



Cambodia's Curse: Struggling to Shed the Khmer Rouge's Legacy
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Summary -- While much of Cambodia -- and of the world -- holds on to memories of the country's sorrowful past under the Khmer Rouge, few seem to notice that the government of Prime Minister Hun Sen is destroying the nation.

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Theary Seng often thinks of that April morning in 1975 when she watched her parents cheering on the Khmer Rouge as its soldiers marched into Phnom Penh. She was four years old. Within days, Pol Pot's foot soldiers had killed her father; three years after that, her mother died in a prison compound. Today, Theary Seng runs a nonprofit legal-advocacy group in Phnom Penh. She is eager to move on. But the rest of Cambodia, and much of the world, remains mired in the nation's sorrowful past. During its four-year reign, the Khmer Rouge killed as many as two million people. Nowadays, the venal government of Prime Minister HE may take "ten lives or even a hundred lives," she told me in August, "but what's that compared to two million? That's still the Cambodian standard, and that's the international standard."

The devastation Pol Pot wreaked on his country remains hard to comprehend, even three decades later. His goal, as he put it, was to return Cambodia to "year zero" and transform it into an agrarian utopia. To that end, he purged his nation of educated city dwellers, monks, and minorities, while imposing a draconian resettlement program that uprooted almost everyone else. These measures led to the deaths of one-quarter of the country's population.

The Khmer Rouge fell in 1979, when Vietnam invaded Cambodia and replaced the regime with a puppet government, in which HE became the foreign minister. When Vietnamese forces pulled out ten years later, they left behind several Cambodian factions battling for control. Then, in 1991, these groups' leaders signed a UN-sponsored peace accord, giving Cambodia the extraordinary opportunity to start over. Before Iraq, Afghanistan, Somalia, and even the Balkans, Cambodia was the international community's grand nation-building project. The country's new constitution awarded Cambodians the human rights, personal freedoms, and other protections of a modern democratic state. And in 1993, the United Nations staged a national election to select a

democratic government. After the horrors of the Khmer Rouge, Cambodia would remake itself at last, and its people would have a chance to thrive.

But in the 16 years since that election, the government has squandered that opportunity. HE came in second in the 1993 election but muscled his way into the government nonetheless. Four years later, he staged a coup. Since then, his government has been looting Cambodia's natural resources, jailing political opponents, kicking thousands of the weakest out of their homes, and fostering an expansive system of corruption, all the while ignoring any challenges or complaints from organizations and governments around the world.

"People in America, all they know of Cambodia is the Khmer Rouge," Joseph Mussomeli, then U.S. ambassador to Cambodia, told me in August. "Cambodia is trying to make it in the twenty-first century, but Washington is still stuck in the 1970s." Its perception skewed by this outdated vision, most of the world barely seems to notice that the HE government is destroying the nation.

GETTING AWAY WITH MURDER

One word comes up over and over again in conversations with Cambodians: "impunity." Prime Minister HE and his family, aides, and friends do more or less whatever they want and face few consequences. In August, the prime minister's nephew, Hun U-Know-Hu, ran over a motorcyclist while speeding in his Cadillac Escalade, ripping an arm and a leg off the victim. Hun U-Know-Hu began to drive off, but Hun U-Know-Hu had shredded a tire in the accident and was forced to pull over. The Phnom Penh Post described what happened next: "Numerous traffic police were seen avoiding the accident scene, but armed military police arrived. They removed the SUV's license plates and comforted Hun ." According to the newspaper, a military police officer was overheard telling him, "Don't worry. It wasn't your mistake. It was the motorbike driver's mistake." Meanwhile, the victim bled to death on the street. A few days later, Hun U-Know-Hu gave the dead man's family \$4,000, and the case was closed.

The continuing problem of contract killings is the signal example of impunity. Last summer, two men speeding by on a black motorcycle shot and killed Khim Sambor, a reporter for the opposition newspaper Moneaksekar Khmer (Khmer Conscience), and his 21-year-old son as they walked down the street. No suspect has been arrested. Nor have any suspects been arrested for the drive-by shootings, in broad daylight, of dozens, if not hundreds, of trade-union leaders, journalists, and political activists over the last decade or so. Although no one has proved that government officials were behind these murders, the police have made no effort to solve the crimes. Citing the deaths of union leaders in the last four years, the UN high commissioner for human rights said in a report last year that they were "emblematic" for what they revealed "about impunity for crimes which appear to possess a political dimension."

Perhaps even more revealing is the laxity with which Cambodians long treated Ieng Sary, Pol Pot's foreign minister and a key architect of the Khmer Rouge's ideology. After

the Khmer Rouge was deposed, many of its members, including Ieng Sary, went into hiding in the jungle in the western part of the country, from where they waged guerrilla warfare for almost two decades. Ieng Sary moved back to Phnom Penh in the late 1990s, having defected to the government and having been pardoned by King Norodom Sihanouk. In time, he settled in a comfortable housing development for ruling-party officers, down the street from the Senate's golf course.

To most outsiders, permitting Ieng Sary to quietly return to the capital was akin to allowing Joseph Goebbels, Rudolf Hess, or other Nazi leaders to move back into their Berlin homes after World War II. But Cambodians find it utterly unremarkable that a Khmer Rouge leader lived openly among them for years. Ask anyone how that could be, and you get a puzzled look. And if Ieng Sary faced no retribution and no censure for years, why would the killing of a journalist here or of a trade-union official there raise concerns?

Ieng Sary was finally arrested in November 2007 to stand trial for war crimes and crimes against humanity, along with four other surviving Khmer Rouge leaders. After years of tortured negotiations, the UN convinced the Cambodian government to try Ieng Sary and the others in a hybrid Cambodian-UN court. But delays and charges of corruption are now hobbling the proceedings. (The tribunal announced in January that the first trial would begin in March.) Several court employees have complained that their supervisors are forcing them to kick back 20 to 30 percent of their salaries. These claims have enraged UN officials but have evoked little surprise among Cambodians. After all, they learn about corruption firsthand -- starting in the first grade.

BAD EDUCATION

Every day, just before Chhith Sam Ath's two young sons head out the door for elementary school in Phnom Penh, he gives them a small wad of cash. And every day, they hand it to their teacher as they enter the classroom. So do all the other students. Children who do not make the daily payments are likely to get bad grades. In the upper classes, teachers sell students the answers to final examinations -- an expected practice, especially in urban schools. "You go to school and learn how to bribe people," said Chhith Sam Ath, who is executive director of the NGO Forum on Cambodia. As in many developing countries, school attendance is not compulsory. And education officials say that some Cambodian families do not send their children to school simply because they cannot afford the daily bribes.

Im Sethy, the education minister, told me in August that the ministry's policy is to "cut down on these irregularities." But he also expressed sympathy for the teachers, who are paid \$40 a month. "We have to increase the salaries," he said. In the meantime, the ministry has given teachers permission to hold other jobs to supplement their incomes. Im Sethy said that his staff had sent a circular to the schools warning of suspensions and lost promotions if teachers were caught taking bribes. "We catch about a hundred of them a year."

By neglecting education, Cambodia's leaders are crippling the country's development. Only about 75 percent of Cambodian children even enter the first grade. The average class size is 53 students. In many rural areas, teachers have no more than a third-grade education. Cambodian students repeat grades so often that it takes them an average of ten years to make it through the sixth grade. Only half the children who begin school get that far, and just 23 percent of those who get to the sixth grade make it to high school. And those who do graduate have diplomas that every employer and every university admissions officer will suspect were obtained through bribery rather than study.

Like many other Cambodian officials, Im Sethy blames the Khmer Rouge for today's educational problems. He notes that about 80 percent of Cambodia's teachers were killed under its rule and only ten percent of the schools were left standing. "We had to organize the education system from scratch," he said. Thirty years later, Im Sethy insisted, the school system is still recovering.

A ROLLS-ROYCE IN A TRAILER PARK

Driving around Phnom Penh during the national election campaign last summer, one could see the same poster pasted to almost every fence and wall. "HE saved Cambodia from the Khmer Rouge," it said. Actually, it was the Vietnamese who "saved" Cambodia from the Khmer Rouge; nonetheless, HE's party, the Cambodian People's Party, won the July 27 election by a wide margin, taking 90 of 123 seats in parliament.

To help assure the party's victory, operatives handed out cash and gifts to voters all over the country in the weeks leading up to the election. In Samrithy, who works for the NGO coordinating organization the Cooperation Committee for Cambodia, said that his niece got two shawls and 20,000 riel (about \$5). These payouts buy voters' loyalty -- even though after 30 years of HE's party being in power, per capita income stands at about \$590 a year and at least one-third of the country lives on less than \$1 a day. About eight out of every 100 children in Cambodia die before they reach the age of five, according to UNICEF. Of those who survive, 37 percent are so malnourished that their growth is stunted physically or mentally. Seven percent of Cambodia's children are, in essence, starving to death. Life expectancy, according to UNICEF, is 59 years.

These problems -- and the government's neglect of them -- are most apparent in places such as Bon Skol, a village of 679 people about 100 miles west of Cambodia's border with Vietnam. Mou Neam is the Cambodian People's Party chief in Bon Skol. He makes earthen cooking pots and earns about \$1.20 a day selling them at the market. Mou Neam lives in a two-room shanty on stilts. Like everyone else in the village, he has no electricity, no running water, no telephone, no toilet. But he is relatively well-off and has a small black-and-white television. Once a week, he trudges to town carrying a car battery. With a fresh charge, which costs 50 cents, "I can watch TV for a week," he says with a grin.

His neighbor, Cha Veun, is not so fortunate. Forty-six years old and toothless, she says she stopped attending school after the second grade. She earns less than 50 cents a day,

also making earthen pots. Cha Veun and her family of four live on a ten-foot-by-ten-foot raised platform with no walls and a palm-frond roof that leaks during the rainy season. She has no television or toilet -- or much else.

About 80 percent of Cambodia's 14 million people live in rural villages like Bon Skol, in conditions more or less like Mou Neam's and Cha Veun's. The government acknowledges that only 16 percent of the population has toilets, leaving the rest -- some 12 million men, women, and children -- to defecate outside, over the aquifers from which they draw water to drink, cook, and bathe.

Many people in Phnom Penh and other cities disdain HE and the members of his political party for living far beyond their official means. Although a minister's salary is about \$300 a month, HE is building himself a four-story mansion the size of a suburban office building, with a heliport on the roof. While it is under construction, HE is staying at his country estate, which has a private golf course. But Cambodians in the countryside seldom see any evidence of this ill-gotten largess. The government controls all the television stations; newspapers, although relatively independent, do not circulate outside the cities; and, according to the government, only about three percent of the population has access to the Internet.

Most Cambodians in the provinces hear about HE only when he comes to visit, as he did Bon Skol three years ago. On that occasion, the prime minister asked what the village needed. Someone suggested a Buddhist temple, and with a sweep of the hand, HE directed one of his ministers to build one. A gilded edifice now sits in the center of the village, like a Rolls-Royce in a trailer park.

CORRUPTION RULES

One afternoon last May, a few months before the election, a convoy of motorcycles and rickshaws pulled up in front of the National Assembly to deliver a petition. The documents, which had been signed by 1.1 million Cambodians -- eight percent of the population -- and filled dozens of boxes, urged the assembly to pass an anticorruption bill that has been languishing for more than a decade. The United States had paid for the initiative. "Our assessment was that there was not the political will to pass the anticorruption law," Erin Soto, who heads the Cambodian office of the U.S. Agency for International Development, told me. "When political will does not exist, it must be built."

The U.S. embassy in Cambodia has made anticorruption a priority in its relationship with the HE government. It funded two comprehensive studies that were published in 2004 and 2005. They showed in stunning detail that Cambodian government officials steal between \$300 million and \$500 million a year (most years, the state's annual budget is about \$1 billion). In September, after working in Cambodia for several months on a World Bank project, Antonia Corinthia Naz returned home, disgusted by the graft. Naz, an environmental economist from the Philippines, complained that every step along the way, one Cambodian government official or another had demanded a kickback, sometimes asking for 20 percent of Naz's daily salary.

For Cambodians, this is to be expected. "Everyone is corrupt," said Ok Serei Sopheap, a prominent political consultant. "It's a way of life here. Everything is done under the table." Thus, last spring, it came as no surprise to the motorcycle and rickshaw drivers delivering the boxes filled with the anticorruption petitions that the National Assembly official who greeted them refused to accept the documents.

TU CASA ES MI CASA

Corruption and impunity play directly into Cambodia's policy of evicting thousands of poor families from their homes. In 2001, the government enacted a land law that was supposed to establish rules for mediating property disputes. Eight years later, it has yet to write the regulations that would implement the law. In the meantime, the government and its favored developers have simply seized the land they wanted. Phnom Penh is booming, and when a developer spots a choice piece of land, he pays off the relevant official to get a newly minted title and rid the property of its residents, who are almost always poor, uneducated people. When residents resist, the government often charges them with trespassing and throws them in jail.

Three years ago, soldiers and police officers showed up in the middle of the night outside of Un Phea's crude home in central Phnom Penh. They threw her family and hundreds of her neighbors into the street and torched their homes. The residents were then herded onto buses, ferried 15 miles out of town, and dumped in a rice paddy without so much as a bottle of water or a tarp. This also created a problem for the owner of that paddy. "He had not been told," Yeng Virak, executive director of the Community Legal Education Center, said, recalling that night. "Suddenly, there were 1,000 people on his land."

Chum Bon Rong, deputy director of the National Land Authority, which is supposed to arbitrate such disputes, told me last summer that his agency had received more than 3,000 land-seizure appeals in the previous two and a half years. Of those, only about 50 cases had been adjudicated in favor of the evicted residents. And some of those cases had subsequently "disappeared," Chum Bon Rong said, after they were referred to another agency tasked with implementing the National Land Authority's findings.

After people like Un Phea are evicted, they are forgotten. Licadho, a local human rights group, noted in a report published last year that these people routinely suffer from malnutrition and various infectious diseases, as well as stress-related problems and depression. One day in August, Un Phea sat in the mud outside her shanty in what used to be the rice paddy, peeling bamboo shoots -- and seething. "Before, I sold water and some eggs in front of the royal palace and made a good living. Here, it is hard to work," she explained. She is 25 but already looks decades older. "They dumped us here and gave us no money, no land title, nothing." The community has no water, not even a pump. "We have to buy water from the water seller," she said, nodding toward a cistern beside the house. Mosquito larvae roiled the water. Tacked to her shelter's front wall, a poster warned of dengue fever.

NO STRINGS ATTACHED

In 2006, the National Land Authority got \$615,000 from Japan to buy a computer system -- one of the many donations that are helping bankroll the Cambodian government today, with uncertain results. About 2,000 nongovernmental organizations (NGOs) and donor groups are registered to work in Cambodia -- more per capita, some of them have said, than in any other country. Aid groups run projects in health, education, the environment, and governance. Every year, they hold a meeting to discuss priorities for the coming year. Invariably, some admonish their peers not to give any money until the government ends the land seizures, puts a stop to the contract killings, and passes the anticorruption law. Year after year, HE and other senior officials exuberantly espouse the donors' goals -- and then return to business as usual. The exercise is "little more than a studied attempt to tell donors what they want to hear," a 2007 UN report lamented. "The government has learned that they are not serious," said Chhith Sam Ath, of the NGO Forum on Cambodia, an umbrella group for about 85 donor organizations. "They do not stand behind what they say."

Once, just once, a major donor held back money because of government skimming. Charging "misprocurement on 42 contracts and declared non-eligible expenditures" of \$12.2 million in 2006, the World Bank withheld funds until the government started returning what had been diverted. Stéphane Guimbert, the World Bank's senior economist in Phnom Penh, says that the bank has set up more stringent financial monitoring. In December, the bank also started a new program called Demand for Good Governance, a \$20 million grant to help "NGOs, grass roots groups, independent media, trade unions, etc., to support transparency and accountability programs in Cambodia" -- with the funds, however, to be disbursed to the government.

In Samrithy, of the Cooperation Committee for Cambodia, says donors rationalize giving money even though they know a share of it will be stolen. "Some money goes this way or that way, but it's useful if some of it reaches the poor. Not all of it does, but some does," he said. And so, as the Cambodian government continues to ask for funds, donors continue to disburse them. In 2007, they gave \$550 million after the government promised to pass the anticorruption law, and in 2008 they pledged another \$689 million. Although the law had still not been passed by the end of 2008, donors pledged almost \$1 billion for 2009. On average, donors supply about half of Cambodia's annual budget.

THE VIRTUES OF DEPENDENCE

International donors, in other words, are effectively bankrolling the Cambodian state, and that despite economic growth rates that until recently exceeded ten percent. Former U.S. Ambassador Mussomeli said these figures were less impressive than they seemed because Cambodia's recent growth started "from a very low base." At the same time, Cambodia's economy relies on three principal sources of income: textiles, tourism, and agriculture. Its reliance on textiles is so extreme, in fact, that Cambodia has become

beholden to U.S. retailers. As Mussomeli put it, "Levi Strauss or the Gap could destroy this country on a whim."

Another outsider, Chevron, discovered oil offshore several years ago. The company is still trying to determine the size and marketability of the field, but the Cambodian government says it hopes to begin pumping oil in 2011. The International Monetary Fund estimated last year that the country could earn as much as \$1.7 billion from oil within ten years of the date pumping begins.

This worries diplomats and donors: Will oil wealth not simply sluice down the corruption sewer? And with all that new money, will the government still need the NGOs? Without the involvement of international groups, "a lot of services would suffer, maybe collapse," said Suomi Sakai, who headed UNICEF's Cambodian office until last August. For the time being, the government officers who want to attract outside funds -- the better to skim them -- make sure that at least some things are done so that Cambodia shows a good face to international organizations. Kek Galabru, the head of Licadho, whose Web site regularly documents government abuses, says the government largely leaves her alone because it can point to her organization to secure money from the international community. As she put it, "The government can say, 'Look at Licadho. They are free.'"

If the government no longer needed donor money because of oil revenues, would it shut down Licadho's Web site, take over the newspapers, and crack down in other ways? "The little that has come out now suggests that the pockets of oil are more scattered and may be less commercially viable" than was once thought, said Guimbert, of the World Bank. "That could be a blessing in disguise. But I don't want to discount the black scenario. It could still happen." Hence the need, he said, to bring transparency to government spending. "There is a sense of urgency here."