

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

The People's Reactions on Ieng Sary's Death

March 14, 2013

Former Deputy Prime Minister and Foreign Minister of Democratic Kampuchea, Ieng Sary died at the age of 87 at the Russian Hospital in Phnom Penh on March 14, 2013. His demise, however, took place before any verdict has been reached in the famous Case 002 at the Extraordinary Chambers in the Courts of Cambodia. In death he is exempted from the judicial process, and now it remains to be seen whether justice will be meted out against the remaining senior Khmer Rouge leaders.



Ieng Sary's death has only highlighted the concerns of the public about the speed with which Case 002 is proceeding. Many voiced their fears that the leaders on trial might die before a final judgment. In such a situation the proceedings against the accused would be dropped and the justice

"Phoum Sataing" or "Protocol Village" will be the cremation site of Ieng Sary. The village was used as a base to receive foreign guests who established diplomatic relations with the Coalition Government of Democratic Kampuchea (CGDK).

demand by the people of Cambodia would remain just a wish. Therefore members of the public interviewed by the Documentation center of Cambodia were unanimous in their appeal that the ECCC speed up the trial and address the problems facing the court.

Extracts from the interviews are given below:

Mr. Soem Roem, 53 years old, Banteay Meanchey province.

"It is regretful that the trial against Ieng Sary was not completed. He was one of the Khmer Rouge (KR) leaders who led to the death of nearly two million people. I do not hold a grudge against a person who has passed away. But I would like to encourage the ECCC to speed up the process of justice."

Mr. Keng Huot, 48 years old, Banteay Meanchey province.

"I cannot be anything but regretful about Ieng Sary's death. The rest of the population echoes this sentiment as the KR regime committed mass atrocities against the

population. During Democratic Kampuchea blood flowed like a river. Though Ieng Sary is dead, I can only feel anger towards him and wish him an unhappy afterlife as punishment for the death he caused. The ECCC should make sure that the rest of the accused are punished and justice is provided to the people. "

Mr. Khmim Chak, 55 years old, Banteay Meanchey province.

"I cannot feel any grief at the death of Ieng Sary as he led the country down an extremely violent path. The people of Cambodia suffered because of him and wanted to see him punished for his actions. However I can now forgive him."

Mr. Mom Chea, 78 years old, Takeo province.

"It is an insult to justice that Ieng Sary died while the trials are still ongoing. Due to its lack of independence ECCC is extremely slow and reluctant try more individuals. While I am angry I can forgive him and do not want to think of the crimes as it reminds me of the relatives I lost."

Mr. Phat Tol, 51 years old, Banteay Meanchey province.

"I feel only regret at Ieng Sary's death. The court is extremely slow, and I thereby suggest that the ECCC and Cambodian government find a way to compensate for his death. I cannot find the peace of mind, and while I forgive Ieng Sary I pray that he will not commit these sins in his next life."

Mr. Chhim Samnang, 56 years old, Banteay Meanchey province.

"It is regretful that the trial against him was not completed. It is a great injustice for those who suffered and lost during the Khmer Rouge years. I cannot forgive and forget what he did."

Mr. Dy Loeun, 50 years old, Banteay Meanchey province.

"To die naturally is part of life. However for Ieng Sary to have died such a natural death is an insult to those of suffered during the Khmer Rouge years. It is the responsibility of the ECCC to deliver justice so the next generation can be warned never to repeat the murderous activities of the Khmer Rouge. If possible I would like to know the punishment for crimes committed like those by Ieng Sary."



Ieng Sary inside Courtroom of the ECCC.

Mr. Nun Sophal, 63 years old, Banteay Meanchey province.

"The death of Ieng Sary can only be described as a dark moment in the process to bring justice to the people of Cambodia. Though the trial could not be completed in person, the ECCC should try him posthumously. If the other leaders are finally sentenced this would symbol complete justice."

Mr. Saray Poeun, 49 years old, Kratie province.

"I hold no anger at the death of Ieng Sary as I feel that the ECCC has fulfilled its goals by continuing the proceedings until his death."

Mr. Tuy Nho, 65 years old, of Kratie province.

"I have no comments on Ieng Sary's death only that I regret that his trial was never completed. I think that we should continue to document the Khmer Rouge atrocities to educate the future generations."

Mr. Chen Mut, 75 years old, Kampong Cham province.

"While I do not follow the proceedings regularly, I am satisfied with the Khmer Rouge tribunals. When I heard about the death of Ieng Sary I felt only regret that the country had lost an individual who could provide answers to the questions many have about the Khmer Rouge period. With his death I have lost the opportunity to hear his explanation about the atrocities and violence committed by so many.

I am still hopeful that the senior leaders who are still alive will provide some answers. I want the tribunals to come to a conclusion about who was responsible for the violence and destruction during those dark years. The truth is important, as it will also educate the younger generation about what happened during the Khmer Rouge regime. I am not interested in revenge only the truth. I think that even the trial of the last two senior leaders will be symbolic of justice. Finally I am not angry with the lower level cadres because I believe that they were only following orders to protect their own lives."

Ms. Ou Hieng, 71 years old, Kampong Thom province.

"I am upset that Ieng Sary died peacefully unlike the millions whose deaths he ordered during the Khmer Rouge years. Even in prison the senior leaders are living more comfortably than the Cambodian people lived as they suffered and died under the KR rule. Though they are being tried in court they sleep comfortably, have more proper clothing, and eat well. It pained me to learn that Ieng Sary died on a proper mattress in a hospital after receiving proper medical care. This is in complete juxtaposition to the many Cambodians who died without treatment, and whose bodies were left to rot in the fields. I have wondered why it is taking the ECCC so long to conclude the trial and am afraid that the remaining leaders will also die before justice is achieved."

Ms. Mom Meth, Phnom Penh.

"I regret that he died before the court concluded its trial. The process at the ECCC is extremely slow and will not provide justice for those who died during the Democratic Kampuchea period."

Mr. Cheng Hong, Phnom Penh.

"I regret that due to the financial problems faced by the ECCC the trial of Ieng Sary did not conclude before his death. Due to his old age and illness, Ieng Sary talked very little during his trial and from an academic standpoint with his death we have lost a source of potential information on the Khmer Rouge."

Mr. Sambo Manara, Phnom Penh.

"With Ieng Sary's death the case has been closed. An important document on the Khmer Rouge period has been lost forever. I pity the victims who thought that they would



Former Resident of Ieng Sary in Malai district, Banteay Meanchey province. Ieng Sary's relatives and a group of student sweep the compound of his former resident and clean this house in preparation for the arrival of Ieng Sary's body due to arrive at night of March 14, 2013. (DC-Cam archive)

receive answers about the violence and suffering during the Khmer Rouge years. The KR leaders have never admitted their crimes. We also refuse to accept the ruling of the 1979 tribunals and therefore wanted this new court.

Due to international law Ieng Sary cannot be tried after his death. Those who lose the most from his death is the younger generation. First they lost family members to the Khmer Rouge and are now deprived of the opportunity to learn the truth of what happened. Both the government and the international community are responsible for this unfortunate outcome. As a historian and researcher, I cannot comment upon whether Ieng Sary committed crimes because the court has not concluded its working."

Mr. Him Huy, former KR cadre working at Tuol Sleng Prison or S-21.

"We were not able to extract information from Ieng Sary because he was sick for so long. The court may still be able to provide justice by concluding the trial of the remaining two leaders."

Haji Sofiyon Taiyeb, 50 years old, Imam Khet of Battambang province.

"I was surprised when I heard of Ieng Sary's death because I feel that so many questions about the KR regime remain to be answered. While this is the end of his trial, I still feel that the court is meaningful because it represents an attempt to provide justice for the people."

Sup Ly Ali Osman, 49 years old, Imam Khet of Takeo province.

"As I did not get the chance to follow the news I was surprised when I heard this news. However, we have long known about his ailments and knew that we would eventually reach this point. I believe the court will speed up its proceeding in order to bring justice to the people. While it is regretful that Ieng Sary's trial could not be concluded, it seems that his imprisonment shows that he was punished and that the court fulfilled its duty."

Mr. Nos Sales, 35 years old, Government Official.

"I think when trying an individual as old as Ieng Sary such a result should be expected. While his case will not be heard in the court anymore there are still two leaders whose cases are ongoing. I fully support the Khmer Rouge Tribunal efforts to bring justice to the people as this symbolizes that we are living in a society that is ruled by laws. And while he did not live long enough to have a final legal verdict imposed on him, history will remember his infamous death."

Ms. Sam Borath, Educator from Banteay Meanchey.

"With his death we have lost the opportunity to learn the truth about the Khmer Rouge period, and the court has not completed its work."

Mr. Am Sophal, Educator from Prey Veng.

"I feel only regret at his death as he has not provided any information or answers yet. We have not received any justice either. Ieng Sary is one of the main Khmer Rouge leaders and his death means that the young generation will not receive proper answers. With his death the court has lost a source and the judicial process has become even harder."

Ms. Ou Banung, 24 years old, Department of Media and Communication, Royal University of Phnom Penh.

"We were aware of Ieng Sary's condition and his death is not a surprise. While I offer my condolences to his family, I regret that we have lost a defendant in the unfinished Case 002. Additionally it is a loss for the present generation as much still remains to be revealed about the Khmer Rouge period, and the reasons behind the atrocities committed."

Ms. Keo Sopheak, 24 years old, English student, Cambodia International Cooperation Institute, Kompong Chhnang province.

"As death is part of the human cycle of life, I was not surprised when I heard about Ieng Sary's death. I think that his death has both positive and negative impacts. The negative is that we will no longer get answers about why the Khmer Rouge killed and destroyed. However I think that it was better he died like this as otherwise he may have been killed by those who wanted to revenge."

Mr. Pao Kimthang, 25 years old, Student of Royal University of Law and Economics (RULE).



Ieng Sary's grandson sits next to the portrait and coffin of Ieng Sary in Malai district, Banteay Meanchey province. (DC-Cam archive)

"I am concerned about how Case 002 will proceed without Ieng Sary's presence as only he can speak about his actions during the Khmer Rouge regime."

Mr. Chhorn Veasna, 22 years old, Fourth year law student at RULE.

"I think his death was sudden and is a loss to the judicial process as he held many answers. Based on what I have learned about the Khmer Rouge period he is the one who spearheaded communist policy while claiming that he was nationalistic. Under this claim he

tortured many innocent people."

Mr. Soh Min, 59 years old, Kampong Cham province.

"I am furious about Ieng Sary's death and much of my anger is directed towards the ECCC, which has been extremely slow in its proceedings. I am angry that Ieng Sary died without a proper verdict being reached. The ECCC must accelerate its proceedings so that Nuon Chea and Khieu Samphan are prosecuted and the mistake of Ieng Sary is not repeated."

Mr. Teh Isa, 74 years old, Kratie province.

"I heard on radio that Ieng Sary died and am speechless. I have been following the legal proceedings for a long time and am stunned that he died before a final verdict was reached."

Mr. Hachi Sulty, 45 years old, Kampong Thom province.

"The tribunal is extremely slow in its proceedings, and I am waiting to see how the ECCC will proceed with the remaining leaders.

Suon San at Butum Vatey Pagoda.

"I grieve at the death of Ieng Sary because with his death we have lost the hope of providing complete justice for those who suffered during the Khmer Rouge. As a Buddhist I

feel that there are consequences for him even in death. It is also a loss of information as even during his life Ieng Sary denied responsibility"

A Nann in Kampong Speu Province.

"I am disappointed at his death and the tribunal also faces a great loss. With his death those who were waiting for justice have waited in vain."

Mr. Kai Kimheng, a transportation staff.

"Ieng Sary's death is a loss for the Khmer Rouge tribunals since they were not able to deliver a final judgment on him. His death will be buried alongside the justice that people have waited so long for."

Sai Sokhum, Pailin province.

"With his death I sincerely hope that Cambodians can forgive him so he may rest in peace as nothing can be gained from his death now."

Mr. Abdugani Pin Musa, 50 years old, Ha Koem in Stung Treng province.

"The death of Ieng Sary has left behind uncertainty about the perpetrators of the cruelties committed during the Khmer Rouge regime. The question remains of whether Ieng Sary was a killer during Khmer Rouge, or if he was just a subordinate. Therefore the history of the Khmer Rouge regime remains unclear."

Ieng Sary's death has led to only regret amongst Cambodians as they feel he escaped the criminal charges at the ECCC, and justice for a second time. In 1979 the People's Revolutionary Tribunal (PRT) was created and tried Pol Pot (former Prime Minister of Democratic Kampuchea) and Ieng Sary. Both men were sentenced to death in absentia but this verdict was never executed.

While the concern that the remaining two leaders may die before a verdict is reached is widespread, the ECCC is still struggling with financial issues.

This has been greeted with dismay by both national and international observers. Everybody is unanimous in their agreement that the ECCC needs to speed up the proceedings and reach a final verdict on Case 002.

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