

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

**Samlaut District Mired with Khmer Rouge History and Trial of KR Leaders**

September 16-18, 2013

**Introduction**

A public village forum was conducted in Samlaut district with the aims to get the KR history debated between parents, students and teachers. It also aims to document personal experience of participants and to hear their various perspectives on the current trial against former KR leaders. It is an informal, but local-based approach that the Documentation Center of Cambodia (DC-Cam)'s *'Witnessing Justice Project'* has unabatedly launched to enable villagers to exercise their rights of expression. This time, around fifteen former KR members and forty children participated in the forum, even with the downpour that started early morning of September 17, 2013.



*Participants sit in a round shape during the Public Village Forum in Samlaut district, Battambang province*

The choice of this district stemmed from its history of a popular uprising in mid 1960s. Later, it was one of the safe sanctuaries for the Khmer Rouge (KR) to launch guerrilla warfare against Vietnamese troops and its installed state of the People's Republic Kampuchea (PRK). Mired with this history, the team of the Public Village Forum was eager to learn if these former KR members would react, either negatively or positively, to the

public discussion of the Democratic Kampuchea (DK) history and its inclusion into classrooms. The team attempted to understand their common perspectives on the current trial against former KR leaders and other subsequent trial cases. To begin with, it is important to understand the historical background of Samlaut district before going into detail about the discussions.

### Historical Background to the Forum Site

Samlaut district was believed to be one of the cradles of the revolutionary sentiment that was inspired by a mass protest in mid-1960s. Some KR leaders, especially Nuon Chea and Khieu Samphan, were allegedly behind the protest. However, both Nuon Chea and Khieu Samphan denied the allegation at the Extraordinary Chambers in the Courts of Cambodia (ECCC).<sup>1</sup> It was Duch, who resented the Samlaut crackdown and sent a group of



*A participant reads trial observation booklet*

his students to stage a protest in Kampong Cham province.<sup>2</sup>

During the DK rule, the history of this province, in general, was related to the second evacuation plan. It was one of the last stops for many evacuees in 1977-78 from various provinces, especially for "April 17" or "New" people. The people from Eastern Zone were being forced and transported by train during the late 1978. They were ordered to wear blue scarves and assigned to enter cooperative works. Many lost their lives because of starvation and execution, while others, mainly Easterners, were targeted because of their alleged betrayal of the revolution. Nineteen crime sites were located by DC-Cam's mapping team in 1997 and 1998, while the Promoting Accountability (PA) project of DC-Cam interviewed 101 people including former KR cadres. However, Samlaut district remains a preferable place to live for many former KR members such as Kaing Gueck Eav alias Duch, who was sentenced to life for directing Tuol Sleng prison or S-21.

Interviewees that the Public Village Forum team conducted was solely made up of former KR soldiers, many of whom lost their legs, arms, or eyes to the revolutionary causes and subsequent wars. With this legacy, they had various views on two issues: the DK history and the trial at the ECCC.

<sup>1</sup>

[http://www.eccc.gov.kh/sites/default/files/documents/courtdoc/E1\\_21.1\\_TR002\\_20111213\\_Final\\_EN\\_Pub.pdf](http://www.eccc.gov.kh/sites/default/files/documents/courtdoc/E1_21.1_TR002_20111213_Final_EN_Pub.pdf)

<sup>2</sup> [http://www.dccam.org/Projects/Living\\_Doc/pdf/Duch\\_Verdict\\_Screening\\_in\\_Pailin\\_and\\_Samlot.pdf](http://www.dccam.org/Projects/Living_Doc/pdf/Duch_Verdict_Screening_in_Pailin_and_Samlot.pdf)

## Democratic Kampuchea History in Discussion

When it comes to the DK history, one would expect the uneasiness and fear of it being discussed among former KR members in this former KR stronghold. This could be coming from their implication in this period or their own personal sufferings and losses, thus preferring to forget about the tragic past. Having visited this site and even stayed with them overnight, the team found a difference in such previous expectation.

Like other places, it is normal to hear the participants start their stories with the sufferings and hardship of living through the regime. Mr. Hev Thoeun, 55, of Samlaut district, Battambang province, was the first to speak to the children in one of the two group discussion. He said it was good to see the participation of many children who were born after the regime. He thus encouraged these children to listen carefully to the discussion about the DK history in order for them to make their decision in their lives.

Starting with his enthusiastic welcome, Mr. Put Song, whose two legs were blown off in a mine field and now traveled in his home-made wheel chair, told the participants that there were two different views about the KR. First, the people wished to remember and pass it onto their children. Second, KR's senior hierarchy wished to forget about it.

Mr. Song said he had no objection to the study about the DK history, arguing that the history should be preserved to get this and the next generation remembered. What the DK had done to the people was wrong. Echoing Mr. Song, Mr. Chuon Yan, 57 years old and former KR soldier said it was his strong desire to let the KR survivors narrate what they had done and experienced at the time. Asked about what specific points that the younger generation should better learn, Mr. Yan responded that they should know how the regime was governed, what the negative and positive sides of the regime were, and why so much executions took place in many places, while not much took place in others. Mr. Yan realized that without it, he said, the history would vanish.

During the forum, these participants also mentioned that they have tried to tell these stories to their children at home. Mr. Song said that he frequently told his children but they sometimes questioned the narrative. He smiled by saying that they just teased him. However, Mr. Song felt a bit disappointment with it, but preferred to keep them informed.

That is the very reason that Mr. Yan fully supported the teaching of the DK history in classroom and encouraged teachers to learn and integrate it to their lessons and equip them with the knowledge and remembrance of the regime. His suggestion for the teachers was to let them learn about how hard the KR revolution was to liberate and defend the country from foreign invasions. As a loyal KR member, Mr. Yan never wanted to hear that Pol Pot caused so many people to die, and said the blame should be shifted to the low-level KR cadres who acted on their own arbitrarily. As a leader, Mr. Yan continued to tell the



*Mr. Song sits in his wheel chair in Samlaut district*



participants that it was not easy. They needed to take serious considerations into how to govern the country. However, Mr. Yan seemed to contradict his previous comment by warning that the attendees, especially children, needed to stay away from what the KR regime had done. Otherwise, the wrongdoers would face punishment in a court of law.

Rather than making a response to Mr. Yan, Mr. Song turned to emphasize in the forum that the former KR leaders wished to let bygones be bygones. He argued that it was a bad thing that they did not want to encourage debates about this anymore, but the people, especially former KR members, wanted to discuss and remember it.

### **The Contesting Argument over Trial of KR Leaders**

The trial against senior KR leaders at the Extraordinary Chambers in the Courts of Cambodia (ECCC), or commonly known as the Khmer Rouge tribunal, could be controversial in the forum as most of the participants are former KR members. This turned out to be somewhat true in that participants merely said they had no objections to the trial of the senior KR leaders, but questioned why there are no trials on direct perpetrators of a specific crime during the regime. Mr. Yan said he was very disappointed with it because he believed the trial was targeted against the scapegoats. However, most participants believed that it depended on the judgment under the applicable law, both domestic and international. It is a justice for all.

The participants then moved to discuss how the rule of law was important for them and their community. A lady in the forum made a very short remark by valuing the trial as being good. Most participants such as Mr. Song expressed no anger, instead made him more than happy because it is a mean to secure the rule of law and development our country. The main idea he strongly emphasized in the forum was that Cambodia's leaders of every generation needed to lead with responsibility for the sake of national development and prosperity. Mr. Thoeun then proceeded to provide a really thoughtful comment that one should shy away from inflicting harm to others if one do not want others to harm them.

Overall, the participants said it was good to have such kind of debate on the ECCC. But what they were concerned was that after the trial of those KR leaders, they feared of the jurisdiction being expanded to other mid-level hierarchy. Mr. Song has no objection to the case 003, but feared that because his locality has so many of Communist Party of Kampuchea Military Division Chairman Meas Mut's cadres, he feared that a war could break out in our country. What he suggested was that there should be no further trials. Mr. Song clearly underlined that the few KR leaders should be enough.

### **Reactions to the Forum**

Shortly after the forum completed at noon, the participants made their own observations and suggestions to the team. Their reactions were made by both the former KR members and school children.

**Mr. San Chuom**, 57, Phnom Rey village, Samlaut district, said the discussion in the forum was beneficial for the younger generation who were born after the regime. But it is not enough to just have short talks with participants who are so young. Mr. Chuom suggested that more youths should be brought in to join this discussion. In regard to possible sense of friction as this topic was raised for discussion, he said that the people were not to blame for the regime. He said they were under the KR's rule. Regarding the trial, Mr.

Chuom, a survivor of the KR regime, referred to their karmic acts that they committed mistakes to our country.

**Mr. Hev Thoeun**, 55, Phnom Rey village, Samlaut district, said the forum was important for both him and the younger generation. First, the history shapes the way of living for his family and his community to know what is right and what is wrong. The younger generation would know how to lead the country in the future. Asked if possible conflicts could break out, Mr. Thoeun confidently believed that there would be no problem. It is because the villagers here believed that there needs to be laws that help to remedy past mistakes. Without it the wrongdoers will never know that what they did was wrong. The forum helped generalize the knowledge of the KR regime. Mr. Thoeun himself experienced the persistent argument from his children that it is impossible to have the regime that killed so many people. But with the forum, the children could hear others speaking the about the same and thus strengthens and confirms the stories.



Workshop for Producing Artifact Limbs located in Tataok commune, Samlaut district, Battambang province

**Mr. San Naen**, born in 1951 in Tataok village, Samlaut district, said the forum provided some basic knowledge about the KR regime. Understanding the KR's governing system would let the younger generation to be in a firm position and make right decision so that they will not be cheated on. Mr. Naen, who lost one leg to the war, said there would be some effects because the participants are so young. However, Mr. Naen believed that it was for our national memory. Mr. Naen suggested that an expansion of the team's effort to reach out to this and other communities for the sake of the younger generation who could learn about the KR history, both formally and informally.

**Ms. Sovanda**, 57 years old and former Khmer Rouge member, said that it was good to include what had happened during the DK period in classroom as the next generation might want to learn about the suffering. Also, they might want to know the historical transition. However, they should be taught only the facts and not something that was

exaggerated. All the good and bad points related to the KR's rule should be included in the study program.

**Mr. Leang Chhaet**, 73 years old, of Samlaut district said, having narrated this history to the attendees, he suggested that Cambodian people of every generation should not create more wars because it made the people suffered.

**Nou**, 15 years old, of Samlaut district said although he lived in this former KR stronghold, he only hears the term 'Khmer Rouge'. However, he had no idea of what it was and why it caused so many to die. Nou said he lives far away from media coverage and has poor education.

**Ho Phat Tina**, 16 years old, of Samlaut district, said he received no education. He learned about the period of the KR atrocity through this forum and wished to have a longer discussion on the topic.

### **Conclusion**

Holding the public village forum in Samlaut district has brought almost a clear view that teaching or debating the DK history was not a problem in this former KR stronghold. Rather, the participants were happy to involve and share their views with their community members. Asked if they would recommend specific areas of learning on the DK history, they responded that the whole history of the regime should be taught to see its bad and good sides.

However, the participants were contradictory over the ongoing trial against former KR leaders. While they did not oppose to the trial, they felt that leaving the direct perpetrators of the crimes during the DK period (1975-1979) unpunished was unfair. What these former KR members generally commented was that the "senior KR leaders and those most responsible" for the commission of the crimes was just a "scapegoat." Contrarily, what the participants had in common was that they did not want to see any further court jurisdiction on the KR atrocity expanded and that more KR members arrested.

## **APPENDIX I: Learning about DK History Needs To Be Balanced**

**By: Ms. Nong Chanmolika**

Located about less than 235 kilometers from the center of Battambang province and 25 kilometers from Samlaut district, O Ronoung village in Ta Taok commune that consists of nine villages (Veal Roloem, O Treng, Peam Ta, Peam, Ta Taok, O Ta Tiek, O Krouch, Phnom Rey and O Ronoung) is the place where Sovanda CHHAY, 57, settled permanently as a new comer after the governmental integration and became the chief of O Ronoung Village since then.



The three ox carts carry wild bamboos that these farmers have collected from the deep jungle in Samlaut district, Battambang province.

After April, 17, 1975, Sovanda moved to Phnom Penh. There, she worked as textile worker in Textile T2 industry. She said, “I did not overwork as the others [that have been] written [about] in a book I used to read. In my workplace, my co-workers and I had to take turn [when we] shift working hours. There were three sets of working hours, from 7am to 11am, 11am to 3pm, and 3pm to 7pm. Also, we had enough to eat.” She had never seen innocent people tortured. Nevertheless, she heard people who came along with her talking about torture when she escaped to a refugee camp located in Thailand in 1979.

Sovanda and the other refugees came to live in O Ronoung in 1992, after the integration. Based on what she mentioned, Eng Phan and Meas Mut were the former leaders who generally controlled the area and gathered all the refugees.

Though she was a member of the Khmer Rouge, she supports the Khmer Rouge tribunal. She said what those leaders did; they should get their misfortunes as return. If those leaders did nothing wrong, they will not be punished.

She never faced any hardship during the regime, so she decided not to tell her children about it. However, she encourages us to add both positive and negative points about Khmer Rouge to the studies because the next generation might want to know the suffering and of what happened to their ancestors. Sovanda suggests the inclusion of facts related to the period but not with information that is not definitive and vague.



