

Cambodia

The information below is based on the [Closing Order of the Extraordinary Chambers in the Courts of Cambodia Co-Prosecutors v. Nuon, Ieng, Khieu and Leng \(002/19-09-2007-ECCC-OCIJ\) issued on 19 September 2009](#)

842. Both men¹ and women² were forcibly married under the CPK regime. Most were in their twenties at the time of the marriage,³ however there were also occasions where the spouses were younger⁴ or older,⁵ although former CPK cadre state that persons were deemed eligible for and assigned to be married from the age of 20 for women and 25 for men.⁶ Several witnesses who were forcibly married were former monks who had been disrobed.⁷ Others were remarried after their former spouse disappeared.⁸

1432. Notwithstanding Duch's recollection of a CPK cadre who was punished for asking his subordinates to spy on married couples to see if they were sleeping together, the evidence shows that this was not the rule on the contrary, consummation of marriage was regularly monitored by CPK cadre and couples who refused to consummate the marriage would be arrested. Based on these facts, the crime of rape in the context of forced marriage was one of the crimes used by the CPK leaders to implement the common purpose.

1446. The common purpose aimed at or included the commission of crimes against humanity and other "inhumane acts" by means of forced marriage. The implementation of the common purpose relating to forced marriage was facilitated by the imposition of conjugal relations on victims by the perpetrators of the crimes who were CPK cadres. The Co-Investigating Judges find that the forced marriages assumed a systematic character and constituted an integral part of the common project implemented between April 1975 and 6 January 1976. The widespread character of forced marriages throughout the country clearly indicates that they were decided and coordinated by the highest leadership of the CPK in the common purpose. Concerning the main modus operandi, witnesses from different zones report that the representatives of the CPK married people who had similar profiles. The specificity of this process and the evidence that it was applied in different

¹D277/7 Written Record of Interview of Civil Party p.4 et seq.; D166/24 Written Record of Interview of Witness p.4; D166/32 Written Record of Interview of Witness p.6; D232/54 Written Record of Interview of Witness p.6; D125/98 Written Record of Interview of Witness p.3; D125/45 Written Record of Interview of Witness p.1; D166/16 Written Record of Interview of Witness p.7; D125/53 Written Record of Witness Interview of p.1; D125/127 Written Record of Interview of Witness p.1; D233/11 Written Record of Interview of Witness p.12; D125/31 Written Record of Interview of Witness p.7; D25/23 Written Record of Interview of Witness p.4; D232/59 Written Record of Interview of Witness p.10; D232/15 Written Record of Interview of Witness pp.2-3; D125/17 Written Record of Interview of Witness p.3; D232/39 Written Record of Interview of Witness p. 5; D125/16 Written Record of Interview of Witness p. 5; D232/32 Written Record of Interview of Witness p. 8; D166/24 Written Record of Interview of Witness p. 4; D40/4 Written Record of Interview of Witness p.4; D166/100 Written Record of Interview of Witness p.1; D166/123 Written Record of Interview of Witness p.1; D125/48 Written Record of Interview of Witness p.1; D217/3 Written Record of Interview of Civil Party p.9; D277/11 Written Record of Interview of Witness p.7; D125/142 Written Record of Interview of Witness p.5; D166/96 Written Record of Interview of Witness p.5; D125/25 Written Record of Interview of Witness p.4-5; D40/3 Written Record of Interview of Witness p.4; D166/179 Written Record of Interview of Witness p.7; D296/2 Written Record of Interview of Witness pp.5-6; D125/141 Written Record of Interview of Witness p.3; D125/139.1 Written Record of Interview of Witness p.3

²D277/5 Written Record of Interview of Civil Party p.5 et seq.; D296/3 Written Record of Interview of Witness p.4 et seq.; D277/8 Written Record of Interview of Witness p.6 et seq.; D166/18 Written Record of Interview of Witness p.2; D166/38 Written Record of Interview of Witness p.5; D166/36 Written Record of Interview of Witness p.4; D296/7 Written Record of Interview of Civil Party p.1; D169/3 Written Record of Interview of Civil Party p.2; D125/117 Written Record of Interview of Witness D201/8 Written Record of Interview of Witness p.4; D28/11 Written Record of Interview of Witness p.3; D199/21 Written Record of Interview of Witness p.4; D199/23 Written Record of Interview of Witness p.3; D199/18 Written Record of Interview of Witness p.4; D233/3 Written Record of Interview of Witness p.5; D25/21 Written Record of Interview of Witness p.5; D125/145 Written Record of Interview of Witness pp.3-4; D232/59 Written Record of Interview of Witness p.10; D232/56 Written Record of Interview of Witness p.11; D125/76 Written Record of Interview of Witness p.3; D278/5 Written Record of Interview of Witness p.7; D166/128 Written Record of Interview of Witness p.3; D166/92 Written Record of Interview of Witness p.2; D217/4 Written Record of Interview of Civil Party p.2; D166/101 Written Record of Interview of Witness p.5; D296/8, Procès-verbal d'audition de la partie civile p. 7 [Ang.] ; D125/169, Procès-verbal d'audition du témoin p. 7-8; D25/15 Written Record of Interview of Witness p.4; D277/6 Written Record of Interview of Witness pp.4-5; D278/4 Written Record of Interview of Witness p.7

³D166/38 Written Record of Interview of Witness p.5; D232/54 Written Record of Interview of Witness p.6; D166/36 Written Record of Interview of Witness p.4; D166/32 Written Record of Interview of Witness p.6; D166/18 Written Record of Interview of Witness p.2; D166/16 Written Record of Interview of Witness p.7; D125/53 Written Record of Interview of Witness p.1; D125/127 Written Record of Interview of Witness p.2; D169/3 Written Record of Interview of Civil Party p.2; D125/117 Written Record of Interview of Witness p.2; D199/23 Written Record of Interview of Witness p.3; D201/8 Written Record of Interview of Witness p.4; D199/21 Written Record of Interview of Witness p.4; D233/3 Written Record of Interview of Witness p.5; D232/15 Written Record of Interview of Witness pp.2-3; D278/5 Written Record of Interview of Witness p.7; D125/16 Written Record of Interview of Witness p.5; D166/100 Written Record of Interview of Witness p.1; D166/128 Written Record of Interview of Witness p.2; D277/8 Written Record of Interview of Witness p.6 et seq.; D277/5 Written Record of Interview of Witness p.5 et seq.; D277/7 Written Record of Interview of civil party p.4 et seq.; D166/94 Written Record of Interview of Witness pp.5-6

⁴D296/7 Written Record of Interview of Civil Party pp.2-3; D125/76 Written Record of Interview of Witness p.3; D166/101 Written Record of Interview of Witness p.5; D296/3 Written Record of Interview of Witness p.4 et seq.; D278/4 Written Record of Interview of Witness p.7; D277/6 Written Record of Interview of Witness pp.7-8

⁵D233/11 Written Record of Interview of Witness p.12; D217/3 Written Record of Interview of Civil Party p.9; D232/12 Written Record of Interview of Witness p.6 et seq.

⁶D232/59 Written Record of Interview of Witness p.10 et seq.; D259 Written Record of Interview of Witness KANG Guek Eav p.4; D217/4 Written Record of Interview of Civil Party p.11

⁷D277/7 Written Record of Interview of Civil Party p.4 et seq.; D232/12 Written Record of statement of Witness p.6 et seq.; D25/23 Written Record of Interview of Witness p.4; D199/15 Written Record of Interview of Witness p.7; D246/6 Written Record of Interview of Witness p.9; D40/3 Written Record of Interview of Witness p.4

⁸D296/8 Written Record of Interview of Civil Party p.7; D277/6 Written Record of Interview of Witness pp.7-8; D166/24 Written Record of Interview of Witness p.4

locations demonstrates the existence of a common purpose formulated at the highest level of the CPK regime. Another practice demonstrating that the marriages took place in the framework of the common purpose is the fact that multiple marriages were performed at the same time involving between 20 and 60 couples

1447. In the majority of cases of forced marriage death threats were made, violence was used and people were even executed if they refused to marry. Many witnesses state that they were too afraid to articulate their objection. Weddings took place devoid of traditional involvement of the parents. There was no respect of the traditional rituals. In some cases one party could request authorization to marry a person they determined, but this does not detract from the element of coercion or force placed on the person so identified. Some witnesses state that they were forced to consummate their union, which corroborates the existence of a common purpose established by the senior leaders of the CPK that marriages were necessary to increase the population.