

មជ្ឈមណ្ឌលឯកសារកម្ពុជា
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DOCUMENTATION CENTER OF CAMBODIA

Phnom Penh, Cambodia

2013 Annual Report

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*"A beautifully lensed and compelling portrait...
the film grips with quiet sincerity."*
LA WEEKLY

- WINNER
WORLD CINEMA GRAND JURY PRIZE
DOCUMENTARY
SONGJANG RIVER FESTIVAL
- WINNER
FILMMAKER AWARD
FULL FRAME DOCUMENTARY
FILM FESTIVAL
- WINNER
JURY AWARD
DOUVILLE INTERNATIONAL
DOCUMENTARY FESTIVAL
- WINNER
GRAND JURY PRIZE
DOCUMENTARY FEATURE
ATLANTA FILM FESTIVAL
- WINNER
SPECIAL JURY PRIZE
BEST DIRECTOR
THE LOS ANGELES ASIAN PACIFIC
FILM FESTIVAL

A RIVER CHANGES ក្រុងធីកន្លែ COURSE

- WINNER
GOLDEN GATE AWARD
BEST DOCUMENTARY FEATURE
SAN FRANCISCO INT'L FILM FEST
- WINNER
HUMAN RIGHTS AWARD
RIVERSUN INTERNATIONAL
FILM FESTIVAL
- WINNER
GRAND JURY PRIZE
BEST FEATURE
ENVIRONMENTAL FILM FESTIVAL
AT TALE
- WINNER
BEST FEATURE FILM
GREEN FILM FESTIVAL
IN SEOUL
- WINNER
SPECIAL JURY PRIZE
BEST CINEMATOGRAPHY
THE LOS ANGELES ASIAN PACIFIC
FILM FESTIVAL

*In a land of stunning beauty and rapid change,
the people chart the course of their own lives.*

A film by Kalyanee Mam

MIGRANT FILMS presents in association with The DOCUMENTATION CENTER OF CAMBODIA. A film by KALYANEE MAM "A RIVER CHANGES COURSE."
Cinematography by KALYANEE MAM. Edited by CHRIS BROWN. Music by DAVID MENDEZ. Sound Edit by ZACH MARTIN. Sound Design by ANGIE YESSON. Color Grading by DAVID LORTSHER.
Associate Producer CHRIS BROWN. Executive Producer YOUK CHHANG. Producer RATANAK LENG. Supported by a grant from The JOHN D. and CATHERINE T. MACARTHUR FOUNDATION.
With core support provided by The U.S. AGENCY for INTERNATIONAL DEVELOPMENT (USAID) and SWEDISH INTERNATIONAL DEVELOPMENT (Sida). Directed and Produced by KALYANEE MAM.

MacArthur Foundation | USAID | Sida | The Jeffrey C. Walker Family Foundation | SPONSLOR | colorflow | អង្គការធីកន្លែ | THE DOCUMENTATION CENTER OF CAMBODIA | www.riverchangescourse.com | facebook.com/ARiverChangesCourse

A River Changes Courses has won several awards since its launch on October 11, 2013 at Phnom Penh Cultural Center.

Table of Contents

| | |
|---|-------------------------------------|
| Summary of Achievements..... | 4 |
| 1. The ECCC: Activity and Event..... | 9 |
| A. Chronological summary about the activities of the ECCC | 9 |
| B. Legal Response..... | 10 |
| C. Victim Participation (VPA)..... | 11 |
| D. Fair Trial | 12 |
| E. Witnessing Justice: The Cambodia Law and Policy Journal (CLPJ) | 14 |
| 2. Documentation..... | 14 |
| A. Collection, Cataloging and Database Management | 15 |
| B. Book of Memory | 16 |
| C. Promoting Accountability (PA)..... | 17 |
| 3. Public Education and Outreach | 19 |
| A. Genocide Education | 19 |
| B. Witnessing Justice: Public Village Forum (PVF) | 20 |
| C. Cham Muslim Oral History (CMOH)..... | 21 |
| D. Public Information Room (PIR) | 22 |
| E. Film A River Changes Course (Kbang Tik Tonle) | 23 |
| F. Anlong Veng Community History..... | Error! Bookmark not defined. |
| G. Website Development | 25 |
| H. Cambodia Tribunal Monitor (www.cambodiatribunal.org) | 26 |
| 4. Research, Translation, and Publication | 28 |
| A. New Publications | 28 |
| B. Historical Research and Writing | 28 |
| C. Translation and Publication of Books | 29 |
| 5. Magazine, Radio, and Television | 29 |
| A. The Searching for the Truth | 29 |
| B. Radio Broadcast "Voices of Genocide: Justice and the Khmer Rouge Famine" | 30 |
| 6. National and International Cooperation | 31 |
| A. Selected Research Assistance | 31 |
| B. Participation in Conferences..... | 32 |
| C. International Cooperation | 33 |
| 7. Staff Development..... | 33 |
| A. Advanced Degree Training..... | 33 |
| B. International Training | 34 |
| 8. Media Coverage..... | 35 |
| A. Selected Articles..... | 35 |
| B. Radio | 36 |
| C. TV | 37 |
| D. Listserv | 37 |
| 9. Permanent Center: The Sleuk Rith Institute..... | 37 |

ABBREVIATION

| | |
|----------|--|
| AGMI | Armenia Genocide Museum and Institute |
| AMAN | Asian Muslim Action Network |
| API | Asian Public Intellectuals |
| CCHR | Cambodian Center for Human Rights |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| CIDA | Canadian International Development Agency |
| CISEP | Cham Identities as Social Enterprise Project |
| CJCC | Cambodia-Japan Cooperation Center |
| CLC | Co-Lead Lawyer |
| CLPJ | Cambodia Law and Policy Journal |
| CMOH | Cham Muslim Oral History |
| CNC | Cambodian News Channel |
| CTM | Cambodia Tribunal Monitor's |
| DC-Cam | Documentation Center of Cambodia |
| DK | Democratic Kampuchea |
| ECCC | Extraordinary Chambers in the Courts of Cambodia |
| GCHR | Genocide, Conflict and Human Rights |
| ICC | International Criminal Court |
| ICJ | International Court of Justice |
| ICCPR | International Covenant on Civil and Political Rights |
| ICRC | International Committee of the Red Cross |
| KR | Khmer Rouge |
| KRT | Khmer Rouge Tribunal |
| KWAT | Kachin Women's Association Thailand |
| LCLs | Lead Co-Lawyers |
| MCFA | Ministry of Culture and Fine Arts |
| ND | Network for Human Rights Documentation |
| NUM | National University of Management |
| OCIJ | Office of Co-Investigating Judges |
| OCP | Office of Co-Prosecutors |
| PA | Promoting Accountability |
| PIR | Public Information Room |
| PUC | Pannasastra University of Cambodia |
| PVF | Public Village Forum |
| RULE | Royal University of Law and Economics |
| RUPP | Royal University of Phnom Penh |
| SCC | Supreme Court Chamber |
| SRI | Sleuk Rith Institute |
| TC | Trial Chamber |
| TERRA | Towards Ecological Recovery and Regional Alliance |
| UN Women | United Nations Entity for Gender Equality and the Empowerment of Women |
| UNESCO | United Nations Educational, Scientific and Cultural Organization |
| USA | United States of America |
| VPA | Victim Participation Project |
| VSS | Victim Support Section |
| UMCEDEL | University of Malaya Centre for Democracy and Election |

UNAKRT United Nations Assistance to Khmer Rouge Trials
UNTAC United Nation Transitional Authority in Cambodia
USAID United States Agency for International Development

Summary of Achievements

This annual report covers a period between October 2012 and September 2013. What did DC-Cam achieve in terms of memory and justice for Cambodian society? During this period DC-Cam contributed significantly to justice, reconciliation, education and uncovering the truth behind the Khmer Rouge regime.

DC-Cam continued to be the ONLY institution providing primary documentary materials and archival assistance to the ECCC on a regular and large-scale basis:

DC-Cam's continued support for the Khmer Rouge tribunal contributed significantly to the conclusion of Case 002/01 which was heard for 212 days. A verdict against the accused is expected early next year. DC-Cam provided a total of 45,494 pages of document and 266 photos. Like in the previous years, this year the ECCC which is part of DC-Cam's overall search for justice met with some challenges including death of the accused, unfitness to stand trial, lack of financial security and administrative crisis. Amidst these problems, DC-Cam remained the only light for the search of justice and memory of the Khmer Rouge genocide. Former Khmer Rouge foreign minister and deputy prime minister Ieng Sary died in March 2013 at the age of 87. His wife Ieng Thirith had been declared unfit to stand trial on September 16, 2012. ECCC prosecutors determined that his death was from natural causes. Two months later Sou Met, a former Khmer Rouge commander and suspect of the court, died of diabetes and high blood pressure. The death of the two made it more urgent to speed up prosecution of those former Khmer Rouge leaders who are still alive as their deaths brought with them history and severance of justice. After the death of Ieng Sary the ECCC immediately terminated all proceedings against him. To make sure justice is delivered, governments of Japan, Australia, New Zealand and the EU pledged to support the ECCC with a total funding of nearly 30 million USD. Except for the government of New Zealand, the other three donors supported only the international side of the ECCC.

DC-Cam assisted victims and survivors to complement the work of the ECCC:

Not only that DC-Cam directly assisted the ECCC in the reporting year, DC-Cam helped civil parties, complainants and villagers who survived the Khmer Rouge genocide in their engagement and follow-up with the proceedings of the Khmer Rouge tribunal both by coming to Phnom Penh and meeting in their villages. This is our effort to make sure that many of direct victims of the genocide are able to understand the meaning of justice being delivered to them by the ECCC. VPA team assisted 31 civil parties and complainants in Case 004 to file victim information forms. The team also met victims in seven different locations around the country meeting with thousands of villagers to bring updates to them about the ECCC, discuss justice and solicit ideas about reparations. They also brought 158 civil parties and villages to observe court hearings.

DC-Cam is the leading source of learning about Khmer Rouge history and genocide justice for students and researchers both locally and globally:

Direct victims of the Khmer Rouge are not the only group of people DC-Cam reached out in the reporting year. DC-Cam also tried to engage with the academic and student communities both inside Cambodia and overseas. DC-Cam published 10,000 monthly

booklets reporting and updating on trial proceedings. DC-Cam online bloggers reported ECCC hearings almost immediately after it happened and uploaded trial footages in English, Khmer and French languages. DC-Cam also sent an educational team to 17 local universities talking to nearly 1000 students about resources which they can access to advance their understanding of Khmer Rouge history and related justice process.

DC-Cam continued to make breakthroughs in collecting and preserving Khmer Rouge history materials despite many attempts by others to do the same over the past sixteen years and increasing rarity of the materials:

Despite progress at the Khmer Rouge tribunal and attempts to move forward with memory and justice, documentation remains one of the most important activities at DC-Cam. Documentation includes data collection, cataloging and database management. It is a long-term and tedious project which significantly contributes to many aspects of the justice, memory and healing process, to close the darkest period of Khmer Rouge terror for victims and Cambodian people in order to move forward with strength and hope. This year DC-Cam collected 3841 pages of Khmer Rouge history-related documents, 7 documentary films and footages and 117 photos. These would form a solid basis in the future for any efforts in uncovering the truth behind the Khmer Rouge genocide. It is DC-Cam's long-term effort to rebuild Cambodian society through the Sleuk Rith Institute.

DC-Cam refashioned a former zone of conflict and fear into a zone of conscience and education:

DC-Cam directly participated with the Cambodian government in transforming Anlong Veng from a site of fear and mystery to a site of conscience, education and memory. Anlong Veng was the last Khmer Rouge stronghold which stood until top Khmer Rouge commanders defected into the Royal Government of Cambodia in the mid-1990s. Today DC-Cam is working with the ministry of tourism to conduct a research into the history of the town, its role under the Khmer Rouge, its last remnants of Khmer Rouge organization and the events leading up to the eventual fall of the Khmer Rouge rebels. Researchers at DC-Cam interviewed 320 former Khmer Rouge members and villagers in Anlong Veng and nearby districts. In the reporting year, about 90% of the book was completed. It is expected to be published next year.

DC-Cam taught many high school students and youth around the country about Khmer Rouge history through genocide education:

One of the key elements in rebuilding a post-conflict and post-genocide society is education. Educating the next generation about the source, parties and consequences of conflict and genocide is important for both prevention in the future and remembrance of the past. In this direction, DC-Cam continued with the effort to educate Cambodian high school students about the past through genocide education. In the reporting year, DC-Cam trained 388 pre-service teachers and commune teachers for six days about history of the Khmer Rouge and teaching methodologies for the history. These teachers will then transfer their knowledge to students in high school classrooms. DC-Cam also trained 250 army students at Army Institute on Khmer Rouge history mixing with some understandings of Khmer Rouge military. The training of the army students is important for them to begin their career as

army officers with full understanding that the military plays a very important role to conflict and resulting massacre. They would be able to make a distinction between following orders and conscience in critical situations.

DC-Cam continued to be the public source of research and learning about the Khmer Rouge genocide:

DC-Cam's physical facility as a public information room continued to serve visitors from around the world. This year DC-Cam received 962 visitors who read documents, requested books and magazines, watched films, interviewed staff members, conducted research for school, toured the center, and sought information about missing family members. In the process, DC-Cam provided 611 magazines (Khmer and English issue), 307 copies of the DK History books, 312 copies of DC-Cam outreach booklet *Genocide: The Importance of Case 002*, and 290 copies of KRT Observation booklets. DC-Cam also made photocopies of several hundred pages of Khmer Rouge archives. Considering that DC-Cam is generally known as an archival facility, the number of visitors for the year is fairly high. This is due to at least two main reasons: 1) There was a marked increase of interest in researching and trying to understand Khmer Rouge history. 2) DC-Cam's award-winning film *A River Changes Course* attracted great attention from the public.

DC-Cam has led the way in highlighting perils of rapid development in post-genocide and post-conflict Cambodia through the production of an award-winning film:

One of the greatest achievements DC-Cam made in the reporting year is the production of our award-winning documentary *A River Changes Course*. This film has brought global attention toward Cambodia's post-conflict development. It also brought recognition toward DC-Cam's work in a field other than the Khmer Rouge history. However, DC-Cam has always argued that Cambodian societal behavior today is intimately linked with the genocide of the past. Thus the film depicted three main Cambodian families living in the central plain, in the highlands and on the Tonle Sap great lake. They also came from three distinct ethnic groups: the indigenous Jarai, the Khmer and the Cham fishermen. Since its launch in late 2012, the film won ten international awards:

1. Winner of the Grand Jury Prize for World Cinema Documentary at the Sundance Film Festival
2. Winner of the Filmmaker Award at Full Frame Documentary Film Festival
3. Winner of the Grand Jury Prize for Best Feature at the Environmental Film Festival at Yale
4. Winner of the Human Rights Award at River Run Film Festival
5. Winner of the Grand Jury Prize for Best Documentary Feature
6. Winner of Documentary Feature Golden Gate Award
7. Winner of Outstanding Director Award and the Outstanding Cinematography Award
8. Winner of the Special Jury Prize for Best Director and Best Cinematography
9. Conscience Award at Docville Film Festival in Belgium
10. Winner Award for Best Feature Film at the Green Film Festival in Seoul

DC-Cam is to construct a place where memory of the Khmer Rouge victims lasts through cooperation with the world’s leading architecture company Zaha Hadid:

DC-Cam has been planning on the Sleuk Rith Institute for many years. The construction and operation of the institute relates to many factors which need to come up in the right combination to achieve the results which DC-Cam expects appropriate for the memory of the Khmer Rouge genocide. DC-Cam is just a private non-profit NGO without any great financial possession beyond those provided by the donors. Yet we envision that there is a need for a museum, an education center and a research facility to serve memory and understanding of genocide not just within Cambodia but in Southeast Asia. Thus it is important to work with the Cambodian government to secure a land suitable for a construction. Doing so takes political will, careful arrangement as well as time. It took DC-Cam several years to eventually secure a formal MOU with the government this year to secure a piece of land in Phnom Penh. DC-Cam had also worked on another issue—the design and construction of the Sleuk Rith Institute. DC-Cam has the responsibility to memorialize the Khmer Rouge victims, to acknowledge their death and suffering and to bring healing to Cambodian society. Thus the design of the Sleuk Rith Institute has to be iconic and meaningful. Fortunately this year, DC-Cam received agreement with the world’s leading architecture company Zaha Hadid to design the Sleuk Rith Institute. A formal agreement is expected next year.

1. The ECCC: Activity and Event

A. Chronological summary about activities of the ECCC

On November 13 the ECCC SC held a hearing on the prosecution's appeal against Ieng Thirith’s release conditions. The prosecution and defense lawyers for Ieng Thirith made submissions to the chamber, after which Ieng Thirith and her daughter Ieng Vichida (who is also her guardian) were questioned by the Supreme Court's judges.

On December 19 the international co-investigating judge publicly issued information about additional crime sites in case file 004, which are located in Battambang, Pursat, Takeo, Kampong Thom, and Kampong Chhnang Provinces. For details of the crime sites, please visit the ECCC's website: <http://www.eccc.gov.kh/en/articles/statement-international-coinvestigating-judge-regarding-additional-crime-sites-case-file-0>

On January 18, the ECCC issued a press release in which the government of Japan pledged USD 2.5 million to the international component of the court. To date Japan has contributed over USD 78 million to ECCC, which is approximately 44 percent of total ECCC international budget.

On February 26, the ECCC Public Affairs Office issued a Press Release on the Revised ECCC Budget for 2012-2013. The new revised budget is USD 69.6 million.

On February 28, the OCIJ issued its statement on Case 003. According to the International Co-Investigating Judge's statement Case 003 “remains open and the investigation of alleged crimes are proceeding.” According to International Co-Investigating Judge, victims of the alleged crime sites are able to apply as a witness, civil party, or complainant. The National

Co-Investigating Judge's statement provided that he will continue to take procedural measures as provided in the Internal Rules at the appropriate time and other submissions by the Co-Prosecutors may be received after February 7, 2013.

On March 14 Ieng Sary, former DK deputy Prime Minister for Foreign Affairs, died at the age 87 at the Khmer Soviet Friendship Hospital. Ieng Sary had been hospitalized since March 4, 2013. Following Ieng Sary's death the TC issued its decision to terminate all proceedings against the accused. According to Article 7(1) of the Cambodian Code of Criminal Procedure and the Internal Rules 23bis (6) of the ECCC, death extinguishes any criminal and civil action.

On March 29 the TC announced that Nuon Chea was fit to stand trial and that Case 002 would be severed. The TC also announced that the subject matter for Case 002/01 would be the charges in the Closing Order related to:

1. The forced evacuation of Phnom Penh in April 1975
2. The second phase of forced population movement initiated in September 1975
3. Execution of Lon Nol soldiers at Tuol Por Chrey execution site in Pursat province

On April 2, the ECCC issued a press release stating that the Co-Prosecutors have submitted their investigation into the death of Ieng Sary on March 14, 2013 at the Khmer Soviet Friendship Hospital. The report was concluded that Ieng Sary's death was from natural causes.

In a press statement issued by the OCP on June 6, Kaing Guek Eav alias Duch was transferred from the ECCC detention center to Kandal Provincial Prison to serve the remaining prison term.

On June 14, Sou Met, the former Khmer Rouge air force commander and suspect in the Khmer Rouge Tribunal Case 003, died of diabetes and high blood pressure in Battambang Province.

On June 19, the ECCC's press statement says that the Australian government announced to contribute another AU\$ 3.25 million to the international component of the ECCC in order to deliver justice to the Cambodian people. To date, the Australia's financial assistance reaches AU\$ 23 million.

The ECCC's budget seemed likely to sustain due to the pledge made by the Royal Government of New Zealand on 9 August 2013. The pledge in the amount of NZD 200,000 was made for the support of the national side of the Court. On 21 August, The EU ambassador to Cambodia Jean-Francois Cautain announced that the European Union will provide another contribution of 3 million Euros (USD 4 million) to the international component of the Khmer Rouge Tribunal.

On September 16th, Andrew Cayley, an International Co-Prosecutor at the ECCC resigned due to personal family matters in the United Kingdom. His resignation happened in the midst of the financial and administrative crisis at this Court.

B. Legal Response

This year the Legal Response Team made significant achievements in responding to requests made by the OCP, OCIJ, defense team and others. The team provided a total of 45,494 pages of documents and 266 photos.

In April, a group of four French judges, a prosecutor, and a clerk at the Tribunal de Grande Instance de Paris (the court in Paris) approached DC-Cam to conduct documentary investigation in a case concerning a former President of the Assembly during the Lon Nol regime who was allegedly killed by the Khmer Rouge. DC-Cam gave a presentation on how to use DC-Cam's databases (and how to search documents), to the team. The Response Team also assisted in conducting historical documentary research for the court in Paris. As a result, the Response Team was able to provide 41 files that numbered approximately 929 pages.

C. Victim Participation

On December 19 the ECCC OCIJ published information about the additional crime sites in Case File 004. Among those sites investigated by the OCIJ, DC-Cam assisted thirty-one civil parties and complainants to file Victim Information Forms to the Khmer Rouge Tribunal (KRT): seven civil parties and six complainants report about crimes committed at Kraing Ta Chan Security Center in Takeo Province; fourteen complainants report about crimes committed at Tuol Seh Nhauv Pits and Prey Krabao Execution Site; three complainants report about crimes committed at Veal Prison in Pursat Province; and complainant reports about crime committed at Thnal Bek Execution site in Kampong Cham Province.

In collaboration with the Witnessing Justice Project, the Victim Participation Project (VPA) invited eleven civil parties and complainants, as well as thirty-three villagers to Phnom Penh to observe the ECCC's court proceedings. The hearing focused on two major issues: Ieng Sary's health status and the testimonies of two civil parties, Ms. Toeng Sokha and Ms. Pech Srei Phal. A full report is available at: http://www.dccam.org/Projects/Tribunal_Response_Team/Victim_Participation/PDF/Confronting_the_Past_through_the_lens_of_Justice.pdf

From December 26 to 30, the VPA travelled to Srayang and Kulen Commune, Kulen District, Preah Vihear Province to bring ECCC updates to the people in the area. Through this outreach effort, the project team collected eighteen survivor stories from those participating in the outreach meetings.

During the reporting period, two civil parties named Sar Sarin and Nou Hoan, whom VPA had helped filing civil party applications before the ECCC were called to testify before ECCC's Trial Chamber. In March 2013, the civil party Lead Co-Lawyers had submitted requests for government's approval on a number of projects deemed to be reparation projects and non-judicial measures for victims. The requests were approved by the government on 11 June 2013. Although the government's approval did not include financial contribution, it shows government's keen support for this initiative and that the initiative could be immediately implemented when it has funding support. The approval includes:

1. Designation of May 20th as the National Day of Remembrance,
2. Incorporation of history of Democratic Kampuchea into the national school curriculum from Grade 7 to Grade 12 and into the foundation years of higher education institutions, and
3. The Government shall issue a separate directive to relevant government institutions and local authority with regards to the implementation of a number of reparation projects and non-judicial measures.

VPA continued to work with both the VSS and the LCL on implementing the reparation projects and non-judicial measures. These projects include:

- A permanent exhibition on forced transfer;
- An additional chapter on forced transfer in the *Teacher's Guidebook: Teaching the History of Democratic Kampuchea (1975-1979)* (to include the Tuol Po Chrey killing site) and distribution of DC-Cam's textbook *A History of Democratic Kampuchea (1975-1979)*.

VPA team made a considerable achievement in translating into English 41 victim information forms and 56 survivor stories. To assist the transcription of 574 interviews, DC-Cam employed five part-time volunteers under the supervision of Mr. Kimsroy. Since the transcription work started in September, there have been 11 done.

D. Fair Trial

The Fair Trial Project seeks to provide legal outreach material in Khmer language to students and the public. It also fosters a culture of legal scholarship among Cambodian law students and monitors and confidentially reports on issues of legal concern at the ECCC to ensure strict adherence to international due process standards.

Trial Observation Booklet

This year the project produced 10,000 copies of 10 monthly booklets (Issues 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23). The booklets were available in various school and university libraries and the national assembly and senate. It was also distributed to Library of French Cultural Center as well as students and villagers through Genocide Education program. The online version of the booklet is available at: http://www.d.dccam.org/Projects/ECCC_Trial_Observation/ECCC_Trial_Observation_Booklet.htm.

CTM Blog Assistance

The project also provided assistance to CTM blog writer Doreen Chen and Edward Gough with regards to the spelling of names and places in order that the report be as accurate as possible. The team continued to observe the trial hearing at the ECCC on a daily basis, presented ECCC related topics to local universities, and authored various legal updates and analytical documents.

Presentations at Universities

During the year, the team presented their court observation findings and views to students in 17 universities in Phnom Penh and provinces around the country. Among other things the presentation focused on:

- The charges in Case 002
- The Severance Order in Case 002
- The proceedings in Case 002/01
- The expectation to issue a verdict in Case 002/01
- The obstacles of prolongation in proceedings

Popular questions raised during the session included:

- Would there be Cases 003 and 004 in the future?
- Was the truth revealed before Ieng Thirith was released and Ieng Sary had died?
- Since everyone knows that KR leaders committed crimes why did the ECCC spend so much money and time on the trial?
- What are the advantages and disadvantages of the ECCC?
- Did Pol Pot force his fellows to commit genocide?
- Why did the KR starve and torture people?
- How did the KR regime collapse?
- While Pol Pot wanted to eliminate all classes during the KR reign of terror there were two kinds of class—new people and base (old) people, why?
- How many more documents are needed for Case 002?

Dissemination of Information

In addition to their observation and producing *Observation* booklets, members of the project wrote a total of 26 articles in Khmer, translated some of them into English, and published them in a high circulation daily local newspaper Reaksmei Kampuchea. All the articles are available through DC-Cam website: http://www.d.dccam.org/Projects/EC_C_C_Trial_Observation/Khmer_Version.htm

Analytical Papers on CTM Website

The team translated the following analytical papers on CTM (www.cambodiatribunal.org) website and published them in Reaksmei Kampuchea newspaper:

- Expert Commentary on Legal Filings: Constraining the Use of Impeachment Materials Supreme Court Chamber Determines That Ieng Thirith's Release Is Subjected to Judicial Supervision.
- Supreme Court Chamber Invalidates Case 002 Severance
- Trial Chamber Decides that Accused Ieng Sary Is Fit and May Be Ordered to Participate by Video-Link
- Decision on Audio/Video Recording Ieng Sary's Trial Participation from the Holding Cell
- Impact of Severance on Individual Civil Parties' Legal Status and Right to Reparations

- The Temple Case: Thailand and Cambodia at the ICJ, Trial Chamber Case 002 Severance Decision Uphold Status Quo
- Edit the translation on Trial Chamber Case 002 Severance Decision Uphold Status Quo
- Accused Khieu Samphan Denied Bail and a Separate Trial, Decision on Case 004: Suspect's Right to Counsel

E. Witnessing Justice: The Cambodia Law and Policy Journal (CLPJ)

The mission of the CLPJ is to promote critical legal scholarship on issues pending before the ECCC as well as other urgent legal, social, and development issues facing Cambodia and the Southeast Asian region.

In March the team met with the President of the Cambodian Bar Association and obtained a tentative agreement of collaboration on a Cambodian legal research tool (website) as well as interest in receiving educational and consultative assistance for improving the rule of law in Cambodia. A follow-up meeting to define specific details of collaboration on research tool and education/consultation support is pending. In addition, the CLPJ team has provided six sessions of a legal writing program. Fifteen law students have participated in the program to date, four of whom are law graduates.

A trial version of the website was uploaded in June, although there remained some aspects of the website that needed further development. The associate worked on writing up articles for the Journal's website and on the layout/interface of the website. The recruited legal associate assisted in managing online journal, legal education program and social media for CLPJ website.

This year CLPJ team received 9 scholarly submissions acceptable to the print. They are:

- Acid Violence in Cambodia: Achieving Justice for Survivors
- Catch a Naga by the Tail: The Hidden Risks for Stability for Western Investors in Cambodia
- The Effect, Applicability, Interpretation, and Enforcement of International Law in Cambodia
- Avenues to Improving Workers Rights and Labor Standards Compliance in a Global Economy
- Enacting Denial Laws and the Freedom of Expression in International Law
- Making Reparations "Effective": Challenges Facing Civil Parties in Case 002
- Internal Rules in the ECCC: The Good, the Bad, and the Future Legacy
- Involuntary Disappearances in Southeast Asia, their Impact on Free Speech, and Families of the Disappeared, and the Enactment of the New Anti-Enforced Disappearance Law by the Philippines
- Preserving Cultural Heritage as a Form of Reconciliation

2. Documentation

Documentation is a long-term and tedious project which significantly contributes to many aspects of the justice, memory and healing process, to close the darkest period of Khmer

Rouge terror for victims and Cambodian people in order to move forward with strength and hope. This year DC-Cam collected a total of 3,841 pages of documents, 7 documentary films and footage and 117 photos.

A. Collection, Cataloging and Database Management

Cataloging and database management is an important aspect of documentation. Staff members are committed to working step by step including filling information on worksheets, entering data from worksheets into computer, translating data on worksheets into English and vice versa, entering English translated data on worksheets into computer, compiling listings of documents, digitizing hard copies of documents and so on.

The table below shows the progress of team's work in addition to achievements made in the year.

| Activities | Numbers of Records | From |
|--|---------------------------|---|
| Accessing List | 2720 | D and I Collections |
| Arranging Films | 12 Albums | Magazine Searching for the Truth and Trial Observation Bulletin |
| Cataloguing | 647 | D43553-D44200 |
| Editing | 7979 for Khmer Spelling | L Collections |
| Editing | 6698 for English Spelling | L Collections |
| Enter data | 2628 | D Collection |
| Enter the edited data in Khmer and English | 7415 | D and L Collections |
| Fill worksheet | 1,660 | D Collections |
| Numbering | 550 | D Collections |
| Printing | 8715 | L00001-L08715 |
| Scanning | 7077 | I, D, L, J and PA Collections |
| Translation from Khmer to English and Vice Versa | 450 | D43434-D43884 |

In early June, DC-Cam received a diary of a Khmer Rouge victim, Poch Yuonly, from his daughter Poch Viseith Neary. Neary decided to donate the diary to DC-Cam to preserve in its archives. The author who was a school inspector of the Ministry of Education living in Kampong Chhnang wrote the diary from 1975 toward his death around mid of 1976. The yellow-paper diary was about 100 pages, covered with a printed image of the author. The diary holds the account of the author and describes a tragic story of his family through the DK regime. It describes the evacuation of Kampong Chhnang and how his family was suffering from the hot weather and the lacks of food.

On June 12, Mr. Ung Veng Eang whose father named Ung Pech was one of survivors from former KR detention and interrogation center S-21 donated to DC-Cam a German Rolleiflex camera from 1930s-40s which was used to take photographs of S-21 victims. Mr. Ung Veng Eang was the only child among five children who survived the regime. After his father became the first director of Tuol Sleng Genocide Museum, Mr. Ung Pech used the camera to document the crimes committed by the KR at the former prison. The camera was then kept with Veng Eang after his father went abroad to receive heart surgery.

DC-Cam took one more step forward in expanding the scope of appealing for documentation donation by sending 191 letters to appeal for donation of archives relating to the Khmer Rouge and UNTAC periods to 191 country representatives to the United Nations based in New York. The sample of the letter is shown below.

After the letters of appeal were sent out, DC-Cam received the response from Second Secretary of Permanent Mission of the Republic of Armenia to the United Nations, seeking to promote cooperation and exchange between DC-Cam and the Armenia Genocide Museum and Institute (AGMI).

B. Book of Memory

DC-Cam is writing and compiling a book of records of names of those who died under the KR regime from 1975 to 1979 and those who disappeared during that period. It will also include a section for family tracing purposes. DC-Cam already has in its database up to a million names of those who may have died under the KR.

This year the team continued to collect names from DC-Cam documents, crosscheck them to avoid repetition, and finding out whether there are links between names. The team input additional 758 worksheets into computer database. They recorded 79 names of people who died under the Khmer Rouge along with their biographies. They also received 20 requests for family tracing from Cambodians living around the world.

In October 2012, DC-Cam found missing relatives for H.E. Prom Sidhra who is currently working as a government official. H.E. Prom Sidhra wrote to inform DC-Cam that he found his relative, Bo Tep, a professor at Santa Clara University, USA. Bo Tep's name was published in the Cambodia's Daily's article dated October 10, 2012, portraying his successful search for family members through DCCam's database and among the recently donated photograph collection. H.E. Prom Sidhra requested DC-Cam to forward his contact information to Bo Tep so they were able to get in touch. Please find the news article here: <http://www.cambodiadaily.com/archive/cambodian-in-us-finds-siblings-among-photos-of-s-21-victims-3666/>

Sek Say, a daughter of S-21 victims Chan Kim Srun and Sek Sat, found out about her parents only much later through DC-Cam's publication. She was the oldest daughter in her family. In May 1978, her father Sek Sat, her mother and their new born son were arrested and sent to S-21. They were all later executed. Say, her sister, and all of her relatives who maintained relations with her parents were sent for re-education at the office in Kandal province.

Through the publication of her photos and story in *Cambodia's Hidden Scars*, Sek Say has widely received attention and generous support from some individuals abroad to support her family.

C. Promoting Accountability (PA)

Since the project's establishment in 2000, the Promoting Accountability (PA) Project has played a pivotal role in fact-finding in an effort to promote justice and a better historical understanding of the DK regime. Thousands of lower and middle KR cadres and their family members were interviewed for this aim.

PA Database

PA team continued to review, summarize, and analyze interviews transcripts. In total the team summarized 251 interview transcripts, each of which produced approximately a one page summary. In addition, the team translated 428 summaries from Khmer to English and entered them into the PA database.

Transcription

The PA team completed transcribing interviews from Anlong Veng District and reviewed the spelling of each transcript. In total the team has transcribed 84 interview records, equal to 1,988 pages in Khmer language, and reviewed the spelling of 583 interview transcripts.

The team digitized 1497 tapes of PA interviews from Takeo, Kampong Cham, Kampong Speu, Battambang and Kampong Thom Provinces into MP3. The team also digitized 336 tapes of VOT interviews.

The PA team transcribed 34 interview records from Preah Vihear province and other places, making around 1000 pages of transcripts.

PA Research

The team searched for over 200 people who were involved with the KR naval division 164 and air force division 502 from Tuol Sleng confession documents and DC-Cam's database. The team then prepared the list of the people with whom they plan to interview.

The team also conducted phone interviews with 19 former KR soldiers in Pursat, Battambang, Banteay Meanchey, and Oddar Meanchey provinces. The team interviewed them for their opinions about the Preah Vihear temple dispute during the course of oral submission at the International Court of Justice in the Hague, Netherlands, which took place from April 15 to 20.

The PA team also searched for the KR soldiers who occupied the area near the French Embassy in Phnom Penh when the KR took over the city on April 17, 1975. As the result, the team found 7 soldiers from PA's interview transcripts. Those soldiers were from the KR divisions 310 and 450. They provided information about officers of the Khmer Republic

including Long Boret, Prince Sirik Matak and other people who hid in the French Embassy when the KR arrived in Phnom Penh.

PA team also conducted research on former KR office K-17 at Boeng Trabek in Phnom Penh and wrote an article about the office. Later in the year, PA's team leader Dany Long wrote an article in English about Sou Met's recent death. Sou Met was a former Secretary of Air Force during the DK period. He was one of the suspects in Case 003 at the ECCC.

Field Trip

The team made a field trip to Malai district, Banteay Meanchey province between March 20 and 22 to observe the cremation ceremony of Ieng Sary, the KR Minister of Foreign Affairs and an accused in Case 002. There were around 500 people attending Ieng Sary's cremation.¹ Most of them were former cadres who used to work under the supervision of Ieng Sary during the DK regime (1975 to 1979), and after 1979 in Malai area. Currently, those cadres live in Malai district, Banteay Meanchey province, and Pailin province. Ieng Thirith also attended her husband cremation. There were several former KR commanders including Y Chhean, Salot Ban aka So Hong, Sok Pheap, Prum Sou, Chhit Mony, Phy Phuon. A Thai delegation also attended the ceremony.

From May 12-18, the team conducted a field trip to Koh Ker village, Srayang commune, Koulén district, Preah Vihear province. The team interviewed 26 villagers (5 females) in Koh Ker and Rumchek villages.

Dany Long went to Malai district, Banteay Meanchey province, to meet with Phy Phuon alias Cheam who was a personal bodyguard of Ieng Sary, Pol Pot and Nuon Chea for additional information on a story relating to Prince Sihanouk's monkey. Cheam was a person who was responsible for taking care of Prince Sihanouk's monkey that went missing during the prince's visit to the KR liberated Zone in 1973.

From August 12-14, the team traveled to Sampov Loun and Phnom Proek Districts of Battambang Province as part of the field trip investigation. The purpose of the trip was to follow and interview three former KR cadres at the level of district chief in former Region 5. The three cadres were not to be investigated on crimes charged in Case 003 and 004 by ECCC. As a result, the team could not achieve their mission.

From August 16-19, Dany Long and Vannak Sok traveled to Samlaut District, Battambang Province where the team interviewed two KR members. The team extended the field trip to follow up on one case in Veal Veng District of Pursat Province.

From August 27-31, Dany Long and Vannak Sok traveled to Takeo, Banteay Meanchey, Siem Reap, Preah Vihear, and Odar Meanchey Provinces in order to follow up with five KR figures.

¹ Former Khmer Rouge Deputy Prime Minister and the Minister of Foreign Affairs Ieng Sary died on March 14 at the age of 87 at the Soviet-Kampuchea Friendship Hospital in Phnom Penh. His body was sent to Malai district, Banteay Meanchey province, where his residence was located, to hold funeral and cremation ceremony. Malai is a former Khmer Rouge stronghold area controlled by Ieng Sary before 1996. Ieng Sary was on trial for crimes against humanity and genocide crime. His death has terminated the proceedings against him at the ECCC.

Unfortunately, the team could only complete one case. Three others died many years ago and one could not speak due to severe illness.

3. Public Education and Outreach

3. Public Education and Outreach

A. Genocide Education

DC-Cam's Genocide Education Project seeks to disseminate the history of DK to Cambodian students. The Center has since trained over 3000 history teachers nationwide how to teach the material in an effective and objective manner.

Teacher Training

DC-Cam and the Ministry of Education began training pre-service teachers in all six regional centers this December. From December 7-9 and 14-16, DC-Cam 113 participants, all of whom are second year pre-service teachers at Takeo Regional Training School. Participants came from Takeo, Preah Sihanouk, and Kampot Provinces. The training was divided into two major parts: presentation on KR history and presentation and model teaching on modern methodologies.

A commune teacher training was held on August 17-22 at Provincial Pedagogical Training Center of Takeo. Fifty teachers (16 female) from Takeo and another fifty (10 female) from Kampot provinces attended the training. This training involved 6 national trainers (4 from the Ministry of Education, Youth and Sports and another 2 from DC-Cam) and 4 municipal and provincial trainers (2 from Phnom Penh and another 2 from Kandal province). A survey was also made at the end of the training with participants.

On 7-12 September 2013, the Genocide Education team traveled to Kampong Cham province to conduct the 10th commune teacher training. There were 93 commune teachers who participated in the training which made a composition of 47 (19 females) from fifty schools respectively within Kampong Cham province and another 46 (18 females) from 29 schools within Kratie province.

On 23-28 September 2013, the Genocide Education team traveled to Kampong Thom province to conduct the 11th commune teacher training. There were 100 commune teachers participated in the training which made a composition of 50 (19 females) from 22 schools respectively within Kampong Thom province and another 50 (17 females) from 38 schools within Siem Reap province.

Inauguration of Memorial and Textbook Distribution

On May 10, the Center inaugurated the anti-genocide memorial slogan and distributed *A History of Democratic Kampuchea* textbooks at Malai high school, Banteay Meanchey province. The event was presided over by Her Excellency Ton Sa-Im, Undersecretary of State of the Ministry of Education, Youth and Sports. There were approximately **435** participants including officials from the Ministry, DC-Cam, the local teachers, and students. At the end of the inauguration, there was a question-answer session which allowed students to interact with the textbook author, Khamboly Dy, about the Khmer Rouge history.

B. Witnessing Justice

Obtaining the truth from the Khmer Rouge (KR) leaders was the general expectation from the Cambodian people when the ECCC was established to try surviving KR leaders. Under the umbrella of DC-Cam's Witnessing Justice Project, DC-Cam invited villagers, survivors and community leaders to attend the ECCC and receive necessary trainings to enable them to understand ECCC process at a greater depth.

B.1. ECCC Visits

On December 3-6, DC-Cam invited 44 people to attend an ECCC hearing in Case 002 against the three surviving KR leaders—Khieu Samphan, Nuon Chea and Ieng Sary.

On January 14-17 and March 4-7, DC-Cam invited 40 people, eighteen of whom were women, to Phnom Penh to observe the ECCC's court proceedings from January 14-17 and March 4-7.

From April 28-30 and June 3-5, DC-Cam invited 49 people, 15 of whom were women to observe the ECCC's court proceedings. The participants were members of Kuoy and Tumpuon ethnic minority groups from Preah Vihear and Ratanakiri; and former KR members from Oddar Meanchey.

On July 8-10, 2013, twenty-five villagers (10 female villagers) from Kampong Thom, Stung Treng and Koh Kong provinces visited ECCC's premises and observed the trial hearing before the TC in the ECCC's Courtroom concerning Case 002/01 against the accused, Nuon Chea and Khieu Samphan.

B.2. Public Village Forums

This year DC-Cam conducted public village forums in eight provinces. The forums are intended for the participants to engage in a discussion on justice and related issues, pose

questions, exchange views, give suggestions, and be asked to convey the insights they gain to their neighbors to maximize the impact of each forum. The forums also aim to encourage a dialogue between parents, teachers, local leaders and students about the history as a means to seek to understand the past history and to preserve a collective memory.

From December 17-19 the PVF Project conducted a forum with former KR members at O Sralao Commune, Malai District, Banteay Meanchey Province. DC-Cam team met for interviews with ten people in O-Sralao Commune about background information and perspectives before conducting the forum at Kiri Thomsat Pagoda.

From February 11-13 and March 18-20, the PVF Project conducted two forums with 200 Kraol and 20 Poar ethnic minority members at Sre Chis commune, Kratie province and Rorvieng district, Preah Vihear province. The forums were also attended by 100 students from the local secondary schools that had the opportunities to learn directly from their elders about their experiences under the Khmer Rouge regime.

On April 3-5, PVF reached out to the Kavet community in the Santepheap commune to examine how different ethnic minority groups have conveyed the history of DK to their children and whether they are informed of the ongoing legal proceedings of the ECCC. Kavet people mostly live in the commune of Siem Pang district in Stung Treng province.

On June 24-26, the PVF visited Trapeang Cho commune, Kampong Speu province. Students were divided into four groups with participation of elder villagers to discuss their personal accounts during the KR regime and the ongoing KR tribunal.

On July 29-31, the team went to Pech Changva commune, Baribo district, Kampong Chhnang province. More than twenty villagers and forty students (34 female students) of Prapetch Changva secondary school participated in this one-day discussion in front of Pech Changva commune hall.

On August 26-28, 2013, the team went to Sochet commune, Sandan district, Kampong Thom province. The forum was participated by 120 participants (approximately 30 female participants).

On September 17, 2013, the team visited Samlaut district, Battambang province. Around fifteen former KR members and forty young villagers participated in the forum. The choice of this district stemmed from its history as a site for popular uprisings in the mid-1960s and then the safe haven from which to launch guerrilla warfare against Vietnamese troops and its puppet state, People's Republic Kampuchea (PRK).

C. Cham Muslim Oral History (CMOH)

The team continued to distribute the *Hijab of Cambodia: Memories of Cham Muslim Women after the Khmer Rouge*, published in 2011, in Malaysia, fund raising, and interviewing Cham Muslims in the country. The team gave a talk about the book at Monash University, Sunway campus, and the University of Malaya.

The team leader also attended the 6th Annual Muslim World Conference on May 22-23. The conference was organized by ASEAN Muslim Research Organization Network (AMRON) and the Centre for Muslim World Policies, Chulalongkorn University's Faculty of Economics and supported by Thailand Research Fund (TRF).

In collaboration with Asian Public Intellectuals (API) fellowship, the team leader conducted 10 more interviews with Cham Muslims in Ban Krua of Bangkok, Klong Khoo Cham of Ayuthaya province, and Ban Nam Chiao of Trat province.

D. Public Information Room (PIR)

Activities in Phnom Penh

PIR received 931 visitors who read documents, requested books and magazines, watched films, interviewed staff members, conducted research for school, toured the center, and sought information about missing family members. We provided 611 magazines (Khmer and English issue), 307 copies of the DK History books, 312 copies of DC-Cam outreach booklet *Genocide: The Importance of Case 002*, and 290 copies of KRT Observation booklets.

Library Services

The PIR received 248 research visitors who came to do research, read Khmer Rouge documents and request books. Those research visitors came from local as well as international institutions.

The topics of research include education and outreach on KR history, Khmer Krom during DK period, antiquities trade in Cambodia and preliminary investigation into Australian investments in Cambodia, Khmer Krom during the Cold War/superpowers involvement in the rise of the Khmer Rouge, Cambodian-American refugee experience, memory of the Khmer Rouge, Buddhism and the Khmer Rouge Tribunal.

PIR Selected Group Visit

On October 8 the United States Peace Corps training program manager met with Savina Sirik and Khamboly Dy to invite DC-Cam to provide a session on Cambodian history and the legacy of the KR and also discussed the possibility of inviting KR survivors to speak to the volunteers.

On October 8 Kok Thay Eng, deputy director of DC-Cam, gave a presentation about DCCam's overall project and activities, outcomes, and challenges that DC-Cam has faced in the past ten years. Sida was very pleased with the new narrative reports over the last four years and asked that DC-Cam present the report to Sida's Board of Directors during their visit to DC-Cam.

On November 13 DC-Cam's director Youk Chhang met with Mr. Matthew Robertson, Second Secretary Political Section of the Embassy of Canada, and his colleagues. Mr. Chhang shared with the guests his insights on the current situation of Cambodia, the evolution of the rule of law, and the importance of preserving the past records that serve as the essential part of reconciliation in Cambodia.

In May, PIR received two groups of visitors who came to learn about DC-Cam's work and also learn the KR history through the lecture from DC-Cam staff. The first group comprises of 14 members from Trinity College Hartford, U.S.A.

Request to Watch Films

A total of **550** visitors, researchers, and students requested to watch DC-Cam's documentary film at PIR office, most of them requested to watch DC-Cam's new documentary film *A River Changes Course*.

E. Film “A River Changes Course” (Kbang Tik Tonle)

Twice a year in Cambodia, the Tonle Sap River changes course, while the river of life flows in a perpetual cycle of death and rebirth, creation and destruction. Working in an intimate, verité style, filmmaker Kalyanee Mam (Director of Photography for the Oscar-winning documentary *Inside Job*), spent two years following three young Cambodians as they struggled to overcome the crushing effects of deforestation, overfishing, and overwhelming debt.

Cast and Credits

Director/Cinematographer: Kalyanee Mam

Executive Producer: Youk Chhang

Producers: Kalyanee Mam, Ratanak Leng

Editor: Chris Brown

Composer: David Mendez

Sound: Zach Martin, Angie Yesson

Web: www.ariverchangescourse.com

Screening of the Film

In October special screenings of the film were held in Phnom Penh, Koh Kong, and Siem Reap. We also screened the film at the European Union Ambassador's residence, the United States Embassy, and LICADHO – Cambodia, a legal rights organization based in Phnom Penh. All the families in the film came to the screening in Phnom Penh, including the family from the jungles in the Northeast - their very first trip to the capital city. Sari, Khieu, and Sav Samourn also participated in the Q&A session that followed the screenings and spoke of how happy and honored they felt to participate in the making of the film. Robert Denham, former chairman of the MacArthur Foundation and his wife Carlyn Denham, were also present at the screening in Phnom Penh.

Recognitions

A River Changes Course won 10 awards at international film festivals.

1. Winner of the Grand Jury Prize for World Cinema Documentary at the Sundance Film Festival
2. Winner of the Filmmaker Award at Full Frame Documentary Film Festival

3. Winner of the Grand Jury Prize for Best Feature at the Environmental Film Festival at Yale
4. Winner of the Human Rights Award at River Run Film Festival
5. Winner of the Grand Jury Prize for Best Documentary Feature
6. Winner of Documentary Feature Golden Gate Award
7. Winner of Outstanding Director Award and the Outstanding Cinematography Award
8. Winner of the Special Jury Prize for Best Director and Best Cinematography
9. Conscience Award at Docville Film Festival in Belgium
10. Winner Award for Best Feature Film at the Green Film Festival in Seoul

Launching "Changing the Course" Campaign

In June, *A River Changes Course* launched its campaign called "Changing the Course." The goal is to bring *A River Changes Course* to 60 universities and villages across Cambodia in the next 12 months, and facilitate substantive dialogue in the most remote corners of the country. Through these screenings, Cambodians will be encouraged to analyze their current situation, and within their respective communities, determine how to respond to this rapid change. The film's link on Facebook <https://www.facebook.com/ARiverChangesCourse>

F. Anlong Veng Community History

In December DC-Cam submitted a brief report on progress of the book *Community History of Anlong Veng: The Last Day of the Khmer Rouge*, to the Ministry of Tourism. DCCam's co-authors, Khamboly Dy and Christopher Dearing, finished writing eight chapters of the ten-chapter book. The researchers collected 320 interviews in which 200 interviews were summarized and translated into English. The team has been working on finishing the draft and planned to submit it to the ministry for review and comments. The authors are working on the last two chapters that detail the last days of the KR and extensive history of the Anlong Veng area. The book will also include information on the everyday life of people who live in the area today.

G. Khmer Rouge History Classroom at Tuol Sleng Genocide Museum

DC-Cam has reached out to Cambodians and foreign visitors through the KR History Classroom at Tuol Sleng Genocide Museum. Activities of the classroom usually include the following: the class devotes its first section, which lasts about ten minutes, to introducing and screening the video footage. A Q&A session follows. The class is held on Mondays and Fridays at 2:00 P.M. and Wednesdays at 9:00 A.M.

Example of questions below were raised during the classroom:

1. Why did it take so long for S-21 to be known?
2. Does Cambodia really have a law on genocide denial?
3. Are there other video footages filmed by the Vietnamese?
4. Why did the Khmer Rouge cut the prisoners' stomachs in the footage?
5. How many Khmer Rouge senior leaders were arrested and put on trial today?
6. How many prisons were there during the Khmer Rouge regime?

7. Why did it take so long to establish the Khmer Rouge tribunal?
8. Why did so many Cambodian people support the Khmer Rouge revolution?
9. Why did the West support the Khmer Rouge after their fall in 1979?
10. How many victims were there at S-21?

H. Group Tours at Toul Sleng Genocide Museum

In late October Savina Sirik provided a guided tour of the Tuol Sleng Genocide Museum for Ms. Margaret Hsiang, the Cambodia desk officer at the United States Department of State in the office of Mainland Southeast Asia.

In November, DC-Cam invited an S-21 child survivor, former prison guard, and a daughter of an S-21 victim to speak to two groups of visitors including Korean delegations and participants of the East Asian Conference for History and Peace, and a delegation from the U.S. Holocaust Museum in Washington, DC.

On May 7, Savina Sirik provided a tour to two people from the Security Mission of Swiss Agency for Development and Cooperation at Tuol Sleng Genocide Museum.

On May 8, DC-Cam's Director Youk Chhang and Savina Sirik provided a tour to Ambassador of Israel, Mr. Simon Roded and his spouse, at Tuol Sleng Genocide Museum. DC-Cam Second.

On May 30, DC-Cam's Director Youk Chhang provided a tour to former U.S. President's daughter Chelsea Clinton and her team at Tuol Sleng Genocide Museum.

I. Other Activities at Toul Sleng Genocide Museum

The Tuol Sleng Genocide Museum provided space and support for two DC-Cam exhibitions per year for the past several years. The museum is visited by about 300 people each day. DC-Cam launched a photo exhibition and received a more than a thousand visitors in the year.

DC-Cam reprinted the photos of exhibition entitled "Senior Khmer Rouge Leaders" as the old photos were damaged and the color was faded away. Captions were also reprinted. They were for DC-Cam's exhibition at Building D entitled "Justice and Responsibility" for the color and script were no longer viewable.

The museum team has been working with Tuol Sleng Genocide Museum to install a memorial about S-21 Child Survivors. It would contain photos showing Cambodian soldiers coming to rescue S-21 child survivors in 1979.

J. Website Development

DC-Cam's website was updated regularly with postings on new developments, such as every issue of *Searching for the Truth* magazine, *Observation* booklets, chronology of the ECCC, information about DC-Cam's activities (photos, reports and transcripts). This year the number of visitors who visited DC-Cam's website reached 50081 of which 53% were new visitors. Visitors come from the United States of America, Cambodia, Germany, Australia, Japan, France, Thailand, the UK, Canada, Switzerland, the Netherlands, Vietnam, Indonesia, Sweden and Singapore.

K. Cambodia Tribunal Monitor (www.cambodiatribunal.org)

DC-Cam, in collaboration with the Center for International Human Rights, funded by the US Holocaust Memorial Museum, undertakes certain responsibilities associated with the CTM website, www.cambodiatribunal.org. This website serves to facilitate public access to the ECCC and open discussion throughout the judicial process. The achievement highlights are as below:

Trial Blogs

Trial bloggers, Doreen Chen, Edward Gough and Simon Crowther, consultants from Destination Justice, and Mary Kozlovski, a freelance journalist, attended hearing sessions in Case 002/01 and wrote reports in English. Together they wrote 123 daily reports on trial proceedings which were posted on the website blog. Please follow this link: http://www.cambodiatribunal.org/_archived-site/blog/archive/201301

Hosting Video of ECCC Proceedings

The CTM team captured all trial footage to be posted on the website. The team produced 515 footages of the ECCC trial proceedings (Khmer, English, and French), one video clip of public reaction to the trials entitled "People's Reactions on Ieng Sary's Current Healthy Condition," and supplied 489 photographs (both historical and current pictures relevant to the contents of the hearing reports) to CTM's blogs to be posted on the CTM website.

Backing up ECCC Documents

The team downloaded 2,905 files and printed 18,796 pages of documents in Khmer, French, and English from the ECCC's websites. The documents consist of transcripts of the ECCC's trial proceedings, documents from the Legal Documents Section, Practice Direction Section, Press Releases Section, Financial Information Section, documents from the Latest Documents Section (which is the sub-section of the Legal Documents Section), practice directions, Media Center Section news and the court reports.

Translation and Posting of CTM Articles

The team translated 29 articles and the Chronology of ECCC from English into Khmer. Some of the articles were:

1. Expert Witness David Chandler Begins His Testimony with Frequent Objections by the Defense
2. Constraining the Use of Impeachment Materials
3. Prosecution Conducts Productive Examination Despite Witness's Hampered Memory
4. Defense Challenges Admission of 1350 Witness Statements In Lieu of Oral Testimony
5. Supreme Court Chamber Determines that Ieng Thirith's Release Is Subject to Judicial Supervision

CTM Website Screenings

Recognizing the importance of working with youth, DC-Cam, in cooperation with Northwestern University School of Law's Center for International Human Rights, is making an effort to increase their understanding of the importance of ECCC proceedings by introducing the CTM website to schools and universities in Cambodian universities. At each presentation, the team showed a short film, answered questions about the history of DK, and provided a short presentation on the establishment of the ECCC, including an overview of the cases and key legal concepts.

Some of the schools included:

On November 17 the team conducted a website screening at Puthisastra University with the participation of 200 students.

On December 15 the team conducted a workshop at Build Bright University based in Ratanakiri with the participation of 120 students.

On January 30, the team conducted workshop at RULE with participation of 25 students. This is the second times DC-Cam was requested to provide training there.

On July 12, the CTM team conducted a workshop at Build Bright University, a private entity, upon request, with 100 student participants.

On August 15th, the CTM team conducted a workshop at Kampot Institute of Polytechnic. The team was accompanied by two Burmese human rights activists. It was participated by 100 students.

Below are some interesting questions from the students during the workshop:

1. Pol Pot wanted to eliminate all classes during the KR, but why did he create two classes—New People and Old People?
2. How did the Khmer Rouge regime collapse?
3. Was the truth revealed when Ieng Thirith was released, and Ieng Sary died?
4. Since everyone knows that Khmer Rouge leaders committed crimes, why did the ECCC spent so much money and time on the trial?
5. Will there be Cases 003 and 004 in the future?

Below are some reactions from the students during the workshops:

A student from Build Bright University (BBU) in Ratanakiri: “The workshop improves my understanding of the Khmer Rouge tribunal.”

Chantry Sopheary, a student from BBU in Stung Treng University: “After attending this workshop, I am more confident to believe that what my parents told me about KR regime was true.”

4. Research, Translation, and Publication

A. New Publications

John D. Ciorciari's article on China and Pol Pot regime was published online on June 24, 2013.

Anne Heindel and John Ciorciari published an article "Experiments in International Criminal Justice: Lessons from the Khmer Rouge Tribunal," on Michigan Journal of International Law in fall 2013 (<http://ssrn.com/abstract=2269925>). The article is a snapshot of the upcoming publication *Hybrid Justice: The Extraordinary Chambers in the Courts of Cambodia*, to be published by the University of Michigan Press in 2014.

A book on “Lessons from the Cambodian Experience with Truth and Reconciliation” authored by Jaya Ramji-Nogales, Temple University - James E. Beasley School of Law and John D. Ciorciari, University of Michigan - Gerald R. Ford School of Public Policy, was translated into Burmese language. The authors are both DC-Cam’s legal advisors.

Rehan Abeyratne published an article Superior Responsibility and the Principle of Legality at the ECCC, in the George Washington International Law Review, Vol 44, 2012. Rehan Abeyratne wrote a letter of appreciation to Director Youk Chhang, and DC-Cam's legal advisors, John Ciorciari and Anne Heindel, for their support, guidance, and assistance to the research.

B. Historical Research and Writing

Kok-Thay Eng's PhD research paper entitled *From The Khmer Rouge to Hambali: Cham Identities in a Global Age* was completed. It is being translated into Khmer language and will be published by DC-Cam tentatively in the third quarter of 2014. The monograph is planned to be translated and published in Khmer, French, and Arabic by DC-Cam.

Farina So completed her research on Cham Muslims in Malaysia and Thailand: Then and Now. It is being reviewed for publication on an academic journal. Ms. So also plans to expand her work to become a PhD dissertation.

Christopher Dearing and Khamboly Dy continued their research on Anlong Veng community education. This research will produce far more than merely a book for Anlong Veng’s community education and industry; the vision is, indeed, to create a community education model that can be exported to other communities. DC-Cam aims to use this project as a

pilot for developing similar curricula in other Cambodian communities. As stated above, Mr. Dearing and Mr. Dy just finished the first draft of the book.

DC-Cam is working on a new publication (*When Duch Laughs*) of a photo book depicting Duch's rare old photographs from S-21, Duch's recent photographs, and the transcript of his recent interview with DC-Cam staff members, Savina Sirik and Kok-Thay Eng, in 2012. Terith Chy, VPA team leader began to alter parts of his MA dissertation in order to contribute to the introduction of the book.

C. Translation

The translation of *The Killing of Cambodia: Geography, Genocide and the Unmaking of Space* from English to Khmer language was completed. It is 320 pages long. Please visit the link for the book's abstract at: <http://d.dccam.org/Publication/Translations/Translations.htm>

5. Magazine, Radio, and Television

A. *The Searching for the Truth*

For more than a decade, *Searching for the Truth* has been a leading magazine aimed at disseminating DC-Cam's work on document collection and sharing up-to-date information about the KR tribunal with the public, including those who have little education. This year DC-Cam produced and published 36,000 copies of 12 monthly Khmer issues and 2800 copies of one English issue.

In February Issue (Issue 158), the magazine also covered stories on the cremation of former King Norodom Sihanouk.

Examples of family tracing requests:

Searching for My Husband

My name is Vong Phan, now living in Tuol Kraing village, Kraing Yov Commune, Sa-Ang district, Kandal Province. Before April 17th [1975], we lived in Beung Tumpun village, Phnom Penh. I separated from my husband, whose name was Ith Phanna alias Yort, when the Khmer Rouge soldiers entered Phnom Penh on April 17, 1975 at 9 in the morning. At that time, I had my daughter named Ith Chanry alias Asrey, who was 4 years old with me. At the time, I was also seven-month pregnant with my second child.

In 1979, I heard that my husband came to search for me at my home village in Phnom Penh and at that time my relatives told him that I and other children, as well as my parents, had died during the Khmer Rouge regime.

Nowadays, I and my children and my brothers—Phan and Phal—are living at Tuol Kraing village. If anyone knows my husband, please contact me at 012 992 171.

Below are highlights of other activities relevant to the magazine and comments from magazine readers:

- Chanda Chhay, a KR survivor and also a writer for the book *War and Genocide: A Never-Ending Cycle of Human Brutality*, emailed to Socheat Nhean requesting that his book be published in *Searching for the Truth*. Now living in the USA, Chanda personally loves the magazine.
- Stung Treng's governor told DC-Cam that he received *Searching for the Truth* magazine every month and that he loves the magazine.
- Michelle Caswell of the University of Wisconsin requests for some photos from DC-Cam for her upcoming books which will be published by the University of Wisconsin Press.
- Former professor of anthropology at the Royal University of Fine Arts, Phong Tan, came to DC-Cam to ask for the confession of her uncle—Di Phonn and to read *Searching for the Truth* Magazine for her research.
- French journalist Robert Carmichael looked for two people who were possibly sent to S-21. They were Pen Trivan and his wife, Dr Ly Nay Sim, but they could not be found in DC-Cam list.

A Son of S-21 Prisoner learned about his Father from Searching for the Truth

In late June 2013, Mr. Ponlork, a resident of Phnom Penh, found the confession of his father named Poul Toeun in Issue 60 of *Searching for the Truth* Magazine. Upon learning this, Ponlork came to the DC-Cam to ask for more details about the destiny of his father. At DC-Cam, Ponlork met with Socheat Nhean. He was later given a full version of copy of his father's confession. Ponlork also learned that the interrogator of his father was Korn, which was presumably Prak Khorn.

B. Radio Broadcast "*Voices of Genocide: Justice and the Khmer Rouge Famine*"

DC-Cam's new Radio Program on "Voices of Genocide Survivors: Famine in Democratic Kampuchea and Case 002 at the ECCC," explores the famine which occurred during the DK regime. The goals of this program are to provide survivors with legal and historical narratives of a major and often-overlooked source of suffering and mortality under the KR and to provide a common platform for survivors of the Cambodian genocide to share their individual experiences.

All episodes for the broadcast are to be recorded at VOA studio. The first episode was recorded and aired on March 3, which marked the first public broadcast of the program. Each episode was aired for one hour a day every week on Radio National of Kampuchea and the other three provincial radio stations including Battambang, Preah Vihear and Kampot.

The followings are some response from listeners:

March 4, 2013

As one of the victims of KR regime, my father, younger sister, uncles and other relatives, I wish to see the root cause of the killing and the regime rather than hearing more about what the KR had done, it is too much. Justice for me is knowing why the KR regime was created and who is the mastermind of the regime to be found, broadcasted and published.

Let's start to look at why and who rather than looking at how many they killed and what they have done.

Sophorn

March 5, 2013

Thank you so much again for updated me with this great news. I read the whole paragraph and understand a lot more than I ever expected, one thing that I do not understand during the KR regime from 1975-1979, Cambodia prefers herself as a "Democratic Kampuchea" country. The title of the country did not match the conflict, the crimes, the killings, the whole drama that KR did to her people and the country at all. "Democratic is equally to the same as Justice" but unfortunately there were no justice no democratic neither one of these two categories were represented during this brutal regime.

Sreymom & 3 boys

Questions from listeners sent to DC-Cam:

1. Why did the Khmer Rouge starve their people when they had produced a lot of crops? Where had those crops been transported to?
2. Why did the Khmer Rouge put their people to hard work?
3. Why did the Khmer Rouge kill their people?
4. Why did the Khmer Rouge separate people from their family members?
5. Why didn't people rebel against the Khmer Rouge?

As part of "Voices of Genocide: Justice and the Khmer Rouge Famine", Men Pechet, a team leader, brought a group of seven university students to visit the site, where thousands of people were put into hardship and given insufficient food to eat. The study tour aimed at providing a better understanding among the younger generation and Khmer Rouge survivors in terms of DK history.

6. National and International Cooperation

A. Selected Research Assistance

DC-Cam provides assistance to academics, researchers, and students upon request. This year the center assisted researchers who conducted research on different topics relating to the KR regime and its impact on Cambodian society today. Research focused on many topics. Some of them were:

- The conception of former KR cadres' understanding of justice in the Cambodian post-genocide reconciliation process. The main themes included victim and perpetrator identities, expectations and needs of reconciliation, and the notion of justice and reconciliation.

- Cham Muslims and their relationship with, and/or influence they receive from, Muslims outside Cambodia including Arab Muslims and minority Muslims who use English. The researcher is also interested in the history of how Cham Muslims have understood or interpreted the Quran.
- The history of both Tuol Sleng Genocide Museum and Cheung Ek killing fields, their management, and visitation during the 1980s.
- Cultural memorials and the politics of cultural memorials in Cambodia, especially institutions such as Tuol Sleng Genocide Museum, Cheung Ek and other killing fields in the rest of Cambodia. Using ethnography field work, qualitative and historical research, the researcher attempted to answer key questions relating to how the Cambodian genocide is remembered and interpreted.

B. Participation in Conferences (By Invitation)

On November 20, DC-Cam director Youk Chhang participated in a roundtable discussion on human rights organized by the U.S. Embassy for senior advisors to the U.S. President and Chair of the White House Council on Women and Girls, Ms. Valerie Jarrett, and Special Assistant to the President, Ms. Samantha Power. Mr. Ambassador William Todd wrote a letter of thanks to the director for his contribution to the discussion (see the Appendix D for the letter).

On December 4 DC-Cam's Deputy Director Dara Vanthan and legal advisor Christopher Dearing attended a conference, "Expert Conference: Contribution of Criminal Proceedings Before the ECCC to Cambodian Law" at Royal University of Rule and Economics.

Director Youk Chhang was invited to speak at Cambodian Living Arts' "Visions 2020" Roundtable discussions, which took place at Plantation Hotel, Phnom Penh. The discussion was intended to address challenges faced by artists.

Kok-Thay Eng gave a presentation at the Fifth Annual Khmer Studies Forum on the theme "Identity" which was held at the Center for Southeast Asian Studies at Ohio University from March 15-17, 2013. Please see the link to the forum report and his video presentation here: <http://www.seas.ohio.edu/ksf2013.html#>.

DC-Cam's Director Youk Chhang participated as a guest speaker in a Conference organized by Asia-Pacific College of Diplomacy of Australian National University (ANU) and the University of New South Wales to mark the 20th Anniversary of the 1993 Cambodian election. The conference, took place on May 23-24, was supported the Australian Civil Military Centre, and was designed not simply to look back at the UNTAC experience, but rather to see how that experience shaped subsequent developments in Cambodia and beyond, and what implications for the future of complex peace operations might be.

On June 29-30, Director Youk Chhang participated in 8th regional workshop of the Asian Region of the Site of Conscience organized by Liberation War Museum, Dhaka, Bangladesh in collaboration with International Coalition of Sites of Conscience, New York. He presented

the topic "Memorialization, Museum and Justice" as part of the plenary/public session at the National Museum.

C. National and International Cooperation

On October 10 the Ministry of Education, Youth and Sports and DC-Cam signed a memorandum of understanding (MoU) at the Ministry of Education to transfer a parcel of land (4,785.61 square meters) to DC-Cam to build its permanent center, the Sleuk Rith Institute.

From October 22-28, a delegation of United States Holocaust Memorials Museum travelled to Cambodia on a trip entitled "Journey to Cambodia: A Bearing Witness Trip to Phnom Penh and the Khmer Rouge War Crimes Tribunal," with an aim to create an exhibition on genocide in Cambodia in the context of globalization at the Holocaust Museum in Washington DC, U.S. The exhibition will feature photographs, video footage, and artifacts from the KR regime as well as discuss the ongoing process of the KR tribunal.

On November 12, 2012, Director Youk Chhang met with Mr. Han Gyi from Burma. Han is working in an organization based in Chiang Mai, Thailand. The meeting was to discuss the possibility of establishing a documentation center in Burma based on Cambodia's experience. Director Youk Chhang provided some suggestions to Mr. Han Gyi including proper methodologies to be used to collect documents from the ground, principles for the organization (such as the organization should not be a judicial institute), and sensitive words that should be selectively used in the reports or publications.

DC-Cam received a group of 8 students and 2 faculty members from the University Center for Excellence in Developmental Disabilities and University of Washington. Dr. Kok-Thay Eng talked to these students about Cambodia's recent history, particularly the Khmer Rouge history, as well as the work of DC-Cam.

7. Staff Development

A. Advanced Degree Training

Staff development at DC-Cam is a key towards succeeding in its main objectives of memory and justice. Given its importance, advanced degree opportunity is provided with no discrimination of gender, race and religion. This reflects the policy of the Center which states that "male and female staff should be given equal encouragement and opportunity to study abroad".

This year five DC-Cam staff completed their studies overseas and returned to use their knowledge to develop and improve upon current works of DC-Cam:

Samphors Huy graduated with an MA in global studies from Rutgers University in late Spring 2013. She is now pursuing a PhD on the same course at Rutgers University.

Kunthy Seng completed her MA in Thai studies from Chulalongkorn University in

May 2013.

Kok-Thay Eng received his PhD degree in global affairs at Rutgers University in May 2013.

Sokchamroeun Ly finished her MA in peace and conflict studies from the University of Massachusetts Lowell (UMASS Lowell) in December 2012. Ms. Ly conducted a small project for her master's thesis on "The Role of the Angkor Dance Troupe in Healing, Reconciliation, and Peace for Cambodian Americans after Genocide."

Sokvisal Kimsroy completed his LLM in human rights at Hong Kong University, Hong Kong, in Spring 2013.

Four staff members will complete their study at certain overseas universities by 2014:

Rasy Pheng Pong will graduate with an MA in educational management and leadership from University De La Salle, the Philippines in early 2014.

Suyheang Kry is writing his Master's thesis for her degree in peace and conflict studies at University of Massachusetts Lowell (UMASS Lowell). She is expected to complete her study in Spring 2014.

Sreinith Ten is doing her MA in political science at University of Northern Illinois, United States. She is expected to complete her program in Fall 2014.

Ratanak Leng is doing his MA in New Politics and Future Governance at Kyung Hee University, Republic of Korea. He is expected to complete his study in Spring 2014.

Three staff members will complete their studies after 2014:

Sophorn Huy is pursuing her MBA at University De La Salle, the Philippines. She is expected to complete her study in Fall 2015.

Farina So began her PhD degree in Global Studies at University of Massachusetts Lowell (UMASS Lowell) in September 2013.

Savina Sirik started her MA degree program in Geography at Kent State University, USA, which will begin in August 2013.

B. Training

Prathna Chan participated in a training course funded by Sida (Sweden) on "Human Rights, Peace, and Security" in Sweden from October 15 to November 2, 2012, and again on March 11 to 22, 2013.

Sothida Sin and **Sovanndany Kim** participated in a teaching internship at Lowell High School, U.S., where they learned about American methods of social studies education and genocide education. Their tasks were to observe teachings in classrooms, participate in staff meetings

and professional development, and act as guest speakers in the schools and community. The internship was held in between April 25 and May 31 2013.

Bunthorn Som and **Sarakmonin Teav** participated in Dart Center for Journalism and Trauma, a project of Columbia University, held in Bangkok, Thailand from May 12-19, 2013. In this fellowship, they learned how to cover stories on tragic events, violence, conflict and emotional trauma with other journalists and editors from the Asia Pacific Region.

Fatily Sa and **Penhsamnang Kan** screened DC-Cam's documentary *A River Changes Course* at the 5th International NGO Conference on History and Peace at Kyung Hee University from July 21 to 25, 2013.

8. Media Coverage

A. Selected Articles

Dy Khamboly, Teachers: The Architects of Knowledge and Social Morality, Reaksmeay Kampuchea newspaper, Oct 6, 2012.

Dene-Hern Chen, Cambodian in USA Finds Siblings Among Photos of S-21 Victims, The Cambodia Daily, Oct 10, 2012.

Nhean Socheat, The Late King Father Will Live On in Cambodians' Hearts, The Cambodia Daily, Oct 24, 2012.

Youk Chhang was quoted in news articles depicting story of the United States Holocaust Museum Delegation trip to Cambodia with the aim of creating a display about the genocide committed in Cambodia. Joe Freeman, United States Museum Takes KR Notes, Phnom Penh Post, Oct 26, 2012.

Kok-Thay Eng was quoted in VOA Khmer on his perspective towards the loss of King Father, Say Mony, In Sihanouk's Passing, Loss of a Witness to History, VOA Khmer, Oct 23, 2012, available at: <http://www.voacambodia.com/content/in-sihanouks-passing-loss-of-a-witnessto-history/1531786.html>.

Kok-Thay Eng, Obama's Visit Could Bring Improved Ties With Cambodia, The Cambodia Daily, Nov 19, 2012.

Youk Chhang, Obama's Historic Trip Missed Out on Cambodia's Ageless Charm, The Cambodia Daily, Nov 21, 2012.

Director Youk Chhang was quoted in New York Times on United States President Barack Obama's visit to Cambodia, as saying, "The U.S. president's visit to Cambodia is an important part of that process. Cambodians look to the United States more than any other country as a beacon for leadership on human rights and democracy issues as well as what can be

achieved by a free and fair market system.” Peter Baker, Obama, in Cambodia, Sidesteps Ghosts of American Wartime Past, Nov 20, 2012.

A summary of Kok-Thay Eng's PhD thesis was featured in Reaksmei Kampuchea newspaper, La Yom, From the Khmer Rouge to Hambali: Cham Identity in Globalization", Reaksmei Kampuchea, Jan 12, 2013.

Anne Heidel was quoted in a news article relating to health condition of KR senior leaders, Robert Carmichael, Poor health disrupts Khmer Rouge Khmer Rouge Trial, DW, Jan 23, 2013, available at: <http://www.dw.de/poor-health-disrupts-khmer-rouge-trial/a-16545036>

Kok-Thay Eng, The King of Cambodia: Equity and Reconciliation, Reaksmei Kampuchea, Feb 7, 2013.

Youk Chhang, To Prevent Genocide, We Need Commitment and Not Platitudes, The Cambodia Daily, March 1, 2013.

Youk Chhang, Role of Civil Society in the Prevention of Genocide, Reaksmei Kampuchea, March 3-4, 2013.

Director Youk Chhang was featured in an article, Kyle James, Knowledge bring relief to genocide survivors, DW, March 13, 2013, available at: <http://www.dw.de/knowledge-bringsrelief-to-genocide-survivor/a-16626912>

John D. Ciorciari, "Thai-Cambodia Territorial Spat Offers a Role for the World Court," Asia Society, April 24, 2013. Accessed online at <http://asiasociety.org/blog/asia/thai-cambodia-territorial-spat-offers-role-world-court>

Kok-Thay Eng, "Genocide Against the Cham?" The Phnom Penh Post, May 15, 2013.

Davin Chhay, "Hai Sam-Ol, My Brother," Reaksmei Kampuchea, May 19-20, 2013.

Chhorn Chansy and Dene Hern Chen, "Diary Illuminates Hardships Under the Khmer Rouge Regime," The Cambodia Daily, June 3, 2013.

Joe Freeman and Phak Seangly, "Diary Gives a Glimpse of Horrors," The Phnom Penh Post, June 3, 2013.

Kevin Ponniah, "Camera keeps S-21 victims' legacy alive," The Cambodia Daily, June 13, 2013.

August 21st, Mam Sovann, "Connecting KR History to Education", *Reasmei Kampuchea Newspaper*, year 21st, issue 6197, p. b4.

B. Radio

Mam Kalayanee was interviewed on the film *A River Changes Course* with RFA, Dec 21, 2012.

On January 21, Kalyanee Mam was interviewed on KPCW radio regarding *A River Changes Course*, which had been selected to compete in the World Cinema Documentary Competition at the Sundance Film Festival.

C. TV

DC-Cam director Youk Chhang was interviewed on Basque-Spanish TV regarding DC-Cam's view on the ECCC and the work of DC-Cam relating to memory and justice.

<http://www.eitb.com/es/videos/detalle/783672/hora-gmt-juicio-al-terror-jemeres-rojoscamboya/>

On October 24, 2012, DC-Cam's deputy director, Dara Vanthan, was interviewed live by CNC TV on establishing the Sleuk Rith Institute.

On December 25, DC-Cam's deputy director, Kok-Thay Eng, was interviewed by CNC TV on his PhD dissertation which focuses on Cham Identities in Cambodia.

On January 23, Film team members Faily Sa and Penhsamnang Kan's interview regarding DC-Cam's new documentary film *A River Changes Course* and its special screening in Cambodia was aired on CNC TV.

On March 14, DC-Cam's Deputy Director P. Dara Vanthan was interviewed for his view on the death of Ieng Sary on CNC TV.

On April 20, Khamboly Dy was interviewed on CNC TV on a topic "Challenges of Genocide Education in Cambodia."

D. Listserv

Every day DC-Cam sends out information about the KR and the ECCC to 4000 Listserv members.

9. Permanent Center: The Sleuk Rith Institute

A. School of Genocide, Conflict and Human Rights

DC-Cam requested a license from the government so that the SRI school can offer Bachelor courses on genocide, human rights and conflict studies. On June 7, the Ministry of Education visited DC-Cam to discuss DC-Cam's proposal. DC-Cam director presented up-to-date information of the Sleuk Rith Institute to the people from the Ministry of Education. Terith Chy, then, took them to visit the Sleuk Rith Institute's site at Boeng Trabek High School, a place where the permanent Sleuk Rith Institute would be built.

The School team created syllabi for the five courses above. Although it has not yet been determined whether or not the certificate courses will have transferable academic credit,

the prospect of a Bachelor of Arts program in Genocide, Conflict, and Human Rights (GCHR) studies and the certificate as a precursor to it did figure in the discussion. It is not uncommon for university students in Cambodia to enroll in more than one university and pursue more than one degree.

B. Museum of Memory

On January 4, DC-Cam in collaboration with the National Museum of Cambodia of the Ministry of Culture and Fine Arts (MCFA) organized a workshop at the National Museum of Cambodia on the topic "Museum Network Connection and Preparing for the 100th Anniversary of the National Museum." The event marked the groundbreaking of museum of memory's collaborations with the Ministry of Culture and Fine Arts in cultural projects that include development of provincial museums and organizing celebration of 100th anniversary of the National Museum. Also, the workshop was intended to introduce concepts and knowledge relating to museum management, illicit trading and cultural heritage law, and preservation of paper documents.

On July 8-13, the team conducted a preliminary research trip to provincial museums in Battambang and Banteay Meanchey provinces. This trip was an implementation of an MOU between DC-Cam and Ministry of Culture and Fine Arts to develop 24 provincial museums throughout Cambodia.² The purpose of the trip is to install a Khmer Rouge history exhibition so as to generate better understanding about Khmer Rouge history within the local community.

During the final quarter of the reporting year, the museum team also developed another proposal for a project called "The Sleuk Roka³ Project" at Koh Ker Temple.

As part of the Museum of Memory project in the soon-to-be-established Sleuk Rith Institute, the Museum of Memory will be working closely with APSARA Authority to develop the Koh Ker temple complex into a sustainable educational site. This project will help to preserve and promote the historical and cultural value of Koh Ker.

The Sleuk Roka Project has four main objectives: 1) to document existing finials at the Koh Ker temple site;⁴ 2) to preserve the finials in their existing condition;⁵ 3) to educate the

² This MOU is different from the one made between DC-Cam and the ministry of education.

³ Sleuk Roka refers to finials that line walls and roofs at the temple site. They typically feature elements from Hindu iconography such as the Garuda and the Naga. These images possess spiritual efficacy for the inhabitants of the site, providing protection and summoning fertility and fortune. Other elements that represent key ideas in Hinduism, such as the lotus as a symbol of purity and non-attachment, reflect the rich beliefs that guided the way of life of the people. Therefore, these Sleuk Roka provide valuable insights into the cultural and spiritual traditions of the Khmer people, particularly during the Koh Ker period. Since they still remain in situ today, the Sleuk Roka face the risk of being damaged or looted. As a national heritage site, it must be protected from the illegal trade in artifacts and preserved for future generations of Cambodians. . Complexes like Koh Ker are valuable visual and architectural maps of Cambodia's ancient past, showing us how civilizations built and maintained cities. They also provide insights on the cultural, religious and political practices of the time.

⁴ Comprehensive documentation of the finials can aid in the research of these invaluable artifacts from Cambodia's past, as there is currently little research on the cultural remnants of Koh Ker and of the finials. In

public, especially the local community at Koh Ker and Preah Vihear province about the invaluable historical and cultural value of the Koh Ker temple site and its artifacts; and 4) to use Cambodia's rich cultural heritage to reconcile differences among Cambodians that arose as a result of the difficult years of civil war and the Khmer Rouge regime.

C. Land Provision MOU

On 10 October 2012 DC-Cam successfully signed an MOU with the Ministry of Education. The preparation of the MOU had taken nearly five years. According to the MoU, a plot of land of 4,785.61 square meters, upon which the Sleuk Rith Institute will be built, was provided to DC-Cam for a period of fifty years with subsequent ten- year extensions.

DC-Cam continued discussions with the Ministry of Culture and the National Museum of Cambodia over possible collaborations in the coming years. These include the celebration of the 100th anniversary for the National Museum of Cambodia and the KR exhibition at all twenty-four provincial museums across Cambodia. The Sleuk Rith Museum team and the Ministry of Culture and Fine Arts and the National Museum are planning to hold a workshop with officials from the twenty-four provincial museums across the country to launch the Museum of Memory project.

D. Building Design

DC-Cam received support of Zaha Hadid Architect, a world class architectural company, over the possible design for the Sleuk Rith Institute. DC-Cam has contacted construction consultants company Red Furnesse to serve as its technical consultant in technical discussions with Zaha Hadid. DC-Cam legal advisors have been drafting an agreement the company. The agreement is expected to be signed in early 2014.

E. Develop Strategic Planning

Rutherford Hubbard from the University of Michigan was recruited to flush out the Sleuk Rith Plan as well as financial sustainability for the institute. He produced strategic plans for the Sleuk Rith Institute to operate its major three pillars—museum, research, and school—and a fundraising package. The package included SRI's proposal, organizational management chart, financial management guideline, five year strategic plan, updated brochure, and monitoring, evaluation and reporting plan. In addition, he also updated and revised key project proposals as DC-Cam transitions to the Sleuk Rith Institute.

Four international students from Thunderbird School of Global Management arrived at DC-Cam and developed business plan for the Sleuk Rith Institute's Endowment, School, Museum and Research Institute. DC-Cam also put the team in touch with Professor Heng

addition, documentation can allow heritage experts to track the presence of the finials and to guard against theft and looting.

⁵ Upon initial removal from the site, under the care of conservation experts, the finials can be protected from further deterioration.

Vanda, member of DC-Cam Board of Directors, in order that he could provide financial inputs into the team's development of the business plan. Following their five weeks field research, the students produced a comprehensive report analyzing the current situations of the four elements and providing recommendations for DC-Cam to consider its future plan.

[End]

Appendix A: Letter from US Ambassador William Todd



Embassy of the United States of America

Phnom Penh, Cambodia

December 7, 2012

Mr. CHHANG Youk
Director, DC-CAM
#70E, Preah Sihanouk Blvd
Phnom Penh, Cambodia

Dear Mr. Chhang:

I would like to thank you personally for participating in the roundtable discussion on human rights organized by the U.S. Embassy on November 20, 2012 for Ms. Valerie Jarrett, Senior Advisor to the President and Chair of the White House Council on Women and Girls, and Ms. Samantha Power, Special Assistant to the President and Senior Director of the Office of Multilateral Affairs and Human Rights.

Promoting human rights and free and fair elections is one of the U.S. government's highest priorities in Cambodia. The emphasis that President Obama places on these issues is evident by the fact that he asked two of his most senior advisors to meet with you while he was in Phnom Penh for the East Asia Summit. The contributions you made to the discussion were well received at the highest levels of the U.S. government.

I look forward to our continued partnership in strengthening respect for human rights in Cambodia. Please accept my deepest appreciation for the vital work that you are doing in this field.

Sincerely,

A handwritten signature in blue ink that reads "William Todd".

William E. Todd
Ambassador Extraordinary
and Plenipotentiary

NATIONAL

Diary Illuminates Hardships Under Khmer Rouge Regime

BY CHHORN CHANSY
AND DENE-HERN CHEN
THE CAMBODIA DAILY

The printed image on the cover of a tattered diary with yellowed pages displays an idyllic scene: three women bathing in an aqua-colored river shaded by trees.

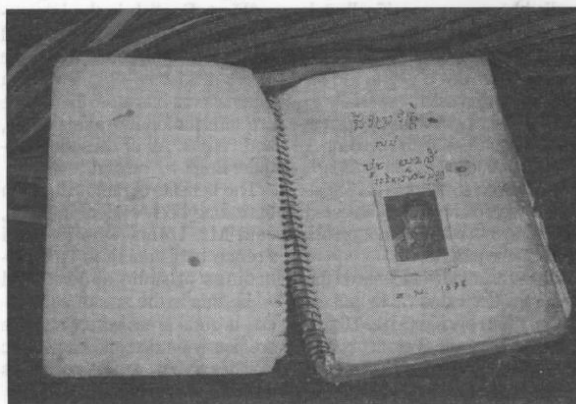
But don't judge a book by its cover. The diary holds the harrowing, and at times heartbreaking, account of its author, Poch Yuonly, a victim of the Khmer Rouge, and describes the ordeal his family faced during the regime that sent 1.7 million Cambodians to their graves.

His daughter, Poch Viseth Neary—referenced throughout the diary—donated the book to the Documentation Center of Cambodia (DC-Cam), a research institute dedicated to the study of the regime, on Friday.

Poch Yuonly's "extremely rare" written account remains one of only four diaries in DC-Cam's possession that were kept by Khmer Rouge victims, said Youk Chhang, the organization's director.

"This is something that every survivor wishes to have left behind by their parents," Mr. Chhang said. "This diary shows a picture of what daily life was like during the Khmer Rouge."

Formerly a primary school inspector for the Ministry of Education living in Kompong Chhnang City during Lon Nol's regime, Poch Yuonly, who was about 50 in 1975, his wife and nine children were evacuated to a collective in Kom-



DC-Cam

The first page of the diary of Poch Yuonly, who died under the Khmer Rouge, is displayed. Donated to the Documentation Center of Cambodia, it describes the hardships suffered by his family under the regime.

pong Tralach district on April 19, 1975.

The diary was written toward the end of his life, sometime in mid-1976, and the prose reads like a father speaking out loud to his children—beseeching them to make sure his grandchildren remember him and his life. He regularly refers to himself in the third person simply as "father."

"This is father's history. When you receive this diary, you must organize to publish it and distribute it to all your relatives, and to your children and grandchildren so that they will know father," the diary says at its close.

The diary describes the arduous evacuation of Kompong Chhnang and how the family suf-

fered from the hot weather and lack of food for about 11 days.

Once they arrived at the collective, Poch Yuonly's wife was sent to work in the rice fields, while the children were put to work as part of the mobile children unit.

"On July 1975, Viseth [my daughter] was sick for about one month. So Nimeth [my son] stole chicken and cassava. His actions brought shame to the family," Poch Yuonly wrote, adding later that the family ate only porridge for five months at one point. "Everyone was sad and there is always a shortage of everything."

There were tender moments too.

Vibol, the youngest of the nine children, often worried that his father was going to pass away—

he suffered from lung disease and bad stomachaches—and continually pestered him to talk when he was unable to speak or move.

"[Vibol] opened father's mouth for talking because he did not want me to be silent. He shook my hands and legs when I could not move. Father has great pity for your brother."

In one excerpt, his wife's jewelry is exchanged for more medicine for Poch Yuonly, and he pleads with his daughters in his diary to take care of his wife as she is "incomparable to anyone in father's life."

"Your mother cries in her heart, in her mind; she cries inside and no one ever sees her cry."

He begs for death at the end, assuring his daughters that he is unafraid and would like to meet his dead parents and relatives in the afterlife. "Let me die—I cannot live in a world of darkness without news, in a world of ignorance," Poch Yuonly wrote. "Father saw a lot of the new world and there was enough life lived during my lifetime."

Ms. Viseth Neary, 50, said yesterday she remembers that period vividly. Her father wrote the diary before he was taken away to a prison in August 1976. The family learned he had died a few months later.

The diary only survived, she explained, because her mother had hidden it. "He wrote to talk about the difficulties in the Pol Pot regime. To let the young generation know," Ms. Viseth Neary said.

National

Camera keeps S-21 victims' legacy alive

Kevin Ponniah

THOUSANDS of haunting portraits documenting the callous, systematic nature of life in Tuol Sleng prison were taken by a camera, the lens of which would later be turned back on the regime itself.

The relic—a German Rolleiflex model from the 1930s or 1940s—was handed in yesterday to the Documentation Center of Cambodia (DC-Cam).

Ing Veng Eang, whose father Ung Pech was one of the few prisoners to make it out of S-21 alive, gave it to the Khmer Rouge research centre after years in his family's possession.

He told the *Post* that he approached DC-Cam after seeing former S-21 photographer Nhem En being interviewed on TV last week.

"I then wanted to find out the history of this camera," he said.

Pech was an engineer whose life was spared at S-21 thanks to his skills as a mechanic.

His wife and five children, who were moved from Phnom Penh to Battambang, however, died from starvation under the regime, with Veng Eang the only child to survive.

Pech became the first director of the Tuol Sleng Genocide Museum in 1980, and subsequently used the camera to document Khmer Rouge crimes, including mass graves in the countryside, after reuniting with his son.

"This camera was kept by my father until 1996 when he had to travel to the US for heart surgery. I just kept it in a



The Rolleiflex camera that was used to photograph victims of the Tuol Sleng detention centre displayed at the Documentation Center of Cambodia in Phnom Penh yesterday. **THENG CHHORN**

box and never used it because there was no longer any suitable film. I never thought of the camera's importance [until now]," Veng Eang said.

He added that after recent alleged comments by acting opposition leader Kem Sokha saying that Tuol Sleng was fabricated, he wanted to add "more evidence" that the torture prison existed.

A trove of documents, photos and even video footage shot by the pair were also handed in yesterday.

After the war, it was "very rare" to get a camera, DC-Cam, Youk Chhang said, and, so, despite its dark provenance, the pair used the Rolleiflex extensively.

"This is called karma. Things come back to you. [The Khmer Rouge] used the camera to take away [their] life . . . and the camera was used to document the crimes committed against [them]."

The significance of the object, which likely bore witness to scenes of brutal torture and suffering, lies in its role as a link between prisoner and oppressor, Chhang said.

"I think of it as having been in between the mind of the photographer and the victim . . . I imagine the sound [the camera made] and I wonder how it would have felt." **ADDITIONAL REPORTING BY CHEANG SOKHA**

Hit-and-run driver to be out in weeks

Continued from page 1

has found that Keam Piseth Narita has committed the offence as accused," Vandy said. "But because she had meningitis and was on medication that made her drowsy—according the official letter from the doctors—the court decided to sentence her to three years in prison, but the real implementation of her punishment will only be three months and 15 days. The rest of the sentence was suspended, and a fine of six million riel will be put into the state's budget."

He added: "Keam Piseth Narita is prohibited from driving any kind of vehicle from now on."

Piseth Narita declined to comment at yesterday's hearing but expressed her regret during her June 6 trial, and promised to use her medical degree to improve the lives of others if released.

"I know about my mistake now. I am really very regretful about it," she said at the time. "I would like to promise that if I am allowed to stay out of detention, I will study hard in order to complete my medical doctorate, and when I start my career, I will try my best to rescue or help the poor in my country."

According to Judge Vandy, Narita's father—Keam Piseth, the deputy director of Kandal Provincial Hospital—had paid compensation to all the families of the victims, all of whom had since withdrawn their complaints.

To some, however, the act of compensation is part of the problem.



Medical student Keam Piseth Narita, 23, exits the municipal court yesterday. **HONG MENEA**

"I think financial compensation has been used in criminal cases in a completely wrong way," Cambodian Center for Human Rights president Ou Virak said, who noted that Piseth Narita was serving just one month for each life she took.

"I think the sentence is very, very light, although I feel she had no intention to kill," he added.

However, according to Community Legal Education Center executive director Yeng Virak, the fact that the driver was tried and sentenced marked a major improvement on how such cases were typically handled.

And, though her sentence was suspended, he added, she had been awarded the maximum possible sentence for the crime.

"To me, it's quite, quite fair," Yeng Virak said. "If she commits the same thing in the future, she should be severely sentenced." **ADDITIONAL REPORTING BY SEAN TEEHAN**

POLICE BLOTTER

Driver's advances force him into a hasty retreat

FLIRTY tuk-tuk drivers beware. Ten machete-wielding men chased a 26-year-old in Poipet town on Tuesday and hacked his passenger in the head after the three-wheeled Casanova tried his charms on a taken woman. The driver fled into a casino following the attack, leaving his tuk-tuk to be destroyed. Police arrested three of the group, who confessed. They were sent to court while several of their mates managed to escape. **NOKORWAT**

Cleaver-wielding crooks caught cattle-catching

POLICE in Kratie's Sambo district arrested two men on Monday for allegedly stealing 10 cows belonging to the commune chief. The chief's son-in-law spotted six men trying to catch and kill the cattle and called the cops. Only two men were caught, and cleavers, a phone and motorbikes seized from the suspects. The group was known for stealing cattle from other villagers in the past but appear to have gone a step too far by targeting the commune chief. **NOKORWAT**

Duo let the dogs out, can't deal with results

THE Baha Men may finally have an answer to their rhetorical question if Chamkarmon district police successfully locate two men accused of stealing village dogs on Tuesday. The nefarious pair stuffed a few dogs into a sack and then tried to escape via motorbike. The dogs, however, had a different agenda, and tried to escape, causing the driver to lose

Appendix D: Appeal for Donation of Archives Related to the Khmer Rouge and UNTAC Periods

Cambodia, June 12, 2013

To Whom It May Concern:

The Documentation Center of Cambodia (DC-Cam) respectfully appeals for the donation of archival material related to the Khmer Rouge (KR) and United Nations Transitional Authority in Cambodia (UNTAC) periods.

DC-Cam is an independent Cambodian NGO originally created by Yale University scholars pursuant to the Cambodian Genocide Justice Act of 1994. It is dedicated to ensuring memory and justice in Cambodia with respect to the abuses of the infamous Democratic Kampuchea (DK) regime. The Center is the largest provider of evidence to the Extraordinary Chambers in the Courts of Cambodia (ECCC), and it has been a pivotal stakeholder in Cambodia's post-conflict reconciliation and reconstruction efforts. As part of these efforts, DC-Cam supports a wide variety of different projects that contribute to scholarship, education, and promotion of the arts. It is through these efforts that DC-Cam has been recognized as the principal agent for all genocide education curricula in Cambodia's public school system.

But education is only one part of Cambodia's struggle. Poor library services and the public's awareness and access to documents and archival material continue to be an ongoing hurdle in the country's struggle to reclaim its cultural and historical heritage. Indeed, Cambodia has suffered decades of war, atrocity, and social upheaval that ravaged the country's academic, scholarship, and cultural heritage systems. Even today, vast quantities of documents, photographs, film, and audio recordings remain scattered to individuals and institutions around the world. With an aim toward restoring the country's access to these materials, DC-Cam appeals for their donation. Of course, individuals and institutions may have legitimate concerns about protecting the confidentiality of certain sources. DC-Cam is cognizant of this concern, and we believe viable solutions can always be found to such problems.

DC-Cam has been at the forefront of the effort to collect, catalogue, and publicize records related to the Khmer Rouge period, and it is a recognized leader in the overarching struggle to ensure truth, accountability, and justice in the wake of mass violence. DC-Cam appeals for the donation of archival material as part of its mission to provide Cambodians with greater access to their history by housing these archival collections within its facilities.

Sincerely,
Youk Chhang Director,
The Documentation Center of Cambodia