

KINGDOM OF CAMBODIA

The children of Krang Kontroul: waiting for justice

“When the people’s rights are abused like this, they lie awake at night and are afraid.”¹

On 18 September 1996, at Krang Kontroul village, Peam Commune, Samaki Meanchey District in Kampong Chhnang Province, six children were killed when a drunken soldier fired a B-40 rocket at the ice-cream stall where they had gathered. The six children - one boy and five girls - were between two and eight years old. Six months after the killing, the villagers of Krang Kontroul are still waiting for justice for their lost children. Amnesty International brought the case to the attention of the Royal Cambodian Government in November 1996, in the hope that immediate action would be taken by the competent authorities to investigate the killings and bring those responsible to justice. In spite of the intervention of the Head of State, King Norodom Sihanouk, after Amnesty International’s appeal, no one has yet been brought to justice for the killings.

Background

An Amnesty International delegation visited Kampong Chhnang Province, north of the capital Phnom Penh on two occasions in November and December 1996. During the visits the delegation heard that a number of children had been killed by soldiers in a village in Samaki Meanchey District in September 1996. Amnesty International was also told that the security situation in the area was poor because those allegedly responsible for the killings remained in the vicinity. Local human rights workers and police had been unable to carry out a full investigation because they could not gain access to victims and witnesses.

Amnesty International carried out an initial investigation into the events of 18 September 1996 at Krang Kontroul village, interviewing witnesses at a safe location away from the village. The organization found that not only had a large number of children been killed and injured, but also that their relatives and friends had been subjected to threats after the killings by soldiers from the same unit.

The killings on 18 September 1996

Krang Kontroul village is situated in a remote part of Kampong Chhnang Province, near the neighbouring province of Kampong Speu. The population of about seven hundred (about 160

¹ Interview with a resident of Peam Commune, Samaki Meanchey District, Kampong Chhnang Province, November 1996.

families), are subsistence rice farmers and the village is poor and isolated, lacking basic amenities. In the recent past, there have been National Army of Democratic Kampuchea (NADK or Khmer Rouge) activities in this part of Kampong Chhnang Province, although villagers said that they had not been troubled by Khmer Rouge activity in Krang Kontroul village itself.

In August 1996, a group of about 50 soldiers came to Krang Kontroul village. Villagers said that the group were a Mixed Unit of Special Military Region Forces. Special Military Region Forces are answerable to central command structures at the Ministry of Defence and are quite distinct from the District Military Units active in Samaki Meanchey District of Kampong Chhnang Province. Unlike the District Military personnel, Special Military Region Forces wear camouflage uniforms and caps. The group of soldiers told the villagers of Krang Kontroul that they had come from Amleang District in Kampong Speu Province and that there were NADK forces present in that district. They told the villagers that they had come to the village *“to protect them from the Khmer Rouge.”*

The soldiers moved into the villagers' houses and from the time of their arrival appeared to behave in an ill-disciplined manner. Amnesty International was told that the soldiers stole food and money from the villagers and committed more serious offences including assault and rape.

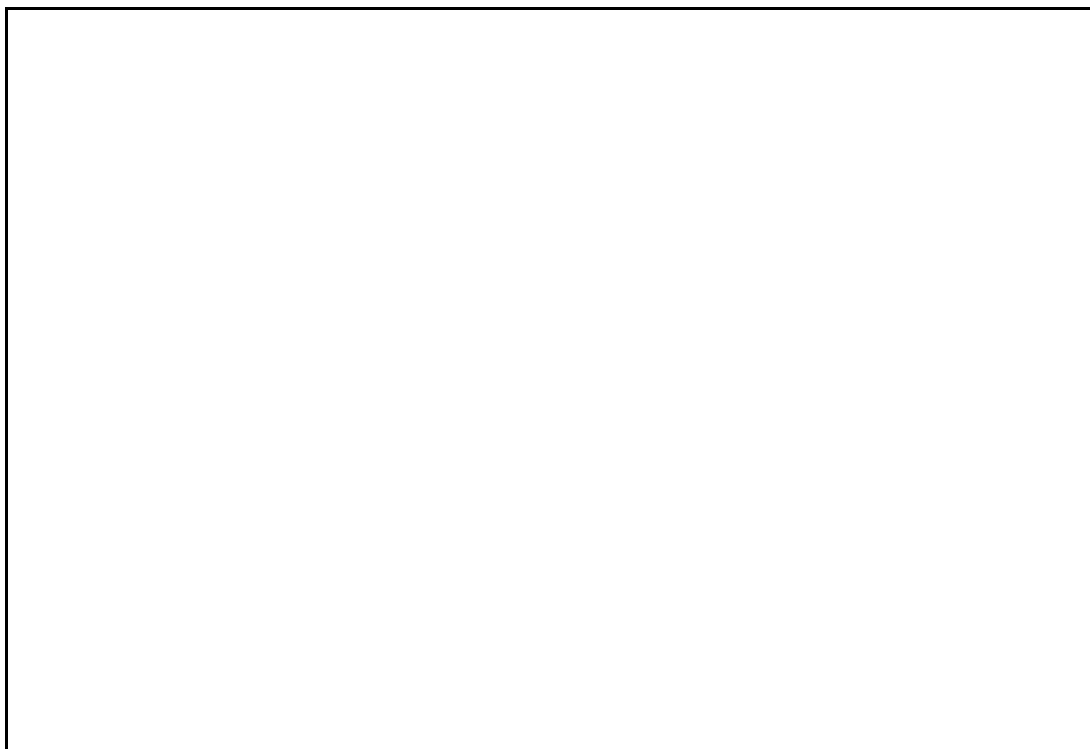
At about midday on 18 September, a group of village children had gathered as usual at a local drinks and ice-cream stall. Five heavily armed soldiers, some of whom came from the Mixed Unit of the Special Military Region Forces arrived at the stall. They had apparently been drinking heavily and were already drunk by the time they sat down at the stall. According to witness testimony, an argument broke out between the soldiers, and one of them - who all the witnesses agreed was from the Special Military Region Forces - fired a B-40 rocket launcher over the heads of his companions, into the assembled group of children. The rocket exploded and there were heavy civilian casualties. Six children were fatally injured, while six other children suffered less serious injuries. A young woman was also seriously hurt in the blast as she tried to protect her niece from the force of the explosion.

In the immediate aftermath of the blast, the soldier who fired the B-40 rocket launcher apparently fled the scene. His four companions were among the wounded. Villagers rushed to the scene of the explosion, some of whom found their own children dead or injured. However, as the villagers arrived at what was left of the stall, the wounded soldiers fired their

guns into the air and at the feet of the villagers, ordering them to leave the children and first carry the soldiers and their equipment to the base of their commander. One witness said:

“They didn’t let the villagers pick up the bodies of their children, they forced them to help the soldiers and made them leave their kids. We had to take them back to their base. They were shooting right in front of people’s feet, people were paralysed by fear.”²

Other witnesses confirmed that the wounded soldiers were shooting deliberately to intimidate the villagers into helping them first, before assisting the dead and dying children.³



Site of the destroyed drinks and ice-cream stall

² Interview with witness, Kampong Chhnang Province, November 1996.

³ Interviews with witnesses, Kampong Chhnang Province, December 1996.

The six children who died in the blast came from three families. The eldest, Chun was an eight-year-old boy. Two girls Na and Naak, aged seven and five respectively, came from another family, while Chann, Chim and Chuoen, three girls aged six, three and two came from a third family. After the killings, each of the three families was sent 50,000 riel (approximately US\$20), and a 50 kilogram bag of rice from the commander of the Mixed Unit. The Deputy Commander of the Unit came to Krang Kontroul village on the day of the funeral of one of the children. Witnesses said that he sat throughout the ceremony without saying anything, and that his presence was intimidating to the relatives and friends gathered at the funeral. The families whose children were injured in the blast received no money to help pay for medical treatment.

The aftermath

Following the killings at Krang Kontroul village, a group of villagers decided to make the difficult journey to the provincial town, to lodge a complaint with the Provincial Governor. Villagers told Amnesty International that the Provincial Governor told them he would withdraw the Special Military Region troops from their area and would help them to get justice for what happened to their children. However, two months after the killings the villagers complained that Special Military Region soldiers from the same unit had left their village shortly after the killing, only to establish a position in a village just a few kilometres away. Villagers said that they were frightened and intimidated by their continued presence, and that they had been scared of retribution from the Mixed Unit soldiers, until members of the District Military - in whom the villagers had some confidence - established a checkpoint by Krang Kontroul village. One person told Amnesty International:

“When the villagers went to complain to the Provincial Governor, the [Special Military Region] soldiers let it be known that they knew about it. We slept away from our houses until the District Military soldiers came [to the village].”⁴

Lack of immediate action

The villagers from Krang Kontroul who came to talk to Amnesty International about the killings in their village showed quite extraordinary courage. At the time they spoke to Amnesty International, they knew that the Mixed Unit soldiers were in a village just a few kilometres

⁴ Interview with witness, Kampong Chhnang Province, November 1996.

away from their home. They told Amnesty International that the police had not been able to help them, and that although they were grateful for the presence of the District Military personnel, these soldiers were poorly equipped and heavily outnumbered by the Mixed Unit. The level of fear and insecurity in the area, generated by the presence of the Mixed Unit soldiers, was palpable. Villagers told Amnesty International that the soldiers were robbing and detaining people in the neighbouring villages and that everybody was frightened of them, including the police. One man summed up the frustrations felt by all of the villagers:

“We want to know why all of those people have been killed in our village and is it an injustice or justice that the government hasn’t done anything to stop it? The government just allows these people to commit the same abuses again and again and people live in constant fear. When people are being murdered like animals, like chickens and ducks and the government does nothing about it, the people are afraid... I want you to do the best you can to get a message to the government ... We want justice.”⁵

Informing the authorities

Following the investigation into the killings, Amnesty International immediately informed Cambodia’s two Prime Ministers, Prince Norodom Ranariddh and Hun Sen, and Head of State King Norodom Sihanouk about the events in Krang Kontroul village, in confidential letters. The organization requested that the Royal Government of Cambodia take immediate direct and concrete steps to protect the surviving victims and families of the deceased, and to carry out an investigation to identify those responsible and bring them to justice. King Norodom Sihanouk wrote immediately to the two Prime Ministers requesting that they take *“urgent appropriate measures in order that our people and children enjoy full protection and also for those responsible for these atrocities to be taken to justice and punished.”⁶*

The incident was brought to the attention of the United Nations Special Representative for Human Rights in Cambodia, Thomas Hammarberg, who visited the scene of the killings

⁵ Interview with witness, Kampong Chhnang Province, November 1996.

⁶ Letter from HM King Norodom Sihanouk to HRH Prince Norodom Ranariddh and HE Hun Sen, 20 November 1996, copied to Amnesty International.

in early December 1996. He also raised the case in meetings with government officials, including representatives from the Ministry of Defence.

Arrest

Amnesty International has received information that the commander of the Mixed Unit involved in the killings at Krang Kontroul village has been arrested, following the intervention of the Deputy Commander of the Special Military Region. According to the information received, the Unit Commander was arrested on suspicion of having mutilated the bodies of some of the dead children at Krang Kontroul village. When Amnesty International visited Krang Kontroul village in December 1996, some villagers said that this had indeed occurred but the organization has not been able to confirm this. The Unit Commander is believed to be in detention in Kampong Chhnang Provincial Prison, awaiting trial. The arrest warrant was apparently issued for plundering the villagers' property, and mutilating the body of at least one of the children. The Deputy Commander of the Special Military Region is believed to have requested the Military Prosecutor towards the end of 1996 that an arrest warrant be issued against the soldier who fired the B-40 rocket launcher. By March 1997 no arrest has been made. To Amnesty International's knowledge, no disciplinary action has been taken against the other soldiers who survived the incident. Nor have there been any investigations into other alleged violations at the village, including rape and beatings. In an apparent attempt to explain away the killings, a military official was cited in press reports in November as having said that the soldiers in the Mixed Unit were Khmer Rouge defectors who had "*not given up their bad habits.*"⁷ The former Khmer Rouge soldiers in the Mixed Unit defected to the side of the Royal Government four years ago in 1993. At the end of November 1996, the majority of Special Military Region soldiers in Samaki Meanchey District were transferred to neighbouring Kampong Speu Province. This has resulted in an improved security situation for the villagers in Krang Kontroul village, but it is not known what is happening in the area to which the soldiers have moved.

Recommendations

The events in Krang Kontroul village on 18 September 1996 are illustrative of the continued human rights problems in Cambodia, particularly where military personnel are involved. In the case of the children from Krang Kontroul village, it took the intervention of an international human rights monitoring organization and the prompt call for action that followed from King

⁷ See *The Cambodia Daily*, 22 November 1996.

Norodom Sihanouk to initiate any sanctions against the people involved. Amnesty International believes that a full investigation into the killings is essential, and that those responsible must be prosecuted. The organization remains deeply concerned that the man who fired the rocket which killed the children remains at large, although his identity is widely known, as is the province where he is believed to have fled to. It is not acceptable that this incident has remained covered up for so long because of the inaction of the competent authorities and the threatening behaviour of the soldiers. The victims of the incident and their families should also be provided with compensation.

Amnesty International recommends to the Royal Government of Cambodia:

- 1. A thorough investigation into the events at Krang Kontroul village on 18 September 1996 should be undertaken; the results of this investigation should be made public; those found to have been guilty of criminal acts should be brought to justice, in accordance with international standards for fairness.**
- 2. Any member of the security forces implicated in the incident should be immediately disarmed and suspended from active duty, pending the outcome of judicial proceedings.**
- 3. The Cambodian authorities should ensure that the families of the victims, including those who were injured in the attack are able to obtain fair and adequate redress from the state, including financial compensation, without fear of harassment or intimidation.**
- 4. All members of the Royal Cambodian Armed Forces should receive human rights training, which stresses the principle of individual accountability. In particular, the highest authorities should make clear to members of the military and other armed forces that the killing of unarmed civilians, such as the killings at Krang Kontroul village, will not be tolerated under ANY circumstances.**
- 5. The Royal Government of Cambodia should ensure that in all cases where state employees are implicated in human rights violations, the perpetrators should face criminal prosecution and conviction.**