

DEALING WITH THE PAST, MOVING INTO THE FUTURE

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The Diary of A Young Girl Anne Frank

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It can be hard to enunciate the words "Never Again." With internal armed conflict ravaging Syria, instability and violence wracking North Africa, and the specter of mass atrocities hovering over eastern Democratic Republic of the Congo, promises of "Never Again" seem to be couched in doubt. Cynicism about the will of national governments and the international community to defend basic human rights abounds in Cambodia. As a post-colonial, post-conflict nation, Cambodia has been at the crossroads of a wide variety of foreign interventions, extreme ideologies, and authoritarian regimes that have cultivated pervasive distrust of authority and a disbelief in the goodness of mankind. In this regard, Cambodia is a lesson in the power of history.

A country must deal with its past if it is to move forward. It is a struggle that is faced by every post-conflict society regardless of politics, culture, or circumstance. Indeed, to move forward, we must boldly research the past, commemorating human achievement, sacrifice, and resilience but also investigating and learning from mankind's mistakes, failures, and evils. It is easy to trumpet the greatness of a society, particularly when the greatness is directly tied to a ruling elite's legitimacy, but a country that lacks the courage to learn from its past will not have the fortitude to take on the challenges of the present and future.

Between 1975 and 1979, Cambodia was ruled by a horrible genocidal regime, Democratic Kampuchea (DK), led by the Khmer Rouge. The Khmer Rouge used a language of racism, xenophobia, and totalitarian oppression to legitimize some of the most horrific atrocities perpetrated in human history. City residents, intellectuals, and the wealthy were branded enemies of the regime. Vietnamese, Cham Muslims, and others were viewed with hostile



suspicion. As suspected enemies of the regime, a spectrum of different social, cultural, and religious groups were herded into hard labor camps where they were starved, persecuted, and in many cases executed.

Over a forty-four month period, almost two million people are believed to have died under the regime. Forced labor, mass starvation, and mass murder are only a few of the aspects of life under the Khmer Rouge regime. Under an extreme form of communism, the Khmer Rouge turned the country into a nation-wide labor camp. While not everyone died by the physical hands of an executioner, hunger, disease, and exhaustion achieved the same deadly results. As one would expect, there is great trauma that still presides over the generation that lived during this time period. There are Cambodians today who still have no idea what happened to family members or spouses. Loved ones were lost and the pain continues to resonate through the younger generation who ask their parents what happened and why. On top of it all, Cambodia's democracy is young, fragile, and uncertain. Under such circumstances one is reminded of the old saying, "It is better not to scratch old wounds."

But burying the past has never been the answer, and the proceedings now underway at the Extraordinary Chambers in the Courts of Cambodia (ECCC) are an example of Cambodia's struggle to face its controversial history. In 2003, the United Nations and the Cambodian government reached an agreement to establish the ECCC, which was tasked with prosecuting alleged perpetrators for alleged crimes committed during the Khmer Rouge regime. While the ECCC has made progress toward establishing a historical record on what happened and why during the Khmer Rouge regime, it has not been without great struggle and compromise. The court has suffered from a wide array of problems and has struggled with persistent issues with funding, legitimacy, and internal discord. In many ways, the court is a powerful example of how difficult the struggle to face one's past can be. Like all human institutions, the court is not perfect. But imperfection should never be interpreted as mistake or failure. The court successfully completed the trial of a former security center leader and the trial of former DK officials holds immense importance in Cambodia's difficult struggle to understand what happened and why during this horrific period. But while the proceedings before the ECCC are a critical step, there is much to be done.

Thirty years after the fall of the DK regime, Cambodia is still grappling with the painful legacies of genocide, torture, and mass atrocity. While Cambodians are a resilient people who are accustomed to hardship, bitter political disputes continue to cloud Cambodia's national identity, and there



The graceful amaryllis with its bold blossom, sits on the steps of the freshly painted pagoda near dusk, at the top of Phnom Sampeou in Battambang province, Cambodia. Phnom Sampeou was used as a prison and execution site during the Khmer Rouge regime. Prior to being converted into a prison in 1975, residents, monks and nuns of this Buddhist pagoda were disrobed and dispersed. All types of people—men, women and children, some of whom were Khmer Rouge cadres—were arrested and detained at this pagoda-turned prison. According to interviews cited in the Closing Order of the Khmer Rouge Tribunal, witnesses recalled discovering a device used to drain the blood out of victims whose throats had been cut. After the collapse of the Khmer Rouge regime, large number of dead bodies were found in various locations in and around Phnom Sampeou. The Closing Order put the estimate of death toll in this prison at the thousands. Local villagers put the estimate number of death toll at around 15000. 25 February 2013. Photo by Tara Tran.

are questions about the impact and legacy of the transitional justice enterprise. While we must not dilute our commitment to justice in the name of political or practical necessity, we should also be realistic in our vision and remain committed to progress even when our high hopes and expectations of political institutions are sometimes unmet. We must be pragmatic in seeking opportunities to make the words "Never Again" seem more real.

That means engaging constructively with institutions that are stakeholders in national reconciliation and post-conflict development, and actively seeking out openings that stand ready for movement. Rather than surrendering to the position that violence, oppression, or injustice are part of the human condition, the Documentation Center of Cambodia (DC-Cam) encourages the international community to seize the moment afforded by the ECCC process—and similar accountability processes elsewhere—to facilitate further historical inquiries and promote survivors' reconciliation with their shared past.

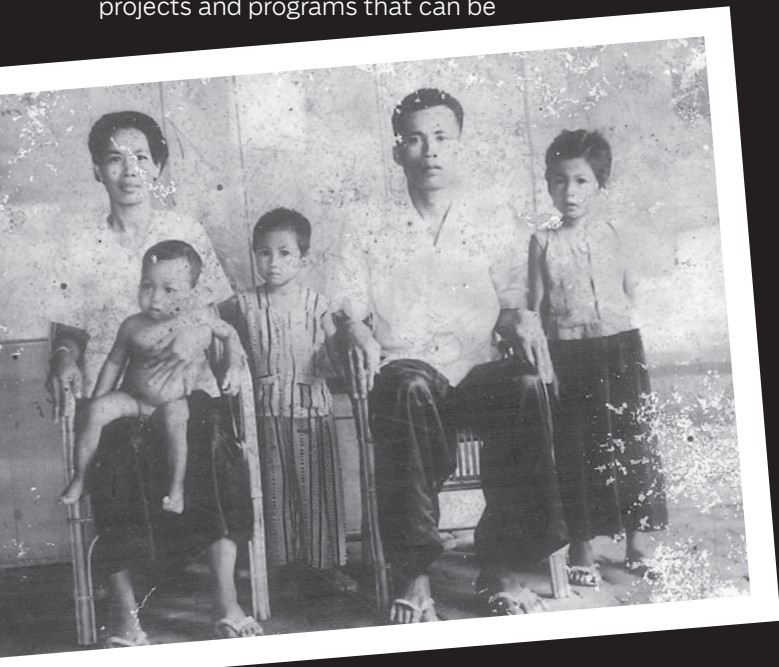
Reconciliation is a powerful word that can mean many



things to many different people. Reconciliation can mean facing the grave errors of one's personal past or finding the space to forgive others for their inhumane acts. Reconciliation can mean community dialogue on tragic events or the phenomenon of self-renewal. While reconciliation has a meaning that is unique to every individual, it is a term that carries the possibilities of redefining national consciousness. As one would expect, national reconciliation is not easy.

National reconciliation requires the renewal of language. It requires one's commitment to (re)discovering the civilized discourse of peace, forgiveness, and respect. The language of hatred, animosity, and intolerance must be abandoned and new terms for self, community, and national identity must be established. In sum, language renewal equates to cultural change, and cultural change is never accomplished by a distorted or shallow investigation of the past. Post-conflict societies often struggle with a basic understanding of who they are and how to function. Even the more mature post-conflict societies suffer from cognitive dissonance. There is a latent urge to use violence to solve problems, even though universal human rights may dominate public discourse. Indeed, this problem is not unique to any post-conflict society; but precedent should never be accepted as excuse, and it is up to civil society actors to challenge political and social institutions to represent the people both in name and act. In essence, post-conflict societies desperately need a new national consciousness, and more often than not, it is civil society that must lead the way.

Since its inception, as a civil society actor, DC-Cam has been at the forefront of documenting the myriad crimes and atrocities of the Khmer Rouge era. While DC-Cam has historically focused on compiling evidence of genocide and crimes against humanity for the purpose of establishing a historical record, it has expanded to a wide variety of other projects and programs that can be



organized today under the rubric of a legacy of justice and memory. Justice and memory are crucial phenomena that parallel the concept of national reconciliation. Justice cannot be achieved without remembering the victims, and the memory of victims cannot exist without the light of truth. Truth, justice, and memory are therefore the core concepts of DC-Cam's mission in Cambodia not because they are the ultimate pillars of a peaceful, prosperous, democratic Cambodia, but because they are the initial steps to this ultimate end.

Between 2013 and 2015, DC-Cam will continue pursuing its long-standing mission of promoting memory, justice, and reconciliation. We will compile further evidence of genocide and crimes against humanity and educate Cambodians on the historical facts regarding the Khmer Rouge regime. Our work will focus on the needs of ordinary Cambodian people—victims and their descendants—who are the keys to the country's past, present, and future. In addition to honoring those who died during the Khmer Rouge regime, it is crucial to reach out to and support living Cambodians in the country and around the world. This summary Strategic Plan outlines our plans to create enduring mechanisms that help overcome the shadows of Khmer Rouge terror, come to grips with our past, and build a brighter future in Cambodia.

I. A PHYSICAL LEGACY

Building a Permanent Genocide Research Center:

DC-Cam has begun to build a permanent center to expand our work and ensure a long-term commitment to human rights and genocide prevention in Cambodia. The Cambodian Ministry of Education has generously provided us with a large parcel of land in Phnom Penh for that purpose. The land, which totals nearly 4,800 square meters, is situated on the campus of the Boeng Trabek High School, fittingly on the site of a former Khmer Rouge prison. We have enlisted a team of expert architects in London to design a building complex that will house the permanent center. We plan to break ground for a new building complex in 2014.

The permanent center will be called the "Sleuk Rith Institute." That name reflects our core objectives, as well as our Cambodian heritage. Sleuk Rith are dried leaves that Cambodian religious leaders and scholars have used for centuries to document history, disseminate knowledge, and even preserve culture during periods of harsh rule. They represent both the beauty of knowledge and the power of

So Chea, left, sitting on his mother's lap, Em Touch, his father, and Em Phan.



human perseverance during times of peril. The permanent center will serve three core functions. First, it will be a physical memorial, encouraging visitors to honor and remember departed victims and all those who suffered under the Khmer Rouge regime. Secondly, the center will be an educational hub, enabling current and future generations to learn about Cambodia's harrowing past. Education will ensure that Cambodians never forget those who unjustifiably died and suffered, and it will empower them to prevent similar abuses in the future. Finally, the center will be a hub for research, seeking to become the leading Asian institution focused on genocide studies, one that will be connected to leading scholars and other institutions throughout Asia and the wider world.

II. A LEGACY OF MEMORY

Genocide Education in Cooperation with the Ministry of Education:

Genocide education is crucial if Cambodians are to preserve their history and remember those who perished under Khmer Rouge brutality. Education is also essential if Cambodians are to understand why and how the genocide happened, appreciate the effects of the tragedy, and address the many continuing challenges that flow from the genocide.

In collaboration with the Ministry of Education and academia, DC-Cam has established a core curriculum on genocide and other crimes against humanity, which has been introduced to Cambodian classrooms as well as the universities, Army, Police, and teacher service academies. Together with local and international experts, we provided in-depth training to several thousand Cambodian officials and teachers in all provinces in Cambodia.

Our curriculum and training program revolve around DC-Cam's history textbook *The History of Democratic Kampuchea*. Our textbook has received plaudits from around the country and the world. It is the first of its kind, educating Cambodian youth about the Khmer Rouge tragedy after three decades of relative silence on the subject in Cambodia's schools. The book has been praised for its sensitive, yet candid depiction of DK history balancing intimate portrayals of horrific crimes with a solemn respect for the dignity of victims. Maintaining this balance between truth and sensitivity is an important quality of DC-Cam's education program, which aims to not only educate but also remember. Genocide education must serve the public need for knowledge about this time period but it must also do so



A Young Female Prisoner at Khmer Rouge Prison, S-21

See also, Fact Sheet: Pol Pot and His Prisoners at Secret Prison S-21, published by the Documentation Center of Cambodia, 2011. www.dccam.org/Archives/Documents/Confessions/pdf/FACT_SHEET--Pol_Pot_and_His_Prisoners_at_Secret_Prison_S-21.pdf

in a manner that respects and empowers victims. In this sense, genocide education is a key instrument of social empowerment. The program seeks to liberate the victims of Khmer Rouge terror and transform them into leaders in the global quest for human rights and dignity.


Remembering the Victims of Democratic Kampuchea:

DC-Cam also has been compiling a book of names of all those known to have died under the Khmer Rouge regime. The compendium will be based on our research and will tangibly recognize and remember those who perished. To date, there are more than a million names in our databases and new names continue to be added. The book will be distributed to every commune in Cambodia and placed in the commune's office, giving current and future generations a concrete memorial dedicated to those victims who died. We will also post an electronic version online.

III. A LEGACY OF JUSTICE

Making Our Documents Available Worldwide:

Another way DC-Cam will promote memory and justice, at home and abroad, is to digitize over 900 reels of micro-filmed documents from our archives. We are now working with international partners to bring about that important



goal and make our impressive collection accessible via the internet. Doing so will allow scholars, journalists, media, government and international officials, ordinary Cambodian citizens, and members of the diaspora to conduct effective research on the genocide. Toward that end, we also maintain strong collaboration with the Tuol Sleng Genocide Museum.

Examining Crimes by Lower-Level Khmer Rouge Officials:

A further goal of our work is to expand the legacy of justice underway at the ECCC. DC-Cam plans to conduct a study relating to the crimes committed by lower ranking Khmer Rouge cadres. The study will trace various abuses that occurred under the Khmer Rouge regime, looking into the less-researched area of crimes by lower-level members of the regime. In fact, DC-Cam has conducted thousands of interviews of former Khmer Rouge officials and cadres since 2001, with support from the Ministry of the Interior. The study will provide victims, some of whom may feel disconnected from the ongoing criminal process upcoming tribunals, with an opportunity to testify about their own experiences, and thus come to terms with their past. Like South Africa's Truth and Reconciliation Commission, the study hopes to focus not on placing blame on particular individuals, but rather giving victims a chance to speak and be heard—a crucial step towards national reconciliation and justice.

Commemorating Key Human Rights Laws:

Finally, DC-Cam will seek approval from the Royal Government of Cambodia to convene a forum commemorating the passage of key human rights laws. In particular, we intend to highlight the Genocide Convention, the watershed treaty that condemned and prohibited genocide more than sixty years ago. We also intend to draw attention to the recent ASEAN Human Rights Declaration. We hope to lead a forum in collaboration with the Cambodian government, which adopted the Genocide Convention in 1950 and signed the ASEAN Human Rights Declaration in November 2012. The former represents one of the bedrocks of modern international human rights law, while the latter expresses a renewed regional commitment to basic human rights and dignity.

The proposed forum will include local and international participants and serve to illuminate the critical continuing need to promote human rights and prevent genocide, in Cambodia and beyond. We hope that the forum will also



So Chea's Khmer Rouge biography, 1977. So Chea's biography shows that he joined the revolution in December 1975 when he was 20 years old and went to work at S-21 in November 1976. His confession has not been found.

establish a community of scholars, advocates, officials, and others from inside and outside of Cambodia to carry on that mission. DC-Cam aims to serve as a principal hub in Asia to ensure that atrocities like those in Democratic Kampuchea never happen again.

“Never again” is a symbolic phrase that must occupy a place in the heart of every single human being on this planet. It is a phrase that demands better decisions by governments but also bolder action by civil society actors. Too often civil society becomes demoralized by failing to see progress in the form of greater democracy, human rights, and the rule of law. But failing in these endeavors is never an excuse to lose traction, focus, or hope in other pathways to success. We must resist the urge to see the world in terms of democracies and dictatorships, war and peace, and failure and success. The world is far more complicated than black-and-white illustrations and we do our constituents, the ordinary people, a disservice by pursuing cynicism, ambivalence, or disengagement. A country must deal with its past if it is to move forward, and a culture that understands and appreciates justice, reconciliation, and memory is inherently related to one that values human rights, democracy, and the rule of law. The space between the two is not great, and the greater progress we make in the former will have impact on our success toward the latter.

—MARCH 28, 2013