

មជ្ឈមណ្ឌលឯកសារកម្ពុជា

The Outreach Preferences of Rural Cambodians Regarding the Extraordinary Chambers in the Courts of Cambodia

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Documentation Center of Cambodia

Searching for the Truth

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1. Introduction

The Documentation Center of Cambodia (DC-Cam) undertook this survey as a part of its Living Documents and Outreach Programs. The purpose of conducting this survey was to determine the ways in which certain groups of rural Cambodians access information about the Extraordinary Chambers in the Courts of Cambodia (ECCC, also referred to here as the “court” or “tribunal”) and to evaluate which methods and sources of information would be most effective in reaching Cambodians in the future.

Two DC-Cam summer legal associates, Norman Pentelovitch and Kathryn Simon, and one DC-Cam staff member, Sok-Kheang Ly, designed the survey, and Mr. Ly administered it. He conducted 31 interviews over a 3-day period in 3 provinces situated within 1-3 hours’ drive of Phnom Penh.

The survey findings are not intended to be representative of the general population of Cambodia or even necessarily of the provinces where the interviews were conducted. However, the data collected during the survey are useful in informing future efforts to provide the Cambodian public with accurate, understandable, and accessible information about the ECCC.

2. Survey Method

Every effort was made to make the survey as fair and unbiased as possible. To this end, numerous safeguards were employed to ensure a result that reflects the true attitudes of those interviewed instead of the views of the researchers.

Three interview sites (Takeo, Kampong Chhnang, and Kandal provinces) were selected for their proximity to Phnom Penh, and for the existing relationships between DC-Cam and those communities. Budget and time constraints also influenced the decision to conduct interviews in these provinces. In addition, the provinces were selected to demonstrate the methods an interested party could use to reach out to a large group of rural Cambodians in a relatively short period of time with budgetary limitations.

Two types of community members participated in the survey: village or commune chiefs and commune council members. These individuals were initially located by asking local villagers where to find the village/commune chief, and then verifying the person’s identity through the biography section of the survey.

Before each interview, Mr. Ly introduced himself in Khmer, explained the purpose of the survey, and obtained the interviewee’s consent to tape record the conversation that would follow. The interviewee was then asked for biographical information including name, age, level of education, position, the commune/village he or she represented, the

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approximate number of families living in their area of representation, and the approximate number of individuals the families comprised. In many cases, highly precise numbers were provided, which the research team inferred to mean that head counts of the population had already been conducted (though not conclusively so).

The survey employed a general question and answer format, in which respondents were asked to rank options from more preferred to less preferred. These options were presented in a different order for each interview, to ensure that the way in which the question was asked would not bias the answer.

Whenever possible, the interviewer attempted to clarify responses (e.g., seeking clarification on what “government” and “institution” meant). As far as possible, discussions of the crimes committed against the interviewee were avoided to ensure that no disturbing effects resulted from the interview. Despite this precaution, a number of interviewees chose to tell stories about their experiences under the Khmer Rouge regime. Sensitivity to these stories and patience were the primary tools that were used to handle such experiences.

Due to the conversational nature of many of the interviews, precise lists of preferences could not always be obtained, and certain inferences have been drawn from the conversations that occurred. In responding to the questions, many of the interviewees expressed equivalent preferences (for example, when asked which method of information dissemination would be best, many respondents answered both “TV” and “radio”). Accordingly, the number of “most preferred” sources of information for some categories is higher than the number of people interviewed.

Additionally, as the interviews progressed, logical follow-up questions materialized that were asked to the interviewees. As often as possible, the team (the two summer legal associates and DC-Cam staff member) held short discussions about follow-up questions to ensure that they did not reflect a bias towards a certain answer. Although these questions were not as thoroughly vetted as the initial body of questions, efforts were made to make the follow-up questions neutral.

3. Survey Results

Biographical Information on Survey Participants

The majority of those interviewed had been educated in the Cambodian school system and had, on average, reached grade seven (grade 6 in the West). The majority were between 50 and 70 years old. Despite efforts to interview females, the team was only able to access male chiefs (two of the 31 people interviewed were council members; the rest were commune and village chiefs).

The biographical information on the participants and information about the communes and villages represented in the survey is summarized below:

- Number of communes (sub-districts represented): 17
- Number of villages: 12
- Approximate number of families represented: 26,541
- Number of people represented by the commune and village chiefs: 139,948
- Average age of those interviewed: 56 (the oldest was 70 and the youngest 47)
- Average level of education of those interviewed: grade 7 (old system)
- Highest level of education: Graduation from “laboratory school”
- Lowest level of education: grade 10 (grade 3 in the West)/attended pagoda school for a year.

Ways in which Participants Learned about the ECCC

- Radio: 16
- DC-Cam ECCC Tour: 13
- TV: 6
- Newspaper/magazine/*Searching for the Truth*: 4
- ECCC booklet: 1
- Provincial office: 1
- Other NGO: 1.

Preferred Way to Receive Information about the ECCC

- TV: 19
- Radio: 15
- Newspaper/magazine/*Searching for the Truth*/ECCC
- Booklet/Poster: 5
- NGO Meeting: 3
- Film screening in the village: 2
- DC-Cam ECCC Tour: 2
- Art performance: 1.

Preferred Source of Information

- ECCC: 12
- Government: 11 for government and 6 for government official from the ECCC
- NGO: 2.

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4. Analysis of Survey Results

Part One: How did People Hear about the ECCC?

The first question the research team asked was how the interviewee and their village or commune had heard about the ECCC. Radio broadcasts (news reports and talk shows) and DC-Cam tours of the ECCC are the most common ways in which the participants have heard about the ECCC.

Results

Radio. Sixteen of the participants had heard about the ECCC through the radio. It was not always clear whether they had heard about the ECCC through a talk show or a news broadcast. Thus, the team asked what type of program they had listened to and if they had heard the ECCC radio spots. None of the participants mentioned that they had heard the radio spots and most said they had heard about the ECCC through radio news broadcasts and talk shows.

The survey also indicates that many people in the villages have radios and that they are an accessible and effective means of obtaining information about the ECCC. The participants mentioned that talk shows are particularly helpful because various questions about the ECCC are answered. However, despite this, the interviewees (and their villages and communes) still had questions regarding when the trials will occur and who will be tried.

One village chief in Kampong Chhnang province (Interview 13) said that although he had heard about the ECCC on the radio, he wondered whether any court (either domestic or international) would put the Khmer Rouge on trial. This man also said that his villagers had asked him many times if the Khmer Rouge would be tried by a court and that he did not know how to reply to them. Such responses show that there is a lack of understanding about even the most basic elements of the ECCC among some rural Cambodians.

Another village chief in Kandal province (Interview 31) said that he and his village had heard about the ECCC on the radio, in particular that the ECCC was lacking in documents and funding. He said that the people had further questions about these issues, but did not know who to ask or where to go for more information. The team observed that commune leaders tended to have more information about the court than village chiefs, as many of the former group had visited the ECCC through DC-Cam tours. Village chiefs also seemed to have a lower level of understanding about the ECCC.

DC-Cam Tour. Thirteen participants had heard about the tribunal through a DC-Cam tour of the ECCC. Many of those who attended a tour said that this visit greatly helped them to understand the ECCC. These interviewees had met with such ECCC officials as press officers, co-prosecutors and the co-investigating judges, whom they found to be a reliable source of information. They also observed that those who had visited the ECCC had a level of knowledge about the tribunal that was much greater than those who had learned about the court by other means. For example, a number of interviewees who had visited the ECCC understood that the court had to compile documents or a dossier before a trial could commence.

The interviewees generally responded positively when asked about their visit to the ECCC. For example, one participant in Kandal province (Interview 26) said that before the visit he did not think that the ECCC was important, but after visiting it he realized that it was very important and that the people should get further information about it. An interviewee from Takeo province stressed the importance of the tour in providing information about the ECCC (Interview 11).

Many of those who visited the court returned to their homes and told others about what they had seen. Some of those who had visited the court initiated discussions with their village or commune about the ECCC when they returned home. For example, one village chief in Takeo province (Interview 5) said that after he had returned from the ECCC tour, he told the people about the trials through a loudspeaker so that more people could hear about them.

Despite the effectiveness of the tours, people in the villages and communes still have important questions about the ECCC. For example, common questions raised throughout the survey by both the participants and the people they represented relate to when the trials will occur and who will be tried.

Television. Six participants had heard about the ECCC on the television, although it was not clear, even after the team asked further questions, what type of television show the participants had watched. Television appears to be a good means of communicating with people in the provinces. For example, two village chiefs in Kandal province indicated that each family in his village had a television.

Newspapers/ Magazine/ ECCC Booklet/ Posters. A smaller number of participants mentioned that they had heard about the ECCC through written sources such as the ECCC booklet and DC-Cam's *Searching for the Truth* magazine. These participants had generally received this material while participating in a tour of the ECCC.

One of the interviewees commented that the questions and answers in the ECCC booklet were most helpful to him. Another commune chief in Kampong Chhnang (Interview 21) said that some former lower-level Khmer Rouge cadres in his village had asked him if

they would be tried by the ECCC. He stated that after reading the ECCC booklet and *Searching for the Truth*, he understood that only the top leaders who had committed the worst crimes would be tried, and he explained this to people in his village. Only one participant mentioned the ECCC posters as a source of information.

The interviewees who had heard little or nothing about the trials generally indicated that this was because they were too busy with their work to attend meetings, to read written material, or pay attention to the radio or TV.

Conclusion

The responses indicate that the tours to the ECCC and audio/visual media such as radio and television are important means of communicating information about the ECCC. Very few interviewees heard about the court through written material such as booklets, newspapers, magazines and posters. Some indicated that they and the people in their village or communes are too busy with work to read such materials. None of those interviewed said that they had heard about the ECCC via the internet, which is not easily accessible in rural Cambodia.

There is a need for outreach activities to reach a greater number of Cambodians, in particular those who have not yet heard about the ECCC. A majority of those interviewed indicated they had learned about the ECCC through radio or television, and from visits to the ECCC organized by DC-Cam. This highlights the importance of outreach methods that involve broadcasting messages and direct contact with ECCC officials.

The participants who visited the court or heard about the ECCC over the radio still have important questions about the trial process. Furthermore, the participants who heard about the ECCC via the radio said that they and their village/commune are still confused about issues such as who will be tried by the ECCC and when the trials will occur.

Part Two: From which Medium would People Prefer to Receive Information?

The second set of questions concerned what the interviewees felt their village or commune would prefer to be their main source of information about the ECCC.

Results

Television and Radio. Nineteen respondents (nearly two-thirds of those interviewed) indicated they thought that television would be the best way to inform their village or commune about the ECCC. Fifteen respondents gave radio as their answer.

The participants provided different reasons for their responses, for example:

- Many people in the villages have radios and televisions, making them more accessible means of communication for rural Cambodians.
- Talk shows and news reports are easy to understand and provide answers to questions.
- Television captures the attention of people, in particular young Cambodians, who prefer to see pictures of the court on television than read written materials.
- Cambodians often find it difficult to visit the ECCC in person, so television and radio provide a good alternative source of information.

The interviewees also suggested that there was a need for forums and discussions on the radio and television in order to answer their remaining questions about the ECCC.

Newspaper/Magazine/ECCC Booklet/ Posters. Five participants mentioned written material such as the ECCC Booklet and *Searching for the Truth* magazine as a preferred means of outreach. One interviewee emphasized that the ECCC booklets are particularly helpful due to its question and answer section. Others indicated that the pictures helped them to understand the ECCC better.

Although one of the participants from Kampong Chhnang (Interview 14) who had visited the ECCC suggested that the posters would be helpful for outreach, some of the participants who had not attended the ECCC visits and were shown the posters found them confusing and asked for further explanation.

None of the participants mentioned newspapers as a preferred source of outreach. A number of interviewees said that newspapers are not accessible to people in the provinces and others said that the Cambodian people are too busy working to read written materials about the ECCC. A commune chief in Kampong Chhnang province (Interview 21) also suggested that not all people can read the magazines or booklets, so a tour of the court would be more effective in explaining the ECCC process to them.

Tour of the ECCC. Although only two participants said they thought that their village or commune would prefer to get information through an ECCC tour, those who had visited the ECCC overwhelmingly indicated that such a visit was a very helpful way to inform people about the tribunal. Many such participants encouraged the tours to continue in order to reach a greater number of Cambodians, including those who had

not heard about the ECCC. Furthermore, the interviewers observed that those who had visited the ECCC in person generally had a much higher level of understanding about the court. However, the participants' responses stating that Cambodian people are too busy to attend the ECCC for a tour also indicate that this medium of communication may not be accessible to a large number of Cambodians.

Village or Commune Meeting/ Film Screening/ Art Performance. Three participants mentioned the importance of holding NGO meetings in the village or commune in order to encourage greater understanding about the ECCC. Two others mentioned that a film screening would be an important way to gain people's attention and encourage them to ask questions about the ECCC. Another respondent suggested that young people are often distracted by movies when they watch television and suggested that a meeting would be a good way to get their attention. However, at the same time, others interviewed had concerns that older villagers or commune members were too busy to attend a meeting.

Despite these conflicting responses about whether meetings would be a helpful form of outreach, a majority of participants had questions themselves, and told the interviewers about the questions on the court that are being raised in their communes and villages.

One participant suggested that an art performance would assist in explaining the court to the people and helping Cambodians develop an understanding of the ECCC.

Conclusion

The research suggests that Cambodian people prefer to receive information about the ECCC through broadcast mediums. Radio talk shows with questions and answers, television programs, and film viewings are the preferred methods of information dissemination about the ECCC. Meetings in the communes/villages and written materials such as booklets and magazines are also mediums through which Cambodians would like to learn about the ECCC.

Part Three: From whom would Cambodians Prefer to Receive Information about the ECCC?

The third set of questions concerned who would be the preferred provider of information: the Cambodian government, the ECCC, or non-government organizations.

Results

A clear pattern emerged from the survey. All but two of the 31 interviewees expressed a specific preference for receiving information either from the government or directly

from the ECCC itself. However, 6 of the 17 people who said that they would most prefer to have information from the government may have actually been referring to the ECCC itself. In these six instances, the respondents initially said they would like to receive information from the government. The respondent would then discuss the “UN side” (Interview 11) or the “Cambodian side and UN side” (Interview 12) working together, which indicated that they were referring to the national (Cambodian) side of the ECCC. Further, a number of the respondents said they would like information from a “government official” from the ECCC. It is possible that such responses were given because Cambodians generally do not use, or are not familiar with, the term “ECCC.”

Government. Seventeen participants answered the question “from what source would you most prefer to receive information?” by responding “the government.” One participant (Interview 8) wanted information from the government because he felt the government could explain to people about the Khmer Rouge. Another wanted to learn from the government because the government “decides when things will happen,” and “plays a very important role in telling people what is happening” (Interview 11). A third interviewee chose this source because he believed that the tribunal could not occur unless the government itself helped to make it happen (Interview 15).

Interestingly, 6 of the 17 participants who initially answered that they wanted to receive information from the government later qualified or further clarified their responses to indicate that they meant the ECCC itself. For example, a village chief in Kampong Chhnang said that he wanted information about the tribunal from the government. When asked to clarify what he meant by “government”, he said that he had meant the institution that would try the Khmer Rouge (Interview 13). Another first stated that he would like to receive information about the ECCC from the government and then stressed the importance of having government officials from the ECCC come to his village to visit. He concluded by saying “people are quite clear that they want to hear from an ECCC official” (Interview 21). This again indicated that the participant meant a government official representing the ECCC.

ECCC. Twelve respondents answered that they would most prefer to learn about the ECCC from officials or representatives of the ECCC itself. Typically, these responses were quite clear, and the next questions addressed why the participant thought that the ECCC would be the best source of information. The first deputy chief of Tikvil commune said that he would like to get information from the ECCC itself because it is the very institution that works on the ECCC (Interview 24). Similarly, the commune chief of Snao said that the ECCC is the best source of information because it takes responsibility for trying the Khmer Rouge leaders (Interview 10).

Most of those who answered that they would like to receive their information from the ECCC had similar reasons, including: the ECCC were the experts, would have the best way to explain things, and could help Cambodians understand what was going on.

NGOs. Two participants answered that they would most prefer to receive information from an NGO. The first of these participants had been on a tour with DC-Cam, and said that the NGOs had built networks of connections in his commune (Interview 19). He said that he did not like information coming from radio and TV because people just listened to music (both on radio and on TV) and therefore they would not get as much information if the outreach was conducted only through those mediums.

The other respondent who selected this option stated that he preferred to get information from NGOs rather than the government because the government was very “complicated” (Interview 31). He did not mention if he was familiar with any NGOs, and he had not been on the ECCC tour.

Conclusion

The participants would most like to learn information about the ECCC from “official” sources. The data suggest that the village and commune chiefs surveyed would most prefer to receive their information about the ECCC from “official” sources, as opposed to NGOs. Only two chiefs expressed any sort of preference for NGOs in providing information, and it is possible that had the option of “NGO” not been presented in the listing, NGOs may not have been given as a preference at all. This result was somewhat surprising, as nearly half of the people interviewed had learned about the ECCC through the DC-Cam tour of the ECCC.

Despite the apparently positive relationships that these chiefs have with NGOs and the fact that much of the information they already had about the tribunal came as a result of the work of NGOs, only one of the interviewees who had visited the ECCC through DC-Cam felt that it was most preferable to gain information from an NGO. This suggests that, while it is important for NGOs to continue to conduct outreach activities, the sources of information that Cambodians will most trust, find most accurate, and rely on for understanding the ECCC, are those that are “official.”

The respondents do not understand the ECCC to be a body independent of the Cambodian government. Many Cambodians apparently do not understand that the ECCC was established to act independently of the Cambodian government. Many of the respondents conflated the national government and the ECCC, stating that “the government controls the country, so the government should provide us the information [about the ECCC]” (Interview 22). For example, a number of respondents did not understand the difference between the ECCC and the national government, and asked that a “government official from the court” disseminate information, along with a representative from the UN. It was not always clear from the interviews if the

respondents meant a government official representing the Cambodian side of the ECCC or simply a representative of the national government.

Such a lack of understanding of the basic separation and independence of the ECCC may be understandable for those respondents who have received no training about the court and live in rural areas that do not receive much information about it. However, six participant's responses suggested that they were unclear about the court's establishment as a decision-making body independent of government control despite having received training on the ECCC via either the ECCC tour organized by DC-Cam or the ECCC booklet.

5. Recommendations

The ECCC should focus its outreach efforts on creating clear, self-contained messages about the court and distribute these messages through television and radio programs.

The researchers believe that the most important finding from this study is that those interviewed prefer to learn about the ECCC from "official" sources. Most of the respondents listed government and ECCC officials as sources that they would consider to be "official." The implication of this finding is that outreach would be more effective if the ECCC conducted outreach efforts directly, as opposed to relying on civil society to revisit their networks of contacts to disseminate information. This does not mean that the ECCC should be expected to carry out all activities without support. Far from it, vetting certain materials through NGOs with expertise in particular areas (i.e., vetting visual images through the Transcultural Psychosocial Organization to ensure that they are both clear and non-traumatic) can help improve the efficacy of their message.

The data above suggest that radio and television programs broadcast at a consistent time and station would reach many people. This may help to create a base of people who could provide foundational information about the ECCC to other Cambodians. Specific recommendations regarding affordable, effective outreach activities include:

- Provide funding for radio spots so that a greater number of Cambodian people can be reached through radio programs.
- Focus on television and radio programs that include appearances by ECCC officials as a means of informing people about the tribunal, particularly through recorded segments discussing discrete aspects of the court (e.g., a segment about the voting structure, a segment about the importance of a defense). Such mediums should be preferred to written communications that attempt to teach complicated procedural issues and assume a basic level of existing knowledge about the functioning of legal systems.

- Create talk shows with ECCC staff (and continue to participate in existing talk shows) to encourage discussion and answer questions about the ECCC.
- Ensure that when written materials are used, they contain clear, simple messages, which, when possible, are explained to the people who receive them (particularly when questions such as “who will be tried” and “when will the trials occur” are still being asked by Cambodians).
- Organize meetings in the provinces with ECCC officials which also feature films and art performances in order to encourage engagement and dialogue about the ECCC.
- Provide written materials such as booklets and posters as a source of limited or supplementary information for those with greater education, time and interest, rather than as a primary source of information for the population as a whole.

The ECCC should focus on generating outreach materials that increase Cambodians’ understanding about fundamental aspects of the court. The results of this study indicate that the ECCC is generally perceived by the interviewees to be a court that does not operate independently from the Cambodian government, or operates independently only to a limited extent. It is thus important for the ECCC to function, as well as *appear* to function, as a body that is independent from the will of the Cambodian government. Accordingly, a more fundamental set of information about the role of the ECCC needs to reach the public. Excerpts from the Cambodian Constitution and from the law establishing the ECCC that specifically discuss the independence of the court could help to clarify that the ECCC is an entity independent of the Cambodian government. Also, discussions of the obligation of the court to follow the law of the ECCC when making decisions could help make the independence of the court more apparent.

In addition, clear messages should be sent through radio discussions which explain that those brought to trial are not assumed to be guilty, and that the judges must base their decisions on law.

APPENDIX: SURVEY QUESTIONS

BIO

Name:

Age:

Education:

Province:

Commune:

of Families in Commune:

Approx. # of People:

QUESTIONS

First Set

1) Have you heard about the Khmer Rouge Tribunal (ECCC)?

2) How did you learn about it?

3) Has anyone/thing come to your village to speak with anyone about the tribunal or has anyone from your village learned of the tribunal in another way?

Second Set

1) Through which mean(s), newspaper, radio, TV, town hall meetings, or something else, would you like to receive information regarding the Khmer Rouge tribunal (mention all that apply - can be more than one):

2) Among those means which one would you prefer? (Rank them.) You can decide to ask about the first two or three.

3) From whom would you like to receive information regarding the Khmer Rouge Tribunal (mention all that apply - can be more than one):

Options: Government..... ECCC.....NGO.....village chief.....other people from the village.....or something/one else?

4) Among those, which one(s) would you prefer? Again, please put them in order: from who you would like to get information, from the most to the least.

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