



**GENDER-BASED VIOLENCE  
AGAINST SEXUAL MINORITIES  
DURING  
THE KHMER ROUGE  
REGIME**

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2015**





PROFILE OF THE AUTHOR

**KASUMI NAKAGAWA**

KASUMI NAKAGAWA was born in Kobe, Japan and moved to live in Cambodia in 1997. Her focus is empowerment of women, particularly to empower survivors of gender-based violence. She has been teaching Gender Studies at Pannasastra University of Cambodia since 2003, and has engaged in a variety of consultancy work with the Ministry of Women's Affairs, UN agencies, International organization, and non-government organizations. A mother of two sons, Sho and Ken, she has been engaged in the empowerment of sexual minority groups in recent years.


Photo: Asia-Japan Women Resource Center











*“ We, the LGBT ( Lesbian, Gay, Bisexual and Transgender) people, just need love, want good working conditions and salary, we want meals to survive, and want to be valued; that is what we all need. ”*

**[A Male-to-Female (MtF), 52 years old]**

## FORWARD

*“ Nowadays, discrimination based on sexualities still continues to happen in our society. Some people never value the gay in general. I do accept that I am a gay who was born as a man but acts like a woman in my characteristics. But I want to tell you that I am able to participate in helping my community as well. ”*

**[Male-to Female (MtF), Battambang province]**


A number of researches about sexual minority groups in Cambodia clearly show that they experience discrimination. When I was investigating the needs of sexual minorities to be free from violence, in order to develop a concrete strategy for the 2nd National Action Plan to Prevent Violence Against Women ( NAPVAW ) of the Royal Government of Cambodia, I met with Mr. Srun Sron, an activist for the rights of Lesbian, Gay, Bisexual and Transgender ( LGBT ). That was the beginning of my engagement into the LGBT movement in Cambodia.

Many young people from sexual minorities came to my Gender Studies classes at Pannasastra University of Cambodia, and kindly shared their painful experiences and challenges of being from a sexual minority.<sup>1</sup> A series of

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<sup>1</sup> The researcher and author particularly thanks to Srun Sron, Chhoeung Rachana, Kong Yara, Noy Sitha and other people from sexual minorities who came to her class on a regular basis since 2011.





those sessions at the university over the past years also made it clear that they face serious discrimination in many aspects of life, apparently taking different forms to that of discrimination against women. Their strength to struggle and fight against such difficulties was both positive and empowering.

This motivation to conduct this pioneering research on gender based violence against sexual minorities during the Khmer Rouge (KR) regime started with my strong commitment to break the culture of denial of basic human rights of sexual minorities in Cambodia. Enabling the voices of the most marginalized group to be heard can contribute to empowering older victims of the KR and youth alike. I believe that research about the experiences of sexual minorities can contribute to a greater societal willingness to embrace diversity and eventually greater gender equity.

## ACRONYM

<b>CDP</b>	Cambodia Defenders Project
<b>ICC</b>	International Criminal Court
<b>ECCC</b>	Extraordinary Chambers in the Court of Cambodia
<b>KR</b>	Khmer Rouge
<b>FtM</b>	Female to Male
<b>LGBT</b>	Lesbian, Gay, Bi-sexual, Transgender
<b>MSM</b>	Men who have Sex with Men
<b>MtF</b>	Male-to-Female

## TERMINOLOGY USED DURING INTERVIEW

<b><i>Bisexual</i></b>	A person who is sexually attracted to both sexes.
<b><i>Heterosexual</i></b>	A person who is sexually attracted to the opposite sex.
<b><i>Homosexual</i></b>	A person who is attracted to a person of the same sex.
<b><i>Gender Identity</i></b>	Each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body ( which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means ) and other expressions of gender, including dress, speech and mannerisms. <sup>2</sup>
<b><i>Gender based violence</i></b>	Gender-based violence is a form of discrimination that seriously inhibits a person's ability to enjoy rights and freedoms on a basis of equality between women and men, which includes, physical, psychological, social, economic or other type of harm intentionally inflicted on a person because of his / her gender.

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<sup>2</sup> The Yogyakarta Principles, on the application of international human rights law in relation to sexual orientation and gender identity, available at [http://www.yogyakartaprinciples.org/principles\\_en.htm](http://www.yogyakartaprinciples.org/principles_en.htm)



**Oral sex**

To provide sexual pleasure by respondent's mouth.

**Rape**

The perpetrator invading the body of another person by conduct resulting in penetration, however slight, of any part of the body of the victim or the perpetrator with a sexual organ or of the anal or genital opening of the victim with any part of the body or using an object or any other part of the body. The invasion is an act committed by force, or by the threat of force or coercion, such as that was caused by fear of violence, duress, detention, psychological oppression, or abuse of power, against such person or another person, or by taking advantage of a coercive environment or the invasion was committed against a person incapable of giving genuine consent.<sup>3</sup>

**Sexual Orientation**

Each person's capacity for profound emotional, and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.<sup>4</sup>

**Sexual violence**

Any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, against another person sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.<sup>5</sup>

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<sup>3</sup> International Criminal Court, available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>

<sup>4</sup> Ibid

<sup>5</sup> World Health Organization, Sexual Violence, (2002) last accessed on 7 Jan 2015, available at [http://www.who.int/violence\\_injury\\_prevention/violence/global\\_campaign/en/chap6.pdf](http://www.who.int/violence_injury_prevention/violence/global_campaign/en/chap6.pdf)



# CONTENTS

Forward (P.07)	
Executive Summary (P.15)	
<b>1</b> Introduction (P.16)	
<b>2</b> Objectives & Methodologies (P.20)	
<b>3</b> Demographic Information (P.24)	
Research areas	24
Age group	25
Gender identity	25
Sexual orientation	26
Marital status	27
Social class during the KR	28
<b>4</b> Key findings (P.29)	
Types of gender based violence/sexual violence	29
Discrimination against sexualities	30
Intersecting nature of discrimination	34
Moral offences	38
Forced marriage to the opposite sex	41
Forced marriage- same sex marriage	43
Rape in forced marriage	47
Sexual violence	51
Sexual violence - other form of rape	54
Sexual violence - anal rape	57
Sexual Exploitation - sex for survival	61
Sexual violence - violence in prison	64
<b>5</b> Summary & Conclusion (P.66)	
Types of gender based violence	66
Perpetrator profile	67
Reasons for gender based violence against sexual minorities	68
Differences and similarities with precedent research findings	68
Impact of violence	70
Acknowledgment (P.71)	
Khmer Terminology (P.72)	





## EXECUTIVE SUMMARY

*“If they knew (that I was a lesbian), they would have killed me.”*

**[A lesbian woman, Kampong Chhnaing province]**

During the Khmer Rouge (KR) regime (April 1975 – January 1979) in Cambodia, people belonging to sexual minorities, such as Lesbian, Gay, Bisexual and Transgender people (LGBT), were forced to experience specific forms of gender-based violence and sexual violence that were not experienced by the majority of Khmer people. In addition, the intersection of discrimination and perpetration of violence were affected by social status (that is, KR identified groups as base people or new people) or religion.

### BELOW IS A SUMMARY OF KEY FINDINGS.

- All people from sexual minorities interviewed tried to hide their sexualities during the KR regime.
- Almost all transgender persons in the research were threatened/abused/harassed due to their sexualities.
- All gay men in the research experienced sexual violence.
- No lesbian women interviewed experienced sexual violence.
- 56 percent of respondents (27) were forced to get married (including 17 MtF), and three MtF were raped within forced marriage.
- The majority of perpetrators of sexual violence were KR soldiers (17) but non-KR perpetrators were also identified (2). Three respondents were attacked by both the KR and non-KR.
- Many MtF respondents were forced to perform oral sex by both KR and non-KR persons.

<sup>6</sup> LGBT is an umbrella term referring to a heterogeneous group of lesbian, gay, bisexual and transgender people who often advocate together for their rights in local and international political arenas. See Judit Takács ILGA-Europe and IGLYO, (2006), Social exclusion of young lesbian, gay, bisexual and transgender (LGBT) people in Europe

# 1 INTRODUCTION

*“ I have never talked about it to anyone. I never talked because it seemed shameful.”*

**[MtF, Battambang province]**

Discourse and research about gender-based violence in the Khmer Rouge (KR) regime, from 1975 until 1979, has focused almost exclusively on violence perpetrated against women. The KR regime was the period when the government with extreme communism forced people in cities to move to rural areas for hard labor, highlighted by the separation of communities and families, mass executions and purges, starvation practices, prisons and torture. Many studies about the KR regime have been done, but little is revealed in regard to the gender-based violence, which was perpetrated during this period of time.<sup>7</sup>

To fill this knowledge gap, the author of this report conducted one of the first researches on this topic in 2005. For that study, it was extremely difficult to find male

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<sup>7</sup> For example, see, Nakagawa Kasumi, *Gender-based violence during Khmer Rouge Regime*, (2008), Phnom Penh, Katrina Natale, *I Could Feel My Soul Flying Away from My Body: A Study on Gender-Based Violence During Democratic Kampuchea in Battambang and Svay Rieng Provinces*, (2011), Cambodian Defenders Project, Phnom Penh, and Rochelle Braaf, *Sexual Violence against Ethnic Minorities during the Khmer Rouge Regime*, (2014), Phnom Penh, Cambodian Defenders Project.



survivors of GBV, except for survivors of forced marriage.<sup>8</sup> When it comes to people who belong to sexual minority groups- LGBT, there has been no specific documentation of the gender-based violence that they experienced in the Cambodian conflict period.<sup>9</sup> There has been one research referring to the experiences of sexual minorities during the KR regime, by Phong Tan, which provides overview about situation of Men who have Sex with Men (MSM). Her research was about a life story of twenty MSM, including four detailed stories of SMS experiences during KR regime were documented but no specific focus was made to the sexual violence that they experienced.

The patriarchal value system inherent in Cambodia creates and reinforces social norms that pressure people who do not conform to the prevailing socio-cultural system. The system is structured to privilege hegemonic masculinities. Making oneself visible as a sexual minority is a critical and challenging process in this context because of the risk of being discriminated against or excluded from mainstream society, where heterosexuals conform to social norms and are the norm.<sup>10</sup>

For sexual minorities in Cambodia, disclosing gender based violence perpetrated against them during the past conflicts is also difficult process.<sup>11</sup> It is recognized that they face

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<sup>8</sup> It has been reported that a lack of reporting of gender-based violence by male survivors is mainly due to reasons of shame, guilt and fear of not being believed or of being denounced for what has occurred. For details about the issue of violence against boys and men in conflicting zones, see, Tom Hennessey & Felicity Gerry, *International Human Rights Law and Sexual Violence Against Men in Conflict Zones*, Halsbury's Law Exchange, (2010), Dr Chris Dolan, *Into the mainstream: Addressing sexual violence against men and boys in conflict*, (2004), A briefing paper prepared for the workshop held at the Overseas Development Institute, London.

<sup>9</sup> Phong Tan, *HIV/AIDS prevention programme, Ethnography of male to male sexuality in Cambodia*, (2008), UNESCO, Phnom Penh.

<sup>10</sup> For example, see, Cambodia Center for Human Rights, (2010), *Coming out in the Kingdom: Lesbian, gay and bisexual and transgender people in Cambodia*, Phnom Penh.

<sup>11</sup> For discrimination against LGBT community in Cambodia, see, Vincent S. Salas and Srun Srorn, *An Exploration of Social Exclusion of Lesbian, Gay and Transgender persons in Families and Communities in Some Areas of Cambodia and Their ways of Coping*, (2013), Social Protection Coordination Unit, Phnom Penh



discrimination and live with increased vulnerabilities and risk of violence due to their sexualities.<sup>12</sup> A lack of documentation and data about their experiences during this time has had a negative impact on their healing journey from trauma and has contributed to the development of a culture of silence amongst LGBT, inhibiting this discourse in the transitional justice process.<sup>13</sup>

LGBT people continue to face discrimination and exclusion in all spheres of life in Cambodia. Same-sex couples do not enjoy the same rights and protections as heterosexual couples, and consequently cannot access social protection schemes, such as health care and pensions. Young people belonging to sexual minority groups are particularly vulnerable to discrimination and abuse because they may already be living with social exclusion from family or community, and exclusion from friendship networks.<sup>14</sup> Discrimination against sexual minorities not only denies their access to key social services and opportunities for employment but it can also marginalize them in society and increase their vulnerabilities to violence.


Internationally, efforts have been made to create a variety of mechanisms and legal instruments to provide recourse for victims of sexual violence. However, the positive steps taken to develop an effective framework of protection have focused almost exclusively on the protection of women

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<sup>12</sup> For example, see United Nations General Assembly's Resolution in 2011, A/HRC/19/41 titled, Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, Report of the United Nations High Commissioner for Human Rights

<sup>13</sup> For researches into LGBT issues in Cambodia, a brief summary is made in Being LGBT in Asia; Cambodia Country Report, (2014), Phnom Penh, USAID, <http://www.usaid.gov/documents/1861/being-lgbt-asia-cambodia-country-report>

<sup>14</sup> Judit Takács, Social exclusion of young lesbian, gay, bisexual and transgender (LGBT) people in Europe, (2006), ILGA-Europe and IGLYO



and girls. The lack of recognition of survivors who belong to sexual minorities is a blind spot that must be addressed.

In the past decade, there has been a growing willingness to address sexual violence against sexual minorities, along with the above noted interventions and movements, but there still remain multiple challenges to fully engage with the realities of gender based violence against sexual minorities. This report aims to enable survivors of gender violence during the Cambodian conflict to contributing to those empowering processes and movements.

This report describes the research methods used and presents the quantitative and qualitative findings of the study. Section 2 briefly summarizes the research methodology followed by Section 3 explaining the demographic characteristics of respondents in the research. Section 4 presents the main research findings and Section 5 draws together the conclusions of the research.



## 2 OBJECTIVES AND METHODOLOGIES

### PRIMARY OBJECTIVES OF THE RESEARCH WERE TO

- Document experiences of gender-based violence and sexual violence against sexual minorities during the KR regime to enable their experiences to be known;
- Determine the nature of gender based violence and sexual violence perpetrated against sexual minorities in regard to types of violence, survivors and perpetrator profile, and locations of violence; and
- Utilize findings to empower LGBT communities by breaking the culture of silence about such violence for ending impunity for perpetrators.

### METHODOLOGY OF THE RESEARCH

*The research employed a number of methods:*

- (1) Review of relevant literature and meeting with experts to identify key issues for sexual violence and GBV against sexual minorities during the KR regime
- (2) Development of a structured interview questionnaire and semi-structured interview to collect data from respondents. Preparation for fieldwork, including identifying study sites and potential research participants, and logistical preparation. Two main intermediaries assisted in the identification of both study sites and potential respondents through their respective networks. Five locations in Cambodia were selected as study sites.<sup>15</sup>In all, 48 individual interviews

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<sup>15</sup> Prey Veing and Svay Rieng were also identified but due to budget constraints, it was impossible to investigate these two areas.

were conducted. All respondents were interviewed one-on-one and face-to-face by the author in Khmer, typically in their own homes. Interviews were recorded for transcription purposes. Interviews were conducted following the ethical guidelines set out in the “International Protocol on Documentation and Investigation of Sexual Violence in Conflict” (Foreign & Commonwealth Office, UK)<sup>16</sup>

- (3) Transcription and data entry from a structured interview questionnaires from the field interviews
- (4) Data analysis to identify key themes and patterns across the interviews, as well as individual case examples
- (5) Report writing and peer review of the draft report.

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<sup>16</sup> In the beginning of each interview, respondent was informed about the importance of informed consent, voluntary participation, option of withdrawal from the research, confidentiality of personal information.



## LIMITATION OF THE FINDINGS

### *Respondents are not representatives of sexual minorities*

The identification of the participants to the research relied on two outstanding LGBT activists: *Ms. Sou Sotheavy* for MtF ( Male -to - Female transgender person ) and gay men and *Mr. Srun Sronn* for FtM ( Female-to-Male transgender person ) and lesbian women. Both activists kindly assisted in identifying elder people belonging to sexual minorities in their networks in several provinces. This method of recruiting respondents by referral ( also called a snowball method ) enabled the researcher to reach many people from sexual minority groups, even more than the originally anticipated target number.

However, it may have also limited the possibilities to reach out<sup>17</sup> to a wider population belonging to sexual minorities. For example, no person with disabilities was interviewed, while people living with HIV were interviewed. This method of identifying respondents did not allow for a random or representative population-based sampling.

### *Majority of respondents were FtM*

Thanks to the intervention by many institutions to prevent HIV in recent decade, Men who have Sex with Men (MSM) have been widely mobilized and this research also gained huge benefits from their networks. On the other hand the LGBT movement in Cambodia is relatively new and, partly because of that, not many elder lesbian and FtM have been

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<sup>17</sup> At the same time, this snowball method attracted three people who did not have any experience of gender-based violence because they were, according to them, “too young” during the KR regime.

<sup>18</sup> The interview questionnaire did not include any question about HIV, however, there were people who identified themselves as living with HIV.



mobilized. Consequently, a majority of respondents (31) were MtF and 9 were gay men, while only 8 were either FtM or lesbian women.

*Perpetrators' sexualities and motivations are unclear*

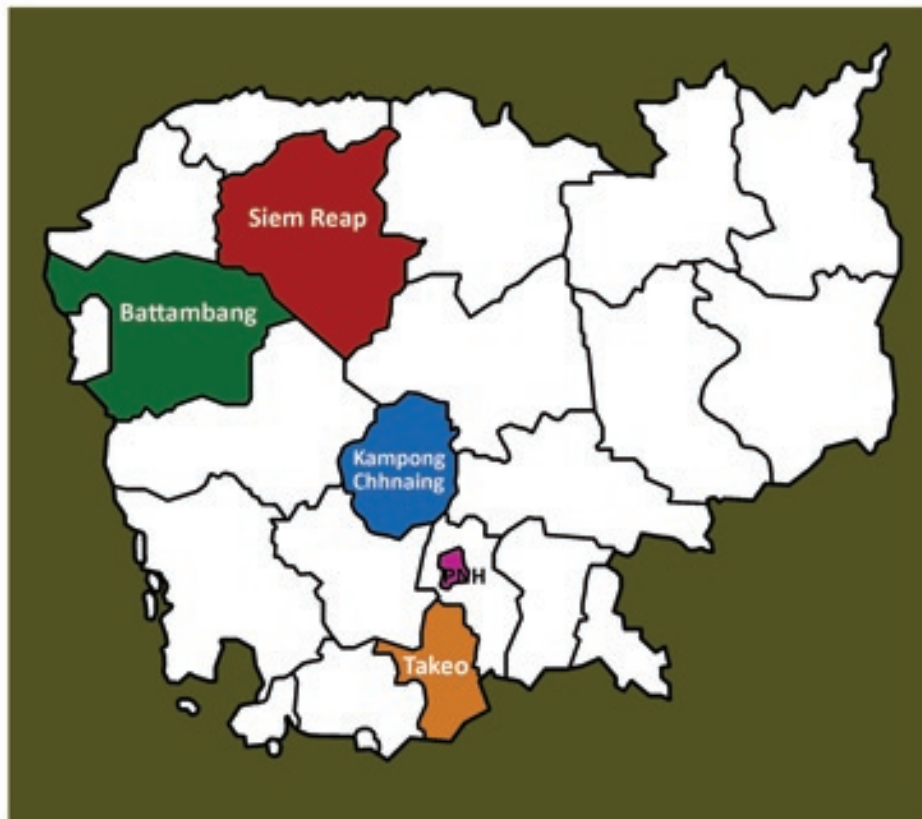
In regard to sexual violence, the researcher tried to identify the name and the ranks / position of the perpetrator in the KR governance system, location and time of the violence, as well as the sexual identity of the perpetrator. However, many respondents were not sure about the sexual identity of perpetrators, or motivation of the violence.

## 3 DEMOGRAPHIC INFORMATION

This research interviewed 48 respondents belonging to sexual minorities.

### RESEARCH AREAS

People from sexual minorities currently living in four provinces and the capital city, Phnom Penh, were interviewed.



## AGE GROUP

Initially, the study targeted people over the age of 60 years old and 23 percent of respondents (out of total 48) were over 60 years old.

TABLE 2 - AGE GROUP

Age Group (48 People)			
Under 49	50 - 59	60 - 69	Over 70
9	28	8	3
19%	58%	17%	6%

## GENDER IDENTITY

The research interviewed a total of 40 biological men (31 are/were MtF) and 8 biological women (5 are/were FtM). Gender identity can change over time and moves along the spectrum from male to female. Gender was determined in this research based on the respondents' identification of their own gender at the time of KR regime. This may be different from how they perceive themselves today.





## SEXUAL ORIENTATION

In the interviews, sexual orientation was determined by asking, “Are you attracted to men or women. Sexual orientation is fluid, and some people who were very young during the KR regime were not sure about their sexual orientation then. As one MtF said “At that time I also did not know why I loved the same sex and I always wondered to myself.” He said that he was ashamed himself of having a sex with a man, even though he was raped by a KR soldier. Seventeen per cent of respondents self-identified as a same-sex oriented, while four percent identified as bisexual during the KR regime.

TABLE 3 - SEXUAL ORIENTATION OF RESPONDENTS

	MtF	FtM	Gay Men	Lesbian Women
Homosexual			5	3
Bisexual			2	
Heterosexual	33	5		

All transgender persons identified themselves as heterosexual during the KR regime (they were attracted to the opposite sex). 17 percent of respondents identified as same-sex oriented, while 4 percent identified as being bisexual.

## MARITAL STATUS



Cambodian laws do not allow same-sex marriage, but some respondents keep de-facto marriage relationships with their partners. Three lesbians who are currently living with their partners were interviewed. Many homosexuals and FtM respondents also noted that they have or had a partner.

This research did not specifically focus on the marital status of respondent before or after the KR regime but many reported that they have had a partner / wife in their lifetime. Many respondents in this research have been pressured by their parents on a multiple occasions to marry a person of the opposite sex. Some did marry because they wanted to have a family or due to social pressure. Some respondents said that they were in love with their spouse and stayed together with whom they have chosen themselves.<sup>19</sup> When it comes to an official marriage, six respondents (4 MtF and 2 gay men) reported they have or had wife after the KR regime, some also have children and grandchildren.



<sup>19</sup> As will be described, it was sometimes confusing to ask about forced marriage in the KR regime because quite a large number of respondents have experiences of being "forced" by their parent(s) to get married with someone of the opposite sex. Some respondents referred to all the numbers of when they were "forced" to marry. Therefore, in the interviews, the term "forced marriage" was clarified as referring only to be forced by the KR.



## SOCIAL CLASS DURING THE KR

During the KR regime, Angkar, or KR, was the governing authority. People who were controlled by KR were not an uniformed group, but were divided into two groups- “ base people ” and “ new people ”.

TABLE 3 - SEXUAL ORIENTATION OF RESPONDENTS

Category	Number	Percentage
Base people	23	48 %
New people	25	52 %
Total	48	100 %

There was a distinct difference in the governing system of KR over two groups and in most cases base people enjoying special privileges. This will be examined in the report in conjunction with the discrimination based on the sexuality.



## 4 KEY FINDINGS


### TYPES OF GENDER BASED VIOLENCE/SEXUAL VIOLENCE

Experiences of various forms of gender based violence and sexual violence were reported by a majority of respondents. All respondents reported having to hide their sexuality for fear of being killed by KR officials. All gay men experienced sexual violence while no lesbian respondent reported any sexual violence. Many MtF respondents were raped and sexually assaulted, some on one occasion and some multiple times. Being forced by the KR to marry someone was also reported, both marriages to people of the opposite sex and to the same sex.

TABLE 4 - EXPERIENCES OF SEXUAL VIOLENCE

	Gay Men	Lesbian Women	MtF	FtM
Experience of Sexual Violence	100 %	0 %	61 %	0 %

Some respondents experienced multiple types of sexual violence, and multiple times. 20 respondents were sexually attacked by KR soldiers, while 5 were abused by non-KR soldiers. Three respondents were forced to have sex with their spouses within their forced marriage. Location of violence varied - some were abused at particular places



such as at the residence of KR soldiers and in the prison, while public places and common sleeping rooms were also reported.

All respondents reported emotional violence, on top of physical violence. Being a part of a sexual minority group was a challenge, which affected the freedom and fundamental rights and dignity of the respondent. They were all scared and lived with a fear of being killed if KR knows their sexual identity or gender identity.

#### DISCRIMINATION AGAINST SEXUALITIES

During the KR regime, the ruling authority was the KR, and non-KR people were divided into two groups; new people and base people, and also they were divided into males and females. People belonging to sexual minorities, particularly MtF were forced to behave as “men”.

*“ They just understood that there were only male or females at the time.... they recognized that men always had short hair and women always had long hair. ”*

**[MtF, New people, Battambang province]**

Verbal harassment and mockery against MtF by both KR and non-KR were reported by a majority of respondents. The term “ Gay (Kuthoy) ” was very offensive and



discriminatory when it was addressed to MtF, or in that matter, to any person.

*“Some people accused me by saying, “you are a man why you want to be a woman? Your behavior is too bad because when you walk, it looks like a woman, and whatever you do is too weak, not strong as men”. So I responded to them, “I didn’t know how can I do (change my attitudes) because it’s my behavior from the birth”. They also blamed me by saying, “You are a man but you always want to be a woman, you are a gay (Kuthoy)”.*

**[MtF, Base people, Siem Reap Province]**

A mother of a MtF passed away during the KR regime, and she asked KR to provide her with a small portion of porridge so that she could pay a respect to her mother’s spirit. To her, KR said, “you are a gay so you do not deserve it.” She was discriminated against based on her gender identity. She said, “I feel really hurt whenever I think about the past.”

Almost all MtF said that they were scared, and had to hide their gender identity or tell a lie that they were women.

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*“They would kill me if they knew I was different from other people. In Pol Pot regime I could not show anyone about my real identity because they would kill me if they knew.”*

**[MtF, Base people, Siem Reap province]**

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One of the respondent's close friend ( MtF ) was tortured due to her gender identity.

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*“ What was most difficult was that she was ordered to pound the steel in order to make knife or hoes, but she knew nothing about it. As a consequence, she was tied up at the forge. Then her thighs were burned by the burning iron three to four times, and they said if she wanted to be a gay, they would burn her sexual organ. At that moment, she cried and tried to beg them not to do that. ”*

**[Tha's story, Battambang province]**

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Most MtF described that it was painful to hide their identities by cutting their hair short, wearing pants, and also to stay with men and work with men. “ (I) f they knew anything, they would harm us. Therefore, I did hide it until the regime ended and then I could keep my hair as long as I wanted ”.

*“ They saw me as a real man while my feeling and my mind were of a woman. They saw my appearance and forced me to stay with men. They did not allow me to stay with women. ”*

**[MtF, Base people, Battambang Province]**

Some people reported friendship among non-KR helped to keep them from being harmed or abused. A MtF described that a KR leader accused her about her gender identity, but her friends helped her to escape from severe punishment.

*“ Pro Thean Krong (Group leader) always found my faults and accused me of being silly, foolish, or gay (Kuthoy) and so on. They (KR) wanted to kill me because of my different natural characteristic. Fortunately, there were many female youth who were on my side. Whenever KR officers wanted to hit or imposed punishment on me. I was often saved by the fellow female youths or some of my friends who were working with me. Without their help, I would have been killed. ”*

**[MtF, base people, Battambang province]**

Many cases of sexual violence were reported in conjunction to gender identities. All respondents interviewed in the research said that they tried to hide their sexual orientation - that they are attracted to the same sex - for fear of being killed.

*“ I have to hide everyone about my identification as a man, I want them to know me only as a woman because they would kill me if they knew I was a man, so my parents and relatives helped me. They didn't tell anyone about my identification as a man, they told them that I was a woman. ”*

**[MtF, Base people, Siem Reap province]**



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Sexual orientation could be possibly kept secret because it is more about personal and emotional feeling, but hiding gender identity could have been a tremendous burden and emotional hardship for transgender people. A MtF said, “ I dared not to show that I was a transgender. I need to hide it so that I can stay alive and survive. But it seemed to be staying in the prison without wall ”.

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#### INTERSECTING NATURE OF DISCRIMINATION

During the KR regime, people were divided into two groups “ base people ” and “ new people ”. Base people were mostly people who had lived in the KR controlled areas before the KR took power in April 1975, while new people were people who had not lived in KR controlled areas before April 1975 but were forcibly moved to these places. There was a distinct difference in relation to how the KR governed the two groups. One of the outstanding findings was that sometimes transgender persons were treated completely different depending on whether they were considered base people or new people.

In general, base persons reported that they were treated better than new people.

*“ I knew a boy, a base person called Ah Ry, about 15-16 years old. He was also a gay but I rarely saw that he was abused like me because he was a base person. I am gay,*



*so is Ah Ry. They did not hurt Ah Ry, a base person, but I was not a base people, so KR hurt me cruelly. That was discrimination based on class. ”*

**[MtF, New people, Battambang province]**

One base person FtM, was not forced to wear a skirt because she was staying with KR soldiers and worked hard “ as a man ”.

*“ No problem ( to wear male clothes ). I wore men’s clothes because I stayed with the soldiers.... I never wear the skirt. I wear only the trousers... I didn’t have any problems. I just worked hard and did men’s jobs, because it’s different from women’s jobs. All other women wear the skirt, except me ”.*

**[FtM, Base people, Kampong Chhnang province]**

This person stayed with women, but “ I worked harder than other women. Most women did common work but for me I work with the heavy work of men.”

A FtM, base person, also said “I was a villager so they didn’t make me trouble or wouldn’t kill me like they did to the new comers. They just ordered me to work hard.” One MtF, a base person, described that she was better treated than others.

*“ They (KR) felt a little sympathy toward me since they knew that I was too weak to work very hard, and they did not usually point out my mistakes or punish me. A few KR soldiers were even kind to me. In contrast, most of KR soldiers were very cruel, and they killed some of my friends who lived with me.... Fortunately, I was treated better than others. ”*

**[MtF, Base people, Battambang province]**

Some base people could escape from forced marriage because of their social status. A base person, MtF, escaped from forced marriage three times. She was only 17 years old when she was “ asked ” by a KR leader to marry and refused. She said that there was no problem to refuse, and “ they just asked me ( if I wanted to get married ). There was no problem. They just asked my view. ”

*“ KR asked me, “ Do you want a wife ? ” so I answered, “ No, I don’t! ” If I did not love, they would not force me. For some others, even if they did not love, KR still forced ( to get married ). For me, they did not. They forgave me. I knew KR leader. We knew each other since before (KR took power). He was my neighbor. He was the top. He asked me whether I loved any one (for marriage), but I refused. ”*

**[MtF, Base person, Siem Reap province]**



*"I was very lucky. I tried to lobby to the leader of the mobile unit because he was my villager, so he understood me and forgave me... they did not accept ( refusal to marry ) for a new comer. They could not forgive them."*

**[MtF, Base people, Siem Reap province]**

On the other hand, sexual minorities who were new people felt that they were discriminated against as one MtF said " Most of the base people did not like gay men, they discriminated us based on gender ( identity ) and also class. " Respondents who were categorized as new people in the KR regime reported that they felt additional discrimination by new people.

*"The new people in my group wanted to satisfy the base people, so they abused me. They used me as a tool to serve their interests. They gave me many tasks to do; they kicked and beat me, and did not give me food at all. Moreover, every night I was given a duty till at the dawn in the rice fields. Then I felt so sleepy, so I took a short nap while working in the daytime and whenever they saw me falling asleep, they punished me by beating and kicking seriously. That was all because of I was a gay. I would not have been abused and discriminated if I had not been a gay. "*

**[MtF, New people, Battambang province]**



Religion was also an important factor that is intersecting with gender identity/sexual orientation. A Khmer Muslim who was MtF compared the hardship between her being MtF and that of being Khmer Muslim. She noted that being a Khmer Muslim was more harsh and difficult for her during KR regime.

*“ Cham was more serious ( than being MtF ). KR soldiers did not like Cham and they punished more serious against Cham people because we are different from them. We, the Cham, and the Khmer had been given the same task to do, but KR felt more sympathy toward Khmer. ”*

**[MtF, New people, Battambang province]**

## MORAL OFFENCES

It is widely known that the KR prohibited “ moral offences ” and those who were found to break this rule had to face serious punishment.<sup>20</sup> In the KR regime, twelve Codes of Conduct of the Combatants was made to discipline both KR and non-KR. The Code number 6 said, “ Do not abuse women ( forcing a woman to have consensual sex or having sex with a woman who is not your wife ). ”

This research investigated how the idea of a “ moral offence ” was understood and how it impacted people belonging to sexual minorities. The understanding of moral offences varies, but the common idea is that it is the prohibition of any relationship outside of marriage.

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<sup>20</sup> For details about Code number 6, see Searching for truth, No 15, March 2001, available at. <http://d.dccam.org/Projects/Magazines/Previous%20Englis/Issue15.pdf>

*“ We were not allowed to have love relationship with others at all. It was regarded as moral offense. They would kill us if they found out any case. We followed the Angkar’s order just to get a rice ball for survival. ”*

**[MtF, Base people, Battambang province]**

Everyone understood moral offences as a prohibition of any relationship outside of marriage. Anyone who fell in love with someone had to hide their feelings and not mention their behaviors otherwise they were punished. For people belonging to sexual minorities, they were especially vulnerable because of their sexual orientation.

*“ The KR militias would kill me if they knew what I felt and wanted. If they ( KR ) found out, they deployed more militias to where we were working and would say that this was against morality. Then those who committed mistakes would be handcuffed and abused. Depending on their feelings, KR may have killed us. ”*

**[MtF, Base people, Battambang province]**

Many respondents were attracted to someone or had a partner during the KR regime, therefore, a prohibition of “ moral offence ” practically pressured their behaviors and impose threats for their feeling. One MtF described, “ (w)e love each other, that is so-called against moral ”.

Prohibition of moral offences was instructed during a series of meetings organized by KR. Anyone who was found to be against their morals, or committed a moral offence, was killed as one MtF said, “ In Pol Pot regime if we were immoral they would take us to kill. ”



A Gay man who had a male partner during KR regime. He said having a homosexual relationship was one form of moral offence.

*“ During Pol Pot’s regime, the relationship between man and woman without the permission from the Angkar was regarded as moral offence, and the consequence would be death. The punishment would be more serious if you were gay or transgender because KR soldiers hated this kind of people so much. ”*

**[MtF, New people, Phnom Penh]**

A MtF who was forced to perform oral sex by four KR leaders in multiple occasions noted that they tried to keep their sexual crimes secret because of “moral offence” regulations.

*“ Although four of them were higher ranking KR, they did not dare to reveal it (oral sex) to others. Because if the KR leader knew that they committed a moral offense, they would be killed. During the KR regime, showing affection or having sex without permission was regarded as betrayal and it was the enemy of revolution, so the perpetrator would be destroyed. ”*

**[MtF, Base people, Battambang province]**

A FtM, recalled that she was prohibited to reveal her relationship with another woman that had lasted from the 1950s. “ the KR soldires followed our background in details, and did not like it (our homosexual relationship) because it was against the morality of the KR ”



There is no account of homosexual relationships in the KR regime, because everyone had to hide any love affairs apart from marriage. The prohibition of moral offences impacted everyone's behaviors. However, for homosexuals, they had to conceal both their relationships as well as their overall sexual orientation. A MtF who had a boyfriend prior to KR regime continued her relationship with him recalled,

*"When he left me to work as a soldier (KR), he always came back to the village and tried to look for me... we kept it secret because we would be killed when we made a love affair with someone... we were not allowed to have a lover."*

**[MtF, Base people, Siem Reap province]**


Another MtF also noted about her relationship with her male partner, " (o)nly two of us knew it and I did not let others know. They would kill us if they found our relationship. because at that time KR didn't want such relationships.

## FORCED MARRIAGE TO THE OPPOSITE SEX

During this conflict period, the KR arranged almost all marriages, meaning that people got married to someone that KR officials selected and decided for them without consent.<sup>21</sup> Forced marriage, a form of sexual and gender

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<sup>21</sup> Forced marriages under KR regime were not legal marriages registered in the official administration record. For details, see, Theresa DE LANGIS, et al., *Like Ghost Changes My Body, A study on impact of forced marriage during Khmer Rouge Regime*, (2014), Phnom Penh, Transcultural Psychology Organization



based violence, was arranged by KR to create another generation dedicated to the KR, to deny any personal choice in one's life cycle, ultimately to control the total population through fear. These "marriages" were not legal or registered marriages because KR abolished all laws except their Constitution. Those marriages were completed once it was recognized and authorized by the KR. A MtF said, "At the age of 32, I was forced by the KR to marry and make an oath to live with her." Another person also noted as below;

*"During Pol Pot's regime, there were about 10 newlyweds who had been arranged to marry in every one or two months. KR never let us know in advance who would be our partner; mostly they married us to the one whom we never knew at all. If we were newlyweds, we would be given a pillow, a scarf and a mosquito net. During the marriage, we needed to hold our partners' hand and made an oath."*

**[MtF, Base people, Battambang province]**

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Out of 48 respondents in this research, 27 people (58 percent) were forced to get married against their will at least one time during the KR regime. All of them did not want to get married, and tried to refuse, and some were sent to the education camp as punishment. The KR forced some to get married with the opposite sex. At least one MtF had a child with her wife though it died, followed by the wife's death, both during the KR regime.

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One MtF respondent recalled how the KR forced her to marry with a woman because she tried to hide her gender identity.

*“ They forced me because they didn’t know I’m a gay (kuthoy). Apparently I looked like a man, but I had a women’s behavior as my nature. All of them didn’t know I was a gay because I never told anyone about it because I was afraid that KR would kill me... But I didn’t love that woman and then they discussed but later on they told me I must get married with that woman. ”*

**[MtF, Base people, Siem Reap province]**

Almost all MtF kept their gender identities secret for fear of being killed. A few managed to make others believe that they were women throughout the KR regime but then some were forced to get married with a man as in the next section describes.

#### **FORCED MARRIAGE - SAME SEX MARRIAGE**

There were 17 MtF respondents who were ordered by the KR to get married against their will. Some MtF were living as a woman during the KR regime and were forced to marry a man. Their vulnerabilities are tremendously high because they were scared to be killed if they refuse to get married, and at the same time they would be forced to reveal their sexuality and gender identity to their husband, who may not accept it and report to the KR - that they were forced to get married with a biological man.



When a MtF who lived as a woman was forced to get married with a man, she said that she did not want to, “but they still forced me. Thus, I just agreed.” After marriage, she had sexual intercourse with her husband.

*“He forced me. I told him (that I was a man). And it was okay to him. When he knew it, it was all right for him. We made love and he was fine.”*

**[MtF, Base people, Siem Reap province]**

A MtF, who is called “Mother” by her friends as she is rather senior, was loved by a KR soldier (man) and threatened with a gun.

*“He told me that he loved me, but I said “I’m a man, please, you should not love me”. But he said that (even you are a man) it was okay and that he loved me. I was scared of his gun. Thus, I had no choice but just followed him. I was very scared.”*

**[MtF, Base people, Siem Reap province]**

Another MtF was also loved by a man, and was tortured because of their relationship. She was known as a woman and no one knew she was biologically “a man”, because “I hide everything including my identification, voice, behavior, gestures or motions. So KR didn’t know. At that time I was still young and pretty, my body looked like a woman so many people loved me including KR soldiers.” Then, she started to have emotional relationship with a man and got married with him.

*“At the beginning, he fell in love with me, so we started to have relationship. We tried to keep it secret but KR still found out about our relationship. Then Angkar regarded*

*that we had relationship, so they brought us to educate (for torture) and they beat me. My husband tried to plead KR and said that he would love me forever and would get married with me. After that (torture), we got married. If we didn't get married they would kill us because they regarded it to be against tradition. KR tradition didn't allow anyone to live together without marriage. So we prepared our wedding ceremony with only my parents and his parents. "*

**[MtF, Base people, Siem Reap province]**

Their marriage was not an official marriage arranged by the KR, but they organized a wedding with both parents. It may have been possible to organize such a family event without drawing the KR's attention because they were base people, who were less scrutinized during this period. She lived with him for two years during the KR regime. She kept her secret until the wedding night, and disclosed to her husband that her biological sex was actually a man.

*"The first night, he slept with me and started to have sex. That was the first time that I told him I was a man, but my behavior was a woman. I told him that I really loved him. Then he said it's okay because he loved me too. "*

**[MtF, Base people, Siem Reap province]**

Another MtF whom the KR knew that she was a biological male, asked her if it was possible that she changed her behavior and get married with a woman. To this question, she " (c)ould not tell them that I can love a woman or not



because I have loved only men.” Then KR soldier said to her that “you can get married with the same sex” meaning, she was forced to marry with a woman. She was a base person at that time, therefore, she thought that KR did not punish her for being a MtF but the reason of why KR did not force her to become a “man” is unknown. After a wedding, it was a painful experience for her to tell her wife that in reality she was a MtF and homosexual.

*“ At that time I kept a long hair, so my wife asked me why I was keeping a long hair like that, and she told me to cut it short because we were already married. She felt ashamed to everybody if I did like that. So I decided to tell her that I cannot cut my hair short because I loved a man not woman. After that she asked me why I decided to get married with her. I told her that because I had no choice, it depended on Angkar. If I didn’t follow them they will kill me. ”*

**[MtF, Base people, Siem Reap province]**

One MtF, who lived as a woman in KR regime, said, “ I told KR that I was a man but I was still forced to get married with a man ”. She told KR the truth because a KR soldier wanted to marry her, so she was scared and informed him about the truth before the marriage.

*“ I told him that I was a boy. However, he still loved me so he requested Angkar to marry me. He didn’t want me to be killed, to be hurt, so he proposed the marriage and told Angkar that I was a woman... at that time, if we told KR ( about our gender identity ) we would be killed. So, he kept the secret because he was afraid of losing me. ”*

**[MtF, New people, Siem Reap province]**

Forced marriage during KR regime was a painful experience for all those who had no choice but to follow the KR's instruction. However, people belonging to sexual minorities went through multiple difficulties due to their hidden gender identity and sexual orientation. No "forced marriage" reported in this research has lasted until today.

### RAPE IN FORCED MARRIAGE

Rape in forced marriage was a form of sexual violence perpetrated by the KR regime. For the marriage to be considered complete, newlyweds were forced to consummate their marriage by the KR officials. Four respondents in this research were forced to have sex with their spouse, while two respondents managed to escape from sex within marriage.


A gay man said, "If we argued back, we would have problem, they would have killed us". He and her wife were observed by the KR to ensure that a marriage was completed with sexual intercourse, so he forced herself.

*"I felt my mind didn't want to do like that (to have sex with a woman), but if I didn't have sex they would abuse me or kill me. So, I must try to force myself to have sex because there was no choice."*

**[Gay man, New people, Siem Reap province]**

A MtF, who was living as a woman in the KR regime, was also forced to get married with a man at multiple times. She escaped to another village then she was again forced





to marry with another man. After a marriage, her husband forced her to have sex every night. She was not sure whether his action was for fear of being killed if he did not have sex with her, as he did not say anything. She had not known him before the marriage, but “KR forced me to have sexual relationship. KR forced us to have sex and if we did not they would kill us.”

*“My husband beat me if I refused to do it. So I didn’t refuse at all, I just let him do whatever he wanted so he won’t hurt me.”*

**[MtF, New people, Siem Reap province]**



A MtF, base person, kept her sexual orientation secret, that she loved men, and was forced to get married. The marriage was requested by her wife, who was a widow, for the purpose of staying close with her parents who were aging. As she was a widow, she wanted to have a family because if she was married she could be able to live with her elder parents. They were base people and that is why “(t)hose who had a family could work normally with the elders without much hardship.”

*“She (my wife) asked Pro Thean Korng (a chief of unit) to get married with me. I did not refuse, because KR would kill me if I did not obey the Angkar’s order.”*

**[MtF, Base people, Battambang province]**

Her wife was informed about her husband’s sexual identity after the marriage, but “we both agreed to become friends. She loved me, yet I did not love her.” After the marriage, KR soldiers came at night checking whether they had sex or



not. "A group of militias always monitored us to make sure whether or not we have sex. If I did not agree to have sex with her, I would have been killed". But she did not want to have sex with her, therefore, they slept in the same bed, but they did not have sex. "My wife said nothing but cried because I did not love her. Still, she was very kind to me. I honestly told her that I considered her as my sister. We just loved each other as a sibling." She felt pity on her, but she could not love her. A similar experience was shared by a MtF who was also forced to get married with the same woman for three times - after two refusals she accepted it because she knew that she would be killed if she refused third time. After a wedding, she "(t)alked secretly to my wife that we just pretended to get married only in order to escape from death, and she eventually agreed with my request."

*" My wife was also a victim of forced marriage. She did not love me because she already knew my characteristic (before a marriage). Therefore, she did not want me to be her partner at all, but she had no choice... At first, when I disagreed to the marriage arrangement, Angkar sent me to Monty Kosang (education camp), and secondly, they put me into Pun Toneakea (jail). Then finally they said if I still opposed to marry I would be killed. So, in the end, I accepted. "*

**[MtF, New people, Phnom Penh]**

The KR forced a friend of one MtF respondent to get married but she refused, and as a result, " a KR soldier tied her arms to her back with a rope, and they beat her, and threatened her. Then KR told her that unless she agreed to get married, she would never be free. Immediately, she said yes to KR soldiers. Then she married to a 28 year-old widow who was 5 years older than her, but there was no happiness".



When one refused to get married a serious punishment was waiting. A gay man was forced to get married three times and he refused every time. He said, “they forced me to marry with someone whom I never knew without considering my feeling or (inquiring) my view. If I did not agree they would kill me, but at that time I argued back because I didn’t want to love a girl.” Sexual violence perpetrated by KR officials, as a consequence of refusing forced marriage, was also reported.

*“After (I refused to get married), the KR group leader ordered me to hold his penis. I was still very young.”*

**[Gay man, New people, Siem Reap province]**

There were three MtF who were forced to have sex within forced marriage because they had no choice if they wanted to survive. A MtF was forced to get married with a woman, and she refused to have sex with her despite the Chlob (KR spy) coming to ensure that their marriage was consummated. The KR found out that they did not have sex, so both of them were sent to the education camp, where people were segregated from the majority of population, and forced a hard labor with little foods. Eventually the commune chief (KR) showed his sympathy to her, and gave her alcohol to get drunk so that she can force herself to have sex with her wife.

*“Angkar warned both of us that we would be killed if we disobeyed their orders. Luckily, the leader of the commune felt sympathetic to us so he forced me to drink wine until I was drunk. Then I had engaged sexual intercourse with my wife, but only one time.”*

**[MtF, New people, Phnom Penh]**

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She tried to treat “that woman as a man, and as my partner whom I loved.” When KR knew that they had sex, they never came again to observe them in the night.


The practice of forced marriage, which was consummated with the sexual intercourse, acknowledged by the KR it was aimed at depriving single people at reproductive age of their bodily integrity, and destroyed their fundamental human rights. Forced marriage deprived of basic freedom and choice of an individual not to mention their sexual rights.

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## SEXUAL VIOLENCE

100 percent of gay men and 61 percent of MtF interviewed in this research experienced at least one form of sexual violence. Such violence was committed because of discrimination against sexual minorities, as well as the culture of impunity within the context of a conflict setting, which provided the opportunity for abusers. Sexual entitlement among KR soldiers was also a key factor, which allowed them to repeatedly perpetrate sexual violence against sexual minorities. Any forms of sexual violence during the conflict are perpetrated because of those intersecting factors. But this research found out the complexity of sexual violence against sexual minorities who are living with added vulnerabilities at the time of conflict. The risk for being victimized by sexual violence is higher among sexual minorities because of personalized and institutionalized homophobia in the society even before the conflict.





A gay man reported that a KR soldier hugged him while he was relaxing alone outside of the living compound in the evening time.

*“KR soldier held my hand and hug me at night. He came to me and hugged me because he loved me... I could not say anything but remained quiet... he said that he loved me. But I said, “you already have a wife, and I don’t love you.” I was very scared at that time. I was afraid because he would kill me if I make him unhappy. So I had let him do whatever he wanted because I didn’t want to die.”*

**[Gay man, Base people, Siem Reap province]**

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Another person, a bisexual man, who was sexually assaulted by four KR soldiers, said, “(t)hey showed their affection to me, and they hugged and kissed me”. This person was later forced to perform oral sex on them. Sexual entitlement among those KR soldiers who had overwhelming power over ordinary citizens enabled sexual violence repeatedly perpetrated against sexual minorities.

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Some respondents were sexually assaulted at multiple times by different perpetrators. A gay man was sexually abused on two separate occasions by different perpetrators. On the first time he was sexually abused by elders while he was sleeping, and the second time 7-8 married men abused him.

*" When I was sleeping, they stripped off my trousers and played with my genital... I was not sure who touched my body, it was night time... They touched everywhere they wanted and touched my genital... I was younger than them so I couldn't stop them. They touched and played with me and sometimes I shouted, then an elder may have helped me... when they came, they let me free. "*

**[Gay man, Base people, Phnom Penh]**

When the abuse happened, he was "very angry and thought elders should not have done that to me" At the second incident of such sexual attack, which happened several times afterwards, he shouted loud so that someone may help him, and indeed an elder heard it and came to save him by telling others to stop it. "(I) shouted but I didn't cry. I cried when I didn't have enough food to eat, when I was too hungry"

A MtF was ordered by a KR soldier to "sleep with him and massage him at his place, for 10 consequent days. One night he was ordered to use his hands to please his sexual desire.

*" He told me that I was not allowed to sleep with other guys at all, I belonged to him only and I must stay with him. Whenever we slept together he hugged me and asked me to give him a massage. I was instructed to give him a message by rubbing and pressing his body to help him relax. One night, he ordered me to give him a hand job (Using hand to rub and touch his penis). At that time, I had no idea about having sex with man. "*

**[MtF, New people, Phnom Penh]**



The above MtF was provided meals after he did this for KR. “(A)ll kinds of food that the chef made for him was good. ”

## SEXUAL VIOLENCE - OTHER FORM OF RAPE

Nine MtF out of thirty-three (27 per cent) reported that they were forced to perform oral sex. 8 MtF were forced by the KR soldier, 1 was forced by non-KR, and 1 was forced by both KR and non-KR. This form of sexual violence, rape, has been not reported in previous research that also investigating sexual violence during KR.<sup>22</sup>

A MtF, who was 10 years old at the time of KR regime, was ordered to sleep with the KR soldiers every night and was forced to provide oral sex and she was also raped. She was sleeping with a boy group, but the KR soldier always came to call her.

*“ The mobile unit leader called me, “brother! Come here!” I was afraid when he called me but he said, “don’t be afraid! Come to sleep near me and I’ll give you a grill sweet potato”. So, I was very happy when I heard that. But during the nighttime he ordered me to touch and play with his penis. I just did whatever he ordered me to do but actually I knew nothing about sex. He also asked me; did you know about sex? I said “Yes”, but frankly speaking I never knew about sex... I tried but I was not sure what would happen to me next? If he did not reach climax, would he punish me or take me to kill? When he reached climax, he forced me again and again like a person who are addicted to sex. What hell he was...he did whatever he wanted. ”*

**[MtF, Base people, Siem Reap province]**

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<sup>22</sup> See, Kasumi, *Supra*,

This MtF never refused or argued back to KR soldier “because I wanted to stay alive. If I did not do as they ordered, they would punish me because at that time we had no human rights”.

Survivors of sexual violence would never tell anyone about their suffering of abuse, or their fear of being abused, because they were scared of being killed. A new person, an MtF, was also forced to perform oral sex. “They threatened and ordered me to keep it secret.” Most survivors of sexual violence were repeatedly threatened in this way so that KR leaders would not find out about any abuse under their controlled area.<sup>23</sup>

*“I usually spent at most 10 minutes. After he finished, I was allowed to get back to my tent. He also accompanied me along the way back... He told me that I had to keep it secret that I was sleeping with him. He also instructed me to pretend to know nothing about what happened. And I had only one choice, I had to follow him... I was afraid of him I always followed what he wanted... if I refused the result would be death. I would be killed at any time if any mistake happened.”*

**[MtF, New people, Battambang province]**

This woman was very afraid but she didn't know how to protect herself from abuse. She didn't know who she could report the abuse to, “(I) f I told someone about this, who was his follow (KR), I would be killed, so I dared not to say anything.”

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<sup>23</sup> This was also found in other researches that under the circumstances of sexual violence by KR soldiers female survivors were threatened to keep silent.



A MtF was repeatedly forced to perform oral sex by four KR soldiers. She was a dance teacher, and “KR soldiers regularly asked me to sing and they started to love me and want to have sex with me. One night one of those KR soldiers called me to go to his room and he hugged and brought my hands to touch his sexual organ, then he forced me to give him pleasure; I agreed because I was afraid. I did not dare to refuse.” Whenever those KR soldiers came to abuse her, they did not wear uniform, but put on simple clothes and wore a scarf.

*“The first time, there was only one man that came, and others came the following night. One of them told me that I must do whatever to make him feel good. Then I used my hand to hold his penis. When I stopped doing that, he forced me to open my mouth and put his penis in and he taught me how to suck it. I did not have experience about that, so I could not perform it well, I made him hurt with my teeth then he slapped me, so I asked him why he hit me then he responded that I should not use my teeth to touch because it made him hurt... When I sucked his penis I often vomited, it was so difficult. Being under their control, I had to do whatever I could if I wanted to survive. I must struggle with it.”*

**[MtF, New people, Battambang province]**

When the four KR soldiers abused her, she was given special privileges such as rest and food, but the rape did not stop. She said, “(w)hen I followed his desire he gave me food and also allowed me take a rest if I asked him... but although I was given permission not to go to work, they still came and ordered me to give them pleasure... They often approached me when I stayed alone.”

Sexual entitlement was one of the motivating factors for perpetrating sexual violence combined with the widespread impunity in the conflict setting. Prohibition of



moral offence among opposite sex was another factor, which contributed KR soldiers to perpetrate sexual violence against the same sex.

A MtF was raped by both KR and non-KR. The first rape was perpetrated by an ordinary people (non-KR), who was 13-14 year old. "First, we just slept together and then he wanted to have sex with me, so he put his penis into my mouth. 2 or 3 day later he did the same again. Later on, a KR soldier also raped her. She explained the reason why she was raped as, "(b)ecause if a man has sex with a woman, KR thought it is wrong or against morality, and they would kill those people."

*"If KR soldier ordered me to lick their penis I had no choice so I forced myself to suck it. They regarded me as a woman for their sex. So, they didn't bring me to kill. A man sleeping together with man is normal and it was not against morality. When I went to sleep with them they always forced me to have sex."*


**[MtF, New people, Siem Reap province]**

## SEXUAL VIOLENCE - ANAL RAPE

Eight MtF in this research reported that they were anally raped and other three MtF were anally raped within the forced marriage.

A MtF, a base people, was forced by the fellow base people (males) to perform oral sex and was anally raped. She recalled the first rape by saying, "I was very afraid because I had never touched the penis of other men before". At night base people were sleeping together and some men hugged her and asked her to do oral sex or sometimes raped her by anal because "they (abusers) thought me as a woman".





*They (base people) knew me as a gay, so they ordered me to sleep and have sex with them because they thought I liked that also. In total, about 20-30 persons (forced me). For example, in this month I met this man and next month I met a new man depending on the place that they ordered me to move.. I was afraid when I did it, because if they knew they would kill me.*

**[MtF, Base people, Siem Reap province]**



Regardless of age, sexual minorities reported anal rape, and some MtF reported that they were very young when they were raped and such experience has had a tremendous impact over their later life. A MtF was raped by the KR leader, when she was very young.

*“At first, when I was called (by him), I did not go, I was scared. But if I didn’t go, I would be killed. At that time, my consideration was not clear. I thought that I would be killed but I did not go. Later on, I thought again that if I did not go, they would torture me. Finally, KR said that he wanted to sleep with me. He directly said like that and then I did not say anything, I kept quiet. Then, he slept with me without doing anything to me. But later on, he ordered me again to sleep with him. He called me to go to bed with him.”*

**[MtF, New people, Battambang province]**

One month after this rape, he saw this KR leader was killing many people with other KR soldiers. He was extremely scared because this KR leader may also kill him in order to

destroy the evidence of their relationship, so he ran away. Then, at the new place where he escaped to, another KR leader raped him again.

The rape by KR soldiers with accomplice of other KR soldiers was also reported. When she was 10 years old, a MtF, a new people, was raped by a KR soldiers with two accomplices.

*“ Male KR leader raped me through the anus. They were young, 16-17 years old... it was day time. They were 2 to 3 soldiers covering my face and other parts. He raped me in the position of bottom-up. Only one person raped me. Other KR leaders just seized me. They seized me for their top leader to rape. My body hurt for about a half month. It was hurt along my back. It seemed like it was tore down... so hurt... ”*

**[MtF, New people, Siem Reap province]**


Her friend came from Phnom Penh, and was MtF just like her. She said with tears, “ (l)ast night I was abused. I did not have enough food to eat, no strength, and he forced me to sleep with him. I disagreed then he tortured me ”.

*“ When they saw a handsome man who looked like a woman, they could force her for sex. My friend told me that they abused her so much, but what can she do if they wanted to sleep with her. ”*

**[MtF, New people, Battambang province]**

A MtF was raped by a male base person, who was from the same village. This homosexual man knew that he was also a homosexual, thus approached him for sex, but the





respondent refused by saying that KR would kill them if they knew their relationship. But one day this man raped him in the forest.

*“ First, he hugged and kissed me when I went close to him, then he ordered me to lie down and he started abusing me through the anus. It happened in the forest at the night time. There were only two of us. I was very scared because I had never experienced it. When he finished we got back to our camp... I agreed because I was afraid of being killed. If I did not agree with him I worried that he would tell others about my personality. In contrast, if I agree he would not do that and he would help me keep my secret. ”*

**[MtF, Base people, Phnom Penh]**

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After a rape, he got injured. “ I felt hurt so much because my anus was slightly cut. I did not know what to do, there was no medicine. ” He said that he was lucky that he was not infected with any diseases after all.

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One gang rape by the KR soldiers was reported and a survivor was severely injured from the rape.

*“ They (KR) realized that I was a gay, and they said that it would be great to have sex with such kind of people. As a result, I was raped by those men. There were 10 of them. After the rape, I became unconscious and my anal was swelling. ”*

**[MtF, New people, Phnom Penh]**

This case is highlighted with the homophobic attitudes, but most cases of reported sexual violence in this study was not a form of punishment for homosexuals or transgender, but rather, perpetrated with sexual entitlement of the perpetrator.

### SEXUAL EXPLOITATION - SEX FOR SURVIVAL


During the KR regime, people were not provided enough food to survive, despite the fact KR forced people to engage in forced hard labor as part of the revolution.<sup>24</sup> In order to survive, some MtF reported that they sacrificed themselves to follow the KR soldiers' instructions to entertain them.

*"In order to get some food, I had to do it, I never wanted something more than food. They always gave me rice or food as a bribe after they abused me. When my neighbors saw that I was given food by the KR soldiers they felt jealous because they did not have enough food like I did. It was so selfish to eat those foods individually while my friends did not get some but I could not share it with others because I did not want them to know how I was given the foods.... When my friends saw KR called me to their room they were afraid and thought that I would be killed. KR soldiers always asked me to*

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<sup>24</sup> There have been many researches about the KR regime, but one of the very first documentation about the KR regime immediately after the liberation in 1979 demonstrates a vivid account of how people were starved to death. See, Ben Kiernan & Chanthou Boua (Eds), (1982), *Peasants and Politics in Kampuchea 1942-1981*, UK, Zed Press





*keep secret about that. Whenever I came back home my neighbors always questioned me what happened, why did KR call me. I lied my friends and my neighbors that the solders called me to do some task for them and they never mistreated me. I did not truly tell my friends that I was given food to eat. I had to accept all their orders because I had no rights or freedom to refuse. I was always afraid.”*

**[A MtF, Base people, Battambang province]**

In order to survive, several MtF agreed to perform oral sex in exchange for food. “Chhlop (militias), new people and base people did the same thing to me (forced me to perform oral sex). Honestly speaking, I agreed to fulfill their sexual desire in exchange for food.” Another MtF recalls, “In the KR regime, I had sex with them for rice. They had enough rice to eat but I did not have, so when they wanted to sleep with me I had no choice. I needed rice.”

A MtF who was imprisoned also reported that she forced herself to perform oral sex in exchange of food.

*“When I was imprisoned I had sexual relationship with the Protean Kok (prison chief) in exchange for food. If I did not have sex with him, I was not given sufficient food to eat.”*

**[MtF, New people, Phnom Penh]**

A MtF, then at 15 years old, was ordered to live with the top KR leader in the area at his house, and was forced to have sex with him.

*“When he was living with him, he ordered me to play with his penis. When I was being forced to touch with his penis, he also ordered me to suck it. Later on, he forced me to have sex with him, and I just agreed. I lived with him for three years. There was no suspicion at all because we were men. They were not suspicious.”*

**[Gay man, New people, Siem Reap province]**

This MtF was completely free from any forced labor, and stayed at the KR leader home during daytime, and was given plenty of food. At that time, no sexual relationship between a man and a woman was allowed outside of a marriage as regulated in Code 6, moral offence. When she recalled her relationship with this KR leader, she said, “Because of (a fear of ) being killed, he chose me who was the same sex, so that there would be no suspicion.”

A KR chief who had a wife already, called one gay man, to go to his place filled with plenty of food. “First, he just hugged me. Then, he ordered me to use my hands to play with his penis in order to make him comfortable. “Whenever this chief called him, he said, “Let’s eat together with me”. The KR chief gave him rice first, and then forced him for sex, afterwards he gave rice again.

*“He forced me to have sex with him. I was so hungry because I didn’t have enough food to eat, so I decided to follow what he needed in return of rice.”*

**[Gay man, New people, Phnom Penh]**



Most of perpetrators of sexual violence did not reveal their sexual orientation, but there were some who revealed their sexual preference to the survivors. One KR leader, at around 20 years old, approached a MtF by saying that he was a homosexual, and repeatedly raped a her, who was only 14 or 15 years old. When he abused her, he always gave her foods.

*“ He always brought me some rice by not allowing someone to know this. ”*


**[MtF, New people, Phnom Penh]**

She was very young at that time and “ ate whatever they offered me ” after they forced her to perform oral sex. This case was a rare case where a perpetrator identified his sexual identity to the survivor.

A MtF, who was 14 years old, was forced for sex in exchange for food. “ I always followed what he wanted me to do like as hugging because I was so afraid. But, after work, I was given crisp rice to eat... I was afraid because I didn’t know and never done such thing before. ”

## SEXUAL VIOLENCE - VIOLENCE IN PRISON

Those people who were regarded as enemy of the revolution or those committed moral offences were sent to education camps for punishment. A MtF, who was found to have oral sex with a KR soldier, was sent to a prison. But the KR soldier who was forcing her to perform oral sex was



not sent, because he was a KR soldier. At prison, she was again forced to have sex with the prison chief. She was also raped (anal sex) one time by the prison chief.

*“A chief of prison approached me and ordered me to perform oral sex for him because he knew what I used to do with another KR soldier. Yet, I refused, then he hit me with his gun seriously on my body and one of my bones was broken, I failed down to the ground and lost consciousness. When I was faint he raped me. Few minutes later, I became conscious and went back to the jail.”*

**[MtF, New people, Phnom Penh]**



## 5 SUMMARY AND CONCLUSION

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*“ I want the Cambodian students and the next generation boys and girls to know more about the true story of what I have experienced, and the actual evidences that I have is on my body and words. ”*


**[MtF, New people, Phnom Penh]**

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This research documented many stories of sexual violence perpetrated against people belonging to sexual minorities during the KR regime. They experienced variety different forms of sexual violence and gender based violence, which had never been told or revealed to public. For fear of being killed, they had to keep their suffering secret. After the KR regime ended, feelings of shame and further discrimination, and feelings that they would not be believed, prevented them from disclosing their abuse. All lesbian and FtM interviewed in this research did not disclose any sexual violence, but this does not mean that none of lesbian and FtM were sexually abused during the conflict time. With a wider sample among FtM and lesbian women, particularly with new people in KR, more survivors of serious sexual violence may be identified.

### TYPES OF GENDER BASED VIOLENCE

Types of gender based violence varied, but all of respondents that reported violence said that they were scared to be killed if KR knew their sexual identities. They



had to keep their identity secret to survive. Many were sexually abused and raped, multiple times, and they had to endure abuse and humiliation. Human right violations and discrimination continued within the culture of impunity in the conflict setting. The sexuality of sexual minority people were denied, and they were deprived of their rights simply because they were different from the majority of the people who could conform to the KR system of patriarchy.

### PERPETRATOR PROFILE

All perpetrators of sexual violence reported in this research against sexual minorities were male. Most perpetrators were KR soldiers who had power over other ordinary citizens, but it was not limited to them. KR soldiers attacked 20 respondents while 5 respondents were attacked and abused by non - KR. Many were attacked at multiple occasions by different perpetrators, and 4 respondents were attacked both by the KR soldiers and non - KR.

In regard to perpetration of rape, 7 respondents were raped by the KR soldiers, while 2 respondents were raped by non-KR, and 3 respondents were raped by both KR and non-KR. Perpetrators all took the opportunity to abuse sexual minorities and humiliate them by destroying their basic human rights and their dignity. Most perpetrators were reported to be rather young, in their early 20s but that are all estimates by the survivors. Only one case of abuse was perpetrated by elder married men against a young MtF.

Perpetrators' sexual orientations are unknown as there is almost no account of them, except the impression or understanding from the survivors' observation, or for those who secretly revealed that they were gay to survivors.



## REASONS FOR GENDER BASED VIOLENCE AGAINST SEXUAL MINORITIES

Sexual entitlement was the main factor to the perpetration of sexual violence, combined with the widespread impunity for such crimes. Many perpetrators took it granted that they sexually abuse people belonging to sexual minority group. Homophobia and misogyny before the conflict also contributed to deny any homosexual relationship from occurring from the society.<sup>25</sup> Sexual violence incidents against homosexuals happened partly because when a man stays with a man in a private setting ( such as in room or sleeping room ), no one suspected any sexual relationship. This could enable them to escape from punishment for committing a moral offence, which prohibited abuse against “women” (Code 6).

A MtF had sex with a KR leader named Vanna, but he never hurt her, or abused her against her will. She said, “ we just slept together and sometime we had sexual intercourse. I’m very lucky because I met a good person like him ”. However, there was an apparent power balance between them and it is difficult to judge that there was mutual respect and trust between them, with Vanna having overwhelming power over her.

## DIFFERENCES AND SIMILARITIES WITH PRECEDENT RESEARCH FINDINGS

This study found out some outstanding differences between gender based violence against sexual minorities, and violence that has been reported from female survivors

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<sup>25</sup> There was almost no account for homophobia or misogyny in the Cambodian society before KR regime, but it was reported by sexual minorities that they were discriminated in many different ways. See, Phong, *Supra*



during the KR period. There was a clear difference in regard to identity- that sexual minorities had to hide their sexual orientation and gender identity in order to stay alive. There was no regulation to prohibit or punish sexual minorities of being homosexuals or being transgender, but they were all pressured to hide their identities and it was particularly life threatening to MtF.<sup>26</sup> The complexity of forced marriage was also identified - marriage to the biological same sex, or to the opposite sex, and fear of being punished for hiding their identity until they were forced to have sex. Rape was reported in a different form from rape against women. Rape in a form of oral sex and anal sex was reported, and some were forced to use their hands to entertain men. The high vulnerability of gay men and MtF was reported because it was less suspicious to sexually abuse men, it was not explicitly prohibited under Code 6. The multiple layers of discrimination intersecting with different factors such as class, gender identity, sexual orientation, and religion were also documented.

The similarities were that all survivors, both sexual minority and women, were forced to keep silent about the violence. They had to keep secret for fear of being killed.

Survivors felt ashamed to reveal their experiences of sexual violence. It is clear from the research that sexual minorities were especially vulnerable because of their sexual and gender identities.

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<sup>26</sup> For example, during the Second World War, the National Socialist (Nazi) Germany prohibited male homosexual relationship in its Paragraph 175 in the criminal code, while lesbians did not face criminal prosecution during the Nazi era because female homosexuality was not illegal. For details, see, United States Holocaust Museum, available at <http://www.ushmm.org/information/press/press-kits/traveling-exhibitions/nazi-persecution-of-homosexuals/background>, Kurt Krickler, *Homosexuals in Austria: Nazi persecution and the long struggle for rehabilitation*, 2008, available at <http://ccges.apps01.yorku.ca/wp/wp-content/uploads/2008/12/krickler-homosexuals-in-austria-nazi-persecution-and-the-long-struggle-for-rehabilitation.pdf>



*“They (sexual minorities) don’t want to talk about it (sexual violence). Firstly, it is because no one believes what they say so they don’t want to share their secret story. Secondly, they are too ashamed to tell that they are gay. Thirdly, the next generation, young boys and girls, do not believe that the rape happened against LGBT group.”*

**[MtF, New people, Phnom Penh]**

### IMPACT OF VIOLENCE

Survivors identified negative impacts, both physiological and physical, from sexual violence during the conflict time. However, what was outstanding was that they regard their experiences of sexual violence during the KR as relatively small or minor incident. This is likely because they have been living with stigma and fear even before the KR regime, throughout the regime, and since liberation on 7 January 1979 until now. They are living within a continuum of sufferings and discrimination because of their sexualities. The violence and suffering they experienced during the KR period is one aspect of their experiences of discrimination throughout their lives. Therefore, their sufferings from KR regime should be understood as a continuum of violence that is violating the human rights of people belonging to sexual minorities.

More research is essential to identify impact from gender-based violence during the KR regime, especially those committed against boys and men because there has been no account about it.

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## **KHMER TERMINOLOGY**

<b><i>Angkar</i></b>	Khmer Rouge (can be Khmer Rouge as a governing authority, group of soldiers, or individual soldier), generic name for KR leaders.
<b><i>Neak Multhan</i></b>	People who had been living in the KR occupied areas before KR took power.
<b><i>Chlob</i></b>	Local militia assigned by local KR leaders to guard the security of the commune
<b><i>Kangchalat</i></b>	Youth mobile unit
<b><i>Krom</i></b>	Group
<b><i>Neak Thmei</i></b>	People who were forced to evict to rural areas after the KR took power
<b><i>Oral</i></b>	Oral sex

Designed by:

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# **GENDER-BASED VIOLENCE AGAINST SEXUAL MINORITIES DURING THE KHMER ROUGE REGIME**

**KASUMI NAKAGAWA  
2015**