

Living Documents Project Third Quarter Progress Report 2010

This quarter there are several significant activities. First, in July, the project visited Kampong Speu's province's Kraing Dei Vay commune, Phnom Sruoch district to conduct a forum to discuss the current developments of Case 001 of the ECCC involving Tuol Sleng prison (S-21)'s head Kaing Guek Eav alias Duch and Case 002 concerning the four KR most senior leaders: Nuon Chea, Khieu Samphan, Ieng Sary, and Ieng Thirith. Also, in the same month, the Living Documents' Team showed live and replayed videos of the ECCC's first verdict pronouncement in Case 001 in 7 provinces across the country including Kampong Cham, Kadal, Kampong Thom, Pursat, Banteay Meanchey, Svay Rieng, and Takeo. On the day of ECCC's Case 001's verdict pronouncement, the project invited 30 complainants from Stung district, Kampong Thom province to observe firsthand the pronouncement reading at the ECCC courtroom in Phnom Penh. In August and September, the team conducted Duch verdict screenings in two Khmer Rouge strongholds: Pailin, Samlot (Battambang Province), Malai (Banteay Meanchey province), and Phnom Voar (Kep province) to gather the opinions of former Khmer Rouge members and members of various religious faiths. Finally, this quarter, the project conducted three public education forums in the provinces of Kampong Speu, Prey Veng, and Kampong Chhnang, to discuss Khmer Rouge history and crimes committed under Democratic Kampuchea (DK). Details of activities, outcomes, impact and challenges are described below.

1. PROJECT ACTIVITIES AND OUTPUT

Objectives of the project:

The project seeks to increase participation of KR survivors in the process of the Extraordinary Chambers in the Courts of Cambodia (ECCC) and the legal system, and to encourage ordinary villagers to become active in seeking a more open and just society. The project aims to bring survivors to observe ECCC proceedings so that they have a better understanding of the history and crimes of that period and can share this information with members in their communities. This project has provided opportunities for both victims and perpetrators to share their experiences, thereby contributing to the reconciliation process in Cambodia. The project activities this quarter promoted the participation of KR survivors in the justice-seeking process by organizing their attendance at the ECCC verdict pronouncement, organizing Duch's verdict screenings and discussing the ECCC and Case 002 in villages with the collaboration of local representatives or trial observers as leaders of discussion.

ECCC Verdict Pronouncement

From July 25 to July 27, 2010 Living Documents invited 30 villagers from Stung district, Kampong Thom province (near Duch's birthplace) to attend a half-day event in which the Duch verdict pronouncement read by the President of the ECCC's Trial Chamber Nil Non. On July 25, the group met with Terith Chy, team leader of the Victim Participation Project, and DC-Cam's legal advisor to receive information regarding Duch's background and his trial proceedings. The group was also equipped with information necessary to judge

the verdict. They also had the chance to watch a documentary film. The villagers then traveled to the court on the next day to observe the announcement of Duch's verdict read by President Nil Non. Before leaving for the courtroom, three written materials including the new edition of DC-Cam's *Searching for the Truth* magazine, the textbook "A History of Democratic Kampuchea (1975-1979)," and the booklets "Genocide: The Importance of Case 002" were distributed to each participant. Some of their reactions to the verdict are mentioned in the Progress Evaluation part.

Village Forum and Film Screening

I. July 7-8, 2010 Village Forum in Kraing Dei Vay commune, Phnom Sruoch district, Kampong Speu province.

The Living Documents team traveled to Kampong Speu province to conduct a forum to discuss the current developments of Case 002 and the upcoming announcement of Duch's verdict. The event took place in Banteay Rorka pagoda in Kraing Dei Vay commune, Phnom Sruoch district, Kampong Speu province.

On the forum day, about 40 villagers received copies of DC-Cam's publication, *Searching for the Truth* magazine and booklets on Case 002. They gathered in the praying hall of Banteay Rorka pagoda where both the verdict screening and discussion took place. Most of those who attended are survivors of the KR regime. Among them, about 40% were women.

The commune chief mentioned the significance of the event, saying that it was important for people to be informed about the process of the KR tribunal and to share information and experiences of the DK era with one another. The team then assisted in providing an overview of the ECCC's creation and the five suspects currently in custody. While explaining the four senior leaders in the ECCC's Case 002, their roles during the DK, and the charges, participants were anxious to see pictures of KR leaders because they had never seen them before. The Living Documents team then took the opportunity to talk more about the four leaders using the booklet "Genocide: The Importance of Case 002." This booklet contains illustrated pictures and short bios of the four most senior leaders. The team also updated villagers about the upcoming Duch pronouncement and urged them to closely follow the proceedings either through radio or TV.

Video footage of Duch's trial (his apology and his request for release) and a video of Khieu Samphan's speech as well as reactions from people in other locations were shown to villagers. Afterward, discussions followed. An elderly woman was the first to speak. She spoke intensely when responding to the questions about Duch's trial and his apology. In a loud voice, she expressed her desire to see Duch sentenced to jail. Despite his apology, she believed that he should receive life imprisonment since many Cambodians, including her husband, died. Another man, aged 57 from Krasaing Kpors village, stood up and said that he had occasionally followed Duch's trial on radio but the information he received was inadequate and unclear. He added that he wouldn't be able to forgive Duch because he feels angry each time he remembers the DK regime.

Following the second video on Khieu Samphan's statements, several participants said they doubted the innocence of senior KR leaders who claimed that they were unaware of mass killings and starvation during the KR regime. However, they were happy to see the tribunal

established and see KR leaders brought to trial. Other participants said that the information from the forum and video screening was valuable to them. Many said that they were going to share this information with their neighbors, family members, and children.

II. July 24-28, 2010 Live and Replayed Duch Verdict Screening in Banteay Meanchey, Kandal, Kampong Cham, Kampong Thom, Pursat, Svay Rieng, and Takeo.

a. Objective

The objective of this program is to allow survivors of the Khmer Rouge regime to witness the pronouncement of the verdict of Case 001 in which Duch, former head of S-21 Tuol Sleng prison, was tried for crimes against humanity (imprisonment, torture, enslavement, rape, murder, extermination, and persecution) and grave breaches of the Geneva Convention of 1949. Duch is the first former Khmer Rouge to be tried by an internationally recognized court for atrocities committed during the Democratic Kampuchea era (1975-1979)

b. Detailed Activities

The team conducted live and replayed screenings of Duch's verdict pronouncement and other documentary films in seven provincial locations on July 26 and 27. The event took five days total including pre-screening preparation time.

Before the Screening July 24 & 25

One day before the screening day, each of the teams worked closely with a commune representative (who served as a facilitator) to arrange prescreening activities such as putting up banners at assigned locations, announcing the screening to villagers, gathering villagers with the help of village chiefs and respected community members, and other logistical preparations (setting up screening materials, arranging refreshment, etc). The teams hung banners at various locations around the district and at the screening sites. Each team also asked two local café shops to show the verdicts on their televisions and hung the banners at their places. These small-scale café screenings will allow more people to watch the live broadcast including regular café goers and those unable to attend the large screenings. The team placed two log books, 50 copies of each written materials including magazine *Searching for the Truth*, the booklet *Genocide*, and DK history textbooks at café shops at each location to distribute to café customers and those who attended the TV live broadcast. In addition to verbal and written announcements of the screening, the team in Svay Khleang, Kampong Cham rented motorbikes equipped with loudspeakers to announce the live screening program in the village and neighboring villages to reach as large of an audience as possible.

The screenings took place at local pagodas in each site except at the Cham-Muslim Svay Khleang location where the screening was held in a former Sarav (praying hall for Muslims) that is now a guest house.

1. Kampong Cham: Sarav located in 5 village, Svay Khleang commune, Kroch Chhmar district.
2. Pursat: Rumlech pagoda in Rumlech village, Rumlech commune, Bakan district.
3. Kandal: Por Andet & Keo Veang Koh Andet pagodas in Anlong Pann village, Prek Sdey commune, Koh Thom district.
4. Takeo: Char pagoda in Cha village, Cha commune, Prey Kabas district.
5. Banteay Meanchey: Preah Net Preah pagoda
6. Kampong Thom: Pov Pisey pagoda in South O-Kunthor village, O-Kunthor commune, Stung Sen district.

7. Svay Rieng: Por Serey pagoda in Chrok Skor village, Svay Chek commune, Rumduol district.

The locations were chosen because they are the home districts of commune and village chiefs and victims and former perpetrators who have been actively engaging their communities in the ECCC proceedings. These commune and village chiefs have observed Duch's trial hearings and have been following Duch's proceedings. They also have significant roles in the screening by coordinating with local authorities and local pagodas to make sure we can use the location, informing and inviting villagers to attend the event as well as arranging logistics on site to make the screening possible.

The seven sites are also historically significant. (1) Svay Khleang, Kampong Cham is home to Cham-Muslim community who originally rebelled against the Khmer Rouge's repression in the early year of DK controlled period. (2) Rumlech, Pursat home to a highest population of Khmer Kampuchea Krom residents, an ethnic minority comprised of those originally from Southwestern Vietnam and who were accused of being allied with Vietnam and targeted for KR killings. (3) Koh Thom, Kandal comprised of those of former perpetrators who used to work in S-21 Tuol Sleng prison and home to one of the most important prison sites Koh Por. (4) Prey Lvea, Takeo, contains many mass graves and killing sites. (5) Trapeang Veng, Banteay Meanchey contains the largest dam built by the Khmer Rouge that cost thousands of innocent lives. (6) Prek Sbauv, Kampong Thom is a birthplace of infamous KR supreme leader Pol Pot. (7) Rumduol, Svay Rieng, is the homeland to Khieu Samphan, one of the most senior KR leaders charged in Case 002.

Duch Verdict Live Screening July 26

On the day of the live screening on July 26, the number of people at each site (villagers, students, teachers, villagers, nuns, Buddhist monks, Hakem, and Tuon) ranged from 60 to 260 people. The teams arrived at the screening sites located in local pagodas and Sarav to finish setting up the screening equipment and make sure things were working properly. By coincidence, the rainy season religious ceremony normally celebrated at pagodas occurred at the same time as Duch's verdict pronouncement. Most of these ceremonies were held in the early morning, leaving enough room for the team to set up the screening. In a few cases, this was not the case. At Rumlech's screening, Pursat, the ceremony finished around 9:30 am at which time the location television station CTN aired its pre-verdict live broadcast program summarizing Duch's roles and work during the DK and highlighting experts' view on the verdict. The team, therefore, were unable to provide the villagers with its own presentation about Duch's biography and his past trial summary.

Before the live screening began, local representatives introduced the DC-Cam team and its work to villagers and spoke about the long awaited verdict. They encouraged their communities to listen to the pronouncement, engage in discussion afterward, and ask questions. They asked participants to offer their reactions. Similar to other locations, at Svay Khleang (Kampong Cham)'s screening, Cham-Muslim religious leader, Soh Pinyamin, and village chief, Nomin, spoke of their personal feelings about the justice seeking process and issues related to the court. As regular observers of the trial, they shared their knowledge of the related issues such as Duch's public apology, his acknowledgments of the crimes committed at Tuol Sleng, and his background as a high school teacher. The DC-Cam team members assisted the representatives in presenting Duch's case and his biography.

At the conclusion of the verdict pronouncement, DC-Cam held a discussion with community residents, who had mixed feelings about the result. While many acknowledged the autonomy of the court, most were upset and felt Duch's sentence of 35 years in prison was far too lenient considering the number of lives lost at Tuol Sleng. Following the discussion, after lunch break, individual interviews with participants were conducted in every location to gauge their views on the verdict and on their personal experiences under the DK period.

At some locations, like in Pursat, participants remained after the screening to watch the documentary films "Behind the Walls of S-21" and "Tuol Sleng in 1979" in the afternoon. At other locations, the films were shown in the evening.

Video copies of the verdict were sent by taxi from Phnom Penh to the provincial town on the same night so that the team could play the verdict the next day. Unfortunately, the teams in Takeo and Kampong Cham province never received the copies of the verdict pronouncement due to the lack of transportation to the remote villages where the screenings were conducted. Both teams therefore modify the program by including more discussions and interviewing.

Duch Verdict Replayed Screening July 27

On the following day of the live verdict, the DC-Cam team replayed the verdict to groups of students and villagers who did not have the opportunity to watch on the first day. The team provided a brief overview of Duch's trial, the court, and the verdict to the participants.

In some locations such as Pursat and Svay Rieng, the number of participants decreased dramatically on the second screening day because community members were occupied with their rice fields. However, the second screening day in Kandal still received quite a large numbers of participants because the screening was moved to another pagoda in the same commune so that people living near the new location could attend. The screenings ended with discussion, questions and answers, and comments. Some interviews were also conducted. In selected locations, such as Kampong Thom, Kampong Cham, and Kandal, video recording on the forum, screenings, and interviews with participants was taken on both days to recorded people's reactions on the judgment and activities of the screening.

c. Distributing materials

Upon their arrival, participants received published materials from the DC-Cam team including the new booklet *Genocide: The Importance of Case 002, Searching for the Truth* magazines, the textbook *A History of Democratic Kampuchea (1975-1979)*, flyers, ECCC booklets, and posters. These materials gave villagers additional information about the Khmer Rouge Tribunal and served as reading material to accompany the verdict screening. Many participants commented that the *Genocide* booklets provided key information on the case.

III. August 12: Duch's Verdict Discussion at Christian Church in Phnom Penh

Pastor Moses Samol Seth, the director of International Mission, a Phnom Penh based Christian Church, requested DC-Cam to screen documentary films and lead discussions about the verdict among 50 representatives of 800 Christian churches in Cambodia. This event was held at the AGAPE International Mission, Phnom Penh Thmei, on August 12. The team also screened two documentaries "Tuol Sleng 1979" and "Behind the Walls of S-21."

Director Youk Chhang started off the discussion by quoting Genesis 9:6, “If anyone sheds the blood of man, by man shall his blood be shed; for in the image of God has man been made.” Following this logic, “Because Duch took blood from others we have to pay them back; Duch must receive what he has done” by being sentenced by the court.

The Christian participants in Phnom Penh had a good understanding of the Bible's scripture. They accepted the verdict as appropriate earthly justice, but believed that it was important that Duch forgive himself and that others forgive him in order to promote long-term reconciliation. At the end of discussion, Pastor Moses requested that DC-Cam provide books and film screenings about the Khmer Rouge period for all Christians so that they can learn about what happened and prevent future genocide. For him, the prosecution of Duch is the duty of the government and the court, yet we should forgive him and not treat him badly despite his past actions.

IV. August 14-18: Village Forum and Replayed Screening of Duch Verdict Pronouncement in Pailin and Samlot (Battambang)

Living Documents conducted a field trip to Pailin and Samlot district to screen the Duch verdict pronouncement and hold discussions with former Khmer Rouge cadres, monks, students, teachers and parents. Samlot, where Duch converted to Christianity and was discovered living under an assumed name in 1999, hosts a large Christian community, whereas Pailin is overwhelmingly Buddhist. They were two of the last Khmer Rouge strongholds and are home to many former KR cadre and their families.

After screening the verdict pronouncement and documentary films, the team and local representatives led an exchange of views on the judgment of the court among the more than 100 participants that attended each forum.

The Pailin screening took place in the monk dining hall of the Kaong Kang Buddhist temple located in Pailin city, Pailin province. After the screening, high school teacher Seng Sitha, a Genocide Education program participant and a regular observer of Duch's trial, together with the team, led a discussion on the court's judgment and the history of Democratic Kampuchea with monks, villagers, students, and teachers.

Most participants accepted the legal sentence of 30 years, minus 11 years time served, and felt that it was long enough because it would bring Duch to the end of his life, or at least to an advanced age by the time of his release. Moreover, they did not believe that the sentence was vindictive. They expressed that it is what Duch must receive under human law for what he has done. However, participants did not believe that Duch could be forgiven in this life, as under religious law, he would still receive *karma* — religious punishment — in the future until he repays what he has done.

The Samlot screening also had quite a large number of participants who sat inside a tent set up on the yard of the Christian church where Duch used to attend. It is located in O Snguot village, Tasagn commune. Following a screening of a documentary film and the verdict pronouncement, a lively discussion of the sentence was conducted. Among the participants, some knew Duch, and remarked that he looks healthier since his arrest. A few participants would have preferred that Duch receive a life sentence, but noted that he was old so it should be okay, implying that they hoped he would die in prison. However, a majority of participants said they knew little of the trial but felt Duch had already paid for his sins.

V. September 10-12: Village Forum and Replayed Screening of Duch Verdict Pronouncement in Malai district, Banteay Meanchey

The team organized a forum on the Duch verdict in former Khmer Rouge stronghold Malai, located in the northwest Thai border province, Banteay Meanchey, on September 11. The district is composed of 95% former Khmer Rouge cadres who flowed into the area with senior leaders in 1979. The forum took place in Ratanak Malai, a Buddhist pagoda.

Most of 120 forum participants were women including the local officials (commune council members). It should be noted that women in this area play an important role in rebuilding the community after the civil war in 1990s. As a consequence of the war, like other former Khmer Rouge strongholds, there are many physically handicapped men. The effect of this is women taking on some non-traditional roles, thereby expanding their status and contributions to society.

Following the screening of the verdict, Case 001 civil party member Hav Sophea, who has participated frequently in Duch's trial proceedings, talked about her experiences at the hearings. Sophea filed a complaint with the ECCC to find justice for her father who was killed at the S-21 detention center. Her involvement encouraged discussion. Nevertheless, most participants did not have strong views about the Duch verdict.

Most of the participants felt that Duch and the other four Khmer Rouge leaders (who were once their neighbors) should only receive short sentences because they did “good things” in addition to their atrocities and are now old.

VI. September 27-30: Village Forum and Replayed Screening of Duch Verdict Pronouncement at Phnom Voar former stronghold, Kep province.

On September 29, the Living Documents team hosted a forum on the Duch verdict in Phnom Voar (“Vine Mountain”), in Chamka Bei village, Pornng Toeuk commune, Damnak Chang'er district, Kep province (in the Southwest part of Cambodia), with attendance of approximately 200 people including former KR members, victims, teachers, and Cham-Muslim members. The area is infamously known for the 1994 Khmer Rouge train attack that resulted in the murder of three foreign backpackers during Cambodia's civil war.

In the forum, the first person to speak was commune council member Chum Nuong, a former KR soldier, and the village chief Saroeun. They welcomed the villagers and encouraged them to speak up and ask questions. Then ECCC's deputy Co-Prosecutor William Smith spoke about the importance of the ECCC for bringing justice to the victims and for the future development of Cambodia. Several questions were asked by participants related to the dates of Case 002, the maximum sentence, the possibility of trying more leaders besides the five, and the effect of a defendant dying before or during trial.

S-21 prison guard Him Huy and S-21 child survivor Norng Chan Phal, both of whom provided testimonies to the court during Duch's trial, discussed their biographies, their support for the court and how their personal motivation to participation in court contributed to their personal healing. Their presence was important because it encouraged the discussion of the court verdict as well as their personal opinion. The focus also centered on relation of former KR perpetrators and victims and if they could possibly live together.

Overwhelmingly, the view was that this was possible, and essential, and revenge is an unending cycle. All cadre interviewed expressed their support for the court.

VI. August 23 & 29 & September 25: Public Education Forum in Kampong Speu, Prey Veng, and Kampong Chhnang.

The program included three informal public education forums in its activities. It gave those with limited access to formal publications related to KR history the chance to share their experiences under the DK with community members and their children. The aim of the forums is to empower local villagers, especially parents of young generations, to educate young people on KR history. Moreover, the forums provide an opportunity to villagers (victims and perpetrators) to converse and collaborate with teachers in educating children about what happened during the KR regime. The forum is conducted to bring awareness to the community and to create dialogue within the family and community.

The three forums were conducted either in a high school or in a local pagoda. At each forum, participants, especially the local villagers, were encouraged by team members to take a role in educating other members of the communities about the crimes committed by the KR upon them. Often, particular stories of the villages and events emerged out of discussion. These stories help to explain to young people and those who did not have the same experiences what really happened under the KR regime.

The first public education forum was conducted at Hun Sen Anglong Chrey High School in Anlong Chrey village, Pram Bei Mum commune, Thpong district, Kampong Speu province on August 23, with 50 participants. The second was conducted at Chy Phoch pagoda in Chy Phoch commune, Mesang district, Prey Veng province, on August 29, with over 200 participants. And a third forum was conducted at Ampeak Vorn pagoda in Kampong Boeng village, Kampong Hao commune, Kampong Leng district on September 25, with around 200 participants. In each forum, the provincial teachers who participated in the Genocide Education training, were greatly helpful organizing the forum and lead the discussion.

In the Kampong Chhnang forum, commune chief Vanthorn and Seng Ly Rattanak, a provincial teacher, assisted the team in organizing the forum and inviting villagers, students, and teachers to attend. The teacher Ly Rattanak also had another important role in the forum by engaging people in discussion. In addition to providing information on the prison system during DK, the teachers facilitated discussions of several participants who were eager to share their personal experiences on DK prisons. Other participants shared their overall experiences under DK. Young people, especially high school students, were convinced by the stories because it was similar to what they had learned in school. As a result, they are able to learn through the sharing of stories from their elders.

2. EVALUATION OF PROGRESS WITH SUPPORTING DATA

This quarter the project brought **30** villagers from Stung district, Kampong Thom to attend the hearing on chief of S-21 prison's verdict pronouncement. The project also conducted **13** live and replayed screenings of Duch's verdict pronouncement and village forums with **3,047** villagers in Phnom Penh and in 12 provinces. In addition, three public education forums were held in 3 provinces with **450** participants. In total, we conducted interviews with **156** program

participants on their personal experiences during the DK period and their perspectives on the Duch's verdict pronouncement as well as their views on the upcoming trial for Case 002.

Following observation of the verdict pronouncement, team members collected 16 responses from hearing participants who expressed their views towards the judgment. 14 out of 16 agreed and were satisfied with the court decision, while the rest made no comments on the decision but expressed their general satisfaction of the court. All of them expressed enthusiasm in sharing the information from the program with their community members.

Some comments from the respondents include:

1. I completely agree with the verdict, but I am unclear on the rules leading to the judgment.
2. I strongly support the verdict and hope Duch would not be released before he dies.
3. It was my first time learning about the crimes committed at S-21. It shocked me to learn about the atrocities at Tuol Sleng.
4. In addition to the judgment issued by the court against Duch, I would like to suggest to the court that it continue its mission to seek justice for Cambodians. I would also like to see the court punish those leaders found guilty of committing crimes against their own people. I do not want the court to forgive them. Upon my return, I will disseminate the information received from the program with my neighbors and my community.
4. I was very interested in Duch's biography read by the Judge President during the pronouncement.
5. I request that the court make more effort to bring those criminal offenders to trial.
6. I feel very relieved after learning that the court found Duch guilty of serious crimes and sentenced him to 35 years. I will share this exciting news with my neighbors so they will also feel relieved since they have waited so long to see the judgment issued.
7. Although the verdict does not completely satisfy me, I think, it is acceptable as it follows the rule of law. The court has collected all kind of evidences, engaged all parties including civil parties, witnesses, and defenses in the proceedings. The verdict is very meaningful to me as it represents the first time justice is served in Cambodia. It also shed light on the path to reconciliation in Cambodia. The verdict also helped me to feel relief as I learned that the accused is found guilty and given a maximum sentence. Although the verdict does not repay what we have lost, it's still meaningful and provides me some sense of relief. Finally, I strongly hope that the court will continue its meaningful work to bring justice to Cambodians. I also hope that this court will set a good example for future generations.
7. I think the court has done the right thing in bringing those leaders to trial. I hope the court will have a positive impact on the younger generation and help bring peace to people's lives.
8. I am happy about the verdict and have gain more confidence in the court.

Some concrete outcomes includes:

1. Conducting live verdict screenings in local communities allowed more people to receive up-to-date information on Duch's trial, engage in the process, and openly express their opinions. Although they expressed their support for the tribunal in general, the reaction of participants to Duch's verdict was diverse, varying according to participants' experiences under the KR regime and their understanding of the sentence. First, those who immediately understood the sentences to be 35 years accepted it because they thought Duch would die in prison. Some of those who accepted the sentence to some extent got upset after learning that Duch would serve only 19 years in prisons due to mitigating factors and time served. Kong Lep from Preah Net Preah village, Banteay Meanchey province who wanted to

hear exact words of the judgment said that the verdict was "reasonable and acceptable." Similarly, Kao Thong, aged 39 from the same village feels that 35 years is appropriate because Duch was very old already. However, after learning the actual time that Duch will serve in prison, he commented that the court should decide upon the crimes committed and the sentence should be life. "19 years is not enough. I feel very little, powerless," he added.

Similarly, in Prey Kabas district, Takeo, several men and women said they agreed with the length of Duch's sentence and the guilty verdict. Another man said he agreed with the length of the sentence but would have liked to see the Tribunal order Duch to make some type of reparation or apology to the Cambodian people for his crimes. The Commune Chief then said that he accepted the verdict despite believing that Duch deserved far more. Sau Peng from the same village was satisfied with the 35 year sentence, but upset to learn that Duch would only serve 19 years due to mitigating circumstances; he hoped that Duch would accept the sentence and not try to appeal or ask for a reduction of time.

Some villagers were dissatisfied and thought that the sentence was too short. They believed that Duch should receive more years or a life sentence given the severity of crimes committed at S-21. Other participants accepted the judgment but would have been more satisfied if Duch was sentenced to life imprisonment. In Banteay Meanchey, a verdict viewer commented that 35 years is too short compared to the crimes committed at S-21. "If Duch were 40 to 50 years old, I wish I could ask for the court to sentence him to life in prison because the crimes he committed were so serious. If I were a judge I wish I could sentence Duch to life imprisonment," a villager commented. When villagers found out that Duch would only serve 19 years in prison due to mitigating factors, those who initially accepted the judgment became upset because it was too short.

Although many people were disappointed at the court's decision, some people still had a positive view about Duch's case and the tribunal in general. For example, villagers at the Svay Rieng screening felt that at least some justice was served through the guilty verdict and that the tribunal provides a way for the younger generation to learn about Cambodia's past.

2. Through Duch's verdict screening, program participants became more interested in the process of the trial and especially in the upcoming Case 002. At the Duch verdict screening in Svay Rieng, some villagers commented that it was a good opportunity for the villagers to also learn about the tribunal and Case 002. It was good to explain the legal parameters of the tribunal since many people thought that Duch should be killed. People also expressed their interest in following Case 002. Hong Huy, Preah Net Preah commune chief expressed his hope for the second case (Case 002) that this process will be better and that the prosecution of the top KR leaders would be successful.

3. Verdict/film screenings and forums provide a safe space for survivors to reflect on their experiences and encourage discussion on the DK history. Through film screenings and forums, participants are more willing to speak about their past experiences and reflect on the court's work.

4. The screening of the court and its verdict is helpful to confirm the stories that children have heard from their parents because many of them had a hard time believing that such grave brutality really happened. In Banteay Meanchey, Chong Soeu and Pram Sokhom (in their 60s) told their children and grandchildren about the KR regime before but most of the time their grandchildren had trouble believing them. After DC-Cam screened

documentary films and the court's verdict in their village, they believed their grandchildren would take seriously and believe that happened under the DK regime.

5. Village forum in Khmer Rouge strongholds play an important role in reducing fear and uncertainty on the ECCC's jurisdiction and encouraging them to participate more in the court's process. Former Khmer Rouge cadres, participants at the forums, were happy to learn that the trial would be limited to only the four senior leaders and as a result, happy to share their experiences. In the Malai forum, former KR, Kheum Kheng, aged 52, did not want the number of defendants to increase. "I suggest the court reconsider the number of people to bring to trial. I think that these 4 or 5 people are enough."

6. Village forums help increase awareness of KR atrocities among former KR cadres. By inviting Ms. Hav Sophea, a civil party for case 001 to participate and lead the discussion in Malai, it was a great opportunity to educate former KR about the brutality of the Khmer Rouge. Many former KR understand KR history based on their own experiences, thus hearing a victim of the regime gives them an alternate personal and credible account of the atrocities.

7. Through the forum in Samlot, the team was able to get to talk to Duch's sister. Although she was reluctant to speak to us and have her photographs taken, she did mention that she was upset with a journalist who called authorities about her brother (Duch) in 1999. Due to her emotional condition, the team left and returned later with the book "The Lost Executioner" written by Nic Dunlop, the journalist she referred to, and asked her to get in touch with DC-Cam if she found any information in the book inaccurate.

8. Because of former S-21 guard and S-21 child survivor's presence, the forum discussion in Phnom Voar focused heavily on the possibility for cadre and victims to live together. The process of bringing former KR cadres and victims together has provided an example for villagers to consider their own practice in building a better relationship between victims and former perpetrators. This type of discussion will help promote reconciliation on a personal and community level in Cambodia.

Summary Activities Table

Activities	Month	Provinces of Participants	No. of Attendees	No. of Responses collected	No. of Interviews	Number of Materials Distributed
ECCC's Duch's Verdict Pronouncement	July	Kampong Thom	30	16	9	History of DK textbook: 700
Village Forum and Video Screening	July	Kampong Speu	40	None	2	<i>Genocide: The Importance of Case 002</i> booklets: 4800
Duch's Verdict Live and Replayed Screening	July	Banteay Meanchey	490		31	
		Kandal	437		15	
		Svay Rieng	560		12	
		Takeo	360		5	
		Kampong Thom	290		27	
		Pursat	260		21	
Duch's Verdict Replayed Screening and Village Discussion	August	Kampong Cham	40		10	CTM booklets: 210
		Phnom Penh	50	None		
		Samlot & Pailen	200	5	ECCC posters: 70 Duch	

Public Education Forum	August	Kampong Speu	50		8	Information Pamphlet: 700 copies
		Prey Veng	200		10	
	Sept	Kampong Chhnang	200		None	
Duch's Verdict Replayed Screening and Village Discussion	Sept	Malai	120		7	ECCC's Duch's Verdict Summary: 900
		Phnom Voar	200		4	
Total			3527	16	156	Banners to inform villagers about Duch's verdict and screenings: 35

3. IMPACT IN THE THIRD QUARTER

The project impact is noted in several folds. First, reaching out to former KR cadres will help to increase their participation in the justice-seeking process. Hearing from former KR cadres helped us to understand their views on the court and how they want to participate (observing the court process and trials). It also provided assurance to former lower level KR to feel more comfortable in sharing their stories and engage in the process. It is important that both victims and KR cadre support the court. Second, through the screenings and forums, the program collected and documented people's views on the trial, contributing to the court's preparation for Case 002. The opinions from ordinary Cambodians were recorded in articles and internal reports. These events also increased people's confidence in the justice-seeking process, namely the ECCC. Third, by getting program participants to reflect on their experiences under the KR regime, we are contributing to the national dialogue on the KR era. Also, younger generation is able to learn from their parents' experiences and expresses empathy for their parents' sufferings. Finally, the program served as a mechanism to promote leadership abilities among people at the grassroots level by giving local representatives an opportunity to organize forums and lead in discussion. Hav Sophea, a civil party assisted by DC-Cam in Case 001, was empowered to give talks and lead discussion among groups of survivors (both former KR and victims). Because of her direct involvement in Case 001, Hav Sophea was invited to discuss her life story as well as her views about the court. Her dream of becoming a teacher was lost when her father was taken away as she was forced to drop out of school to help her widowed mother to support the family.

4. CHALLENGES AND RECOMMENDATIONS

There were several main challenges to the program this quarter. Following a brief explanation of the challenges are suggestions that will be implemented in the next quarter.

In certain screening locations, for example in Kampong Speu province, there were some difficulties for villagers in attending the forum. Many participants could not attend due occupation with transplanting rice seedlings, the short notice of the event, and in one location the funeral ceremony of an Achar (a Buddhist teacher) required the attendance of many community members. To reduce the first challenge, numerous phone calls were made to village chiefs inform directly before the written invitations arrived. In a few cases, due to the heavy rains, village chiefs turned off their cell phones and we could not reach them. In such cases, we called commune staff to deliver invitation letters directly to the village chiefs.

Recommendation: The team plans to conduct more advance site visits which allows us the opportunity to directly contact local officials. In the cases in which site visits prior to the event were conducted, there were no problems in informing local villagers about the event.

During live verdict screening, the Living Documents team faced the following challenges:

-Technology: Although technicians and staff members set up the equipment a day in advance, there were still some technical difficulties during the screening. On the verdict day in most locations, there was a heavy rainstorm in the morning which caused the electrical issues and loud noise. In Pursat, the broadcast of the verdict ceased for several seconds. The cable feed also stopped several times, but was promptly repaired by the technicians. In Banteay Meanchey, on the second day after the rain had stopped, the team opened the doors of the pagoda and moved the second screening outdoors since the inside was wet and the outdoors provided fresh air.

-Confusion about the Verdict: One of the main challenges for this screening was the confusion among participants on length of the sentence. When the court stated Duch was sentenced to 35 years in prison, most people understood this to mean 35 additional years on top of the time he had already served (i.e., 35 years was the result after reduction of time served and remedy for illegal detention). Many people were initially happy with the verdict, but were quite disappointed to learn that it was less. This misunderstanding was both confusing and upsetting to many participants. Immediately after the staff received confirmation that 35 years would be reduced to a 19-year sentence, they carefully explained the news to participants. This confusion meant that interviews conducted with participants who assumed that Duch would serve 35 years were somewhat inaccurate. Cambodians nationwide were confused about the sentence. This confusion was later confirmed by ECCC Public Affairs officials on local television programs broadcasted later that day. In addition, participants also had difficulties understanding the legal language of the verdict reading. Furthermore, the verdict, while only an hour, was quite exhausting for most and many seemed to lose interest with some leaving before the sentence was announced.

Recommendation: Although some part of the challenges were out of DC-Cam's control (the verdict itself created confusion even among staff members), more effort must be made to explain the legal language of the judgment to those with limited knowledge of the law. In the future, the team will provide more explanations of legal terminology during screenings of Duch's verdict and actively ask participants if they are unclear about certain parts of the verdict. In addition, the team will also show select parts of the nearly two-hour verdict reading to save time and lessen confusion over legal terminology.

Timing: Unfortunately, the screenings took place on the same day as the *Chol Vassa* ceremony (a Buddhist ceremony for the rainy season) and high school final examinations. The first obstacle was partly resolved because the Buddhist ceremony occurred very early in the morning leaving enough time to prepare and conduct the screening. Unfortunately however, there was no way around the high school final exams leading to a reduction of the number of students who could attend the screening.

Duch Verdict Screening in Former KR Strongholds

Most participants at Malai's screening did not have strong views about the Duch verdict. On the other hand, most seemed to agree that their former neighbors, the four senior leaders,

should receive only short sentences because they did “good things” as well as bad and are now old.

Recommendation: In order to generate more discussion on Duch’s verdict, at the next forum the team plans to add a clip of Duch’s apology and acceptance of responsibility for the crimes at S-21. This clip is important because it shows that Duch acknowledged the crimes that took place at the prison center. It also helps them to better understand Duch’s guilty verdict.

Finally, the challenge for Duch verdict screening in Phnom Voar was the lack of a public venue to hold the screening (the smallest indoor space could hold only 20 people). The seating area also became hot as the morning went on and the amount of shade decreased. Because of this many people stood up during the film screenings and left with their restless children before the end of the forum.

Recommendation: Future screening would make sure to be held in an appropriate dark space where attendees could both view the films or verdict footage as well as engage in discussion. Although there are certain difficulties in some villages where the space is unavailable, the team would have to make more effort and be more resourceful in terms of locating appropriate screening venues or in even created make-shift ones.

5. Supporting Documents

Relevant articles in *Searching for the Truth* include:

- "Disarray and Disappointment after Duch Verdict" by Dacil Keo,
- "Capturing the Events of the Day" by Natalae Anderson
- "Kong Rum thinks that Duch Sentence is Too Light" by Sokchamroeun Ly.

Reports for the Duch Verdict Live and Replayed Screenings in 7 locations and former Khmer Rouge Strongholds can be found at:

- http://www.dccam.org/Projects/Living_Doc/pdf/The_Duch_Verdict-A_DC-Cam_Report_from_the_Villages.pdf
- http://www.dccam.org/Projects/Living_Doc/pdf/Duch_Verdict_Screening_in_Pailin_and_Samlot.pdf
- http://www.dccam.org/Projects/Living_Doc/pdf/DCCAM_MALAI_Duch_Verdict_Provincial_Screenings.pdf
- http://www.dccam.org/Projects/Living_Doc/pdf/The_Duch_Verdict-A_DC-Cam_Report_from_the_Former_Khmer_Rouge_Stronghold_of_Phnom_Voar.pdf

Four short video footages were posted on the Cambodia Tribunal Monitor website:

- "Cambodians react to Duch's Verdict in Samlot and Pailin" (<http://vimeo.com/14798995>)
- "Cambodians React to Duch's Verdict and Sentence in Kampong Thom, Kampong Cham, and Kandal provinces"(<http://vimeo.com/14456672>)
- "Village Forum in Phnom Voar"(<http://vimeo.com/16070457>)
- "Village Forum in Malai" (<http://vimeo.com/16069556>)