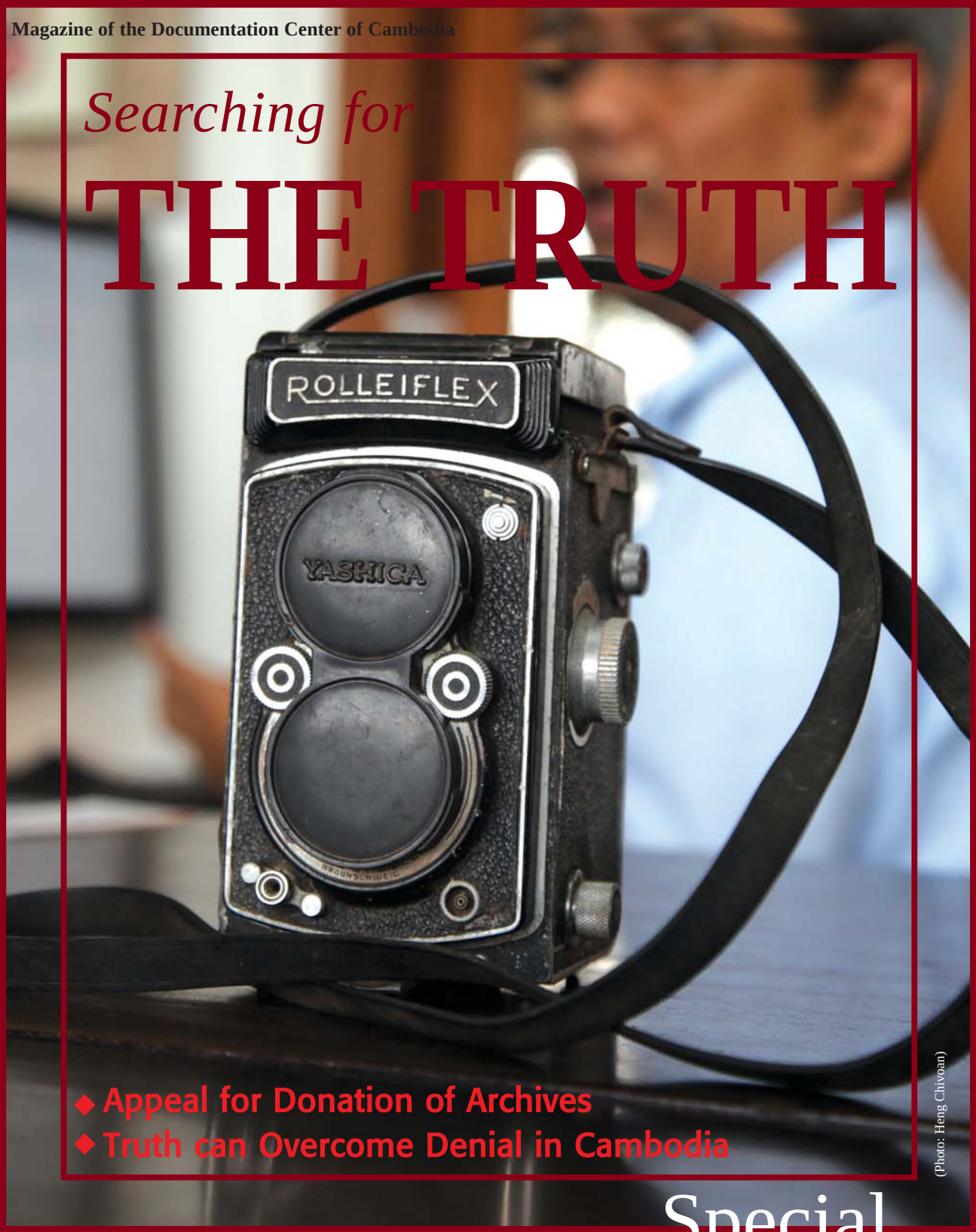
Magazine of the Documentation Center of Cambodia

Searching for
THE TRUTH



(Photo: Heng Chivoan)

- Appeal for Donation of Archives
- Truth can Overcome Denial in Cambodia

"DC-Cam appeals for the donation of archival material as part of its mission to provide Cambodians with greater access to their history by housing these archival collections within its facilities."
-- Youk Chhang

Special
English Edition
Second Quarter 2013

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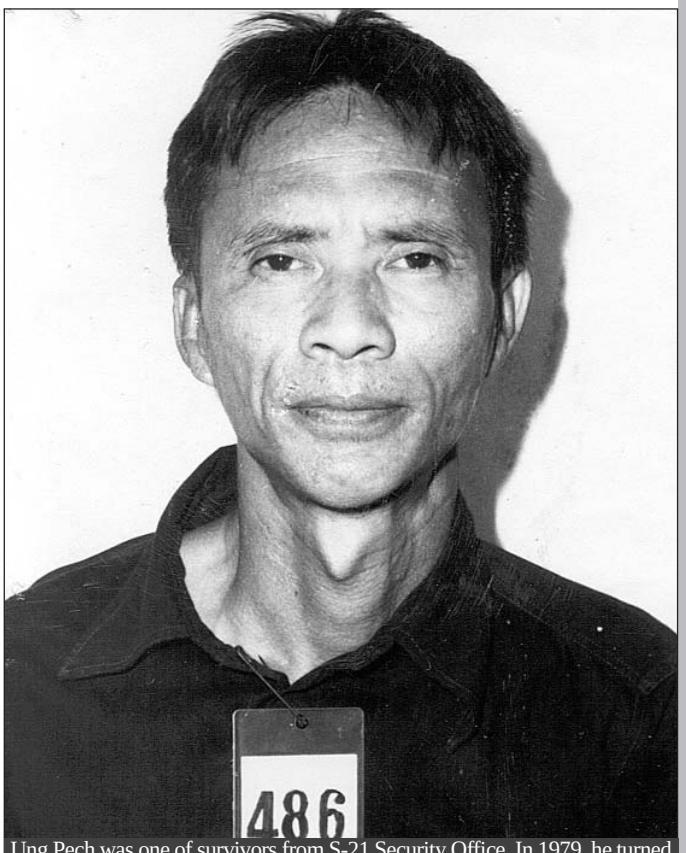

Ung Pech was one of survivors from S-21 Security Office. In 1979, he turned this Security Office into Tuol Sleng Genocide Museum with assistance from Vietnamese experts. Ung Pech had served as the director of this museum until his death in 1994.

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LETTER FROM YOUK CHHANG:

APPEAL FOR DONATION OF ARCHIVES RELATED TO THE KR AND UNTAC PERIODS

The Documentation Center of Cambodia (DC-Cam) respectfully appeals for the donation of archival material related to the Khmer Rouge (KR) and United Nations Transitional Authority in Cambodia (UNTAC) periods.

DC-Cam is an independent Cambodian NGO originally created by Yale University scholars pursuant to the Cambodian Genocide Justice Act of 1994. It is dedicated to ensuring memory and justice in Cambodia with respect to the abuses of the infamous Democratic Kampuchea (DK) regime. The Center is the largest provider of evidence to the Extraordinary Chambers in the Courts of Cambodia (ECCC), and it has been a pivotal stakeholder in Cambodia's post-conflict reconciliation and reconstruction efforts. As part of these efforts, DC-Cam supports a wide variety of different projects that contribute to scholarship, education, and promotion of the arts. It is through these efforts that DC-Cam has been recognized as the principal agent for all genocide education curricula in Cambodia's public school system.

But education is only one part of Cambodia's struggle. Poor library services and the public's awareness and access to documents and archival material continue to be an ongoing hurdle in the country's struggle to reclaim its cultural and historical heritage. Indeed, Cambodia has suffered decades of war, atrocity, and social upheaval that ravaged the country's academic, scholarship, and cultural heritage systems. Even today, vast quantities of documents, photographs, film, and audio recordings remain scattered amongst individuals and institutions around the world. With an aim toward restoring the country's access to these materials, DC-Cam appeals for their donation. Of course, individuals and institutions may have legitimate concerns about protecting the confidentiality of certain sources. DC-Cam is cognizant of this concern, and we believe viable solutions can always be found to such problems.

DC-Cam has been at the forefront of the effort to collect, catalogue, and publicize records related to the Khmer Rouge period, and it is a recognized leader in the overarching struggle to ensure truth, accountability, and justice in the wake of mass violence. DC-Cam appeals for the donation of archival material as part of its mission to provide Cambodians with greater access to their history by housing these archival collections within its facilities.

Youk Chhang is the Director of the Documentation Center of Cambodia.

The 1940s-made camera, which was once used to take pictures of prisoners at S-21 Security Office during the Khmer Rouge period, was donated to DC-Cam by a son of S-21 survivor, Ung Pech. (Photo: Heng Chivoan)

FULL OF HOPE WITH UNTAC

Youk Chhang in Phnom Sruoch district in 1993

I was in both Melbourne and Canberra, Australia, in May for the UNTAC 20th Anniversary of Elections in Cambodia, and in preparation for this meeting, I fell upon some old photographs, one of which I include here. Looking at this photo, you see that I was a brash young Cambodian-American with half-military, half-civilian personalities. Based on my posture and the way I wore my flak vest, you would think that I was cool and comfortable in my surroundings. I even cracked a grin for the camera. But appearances can be deceiving.

I was assigned to Phnom Srouch district in Kampong Speu province as UNTAC international staff in support of the election (1992-1993). During the UNTAC election, there were 101 polling stations and my area covered a population of approximately 250,000 voters. Half of Kampong Speu province was still under the control of the Khmer Rouge at that time, and as a Cambodian with native fluency in Khmer, I was a threat to the Khmer Rouge who were seeking to block the election. I could communicate to the voters and listen to the Khmer Rouge radio communications on my walkie-talkie. I was comfortable and adept with navigating the local culture, and the ordinary people knew me as one of them. (My code was Echo 15 throat fish).

But Phnom Srouch district was a tough place in 1993–the district at that time was totally within Khmer Rouge territory, and the area was saturated with land mines. It was a truly scary place to be. I had many threats against my life.

The Khmer Rouge planted a landmine, just before my arrival, outside the bathroom to the pre-fabricated building that was my work area. To my sadness, one of my teammates triggered the mine and lost his leg. My car broke down one day in the jungle and I did not know how to fix it. In truth, it was my fault. I did not understand I had to change the oil in my vehicle back then. I just drove the car endlessly until one day the engine just blew up. With smoke pouring out of the engine, I radioed the UN for assistance. Assistance came, but not until the next morning. My car broke down just shortly after a Khmer Rouge patrol had passed. If it had broken down just a bit earlier, I would have been captured and killed.

The U.N. security forces had pity on many of us and I received the flak vest shown in the photo. It was an old issue from the Bulgarian Army. It was so hot in those days that I could not bear to wear it properly. It's a wonder as to whether it really would have saved me anyway, but it looked cool and so I wore it for the appearance. In my area, under U.N. control, the Bulgarian Army provided security while the Australian Army managed the military communication networks (call sign: FCU Kampong Speu, SPOE Emergency).

I look back on how crazy, adventurous, and dangerous those days were and how crucial our efforts were to the future of Cambodia.

The Khmer Rouge were real menaces back then. They terrorized the population and murdered people in cold blood. But look at where we are today. Over time, nearly all of them defected and now their leaders are being tried for genocide, crimes against humanity, and war crimes by the Extraordinary Chambers in the Courts of Cambodia. It was a long, difficult struggle, and I was young, brash, and crazy back then; but sometimes the world needs a little bit of youthful craziness.

_____

Youk Chhang

THE PANDAVAS' JOURNEY HOME: A SYMBOL OF PAST CLOSURE

Savina Sirik

On June 11, 2013, after more than forty years away from home, two 10th-century Pandava statues–also known as the "Kneeling Attendants"–were returned to Cambodia from the Metropolitan Museum of Art. The statues were brought to the Peace Palace of the Council of Ministers where they were displayed for the World Heritage Committee Conference. The act of returning these statues is clearly significant and Cambodia should take advantage by showcasing their return. But while it is important that Cambodia showcases the successful return of these statues, it is equally important that we complete their journey home. Returning these statues to their original location will serve as a powerful symbol of Cambodia's success in restoring its past. Indeed, the long journey of these statues, and their restoration to their historic home, will carry great symbolic meaning for the long struggle that Cambodians have waged in coming to grips with their past.

Cambodian history has come to be defined by two events: the illustrious Angkor period and the traumatic years of genocide. In stark contrast to its beautiful Angkorian past, Cambodia has suffered decades of war and mass atrocities. Beyond causing the tragic loss of life, these events have devastated Cambodia's social fabric. While partly a consequence of these events, illegal looting and trafficking of cultural property threaten Cambodia's rich cultural identity. Cambodia's treasured artifacts even today continue to face the risk of being stolen and sold on illicit markets.

Cambodia today is striving to move from the horrors of its past through a variety of mechanisms. The prosecution of Khmer Rouge crimes is underway

The two statues of Pandavas, which had been displayed at New York's Metropolitan Museum of Art since 1994, arrived home on June 11. They were originally from Prasat Chen in Koh Ker area and were looted in early 1970s during the civil war. (Photo : Metropolitan Museum of Art)

Statues of Pandavas in sealed box arrived at the airport on June 11, 2013, where blessing ceremomy was conducted to welcome the arrivals. (Photo: DC-Cam)

at the Extraordinary Chambers in the Courts of Cambodia (ECCC), and genocide education programs blanket the countryside. Under the umbrella of international and Cambodian law, the ECCC is seeking to bring a sense of justice and closure for victims of the Khmer Rouge. In addition, the genocide education program teaches the younger generation about the history of this tragic time period. With an eye toward dialogue, reconciliation, and public awareness, the Ministry of Education, Youth and Sport and DC-Cam are seeking to build a lasting foundation of truth and memory. Likewise, the restoration of Cambodia's cultural heritage plays an important role in helping Cambodians heal and achieve reconciliation. Reconciliation is about bringing people together, restoring relationships, and building a better society. The protection and restoration of Cambodia's cultural heritage contributes to this process by rooting Cambodians in their shared glorious past.

In this vein, the return of the Pandavas statues is significant to the people of Cambodia. The statues' return symbolizes the restoration of the kingdom's spiritual and cultural identity. In addition, with the public display and discussion of their return, Cambodians will develop a greater awareness of their shared cultural heritage. It is the combination of these effects that makes the public repatriation display an important piece of the statues" return.

In addition, the repatriation of the statues comes on the occasion when Cambodia takes a role as a host country for the 37th World Heritage Committee Conference. This event is important both for Cambodia and the world, and the statues will form an important piece of this event by encouraging the world community to take greater responsibility in protecting and restoring the cultural heritage of looted nations.

But after they are restored and their symbolic message is achieved, we should complete the statues' journey home. Returning the statues to their original location will bring a sense of closure to this tragic time period, and it will symbolize another milestone in Cambodia's renewal of its past.

Savina Sirik, is an Office Manager of the Documentation Center of Cambodia.

Experts at the National Museum of Cambodia restoring the statues; the restoration took two days and completed on June 14, when they were transported to Peace Palace of Council of Ministers. (Photo: DC-Cam)

The Statue of Pandavas at the Peace Palace during the 37th session of the World Heritage Committee. (Photo: DC-Cam)

Hay Sam Ol confessed to overthrowing the Khmer Rouge

A Summary from Original Confession J00324

My name is Hay Sam Ol and I was born in Kandoeng, Takeo province in 1945. My parents, Hay and Khim, dealt in cattle for a living. I have three sisters, four brothers and my wife is called Se Kim.

I was the serving driver of Prince Norodom Dara Depo during the Sangkum Reastr Niyum regime until 1972 when the Prince and I were sent to prison by the Lon Nol regime. After our release in 1974 I lived in Phnom Penh until the Khmer Rouge took power the following year. In 1976 I was arrested and jailed in a Kang Meas prison after plotting to overthrow the Khmer Rouge in Phnom Penh.

When the Khmer Rouge took power on April 17, 1975, Prince Dara Depo and his father, King Norodom Sihanouk gathered and divided forces into three groups. The first group was called the 'Liberal Defensive Army Group in Cooperation for Solidarity' and was managed by Prince Pourisara and ASEAN (Association of Southeast Asian Nations) including seven countries led and signed secretly in Bangkok.

The second group was led by Prince Norodom Chan Raingsey, who promised to take Phnom Penh back from Khmer Rouge, and had Thach Ren and Thach Lyvong as members.

The third group was bandit forces led by In Tam in Kampong Cham Province with Ry Sovann, Soeun and Samrith Thea joining the movement with a primary objective of assassinating Pol Pot.

Having left Phnom Penh to Angkor village, Kampong Cham province, Prince Dara Depo told me that King Norodom Sihanouk had asked the Khmer Rouge leaders to resign because he wanted to decrease relationship with them. In case his plan succeeded, the relationship between his father and the Khmer Rouge would have been cut. After that I also moved to Sou Koung village, Kang Meas district. It was there I was asked by Ry Sovann and Soeun to join the movement dedicated to liberating the country from the Khmer Rouge.

Prince Norodom Dara Depo had plans to take action to overthrow the Khmer Rouge twice, firstly on May 15, 1977, and then on August 8, 1978. The first planned to target six areas: firstly, Norodom Pourisara planned to approach Cambodia from Lao territory. The second area was to attack from Phnom Den, Takeo province and was led by Son Ngoc Thanh. Sosthene Fernandez, Thach Chanlyvong, and Thach Reun, the latter of which was known as the 'White Scarf Chief of Armed Forces' would attack from Thailand. The fourth team was led by Chey Cheayumbun, a former governor of Kratie, who would attack from Laos. The fifth region was led by the prince Norodom Chan Raingsey from Thailand and planned to invade Phnom Penh directly. In Tam was in charge of the sixth and last area from Lao.

Prince Norodom Dara Depo was promoted to political leader for this movement with Prince Norodom Kantol as the sub-chief. Chan Lyvong's brother-in-law Prince Norodom Chyvann Monyrak was also a member and Vann Molyvann was responsible for overseas politics.

The second plan was due to take place August 8th, 1978 and covered eight target places entering from Laos, Vietnam, and Thailand. In this second plan, we carried two religious flags, with the color white used as a symbol of peace. Norodom Dara Depo was assigned political leader while Norodom Kantol and a major Yin Mi, who was a relative-in-law of Lon Nol, hid in Ampil Heurha and were sub-leaders. Son Sann was responsible for politics abroad while other members joined as the local delegates.

Davin Chhay is a Team Member of Promoting Accountability Project

SOU MET, A FORMER KHMER ROUGE AIR FORCE CHIEF, HAS DIED

Dany Long

Sou Met, who was a former Secretary of Air Force Division 502 and a Deputy Chief of the Army of Democratic Kampuchea between 1975 and 1979, passed away on June 14 from diabetes and liver disease on June 14, 2013.

Some former Khmer Rouge cadres living in Samlot district, Battambang province, where Sou Met lived before his death, confirmed the death, although the location of his death was not disclosed.

After the death was confirmed, the body of Sou Met was kept at the headquarters of Region 5 of the Royal Cambodian Armed Forces in Battambang province, where the traditional Buddhist funeral was conducted.

Sou Met was in his 70s. He is survived by his wife, Vorn, and four daughters. Born in Kraing Daung Village, Peam sub-district, Samaky Meanchey district (former Kampong Tralach Leu district), Kampong Chhnang province, Sou Met was the son of Ma Mang, who was a former Khmer Rouge veteran (Khmer Issarak leader) and secretary of the Southwest Zone until 1968, when he was succeeded by Ta Mok.

Sou Met joined the Khmer Rouge Movement in the 1960s. In 1973, he was appointed commander of Division 1 of the Southwest Zone.

After the Khmer Rouge captured Phnom Penh on April 17, 1975, Sou Met was promoted to Secretary of the Air Force Division 502. The Division's location was inside Pochentong Airport (presently Phnom Penh International Airport) and the surrounding area. Soldiers in this division were recruited and selected from Division 1 and Division 11 of the Special Zone. Some soldiers from the Eastern Zone and Northern Zone were also chosen for newly established Division 502 under the leadership of Sou Met after some cadres in both zones were purged.

In 1977, the government of Democratic Kampuchea decided to establish an airport in Kampong Chhnang province with financial and technical support from the government of China. During the construction process, the Ministry of Defense and Headquarters of General Army empowered and authorized Division 502 to supervise the construction of the airport. Some soldiers from this division were charged with treason and were sent to S-21 for confession, torture and execution.

Runway at Kampong Chhnang Airport. The construction was never completed. (Photo: DC-Cam)

After Democratic Kampuchea staged war with Vietnam at the end of 1977,

Sou Met was promoted to the Deputy General Commander of the Khmer Rouge Army in addition to his role as Chief of Division 502.

After Democratic Kampuchea collapsed in 1979, Sou Met was assigned as a member of a military committee stationed along the Cambodian-Thai border from Koh Kong to Battambang province. During the negotiation with the Cambodian government concerning integration and defection into the government in the 1990s, Sou Met defected to the government and then was given a position as advisor to the Ministry of National Defense of the Cambodian Government with the rank of two-star general.

In September 2009, international prosecutors filed introductory submissions which requested investigating judges to investigate five suspected individuals. It was called Case File 003 and 004. Sou Met is one of the potential suspects. However, the investigating judges informed the prosecutors on April 29, 2011 that the investigation of Case 003 was closed. Later, international prosecutors resumed investigation for case 003.

Although co-prosecutors and co-investigating judges of the ECCC did not officially and publicly identify the five suspected persons, journalists and the public likely knew that Sou Met was one of the suspected persons in Case 003. In this case, the investigation focused on crimes committed between April 17, 1975 and January 6, 1979 which covered such locations as: S-21 Security Center in Phnom Penh; Stung Tauch execution site in Kampong Cham province; Kampong Chhnang Airport Construction Site; Division 801 Security Center in Rattanakiri province; Stung Hav Rock Quarry worksite in Preah Sihanouk province; Wat Enta Nhien Security Centre and execution site (also known as Wat Kroam) in Preah Sihanouk province; S-22 Security Centre in Phnom Penh; Durian Plantation in Preah Sihanouk province; Bet Trang worksite in Preah Sihanouk province.

Dany Long is a Team Leader of Promoting Accountability Project.

In this photograph, Documentation Center of Cambodia director Youk Chhang is holding a German-made *Rolleiflex* camera in his office. This camera, along with other photographs, video footage and documents, was donated to DC-Cam on June 12, 2013 by Ung Veng Eang, a son of S-21 survivor Ung Pech, who had been a director of Tuol Sleng Genocide Museum from 1979 until his death in the mid-1990s. During the Democratic Kampuchea regime (1975-1979), this camera was used to photograph prisoners before they were forced to write confessions, tortured and then executed. In the 1980s, Ung Pech used this camera to take pictures and to document mass graves across the country. Some photographs of mass graves that remain today were taken using the camera. Veng Eang, who kept this camera safely at his home in Phnom Penh, said that he donated this camera and other documents to DC-Cam to provide more facts or evidence of the history of Tuol Sleng in light of recent claims of fabrication . According to Veng Eang, what can be seen today at Tuol Sleng is a legacy of crimes committed by the Khmer Rouge. "Forced confessions, torture and other inhumane acts committed by the Khmer Rouge really existed at S-21 during Democratic Kampuchea," said Veng Eang.

Socheat Nhean

TIRED OF WAR, A KHMER ROUGE SOLDIER NEEDS PEACE

Socheat Nhean

Sam Phin, an erstwhile Khmer Rouge soldier having experienced two decades of war, now wants nothing but peace and reconciliation in Cambodia and to see the three decade-long civil war stop. To Phin, war is no good and is never beneficial to anyone, especially himself. Now fifty-seven years old and a resident of Anlong Veng, the last Khmer Rouge stronghold, Phin took a rare two-day trip to Phnom Penh. While there, he attended a hearing at the Khmer Rouge tribunal and visited the Tuol Sleng Genocide Museum. Phin formed different views of the two places he visited.

He opined the Khmer Rouge tribunal was squandering money and could hardly achieve justice; "I do not think the Khmer Rouge tribunal would find justice while only two aging accused are on trial," remarked Phin. Whereas, the Tuol Sleng museum, besides being confronted and appalled by the gross atrocities committed by the Khmer Rouge, Phin observed barbed wire positioned around Building C of the museum initially to prevent prisoners from escaping. The barbed wire reminded him of America's involvement which terrified him: "This is American barbed wire. It is dangerous and sticky; once one touches it, it causes lots of pain," he said, pointing to the wire near the gate of building.

Phin maintained that national reconciliation is very important for Cambodian people and that reconciliation could only be achieved by Khmers. He was of the opinion no other country, governmental body, or people of international influence could reconcile Cambodia. Prior foreign involvement in Cambodia has caused Phin to lose trust toward foreigners. Phin begrudges continued American and French influence in Cambodia.

Sam Phin inspecting barbed wire at Building C of Tuol Sleng Genocide Museum. In the 1970s, when he was a Khmer Rouge solider, he found this barbed wire frightening. (Photo: DC-Cam)

"Only Samdech Hun Sen could reconcile the country; foreigners cannot do. The French cut some pieces of our land in favor of another country, America dropped B-52 bombs to destroy our country," continued Phin.

Like several former Khmer Rouge cadres, Phin likes the current Cambodian government. Moreover, Phin believes Prime Minister Hun Sen's "win-win" policy implemented throughout the country in the 1990s ordered to bring peace and reconciliation among Khmers. Phin said the policy reunited him with family members whom he has been separated from since 1971. He also claimed Hun Sen's policy enabled Phin to live in a proper house with his family rather than living on-the-run escaping military attacks in the jungle, travel on a proper road and to have the freedom of movement. Phin claimed "Without the win win policy of Samdech Hun Sen, war would have never ended".

Looking back at Cambodia's frightening past, Phin believes he should have not survived. No gave praise to the reconciliation policies of Prime Minister Hun Sen in the late 1990s: "[In war] Life was hard; fighting was brutal. They killed us, we killed them," he said.

Phin opines the Peace Agreement in Paris in 1991 followed closely by the mission of the United Nations Peacekeeping forces in Cambodia in 1992-1993 with the purpose of implementing and maintaining peace had failed to achieve peace. The UN ended its mission in 1993 and left abruptly while the Khmer Rouge was still active in western and northern parts of the country. The United Nation's failed effort to establish peace discouraged Phin's trust in foreigners. Not until the late 1990s did Phin sense that "national reconciliation" was established after the Khmer Rouge military and administrative structure collapsed with the effort of Prime Minister Hun Sen. It was at this moment Phin and several other former Khmer Rouge cadres and soldiers viewed real reconciliation unfolding in Cambodia. To Phin that is a complete reconciliation, "war is a silly idea and that war is about power grabbing. People who died were Khmers; people who got injured were Khmers. We [are] all Khmer".

Phin engaged in war since he was fifteen beginning in 1971 ending mid-1990s. Phin was born

Sam Phin (wearing cap) looking at photographs of prisoners during his first visit to the Tuol Sleng Museum in April 2013. (Photo: DC-Cam)

into a peasant family in Treang district, Takeo province. When the coup to overthrow Prince Sihanouk took place March 1970, Phin's father joined a massive protest to fight against the Lon Nol government to return the Prince to power. His father got shot several times and fell into a moat by the road, unknown by the family until the next day. His father survived. In 1971, at the age of fifteen, Phin joined the Khmer Rouge revolution after a threat from the revolutionists who shouted "Bravo Samdech Ov [Prince Sihanouk], someone who do not join our revolution, we will burn down their houses". Everyone joined the revolution; parents were powerless to prevent their children's membership: "All unmarried youth in the village joined the revolution. No one stayed at home, except only few families," Phin suggested.

After joining the revolution, Phin and other villagers of similar age were brought to a revolutionary base near Damrei Romeal Mountain in Tramkok district. He was brainwashed for a period of about five months, to get rid of homesickness and to rid him of his dependence on his parents. He was given military training for a few months before being sent to the battle-field.

Phin's first time ambus of an enemy base was while he was unarmed. He had to use whatever weapon he could confiscate from the enemy after the ambush: "The commander did not give me guns. He said that I needed to confiscate enemy's guns and used them," said Phin.

At that time, Phin believed both Americans and the Lon Nol government were enemies. As a solider, Phin walked several miles a day. What he most feared was not Lon Nol's soldiers, but the B-52 American bombings, "B-52 was dangerous and the most disturbing. Villagers were frightened of it. They lived in the hole like rats".

In April 1974, the Khmer Rouge had a mission to capture Kampot town. Phin was engrossed in the battle-field pushing through several battle-lines and advancing nearer to the town. When he reached a Lon Nol military camp-site, at first not knowing whom the camp belonged to, Phin spent days fighting and wondering why Lon Nol soldiers fought that hard. It was at that time Phin got shot twice in his right leg by an American M-16. He remembered the time and date clearly–it was on April 28, 1974 at 8 pm. It was not until he reached hospital that he learned that the place he got injured was Kampot town. Phin was hospitalized for three months and could not walk properly for the whole year.

In 1976, Phin was sent to the Disabled Unit of Division 164 at Kampong Som. The unit directed by Meas Muth, commander in chief of the Khmer Rouge Navy. Phin would later be put in charge of the logistic unit. In 1977, Phin married a woman comrade during which only he and his wife wed.

When the Vietnamese captured Phnom Penh, Phin fled in an ox-cart to the Thai border and later was brought by truck to Dangrek Mountain. He found himself in Anlong Veng shortly after. Anlong Veng troops defected to the Cambodian government in 1999. Phin visited his home village in Treang district for his first time since 1971. He reunited with the rest of his family members although his parents were dead.

The moment Phin and his family members reunited could be a result of 'win win' policy of Prime Minister Hun Sen. This might be one reason why he likes the Prime Minister, "Nobody could do like him [Prime Minister Hun Sen]", added Phin.

Presently, Phin's right leg still cannot function properly after being wounded in 1974, causing him to wear two different shoes at a time. His right foot is wearing a Khmer Rouge-styled wheel shoe, the only one it could fit and his left foot is wearing a flip-flop.

Phin and his wife have three children; the youngest one is pursuing education at a university in Phnom Penh. They lead a modest lifestyle. Phin likes talking and always smiles. With all that he has, Phin viewed Cambodians currently have peace and reconciliation. He loves peace and hates war, "War sucks. I will not go to war again and I will tell my children not go join war," said Phin with smile in his face.

Socheat Nhean is the Team Leader of Searching for the Truth Magazine.

From Khmer Rouge Militant to a Temple Guard

Sanas Min

In a dark blue uniform, Prim Chin has always pedaled his old bicycle two kilometers from his home to Koh Ker temple–every single day. He leaves home in the morning and leaves the temple in the evening just before dark. Chin, 68, has been doing so for about ten years. Sitting on the broken temple of Koh Ker, his eyes looking at the temple, Chin recounted his childhood life and role as militiaman in the Khmer Rouge regime.


Prim Chin during the interview at Kok Ker in May 2013

Chin was born in Koh Ker village, Koh Ker commune, Chy Kreng district, Siem Reap province (currently Srayang commune, Kulen district, Preah Vihear province). Chin said that Koh Ker village was geographically put under Srayang commune, Kulen district, Preah Vihear province, after Samdech Norodom Sihanouk established Preah Vihear province after the Preah Vihear temple was awarded to Cambodia in the International Court of Justice case in 1962. Chin has four wives. He is now living with his latest wife, Chheb Lo, 62 years, and they have two sons. Chin's parents were farmers and they died of illness during the Khmer Rouge regime. Chin has three siblings, two brothers and one sister.

Chin did not have a chance to go to school because there was no school in Koh Ker village when he was young. Chin had to tend cows and buffalos in the field and helped his father clean the statues for the French in the time of French rule. Chin said there were many statues arranged in a row and pictures were taken. After that, the French lifted the nice statues onto a truck and left.

Chin added that at one time Koh Ker village had a pagoda, located near Prasat Thom [Koh Ker], but the pagoda was abandoned after monks left it in early 1970. Lon Nol's coup d'état, Koh Ker was little impacted after, just by bombing in a nearby forest, two kilometers away from the village. Later, after a call by Samdech Norodom Sihanouk for people to join the Marquis to liberate the nation, Chin served as a Khmer Rouge militiaman in 1973 under Sin, the military leader in Kulen district; Trang, the commune chief; and Khom, a militia leader in Koh Ker commune.

On April 17, 1975, the Khmer Rouge evacuated people from Phnom Penh and nearby areas to Koh Ker village. Chin kept working as a militiaman. Said he had a duty to spy and then report the actions of base people and new people to the leader. One day, in 1975, Chin received the order to arrest an "April 17" person named Ly, who was indicted for being a former soldier of the Khmer Republic regime. After Chin had already bound Ly, other militiamen walked Ly to the front of a zinc-roofed house in Koh Ker village and shot him to death, accusing him of struggling to escape. The body was taken by the Khmer Rouge to be buried near Prasat Damrey Sar [White Elephant Temple behind Prasat Thom]. Nowadays, Ly's relatives in Phnom Penh always conduct a blessing ceremony for Ly in Koh Ker village. According to former Khmer Rouge militiamen and other villagers,

after the victory in 1975, the Khmer Rouge caught many former soldiers of the Khmer Republic regime, many of whom were killed and buried near Linga temple, while the majority were sent to prison and killed at the security center in Kulen district.

Chin said there were four militiamen in Koh Ker village who took turns spying on people. However, Chin denied reporting the villagers' wrongdoings to his superior, but instead told them to correct themselves, because not only he but also others spied and reported people's wrongdoings to the superior.

He added that cadres and militiamen had more food than the people, sometimes rice with boiled chicken or chital porridge, while the people had watery porridge. Some people died from hunger and overwork.

In late 1977, Trang was caught and killed by Angkar. At that time, Vai was promoted to be a Koh Ker commune chief and was later caught and transported by truck to be killed in late 1978. Khom, a militiaman in Koh Ker commune, was caught and killed by people in 1979 because he used to catch and kill people's relatives.

In 1979, Vietnamese forces reached Koh Ker and chose Chin to be a village guard. Chin worked for two years and Vietnamese forces accused male villagers of joining the Khmer Rouge and reported the situation to them. In 1983, Vietnamese started to arrest some men to detain in Kulen district. As a result, some villagers died in prison because of the flood in prison camps. This frightened some villagers and they joined the Khmer Rouge. After this, the Khmer Rouge took the villagers to live on the Dang Rek Mountain where Ta Mok was a leader. Chin joined the Khmer Rouge after he was in charge of transporting munitions to the Khmer Rouge on the battlefield. In 1986, Chin stopped living with the Khmer Rouge and moved to live in Dambok Kpos village, Ta Sen commune, Svay Leur district. Chin and his family returned to live in Koh Ker upon the arrival of UNTAC [United Nation Transitional Authority in Cambodia] in 1992.

Sanas Min is a Staff Member of Promoting Accountability Project.

Prasat Thom Koh Ke where Prim Chin is working. (Photo: DC-Cam)

Khmer Rouge Pedagogy: Indoctrinating Khmer Children for Violence

Gregory Procknow

In Pol Pot's 1975-79 Democratic Kampuchea parents exerted little if any authority over their children. The Khmer Rouge severed family bonds, turned family members against each other and through indoctrination campaigns targeted at Khmer children destroyed all semblance of loyalty to their parents. Addressing the subject matter and impact of Khmer Rouge indoctrination will be the research purpose of this paper. This contribution looks to discuss the core curriculum lessons of Khmer Rouge's ideological indoctrination contrived for Khmer children. Given the nature of this research, the following question was developed to guide the research process, how were Khmer children indoctrinated under the Khmer Rouge? More to the point, what did Khmer children learn under the Khmer Rouge that culminated in violence and hatred?

The methods used for obtaining valuable and reliable primary data for the present research was three-fold: Party documents that survived Democratic Kampuchea; Revolutionary Flags and Revolutionary Young Men and Women two of three magazines published by the Khmer Rouge; and textually-rich accounts of few who survived the Khmer Rouge. The Party documents I speak of were derived from Chandler, Kiernan and Boua's (1988) work. The three authors translated (from Khmer to English) eight party documents and published their translation accordingly in *Pol Pot Plans the Future. Confidential Leadership Documents from Democratic Kampuchea, 1976-1977.* Two of the documents translated were consulted for use in this present research as they pertained to education and indoctrination of Khmer children: “The Party's

Children were recruited as Khmer Rouge soliders. Once they joined, they were brainwashed to live indepedently, not relying on parents. (Photo: DC-Cam)

Four-Year Plan to Build Socialism in All Fields, 1977-1980" and "Preliminary Explanation before Reading the Plan, by the Party Secretary". Secondary sources including newspapers, foreign broadcasts, academic journals, and few online sources were utilized.

This research will be a valuable contribution to *Searching for the Truth* and its readership as the organization around political and ideological curriculums and primary-secondary school education and the subsequent indoctrination children received under the Khmer Rouge has been explicated very little. David Ayres (2000) opined in *Tradition, Modernity, and the Development of Education in Cambodia*, "there are few scholarly books or articles dealing with Cambodia's development of social policies and even fewer seriously addressing education." Moreover, Ayres (1999) further postulated in *The Khmer Rouge and education: Beyond the discourse of destruction* "the task of attempting to examine education in Cambodia during the period is heavily reliant…on those transactional records of the regime's upper echelon that have come to light in recent years." Party policies were safeguarded under the DK, culminating in little academic materials of the time surviving except one geography and one arithmetic textbook which Thomas Clayton (1998) in *Building the new Cambodia: Educational destruction and construction under the Khmer Rouge, 1975-1979* claimed "have not been analyzed…[and] are among the archives of the Tuol Sleng Genocide Museum in Phnom Penh."

Party recruitment of Khmer children

Recruiting young Khmer children was integral for Pol Pot and his coterie of French-educated elite to institute their revolution. Prior to April 17, 1975 Khmer Rouge cadres were tasked by Pot to solicit children from impecunious villages and towns that littered the Kampuchean countryside. Few children were eager to relinquish old societal constructs out of resentment for having little worth in it. Pot's recruitment of children operated in the same vein as Mao Zedong's campaign directed at Chinese youth to enter the Red Guards. Reluctant Khmer children were conscripted into the Khmer revolutionary army, taken from their home villages and placed into indoctrination camps. However, many Khmer children were willing volunteers.

Khmer child conscripts launched a military career at the age of 12 (Sihanouk, 1980). Dith Pran (1997) in *Children of Cambodia's Killing Fields* opined young Khmer Rouge recruits were typically savage between the ages of 12-15 years of age. A 2001 UN Refugee Agency (UNHCR) report stated Khmer Rouge recruitment of child soldiers and cadres was common during 1975-9. UNHCR clearly evidences children as young as five were being trained as cadres. Some anecdotal information posits the Khmer Rouge continued to recruit boys and girls up to 1998 in areas under their control. Children were commonly used in ancillary roles e.g. as ammunition carriers and cooks. Notwithstanding UNHCR's claim, a Khmer Rouge defector from the area of Pailin confirmed she received military training by the Khmer Rouge from the age of five. She recounted membership in a group of 200 to 300 fourteen-year-old girls. The Khmer Rouge supplied this group with weapons and prepared them for front-line combat.

Political and ideological indoctrination of Khmer children

The Khmer Rouge readied children to serve as the foundation for a revolutionary, agrarian, self-sustaining future. However, the Khmer Rouge needed to create an organized instructional curriculum to indoctrinate Kampuchea's young that the future the Communist Party of Kampuchea (CPK) proposed was the right future. The nation-wide objectives for political indoctrination of Khmer children were three-fold: Attract their loyalty; incite anger and violence against class enemies, and deepen their revolutionary character. Curriculums were contrived separately to achieve each objective. Instructional strategies varied, however, lectures, radio broadcasts, reading of short-texts, and behavior modeling was most prominent. Instructional strategies were not limited to any one learning event.

The October 1976 issue of *Revolutionary Young Men and Women*, a prominent Khmer Rouge propaganda communication explicated "from the very

beginning, the Party determined to take the work of political consciousness as the most important work of all." Pot believed a young mind was blank and unprejudiced. He envisaged Khmer children approaching the revolution with a mental tabula rasa. Pot and his elite were cognizant their ideology would be easier to impress upon children than adults. For this reason Norodom Sihanouk (1980) in *War and Hope: The case for Cambodia*, posited the Khmer Rouge bestowed upon children the honorary title of "the dictatorial instrument of the party." In 1977, in celebration of the 17th anniversary of the CPK, Pot spoke highly of the revolutionary possibilities of Khmer children: "[childhood] is a period of life in which there are very rapid changes ...It is a time when consciousness is most receptive to revolution and when we are in full possession of our strengths...This then, is a general directive of our party ...It is the youth of today who will take up the revolutionary tasks of tomorrow."

How children perceived ideological indoctrination was dependent on the region, teacher, and potential rewards for attending. One such region, where political education was met with success was the south-west. Van a survivor from Damban 35, a locality in the south-west holds schools were contrived to brainwash adolescents to evolve into revolutionary zealots. Michael Vickery (1984) in *Cambodia 1975-1982* reported of the south-west, youth excitedly attended propaganda (or livelihood) meetings.

Upon their return observers described they beamed with optimism and enthusiasm. The accounts noted by both Van and Vickery resonate with Kenneth Quinn's (1976) observations. Pre-April 17th, 1975, a group of teenage boys from south-western Cambodia returned from a two to three week political education event. Quinn noted the boys returned "fierce in their condemnation of old ways; rejected parental authority, were passionate in their loyalty to the state and party; were critical and contemptuous of customs; and had a militant attitude."

I have identified five prevalent political and ideological indoctrination lessons for children from my aforementioned sources: Loyalty to Angkar, abolishing individualism, self-reliance, the exploitation of the peasant by oppressive imperialists and city people, and the "School of Cruelty."

Loyalty to Angkar

Children were instructed to show unwavering obedience to Angkar, the State (Teng, 1997). John Marston (1994) documented Luong Ung's recollection of Khmer Rouge instructors lecturing children about their duty to Angkar: "Your number one duty is to Angkar…You are the children of Angkar! In you lies our future…Angkar loves you above all else. That is why Angkar gives you so much power." In addition to students, lecturers modeled their subservience to Angkar in-class to their pupils.

The CPK viewed family relationships as undermining a child's loyalty to Angkar. Indoctrination would be frivolous if family attachments continued to negate Angkar's influence. An objective of indoctrination was to destroy the family structure from within. Seath Teng (1997) in the End of childhood recounted "At the re-education meetings, I believed the Khmer Rouge soldiers when they told us that our families did not love us." Families were partitioned into separate camps. Visitations were limited and an earned privilege. If such a privilege were granted it was customary do so only once a month. Each visitation was supervised. Displays of affection were forbidden.

Children were instructed to be Angkar's eyes. This duty involved children reporting traitorous activity to Party cadres. A child survivor, Khel, recalled a friend's burning commitment to Angkar: "Angkar was the one who had done the greatest kindness for them, not their parents…so they should do anything for the revolutionary party…If Angkar pointed out a traitor, they should dare to destroy that person without hesitation, even if the traitor was their mother or father." Children were to demonstrate their loyalty to Angkar by verbally castigating and physically assaulting family members in front of their Khmer Rouge counterparts. Sophearith Chuong (1999) recounted a child having witnessed his mother had stolen a potato from the collective garden.

The boy with volcanic suddenness pounced on his mother and beat her senseless. The boy apparently proud proclaimed he was not beating his mother but a thief.

Abolishing individualism

Pot's policies on individualism bear considerable resemblance to initiatives undertaken by Mao. In parallel to Mao, Pot believed in order for full communism to persevere, individualism needs to be stricken from the collective Cambodian psyche. The Party's Four Year Plan asserts "In our educational system there are no examinations and no certificates; it is a system of learning through the collective and in the concrete movement of the socialist revolution and the building of socialism in specific contexts, especially co-operatives…" (Chandler, Kiernan & Boua, 1988). As individualism pertained to schooling, conferring pupils with certificates or diplomas Pot believed, would promote competitive attitudes. Competition of course is antithetical to egalitarianism.

Cambodia young soldiers staging military drill or fighting at the battle field. (Photo: DC-Cam)

Self-reliance

Haing Ngor (1987) remarked indoctrination sessions proffered varied reasons why the new regime endeavored to avoid foreign dependency. However, Ngor spoke of the primary reason for self-reliance: "the key concept for the new society, as we were told all the time in propaganda sessions, was independence-mastery…One word made out of two, independence-mastery." Ngor noted independence-mastery entailed more than economic independence but also cultural, and being free of influences which distract "us" from work. The CPK overly weary and cautious of expanding western influence in south-east Asia, led Pot to exclaim, "we are building socialism without a model…We do not wish to copy anyone."

In relation to education, previous pedagogical plans developed under Sihanouk were scrapped. In 1978, Pot remarked "there are no schools, faculties or universities in the traditional sense...because we wish to do away with all vestiges of the past." Khieu Samphan proclaimed the old education system was inefficient with adequately educating students in natural sciences. Samphan opined students were oblivious to how rice was sown or transplanted. Samphan's diatribe continued: "everything was done according to foreign books and foreign standards…therefore, it was useless and could not serve the needs of our people, nor could it be of any help in building our nation."

Oppressor vs. Oppressed

Prior to April 17, the Khmer Rouge distributed leaflets offering rudimentary explanations of oppressive themes. Alexander Hinton (2005) in *Why did they kill? Cambodia in the shadow of Genocide* claimed one leaflet advanced capitalists "live in affluence at the expense of the working class and the masses, who live in misery, bled by them." Pre-revolution political pamphleteering on oppressive themes lacked structural reinforcement. However, after April 17, the Khmer Rouge controlled all national means of communication. Political indoctrination could now be organized and realized on a nation-wide level.

The political education curricula introduced new revolutionary terms and words into the lexicon of Khmer children. Children learned the elementary tenets of communist theory. Cultivating political consciousness entailed learning Leninist voluntarism and Mao's exegesis of Marxist writings (Hinton, 2005). The Party believed children obtained absolute political consciousness when they could comprehend and recite the Party's agenda in addition to understanding the basic teachings of Marx and Lenin. The Khmer Rouge instructed children on class exploitation; pitting the oppressed farmer against the oppressive imperialists and "Phnom Penh" capitalists. Youth learned about class struggle, traits, and contradictions. The primary objective of this curriculum was non-educational in my view, but rather to incite feelings of class hatred and class fury within its intended audience. Political education aroused anger and resentment within both child and adult learners. Instructors likened enemies of Marxism-Leninism, e.g. imperialists, feudalists, and capitalists, to Cambodia's erstwhile Lon Nol regime and city people (Timothy Carney, 1977). Propaganda positioned the relationship of the oppressed and the oppressor as an unbridgeable chasm; the latter's influence can only be subdued by violence and "smashing." Hinton posited Khmer youth would "study a number of documents, including ones on Class struggle and Revolutionary hate." He further suggested during revolutionary meetings artistic performances depicting a funeral of a fallen comrade was organized to "foment revolutionary violence so that the attendees burned with hatred toward the enemy." Such constant exposure to violent propaganda and imagery desensitized Khmer children for violence.

"School of Cruelty"

Karl Jackson (1989) in *Cambodia 1975-1978: Rendezvous with Death* asserted Khmer children were hijacked as adolescents and taught hatred and to exact unmitigated violence against Party enemies. A resulting unsuspected brutality emerged from Khmer children completely indoctrinated in violence. Norodom Sihanouk (1980) witnessed violence perpetrated by youth while in captivity. Sihanouk claimed the Khmer Rouge created a school of cruelty. Sihanouk remarked "Pol Pot and Ieng Sary quite rightly thought that if they trained their young recruits on cruel games, they would end up as soldiers with a love of killing and consequently war." He believed young Khmer Rouge recruits were hardening their hearts by murdering cats, dogs and other small animals with bayonets and clubs. Torture games were utilized by the Khmer Rouge according to Sihanouk as a "principle training tool". The School of Cruelty implored intimidation and its use on children, and encouraged children to practice it on avowed class enemies. Children progressed through the School of Cruelty with practice. They graduated when they killed their first enemy of the Party.

Linkages between primary and secondary schooling and CPK ideology

James A. Tyner (2011) in *Geographic education as genocidal policy under the Khmer Rouge* argues "the Khmer Rouge explicitly sought to justify their political and economic programs through education." Tyner opines the Democratic Kampuchea used education to cultivate a child's political consciousness. The Party made explicit their intentions to introduce Party ideology into primary and secondary schooling. Evidenced by Ben Kiernan in *The Pol Pot regime: Race, power, and Genocide in Cambodia under the Khmer Rouge, 1975-1979* political instruction in primary and secondary schools would begin after the Party procured "expert teachers" who have educated "themselves in the people's movement first." The Party sought Subject-Matter Experts

(SME) fluent in Party ideology and a general subject e.g. chemistry. Having such an instructor would allow the Party's ideology to be blended effectively for example, in a chemistry lesson.

Furthermore, "The Party's Four-Year Plan to Build Socialism in All Fields, 1977-1980" particularly part three in the Fields of Culture, Literature, Art, Technology, Science, and Education of the People, Propaganda, and Information section details six general subjects to be instructed in primary and secondary schools.

General Subjects

- ◆ reading and writing
- ◆ arithmetic
- ◆ geography (importantly that of the nation)
- ◆ history of the revolutionary struggle of the people, the revolutionary struggle for the nation, the revolutionary struggle for democracy, the revolutionary struggle for socialist revolution, and the struggle to build socialism.
- ◆ natural sciences, physics, chemistry (as base)
- ◆ party politics, consciousness, and organisation

Such unequivocal evidence leaves little doubt that the Khmer Rouge emphasized ideological both revolutionary and political indoctrination in primary and secondary schooling more than the remaining general subjects e.g. physics and arithmetic. In recognition of this fact, ideological elements also permeated all other subjects' curriculums and lesson plans. In the third part of the Culture, Literacy, Art, Technology, Science, Mass Education, News and Information document titled Preliminary Explanation Before Reading the Plan, by the Party Secretary created by the Party Center on August 21, 1976, the Party makes explicit the linkages between general education subjects and the revolution: "we study in order to serve the goals of the revolution. If we study and learn subject 1, it's to serve the movement directly; studying and learning subject 2 is to serve the revolution directly". Tyner's (2011) research on geography and political indoctrination I believe supports my assertion.

Tyner supposed the Party employed geography texts and lesson plans with hidden revolutionary and political curriculums (or subtexts) to cultivate students' political consciousness. He believed teaching of geography was important in the development of political consciousness. The author affirms Democratic Kampuchea's primary and secondary school structure "serve[d] to establish and reinforce specific ideologies of nationalism …these practices may be used to justify and legitimate political processes and practices–including mass violence and genocide." Children were taught who to include, and likewise who to exclude in Kampuchea. Tyner analyzed a surviving second-grade geography text titled *Political Geography of Democratic Kampuchea* which emphasized lessons on political geography. The text published by the Ministry of Education in 1977, numbered 72 pages and composed of twelve chapters. The first few chapters proffered an overview of the organizational and geographic makeup of Democratic Kampuchea e.g. provinces, zones, districts, regions. Children learned of each regions relevancy to the overall revolution. Lesson plans concluded with similar chapter summary questions: "During the period of over five years of revolutionary war, how did our people in Preah Vihear province participate in the struggle?"

Conclusion

As for identifying the linkages between primary and secondary schooling and political indoctrination little has been accomplished so far to fill this gap in Khmer Rouge histiography. I have shown how Party ideology was interwoven into the fabric of Democratic Kampuchea's primary and secondary school system to benefit the Khmer Rouge revolution. The Party infiltrated general primary and secondary school subjects with political and ideological indoctrination to advance their political aims. In light of Tyner's research findings we now know the Khmer Rouge instituted a "geographic-based pedagogy" to foster a "geographical imagination and political consciousness" within learners. My contribution as well Tyner's is a useful beginning. However, genocide research on control-based curriculums still has great strides to make.

Gregory Procknow is a comparative genocide researcher from Canada. His research involves identification and analysis of genocidal curriculums and how they resemble early examples of Human Resource Development.

CHAN SREY MOM: PRISON LOOKS LIKE HELL

Barbara Serrano and Ashlee Stetser

Chan Srey Mom, 25, sat mesmerized by the images flashing across the classroom wall at the Cambodian University for Specialties in Kampong Thom Province, Cambodia. Men shackled by iron chains, their bodies emaciated from starvation and withered by torture. Corpses chained to metal beds or on the floor in pools of blood. Pick axes, shovels, metal locks, cameras, and an array of harrowing photographs were scattered nearby. It was January 10, 1979 at Tuol Sleng Prison in Phnom Penh. The prison cadres and guards fled just days earlier leaving in their wake discarded and decaying bodies.

Ms. Mom, a first-year literature student at the Cambodian University for Specialties, knew about the Khmer Rouge regime (1975-1979) from her mother and school teachers. She even visited the Tuol Sleng Prison as a tourist. But Ms. Mom had never seen the seven-minute video that the Cambodian Tribunal Monitor (CTM) team presented to her and her classmates on June 22, 2013.

Vietnamese soldiers first entered Cambodia's capital after the Khmer Rouge government (Democratic Kampuchea) collapsed on January 7, 1979. They were drawn to Tuol Sleng, a former school, by its smell–the unmistakable stench of rotting flesh. There, the Vietnam soldiers found classrooms converted into torture chambers. They enlisted two Vietnamese journalists to record the gruesome discovery on film.

Though the black and white video images are grainy and the cameraman's hand is unsteady, Ms. Mom was moved by the images of dead prisoners–some with their stomachs slit open. It was at Tuol Sleng, also known as Security Prison 21 (S-21), where the Khmer Rouge tortured and killed approximately 14,000 of their own members and leaders.

Chan Srey Mom expressing ideas about the Khmer Rouge regime (Photo: DC-Cam)

When Phalla Chea, team leader of the CTM, asked students for feedback on the video, Ms. Mom was the first to raise her hand. “I feel so sorry for the people who were dead. The situation in the prison looked like hell,” Ms. Mom told fellow students, her eyes welling up with sadness and anger. “I want to condemn the people who did this.”

Traveling Education Program

Ms. Mom was one of approximately 100 college students who attended CTM's three-hour presentation on a sunny and warm Saturday afternoon.

The travelling education program is part of an 18-year effort by the Documentation Center of

Cambodia (DC-Cam) to promote awareness among Cambodians about one of the country's darkest hours. Estimates conclude that 1.7 to 2.2 million people died from starvation, torture or execution under the Khmer Rouge regime. However, few young Cambodians are aware of events that led to the rise of Pol Pot's army, what occurred in Cambodia between 1975 and 1979, and the trial proceedings currently underway in Phnom Penh, said Ms. Chea.

In 2008, the Ministry of Education, Youth and Sport required high schools to incorporate the history of the Khmer Rouge into their standard curriculums. During the presentation in Kampong Thom, CTM staff distributed free copies of the textbook now used to teach school students–*A History of Democratic Kampuchea (1975 - 1979)*, published by DC-Cam. CTM staff also distributed 200 copies of the Case 002 Booklet, "Who are the Senior Khmer Rouge Leaders to be judged?" and a Trial Observation Booket.

After Ms. Chea introduced students to the video, she provided a thorough educational history of the S-21 prison and solicited responses from the audience on their experience and perspective regarding the Khmer Rouge. Following Ms. Chea's presentation, Sovanndany Kim provided an overview of the CTM website, which is available in both English and Khmer. She highlighted the three most critical areas on the site: The blog, multimedia, and news sections. Ms. Kim said the blog section, updated regularly, is a useful way to understand current ECCC trial summaries. Ms. Kim then showed students the multimedia section, which includes trial footage, video interviews, and the Memories of Atrocities Project. Finally, Ms. Kim highlighted the news portion of the website. She directed students to refer to this section for articles, editorials, and commentary.

In the final segment of the presentation, Cheytoath Lim provided an update on the trial proceedings in Phnom Penh, where some of the Khmer Rouge's top leaders are being prosecuted before The Extraordinary Chambers in the Courts of Cambodia (ECCC).

Many students at the Cambodian University for Specialties study business and finance. They attend classes and study on Saturdays and Sundays so they can work full time during the week. During an informal survey of students who attended the June 22 presentation, the CTM staff found that about 85 percent were in their 20s, born well after the Khmer Rouge period. The rest were in their 30s or older. Only about 8% of the students said they have an email address. Ten percent have regular Internet access.

During the presentation, Ms. Chea noted that some people in the room may become future leaders in Cambodia. “You have to learn about the past to know the future,” she said, underscoring one of the core themes of DC-Cam's work.

The Kampong Thom Province, situated about a four-hour drive north of Phnom Penh, has a significant link to Cambodia's history. It is the birthplace of the two of the most important figures of the Democratic Kampuchea regime: the former leader of the Khmer Rouge, Pol Pot (born Saloth Sar) and the head of the S-21 prison, Kaing Guek Eav (“Duch”).

Like many in Cambodia, some students said they had family members forced into labor or killed during the 1975-1979 period. For example, Ms. Mom said her parents were split into different fields, unable to communicate with each other.

One uncle died while being forcibly evacuated from Phnom Penh and hit by a truck. Also, her great-uncle was a commander in the Khmer Regime under Lon Nol and a commune chief. Ms. Mom said a government official told her great-uncle they were going to move him and his family out of the country because they knew the Khmer Rouge were coming. The great-uncle's family escaped, but another official told the great-uncle to wait for his supervisor in Phnom Penh before leaving. That same man then killed her great-uncle, Ms. Mom said.

For many students like Ms. Mom, the lines between good and the bad cannot be drawn by one's political allegiance or uniform, but by their willingness to kill. Staff members at DC-Cam and the CTM seek to present both sides of the story, not generalizing one side as all bad or all good.

A Personal Account

Mai Bunleng, 42, suggested that the Court accelerate the prosecution process because some Khmer Rouge leaders may die soon. He asked, "Since this is a problem, should the international community shift its funding to help the Cambodian people rather than the ECCC?"

Mr. Bunleng was aware that some Khmer Rouge leaders were being tried by the ECCC. However, he said he did not know how the Court process worked or how long the cases had been underway until CTM's presentation

Mr. Bunleng was one of the few students in the audience who was alive when the Khmer Rouge was in power. He spent some of his childhood under the Khmer Rouge. He was four or five years old when the Khmer Rouge forced his family to move from Kratie Province to Siem Reap. His father worked in the rice field, his mother made floor mats, and his brother and sister were sent to another commune to gather human excrement to convert to fertilizer.

Rather than put Mr. Bunleng to work, the soldiers made him stay with an elderly woman in charge of the youngest children in the commune. He remembers seeing corpses in the forests. Mr. Bunleng also remembers being hungry.

People were given no more than one serving of rice soup each day. Most of that serving, he said, was water with only a spoon of rice.

Though many of his family members survived the Khmer Rouge, his family was broken apart, Mr. Bunleng said. "I lost many relatives," including an uncle and grandmother, he added.

After 1979, three of his sisters, a grandfather, and some of his aunts relocated to Vietnam. Mr. Bunleng eventually found his parents and moved with them to Kampong Cham Province for a year, then to Phnom Penh for three years. However, there was not enough food or space to grow vegetables in the city so the family moved to Kampong Thom so they could be closer to relatives and live off the land.

Mr. Bunleng said he lost touch with some other relatives because he didn't know where they were and whether they were dead or alive.

As he grew older, Mr. Bunleng said he heard more about the Khmer Rouge period from his mother.

Mr. Bunleng, a police officer who now studies law at the Cambodian University for Specialties, said he was pleased with the presentation. Now that he knows more, he said, he wants to complain to the ECCC that their proceedings are taking too long.

When asked if Cambodia could fall under the communist-style rule of a group like the Khmer Rouge again, Mr. Buleng said no. "It won't happen again," he said, "because now the Cambodians have been educated and know about this regime. We have international laws to protect our country and help our country."

Barbara Serrano and Ashlee Stetser are Legal Associates at the Documentation Center of Cambodia summer 2013.

LOST RELATIVES

My name is Elfa Wong, from Hong Kong. My mom came to Hong Kong from Cambodia in the 1970s, before the massacre. But somehow, her parents, sisters, and brothers were lost during the tragedies because they did not get out from the country. My mother went back to Cambodia in 1998, trying to find her family, posting in newspapers, but nothing was found. I would like to get any more information about my mother's family during that period. My mom's relatives who remains in Cambodia after she left: 1. Guok Mou Heng/ Guo Wu Han, 2. Guok Mou Qeng/ Guo Wu Qing, 3. Guok Mou Hein/ Guo Wu Xian, 4. Guok Ka Gim/ Guo Qiao Jin and 5. Guok Ka Eg/ Gui Qiao Yu.

If anyone have information about the above names, please contact me at: elfa226@gmail.com. Thank you.

MALAI: FROM CONFLICTED AREA TO RECONCILIATION

Sovann Mam

Malai is one of nine districts in Banteay Meanchey Province, located in northwest Cambodia and is 417 kilometers from Phnom Penh along National Road 5. Malai was named after local Malai Mountain. In the past, Malai was the site of thick forests extending along the Cambodian-Thai border from Malai to Pailin province, which is about 110 kilometers away.

After the collapse of the Khmer Rouge (KR) in 1979, many KR cadres and soldiers escaped from Cambodian and Vietnamese troops to the Cambodian-Thai border. Malai also served as the KR's shelter at that time. Most of the KR members escaping to Malai were former KR cadre who used to work in the Ministry of Foreign Affairs under the DK regime. Among many KR strongholds, Malai was a battleground between KR forces and Cambodian soldiers for seventeen years from 1979 to 1996. Based on other KR strongholds such as Pailin, Kamreang, Sampov Loun, Phnom Proek and Malai, it is assumed that the region extending from Malai and Pailin was a very strong front line of KR movements. The KR strong front line consisted of four military divisions standing by; Division 450 at Malai, Division 320 at Sampov Loun, Kamreang and Phnom Proek, Division 519 at Phnom Chhatt and Division 415 at Pailin.

During the civil war, Malai was regarded as the capital city of the KR. This is said because although the DK regime had collapsed, the KR's seat in the United Nations was still legally recognized. Through the wartime, not every country following democracy supported the new Cambodian government, and they even added the threat of economic sanctions towards the Vietnamese government backs. Therefore, Malai was the site where the KR leaders brought foreign delegation to visit.

According to interviews with former KR soldiers here, “It was very difficult to live for former KR members, both civilians and armed forces, who escaped here first.” Most of the challenges included lack of food

and shelter, and sickness and many former KR members died along the way because of starvation and malaria. At time, they were so hungry, they were forced to dig up manioc to eat and went to the village to beg for food. In addition, life in the forest was very miserable, especially in the rainy season since nothing besides leaves and little tents were gathered for protection.

Related to how to form resistant forces at Malai, KR forces secretly interacted within their networks, and hid themselves quite effectively in different parts of the forest to form resistant forces against Vietnamese troops. Ke Khorn, a former KR soldier of Division 450, said that in early 1979, right after a serve attached from Cambodian and Vietnamese troops, he led over 100 armed forces from Battambang to the forest at Banteay Meanchey province, where they hid silently. Six months later, Khorn was commanded by a former chief of Sector 3 through radio to gather all forces in Malai. Khorn added Sokh Pheap, who was a former chief of Division 450, and this division was divided into three regiments: Regiment 107, 108 and 109.

Starting from 1983 to 1985, troop from the People's Republic of Kampuchea (PRK) evicted and purified all the forces at this resistance are along the Cambodian-Thai border. This fighting was called "invading big ants' nest" by the KR. Ngeat Nguon, a former KR soldier, explained that the PRK government's taking action to purify all enemies by invading the big ants' nest was because they did not want those big ants to react back to them. Responding to the phrase "invading the big ants' nest", the government side prefered to refer to the campaign as "tying a net to kill mosquitoes". Likewise, the government of the People's Republic of Kampuchea implemented the plan K-5 in gathering all youth forces to clear the forest in order to break those KR strongholds. Additionally, Vietnamese troops played a very important role by concealing mines and fighting against KR forces.

There are two causes to the fall of the KR military base in 1985. The first cause was that in order to form any KR stronghold along the Cambodian-Thai border, KR forces used the only weapons that remained, which

A building at Malai Hight School which was built in the 1990s during which Ieng Sary was controlling that area (Photo: DC-Cam)

were old and light. Second, after 1979, KR forces were dramatically decreased, and food was scarce. KR members, both civilians and armed forces at Malai, escaped to the refugee camp in Aranyaprathet province, Thailand. Meanwhile, civilians escaped to Site H camp, better known as Phnom Kngok camp, while KR forces escaped to Chum Thorng camp, better known as Camp T-85.

At that time, the former KR members were living as refugees in Thai territory and were supported by humanitarian aid from the international community. Without munch delay, KR leaders gathered support from the international community in order to expand its military forces. By the end of 1989, the KR had taken control over Malai from the Cambodian government while Vietnamese troops withdrew from Cambodia.

The return of civilians and KR forces created one more challenge–to avoid the landmines buried by the Cambodian and Vietnamese troops. The mines affected the living condition of former KR members at Malai. They lost arms, legs and eyes because of mine explosions. Hoeun, a former chief of regiment 108, claimed that since mines were buried almost everywhere in Malai by KR forces and Cambodian soldiers were many people who turned back suffered death or dismemberment as a result of the mine. Hoeun estimated that approximately 15 percent of the people in Malai became disabled. Likewise, Khun Em, a former KR soldier in regiment 108, lost his right leg after stepping on landmine in 1985 when with his regiment. In 1990, after he came back from the refugee camp, Em lost his left leg when he went to fetch water from a creek that is now recognized as the Cambodian-Thai border. Without paying much attention, Em stepped on another mine.

After tough negations in 1996, Ieng Sary supported his forces and other civilians in Malai and Pailin to the government. To date, Malai has transformed itself from a battlefield to a farming district, where the population has been working to reconstruct their lives after a long protracted war.

Sovann Mam is a Team Member of Genocide Education Project.

Her Excellency Ton Sa Im, under-secretary of State of Education Ministry presided over genocide memorial inauguration ceremony at Malai High School in May. So far, seventeen genocide memorials were installed in various high school throughout the country (Photo: DC-Cam)

Voices of Genocide

Episodes of the Radio Program on Famine Under the Khmer Rouge

Randle C. DeFalco

Episode 2 : Famin and Excess Mortality

This episode focuses on historical beginnings of the famine under the Khmer Rouge, the concept of "excess mortality" and reasons why it is very difficult for researchers to determine how many people died because of the famine in Cambodia from 1975-1979. Next month, this program will address the issue of knowledge among the Khmer Rouge leadership about famine when it happened. In doing so, the next episode will attempt to answer the key question of whether the top Khmer Rouge leaders knew that their policies were starving the people.

Updates from the ECCC

Prior to this episode's discussion of famine and mortality in Cambodia, there are some important recent developments at the ECCC worth mentioning. First, the ECCC Supreme Court Chamber overturned the Trial Chamber's decision to divide the Court's main case, Case 002, into a series of smaller trials. While the Supreme Court Chamber did not find that any division of the case would necessarily be improper, the judges held that the Trial Chamber had not provided sufficient reasons to justify its decision to divide Case 002 into a series of trials and to focus exclusively on the Khmer Rouge regime command structure and crimes related to forced evacuations in the first trial and ordered the Trial Chamber to reassess both its reasoning. The Trial Chamber is currently in the process of doing so and its

Children returning home from work during Democratic Kampuchea, during which all people were made to work (Photo: DC-Cam)

revised decision on division of Case 002 will have important ramifications for all parties. The prosecution has argued that the charges related to S-21 prison should be covered in the first Case 002 trial, while the defence has opposed the addition of any charges.

The decision will also affect civil party applications greatly, as only civil party applicants who can demonstrate that the harm they suffered is related to the issues being covered in the first Case 002 trial will enjoy official civil party status, while others will be forced to wait until the unlikely event that additional trials take place.

Meanwhile, as this issue plays out, the health of all three Case 002 accused remains precarious and Nuon Chea has been in and out of the hospital recently, highlighting the need for the trial to move forward expeditiously. On March 14, 2013, Ieng Sary, Deputy Prime Minister and Foreign Affairs Minister, passed away at the Khmer-Soviet Friendship Hospital due to illness.

The Khmer Rouge Take Power with the Promise of Food for Everyone

To talk about food in Cambodia is to talk mostly about rice, it represents as a large percentage of the overall food eaten by Cambodians. Therefore, throughout this radio series, when food production is discussed, the emphasis will be on the production of rice. In the early 1960's Cambodia enjoyed a steady increase in overall rice production. 1963 and 1964 produced two record rice harvests in a row and Cambodia exported surplus rice in large quantities. This surplus vanished in the second half of the 1960s, as large quantities of Cambodian rice were smuggled into Vietnam and sold to both warring factions in the civil war there, although production appears to have remained high. When Cambodia descended into civil war in 1970, the rice crop predictably suffered. Planting, harvesting and processing rice activities were all decreased because of the fighting between the Lon Nol government and rebel forces, which became to be known as the Khmer Rouge. The massive bombing campaign of the United States in support of the Lon Nol regime further reduced Cambodia's agricultural production because it devastated the countryside by killing farmers and work animals while destroying croplands.

During the civil war, the Khmer Rouge knew the importance rural Cambodians placed on agricultural issues and food production and claimed that their revolution would bring a new era of agricultural prosperity in Cambodia and with it an abundance of food. For example, in a 1973 propaganda film shot in "liberated" Kampong Cham province, Khmer Rouge representative Khieu Samphan leads a visiting delegation from North Vietnam on a tour of a model collective farm where food is shown to be everywhere in large amounts. The workers in the cooperative smile for the camera as they thresh rice while appearing healthy and well fed.

This propaganda, along with promised land reforms to give poor farmers more land, were among the many reasons why the Khmer Rouge movement became popular among many rural peasant farmers. This popularity and control of Cambodia's food producing areas helped the Khmer Rouge achieve victory by stopping food supplies from entering areas controlled by Lon Nol forces.

The Khmer Rouge defeated the Lon Nol government and took control of Phnom Penh on 17th of April, 1975. Within a week, Phnom Penh was almost completely evacuated. The exact reasons for the evacuation orders remain unclear to this day. Publicly, Ieng Sary, Deputy Prime Minister in charge of Foreign Affairs for the Khmer Rouge regime, claimed that the forced evacuation was due to a lack of food to feed Phnom Penh's large wartime population, saying that "[t]he problem was to find ways to feed these people by our own means." He also claimed:

> *"[t]his problem has brought us tremendous experience, experience that makes us determined to increase our food supply. Although there is not now a great quantity, there is enough to feed one another. Today, people are working in the countryside and participating in productive activities."*

Additionally, Khieu Samphan, who was the Prime Minister in the new Khmer Rouge state, which was renamed "Democratic Kampuchea," claimed to the press in August of 1975: "[i]t is not an abundance,

but we have been able to solve the essential problem [of feeding the people]."

At this point, the Khmer Rouge had complete control the whole country and the stage was set for them to deliver on the promise of a new Cambodia with food for everyone. However, instead of proceeding to systematically rebuild their war-torn nation, the new regime attempted to rapidly transform Cambodia into self-sufficient and completely pure socialist state. This emphasis on complete self-reliance and speed resulted in a massive famine that killed at least 800,000 Cambodian people by January of 1979 when the Vietnamese came and removed the Khmer Rouge from power.

Khmer Rouge Famine Policies

After taking power, the leaders of the Khmer Rouge held a meeting in Phnom Penh in May of 1975. During this meeting important party policies were outlined, including plans for high-level cooperatives, the abolishment of money and the establishment of communal eating and living.

At a later meeting Pol Pot is recorded as stating that the Khmer Rouge had: "decreed that the country must be built, and that socialism must be built, as rapidly as possible, taking [Cambodia] from a backward agriculture to a modern one in five to ten years, and from an agricultural base to an industrial one in between fifteen to twenty years."

Along these lines, the Khmer Rouge announced that Cambodia would achieve a "Super Great Leap Forward" and thereby rapidly transform into a model socialist state. The Khmer Rouge leaders relied on agriculture as the source of national income to support the Super Great Leap Forward and at a Khmer Rouge meeting it was stated:

> *"we stand on agriculture in order to expand other fields; industries, factories, metals, oils, etc. The basic key is agriculture. Self-reliance means capital from agriculture."*

The Khmer Rouge planned to increase rice production to nearly three times the previous record crop, to a national average of three tons per hectare of cultivated land. These production goals were virtually impossible, as Cambodia had never even approached this level of production and had just emerged from a brutal five year civil war. To help achieve these new massive increases in rice production, the Khmer Rouge tried to solve what they called the "water problem" in Cambodia, by creating a national system of dikes, canals and dams to capture, store and redistribute seasonal monsoon rainwater year-round. The regime however, did not have the money, expertise or machinery to create such a massive national irrigation system and instead relied on human labour and built many dams that did not operate well or simply collapsed.

While the people were put to hard work to try and achieve three tons per hectare, they also had their food rations decreased in order to save rice for regime uses.

Officially, every Cambodian under the Khmer Rouge was supposed to receive a ration of 13 *thang* of paddy rice per person, each year (equivalent to approximately 312 kilograms or 0.85 kilograms per day). In reality, very few people ever received this ration, even for a short time and most people received rations that were much smaller, consisting of a single ladle of watery rice porridge two times per day. Nevertheless, the Khmer Rouge leaders were optimistic and stated that soon, when the revolution began to succeed, the people would be "nourished with snacks" and therefore be "happy to live in this system." This never occurred and rations decreased more and more throughout the Khmer Rouge period, leading to increasing numbers of deaths from starvation and associated diseases.

How Starvation Kills

During famines, people rarely die of complete starvation. Instead, death from famines comes in many different ways. People become weak after they begin to starve and diseases often begin to spread as people travel in search of food. Also, people often turn to unfamiliar, barely edible food sources during famines, which can lead to stomach problems which make the famine worse. All of these factors were present in Cambodia during the famine under the Khmer Rouge.

The population of Cambodia was already weakened by the five year civil war leading up to the Khmer Rouge period and there was not a lot of food in

the country. When the Khmer Rouge took power, they forced hundreds of thousands of people to relocate to distant parts of the countryside. These transfers contributed to the spread of diseases as weakened people came into contact with one another. Next, general living conditions under the Khmer Rouge were extremely harsh. People were exposed to the weather and basic sanitation, such as toilet systems, were lacking in many areas. Many people were also so exhausted from the combination of overwork and insufficient food that they became too weak to bathe regularly or maintain their hygiene. This also led to the further spread of disease. Finally, there was no health care system to speak of under the Khmer Rouge. Thus, once famine diseases began to spread, there was no modern medicine available to slow down the spread of disease.

Experts appointed by the ECCC estimated in 2009 that during the Khmer Rouge period somewhere between 800,000 and 1,300,000 Cambodian people died of nonviolent, but non-natural causes. These are referred to as "excess deaths" which means they are the number of deaths beyond the normal number of people who die each year from natural causes such as disease and old age. A large portion of these deaths were the result either directly or indirectly, from famine and associated living conditions. This large variation in the number of estimated deaths is typical of famine situations, as record-keeping is often very bad and the cause of death for victims is not recorded, resulting only in educated guesses about how many people actually died from each famine. However, according to one famine historian, the estimated "rate of excess mortality" during the Cambodian famine under the Khmer Rouge is the highest death rate during any famine since the Irish potato famine of 1846-1852.

Thus, certain conclusions can be drawn from the available information on the Khmer Rouge famine in Cambodia. First, while some famine may have been the result of the civil war prior to the Khmer Rouge coming to power, the policies of the Khmer Rouge regime clearly made the famine much worse than it would have been without their policies being in place. Second, there is a close relationship between deaths from disease and deaths from famine under the Khmer Rouge, as the

People working in the field during Democratic Kampuchea. (Photo: DC-Cam)

spread of disease regularly follows the beginning of a famine. Third, once the famine became bad in Cambodia, the Khmer Rouge did nothing to change their policies that had cause the famine. In fact, it appears that the central leadership of the Khmer Rouge simply made their policies stricter, which only made the famine worse. Fourth, at the very least, hundreds of thousands of Cambodians died specifically because of famine in Cambodia. At the high end, upwards of one million people may have died due to famine-related causes. Finally, in terms of the percentage of the population which died, the famine in Cambodia under the Khmer Rouge appears to have been the most intense of any famine of the 20th Century.

Episode 3: How Famine Evolves and What the Leaders Knew

This episode focuses on the key issue of how famines evolve, how this compares to the famine in Cambodia and also how much the Khmer Rouge central leadership knew about the famine that was happening in Cambodia when it happened. This last question is crucial to determining whether the policies enforced by the Khmer Rouge leaders are accurately described as crimes or mere non-criminal mistakes.

As discussed in episode 2, when a person suffers from severe lack of food it affects their body in many ways. The victim becomes weak and vulnerable to disease and eventually their physical and mental abilities deteriorate.

When famine spreads among a population, this deterioration of individuals is reflected in a breakdown of societies. During periods of severe famine throughout history, victims have resorted to desperate measures in attempts to survive, resulting in societal breakdowns and violations of fundamental societal moral values. For example, during famines parents often voluntarily sell themselves or their children into slavery, hoping that by doing so more food will be made available to them. During the Democratic Kampuchea period famine, many civilians who were desperate for food sought to join the Khmer Rouge, despite the fact that the regime had brutalized them, believing that this might provide access to better food rations. Also, near the end of the Khmer Rouge period, the party announced that membership in the revolutionary army would be opened up to new classes of people, who were previously ineligible because they did not have a "clean" revolutionary background. Many victims volunteered to join the military at this time and go to the front lines to fight against the Vietnamese solely for the opportunity to receive slightly better food rations.

Suicide rates also regularly rise during periods of famine and this appears to have been the case in Cambodia as well. When famine becomes extreme and long enough, even more desperate actions may take place, such as cannibalism and killing one's own children to spare them the suffering of starvation. Survivors of the Khmer Rouge period have also reported that these unthinkable actions took place as well.

Usually during famines, along with people committing unthinkable acts out of desperation, affected populations also take predictable actions to try and minimize the harm of a famine. Thus, during famines, victims will turn to so-called "famine foods" which are things that are usually not eaten, but considered barely edible. Victims also typically travel a lot during famines, searching for places where more food is available. This usually results in people spreading out and finding every food resource available within an famine-affected area. Under the Khmer Rouge however, these coping actions were impossible. The official policy of the Khmer Rouge forbid private cooking or eating and stated that everything in the country was the property of the revolution and thus, could not be taken without permission. People were also forbidden from moving around freely to search for food. As a result, victims of famine in Cambodia faced the decision of whether to secretly find extra food or rely on the insufficient rations provided by the Khmer Rouge in communal kitchens. Those who decided to secretly search for more food risked extreme violence or even execution if they were caught. There are many surviving Khmer Rouge documents which describe people being arrested for "stealing" food from the revolution or merely complaining about the insufficient rations. Many of these victims were later executed. Thus, for victims of famine in Cambodia under the Khmer Rouge, there

was no relief and no way to try and save themselves from famine. Any actions that people take during famines to increase their chances of survival, such as foraging for wild food or moving to where food is more available, were made illegal and punishable by execution by the Khmer Rouge government. There was no escape.

What Did the Leaders Know About Famine?

Perhaps the largest unanswered question about the Khmer Rouge period famine in Cambodia concerns how much the top-level Khmer Rouge leaders knew about the famine that was killing huge numbers of their people. Former Khmer Rouge leaders, such as Nuon Chea, have publicly stated that there were some "mistakes" made by the regime, but claim that the Khmer Rouge government was not responsible for causing famine. Instead, leaders like Nuon Chea often claim that the Khmer Rouge party central leadership in Phnom Penh was unaware of the true conditions in the countryside because local Khmer Rouge officials were lying about how much rice was being produced and how much food the people were being given.

While there is no definitive piece of evidence or information which by itself establishes that the Khmer Rouge leaders knew exactly how bad the famine conditions were throughout the country and how many people were dying of starvation and disease, many documents suggest that the leaders had at least a general idea of conditions on the ground.

First, the central leaders were clearly obsessed with maintaining absolute control over the "party line" to be implemented nationally without any deviation. Shortly after taking power, the leaders established a national system of reporting, whereby local Khmer Rouge officials were required to send telegrams to the central office "870" in Phnom Penh on a range of topics, such as rice production and the security situation in the area. This suggests that the leaders actively followed what was going on in the countryside.

Second, the central leaders also monitored international news sources that mentioned Democratic Kampuchea or related topics. Many of these news articles reported that refugees who had escaped to Thailand had reported mass starvation inside Cambodia. In response, the leaders actively argued that reports of famine in Cambodia were exaggerated. For example, after the fall of the Khmer Rouge regime, former Minister of Social Affairs Ieng Thirith claimed in a video interview that the Khmer Rouge had "succeeded in giving our people sufficient food, sufficient clothes and free medical care for everybody."

Similarly, in another film, former Deputy Secretary in Charge of Foreign Affairs Ieng Sary claimed that the Khmer Rouge leaders "weren't aware of life at the grassroots, that is the way murders are able to happen. But the murderers were Vietnamese agents. That's as plain as day." Even in 1978, when famine had become especially deadly in Cambodia and victims were dying by the thousands, Pol Pot claimed that there was an abundance of food in Cambodia in an interview with a Chinese news agency, stating "if we compare Kampuchea's economy and food supplies to Vietnam's, We can see that Vietnam is starving, while Kampuchea has rice to eat. Thus, Kampuchea has an advantage on food." It is difficult to imagine that the leaders were not aware that famine could be a major problem, when these leaders were advertising that famine was not taking place at all in international statements.

Third, the central leaders visited the grassroots areas to observe conditions and often purged local officials who admitted that starvation was occurring in their areas. For example, several areas in the Southwest Zone, were starvation was not as bad as other areas, were awarded an honorary flag to mark their achievement of the revolutionary goals assigned. The Southwest Zone had rice quotas that while high, remained much lower than in other areas, such as the East and Northwest Zones. By reaching these quotas and not reporting any problems with rice production, the Southwest Zone, which was favoured by the Khmer Rouge leadership because it was led by trusted comrades, including Ta Mok, escaped major purges. However, the Northwest and East Zones were both led by people that Pol Pot and other senior leaders did not fully trust. These areas were assigned the highest rice quotas, especially the Northwest Zone. When

the Zones failed to reach these quotas, or reported that people were dying from starvation and disease, the Zones were purged and their local leaders executed instead of any action being taken to help the starving population. In the case of the Northwest Zone, Ieng Thirith personally visited the Zone in 1976 and reported back to the party leadership that the civilian workforce was in terrible condition, with people suffering from malaria and starvation. Shortly after this report was received by the central leadership, Southwest Zone forces allied to Ta Mok entered the Northwest Zone and purged its entire leadership. Thus, the response to famine of the party center appears to have been to automatically blame the local leaders and execute them, rather than to try and do anything to help the starving people.

From these examples, it is arguably clear that the leaders of the Khmer Rouge became aware that people were starving in the countryside in large numbers early in during their reign in power. It is also clear that these leaders chose to respond with violence and by blaming local officials rather than considering whether to change their own policies, which were causing the famine to begin with. This violent response, along with the general atmosphere of fear and suspicion in Democratic Kampuchea put not only starving civilians, but also local Khmer Rouge cadres in a difficult position. Those cadres who admitted that their area had not met the impossible rice production quotas set by the party leaders risked being violently purged. Meanwhile, local leaders who could provide the party center with the rice it demanded were more likely to avoid the deadly attention of the party leaders. Thus, local leaders who provided the party center with less rice in order to feed the workers more, were more likely to be executed than those who sent the maximum amount possible to the party center. In either case, there was no feasible way for civilians to gain access to more food without risking violence and death.

As the Khmer Rouge slogan advertised, "Angkar has the eyes of a pineapple" and sees everything. This frightening statement proved true for the people the regime thought might be enemies, who were executed by the thousands. Similarly it must have been true to at least some extent when it came to living conditions and famine in the countryside. According to its own slogan, Angkar watched the people under its control suffer and die from famine and starvation, it just chose not to do anything to help this suffering and death.

Randle C. DeFalco is a Legal Advisor to the Documentation Center of Cambodia.

SIGNIFICANCE OF GENOCIDE EDUCATION

◆ *Your questions empower and give meaning to those who have suffered. Asking your parents and grand-parents about the Khmer Rouge will further there conciliation of the Cambodian nation.*

◆ *Teaching children about the Khmer Rouge regime means teaching students the difference between good and evil and how to forgive. Broken societies must know their past in order to rebuild for their future.*

◆ *Teaching children about the history of the Khmer Rouge regime, as well as stimulating discussion between children and their parents and grant-parents about what happened, are important to preventing genocide both in Cambodia and the world at-large.*

SEARCHING FOR THE TRUTH ONLINE

Searching for the Truth Magazine has been published since January 2000. All copies are available at www.d.dccam.org/Projects/Magazines/Magazine_Searching. For more information, contact Socheat Nhean at truthsocheat@dccam.org or 023 211 875.

KHIEU SAMPHAN TO REMAIN IN DETENTION EVEN FOUND NOT GUILTY IN CASE 002/01

Cheytoath Lim

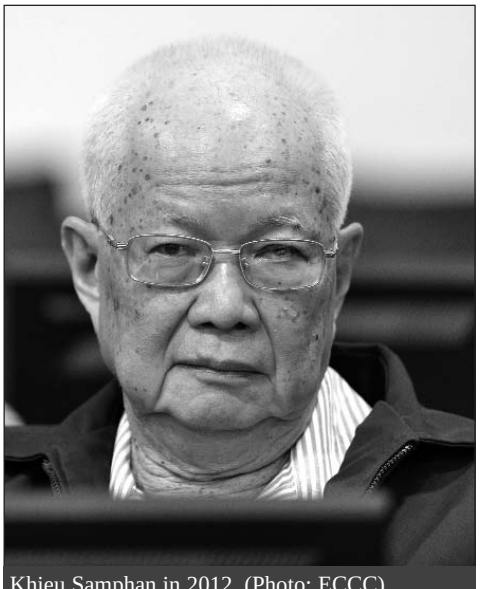
Khieu Samphan is one of the four Accused in Case 002 which was charged with Crimes Against Humanity, Genocide and Grave breaches of the 1949 Geneva Conventions. The charges were for the serious crimes in the international criminal cases.

On 19 November 2007 Khieu Samphan was arrested and placed in provisional detention at the Extraordinary Chambers in the Courts of Cambodia (ECCC) for a period of maximum one year by a provisional detention order issued by the Co-Investigating Judges. On 18 November 2008, the Co-Investigating Judges issued the first Order on Extension of Provisional Detention, extending the provisional detention of Khieu Samphan for a maximum of one year to continue its investigation. On 18 November 2009, because the investigation was still in the process, the Co-investigating Judges issued the second Order on Extension of Provisional Detention, extending the provisional detention for one more year. The provisional detentions of Khieu Samphan in the investigation stage totaled three years.

On 15 September 2010, the Co-investigating Judges issued a closing order in Case 002, ordering that the Accused remain in Provisional Detention until they are brought before the Trial Chamber. Therefore, Khieu Samphan remained in the provisional detention at the ECCC prison until he was tried by the Trial Chamber.

In the Trial Chamber stage, Khieu Samphan was still detained in the prison by the Chamber pursuant to Rule 82(1) of the Internal Rules, which provided that: " Where the Accused is in detention at the initial appearance before the Chamber, he or she shall remain in detention until the Chamber's judgment is handed down ." The Trial Chamber, however, has discretion to order the release of an Accused or where necessary release on bail, or detain an Accused after hearing the Accused and his or her lawyer.

Khieu Samphan in circa 1977



Khieu Samphan in 2012. (Photo: ECCC)

Ahead of the substantive hearing the Trial Chamber issued an order, on 22 September 2011, to separate the proceedings in Case 002 into parts which enable the Chamber to select some of the charges or factual allegations in the closing order to try in the first trial. The first trial was called Case 002/01. In Case 002/01, the Trial Chamber tried all the crimes that occurred during the population movement phases 1 and 2 and the execution of

Khmer Republic soldiers at Toul Po Chrey execution site immediately after the Khmer Rouge takeover in 1975. These acts were only charged as Crimes Against Humanity (excepting persecution on religious grounds). No co-operatives, worksites, security centres, execution sites or facts relevant to the third phase of population movements will be examined during the first trial. Whereas the allegations of, inter alia, Genocide and Grave Breaches of the Geneva Conventions of 1949 have been deferred to later phases of the proceedings in Case 002.

During the trial hearings in the Case 002/01, Khieu Samphan disputed all the charges against him and said that he did not know about the crimes were committed during the Democratic Kampuchea regime and he also did not have any power to decide even he was the Head of State.

If the Trial Chamber's decision in Case 002/01, which is planned to be issued in the first quarter in 2014, found that Khieu Samphan is found guilty, the Chamber shall sentence him in according with the Agreement, the ECCC Law and the Internal Rules. In contrast, if the Chamber considers that the acts set out in the Indictment have not been proved, or that Khieu Samphan is not guilty of those acts, he shall be acquitted.

Even if in Case 002/01 Khieu Samphan is found not guilty, he shall remain in detention.

There are two reasons that Khieu Samphan would not be released. First, the Co-prosecutors can appeal against the Trial Chamber's Judgment. Second, due to Khieu Samphan is in detention for other charges.

For the first reason, the Trial Chamber's decision will be appealed by the Co-prosecutors if the Accused Khieu Samphan is found not guilty. Khieu Samphan, therefore, will remain in detention until the Supreme Court Chamber's Judgment is handed down. According to the Trial Chamber's expectation, the Case 002/01 final Judgment might be issued at the end of 2015. Pursuant to Rule 111(4) of the Internal Rules, in case of acquittal on appeal, Khieu Samphan shall be immediately released. This rule, however, also added that the Accused shall remain in detention if he or she is in detention in relation to other charges . This is the second reason to keep Khieu Samphan in detention even if he is not guilty of the acts determined in Case 002/01 regarding to the Crimes Against Humanity. As indicated, Khieu Samphan was charged with three international crimes as such Crimes Against Humanity, Genocide and Grave Breaches of the 1949 Geneva Conventions. Because Case 002 has been severed into a series of separate trials, each addressing a different section of the indictment, the Accused Khieu Samphan is still charged with two other crimes. Pursuant to Rule 111(4), Khieu Samphan will likely remain in detention pending trial in Case 002/02 or Case 002/03 on other charges.

The period of Khieu Samphan's provisional detention since 2007 until now is five years and seven months; the provisional detention might be extended until the end of the Case 002. Khieu Samphan has right to request the Chamber to release him on bail and he did so. While in provisional detention Khieu Samphan filed requests for provisional release five times, but all were rejected. The reason for rejection was the risk of Khieu Samphan's flight.

For this reason, it seems likely that Khieu Samphan shall remain in detention until the Chambers' Judgment in Case 002/01 is handed down and pending the trials of the other charges.

Khieu Samphan is now 82 years old compared to the timeframe of the Chamber's expectation to issue the final Judgment in Case 002/01 along with Case 002/02 or Case 002/03 (if possible), the possibility of releasing Khieu Samphan is almost zero.

However, the continuation of lengthy provisional detention of the Accused without a tangible plan for the adjudication of the entirety of the charges in the Indictment is not a better choice for the Trial Chamber because it could compromise bringing the subsequent proceedings to a conclusion within a reasonable time. Thus, the Trial Chamber should provide a clearer idea as to how much longer the trial will last in order to avoid disputation from the Defence counsel.

Cheytoath Lim is a Team Member of Trial Observation Project.

TRUTH CAN OVERCOME DENIAL IN CAMBODIA WITHOUT RESTRICTING THE FREEDOM OF EXPRESSION

Kate Langford

The information presented and opinions expressed herein are those of the author and do not necessarily represent the views of the Documentation Center of Cambodia

The Cambodian government is seeking to combat the denial of crimes committed during the Democratic Kampuchea (DK) period by way of a law that would punish the public expression of such denial with fines and prison. Rather than curtailing the rights to the freedom of expression with criminal penalties, the Cambodian government should seek to end the denial of DK crimes by way of less punitive methods. By deferring to education, debate and rebuke, the Cambodian government can undermine foreign skepticism of the government's sincerity to fundamental human rights as well as build its reputation as a supporter of the truth-seeking process amongst the Cambodian people.

International law recognizes that all people have the right to the freedom of opinion and expression, but it also recognizes that certain restrictions on the freedom of expression may be necessary. States must prohibit hate speech that advocates national, racial or religious hatred or encourages discrimination or violence. States may also limit speech under other bases, but only in so far as such restrictions are genuinely necessary to protect and respect rights or reputations of others or to protect public order, health, morals, or national security.

Many European states restrict certain forms of speech, including hate speech and Holocaust denial, by a careful balancing of the freedom of speech with the protection of human dignity and honor. The Holocaust denial laws in Europe began to develop shortly after World War II. At that time, some people sought to justify Nazi policies and rehabilitate the image of the Nazi party by denying the severity of the atrocities or by disclaiming responsibility. Numerous Eastern and Western European states, as well as Israel, have laws that directly criminalize the minimization, approval, justification or denial of the Holocaust. Some states, such as the Netherlands, consider Holocaust denial to be a form of spreading hatred and therefore a punishable offense.

In particular, German law expressly criminalizes denying, approving of, and minimizing the Holocaust and Nazi crimes. German jurisprudence shows that the laws banning Holocaust denial are justified because such speech promotes racism and hatred against a particular group. The German Constitutional Court explained that while expressing one's opinion is protected under German constitutional law, opinions that are based on "demonstrably false facts" are not worthy of constitutional protection. Under this reasoning, the court determined that proscribing Holocaust denial is a permissible restriction on the freedom of expression. Problems arise, however, when a state uses its laws that prohibit genocide denial or hate speech in such a way as to persecute people with unpopular views or for political purposes.

Rwanda, for example, which enacted a law that makes denying the 1994 genocide a crime, has been criticized for using this law to convict political opponents and dissenters. In January 2012, a Rwandan court convicted two journalists for disputing the official version of the events. In essence, the journalists broke from the state-endorsed narrative of a one-sided genocide of the Tutsis by the Hutus when they suggested that both Tutsis and Hutus committed murder. The journalists also criticized the president of Rwanda for not doing enough to punish the people who committed the genocide.

In this light, it was clear the journalists were not prosecuted for genocide denial because they did not deny the existence of genocide in Rwanda. Rather, they were indicted for investigating and publishing a history that broke from the Tutsi narrative. Under the cloak of genocide denial, the Rwandan government prosecuted the publication of this counter-narrative as well as using the genocide denial law to silence political criticism and opposition against the Rwandan president.

In contrast to genocide denial laws in Europe and Rwanda, speech law in the United States does not prohibit Holocaust or genocide denial. In the United States, all speech is protected from censorship, unless the government can demonstrate that the restrictions are necessary to protect a compelling government interest. A compelling government interest in American jurisprudence has been found when the law is narrowly tailored toward preventing people from inciting crime, protecting minors, or upholding national security. The rationale is that allowing discussion of even unpopular or offensive ideas is more beneficial than enforcing silence.

A United States Supreme Court decision demonstrated this interpretation of freedom of expression when the Court upheld the right for a neo-Nazi group to have a protest rally. Following that decision, the public mobilized and created a counter-protest that far outnumbered the neo-Nazis. In the years following that decision, residents of the town opened a Holocaust museum, education center, and monument. They even persuaded the state legislature to require Holocaust education in schools. In this way, the public remedied neo-Nazi racism by joining together and speaking out publicly against it. By creating education programs, the truth overcame denial.

A law which criminalizes the denial of the crimes committed during the DK period raises similar concerns as those raised in Rwanda's case. As in Rwanda, the freedom of expression remains problematic in Cambodia. For example, the media is often hesitant to report stories that oppose or criticize government actions. One case in point is the conviction of Mr. Mam Sonando. In Mr. Sonando's case, he ran a radio station that allowed dissident opinions against the government, and consequently, the government charged and convicted him with the crime of inciting rebellion. Though his release on a suspended five-year sentence may have appeared to have beena step towards addressing an unjust conviction and an inappropriate restriction onthe freedom of expression, the damage from the restriction may have already been done.

Concerns remain that the Cambodian media is self-censoring to avoid having harsh actions taken against them in the same way as those taken on Mam Sonando. Cambodian media coverage of the recent expulsion of opposition party politicians from the National Assembly prior to the vote on the DK crimes denial bill demonstrates another form of media self-censorship. The expulsion was covered thoroughly in the foreign and English-language media, but was mentioned briefly in only two of eight major Khmer language newspapers. In this context, it should be clear that criminalizing the denial of Khmer Rouge atrocities may pose a risk of further self-censorship in the areas of historical inquiry, truth-seeking and education.

Historical inquiry and education in Cambodia has never come close to the form of historical revisionism that transpired in post-World War II Europe. The development of Holocaust denial laws in Europe was a response to substantial movements to revise history. In post-WWII Europe there was a segment of society seeking to justify the actions of the Nazi regime or to deny the atrocities committed. One of the first people to deny the Holocaust, Maurice Bardèche, argued in Nuremberg ou le Terre Promise in 1948 that the Auschwitz gas chambers had been used only to disinfect clothing. Another author, Paul Rassinier, argued that both the atrocities committed by Germans and the number of Jews killed were greatly exaggerated. These authors sparked a fringe movement of Holocaust denial writings that continue even today.

In contrast, though there is some support for a revised history in some former KR strongholds, this does not appear to be the reason for the DK crimes denial law. In Cambodia's northwestern provinces of

Malai and Anlong Veng, there is some evidence suggesting that people view the Khmer Rouge as kind, generous people, who were great economists and rural developers. But the proposed law did not correspond with reports on these conditions. Rather, the proposed law was drafted as a response to a statement made on May 20, 2013, by Kem Sokha, leader of the opposition party. Mr. Sokha was alleged to have stated that Tuol Sleng prison was staged by the Vietnamese after toppling the KR regime in 1979. The speed with which the Cambodian General Assembly and Senate acted to pass this law in response to a single statement by an opposition party, despite the long-standing support for a revisionist view of the KR regime, suggests that this law may be used for political purposes. The fact that elections are soon to be held in Cambodia raises further questions about the motives behind the legislation.

"...DK crime denial law in Cambodia is an unnecessary law that poses great risks. The proposed law poses a risk of politicizing the reconciliation process and stifling historical inquiry into the Khmer Rouge regime."

In this context, a DK crime denial law in Cambodia is an unnecessary law that poses great risks. The proposed law poses a risk of politicizing the reconciliation process and stifling historical inquiry into the Khmer Rouge regime.Though not prohibited under international law, limiting the freedom of expression with a DK crime denial law in Cambodia is an inappropriate method to combat denial of the Khmer Rouge atrocities in Cambodia.

A more appropriate approach to combat the denial of such crimes is the use of public debate, rebuke and education. Public rebuke, instead of criminal sanction, could effectively combat the denial of DK crimes–while demonstrating the government's commitment to upholding the freedom of expression. In contrast to other post-conflict societies that have used speech restrictions to combat genocide denial, Cambodia could choose to present itself as a model post-conflict state. Education programs, such as outreach efforts by the ECCC and civil society, can be an effective means for combatting denial, while avoiding the spectacle of criminal sanction. The ECCC's outreach programs allowed more than 70,000 Cambodians from across the country to visit the ECCC in 2012 alone and the media outreach activities, such as a weekly radio show, has reached thousands more. The Khmer Rouge Tribunal Study Tour programme, which provides a visit to the ECCC, guided tours of Tuol Sleng Genocide Museum and Choeung Ek Killing Fields, and the opportunity to ask ECCC court officials questions has engaged more than 10,000 Cambodians. ECCC-sponsored programs alone have brought more than 320,000 people to the Court since 2009. In addition there are many other outreach programs created by local and international NGOs, which have educated thousands more about the Khmer Rouge atrocities. On top of it all, the Cambodian Ministry of Education and the Documentation Center of Cambodia currently provide education on DK history throughout all Cambodian schools.

Through education, rebuke and debate, the government can clearly address the trivial few individuals who may still deny Khmer Rouge atrocities. The Cambodian people can be encouraged to speak out against such individuals and efforts can be focused toward greater education and debate. With continued education and more speech, a law to criminalize the denial of such crimes would be unnecessary. Cambodia stands at a critical point in its post-reconciliation process, and it should not use criminal sanctions to address what can be resolved through greater speech and education.

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THE TEMPLE CASE: THAILAND AND CAMBODIA AT THE ICJ

John D. Ciorciari

Lawyers for Thailand and Cambodia have just completed their oral arguments as the International Court of Justice (ICJ) considers Cambodia's request to reinterpret its 1962 judgment on the dispute surrounding Preah Vihear. The dispute's re-emergence since 2007 owes largely to nationalist political forces, particularly the yellow-shirt movement in Thailand. Nevertheless, the feud is founded on a legitimate legal disagreement, which the parties are now litigating precisely where they should: before the ICJ. A closer look at the legal issues suggests a path to resolution of a largely unproductive conflict.

The current controversy focuses on the border in the area around the temple. The 1962 judgment awarded the temple complex to Cambodia and required Thailand to withdraw security forces at the temple or "in its vicinity on Cambodian territory." The Court reasoned that Thailand had accepted as binding a 1907 map of the frontier prepared by French cartographers, which placed the temple on Cambodian soil. However, the Court did not define the vicinity of the temple or discuss the legal status of the 1907 map in its operative part, which sets forth the Court's conclusions.

Last week, Thai lawyers argued that the Court's 1962 conclusions pertained only to the temple and the immediate surrounding area. They contended that Thailand obeyed the judgment by pulling its security forces just outside the temple grounds and that Cambodia had accepted that state of affairs. Thus, they asserted, there is no debate to justify an ICJ reinterpretation. Cambodian lawyers countered that a dispute does exist and that the judgment gave the 1907 map line binding effect, because the Court's 1962 conclusions were inseparable from its reasoning. Thus, they claimed, both the temple and 4.6 square kilometers directly to its west belong to Cambodia:

As it considers the pleadings, the ICJ faces two basic legal questions. Does a dispute exist between Thailand and Cambodia that justifies a reinterpretation of the 1962 judgment? And if the Court does reinterpret the judgment, should it find that all or part of the 1907 map is binding?

Cambodia should prevail on the first question. The Court found in 2011 that a dispute appeared to exist between the parties, and nothing in the recent oral proceedings should lead the judges to decide otherwise. Under relevant jurisprudence, there is no statute of limitations on ICJ reinterpretation, and a dispute need not be made formal to exist. A dispute must simply pertain to the operative part of a judgment or reasons deemed to be "inseparable from the judgment." The parties' submissions to the ICJ since 2011 demonstrate, at a minimum, that they interpret differently the operative clauses' references to "Cambodian territory" and the "vicinity" of the temple. Moreover, Cambodia's counsel presented numerous pieces of evidence to show that the interpretive dispute is hardly new; throughout the 1960s, Prince Norodom Sihanouk and others indicated their disapproval of Thailand's stationing of personnel and erection of a barbed-wire fence in the disputed 4.6 sq km strip.

The more difficult question is whether–or to what extent–the Court's reasoning should be read into the binding conclusions of the 1962 judgment. As Thailand's lawyers have emphasized, the Court expressly declined Cambodia's request for a ruling on the legal status of the 1907 map in the operative part of the judgment. Thailand argues, not unreasonably, that this omission demonstrates that the Court saw the status of the border and fate of the temple as separable legal questions and that Cambodia simply seeks a ruling the Court denied it in 1962. This argument is nevertheless problematic.

As Cambodia's counsel argued in The Hague, one cannot give effect to references to Cambodian "territory" in the operative clause without knowing where that territory is. To decide sovereignty over the "disputed area"–which the Court defined as "the region of the Temple of Preah Vihear"–the Court declared that the "real" and "essential" question in the case was "whether the Parties did adopt the [1907] map, and the line indicated on it, as representing the outcome of the work of delimitation of the frontier in the region of Preah Vihear, thereby conferring on it a binding character." After a lengthy analysis, the Court found "in favour of the line as mapped [in the 1907 map] in the disputed area." That placed the temple on Cambodian soil and, according to Cambodia's lawyers, makes this part of the Court's reasoning inseparable from its conclusion.

Cambodia's argument that the judgment renders the entire border line drawn on the 1907 map also encounters problems. Although the term "Cambodian territory" requires some reference to the Court's reasoning with respect to the border, the Court clearly did not purport to deal with the entire Thai-Cambodian frontier, but merely a particular disputed area. This, taken alongside the Court's refusal to issue a pronouncement on the status of the 1907 map in its operative clause, weakens the case for reading the entire map into the Court's conclusions.

The real crux of the dispute is whether the 4.6 sq km area west of the temple can be considered part of "its vicinity on Cambodian territory." The Thai legal team has argued that Dean Acheson, counsel for Cambodia in the original case, characterized the area in dispute as "very small." However, Acheson's Thai counterparts objected to references to the "region" or "neighborhood" of the temple as potentially too expansive. The 1962 judgment offers regrettably little guidance. Its lack of clarity has contributed to instability and makes its reinterpretation necessary and appropriate.

The Court could have ordered only that Thailand withdraw troops "at the temple." Its addition of a reference to the temple's "vicinity" shows that its conclusions were intended to pertain to some area beyond the perimeter of the temple buildings. Even if that area extended a few hundred meters to the West, as the Thai map suggests, the question would arise: was that part of the temple's vicinity Thai, or was it Cambodian? The Thai reading of the judgment suggests that the answer would depend on agreement of the parties. However, since agreement between the parties was lacking, the provision would have effectively no force in the western vicinity of the temple–an area where the Court knew that some Thai personnel were located.

Although the Court declined to pronounce on the border in the disputed area in its operative part, that part can only be understood through reference to the Court's finding that the parties had accepted the 1907 map. Under this reasoning, areas in the temple's "vicinity" on Cambodia's side of the 1907 map line fall into Cambodian "territory." The most sensible way to define the relevant vicinity would be to confine the scope of the judgment to the smallest contiguous territory under dispute to the immediate west of the temple–namely the 4.6 sq km strip. With that important limitation, the Court should find for Cambodia.

The messiness of these legal questions reflects the ambiguity the original judgment, which regrettably left enough room for continuing interpretive disagreement and discord.

Whichever side prevails in court, both governments would do well to respect the judgment. For Cambodia, an international legal ruling provides the fairest forum in which to resolve conflict with a larger, more powerful neighbor. For the government of Yingluck Shinawatra, a hardfought legal encounter provides insulation against domestic nationalist demands for action, even if the ruling is unfavorable. Indeed, both sides have been ably and zealously represented in court. An ICJ decision on the issue offers both a useful watershed–a chance to shift away from contentious politics of the recent past, which help rally some constituents behind the flag but do little for the longer-term interests of their populations.

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BLOODLUST IN BANGLADESH AS INTERNATIONAL MATTER

Suzannah Linton

Many lives were lost and destroyed during Bangladesh's bloody struggle for independence from Pakistan in 1971. More than four decades later, Bangladeshis are baying for blood in the streets, demanding the lives of those they say committed grotesque crimes during that terrible struggle. The International Crimes Tribunal (ICT) in Dhaka, set up in March 2010 to try those responsible for these crimes, has been roundly condemned by international observers. It delivered its first two verdicts in the last few weeks. As predicted, these were convictions. Abdul Kalam Azad was sentenced to death in absentia, and Abdul Kader Mullah was "only" sentenced to life imprisonment. Hence the baying in the streets–it seems that justice means an eye for an eye, a life for a life. The Awami League government, which came to power promising long overdue trials for alleged perpetrators (who had metamorphosed into its political enemies in the Bangladesh Nationalist Party and Jamaat e Islami), has obliged, rushing through legislation to speed up the executions.

The problematic nature of the ICT process should not come as a surprise. Even before the process began, serious concerns were raised about the adequacy of the 1973 legislation under which the accused are being tried, constitutional limits on the rights of the accused, and the capacity of the judicial system to manage such a complex, demanding, and politicized process. Heightened tensions always accompany such trials, but the politicization in Bangladesh has been extraordinary, raising passions, clouding reason, and blinding otherwise seeing eyes to the obvious. Those criticizing the trials, just like those with alternative perspectives on what happened in 1971, have been condemned with a degree of vitriol seldom seen in similar trials, let alone in a democratic society. One British barrister advising the accused was even prevented from entering the country after voicing criticism.

The litany of complaints about the Bangladeshi proceedings dwarfs those from similar proceedings in Cambodia, East Timor, Iraq and elsewhere. Instead of delivering justice, the ICT will likely go down in history for some of the most egregious irregularities in modern international criminal proceedings. Human Rights Watch is demanding a retrial because of judicial musical chairs in the trial of Delwar Hossain Sayadee, which has left not one judge on the panel who has heard all the evidence. Complaints from the defense abound and go beyond what we usually hear. Hacked emails and Skype transcripts have revealed political pressure on the court and judges presuming guilt mid-trial. A long-time trial observer has documented unequal treatment of the parties, bullying and harassment of the defense counsel, and inadequate preparation time for the accused and that is just the tip of the iceberg.

Bangladesh has given us the first example of a presiding judge caught flagrantly discussing the details of the case and the preparation of the judgment with a third party. Bangladesh has given us the example of Shukho Ranjon Bali, a prosecution witness turned defense witness who police allegedly abducted before he could testify and who remains missing. Bangladesh has given us the spectacle of judges who were previously freedom fighters or activists in the accountability movement and who had already convicted the accused in a "peoples tribunal" purporting to be independent and impartial in judging the same accused at the ICT. All this, supporters of the trials will allege, is fabrication-propaganda from those who support the "war criminals."

The bloodlust in Bangladesh is an international matter, and the time for feeble diplomatic responses is

over. Last year the Working Group on Arbitrary Detention found Bangladesh to be holding those accused before the ICT in arbitrary detention, and the UN Special Rapporteur on extrajudicial, summary, or arbitrary executions and the UN Special Rapporteur on the independence of judges and lawyers have jointly spoken out against the first two decisions. But these responses have not worked, and the High Commissioner for Human Rights and Secretary-General have been noticeably passive, We have left the days when this kind of travesty was within the sovereign domain of the state, and the international community needs to react before judicially sanctioned murder takes place and before protests against the process turn more violent.

The international community has not yet said what needs to be said: this process has been given a chance but it falls far short of basic international standards, and we oppose its continuation in this manner. We cannot claim to care about justice, human rights, fair trials, and due process but remain passive. The UN Human Rights Council needs to become engaged and could start by appointing an international commission of inquiry into the ICT and, beyond that, into the matter of accountability for the crimes of 1971. Justice must done, but this is not justice.

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CAMBODIA TRIBUNAL MONITOR

The Cambodia Tribunal Monitor (www.cambodiatribunal.org) provides extensive coverage throughout the trial of two former senior Khmer Rouge officials accused of atrocity crimes. The Monitor provide daily in-depth analysis from correspondents in Phnom Penh, as well as complete English-translated video of the proceedings, with Khmer-language video to follow. Additional commentary is provided by a range of Monitor-affiliated experts in human rights and international law. The Monitor has been the leading source of news and information on the Extraordinary Chambers in the Court of Cambodia (ECCC) since its inception in 2007. The website hosts an archive of footage from the tribunal and a regularly updated blog containing analysis from expert commentators and coverage by Phnom Penh-based correspondents.

An estimated 1.7 million Cambodian citizens died under the Khmer Rouge regime between 1975 and 1979. The former Khmer Rouge officials to be tried in the ECCC's "Case 002" are Nuon Chea, former Deputy Secretary of the Communist Party of Kampuchea's Central Committee and a member of its Standing Committee and Khieu Samphan, former Chairman of Democratic Kampuchea State Presidium.

The Cambodia Tribunal Monitor was developed by a consortium of academic, philanthropic and non-profit organizations committed to providing public access to the tribunal and ensuring open discussions throughout the judicial process. The site sponsors include Northwestern University School of Law's Center for International Human Rights, the Documentation Center of Cambodia, the J.B. and M.K. Pritzker Family Foundation and the Illinois Holocaust Museum and Education Center. The concept for the website was conceived by Illinois State Senator Jeff Schoenberg, a Chicago-area legislator who also advises the Pritzker family on its philanthropy.

Reflection on Mental Health in the ECCC Case 002

Civil Party Sophany Bay and Mental Health Expert Dr. Chhim Sotheara's Testimony

Young-Hee Kim

From June 4th to June 6th the Extraordinary Chambers in the Courts of Cambodia (ECCC) heard from Mrs. Sophany Bay, a Civil Party, and one expert witness, Dr. Chhim Sotheara. Mrs. Bay is a Khmer Rouge survivor living in the United States, who now works as a mental health counselor for Cambodian refugee populations in San Jose, California. Dr. Sotheara is one of the few renowned mental health experts in Cambodia, currently serving as the Executive Director of the Transcultural Psychosocial Organization (TPO). The Court's questioning of Civil Party Mrs. Bay and the expert witness Dr. Sotheara demonstrated that while the ECCC has begun to acknowledge victims' mental suffering during the Khmer Rouge, improvements can be made in expert testimony proceedings regarding mental health.

The ECCC expressly acknowledged the mental afflictions during the Khmer Rouge in the questioning of Mrs. Bay. Before addressing questions to Mrs. Bay, President Nil Nonn of the ECCC specifically stated that "as a Civil Party in this Court you are given an opportunity to make a statement of the sufferings inflicted upon you materially, emotionally, and physically" during the Democratic Kampuchea period. The Civil Party recounted a powerful story on the exile from Phnom Penh on April 17th and the death of her three children during the Khmer Rouge. While testifying, the Civil Party emphasized her psychological pain. While she described the harsh physical conditions she was forced to endure, the focus of her story was her children–how they were mistreated and abused by the Khmer Rouge soldiers–and how their death impacted her. She spoke of constant nightmares, being unable to speak, becoming confused and forgetful, continually crying, and wanting to die after her children's death. She further explained that she still retained these symptoms even today; and as a mental health counsellor, she knew that her symptoms are not unique–she sees the same symptoms amongst her clients and the Cambodian refugee community.

While the description of the emotional suffering was moving and brought tears to the audience, the National Co-Lawyer for Nuon Chea's defense, Mr. Son Arun, used her testimony to question the accuracy of her testimony and her psychological state. Regarding her constant nightmares and depression, the Co-Lawyer askedhow she could serve others with their mental health when her own mental health was not sound and her memory did "not serve her well"–implying whether she actually remembered everything correctly. Before the Civil Party could answer, the Civil Party Lawyer objected and contended that Mrs. Bay had not mentioned anything about memory loss at all and that the Defense Lawyer should not assume such facts. The Court sustained the Civil Party's objection.

Despite the Court's acknowledgement of Mrs. Bay's psychological sufferings, the expert witness hearing of Dr. Sotheara revealed weaknesses in the skills of court personnel and the processes necessary for an effective use of expert testimony in mental health. Dr. Sotheara's expert testimony did not appear to achieve the desired goal of clarifying the extent or degree ofthe psychological impact that the Khmer Rouge regime had on the Cambodian population. First, the Civil Party lawyers and the Prosecution did

not question Dr. Sotheara in a way that effectively utilized his expertise in clarifying and explaining the clinical perspective of the Civil Parties' testimonies on psychological suffering under the Khmer Rouge. Second, the Civil Party lawyers and Prosecution could have laid a more solid foundation of Dr. Sotheara's clinical expertise. Finally, there was confusion in the translation of specialized vocabulary that is common to the mental health profession.

In questioning the witness, the lawyers briefly talked about the victims that Dr. Sotheara interacted with through his work with the TPO and the symptoms of various psychological conditions that manifest in Khmer Rouge survivors (such as Post-Traumatic Stress Disorder [PTSD], depression, anxiety, and paranoia). In addition, the Civil Party Lawyers asked about specific situations and the degree to which trauma consequently resulted. Mr. Victor Koppe, the Defense for Nuon Chea, objected frequently, claiming that the Civil Party Lawyers did not attempt to establish a proper foundation in terms of the expert's clinical expertise. In his view, the Civil Party Lawyers proceeded to inquire on specific scenarios that the expert may or may not have had an adequate basis to testify. This demonstrated some confusion among the lawyers concerning the scope of Dr. Sotheara's testimony. The Civil Party lawyers questioned Dr. Sotheara about his personal clinical experience with patients, not as a scholar who should be testifying about the vast and clear body of literature regarding Khmer Rouge's effect on mental health in Cambodia. While the former certainly pulls from a large pool of information and narrative, the latter is probably most effective because it is based on established, published evidence that is much more vast and clear.

While there is a huge body of statistical information collected from Cambodia on trauma-related mental health, and some of it has been accepted as evidence in the Court, the Civil Party lawyers ignored such evidence in their questioning. The Civil Party Lawyers and Prosecution did not appear to question Dr. Sotheara's clinical knowledge to produce hard numbers and facts–quantitative data that would have supported previous testimonies about psychological hardship during the Khmer Rouge. Instead, the questions for Dr. Sotheara required qualitative answers, which from an expert,were not as strong as the accounts from the victims themselves. Dr. Sotheara's answers regarding psychological impacts that occurred from certain situations were usually not supported by other studies, but just Dr. Sotheara's narrative. Dr. Sotheara did not mention established statistical evidence on Cambodian mental health after the Khmer Rouge, because he was not asked about it. In the end, the Civil Party Lawyers and Prosecution did not point to any specific studies that Dr. Sotheara had worked on to produce hard, quantifiable data concerning the mental health of the Khmer Rouge victims.

Furthermore, the Civil Party lawyers and the Prosecution did not establish a baseline with mental health. They did not ask questions such as “How do psychiatrists assess symptoms of anxiety related to traumatic experience?”, “What is the Diagnostic and Statistical Manual of Mental Disorders (DSM) and how is it used?”, and “What are some of the outcomes from studies done in Cambodia and/or in Cambodian refugees?” to facilitate the Court's understanding of the expert testimony. The specific questions on Dr. Sotheara's clinical experience did not appear to provide the necessary background knowledge on mental health.

Mr. Koppe, the Defense Lawyer for Nuon Chea, vied for more time for questioning Dr. Sotheara on his potential bias against the Defense, qualifications, studies, and methodologies in his research. Both the Defense and the Prosecution were allowed more time to question Dr. Sotheara the next day. On June 6th, the Prosecution took a different line of questioning by referring to some of Dr. Sotheara's studies. However, the cross examination of Mr. Koppe undermined this testimony. Dr. Sotheara was forced to say that he was not a doctor in the academic sense, because he had not received his Ph.D yet, and was in the process of receiving his doctorate degree. In his questioning, Mr. Koppe kept referring to statistics that undermined the psychological impact of the Khmer Rouge on Cambodians. The

Prosecution and Civil Party lawyers failed to object, and Dr. Sotheara did not correct Mr. Koppe's use of the statistics either. Mr. Koppe also attacked Dr. Sotheara's neutrality as an expert witness, because he was also a victim of the Khmer Rouge. This showed that perhaps other experts, like Dr. Joop de Jong or Dr. James Beohnlein may have been a better expert witness, because there would have been no possibility of bias.

Before adjourning the Court on June 5th (after the Prosecution's examination of Dr. Sotheara), the President asked Dr. Sotheara to refrain from switching to English during his testimony. In a discussion with Dr. Sotheara before his testimony, Dr. Sotheara had expressed his decision to use English for some psychiatry vocabulary because he felt that his testimony in Case 001 was distorted by the translators' misuse of words. Dr. Sotheara was not sure whether the translators had some background knowledge about mental health for his expert testimony in Case 002 and did not want to risk his testimony being misunderstood again.

Although the court recognized the victims' psychological suffering in the Civil Party hearings, the questioning of the expert highlighted key areas for improvement. The purpose of the expert testimony of Dr. Sotheara was to clarify the nature of the mental trauma that resulted from the atrocities of the Khmer Rouge period. Unfortunately, the Civil Party lawyers and the Prosecution questioned Dr. Sotheara more along the lines of a lay witness–asking him for narratives, not numbers, and assumptions, not facts–and when Dr. Sotheara was being cross-examined on his qualifications, the Civil Party Lawyers and the Prosecution could not adequately prevent an attack on his credibility or rehabilitate his testimony. In retrospect, the scope of Dr. Sotheara's testimony could have been better defined and the lawyers could have utilized the established literature on the effects of the Khmer Rouge on mental health in Cambodia.

To respect and incorporate the emotional sufferings of victims in the search for justice in international courts, lawyers should be trained to effectively question expert psychiatrists and clinicians and learn the language of psychiatry and psychology to better use the expert's knowledge. Lawyers should also be educated to establish the expert's credibility and rehabilitate the expert's testimony when it becomes confusing or weak. Expert witnesses–especially those who do not have much experiencein a court–should also be allowed an information session or even a meeting with their lawyers for general questions. Furthermore, translators in international courts should study specialized vocabulary in psychiatry and psychology for better communication when hearing from a mental health expert. Background education on mental health and psychiatry for Court Judges and lawyers would facilitate the understanding of mental health expert testimony as well.

The Court's questioning of Civil Party Mrs. Bay and the expert witness Dr. Sotheara demonstrated that while the ECCC has made important strides in acknowledging victims' mental health, there is much room for improvement in addressing the psychiatric community's value to the international criminal justice enterprise.

It is important for international criminal courts to recognize the staggering increase in the prevalence of mental health disorders in post-conflict settings and the enormous impact that skewed statistics have on individual and societal functions. To incorporate psychological sufferings in the quest for justice, international criminal courts must improve the skills of their court staff and processes during the expert testimony in mental health.

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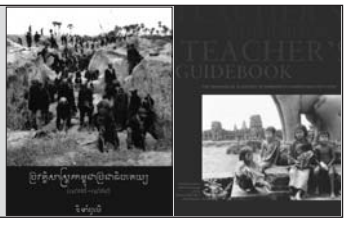
READING HISTORY OF DEMOCRATIC KAMPUCHEA

A History of Democratic Kampuchea 1975-1979 and Teacher's Guidebook can be downloaded at http://www.d.dccam.org/Projects/Genocide/Genocide_Education.htm



THE EFFORT TO INVENT S-21 WOULD HAVE BEEN FAR TOO COSTLY FOR THE VIETNAMESE

David Chandler

I began reading documents from the Tuol Sleng Museum of Genocidal Crimes in the early 1990s, and since that time I have read thousands of them, and I have also given many talks and seminars about the museum and the Democratic Kampuchea (DK or Khmer Rouge) prison, known under Pol Pot as "S-21," that used to occupy its grounds. In my book, Voices from S-21, I summarized my research, drawing on these documents and on interviews with survivors of the prison, and with people who had once worked there. Since then I've familiarized myself with other data about the prison, especially the wide range of materials that became available at the Khmer Rouge Tribunal formally known as Extraordinary Chambers in the Courts of Cambodia (ECCC).

On several occasions in the 1990s, and less frequently since then, Cambodians suggested to me that S-21 was invented out of whole cloth by the Vietnamese, so as to blacken the reputation of the Cambodian people and to indict them en masse for genocidal crimes. None of the Cambodians who spoke to me could be considered a "Khmer Rouge".

I always replied to them that that their suggestions were mistaken. The effort to invent S-21 would have been far too costly for the Vietnamese, and far too complicated. In 1979-1980 the Vietnamese did not have the resources to compose the tens of thousands of documents discovered in the S-21 archives (as well as thousands of others related to S-21, discovered elsewhere in Phnom Penh after the Vietnamese withdrew, and others still that came to light in the 1990s). By mid-1979, when several Cambodian scholars and survivors were working in the S-21 archives, the Vietnamese had no time to invent the names and backgrounds of workers at the prison, to fake the overwhelming photographic evidence of victims, and to invent biographies for the survivors and former workers at the facility. Moreover, had they ever tried to mount such an operation, it seems likely that someone who participated in it would have talked about it, especially after the Vietnamese withdrew their forces in 1989.

Piles of paper documents left behind after Democratic Kampuchea regime collapsed. (Photo: DC-Cam)

To be sure, the impetus to turn Tuol Sleng into a museum of genocide came from the Vietnamese, under the guidance of a Vietnamese army colonel named Mai Lam, who has recently died in Ho Chi Minh City. Mai Lam was interviewed on several occasions in the 1980s and 1990s. He said he was proud of his work in turning the site S-21 into a museum of genocidal crimes. He was also happy to have turned the killing fields at Choeung Ek, where over 10,000 prisoners at

S-21 were executed, into a terrifying tourist destination.

Mai Lam worked with what he found in Cambodia after 1979, which is to say evidence of mass interrogations, torture and executions that were fastidiously documented, and thousands of photographs of victims, Hundreds of these have been identified by family members, who have also had access to the written confessions.

The Vietnamese established the museum at Tuol Sleng in 1979-1980 for several reasons. In the first place, I believe, it was important for them to base the legitimacy of their presence in Cambodia, and the legitimacy of the People's Republic of Kampuchea (PRK) government, on the fact that they had freed Cambodia from what they called the "genocidal clique" of Pol Pot and Ieng Sary, who were tried and condemned to death in absentia in August 1979. It was also important for the Vietnamese, and for their allies in the Soviet Bloc, to distance the Vietnamese Communist party, and its Cambodian counterpart, from the communist regime of Democratic Kampuchea. It was important for the Vietnamese and the PRK to label Democratic Kampuchea a "fascist" regime, like Nazi Germany, rather than a Communist one, recognized as such by many Communist counties. Finally, it was important for the Vietnamese to argue that what had happened in Cambodia under DK, and particularly at S-21, was genocide, resembling the Holocaust in World War II, rather than the systematic assassinations of political enemies that at different times had marked the history of the Soviet Union, Communist China, and Vietnam.

The Vietnamese organized S-21 into a museum, using the massive documentation that had survived at the site. Similarly, they turned Choeung Ek into a tourist destination after exhuming thousands of bodies there. In neither case did the Vietnamese invent an institution. Instead, the documents from the S-21 archive, the photographs of prisoners, the interviews that have been conducted with survivors and former workers at the prison and the overwhelming evidence presented at the ECCC trial Duch of all convince me that between mid-1976 and January 7, 1979 S-21 was a completely Cambodian institution, serving the purposes of the terrified and terrifying leaders of a terrified and terrifying Cambodian regime.

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Mai Lam (left), a Vietnamese expert who helped establish Tuol Sleng Museum, posting a picture with Cambodian officers and a lady who was a former Khmer Rouge cadre in the 1980s in Kandal Province. (Photo: Tuol Sleng and DC-Cam)

WEALTH OF FORMER KHMER ROUGE LEADERS TO PAY FOR TREATMENT OF MENTAL SUFFERING?

Daryn Reicherter and Gerald Gray

Following the death of Ieng Sary, questions about the possible use of moneys from former Khmer Rouge officials have been raised. Should the extravagant wealth of the perpetrators of crimes against humanity be used to ameliorate the mental suffering that they caused? Youk Chhang, director of the Documentation Center of Cambodia, said "Ieng Sary possessed an extraordinary amount of wealth that could have alleviated the suffering of many Cambodian genocide victims. In practical terms, he possessed enough wealth to build a national mental health centre for the victims."

It is an interesting idea at the very least. And there is justice in it. The wealth of the perpetrators could be used to support the treatment of the victims.

According to a recent Fordham Law School review of the Government Mental Health System in Cambodia, about $US30,000 is allocated to mental health from a total health care budget of $US 150 million. That is only about 0.02% of the total health budget! Meanwhile, trauma related mental health treatment needs are very high in Cambodia, where the prevalence of post traumatic stress disorder and other trauma related mental health disorders is among the highest in the world. The National Mental Health Program must treat all psychiatric disorders (not only those caused by trauma). Non-government mental health providers compete for very limited funding in the form of grants from international donors.

Meanwhile, we learn that Ieng Sary, had an account that was worth $US 20 million. His wealth is so elite that in just one of his accounts there is more than 600 times the money in the annual budget for mental health. His wealth is not difficult to trace. To really emphasize the point; the Land Cruiser this former Khmer Rouge leader enjoyed driving is worth roughly the whole annual budget for mental health in the Kingdom of Cambodia.

The overwhelming impact of trauma related mental health continues to plague survivors of the Pol Pot genocide and has a significant impact on subsequent generations. There is growing interest in the development of improved advocacy, education, and clinical services for trauma related mental health issues in Cambodia, but little money to fund that. The Victims Unit of the Extraordinary Chambers in the Courts of Cambodia has asked for mental health services as reparations for suffering (an unprecedented request historically for the International Criminal Court).

The Cambodian government and the ECCC have discussed mental health as reparation for war crimes. But the question has continued; "Who should to pay for that?" Perhaps, in the discovery of the elite wealth of the defendants, we have the answer for this question.

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NAZI AND KHMER ROUGE ARE BEYOND COMPARATION

Director Youk Chhang talks to Dr. Helmut Berg, Coordinator and Public Affairs Officer of Oikocredit, a microfinance institute in Austria, about view on the meaning of past history relating to the current election campaign. Dr. Berg is an interviewer.

Q : Elections on July 28. A demonstration was organized in Phnom Penh with a survivor of the Khmer Rouge Regime. It seems that the ruling Peoples Party shows interest to remind Cambodians of their past. Is this content (only) an election campaign theme? And what is your opinion to this issue?

A : The past is not just an election theme, it is an ongoing national theme that is often inappropriately politicized by all political parties. While it is important for Cambodians to remember the past, and we carry a solemn oath to educate the younger generation about what happened and why, we must not allow the past to frame our present. Survivors lived a genocide already, and it is not right to remind them of it year after year to validate a vision or legitimize a political order. It is also unfair for anyone to assume that one party, government, or group can save a country. Countries are saved by the sacrifice, hope, and resilience of many actors and one should recognize the danger of identifying a single party, government, or group as the sole basis for a society's post-conflict prosperity and peace. Cambodians are a gentle people that are accustomed to paying respect, homage, and gratitude to people who help them. For this reason alone, we should devote our energy to supporting policies not people, and institutional processes, not parties-because it is policies and processes that guarantee a society's future. Leaders cannot lead forever and all political parties carry the seeds of ideological solipsism. The search for the truth should never be politicized and victims deserve to have a sense of closure. This is why I support the Extraordinary Chambers in the Courts of Cambodia (ECCC or known as the Khmer Rouge Tribunal) because it may be one of the most important instruments for achieving this sense of closure for victims.

Q : Do politicians in common tend to refer to the past or don't they? Could this be a chance to work through the past and learn to cope with traumatic experiences?

A : It is common for politicians to refer to the past, if not directly then at least by suggestion. Indeed, politics and history are interconnected, because to have a conversation about one inevitably requires an interpretation of the other. But references to the past do not have to always emphasize partisanship or division. We can also use the past to unify a people and stimulate the processes that can make distant visions seem possible and clear. History must be the starting point for all post-conflict society rebuilding and it is necessary for politicians to refer to the past as part of their vision. Indeed, a society can hardly solve the problems of today if it cannot even have a candid discussion on the problems of the past. But the past is only one piece of the transitional justice puzzle and countries must not see themselves as victims forever.

Trauma is certainly a shadow on post-conflict societies. Indeed, it causes many post-conflict societies to see the world in black and white. It is common to see countries sway between anger and hopelessness, and vengeance and disengagement. It is for this reason that we can say that one of the most difficult problems of all post-conflict socities is the simple issue of balance. It is hard for victims to see past the recent trauma of seeing loved ones killed and for perpetrators there is an undying sense of shame and or in some cases utter delusion for being so far removed from humanity.

And this is where process-oriented outcomes is the key ingrediant. Dialogue, education, and an ever-evolving outlook that is forward-leaning must balance

our instinctual urge to see the world in black and white.

Q : In Cambodia of today: Are people still on power, politically or economically who played roles in the Khmer Rouge regime? If yes, how do you and Cambodians feel about it? (I am asking this, because it was a big issue in Austria and Germany after WWII. Some judges, medical doctors, scientists and politicians managed to camouflage their past and: the new government needed experts).

A : Cambodia is no different than any other post-conflict country in the sense that there are former Khmer Rouge in all areas of society, from government and NGO, to religious institutions and common citizens. Cambodians are well aware of this and it is for this reason that it is imperative to have some closure to the justice process. By bringing a sense of justice to victims, the Khmer Rouge Tribunal will help provide some closure to this horrible history and allow society to move forward.

Q : Your independent search for the truth stands under the slogan "memory and justice". Some people tend–for many reasons–to fade out traumatic experiences. Is there something that could be called the art of forgetting? And how do you feel about it?

A : The proper word would be a science of forgetting because there is no art to this process. While the wounds may be mental, they are no less connected to the world of scientific diagnoses and treatment. My search for the truth is based on the slogan memory and justice, which are concepts that are predicated on dynamic healing processes. Memory refers to education and justice refers to research. Memory must never be static; rather it must reflect a constant process of teaching what we know about the history to the next generation so that the history is never forgotten. Education becomes a process of ensuring that those who died did not die in vain and those who survived are honored and respected. Justice cannot be achieved without research and so this is why the concept is predicated on the unending effort to expand our understanding of what happened and why. Long after legal decisions are rendered, justice can be achieved through unending research into the history, which brings light to the inhumanity and provides greater meaning to those who suffered.

Q : In Austria-even so many years after WWII, the Nazi-cruelties are still a matter of concern. Many people are aware of our past. Have you heard of Simon Wiesenthal, founder and director of the Austrian documentation center of Nazi- crimes?

A : I never heard of Simon Wisenthal until 1998. I was introduced to his writings and experience by a Dutch official in Bangkok (Ambassador Laetitia vanden Assum) and shortly thereafter I read up on his biography and work. In terms of our lives however, while there may have been parallels between our backgrounds, we emerged from two different worlds. Simon Wisenthal suffered as an adult during the Nazi regime, and I was a mere boy (aged 13) during Democratic Kampuchea.

Q : Like you, Simon Wiesenthal has been a victim. He survived Nazi terror and concentration camps and after the war he helped to bring many offenders to jail. His motto was: justice, not hate. Does this motto sound familiar to you and would it work for Cambodia?

A : Yes, justice is absolutely the most important aspect and hatred is always the wrong answer.

Q : Can these systems (Nazi and Khmer Rouge) be compared?

A : They are beyond comparison. One should never compare historical periods, regimes, or mass atrocities because the mere process of comparison carries the same tones of categorization that such mass atrocities were based upon. It is impossible to compare one's suffering with another person's and at a national level one this holds the same.

Q : You are co-editor of "Cambodia's Hidden Scars". Should people be encouraged to show their scars, both their physical scars and those in their souls? And could this sometimes become a second torture? I would like to learn more about pros and cons of the "hidden scars" philosophy.

A : We never encourage individuals to speak out in our programs. The critical need in post-conflict societies is to create the opportunities for individuals to engage in different processes for healing, but ultimately it must be their choice on how to confront

their scars and when. Many people are encouraged to get involved in our programs because they find closure in the act of speaking about their experiences. But there are others who also wish to just listen quietly and think. Some people wish to go to the ECCC to see the trial of the accused, while others are comforted by the fact that they know how or where their loved one died. The act of healing can take many forms and the critical task is not to encourage people to specific processes or activities, but merely provide the opportunity and let them decide. Encouraging people to one process or activity, or asking people to get involved is not only inappropriate but it is dehumanizing, because it carries the air of superiority. I often say that a film cannot truly film genocide; a book cannot really capture the experience of genocide; and no single process of healing, closure or education can address the trauma that was rendered on the soul of a human being. We mislead ourselves if we think we can really translate the genocidal experience into a single medium or the healing process into a single instrument or activity. It is in this sense that people who suffer from trauma do not need to be told what is the best way to heal and our mission has always been defined by this ethos.

Q : How do people in Cambodia deal with reconciliation and forgiving? Is it really possible? In post-Apartheid-South Africa this movement was mainly carried by Christian-religious believes.

A : People in Cambodia approach reconciliation and forgiving in far different ways than other societies. Subtle acts of kindness, generosity, and respect are the common ways that perpetrators today seek to communicate their desire for forgiveness to victims. I know of one example where a well-known former Khmer Rouge cadre (and perpetrator) would often bring water to a victim and offer subtle, but often deeply-sincere gestures of kindness. To a foreigner, these subtle acts of kindness would barely seem notable but between the victim and perpetrator they are symbolic acts of apology, and the victims's acceptance, in turn, signify a sense of forgiveness.

Religion is a commonly cited part of Cambodia's struggle to achieve reconciliation and forgiveness, but it is important that we also recognize the vast spectrum of other pieces to this struggle. Between 1979 and 1984, acts of vengeance were perpetrated on Khmer Rouge who still remained in Cambodia, and while these acts slowly dissipitated, we would be mindful to note that the animosity against perpetrators has not disappeared. In many communities today, victims live side-by-side with perpetrators. There are some communities where a victim even knows who killed his or her loved ones, so what prevents them from committing the same act on the perpetrator? While some have often claimed it is the Buddhism, I believe this is only one piece. Improvements in one's economic circumstances and an overall interest in a peaceful community serve as powerful incentives to simply forgive the perpetrators. In addition, it is hard when one is raising one's family while harboring hatred and when one sees and communicates with the children and grandchildren of perpetrators, the urge for vengeance weakens. In sum, religion is an important aspect to Cambodia and all societies but economic prosperity, community stability, and the love of one's family and hope for the future serve as powerful pieces of the process of forgiveness.

Q : Is religion in Cambodia a theme concerning dealing with the historic past in order to help people? Religion is always suppressed under communistic regimes.

A : People try to use religion for example in trauma treatment because it is a way of life and it holds many important values for guiding the resolution of conflict. However, religion is not the main theme in Cambodia. Development is more important. Since 1979, more than 4,000 Buddisth pagodas, 300 mosques, and a variety of Christian denominations were established, yet Cambodians still have problems.

Q : How about revenge? I can imagine that forgiving is not easy at all. If my neighbor tortured or killed one of my family members it is hard not to think of revenge. I guess you lived to see many cases like this.

A : Between 1979 and 1984, there were many acts of revenge by victims on former Khmer Rouge. Victims identified all Khmer Rouge as evil and so random acts of violence (as well as targeted acts) were perpetrated throughout the country. Many Khmer Rouge fled the

country to Thailand or other countries, only to return as a political force with renewed energy, but the same mentality. But time proved to be the ultimate ingrediant to the cycle of violence. Over time, victims had second thoughts about their urge to avenge loved ones. As victims and perpetrators settled into a sense of a normal life, and family life took over, the urge to take action against former Khmer Rouge dissipated. But even if victims and perpetrators moved on with new lives, the lack of closure to their old life continues to harbor problems today, both in terms of post-traumatic stress as well as animosity, anger, and mistrust. This is why still today, despite the many problems at the ECCC, about 80 percent of Cambodians support the justice process at the ECCC.

Q : You survived situations, unthinkable for most of us. How did you personally manage feelings like revenge, if I may ask?

A : In 2007 I published a piece A Thief of History, in which I described my encounter with young thief who attempted to break into my apartment. He was a small boy, no more than 12 or 14. I chased him and as he attempted to climb down from the terrace I caught his hand. As I stood there, gripping his bony hand, part of my past flashed across my mind. It was a memory from the Pol Pot time, when as a city kid, I was forced to live in the countryside, like many other millions of city dwellers. I did not have many survival skills, but hunger drives you to learn quickly. For example, I taught myself how to swim, so that I could dive down and cut the sweet sugarcane growing in the flooded rice fields. And I learnt how to steal food, how to kill and eat snakes and rats, and how to find edible leaves in the jungle. When I caught his hand, the small thief triggered memories of how much I suffered under the Khmer Rouge, and it made me think too about why he was trying to break into my apartment. Perhaps he was hungry. I saw myself in his hungry face.

It is understandable for people to have feelings of anger over what happened during the DK regime, but coming face-to-face with former perpetrators (like this little boy) you cannot remove yourself from their humanity.

Q : Coming back to the example of Simon Wiesenthal, he was sometimes accused for his survival. (Mainly by people who disliked his search for the truth) People said, only collaborators could survive concentration camps. Did people ever raise such a topic against you? I can imagine how painful such an accusation must be.

A : People never did accuse me because perhaps I was a child during the DK regime (about 13 years old). People today do not always agree with what I do, but I stand by what I do because I want everyone to find their own personal truth and meaning in this history. The process of finding memory and justice is a national process that must be personalized by each and every person in Cambodia.

Q : Today's younger generation of Cambodia: How do they learn about their history and how active is your documentation center in educational work?

A : Today's younger generation primarily learns history at home and through their teacher. While Cambodia has made incredible strides in public education, the home still remains a critical source for information about the past. Documentation Center of Cambodia (DC-Cam) actively engages these institutions through its genocide education program in which it partners with the Ministry of Education, Youth and Sport to support a nation-wide curriculum on the history of Democratic Kampuchea. In addition to public schools, DC-Cam is active in promoting genocide education through public education forums, newsletters, magazines, and radio. Through a variety of media, DC-Cam is ensuring genocide education is taught in every home, school, and community.

Q : Please, I would appreciate, if you could add some sentences that you would like to say about you and your work.

A : My story is not important. My mother and I were fortunate to have survived the Khmer Rouge period. We have better food to eat today and a better life and I find personal fulfillment and meaning in meeting so many survivors, many of whom still suffer in poverty, mental health problems, and debilitating injuries. My work is to represent them not my story.

A PAINFUL LIFE DURING DEMOCRATIC KAMPUCHEA

Kim-Leng Lim

I was born in April 1936, at Rokar Kaong village, Muk Kompoul district, Kandal Province, about forty kilometers north of Phnom Penh. In 1953, I met and married my husband, Kim Heng. He was twenty-three years old, a young, handsome custom agent. Together, we had six children, three girls and three boys. My oldest child, a girl named Thida, was born in 1955. Two years later, my second daughter, Chenda, was born. After the birth of Chenda, I had three sons born two years apart. They were: Kunthea, Rithea, and Kunthy. My youngest child, a girl named Kuntheary, was born in 1968.

As a custom agent, my husband moved around a lot. Hence, our residences were wherever he was assigned to work. I remember the first place we went to was Krek, a border town in Kompong Cham province. Krek was located near the Vietnamese border. It was also where my first two children were born. Afterward, we moved to Ba Phnom (near Neak Loeung), then to Phnom Den, Takeo, another border town near Vietnam. After Phnom Den, we moved to Kampong Som, and many other places in between which I could not recall. But the last place where my husband and I lived before coming to settle down permanently in Phnom Penh in 1970 was Poipet, a town located near the Thai border.

Our house in Phnom Penh located near the Ambassade Hotel (presently General Department of Taxation). During the Khmer Rouge's siege on Phnom Penh in 1975, my home was within their artillery range; so we moved to seek shelter in the Onalom Pagoda. In the morning of April 17, 1975 when the Khmer Rouge took over the government in Phnom Penh, we returned to our home. There, we met a few of our distant relatives who had been displaced by the fighting. Not knowing what to do, we decided to stay inside the house and waited for events to unfold. Late in the afternoon, we heard a knock on the door and some sorts of commotion

Kimleng (center) lived in the Thai refugee camp in the early 1980s along with her husband Tang Sinoeun (left), whom she wed during Democratic Kampuchea. Tang Mette or "Rithea" was Kimleng's only surviving son but he died in a shooting accident in Long Beach in 1989, turning Kimleng's life into one of "indescribable pain." (Photo Courtesy of Chhay Chanda, author of War and Genocide: A Never-Ending Cycle of Human Brutality)

outside. My husband went to answer the door, and he was confronted by a few Khmer Rouge soldiers who went around ordering everyone to evacuate the city immediately. They told us that we would be leaving the city for only a couple of days. Thus, there was no need to pack up too many belongings. In a panic, my husband and I took the Khmer Rouge words literally. We left immediately without taking provisions for long term stay.

Including my mother and son-in-law, Thida's husband and her new born baby, there were eleven of us plus five other extended family members in total. We loaded all our belongings into two cars and started heading westward along the Russian Boulevard. At first, we drove the cars slowly amidst the sea of people. After a while, it became impossible to drive the cars along the congested road. Hence we pushed them along slowly. By the time we reached the road junction leading to Takeo province, we decided to spend the night there because it was too dark to continue on our journey. We stayed there for a few days to ponder where to go next. At that time, the Khmer Rouge authority ordered us to relinquish our cars. So from that point on, we had to carry everything on our backs. Both my husband and son-in-law were from Takeo province and we were thinking of going there. However, my husband was concerned about his background as a custom agent, which might do us more harm than good due to the fact that the Khmer Rouge had begun to round up former regime's officials.

As a precaution, my son-in-law volunteered to go to Takeo to check things out if we could go to live there. While my son-in-law went to Takeo, the Khmer Rouge ordered us to move further down National Highway 4. My son-in-law was separated from us at that point. After several miles of traveling, the Khmer Rouge authority directed us to go along a dirt road leading westward. Along that dirt road, we saw a lot of corpses, probably soldiers who were killed during the waning days of fighting. By evening, we arrived in a village and prepared to spend the night there in the premise of a pagoda. Just as we were about to settle down, the Khmer Rouge authority came and ordered us to return to the place where we had just left. Therefore, we retraced our steps back to Highway 4. Mind you, we were not the only family that was being ordered to move about. Hundreds of other people had to undergo the same fate. We walked into the night, and it started raining which forced everyone to seek shelter under the trees, or abandoned houses, or whatever shelters one could find. By dawn, before the sun was even rising up, the Khmer Rouge went around and ordered everyone to move again. We walked for several hours and, by noon, came upon a number of Khmer Rouge's transport trucks. The trucks' drivers, presumably Khmer Rouge soldiers, asked us where we were going. My husband told them that we had no specific destination. Thus, they offered us a ride out to the countryside. At that point, we gave up hope of returning to Phnom Penh and were desperate to get out of the mass of people who were being herded around like animals. We boarded one of the trucks along with a few other families. The truck took us along Highway 4 for about ten kilometers, then, turned right onto a dirt road. I didn't know where we were heading; but, according to direction from the sun, we were going southwestward of Phnom Penh. The truck took us to a small rural village where there were many other evacuees being sent. We were left there to fend for ourselves. That night, the Khmer Rouge cadres came to register our names and told us that we would be sent to settle in the village of Tropang Chaphlong.

The next day, we walked to Tropang Chaphlong. We settled there for a few months during which Thida's newborn baby died because of lack of nutrition. Then, the Khmer Rouge ordered us to prepare to move again to a new location. One evening, we saw a lot of oxcarts coming to transport us to the new location. We traveled throughout the night. By about 8 o'clock in the morning, we arrived in the old city of Oudong. My mother was separated from us at that point as she went to visit Rokar Kaong while the Khmer Rouge was moving us to a new location.

Upon arriving in Oudong, we saw hundreds of thousands of people being gathered there. There were rows of transport trucks waiting to take us further. We boarded one of the trucks. As soon as the truck was filled to capacity, the drivers took off along National Highway 5 toward Battambang province. Our truck made occasional

stops to let us take biological break. We spent one night along the way before the truck finally took us to Phum Prey Svay of Mong Reusey district in Battambang province. We were told to get off at that point and travel further on foot along a dirt road to our new resettlement location, which were located near the village of Cham Ro-ah.

Our new settlement was a barren field. Everyone had to fend for him or herself. There were at least 100,000 people being dumped there. Immediately, we started to clear land and build huts for our shelters. A few days later, the Khmer Rouge authority ordered us to clear forested land to grow cassavas or make rice fields. We were organized into mobile work groups. My husband was sent to clear forested lands while my older daughters and sons were sent to work in the rice fields some distance away. Even my youngest son and daughter, Kunthy and Kuntheary, were put to work doing some chores in the rice fields as well. I was allowed to work near the village, thus I had a chance to return home every evening. I rarely saw other members of my family except for my two youngest children who kept running back home every now and then.

Cham Ro-ah was a tough place to eke out a living. There were not much natural resources to help sustain our lives. People started to die of starvation from the day we arrived. Each day, several people died.

A few months after our arrival in Cham Ro-ah, my older sons, Kunthea and Rithea along with one of my nephews, decided to run away from their work brigade and return to our hometown in Muk Kampoul, Kondal province. It was such a foolish attempt since the distance between Cham Ro-ah and Muk Kampoul was at least one hundred miles. However, they were able to make it as far as Krokor, Pursat province, where they were arrested by the Khmer Rouge authority and made to work as slave laborers among the local people. I learned of their plight only after the Vietnamese captured Cambodia in 1979 when I reunited with Rithea, the sole survivor, who told me of their journey. Rithea was able to survive because of a Khmer Rouge soldier taking him to Tonle Sap Lake to work as a helping hand for his fishing unit.

Living condition in Cham Ro-ah was getting worse and worse every day. The smell of death and dying were all around us. People died everywhere. Some died in the fields; some died at home; some at the hospital. Soon, the village became eerily quiet like a ghost town. The people who lived in the huts across from and next to me were all dead.

One day, I saw my little daughter, Kuntheary, arriving home in awful condition. She looked emaciated and appeared to be gravely ill. Because I had to go to work in the field and could not provide any care for her, I told her to go stay with her older sister, Thida, who was also ill and staying at the hospital.

The next day, when I went to visit them at the hospital on my way to work, I saw that my little daughter, Kuntheary, had already died. Thida told me that Kuntheary passed away late last night. It was the hardest thing to see my little girl died in such a horrible condition. I swallowed my tears and went to work as we were not allowed to remove corpse from the hospital. A team of hospital undertakers would take care of the corpse disposal.

Two days later, I went to visit Thida again on my way to work. I saw her keep raising an empty cup to her mouth as if she was trying to drink some water. Thus, I asked her if she would like some water. She nodded her head. I went to fetch her some water and helped her drink some of it.

Upon returning from work, I went by the hospital again to see how Thida was doing. Once I arrived at the hospital, Thida had already passed away. At that point, I was overcome by grief. I sat down beside my daughter's corpse and cried. But there were no tears coming out of my eyes. They seemed to dry out. That evening, my husband returned home to learn that we had lost two children in a three days. He put his arms around me and whispered in my ear telling me to keep my spirit up that our suffering and hardship would not last forever.

Despite our stricken grief after the deaths of our two daughters, we were not allowed to grieve or show any emotional distresses. My husband and I had to return to work as if nothing had happened to us.

A few weeks later after my husband returned to work clearing forests for growing cassavas in a place called Domnak Chaeng, I received news that he had passed away, apparently of a stroke. Though I had doubt of the circumstances in which he died, I had no means of finding

out any other detail except for accepting what I was told.

In shock, I knell down and collapsed right on the spot. Some of my coworkers helped me walk back to my hut and laid me there to let reality sink in. I had lost two children and a husband in a period of just one month. The pain was beyond description. That evening, I found a piece of brown paper, like those used to make groceries bags, and a pencil and began to write a poem to alleviate my pain. It went like this :

Droplet of tears rolling off my eyes Like the gentle flow of a drizzling rain; In the still darkness of a starless night, I sit alone crying in pain. The thought of you brings back the past And the warm embraces of your caring hands; Now that you're gone my heart's crashed Shattering to pieces like the grains of sand. The silent sorrow and utter anguish Over the loss of your loving care, Leave me forever lost in loneliness With a hapless life deep in despair. Still, I live on stricken with grief Struggling each day to stay alive; In the savage world, I fight to live With only faint hope staying by my side.

After my husband's death, I was sent to work clearing forests for cassava farming deep in the jungle. At that point, I had two children left, Chenda and Kunthy, but had no idea whether they were still alive as we went to work in separate locations. During my stay in the jungle, our diet was rice porridge mixed with cassava tubers, the kind of food which usually used for feeding pigs. But, because of the scarcity of food, we had to eat that kind of stuff to survive.

A few months after going to work in that jungle camp, I had a severe diarrhea which made me unable to perform the hard work of clearing land. I was too weak to be of any use in that camp. So the camp leader sent me back to the village to work as weaver with elderly women.

There were not many people left in the village. It was eerily quiet. I went to my hut and saw one little girl hanging around. The rest of my neighbors were all gone, presumably dead. Because of the shrinking number of people, the village authority ordered residents to relocate their shelters around the communal center so that it would be easier for the Khmer Rouge cadres to oversee everyone.

After I had returned to work as a weaver in the village for several months, the Khmer Rouge cadres forced me to remarry. Mind you, the Khmer Rouge did not allow people to choose their prospective partners. Whenever the Khmer Rouge cadres felt like marrying someone, they just paired people up and told them that they were getting married. In my case, I was told by my coworker named Yeay Nget to report to the communal center. When I arrived there, I met with the communal chief and a couple of soldiers. They told me that they would like me to marry a Mr. Cheang, a thuggish and mean-looking man. After learning that the Khmer Rouge cadres planned to marry me to Mr. Cheang, my heart sank. I tried my best to find excuses to stay away from that forced marriage. I begged them to give me some time to think about it as my husband had just died less than a year ago. At that point, the soldiers, who were probably messengers making their round to disseminate directives to local cadres, told me that they will let me think about it until they return from their mission, then, they would marry me to Mr. Cheang.

After giving me their ultimatum, the soldiers ordered me to go back to work. I walked back to my workplace in tears. Yeay Nget, who was anxiously waiting to learn about my meeting with the communal chief, came to enquire my situation. I told her about the cadre's plan to marry me with Mr. Cheang, and that I had no choice but to accept their order when the two soldiers returned from their mission.

Yeay Nget was shocked to learn of my predicament, for she knew that Mr. Cheang was not only a thuggish and uncivilized man, he appeared to have a penchant for violence as well. Once I became his wife, it was very likely that Mr. Cheang would mistreat me.

In a frantic search for solution to my plight, Yeay Nget went to see her son, Nhor, who was a supervisor of the communal blacksmith's team. Working under Nhor was a disabled man named Mr. Sinoeun whose wife and children had all died of starvation. Mr. Sinoeun was a physician who had been evacuated from Phnom Penh as

well. Everyone in the village called him the cripple, and he lived alone near the blacksmith's workshop which was located at the far end of the village. In a rather elaborate scheme, Nhor proposed that I marry Mr. Sinoeun before the soldiers' return so that their plan to marry me with Mr. Cheang could not materialize.

After I gave my tacit agreement, Mr. Sinoeun came to see me and told me that he knew of my plight and agreed to Nhor's proposal just to save our dignity. "Once this Khmer Rouge tyrannical regime collapsed, we should be free to go our separate ways if we so decide." Mr. Sinoeun made his statement as if he knew that our calamity under the Khmer Rouge would not last. At that point, we all agreed to go along with the scheme.

Nhor had a brother who was a district chief. Hence using his political connection, he obtained necessary permission and arranged to have Mr. Sinoeun and me married two days after we agreed to the scheme.

Our wedding ceremony was unique in a sense that instead of the usual Khmer Rouge's mass wedding, there were only a few couples, receiving the blessing. Nhor and a few other communal notables set up a table under a large farm house built on stilts. Behind that table hanged a large communist flag with the sickle and hammer logo on it. Mr. Sinoeun and I stood in front of the table while Nhor and the other Khmer Rouge cadres sat behind it reading decree concerning our duty and commitment as husband and wife to the Khmer Rouge's cause. I must tell you that it was a sad and solemn wedding–a kind of wedding that would haunt one for the rest of his or her life.

A few days after I got married, I was sent back to work in a camp away from the village again. In this new camp, I was assigned to work in the rice fields, planting or tending the rice shoots. Once again, I fell ill after spending a few months in the camp. It was diarrhea again. After my diarrhea got out of control, the camp leader sent me back to the village. Upon arriving home, Mr. Sinoeun, my new husband, carefully examined my condition and, without saying a word, pulled his crutches and went to see one of the Khmer Rouge's cadres who were in charge of running our commune. He returned home some time later bringing me some medicines and a coconut. After taking the medicines and drinking the coconut juice, my condition started to improve and within a couple of days, my diarrhea has subsided.

After recuperating from my illness, I asked Mr. Sinoeun how and from where he got the medicines and the coconut given the scarcity of such items. To my absolute surprise and horror, he told me that he used his medical skill to help cure an influential Khmer Rouge cadre's son of a serious illness. As a gesture of gratitude to him, that cadre kept his silence about Mr. Sinoeun's background as a physician, which was a death sentence in the Khmer Rouge's regime. And the medicines and the coconut were given to him by that influential cadre as a returned favor.

I spent several days in the village to recuperate from my illness. Afterwards, I returned to work in the camp. Because my stomach was so susceptible to diarrhea, I tried my best to watch out what I ate and drank. But it was very hard to be vigilant on our diet as we all ate whatever was fed to us in order to stay alive. Since day one of our arrival in Cham Ro-ah, starvation had been a constant threat to our existence.

During that trying time, my new husband, Mr. Sinoeun the cripple, had been my savior. Because of his disability, no one paid much attention to him. Hence, he was relatively free to conduct extracurricular activities after work. He would make snares to catch myna birds and make traps to catch fish along the shallow creeks and canals. Afterward, he would prepare and smoke the myna birds and fish and secretly send them to me on a regular basis. I think my survival from the Khmer Rouge's ordeals owed pretty much to the ingenuity of this crippled man without whom I would have died a long time ago.

Just to give you an idea of how bad the starvation was during our sojourn at Cham Ro-ah, people were desperate enough to resort to cannibalism. I myself might have inadvertently eaten human meat once when my neighbor gave me a tiny portion of fried vegetables containing a strange-tasting meat in it. After eating it, I enquired her as to what kind of meat it was in the fried vegetables. She told me she did not know. She obtained the meat from a man who lived at the far end of the village. Months later, it was revealed that that man was a cannibal after he was caught

trying to kill a child. Upon searching in his house, people found a few set of children bones burying underneath it.

As a witness to this cannibalistic story, I had learned of at least two credible cases. I saw the evidences and had seen the culprits being led away to be executed for their crimes. In hindsight, my youngest son, Kunthy, might have been a victim of those cannibalistic crimes, for he had disappeared without a trace. If he died of starvation or something, someone would have seen his body.

By late 1978, another wave of people arrived. This time, it was not new people being evacuated from the cities, but a mixed bag of people living in the eastern region of Cambodia near the border with Vietnam were arriving. Through these new groups of people, we learned that a conflict between Cambodia and Vietnam was taking place. Before long, we saw movement of Khmer Rouge's personnel. By late December, we saw an airplane flying overhead. At that point, we felt that the end of our calamity was near.

I remembered the day of deliverance rather vividly. In the early morning hours, I and about ten other women went to thresh rice crops at a location not far from the communal center. At about mid morning, the new Khmer Rouge cadre, a young lady who was sent from the southwestern region to oversee us, called me to the communal center and told me to leave the area. Unbeknownst to me, she had been observing me for some time and felt a sense of kindred with me. She offered me a pair of oxen, an oxcart, and some rice and told me to head back to Prey Svay which was located along National Highway 5. At that point, I knew that the Khmer Rouge had been toppled from power, and that a new chapter of Cambodian history was starting.

I went to tell the other women, who were busily threshing rice crops, of the news, and we all scampered around to collect our family members to head to Prey Svay. As a city dweller, I didn't know how to handle oxen let alone driving oxcart. In desperation, I asked a man named Ret to drive the oxcart for me. That oxcart was a life saver for us because my husband, Mr. Sinoeun, was disabled and could not walk long distances with his bamboo crutches. Thus, we let him ride on the oxcart all the time whenever we moved from one place to another.

At about half way to Prey Svay, we met a contingent of Vietnamese soldiers. The Vietnamese soldiers stopped us to inspect if there was any Khmer Rouge soldiers hiding among us. At that point, my husband was suspected of being a Khmer Rouge soldier because he was wearing a green khaki shirt which the Vietnamese mistook it as a soldier's uniform. Because of our different languages, we had a hard time convincing the Vietnamese soldiers otherwise. But, after seeing that my husband was a disabled person, the Vietnamese soldiers finally let us go.

After reaching Prey Svay and National Highway 5, we decided to go seek refuge in Battambang City which was located about 45 kilometers away. Once we arrived in Battambang, we went to stay in an abandoned building which used to be the provincial department of information.

During our stay at that abandoned building, I met an old acquaintance and two orphan children, a teenage boy named Lonh and girl Pring, whose parents used to live near me at Cham Ro-ah. Because my husband and I lost all of our children, we decided to adopt the two orphan kids and look after them. At that point, Ret and his wife who had been helping us drive the oxcart from Cham Ro-ah all the way to Battambang decided to return to Phnom Penh to look for missing relatives. Since it was rather hard for us to keep and take care of the oxen, we decided to give Ret and his wife our oxen along with the oxcart to be used as a means of transport to Phnom Penh.

A few weeks into our stay at that abandoned building, some Vietnamese soldiers arrived and ordered us to leave the premise. They brought in trucks and told us to climb on board. Afterward, they took us to a village near Mount Sampov and dumped us there to fend for ourselves. Without our oxcart and with a disabled person among us, there was little means for us to move about. We sought temporary shelter under the house of a villager. Adding insult to injury, our rice sacks were stolen overnight.

Just as we were in despair, I met another acquaintance who had brought me the best news in my life. She told me that my younger brother, Thol, was still alive and that he was appointed sub-district chief of Popeal Khae by the

new authority.

Popeal Khae was located on the other side of Battambang City. It was not within walking distance. In order to get there, we had to have at least a bicycle to travel with. Thus, using pieces of a gold chain, we bartered an old bicycle from a villager. With that bicycle, I went to look for my brother in Popeal Khae. After we reunited, my brother arranged to bring all of us from Mount Sampov to live with him.

After we arrived in Popeal Khae for a few months, I learned that one of my sons, Rithea, who had run away with his older brother, Kunthea, and a cousin during the early days of our arrival in Cham Ro-ah, was still alive. He had been reunited with my mother who had also survived the Khmer Rouge's atrocities. They were currently living in Rokar Kaong. Immediately, my brother sent his wife, who could speak Vietnamese, to travel to Rokar Kaong by hitch-hiking on the Vietnamese military transport trucks to fetch them. At about the same time, we learned that international humanitarian and relief agencies had established centers along the Thai-Cambodian border to provide food and medical treatments to Cambodian refugees. Upon hearing of the medical aids along the Thai-Cambodian border which was located only some 60 miles away, my husband, who had hip fracture which resulted in his disability since the early days of his arrival in Cham Ro-ah, wanted to go seek medical treatment there. After a lengthy discussion, we decided to let him go to seek medical treatment for his hip fracture.

Because of shortages of food and medicines to help revive the badly malnourished Cambodian population, the Vietnamese occupying forces did not restrict our movement during the first several months of their occupation. Hence, my husband was able to travel to the border area by hitch-hiking on oxcarts of people who went to pick up foodstuffs from international relief agencies which had set up camps or centers along the border.

In his quest to seek medical treatment, my husband eventually reached a camp called Khao I Dang located inside Thailand some distance away from the border area. He sent a letter for me to come and join him in Khao I Dang as it was apparent that people who arrived in that camp would be allowed to seek resettlement in a third country.

After receiving the letter from my husband, my mother and son had arrived in Popeal Khae. We spent a couple of days reminiscing on our ordeals during the Khmer Rouge period before getting into the question of whether I should go to join my husband in Khao I Dang camp. I told my mother that my new husband married me primarily to save me from the dreadful Mr. Cheang, and that I was not obliged to accept him as my husband once we were freed from the tyrannical reign of the Khmer Rouge. After listening to my story, my mother insisted that I should accept Mr. Sinoeun as my legal husband because he and I had gone through so much suffering together that we should consider our wedding under the Khmer Rouge's reign a bond of holy matrimony made in hell.

Before I departed for the border camp to reunite with my husband, my son asked me to let him travel to the border area first to see how difficult it was to cross the border line into Thailand. After more than three years of separation, I reluctantly let him go.

As my son left for the border camp, I told him to find ways to establish contact with his step father, Mr. Sinoeun, in Khao I Dang, for we would be trying to reunite with him soon. Time went by rather quickly while anxiously waiting for news or for someone no return from a difficult and dangerous mission. So after my son was gone for about two weeks without hearing any word from him, I became restless and decided to go look for him as well as my husband. Before I left, I told my brother that if my son returned to Popeal Khae, to ask him to go back to the border camp and try to find his way to Khao I Dang as we would be reunited there.

I traveled to the border camp along with many other people; some were smugglers, some were local villagers who went there to receive foodstuffs from international aid agencies. Most of us converged in an area called Po Bey Deum. There, I met a young lady who was heading for the border camp as well. She had traveled there frequently; so, I asked her to be my guide because it was my first time going there. She agreed to help me.

To avoid being detected by the Vietnamese

soldiers and bandits, people usually went to the border camp at night. We waited until after sunset before preparing to depart for the border camp. The young lady, my guide, pulled me aside and gave me a talk. She told me to stay close to her as it was forbidden for people to talk to one another during the journey. We all must walk in complete silence.

Under the cover of darkness, we walked across the rice fields, then, into the forests. I do not know how far the distance was, but it took us all night long to travel to the border camp. We arrived at a camp called Nong Chan at dawn. I was amazed to see so many people living in that camp.

As I wandered around the camp, I ran into my cousin, Nam, who was so excited to see me. She thought that I had been perished in the Khmer Rouge's killing fields. Nam took me to her hut and brought me some water to take a bath.

During my stay at Nong Chan, I met a number of acquaintances including distant relatives who had come to the border camp as well. I also met Lonh, one of the orphan of kids whom I had adopted. Lonh had been crossing the border back and forth smuggling goods. He had a network of smugglers who would also double up as human traffickers. Those smugglers were invaluable information gatherers. Through Lonh's smuggling network, I learned that my son was living in Chumrum Thmey, another border camp.

At first, I wanted to go to Chumrum Thmey to reunite with my son; but, upon learning that my husband was in Khao I Dang camp, Lonh suggested that I go to Khao I Dang instead and wait for my son to join me there. Hence along with four of his fellow smugglers, Lonh arranged to take me to Khao I Dang camp.

Once again, we walked under the cover of darkness skirting some Thai villages to make our way to Khao I Dang. At about 4 o'clock in the morning, we arrived in Khao I Dang camp where I reunited with my husband. Several days later, my son had also arrived in Khao I Dang. We spent about one year in Khao I Dang camp before being accepted to resettle in the United States of America.

Kimleng Lim is a survivor of the Khmer Rouge regime. She is now living in Virginia, United States of America.

Searching for the Truth Team would like to thank Mr. Chhay Chanda and the family of Kim-Leng Lim for sharing with us the stories of deep suffering she experienced during Democratic Kampuchea.

Looking for parents and siblings

My name is Svang Suchart, male, aged 42. I am living at Kampang village, Kanteu 2 commune, Banan district, Battambang province. I am looking for my father named Svang Chheurt, who was a Major during the Lon Nol period, my mother name was San Nan, my sisters Svang Mila and my brother's Svang Bino.

In the Khmer Republic or Lon Nol period, my father was stationed at a military base near Sampov pagoda, located in Svay Por commune, Sangke district. In 1973, my father was transferred to a military base near a pagoda in Kampong Thom town. When he moved to Kampong Thom, he also took my mother, my sister and my brother with him. However, my youngest sister, Svang Pisey who is now living in France, and I was taken by my father to live with my grandmother in Battambang province. Since then, I have never heard from my parents, a sister and a brother.

Recently, I visited my father's former military base in Kampong Thom province. Some elderly people told me that my father was one of the last persons who were brought away from the military base by the Khmer Rouge soldiers. If anybody know the whereabouts of my parents and siblings, please kindly contact me at 077 992 866 or contact the Documentation Center of Cambodia at 66, Preah Sihanouk BVLD, Phnom Penh, Cambodia or with 023 211 875 or 016 876 692.

My brother Hai Sam Ol

Davin Chhay

Holding a copy of Rasmei Kampuchea Newspapers issued May 5-6, 2013, Ms. Kruoch Kimsan, 61, arrived at the office of the Documentation Center of Cambodia (DC-Cam) on the morning of May 16, 2013, after she had visited Tuol Sleng and other places to inquire about any information related to her brother.

Upon her arrival, Kimsan met with some staff members and began to ask for more details about her brother, whose confession was published on Rasmei Kampuchea newspaper. The confession was made on December 16, 1976 while her brother, Sam Ol, was a prisoner at Kang Meas district security office of Region 41. My colleagues rushed to tell me about Kimsan and I quickly went downstairs to see her.

Once I began talking to her, Kimsan said, "How happy I am to have found my brother whom I was searching for for years, although I know that he died."

I immediately realized how much Kimsan wanted to know about her brother who disappeared thirty eight years ago. I replied hesitantly to her, knowing that she would be shocked to find out that her brother was arrested by the Khmer Rouge and sent to the security office at Kang Meas district under the control of Khun, district chief. I continued to describe her brother's story. Kimsam's face became a little bit sad, but she more and more wanted to listen to her brother's fate meticulously.

I consoled her with a warm explanation that I and others did not know exactly the fate of her brother. Actually, Hai Sam Ol was arrested and sent to the

Kruoch Kimsan and her husband during their visit to DC-Cam to look for the details of the death of her brother, Hai Sam Ol. (Photo: DC-Cam)

security office at Kang Meas district, charged with having a relationship with Prince Norodom Dara Depo against the Khmer Rouge regime from the time they came to power in April, 1975. Various documents showed that Sam Ol was not sent to Tuol Sleng, since no confessional documents, photos or other "killed" lists of any kind were found there.

"I want to thank you so much," said Ms. Kimsam to me and my colleague. Kimsam actually has thirteen siblings, but based on Sam Ol's answers, he had only seven siblings, and Kimsam was the youngest one. Kimsan told us that her siblings were all gone. She sobbed and said, "Only I remain alive." Kimsan said that the confusion related to her brother was so pitiful and sorrowful. "I know that Prince Norodom Dara Depo had had a good relationship with my brother since Sangkum Reastr Niyum in the 1960s," said Kimsan. One of Sam Ol's sons, Rath, was sent to study in China by the Prince. No other information about Rath had been heard until now. In 1975, Kimsan was evacuated to Battambang province while Sam Ol, her parents and other siblings were evacuated to different places.

Kimsan did not know at all where her brother was living during the Khmer Rouge regime. In 1979, when the regime fell, Kimsan said she did not think much about finding her brother, but preferred to look for food to eat. "Briefly speaking, everyone was just too busy making a living to think about something else after the liberation in 1979," said Kimsan.

Kimsan has little hope of finding her brother. However, despite this little hope, she continues to look for him. Meanwhile, she acknowledged that it was very important to get her brother's news in spite of not knowing whether he survived or not.

I accept that only time can solve everything. What remains for her is only an article in Rasmei Kampuchea newspapers and the nine-page document of record and confession, which comforts her in reminding her of her brother, Hai Sam Ol.

Kimsan is married to Heng Samet and is now living in Phnom Penh.

Davin Chhay is a team member of Promoting Accountability project

Looking for brother, uncle and aunt

My name is Suo Vinarin, male, an official at the Ministry of Environment. I am living at South Porprok, Sangkat Kakab, Khan Porthi Sen Chey, Phnom Penh. I am searching for my older brother, Suo Vila, who was born in 1965 in the Year of Rabbit. My father name was Suo Kimchek; he passed away in January 2012. My mother's name is Be Kimcheung. My parents has children

- ◆ Suo Vila, son, disappeared.
- ◆ Suo Vinara
- ◆ Suo Vinarin

Some of my mother's siblings also dissapeared such as: Be Kim Yong (sister), Be Kim Sin (sister), Be Kim Huo (sister), Be Kim Lich (brother), Be Kim Roath (brother) and Be Kim Mom (sister). They all were sapareted from my mother in April 1975 when the Khmer Rouge soliders entered Phnom Penh.

If anybody or uncles or aunt know of this announcement, please contact me at 097 881 1107 or 077 887 067 or contact the Documentation Center of Cambodia.

The Book of Memory of Those Who Died Under the Khmer Rouge

The Documentation Center of Cambodia is writing and compiling a book of records of names of those who died under the Khmer Rouge regime from 1975 to 1979 and those who disappeared during the period, who are still not known by their relatives. It also includes a section for family tracing purposes.

DC-Cam already has in its database up to a million names of those who may have died under the Khmer Rouge. If you would like to have your relatives' names, who died under the Khmer Rouge or disappeared then, appearing in this book.

Please contact Kok-Thay ENG Tel: 012-955-858
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