

VICTIM PARTICIPATION PROJECT

**DELIVERY OF COURT NOTIFICATION LETTERS TO SURVIVORS  
IN TAKEO PROVINCE**

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*"My son wants to marry a daughter [of the person who mistreated me during the period of Democratic Kampuchea]; I cannot accept it. I asked him to marry someone else, which he agreed. I've never explained to him why," a survivor from Takeo told VPA Project.*

**BACKGROUND TO FIELD TRIP**

Takeo, located at about 80 Kilometer Southwest of Phnom Penh, was once Southwestern zone during Democratic Kampuchea. Ta Mok, better known as the one-legged butcher, was then secretary of the zone. He was believed to have led massive purges amongst the ranks of the cadres within the Khmer Rouge organization; thousands of Khmer Rouge cadres had been purged throughout the



**Ta Mok's Headquarter under the Khmer Rouge in Takeo**

period of Democratic Kampuchea for similar reason – betraying the Khmer Rouge's organization. He was captured in 1999 and unfortunately died in detention in 2006 at the time the Khmer Rouge tribunal was established to prosecute him, the death that had forever stripped off justice from survivors.

From August 11 – 30, 2008, Victim Participation Project

(hereinafter "VPA Project") at the Documentation Center of Cambodia visited survivors in Takeo and had assisted a total of 139 of both Renakse petitioners and survivors in general to file their Victim Information Forms with the ECCC's Victims Unit, now Victim Support Section. Nonetheless, VPA Project had assisted another significant number of survivors from Takeo to file such Victim Information Forms with Victims Unit prior to and after the August 11 – 30 field trip. From March 3 – 12, 2010, VPA Project had revisited these survivors who have registered their complaints with the ECCC, delivering to them the ECCC official notification letters. After almost two years of complaint submission, survivors have finally been notified of the status of their complaints by ECCC's Office of the Co-Prosecutors (OCP). This

report will describe the challenges and findings throughout the field trip and highlight reactions from survivors as to their participation as complainants and to the whole ECCC process.

## PURPOSE OF FIELD TRIP

Just as the field trip to Kampong Thom in February, VPA Project's field trip to Takeo between March 3 and 12 was to assist OCP in bringing notification letters to those survivors and complaint applicants assisted by VPA Project over the past three years. There were a total of 178 notification letters to be delivered to these individual



VPA Project's Follow-Up Meeting with Survivors in Takeo

complainants from across Takeo. In August 2008, DC-Cam's VPA Project made a field trip to Takeo province and had met with hundreds of survivors, many of whom were petitioners from 1980s, and informed them of their rights to participate in the proceedings against surviving senior leaders and those most responsible for the crimes committed during the period of Democratic Kampuchea.<sup>1</sup>

## ACHIEVEMENTS

Over the eleven-day period, seven VPA staff members including a member of DC-Cam Film Team have been able to deliver official OCP notification letters to 178 complainants in 8 of Takeo's 10 districts. Amongst the 178 complainants, VPA met with 150 individual complainants and 37 nominees appointed by complainants to receive notification letters on their behalf. VPA Project found that, similar to Kampong Thom province, three complainants have passed away due to illnesses and old age before they had even received the court notification as to what measures have been taken in relation to the complaints they filed two years ago.

As in Kampong Thom, while delivering notification letters to complainants, VPA has at the same time gathered reactions from these individuals as to their participation in

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<sup>1</sup> Between 1982 and 1983, a research committee was formed and tasked with collecting what was later known as "petitions" from survivors cross the country. The committee traveled to accessible places and, at the same time, requested local authorities to collect and submit the so-called petitions to the central government. The petitions were intended to be forwarded to the United Nations but, for some reasons, ended up stored in the capital until being transferred to DC-Cam in the mid 1990s. A total of 1,250 petitions detailing crimes of Democratic Kampuchea were collected from over 1.1 million Cambodians. In the past, the "petitions" had been used to identify places to work and target audience for VPA's outreach.

the proceedings in the form of complainants as well as their reactions to the ECCC process as a whole. A set of questions had been established for the purpose of collecting reactions from these individual complainants, which cover their view as to their satisfaction to receiving court notification letter, effects of their decision to participate upon their daily lives and health, their knowledge of the trials, their reactions to Duch apology and the proposed sentence for Duch, and finally, their view of justice. Over the eleven-day field trip to Takeo, VPA Project has been able to collect reactions from 56 individual complainants and their family members.

## CHALLENGES AND FINDINGS

Similar to Kampong Thom, VPA Project has encountered two significant challenges. First, a small number of complainants appear to have forgotten that they had filed complaint applications with the Khmer Rouge Tribunal and, thus, had never expected to be informed of actions as a result of their complaints filed. Second, three complainants have passed away and, in this case, would lose forever the chance of seeing justice done in a proper court of law the Khmer Rouge had denied to them. In addition, many of them have complained that they wish to see the accused tried as soon as possible. Many fear that the accused would not survive until the end of their trials given their old age and fragile health.

## HIGHLIGHTS OF SURVIVOR REACTIONS

*Yann*, 85, told VPA Project that his sons had disappeared during the Khmer Rouge regime and that he has been very angry towards the Khmer Rouge as an organization. One of his sons was a student who had studied in China and later served the regime. He was angry for the fact that the Khmer Rouge killed his son even though he had served the regime. Yann told VPA staff member that he has been waiting to hear from the ECCC ever since his filing and that he is very delighted to have received the letter of notification. Asked why he had decided to file his complaint, Yann said that he did it for two reasons, namely to share his experience with the younger generation and to find out the truth.



DC-Cam's film team records survivor testimony in Takeo.

*Leu* was born to a wealthy family in Takeo. About 10 days after the Khmer Rouge took control of her village in April 1975, a meeting was held and an instruction was given. Jewels and money had to be burnt down. Shortly, her husband, a former high ranking military officer of the Lon Nol government, was taken away to be re-educated and had disappeared since. She believed her husband was detained and executed at Kraing Ta Chan, the largest security center in Takeo and one of the largest in the entire country. After the death of her husband, *Leu* was put to work in a widow unit and was harshly persecuted by her unit chief, who is now sharing the village with her. *Leu* feels what the Khmer Rouge tribunal is now doing is already enough for her.

*Borann* is a teacher from around the area of Kraing Ta Chan security center of Takeo Province. She was content that the tribunal had acknowledged her sufferings by handing her the notification letter. *Borann* became very emotional every time she thought of her past. Tears were falling as she told VPA of her story. *Borann* was imprisoned and tortured at a security center in Viel Rinh district of Kampong Som province. To escape the torture center, she had to bribe the prison chief with her hidden valuable watch wrapped around her lap. While she was running away from the scary prison, she was arrested and put in another prison and again tortured. Today, *Borann* is a teacher in her home village. She told VPA that she is still very angry at the Khmer Rouge's organization and prejudicial against sons and daughters of the villagers formerly associated with the Khmer Rouge. She believes the tribunal will be able to render justice to victims such as her.

*Bun*, 67, talks to a former Khmer Rouge cadre, who used to mistreat him, as usual; though, his anger towards the person still exists. "[I] would never tell me my children of the person who used to mistreat me during the Pol Pot regime for I'm afraid that my children would take revenge on the person," he said. "My son wants to marry a daughter [of the person who mistreated me during the period of Democratic Kampuchea]; I cannot accept it. I asked him to marry someone else, which he agreed. I've never explained to him why," *Mr. Bun* told VPA Project."

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