

**Building Democracy in Cambodia through Legal Education  
Witnessing Justice 30 Years Later**

**Pailin Province: Punitive Justice Can Help Shape Up Society**

April 23-25, 2014

**Introduction**

While the nearly one-decade trial of surviving Khmer Rouge leaders has reached a critical stage in which a judgment on the Case 002/01 is expected in the coming months, many of former KR members in Pailin province, one of the KR strongholds that defected to the government in 1996, merely shared two thoughts: first, they unanimously feel fine with the former KR leaders accountable and process of the Extraordinary Chambers in the Courts of Cambodia (ECCC); and second, they seek to appeal for clemency for the KR leaders on trial due to their old age. These two major opinions were heard during DC-Cam's Public Village Forum on April 24, 2014. Nearly 200 students, teachers, local authority, and former KR members engaged in the public discussion on both the history of Democratic Kampuchea and the ongoing KR tribunal. In this report, the public discussion will be highlighted to show the specific version of history former KR members conveyed to the youth. This is followed by selected comments of participants.

**The Forum: Between Trial and Clemency**



Participants inside Kirisamrith or Salakrao pagoda in Pailin province

Discussing the KR trial proceeding was an encouraging opportunity for the people in Pailin province. Both speakers at the PVF and interviewees commonly find that the ECCC is a good model of retributive justice that holds KR leaders responsible for the death of nearly two million people between April 17, 1975 and January 6, 1979. Participants often showed their strong support for the work of ECCC and even pushed for a speedy judgment.

Mr. Him Khloeur, 65, O-Andaung commune chief of Pailin province, told the participants that he and his people in the community began to follow the trial of Ieng Sary, Khieu Samphan, Nuon Chea, Ieng Thirith, and Kaing Guek Eav alias Duch dating back 2006.

He was well informed about the intention to try his former leaders through the media. He further said he expected no problem with the trial because it was important for the sake of justice in the country. As for what the tribunal means for former KR members, it was expressed at the PVF that it's a good model to hold those responsible for human rights abuses and those who betrayed the nation. This is generally agreed among Cambodians as a warning mechanism against any current and future Cambodian leaders from committing atrocity.

Mr. Chuong Dy and Mr. Un Thoeun spoke in the same vein, stressing that the trial of KR leaders was good in preventing Cambodian leaders from following bad habits. The Cambodians of every generation to learn and know about their history. Besides DC-Cam produced materials distributed at the PVF, they were also very pleased to convey the history orally to the young participants.

As the ongoing trial is due to complete in the years to come, Mr. Say Nhep, 59, of Pailin province told the participants that the sense being ashamed should start with the former KR leaders. She said if she was a KR leader she would be in full remorse and regret her devastating actions for the rest of her life.



One of three group discussions in the forum

However, some appealed for lifting all responsibilities of the former KR leaders on trial. Both Hem Thean, 64, and Mr. Him Khloeur commented that the KR leaders were good leaders. More or less, he felt saddened that they are on trial. They appealed for some sort of pardon or litigation for the KR leaders due to their old age even though Mr. Him's father was a victim of the

regime and was executed. He recalled how the tragic past haunted him after his father was shot to death. His father, Him Chhoeur, was shot dead at a public meeting in 1978. He was among seven people to die on the spot, while some other (around 400) either died later or managed to escape. It took him two weeks after the Vietnamese forces came in 1979 to retrieve his father's body.

With this lesson in mind, Mr. Him took the liberty of commenting that Cambodia's leaders of all generations should act as follow: they should adopt measures to unite for the sake of the country. He said that Khmers have been disintegrated and disunited for decades and have lost national prestige. And Cambodian leaders of all generation should assure their beloved people of a sustainable development to build a robust state.

A student asked of what were some good lessons to be learned from the KR period and a speaker responded with two points: First, the DK made the society equal and just as capitalism damaged the society. For example, all kinds of social misconducts such as gambling and corruption were rampant under a capitalist system and thus destroyed the

social fabric and making the people poor. Second, territorial integrity was well protected and maintained under the KR rule. For example, Pailin province was under good control because of KR leadership and it developed a mutual understanding with Thailand.

Questions from students were as follow:

- (1) How did the KR treat senior and young people?
- (2) Why did the KR wear black uniform?
- (3) Were people categorized into different groups?
- (4) Was the war between the KR and government over after 1979?
- (5) Were there any weddings or funerals during the regime?
- (6) How did the KR come to be?
- (7) How many people went missing or died?
- (8) Why did the KR take an authoritarian path to rule the country?
- (9) Were there any uprisings against the KR?
- (10) Who created the KR movement?

### Reactions to the Forum



A participant in the forum

Comments and suggestions were collected as part of an overall reflection on the KR history and the ongoing KR tribunal.

**Mr. Him Khloeur**, commune chief in Pailin province, commented that Cambodians of every generation should learn about this history. Even though it was an informal education that set in the pagoda, the senior people was able to share their own experience. Mr. Him said it was a wake-up call for everyone who would refrain themselves from any kind of acts that would cause our society disunited.

**Ms. Phin Cheang Mai** and **Ms. Neak Srei Nich**, both 16 years old, and **Ms. Ngak Srei Na** and **Ms. Khleu Srei Min**, 15 years old, said the forum was good in teaching them about KR history. While their parents seemed not to pay much attention to the narrative, their grand parent told them about that history. Srei Min felt that if her parents served under the regime, she was afraid of being discriminated against. Regarding the ECCC, Cheang Mai believed

that it is the only effective legal mean to help reshape the society. Her wish is to pursue law studies in her hope to contribute in building a just society. She expressed her dismay with the marred history that was shrouded in many civil wars.

**Ms. Say Nhep**, 59, of Pailin province commented that the survivors were given a platform to narrate their experience during the KR regime and interact with the youth. More importantly, PVF was able to update the participants about the KR trial.



**A participant in the forum**

**Ms. Sam Chanthou**, 17, of Pailin province commented that the forum help confirmed the truth about the regime after discussions on the history and trial. She believed that some remained doubtful about it. She recalled her parents talking about the regime in which their work condition was not different from other people. She further said that her father was later conscripted into the KR forces. However, she is not ashamed for having them worked for the regime. She expected that in this new era there will be no more discrimination because of historical events.

**Ms. Hem Noeun**, 49, of Pailin province said the forum reminded her of the regime. It was painful to have led a miserable life, she said. She wants her experience in the mobile work unit to also be conveyed to the youth in addition to their parents' narratives. The forum serves as a warning to the Cambodian people of every generation against repeating the

same history. However, she also acknowledged the KR regime's achievements, such as dams and canals in which she saw benefitted the current agricultural work. Although the current government has recorded important achievements, she says that there are still many issues such as the growing gap between the rich and poor, homelessness, land grabbing, and dispossession of natural resources. Regarding the trial, she follows the news via radio and eagerly wants to find out the truth about the KR leaders' intention even though she is disappointing by the slow process.

**Ms. Chea Rady**, 18, of Pailin province, said she have heard about the trial proceedings at the ECCC before the forum. She strongly believed that a credible justice was essential for the Cambodian people. Wrongdoers had to face the court. If she was a KR leader, she would feel guilty for the inhumane acts and killings of many innocent people. Ms. Rady expressed her satisfaction with the forum because the students could understand the KR history and the trial proceedings against surviving KR leaders.

**Ms. Sek Sophy**, 53, of Pailin province said the forum was good platform to let the students learn and critically think about the history. They should remember and confirm the historical past. The students could use this opportunity to build themselves into better citizens, thus equipping them with the task of bringing prosperity to the country. Regarding the ECCC, she said not many people and students that she is in contact with know about the trial and they showed little interest in it but said that it would help reduce malicious behavior and build a path to sustainable peace. She said there should be no shame in talking about the history and said that burying that past would not good for the society.

**Ms. Voeun Mao**, 43, of Pailin province said holding this forum and discussing the KR history and the KR tribunal was very informative for the participants, in addition to the distribution of DC-Cam's materials. It made the youth believe in the events and lay out basic knowledge about the regime. She used to follow the trial proceeding closely but became less interested given the court's long and slow process.

**Ms. Yen Nhip**, 42, of Pailin province said the forum was good because the senior people took this opportunity to communicate with the youth. An update about the KR trial was also valuable because she did not know about the trials at the ECCC.

### **Conclusion**

The people in Pailin province expressed their strong support for the KR tribunal, even though many of them served the KR regime (1975-1979) and fought in the civil war (1979-1996). They believed that justice will be significant for the country given the severity of the KR atrocity on the Cambodian population. The court offers a glimpse to the truth through legal channels. However, some senior participants showed a certain degree of sympathy toward their former leaders and argued for clemency for the aging KR leaders. The students also spoke in a similar vein about the need to find justice for those who died during the regime.

### **APPENDIX I: Photos of the Forum**

[http://d.dccam.org/Projects/Living\\_Doc/Photos/2014/Public\\_Village\\_Forum\\_in\\_Pailin\\_Province\\_on\\_April\\_23-25\\_2014/index.html](http://d.dccam.org/Projects/Living_Doc/Photos/2014/Public_Village_Forum_in_Pailin_Province_on_April_23-25_2014/index.html)

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