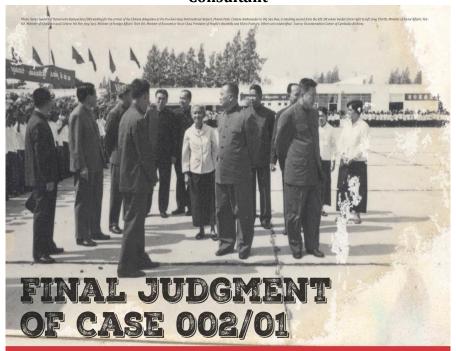


# **DOCUMENTATION CENTER OF CAMBODIA** Phnom Penh, Cambodia

Quarterly Report: October-December, 2016

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#### MEMORY & JUSTICE

"...a society cannot know itself if it does not have an accurate memory of its own history."



# TABLE OF CONTENTS

TABLE OF CONTENTS	2
ACRONYMS	3
I. Summary	4
II. ACHIEVEMENT	4
A. Outreach and Collaboration	4
A1. Attending Consortium Meeting in Guatemala	4
A2. Hosting 30 DMC students to the SRI's Gallery to learn about DC-Cam'	s work and
research methodology	
A3. Hosting a group of 6 civil society actors from South Sudan to particip	ate in an
exchange program on documentation and memorialization	
A4. Hosting 84 Digital Travelers	7
A5. Public Speaker Series	
A6. Mobile Exhibition on Forced Transfer of Population uder the Khmer	
A7. New exhibition on UNTAC: War, Landmines and Genocide	
A8. Searching for the Truth Magazine	
A9. Success Storis	10
B. Documenting the Khmer Rouge History	11
B1. New Document Collection	11
B2. Document Catalogue	12
B3. Document Digitization	12
B4. Document Provision	12
B5. Document Accessibility	13
C. Research on Village History	13
C1. Research on Village History	13
C2. Research in General	14
C3. DC-Cam Publication	14
D. Genocide Education	15
D1. Teacher Training Workshop in Battambang	15
D2. KR History Classroom Forum in Kampot	16
E. Promoting Accountability	16
E1. Interview Technique Training	16
E2. New Interviews	17
E3. New Transcriptions	17
E4. PA Summary & Entry	17
F. Living Documents and CTM Trips to Local Universities	17
F1. Public Screening of Case 002/01 Verdict Announcement	17
G. Documentary Film	18
H. Student Tours to Anlong Veng	19
III. Appendix	20

#### **ACRONYMS**

DC-Cam Documentation Center of Cambodia

DK Democratic Kampuchea

ECCC Extraordinary Chambers in the Courts of Cambodia

Int. Tra. Interview Transcript

KR Khmer Rouge

KRT Khmer Rouge Tribunal

MoEYS Ministry of Education, Youth and Sport

NIE National Institute for Education NGO Non-Governmental Organization OCIJ Office of Co-Investigating Judges

OCP Office of Co-Prosecutors PA Promoting Accountability

RUPP Royal University of Phnom Penh

SRI Sleuk Rith Institute

TSL Tuol Sleng

UNTAC United Nations Transitional Authority in Cambodia

US United States

USAID United States Agency for International Development

#### I. SUMMARY

This report is for the first quarter of the 2017 fiscal year, covering the period of October-December, 2016. In accordance with the approved work plan of 2017, it covers from October 1, 2016 to September 30, 2017, focusing on "promoting justice, enhancing work in public education and memorialization, and fostering reconciliation and healing". The program of the Documentation Center of Cambodia's (DC-Cam) focus includes:

- Outreach and Collaboration to Promote Genocide Education, Healing and Reconciliation
- Documenting Khmer Rouge History: the "Book of Memory" and our Archival Reparation Project
- Research on Village History
- Genocide Education
- Promoting Accountability
- Living Documents and Cambodia Tribunal Monitor Trips to Local Universities
- Documentary Film, and
- Student Tours to Anlong Veng

DC-Cam strongly believes that the programs mentioned above will definitely contribute to tremendous research and education associated with the Khmer Rouge genocide period between 1975 to 1979, during which millions of Cambodians died.

As always, we thank the American people through USAID for their generous support, and are very grateful for their continuous support of DC-Cam's work, since 2004, to achieve memory, justice, and healing in Cambodia.

#### II. ACHIEVEMENT

# A. Outreach and Collaboration



DC-Cam continues to work with international organizations and various sectors of government and civil society to conduct outreach and collaboration. This is not only a means to improve our effectiveness and efficiency, but also as a way to advance the development of the civil society in Cambodia in a time when civil society organizations areunder threat. At the same time, DC-Cam plans to

work on exhibitions focusing on forced transfer and Khmer Rouge history, development of an exhibition on the second evacuation of people during the Khmer Rouge regime, a mobile exhibition, and the Khmer Rouge oral history audio-visual archive.

For this quarter, DC-Cam has performed well in these areas which include:

#### A1. Attending Consortium Meeting in Guatemala

DC-Cam has sent Team Leader Savina Sirik to join the third annual meeting of the Global Initiative for Justice, Truth and Reconciliation (GIJTR, hereafter the Consortium)<sup>1</sup> jointly organized by FAFG<sup>2</sup> and the International Coalition of Sites of Conscience (ICSC), which

<sup>&</sup>lt;sup>1</sup> The Global Initiative for Justice, Truth and Reconciliation is a Consortium of nine organizations that together serve as a new mechanism to respond in a multi-disciplinary and integrated manner to the transitional justice needs of societies emerging from conflict or periods of authoritarian rule.

<sup>&</sup>lt;sup>2</sup> FAFG : Fundación de Antropología Forense de Guatemala

took place from October 17 to 20, 2016 in Antiqua, Guatemala. The four-day meeting aimed at identifying lessons learned and developing strategies to share best practices and lessons learned among the broader transitional justice community, finalizing the Theory of Change and setting strategies for the year ahead. Please read more in Appendix 01.

# A2. Hosting 30 DMC students to the SRI's Gallery to learn about DC-Cam's work and research methodology

On the morning of October 4, 2016 a group of about 25 students led by lecturer, Stephanie Duckstein, visited DC-Cam as part of their school excursion to learn about DC-Cam's works on documentation and archives of the Khmer Rouge regime. The students met with DC-Cam's team leaders in charge of documentation, genocide education, and the DC-Cam's director. Youk Chhang to be introduced to various activities of the project. The students then visited the gallery and attended a presentation by Savina Sirik on research methodology, specifically on how to prepare for and conduct oral history interviews with survivors of the Khmer Rouge regime. Then, they had an opportunity to watch a short documentary film on the student's peace tour to Anlong Veng, the former Khmer Rouge stronghold and conversed with the film director on the technical aspects of how to produce a documentary. The students were enthusiastic at the opportunity to learn from DC-Cam's staff about the various aspects of documentation and approaches in collecting stories. Students expressed interest in returning for individual research and consultation with the staff about their future projects. Following the visit, Stephanie Duckstein commented by email, "Dear Savina, we enjoyed the excursion and your introductions very much. It makes a big difference to get the students out of the class room into the "real life". I'm looking forward to meeting you again one day."

Three to four weeks following the DC-Cam's excursion, a few DMC's students who attended the talks contacted DC-Cam's staff for their follow-up and requested to the staff to assist them with their class projects. One student contacted the staff to research a Tuol Sleng's prisoner, Bophana, and dug into the archives to get her confession. Another student requested assistance from the staff on how to approach survivors for an interview about their life experiences under the Khmer Rouge regime. The staff was able to respond to the archival and interview techniques queries.

# A3. Hosting a group of 6 civil society actors from South Sudan to participate in an exchange program on documentation and memorialization



As part of DC-Cam's Outreach and Collaboration Program, DC-Cam in collaboration with the International Coalitions of Sites of Conscience (ICSC) hosted a group of 6 civil society actors from South Sudan to participate in an exchange program on documentation and memorialization. The exchange program took place from December 2 to 6, 2016, in Phnom Penh, Cambodia, and focused on the on-site

training and field visits to various memorial sites in the country. The exchange program was organized as part of the overarching project called Human Rights Documentation Initiative which aims at engaging South Sudanese civil society actors in a wide range of approaches to documentation for accountability, peace and justice.

The exchange participants engaged in a range of activities during their visit to Cambodia. They participated in an in-house training program revolving around a discussion of documentation and archiving for memory, justice, and reconciliation. DC-Cam's Documentation Team Leader presented to the South Sudanese participants the background of DC-Cam and how the institution was established to serve the main objectives of memory and justice. The Team Leaders also introduced to the participants a wide range of topics related to documentation such as types of documents, how to catalogue and preserve the documents, purposes of the documentation, advantage of human rights documentations, and how to go about appealing to the public for document donations. The participants were exposed to both technical and conceptual aspects of the documentation.

In addition, DC-Cam's team also shared experiences interviewing survivors and former Khmer Rouge members with the South Sudanese participants through Cham Muslim Oral History and Promoting Accountability. Interview approaches and ethics were discussed during the presentation. Also, the team discussed the possibility of including exhibitions and outreach in the memorialization process in Cambodia. A documentary film *Behind the Walls of S-21* was screened for the participants to generate discussions on the complexity of relationships among Cambodian people in terms of dealing with the past. The film also encouraged discussions on memory, justice, and reconciliation.



To expand their knowledge on memory based projects, the participants had the opportunities to visit a memorial site in Takeo province and conversed with two other organizations that focused their work on promoting memory and healing for victims. The group visited Kraing Ta Chan memorial site, learned from the local community about the history of the memorial converted from a prison, and inter-generational dialogue program organized by Youth for Peace

and Kdei Karuna organizations. The group also visited Takeo provincial museum to see the exhibition on the Forced Transfer.

As part of the site visit program, the group visited the most horrific prison site, S-21, which is now converted to Tuol Sleng Genocide Museum,the Choeung Ek memorial site and the Extraordinary Chamber in the Courts of Cambodia. The site visits helped the group witness evidence of the atrocity committed by the Khmer Rouge and learn about the legal proceeding in holding the KR leaders accountable for the crimes committed, as well as the participation of victims in the proceedings.

On the last day of the exchange, the group was able to reflect on the visit, share their ideas for their future project and elaborate on their initial projects undertaken in South Sudan. Some of the project ideas involve improving the existing database to document names of victims, developing strategies to document oral histories and initiating projects that serve to educate young populations about the violent history.

Finally, the participants proposed that a 1 to 3-month internship program should be developed in conjunction with DC-Cam to provide an expanded and in-depth training program on documentation and building networks with other organizations.

# **A4. Hosting 84 Digital Travelers**



DC-Cam's executive director Youk Chhang, on December 7, 2016, provided the talk about DC-Cam's work and the Khmer Rouge stories to a group of 84 digital travelers called Remote Year <a href="http://remoteyear.com">http://remoteyear.com</a>. According to their organizer Thul Rithy, they are mostly technologists, designers, and branders.

DC-Cam's executive director Youk Chhang attended the United Nations conference **Regional Consultations on transitional justice in Asia-Pacific** which was held by the mandate of the Special Rapporteur on the



promotion on the truth, justice, reparation and guarantees of non-recurrence, Mr. Pablo de Greiff, on 9 and 10 November 2016, in Colombo, Sri Lanka. He talked about memorialization and documentation, which was moderated by Mr. Pablo de Greiff, United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. He met former Judge Silvia Cartwright of the ECCC over there.

# A5. Public Speaker Series

There were three public speaker series provided to the public at DC-Cam's contempory art gallery during this quarter. They were:

- The 14th Speaker Series was held on October 25, 2016, "Why Did Western "Progressives" Fail to Recognise the Nature of the Pol Pot Regime", by Professor Milton Osborne who is the author and consultant on Asian issues associated with Southeast Asia for more than fifty years, since being posted to the Australian Embassy in Phnom Penh in 1959.
- The 15th Speaker Series was held on November 10, 2016, "Turbulent Modern History on Stage and in Song" by Dr. Toni Shapiro-Phim. Over the course of nearly forty years, Cambodia's performing artists have created a number of songs, dances and dramas lamenting the suffering of individuals and communities during the Khmer Rouge era, and the societal ills and crises of leadership that followed that period of revolution and genocide.
- The 16th Speaker Series, "Shared Sovereignty in Peacebuilding Processes", by Professor John Ciorciari. International actors engaged in peacebuilding efforts often share responsibility for key sovereign functions when national governments are unable to do so effectively.

# A6. Mobile Exhibition on Forced Transfer of Population uder the Khmer Rouge regime



During this quarter, DC-Cam dispayed an outdoor exhibition on forced transfer of population under the Khmer Rouge regime in Battambang province. The display was set up along with the teacher training workshop on the teaching of KR history, which took place on 10-14 October, 2016. The 12 panels of the exhibition displayed many photographs and informational texts of the transfer, survivor testimonies as well as pictures of the top

leadership of the Khmer Rouge Regime--including the 2014 convicted Nuon Chea and Khieu Samphan. As became apparent during the training, the panel displaying the top leadership of the Khmer Rouge attracted the most visitors, which, according to their comments, was due to its topicality resulting from the ECCC's ruling as well as to the fact that many Cambodians never actually saw photographs of the Khmer Rouge leaders and were curious what they would look like. This exhibition well complements the training workshop because some lessions in the training workshop related to pictures and contents of the exhibition.

# A7. New exhibition on UNTAC: War, Landmines and Genocide



With the invitation from the Asia Democracy Network, the Organizer of International Conference on the 25th Anniversary of the 1991 Paris Peace Accords on Cambodia, Phnom Penh, 19 October, 2016, the team set up an exhibition entitled "UNTAC: War, Landmines, Genocide" at Sunway Hotel, Phnom Penh. The exhibition was to commemorate the Paris Peace Accord in Cambodia and the 1993 National Election

after the collapse of the Khmer Rouge Regime. This exhibition was partially funded by the May 18th Foundation, South Korea.

Content of the exhibition http://d.dccam.org/Archives/Photographs/pdf/UNTAC--War\_Landmine\_Genocide.pdf

#### Photos:

https://photos.google.com/share/AF1QipNjAkIYeOAgMcbae7BJIjpC8trcKqY6LQmzFUyh0jPKnHLS7w\_LNZeVlEM0wBRpqQ?key=enJiT1c1ZDRaSU0tMkxCcU54b194Q0lYeTJ0dkl3

After the conference, this exhibition was set up and shown to the public at the SRI Contemporary Art Gallery for approximately one month. There were about 20 visitors visiting this exhibition. Following the removal of this exhibition, the team will use this exhibition as part of the mobile exhibition.

#### A8. Searching for the Truth Magazine







Searching for the Truth magazine has served as the effective means for diseminating information about the Khmer Rouge genocide, history, justice, family tracing, human rights and rule of law, for more than the past two decades. Due to funding constraints, it is published in the on-line format rather than in hard copy. However, the hard copy format was kept unchanged and posted on the website: www.truthcambodia.com Besides updating articles weekly on the website, the team produced three volumes of the magazine for October, November and December during this quarter.

The table below highlights the contents of the October volume (#202)

Sections	Article title		
Editorial/Letter	1) Anlong Veng Peace Center: A Contribution to the Process of Paris Peace Accord (Oct 23, 1991), An Initiative of the Documentation Center in Collaborate with the Ministry of Tourism		
	2) Documentation Center of Cambodia: Five Strategic Plans for 2017 to 2020		
Documentary	3) Srey Chhieng's Act Against Angkar		
History and Research	4) Youth's life in Khmer Rouge Regime		
	5) War Takes Me Far Away from My Family		
	6) No WorkNo Ration		
	7) Even If He Is Bad, He Is Still My Friend		
	8) I'm Still sorry Because I was Disabled		
	9) War Made Me Lose Everything		
	10) Sok Tin: I Survived Because of Help from the Khmer Rouge Militiamen		
	11) The History of Anlong Veng Community		
Legal	12) A Legacy of the Extraordinary Chamber in the Court of Cambodia		
	13) Civil Parties Testify about Forced Marriage and Rape during the Khmer Rouge Regime		
Debate	14) Genocide Training in Battambang 15) The Past Will return If We Do not Learn About Our History		
Family Tracing	16) Nothing Left after the Khmer Rouge Regime		

The table below highlights the content of the November volume (#203)

Sections	Article title
Editorial/Letter	1) Duterte Should Look to Cambodia For Foreign Policy Lessons

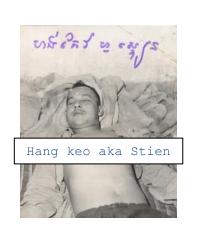
Documentary	2) The Confession of Svay An, A Member of B-64 3) To Strengthening and Spreading Party to All Leve Fighting And Implement The Rebuilding Socialism Plan I Period To Get Great Leap Achievement: The Khmer Doctrine	n Long
History a Research	<ul> <li>4) The History of The Anlong Veng Community: The Stronghold Of The Khmer Rouge Movement</li> <li>5) Past Still In Mind</li> <li>6) Recalling The Past Is Part Of Mental Healing</li> <li>7) Mak Sophoan's Life During The Khmer Rouge Regime</li> <li>8) Religious Belief Eliminated By the Khmer Rouge</li> <li>9) Anlong Veng: To Practice Religion for Healing</li> <li>10) Chhum Vong: From The Soldier to The Teacher in Veng</li> <li>11) 40 Years Later I Know My Father Is Dead In Tuol Sleng</li> <li>12) I Just Received My Brother's Letter</li> </ul>	Anlong
Legal	<ul><li>13) The Final Verdict of Case 002/1</li><li>14) "They Completely Eliminated The Feeling of Family Relationship", Civil Party Said</li><li>15) Couple Not Forced To Marry, Expert Testifies</li></ul>	
Debate	<ul><li>16) The Reflection of People About The Final Judgment of (002/1</li><li>17) The Social and Environmental Change in Anlong Veng</li></ul>	Case
Family Tracing	18) Nothing Left Behind after the Khmer Rouge Regime	

#### **A9. Success Storis**

There are two success stories out of DC-Cam's outreach activities in this quarter.

# A. Seeing Her Father's Face 40 Years Later

One story relates to one female pre-service teacher who found her father's death at Khmer Rouge's S-21 prison after failing to see her farther's face for 40 years. She saw her farther's face in the death photo in November, 2016 at the archive of DC-Cam.





Keo Maly, the oldest daughter of Hang Keo alias Smean, providing more information related to her father at the magazine office located in National Institute of Education.

### B. The Letter Reached Family After 38 years



Another story relates to a lady named Tep Lim who found, 38 years later, her brother's letter that he wrote home in 1978. She came to the live screening of Case 002/01 verdict announcement on 23 November, 2016, conducted by DC-Cam in her home village of Tuol Sokrom in Svay Rieng province and received DC-Cam's booklet on "Genocide: Who Are the Senior Khmer Rouge Leaders to Be Judged? The Importance of Case 002". As she turned in

the booklet to page 16 and 17, she recognized the letter published there. The letter was written in 1978. It says "PS: Father and Brother, after receiving this letter please let me know the condition of our family. From your son, Tep Sopheap". Read the letter at: http://www.d.dccam.org/Tribunal/Documents/pdf/DC-Cam\_Outreach\_Case\_002.pdf

The table below highlights the contents of the December volume (#204)

(πΔυτ)			
Sections	Article titles		
Editorial/Letter	1) About Human Rights		
Documentary	2) Confession of Oem Yoet, Former Teacher and New People of		
	Phnom Sampeou District, Region 3, the Northwest Zone		
	3) Strive to Fight and Follow the Correct and Effective Line in		
	Order to Continue to Implement Party's Political Tasks at 100%		
	in 1976		
History and	, ,		
Research	5) Only See the Confession		
	6) A History of the Anlong Veng Community: The Final		
	Stronghold of the Khmer Rouge Movement		
	7) Hean Phany: Losing without knowing		
	8) The Life of Yat during the Khmer Rouge Regime		
	9) Militia Accused My Mother as a "Thief"		
Logal	10) Environmental and Social Change in Anlong Veng		
Legal	11) "I Started to Attack Pol Pot": Witness Says He Tried to		
	Overthrow the Leadership		
Debate	12) Supreme Court Chamber Upholds Life Sentence but Reverses		
	Conviction in Part		
Family Tracing	13) Legacy of Ashes Left from the Khmer Rouge regime		
	14) Only one left		



# B. Documenting the Khmer Rouge History

#### **B1. New Document Collection**

There were three major outcomes resulting from individual donations of documents to DC-Cam during the first quarter of the 2017 fiscal year. They were:

• From the family of Kim Sovanndany who is a current staff member of DC-Cam whodonated her family

- photos totally 214, which serve the memory of the Sankum Reasnuyum and Khmer Rouge regimes.
- From Kay Kimsong who donated a notebook of individual KR members of 192 pages after 44 years from the fall of the KR regime.
- From Ambassador Julio Jeldres who donated a pile of photocopied documents for the fourth and fifth times. Most of those documents were copied from the National Archive of Austalia and his own archive. It is the Ambassador's view that DC-Cam can take care of all historical documents for future generations to learn from.
- From Ros Than San and Chav Kin.
- Dr. John Ciorciar, who sent DC-Cam the electronic files of his research on the Gerald Ford Collection
- From DC-Cam Mapping Project, the following:

Doc. Category	# of Doc.	# of Page
Photograph	214	n/a
Paper documents	1,970	18,630

# **B2. Document Catalogue**

DC-Cam team members were working on filling the worksheet of new documents DC-Cam has acquired through donations from previous years. The team was also working on listing those new doucments as lists of documents. Its final result will be posted on our website for the public to access.

Type of Work	# of Records	# of Pages	Notes
Numbering Doc.	1,436	13,580	D70955-D72390
Filling worksheets	4,922	7,924	D61973-D62042 D62221-D67072
Listing Documents	4,230	8,028	D61670-65899

# **B3. Document Digitization**

To serve the purpose of preservation, DC-Cam was working on scanning all paper documents in its archives. The file is in PDF with 400 by 400 pixcell.

Type of Work	# of doc.	# of page	Notes
Scann original Doc.	n/a	n/a	
Scann photocopied doc.	2,348	15,982	D15750-D17601
			L00001-L00495

#### **B4. Document Provision**

DC-Cam is managing to make accessible its documents to the public, both physically at DC-Cam and from a distance. DC-Cam receives requests for access to its archives almost every day. DC-Cam received KR survivors from a village near Phnom Penh and from other provinces searching for their relative who were lost during KR period. The table below table highlights the quantity of documents provided during this quarter.

Type of Doc.	# of Doc.	# of Page	Notes
Photographs	92 photos	n/a	n/a
Paper docs.	244 records	1,156	n/a
Film	15 clips	n/a	n/a
Audio	3 files	n/a	n/a

For ECCC, DC-Cam continues to play an important role in the transitional justice process in Cambodia by providing evidentiary documents to the Khmer Rouge Trial. Almost every single day of KRT's hearings, we were asked for DC-Cam's documents, interviews, band even witnesses who were found by DC-Cam. The table below highlights the quantity of document provision requested during this quarter.

Office Category	Type of Doc.	# of Doc.	# of Page
OCIJ	Int. tra.	17	829
OCP	Int. tra.	2	163
Trial Chamber	Int. tra.	2	160
Defense	<ul><li>KR paper doc.</li></ul>	9	190
	<ul><li>Int. tra.</li></ul>	4	184
	<ul><li>Audio</li></ul>	2	4h13m

# **B5. Document Accessibility**

To serve the research and access purpose in learning about the Khmer Rouge period, DC-Cam provides the public online the list of accessible documents. They can find the basic information oneach document at DC-Cam's archives, such as the document number, document title, document date, collection date, document source, and summary notes. This access list is updated quarterly. During this quarter, this access list reached 102,839 records, an increase from 98,609 records, which means 4,222 records were new entries. The access list can be found at http://www.d.dccam.org/Database/Lod/index.php

Type of Doc.	# of Doc.	# of Page	Note
"D" Collection	4,230 records	8,028	D61670-D65899

# C. Research on Village History

# C1. Research on Village History

This is a new iniciative. It involved brainstorming to update an existing project called the "Village History". As As a first start, DC-Cam sent a "Thank-you letter" to all participants who attended the Commune Teacher Training in Battambang in October. Theletter expressed our thanks to those who spent time to attend the training, and also proposed a new project that would require their involvement. All participants were given an opportunity to volunteer to work on collecting histories from the villages where they are living. The vision of this project is to (1) train them to be village historians (they will receive training in how to do historcal research), (2) promote their living standard in thatthey will own their writing and teach their own writing in their own school, and (3) develop Cambodian Social studies teachers to do important work that they will oversee.

At the same time, DC-Cam will work as a partner with the International Coalition of Sites of Conscience. A Concept note for the work has been drafted. This project aims to

bring together educators from Cambodia, East Timor, Indonesia and Guatemala for the purpose of a collaborative effort to improve the effectiveness, efficiency and sustainability of each organization's program in their respective countries. The project is based on four phases: 1) Planning & Preparation; 2) Educational Exchange Workshop; 3) Country-Specific Action Plans; and 4) A Lessons Learned Educational Exchange Workshop.

#### C2. Research in General

During this quarter, DC-Cam assisted researchers and journalists with various research topics related to the Khmer Rouge and current day issues as well as published a new volume entitled "A History of Anlong Veng Community: The Final Stronghold of the Khmer Rouge Movement: A Guidebook for Tour Guide."

- On December 28, James Glass, a Professor and Distinguished Scholar/Teacher of Government and Politics at the University of Maryland, College Park, Md is conducting research which will result in a book on trauma and the intergenerational transmission of trauma at the Documentation Center of Cambodia. Dr. Glass requested to see some interviews with survivors and spoke with Farina So and Dany Long on interviewing techniques and trauma transmission. He hopes to conclude his field research in mid-January, 2017.
- William Nathan Green and Jennifer Estes, Fulbright scholars, are conducting ethnographical research on the history of farming and environmental change and theeducational system in Kampong Trach district, Kampot province. They came to the Center to look at records, held by DC-Cam, related to Kampong Trach of Kampot and Phnom Voar district of Kep.
- On December 22, Paul Millar, a Journalist with Southeast Asia Globe Magazine, conducted research looking into the impact of overseas funding for Cham mosques and communities on the survival of traditional Cham beliefs and practices. He spoke with Farina So about the topic to get some ideas to shape his story and requested several contacts of the community members.

A postdoctoral fellow at the National University of Singapore, Zoltan Pall, conducted preliminary field trips to Cambodia in order to explore the possibilities of a longer fieldwork trip to develop a research project on transnational Islamic networks that connect the Arabian Gulf to other Middle Easter countries, Europe, Indonesia and possibly Cambodia. Farina So shared with him her experience working with the Cham community and her perspective on the research topic and provided him with local contacts for interviewing purposes.

# C3. DC-Cam Publication

"A History of Anlong Veng Community: The Final Stronghold of the Khmer Rouge Movement: A Guidebook for Tour Guide" by Christopher Dearing, Esq. with Ly Sok-Kheang, PhD. was complete and sent to print in late December, 2016. The guidebook will be an invaluable source for our upcoming tour guide training in Anlong Veng.

CAMBODIA'S HIDDEN SCARS: Trauma Psychology and the Extraordinary Chambers in the Courts of Cambodia, SECOND EDITION, edited by Gillian Reierson, Beth Van Schaack, and Daryn Reicherter was completed. However, printing has been delayed due to our short fall in funding.

#### D. Genocide Education

The ultimate goal of the genocide education program is to preserve the memory of the Khmer Rouge genocide through educating the younger generation of Cambodian population about it. With a close cooperation with the Cambodian Ministry of Educaton, DC-Cam put into action the plan to train teachers and pre-service teachers, and erect and inauguarate the genocide memorials. DC-Cam also plans to provide one workshop for university lecturers to learn and share the above mentioned topic.

# D1. Teacher Training Workshop in Battambang



For this quarter the genocide education team, led by Mr. Pheng Pongrasy, MA from De La Salle University, conducted the five-day teacher training workshop in Battambang province. There were 93 commune teachers from the Northwest of Cambodia including Battambang, Pursat, Pailin, Banteay Meanchey and Otdar Meanchey province, taking part in this training. 24% of the attendees were female. The age composition of the teachers was between 24

and 55 years old. Two external experts camer to share their experience of teaching the holocaust with trainee teachers, who would, after this training, teach a Khmer Rouge genocide class to their community students. This training was attended by USAID observors as well. Read more and see photos at:

#### Report:



http://www.d.dccam.org/Projects/Genocide/pdf/Rep ort\_16th\_Commune\_High\_School\_Teacher\_Training.pd f

#### Photo:

https://photos.google.com/share/AF1QipM5P5YfQ7c qbkSjttA-

gt7piwC5SZ3Jb9dKf4YZzoNuW012fPoLx0TwARNQRQB KaQ?key=eGZKV2Z5VGEzSy1xMFlmaDNGYXlVUkgxcmk

1NHR3

**Impact:** http://www.timesofisrael.com/through-studying-the-holocaust-cambodians-deal-with-own-genocide/

### D2. KR History Classroom Forum in Kampot



On November 10, 2016, DC-Cam's Mr. Pheng Pong-Rasy provided the presentation on KR history to 75 villagers, teachers and students (whose ages were under 18-year-old). Some participants were members of the Cambodian Islamic community. The presentation took place at a theatre hall of the Kampot Traditional Music School for Orphaned and Disabled Children.

The presentation was the result of a request from the founder of the Kampot Traditional

Music School for Orphaned and Disabled Children, Catherine Louise Geach. According to Uon Sambo, core staff of the Khmer Cultural Development Institute, the school wants students to know about the Khmer Rouge history. He said "as a musician, he or she has to know their own history."

From 2 p.m. to 3:45 p.m, two sessions of Khmer Rouge history were discussed with the group. A Few of the Cambodian Islamic villagers said they experienced the Khmer Rouge regime, and they are aware that a few top Khmer Rouge leaders have been on trial waiting for the final judgment of the ECCC. In contrast, none of the students know about Khmer Rouge regime. Their parents were born after the Khmer Rouge collapsed. When students were asked to raise their hands if they had heard or learned about the Khmer Rouge history in school or the community, almost all students raised their hands. From this, a presentation of the Khmer Rouge history was quite brief and easy to understand. In addition, the presenter took some time to talk about the importance of studying Khmer Rouge history. This is an important message to let younger students consider learning of the Khmer Rouge history.

After the Khmer Rouge history presentation, a documentary film was shown to the participants. The Anlong Veng film was selected to be screened after another film, The Enemy of the People, was unexpectedly damaged. The film trains participants, especially the younger students, to express their opinion about Khmer Rouge history and encourage the participants to think of learning about the Khmer Rouge history.

#### E. Promoting Accountability

For FY2017, DC-Cam focuses on conducting a research study on crimes committed by lower-level-Khmer Rouge cadres because those crimes are seared in the memories of ordinary Cambodian survivors. This is something the KRT is overlooking that it leaves as its legacy. So, DC-Cam continues to conduct interviews to support the study mentioned above.

# **E1. Interview Technique Training**

PA Senior Team Leader, Mr. Long Dany, recruited four volunteers to help accomplish the study. He spent one week training them about the general knowledge of KR crimes and history before moving on to the interview techniques. These volunteers have three to six months to work in this field with no cost to the organization. In return, they gain

knowledge of history, interviewing, summary of interview transcripts and a chance to speak with former KR cadres and victims.

#### E2. New Interviews

During this quarter, the PA team conducted 26 interviews on the outskirts of Phnom Penh city. Among those interviews, there were 11 with former KR cadres and 15 with victims (base people).

### E3. New Transcriptions

By the end of this quarter, the team was able to complete the transcriptions of 14 interviews equal to 362 pages. These transcripts will be added to the increase of paper documents at DC-Cam's archives and are treated as new documents.

# E4. PA Summary & Entry

The team also summarized all interview transcripts and entered them into the PA computerized database to serve the purpose of the study mentioned above. By the end of this quarter, the team was able to complete 193 interview files from Kampot, Kampong Thom and Kandal provinces.

The table below highlights the archivement as following:

Type of Work	Quantity	# of Page
New interviews	26	n/a
New transcripts	14	362
Summary & data entry	193 files	n/a

#### Impact:

October 26, 2016, ECCC's Trial Chamber discussed Nuon Chea defense counsel request for submission of three documents from DC-Cam related to a family photo of So Phim (who was former Eastern Zone leader killed in 1978), So Phim's bodyguard and driver. Both of them were called to testify before the Chamber in November and December 2016.

# F. Living Documents and CTM Trips to Local Universities

# F1. Public Screening of Case 002/01 Verdict Announcement



On November 23, 2016 DC-Cam conducted 7 public forums and live screenings of the final judgment of case 002/01 against two senior Khmer Rouge leaders, Nuon Chea and Khieu Samphan. The public forum and screening aimed at providing a chance for grassroots, former Khmer Rouge soldiers and cadres, ethnic minorities, and marginalized people living in rural areas to express their opinions and reactions to the verdict, and to view the legacy of

the ECCC regarding justice, healing, and reconciliation issues. The forum promotes dialogue among marginalized people to fight against impunity and solve other social issues in their commune.

The 7 forums and screeings were conducted in different areas including Wat Komnou in Angkor Borei district of Takeo province, Wat Svay Tuntoem in Romeas Hek district of Svay Rieng province, Wat Poth Ban in Koh Thom district of Kandal province, Christian kindergarten school in Rolea Pha'ie district of Kampong Chhnang province, Svay Khleang in Krouch Chhmar district of Tboung Khmum province, Wat Ratanak Mondul Reagsei Kaoh Nhek district of Mondul Kiri province, and Wat Thala in Thala Barivat district of Stung Treng province.



There were more than 450 people including Monks, nuns, commune chiefs, religious leaders, minority, Khmer rouge survivors, and students who attended the screening. Hundreds of books and documents were disseminated to participants during the live screening. They included 700 copies of "A History of Democratic Kampuchea (1975-1979)", 700 copies of Genocide Book of case

002, 700 copies of the ECCC booklet, and 700 copies of Summary of the Trial Chamber's judgment of case 002/01. Read more in Appendix 02.

#### **G.** Documentary Film

To continue fostering public education and discussion about the Khmer Rouge genocide and Cambodian history and culture, DC-Cam is planning a film focusing on cultural genocide during the Khmer Rogue period. DC-Cam plans to complete researching the topic and finish the storyline in 2017.

In this quarter, the team succeeded in photographing in many fields which include:

- 92 pictures of HUMAN RIGHTS DAY, 2016 Genocide Education is Genocide Prevention at https://goo.gl/photos/3xrzRzCmYiLcxtdm6
- 86 Pictures of DC-Cam activities in office at https://goo.gl/photos/kcREvqwNq82PgF5XA
- 58 pictures of South Sudan Exchange Program on Documentation and Memorialization In collaboration with International Coalition of Sites of Conscience at https://goo.gl/photos/S1yGsebzBkBmprQ87
- 113 Pictures of daily life in Psar Dermkor "One Evening" At https://goo.gl/photos/32E5iwpfwbMsyFDc8
- 120 pictures of Live Screening the Final Judgment of Case 002-01 at Thalaboriwath, Stung Treng Province at https://goo.gl/photos/KmaRKhub7WSyNhbq7
- 90 Pictures Capture the photo of Speaker series at SLEUK RITH contemporary Hall of Art at

https://goo.gl/photos/3mCLqkw144UcJpin9 https://goo.gl/photos/LASsnpRpk3Y8MptSA https://goo.gl/photos/yGxxra2D5yhbzXw59

# H. Student Tours to Anlong Veng

Established in 2015, the Anlong Veng Peace Center of the Documentation Center of Cambodia provides community education and reconciliation programs. It also aims at mitigating human conflict and encouraging active civic engagement. A student tour to Anlong Veng, the final Khmer Rouge stronghold, was the team's focus during this quarter. The student tour brings students to the area for a four-day visit encompassing daily educational activities.

# **October Student Tour to Anlong Veng**

On October 25-28, the 8th round of the tour was organized, engaging twelve students (seven female and five male) in a four-day program. They were students of the Royal University of Phnom Penh (RUPP) and of Anlong Veng High School. Students attended a one-day workshop that focused on the history of the Khmer Rouge regime (1975-1979), Anlong Veng community, and the 14 designated historical sites for preservation and development. They also learned about some key concepts of peace, violence, and reconciliation. During the workshop, the students were able to meet face-to-face with two local villagers who narrated their own experiences during the period of Khmer Rouge genocide and civil war. This encounter served as an experiment to familiarize the students with an interview situation. Afterwards, students were divided into four groups to prepare and conduct interviews with local villagers of the Anlong Veng community. **Besides** this, the students paid very close attention Cambodia's environmental challenges such as deforestation as well as to social changes Anlong lives of the Veng community. See photos https://goo.gl/photos/6HiipkUTCtqsabCm8

# **November Student Tour to Anlong Veng**



On November 8-11, the 9th round of the Anlong Veng Peace Tour was organized, engaging twelve students (eleven female and one male) in a four-day program. They went through the same activities as the previous tour but differed in the focus topic. For this round, all students were asked tocome up with their own questions to ask about the KR's science in the battlefield. See photos *at:* https://photos.google.com/share/AF1QipM3BzoZtFxC6jp

pT9eiMfusa5eplT8JuJX2vgSDFR2KtLMkGd6xrCS9UbG2ikFd3g?key=V1l6ZVZoUVY2dGZMTzhiTENDUWRFQmVXYnlGeFp3

# **December Student Tour to Anlong Veng**



On December 13-16, the 10th round of the Anlong Veng Peace Tour was organized, engaging ten students (four female and six male) in a four-day program. They were students of the Royal University of Law and Economics (RULE) and of the National Institute of Education. At this round, students were asked to explore and write about their feedback during the educational trip to Anlong Veng. See photos *at*:

https://goo.gl/photos/v4tsY41to8ZHfAqy8

### Appendix 01

# Report on the 3<sup>rd</sup> Annual Meeting of the Global Initiative for Justice, Truth and Reconciliation

Antiqua, Guatemala October 17-20, 2016 Savina Sirik

This paper reports on the third annual meeting of the Global Initiative for Justice, Truth and Reconciliation (GIJTR, hereafter the Consortium)<sup>3</sup> jointly organized by FAFG<sup>4</sup> and International Coalition of Sites of Conscience (ICSC), which took place from October 17 to 20, 2016 in Antiqua, Guatemala. The four-day meeting aimed at identifying lessons learned and developing strategy to share best practices and lessons learned among broader transitional justice community, finalizing the Theory of Change and setting strategy for the year ahead. This report provides a brief summary of the meeting and highlights new projects that have been agreed upon for 2016-2017.

# 1. Review of the progress from last year

ICSC's executive director Elizabeth Silkes briefed the meeting on some of the successes and progress of the consortium in the past years since its launching in 2014. The Consortium has built working relationships among partners using holistic approach and collaborations. Consortium's partners have collaborated through development and implementation of projects that focus on a wide range of transitional justice issues ranging from documentation and memorialization initiatives to identifying missing persons. In 2015 and 2016, the consortium partners undertook projects at different stage of implementation in South Sudan, Sri Lanka, Iraq, Syria, and Middle East and North Africa. Riva Kantowitz, DRL's program officer, reflected on the consortium's progress over the past years. She encouraged partners to continue working together to explore new approaches to transitional justice. She also suggested for partner organizations to develop strategy to continue long term plans for the initiatives even after completion of the consortium's project implementation.

# 2. Consortium's Survey and Evaluation Results

Before the meeting, the Consortium's partners were requested to fill out an evaluation survey which examined the Consortium's functions and experiences of partners in working with each other. The results from the evaluation indicate that the consortium has shared goals and objectives and the approaches in achieving them are well received by the partners. Also, the survey indicates that the communication between partners on collaborative projects is clearer than last year as the consortium moves along in its operation. Moving forward, two areas are identified for improvement including internal and external communications of consortium's projects. Following the presentation of survey results, all the consortium's partners were assigned into small groups to discuss several points including:

- -Key lessons emerging from the Consortium's approach
- -Integrating the approach within the individual organization

<sup>&</sup>lt;sup>3</sup> The Global Initiative for Justice, Truth and Reconciliation is a Consortium of nine organizations that together serve as a new mechanism to respond in a multi-disciplinary and integrated manner to the transitional justice needs of societies emerging from conflict or periods of authoritarian rule.

<sup>&</sup>lt;sup>4</sup> FAFG: Fundación de Antropología Forense de Guatemala

- -How to share the lessons with a broader community
- -How to better advocate with donor community
- -Have partners been working together outside of the consortium.

The consortium decides that strategy for internal and external communications will be improved by adding online platforms for partners to share information on progress of consortium's projects and other relevant information with each other and with outsiders. It also agrees that consortium's projects that have been rapidly responded should be continued with a follow-up project to evaluate effectiveness and successes of the projects.

Consortium's partners that have been involved in collaborative projects presented progress, results, and challenges faced in implementing the projects in the past year. Please note that the projects below are at different stages of implementation and joined by at least two consortium's partners.

- South Sudan Human Rights Documentation Initiative
- Truth and Reconciliation in Sri Lanka-dealing with the past
- Syria Basket Fund Assessment
- Middle East and North Africa Transitional Justice Academy
- Global Reparation
- Community Consultation

#### 3. Field Visit

The consortium's partners made a visit to FAFG office and laboratory to learn about its investigation work and its works with victims. FAFG works to identify victims of disappearance under the military rule in Guatemala through forensic investigation and helps survivors' families find closure. After the introduction to FAFG's work, the group also visited Villatoro Museum, located right next to the FAFG's laboratory, which displayed a victim's skeleton whose identity has been confirmed and identified with the family. Son of the victim has decided to establish this small museum to dedicate to the memory of his father. After that, the team visited the National Police Archives to learn about how the place was discovered and converted from a police office to the archives. Finally, we visited Casa de la Memoria and attended Digital Mapping Project to learn more about violence history of Guatemala and the project that maps all the memorial sites in the country.

# 4. Discussion of project ideas and development of concept note outline for unsolicited projects

Among 6 project ideas proposed by the partners, three projects have been voted and selected to be developed for funding approval. Each project will be led by a consortium's partner and joined and supported by at least one other partner. The projects will be allocated 150,000\$ each, of which one has to be Asia specific project.

1. Documentation and education tools for educators (DC-Cam, FAFG, AJAR, and ICSC)<sup>5</sup>

The project aims to provide space of educators from Cambodia, East Timor, Indonesia and Guatemala to share experiences and practices in documenting and teaching mass atrocities in their respective countries. It also builds capacity for educators to conduct documentation, research, and education programs that focus on transitional justice and develops replicable education tools /practices that can be shared among educators from different contexts.

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<sup>&</sup>lt;sup>5</sup>AJAR: Asia Justice and Rights

The project activities will include:

- Initial workshop to bring 3-5 educators from Cambodia, East Timor, Indonesia and Guatemala together in Cambodia
- Implementation of memory based projects for participants in each country
- Participants from all the participating countries (Cambodia, Guatemala, East Timor, and Indonesia) will come together during a close workshop to share experiences, products and lesson learned from the implementations. Individual team will develop replicable tools to share among the participants.
- 2. Victim participation in legal accountability process (PILPG, CSVR, ABA, and ICSC) <sup>6</sup>

The project goals are to set a guideline for effective victim participation in the process of legal accountability in the future tribunals.

Activities of the project include:

- Desk research on best practices in victim participation from hybrid courts
- Focus groups in four countries which involves bringing CSOs together, interview with court personnel and people who are involved process of establishing the court.
- Map out challenges in victim participation in the court
- Develop guideline through workshop with decision makers
- Strategic meeting with individuals, CSOs, donors, and the tribunals.
- 3. Disappeared persons and Stolen Children (AJAR, DPLF, ICSC)<sup>7</sup> The project's goals are to share experiences of documenting disappeared persons between Latin American countries and Indonesia/ East Timor through TJ mechanisms and advocate for the search of stolen children. The project activities will include:
  - Workshop in Latin America to share knowledge, challenges and experiences on the issues
  - Memorial/site visits
  - Exchange program of CSO's actors working the issues and advocate for the search for children with support from Latin American partners.

Lead project partners for each project will schedule calls or establish mechanisms to communicate with other partners to develop concept notes. The concept notes will be submitted to ICSC on December  $16^{\rm th}$  and will not take more than 6 months from the meeting date for the whole process to be completed and for the proposals to be approved.

#### Conclusion

The meeting was useful for partners to be updated of operations and functioning of the consortium. It provides space for partners to come together and share best practices and lessons learn from the implementation of collaborative projects as well as from the partnerships. It also helps partners to learn from one another the best approaches practical to local contexts. These practices are not only useful for DC-Cam to share its experiences and approaches in TJ work in Cambodia, but also learn from other

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<sup>&</sup>lt;sup>6</sup> PILPG: Public International Law and Policy Group; CSVR: Center for the Study of Violence and Reconciliation; ABA: American Bar Association

<sup>&</sup>lt;sup>7</sup> DPLF: Due Process of Law Foundation

countries' lessons and experiences. The collaborative projects undertaken by partners provide an opportunity for partners to explore multi-disciplinary approaches to work together on areas that need assistance the most. These practices help each partner to strengthen their capacity as an organization and access to resources and expertise that is not available within their own country.

Moving forward, the consortium will maintain internal communications through quarterly reports, bi-annual calls, and an annual meeting. The ICSC will create online platforms including twitters and listserv for the consortium's members to share information and updates. The annual meeting for the following year is agreed to be scheduled to late January 2018. Since DC-Cam expressed interests in hosting the next meeting, ICSC has proposed that the meeting in 2018 should take place in Cambodia.

#### **Discussion with DC-Cam**

# South Sudanese Exchange Program

The objectives of the exchange program are to introduce South Sudanese civil society actors to the documentation and memorialization works and approaches in starting the works with limited resources. Therefore, ICSC proposed to DC-Cam to organize the exchange program to provide comprehensive introduction to documentation and archival work, specifically on how DC-Cam was first established, how the initiative started with little resources, techniques and methodology in collecting and documenting the past, how to preserve and maintain the archives, and the importance of documentation in legal accountability and memory. The group would also like to learn about various approaches in documenting oral history and gender aspects. The agenda of the exchange will be developed based on these objectives in collaboration with the ICSC.

# Writing a chapter on the role of documentation and archives in legal accountability process

GIJTR's program director, Ereshnee Naidu, proposed to DC-Cam to contribute a section on the role of documentation and archives in the process of criminal prosecution for the consortium's evaluation toolkits. The toolkit is designed for consortium's partners to share their works and initiatives.

#### Resources

http://fundingtj.org/ http://www.sitesofconscience.org/truth-and-justice/

End

# Appendix 02

# LIVE SCREENING OF FINAL JUDGMENT OF CASE 002/01

# GRASSROOTS' PERSPECTIVES ON THE CONVICTION OF

#### NUON CHEA AND KHIEU SAMPHAN

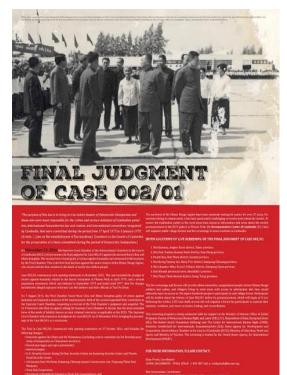
BY: CHAN PRONH, Coordinator of Living Documents Project

(TEAM: Long Dany, Som Bunthorn, Sopheak Pheana, Un Sodavy, Pheng Pong-Rasy, Min Sanas, Chab Daven, Mes Bunthann, Long Aun, Men Pechet, Sok Vannak, Chheng Veng, Ouch Makara, Chao Prohors, Tuon Layhul, and Chan Pronh)

#### I- INTRODUCTION

On November 23, 2016 Documentation Center of Cambodia (DC-Cam) has conducted 7 public forums and live screenings of final judgment of case 002/01 against two senior Khmer Rouge leaders, Nuon Chea<sup>8</sup> and Khieu Samphan<sup>9</sup>. The purposes of these activities are aimed at grassroots, former Khmer Rouge soldiers and cadres, ethnic minorities, marginalized people living in rural areas to express their opinions and reactions to the verdict, and view the legacy of the ECCC relating to justice, healing, and reconciliation. The events also aimed to promote dialogue among marginalized people to fight against impunity and solve other social issues in their commune. The events took place at Wat Komnou (in Angkor Borei,

a district of Takeo province), Wat Svay Tuntoem (in Romeas Haek, a district of Svay



Rieng province), Wat Poth Ban (in Koh Thom, a district of Kandal province), Christian kindergarten school (in Rolea P'ier, a district of Kampong Chhnang province), Svay Khleang (in Krouch Chhmar, a district of Tboung Khmum province), Wat Ratanak

<sup>&</sup>lt;sup>8</sup> The Trial Chamber found that, in Democratic Kampuchea, Noun Chea was a Deputy Secretary of the CPK, a full rights member of both the CPK Central and Standing Committees, a Chairman of the Standing Committee of the People's Representative Assembly, and sometime acting as Prime Minister in Pol Pot's absence.

<sup>&</sup>lt;sup>9</sup> The Trial Chamber found that Khieu Samphan was President of the State Presidium, a full rights member of the CPK Central Committees, and a member of Office 870 which oversaw the implementation of Standing Committee decisions.

Mondul Reagsei (in Kaoh Nheaek, a district of Mondulkiri province), and Wat Thala (in Thala Barivat, a district of Stung Treng province). There were more than 450 peoples (including Monks, nuns, commune chiefs, religious leaders, minority, Khmer rouge survivors, and students) attending the screening. Hundreds of books and documents were disseminated to participants during the live screening. They included:

- 1- A History of Democratic Kampuchea (DK book), 700 copies;
- 2- Genocide Book of case 002, 700 copies;
- 3- ECCC booklet, 700 copies; and
- 4- Summary of the Trial Chamber's judgment of case 002/01, 700 copies.

#### **II- METHODS AND ACTIVITIES**

To ensure the events progress smoothly and effectively, DC-Cam had conducted a series of activities before the events took place; for instance, we asked permission from the Ministry of Interior and provincial governors to organize the forums, and kept in touch with local authorities. All DC-Cam's staff had been trained about the Case 002/01 to make sure they understood the case clearly and could brief the case to villagers, and were able to respond to villagers in case they had any questions relating to the Extraordinary Chamber in the Court of Cambodia (ECCC). DC-Cam also conducted meetings regularly to follow up the set plan of live screening and set up resolutions dealing with the issues of concern or challenges. Two days before the screening started, DC-Cam's staff worked closely with chiefs of communes to inform villagers to attend the event. Equipment to show the verdict was also installed during those days.

The Supreme Court Chamber of the ECCC pronounced its decision at 9 a.m. But before this, as planned, DC-Cam's staff created a space for participants to share their experiences during the Khmer Rouge regime with each other. After that, the staff started to brief participants about the background of the case 002/01, including the decision of the Trial Chamber, and defendant's appeal. This aimed to help participants understand and follow the Supreme Court Chamber's decision. So, the participants were well prepared to follow and learn the final judgment of the Supreme Court Chamber. After the announcement, participants had a chance to express their opinions and reactions to the decision of the Supreme Court, and view the legacy of the ECCC relating to justice, healing, and reconciliation. Their views are listed below.

#### III- A BRIEF OF SUPREME COURT CHAMBER'S DECISION OF CASE 002/01

The Supreme Court Chamber upheld Nuon Chea's and Khieu Samphan's convictions for crimes against humanity of murder, persecution on political grounds and other inhumane acts in relation to the evacuation of Phnom Penh immediately after the fall of the city on 17 April, 1975. In relation to the second phase of population transfers that occurred between 1975 and 1977, the Chamber affirmed the Accused's conviction for the crime against humanity of other inhumane acts, and entered a conviction for the



Khmer Rouge survivors and young generations (54 participants) were following the announcement of the Supreme Court Chamber of the ECCC against Noun Chea and Khieu Samphan in Wat Ratanak Mondul Reagsei. Wat Ratanak Mondul Reasei is located in Kaoh Nheaek disctrict, Mondul Kiri province. It is about 470 km away from Phnom Penh. During Khmer Rouge regime, Phnom Kraol Security Center was set up in Kaoh Nheaek. The crimes that were committed at this site are being charged by the ECCC. (Photo: DC-Cam)

crime against humanity of murder.

The Supreme Court Chamber reversed the convictions entered by the Trial Chamber for the crime against humanity of extermination in relation to the evacuation of Phnom Penh and the second phase of population transfers. The Supreme Court found that the evidence before the Trial Chamber in relation to the population movements did not establish beyond reasonable doubt the requisite killings on a large scale committed with direct intent.

In relation to the second phase of population transfers, the Supreme Court Chamber also reversed the Trial Chamber's convictions for the crime against humanity of persecution on political grounds, having found that the evidence had not established that the vast majority of evacuees had been "New People". As such, it has not been established that the transfers were, in fact, discriminatory.

While the Supreme Court Chamber confirmed that at least 250 LON Nol soldiers and officials had been executed at Tuol Po Chrey at the end of April 1975 and therefore that crimes against humanity had likely committed. evidence before the Trial Chamber was considered to be inadequate to reasonably substantiate a finding that, at the time of the events, there had been a policy to kill all LON Nol soldiers. evidence Most of the out-of-court consists of



Two women, who participated the screening in Thala Barivat, Stung Treng province, were watching the conference, which was conducted after the pronouncement of the verdict. Although they have spent one and haft hour following the verdict, they were still interested to know the views of all party relate to the Supreme Court Chamber's decision. (Photo: DC-Cam)

statements, which have low probative value. Moreover, the Trial Chamber failed to consider several pieces of evidence, which call into question the existence of a blanket policy to kill. Accordingly, the events at Tuol Po Chrey could not be imputed to the Accused and as a result they cannot be held criminally liable for them. For that reason, the Supreme Court Chamber reversed the Nuon Chea's and Khieu Samphan's convictions for the crimes against humanity of extermination, murder and persecution on political grounds at Tuol Po Chrey.

The Supreme Court Chamber considered whether the fact that it has found errors in some of the Trial Chamber's conclusions should lead it to revise the sentences imposed by the Trial Chamber. Given that the gravity of the crimes should be reflected in the sentence, in view of the massive scale of the crimes; the complete lack of consideration for the ultimate fate of the Cambodian population, especially the most vulnerable groups; the fact that the crimes were not isolated events, but occurred over an extended period of time; and the significant roles of the Accused, the Supreme Court Chamber concluded that the imposition of a life sentence for each of the Accused was appropriate and therefore confirmed the sentence imposed by the Trial Chamber.

An appeal by the Co-Prosecutor's limited to seeking declaratory relief on the applicability of the most extended form of joint criminal enterprise (JCE) before the ECCC, was found inadmissible. The appeals brought by the Accused have, nevertheless,

seized the Supreme Court Chamber with the questions related to the notion of JCE, including aspects raised by the Co-Prosecutors' appeal.<sup>10</sup>

#### **IV- GRASSROOTS' PERSPECTIVE**

# A. Life Imprisonment

In the overall, participants of the live screening supported and accepted the Supreme Court Chamber's decision. which convicted Nuon Chea and Khieu Samphan for crimes against humanity and sentenced them to life in jail. Most participants said putting Nuon Chea and Khieu Samphan in jail for life imprisonment is reasonable because verv millions of Cambodian people were killed and others lived under hard conditions during their regime. "The sentence



Mrs. Chan Sei, who attended the live screening in Stung Treng, was sharing her experience during Khmer Rouge regime to DC-Cam's staff. (Photo: DC-Cam)

was suitable for the crimes that were committed by Khmer Rouge leaders, which caused many peoples' dead", **Mr. Phan Phounan** from Mondul Kiri said. **Mr. Dang Sieng**, 51, from Angkor Borei, viewed the decision would be a good model for other leaders and young generations.

Yet, some participants thought the life imprisonment of Noun Chea and Khieu Samphan, was not enough for them and the victims of Khmer Rouge regime, comparing to the cruel massacres and killings that took place in Cambodia and what those leaders committed during their regime. It meant that there was nothing to adjust their suffering. Anyway, the life imprisonment is the highest penalty in Cambodian's law.

#### **B.** Healing

Most of participants were satisfied with the final verdict. They felt happy to hear that Khmer Rouge leaders were taking responsibility for the crimes that occurred during their regime. "It, the decision, can really heal my pain", Mrs. **Lay Loeng** from Koh Thom said. While most participants said that sharing/telling their experiences during Khmer

<sup>10-</sup> The ECCC: https://eccc.gov.kh/en/articles/supreme-court-chamber-quashes-part-convictions-affirms-life-imprisonment-nuon-chea-and-khie

Rouge regime to their children helped them heal, some participants accepted that the conviction of Khmer Rouge leaders was also a part of their healing. "Plus, hearing this court's decision, I could feel the sense of closure. I think life imprisonment which is the most severe punishment could really provide the justice to me, other survivors, and the two million lost lives", a participant from Koh Thom said. Similarly, Mrs. Sok Phy from Angkor Borei, who lost four children during the regime, said that she felt better and the conviction would serve justice for those who died during the Khmer Rouge regime and survivors of the regime. Mr. Ka Chanthay from Mondul Kiri, who lost 6 siblings during the Khmer Rouge regime, also said that he felt better about what had happened in the past after Khmer Rouge leaders have been brought to justice. Some participants thought that it was Karma. "I believe this is about Karma because they did bad deeds, they were very cruel", said Mrs. Srey Yeng, 71, from Angkor Borei. Yeng used a term Karma to adjust her suffering.

However, a number of respondents felt that their suffering, both past and present, was so severe that nothing—neither the sentence nor the compensation—could remedy the losses they suffered.

#### V- CONCLUSION

The live screenings provided not only an opportunity for grassroots to observe and learn about the verdict, but also created a space for them to express their opinions, and react to the conviction of Khmer Rouge leaders. The Khmer Rouge survivors also had a chance to share their experiences with younger generations directly. In the overall, participants were gratified by the Supreme Court Chamber's decision, which convicted Nuon Chea and Khieu Samphan with crimes against humanity and sentenced them to life in prison. Many participants argued that the decision was absolutely right and very reasonable, and Khmer Rouge leaders are not excusable, because millions of Cambodian people were killed and other lived under hard conditions during their regime. Participants also believed that the decision will be a significant outcome for young generation to learn their own history, and especially be aware of the hardship of their parents during Khmer Rouge regime.

#### VI- REACTIONS

#### 1. Mr. Dang Sieng:

Mr. Dang Sieng, 51, lives in Angkor village, Prek Phtaul commune, Angkor Borei district, Takeo province. He is very satisfied with the decision of the Supreme Court Chamber, who found Nuon Chea and Khieu Samphan guilty of crimes against humanity and sentenced them to life in prison, because millions of Cambodian people were killed under their controll. Sieng said the decision would set a very good model for other leaders and young generations to learn more about those who committed the crimes, and how they must be held responsible. He also viewed that the verdict could help



Mr. Dang Sieng, left, was sharing his experience during Khmer Rouge regime, and his views related to the verdict to DC-Cam's staff. (Photo: DC-Cam)

Cambodian people who suffered hardship to achieve closure. Sieng said that during the Khmer Rouge regime he worked very hard, and did not have enough food to eat. He often shared this experience with his children, but sometimes they did not believe or care about this sad story. Regarding reparations, Sieng said that he did not want compensation, but kind of measures that could educate and remind younger

generations to protect the country from mass atrocity in the future.

### 2. Mrs. Sok Phy

Mrs. Sok Phy, 79, lives in Kampong-Po village, Prek Phtaul commune, Angkor Brorei district, Takeo province. Phy was very happy to hear that Khmer Rouge leaders, Noun Chea and Khieu Samphan, were sentenced to life in jail. Phy said that she lost four children during the Khmer Rouge regime. She was very sad. Besides this, she needed to work very hard to survive, and sometimes, she was forced to work although she was sick, otherwise her food would be cut off. Phy said that the conviction of the Khmer Rouge leaders would serve justice for those who died during the Khmer Rouge regime and survivors of the regime. And she also hopes that those mass atrocities would not happen to her younger generation. Phy said that she always shares her experience with her grandchildren, but she did not know how much they believed her stories.

#### 3. Mrs. Pech Kiet

Mrs. Pech Kiet, 72, lives in Kampong-Po village, Prek Phtaul commune, Angkor Brorei district, Takeo province. Kiet thanked the court that convicted Khmer Rouge leaders, Nuon Chea and Khieu Samphan, to life in prison. During the Khmer Rouge regime, Kiet lost five brothers and one cousin. Kiet said that she witnessed when her brothers were arrested, but did not know how to help them. She did



Mrs. Pech Kiet, who had five brothers die during the Khmer Rouge regime, was sharing her experience during the regime with DC-Cam's staff. (Photo: DC-Cam)

not know why they were arrested, because she did not dare to ask the Khmer Rouge. Kiet said that although the verdict could not recover her brothers and everything that she lost during the regime, but at least Khmer Rouge leaders were held responsible and jailed. However, Kiet could not excuse those who killed her brothers. Besides this, Kiet said that she always tells her stories to her grandchildren. She also told the interviewer that she had just shown pictures in DK book (provided by DC-Cam) to her grandchildren, by saying that "during Khmer Rouge regime, I worked like them. It was very hard".

# 4. Mrs. Srey Yeng

Mrs. Srey Yeng, 71, lives in Phnom Tauch village, Prek Phtaul commune, Angkor Borei district, Takeo province. Yeng fully supported the decision of the Supreme Court Chamber, which upheld Nuon Chea's and Khieu Samphan's convictions for crimes against humanity and sentenced them to life in prison. "I believe this is about Karma because they did bad deeds; they were very cruel", Yeng said. Yeng recalled her experiences during Khmer Rouge



Mrs. Srey Yeng, middle, and her sister, left, were sharing their stories with DC-Cam's staffs. (Photo: DC-Cam)

regime by saying that she was eight months pregnant. However, Khmer Rouge still assigned her to work very hard like other people. Furthermore, she was suffering when her daughter was sick and she was not allowed to look after her daughter. "You are not a doctor. You just keep working. Your children are looked after" Khmer Rouge said to Yeng when she asked permission to visit her daughter. Her daughter died at age three years . Besides her daughter, Yeng had lost another ten family members of her relatives and cousins in the Khmer Rouge regime.

#### 5. Mrs. Nau Kit

Mrs. Nau Kit, 67, lives in Kampong-Po village, Prek Phtaul commune, Angkor Borei district, Takeo province. Kit said the decision of the Supreme Court Chamber was correct, and she was very satisfied. She felt the trial of the Khmer Rouge leaders could help people understand more about the regime, and young generations could be aware of the hardship of their parents during that time. She meant their parents were living under very hard conditions. Kit said that she always shares her stories with her grandchildren.

# 6. Mrs. Lay Loeng



Mrs. Lay Loeng was sharing her experience during Khmer Rouge regime, and her views on the verdict with DC-Cam's staffs. (Photo: DC-Cam)

Mrs. Lay Loeng, 77, lives in Por Bann Village, Por Bann Commune, Por Bann District, Kandal Province. Loeng showed interest in the live screening, and believed the verdict from the ECCC was very helpful, for it could heal some pain they suffered. She believed the verdict could help promote the peaceful living of the citizens because it helps to raise the awareness of the people. In addition, she supported the verdict and the forum: "It can really heal my pain, and I could not think of any other punishment that should be added. Following the

process, the court has done a nice job. Last but not least, I feel great that I have gotten the opportunity to express my idea through this

forum. If possible, I prefer to get some amount of money to do the ritual ceremony to dedicate to my dead relatives."

#### 7. Mrs. Chum Choh

Mrs. Chhum Choh, 71 years old, was a lonely elderly woman who stays at Wat Poth Ban, Koh Thom. She said that she felt satisfied with the verdict and believed a life sentence is enough. Though she supported the verdict, she did not think that the way the court treated the KR leaders was just or fair to the people, specifically, to the KR survivors like herself. This is because the KR leaders were imprisoned in a comfortable way. At the same time, she said that the court could really provide



Mrs. Chum Choh was sharing her experience during Khmer Rouge regime, and her views on the verdict with DC-Cam's staff. (Photo: DC-Cam)

her, as well as the other citizens, justice, which, to her, is theright thing. She also strongly supported the live screening because she believed that it could raise the public awareness and provide her the chance to express and share her views as she has never told anyone about her enduring experience before.

#### 8. Mrs. Khum Srey

Mrs. Khum Srey, 55, lives in Kbal Koh village, Sre Sangkum commune, Koh Nhek district, Mondul Kiri province. Srey used to hear about the Khmer Rouge Tribunal from local TV news program. However, she has not followed the tribunal very closely. When asked if the tribunal is important for her, she said it is because they bring the Khmer Rouge leaders to justice. Srey has two older brothers, Ra and Rom, who died during the Khmer Rouge Regime. She does not know the exact reason that the Khmer Rouge took her brothers to be killed. She only knows that they used to work as Khmer Rouge medical staff at Chi Meat commune, Koh Nhek district, Mondul Kiri province. She heard that the Khmer Rouge accused her brothers of being spy agents.

# 9. Mr. Eng Sakada

Mr. Eng Sakada, 17, lives in Sre Sangkum commune, Koh Nhek district, Mondul Kiri province. He is a Grade-12 student at Hun Sen Koh Nhek High School. Sakaka used to hear about the Khmer Rouge history from his parents; however, since he was very young he could not recall the story. He said the younger generations should learn about the Khmer Rouge history. Sakada supports the establishment of the ECCC. He sees this tribunal as important as it would teach the younger generations not to follow what the Khmer Rouge leaders had done. Sakada said that because of the Khmer Rouge Regime, many people became orphans, widows, and disabled.

# 10. Mrs. Say Sokhann

Mrs. Say Sokhann, 63, lives in Reangsei village, Sre Sangkum commune, Koh Nhek district, Mondul Kiri province. Sokhann is a Civil Party before the Khmer Rouge Tribunal in Case 002. Her parents had been sent to and killed in Phnom Kraol Security Center in Koh Nhek district, Mondul Kiri province in 1978. Her father was accused of being a spy. In fact, he had served as a soldier during the Sangkumreastr Niyum Regime. During the Khmer Rouge Regime, Sokhann was assigned to work in a mobile unit. She was appointed to cook and do farming. Sokhann believes that the Khmer Rouge Tribunal is important for the survivors in seeking justice and helping her feel relief about the past. She recommended that younger generations should remember about the Khmer Rouge Regime in order to avoid committing the same mistake. Sokhann has been to the Khmer Rouge Tribunal three times to observe the trial hearings in the courtroom. She was

delighted to participate in the live screening and satisfied with the sentence against both Khmer Rouge leaders, Nuon Chea and Khieu Samphan.

#### 11. Mr. Ka Chanthay

Mr. Ka Chanthay, 68, lives in Ou Yeh village, Sre Sangkum commune, Koh Nhek district, Mondul Kiri province. He got married in 1973, two years before the Khmer Rouge came to power. Six of his siblings lost their lives during the Khmer Rouge Regime. Chanthay used to hear about the Khmer Rouge Tribunal through television programs. He believes that the Khmer Rouge Tribunal will serve as a reminder in reminding younger generations not to follow the past mistake. To him, the Khmer Rouge Tribunal helped him heal what has happened in the past.

#### 12. Mr. Khean Piseth

Mr. Khean Piseth is a Grade-10 student at Hun Sen Koh Nhek High School. Piseth cannot catch the meaning of some of the legal terms that were read earlier by the judge during the pronouncement. However, he heard that Nuon Chea and Khieu Samphan were sentenced to life in prison. Piseth's grandmother used to tell him about her experience during the Khmer Rouge Regime that she was put in hard labor, carrying earth. His grandmother also informed him that if she did not follow the order from the Khmer Rouge they would torture her. Piseth said that in order to prevent atrocity from happening, people should not discriminate against other races, as this could lead to disagreement and conflict.

### 13. Mr. Phan Phounan

Mr. Phan Phounan is a Grade-11 student at Hun Sen Koh Nhek High School. Phounan thinks that the sentence was suitable for the crimes that were committed by Khmer Rouge leaders, which caused many people to die. His great-grandfather used to tell him about his life during the Khmer Rouge Regime that he was given watery rice gruel and appointed to hard work. Phounan said that to avoid conflict or misunderstanding, people should unite with one another, so as to build peace. He recommended that everyone should study hard to get more knowledge and to know what is right and wrong. He also noted the conviction of Khmer Rouge leaders is important for everyone as it brings the Khmer Rouge crimes to justice.



Keo Ty-Nang, chief of Sre Sangkum Commune, was sharing his experience during Khmer Rouge regime to young generations and other Khmer Rouge survivors, who attended the screening in Mondul Kiri, before the announcement took place. (Photo: DC-Cam)

End.

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