cambodia Daily*, May 5, 2014, <http://www.cambodiadaily.com/news/military-stops-cnrp-rally-in-k-cham-58012/> (accessed May 6, 2014); “Police presence has strikers on edge,” *Phnom Penh Post*, May 8, 2014, <http://www.phnompenhpost.com/national/police-presence-has-strikers-edge> (accessed May 9, 2014); “Farmers Blocked From Petitioning Red Cross,” *Cambodia Daily*, May 22, 2014, <http://www.cambodiadaily.com/news/farmers-blocked-from-petitioning-red-cross-59339/> (accessed May 23, 2014); “CNRP Blocked From Visiting Ratanakiri Villagers in Land Dispute,” *Cambodia Daily*, May 28, 2014, <http://www.cambodiadaily.com/news/cnrp-blocked-from-visiting-rkiri-villagers-in-land-dispute-59791/> (accessed May 29, 2014); “Monks Protest Over Institute,” *Phnom Penh Post*, May 30, 2014, <http://www.phnompenhpost.com/national/monks-protest-over-institute> (accessed June 1, 2014); “Military Police Barricade Road to Stop Monks From Marching,” *Cambodia Daily*, May 30, 2014, <http://www.cambodiadaily.com/news/military-police-barricade-road-to-stop-monks-from-marching-60022/> (accessed June 1, 2014); “Villages Blocked From Delivering Complaint,” *Cambodia Daily*, June 10, 2014, <http://www.cambodiadaily.com/news/villages-blocked-from-delivering-complaint-60883/> (accessed June 11, 2014); “March Blocked as Factory Protest Continues,” *Cambodia Daily*, June 13, 2014, <http://www.cambodiadaily.com/news/march-blocked-as-factory-protest-continues-61333/> (accessed June 14, 2014); “Man Arrested, Shots Fired at Land Dispute Protest,” *Cambodia Daily*, July 4, 2014, <http://www.cambodiadaily.com/news/man-arrested-shots-fired-at-land-dispute-protest-63224/> (accessed July 5, 2014); “Clash at Vietnam Embassy,” *Phnom Penh Post*, July 9, 2014, <http://www.phnompenhpost.com/national/clash-vietnam-embassy>; “Police Block Villagers’ March to Hun Sen’s House,” *Cambodia Daily*, August 6, 2014, <http://www.cambodiadaily.com/news/police-block-villagers-march-to-hun-sens-house-65804/> (accessed August 7, 2014); “Peaceful Marchers Beaten,” *Phnom Penh Post*, August 13, 2014, <http://www.phnompenhpost.com/national/peaceful-marchers-beaten> (accessed August 14, 2014); “Fresh Arrests For Embattled KDC Villagers,” *Cambodia Daily*, Fresh Arrests For Embattled KDC Villagers, August 13, 2014,

<http://www.cambodiadaily.com/news/fresh-arrests-for-embattled-kdc-villagers-66343/> (accessed August 14, 2014); “City Hall Blocks Bike Ride Against Hydro-Project,” *Cambodia Daily*, August 18, 2014, <http://www.cambodiadaily.com/news/city-hall-blocks-bike-ride-against-koh-kong-hydro-project-66695/> (accessed August 19, 2014); “Officials Trade Blame Over Kratie Land Dispute,” *Cambodia Daily*, August 19, 2014, <http://www.cambodiadaily.com/news/officials-trade-blame-over-kratie-land-dispute-66774/> (accessed August 20, 2014); “Clash at Koh Koh SEZ Protest,” *Phnom Penh Post*, November 4, 2014, <http://www.phnompenhpost.com/national/clash-koh-kong-sez-protest> (accessed November 5, 2014); “Two Monks Arrested for Transporting Flags,” *Cambodia Daily*, November 13, 2014, <http://www.cambodiadaily.com/news/two-monks-arrested-defrocked-for-transporting-flags-72224/> (accessed November 14, 2014); “Police Block Human Rights March in Takeo,” *Cambodia Daily*, December 6, 2014, <https://www.cambodiadaily.com/news/police-block-human-rights-march-in-takeo-73733/> (accessed December 7, 2014); “After Arrests Fear Permeates Outcast Pagoda,” *Cambodia Daily*, November 15, 2014, <http://www.cambodiadaily.com/news/after-arrests-fear-permeates-outcast-pagoda-72385/> (accessed November 16, 2014); “Land Dispute Villagers Call Off 300 km March to Phnom Penh,” *Cambodia Daily*, December 2, 2014, <https://www.cambodiadaily.com/news/land-dispute-villagers-call-off-300-km-march-to-phnom-penh-73401/>; <http://vodhotnews.com/26409> (accessed January 3, 2015); “Two Villagers Detained During Roadblock Protest in Siem Reap,” *Cambodia Daily*, January 6, 2015, <https://www.cambodiadaily.com/news/two-villagers-detained-during-roadblock-protest-in-siem-reap-75395/> (accessed January 7, 2015); “Activist Arrest in Preah Vihear,” *Phnom Penh Post*, January 15, 2015, <http://www.phnompenhpost.com/national/activist-arrest-preah-vihear> (accessed January 16, 2015); “More Houses Razed in Dispute,” *Phnom Penh Post*, January 31, 2014, <http://www.phnompenhpost.com/national/more-houses-razed-dispute> (accessed February 1, 2014); “Authorities Burn 60 Homes in Pursat Province,” *Cambodia Daily*, February 13, 2014, <http://www.cambodiadaily.com/news/authorities-burn-60-homes-in-pursat-province-52093/> (accessed February 14, 2014); “Borei Keila Occupiers Violently Removed,” *Phnom Penh Post*, February 14, 2014, <http://www.phnompenhpost.com/national/borei-keila-occupiers-violently-removed> (accessed February 15, 2014); “Kratie Villagers Block Road After Officials Torch Homes,” *Cambodia Daily*, February 14, 2014, <http://www.cambodiadaily.com/news/kratie-villagers-block-road-after-officials-torch-homes-52232/> (accessed February 15, 2014); “Police Demolish Shelters Of Kratie Families For Second Time,” *Cambodia Daily*, February 27, 2014, <http://www.cambodiadaily.com/news/police-demolish-shelters-of-kratie-families-for-second-time-53291/> (accessed February 28, 2014); “Families File Complaint Over Pailin Governor,” *Cambodia Daily*, March 4, 2014, <http://www.cambodiadaily.com/news/families-file-complaint-over-pailin-governor-53443/> (accessed March 5, 2014); “Villagers Charged With Illegally Clearing Land,” *Cambodia Daily*, March 11, 2014, <http://www.cambodiadaily.com/news/villagers-charged-with-illegally-clearing-land-53859/> (accessed March 12, 2014); “Mondolkiri Authorities Torch ‘Illegal’ Dwellings,” *Cambodia Daily*, March 17, 2014, <http://www.cambodiadaily.com/news/mondolkiri-authorities-torch-illegal-dwellings-54292/> (accessed March 18, 2014); “Families Ask Hun Sen for Help to Reclaim Farms,” *Cambodia Daily*, May 6, 2014, <http://www.cambodiadaily.com/news/families-ask-hun-sen-for-help-to-reclaim-farms-58137/> (accessed May 7, 2014); “Ratanakkiri Homes Razed as Authorities Move In,” *Cambodia Daily*, May 22, 2014, <http://www.cambodiadaily.com/news/ratanakkiri-homes-razed-as-authorities-move-in-59341/> (accessed May 23, 2014); “Villagers Block Highway After Police Raze Homes,” *Cambodia Daily*, November 3, 2014, <http://www.cambodiadaily.com/news/villagers-block-highway-after-police-raze-homes-71632/> (accessed November 4, 2014); “Authorities, Community Dig in as Eviction Deadline Nears,” *Cambodia Daily*, November 11, 2014, <http://www.cambodiadaily.com/news/authorities-community-dig-in-as-eviction-deadline-nears-72025/> (accessed November 12, 2014); “Pursat Authorities Arrest Woman, Raze Homes,” *Cambodia Daily*, November 24, 2014, <http://www.cambodiadaily.com/news/pursat-authorities-arrest-woman-raze-homes-72888/> (accessed November 25, 2014); “Police ‘Fired on Reporters’,” *Phnom Penh Post*, March 10, 2014, <http://www.phnompenhpost.com/national/police-%E2%80%99fired-reporters%E2%80%9999> (accessed March 11, 2014); “State Violence Against Reporters Condemned,” *Phnom Penh Post*, April 21, 2014, <http://www.phnompenhpost.com/national/state-violence-against-reporters-condemned> (accessed April 22, 2014).

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.⁴⁹³ 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.⁴⁹⁴

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.⁴⁹⁵ 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.⁴⁹⁶ 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

⁴⁹³ "Mr. Sao Sokha, Chairperson of the Work Team to Go Down and Help Romeas Hek District Graciously Presides Over the Ceremony of the Meeting to Examine the Results of Work Activities" (លោក សៅ សុខា ប្រធានគ្រុមការងារចុះជួយស្រុករមាសហែកអញ្ជើញជាអធិបតីកិច្ចប្រជុំត្រួតពិនិត្យលទ្ធផលសកម្មភាពការងារ), August 30, 2015, <http://beta.nokorwatnews.com/?p=43387#sthash.5j1tzD7t.dpuf> (accessed August 30, 2015); "Mr. General Sao Sokha Graciously Presides Over the Ceremony Commemorating the 37th Anniversary of the 7 January Victory Day" (លោកនាយឧត្តមសេនីយ៍ សៅ សុខា អញ្ជើញជាអធិបតីភាពក្នុងពិធីរំលឹកខួបអនុស្សាវរីយ៍លើកទី៣៧ ទិវាជ័យជម្នះ៧មករា, January 7, 2016, <http://kampucheamey.com/kpt/?p=139561> (accessed January 7, 2016); "General Sao Sokha Graciously Marks a Ceremony Welcoming the 65th Anniversar of the Birth of the CPP," (នាយឧត្តមសេនីយ៍ សៅ សុខា អញ្ជើញប្រារព្ធពិធីអបអរខួបអនុស្សាវរីយ៍លើកទី៦៥ ថ្ងៃបង្កើតគណបក្សប្រជាជនកម្ពុជា), June 26, 2016, <http://www.freshnewsasia.com/index.php/en/27463-2016-06-26-01-47-25.html> (accessed June 26, 2016).

⁴⁹⁴ "CPP Names All-Star Lineup on Its New Propaganda Committee," *Cambodia Daily*, September 4, 2015, <https://www.cambodiadaily.com/news/cpp-names-all-star-lineup-on-its-new-propaganda-committee-93376/> (accessed September 5, 2015); "General Sao Sokha Graciously Pays Respect to the Souls of Those Who Died in the Pol Pot Era in Romeas Hek District" (នាយឧត្តមសេនីយ៍ សៅ សុខាអញ្ជើញគោរពវិញ្ញាណក្ខន្ធម្នាក់ដែលស្លាប់នាសម័យប៉ុលពត នៅស្រុករមាសហែក, May 20, 2016, <http://www.freshnewsasia.com/index.php/en/24610-2016-05-20-02-41-51.html> (accessed May 20, 2016).

⁴⁹⁵ "Training photos raising eyebrows," *Phnom Penh Post*, December 13, 2016, <http://www.phnompenhpost.com/national/training-photos-raising-eyebrows> (accessed December 14, 2016).

⁴⁹⁶ "Military Police Machines," *Phnom Penh Post*, January 12, 2017, <http://www.phnompenhpost.com/national/military-police-machines> (accessed January 13, 2017).

today.”⁴⁹⁷ Sao Sokha meanwhile oversaw CPP organizing and proselytizing activities in parts of his native Svay Rieng province.⁴⁹⁸

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.⁴⁹⁹ 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.⁵⁰⁰ 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.”⁵⁰¹ On December 6, 2017, he denounced the exiled Sam Rainsy as a traitor and declared that the GRK was “absolutely loyal” to Hun Sen.⁵⁰²

⁴⁹⁷ “Use vote ‘correctly’, military police told,” *Phnom Penh Post*, December 15, 2016,

<http://www.phnompenhpost.com/national/use-vote-correctly-military-police-told> (accessed December 16, 2016).

⁴⁹⁸ “Mr. Sao Sokha Graciously at the Ceremony of Conference Summing Up the Results of the Work of Implementation of the CPP Political Program in Moream Commune” (លោក សៅ សុខា អញ្ជើញក្នុងពិធីសន្និបាតបូកសរុបលទ្ធផលនៃការអនុវត្តកម្មវិធីនយោបាយរបស់គណបក្សប្រជាជនកម្ពុជា), December 24, 2016,

<http://www.freshnewsasia.com/index.php/en/localnews/42529-2016-12-24-11-20-59.html> (accessed December 24, 2016);

“Sokha soldiers onward for CPP,” *Phnom Penh Post*, December 27, 2016, <http://www.phnompenhpost.com/national/sokha-soldiers-onward-cpp> (accessed December 28, 2016);

“Mr. Sao Sokha Convenes a Ceremony in Romeas Hek District Commemorating 38th Anniversary of 7 January Victory Day” (លោក សៅ សុខា ប្រារព្ធពិធីរំលឹកខួបអនុស្សាវរីយ៍លើកទី៣៨ ទិវាជ័យជម្នះលើកកម្ពុជាឡើងវិញនៅស្រុករមាសហែក), January 7, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/43743-2017-01-07-03-43-19.html> (accessed January 7, 2017);

“Gen. Sao Sokha Graciously Participates in the Ceremony to Implant Boundary Stones and Construct a Hall for Which a Budget of 110,000 Dollars Was Spent” (នាយឧត្តមសេនីយ៍ សៅ សុខា អញ្ជើញចូលរួមក្នុងពិធីបញ្ចុះបឋមសិលា កសាងឧបដ្ឋានសាលា ដែលចំណាយថវិកាជាង១១ម៉ឺនដុល្លារ), January 14, 2017,

<http://www.freshnewsasia.com/index.php/en/localnews/44410-2017-01-14-03-53-40.html> (accessed January 14, 2017).

⁴⁹⁹ នាយឧត្តមសេនីយ៍ សៅ សុខា ប្រកាសគាំទ្រដល់ចំណាត់ការសមត្ថកិច្ច ក្នុងការចាប់ខ្លួន លោក គឹម

សុខា ក្រសួងការពារជាតិសហការណ៍ក្នុងការរំលោភបំពាន និងការងារអប់រំចិត្តសាស្ត្រឆ្នាំ២០១៧

ដល់កម្លាំងយោធានៅកងពលតូចទី៣៧សេសនីត្រយោង៩១១, ឧត្តមសេនីយ៍ ចាប ភក្តី ប្រកាសប្រឆាំងដាច់ខាតចំពោះបដិវត្តន៍ពាណិជ្ជកម្មក្នុងតំបន់ និងប្រកាសថ្កោលទោសយ៉ាងខ្លាំង

⁵⁰⁰ នាយឧត្តមសេនីយ៍ សៅ សុខា អញ្ជើញបិទសិក្ខាកាមដែលសិក្សារៀនរៀននៅសាលាកំបូល,

កងកម្លាំងត្រូវអនុវត្តប្រតិបត្តិការបន្តបញ្ជា និងដាច់ខាតត្រូវការការពាររដ្ឋាភិបាល ដឹកនាំដោយសម្តេចតេជោ ហ៊ុន សែន

⁵⁰¹ លោក សៅ សុខា អញ្ជើញជាអធិបតី ក្នុងពិធីប្រជុំត្រួតពិនិត្យលទ្ធផលការងារ គណបក្សប្រជាជនកម្ពុជា ស្រុករមាសហែក;

នាយឧត្តមសេនីយ៍ សៅ សុខា ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះគុណការកំពូល កាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងឧត្តមសេនីយ៍ឯក វ៉ត្លូ ស្រីង ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះគុណការកំពូល កាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចតេជោ ហ៊ុន សែន ដក់ទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចតេជោ ហ៊ុន សែន

⁵⁰² នាយឧត្តមសេនីយ៍ សៅ សុខា ប្រកាសថ្កោលទោសសំដីព្រះបាទសម្តេចនរោត្តម សីហមុនី និងអរុដ្ឋហត្ថទូទាំងប្រទេស

ត្រៀមរួចជាស្រេចការពារសន្តិភាពជូនរដ្ឋាភិបាល និងប្រជាជន

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

"Securing Allegiance," *Cambodia Daily*, January 17-18, 2004; Peter Bartu, "Report: The Political Situation in Cambodia," September 19, 2004; Bertil Lintner, "One Big Happy Family in Cambodia," *Asia Times Online*, March 20, 2007, http://www.atimes.com/atimes/Southeast_Asia/IC20Aeo3.html (accessed September 12, 2014).

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*.

⁵⁰⁵ Interview with former police officer, Paris, May 15, 2004; LCIHR, notes entitled "PRK Extracts," November 1984, prepared for LCIHR, *After the Worst*.

⁵⁰⁶ Phnom Penh Radio, January 20, 1983; LCIHR, notes on interviews with former Phnom Penh municipal police officers, Thai-Cambodian border, October 1984; 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*.

⁵⁰⁷ LCIHR, notes entitled "Numbers of Prisoners," November 1984, prepared for LCIHR, *After the Worst*.

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.⁵⁰⁹ Some prisoners died in detention and were buried behind the P.J. compound.⁵¹⁰ Neth Savoeun also allegedly presided over systematic police extortion, kidnapping for ransom and bribe-taking in the capital.⁵¹¹

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.⁵¹² 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.⁵¹³

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.⁵¹⁴

⁵⁰⁹ LCIHR, notes on interviews, Thai-Cambodian border, November 1984, prepared for LCIHR, *After the Worst*; Amnesty International, notes on interviews, Thai-Cambodian border, February 1986, prepared for Amnesty International, *Political Imprisonment*.

⁵¹⁰ LCIHR, notes entitled “PRK Extracts,” November 1984, prepared for LCIHR, *After the Worst*.

⁵¹¹ LCIHR, notes on interviews Thai-Cambodian border, November 1984, prepared for LCIHR, *After the Worst*; Amnesty International, notes on interviews, Thai-Cambodian border, February 1986, prepared for Amnesty International, *Political Imprisonment*.

⁵¹² Amnesty International, notes entitled “Reports of Torture of Political Prisoners in the PRK,” [n.d.], prepared for Amnesty International, *Political Imprisonment*; Gottesman, *Cambodia after the Khmer Rouge*, p.249.

⁵¹³ LCIHR, notes entitled “PRK Extracts,” November 1984, prepared for LCIHR, *After the Worst*.

⁵¹⁴ LCIHR, notes entitled “Numbers of Prisoners,” November 1984, prepared for LCIHR, *After the Worst*; LCIHR, notes entitled “PRK Extracts,” November 1984, prepared for LCIHR, *After the Worst*.

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.⁵¹⁵ He had also married Hun Kimleng, a daughter of Hun Neng, the older brother of Hun Sen and the governor of Kampong Cham province.⁵¹⁶ 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.⁵¹⁷

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.⁵¹⁸

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.⁵¹⁹ 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.⁵²⁰

⁵¹⁵ UNTAC, "Government Authorities List," *Reaksmei Kampuchea*, November, 14, 2008; "Gen. Neth Savoeun, Hun Sen's Nephew-in-Law, Tapped as Police Chief," *VOA*, Khmer Service, Phnom Penh, November 11, 2008, <http://khmerization.blogspot.com/2008/11/gen-neth-savoeun-hun-sens-nephew-in-law.html> (accessed May 13, 2014).

⁵¹⁶ *Reaksmei Kampuchea*, November, 14, 2008; "Gen. Neth Savoeun, Hun Sen's Nephew-in-Law, Tapped as Police Chief," *VOA*, Khmer Service, Phnom Penh, November 11, 2008, <http://khmerization.blogspot.com/2008/11/gen-neth-savoeun-hun-sens-nephew-in-law.html> (accessed May 13, 2014); "Securing Allegiance," *Cambodia Daily*, January 17-18, 2004; Bartu, "Political Situation;" Bertil Lintner, "One Big Happy Family in Cambodia," *Asia Times Online* (March 20, 2007), http://www.atimes.com/atimes/Southeast_Asia/IC20Aeo3.html (accessed September 12, 2014); UNTAC, "Government Authorities List."

⁵¹⁷ UNTAC, "Who's Who;" UNTAC, "Civpol PP Summary Activity Special Report," May 2, 1993.

⁵¹⁸ Brad Adams interviews with senior FUNCINPEC officials, 1999-2000.

⁵¹⁹ *Damnoeng Pel Preuk*, July 5, 1994.

⁵²⁰ 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.

⁵²³ COHCHR, biographical compilation, 2003; Human Rights Watch, *"Tell Them I Want to Kill Them,"* pp.35-38.

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.⁵²⁶ At least 60 other people were injured during their suppression operations.⁵²⁷

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.⁵²⁸ 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.⁵²⁹

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.⁵³⁰ 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 2003.⁵³¹

⁵²⁶ Interview with senior CPP official, September 18, 2004; See, for example, "Flying Tigers' Pay Doubled," *Cambodia Daily*, April 2, 1998; "Monk Shot Dead as Police Clash with Protesters in Cambodian Capital," *AFP*, Phnom Penh, September 9, 1998; "Crowds Gather Again, Offerings Burned Where Monks Shot," *AP*, Phnom Penh, September 9, 1998; "Monks Missing, Feared Dead," *VOA*, Phnom Penh, September 9, 1998; "Chance for Cambodia Deal Bleak, But Still Hope," *Reuters*, Phnom Penh, September 9, 1998; "'Buddhist Monk Dead' in Cambodia Clashes," *BBC*, Phnom Penh, September 9, 1998; "Cambodian Monks Beaten, Fearful, Stay Off," *Reuters*, Phnom Penh, September 15, 1998.

⁵²⁷ "Statement by Ambassador Thomas Hammarberg, Special Representative of the UN Secretary General for Human Rights in Cambodia," New York, September 16, 1998; "UN Gravely Concerned by Cambodia Deaths, Missing," *Reuters*, Phnom Penh, September 16, 1998; "Death Toll Rises," *VOA*, Phnom Penh, September 18, 1998; Amnesty International, "Kingdom of Cambodia: Demonstrations Crushed with Excessive Use of Force" (ASA 23/26/98), September 22, 1998.

⁵²⁸ RGC, Decision 64 SSR November 28, 2000.

⁵²⁹ COHCHR, biographical compilation, 2003.

⁵³⁰ *Chakravala*, 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.⁵³² 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.⁵³³ 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.⁵³⁴

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.⁵³⁵ 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 2010.⁵³⁶ They also included 13 people sentenced to prison

⁵³² "Gen. Neth Savoeun, Hun Sen's Nephew-in-Law, Tapped as Police Chief," *VOA, Khmer*, November 11, 2008, <http://khmerization.blogspot.com/2008/11/gen-neth-savoeun-hun-sens-nephew-in-law.html> (accessed May 13, 2014); RGC, Royal Decree NS/RKT/1108/1234, November 18, 2008.

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

⁵³⁴ Ministry of Interior, "National Police Organization," 2006; En Yoeun, *Administrative Law (niti mukngear sathearanak)* (Phnom Penh, 2013), pp.376-378; As reflected in RGC, Royal Decree NS/0610/467, June 8, 2010.

⁵³⁵ *Ibid.*

⁵³⁶ "Cambodia: Free Human Rights Worker: Donors Should Press Government to Stop Harassing Rights Groups," Human Rights Watch news release, July 14, 2011, <http://www.hrw.org/news/2011/07/14/cambodia-free-human-rights-worker>.

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

⁵³⁷ "Cambodia: Drop 'Treacherous Plotting' Case: Dismiss Charges Against 13 Accused of Planning Government Overthrow," Human Rights Watch news release, April 9, 2014, <http://www.hrw.org/news/2014/04/09/cambodia-drop-treacherous-plotting-case>.

⁵³⁸ Ibid.

⁵³⁹ Ibid.; "Cambodia: Security Forces Beat Housing Rights Protesters," Human Rights Watch news release, February 14, 2014, <https://www.hrw.org/news/2014/02/14/cambodia-security-forces-beat-housing-rights-protesters>.

⁵⁴⁰ Ibid.; Human Rights Watch, *"They Deceived Us at Every Step": Abuse of Cambodian Domestic Workers Migrating to Malaysia*, 2011, <https://www.hrw.org/sites/default/files/reports/cambodia111webwcover.pdf>, p.35.

⁵⁴¹ "Mr. Pin Pisit Goes Down to Examine and Study the State of Roads and the Digging of Wells for the Citizenry in Kdoeung Reay Commune" (លោក ពិន ពិសិដ្ឋ ចុះត្រួតពិនិត្យមើល និងសិក្សាស្ថានភាពផ្លូវ និងជីកអណ្តូងជួន ប្រជាពលរដ្ឋ នៅឃុំក្រឡេងរាយ), January 19, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/56292-2013-01-19-07-33-17.html> (accessed January 22, 2013).

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.”⁵⁴²

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.⁵⁴³ At least seven deaths resulted from excessive or unnecessary lethal force by the gendarmes and police, including by shooting into crowds using live ammunition.⁵⁴⁴

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.⁵⁴⁵ On April 6, 2014, declaring he was speaking on behalf of the whole of Cambodia’s police forces, he condemned CNRP President Sam Rainsy,

⁵⁴² “Nation Police Supreme Commissariat: There Are Many 2013 Election Problems” (អគ្គសន្និសីទការព្រឹទ្ធនាយកដ្ឋានសន្តិសុខសង្គម, March 6, 2013, http://www.cen.com.kh/localnews/details_more/19?token=MDRkMzcYT#.UTdRP6ODgUM (accessed March 12, 2013).

⁵⁴³ “Cambodia: Steung Meanchey Trial Deeply Flawed,” Human Rights Watch news release, May 11, 2014, <https://www.hrw.org/news/2014/05/11/cambodia-steung-meanchey-trial-deeply-flawed>; “Cambodia: Free 6 Randomly Arrested During Unrest,” Human Rights Watch news release, February 19, 2014, <http://www.hrw.org/node/252822>.

⁵⁴⁴ Human Rights Watch, “Human Rights Watch Submission for the Review of Cambodia by the Human Rights Committee,” June 6, 2014.

⁵⁴⁵ “The General Lays Down Plans to Have the National Police Further Increase Strengthening of Security at a Time When the Holding of Demonstrations Is Envisaged to Start Anew” (នាយកដ្ឋានសន្តិសុខសង្គម, March 7, 2013, <http://edition.bayontv.com.kh/bayontv-national-news/22986-2014-03-07-03-53-01.html>, accessed March 7, 2014; “The Competents Are Increasing the Strengthening of Security at a Time When Criminal Offenses in Phnom Penh Have Begun to be on the Rise” (សមត្ថកិច្ចកំពុងបង្កើនការពង្រឹងសន្តិសុខសង្គមខណៈដែលបទល្មើសព្រហ្មទណ្ឌនៅភ្នំពេញចាប់ផ្តើមកើនឡើង), March 14, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/23422-2014-03-14-12-57-31.html> (accessed March 14, 2014).

baselessly accusing him of having committed illegal acts.⁵⁴⁶ 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.⁵⁴⁷

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 manoeuvres” 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.⁵⁴⁸

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.⁵⁴⁹ His

⁵⁴⁶ “General Net Savoeun Condemns Mr. Sam Rainsy” (នាយឧត្តមសេនីយ៍ នេត សាវៀន ប្រកាសផ្តាច់ទោស លោកសម រង្ស៊ី), April 7, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/84483-2014-04-07-09-14-12.html> (accessed April 7, 2014).

⁵⁴⁷ “General Net Savoeun Sends Best Wishes to Samdech Techo Hun Sen” (នាយឧត្តម សេនីយ៍ នេត សាវៀន ជូនពរ សម្តេចតេជោ ហ៊ុន សែន), April 2, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/84087-2014-04-02-03-46-35.html> (accessed April 2, 2014).

⁵⁴⁸ “Cambodia: Quash Convictions of 25 Activists, Workers: Insufficient Evidence Presented in Politically Motivated Trials,” Human Rights Watch news release, June 1, 2014, <http://www.hrw.org/news/2014/06/01/cambodia-quash-convictions-25-activists-workers>.

⁵⁴⁹ Phnom Penh Capital Court of First Instance, “Judgment Number 32 ‘Ch’,” April 25, 2011; Human Rights Watch, *World Report (2016)* (New York: Human Rights Watch, 2016), Cambodia, <https://www.hrw.org/world-report/2016/country-chapters/cambodia>.

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.”⁵⁵⁰ 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.⁵⁵¹

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.⁵⁵² 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.⁵⁵³ 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.⁵⁵⁴

Soon after the CPP Central Committee conference of December 2016, Neth Savoeun dispatched a subordinate to do CPP grassroots strengthening work on his behalf.⁵⁵⁵ From

⁵⁵⁰ Cour de Cassation, Chambre Criminelle, No. N`o-83-771 F-P+B, No.2357, April 27, 2011.

⁵⁵¹ “Royal Government Decides to Create a Committee to Implement Arrest Warrant for Sam Rainsy” (រាជរដ្ឋាភិបាល សម្រេចបង្កើត គណៈកម្មការ អនុវត្តដីកាបង្គាប់ ឱ្យចាប់ខ្លួនលោក សម រង្ស៊ី), November 16, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/102630-2015-11-16-02-29-44.html> (accessed November 16, 2015).

⁵⁵² “General Net Savoeun Says CPP Member Officials Must Do Good Deeds and Do Away with Inactivity” (នាយឧត្តមសេនីយ៍ នេត សាវៀន ឱ្យមន្ត្រីសមាជិកគណបក្សប្រជាជន ត្រូវតែធ្វើអំពើល្អនិងលុបបំបាត់ភាពអសកម្ម), February 2, 2016, <http://kampucheamey.com/kpt/?p=179884> (accessed February 2, 2016); “Gifts from Samdech Sar Kheng and General Net Savoeun Are Taken for Distribution in Two Communes of Prey Veng Province” (អំណោយរបស់សម្តេច ស ខេង និងនាយឧត្តមសេនីយ៍ នេត សាវៀន ត្រូវបាននាំយកទៅចែកចាយក្នុង ក្រុងខេត្តព្រៃវែង), June 4, 2016, <http://www.freshnewsasia.com/index.php/en/25784-2016-06-04-10-49-45.html> (accessed June 4, 2016).

⁵⁵³ “Hun Sen Warns Opposition of Backlash by Armed Forces,” *Cambodia Daily*, October 20, 2015, <https://www.cambodiadaily.com/news/hun-sen-warns-opposition-of-backlash-by-armed-forces-97603/> (accessed October 21, 2015).

⁵⁵⁵ “The CPP Residence in Pean Rong District Has Been Repaired and Improved; The Work Team Chairperson Pushes for All Party Members to Increase Their Activities” (ទីស្នាក់ CPP នៅឃុំពានរោង ត្រូវបានជួសជុល និងកែលម្អថ្មី, លោកប្រធានក្រុមការងារ ជំរុញឱ្យសមាជិកបក្សទាំងអស់បង្កើនសកម្មភាព), December 23, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/42501-2016-12-23-12-53-02.html> (accessed December 23, 2016).

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.”⁵⁵⁶ 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.⁵⁵⁷

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.”⁵⁵⁸ For his part, Neth Savoeun, presiding at a Phnom Penh gathering the same month summing up

⁵⁵⁶ “Riot Police Told by National Chief to Fear Color Revolution,” *Cambodia Daily*, November 30, 2016, <https://www.cambodiadaily.com/news/riot-police-told-national-chief-fear-color-revolution-121220/> (accessed December 1, 2016).

⁵⁵⁷ “Gen. Net Savoeun Proposes That the Viet Nam Peoples’ Police Academy Do Research to Find New Lessons and Experiences to Train Cambodia’s Police” (នាយឧត្តមសេនីយ៍ នេត សាវៀន ស្នើបណ្តាំគ្យសភា តម្រូវគ្រូប្រជានរោតនាម ស្រាវជ្រាវមេរៀន និងបទពិសោធន៍ថ្មី បណ្តុះបណ្តាល នគរបាលកម្ពុជា), November 7, 2016, <http://dap-news.com/kh/%E1%9E%96%E1%9F%90%E1%9E%8F%E1%9F%8C%E1%9E%98%E1%9E%B6%E1%9E%93%E1%9E%80%E1%9F%92%E1%9E%93%E1%9E%BB%E1%9E%84%E1%9E%94%E1%9F%92%E1%9E%9A%E1%9E%91%E1%9F%81%E1%9E%9F/20882.html> (accessed November 7, 2016); “The Competents Prepare a Force of More Than 10,000 Persons for the Defense of Security and Good Order on the Occasion of the Water Festival This Mid-November” (សមត្ថកិច្ចត្រៀមកម្លាំងជាង១០ម៉ឺននាក់ សម្រាប់ការពារសន្តិសុខ សណ្តាប់ធ្នាប់ នៅក្នុងឱកាសបុណ្យអុំទូក ពាក់កណ្តាលខែនេះ), November 4, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/38608-2016-11-04-06-34-55.html> (accessed November 4, 2016); “Gen. Net Savoeun: Thieves Are Not Anybody’s Private Property: There Must Be Mutual Assistance by Both the Cops and the MPs to Arrest Them in Order to Serve Citizen Security” (ឧត្តមសេនីយ៍ នេត សាវៀន៖ «ចោរមិនមែនជាកម្មសិទ្ធិបញ្ញរបស់អ្នកណាទេ ត្រូវជួយចាប់គ្នាទាំងប៉ូលីស ទាំងប៉េអឹម ដើម្បីបម្រើសន្តិសុខប្រជាពលរដ្ឋ»), November 10, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/39068-2016-11-10-06-44-32.html> (accessed November 10, 2016).

⁵⁵⁸ “Samdech Kralahom Sar Kheng Specifies the 7 Main Accomplishments That the Ministry of Interior Was Able to Achieve in the Past Year, 2016” (សម្តេចក្រឡាហោម ស ខេង បញ្ជាក់ពីសមិទ្ធផលធំៗចំនួន៧ ដែលក្រសួងមហាផ្ទៃសម្រេចបាន ក្នុងឆ្នាំ២០១៦កន្លងទៅ), February 22, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/47758-2017-02-22-02-53-20.html> (accessed February 22, 2017); “Interior Ministry Report Boasts of Crackdown on Political Protests,” *Cambodia Daily*, February 23, 2017, <https://www.cambodiadaily.com/news/interior-ministry-report-boasts-of-crackdown-on-political-protests-125669/> (accessed February 25, 2017).

the 2016 activities of his deputy Chuon Sovan's Phnom Penh police, congratulated them on their work in 2016 in this regard.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.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.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.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

⁵⁵⁹ "Gen. Net Savoeun Graciously Closes Conference Summing up the 2016 Security Work and Putting Forward 2017 Directives for the Phnom Penh Capital Commissariate" (នាយឧត្តមសេនីយ៍ នេត សាវៀន អញ្ជើញបិទសន្និបាតបូកសរុបការងារសន្តិសុខឆ្នាំ២០១៦ និងលើកទិសដៅឆ្នាំ២០១៧ របស់ស្នងការរាជធានីភ្នំពេញ), February 9, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/46625-2017-02-09-02-46-01.html> (accessed February 9, 2017).

⁵⁶⁰ "Gen. Net Savoeun Provides Almost 30 Tons of Rice for Distribution to Needy Citizens in Svay Antor and Kanhchriech Districts" (នាយឧត្តមសេនីយ៍ នេត សាវៀន ផ្តល់អង្ករជិត៣០តោន ដើម្បីចែកជូនប្រជាពលរដ្ឋខ្វះខាតនៅស្រុកស្វាយអន្ទរ និងស្រុកកញ្ជ្រៀច), November 12, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/39253-2016-11-12-07-30-23.html> (accessed November 12, 2016); "Gen. Net Savoeun Proposes that Commune Work Teams Push Citizens to Check and Verify Voter Rolls" (នាយឧត្តមសេនីយ៍ នេត សាវៀន ស្នើឱ្យក្រុមការងារយុវជនប្រជាពលរដ្ឋពិនិត្យផ្ទៀងផ្ទាត់បញ្ជីឈ្មោះបោះឆ្នោត), January 7, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/43763-2017-01-07-06-05-25.html> (accessed January 7, 2017); "Gen. Net Savoeun Pushes Commune Council Candidates to Go Down and Seek Understanding of the Weal and Woe in the Daily Living Standards of Citizens in the Grassroots" (នាយឧត្តមសេនីយ៍ នេត សាវៀន ជំរុញឱ្យបេក្ខជនក្រុមប្រឹក្សាយុវជនស្វែងយល់ពីស្ថានភាពរស់នៅប្រចាំថ្ងៃ របស់ប្រជាពលរដ្ឋ តាមមូលដ្ឋាន), February 25, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/48110-2017-02-25-06-40-50.html> (accessed February 25, 2017); "Mr. Sok Khemarin Participates in Ceremony Marking the Achievements at Thoamaker Pagoda in Kanhchriech District, Prey Veng Province" (លោក សុខ ខេមរិន ចូលរួមជាអធិបតីក្នុងពិធី ស្ទង់សមិទ្ធិផលនានាក្នុងវត្តធម្មកេរ្តិ៍នៅឃុំកញ្ជ្រៀច ស្រុកកញ្ជ្រៀច ខេត្តព្រៃវែង), January 25, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/45423-2017-01-25-04-53-11.html> (accessed January 25, 2017).

⁵⁶¹ Government to probe CNRP funding as part of investigation into 'colour revolution,' Thursday, August 31, 2017.

⁵⁶² កម្លាំងនគរបាលទូទាំងប្រទេស ចេញថ្លោលទោស ចំពោះទង្វើក្បត់ជាតិរបស់ លោក គឹម សុខា ហើយគាំទ្រចំពោះការចាប់ខ្លួន

entities.⁵⁶³ 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.”⁵⁶⁴

⁵⁶³ កម្លាំងនាយឧត្តមសេនីយ៍ ជួន សុវណ្ណ ប្រកាសថា កម្លាំងនគរបាលទូទាំងរាជធានីភ្នំពេញ ប្រកាសថ្កោលទោសសម្តីជនក្បត់ជាតិ សម រង្ស៊ី និងគ្រូមគ្រប់ពេលកំបាំងក្រុមបង្កចលាចលសង្គម; Banks, businesses, and MFIs latest suspects in ‘colour revolution,’ Mech Dara and Ananth Baliga, October 24, 2017; Analysis: Government picking up police’s blueprint for a ‘colour revolution’ crackdown, Mech Dara and Brendan O’Byrne, November 29, 2017, នគរបាលទូទាំងប្រទេស ចេញថ្កោលទោស ចំពោះទង្វើក្បត់ជាតិរបស់ លោក កឹម សុខា ហើយគាំទ្រចំពោះការចាប់ខ្លួន

⁵⁶⁴ កងទ័ពយោធព៌កម្ពុជាក៏ដូចជាទ័ពលាភការពាររដ្ឋាភិបាល និងថ្កោលទោសទង្វើក្បត់ជាតិ លោក កឹម សុខា យុបយឹកបរទេសប៉ុនប៉ងដណ្តើមអំណាច

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.⁵⁶⁵ By 1987, Chea Man had become a deputy commander of the PRK’s elite national army Division 179.⁵⁶⁶ 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.⁵⁶⁷

In 1989, Chea Man became commander of Military Region 4 at a time when it comprised Siem Reap-Oddar Meanchey and Banteay Meanchey provinces.⁵⁶⁸ Troops in the region included “regular forces” comprising at least one brigade and a number of regiments, plus provincial and district battalions.⁵⁶⁹ These operated alongside one or more center-level divisions deployed to fight in the area, including Chea Man’s old unit, the 179th.⁵⁷⁰ Working together with local militia and police in “mixed” formations, these forces conducted arrests of alleged “implanted enemy elements” and members of “hidden

⁵⁶⁵ 2017 provisional voter registration roll document 08-954-170; Hun Sen, “Address at the 4th Anniversary of Cambodian Veterans Day,” June 21, 2011, <http://cnv.org.kh/address-at-the-4th-anniversary-of-cambodian-veterans-day/> (accessed August 28, 2012); Hun Sen, “Selected Comments at the Celebration of the 4th Anniversary of the Cambodian War Veterans,” June 21, 2011, <http://cnv.org.kh/selected-comments-at-the-celebration-of-the-4th-anniversary-of-the-cambodian-war-veterans/> (accessed August 28, 2012); “Part of History” (*một phần của lịch sử*) and “Vietnamese Volunteer Troops” (*quân tình nguyện Việt Nam*), posted in <http://www.vnmilitaryhistory.net/index.php?topic=16326.160;wap2> (accessed on November 7, 2014); Carney, “Heng Samrin’s Armed Forces,” p.160.

⁵⁶⁶ Phnom Penh Radio, December 22, 1987.

⁵⁶⁷ Phnom Penh Radio, July 12, 1984.

⁵⁶⁸ Phnom Penh Radio, November 25, 1989; Phnom Penh Radio, February 14, 1989.

⁵⁶⁹ Phnom Penh Radio, November 20, 1989; Phnom Penh Radio, July 28, 1989; Phnom Penh Radio, August 18, 1989; Phnom Penh Radio, September 8, 1989; Phnom Penh Radio, November 20, 1989.

⁵⁷⁰ Phnom Penh Radio, August 18, 1989; Phnom Penh Radio, October 17, 1989; Phnom Penh Radio, July 23, 1990.

enemy networks” among the population.⁵⁷¹ 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.⁵⁷² Those arrested also included alleged enemies within the ranks of government forces.⁵⁷³

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.⁵⁷⁴ The region command continued to oversee regional and local armed forces and coordinate their activities with the provincial and district police.⁵⁷⁵

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.⁵⁷⁶ 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

⁵⁷¹ Phnom Penh Radio, August 18, 1989; Phnom Penh Radio, September 11, 1989; Phnom Penh Radio, November 20, 1989; Phnom Penh Radio, February 5, 1990; Phnom Penh Radio, Phnom Penh Radio, February 21, 1990; Phnom Penh Radio, March 28, 1990.

⁵⁷² Amnesty International, notes entitled “Prisons in the PRK,” August 4, 1986, prepared for Amnesty International, Political Imprisonment; and Amnesty International, notes on interview with ex-prisoner of “Special Prison in Rural Siem Reap,” in notes entitled “Other Cruel, Inhuman or Degrading Treatment or Punishment of Political Prisoners,” October 6, 1986, prepared for Amnesty International, Political Imprisonment; memorandum prepared for Amnesty International, “Report on a Mission to the Thailand-Cambodia Border,” March 10, 1991; Amnesty International, “State of Cambodia Human Rights Developments: 1 October 1991 to 31 January 1992” (ASA 23/002/1992).

⁵⁷³ Amnesty International, “Cambodia: Recent Human Rights Developments” (AI Index: ASA 23/07/90), December 1990.

⁵⁷⁴ Phnom Penh Radio, July 2, 1990; Phnom Penh Radio, December 1, 1992.

⁵⁷⁵ UNTAC, Military Component, “Interview with 4th Military Region Political Officer Lt. Col. Em Sokun,” May 10, 1993.

⁵⁷⁶ UNTAC, Civil Administration Component, “Activity Report of the Defence Unit for the Period 1 to 31 January 1993,” February 4, 1993.

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.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).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 5.⁵⁷⁹

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.⁵⁸⁰ As events unfolded, Khan Savoeun tried to arrange a no-combat deal in Siem Reap, but was rebuffed.⁵⁸¹ The CPP mustered some 300 men to attack FUNCINPEC, which offered virtually no resistance.⁵⁸² Two Khan Savoeun bodyguards were arrested by CPP soldiers from Siem

⁵⁷⁷ UNTAC, Information/Education Division, "Field Trip to Siem Reap Province," March 27, 1993; UNTAC Information/Education Division, "Report on the Political Environment in Siem Reap Province: Discussions with Political Parties," March 29, 1993.

⁵⁷⁸ Phnom Penh Radio, May 10, 1994.

⁵⁷⁹ RGC, Sub-Decree 12 ANKr, November 24, 1993.

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

⁵⁸¹ Brad Adams interview with Khan Savoeun, May 23, 2001.

⁵⁸² Ibid.

Reap Military Sub-region Battalion 3, who then executed them.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.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.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.⁵⁸⁶ Also in Kralanh district, CPP military seized a local FUNCINPEC leader, tied him to a pillar and pistol-whipped and otherwise assaulted him.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.⁵⁸⁸

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.

⁵⁸⁴ COHCHR, "Twenty-Eighth Report of Activities of Siem Reap Office, July 1997," August 6, 1997.

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.

⁵⁸⁶ COHCHR, "Twenty-Eighth Report of Activities of Siem Reap Office, July 1997," August 6, 1997.

⁵⁸⁷ COHCHR, "Various Communications Received Last Week," July 29, 1997.

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).⁵⁸⁹ Also in 1997, he became a CPP Central Committee member and a deputy commander of the army.⁵⁹⁰ 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 2.⁵⁹¹

During the run-up to the 1998 national assembly elections, Military Region 4 troops continued to be implicated in politically motivated killings targeting FUNCINPEC.⁵⁹² RGC courts were instructed not to prosecute in such cases.⁵⁹³ Also in this period, Region 4 troops were accused of non-political extra-judicial executions, the victims of which were alleged thieves.⁵⁹⁴ 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.⁵⁹⁵ In the context of unlawful confiscation and land-grabbing, including forced evictions, Region 4 troops

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.

⁵⁹⁰ No title, <http://www.cpp.org.kh/category.php?mnu=3> (accessed January 12, 2001); “Ceremony Closing the Training and Military Parade of Battalion Number 1, Kampong Thom Military Operations Sub-Sector” (កំណើតបិទវគ្គហ្វឹកហ្វឺនបំប៉ននិងយុទ្ធជនក្នុងតំបន់ប្រតិបត្តិការសឹករងកំពង់ធំ), June 13, 2013, <http://kpt-news.com/local-news/29212-2013-06-13-06-15-50.html> (accessed June 15, 2013).

⁵⁹¹ US Embassy Cambodia, “Outline Political-Military Framework,” 2003; RCAF High Command, “Organization of the RCAF High Commander,” 2006.

⁵⁹² Amnesty International, “Kingdom of Cambodia: Human Rights at Stake” (AI Index ASA 23/04/98), March 2, 1998.

⁵⁹³ Interview with Cambodian judicial official, April 6, 2014.

⁵⁹⁴ ADHOC, LICADHO, and Human Rights Watch, *Impunity in Cambodia: How Human Rights Offenders Escape Justice: A Report By Adhoc, Licadho, and Human Rights Watch* (June 1999), p.30, <https://www.licadho-cambodia.org/reports/files/21Impunity%20in%20Cambodia.pdf> (accessed December 4, 2012).

⁵⁹⁵ Ibid.

committed killings, torture, death threats, rape, extortion, enforced disappearance, and arbitrary detention.⁵⁹⁶

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.⁵⁹⁷ 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.⁵⁹⁸

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.⁵⁹⁹ 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.”⁶⁰⁰

⁵⁹⁶ Ibid.

⁵⁹⁷ “Mr. Kun Kim Inaugurates CPP Lodging Building and Accomplishments in Trapeang Prasat District” (លោក កុង គីម សម្ពោធអគារស្នាក់ការគណបក្សប្រជាជនកម្ពុជា និងសមិទ្ធិផលនានានៅក្នុងស្រុកត្រពាំងប្រាសាទ), June 22, 2013, <http://www.kpt-news.com/local-news/29760-2013-06-22-08-16-51.html> (accessed June 22, 2013).

⁵⁹⁸ “Opposition Party: The Civilians Obstructing National Rescue Party on the Road in Oddar Meanchey Were Undercover Military” (បក្សប្រឆាំង ជនស៊ីវិលរារាំងមន្ត្រីបក្សសង្គ្រោះជាតិតាមដងផ្លូវនៅខេត្តឧត្តរមានជ័យ ជាយោធាបង្អាប់), June 9, 2014, <http://vodhotnews.com/22025> (accessed June 10, 2014); videos of the events in Human Rights Watch possession.

⁵⁹⁹ “Ceremony Opening the Training Session to Strengthen Officers and Men of Border Defense Battalion 408” (ពិធីបើកវគ្គហ្វឹកហ្វឺនបំប៉នពង្រឹង នាយទាហាន ពលទាហានរៈសេនាក្នុងការពារព្រំដែនលេខ៤០៨) June 17, 2015, <http://kampungcheathmey.com/kpt/?p=24947> (accessed June 18, 2015).

⁶⁰⁰ “Dissemination to Enlisted Men of Samdech Techo’s Six Points” (ការផ្សព្វផ្សាយការកិច្ចបង្ខំពលករពលទាហានរបស់សម្តេចតេជោ ហ៊ុន សែន), August 18, 2015, <http://kampungcheathmey.com/kpt/?p=58142> (accessed August 18, 2015); Hun Sen, “Duties of the Armed Forces” (*phearekech robas kang-kamlang pradap avuth*), July 23, 2015.

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

⁶⁰¹ Ibid.

⁶⁰² កងទ័ពទាំងអស់ នៃយោធព៌កម្ពុជាក៏ដូចជា ប្រតិភូនីសម្តី សម រង្ស៊ី ដែលអំពាវនាវឱ្យកងកម្លាំងប្រដាប់អាវុធបែរកាណុងផ្តល់រំលងរដ្ឋាភិបាល, ជាអំពើក្បត់ជាតិសុទ្ធសាធ និងធ្ងន់ធ្ងរណាស់

⁶⁰³ កងទ័ពទាំងអស់ នៃយោធព៌កម្ពុជាក៏ដូចជា ប្រតិភូនីសម្តី សម រង្ស៊ី ដែលអំពាវនាវឱ្យកងកម្លាំងប្រដាប់អាវុធបែរកាណុងផ្តល់រំលងរដ្ឋាភិបាល, ជាអំពើក្បត់ជាតិសុទ្ធសាធ និងធ្ងន់ធ្ងរណាស់

⁶⁰⁴ នាយទាហាន នាយទាហានរង និងពលទាហានយោធព៌កម្ពុជាក៏ដូចជា ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះគុណការកំពូល កាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់ សម្តេចតេជោ ហ៊ុន សែន

VI. Lt. Gen. Bun Seng, Deputy Army Commander, Commander of Military Region 5

Bun Seng in the People's Republic of Kampuchea, 1979-1991

Bun Seng's official birthdate is October 30, 1952.⁶⁰⁵ His military identification number indicates he was an early member of the PRK armed forces, probably joining no later than 1979.⁶⁰⁶ 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.⁶⁰⁷ In Pursat itself, he was in direct control of seven battalions of troops, plus supporting units.⁶⁰⁸

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.⁶⁰⁹ 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

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).

⁶⁰⁷ UNTAC, "Who's Who," Phnom Penh Radio, February 16, 1990; UNTAC, Military Briefing, "CPAF in Sector 8," August 19, 1992.

⁶⁰⁸ UNTAC, "Who's Who."

⁶⁰⁹ UNTAC Civil Administration Component, "Activity Report of the Defence Unit for the Period 1 to 31 January 1993," February 4, 1993.

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

⁶¹⁰ UNTAC, Information/Education Division, “The Political Environment of Battambang Province,” December 9, 1992; UNTAC, Information/Education Division, “Report on Political Intimidation in Battambang,” March 19, 1993.

⁶¹¹ Human Rights Watch, *Cambodia at War* (New York: 1995), pp.67-69; COHCHR, interview with Nhek Bunchhay, January 13, 2004.

⁶¹² Human Rights Watch, *Cambodia at War* (New York: 1995), pp.69-72.

⁶¹³ Human Rights Watch, *Cambodia at War* (New York: 1995), pp.77-78; Amnesty International, “Kingdom of Cambodia: Diminishing Respect for Human Rights” (ASA 23/02/96), May 1996.

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.

⁶¹⁶ UNOSGRG, “Monthly Report for November 1996.”

December 1996, armed clashes took place in the province between Military Region 5 forces and FUNCINPEC.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.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.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.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.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).⁶²² He also became a member of the CPP Central Committee.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.⁶²⁴

⁶¹⁷ UNOSGRC, “Interim Report No. 572.”

⁶¹⁸ Brad Adams interviews with senior FUNCINPEC military officials, July 1997

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.

⁶²⁰ Brad Adams interview with Nhek Bunchhay, May 24, 2001; COHCHR, “Reported Arrests of FUNCINPEC Party Officials in the Provinces,” [n.d.]; Interviews with Khan Savoeun and Nhek Bunchhay, October 25, 1997.

⁶²¹ Interviews with Khan Savoeun and Nhek Bunchhay, October 25, 1997; RGC, Royal Decree ChS/RKT 0797/101, July 24, 1997.

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.

⁶²³ <http://www.cpp.org.kh/category.php?mnu=3> (accessed September 1, 2012).

⁶²⁴ RGC, Royal Decree ChS/RKT/1097/211, October 28, 1997; RGC, Royal Decree NS/RKT/0199/23, January 24, 1999; see also “CPP in control of RCAF, major reforms promised,” *Phnom Penh Post*, February 5, 1999, <http://www.phnompenhpost.com/national/cpp-control-rcaf-major-reforms-promised> (accessed October 22, 2012); “Lt. Gen. Kim Bunthan Takes Raincoats to the Force Units on the Frontline Battlefield” (ឧត្តមសេនីយ៍ឯក គឹម ប៊ុនថាន នាំយកអាវុធគ្រឿងជួនកងកម្លាំង នៅសមរភូមិមុខ), June 21, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/66578-2013-06-21-05-53-22.html> (accessed June 21, 2013).

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

⁶²⁵ 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.

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.

⁶²⁸ US Embassy Cambodia, “Outline Political-Military Framework,” 2003; RGC, RCAF High Command, “Organization of the RCAF High Commander,” 2006.

⁶²⁹ Ibid.

⁶³⁰ Ibid.

keeping Hun Sen as prime minister.⁶³¹ 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.⁶³² On June 26, he appeared at a religious ceremony in Battambang at which he promoted voting for the CPP.⁶³³

Since the 2013 elections, Bun Seng has publicly instructed Military Region 5 forces to support their outcome and Hun Sen as prime minister.⁶³⁴ 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.⁶³⁵

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

⁶³¹ "Lt. Gen. Kim Bunthan Takes Raincoats to the Force Units on the Frontline Battlefield" (ឧត្តមសេនីយ៍ឯក គឹម ប៊ុនថាន នាំយកអាវត្តឿង ជូនកងកម្លាំង នៅសមរភូមិមុខ), June 21, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/66578-2013-06-21-05-53-22.html> (accessed June 21, 2013).

⁶³² "Mr. Bun Seng Chats with CPP Members in Samlaut District" (លោក ប ន លសង សំលេងសុំ ជាមួយសមាជិក បកសព្វជាជន្តមា ជាលើស្បែកសំ ្លា), March 30, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/61094-2013-03-30-10-03-45.html> (accessed March 30, 2013).

⁶³³ "Presentation of Rainy Season Candles to 19 Pagodas in Samlaut District" (ប្រគេនទៀនវស្សា ដល់វត្ត ១៩ នៅស្រុកសំឡាត), June 26, 2013, <http://dap-news.com/2011-06-14-02-39-55/67027-2013-06-26-11-07-13.html> (accessed, June 26, 2013).

⁶³⁴ "Meeting to Sum Up Military Security Work in 2013 and the On-Going Work in 2014 at Brigade 52" (ប្រជុំបូក សរុបការងារ សន្តិសុខ យោធាឆ្នាំ២០១៣ និងទិសដៅបន្ត ឆ្នាំ២០១៤ នៅកងពលតូច លេខ៥២, February 5, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/80323-2014-02-05-06-54-50.html> (accessed February 5, 2014); "Military Region 5 Opens Training Session in Jungle Warfare Expertise" (យោធាភូមិ ភាគទី៥ បើកវគ្គហ្វឹកហ្វឺន បំប៉នជំនាញ ទ័ពព្រៃ), February 19, 2014; <http://www.dap-news.com/2011-06-14-02-39-55/81143-2014-02-19-03-07-20.html>, February 19, 2014.

⁶³⁵ "Meeting to Sum Up Military Security Work in 2013 and the On-Going Work in 2014 at Brigade 52" (ប្រជុំបូក សរុបការងារ សន្តិសុខ យោធាឆ្នាំ២០១៣ និងទិសដៅបន្ត ឆ្នាំ២០១៤ នៅកងពលតូច លេខ៥២, February 5, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/80323-2014-02-05-06-54-50.html> (accessed February 5, 2014); "Military Region 5 Opens Training Session in Jungle Warfare Expertise" (យោធាភូមិ ភាគទី៥ បើកវគ្គហ្វឹកហ្វឺន បំប៉នជំនាញ ទ័ពព្រៃ), February 19, 2014; no title, <http://www.dap-news.com/2011-06-14-02-39-55/81143-2014-02-19-03-07-20.html>, February 19, 2014.

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

⁶³⁷ កងទ័ពយោធពលកម្ពុជាក៏ដូចជាទ័ពនគរបាល និងថ្នាក់កណ្តាល និងថ្នាក់ខ្ពស់ទៀតបានស្នើសុំឱ្យរដ្ឋាភិបាល លោក គឹម សុខា ឃុបឃិតបរទេសប៉ុនប៉ងដណ្តើមអំណាច

⁶³⁸ មេបញ្ជាការ និងទាហានទាំងអស់ នៅយោធពលកម្ពុជាក៏ដូចជា ប្រកាសអនុវត្តន៍តាមប្រសាសន៍សម្តេចតេជោ ក្នុងការកម្ចាត់ពួកបរទេសណ្តានពាន និងប្តេជ្ញាកម្មច្បាប់ឆ្លើយតបដល់ក្តី

⁶³⁹ កងទ័ពទាំងអស់នៃបញ្ជាការរដ្ឋានយោធពលកម្ពុជាក៏ដូចជា ប្រតិភូនិងសមាជិក សម រង្ស៊ី ដែលអំពាវនាវឱ្យកងកម្លាំងប្រដាប់អាវុធបែកប្រជាជនរស់នៅក្នុងតំបន់រដ្ឋាភិបាល, ជាអំពើក្លែងបន្លំជាតិសុទ្ធសាធ និងធ្ងន់ធ្ងរណាស់

⁶⁴⁰ ឧត្តមសេនីយ៍ឯក ហ៊ុន សែន ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះគុណការកំពូល កាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចតេជោ ហ៊ុន សែន

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

⁶⁴¹ Hun Sen, "Speech at the Closing Ceremony of Extra-ordinary Congress of Representatives of Cambodian Veteran Association Nationwide and 3rd Anniversary of Cambodian Veteran Day," June 21, 2010 (accessed August 28, 2012); Hun Sen, "Selected Comments at the Closing of the Extra-Ordinary General Assembly of the Nationwide Representatives of the Cambodian Veterans Association and the Celebration of the Third Anniversary of the Cambodian Veterans Day," June 21, 2010, <http://cnv.org.kh/selected-comments-at-the-closing-of-the-extra-ordinary-general-assembly-of-the-nationwide-representatives-of-the-cambodian-veterans-association-and-the-celebration-of-the-third-anniversary-of-the-camb/> (accessed August 28, 2012); "June 21, 2010; Hun Sen, "Address at the 4th Anniversary of Cambodian Veterans Day," June 21, 2011, <http://cnv.org.kh/address-at-the-4th-anniversary-of-cambodian-veterans-day/> (accessed August 28, 2012); Hun Sen, "Selected Comments at the Celebration of the 4th Anniversary of the Cambodian War Veterans," June 21, 2011, <http://cnv.org.kh/selected-comments-at-the-celebration-of-the-4th-anniversary-of-the-cambodian-war-veterans/> (accessed August 28, 2012); RGC, "Four Gold Star General Sao Sokha;" Hun Sen, "Address at the 4th Anniversary of Cambodian Veterans Day," June 21, 2011, <http://cnv.org.kh/address-at-the-4th-anniversary-of-cambodian-veterans-day/> (accessed August 28, 2012); Hun Sen, "Selected Comments at the Celebration of the 4th Anniversary of the Cambodian War Veterans," June 21, 2011, <http://cnv.org.kh/selected-comments-at-the-celebration-of-the-4th-anniversary-of-the-cambodian-war-veterans/> (accessed August 28, 2012).

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.

⁶⁴⁵ UNTAC Civil Administration Component, "Activity Report of the Defence Unit for the Period 1 to 31 January 1993," February 4, 1993.

⁶⁴⁶ UNOSGRC, "Monthly Report for May 1996"; UNOSGRC, "Interim Report No. 572."

out intense efforts from early 1997 to co-opt FUNCINPEC officers in Military Region 2.⁶⁴⁷ In May and June 1997, it moved regional troops forward to reinforce Hun Sen's military position in Phnom Penh.⁶⁴⁸ On June 17, region soldiers attempted to arrest leading FUNCINPEC figures in Kampong Cham, but were unsuccessful.⁶⁴⁹

On July 2, 1997, Military Region 2 forces attacked a FUNCINPEC-manned military post, killing one FUNCINPEC soldier and wounding three others.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.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 Toung 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 1998.⁶⁵²

⁶⁴⁷ COHCHR, "Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997," July 30, 1997.

⁶⁴⁸ COHCHR, "Information from Ex-Deputy Director of Kampong Cham Prison on 23 July 1997," July 30, 1997.

⁶⁴⁹ Ibid.

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.

⁶⁵¹ COHCHR, "The Kampong Cham Provincial Office July (1997) Report;" *AFP* "Cambodian PM blames Hun Sen for Incident," July 3, 1997.

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.⁶⁵³

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.⁶⁵⁴ 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.⁶⁵⁵

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.⁶⁵⁶

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

⁶⁵³ 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 Gordon 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.

⁶⁵⁴ 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.].

⁶⁵⁵ Ibid.

⁶⁵⁶ RGC, Royal Decree ChS/RKT/0797/85, July 24, 1997.

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.⁶⁵⁷ 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.⁶⁵⁸

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.⁶⁵⁹ 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.⁶⁶⁰

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.⁶⁶¹

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

⁶⁵⁷ COHCHR, "The Kampong Cham Provincial Office Report: The Contents of February (1998) Report;" UN, Special Representative of the Secretary-General for Human Rights in Cambodia, *Commune Council Elections 2002*, pp.6-7, 9.

⁶⁵⁸ Ibid.

⁶⁵⁹ RGC, Royal Decree NS/RTK/2008/1083, October 7, 2008.

⁶⁶⁰ US Embassy Cambodia, "Royal Cambodian Armed Forces," 2003.

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

⁶⁶² “CPP Supporters Obstruct Mr. Kem Sokha, Not Letting Him Meet Activists in Kampong Siem District” (អ្នកគាំទ្រគណបក្សប្រជាជនកម្ពុជា រារាំងលោក គឹម សុខា មិនឱ្យទៅជួបសកម្មជន នៅស្រុកកំពង់សៀម), January 26, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/79846-2014-01-26-04-09-43.html> (accessed January 26, 2016); “CPP Activists Oppose the Presence of Mr. Kem Sokha in Kampong Cham Province” (សកម្មជនគណបក្សប្រជាជនកម្ពុជាប្រឆាំងនឹងវត្តមានរបស់លោក គឹម សុខា នៅខេត្តកំពង់ចាម), January 26, 2014, <http://edition.kpt-news.com/local-news/3176-2014-01-26-04-00-51.html> (accessed January 27, 2014); “Mr. Kem Sokha: CPP Uses the Politics of Threatening Supporters and His Life” (លោក គឹម សុខា: គណបក្សប្រជាជនកម្ពុជា ប្រើនយោបាយគំរាមអ្នកគាំទ្រ និងអាយុជីវិតលោក), January 26, 2014, <http://vodhotnews.com/18884> (accessed January 26, 2014); “A rock and a hard place,” *Phnom Penh Post*, January 27, 2014, <http://www.phnompenhpost.com/national/rock-and-hard-place> (accessed January 28, 2014).

⁶⁶³ “Mr. Sam Rainsy and Mr. Kem Sokha Go to Do Election Campaigning in Kampong Cham Province Amidst Troop Movements” (លោក សម រង្ស៊ី និងលោក គឹម សុខា ទៅបោះឆ្នោត នៅខេត្តកំពង់ចាម ខណៈមាន ការចល័តទ័ព), May 4, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/85875-2014-05-04-04-38-22.html> (accessed May 5, 2014); Eyewitness account provided by human rights monitor who observed the event, May 3, 2014.

⁶⁶⁴ “Mr. Hor Namhong Tells the Troops that CNRP Is Using Tricks as Part of Its Desire to Overthrow the Royal Government” (លោក ហេ ណាំហុង ប្រាប់កងទ័ពថា គណបក្សសង្គ្រោះជាតិ មានល្បិចគិតចូកល ចង់ផ្តួលរំលំ រាជរដ្ឋាភិបាល), October 10, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/100748-2015-10-10-06-20-19.html> (accessed October 10, 2015); “Hor Namhong Goes Down to Ask After the Officers and Men of Brigade 21 in Kampong Cham Province” (ហេ ណាំហុង ចុះសួរសុខទុក្ខ នាយទាហាន ពលទាហាន នៃកងពលតូចលេខ២១ នៅខេត្តក្បាងឃ្មុំ), October 14, 2014, <http://kampuchearthmey.com/kpt/?p=87643> (accessed October 15, 2014).

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 កងទ័ពទាំងអស់នៅយោធរដ្ឋាភិបាលកម្ពុជា ប្រកាសគាំទ្រដល់ចំណាត់ការសមត្ថកិច្ច ក្នុងការចាប់ខ្លួន លោក គឹម សុខា ដែលក្បត់ជាតិ និងប្រកាសថ្កោលទោសយ៉ាងខ្លាំងៗ; កងទ័ពទាំងអស់នៅកងពលតូចថ្មីៗជើងលេខ២១ ប្រកាសគាំទ្រដល់សមត្ថកិច្ចក្នុងការចាប់ខ្លួន លោក គឹម សុខា ដែលក្បត់ជាតិ និងថ្កោលទោសយ៉ាងធ្ងន់ធ្ងរ

⁶⁶⁷ មេបញ្ជាការ និងកងទ័ពយោធរដ្ឋាភិបាលកម្ពុជា៖ កងទ័ពគ្មានថ្ងៃបែរចុងកាណុងទៅរាជរដ្ឋាភិបាលទេ មានតែបែរចុងកាណុងទៅសម រង្ស៊ី និង គឹម សុខា

⁶⁶⁸ មេបញ្ជាការ និងកងទ័ពនៅយោធរដ្ឋាភិបាលកម្ពុជា សូមផ្តាំទៅកូនក្បត់ជាតិទណ្ឌិត សម រង្ស៊ី កងទ័ពបង្កើតឡើងដោយសម្តេចតេជោ ទោះក្ស័យជីវិតស្មោះសម្តេចជានិច្ច

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, 1959.⁶⁶⁹ 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.⁶⁷⁰

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, 1995.⁶⁷¹ 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.⁶⁷² Contingents were deployed in late 1995-early 1996 to carry out anti-Khmer Rouge counter-insurgency.⁶⁷³

In the first part of 1997, Regiment 911 was upgraded and renamed Special Forces Paratrooper Brigade 911.⁶⁷⁴ 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.

⁶⁷⁰ UNOSGRC, "The Royal Cambodian Armed Forces," 1995; COHCHR, "Screening Interviews on 28 July 1997," August 4, 1997; Phnom Penh Radio, March 25, 1996.

⁶⁷¹ "Army Spokesman Outlines Reform Plans," Cambodia Times, August 14-20, 1994; "Reduction of French Military Aid," Phnom Penh Post, May 17-30, 1996; US Embassy Cambodia, "Royal Cambodian Armed Forces," 2003.

⁶⁷² COHCHR, "Screening Interviews on 28 July 1997," August 4, 1997.

⁶⁷³ "KR Renew Attacks After Business Links Cut," *Phnom Penh Post*, June 30-July 13, 1995; "Government's Ability to Capture Pailin Doubted," *Sarpoaramean Sereipheap Thmey*, February 14, 1996; "Cambodian Government Offensive Against Khmer Rouge," *Bangkok Post*, April 23, 1996.

⁶⁷⁴ US Embassy Cambodia, "Royal Cambodian Armed Forces," 2003.

levels of assistance from South Korea.⁶⁷⁵ This was connected to arrangements by which Brigade 911 provided security for South Korean-owned factories in the Phnom Penh area.⁶⁷⁶

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.⁶⁷⁷ 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.⁶⁷⁸ Acting on orders from Kun Kim, Chap Pheakdey organized operations against FUNCINPEC bases west of Phnom Penh early on the morning of July 5.⁶⁷⁹ 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.⁶⁸⁰

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.⁶⁸¹

⁶⁷⁵ "Indonesian Ambassador Comes to Take Leave of Pol Saroeun after Completing His Diplomatic Mission in Cambodia" (ឯកអគ្គរដ្ឋទូតឥណ្ឌូនេស៊ី ចូលលាលោក ប៉ុល សារ៉េន ក្រោយបញ្ចប់ បេសកកម្មការទូត នៅកម្ពុជា), <http://www.kemlu.go.id/phnompenh/Pages/Print.aspx?ListName=EmbassiesNews&IDP=93&CID=en-US>; November 28, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/76430-2013-11-28-09-29-27.html> (accessed November 28, 2013); "Reduction of French Military Aid," *Phnom Penh Post*, May 17-30, 1996.

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.⁶⁸² 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 911.⁶⁸³ 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.⁶⁸⁴

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.⁶⁸⁵ 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.”⁶⁸⁶

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

⁶⁸² COHCHR, “Taing Krasang and Kambol,” July 23, 1997; COHCHR, “Second Series of Interviews with FUNCINPEC Soldiers Detained at Tang Krasang Camp,” July 28, 1997; COHCHR, “Extra-judicial Execution Around 12 July by Paratroopers of Special Forces Regiment 911 in Tbeng Khpuos Commune, Samaki Meanchey District, Kampong Chhnang Province,” August 19, 1997.

⁶⁸³ Brad Adams interviews with CPP officials. COHCHR, “Screening Interviews on 28 July 1997,” August 4, 1997; “Interview with bodyguards of Nhek Bunchhay, July 18, 1997 and July 20, 1997.

⁶⁸⁴ Human Rights Watch, *“Tell Them I Want to Kill Them,”* p.40

⁶⁸⁵ COHCHR, “Taing Krasang and Kambol,” July 23, 1997; COHCHR, “Second Series of Interviews with FUNCINPEC Soldiers Detained at Tang Krasang Camp,” July 28, 1997; COHCHR, “Visit and Interview with Captured Soldiers at Taing Korsang Camp, July 19, 1997,” July 21, 1997.

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.

⁶⁸⁹ “121 new members boost CPP Central Committee,” *Phnom Penh Post*, December 2, 2005, <http://www.phnompenhpost.com/national/121-new-members-boost-cpp-central-committee> (accessed December 10, 2005).

⁶⁹⁰ “Special Forces Paratrooper Brigade 911 Prepares Conditions in Order to Assist in Rescuing Citizens Victimized by Flooding” (កងពលតូច ទ័ពពិសេស ឆត្រយោង៩១១ ត្រៀមលក្ខណៈ ដើម្បីជួយសង្គ្រោះប្រជាពលរដ្ឋ ដែល រងគ្រោះដោយទឹកជំនន់), August 7, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/69799-2013-08-07-10-15-20.html> (accessed August 7, 2013).

⁶⁹¹ “Ceremony of Reminiscing and Accompanying Volunteers Serving with RCAF” (ពិធីសំណេះសំណាលដូនដំណើរយុទ្ធជនស្ម័គ្រចិត្តចូលបំរើក្នុងកងយោធពលខេមរភូមិន្ទ) January, 9, 2013, http://kpt-news.com/index.php?option=com_content&view=article&id=37770:2013-11-29-09-01-19&catid=1:latest&Itemid=65 (accessed November 29, 2013); “Special Forces Paratrooper Brigade 911 Prepares Conditions in Order to Assist in Rescuing Citizens Victimized by Flooding” (កងពលតូច ទ័ពពិសេស ឆត្រយោង៩១១ ត្រៀមលក្ខណៈ ដើម្បីជួយសង្គ្រោះប្រជាពលរដ្ឋ ដែល រងគ្រោះដោយទឹកជំនន់), August 7, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/69799-2013-08-07-10-15-20.html> (accessed August 7, 2013).

it would deploy security forces to suppress worker actions it considered illegal.⁶⁹² 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.⁶⁹³ The contingent was commanded by a relative of Chap Pheakdey named Chap Sophorn.⁶⁹⁴ 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.⁶⁹⁵

⁶⁹² “Gov’t Unveils Legal Plan to Break Garment Industry Strike,” *Cambodia Daily*, December 31, 2013, <https://www.cambodiadaily.com/archives/govt-unveils-legal-plan-to-break-garment-industry-strike-49763/> (accessed 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” (មនុស្សប្រមាណ១០នាក់ត្រូវបានយកខ្លួន និងមួយចំនួនទៀតរងរបួស ក្នុងការប៉ះទង្គិចនៅមុខរោងចក្រយ៉ាកជីន), January 2, 2014, <http://vodhotnews.com/18301> (accessed January 2, 2014); http://www.yakjin.com/eng/glo/glo_01_002.asp (accessed January 3, 2014); “Demonstration Observers Call the Military Suppression at the Special Economic Zone a Serious Human Rights Violation” (ក្រុមអ្នកឃ្លាំមើលបាតុកម្មហៅការបង្ក្រាបរបស់យោធានៅតំបន់សេដ្ឋកិច្ចពិសេសថា ជាការរំលោភសិទ្ធិមនុស្សយ៉ាងធ្ងន់ធ្ងរ) January 2, 2014, <http://vodhotnews.com/18310> (accessed January 2, 2014); “South 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-labor-protest> (accessed January 20, 2015).

⁶⁹⁴ “Paratroopers Deployed at Protest: 15 Detained, Injured,” *Cambodia Daily*, January 3, 2014, <http://www.cambodiadaily.com/news/paratroopers-deployed-at-garment-protest-15-detained-injured-49960/> (accessed January 4, 2014).

⁶⁹⁵ “911 Paratrooper Forces Take into Custody Ten Ringleaders of the Disruption Inside the Yakjin Factory” (កងកាំពាន់ត្រូវយោង៩១១បានយកខ្លួនមេខ្លោងដើរអុកឡូកនៅក្នុងរោងចក្រយ៉ាកជីន១០នាក់) January 2, 2014, <http://edition.kpt-news.com/local-news/1808-2014-01-02-08-04-54.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 Human Rights Violation” (ក្រុមអ្នកឃ្លាំមើលបាតុកម្មហៅការបង្ក្រាបរបស់យោធានៅតំបន់សេដ្ឋកិច្ចពិសេសថា ជាការរំលោភសិទ្ធិមនុស្សយ៉ាងធ្ងន់ធ្ងរ), January 2, 2014, <http://vodhotnews.com/18310> (accessed January 2, 2014); “របាយការណ៍ស្តីពីការខូចខាតសំភារៈនៅតាមបណ្តារោងចក្រនិងកន្លែងធ្វើអាជីវកម្មផ្សេងៗ” *KPT*, January 6, 2014, <http://edition.kpt-news.com/local-news/2027-2014-01-06-09-38-26.html> (accessed January 6, 2014).

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.⁶⁹⁶ Brigade 911 forces attacked the workers and observers with metal pipes, knives, slingshots, and batons, precipitating a melee in which some members of the crowd responded by throwing bottles and rocks.⁶⁹⁷ Brigade 911 also carried out more arrests, including of four human rights defenders and three additional workers, all of whom were beaten or otherwise assaulted while being arrested or soon after being taken into custody but had played no part in crowd counter-violence.⁶⁹⁸

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.⁶⁹⁹ Brigade 911 also detained five Buddhist monks who joined immediate protests on the spot by workers against the first arrests, defrocking them in custody.⁷⁰⁰ After initial questioning in Brigade 911 custody, a

⁶⁹⁶ “Paratroopers Deployed at Protest: 15 Detained, Injured,” *Cambodia Daily*, January 3, 2014, <http://www.cambodiadaily.com/news/paratroopers-deployed-at-garment-protest-15-detained-injured-49960/> (accessed January 4, 2014); “Human Rights Watch Concerns and Recommendations on Cambodia Submitted to the UN Human Rights Committee in advance of its Pre-Sessional Review of Cambodia (Updated to February 19, 2015),” Human Rights Watch statement, March 4, 2015, <http://www.hrw.org/news/2015/03/04/human-rights-watch-concerns-and-recommendations-cambodia-submitted-un-human-rights-c>.

⁶⁹⁷ “Press Release: Military Special Command Unit Deployed to Crackdown on Striking Workers,” LICADHO et al. press release, January 2, 2014, <http://www.licadho-cambodia.org/pressrelease.php?perm=333> (accessed January 3, 2014).

⁶⁹⁸ “Human Rights Watch Concerns and Recommendations on Cambodia Submitted to the UN Human Rights Committee in Advance of its Pre-Sessional Review of Cambodia (Updated to February 19, 2015),” Human Rights Watch statement, March 4, 2015, <http://www.hrw.org/news/2015/03/04/human-rights-watch-concerns-and-recommendations-cambodia-submitted-un-human-rights-c>.

⁶⁹⁹ “911 Paratrooper Forces Take into Custody Ten Ringleaders of the Disruption Inside the Yakjin Factory” (កងកំលាំងស៊ីក្រយោង៩១១បានយកខ្លួនមេខ្លោងដើរអុកឡូកនៅក្នុងរោងចក្រនីក១០នាក់), January 2, 2014, <http://edition.kpt-news.com/local-news/1808-2014-01-02-08-04-54.html> (accessed January 2, 2014); LICADHO LINE Monitoring Group chronology, January 2, 2014.

⁷⁰⁰ “911 Paratrooper Forces Take into Custody Ten Ringleaders of the Disruption Inside the Yakjin Factory” (កងកំលាំងស៊ីក្រយោង៩១១បានយកខ្លួនមេខ្លោងដើរអុកឡូកនៅក្នុងរោងចក្រនីក១០នាក់), January 2, 2014, <http://edition.kpt-news.com/local-news/1808-2014-01-02-08-04-54.html> (accessed January 2, 2014); “Human Rights Official: “Five Monks Have Been Arrested and Removed by the Authorities from the Monkhoo in Order to Prosecute Them Following the Outbreak

Phnom Penh court prosecutor initiated criminal proceedings against the 10 activists and workers, while releasing the five ex-monks.⁷⁰¹ Brigade 911 held them incommunicado overnight, after which they were brought before the Phnom Penh Court and handed over to police custody.⁷⁰²

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.⁷⁰³

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.⁷⁰⁴ 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.⁷⁰⁵

of Violence in Front of the Yakjin Factory” (មន្ត្រីសិទ្ធិមនុស្ស ព្រះសង្ឃ៥អង្គ ត្រូវបានអាជ្ញាធរចាប់ផ្តើម ដើម្បីចោទប្រកាន់ បន្ទាប់ពីផ្ទះហិង្សានៅមុខរោងចក្រយ៉ាកជីង), January 2, 2014, <http://vodhotnews.com/18309> (accessed January 2, 2014).

⁷⁰¹ “Court of First Instance Prosecutor Decides to Temporarily Detain 15 Person” (ព្រះរាជអាជ្ញាសាលាដំបូង សម្រេចឃុំខ្លួនមនុស្ស ១៥នាក់ជាបណ្តោះអាសន្ន), January 2, 2014, <http://vodhotnews.com/18317> (accessed January 2, 2014); “Court of First Instance Decides to Temporarily Detain Van Peou and Nine Other Union Activists” (តុលាការសាលាដំបូង សម្រេចឃុំខ្លួនបណ្តោះអាសន្ន លោកវ៉ាន់ ពៅ និងសកម្មជនសហជីព៩នាក់ទៀត), January 3, 2014, <http://vodhotnews.com/18342> (accessed January 3, 2014).

⁷⁰² “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).

⁷⁰³ “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>.

⁷⁰⁴ Ibid.

⁷⁰⁵ “Opening of the 17h Expertise Training Course at the 911 Special Forces Division 911” (បើកវគ្គហ្វឹកហ្វឺនជំនាញគ្រយោងជំនាន់ទី១៧នៅកងពលទ័ពពិសេសគ្រយោង៩១១), December 10, 2014,

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.⁷⁰⁶ 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.⁷⁰⁷

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.⁷⁰⁸ 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.⁷⁰⁹

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

<http://www.nokorwatnews.com/detailnews.php?newsid=47897&mnu=2&cid=4#sthash.rfLaqztG.dpb>, accessed December 10, 2015; “General Kun Kim and General Chea Tara Go Down to Examine the Readiness to Test Fire of 105mm by Brigade 911” (នាយឧត្តមសេនីយ៍ កង គីម និង នាយឧត្តមសេនីយ៍ ជា តារា ចុះពិនិត្យការ ត្រៀមលក្ខណៈ បាញ់សាកកាំភ្លើង ១០៥មម ១០១៣គី លី នៅ កងពលតូច៩១១) July 6, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/90002-2014-07-06-08-04-56.html> (accessed July 6, 2014).

⁷⁰⁶ “Armed Forces Stationed at the Front Line Receive Tens of Thousands of Raincoats from Samdech Techo Hun Sen and Samdech Kittipreutbandit” (កងកម្លាំង ប្រដាប់អាវុធ ឈរជើង សមរភូមិមុខ ទទួលបានអាវត្រៀង រាប់ម៉ឺនអាវ របស់សម្តេចតេជោ ហ៊ុន សែន និងសម្តេច គីត្តិព្រីទ្ធបណ្ឌិត), July 18, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/90823-2014-07-18-11-36-54.html> (accessed July 18, 2014).

⁷⁰⁷ “911 Special Commandos Train in Test Firing in a Border Area of Live Ammunition” (កងកុម្ម៉ង់ដង្កូវ ពិសេស ៩១១ ធ្វើលំហាត់ បាញ់សាកល្បង គ្រាប់ពិត នៅតំបន់ព្រំដែន), July 25, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/91301-2014-07-25-09-11-23.html>, accessed July 30, 2014; “General Kun Kim Graciously Presides over the Ceremony Closing the Sixth Parachuting Course and Eighth Commando Course” (នាយឧត្តមសេនីយ៍ កង គីមអញ្ជើញជាអធិបតីក្នុងពិធីបិទវគ្គជម្រកបញ្ចូល ជំនាន់ទី៦និងបើក វគ្គហ្វឹកហ្វឺនកុម្មង់ដង្កូវជំនាន់ទី៨), July 25, 2014, <http://www.nokorwatnews.com/detailnews.php?newsid=43340&mnu=2&cid=4> (accessed July 30, 2014).

⁷⁰⁸ “Paratroopers Go Down to Gather Up Demonstration-Making Gear of Workers at the Sin Fang Factory in Chom Chau” (ហោរាជប៉ាវ ចុះប្រមូលរបស់របរធ្វើបាតុកម្មរបស់កម្មកររោងចក្រស៊ីនហ្វាងនៅចាមចៅ), August 28, 2014, <http://vodhotnews.com/23911> (accessed August 28, 2014).

⁷⁰⁹ “Expertise Parachuting Course Opened and Closed in a Single Day” (វគ្គហ្វឹកហ្វឺនជំនាញគ្រយោងបើកនិងបិទក្នុងថ្ងៃតែមួយ), February 7, 2015, <http://nokorwatnews.com/detailnews.php?newsid=50210&mnu=2&cid=4> (accessed February 7, 2015).

government and others “of an opposition tendency,” whenever the ordinary police were unable to handle such situations.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.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.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.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.”⁷¹⁴ On September 3, 2017, all the offices and men of Brigade 911 condemned Kem Sokha’s “traitorous conduct” and commended his arrest.⁷¹⁵ On October 18, 2017, Chap Pheakdey denounced Sam Rainsy as a “pure

⁷¹⁰ “The National Police Supreme Commissariat Will Expel Any Police Forces Who Have Not Regularly Participated in Training” **អគ្គស្នងការនគរបាលជាតិ នឹងបណ្តេញកងកម្លាំងនគរបាលណាដែលមិនចូលរួមហ្វឹកហ្វឺនជំនាញទៀងទាត់**, October 15, 2015, <http://kampuchearthmey.com/kpt/?p=88126> (accessed October 15, 2015); “National Police Force Learn Tactics From 911 Brigade,” *Cambodia Daily*, October 16, 2015, <https://www.cambodiadaily.com/news/national-police-force-learn-tactics-from-911-brigade-97355/> (accessed October 17, 2015).

⁷¹¹ “Marking the Anniversary of the Birth of Special Paratrooper Brigade 911” (ប្រារព្ធខួបកំណើតកងពលតូចទ័ពពិសេស **នគ្រយោង៩១១**), November 8, 2015, <http://beta.nokorwatnews.com/?p=58504> (accessed November 9, 2015).

⁷¹² “Mr. Hun Manet: “Training Makes for Good Fitness and Esprit de Corps in Order to Have Full Capacity to Serve in the Army” (លោក ហ៊ុន ម៉ាណែត៖ ការហ្វឹកហ្វឺន គឺជាការធ្វើឱ្យ កាយសម្បទា ស្មារតីសកម្មភាព មានភាពល្អប្រសើរ ដើម្បីប្រើឱ្យអស់ សក្តានុពលរបស់កងទ័ព), November 19, 2015, <http://dap-news.com/2011-06-14-02-39-55/102895-2015-11-19-07-00-07.html> (accessed November 19, 2015).

⁷¹³ “Closing Specialist Paratrooper Training 3 and Opening Training Stage 20” (បិទវគ្គហ្វឹកហ្វឺនជំនាញនគ្រយោង៣ និងបើកវគ្គហ្វឹកហ្វឺនជំនាញទី២០), January 11, 2016, <http://beta.nokorwatnews.com/?p=71575#sthash.n2YYo5mS.dpuf> (accessed January 12, 2016).

⁷¹⁴ ក្រសួងការពារជាតិផ្សព្វផ្សាយសភាពការណ៍ថ្មីៗ និងការងារអប់រំចិត្តសាស្ត្រឆ្នាំ២០១៧
ដល់កម្លាំងយោធានៅកងពលតូចទ័ពពិសេសនគ្រយោង៩១១, ឧត្តមសេនីយ៍ ចាប ភក្តី
ប្រកាសប្រឆាំងដាច់ខាតចំពោះបដិវត្តន៍ពណ៌

⁷¹⁵ កងពលតូចទ័ពពិសេសនគ្រយោង៩១១ ថ្កោលទោសទង្វើក្បត់ជាតិរបស់ លោក គឹម សុខា ហើយប្រកាសគាំទ្រចំពោះការចាប់ខ្លួន

traitor” whose “elimination,” like that of the traitor Kem Sokha and any other such traitors, the army must support.⁷¹⁶ 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.”⁷¹⁷

⁷¹⁶ កងទ័ពទាំងអស់នៃកងពលតូចទ័ពពិសេសឆ័ត្រយោង៩១១ ប្រតិកម្មនឹងសម្តី សម រង្ស៊ី ដែលអំពាវនាវឱ្យកងកម្លាំងប្រដាប់អាវុធបែរកាណុងផ្តល់រំលោភផ្លូវរដ្ឋាភិបាល

⁷¹⁷ កងពលតូចទ័ពពិសេសឆ័ត្រយោង៩១១ ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះគុណការកំពូល ភាគរំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចតេជោ ហ៊ុន សែន

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, 1966.⁷¹⁸ 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.⁷¹⁹ 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.⁷²⁰ He was soon promoted to be commander of Banteay Meanchey province gendarmes before becoming Phnom Penh Gendarme Commander on September 23, 2013.⁷²¹

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.⁷²² 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

⁷¹⁸ 2017 provisional voter registration roll, document 05-874-768.

⁷¹⁹ Interview with former Kandal province police officer, July 7, 2014.

⁷²⁰ RGC, "Chronology of the Royal Gendarmerie;" RGC, Sub-Decree 11 ANKr, March 8, 1994; Interview with former Kandal province police officer, July 7, 2014.

⁷²¹ Khmer Royal Gendarmerie, "Telephone Numbers," [n.d.], "Military commander officially to be replaced," *Phnom Penh Post*, September 23, 2013, <http://www.phnompenhpost.com/national/military-commander-officially-be-replaced> (accessed September 24, 2013).

⁷²² Anonymous, "ព័ត៌មាន," post to "Mengk999," (blog), [n.d.], <http://mengk999.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.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.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."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.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.⁷²⁷ He also toured in

⁷²³ Interview with a Cambodian security force officer, August 29, 2013; "Magazine of the Nation-Wide Gendarmerie" (*teusanavotdei kang reachavuthat loe ptey prates*), Issue 48 (2011), p.17; "Magazine of the Nation-Wide Gendarmerie" (*teusanavotdei kang reachavuthat loe ptey prates*), issues 47-54 (2011-2013), *passim*.

⁷²⁴ Domestic human rights organization records.

⁷²⁵ Human Rights Watch, "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>.

⁷²⁶ "Major General Rat Sreang Goes Down to Ask After the Weal and Woe of the Citizenry and CPP Members in Sreang Commune" (ឧត្តមសេនីយ ទោវត្ត ស្រីង ចុះសួរសុខទុក្ខ ប្រជាពលរដ្ឋ និងសមាជិក គណបក្សប្រជាជន នៅឃុំស្រែរាំង), November 25, 2012, <http://www.dap-news.com/2011-06-14-02-39-55/53313-2012-11-25-07-11-20.html>, accessed November 25, 2012.

⁷²⁷ "Mr. Rat Sreang Goes Down to Help Srah Reang Commune, Leading a Work Team Distributing Gifts to Five Families of Citizens Victimized by Strong Winds that Knocked Down Homes" (លោក រត្ន ស្រីង ចុះជួយឃុំស្រែរាំង ដឹកនាំគ្រុមការងារ ចុះចែកអំណោយ ដល់ពលរដ្ឋ ឥត្រូវសារ រងគ្រោះដោយខ្យល់ កន្ត្រាក់បាក់ផ្ទះ), May 3, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/63346-2013-05-03-07-41-55.html>, accessed May 3, 2013.

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 Gendarmerie 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

⁷²⁸ “Proclamation of Recognition of 311 Party Members with the CPP in Srah Reang Commune and Ta Lam Commune” (ប្រកាសទទួលស្គាល់ សមាជិក គណបក្សស្រ្តីចំនួន ៣១១ នាក់ នៅឃុំស្រះរាំង និងឃុំតាឡី ស្រុកមេសាង ជាមួយ គណបក្សប្រជាជន), June 24, 2013, <http://dap-news.com/2011-06-14-02-39-55/66831-2013-06-24-09-26-23.html>.

⁷²⁹ “Military commander officially to be replaced,” *Phnom Penh Post*, September 23, 2013, <http://www.phnompenhpost.com/national/military-commander-officially-be-replaced> (accessed September 24, 2013); “Royal Capital City Hall Discusses Managing Demonstrations with CNRP” (សាលារាជធានី ពិភាក្សាជាមួយ CNRP អំពីការគ្រប់គ្រង បាតុកម្ម), December 21, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/77868---cnrp-.html> (accessed December 23, 2013).

⁷³⁰ “During the Last One-Month Stretch Criminal Offense Cases in Phnom Penh Royal Capital Rise to 22!” (ក្នុងអំឡុងពេលមួយខែកន្លងទៅបទល្មើសព្រហ្មទណ្ឌកើតឡើងចំនួន២២ករណីនៅរាជធានីភ្នំពេញ!), March 14, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/23381-2014-03-14-04-33-45.html> (accessed March 14, 2014).

⁷³¹ Based on video evidence showing gendarmes who were identified as municipal forces by a security force officer who viewed the footage, February 1, 2014 (video in Human Rights Watch possession); “Cambodia: Steung Meanchey Trial Deeply Flawed,” Human Rights Watch news release, May 11, 2014, <http://www.hrw.org/news/2014/05/11/cambodia-steung-meanchey-trial-deeply-flawed>.

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.⁷³² Rat Sreang was in tactical control of gendarmes on the ground, commanding them either by radio or personally at the scene of operations.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.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.⁷³⁵ Municipal and subordinate district gendarmes under Rat Sreang comprised the majority of these "mixed forces."⁷³⁶ Violent clashes broke out, with some workers

⁷³² "Royal Capital City Hall Discusses Managing Demonstrations with CNRP" (សាលារាជធានី ពិភាក្សាជាមួយ CNRP អំពីការគ្រប់គ្រង បាតុកម្ម), December 21, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/77868---cnrp-.html> (accessed December 23, 2013); Observation of the Phnom Penh Municipal Court Trial Vorn Peou, et al., May 21, 2014, including of testimony of Kung Kiny, a deputy commander of the Phnom Penh municipality gendarmes.

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

⁷³⁴ Interview with a Cambodian security force officer, February 1, 2014; Human Rights Watch, "Human Rights Watch Submission for the Review of Cambodia by the Human Rights Committee," June 6, 2014; "Yaom Bopha Leads Her Confederates to Close Route 4" (យ៉ាម បុប្ផា ដឹកនាំបក្សពួកខ្លួន បិទផ្លូវជាតិលេខ៤) January 2, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/78576-2014-01-02-10-03-23.html> (accessed January 2, 2014); "About 10 Persons Are Taken into Custody and a Number of Others Injured in a Clash in Front of the Yakjin Factory" (មនុស្សប្រមាណ១០នាក់ត្រូវបានឃាត់ខ្លួន និងមួយចំនួនទៀតរងរបួស ក្នុងការប៉ះទង្គិចនៅមុខរោងចក្រយ៉ាកឌីន), January 2, 2014, <http://vodhotnews.com/18301> (accessed January 2, 2014); "Detention of All Ten of Vorn Peou's Group for Intentional Use of Violence and Damage" (ឃុំខ្លួនក្រុមលោកនេ ពៅ ទាំង១០នាក់ចោទប្រកាន់ពីបទប្រើហិង្សានិងធ្វើឲ្យខូចខាតដោយចេតនា), January 3, 2014, <http://edition.kpt-news.com/local-news/1886-2014-01-03-11-59-40.html> (accessed January 3, 2014); "Gendarmes Send 10 Trouble-Makers Causing Social Turmoil to Court" (អាវុធហត្ថបញ្ជូនក្រុមអុកឡូកបង្កឲ្យមានចលាចលសង្គម១០នាក់ទៅតុលាការ), January 4, 2014, <http://edition.kpt-news.com/local-news/1898-2014-01-04-02-42-16.html> (accessed January 4, 2014).

⁷³⁵ Human Rights Watch, "Human Rights Watch Submission," June 6, 2014.

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" (ប្រជាពលរដ្ឋ រាប់រយនាក់ លើកគ្នាមកគាំ ស្រែកទាមទារឱ្យ

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

ដោះស្រាយ វិន ពៅ នៅមុខសាលាដំបូង រាជធានីភ្នំពេញ), January 3, 2014; <http://www.dap-news.com/2011-06-14-02-39-55/78586-2014-01-03-01-29-09.html> (accessed January 3, 2014); Observation of trial of Vorn Peou, et al., May 19-22, 2014, including of testimonies by gendarme and police officers; Interview with a Cambodian security force officer, February 1, 2014.

⁷³⁷ Ibid.

⁷³⁸ Interview with a Cambodian security force officer, February 1, 2014; Video and still photograph evidence from the scene; “The Competents Continue Breaking Up the Demonstrators Who Closed Veng Sreng Road to the Point That There Was Gunfire” (សមត្ថកិច្ច បន្តបំបែក ក្រុមបាតុករ ដែល បិទផ្លូវ រឹងស្រែង រហូតមាន ការផ្ទុះអាវុធ), January 3, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/78603-2014-01-03-03-52-39.html> (accessed January 3, 2014); Interview with Cambodian human rights monitors present, July 22, 2016.

⁷³⁹ Ibid.

⁷⁴⁰ “Police Kill 5 During Clash With Demonstrators,” *Cambodia Daily*, January 4, 2014, <http://www.cambodiadaily.com/news/military-police-kill-5-during-clash-with-demonstrators-50081/> (accessed January 5, 2014); “Wounded Recount Rampage by Military Police,” *Cambodia Daily*, January 8, 2014,

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.”⁷⁴¹

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 2-3.⁷⁴² 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).⁷⁴³

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.⁷⁴⁴ 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.⁷⁴⁵

<http://www.cambodiadaily.com/news/wounded-recount-rampage-by-military-police-50297/> (accessed January 10, 2014); Video filmed by domestic human rights monitors (in Human Rights Watch possession).

⁷⁴¹ “Rights Worker Claims Five Dead in Clashes,” *Cambodia Daily*, January 3, 2014,

<http://www.cambodiadaily.com/news/three-killed-as-police-open-fire-on-protesters-50022/> (accessed January 4, 2014).

⁷⁴² “Court Charges Protesters as Supporters, Police Scuffle Outside,” *Cambodia Daily*, January 4, 2014,

<http://www.cambodiadaily.com/news/court-charges-protesters-as-supporters-police-scuffle-outside-50079/> (accessed January 5, 2014); Interview with a security force officer, February 1, 2014.

⁷⁴³ Ibid.

⁷⁴⁴ “After Park Cleared, CNRP Leaders Called to Court,” *Cambodia Daily*, January 5, 2014,

<http://www.cambodiadaily.com/news/security-guards-police-clear-freedom-park-50086/> (accessed January 6, 2014);

“Government Blasted for Eviction of Freedom Park,” *Cambodia Daily*, January 6, 2014,

<http://www.cambodiadaily.com/news/government-blasted-for-eviction-of-freedom-park-50132/> (accessed January 7, 2014); Interview with a Cambodian security force officer, February 1, 2014.

⁷⁴⁵ “Opposition Youth Sing Against the Ban as Armed Police Patrol,” *Cambodia Daily*, January 10, 2014,

<http://www.cambodiadaily.com/news/opposition-youth-sing-against-the-ban-as-armed-police-patrol-50401/> (accessed January 12, 2014).

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,

⁷⁴⁶ “Rally violently dispersed,” *Phnom Penh Post*, January 28, 2014, <http://www.phnompenhpost.com/national/rally-violently-dispersed> (accessed January 28, 2014); “Military Police Baton Charge Peaceful Protesters,” *Cambodia Daily*, January 28, 2014, <http://www.cambodiadaily.com/news/military-police-baton-charge-peaceful-protesters-51068/> (accessed January 30, 2014).

⁷⁴⁷ “Phnom Penh Royal Capital Governor Meets and Chats with Gendarme Officials” (**អភិបាល រាជធានីភ្នំពេញ ជួបសំណេះ សំណាល មន្ត្រីអាវុធហត្ថ**), August 28, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/93889-2014-08-28-05-23-17.html> (accessed August 28, 2014).

⁷⁴⁸ “‘Perfect’ Military Police Honored with Cash,” *Cambodia Daily*, August 29, 2014 <http://www.cambodiadaily.com/news/perfect-military-police-honored-with-cash-67263/> (accessed August 30, 2014).

⁷⁴⁹ “During the Last One-Month Stretch Criminal Offense Cases in Phnom Penh Royal Capital Rise to 54” (**អំឡុងពេល១ខែ បទល្មើសព្រហ្មទណ្ឌ កើតឡើងចំនួន៥៤លើក នៅរាជធានីភ្នំពេញ**), September 13, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/31652-2014-09-12-07-33-36.html> (accessed September 13, 2014). (**ក្នុងអំឡុងពេលមួយខែកន្លងទៅបទល្មើសព្រហ្មទណ្ឌកើតឡើងចំនួន២២ករណីនៅរាជធានីភ្នំពេញ**), March 14, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/23381-2014-03-14-04-33-45.html> (accessed March 14, 2014).

seizing their bullhorns and scuffling with the workers.⁷⁵⁰ 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.⁷⁵¹ 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.⁷⁵²

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.⁷⁵³ 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.⁷⁵⁴ They were released on bail in April 2015 but the case against them has not been dropped.⁷⁵⁵

On February 1, 2015, Rat Sreang was promoted into the CPP Central Committee at an extraordinary party congress.⁷⁵⁶ 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

⁷⁵⁰ "Workers, Military Police Scuffle Over Speakers," *Cambodia Daily*, October 3, 2014, <http://www.cambodiadaily.com/news/workers-military-police-scuffle-over-speakers-69018/> (accessed October 4, 2014).

⁷⁵¹ "Hundreds March for World Teachers' Day," *Cambodia Daily*, October 6, 2014, <http://www.cambodiadaily.com/news/hundreds-march-for-world-teachers-day-69117/> (accessed October 7, 2014).

⁷⁵² "Protesters Clash with Security Guards in Capital," *Cambodia Daily*, October 21, 2014, <http://www.cambodiadaily.com/news/protesters-clash-with-security-guards-in-phnom-penh-70393/> (accessed October 22, 2014).

⁷⁵³ "Two Monks Arrested for Transporting Flags to Pagoda," *Cambodia Daily*, November 12, 2014, <http://www.cambodiadaily.com/news/two-monks-arrested-for-transporting-flags-to-pagoda-72156/> (accessed November 13, 2014).

⁷⁵⁴ "Cambodia: New Crackdown on Protesters," Human Rights Watch news release, November 13, 2014, <http://www.hrw.org/news/2014/11/13/cambodia-new-crackdown-protesters>.

⁷⁵⁵ "Five CNRP Activists, Three Monks Released," *Cambodia Daily*, April 13, 2015, <https://www.hrw.org/news/2014/11/13/cambodia-new-crackdown-protesters> (accessed April 15, 2015).

⁷⁵⁶ "Cambodia: Party Extends Control of Security Forces," Human Rights Watch news release, February 4, 2015, <https://www.hrw.org/news/2015/02/04/cambodia-party-extends-control-security-forces>.

National Gendarmerie Commander Sao Sokha.⁷⁵⁷ A son, Maj. Sie Tin, is commander of the Phnom Penh Gendarmerie Intervention forces.⁷⁵⁸

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.⁷⁵⁹ 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.⁷⁶⁰

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.”⁷⁶¹ 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.⁷⁶² 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

⁷⁵⁷ “Proclamation of Appoints and Transfers of Gendarme Nation-Wide Officials” (ប្រកាសតែងតាំង និងផ្លាស់ប្តូរការកិច្ច មន្ត្រីអាវុធហត្ថ លើផ្ទៃប្រទេស), April 10, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/89556-2015-04-10-04-46-01.html> (accessed April 10, 2015).

⁷⁵⁸ “On Valentines Day, Mr. Major Sie Tin Takes Presents to Distribute to Impoverished Families Encountering Difficulties” (ថ្ងៃបុណ្យនៃសេចក្តីស្រឡាញ់ លោក វរសេនីយ៍ត្រី សៀ ទីន នាំយក អំណោយទៅចែកជូន គ្រួសារក្រីក្រ ជួបការលំបាក), February 14, 2016, <http://www.dap-news.com/2011-06-14-02-39-55/108938-2016-02-14-09-30-25.html> (accessed February 14, 2016).

⁷⁵⁹ “Mr. Rat Sreang: Gendarme Officials Throughout the Capitol Must Continue to Implement the Code of Ethics When Carrying Out Their Missions” (លោក រ៉ាត ស្រីង ៖ មន្ត្រីអាវុធហត្ថទូទាំងរាជធានី ត្រូវបន្តអនុវត្តច្បាប់នៃក្រមសីលធម៌ក្នុងពេលបំពេញបេសកកម្ម), January 22, 2016, <http://kampuchearthmey.com/kpt/?p=156469> (accessed January 22, 2016); “Cop who led Veng Sreng crackdown promoted,” *Phnom Penh Post*, February 3, 2016, <http://www.phnompenhpost.com/national/cop-who-led-veng-sreng-crackdown-promoted> (accessed February 4, 2016).

⁷⁶⁰ Ibid.

⁷⁶¹ “Training photos raising eyebrows,” *Phnom Penh Post*, December 13, 2016, <http://www.phnompenhpost.com/national/training-photos-raising-eyebrows> (accessed December 14, 2016).

⁷⁶² “Messrs Kep Chutima, Mam Bunheng, and Pa Socheatevong Provide a 73 Million Riel Budget to Resolve Veterans’ Problems” (លោក កែប ជុតិមា, លោក ម៉ម ប៉ុនហេង និងលោក ប៉ា សុជាតិវង្ស ផ្តល់ថវិកា ៧៣លានរៀល ដោះស្រាយបញ្ហាអតីតយុទ្ធជន), December 22, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/42370-2016-12-22-00-31-18.html> (accessed December 22, 2016).

Hun Sen’s government by “absolutely not allowing the occurrence of any color revolution.”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.”⁷⁶⁴

⁷⁶³ “Lt. Gen. Rat Sreang Chats with and Asks After the Weal and Woe of Gendarme Forces Throughout the Royal Capital of Phnom Penh and Distributes Gifts Welcoming the New Year Festival” (ឧត្តមសេនីយ៍ឯក រ៉ាត ស្រីង សំណេះសំណាល សួរសុខទុក្ខកម្លាំងកងរាជអាវុធហត្ថ ទូទាំងរាជធានីភ្នំពេញ និងចែកអំណោយអបអរសាទរឫណ្យចូលឆ្នាំ), April 2, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/51329-2017-04-02-08-35-05.html> (accessed April 2, 2017).

⁷⁶⁴ ឧត្តមសេនីយ៍ឯក រ៉ាត ស្រីង ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះតុលាការកំពូល កាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចតេជោ ហ៊ុន សែន

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

⁷⁶⁵ Amnesty International, notes on interview with Ministry of Interior Defense of Political Security officer, Phnom Penh, December 18, 1991; "Six more four-star generals," *Phnom Penh Post*, February 6, 2014, <http://www.phnompenhpost.com/national/six-more-four-star-generals> (accessed February 8, 2014); PRK, Sub-Decree 04 ANKr, January 11, 1983.

⁷⁶⁶ Amnesty International, notes on interview with Ministry of Interior Defense of Political Security officer, Phnom Penh, December 18, 1991.

⁷⁶⁷ Amnesty International, *Political Imprisonment*; LCIHR, *After the Worst*.

⁷⁶⁸ 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.

“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

⁷⁶⁹ 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; Amnesty International, notes entitled “Prisons in the PRK,” August 4, 1986; Both prepared for Amnesty International, *Political Imprisonment*.

⁷⁷⁰ Ibid.

⁷⁷¹ Amnesty International, notes entitled “Trials of Political Suspects in the PRK,” [n.d.], prepared for Amnesty International, *Political Imprisonment*.

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.⁷⁷³ 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).⁷⁷⁴ 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.⁷⁷⁵

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.⁷⁷⁶

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

⁷⁷³ Phnom Penh Radio, January 30, 1992; Amnesty International, notes on interview with Ministry of Interior Defense of Political Security officer, Phnom Penh, December 18, 1991; UNTAC, "Ranks List;" Mok Chito, letter to the Editor, "Reckless claims do rights organisation little credit," *Phnom Penh Post*, November 16, 2012, <http://www.phnompenhpost.com/index.php/2012111659766/National-news/reckless-claims-do-rights-organisation-little-credit.html> (accessed November 16, 2012).

⁷⁷⁴ UN Survey Mission to Cambodia, "Public Security and Civil Police in State of Cambodia," December 1991, pp.1-40.

⁷⁷⁵ SOC, "Law on Criminal Procedure," January 29, 1993.

⁷⁷⁶ Brad Adams interview with former SOC police officer, Phnom Penh, March 2000.

through violent and other means, and to infiltrate UNTAC.⁷⁷⁷ 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.”⁷⁷⁸ 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.”⁷⁷⁹

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.⁷⁸⁰ 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.⁷⁸¹

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.”⁷⁸² 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

⁷⁷⁷ UNTAC, Control Team, “Findings of the Control Team,” April 16, 1993; UNTAC, Education Division, “Translated Document Accessed by Control Team,” April 1, 1993; UNTAC, Information/Education Division, “SOC/CPP Documents Accessed by Control Team in Sihanoukville, May 17, 1993;” UNTAC, Information/Education Division, “CPP Secessionism, Resignations from the Assembly and Intimidation of UNTAC: Background and Theories, June 13, 1993;” UNTAC, Information/Education Division, “After the Autonomous Zone, Prey Veng Province June 17-18, 1993.”

⁷⁷⁸ Brad Adams interview with former SOC police officer, Phnom Penh, March 2000.

⁷⁷⁹ Brad Adams interview with former member of A-Team, Phnom Penh, December 2001.

⁷⁸⁰ COHCHR, interview with Sin Sen, Phnom Penh, January 20, 2004.

⁷⁸¹ UNTAC, “CPP Secessionism;” “Hun Sen: Perpetrators Being Sought,” *AFP*, Phnom Penh, February 2, 1993.

⁷⁸² UNTAC, Information/Education Division, “Reaction Forces’ and ‘A’ Groups,” April 12, 1993.

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.”⁷⁸³

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.”⁷⁸⁴

UNTAC records show that A-Teams encouraged and directed their members to carry out attacks and then cover up evidence of official complicity.⁷⁸⁵ As reaction forces had no

⁷⁸³ Ministry of National Security, “Building Up A-92 Forces” (document in Human Rights Watch possession).

⁷⁸⁴ Ibid.

⁷⁸⁵ Judy Ledgerwood, “Patterns of CPP Political Repression and Violence During the UNTAC Period,” in Steve Heder and Judy Ledgerwood, eds., *Propaganda, Politics, and Violence in Cambodia: Democratic Transition under United Nations Peace-keeping*, (London: M.E Sharpe, 1996), p. 129.

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.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.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.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.⁷⁸⁹ The officers of these units enjoyed national jurisdiction, but did not have substantial operational command authority over local police.⁷⁹⁰ After a time,

⁷⁸⁶ UNTAC Information/Education Division, "Reaction Forces and 'A' Groups," April 12, 1993.

⁷⁸⁷ Amnesty International, note for the file entitled "Date: 28 January 1992, Re: Report of Mission to: Cambodia; Date of Mission: 8-28 December 1991."

⁷⁸⁸ Interview with Khan Savoeun, Surin, Thailand, October 17, 1997.

⁷⁸⁹ RGC, Sub-Decree 16 ANKr, December 20, 1993; COHCHR, "Ministry of Interior," 1995; RGC, Sub-Decree 94 ANKr, August 23, 1994.

⁷⁹⁰ 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; RGC, "Sub-Decree 27 ANKrBK, January 30, 2009;

"Thai Authorities Hand Over to Cambodian Competents a Khmer Murderer Who Robbed and Shot to Death a Japanese National" (អាជ្ញាធរថៃប្រគល់ឃាតករខ្មែរម្នាក់ បាញ់សម្លាប់ប្លន់ជនជាតិជប៉ុនឱ្យសមត្ថកិច្ចកម្ពុជា), May 4, 2013, <http://www.khmerload.com/news/13106> (accessed May 20, 2013); (ឃាត់ខ្លួនជនដៃដល់ ឃាត់ បីឃ្នកពាក់ព័ន្ធ កាត់ក្តី ក្នុងករណី ប្លន់សម្លាប់ យកម៉ូតូ) "Two Hands on Perpetrators and Three Accomplices Detained in a Case of Robbery of a

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

Throughout these changes of nomenclature, Sok Phal's directorate was one of the most powerful center-level security force units in Cambodia.⁷⁹² Hun Sen used it to assert authority over not only FUNCINPEC, but the CPP Minister Sar Kheng, whom Hun Sen did not trust.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.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.⁷⁹⁵ Intelligence assets were also employed for surveillance of NGOs, businessmen and CPP members, including Sar Kheng.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.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

Motorcycle and Murder"), November 1, 2012, <http://www.yolprom.com/news/20121030-349> (accessed November 1, 2012); *Cambodia Daily*, October 7-9, 1994; RGC, Sub-Decree 22 ANKr, May 9, 1994.; RGC, Sub-Decree 156 ANKrBK, March 31, 2014.

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.

⁷⁹² COHCHR, interview with Sin Sen, Phnom Penh, January 20, 2004.

⁷⁹³ Human Rights Watch interview with senior police officer, name withheld.

⁷⁹⁴ Ibid.

⁷⁹⁵ Brad Adams interview with former police officer, Paris, 2004.

⁷⁹⁶ Interview with former police officer, Stockholm, 2004; Human Rights Watch interview with senior police officer, name withheld.

⁷⁹⁷ Interview with General Chao Phally, December 5, 2003.

“of most importance to the CPP” in maintaining power and in particular for Hun Sen’s political machinations.⁷⁹⁸

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.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.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).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.⁸⁰²

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

⁷⁹⁸ Interview with Sin Sen, Phnom Penh, January 20, 2004; Human Rights Watch interview with senior police officer, name withheld.

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.

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).

⁸⁰¹ “PM Call on Gov’t Officials to Tackle Terrorism,” *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).

⁸⁰² “121 New Members Boost CPP Central Committee,” *Phnom Penh Post*, December 2, 2005, <http://www.phnompenhpost.com/national/121-new-members-boost-cpp-central-committee> (accessed October 22, 2013).

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).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.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.⁸⁰⁵ The latter operation resulted in five people being sentenced to prison for their purported leafletting activities, including an employee of a human rights organization.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.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 leafletting cases described above. They were transported into Cambodia

⁸⁰³ Philip Taylor, *The Khmer Lands of Vietnam: Environment, Cosmology and Sovereignty* (Singapore: NUS Press, 2014).

⁸⁰⁴ Human Rights Watch, *On the Margins: Rights Abuses of Ethnic Khmer in Vietnam's Mekong Delta* (New York: 2009), pp.27-43, 57-70, http://www.hrw.org/sites/default/files/reports/vietnam0109web_o.pdf.

⁸⁰⁵ Ibid.

⁸⁰⁶ Ibid.; "Cambodia: Free Human Rights Worker," Human Rights Watch news release, July 14, 2011, <https://www.hrw.org/news/2011/07/14/cambodia-free-human-rights-worker>.

⁸⁰⁷ Ibid.; Takeo Province Court of the First Instance, "Warrant Deciding to Allow Being Temporarily Outside Detention" (Number 172/2011), June 30, 2011 (document in Human Rights Watch possession); "Motodop Found Guilty of Helping Spread Leaflets," *Cambodia Daily*, March 18, 2011; Ibid.; "Association Moine Bouddhisme Khmer du Kampuchea-Krom en Europe," posted by Uong Sok on January 5, 2012, <http://www.khmerbuddhism.ca/forum/topics/association-moine-bouddhisme-khmer-du-kampuchea-krom-en-europe> (accessed April 22, 2015); Takeo Province Court of the First Instance, "Warrant Ordering Temporary Release" (Number 172/2011), June 30, 2011 (document in Human Rights Watch possession); Supreme National of Kampuchea-Krom, "Statement of the Supreme National Council of Kampuchea-Krom," April 2010 (document in Human Rights Watch possession); Ibid.; "Takeo Court Convicts 5 for Leaflet Distribution," *Cambodia Daily*, July 1, 2011.

and detained in Phnom Penh.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.”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.”⁸¹⁰ The 13 were sentenced to from five to nine years in prison.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.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

⁸⁰⁸ Phnom Penh Municipal Court, “Judgment” (Number 21 KB3Ngo), April 11, 2014 (document in Human Rights Watch possession); *LICADHO Record PPO33IAD13, March 8, 2013*; “Two Khmer Kampuchea Krom Were Accused of Working to Overthrow the Cambodian Government,” *Prey Nokor News*, March 13, 2013; “Thais Hand Over ‘Terrorists’,” *Phnom Penh Post*, March 18, 2013, <http://www.phnompenhpost.com/national/thais-hand-over-%E2%80%98terrorists%E2%80%9999>; “Evidence Scant Against (Another) Alleged Terrorist Group,” *Cambodia Daily*, March 21, 2013, http://sithi.org/temp.php?url=news_detail.php&mid=7108 (accessed August 2, 2013); Khmer National Liberation Front, “Appeal to Release Three Monks and Khmer Krom,” March 21, 2013; Khmer National Liberation Front, “Emergency Declaration,” April 1, 2013 (documents in Human Rights Watch possession).

⁸⁰⁹ Khmer National Liberation Front, “Statement” and “Declaration of the Formation of the Khmer National Liberation Front,” December 12, 2012 (documents in Human Rights Watch possession).

⁸¹⁰ “Cambodia: Drop ‘Treacherous Plotting’ Case,” Human Rights Watch news release, April 9, 2014, <http://www.hrw.org/news/2014/04/09/cambodia-drop-treacherous-plotting-case>.

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

⁸¹² “Cambodia: What Happened to the Uighur Asylum-Seekers?” *Jesuit Refugee Service*, December 17, 2010, http://jrsusa.org/news_detail.cfm?TN=NEWS-20101217085047 (accessed May 2, 2011).

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, 2009.⁸¹³ 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.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.⁸¹⁵

In January 2014, Hun Sen arranged the promotion of Sok Phal to full general.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

⁸¹³ “Analysis: Inside Perspective on Uighurs,” Human Rights Watch news release, December 20, 2010, <http://www.hrw.org/news/2010/12/20/analysis-inside-perspective-uighurs>.

⁸¹⁴ “Letter to Secretary Clinton on Cambodia’s Deportation of Uighur Asylum Seekers to China,” February 1, 2010, Human Rights Watch letter, <http://www.hrw.org/news/2010/04/09/letter-secretary-clinton-cambodia-s-deportation-uighur-asylum-seekers-china>.

⁸¹⁵ “CPP in Bakan District Has Received 447 New Members” (កណ្តាប់ក្ស័យ ប្រជាជន នៅស្រុក បាគណ៍ ទទួលបាន សមាជិកថ្មី ៤៤៧នាក់), May 14, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/64070-2013-05-14-10-52-59.html> (accessed May 14, 2013).

⁸¹⁶ “6 National Police Officials Made 4-Star Generals” (មន្ត្រី នគរបាលជាតិ ៦រូប ត្រូវបំពាក់ផ្កាយ៤), February 5, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/80347-2014-02-05-14-21-04.html> (accessed February 6, 2014); “Six more four-star generals,” *Phnom Penh Post*, February 6, 2014, <http://www.phnompenhpost.com/national/six-more-four-star-generals> (accessed February 8, 2014).

Immigration Directorate with a number of other police or Ministry of Interior units to form a body responsible for foreign immigrants, non-immigrant foreigners and refugees, but not for passports and other identity documents. It was specified as being separate from the National Police but under the Ministry of Interior.⁸¹⁷ 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.⁸¹⁸

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

⁸¹⁷ “The Royal Government Decides to Create Supreme Directorates for Immigration and Identification” (រាជរដ្ឋាភិបាល សម្រេចបង្កើត អគ្គនាយកដ្ឋាន អន្តោប្រវេសន៍ និងអគ្គនាយកដ្ឋាន អត្តសញ្ញាណកម្ម), 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” (ពិធីប្រកាសបង្កើត អគ្គនាយកដ្ឋាន ២ និងប្រកាសមុខតំណែង ជាអគ្គនាយក និង ប្រធានបណ្ឌិត សភានគរក្រុង កម្ពុជា ធ្វើឡើងនៅថ្ងៃទី២៤ ខែមេសា), 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://www.cambodiadaily.com/news/heads-of-new-departments-of-immigration-identification-sworn-in-57344/> (accessed April 25, 2014); “H.E. Lieutenant General Dy Vicchea Is Appointed Chairman of the Security Central Directorate” (ឯកឧត្តម ឧត្តមសេនីយ៍ឯក ឌី វិជ្ជា ត្រូវបានតែងតាំងជាប្រធាននាយកដ្ឋានកណ្តាលសន្តិសុខ), August 8, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/30108-2014-08-08-11-30-04.html> (accessed August 8, 2014).

⁸¹⁸ “The Royal Government Decides to Create Supreme Directorates for Immigration and Identification” (រាជរដ្ឋាភិបាល សម្រេចបង្កើត អគ្គនាយកដ្ឋាន អន្តោប្រវេសន៍ និងអគ្គនាយកដ្ឋាន អត្តសញ្ញាណកម្ម) 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” (ពិធីប្រកាសបង្កើត អគ្គនាយកដ្ឋាន ២ និងប្រកាសមុខតំណែង ជាអគ្គនាយក និង ប្រធានបណ្ឌិត សភានគរក្រុង កម្ពុជា ធ្វើឡើងនៅថ្ងៃទី២៤ ខែមេសា) 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://www.cambodiadaily.com/news/heads-of-new-departments-of-immigration-identification-sworn-in-57344/> (accessed April 25, 2014); “H.E. Lieutenant General Dy Vicchea Is Appointed Chairman of the Security Central Directorate” (ឯកឧត្តម ឧត្តមសេនីយ៍ឯក ឌី វិជ្ជា ត្រូវបានតែងតាំងជាប្រធាននាយកដ្ឋានកណ្តាលសន្តិសុខ), August 8, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/30108-2014-08-08-11-30-04.html> (accessed August 8, 2014).

similarly being refouled, as threatened by Sok Phal in a statement describing all the Montagnards except the 13 recognized refugees as simple “illegal Vietnamese immigrants” who must be arrested in accordance with the policy of deporting such people.⁸¹⁹

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.⁸²⁰

The number of Montagnard asylum seekers remaining in Cambodia during the second half of 2015 was reportedly more than 200.⁸²¹ From October 2015, some began returning to Vietnam escorted by Cambodian government and UNCHR officials, while those remaining complained of poor living conditions in Cambodia.⁸²²

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,

⁸¹⁹ Human Rights Watch, *Persecuting “Evil Way” Religion: Abuses against Montagnards in Vietnam*, June 26, 2015, <https://www.hrw.org/report/2015/06/26/persecuting-evil-way-religion/abuses-against-montagnards-vietnam>; “Immigration Chief Accuses UN of Smuggling Asylum Seekers,” *Cambodia Daily*, April 30, 2015, <https://www.cambodiadaily.com/news/immigration-chief-accuses-un-of-smuggling-asylum-seekers-82947/> (accessed May 1, 2015); “The Competents Prepare to Send Back Many Immigrants to Their Countries” (សមត្ថកិច្ចត្រៀមបញ្ជូនចេញជនអន្តោប្រវេសន៍ជាច្រើននាក់ទៅប្រទេសរបស់ខ្លួនវិញ), June 16, 2015, <http://kampusheathmey.com/kpt/?cat=3> (accessed June 16, 2015).

⁸²⁰ CPP, *History of the Struggle*, pp.260, 267-268, 275-276.

⁸²¹ “UN Raises Alarm Over Threat to Return 13 Refugees,” *Cambodia Daily*, October 26, 2015, <https://www.cambodiadaily.com/news/un-raises-alarm-over-threat-to-return-13-refugees-98247/> (accessed October 27, 2015).

⁸²² “Life Miserable, Help Us: Montagnard Refugees,” *Khmer Times*, December 29, 2015, <http://www.khmertimeskh.com/news/19259/life-miserable--help-us--montagnard-refugees/> (accessed December 30, 2015).

evaluating, and interviewing” 171 other Montagnards.⁸²³ 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.⁸²⁴ 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.⁸²⁵

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.”⁸²⁶ 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.⁸²⁷ 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.⁸²⁸

⁸²³ “13 Persons of Montagnard Nationality Now Living in Cambodia Will Be Sent to Third Countries” (ដំណាក់កាលថ្មី ១៣នាក់ ដែលកំពុងរស់នៅកម្ពុជា នឹងត្រូវបញ្ជូនទៅកាន់ប្រទេសទីបី) (January 20, 2016, <http://www.dap-news.com/2011-06-14-02-39-55/107293-2016-01-20-12-55-53.html> (accessed January 20, 2016)).

⁸²⁴ “Gov’t, UNHCR to share refugee responsibilities,” *Phnom Penh Post*, January 22, 2016, <http://www.phnompenhpost.com/national/govt-unhcr-share-refugee-responsibilities> (accessed January 23, 2016).

⁸²⁵ “Montagnards ‘to be processed’,” *Phnom Penh Post*, February 12, 2016, <http://www.phnompenhpost.com/national/montagnards-be-processed> (accessed February 13, 2016).

⁸²⁶ “Montagnard refugees set their course for Philippines,” *Phnom Penh Post*, May 27, 2016, <http://www.phnompenhpost.com/national/montagnard-refugees-set-their-course-philippines> (accessed May 28, 2016).

⁸²⁷ “Vietnamese Police Pay Visit to Montagnards,” *Cambodia Daily*, June 9, 2016, <https://www.cambodiadaily.com/news/vietnamese-police-pay-a-visit-to-montagnards-113833/> (accessed June 10, 2016).

⁸²⁸ “With Asylum Hope Over, 16 Montagnards Return to Vietnam,” *Cambodia Daily*, July 14, 2016, <https://www.cambodiadaily.com/news/with-asylum-hope-over-16-montagnards-return-to-vietnam-115421/> (accessed July 15, 2016).

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.⁸²⁹ 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.⁸³⁰

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.⁸³¹

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

⁸²⁹ "Montagnards flee to Thailand, fearing return to persecution in Vietnam," *Phnom Penh Post*, April 3, 2017, <http://www.phnompenhpost.com/national/montagnards-flee-thailand-fearing-return-persecution-vietnam> (accessed April 4, 2017); "Montagnard Refugees Seek Thai Safe Haven," *Cambodia Daily*, April 4, 2017, <https://www.cambodiadaily.com/news/montagnard-refugees-seek-thai-safe-haven-127477/> (accessed April 5, 2017); "Asylum seeker family awaiting deportation," *Phnom Penh Post*, April 6, 2017, <http://www.phnompenhpost.com/national/asylum-seeker-family-awaiting-deportation> (accessed April 7, 2017).

⁸³⁰ "Gen. Sok Phal Tells Immigration Police Along the Border to Arrest and Absolutely Return Back Foreigners Entering the Country Illegally," (នាយកដ្ឋានសេនីយ៍ សុខ ផល ប្រាប់នគរបាលអន្តោប្រវេសន៍ តាមព្រំដែនចាប់បញ្ជូនជនបរទេសដែលមកខុសច្បាប់ ឲ្យត្រឡប់ទៅវិញយ៉ាងដាច់ខាត), April 3, 2017, <http://www.freshnewsasia.com/index.php/en/localnews/51391-2017-04-03-07-22-31.html> (accessed April 3, 2017).

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.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.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.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.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.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."⁸³⁷

⁸³² Phnom Penh Capital Court of First Instance, "Judgment Number 32 'Ch'," April 25, 2011; "Cambodia: Drop Case Against Opposition Leader," November 13, 2015, Human Rights Watch news release, <https://www.hrw.org/news/2015/11/13/cambodia-drop-case-against-opposition-leader>.

⁸³³ "Royal Government Decides to Create a Committee to Implement Arrest Warrant for Sam Rainsy" (រាជរដ្ឋាភិបាល សម្រេចបង្កើត គណៈកម្មការ អនុវត្តដីកាបង្គាប់ ឱ្យចាប់ខ្លួនលោក សម រង្ស៊ី), November 16, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/102630-2015-11-16-02-29-44.html> (accessed November 16, 2015).

⁸³⁴ នាយឧត្តមសេនីយ៍ សុខ ផល និងនគរបាលអន្តោប្រវេសន៍ទាំងអស់ ប្រកាសថ្កោលទោសចំពោះទង្វើក្បត់ជាតិរបស់ លោក គឹម សុខា ហើយគាំទ្រចំពោះការចាប់ខ្លួន

⁸³⁵ នាយឧត្តមសេនីយ៍ សុខ ផល ដឹកនាំប្រជុំផ្សព្វផ្សាយពីឧបាយកល និងផែនការបដិវត្តន៍ពាណិជ្ជកម្មរបស់ក្រុមក្បត់ជាតិ

⁸³⁶ កងកម្លាំងនគរបាលអន្តោប្រវេសន៍ ប្រកាសថ្កោលទោសសម្តីជនក្បត់ជាតិ សម រង្ស៊ី ដែលញុះញង់ឱ្យកងកម្លាំងប្រដាប់អាវុធ ប្រឆាំងរាជរដ្ឋាភិបាល

⁸³⁷ នាយឧត្តមសេនីយ៍ សុខ ផល ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះគុណការកំពូល កាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចតេជោ ហ៊ុន សែន

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.⁸³⁸ 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 1.⁸³⁹ He played a key role in the "A-Teams," helping to lead them in the Phnom Penh area in particular.⁸⁴⁰ Numerous former police officials allege that Mok Chito has been involved in many political and other killings, kidnappings, torture and other abuses.⁸⁴¹

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.⁸⁴² 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.⁸⁴³ This was also a period

⁸³⁸ 2017 provisional voter registration roll, document 06-790-558; 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; Amnesty International, notes entitled "Prisons in the PRK," August 4, 1986: both prepared for Amnesty International, *Political Imprisonment*; COHCHR, interview with former A-team member, December 13, 2003.

⁸³⁹ Phnom Penh Radio, January 30, 1992; UNTAC, "Ranks List," Mok Chito, letter to the Editor, "Reckless claims do rights organisation little credit," *Phnom Penh Post*, November 16, 2012, <http://www.phnompenhpost.com/index.php/2012111659766/National-news/reckless-claims-do-rights-organisation-little-credit.html> (accessed November 16, 2012).

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

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

⁸⁴² "Action Vowed Against 'Subversive Activities'," *Cambodian Times*, December 31, 1995-January 6, 1996.

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.⁸⁴⁴ Numerous current and former police officials alleged that instead of generally suppressing such crimes, Mok Chito organized and profited greatly from some of them.⁸⁴⁵

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.⁸⁴⁶ 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.⁸⁴⁷

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 1998.⁸⁴⁸ However, he was soon reinstated as head of Phnom Penh's municipal

7, 1994; Amnesty International, 1996 UN Commission on Human Rights – Recommendations on Countries on the Agenda (AI Index IOR 41/03/96), March 1996; Amnesty International, “Killing of Thun Bun Ly” (AI Index ASA 23/05/96), May 20, 1996; Amnesty International, “Kingdom of Cambodia: Chan Rontana – Prisoner of Conscience,” (AI Index ASA 23/09/96), June 28, 1996; Amnesty International, “Selected Events in Asia/Pacific from January to April 1997” (AI Index Pol 10/03/97), June 17, 1997; Official complaints, police files, court and other official documents dated December 17, 21, and 28, 1993; October 1, 2, 4, 5, and 10, 1995; July 17, 18, 19, 21, 23, 25, 1997; July 9, 1998, September 8, 16, 1998; October 4, 5, 6, 7, 9, 1998; December 10, 12, 1998 (all documents in Human Rights Watch possession; names of plaintiffs, investigators, and court officers withheld). These allegations against Mok Chito are separate from and in addition to those made by former Phnom Penh Municipality Police Commissioner Heng Pov before and after his 2006 arrest and subsequent trials and convictions for allegedly committing similar crimes. Interview with “Les basses oeuvres de Hun Sen,” *L’Express*, August 17, 2006, http://www.lexpress.fr/informations/les-basses-oeuvres-de-hun-sen_674887.htm (accessed February 3, 2012); US Embassy Cambodia, “Cambodia’s Renegade Police Chief,” August 24, 2006, http://www.wikileaks.org/plusd/cables/o6PHNOMPENH1509_a.html (accessed February 3, 2012); “Court Upholds Verdict Against Heng Pov,” *Cambodia Daily*, October 25, 2014, <http://www.cambodiadaily.com/news/supreme-court-upholds-verdict-against-heng-pov-70977> (accessed October 25, 2014). The intense rivalries and hatred between Heng Pov and Mok Chito make the reliability of the former’s allegations against the latter difficult to assess.

⁸⁴⁴ UNOSGRC, “Weekly Report #90 Covering the Period from 6 to 12 March 1996.”

⁸⁴⁵ Brad Adams interviews with current and former police officers and senior CPP officials.

⁸⁴⁶ UNOSGRC, “Weekly Report #116 Covering the Period from 6 to 12 January 1997”; Amnesty International, “Selected Events in Asia/Pacific from January to April 1997” (AI Index Pol 10/03/97), June 17, 1997.

⁸⁴⁷ United States Senate, Committee on Foreign Relations, Staff Report, “The March 30, 1997 Grenade Attack in Cambodia,” October 1999, <http://www.gpo.gov/fdsys/pkg/CPRT-106SPRT59737/html/CPRT-106SPRT59737.htm> (accessed January 10, 2000).

⁸⁴⁸ Victim complaints filed to the Phnom Penh and Ministry of Interior Judicial police, other police files, Phnom Penh court and other official judicial documents dated December 17, 21, and 28, 1993; October 1, 2, 4, 5, and 10, 1995; July 17, 18, 19,

criminal police.⁸⁴⁹ New allegations, including further legal depositions, of his covert involvement in committing or covering up political assassinations and kidnappings for profit ensued.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.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 2006.⁸⁵² 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.⁸⁵³

21, 23, 25, 1997; July 9, 1998, September 8, 16, 1998; October 4, 5, 6, 7, 9, 1998; December 10, 12, 1998 (all documents in Human Rights Watch possession; names of plaintiffs, investigators, and court officers withheld); COHCHR, “Mok Chito, Mol criminal department chief,” [n.d.], “Mok Chito Ordered Suspended Amid Feud,” *Cambodia Daily*, December 7, 1998, <https://www.cambodiadaily.com/archives/mok-chito-ordered-suspended-amid-feud-12171/> (accessed January 10, 2000).

⁸⁴⁹ COHCHR, “Mok Chito, Mol criminal department chief,” [n.d.].

⁸⁵⁰ COHCHR interviews, names withheld; COHCHR Election Unit, “Political Killings: Structure and Organization,” June 2003.

⁸⁵¹ For a reference to this distinction between national-level and sub-national-level judicial police, see “The Royal Government Took Measures for the Governance of Civil Servant, National Police and Military Offices, Contracted Officials and Floating Staff in 2015” (*reachathoathabinal mean vitheanakar samrap krupkrong muntrei reachakar sivil yothea nokorbal cheat muntrei choap kechsanya neung bokkulik andet knong chhnam 2015*) March 10, 2015, <http://www.kampuchearthmey.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 kamreut sral krasuong mohaphtey pchoun chun sangsay 2 neak chhak kabaup teou tolaka*), 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%9F%92%E1%9E%9A%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%98%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).

⁸⁵² Ibid.

⁸⁵³ Ibid.

Meanwhile, renewed allegations surfaced of his involvement in kidnappings and murders dating back to the 1990s.⁸⁵⁴

In April 2012, Hun Sen appointed Mok Chito chairman of a special committee to oversee an investigating 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.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.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

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).

⁸⁵⁵ Human Rights Watch, *"Tell Them I Want to Kill Them,"* pp.58-63.

⁸⁵⁶ "The Work Team of the Committee to Strengthen the Grassroots in KoKir Commune Graciously Goes Down to Chat with the People in Their Homes" (ក្រុមការងារ គណៈពង្រឹងមូលដ្ឋាន ឃុំកគីរ អញ្ជើញចុះសំណេះសំណាល ជាមួយប្រជាពលរដ្ឋ ដល់ខ្នងផ្ទះ), June 1, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/65163-2013-06-01-07-02-14.html> (accessed June 2, 2013); General Commissariat of National Police, <http://www.police.gov.kh/?p=12964> (accessed July 20, 2013).

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.⁸⁵⁷ When CNRP Vice-President Kem Sokha received a death threat, Mok Chito declared this a matter of no police concern.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.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.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.⁸⁶¹ On December 31, 2013, he warned that the police would take action if workers caused “chaos in the city.”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

⁸⁵⁷ “Human Rights Watch Concerns and Recommendations on Cambodia Submitted to the UN Human Rights Committee in advance of its Pre-Sessional Review of Cambodia,” Human Rights Watch memorandum, February 19, 2015, <http://www.hrw.org/news/2015/03/04/human-rights-watch-concerns-and-recommendations-cambodia-submitted-un-human-rights-c>.

⁸⁵⁸ “CNRP Mulls Filing Complaint Over Death Threat,” *Cambodia Daily*, December 6, 2013, <http://www.cambodiadaily.com/news/cnrp-mulls-filing-complaint-over-death-threat-48729/> (accessed December 6, 2013).

⁸⁵⁹ Mr. Mok Chito Ascends to Being Acting Commissioner of the Capital Police in Place of Mr. Chuon Sovan for 12 Days” (*lok mok chito laoeng chea snangkar sdey-ti nokorbal reachatheany chumnuos lok chuon Ssvan 12 Ttngay*), December 24, 2013, <http://kohsantepheapdaily.com.kh/article/86707.html> (accessed December 25, 2013).

⁸⁶⁰ “Cambodia: Party Extends Control of Security Forces,” Human Rights Watch news release, February 4, 2015, <http://www.hrw.org/news/2015/02/04/cambodia-party-extends-control-security-forces>.

⁸⁶¹ “Factories Advised to Close as Wage Strikes Swell,” *Cambodia Daily*, December 27, 2013, <https://www.cambodiadaily.com/archives/factories-advised-to-close-as-wage-strikes-swell-49703/> (accessed December 27, 2013).

⁸⁶² “Amid Strikes, Minister Raises Minimum Wage to \$100,” *Cambodia Daily*, January 1, 2014, <https://www.cambodiadaily.com/archives/amid-strikes-minister-raises-minimum-wage-to-100-49798/> (accessed January 1, 2014).

Sreng industrial suburb of Phnom Penh.⁸⁶³ 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.⁸⁶⁴

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.⁸⁶⁵ 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.⁸⁶⁶ 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.

⁸⁶⁴ “Human Rights Watch Concerns and Recommendations on Cambodia Submitted to the UN Human Rights Committee in Advance of its Pre-Sessional Review of Cambodia,” Human Rights Watch memorandum, February 19, 2015, <http://www.hrw.org/news/2015/03/04/human-rights-watch-concerns-and-recommendations-cambodia-submitted-un-human-rights-c>.

⁸⁶⁵ “The Royal Government Promotes Mr. Mok Chito and Mr. Heum Yan and Gives an Additional Post to Mr. Touch Narot” (*reacharothaphibal tamlaeng muk-tamneng lok mok chito, lok heum yan neung banthem tuo-neaty Lok Touch Narot*), December 26, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/101748-2014-12-26-03-23-03.html> (accessed December 26, 2014).

⁸⁶⁶ “Cambodia: Party Extends Control of Security Forces,” Human Rights Watch news release, February 4, 2015, <http://www.hrw.org/news/2015/02/04/cambodia-party-extends-control-security-forces>; “Appointment of Mr. Mok Chito as Secretary-General of the National Authority for Combating Drugs” (**កែតម្រូវលោក ម៉ក់ ជិតូ ជាអគ្គលេខាធិការអង្គការជាតិប្រយុទ្ធប្រឆាំងគ្រឿងញៀន**), November 17, 2015, <http://kampuchearthmey.com/kpt/?p=105531> (accessed November 17, 2015).

Interior committee tasked with arresting Sam Rainsy whenever it became possible to do so.⁸⁶⁷ In October 2017, he was made a full police general.⁸⁶⁸

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.⁸⁶⁹ 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.⁸⁷⁰

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.⁸⁷¹

⁸⁶⁷ "Royal Government Decides to Create a Committee to Implement Arrest Warrant for Sam Rainsy" (រាជរដ្ឋាភិបាល សម្រេចបង្កើត គណៈកម្មការ អនុវត្តដីកាបង្គាប់ ឱ្យចាប់ខ្លួនលោក សម រង្ស៊ី), November 16, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/102630-2015-11-16-02-29-44.html> (accessed November 16, 2015).

⁸⁶⁸ Khy Sovuthy, "Uniformed officials get higher ranks," *Khmer Times*, October 9, 2017.

⁸⁶⁹ "Mr. Mok Chito Chats with Civil Servants and Retirees in Kien Svay District" (លោក ម៉ក់ ជីតូ សំណេះសំណាលជាមួយ មន្ត្រីរាជការ និងមន្ត្រីចូលនិវត្តន៍ នៅស្រុកកៀនស្វាយ), April 13, 2015, <http://beta.nokorwatnews.com/%e1%9e%9b%e1%9f%84%e1%9e%80%e2%80%8b-%e1%9e%98%e1%9f%89%e1%9e%80%e1%9f%8b%e2%80%8b-%e1%9e%87%e1%9e%b8%e2%80%8b%e1%9e%8f%e1%9e%bc%e2%80%8b-%e1%9e%9f%e1%9f%86%e1%9e%8e%e1%9f%81%e1%9f%87%e1%9e%9f/#sthash.cX7yQNAf.dpuf> (accessed April 13, 2015).

⁸⁷⁰ "Kathin Gift-Givers Messrs Mok Chito and Kheung Sarat Parade into Voat Ang Kamlap Having Collected More Than 10,000 Dollars to Construct Achievements in the Pagoda" (អង្គកបិនទាន លោក ម៉ក់ ជីតូ និងលោក ឃីង សារ៉ាត់ ដង្ហែចូលវត្តអង្គកំណប់ ខេត្តតាកែវ ប្រមូលបច្ច័យបានជាង១ម៉ឺនដុល្លារ កសាងសមិទ្ធផលក្នុងវត្ត), November 14, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/39342-2016-11-14-04-19-06.html> (accessed November 14, 2016).

⁸⁷¹ អាជ្ញាធរជាតិប្រយុទ្ធប្រឆាំងគ្រឿងញៀន ប្រកាសគាំទ្រទាំងស្រុងចំពោះការចាប់ខ្លួន គឺម សុខា រឿងក្បក់ជាតិ

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, 1958.⁸⁷² 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.⁸⁷³ After the creation of the GRK in 1993, Chuon Sovan became commander of the Kandal province gendarmes, in which post he remained through around 2010.⁸⁷⁴ 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.⁸⁷⁵ By early 1997, he was concurrently a personal bodyguard with an officer's rank for Hun Sen, who decorated him for his services.⁸⁷⁶

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.⁸⁷⁷

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.⁸⁷⁸

⁸⁷² 2017 provisional voter registration roll, document 05-194-386.

⁸⁷³ Interview with former Kandal province police officer, July 7, 2014.

⁸⁷⁴ RGC, "Chronology of the Royal Gendarmerie;" RGC, Sub-Decree 11 ANKr, March 8, 1994; Interview with former Kandal province police officer, July 7, 2014; Khmer Royal Gendarmerie, "Telephone Number"; Interview with Cambodian human rights NGO staffers, October 30-31, 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.

⁸⁷⁸ Anonymous, "The Son Of A Four-Star-General Said Corruption Occurs At Present From Top To Bottom," post to "The Mirror" <http://cambodiamirror.wordpress.com/2010/01/05/the-son-of-a-four-star-general-said-corruption-occurs-at-present-from-top-to-bottom-monday-4-1-2010/>.

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.⁸⁷⁹ 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).⁸⁸⁰

On October 3, 2012, Chuon Sovan assumed the concurrent post of Commissioner of Phnom Penh Municipal Police, replacing Touch Naroth.⁸⁸¹ 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.⁸⁸² 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

⁸⁷⁹ ឃឹម សុផាតី ត្រូវបានទៅ កាន់កំណែងជា ប្រធាន ការិយាល័យ គ្រប់គ្រង អាវុធជាតិផ្ទះក្រុង, CamNews, March 24, 2011, <https://icamnews.wordpress.com/2011/03/24/%e1%9e%99%e1%9e%b9%e1%9e%98-%e1%9e%9f%e1%9e%bb%e1%9e%87%e1%9e%b6%e1%9e%8f%e1%9e%b7-%e1%9e%8f%e1%9f%92%e1%9e%9a%e1%9e%bc%e1%9e%9c%e1%9e%94%e1%9e%b6%e1%9e%93%e1%9e%91%e1%9f%85-%e1%9e%80%e1%9e%b6/>.

⁸⁸⁰ Interview with former Kandal province police officer, July 7, 2014; “Gen. Neth Savoeun, Hun Sen’s Nephew-in-Law, Tapped as Police Chief,” *VOA, Khmer*, November 11, 2008, <http://khmerization.blogspot.com/2008/11/gen-neth-savoeun-hun-sens-nephew-in-law.html> (accessed May 13, 2014); RGC, Royal Decree NS/RPhT/0109/069, January 22, 2009.

⁸⁸¹ “Mr. Touch Narot Has Now Officially Left as Phnom Penh Municipal Police Commissioner” (លោក ទូច ណារ៉ុត ត្រូវបានដកចេញពីស្ថានការប៉ូលីស ក្រុងភ្នំពេញ ជាផ្លូវការហើយ), October 3, 2012, http://www.cen.com.kh/localnews/details_more/19?token=MDQxY2U4OWMwMTI4ZTM2YzMoMGQ2YjIwZjdlYmMx (accessed October 3, 2012).

⁸⁸² Interview with Cambodian security force officer, August 12, 2015; Human Rights Watch, “Human Rights Watch Submission for the Review of Cambodia by the Human Rights Committee,” June 6, 2014.

likely to lead to disruption of social order, such as strikes.⁸⁸³ 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.⁸⁸⁴

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.⁸⁸⁵ 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, 2013.⁸⁸⁶ He also at times coordinated police activities with those of troops of Hun Sen’s Bodyguard Unit in carrying out “security and order” tasks.⁸⁸⁷

⁸⁸³ “Building Lodging the Rokat Commune, Phnum Kravanh District, Posat Province CPP Inaugurated for Official Use” (អគារស្នាក់ការ បក្សប្រជាជនកម្ពុជា ឃុំរកាត ស្រុកភ្នំក្រវាញ ខេត្តពោធិ៍សាត់ ត្រូវបានសម្ពោធជាផ្លូវការ), May 4, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/63395-2013-05-04-07-27-55.html> (accessed May 4, 2013).

⁸⁸⁴ “Sam Rainsy Youth Movement Group Attempts to Hold a Demonstration in Front of the American Embassy” (ក្រុមចលនាយុវជន សម រង្ស៊ី ព្យាយាមធ្វើបាតុកម្ម មុខស្ថានទូរគមនាគមន៍អាមេរិក), November 18, 2012, http://www.cen.com.kh/localnews/details_more/19?token=MWEzOTU3Njh1ZTJmNzYxZjlmYWJiMzRhN2EwMjEy (accessed November 18, 2012); “Mr. Phnom Penh Royal Capital Commissioner Goes Down to Examine and Strengthen Police Duties in Dangkao District” (លោកស្នងការរាជធានីភ្នំពេញចុះត្រួតពិនិត្យនិងពង្រឹងភារកិច្ចនគរបាលខណ្ឌដង្កោ), August 23, 2013, http://kpt-news.com/index.php?option=com_content&view=article&id=32655:2013-08-23-07-34-02&catid=1:latest&Itemid=65 (accessed August 23, 2013); “Daun Penh District Police Forces Concentrate to Train to Increase Capacity to Defend Security for the People” (កម្លាំងនគរបាល ខណ្ឌដូនពេញ ប្រមូលផ្តុំ ហ្វឹកហ្វឺន បង្កើនសមត្ថភាព ការពារសន្តិសុខ ជូនប្រជាពលរដ្ឋ), August 24, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/70801-2013-08-24-08-09-24.html> (accessed August 24, 2013); Amnesty International, “Cambodia, Taking to the Streets: Freedom of Peaceful Assembly in Cambodia” (ASA 23/1506/2015), June 4, 2015, pp.8-9, 17, 38-39, 48, 51-62, 65, 83-85, 95, 101-106, 110, 114-115. <https://www.amnesty.org/en/documents/asa23/1506/2015/en/> (accessed June 5, 2015).

⁸⁸⁵ “Country Surface Gendarmes Close Conference Summing Up Results of 2012 Work and Putting Forward 2013 Directives” (អាវុធហត្ថ លើផ្ទៃប្រទេស បិទសន្និបាត បូកសរុប លទ្ធផល ការងារឆ្នាំ ២០១២ និង លើកទិសដៅ ឆ្នាំ២០១៣), December 27, 2012, <http://www.dap-news.com/2011-06-14-02-39-55/55049-2012-12-27-08-42-59.html> (accessed December 27, 2012).

⁸⁸⁶ “Royal Capital City Hall Discusses Managing Demonstrations with CNRP” (សាលារាជធានី ពិភាក្សាជាមួយ CNRP អំពីការគ្រប់គ្រង បាតុកម្ម), December 21, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/77868---cnrp-.html> (accessed December 23, 2013); Interview with former Kandal province police officer, July 7, 2014; Khmer Royal Gendarmerie, “Telephone Number,” [n.d.]; “Military commander officially to be replaced,” *Phnom Penh Post*, September 2013, <http://www.phnompenhpost.com/national/military-commander-officially-be-replaced> (accessed September 24, 2013).

⁸⁸⁷ “The Police Commissariat of Phnom Penh Royal Capital Meets to Prepare Forces to Protect the ASEAN Summit Meeting” (ល្អងការ នគរបាល រាជធានីភ្នំពេញ ប្រជុំត្រៀមកម្លាំង ការពារ កិច្ចប្រជុំកំពូលអាស៊ាន), November 12, 2012, <http://www.dap-news.com/2011-06-14-02-39-55/52501-2012-11-12-04-06-06.html> (accessed November 13, 2012).

Chuong 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, 2012.⁸⁸⁸ 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.⁸⁸⁹

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.⁸⁹⁰ 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.⁸⁹¹ 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.⁸⁹²

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

⁸⁸⁸ "Sam Rainsy Youth Movement Group Attempts to Hold a Demonstration in Front of the American Embassy" (ក្រុមយុវជន សម រង្ស៊ី ព្យាយាមធ្វើបាតុកម្ម មុខស្ថានទូកអាមេរិក), November 18, 2012, http://www.cen.com.kh/localnews/details_more/19?token=MWEzOTU3NjhIZTJmNzYxZjlmYWJiMzRhN2EwMjEy (accessed November 18, 2012).

⁸⁸⁹ "Protesters Camp at US Embassy for Second Day," *Cambodia Daily*, November 9, 2012 <http://www.cambodiadaily.com/news/protesters-camp-at-us-embassy-for-second-day-5358/> (accessed November 10, 2012); "Anti-Eviction Protesters Appeal to Obama," *Cambodia Daily*, November 8, 2012, <http://www.cambodiadaily.com/news/anti-eviction-protesters-appeal-to-obama-5315/> (accessed November 9, 2012).

⁸⁹⁰ "The Police Commissariat of Phnom Penh Royal Capital Meets to Prepare Forces to Protect the ASEAN Summit Meeting" (ល្អិតការ នគរបាល រាជធានីភ្នំពេញ ប្រជុំត្រៀមកម្លាំង ការពារ កិច្ចប្រជុំកំពូលអាស៊ាន), November 12, 2012, <http://www.dap-news.com/2011-06-14-02-39-55/52501-2012-11-12-04-06-06.html> (accessed November 13, 2012).

⁸⁹¹ "Sam Rainsy Youth Movement Group Attempts to Hold a Demonstration in Front of the American Embassy" (ក្រុមយុវជន សម រង្ស៊ី ព្យាយាមធ្វើបាតុកម្ម មុខស្ថានទូកអាមេរិក), November 18, 2012, http://www.cen.com.kh/localnews/details_more/19?token=MWEzOTU3NjhIZTJmNzYxZjlmYWJiMzRhN2EwMjEy (accessed November 18, 2012).

⁸⁹² "Stop disrupting civil society events and restricting freedom of expression and assembly ahead of ASEAN Summit," LICADHO, et al., statement, November 15, 2012, <http://www.licadho-cambodia.org/pressrelease.php?perm=294> (accessed November 16, 2012); "2012 in Review: Crackdown on Freedom of Expression and Freedom of Assembly," LICADHO, article, February 15, 2013, <http://www.licadho-cambodia.org/articles/20130215/136/index.html> (accessed February 17, 2013); Ibid.

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.⁸⁹³ 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.⁸⁹⁴ 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.⁸⁹⁵

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.⁸⁹⁶ 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.⁸⁹⁷ 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.⁸⁹⁸ On June 18, 2013, they participated in a "mixed force" operation to break up a peaceful gathering of striking workers in central Phnom Penh. Chuon Sovan again justified such actions by declaring that the gathering lacked the

⁸⁹³ Ibid.

⁸⁹⁴ "Garment Factory Protesters Clash with Police," *Cambodia Daily*, December 4, 2012, <http://www.cambodiadaily.com/news/garment-factory-protesters-clash-with-police-6449/> (accessed December 5, 2012).

⁸⁹⁵ "Cambodia cracks down on rights day march," *Phnom Penh Post*, December 11, 2012, <http://www.phnompenhpost.com/index.php/2012121160214/National-news/cambodia-cracks-down-on-rights-day-march.html> (accessed December 12, 2012).

⁸⁹⁶ "Police and Security Guards Use Excessive Force to Disperse Peaceful Boeung Kak Protesters," LICADHO, video, March 13, 2013, <http://www.licadho-cambodia.org/video.php?perm=37> (accessed March 14, 2013); "Police Beat Boeung Kak Protesters, Leaving Five Injured," LICADHO, et al., statement, March 13, 2013, <http://www.licadho-cambodia.org/pressrelease.php?perm=304> (accessed March 14, 2013); Ibid.

⁸⁹⁷ "APWLD - Asia Pacific Forum on Women, Law and Development shared LICADHO / លីកាដូ's album," April 25, 2013, <https://www.facebook.com/apwld.ngo/posts/517840108272525>, accessed April 30, 2013; Ibid.

⁸⁹⁸ "Jail Sentence for Anti-Eviction Activist Upheld," *Cambodia Daily*, June 15, 2013, <http://www.cambodiadaily.com/news/jail-sentence-for-anti-eviction-activist-upheld-31073/> (accessed June 16, 2013); Ibid.

authorities' permission.⁸⁹⁹ 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.⁹⁰⁰

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.⁹⁰¹ He dispatched his police force subordinates to stump on his behalf for the CPP and Hun Sen.⁹⁰² Conversely, in early June 2013, Chuon Sovan and his police facilitated a demonstration in Phnom Penh against CNRP Vice President Kem Sokha.⁹⁰³

⁸⁹⁹ "NagaWorld strike ends with force," *Phnom Penh Post*, June 19, 2013,

<http://www.phnompenhpost.com/2013061966368/National/nagaworld-strike-ends-with-force.html> (accessed June 20, 2013).

⁹⁰⁰ "Activists, cops clash at palace," *Phnom Penh Post*, June 19, 2013,

<http://www.phnompenhpost.com/2013061966366/National/activists-cops-clash-at-palace.html> (accessed June 20, 2013).

⁹⁰¹ "Mr. Chuon Sovan Graciously Participates in the Birthday and Water Pouring Ceremony for the Elderly in Peam Reang

District" (រោកជូន សុវណ្ណ អញ្ជើញចូល ឬម្មុំជីវិត ថ្ងៃ បើក្លិះជន និរន្តរ៍ស្បៀងច្រក ជូន្នាស់ៗ រោ ស្បៀងពារាំង), April 9, 2013,

<http://www.dap-news.com/2011-06-14-02-39-55/61905-2013-04-09-07-35-33.html> (accessed April 10, 2013); "Boeng Tumpun Opens a Public Stage to Listen to the Difficulties and Requests of the Citizenry" (សង្កាត់បឹងទុក្ខ បើកវេទិកា សាធារណៈ ស្តាប់ការបង្ហាញ ថលលំបាក និងសំណូមពរ របស់ប្រជាពលរដ្ឋ), April 29, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/63060-2013-04-29-09-15-47.html> (accessed April 30, 2013).

⁹⁰² "Posenchey District Police Forces Train to Increase Security and Order (with video)" (កម្លាំងនគរបាល ខណ្ឌពោធិ៍សែនជ័យ ហ្វឹកហាត់ បង្កើនការពារ សន្តិសុខ និង សណ្តាប់ ធ្នាប់ (មានវីដេអូ)), August 15, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/70246-2013-08-15-04-44-32.html> (accessed August 16, 2013); "Mr. Born Sam-at Takes Gifts and Budget to Distribute

to the Citizenry in Prey Khla Village" (លោក ប៊ិន សំអាត នាំអំណោយ និង ថវិកា ចែកជូន ប្រជាពលរដ្ឋនៅភូមិព្រៃខ្លា), May 18, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/64305-2013-05-18-04-57-21.html> (accessed May 18, 2013); "Mr. Net Vottha Goes Down to Ask after the Weal and Woe of the Impoverished Citizenry in Thnaot 4 Village and Distributes Gifts to Them" (លោក នេត វត្តា ចុះសួរសុខទុក្ខ និងចែកអំណោយ ជូនប្រជាពលរដ្ឋគ្រីក្រ នៅភូមិត្នោត៤), May 18, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/64283-2013-05-18-02-21-49.html> (accessed May 18, 2013).

⁹⁰³ "Thousands turn out against CNRP deputy," *Phnom Penh Post*, June 10, 2013,

<http://www.phnompenhpost.com/2013061066176/National/thousands-turn-out-against-cnrp-deputy.html> (accessed June 11, 2013); "Citizens All over the Country Holding a Demonstration This Morning to Oppose Mr. Kem Sokha" (ប្រជាពលរដ្ឋ ទូទាំងប្រទេស ធ្វើបាតុកម្មប្រឆាំងលោក គឹម សុខា នៅព្រឹកថ្ងៃនេះ) មានវីដេអូ និង សំឡេង), June 9, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/65670-2013-06-09-01-36-24.html> (accessed June 10, 2013).

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

⁹⁰⁴ “It Was Merely Due to a Desire to Change the Leadership Regime that Cambodia Was as a Result a Victim of War and Destruction to Its Roots” (ដោយសារតែ ចង់ប្តូរបបដឹកនាំ ទើបបណ្តាល ឱ្យប្រទេសកម្ពុជា ទទួលរង នូវសង្គ្រាម និងភាពខ្ទេចខ្ទាំ ដល់ប្រជាជន), June 25, 2013, <http://dap-news.com/2011-06-14-02-39-55/66861-2013-06-25-02-44-12.html> (accessed June 25, 2013); “Hun Sen Says Civil War Would Be Opposition’s Fault,” June 11, 2013, <http://www.cambodiadaily.com/elections/hun-sen-says-civil-war-would-be-oppositions-fault-30249/> (accessed June 13, 2013); “Will Hun Sen’s Threat of War Translate Into Votes?,” *Cambodia Daily*, June 27, 2013, <http://www.cambodiadaily.com/news/will-hun-sen-s-threat-of-war-translate-into-votes-32182/> (accessed June 28, 2013).

⁹⁰⁵ “Samdech Techo Proclaims Change from Fourth to Fifth Mandate Prime Minister” (សម្តេចតេជោ ប្រកាសផ្លូវ ពីនាយករដ្ឋមន្ត្រី អាណត្តិទី៤ ទៅអាណត្តិទី៥), June 8, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/65620-2013-06-08-04-47-52.html> (accessed June 8, 2013); “Analysis of Samdech Techo Proclaims Change from Fourth to Fifth Mandate Prime Minister” (វិចារណកថា : សម្តេចតេជោ ផ្លូវពីនាយករដ្ឋមន្ត្រី អាណត្តិទី៤ ទៅជាតាយករដ្ឋមន្ត្រី អាណត្តិទី៥), June 10, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/65717-2013-06-10-03-44-31.html> (accessed June 10, 2013).

⁹⁰⁶ “Competents Decide to Release 4 Suspects Who Opened Fire at the Home of Okhna Khy Kimlun” (សមត្ថកិច្ចសម្រេច ដោះលែងជនសង្ស័យ៤នាក់ដែលផ្ទុះអាវុធនៅផ្ទះឧកញ៉ា គីមលុន), July 6, 2013, http://kpt-news.com/index.php?option=com_content&view=article&id=30465:2013-07-06-10-01-56&catid=1:latest&Itemid=65 (accessed July 6, 2013); “Polling station, police directives handed down,” *Phnom Penh Post*, July 25, 2013, <http://www.phnompenhpost.com/national/polling-station-police-directives-handed-down> (accessed July 26, 2013).

⁹⁰⁷ Human Rights Watch, “UN Human Rights Council: Adoption of the UPR Outcome of Cambodia,” oral statement, June 26, 2014, <http://www.hrw.org/news/2014/06/26/un-human-rights-council-adoption-upr-outcome-cambodia>.

⁹⁰⁸ “Video: angry voters riot in Stung Meanchey,” *Phnom Penh Post*, July 28, 2013, <http://www.phnompenhpost.com/video/video-angry-voters-riot-stung-meanchey> (accessed July 30, 2013).

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

⁹⁰⁹ Human Rights Watch, “Human Rights Watch Submission for the Review of Cambodia by the Human Rights Committee,” June 6, 2014.

⁹¹⁰ “Posenchey District Police Forces Train to Increase Security and Order (with video)” (កម្លាំងនគរបាល ខណ្ឌពោធិ៍សែនជ័យ ហ្វឹកហាត់ បង្កើនការពារ សន្តិសុខ និង សណ្តាប់ ធ្នាប់ (មានវីដេអូ)), August 15, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/70246-2013-08-15-04-44-32.html> (accessed August 16, 2013); “Mr. Phnom Penh Royal Capital Commissioner Goes Down to Examine and Strengthen Police Duties in Dangkao District” (លោកស្នងការរាជធានីភ្នំពេញចុះត្រួតពិនិត្យនិងពង្រឹងភារកិច្ចនគរបាលខណ្ឌដង្កោ), August 23, 2013, http://kpt-news.com/index.php?option=com_content&view=article&id=32655:2013-08-23-07-34-02&catid=1:latest&Itemid=65 (accessed August 23, 2013); “Daun Penh District Police Forces Concentrate to Train to Increase Capacity to Defend Security for the People” (កម្លាំងនគរបាល ខណ្ឌដូនពេញ ប្រមូលផ្តុំ ហ្វឹកហាត់ បង្កើនសមត្ថភាព ការពារសន្តិសុខ ជូនប្រជាពលរដ្ឋ), August 24, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/70801-2013-08-24-08-09-24.html> (accessed August 24, 2013).

⁹¹¹ “A Symbol of Peace Turned Inside Out: Two Students Entrapped,” LICADHO, et al., statement, August 19, 2013, <http://www.licadho-cambodia.org/pressrelease.php?perm=320> (accessed August 20, 2013); Ibid.

⁹¹² “Mr. Phnom Penh Royal Capital Commissioner Goes Down to Examine and Strengthen Police Duties in Dangkao District” (លោកស្នងការរាជធានីភ្នំពេញចុះត្រួតពិនិត្យនិងពង្រឹងភារកិច្ចនគរបាលខណ្ឌដង្កោ), August 23, 2013, http://kpt-news.com/index.php?option=com_content&view=article&id=32655:2013-08-23-07-34-02&catid=1:latest&Itemid=65 (accessed August 23, 2013); “Daun Penh District Police Forces Concentrate to Train to Increase Capacity to Defend Security for the People” (កម្លាំងនគរបាល ខណ្ឌដូនពេញ ប្រមូលផ្តុំ ហ្វឹកហាត់ បង្កើនសមត្ថភាព ការពារសន្តិសុខ ជូនប្រជាពលរដ្ឋ), August 24, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/70801-2013-08-24-08-09-24.html> (accessed August 24, 2013).

⁹¹³ “270 Pistols Handed Over to Traffic and Police of All 9 Districts in Order to Increase Security” (ប្រគល់កាំភ្លើងខ្លី ២៧០ដើម ជូនមន្ត្រី នគរបាលចរាចរ និងខណ្ឌទាំង ៩ ដើម្បី បង្កើនសន្តិសុខ), August 7, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/69791-2013-08-07-08-25-56.html> (accessed August 8, 2013).

⁹¹⁴ “Daun Penh District Police Forces Concentrate to Train to Increase Capacity to Defend Security for the People” (កម្លាំងនគរបាល ខណ្ឌដូនពេញ ប្រមូលផ្តុំ ហ្វឹកហាត់ បង្កើនសមត្ថភាព ការពារសន្តិសុខ ជូនប្រជាពលរដ្ឋ), August 24, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/70801-2013-08-24-08-09-24.html> (accessed August 24).

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.”⁹¹⁵ 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.⁹¹⁶

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.⁹¹⁷ 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

⁹¹⁵ “Mr. Chuon Sovan Leads More Than 200 Police to Train to Strengthen the Safety for the Citizenry” (លោក ជួន សុវណ្ណ ដឹកនាំ នគរបាលជាង២០០នាក់ហ្វឹកហ្វឺនសុវត្ថិភាពជូនប្រជាពលរដ្ឋ), September 2, 2013, http://kpt-news.com/index.php?option=com_content&view=article&id=33142:2013-09-02-04-35-41&catid=1:latest&Itemid=65 (accessed September 2, 2013); “In Contrasting Styles, Police, Opposition Prepare for Protests,” *Cambodia Daily*, September 2, 2013, <http://www.cambodiadaily.com/elections/in-contrasting-styles-police-opposition-prepare-for-protests-41545/> (accessed September 3, 2013); “More Than 2,000 Police Train to Increase Capability to Maintain Security, Safety, and Order (with video)” (នគរបាលជាង ២ពាន់នាក់ ហ្វឹកហ្វឺនបង្កើន សមត្ថភាពរក្សា សុវត្ថិភាព និងសណ្តាប់ធ្នាប់ (មានវីដេអូ)), September 1, 2013, <http://www.dap-news.com/2011-06-14-02-39-55/71251-2013-09-01-00-30-17.html> (accessed September 1, 2013).

⁹¹⁶ “Smoke grenades fired at protesters,” *Phnom Penh Post*, September 15, 2013, <http://www.phnompenhpost.com/national/smoke-grenades-fired-protesters> (accessed September 17, 2013).

⁹¹⁷ “Protest takes dark turn,” *Phnom Penh Post*, September 16, 2014, <http://www.phnompenhpost.com/national/protest-takes-dark-turn> (accessed September 17, 2013); “Cambodian TV Fails to Cover Protests,” *Cambodia Daily*, September 16, 2013, <http://www.cambodiadaily.com/elections/cambodian-tv-fails-to-cover-cnrc-protests-42377/> (accessed September 17, 2013); “Smoke grenades fired at protesters,” *Phnom Penh Post*, September 15, 2013, <http://www.phnompenhpost.com/national/smoke-grenades-fired-protesters> (accessed September 17, 2013).

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

⁹¹⁸ "Cambodia: Free 6 Randomly Arrested During Unrest," Human Rights Watch news release, February 19, 2014, <http://www.hrw.org/news/2014/02/19/cambodia-free-6-randomly-arrested-during-unrest>; Ibid.

⁹¹⁹ "Police Train at Freedom Park as Protesters Target Hun Sen's House," *Cambodia Daily*, October 22, 2013, <http://www.cambodiadaily.com/news/police-train-at-freedom-park-as-protesters-target-hun-sens-house-2-45638/> (accessed October 23, 2013).

⁹²⁰ "Chuon Sovann fight on workers 12 November 2013," <https://www.youtube.com/watch?v=f-gSjm5UNZc> (accessed November 29, 2013).

⁹²¹ "Cambodia: Steung Meanchey Trial Deeply Flawed," Human Rights Watch news release, May 11, 2014, <http://www.hrw.org/news/2014/05/11/cambodia-steung-meanchey-trial-deeply-flawed>; "One Dead, Seven Injured Amid Violent Clashes in SL Garment Workers Strike," LICADHO, et al., statement, November 12, 2013, <http://www.licadho-cambodia.org/pressrelease.php?perm=327> (accessed November 14, 2013); Ibid.

the country during the ensuring security force violence, which brought about the death of six people.⁹²²

Chun Sovan returned to Cambodia on or about January 4, 2014, the day Hun Sen's government arbitrarily banned all demonstrations.⁹²³ 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.⁹²⁴ Chun Sovan played a key role in such operations.⁹²⁵

On January 19-20, 2014, Phnom Penh municipal police arbitrarily held union leader Sok Chhun-oeung overnight after he was arrested during an attempted dispersal of a non-violent gathering of civil society groups that called for the release of 23 people then held in pre-trial detention in connection with the events of January 2-3.⁹²⁶ On January 26, Chun Sovan commanded a mixed force including gendarmes who injured at least eight people during the violent dispersal of people who had gathered near Democracy Plaza to demand increased wages for workers and release of the 23.⁹²⁷ On January 27, police operating together with municipal gendarmes attacked a march by media personality Mam Sonando

⁹²² “Mr. Mok Chito Moves Up to Be Acting Commissioner of the Royal Capital Police Replacing Chun Sovan for 12 Days” (លោក ម៉ក់ ជិតូ ឡើងជាស្នងការស្តីទីនគរបាលរាជធានី ជំនួសលោក ជួន សុវណ្ណ ១២ថ្ងៃ), December 24, 2013, <http://kohsantepheapdaily.com.kh/article/86707.html> (accessed December 30, 2013); Human Rights Watch, “Human Rights Watch Submission for the Review of Cambodia by the Human Rights Committee,” June 6, 2014; “Injured garment worker beaten during January’s clampdown died early this morning from unknown causes,” LICADHO, flash news, May 17, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=62> (accessed May 18, 2014); *Ibid.*

⁹²³ “Mr. Mok Chito Moves Up to Be Acting Commissioner of the Royal Capital Police Replacing Chun Sovan for 12 Days” (លោក ម៉ក់ ជិតូ ឡើងជាស្នងការស្តីទីនគរបាលរាជធានី ជំនួសលោក ជួន សុវណ្ណ ១២ថ្ងៃ), December 24, 2013, <http://kohsantepheapdaily.com.kh/article/86707.html> (accessed December 30, 2013).

⁹²⁴ *Ibid.*

⁹²⁵ “11 Activists Arrested for Views That ‘Impact Public Order’,” *Cambodia Daily*, January 22, 2014, <http://www.cambodiadaily.com/news/eleven-activists-arrested-for-views-that-impact-public-order-50934/> (accessed January 23, 2014).

⁹²⁶ “One more association leader arrested during prayer calling for release of 23 detained leaders & workers,” LICADHO flash news, January 19, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=26> (accessed January 19, 2014); *Ibid.*

⁹²⁷ “Union & association gathering turns to violent clashes,” LICADHO, flash news, January 26, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=31> (accessed January 26, 2014); *Ibid.*

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

⁹²⁸ “Yorm Bopha verdict upheld,” *Phnom Penh Post*, June 15, 2013, <http://www.phnompenhpost.com/2013061566292/National/yorm-bopha-verdict-upheld.html> (accessed June 16, 2013); *Ibid.*

⁹²⁹ “Cambodia: Security Forces Beat Housing Rights Protesters,” Human Rights Watch news release, February 14, 2014, <http://www.hrw.org/news/2014/02/14/cambodia-security-forces-beat-housing-rights-protesters>; “Youth Beaten Bloody during Borei Keila Occupation Clampdown,” LICADHO video, February 14, 2014, <http://www.licadho-cambodia.org/video.php?perm=45> (accessed February 14, 2014); “Short-lived occupation by dispossessed Borei Keila ends in violence,” LICADHO flash news, February 14, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=41> (accessed February 14, 2014); *Ibid.*

⁹³⁰ “Man Beaten, Arrested as Youth Group Marks Social Justice Day,” *Cambodia Daily*, February 21, 2014, <http://www.cambodiadaily.com/news/man-beaten-arrested-as-youth-group-marks-social-justice-day-52880/> (accessed February 23, 2014); *Ibid.*

⁹³¹ “Union Representatives Detained for Distributing Strike Leaflets,” *Cambodia Daily*, Feb 28, 2014, <http://www.cambodiadaily.com/news/union-representatives-detained-for-distributing-strike-leaflets-53330/> (accessed March 1, 2014); “Leaflet arrests questioned,” *Phnom Penh Post*, February 28, 2014, <http://www.phnompenhpost.com/national/leaflet-arrests-questioned> (accessed March 2, 2014); *Ibid.*

⁹³² “Gatherings continue for justice and release,” LICADHO, flash news, March 3, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=44> (accessed March 3, 2014); *Ibid.*

⁹³³ “H.E. Chuon Sovan Leads Many Thousand Police to Train to Strengthen Safety for the Citizenry” (ឯកឧត្តម ជួន សុវណ្ណ ដឹកនាំនគរបាលជាច្រើនពាន់ នាក់ហ្វឹកហាត់ពង្រឹងសុវត្ថិភាពជូនប្រជាពលរដ្ឋ), March 6, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/22957-2014-03-06-09-47-23.html> (accessed March 6, 2014).

specialized municipal and district intervention police.⁹³⁴ 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.⁹³⁵ 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.⁹³⁶ 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.⁹³⁷

⁹³⁴ “36 Prampil Makara District Intervention Police Competents Receive Physical and Mental Training” (សមត្ថកិច្ច នគរបាល ចំនួន ៣៦នាក់ ផ្នែកអន្តរាគមន៍ ខណ្ឌលមករា ទទួលការ ហ្វឹកហ្វឺន ទាំងកម្លាំងកាយ និងទឹកចិត្ត), March 27, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/83740-2014-03-27-04-14-01.html> (accessed March 27, 2014).

⁹³⁵ “All Three CNRP Members of the National Assembly Sent to the Commissariat While 21 District Security Are Injured Seriously and Lightly” (ប្រធានដ្ឋាន គណៈរដ្ឋមន្ត្រី CNRP ទាំង៣នាក់ ទៅស្នងការដ្ឋាន ខណៈសន្តិសុខ ខណ្ឌ២១នាក់ រហូសធ្ងន់នឹងស្រាល), July 15, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/90514-2014-07-15-03-45-12.html> (accessed July 15, 2014); “Acts of Violence Near Democracy Plaza: Royal Phnom Penh Capital City Hall Announces the Arrest of 12 the Hands-on Perpetrators and Those Responsible Who Must Be Punished” (អំពើហិង្សានៅជិត ទីលានប្រជាធិបតេយ្យ៖ សាលារាជធានីភ្នំពេញ ប្រកាសតាមចាប់ជនដែល និងអ្នកទទួលខុសត្រូវមកផ្ដន្ទាទោស), July 15, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/90553-2014-07-15-10-51-26.html> (accessed July 15, 2014); “LICADHO Condemns this Morning’s Violence at Phnom Penh’s Freedom Park,” LICADHO, statement, July 15, 2014, <http://www.licadho-cambodia.org/pressrelease.php?perm=348> (accessed July 16, 2014); “The day after Freedom Park violence: Five MPs at Court,” LICADHO, live stream, July 16, 2014, http://stream.licadho-cambodia.org/five_elect_cnrp_court/ (accessed July 16, 2014); “Cambodia: Drop Cases Against Opposition Politicians,” Human Rights Watch news release, July 17, 2014; <http://www.hrw.org/news/2014/07/17/cambodia-drop-cases-against-opposition-politicians>; “Civil Society Groups Condemn Baseless Charges and Call for an End to Violence and Repression,” LICADHO, et al., statement, July 17, 2014, <http://www.licadho-cambodia.org/pressrelease.php?perm=349> (accessed July 18, 2014); Ibid.

⁹³⁶ “CNRP elected district council member is twelfth party official to be arrested over Freedom Park violence,” LICADHO, flash news, September 29, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=82> (accessed October 1, 2014).

⁹³⁷ “The Situation After the Phnom Penh Municipal Police Conduct a Full Year of Operations Is Shown” (សភាពការណ៍ត្រូវបានបង្ហាញក្រោយពីនគរបាលក្រុងភ្នំពេញប្រតិបត្តិការពេញឆ្នាំ), July 30, 2014, <http://edition.bayontv.com.kh/bayontv-national-news/29616-2014-07-30-03-35-24.html> (accessed July 30, 2014); “Royal Capital Police Forces Meet to Sum Up the Operations to Maintain Political Security Following the Ending of the Political Crisis” (កម្លាំងនគរបាល រាជធានី ប្រជុំបូកសរុប ប្រតិបត្តិការ រក្សាសន្តិសុខ ក្រោយវិបត្តិ នយោបាយ បានបញ្ចប់), July 30, 2014, <http://www.dap-news.com/2011-06-14-02-39-55/91587-2014-07-30-03-27-02.html> (accessed July 30, 2014); “Police Given \$50K for Keeping Order Post-Election,” *Cambodia Daily*, July 31, 2014, <http://www.cambodiadaily.com/news/police-given-50k-for-keeping-order-post-election-65403> (accessed August 1, 2014).

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.⁹³⁸ 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.⁹³⁹

Chuon Sovan was also named to a Ministry of Interior committee tasked with arresting Sam Rainsy whenever it becomes possible to do so.⁹⁴⁰

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.⁹⁴¹ 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.⁹⁴²

⁹³⁸ “CNRP elected district council member is twelfth party official to be arrested over Freedom Park violence,” LICADHO, flash news, September 29, 2014, <http://www.licadho-cambodia.org/flashnews.php?perm=82> (accessed October 1, 2014).

⁹³⁹ “Cambodia: Exonerate 11 Wrongly Convicted Activists,” Human Rights Watch news release, July 21, 2015, <https://www.hrw.org/news/2015/07/21/cambodia-exonerate-11-wrongly-convicted-activists>.

⁹⁴⁰ “Royal Government Decides to Create a Committee to Implement Arrest Warrant for Sam Rainsy” (រាជរដ្ឋាភិបាល សម្រេចបង្កើត គណៈកម្មការ អនុវត្តដីកាបង្គាប់ ឱ្យចាប់ខ្លួនលោក សម រង្ស៊ី), November 16, 2015, <http://www.dap-news.com/2011-06-14-02-39-55/102630-2015-11-16-02-29-44.html> (accessed November 16, 2015).

⁹⁴¹ “CPP, police brass promoted,” *Phnom Penh Post*, February 22, 2016, <http://www.phnompenhpost.com/national/cpp-police-brass-promoted> (accessed February 23, 2016).

⁹⁴² “City cops sing praises of protest crackdowns,” *Phnom Penh Post*, March 31, 2016, <http://www.phnompenhpost.com/national/city-cops-sing-praises-protest-crackdowns> (accessed April 1, 2016).

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.”⁹⁴³

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.⁹⁴⁴ 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.⁹⁴⁵ 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.⁹⁴⁶

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.⁹⁴⁷

⁹⁴³ “Sabres rattled at police meet,” *Phnom Penh Post*, April 1, 2016, <http://www.phnompenhpost.com/national/sabres-rattled-police-meet> (accessed April 2, 2016).

⁹⁴⁴ “Cambodia: Cease Campaign to Curtail Rights Monitoring, Politically-Motivated Prosecutions Threaten all Human Rights Work,” Human Rights Watch news release, May 3, 2016, <https://www.hrw.org/news/2016/05/03/cambodia-cease-campaign-curtail-rights-monitoring>.

⁹⁴⁵ “General Chuon Sovan: Six Land Activists and Civil Society Officials Are Under Question, If Upon Questioning They Have Committed No Offense and They Make Promises, They Can Go Home” (នាយឧត្តមសេនីយ៍ ជួន សុវណ្ណៈ សកម្មជនដីធ្លី និងមន្ត្រីសង្គមស៊ីវិលទាំងបីនាក់ ស្ថិតក្រោមការសាកសួរ, បើស្រេចតាមការស្នើសុំ នឹងឱ្យធ្វើកិច្ចសន្យាត្រឡប់ទៅវិញ), May 9, 2016, <http://www.freshnewsasia.com/index.php/en/23779-2016-05-09-04-50-11.html> (accessed May 9, 2016).

⁹⁴⁶ “General Chuon Sovan: Many Police Forces Are Increasing Their Training in Order to Maintain Social Security and Order” (នាយឧត្តមសេនីយ៍ ជួន សុវណ្ណៈ កម្លាំងនគរបាលជាច្រើននាក់កំពុងបង្កើនការហ្វឹកហ្វឺន ដើម្បីថែរក្សាសន្តិសុខ និងសណ្តាប់ធ្នាប់សង្គម), June 14, 2016, <http://www.freshnewsasia.com/index.php/en/26453-2016-06-14-03-31-38.html> (accessed June 14, 2016); “‘Black Monday’ Activists Suspend Campaign,” *Cambodia Daily*, August 2, 2016, <https://www.cambodiadaily.com/news/black-monday-activists-suspend-campaign-116155/> (accessed August 3, 2016).

⁹⁴⁷ “Messrs Kep Chutima, Mam Bunheng, and Pa Socheatevong Provide a 73 Million Riel Budget to Resolve Veterans’ Problems” (លោក កែប ជុតិមា, លោក ម៉ម ប៊ុនហេង និងលោក ប៉ា សុជាតិឈុន ផ្តល់ថវិកា ៧៣លានរៀល

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.”⁹⁴⁸ It was clear that the training was for dealing with demonstrations.⁹⁴⁹ 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.”⁹⁵⁰

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.”⁹⁵¹

ដោះស្រាយបញ្ហាអតីតយុទ្ធជន), December 22, 2016, <http://www.freshnewsasia.com/index.php/en/localnews/42370-2016-12-22-00-31-18.html> (accessed December 22, 2016).

⁹⁴⁸ កម្លាំងនគរបាលរាជធានីភ្នំពេញ ហ្វឹកហាត់បាញ់គ្រាប់ពិត ពង្រឹងការការពារសន្តិសុខ និងសណ្តាប់ធ្នាប់ជូនរាជរដ្ឋាភិបាលស្របច្បាប់ និងពលរដ្ឋ, លទ្ធផលទទួលបានល្អ បង្អួច៨៩ភាគរយ, “The National Police Supreme Commissariat Will Expel Any Police Forces Who Have Not Regularly Participated in Training” (អគ្គស្នងការនគរបាលជាតិ នឹងបណ្តេញកងកម្លាំងនគរបាលណាដែលមិនចូលរួមហ្វឹកហ្វឺនជំនាញទៀងទាត់), October 15, 2015, <http://kampuchearthmey.com/kpt/?p=88126> (accessed October 15, 2015); “National Police Force Learn Tactics From 911 Brigade,” Cambodia Daily, October 16, 2015, <https://www.cambodiadaily.com/news/national-police-force-learn-tactics-from-911-brigade-97355/> (accessed October 17, 2015).

⁹⁴⁹ Crowd-control unit releases video footage of live-fire shooting exercise, August 8, 2017.

⁹⁵⁰ នាយឧត្តមសេនីយ៍ ជួន សុវណ្ណ ប្រកាសថា កម្លាំងនគរបាលទូទាំងរាជធានីភ្នំពេញ ប្រកាសថ្កោលទោសសម្តីជនក្បត់ជាតិ សម រង្ស៊ី និងត្រៀមគ្រប់ពេលកំបាំងក្រុមបង្កចលាចលសង្គម

⁹⁵¹ នាយឧត្តមសេនីយ៍ ជួន សុវណ្ណ ប្រកាសគាំទ្រយ៉ាងពេញទំហឹងចំពោះតុលាការកំពូល គាត់រំលាយគណបក្សសង្គ្រោះជាតិ និងគាំទ្រអនុសាសន៍ទាំងស្រុងរបស់សម្តេចនរោត្តម សីហមុនី

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

⁹⁵² "Framework for a Comprehensive Political Settlement of the Cambodia Conflict", October 23, 1991, http://www.cambodia.org/facts/?page=1991+Paris+Peace+Agreements#annex_2 (accessed November 12, 2014).

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.”⁹⁵³

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

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.”⁹⁵⁴

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

⁹⁵⁴ United Nations Security Council, “Letter Dated 8 February 2007 from the Permanent Representative of Slovakia to the United Nations addressed to the Secretary-General” S/2007/72 (2007), February 9, 2007, <https://unssr.unlb.org/Resources/UNDocuments/tabid/255/SMID/498/ItemId/80/Default.aspx> (accessed June 20, 2015).

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”

⁹⁵⁵ United Nations General Assembly/Security Council, “Security peace and development: the role of the United Nations in supporting security sector reform, Report of the Secretary-General” A/62/659-S/2008/39, January 23, 2008, <https://unssr.unlb.org/Resources/UNDocuments/tabid/255/SMID/498/ItemId/120/Default.aspx> (accessed June 20, 2015).

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.”⁹⁵⁶

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.⁹⁵⁷

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”

⁹⁵⁶ United Nations General Assembly/Security Council, “Securing States and societies: strengthening the United Nations comprehensive support to security sector reform” (A/67/970-S/2013/480), August 13, 2013, <https://unssr.unlb.org/Resources/UNDocuments/tabid/255/SMID/498/ItemId/119/Default.aspx> (accessed June 20, 2015).

⁹⁵⁷ United Nations Security Council, Resolution 2151 (2014) (S/RES2151 (2014)), April 28, 2014, [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2151\(2014\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2151(2014)) (accessed June 20, 2015).

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

⁹⁵⁸ United Nations Development Group, "Human Rights Up Front: An Overview," [n.d.], <https://undg.org/wp-content/uploads/2015/09/Overview-of-Human-Rights-up-Front-2015-07-24.pdf> (accessed June 20, 2015); United Nations Development Group, "Human Rights Up Front Initiative," [n.d.], <https://undg.org/home/guidance-policies/country-programming-principles/human-rights/rights-up-front-initiative/> (accessed June 20, 2015).

⁹⁵⁹ United Nations, "The Secretary-General: Renewing our commitment to the peoples and purposes of the United Nations," November 21, 2013, <https://undg.org/wp-content/uploads/2014/09/SGs-commitment-statement-Final-English.pdf> (accessed June 20, 2015); United Nations, "The Deputy Secretary-General: Informal remarks at briefing of the General Assembly on Rights up Front, 17 December 2013," <https://undg.org/wp-content/uploads/2014/09/DSG-informal-remarks-at-briefing-of-the-GA-on-Rights-up-Front.docx> (accessed June 20, 2015).

⁹⁶⁰ United Nations, "Readout of the Secretary-General's phone call with H.E. Mr. Prak Sokhonn, Minister of Foreign Affairs and International Cooperation of the Kingdom of Cambodia," June 8, 2016, <https://www.un.org/sg/en/content/sg/readout/2016-06-08/readout-secretary-general%E2%80%99s-phone-call-he-mr-prak-sokhonn-minister> (accessed June 20, 2016).

⁹⁶¹ Global pressure on CPP builds, *Phnom Penh Post*, June 10, 2016, <http://www.phnompenhpost.com/national/global-pressure-cpp-builds> (accessed June 11, 2016); "Ban Ki-moon Calls Foreign Minister With Concerns," *Cambodia Daily*, June 10, 2016, <https://www.cambodiadaily.com/news/ban-ki-moon-calls-foreign-minister-with-concerns-113920/> (accessed June 11, 2016); "Foreign Minister Responds to Ban Ki-moon," *Cambodia Daily*, June 13, 2016, <https://www.cambodiadaily.com/news/foreign-minister-responds-to-ban-ki-moon-114015/> (accessed June 14, 2016).

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.



Riot police and security guards crack down on land rights demonstrators from the Borei Keila community in Phnom Penh during a protest against the government and a construction company, February 14, 2014.

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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.



Gen. Kun Kim, RCAF Deputy Supreme Commander



Gen. Mok Chito, Deputy Supreme Commissioner of National Police



Gen. Neth Savoeun, Supreme Commissioner of National Police



Gen. Pol Saroeun, RCAF Supreme Commander



Gen. Sao Sokha, Commander of National Gendarmerie



General Sok Phal, Supreme Director of the Supreme Directorate for Immigration



Lt. Gen. Bun Seng, Deputy Army Commander, Commander of Military Region 5



Lt. Gen. Chap Pheakdey, Deputy Army Commander, Brigade 911 Commander



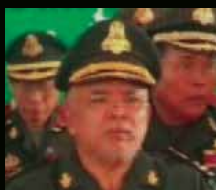
Gen. Chea Mon, Deputy Army Commander, Commander of Military Region 4



Lt. Gen. Rat Sreang, National Gendarmerie Deputy Commander, Phnom Penh Gendarmerie Commander



General Chuon Sovan, National Police Deputy Supreme Commissioner



Lt. Gen. Choeun Sovantha, Deputy Army Commander, Commander of Military Region 2 (placeholder image)