

VICTIMS' PARTICIPATION:

DC-Cam Report on the 10th ECCC Tour: November 20th-21st

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The final ECCC tour of November 20th-21st, together with all past nine tours, has brought the participation of over 5,000 Cambodian villagers from across the country to partake in the visitation of important genocide memorial sites and meetings with prominent persons involved in the Khmer Rouge tribunal. Since its inception, the tribunal has generated much publicity generally focused on the perpetrators and potential defendants. However, DC-Cam has always valued the voice of the victim as evident from our work which requires us to interview and document thousands of genocide victims. Therefore, against this exciting development of an established tribunal, DC-Cam is more determined than ever to incorporate the role of victims into the process of delivering justice. The ECCC tours not only spotlight the role of victims in the tribunal but by doing so, foster communication and understanding between the two sides: the Extraordinary Chambers in the Courts of Cambodia (ECCC) and the Cambodian people. The 10th ECCC Tour continues this vital dialogue that began in the first tour conducted in February 2006. This last tour's agenda follow that of prior tours: first a visit to the Toul Sleng Genocide Museum; an informative session with a National Assembly lawmaker; a viewing of the film, "S-21: The Killing Machine"; a trip to Cheung Ek Killing Fields Memorial; and on the second day a Q&A session with ECCC officials at the ECCC courtroom. There was however one addition to the schedule: a presentation by two American political science professors from Eastern Illinois University on the topic of past ad hoc tribunals and the ECCC. From the domestic focus on Cambodian history and law to comparisons of ad hoc tribunals globally, this final ECCC tour made a significant contribution to elevating the role of the victim.

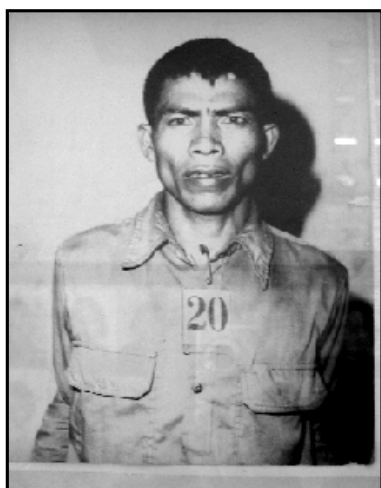
This 10th tour saw the participation of 402 villagers from 11 provinces and the city of Sihanoukville, with a roughly a quarter of participants being women. The breakup of attendees by province is as follows: 29 are from Banteay Meanchey, 78 come from Kampong Cham, 56 from Prey Veng, 33 from Svay Rieng, 19 from Kampot, 13 from Takeo, 19 from Kandal, 10 from Kampong Speu, 32 from Pursat, 57 from Kampong Chhnang, 45 from Kratie. In addition, 10 nuns and one person from Sihanoukville also attended. Out of 402 villagers, 120 were female. All participants arranged their own transportation to Phnom Penh and were later reimbursed by DC-Cam. Villagers came on Sunday to the Documentation Center of Cambodia where its staff and volunteers welcomed them and provided packed dinner. Buses were on site and took them to their respective hotels booked in advance by DC-Cam. All travel within Phnom Penh by participants was on these buses.

All meals, including breakfast at 7:00am for the two days of the tour, were provided by the center. Lunch was also handed out on the last day of the tour after

the ECCC courtroom segment ended at approximately 10:30am. In addition, headache, nausea, upset stomach, and cold medicines were also given to villagers who needed them.

As with past tours, various foreign and domestic media networks were there to take photographs and interview people in this final tour. Freelance photographer Ron Gluckman and Ulrich Ladurner of *Die Zeit* covered both days of the tour. In addition, Isabel Rodde, a lecturer of broadcast journalism from the department of Media & Communication at the Cambodian Communication Institute and her thirteen students also attended both days of the tour. Her students got the chance to put to practice what they learned in the classroom. With suggestions from DC-Cam staff members, these students interviewed villagers who found S-21 photographs at the Toul Sleng Genocide Museum and recorded certain parts of the tour on camcorder and digital camera.

The Toul Sleng genocide Museum has always generated the most interest from villagers and this final tour was no exception. There is no doubt that since the first ECCC tour and up to the last, word of mouth has made the Toul Sleng Genocide Museum a well known place among Cambodians nationwide. Not only is this due to the fact that evidences of the horrors of the Democratic Regime (1975-1979) is blatant here, but many come here in hopes of finding a photo of a lost relative or loved one. This tour, more than any other prior, has made these hopes a reality when seven S-21 photographs were identified by villagers. The reaction to seeing a loved one's S-21 photograph varies: stunned, some stand still, they are silent, they study the black and white photograph carefully to make sure this is the person who has been missing for decades; for others emotions quickly grab them, and they immediately search out a DC-Cam staff member to take a picture of the S-21 photograph. In this tour, there were two unique cases of finding a missing relative or loved one's photograph.



From the missing front tooth, Ms. Vorn Sean knew that the man in this photograph is her missing father, Chheum Von. He was last seen in 1976 before being taken to S-21.

In the first case, one woman discovered the photograph of two relatives at the Toul Sleng Genocide Museum. At the time her father disappeared, Ms. Vorn Sean was in her mid 20s. Now at 49 years old, the face of her father came to life again at the museum. Several years ago she was interviewed by the Promoting Accountability team of DC-Cam and was given his profile which contained the S-21 photo, though it was small and unclear. Upon first glance at the larger photo of the man labeled #20, Ms. Vorn was uncertain if this was her father. Then she noticed the missing front tooth and became confident that it was her father. With piercing, frightened eyes and a startled expression, Chheum Von's photograph embodies the emotions of those that were taken to S-21 during Democratic Kampuchea (1975-1979). Committing what the Democratic

Kampuchean regime considered a crime was as easy as breathing. Ms. Vorn is unsure why her father was taken to S-21, she only knows that he was taken away in car one night. Her last meeting with him was in 1976 when he came to visit her. Mr. Vorn was still single at that time and had many suitors, her father told her not to get married yet; his reason was that they would be liberated soon. Liberation from the Khmer Rouge regime however came three years too late; she never saw him again after his 1976 visit.

In another room also holding enlarged copies of S-21 photographs, Ms. Vorn recognized the face of another relative: her older brother. The reason for his arrest is unknown by Ms. Vorn. A DC-Cam staff photographed and printed both S-21 photos and gave them to Ms. Vorn the next day. When asked whether she wanted a trial to bring former Khmer Rouge leaders to court, Ms. Vorn responded, "I want the trial so that future generations can learn from this and so that we never kill each other again."

Another tour participant, Ms. Mut Leangkry, also had a unique story: she saw the photograph of her neighbor, a former S-21 guard who is still alive today. Ms. Mut said that she clearly remembers the face of her childhood friend and neighbor, Try Leang Mai who is originally from Koh Thom. Ms. Try was a Khmer Rouge soldier prior to being placed at S-21 for guard duty. She was then arrested and made a prisoner at the very place she once worked at. According to her neighbor, Ms. Try is now living in Phnom Penh and working in a garment factory. DC-Cam film project leader, Ms. Beang Pivione, is in the process of contacting the former S-21 guard for an interview.



Mut Leangkry points to the S-21 photo of her neighbor, Ms. Try Leangmai. Ms. Try was a former S-21 guard before being imprisoned there herself.

Villagers spent approximately 1.5 hours at the genocide museum and at 9:00am left the site to listen to two presentations at the Faculty of Social Sciences and Humanities. H.E. Maonh Saphan is the Deputy Chief of the Legislation Committee of the National Assembly and had a pivotal role in discussing and ratifying the ECCC law; his presentation was thus on the laws and procedures of the ECCC. In addition to our normal guest speaker H.E. Maonh Saphan, this session also included two American professors who gave a lecture titled, "Placing the ECCC within the context of ad hoc tribunals since Yugoslavia." Dr. Lilian A. Barria and Dr. Steven D. Roper are political science professors from Eastern Illinois University and are co-authors of the new book, *Designing Criminal Tribunals: Sovereignty and International Concerns in the Protection of Human Rights*. After both presentations were given, audience members were given the opportunity to ask questions. The questions asked were similar to those asked on previous tours; they concern who will be prosecuted, the sentencing, if foreign governments will be tried, and why nothing was done to stop the genocide. All three presenters were patient and gracious in answering the difficult questions.

After lunch, a film by French-Cambodian director Rithy Panh was shown titled, "S-21: The Khmer Rouge Killing Machine." The film screening also took place at the Faculty of Social Sciences and Humanities. This documentary film tells of the experience of being a prisoner at the notorious secret prison of the Khmer Rouge, code name S-21. At the prison and interrogation center, confessions are forced, torture is rampant, and execution is almost guaranteed. Everyone who enters is guilty upon arrival and releases are rare. This film was overwhelming for several participants and some had to step out of the auditorium. One woman commented that seeing this film made her recall all the horrible memories that she kept buried inside for so long. She left partway through the film in tears and remained outside in order to compose herself. She did mention later on however, that she was grateful to be a part of the tour.

By early afternoon, villagers made their way to the Cheung Ek Killing Fields Memorial. The most noticeable structure upon entering the memorial site is the tall monument located near the gate. This imposing structure contains the skulls of those that died at the Cheung Ek killing field, nearly all of whom were prisoners from S-21. Burial sites are almost unnoticeable due to the grass that now covers them. There are however, signs in Khmer and English which point out where and how people were tortured and executed here. Several interviews by DC-Cam staff were also conducted during this part of the tour. While the full day of the tour took villagers to sites which testify clearly to the brutality of the Khmer Rouge regime and undeniably brought back painful memories for many, all interviewees remarked that they were very pleased that such commemoration sites existed as historical evidence for younger generations. They also said that they would pass on their observations and new knowledge to family members and neighbors. As late afternoon approached, villagers were ready to move on to the next segment of the tour: dinner at Stung Meas restaurant with DC-Cam staff and volunteers. After dinner, villagers were bused back to their hotel rooms.



At the Toul Sleng Genocide Museum, participants gather around a panel which explains how prisoners were dunked in foul water or hanged upside down from a metal bar.



At the ECCC courtroom, villagers were not shy at asking difficult questions to ECCC Public Affairs Officer Mr. Reach Sambath and Senior Assistant to Co-Prosecutor Office Ms. Pamela Reusch.

Day two of the tour also began in the early morning at the ECCC courtroom located behind the National Army Headquarters along National Highway 4. Once seated in the new courtroom, villagers were warmly greeted by ECCC Public Affairs Officer Mr. Reach Sambath and Senior Assistance to the Co-Prosecutor Office, Ms. Pamela Reusch. Despite the humidity that day and the lack of air-conditioning in the courtroom, villagers were very engaged with what Mr. Reach Sambath had to say. Questions were answered by both Mr. Reach and Ms. Pamela Reusch. Mr. Reach Sambath, whose talents lies in presenting complicated information in terms understandable to common people, made the villagers feel comfortable at asking questions. As with every tour, Mr. Reach Sambath exhibited both an air of authority and friendliness; many villagers have commented to DC-Cam staff that they greatly appreciated his humbleness and humor.

In this 10th tour, more so than in previous tours, participants actively participated by asking a wide range of questions. While some questions were similar to those in past tours, others had not been asked before. The questions were: (1) Who will be indicted; (2) Why are only the top leaders going to be tried and not those leaders from the regional, zonal, district, and village level; (3) What will happen to those who are indicted but remain at large; (4) How many lives were lost during the genocide, is it 3, 2, or 1.7 million; (5) Will Ta Mok be tried; (6) Why are there been two trials to try Khmer Rouge leaders, one in 1979 and the upcoming ECCC; (7) Which Khmer Rouge leaders will be tried; (8) Why has it taken so long for a tribunal to finally come into fruition; (9) Who were the countries that supported the Khmer Rouge during that time; (10) Given that 3 million lives were lost and countless properties destroyed, how will surviving victims be compensated; (11) Which Khmer Rouge leaders are currently living abroad; (12) Will those who committed the actual acts of torture and killing, such as low level cadres, be tried; (13) How does an accusation come about, meaning if a victim does not accuse someone of having killed another person, will that person be tried in the court; (14) Will those found guilty be forgiven by the court or is punishment certain; (15) Who exactly were the Khmer Rouge and how was the regime created; and (16) How many witnesses and what kinds of evidences are needed to bring about a conviction.

While we cannot assess the full impact of the ECCC tour without a proper on-field survey of those who attended, the questions asked at the final tour is evidence that this project has indeed made an impact on Cambodians. The questions asked more than in any other tour, were specific and broad and they related to issues, figures, and statistics that are presented in the four documents which are handed out in each tour: a booklet on the Khmer Rouge tribunal and DC-Cam's role, a booklet on the ECCC law and the *Agreement* between the UN and the Royal Government of Cambodia, a special edition of DC-Cam's magazine *Searching for the Truth*, and an introduction booklet to the ECCC (provided by the ECCC). Such documents not only educate tour participants but also those that they are shared with. Up until recently, formal education and accessible texts on the Khmer Rouge period in Khmer have been unavailable to many Cambodians. Consequently their knowledge of this short and catastrophic era comes from personal experiences, shared stories, or intermittent stories from parents. The questions asked at the 10th ECCC Tour show

that people are seriously thinking about the tribunal, its jurisdiction, and what it has to offer them in terms of information and justice. Combined with informal various comments from villagers at the Toul Sleng Genocide Museum, Cheung Ek Killings Fields Memorial, and at the Faculty of Social Sciences and Humanities, this final tour demonstrates that the interest and knowledge in the tribunal has increased among Cambodians. When addressing the audience and the ECCC officials during the two Q&A sessions, they speak out with passion, sometimes reading the prewritten question, sometimes nervously, but always from the heart.

With the experience of the past nine tours under their belts, DC-Cam staff and volunteers conducted this final tour without any problems. All logistical matters went smoothly and there were no complications due to weather. Out of the 428 invited, 402 or 94% participated in the tour. The seven S-21 portrait photos that were taken by a DC-Cam were given to the respective villager who expectedly, was extremely pleased at having copies of their loved one's photos so that proper religious ceremonies can be performed to bless the spirit of the deceased and to wish them a better life after reincarnation. There were no immediate complaints from villagers about any part of the tour. In contrast, one Cham community leader (or *imam khet* in Cham), Mr. Sann Latin, called DC-Cam to thank us for the tour. He was not able to attend the tour himself, but many people in his community of 20 villages in Kratie province did. They told him that they were well received during the entire tour and were very grateful to have been able to visit the Toul Sleng Genocide Museum and the Cheung Ek Killing Field Memorial.

10th ECCC Tour by Province and Group

Province, Group, Gender	Participants
Banteay Meanchey	29
Kampong Cham	78
Prey Veng	56
Svay Rieng	33
Kampot	19
Takeo	13
Kandal	19
Kampong Speu	10
Pursat	32
Kampong Chhnang	57
Kratie	45
Sihanoukville City	1
Nuns	10
Women	120*
Men	282
Total	402
Students from the Cambodia Communication Institute	13
Grand Total	415

* The number of women includes the number of nuns.