

CAMBODIA

1975
2005

Journey through the Night

A photo exhibition of the Friedrich-Ebert-Stiftung





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Projekt partners

Since its foundation in 1997, the **Documentation Center of Cambodia (DC-Cam)**, based in Phnom Penh, has been dedicated to confronting the rule of the Khmer Rouge, to which end it is engaged in archiving materials, performing research and publishing scholarly studies. The institution also plays an important role in fostering societal discourse regarding the imminent mixed Cambodian-United Nations tribunal before which leading members of the Khmer Rouge will have to answer for their crimes.

The **Atelier Meerkatze** was opened in 2001 by Kurt and Gisela Volkert. It is the studio of the painters Wolfgang Sahlmann and Kurt Volkert and is also used for exhibitions of art and photography. In 2002 it played host to the widely acclaimed "Requiem" exhibition, organised in conjunction with the photojournalist and Pulitzer Prize-winner Horst Faas, which featured photographs from photographers who had been killed in Vietnam, Laos and Cambodia. This atelier is an important part of the cultural landscape in Königswinter and beyond.

The **Friedrich-Ebert-Stiftung (FES)** has been active in Cambodia since 1994. Its target groups are the decision-makers and influential people in politics, trade unions and civil society. Its primary partner is the Cambodian Institute for Cooperation and Peace, in whose founding and expansion the Friedrich-Ebert-Stiftung has played an important role and which has since established itself as a leading internationally renowned think-tank. The activities of the FES in Cambodia are coordinated from its Office for Regional Cooperation in Southeast Asia based in Singapore.

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Foreword

In Phnom Penh, on the banks of the Mekong, you can buy little birds for next to nothing. If you set them free, in Buddhist belief, your good deed will bring you good luck and happiness. In a military headquarters west of the city, trials are soon to take place for heinous crimes that may put their perpetrators behind bars for the rest of their lives.

In compliance with an agreement between the United Nations and the Kingdom of Cambodia ratified in October 2004, a tribunal is being set up to try the Khmer Rouge. Two international and three Cambodian judges in the Extraordinary Chambers of Cambodia will call to account the leaders of the Khmer Rouge, responsible for the deaths of an estimated 1.7 million Cambodians – approximately a quarter of the population – under the murderous regime of Pol Pot between April 1975 and January 1979. The regime's particular targets were doctors, engineers, monks, architects, lawyers and teachers.

The thirtieth anniversary of the beginning of the Khmer Rouge regime in Cambodia – 17 April 2005 – was an occasion to reflect on the process of reconciliation and democratisation which began with the signing of the Paris Peace Accords in October 1991, following the turmoil and brutality of civil war.

Together with the Documentation Centre of Cambodia and the Cambodian Institute for Cooperation and Peace, the Friedrich-Ebert-Stiftung (FES) prepared a photo exhibition and series of lectures, panel discussions and films dealing with historical events in Cambodia, entitled *“Cambodia 1975-2005: Journey through the Night”*. In addition, the foundation has addressed the key political and legal aspects of this issue at various events in Berlin, Königswinter, Bonn and Frankfurt am Main. With this series of events, the foundation aims to keep memories of the past alive and to help the Cambodian people come to terms with this period of their history, thereby paving the way for reconciliation, restitution and remembrance.

The symposium *“In Dictators’ Footsteps: Chronicling the Past and Democratic Transformation – Cambodia, Germany, Peru, South Africa and East Timor”*, which

was held in Berlin on 15 April 2005 with extensive coverage by the media, discussed the different experiences in these five countries.

The problem with bringing perpetrators of genocide to justice is that standard legal instruments alone are generally not enough. Special procedures must be applied. In some cases, these have combined aspects of Western justice with traditional mediation models.

Following the demise of apartheid in South Africa, the Commission for Truth and Reconciliation was established – not for the purposes of revenge and punishment, but rather to reconcile South African society. In Peru, by contrast, a similar commission was coupled with legal proceedings and various restitution measures. A UN ad hoc tribunal for East Timor is also being demanded by the international community and by the East Timorese themselves, since this country's previous efforts to come to terms with its past have met with little success. Furthermore, an Indonesian ad hoc tribunal and an East Timor truth commission were set up in 2002 following pressure from the international community.

There are a number of tribunals and commissions engaged in analysing past events and working to establish peace that can be taken as models. Arguably the best known of these relates to Germany – the Nuremberg War Crimes Trials that began in 1945 with the aim of restoring peace through law. Its statutes also served as the model for the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Court in The Hague. Cambodia is not the only nation trying to come to terms with its past; in Germany, this is an ongoing process. In 2005, Germany celebrated the sixtieth anniversary of the end of the Second World War, the liberation of prisoners from the Nazi concentration camps and the fifteenth anniversary of reunification.

This publication contains the second edition documentation of the photo exhibition *“Cambodia: Journey through the Night”*, which describes the genocide committed by the Khmer Rouge, the background to these events and their effects on modern Cambodia and its fledgling democracy. This exhibition was held in the

Friedrich-Ebert-Stiftung premises in Bonn from 17 April to 13 May 2005. Since the original edition of this documentation is out of print and there is a continuing demand, we present this second edition. We have enhanced the publication by two articles which resulted from last year's activities. For the purpose of reaching a broader audience, this second edition is published in English.

The contribution by the longstanding FES representative in Southeast Asia, Norbert von Hofmann, analyses Cambodia's difficult transition to a parliamentary democracy. In the 14 years since the signing of the Paris Peace Accords, Cambodia has succeeded – in the face of considerable adversity and setbacks – in creating a democracy with relatively free and fair elections, albeit one which bears the imprint of former structures. In spite of all the obstacles, it now has a democratic multi-party system and a very active civil society that is wholly committed to the progress of the country.

The article by Osnabrück Professor of Politics Roland Czada reflects that other countries are also faced with the challenge of coming to terms with the atrocities of past political systems from a social, cultural, political, economic and psychological perspective. Although analysing the past cannot undo the evil that has been done, it can still change the perception and interpretation of experiences, thereby contributing to the "healing" of society. Professor Czada is convinced that this process is a basic prerequisite for democratic development, since lasting peace cannot be ensured without redressing injuries, reconciling differences and establishing stable political and social structures.

We undertook this project in close cooperation with the Documentation Centre of Cambodia and the Cambodian Institute for Cooperation and Peace. A small team of our Cambodian partners took part in the events in Bonn, Berlin and Königswinter.

We are delighted that a number of secondary schools in Bonn have completed extensive project work on Cambodia, initiated and supported by the FES. As part of a film evening held on 19 April 2005, there were discussions between experts in Southeast Asian affairs at the University of Bonn and our Cambodian guests on the complexity of the democratisation process in

Cambodia against the background of the former Khmer Rouge terror regime.

Another exhibition was held in Königswinter's Atelier Meerkatze from 17 to 24 April 2005, including work by photographic journalists who lost their lives in Cambodia.

Finally, on 4 October 2005, at an event held together with the Frankfurter Presse Club, the relationship between democratisation and reconciliation was discussed at the preview of the photo exhibition "Journey through the Night".

The presence of HRH Prince Norodom Sirivudh was a particular honour for the FES, as well as illustrating the importance attributed to the "Cambodia 1975-2005: Journey through the Night" series of events in Cambodia itself. The uncle of the new king, Norodom Sihamoni, is also chairperson of the Cambodian Institute for Cooperation and Peace, an organisation with which the FES has enjoyed a close and rewarding partnership for more than ten years.

The socio-political activities of the FES have focussed on reconciliation and democratisation in Cambodia since the end of the civil war in the early 1990s. In view of this, we are particularly anxious to allow English-speaking readers and observers the same insight into Cambodia's transition to democracy.

I would like to extend my sincerest thanks to our valued partners from the Documentation Centre of Cambodia, the Cambodian Institute for Cooperation and Peace, the Atelier Meerkatze, the Associated Press and the Frankfurter Presse Club. In particular, my thanks go to Horst Fass, Kurt Volkert, Helga Märthesheimer, Christoph Maria Fröhder and above all the Cambodia team at the FES for their tireless efforts and commitment. Without the input of these people, "Cambodia: Journey through the Night" would simply not have been possible.

Bonn, March 2006

Dr. Paul Pasch
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The political situation in Cambodia: from the peace treaty to the present day

Norbert von Hofmann*

Rather than begin with a summary, I would like to make four points that I feel are necessary to do justice to Cambodia and its development over the last fifteen years:

- Peace and reconciliation are lengthy processes, and half a generation is too short a time for any conclusive assessment to be made.
- Developments in Cambodia must be seen in the context of political circumstances and changes in Southeast Asia.
- The advancement of democracy and good governance and the continual improvement of human rights are on the country's agenda. Despite numerous setbacks, there has been visible progress in many areas, even if these are generally only on a small scale.
- Since the signing of the Paris peace accords, Cambodia has developed into a formal democracy with relatively free and fair elections, albeit one which still bears the imprint of former feudal and communist structures.

For me, the turning point in Cambodia's recent history was in Vladivostok in July 1986, when the Soviet then Secretary-General Mikhail Gorbachev announced a change in Soviet foreign policy, declaring, "Asia's problems must be resolved in Asia". Among other things, this meant that the Soviet Union was no longer prepared to continue providing enormous financial support to Vietnam. This in turn forced Vietnam to withdraw its troops from Cambodia in 1989 and to begin peace talks in Jakarta and Pattaya, which came to a successful conclusion on 23 October 1991 with the Paris peace accords.

Three of the Cambodian participants at the Paris peace talks were: the royalist FUNCINPEC (National United Front for an Independent, Neutral, Peaceful and Co-operative Cambodia) under Prince Norodom Sihanouk; the republican and US-backed Khmer People's National Liberation Front, led by Son Sann; and the Khmer Rouge, represented by Khieu Samphan. These three groups formed the government in exile that held Cambodia's seat at the United Nations. The fourth Cambodian party was the Cambodian People's Party (CPP), successor to the People's Revolutionary Party of Kampuchea, which was founded in 1979. Chea Sim and Hun Sen were the most powerful figures in this party and still are today.

In February 1992, the United Nations Security Council passed Resolution No. 745 as the basis for setting up the United Nations Transitional Authority in Cambodia (UN-TAC), which was responsible for maintaining the cease-fire, disarming the four warring parties, repatriating refugees and holding free elections for a constituent assembly and a democratic government.

I first visited Cambodia in October 1990 and again in March 1991, which was before the peace accords had been signed. At this point, the country was already on the brink of collapse. No more subsidies were coming from the Eastern Bloc, including the GDR, the second most important source of aid after the Soviet Union. I recall visiting the central market in Phnom Penh and finding no fruit or vegetables – just shop after shop selling gold. Gold has always been the decisive currency in Asia in times of crisis.

At the time, diplomatic relations did not exist with any Western country. Development aid, particularly from church organisations but also from a number of West-

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ern governments, was channelled through non-government organisations, the representatives of which made up an interesting bunch – with a lot of money, status and regular meetings with Prime Minister Hun Sen. They went so far as to hire a “diplomatic consultant” to lobby in Europe on behalf of the State of Cambodia.

In January 1992, I met the first returning exiles in Phnom Penh and Bangkok, coming primarily from France, Australia and the USA. I was impressed by the sense of a new era and the motivated outlook of these people, many of them highly qualified. They lived in Phnom Penh in extremely basic conditions. Their offices contained nothing more than a table and a few chairs – there was neither a telephone nor a fax machine.

Since then, there have been four democratic elections in Cambodia: three national elections in 1993, 1998 and 2003 and the commune elections in 2002. All of these offered voters clear alternatives, with more than 20 political parties to choose from. This has been the case in particular since 1995, when the first successful opposition party, the Sam Rainsy Party (SRP), was founded. Enthusiasm among the voters continues to be high, with voter turnout in the most recent election once again well over 80%.

Before and after these elections – which were held without outside assistance, aside from the first, which was organised by the UN – there were often reports of political acts of violence, even murder, as well as cases of votes being bought and of irregularities in registering voters and counting votes. However, the majority of international observers did not perceive these as breaches that would have warranted recounting the votes or holding the election anew. Accordingly, in the eyes of EU observers, the last election victory of the Cambodian People’s Party was a true reflection of the wishes of the Cambodian people.

Prince Norodom Ranariddh’s royalist party FUNCINPEC emerged victorious in the first national elections in 1993, which were held under United Nations supervision. The next two national elections were won by Prime Minister Hun Sen’s Cambodian People’s Party. In all three cases, a grand coalition was formed, since the majorities were less than the two-thirds required by the constitution to form a government. Of signi-

ficance is that this constitutional requirement was adhered to each time, even though winners and losers alike appeared to have considerable difficulty dealing with the election results and the constitutional law. Fighting broke out in 1997 between Hun Sen and his coalition partner Prince Norodom Ranariddh, who with other politicians was driven into exile for several months. In 1998, there were mass demonstrations against the election results and it took four months before a grand coalition was formed again. After the 2003 election, it took almost an entire year to reach a settlement.

The last coalition agreement between the CPP and FUNCINPEC, which resulted from eleven months of negotiations, dealt with a number of aspects besides division of power. Some of these were standard procedure for Europeans, such as secret ballots for the election of the prime minister by the National Assembly and the introduction of a question time during which government members must answer directly to parliament. These may appear to be small steps for democracy and transparency, but for Cambodia they were giant leaps of progress.

Another positive development is the growing democratic civil society, even though its groups are still largely dependent on foreign support. In a broader sense, this includes Cambodia’s trade unions as well. The largest independent trade union is the Free Trade Union of Workers of the Kingdom of Cambodia, which was founded in 1996 and has more than 50,000 members. This is seen as the most active and democratic federation of trade unions in Cambodia, and many of its leaders have close ties with Sam Rainsy’s opposition party.

In January 2004, the chairman of this trade union, Chea Vichea, was assassinated in broad daylight in Phnom Penh. The funeral turned into an impressive march by protesters demanding more constitutional rights and legal reforms. On Sunday 25 January 2004, twenty thousand mourners made their way from the trade union office where Chea Vichea was laid out, through the streets of Phnom Penh to the Wat Botum temple, where the cremation was to be held.

If the aim of this murder was to intimidate independent trade unions, it failed miserably: at a special trade union congress, a total of eight trade union leaders

ran for election to replace the murdered Vichea, including five women.

This trade union has also contributed to the fact that Cambodia's textile industry now has working conditions that ensure that at least basic human rights are protected. This fact has a positive impact on exports. Seventy-five percent of all textile exports are to the USA, which verifies through the International Labour Organisation in Geneva that the principal workers' rights are adhered to. The textile industry is the second largest source of private sector employment after tourism, providing work for more than 240,000 people, mostly women.

With an annual per capita income estimated at US\$315 in 2004, Cambodia is categorised as one of the least developed countries (LDCs). In spite of remarkable reform efforts and vast overseas support, the economic basis of this predominantly rural country remains weak. Nearly 40% of the 14 million Cambodians continue to live below the poverty line. Per capita income is increasing by an annual average of 2% while the population grows at 2.9%. The recent economic growth of 6% (2004) benefited only a small stratum of the population.

Approximately one half of the national budget consists of aid from international donors. Although the government failed to meet many of its pledges to donors, the international donor community promised US\$504 million in aid for 2005 at its conference in Phnom Penh in December 2004. The donors were pleased with the progress made by the government's efforts in combating HIV/AIDS, but criticised its failure to meet targets relating to social policy and reforms in the legal system and public administration. As before, a weak and corrupt judiciary gave cause for considerable concern.

However, the regular World Development Reports by the United Nations Development Programme (UNDP) indicate that slow yet steady progress is being made. The Human Development Index (HDI), which consists of three equal parts – per capita income, life expectancy and level of education/school attendance – rose from 0.540 in 1995 to 0.571 in the 2005 report. This means that Cambodia is ranked 130th in a list of 175 countries worldwide. (By contrast, the HDI of Kenya fell from 0.540 in 1990 to 0.474 and 154th place in 2005.)

In view of the decades of wartorn chaos and genocide, the fact that even a relative stability has been achieved and that Cambodia's isolation has been brought to an end by means of regional and international reintegration must be considered a success. Since 1998, Cambodia has once again had a seat in the General Assembly of the United Nations and has been a full and active member of the Association of Southeast Asian Nations (ASEAN) since 1999.

Directly after the Khmer Rouge were driven out of Phnom Penh in 1979, its leader Pol Pot and his foreign minister Ieng Sary were sentenced to death in absentia by a "people's tribunal". However, these proceedings were not recognised by the majority of United Nations members. In January 2001 – three and a half years after the Cambodian government first sought United Nations assistance for a trial of former Khmer Rouge leaders – the National Assembly passed a law authorising a special Cambodian court to call to account the leaders of the Khmer Rouge regime (otherwise known as Democratic Kampuchea). After lengthy negotiations, the United Nations and the Cambodian government signed an agreement on concrete cooperative measures in June 2003. Accordingly, the special tribunal will have two chambers. The first chamber consists of three Cambodian and two international judges, while the appeals chamber is made up of four Cambodian and three international judges.

Because of the long coalition negotiations following the elections in Cambodia in July 2003, the ratification was temporarily put on ice. It was only in October 2004, six years after the death of "Brother Number One" Pol Pot, that the National Assembly ratified the agreement.

Cambodia and the United Nations estimated the cost of the three-year proceedings at US\$56 million. The first training sessions for lawyers, prosecutors and judges took place in late 2004 and early 2005.

Since then, more than US\$40 million has been promised to finance the tribunal, of which US\$21.6 million comes from Japan alone. Germany pledged US\$1 million for the first year and €1.5 million for the following two years. The USA, one of the driving forces behind the tribunal, has not yet declared itself willing to participate in the costs, preferring to wait and see whether the tribunal meets international standards.

The aim of the proceedings is to put on trial those at the forefront of the Pol Pot regime, under which more than 1.7 million people lost their lives between 1975 and 1979. However, the leaders of the era are now well into their 70s – in a country where the average life expectancy is a mere 56 years.

Some former Khmer Rouge leaders are still alive and could be put on trial: Nuon Chea (Brother Number 2), Ieng Sary (foreign minister of Democratic Kampuchea), Khieu Samphan (head of state of Democratic Kampuchea), Ta Mok (military commander of Democratic Kampuchea), and Kaing Guek Eav, better known as “Duch”, who ran the Tuol Sleng torture centre in Phnom Penh. Only two of the aforementioned Khmer Rouge leaders, Ta Mok and Duch, are currently in custody.

The planned tribunal is widely supported by the population, yet at the same time it is an extremely sensitive issue. This is primarily due to the involvement of the Cambodian elites and of the international community in the Cambodian political conflict of the 1970s. There is a fear of facing up to the past, a fear of revenge, a fear of opening up old wounds. Nonetheless, many Cambodians hope finally to learn what actually happened during this period of their history. Many are still in the dark as regards the fate of friends and relatives who disappeared without a trace under the regime. Many expect to find out more about life at the time, about the system and how it worked.

Amnesty International has misgivings about what it regards as the inherent weakness of a “mixed” court consisting of Cambodian and international judges, and

whether such a set-up will be workable in practice. There are also doubts as to whether it still makes sense to hold the relatively costly tribunal, given that it is to be limited to a small number of key perpetrators.

In October 2004, the 82-year-old King Sihanouk abdicated. In accordance with the constitution, the Throne Council chose a successor, the king’s son, Norodom Sihamoni. He is the child of King Norodom Sihanouk’s marriage with his sixth (and current) wife, Monique. In his first speech as king, he announced that he would refrain from involvement in politics. Unlike his father, he did not intend to play a part in legislative, executive or judicial affairs, but instead promised to take an active role only in religious, diplomatic, social and humanitarian affairs.

I would like to conclude on a personal note:

I have observed Cambodia for 15 years on behalf of the Friedrich-Ebert-Stiftung, have visited the country at regular intervals, and was there virtually every month in the last ten years. I also attended the funeral services following the murder of two close Cambodian friends, politician Om Radsady and trade union leader Chea Vichea. However, during this time, I also had many opportunities to witness progress, to see things change for the better.

If I were to sum up the last 15 years of political development in Cambodia, I would say that, rather than being half empty, the glass is half full, if not more.

Reconciliation, restorative justice and remembrance

Prof. Dr. Roland Czada*

How can peace be established and preserved in countries in which neighbours slaughtered neighbours and hundreds of thousands or even millions perished – because they had different political beliefs or different religious beliefs, simply looked different or possessed some other characteristic which identified them as victims? In Cambodia, wearing glasses or speaking a foreign language were some of the multitude of characteristics by which people were identified as targets.

History has shown that there are numerous ways for a society to emerge from a cycle of violence, and that many of these paths are exceedingly difficult. Not all of them achieve lasting reconciliation or political stability. Some lead to dead ends, where society's conflicts are not reconciled, but rather hidden from view or simply covered over, at the risk that they will resurface later. This is particularly true in instances where the primary emphasis is on suppressing the conflict. Dolf Sternberger, a former political scientist at the University of Heidelberg, calls this a “*demonological peace*”. It has as little permanence or substance as an “*eschatological peace*”, which – usually founded on ideological indoctrination – promises deliverance from conflict. In this case, there is no effective, but merely a rhetorical, resolution of conflicts. This allows reconciliation to remain superficial, while oppression and violence continue to persist beneath the surface.

Only a *constitutional peace*, which is based on reconciliation, and which is supported both by generally accepted rules of coexistence and by institutions for the non-violent resolution of conflicts and interest intermediation, has any chance of permanence. Achieving such a peace requires a transformation of unjust political systems into democratic societies based on the rule of law. For post-conflict societies, this requires a political act of commitment and a forswearing of

violence. By no means are the formal establishment of conflict resolution structures, the holding of elections and formation of a government sufficient for achieving a constitutional peace. As is clear from the current process of transformation in Iraq, additional efforts are required in order to establish a societal consensus regarding values and a binding constitution, because without such a consensus any legal or political structures are an empty shell. Following a period of dictatorship and excessive political violence, confronting the past is a necessary step to forging this consensus.

The process of dealing with the past can last for decades. Many generations were to pass before Germany officially acknowledged its guilt for its colonial war of extermination against the Herero in the former German colony of South-West Africa. The same is true for the genocide of Native Americans and Australia's Aborigines. The compensation of Nazi Germany's forced labourers, like the trials of senescent Nazi war criminals in Germany and France, did not occur until decades after the fall of the Nazi regime. The current efforts to establish a UN tribunal to deal with the Khmer Rouge reign of terror from 1975 to 1979 are yet another example of how, after a period of tyranny and systemic injustice, efforts to challenge a culture of impunity and silence often may take decades to come to fruition.

Regardless of the means employed, the process of dealing with the past needs to accomplish three essential tasks. These are:

- Reconciliation and forgiveness
- Restitution and restorative justice
- Remembrance and establishment of a historical record

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Of even more importance than these interrelated objectives is the categorical imperative that what happened once never be allowed to happen again. This “never again” is an element that unifies the individual and often controversial aspects of these efforts, and which embodies the shared interest in reconciliation and a better future.

The decision to forego revenge and to prosecute only those guilty of the most horrendous crimes is usually made in those situations where political transformation rests on a compromise between the representatives of the former unjust political system and the political representatives of the victims, and where the policies for dealing with the past have been formulated without international involvement. This is the path events have taken in South Africa and in countries such as El Salvador, Namibia, Nicaragua and Uruguay. In these places, it has often been the case that important documentation which might have permitted large-scale prosecution of the crimes committed was destroyed. At the same time, there was a broadly shared desire among the people to find out what had really happened, and a broad-based hope for reconciliation. It is only with reservations that Cambodia can be included in this list of countries. The intervention of the international community has been much more evident here, while there are fewer of the internal social and political prerequisites necessary for a process of reconciliation and forgiveness based on the establishment of what actually happened.

Cambodia now has a tribunal, but it does not have a truth commission. The Cambodian judiciary is often accused of lacking practical experience or being corrupt or under the control of the government. The judges will be passing judgement on a small number of perpetrators. This, at present, puts definite constraints on the society’s ability to work discursively through the past.

When criminal prosecution is rendered impossible as a result of political compromises, the destruction of evidence, or for legal or societal reasons, or when criminal prosecution – as in Cambodia – is possible only on a very limited basis, then at the very least, the subjective truth as experienced by the perpetrators and victims in individual cases and crimes should be revealed. This is the trade-off embodied by “truth and reconciliation commissions”. Truth is something

which can be offered to the victims when justice is not possible. This type of clarification offers a third way between criminal prosecution and a conspiracy of silence, forgetting and suppression. In Cambodia, discussion of the past has not progressed very far outside of the spheres of politics, the tribunal and criminal justice, and society has yet to confront fully the systemic injustice which occurred. Perhaps it will be left to a future generation to show empathy for the suffering of the victims and to analyse the full extent of the tyrannical system that was responsible for this in all its horror, and in particular to closely examine its roots and set in motion a historical learning process.

Reconciliation and punishment

Reconciliation can be applied at both an individual and a group level. The focus of the South African Truth and Reconciliation Commission was on individual events, the suffering of individuals and individual crimes – in other words, individual victims and perpetrators. The perpetrators admitted to their crimes and asked their victims and their victims’ families for forgiveness. This procedure led – when an amnesty committee composed of criminal judges agreed – to amnesty for the perpetrators.

The truth and reconciliation commissions in South America and Latin America have at times been criticised because they were not able systematically to clarify the methods employed by oppressive systems. The criticism – that these commissions reconstructed a rather diffuse overall picture of the truth without truly providing clarification – is justified, yet this does not in any way diminish their historic contribution to reconciliation.

The investigative commission for “Examining the history of the communist dictatorship in Germany and its consequences” proceeded in a much different manner. Although a large number of individual cases were examined here as well, the primary focus was on analysing the injustice of the system as a whole. We now know – this has been documented in 18 volumes with more than 15,000 pages – how systemic injustice, surveillance, repression and the system of rewards and punishments functioned in East Germany. The illegal acts of individuals in these cases became the subject of criminal proceedings in Germany and

were not subject matter for a truth and reconciliation committee. This has evoked complaints for numerous reasons, including the fact that there was no focus on reconciliation as the accompaniment of the public admission of guilt by the perpetrators and forgiveness by the victims. Any penance which resulted was done at the behest of the state, which at best offered a sense of legal closure, but no all-encompassing reconciliation or reintegration of society or, as it was called in its South African context, nation-building. Yet *nation-building* is one of the primary prerequisites for a lasting constitutional peace.

Why are societal reconciliation and a shared feeling of national unity so essential to the establishment of a constitutional peace? This question is particularly important because—as is frequently asserted—we find ourselves in a post-national constellation in which a cosmopolitan world community is emerging, increasingly overshadowing the national concepts of economy, politics and society. In such a situation (particularly in Germany), constitutional patriotism is called for rather than love of one's country or the display of national pride. Why, then, is so much being done in countries in the throes of transformation to promote both the creation of a national identity and a powerful sense of nationhood? In South Africa this goes beyond the rhetoric of national pride so often practised by the government to the initiation of full-fledged national pride campaigns.

Those who are put off by emotional and pathos-filled appeals to national unity and the promotion of national pride all too easily forget that these are not being pursued for ethnocentric or nationalistic objectives. Quite the contrary: The objective is the reconciliation of different groups within the state, in order to create a rainbow nation, as the South Africans put it. This type of state is the opposite of what is commonly considered a nation-state in Europe. A state comprising many different peoples or "nations" such as the Republic of South Africa was never the ideal of European nationalism, but was in fact its antithesis, as European nationalism was predicated on the ethnic emancipation and independent nationhood of each people. This is why nation-building in South Africa is a project of reconciliation and the opposite of the historic nation-building process in Europe, which went hand in hand with the destruction of multinational states. The old apartheid regime was acting in an ethno-nationalistic

fashion when it created separate "homelands" for the individual ethnic groups, while the new South Africa is in the midst of creating a nation characterised by freedom and ethnic diversity and which is united by choice.

Constitutional consensus and nation-building

Reconciliation through nation-building and the creation of a constitutional state on the basis of majority-rule democracy with equal individual rights is not an easy matter. This process almost necessitates the formation of a majority culture, and means that nation-building runs the danger of thwarting the process of reconciliation between various sections of the population. The objective of national unity can easily come into conflict with the diversity of languages, religions, customs and behaviours. As a result, the question of establishing group rights for minorities is always an issue when drafting a constitution, highlighting yet again the limitations of a purely formal peace process. Problems emerge when, in the case of deep-rooted ideological, religious or language divisions – things which do not, after all, disappear as the result of a peace accord – the actions of the political community's institutions come up against cultural barriers, or when an open conflict erupts between the constitutional settlement's claim to universality and the claims of particular sub-cultures. Here, too, it becomes evident that there are political, legal and cultural preconditions necessary for a constitutional peace which are not met by the mere existence of a democratic system, particularly a majority-rule democratic system. Such problems can become serious if, in culturally segmented societies, structural ethnic majorities are organised into a political party. This precludes any change of government, and minorities are permanently excluded from the government. The pluralistic ideal of achieving a balancing of societal interests through the free competition of society's various groupings requires not only a multitude of overlapping group identities, but also fluid group identities and mobility among them. These requirements are not met in societies with rigid and mutually reinforcing social-structural, cultural and religious divisions.

The introduction of group rights, which has recently been the subject of consideration in western industrial nations under the banner of cultural pluralism, can be

a double-edged sword, for it is not only an expression of reconciliation and peaceful coexistence, but may also deepen society's divisions. Group rights are only unproblematic when they are restricted to well-defined areas and do not infringe upon the principle of equal political rights for all individuals. This is the case when disadvantaged groups, or groups which feel themselves to be disadvantaged, demand compensatory measures in specific areas, usually in the economic sphere or affecting everyday life, to combat their disadvantages. South Africa's black empowerment policies provide an example of this approach. I would, on the other hand, be sceptical of any moves to officially enshrine Islamic shari'a law for members of the Muslim community, as pluralistic legal systems generally impinge upon the ability to enforce the resolution of conflicts.

The situation is particularly difficult when members of minority groups demand that their cultural differences be enshrined in political distinctions. Such demands regularly accompany efforts to achieve political autonomy and self-government or to be given special privileges in the context of ethnic pluralism. In this regard, the spatial concentration of such movements is key. Territorial seclusion and under-representation in the political system can easily push such groups outside the framework of a constitutional peace. The ideal of a political community founded on equality and civil rights with constitutional guarantees and the establishment of specific minority rights are in sharp contrast to one another. That contrast's intensity may vary as the process of reconciliation and drafting a constitution proceeds, but it holds the potential for renewed conflict.

How far must reconciliation progress in order to contribute to the creation of a stable constitutional peace? Reconciliation and forgiveness do not mean that a conflict has ended; instead, they function as an act of recognition. Deep-rooted conflicts remain between blacks and whites in South Africa, and these dominate nearly every measure undertaken by the government and every parliamentary debate. In this regard, conflict resolution is not the objective of reconciliation. Reconciliation is primarily a matter of achieving an understanding of the offences of the past, which includes acknowledgement of the victims and of their suffering. In this sense, reconciliation and forgiveness are a prerequisite for being able to work together in the future.

The overriding goal is not the resolution of a specific conflict, but rather to achieve a comprehensive systemic transformation that leads to a stable constitutional peace. As progress is made towards this goal, the process increasingly moves away from specific aspects of the conflict and towards a system of institutions for comprehensive conflict resolution. However the actual details of a political constitution are determined, in order to meet the country's requirements and be able to deal with the country's specific social tensions – e. g. the balance drawn between the central government's power and local autonomy, or between individual rights and cultural group rights, the specifics of the electoral system, the mechanisms for forming a government – none of these problems are thereby solved. Their solution requires in-depth scholarly analysis and consultation. A well-designed political constitution is the decisive factor essential to any successful process of democratic change. Equally decisive, however, is the creation of a societal consensus based on reconciliation; without this, even the best constitution is of no use, making reconciliation and a constitution mutually indispensable.

Remembrance

Fractured histories like those in countries with frequent changes of government pose special problems for the writing of history and for remembrance. The nation's past, which is usually considered to be something that promotes self-reflection and a sense of identity, is in these cases itself a source of conflict. Few nations have had more experience of this than Germany with its successive political upheavals. Since the founding of the German Empire in 1871, the Germans have experienced five regimes and corresponding changes of regime. The authoritarian Wilhelminian government was followed by a presidential democracy whose acceptance among the people was never more than half-hearted and whose constitutional underpinnings had severe defects, a democracy that was obliterated when the Nazis' brutal regime came to power. This was followed by a liberal-democratic parliamentary democracy in West Germany and a socialist system in East Germany. From 1949 to 1989 there were two German states and two different social orders on German soil: a capitalist system in the West and a socialist system in the East. These transformed the intra-societal class conflicts that led to the destruction

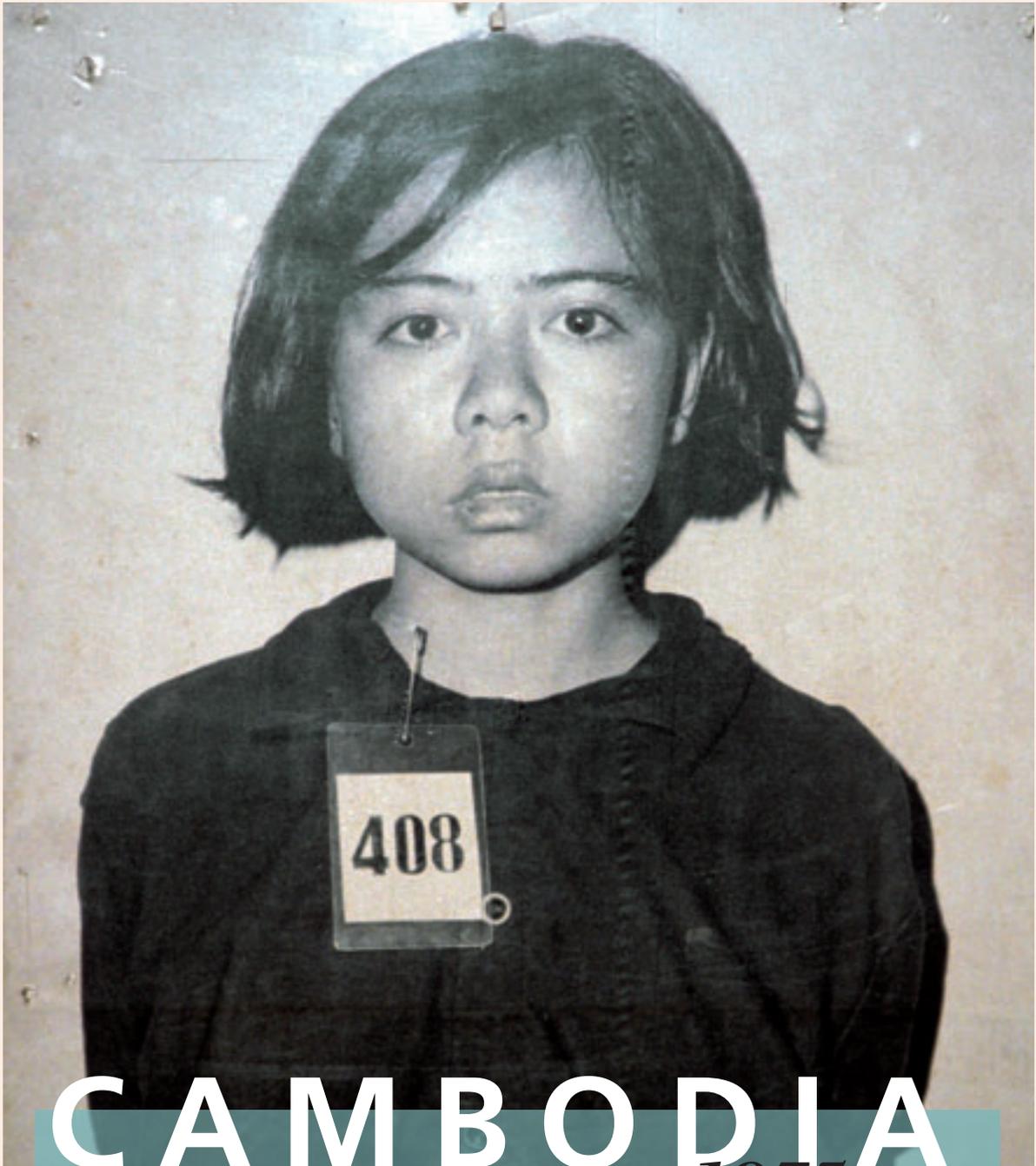
of the Weimar Republic into a conflict between East Germany and West Germany. The Berlin Republic resulting from Germany's reunification in 1990 continues to suffer from the economic and political effects of this separation. It can also, not least due to the continuing transfer of sovereignty to the European Union, be understood as another new type of regime.

Countries whose wars, colonial conquests and governmental developments were accompanied by fewer internal social divisions, such as Japan and Great Britain, for example, have been confronted with far fewer difficulties in writing their histories than those with fractured histories. Yet even these countries sometimes encounter external pressure to revise their views of history, something that is currently evident in the criticism directed by the Chinese and Korean governments at Japan's policies of dealing with the past, or by African nations at British colonialism.

South Africa, with its repeatedly fractured history, is in many ways comparable to Germany. The country is currently fostering a remembrance of its past in which it is trying to do equal justice to all its traumatic aspects, including the campaigns against the Zulu nation, the extermination of the aboriginal inhabitants of the Cape region, slavery and the deprivation of the Cape Malay of their rights, the atrocities of the Boer War, the colonists' theft of land, repeated forced resettlement and the crimes of the apartheid regime. The hope on which this is based, that political integration, the creation of a positive identity and self-knowledge are all fostered by societal learning processes when dealing with a fractured history, seems to be justified. At the same time, a policy of remembrance runs the risk of opening new rifts when attempting to achieve

collective atonement, or of turning such issues into everyday matters and thereby rendering them banal and of little import.

Experience has shown that only after time has passed is it possible to look honestly and unflinchingly at the past. There are both practical and psychological reasons for this – the investigation of systemic injustice is often slow and painstaking work, not least because of the fact that the most horrific crimes and violations of human rights committed by such regimes often remain hidden from public view. When the details remain unknown, or the knowledge thereof is not sufficiently widespread, it is often necessary to struggle against efforts to minimise or even deny what happened. In such instances, investigations carried out on a legal and scholarly basis are an important prerequisite for policies of remembrance. Dealing with the past can be a painful experience for a society, yet where it is successful, it can unleash the energy needed for a culture of remembrance and mourning that contributes to nation-building. Policies for dealing with the past can succeed only when they are simultaneously seen as policies for the future, serving as an opportunity and as guidance for finding a way to deal with conflict that is better than the methods of past generations. All experience has shown that this requires a great deal of time. Again, a constitutional peace, wherein society consents to submit to the rules of democracy and of peaceful conflict resolution, is a first and essential requirement. Only stable political relationships can offer a country the time it needs to fully confront its past and to accept the truth of its history, as painful as it might be, as the foundation for creating a better future.



CAMBODIA

1975
2005

Journey through the Night

A photo exhibition of the Friedrich-Ebert-Stiftung



Chronology

- 1864** France establishes a protectorate over the Kingdom of Cambodia.
- 1941** Prince Norodom Sihanouk is crowned king of Cambodia at the age of 19. French Indochina, of which Cambodia is a part, remains under Japanese occupation until 1945. The French return as the colonial power following the end of the Second World War.
- 1953** Following negotiations with France, Cambodia wins its independence.
- 1954** After Vietnam's victory over the French in the battle of Dien Bien Phu (Vietnam), a conference on Indochina is held in Geneva which leads to the signing of the Geneva Peace Accords for Indochina (Cambodia, Laos and Vietnam).
- 1955** Prince Norodom Sihanouk abdicates in favour of his father in order to be able to play an active role in politics. He founds a party with a socialist programme and is elected prime minister.
- 1960** When his father dies, Prince Norodom Sihanouk becomes head of state. Founding of the Communist Party of Cambodia. The Central Committee includes a number of people who are later to become leaders of the Khmer Rouge, such as Saloth Sar (later known as Pol Pot), Nuon Chea and Ieng Sary.
- 1963** Pol Pot becomes secretary-general; Son Sen and Ta Mok are elected to the Central Committee. Leading members of the Communist Party of Cambodia begin to conduct an underground guerrilla war.
- 1965** Increased US troop presence in South Vietnam.
3 May: Prince Norodom Sihanouk severs relations with the USA.
- 1966** Prince Norodom Sihanouk permits the North Vietnamese to use the border regions as a staging area and for supplies and communications in its fight against the US-supported South Vietnamese government.
- 1967** Prince Norodom Sihanouk's army puts down a peasant uprising in the province of Battambang. Opposition forces increasingly join the Khmer Rouge underground.
- 1968** Beginning of armed resistance of the Khmer Rouge.
- 1969** Extension of the US bombing campaign to Cambodia, initially targeted in particular at the "Ho Chi Minh Trail".
- 1970** Anti-Vietnamese pogroms in Cambodia.
18 March: During a trip to Moscow, Sihanouk is deposed by a pro-US group under General Lon Nol. In Chinese exile, Prince Sihanouk combines with his erstwhile opponents, the Khmer Rouge, to form the Royal Government of National Union of Kampuchea. This is followed by a five-year civil war between the military regime of Lon Nol and the government in exile, which is supported by China and North Vietnam.
- 1973** Conclusion of the Paris Peace Talks, which signify the end of the US troop presence in South Vietnam. The Cambodian conflict is not affected by the talks. The bombing of Cambodia is intensified.
- 1975** **17 April:** The Khmer Rouge take Phnom Penh and establish the "Angkar" regime, under which no fewer than one-fifth of the population perishes over the following three years. Prince Norodom Sihanouk is made head of state.
- 1976** The Khmer Rouge proclaim Democratic Kampuchea. Pol Pot becomes prime minister, Khieu Samphan head of state. Prince Norodom Sihanouk steps down as head of state and is placed under house arrest.
- 1977** Increasing political tensions between Cambodia and Vietnam lead to border tensions and armed incursions by the Khmer Rouge. Increasing numbers of Khmer Rouge flee to Vietnam.
- 1978** **December:** Anti-Khmer Rouge Cambodians establish the Kampuchean National United Front for National Salvation.
- 1979** **January:** Vietnamese and National Salvation Front forces take Phnom Penh. The Khmer Rouge flee to the area near the border with Thailand. Prince Norodom Sihanouk escapes to Beijing. The People's Republic of Kampuchea is proclaimed with Heng Samrin as head of state.
February: China launches a punitive expedition against Vietnam. In addition to receiving military support from the USA and China, the Khmer Rouge's Democratic Kampuchea is allowed to retain Cambodia's seat in the United Nations.
- 1982** The Khmer Rouge government in exile is restructured to create the Coalition Government of Democratic Kampuchea, which is composed of the Khmer Rouge, FUNCINPEC (Front Uni National Pour un Cambodge Indépendant, Neutre, Pacifique et Coopératif) under Prince Sihanouk and the Khmer People's National Liberation Front under Son Sann (former prime minister under Prince Sihanouk). The government in exile retains Cambodia's seat in the United Nations.
- 1983** Cambodia is subjected to an embargo on development aid and becomes ever more dependent on Vietnam. The country becomes one of the poorest nations in the world.
- 1985** Hun Sen becomes prime minister of the People's Republic of Kampuchea.

Chronology

- 1987** First signs of rapprochement between the Hun Sen regime and Prince Norodom Sihanouk. Negotiations follow between all four parties to the Cambodian conflict.
- 1988** Prince Norodom Sihanouk steps down from his post as president of the government in exile.
- 1989** **April:** The People's Republic of Kampuchea becomes the State of Cambodia with Hun Sen as head of state.
September: Withdrawal of Vietnamese troops from Cambodia.
- 1991** **23 October:** Paris peace talks conclude with the "Agreements on a comprehensive political settlement of the Cambodia conflict". Eighteen nations and the four parties to the conflict take part, including the Khmer Rouge.
- 1992** The United Nations Transitional Authority in Cambodia (UNTAC), a temporary UN administration, organises free elections.
- 1993** The elections result in an unstable coalition between Prince Norodom Ranariddh, a son of Sihanouk and leader of the royalist party FUNCINPEC, and Hun Sen of the Cambodian People's Party (CPP). Prince Ranariddh and Hun Sen share the office of prime minister. Prince Norodom Sihanouk is made king of the re-established Kingdom of Cambodia, a constitutional monarchy.
- 1994** The remaining members of the Khmer Rouge again commit acts of violence and are guilty of the abduction of numerous civilians. Conflicts erupt within the Khmer Rouge at the same time.
- 1996** Ieng Sary, the former deputy prime minister of the Khmer Rouge regime, defects to the government.
- 1997** In a show trial conducted by the Khmer Rouge, now under the leadership of Ta Mok, Pol Pot is convicted of "treason" and sentenced to house arrest for life. The FUNCINPEC-CPP coalition government takes the first steps to open negotiations with the United Nations regarding an international tribunal to judge the crimes of the Khmer Rouge.
July: Fighting between FUNCINPEC and the CPP, in which the latter prevails.
- 1998** New national elections result in a coalition with Hun Sen as prime minister and Prince Ranariddh as president of the National Assembly.
April: Pol Pot dies while under Khmer Rouge house arrest.
December: Most of the remaining Khmer Rouge forces abandon their armed struggle and "rejoin" Cambodian society.
- 1999** **30 April:** Cambodia joins the Association of South East Asian Nations (ASEAN).
- 2003** The CPP emerges from elections as the undisputed victor, but falls short of the two-thirds majority needed to form a government. The two other large parties, FUNCINPEC and the Sam Rainsy Party, form an opposition bloc called the Democratic Alliance. Negotiations to form a new government last for almost a year.
- 2004** **June:** The CPP and FUNCINPEC once again form a coalition government with Hun Sen as prime minister.
4 October: Seven years after the Cambodian government initiated discussions with the United Nations, the National Assembly in Phnom Penh unanimously approves the creation of Extraordinary Chambers in the Courts of Cambodia to try former leaders of the Khmer Rouge.
7 October: King Sihanouk abdicates at the age of 81. The Throne Council appoints his son, Prince Norodom Sihamoni, as his successor.
13 October: Cambodia joins the World Trade Organisation (WTO).
29 October: Prince Norodom Sihamoni is crowned king of Cambodia.



Map: Dr. Axel Wendelberger

Angkor



Photo: Everette Dixie Reese (died in an airplane crash in Vietnam in 1955),
Indochina Photo Requiem, 1952/1954



Left photo: Paul Pasch; Top photo: Horst Faas/AP, 1967

The Khmer Empire and Angkor Wat

Angkor Wat – the main towers of this unique temple complex remain to this day symbols of Cambodia and adorn the national flag of the modern kingdom.

This monumental construction was built at the beginning of the twelfth century under King Suryavarman II during the cultural florescence of the Khmer Empire, which was also the time of its greatest political, military and territorial power.

The decline of the empire, which began in the thirteenth century, was brought on by economic distress and tensions between the ruling aristocracy and the peasant masses, who were forced to do compulsory labour. In 1431 the Khmer gave up Angkor and moved their capital to a place near the current site of Phnom Penh. The specific reasons for this are unknown, and numerous causes have been proposed, including the collapse of the irrigation system and increasing problems of supply and defence resulting from wars with neighbouring empires.

Under pressure from both the Thais in the west and the Cham peoples in the east, the Khmer lost most of their territory. From the seventeenth to the nineteenth century, the Thais and the Vietnamese fought for control of Cambodia, giving rise to the resentment of the Cambodian people against both neighbours that lasts to the present day.

Angkor Wat and the associated town of Angkor Thom were swallowed by the jungle, only to be “rediscovered” by French archaeologists in 1860. Since then great efforts have been made to save the temple complex and its unique bas-reliefs for posterity. Angkor has been designated a World Heritage Site by UNESCO since 1992, and the temple complex is now a tremendous attraction for tourists.

In Cambodia, a nation with an impressive cultural history, society is now beginning to confront the dark chapter of its history written by the Khmer Rouge – something which is essential if there is ever to be lasting reconciliation.



Photo: Horst Faas/AP, 1967

Then and now



Bas-relief in Angkor.
Photo: Horst Faas/AP

Cambodian troops
in the civil war
with the
Khmer Rouge,
1974.
Photo: AP



Bas-relief in Angkor.
Photo: Horst Faas/AP

Cambodian troops under
French command in the 1950s.
Photo: AP

Cambodia from its independence in 1953 to the start of civil war in 1970

Cambodia, which had been a French protectorate since the middle of the nineteenth century, was given the status of an “associated state” within the French Union in 1949. Upon ascending the throne, King Norodom Sihanouk began his “crusade for independence”.

Following a variety of individual steps (control of the police and judicial systems, military sovereignty), the country became a fully sovereign nation on 9 November 1953. The primary reason for this was the increasing military weakness of France, whose war against Vietnamese independence forces (First Indochinese War) ended in 1954 with a crushing defeat at Dien Bien Phu.

King Norodom Sihanouk attempted to stabilise Cambodia’s internal political situation, and to implement an “active and positive neutrality” policy abroad. In order to increase his freedom of action, in 1955 he abdicated in favour of his father, King Norodom Suramarit, and took control of the government. He refused entreaties to join the anti-communist alliance SEATO (South East Asian Treaty Organisation), but starting in 1954 accepted extensive military assistance from the USA and economic aid from the communist bloc. He subsequently revised these policies, approaching forces on the left of the Cambodian political spectrum, and sought backing from the People’s Republic of China, with which Cambodia established diplomatic relations in 1958.

In 1963 Prince Sihanouk cut off US military aid in protest at the anti-Cambodian activities of the CIA, and in 1965 he severed all relations with the US government. Beginning in 1966, he allowed North Vietnam to station troops in Cambodia near the border with South Vietnam and to use the port of Sihanoukville for arms shipments.

Following elections to the National Assembly in 1966, General Lon Nol, supreme commander of the Cambodian Army, became prime minister. Originally one of Sihanouk’s closest advisers, he disapproved of Sihanouk’s severance of relations with the USA and saw the former’s “appeasement” of Hanoi and Beijing as “treason”.

The domestic political situation grew ever more precarious for Prince Sihanouk. In 1970, while on a journey to France and Moscow, he was overthrown by Lon Nol in a coup supported by the US. He travelled on to Beijing, where he was granted political asylum.

Battle of Dien Bien Phu, Vietnam



Photos: Everette Dixie Reese,
Indochina Photo Requiem





Photographer Horst Faas on the Ho Chi Minh Trail in November 1967. His photo reports proved that the North Vietnamese were using staging areas located in Cambodia.
Photo: AP



American and South Vietnamese troops on Cambodian territory.
Photos: AP



Anti-Vietnamese pogroms



Anti-Vietnamese feelings were artificially stoked by the Lon Nol government in April 1970 in order to divert the rage of a populace angry at the removal of Prince Sihanouk. These efforts drew on centuries-old resentments against the Vietnamese.
Photos: AP





Anti-Vietnamese demonstrations in Phnom Penh.

American tanks provide support for Cambodian government troops.



Prince Sihanouk in Paris.



General Lon Nol, the new head of state.

Photos: AP

After the coup against Prince Norodom Sihanouk, Lon Nol took the reins of government and issued an ultimatum to North Vietnam to withdraw immediately all its forces from Cambodia. In Beijing, Prince Norodom Sihanouk and the Khmer Rouge joined forces to found a government in exile.

Lon Nol's regime was put on the defensive. The increasingly well-organised forces of the Khmer Rouge – reinforced by North Vietnamese troops – inflicted ever greater losses on his troops in spite of massive US military assistance. The Khmer Rouge refused to participate in the Paris peace talks, which finally led to an agreement in 1973 which foresaw the withdrawal of all foreign troops from Cambodia.

Directly thereafter the USA stepped up its bombing campaign in Cambodia. Although intended to destroy the North Vietnamese staging areas and supply lines along the Ho Chi Minh Trail, the attacks primarily struck densely populated areas. Tens of thousands took flight, and perhaps 200,000 people perished.

As a result of this destruction, many people joined the Khmer Rouge. This provides support for the thesis that, were it not for the fateful policies of US President Richard Nixon and his national security adviser, Henry Kissinger, the Khmer Rouge would never have been powerful enough to wrest control of Cambodia.

When the US Congress put an end to the bombing campaign in Cambodia in August 1973, the Khmer Rouge were already in control of large sections of the country. Their forces besieged Phnom Penh, whose population has swollen with refugees from 600,000 to approximately 2 million. Following an offensive on 1 January 1975, the city was encircled. On 1 April Lon Nol fled the country. On 13 April the US Embassy was evacuated. On 17 April 1975 the Khmer Rouge marched into Phnom Penh.



Photos: AP



Phnom Penh 1975. Photo of Sou Vichith, Indochina Photo Requiem

Like nearly 200 of his countrymen, photographer Sou Vichith sought refuge in the French embassy after the fall of Phnom Penh on 17 April 1975. The Khmer Rouge surrounded the building and forced all Cambodians to leave the embassy grounds, which meant almost certain death. According to a witness, Sou Vichith was one of those murdered shortly thereafter. Only 20 or 30 Cambodians managed to flee, with the help of western journalists with whom they had worked. Disguised as Thais, they travelled with the journalists in a convoy of trucks to safety in Thailand.





Christoph Maria Fröhder reported on the evacuation of the US embassy in Phnom Penh on 13 April 1975 for the Tagesschau (evening news). The film footage was smuggled out of the country with the help of refugees, and it was not until a week later that the news team in Hamburg received the film and was able to broadcast it. In the meantime, Phnom Penh had fallen.

Photo: private



Kurt Volkert, today the director of the Atelier Meerkatze, in June 1970 as a cameraman for CBS in Cambodia.
Photo: private





Members of a special unit of the Cambodian army.



Vietcong or Khmer Rouge
murdered by
Cambodian soldiers.
Photos: AP



Captured Khmer Rouge before their execution by Cambodian government soldiers.
The women were raped before they were executed.

Photo: AP

Pol Pot and the reign of the Khmer Rouge

A Communist Party not under the control of Hanoi was not founded until 1960. Its inner circle included young Cambodians from the Khmer Students' Union in France who came to Paris for an education in 1949. These included Saloth Sar, born in 1925, who is better known under his subsequent nom de guerre, Pol Pot. Among others, his "Marxist circle" included Ieng Sary, Nuon Chea and Khieu Samphan, who in the years 1960-1963 ascended to the top of the Communist Party of Cambodia. Pol Pot himself was made secretary-general of the party, the most powerful post.

Until the late 1960s the party operated primarily underground and did not have any major political or military successes. During this period Pol Pot developed his ideology of radically restructuring Cambodian society. His "bible" was Mao's "Little Red Book". He intended, "in a unique, wonderful and amazing leap", to introduce "true, pure communism", without worrying about the costs: a communism whose driving force was to be the country's poorest people, the peasants. The bombing campaign which the USA began conducting against Cambodia in 1969 played into the hands of the Khmer Rouge. They gained increasing numbers of adherents and grew ever more radical.

Directly after the Khmer Rouge emerged victorious from the five-year civil war against the troops of Lon Nol and entered Phnom Penh on 17 April 1975, they began implementing their ideological concepts. They placed Prince Sihanouk under house arrest in his palace in 1976 and subjected the country to a rigid process of restructuring society whose objective was the creation of a primitive communist agricultural community.

This so-called "stone-age communism" involved the systematic forced resettlement of city-dwellers in the countryside, where they were compelled to join collectives and used as forced labour. The plan was both brutal and ineffective. It was meant to triple agricultural production within one year, without the benefit of fertilisers or modern machinery. Instead of improving living conditions, it created even more poverty.

The Khmer Rouge eliminated money, markets, courts, the postal system, international telecommunications, schools and newspapers as well as cultural and religious institutions. Any form of individuality was considered suspect. In particular, members of the army and police, civil servants, intellectuals and the Buddhist clergy were persecuted and killed. Mistrustful of possible deviationists within his own ranks, Pol Pot also ordered numerous purges within the party.

Pol Pot, who died in 1998, never felt any guilt for his actions: "We were like babies learning to walk. My conscience is clear."

The fall of Phnom Penh



Evacuation of the US Embassy
on 13 April 1975.
Photos: AP



Khmer Rouge
troops in
Phnom Penh.
Photos: DC-Cam



Top: A Khmer Rouge confronts looters.

Invasion by the Khmer Rouge on 17 April 1975. Carrying the flag of a surrendered military unit.

Photos from a film by Christoph Maria Fröhder





As soon as the Khmer Rouge had taken the capital city, they began driving out its approximately 2 million inhabitants. Money was done away with, schools and hospitals were shut down, Buddhism was proscribed, pagodas were destroyed, and the postal and telephone services were eliminated.



Phnom Penh – a ghost town.
Photos: DC-Cam

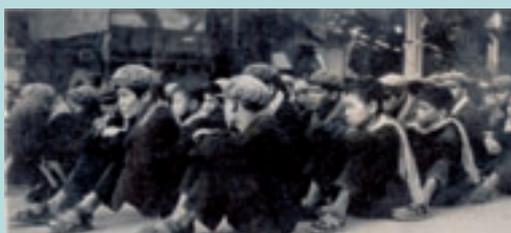




Photo by Taizo Ichinose, Indochina Photo Requiem, undated
The photographer did not return from a journey to Angkor.



Khmer Rouge labour camp.



Khmer Rouge pro-
paganda photos.
Photos: DC-Cam



In May 1976 the Khmer Rouge turned a former school in a southern part of Phnom Penh known as Tuol Sleng into their most infamous and savage prison: S-21 or “Security Office 21”. It functioned as a special top secret interrogation and torture centre for those whom the regime suspected of being traitors or deviationists.

Similar “security offices” existed throughout the country. Tuol Sleng was used mainly for foreigners and Khmer Rouge cadres suspected of deviating from the “Angkar”, as the Khmer Rouge referred to themselves internally: workers, farmers, engineers, technicians, intellectuals, teachers, professors, students, government ministers and diplomats. Entire families were taken into custody, including newborn children.

The Khmer Rouge were extremely meticulous and cruel in their methods. All prisoners were photographed individually and required to write detailed life stories. Bound by iron chains, they spent day and night crouched on bare concrete floors. The hygienic conditions were horrific. Many prisoners fell ill; there was no medical care.

In each cell was a board listing strict regulations for behaviour during interrogation. Anyone who did not follow these rules was beaten or subjected to electric shocks as punishment. Guilt or innocence were not at issue; instead, cruel tortures were employed to extract confessions to alleged misdeeds. Even those who volunteered their “crimes” and expressed regret at their “errors” were not spared punishment. Following the period of torture, which usually lasted from two to four months, the prisoners were driven out to the so-called “killing fields” where – in order to save ammunition – they were beaten to death and buried in mass graves.

Many of the prison guards and torturers were mere juveniles, often only 10-15 years of age, whom the Khmer Rouge had sought out and “educated”. They were reputed to be particularly cruel to the prisoners.

The head of this interrogation and torture centre was “Duch”, otherwise known as Kang Kek Ieu. Under his command, at least 14,000 people were tortured and killed in Tuol Sleng. Following the entry of Vietnamese troops into Phnom Penh in 1979, he went into hiding and converted to Christianity. He has since been arrested.

Since 1980 the former prison building has been home to a documentation of the history of this mass murder: the Tuol Sleng Genocide Museum, established under the Ministry of Culture.



Photo: DC-Cam

A prisoner following his suicide (with handwritten notes on what occurred).



A view of the building from outside; today it houses the Tuol Sleng Genocide Museum.





The only seven surviving prisoners of Tuol Sleng (S-21). Fourth from left: The painter Vann Nath.



Tuol Sleng guards with family members. Fourth from right: Commander "Duch".



"Duch", the commandant of Tuol Sleng (left), with his assistant "Sok".



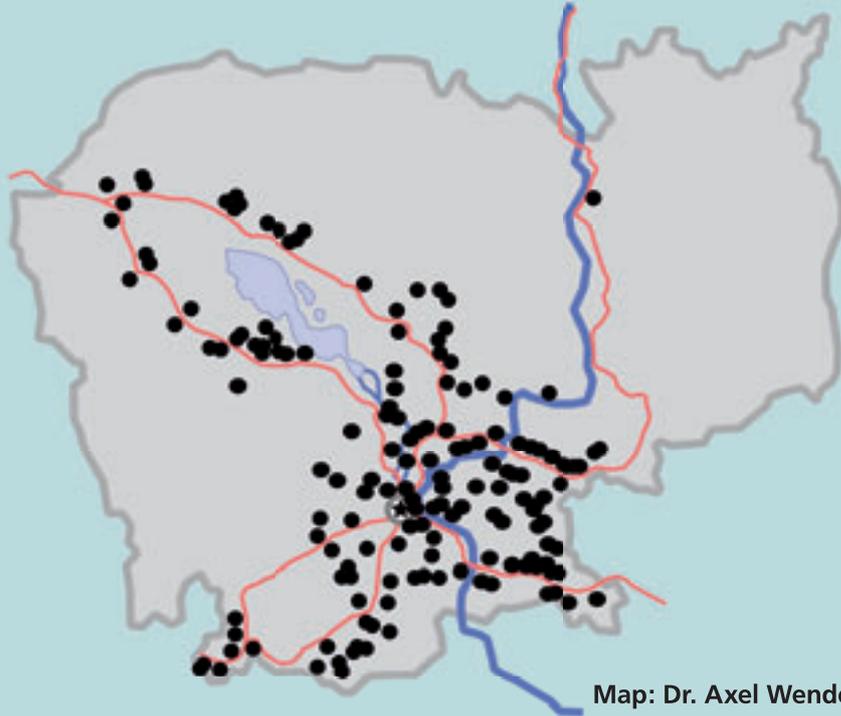
Guards in S-21.



Drawing by Vann Nath.



The painter Vann Nath today. Photos: DC-Cam



Map: Dr. Axel Wendelberger

Photo: DC-Cam



Evidence of the Khmer Rouge's reign of terror



Mass grave presumably at Tonle Bati.
Photo: AP



Cheung Ek killing field: This mass grave holds the remains of most of the prisoners of Tuol Sleng.
Photo: DC-Cam



Cheung Ek memorial.
Photo: Youk Chhang

Cheung Ek memorial.
Photo: AP



Cell wall in Tuol Sleng.
Photo: Horst Faas/AP



Instruments of torture on display in the Tuol Sleng Genocide Museum.
Photo: DC-Cam

The People's Republic of Kampuchea

The Vietnamese troops who entered Phnom Penh on 7 January 1979 put an end to a nightmare, yet Cambodia was still far removed from stable political, economic and social conditions. The country was in a catastrophic condition. Famine spread, and 300,000 people fled to refugee camps along the border between Cambodia and Thailand, or were forced there by the retreating Khmer Rouge.

The leader of the National Salvation Front, Heng Samrin, became head of state in 1979 and proclaimed the People's Republic of Kampuchea. However, the new government was recognised only by Eastern Bloc countries and India.

The Khmer Rouge, on the other hand, managed to retain Cambodia's seat in the United Nations. They held on to this seat following the restructuring of their government in exile in 1982 to form a coalition with Prince Sihanouk's royalists and other resistance groups.

The situation was absurd. Mass murderers who had retreated to the jungle to continue a guerrilla war with approximately 20,000 troops were given an aura of respectability and even received military assistance from the USA and China, both of which feared that Vietnam could expand its dominant position in Southeast Asia.

To combat the guerrilla operations, between 1983 and 1985 the Vietnamese and the Cambodian army, which had grown to 50,000 troops, launched a number of big offensives and managed to push the Khmer Rouge back as far as Thailand.

The civilian population once again bore the brunt of the suffering caused by this civil war. This was compounded in 1983 by the imposition of an embargo on developmental aid for Vietnam and Cambodia. This was intended to punish Vietnam for its presence in Cambodia, but the effects were felt by the long-suffering populace. According to the statistics of the UN Food and Agriculture Organisation (FAO), 53% of all children under the age of 12 were malnourished, a figure which rose to around 80% in some provinces.



Young refugee from the Khmer Rouge.

Photo: AP

One of the few photographs which show the entry of Vietnamese troops into Phnom Penh in January 1979.



Cambodians from the Kampuchean National United Front for National Salvation conquer Phnom Penh. Photos: DC-Cam



Returning to scenes of destruction



Pagodas destroyed during the Angkar regime.
Photos: DC-Cam



Phnom Penh in 1979.
Photos: DC-Cam



Vietnamese soldiers caring for Cambodian children.
Photo: AP



Returnees.
Photo: AP

The rigid positions of the various parties to the conflict began to show some movement with the coming of perestroika in the Soviet Union. Gorbachev's signals for rapprochement with the West and an end to the Cold War accelerated the withdrawal of Vietnamese troops from Cambodia.

In response to international pressure, Prince Sihanouk consented to meet with Hun Sen, who had been prime minister of the People's Republic of Kampuchea since 1985 and who is still the head of government today. In 1989 the People's Republic of Kampuchea became the State of Cambodia – the change was in part made to demonstrate the country's increasing ideological and political independence from Vietnam. Following the beginning of the international peace conference in Paris in 1989 – where the participation of the Khmer Rouge in any future Cambodian government remained a bone of contention – Vietnam withdrew its troops from Cambodia that September.

In 1990 the five permanent members of the UN Security Council submitted a peace plan for Cambodia. The cornerstones of this plan were the creation of a Supreme National Council comprising the parties to the conflict, the institution of a United Nations Transitional Authority to organise free elections, UN monitoring of a cease-fire and the disarmament of the various factions.

Aided by a change in the policy of the USA, which ended its shipments of arms to the Khmer Rouge, the parties signed the "Agreements on a comprehensive political settlement of the Cambodia conflict" in Paris in October 1991.

In November 1991 Prince Norodom Sihanouk returned to Cambodia as head of the Supreme National Council after a 12-year absence. Hopes for peace were encouraged by the return of the person who for many Cambodians – particularly the royalist peasants – had remained a symbol of national identity.



Conclusion of the Paris Peace Accords. In the centre of the photo: French President François Mitterrand. Photo: AFP

Departure of the Vietnamese



Photos: AP

A UN mission prepared the first elections for a new National Assembly in Cambodia. These elections in 1993 resulted in an unstable coalition government consisting of the Cambodian People's Party (CPP) and the royalists (FUNCINPEC). Prince Norodom Ranariddh, a son of Norodom Sihanouk, and Hun Sen shared power as first and second prime ministers, respectively. Cambodia became a constitutional monarchy with Norodom Sihanouk as king. Buddhism was again the state religion.

In July 1997 the coalition collapsed in fighting between forces loyal to the CPP and to FUNCINPEC. Supporters of Prince Ranariddh threatened to continue fighting from bases near the Thai border, but in 1998 returned to participate in the National Assembly elections, which were won by the CPP. Under a new coalition government, the internal and external political situation began to stabilise. Most of the last remaining members of the Khmer Rouge, who had been laying down their arms piecemeal since 1994, agreed to join the government camp.

In the international arena, Cambodia has regained its seat in the UN General Assembly and ended its international isolation with membership in the Association of South East Asian Nations (ASEAN) and in the World Trade Organisation (WTO). The Cambodian People's Party increased its majority in the parliamentary elections in July 2003, but did not achieve a two-thirds majority and therefore required a coalition partner. Following nearly a year of political stalemate, in June 2004 a coalition government was again formed between the CPP and FUNCINPEC under Prime Minister Hun Sen.

King Norodom Sihanouk abdicated in October 2004. The Throne Council appointed his son Prince Norodom Sihamoni as his successor. The 51-year old prince had spent most of his previous life abroad, as a ballet dancer, choreographer and UNESCO ambassador. He is the son of King Sihanouk and his sixth (and current) wife, Monique.

In October 2004 the National Assembly ratified the agreement with the United Nations for the creation of a special tribunal to try the former leaders of the Khmer Rouge. Following the turmoil and brutality of civil war, Cambodia has come a long way since beginning its process of democratisation. The parliamentary elections of 1998, local elections of 2002 and parliamentary elections of 2003 and the creation of the Khmer Rouge tribunal have all demonstrated that the country's political forces are now able to resolve their conflicts peacefully and work to achieve consensus.



The head of the UN mission in Cambodia, Yasushi Akashi (left), and Prince Norodom Sihanouk (third from right) in Phnom Penh in 1992.
Photo: AP



Buddhist monks with Co-Prime Ministers Hun Sen and Prince Norodom Ranariddh in 1995.
Photo: Sinith Heng



Violence returns: Fighting between forces of Hun Sen and Prince Norodom Ranariddh.
Photos: AP

Biographies

Duch (a.k.a. Kang Kek Ieu): Born in 1942; teacher; commandant of the interrogation and torture prison S-21 (Tuol Sleng) during the Khmer Rouge regime; converted to Christianity in 1995; imprisoned since 1999.



Ieng Sary: Born in 1930; studied in Paris; teacher; went underground in 1963; member of the Central Committee of the Khmer Rouge; deputy prime minister responsible for foreign affairs during the Khmer Rouge regime; sentenced to death in absentia by a PRK court in August 1979; broke with Pol Pot in 1996 and took 1,500 fighters with him, receiving a pardon from the 1979 sentence; now lives with his family in Pailin.



Khieu Samphan: Born in 1931; studied in Paris; a minister under Sihanouk until 1967; went underground in 1967; member of the Central Committee 1976–1978 and head of state during the Khmer Rouge regime; vice-president and foreign minister of the Coalition Government of Democratic Kampuchea in exile; primarily ceremonial functions; 1989–1991 represented the Khmer Rouge at the Paris peace talks; now lives with his family in Pailin; denies any guilt.



Nuon Chea: Born in 1925; joined Pol Pot in the 1960s; member of the Central Committee of the Khmer Rouge; renounced the Khmer Rouge in 1998; now lives with his family in Pailin; denies any guilt.



Pol Pot (a.k.a. Saloth Sar, “Brother Number One”): Born in 1925; studied in Paris; went underground in 1963; as of 1963 secretary-general of the Khmer Rouge; prime minister of Cambodia during the Khmer Rouge regime; 1975–1985 supreme commander of the Khmer Rouge army; after a show trial instigated by Ta Mok in 1997 under house arrest; died in 1998.



Son Sen: Born in 1930; studied in Paris; as of 1954 close confidant of Pol Pot; went underground in 1964; 1975–1979 defence minister and deputy prime minister of Cambodia during the Khmer Rouge regime; in 1985 replaced Pol Pot as supreme commander of the national army of the Khmer Rouge; in 1997 he and his entire family were killed by Pol Pot on suspicion of cooperating with the government.



Photos: DC-Cam

Ta Mok (a.k.a. Ung Choeun, “The Butcher”): Born in 1926; member of the Central Committee and commander of the Southwest Zone under the Khmer Rouge; after 1975 a member of Pol Pot’s inner circle; after 1979 the deputy commander of the national army of the Khmer Rouge; during the 1990s he gained increasing power within the Khmer Rouge; subjected Pol Pot, who had tried to have him killed, to a show trial in 1997; has been imprisoned since 1999.



Biographies

Heng Samrin: Born in 1934; deputy military commander in the Khmer Rouge; fled to Vietnam in 1978; leader of the Kampuchean National United Front for National Salvation founded in 1978; from 1979 to 1991 president of the People's Republic of Kampuchea; today the honorary president of the Cambodian People's Party and president of the National Assembly.

Hun Sen: Born in 1951 (or 1952); military commander under the Khmer Rouge; fled to Vietnam in 1977; member of the Central Committee of the Kampuchean National United Front for National Salvation founded in 1978; 1985-1991 prime minister of the People's Republic of Kampuchea/State of Cambodia; 1993-1997 second prime minister; since 1998 prime minister of the Kingdom of Cambodia.

Son Sann: Born in 1911; studied in France; prime minister under Sihanouk; later president of the Khmer People's National Liberation Front (KPNLF); prime minister of the Coalition Government of Democratic Kampuchea in exile; died in 2000.

General Lon Nol: Born in 1913; defence minister and army chief of staff, then prime minister under the Sihanouk government; initiated a coup against Sihanouk in 1970 with US assistance; 1970-1975 commander in chief and head of state of the Khmer Republic; fled to Hawaii in 1975, where he died in 1985.

Prince Norodom Ranariddh: Born in 1944; son of King Sihanouk; 1993-1997 first prime minister of the Kingdom of Cambodia; 1998-2006 president of the National Assembly; president of the royalist party FUNCINPEC.

King Norodom Sihanouk: Born in 1922; 1941-1955 king of Cambodia; in 1955 he abdicated in favour of his father and founded a party with a socialist programme; 1960-1970 head of state; in 1970 he was deposed in a coup led by Lon Nol; 1970-1975 president of the Royal Government of National Union of Kampuchea in exile; returned to Phnom Penh with the Khmer Rouge in 1975 and became head of state; resigned in 1976 and placed under house arrest until 1979; 1982-1987 president of the Coalition Government of Democratic Kampuchea in exile; 1991-1993 head of transitional Supreme National Council; 1993 crowned king of Cambodia; abdicated on 7 October 2004 because of poor health.

King Norodom Sihamoni: Born in 1953; son of King Norodom Sihanouk; crowned king of Cambodia on 29 October 2004; previously Cambodian ambassador to UNESCO in Paris.

Prince Norodom Sirivudh: Born in 1951; half-brother of King Norodom Sihanouk; since 1994 chairperson of the Cambodian Institute for Cooperation and Peace; 2001-2006 secretary-general of FUNCINPEC; 2004-2006 deputy prime minister and co-minister of the interior of the Kingdom of Cambodia.



Undated photo: DC-Cam



Photo: AP



Photo: private

King Norodom Sihanouk



Norodom Sihanouk in 2000. Photo: Sinith Heng

The abdication of 82-year-old King Norodom Sihanouk and replacement by his son, Prince Norodom Sihamoni, in October 2004 marked the departure from the political stage of one of Asia's most colourful figures. His own history is as turbulent as that of his country – a man who, in the words of one of his biographers, is “as unpredictable as quicksilver”, and whose life bears many of the hallmarks of tragedy.

Prince Norodom Sihanouk was born on 31 October 1922 in Phnom Penh, the son of Norodom Suramarit. Cambodia was under French rule at this time.

In 1941 the prince, who had just turned 19, was made king by the French – in the expectation that the young man, who had studied in Saigon and Paris, would be a compliant tool for carrying out their designs. They were mistaken. King Norodom Sihanouk quickly assumed the role of a national leader whose primary objective was to achieve his country's independence, a goal he finally reached in 1953. Even so, his attempts to keep his country balanced between East and West were not successful in keeping Cambodia out of the Vietnam War.

Also constantly manoeuvring between left and right domestically, King Norodom Sihanouk was forced to watch as a bloody civil war ensued, ending with the victory of the Khmer Rouge in 1975 and the transformation of his country into “killing fields”.

After the Vietnamese put an end to the Khmer Rouge reign of terror, Prince Sihanouk returned to Cambodia from his exile in Beijing in 1991 following the peace agreement brokered by the United Nations. He again ascended the throne in 1993 – although he did not have any political power – and was received enthusiastically by the people, who honour him to this day. A survivor, he is a fan of the fine arts, women and an extravagant lifestyle, and for more than 60 years has remained a symbol of his people.

Reflections on guilt and responsibility



Im Chantha,
Member of the Khmer Rouge
since 27 July 1973
Position: Soldier
Home province: Kandal

Im Chantha, 47 years of age (2002):
"In the Prey Sar prison I lost a knife.
My comrade hid the knife. My superior
beat me with a stick in punishment.
For their unscrupulous murders and
for hurting me, the leaders of the
Khmer Rouge deserve to be executed."

Nhem Yean,
Member of the Khmer Rouge
since 2 September 1973
Position: Soldier
Home province: Kampong Chhnang

Nhem Yean, 46 years of age (2002):
"When I was working in S-21, I was not
convinced that what I was doing was
right. But I had to do it, otherwise
I would not be alive now. No matter
what I decided to do, I was always
scared. There was nothing I could do."



Nhep Ho a.k.a. Nhep Sovann,
Member of the Khmer Rouge since 10 June 1973
Position: Group leader
Home province: Kandal

Nhep Ho, 52 years of age (2002):
"All of the leaders of the Khmer Rouge who say that they
didn't know about the existence of the Tuol Sleng prison
are only trying to protect themselves ... They shouldn't
prosecute the little people while hiding their own crimes.
That is unfair. The villagers called me a follower of Pol Pot.
I don't hold that against them, because it is true that I was
in the Khmer Rouge. Most of the villagers know that I
worked in the Tuol Sleng prison. I do not regret it, but
feel sorry for my wife and children."



Dealing with the past: the tribunal

More than thirty years after the Khmer Rouge marched into Phnom Penh, Cambodia is attempting to bring at least some of their surviving leaders to justice. The exact number of people who were systematically murdered or died as a result of forced labour or starvation is unknown to this day. Estimates range from 1.7 million to as many as 3.3 million people.

Of the roughly 20 members of the top echelon of the Khmer Rouge and 1,000 lower level Khmer Rouge leaders, only a few hundred are still alive. The law establishing the tribunal specifies that only the top leaders and those most responsible for the worst crimes are to answer before the court.

Apart from Pol Pot, "Brother Number One", who died in 1998, three of his closest confidants might stand trial: former president Khieu Samphan, 73; Nuon Chea, 77, member of the Central Committee and second-in-command to Pol Pot; and the former foreign minister Ieng Sary, 74. All three are currently free. They either deny involvement in the atrocities or claim that they knew nothing of them. Only two leading Khmer Rouge functionaries are presently in custody.

The details of how the tribunals will function were worked out in long negotiations. Initially, the United Nations proposed creating a court under its jurisdiction comparable to the tribunals for the former Yugoslavia and Rwanda, but this ran into the objections of the Cambodian government. After five years of negotiations, a detailed compromise was finally reached. The court will be subject to Cambodian law and will be based in Phnom Penh. Cambodian judges will form a majority in both trial and appeal chambers, in each case supported by a minority of international judges. Every verdict must be joined by at least one foreign judge.

The continuing denials of guilt by the perpetrators place a tremendous burden on the victims. This is why there are hopes not only for the long-overdue conviction of the perpetrators, but also for a comprehensive investigation of the crimes committed, crimes which have been allowed to remain hidden for far too long.



Land-mine victims.



Field workers in the danger zone.



Child trafficking.

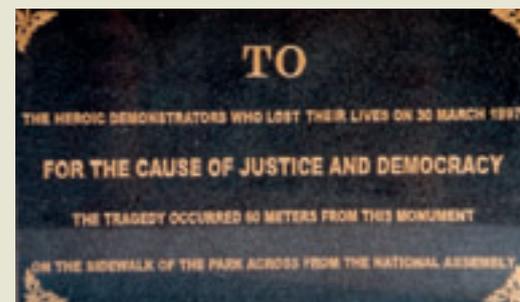
Photos: AP



11 July 2001: The National Assembly of Cambodia ratifies the creation of a special tribunal to try former leaders of the Khmer Rouge. Photo: AP



Memorial service for the president of the Free Trade Union of Workers of the Kingdom of Cambodia, Chea Vichea, murdered in January 2004. Chea Vichea was a close partner of the Friedrich-Ebert-Stiftung. Photo: AP



Commemorative plaque in front of the parliament building for the victims of a demonstration which was violently attacked on 30 March 1997 by people who have not been apprehended. Photos: Paul Pasch



Prime Minister Hun Sen with Chancellor Gerhard Schröder on 8 October 2004 at the opening of the ASEM Summit in Hanoi. Photo: AP



Elections in 2003.

Photo: AP



Elections for the
National Assembly
on 27 July 2003.

Photo: AFP

The new King
Norodom Sihamoni
with his parents
during the
coronation
festivities on
29 October 2004.
Photo: Sinith Heng





Photo: AP

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