

ច្បាប់ធនាគារកម្ពុជា

DOCUMENTATION CENTER OF CAMBODIA

Phnom Penh, Cambodia

www.dccam.org

First Quarter Report January – March 2008

SUMMARY

Activities for the Khmer Rouge Tribunal

The Legal Response team provided almost 90,000 document pages to the ECCC this quarter. It also continued to work with Court officials to promote the adoption of thorough procedures for the transfer, handling, storage, and return of original documents. Legal Advisor Anne Heindel submitted two friend-of-the-court briefs in the *Nuon* and *Ieng Sary* cases.

Victim Participation Project

The Victim Participation (VPA) Project formally launched this quarter. The project has the objective of assisting at least 10,000 victims of Democratic Kampuchea in filling out victim participation requests with the ECCC during 2008. In March, the 10-person VPA team spent over three weeks assisting victims in Kampong Thom and collected over 300 victim participation forms.

Documentation

The Documentation team keyed/catalogued over 4700 documents this quarter, all of which were from the Swedish (D) collection. Copies were sent to the ECCC and Rutgers University (Rutgers also received 30 reels of microfilm). The Museum team, with assistance from two international volunteers, began organizing a new exhibition at Tuol Sleng called "Reflections: Democratic Kampuchea and Beyond," which is scheduled to open April 17th.

Promoting Accountability

The Promoting Accountability team created a list of 443 Khmer Rouge cadres from five provinces whom the team has not yet been able to locate. Team members also participated in the Victim Participation Project's three-week trip to Kampong Thom province. The team continued its investigation of six complicated cases at S-21 involving foreign victims, and also prepared a questionnaire for a pilot project beginning in May. The aim of the project is to locate former cadres and soldiers in

the Khmer Rouge stronghold of Anlong Veng who helped or saved the lives of “new people.”

Public Education and Outreach

This quarter the Living Documents Project brought 160 villagers from seven provinces to observe the ECCC hearings on Nuon Chea’s provisional detention appeal. The Phnom Penh Public Information Room received 304 visitors and visited seven provinces to educate villagers about the ECCC and their participation rights. DC-Cam Rutgers, together with the new Rutgers’s Center for the Study of Genocide and Human Rights (CGHR), is in the final stages of digitalizing DC-Cam microfilm. It is also collaborating with CGHR on two speaker series about the crime of genocide.

The Oral History Project team collected almost 20 documents and books for a monograph on Cham Muslim women and assisted several of the other teams project. The Victims of Torture Project team conducted 30 follow-up interviews in three provinces with identified victims of trauma, assisted visiting scholars, and began a three-month training at a torture treatment center in the United States.

The Film team video taped ECCC proceedings and field trips by the Public Information Room and the Victim Participation Project. It also finished production on a short film called “Preparing for Justice,” which documents visits by villagers to Tuol Sleng, Choeung Ek, and the ECCC courtroom with the Living Documents Project. It is available at <http://www.dccam.org/Archives/Films/Films.htm>. The team continued its work on two additional documentaries: one about a Cham Muslim widowed during the DK-era and one about *Renakse* petitioners who are filing victim participation complaints with the ECCC.

Research, Translation and Publication

Dara Vanthan and Khamboly Dy finished translating The Khmer Rouge Tribunal, edited by Senior Legal Advisor John Ciorciari, from English into Khmer.

Staff continued ongoing research on the history of the Tuol Sleng Genocide Museum and the critical ethnography of education in the highlands of Cambodia and Vietnam.

Magazine, Radio and Television

Because ECCC proceedings are now underway, this quarter the Magazine team continued to provide increased coverage of ECCC developments.

National and International Cooperation

The Center’s staff participated in a large number of NGO meetings related to victim participation and other Court-related issues. Oral History Team Leader Farina So and Director Youk Chhang participated in international conferences in Bangladesh and Sweden addressing topics relating to the documentation of serious international crimes.

1. THE KHMER ROUGE TRIBUNAL: ACTIVITIES AND EVENTS

1) General News

ECCC Co-Prosecutors File Supplementary Submission with Co-Investigative Judges

In March, the Co-prosecutors filed a supplementary submission calling for new investigations into the responsibility of the five charged persons for crimes against humanity (unlawful detention, inhumane conditions, forced labor, torture, and extrajudicial executions) committed at an additional security center. The submission does not name any new accused.

ECCC Seeks Almost \$114 Million in New Funding

Court donors considered a request for almost \$114 million US dollars of new funding that would extend the Court's operation through the beginning of 2011. Combined with the original \$56.3 million 3-year budget, the increase would raise the total Court budget to around \$170 million.

Results of ECCC Human Resources Management Review Released

In February, an assessment of the Cambodian side's human resource management policies and practices was initiated by the ECCC Project Board. In March, the Board announced that "no substantial shortcomings are reported and human resource practices in their current state are of an acceptable standard." Nevertheless "there is still a degree of capacity building necessary." The full results of the report will be released in April.

Nuon's Provisional Detention Appeal Hearing: Civil Party Participation Upheld

On February 7-8, the ECCC Pre-Trial Chamber held a hearing on Nuon Chea's appeal of his provisional detention. Nuon's attorneys argued that (1) Nuon had not validly waived his right to counsel at his initial appearance, (2) the four civil parties taking part in the appeal hearing did not have an interest in the specific legal issue at stake, and (3) there were



Nuon Chea Appeal Hearing

insufficient facts to find that provisional detention was necessary to prevent public disorder, danger to Nuon, interference with witnesses, or to ensure Nuon's appearance at trial. Five *amicus curie* briefs, including one by DC-Cam Legal Advisor Anne Heindel, were submitted on these issues. Two decisions were issued on March 20th. In their first decision, the judges dismissed Nuon's appeal, finding that his right to counsel had not been violated and the grounds for his provisional detention had been satisfied. In their second decision, the judges held that civil parties may participate in provisional detention appeals hearings.

OCIJ Holds “Reenactment” at Tuol Sleng and Choeung Ek

Former S-21 head Kaing Guek Eav, also known as Duch, returned to Tuol Sleng prison and Choeung Ek killing fields for the first time in almost 30 years for a “reenactment” for the Co-Investigative Judges intended to encourage him to explain past events. Controversy developed after it was revealed that, although the “press” had been excluded from the event, two private French filmmakers were allowed to document the proceedings.

DC-Cam Sponsors Discussion Between Journalists and ECCC

On March 7, DC-Cam sponsored a public discussion between Club of Cambodian journalists and representatives from the Office of the Co-Investigating Judges on press freedom and confidentiality at the ECCC. The meeting was held in response to concerns raised by journalists about restrictions placed on their coverage of Court proceedings, including the Tuol Sleng “reenactment.” A follow up discussion including representatives from additional offices of the Court will be held in May. See Letter to the Editor, *More Transparency Needed at ECCC* by Long Panhavuth, Phnom Penh Post vol. 17, no. 8, at 15 (Apr. 18-May 1, 2008).

Internal Rules Amended to Ensure that a Decision Is Taken at the End of Court Proceedings Regarding the Disposition of Original Documents Used As Evidence

From January 28-February 1, the ECCC judges meeting in plenary adopted a judicial code of conduct and revisions to the Court’s Internal Rules. Responding to DC-Cam’s concerns that there was no language in the Rules addressing the return of original documents at the end of ECCC proceedings, the Office of the Co-Investigating judge proposed the inclusion of two provisions requiring that “necessary decisions concerning sealed items” be taken after closing orders or judgment. According to the OCIJ, “sealed” items include all original documents used as evidence. Both amendments were adopted.



New Postings on Cambodia Tribunal Website (www.cambodiatribunal.org)

New postings to the Cambodia Tribunal Website include 10 videos files of Noun Chea's pre-trial appeals hearing on February 7-8, 2008, one video of the Pre-Trial Chamber's announcement of its decision on the Noun Chea's appeal, and one video of the ECCC Peace March held in Phnom Penh on December 25, 2007.

Over 80 Foreign Law Students Apply to Be DC-Cam Summer Associates; Six Cambodian Students Join DC-Cam as Volunteers

Six local Cambodian law and English students started volunteering at the Center this quarter. Also, over 80 foreign law students from schools in the United States and

Canada applied to work as volunteer legal associates with the Centers' Legal Response team and Victim Participation Project in summer 2008. These included students from UC Berkeley, Brooklyn, Columbia, Duke, Fordham, Georgetown, Harvard, Michigan, Northwestern, New York University, Osgoode Hall, Ottawa, Pittsburg, Rutgers, Santa Clara, Seattle, Temple, Tulane, UCLA, Washington College of Law, and Yale.

2) Legal Response Team

Documents Provided to the ECCC

This quarter the Legal Response team provided documents to the ECCC at the request of the Office of the Co-Prosecutors Office (OCP), the Office of the Co-Investigative Judges (OCIJ), the Defense Support Section (DSS), and the Victims Unit. In February, an investigator with the OCIJ requested the color scanning of 1,510 original documents, which required the assistance of two staff members full time for one week. Twice this quarter the team hosted three defense counsel and DSS staff for a full day at the Center so they could research the archive on-site. In March, three OCP investigators spent four days at the Center, during which time team leader Dara Vanthan devoted full time to assisting their research and provided them 3,514 documents to examine. In addition to responding to requests from the main ECCC offices, at the request of the Victims Unit the team found documents supporting a civil party application. DC-Cam further assisted the ECCC by translating a list of S-21 prisoners from Khmer to English.

| Documents Provided to the ECCC, Quarter 1 | | | | |
|--|----------------|-----------------|--------------|--------------|
| | January | February | March | Total |
| Number of requests | 2 | 5 | 9 | 16 |
| Pages of documents | 33,557 | 54,648 | 1721 | 89,926 |
| CDs of photographs | 0 | 134 | 0 | 134 |
| Film DVDs | 0 | 0 | 2 | 2 |

Assistance to the Public and Media

The Legal Response team provided two individuals — one from Phnom Penh and one from Banteay Meanchey province — with 1,141 pages of documents relating to relatives they lost during the Khmer Rouge regime. One later phoned to say that after reading the documents he felt tremendous relief from the harrowing feelings still haunting him from long ago. The team also assisted the Khmer Institute of Democracy (KID) in determining that documents supporting a civil party application could be found at Tuol Sleng Museum. In addition, Legal Advisor Anne Heindel assisted Shannon Hiller of the University of Georgia with her honors thesis on the Court.

In March, DC-Cam met and provided numerous documents to two former social workers from the United States visiting Cambodia for the first time. In 1975 the two women assisted 114 Cambodian soldiers and some family members (121 persons in all) who were in the US for military training during the change of regime. Concerned

about the security of their families and missing their homeland, the group rejected offers of refugee status and instead demanded to be repatriated. After more than a year the DK regime gave them permission to return to Cambodia, which they did in the spring of 1976. DC-Cam records indicate that all of those repatriated, including women and children, were killed by the Khmer Rouge, some after being detained and tortured at Tuol Sleng.

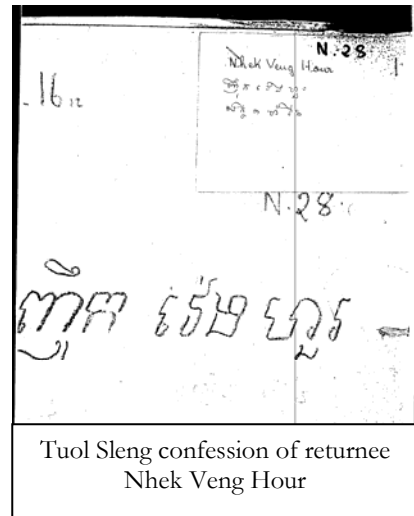
Other Activities

January highlights. Response Team Leader Dara P. Vanthan and Senior Legal Advisor John Ciorciari received 15 legal interns from the ECCC and provided them with an overview of how DC-Cam works and cooperates with the ECCC. Legal Advisors Anne Heindel and John Ciorciari met with Bill Smith in the

OCP, Helen Jarvis in Public Affairs, and Rupert Skilbeck in the Defense Support Section to discuss issues related to cooperation between the Center and the Court and also to tell them about the Center's new Victim Participation Project. The team also met with the Deputy Head of the Victim's Unit (VU), Gabriela Gonzalez-Rivas, and VU Outreach Officer Andrea Gros. In response to a request from the OCP, Legal Advisors Anne Heindel and John Ciorciari provided the office with draft letters of acknowledgement for ECCC complainants.

February highlights. Legal Advisor Anne Heindel submitted two *amicus curie* or "friend of the court" briefs to the ECCC Pre-Trial Chamber, which were translated into Khmer by Terith Chy. The briefs concerned Ieng Sary and Nuon's appeals against their provisional detention. In the *Ieng* case she argued that if Ieng's health condition is not untreatable and imminently terminal he should not be released from the ECCC detention unit and placed under house arrest on this basis alone. In the *Nuon* case, she responded to the Court's request for information addressing the balance between the rights of the Charged Person to a fair trial and the rights of the Civil Parties in the context of the ECCC Internal Rules.

March highlights. The team provided the Rules and Procedure Committee with a proposal for amending the Internal Rules to make clear what procedures govern how original documents are cared for by the Court and who has the responsibility for enforcing such procedures until a decision is made by the Court about their return. At the moment, the Rules make the Office of Administration generally responsible for "the preservation, storage and security of evidence." However, original case files may be stored in the responsible Greffier's office, in a Co-Prosecutor or Co-Investigative Judge's office, "or in any room of the ECCC with sufficient security conditions." From these provisions it appears that multiple offices may have responsibility for the care of documents in the case file during the course of the proceedings, increasing the likelihood that different procedures will be followed by different offices and that documents may be mishandled or lost. The team met with officials from the OCP and the Court Management section to discuss their concerns and is working with these offices to find an appropriate solution.



3) Victim Participation Project (VPA)

The Victim Participation Project (VPA) formally launched in January. The project objective is to assist at least 10,000 survivors of Democratic Kampuchea in filing out victim participation requests (either criminal complaints or civil party applications) with the ECCC during 2008. The Center views this activity as helping ordinary Cambodians to participate in the process of bringing the leaders of Democratic Kampuchea to a formal legal accounting. Equally important, the Center seeks to reactivate the informal “truth commission” that was begun during the early 1980s with collection of information about crimes committed against over one million Cambodians in the *Renakse* petitions.



In January DC-Cam hosted three volunteer Harvard Law students — Andrew Steinman, Padriac Glaspy, and Neil Shah Pai — to assist the startup of the project. During their three weeks at the Center the students developed an interview manual for staff, held a staff training to review interview techniques, and wrote an article for *Searching for the Truth*.

In March VPA team members visited several provinces to follow up with four individuals who, while participating in a Living Documents ECCC tour, found photos of relatives detained at S-21. The team also made a three-week field trip to Kampong Thom province where they met with survivors, informed them about their ECCC participation rights, and assisted them in completing the victim participation form. While in Kampong Thom the Victims Unit asked the team to meet with a civil party applicant to inform her about available protective measures. The team then drafted a letter to the Unit on her behalf. A full account on this trip prepared by Team Leader Terith Chy and Fellow Sarah Thomas is included in this report as an **appendix**.

The team also met with a number of relatives of individuals killed at Tuol Sleng, four of whom filed applications requesting to participate in Court proceedings as civil parties.

| DC-Cam Assistance to Date in Assisting Victims in Filing Complaints | | | |
|---|--------|--|---|
| Month | Number | Complainants | Location(s) |
| January | 28 | Various | Various |
| February | 0 | | |
| March | 321 | Various, relatives of Tuol Sleng victims | Kampong Thom, Svay Rieng, Kampong Chhang, Takeo, Kandal |
| Total 2008 | 349 | | |
| Total 2007 | 459 | | |
| Total to date | 808 | | |

This quarter Sok-Kheang Ly shared his experiences collecting victim complaints with ECCC outreach officer Andrea Gros and a KID researcher. Topics of discussion included how DC-Cam works in villages, how it collects complaints, and what problems it has faced.

The team also met with Gabriela Gonzalez-Rivas, Deputy Head of the Victims Unit (VU), to discuss procedures related to Victim Participation applications. The VU was interested in how DC-Cam can assist survivors by providing supporting information for applications, in particular requests for civil party status. The Center agreed to train VU staff, victims counsel, and NGO staff how to use the Center's electronic database to facilitate this process. The VU is also interested in working with Center to pro-actively seek out survivors who may qualify as civil parties to let them know about this opportunity. The VU indicated that they will likely need the Center's assistance in delivering responses to complainants about the status of their application.

2. DOCUMENTATION

1) Cataloging and Database Management

This quarter the team continued cataloguing and keying into the MySQL biographical database the 15,018 documents, consisting of 52,609 pages, received from the University of Lund in February 2007.

| Database Management Activities, Quarter 1 | | | |
|--|---|----------------------------------|-------------------|
| Month | Activity | Documents | Number of Records |
| January | Keying documents | Swedish documents (D Collection) | 774 records |
| | Cataloging | Swedish documents (D Collection) | 1076 worksheets |
| | Listing Documents | D Collection | 650 records |
| February | Keying documents | Swedish documents (D Collection) | 607 records |
| | Cataloging documents | Swedish documents (D Collection) | 895 worksheets |
| | Listing documents | D Collection | 448 records |
| March | Keying documents | Swedish documents (D Collection) | 426 records |
| | Cataloging | Swedish documents (D Collection) | 924 worksheets |
| | Listing documents | D Collection | 650 records |
| Total 1st quarter | 1807 records keyed, 2895 worksheets catalogued, 1748 documents listed | | |
| B Collection: Confessions from S-21 (Tuol Sleng Prison). BCB Collection: Books written by foreign scholars on Khmer Rouge history or acts of genocide in Cambodia. D Collection: Confessions; Khmer Rouge notebooks, biographies, and execution logs; interviews with former Khmer Rouge; books and articles, and post-1979 documents on the Khmer Rouge. The keying of this collection is somewhat behind schedule owing to the completion of work for the | | | |

| Database Management Activities, Quarter 1 | | | |
|--|----------|-----------|-------------------|
| Month | Activity | Documents | Number of Records |
| ECCC this quarter. Work on this collection also included editing spellings in both Khmer and English, and translation. | | | |
| J Collection: Confessions from S-21 (Tuol Sleng Prison). | | | |
| L Collection: Intelligence documents from the Lon Nol regime. | | | |
| R Collection: Post-1979 petitions from the Cambodian people to the United Nations detailing atrocities committed by the Khmer Rouge. The Access listing of this collection has proceeded as planned and is now complete. English and Khmer spellings were also corrected for the Access list. | | | |
| S Collection: Interviews conducted by student volunteers. | | | |
| Y Collection: Biographies of S-21 prisoners and government leaders during Democratic Kampuchea, collected from books and periodicals. | | | |

2) Microfilming

All of the documents microfilmed this quarter were cross-checked and sent to DC-Cam's office at Rutgers University.

| Month | Activity | Documents | Number of |
|-------------------------------------|-----------------|--|-----------|
| January | Microfilming | D Collection | 10 reels |
| February | Microfilming | D Collection | 12 reels |
| | Developing film | D Collection | 14 reels |
| March | Microfilming | D Collection | 8 reels |
| Total 1st quarter | | 30 reels microfilmed; 14 reels developed | |

3) Exhibitions

Tuol Sleng Genocide Museum

This quarter the Museum team, with assistance from volunteer Olivia Altaras and Fulbright Fellow Sarah Dickens, began organizing a new exhibition at Tuol Sleng Genocide Museum called "Reflections: Democratic Kampuchea and Beyond," which is scheduled to open April 17th. The exhibition, which will be housed in three buildings, aims to take museum visitors on an historical-visual journey starting on April 17, 1975, when the Khmer Rouge entered Phnom Penh and ending in the present day. The exhibition features photographs taken from the DC-Cam archives and showcases excerpts from its previous publications *History of Democratic Kampuchea*, *Stilled Lives*, *Vanished*, *Victims and Perpetrators*, and *the Night of the Khmer Rouge*. The visual documents placed upon the walls give insight into life during Democratic Kampuchea; the torture, execution, and killing in the prison systems; the finding and excavation of countless mass graves; the various ways Cambodians have sought to remember and memorialize the victims; and the ongoing process of and search for justice.

1097 people wrote comments in the Tuol Sleng photo exhibition book this quarter.

Selected comments:

I would like to say it's so hurt to join here the first time. I nearly don't believe myself that Cambodia has ever had that civil regime. I just wish and hope that it's the first and the last time that Cambodia face that regime.

- Srey Lin, Cambodia

We are naive to these kinds of problems facing the world today. Thank you Cambodia for opening up my eyes to a harsh reality. Maybe one day we will all see at last peace world wide.

- Nicol, Canada

Please remember the action at that time, it is cruel for Cambodian. They are so cruel, I don't understand why they kill Cambodian like animal. They don't pity we're a person, and they are a person why! please the god bringer lucky and help Cambodia.

- Kally, Cambodia

I feel a sense of anger, rage and great sadness too. What is happening in Darfur in Sudan should be seen as a similar slaughter of people by a government. The lessons learned in Germany and Cambodia should spur us all into action that will end genocide no matter how difficult it may be to stop.

- Henry

Other Activities

In January the team met with a manager at Meta House for information about how the art space organizes its exhibitions, such as the recent "Art of Survival."

3. PROMOTING ACCOUNTABILITY

In January and February the PA team reviewed and made lists of 443 biography owners from Kandal, Siem Reap, Kampot, Takeo, and Kampong Thom provinces who are still alive but have not yet been interviewed by the team because they have either moved or are otherwise unreachable.

From March 10-28, PA staff members Soheany Hin, Vannak Sok, and Chhay Khin joined the Victim Participation (VPA) Project field trip to Kampong Thom province. Together they helped 104 victims file victim participation applications with the ECCC.

The team continued its investigation of six complicated cases at S-21 involving foreign victims by interviewing former security guards and some former navy cadres who served as soldiers in Division 164.

This quarter the team also prepared a questionnaire for a pilot project beginning in May. The aim of the project is to locate former cadres and soldiers in the Khmer Rouge stronghold of Anlong Veng who helped or saved the lives of "new people."

4. PUBLIC EDUCATION AND OUTREACH

1) Living Documents Project

In February the Living Documents Project, working closely with the Cham Muslim Oral History Project, coordinated the attendance of villagers from 7 provinces at ECCC hearings on Nuon Chea's provisional detention appeal. In preparation for the first day of hearings, Team Leader Sok-Kheang Ly spoke to 50 villagers about the personal history of Nuon Chea, his activities before 1975, his role in the regime and the issues surrounding the pending appeal of his provisional detention order. Deputy Director Dara Vanthan explained the rights of the defendant, the structure of the Court, and what the participants could expect to see at the hearing. After viewing the DC-Cam-produced documentary *Behind the Walls of S-21*, the participants asked questions for almost two hours.

Participants also received a briefing on the role victims will play in Court proceedings and had an opportunity to receive assistance in completing the victim participation form. Each village and commune chief was also given 5 forms to take home in case any individuals in their community wish to complete the form for themselves. Three reporters from *Searching for the Truth* Magazine documented the participants' views before they viewed the pre-trial hearings and also interviewed them as they filled out the victim participation forms.

| Living Documents ECCC Tours to Date | | | |
|-------------------------------------|----------------------|------------------------|--|
| Session Number | Dates | Number of Participants | Composition of Group |
| | January | | (No Court proceedings held) |
| 9 | February | 160 | Villagers from Kampong Thom, Banteay Meanchey, Siem Reap, Takeo, Kandal, Kampong Chhnang, Kampong Speu |
| | March | 0 | (No Court proceedings held) |
| | 2008 | 160 | |
| | 2007 | 1,209 | |
| | 2006 | 5,169 | |
| | Total to Date | 6,538 | |

2) Cham Muslim Oral History Project (CMOHP)

As discussed above, in February the Cham Muslim Oral History project worked with the Living Documents project to coordinate the attendance by 50 villagers at ECCC hearings on Nuon Chea's provisional detention appeal.

This quarter team leader Farina So provided Mr. Samoeun Yem of Montreal's Concordia University Research Alliance (CURA) Oral History Project with information and materials about her experiences researching the Cham Muslim community. She also met with Gabriel Dattatreyan, who works with troubled Dominican and Caribbean youth in New York and develops curriculum for them to develop self-

esteem and self-knowledge. Ms. So was interviewed about her project by Dr. Rosenau from the RAND Corporation based in Washington D.C. Ms. So and Racy Peng Pong conducted a visit to Krasaing Roleung primary school, where they met Andrew Echenberg, who is heading a foundation assisting the school. They will assist his efforts to improve the quality of education for the school's 180 students from grades 1 to 6.

Ms. So collected almost 20 documents and books on oral history, women and gender, Islam, globalization, for a monograph she is writing on Cham Muslim women. She recruited four volunteers to help transcribe recordings of her interviews. 60 interviews were transcribed and 40 were summarized into English.



At the invitation of Sre Prey village, Kampong Chhnang, DC-Cam staff joined the Imam Sann community's celebration of Mawlid, a commemoration of Muhammad's birthday. Members of the community created "trees" of various sizes made cakes, flowers, and money and carried them to the mosque for the celebration.

Mawlid Celebration Sre Prey village
photo by Sayana Ser

3) Public Information Room (PIR)

Activities in Phnom Penh

This quarter the Public Information Room received 304 visitors, both individuals and groups, who read documents, watched films, interviewed staff members, requested books and magazine, filled out ECCC complaints, and toured the Center.

Selected Visitors to the PIR in the First Quarter

Students: Vientiane College, Royal University of Fine Arts, Royal University of Law and Economics, Royal University of Phnom Penh, Institute for Foreign Languages, National University of Management, Concordia University, Sophia University, National University of Singapore, University of Marburg, University of New Mexico, University of Potsdam

NGOs: Prascati Theatre Amsterdam, AMRITA, META House, Youth Resource Development Program, International Center for Transitional Justice, Open Society Institute

International Organizations: UNDP, UNESCO, ECCC

Media: Baltimore Sun, JuWent, Reaksmey Kampuchea, Koh Santepheap, Al Jazeera, ARD German TV, Internews Networks, Radio Free Asia, and Reuters TV

Government: Representatives of the United States, Canada, Netherlands, Germany, Norway, the Philippines, Belgium, and Singapore

January highlights. Sina Truong came to the PIR to research a novel about the KR, Yong Chan Bondith researched the administrative and military management of the KR regime, and Sosamrach researched gender-based violence. Members of the American Friends Service Committee came to learn about the Center and its projects.

February highlights. Maria Bakkacapul of Time Magazine researched traditional Khmer music and history. Forty Norwegian students studying to be high school teachers spoke to Director Youk Chhang about the role of religion in helping people feel reconciled after the KR regime. The visit by this group was arranged by Kjetil Grørdum, a research coordinator from Norway's Stiftelsen Arkivet who was based at the Center this quarter to conduct research for his PhD on DC-Cam.

March highlights. Six researchers requested documents and photos related to their work on topics including Pol Pot and the Cold War, women and minors imprisoned in the DK, and the ethnic identity of DK victims. Sayana Ser spoke to 15 students from the University of Marburg about DK history and DC-Cam's work. Sok-Kheang Ly gave 10 German reporters a tour of Tuol Sleng. The reporters also interviewed him for German radio and TV stations. A forensic anthropologist from the International Criminal Tribunal for the Former Yugoslavia (ICTY) conducted comparative research at the Center for several weeks on questions related to an upcoming ICTY trial. Sayana Ser began planning a Genocide Educational Tour with the aim of showing a small number of select visitors an alternative side of Cambodia focusing on rarely seen genocide sites around the country. Tours are intended to take place twice a month.

PIR Road Trips

| Month | Province/Districts | Participants |
|----------|--|--------------|
| January | Stung Treng | 250 |
| February | Svay Rieng | 50 |
| March | Kandal, Takeo, Svay Rieng, Kampong Chhnang, Kampong Thom | 300+ |

Activities in the United States

In February, the new Rutgers University Center for the Study of Genocide and Human Rights (CGHR) launched its inaugural speaker series in conjunction with the University's Division of Global Affairs and DC-Cam Rutgers. The series invites human rights activists and noted scholars to discuss a variety of issues surrounding genocide and the Holocaust.

DC-Cam Rutgers and CGHR are in the final stages of turning DC-Cam microfilm into digital images. They are also collaborating on the development of two new projects. The first is the "Cambodia Genocide Memory Project," which is intended to "explore both the origins and dynamics of the Cambodian genocide as well as the ways in which Cambodians have remembered, coped with, and sought truth, justice, and reconciliation after the Khmer Rouge atrocities." The second is a speaker series on "Genocide, Memory and Justice." This series is intended to be

implemented in a period of three years and would invite experts, genocide scholars and noted activists to come to Rutgers Newark for discussions on these themes.

4) Student Outreach

Student Outreach team leader Sayana Ser prepared for an April 17th tour by almost 500 Cham Muslim students from the Cambodia Islamic Orphanage Center in Choam Chao to Choeung Ek, Tuol Sleng, and the ECCC.

5) Film Project

This quarter the film team continued its work on two documentary films. Team members Pivoine Beang and Bunthy Chey are in pre-production on a film showing the role of women during the Democratic Kampuchea era, focusing on Cham Muslims whose husbands were killed by the Khmer Rouge and had to raise their surviving children alone. The film will tell the story of a widow who lives along Tonle Sap Lake and has struggled to feed her children since the collapse of the Khmer Rouge Regime. Ratanak Leng and Faily Sa are making a film about *Renakse* petitioners who are filing complaints at the ECCC.

January Highlights. The Film team finished production of "Preparing for Justice," which documents the experiences of villagers visiting Tuol Sleng, Choeung Ek, and the ECCC courtroom as part of the Living Document Project. They are seeking permission from the Ministry of Interior to show this film in the provinces. The team traveled to Stung Treng with the PIR team, where they provided villagers with a short introduction to the history and activities of DC-Cam and described the latest developments at the ECCC. They showed villagers the films "Behind the Walls of S-21: Oral Histories from Tuol Sleng Prison" and "Khmer Rouge Rice Fields: The Story of Rape Survivor Taing Kim" and distributed two-hundred copies of *Searching for the Truth*, one-hundred copies of ECCC booklets, and one-hundred ECCC Victim Participation Forms. Additionally Ratanak Leng conducted research for upcoming projects by HBO film production and CNN.

February Highlights. In February the Film team was asked for assistance by two American documentary film makers working on projects related to the Khmer Rouge. The team also filmed the visit by 50 villagers to DC-Cam to learn about filing ECCC complaints and their subsequent trip to the ECCC to watch Nuon Chea's provisional detention appeals hearing. The *Nuon* hearing footage is posted on the *Cambodia Tribunal Monitor* website (www.cambodiatribunal.org).

March Highlights. In March the team recorded the Pre-Trial Chamber's announcement of its decision on Nuon Chea's detention appeal, which was then posted on the *Cambodia Tribunal Monitor* website. Members of the film team spent 20 days with the Victim Participation Project in Kampong Thom province. The team filmed 65 video interviews with survivors, including their personal accounts of the Democratic Kampuchea period and their opinions on justice and reconciliation. All these interviews will be added to the Center's video archive. In addition, the team

will select some of the interviews for inclusion in their new documentary film on victim participation.

| Film Screenings | | |
|-----------------|--|------------------|
| | Organization | Number Attending |
| January | Stung Treng, private individuals | 252 |
| February | Meta House, villagers attending Nuon Chea pre-trial detention hearing, private individuals | 71 |
| March | Kampong Thom | 300 |

6) Family Tracing

Vathana Chy, who lives in the United States, asked *Searching for the Truth* to publish an announcement asking for information about her father, a professional badminton player, who was lost when the Khmer Rouge took over the country in April 1975.

Dauk Tab, from Sa-Ang district in Kandal province, requested the magazine to publish an announcement that she is looking for her husband, a former Lon Nol soldier who was arrested in late 1978. Tab does not expect that her husband is alive, but decided to visit DC-Cam and ask for information after her son listened to the DC-Cam radio program. Unfortunately we found no information for her in the document archives, but we were able to print her information in the magazine.

7) Victims of Torture Project

In January the VOT team conducted 30 follow-up interviews in Kandal, Takeo and Kampot provinces with identified victims of trauma who have been referred for psychological support to both the Transcultural Psycho-Social Organization (TPO) and the government's mental health services. The team also traveled to Kandal and Siem Reap with freelance artist Jane Arnfield and Fulbright scholar Sarah Dickenson to facilitate meetings with Khmer Rouge prison survivors.

In February, two members of the VOT began a three-month training program at the Torture Treatment Center of Portland Oregon, USA. Team member Sokoeun Kong prepared documents for hospitals, worked on treatment contracts, and followed up with clients in Kandal and Takeo provinces.

Each month the team participates in a one-day training of Trauma Healing Initiatives at TPO.

8) Website Development (www.dccam.org)

Selected New Postings

New items added to DC-Cam's website this quarter include:

- Commentary: Whether the US Should Provide Funds Directly to the ECCC by Youk Chhang
<http://www.dccam.org/Tribunal/Analysis/Youk%20US%20Funding%20ECCC.pdf>
- Updated List of DK Films
http://www.dccam.org/Archives/Films/KR_Film_List_Updated_Jan_2008.pdf
- DC-Cam 2008 Work Plan
http://www.dccam.org/Abouts/Annual/DCCam_2008_Work_Plan_Final.pdf
- 2008 Staff List
<http://www.dccam.org/Abouts/Staff/DCCAM%202008%20Staff%20FINAL1.pdf>
- 2008 DC-Cam Organizational Chart
http://www.dccam.org/Abouts/Staff/DCCAM-org%20chart_chart3.pdf
- New DC-Cam Brochure
http://www.dccam.org/Abouts/Brochure/pdf/DCCAM_brochure.pdf
- *Searching for the Truth*: English version 4th Quarter 2007
http://www.dccam.org/Projects/Magazines/Image_Eng/Fourth%20Quater%202007.pdf
- DC-Cam Annual Report 2007
<http://www.dccam.org/Abouts/Annual/DCCAM%202007%20Annual%20Report%20Final.pdf>
- DC-Cam Road-Trip Film Screening
http://www.dccam.org/Projects/Living_Doc/DC-Cam_Road_Trip-Film_Screening_Final.pdf
- Updated list of Tuol Sleng Prisoners 1975-78
<http://www.dccam.org/Archives/Documents/Confessions/pdf/TSL%20List%20of%20S-21%20Prisoner%20Confessions%201975-1978%20Khmer.pdf>
- Updated statistics of ECCC Participants
http://www.dccam.org/Projects/Living_Doc/Statistics_of_ECCC_Participants_17032008.htm
- Mawlid Celebration Photos in Kampong Chhnang
http://www.dccam.org/Projects/Public_Info/Malud/index.htm
- Article by Sok-Kheang Ly about film screening in Svay Rieng province, "Conveying History to Young People."
http://www.dccam.org/Projects/Living_Doc/PIR_Road_trip_report_to_Svay_Rieng_Feb_24-26-08.pdf

5. RESEARCH, TRANSLATION, AND PUBLICATION

1) Historical Research and Writing

History of Tuol Sleng Genocide Museum

Nean Yin continued researching documents for a forthcoming Tuol Sleng history monograph. This included searching weekly reports of museum staff from 1979 to 2001, photographs of staff activities, and the museum's internal rules.

The School As a Site for Contested Subjectivities: A Comparative Research of Critical Ethnography of Education in Multi-Ethnic Highlands of Cambodia and Vietnam

Between January 29 and February 4, Dany Long, Vannak Sok, Sotheany Hin, and Kunthy Seng conducted comparative research at 8 different school sites within four districts in Mondulkiri: Sen Monorom, Pich Chreada, Oraing and Keo Seima. They interviewed teachers, students, parents, and other members of the community. Details of this trip are available in a 154-page Khmer language field trip report and a 88-page English language report. This work was conducted as part of an ongoing project by independent scholar Dr. Truong Huyen Chi and Dany Long of DC-Cam to compare education of the Phnong ethnic group in Cambodia's Mondulkiri province and Vietnam's Dak Nong province.

2) Translation and Publication of Foreign Books

This quarter Dara Vanthan and Khamboly Dy finished translating The Khmer Rouge Tribunal, edited by John Ciorciari, from English into Khmer. Terith Chy is translating Getting Away with Genocide by Tom Fawthrop and Helen Jarvis. Socheat Nhea is translating Hill Tribes under the Khmer Rouge by Sara Com & Sorya Sim.

3) Print Shop

The Print Shop produces 7,050 copies of the Khmer edition of DC-Cam's magazine, *Searching for the Truth*, each month and 900 copies of the English edition each quarter. Team members distribute Khmer copies to embassies, libraries, ministries, the National Assembly and Senate, NGOs, and high schools. The magazine is also sent by taxi to 19 provisional and 2 city halls.

6. MAGAZINE, RADIO, AND TELEVISION

1) The Magazine Project

This quarter the magazine team produced three Khmer-language editions (#97-#99) and one English-language edition (first quarter 2008) of *Searching for the Truth* magazine. Each month the magazine receives letters from people in Cambodia and around the world sharing their experiences during the DK era, looking for missing family, and commenting on topics raised in the magazine.



In January, Ms. Hav Sophea, living in Kampong Thom province, sent *Searching for the Truth* a letter telling the story of her family. She was born in 1976 when the country was under the control of the Khmer Rouge:

My father was a unit chief in K-92 for Sau Phim, an Eastern president in Democratic Kampuchea. When the Khmer Rouge came to power, my father brought my mother into the city to continue serving the Angkar. At the time my mother was pregnant with me. My father served the revolution until January 15, 1976, when he and his coworkers were arrested after Sau Phim and other high leaders were taken away. My mother still remembers my father's last words to her, "They give me permission to build a house. I will come for you after I finish building it." My father told my mother to take care of her health. After that my mother never saw him again. I was born three months later, near the time Angkar told my mother that my father had been killed. My mother was nervous and her health was weak after she got the news about my father. Later, she was evacuated to Kampong Cham and forced dig 30 holes per day to plant banana trees.

On victory day, January 7, 1979, my mother and I returned to our homeland. My mother never forgot my father; she looked for information about him through people who knew him, but she was never able to learn anything. In 2006 I visited my relatives in Phnom Penh. My sister's cousin told me that the Documentation Center of Cambodia had found a document at Tuol Sleng (S-21). It was so terrible to hear that. I went back to my home and told my mother about it. My mother whimpered. One month later, she visited DC-Cam and Tuol Sleng Museum. She hurried toward Building B with the document that we got from DC-Cam. She saw the place where my father died unfairly. Thus, it is time that Cambodians receive justice for their relatives who died in the regime. The top leaders must show the truth and recognize what crimes they have committed.

In February, Pang Chorn, a farmer in Kampong Speu province, wrote the magazine about the loss of his brother-in-law and sister:

My brother-in-law was tending buffalos and plowing. One day, when the buffalos were plowing, one buffalo lay down. He took a stick and pushed it violently. A spy saw this and turned him in to the Angkar. The spy ordered security guards to take my brother-in-law away and prevented him from seeing his wife, who just gave birth to a baby at the hospital. My brother-in-law knew that he would be killed because people who worked with him had disappeared one by one. When the security guard walked him past a tree my brother ran and grabbed it. He refused to go voluntarily so they beat him to death. Then they took my sister from the hospital, and prevented her from meeting her husband. My sister was with her baby and her daughter, who was seriously ill. Because my niece could not walk long distances, the security killed my sister near the hospital and left my two nieces there. Afterward, my mother's heart was broken and she cried all the time. My father comforted my mother and told her to stop weeping with regret but the Khmer Rouge accused him of being a betrayer. Luckily, he wasn't killed. Since then my mother got seriously ill and passed away. After 1979 My father became a monk.

In March, Vanden Phy wrote an appeal in support the ECCC proceedings:

On behalf of victims, I strongly support the ECCC process that is developing day-to-day and I support the legitimate standards of the law even though the ECCC is now faced with a budget shortage and other problems like the appeals of the provisional detention orders for Nuon Chea and Ieng Sary.

The Khmer Rouge Tribunal, which follows legitimate standards of justice, gives the defendants the opportunity for a good defense by allowing lawyers to protest some points that they think do not conform to the law or related rules of detention. I support this and agree that the charged persons are provided with the appropriate level of justice, that they are detained in good cells that meet the standards of legitimacy for international law, and also that their health is cared for — ironically better than the people lived in their regime during 1975-1979.

Injustice makes victims, whose feelings have been bottled for a long time, get angry again in order to demand justice. What is the justice that people want? The truth is the answer that most survivors give. They only want to see fair results at the trials of the five former Khmer Rouge leaders. This will give survivors reconciliation.

...My thinking is that the truth is available of each individual. I wish for the truth not to disappear. ... I would like to re-appeal to all of the charge persons, please be brave and show the truth in order for the world and Cambodian population to understand what the Khmer Rouge leaders did during the regime.

Also in March, Hens Koch sent an e-mail from Berlin sharing his reactions after reading about the Tuol Sleng confessions of his friends Mel Sovann and Lam Liri in the Special English Edition Third Quarter 2006 edition of the magazine. He says in part,

[T]he latest issues of Searching for the Truth helped the Cambodian people, both those who live overseas and those who live in more remote areas of Cambodia. Our work helps people remember what their lives were like during the Khmer Rouge regime and, also helps them learn about what happens in the ECCC proceedings, which are attempting to bring justice.

Some highlights from the Khmer and English editions of the magazine this quarter include:

| Section | Article |
|--------------------------|---|
| Editorials | Nine Questions and Answers about the Future Southeast Asian Genocide Research Center |
| Letters from Youk Chhang | Whether the US Government Should Provide Funds Directly to the Extraordinary Chambers in the Courts of Cambodia |
| Documentation | Escape to Preah Vihear Province |
| History | Nhoek Ly: A Former Odombang and Snoeng Commune Chief Chan Ray Doesn't Want Revenge, He Wants Justice |
| Legal | The Need for an Institutional Safeguard to Enforce an Express Code of Judicial Conduct for the Extraordinary Chambers in the Courts of Cambodia |
| Public Debate | Thoughts on the Public Announcement of On-Site Investigations at Choeng Ek and Tuol Sleng, Including "Re-enactment" of Crimes |
| Family Tracing | I Don't Want to Be Reminded and See, but I Am Watching |

2) Radio Broadcasts

We are continuing to cooperate with FM 103 in Kampot province, which is broadcasting selections from History of Democratic Kampuchea in the morning and

from Journey to Freedom and *Searching for the Truth* magazine in the evening. In January we stopped broadcasting on F102 after learning the station is now working on its own Khmer Rouge history program.

3) Television

This quarter Youk Chhang and Dara Vanthan were interviewed on Cambodian national station TVK's "Equity Weekly" program about the Extraordinary Chambers and DK history.

7. NATIONAL AND INTERNATIONAL COOPERATION

1) Activities in Cambodia

January Highlights. On Saturday, January 19th, DC-Cam staff and visiting researchers attended a reception at the Residence of the US Ambassador for members of "Olympic Dream for Darfur," including American actress Mia Farrow. Also in January, Sok-Kheang Ly participated in a forum on "Justice and National Reconciliation" held in Oddar Meanchey province. Dara Vanthan and Anne Heindel attended a meeting at the Cambodian Human Rights and Development Association (ADHOC) about victim participation, and a meeting hosted by the International Center on Transitional Justice (ICTJ), the Open Society Justice Initiative (OSJI), and the Center for Social Development (CSD) discussing models for and the importance of court monitoring.

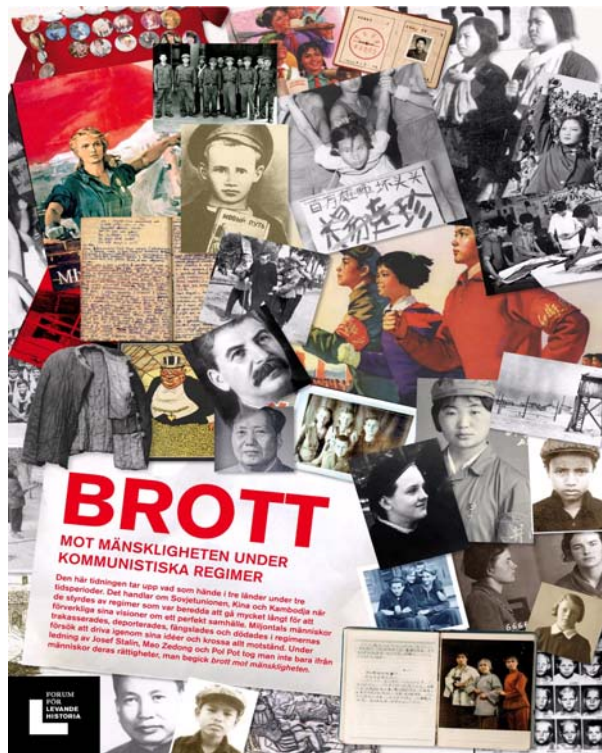
February Highlights. Farina So and Legal Fellow Sarah Thomas drafted a presentation on the Center's Victim Participation Project for a meeting organized by the Cambodian Human Rights Action Committee (CHRAC) on filing complaints before the ECCC. Ms. So also attended a one-day national conference on interfaith Dialogue that was attended by over 600 participants (Buddhists, Cham Muslims, Christians, and representatives of Islamic and Non-Islamic organizations) and included closing remarks by Prime Minister Hun Sen. Anne Heindel and Sarah Thomas attended an all-day ICTJ seminar on reparations. Deputy Director Dara P. Vanthan gave a speech at a conference on the Khmer Rouge Legacy, Genocide, Justice, and the KRT.

March Highlights. Sophorn Huy, Tat Lakhena, Sok Vannak, Legal Advisor Anne Heindel, and volunteer Olivia Altaras attended a CSD forum on the ECCC in Ratanakkiri province.

2) Activities Overseas

In March, Farina So presented a paper by Director Youk Chhang entitled "The Value of Documents in the Khmer Rouge Tribunal and Beyond" at a conference on "Genocide, Truth, and Justice" held in Dhaka, Bangladesh. The Liberation War Museum, which hosted the conference, expressed interest in receiving advice and

assistance from DC-Cam in establishing a center for documents related to the atrocities committed during its struggle for independence in 1971. While participating in a tour of killing fields in Dhaka, Ms. So was interviewed by local station e-TV (Peace TV).



Swedish Living History Forum
Crimes against Humanity Committed
by Communist Regimes

Also in March, Director Youk Chhang traveled to Stockholm, Sweden, to participate in the launch of the Living History Forum's project highlighting crimes against humanity committed by communist regimes in the Soviet Union, China, and Cambodia. DC-Cam has contributed photos and information about the DK-era for the joint publication campaign.

This quarter the Center continued to facilitate a possible collaborative arrangement between Kent State University and the ECCC to ease the Court's translation backlog. The Court is examining the feasibility of having the University translate legal documents, including investigative witness statements, motions, briefs, and decisions of the Chambers, between English and French and French and English.

8. STAFF DEVELOPMENT

1) Advanced Degree Training

Seven DC-Cam staff members continued their advanced degree programs abroad this quarter:

- Sophary Noy is studying for a master's degree in peace and reconciliation studies at Coventry University (UK)
- Simila Pan is studying for a master's degree in museum studies at Wageningen University (Netherlands)
- Kalyan Sann is studying for a master's degree in international museum studies at the University of Gothenburg (Sweden)
- Socheat Nean is studying for a master's degree in cultural anthropology at Northern Illinois University (US)
- Vannak Huy is studying for a master's degree in global affairs at Rutgers University (US)

- Khamboly Dy is studying for a master's degree in global affairs at Rutgers University (US). He has also been accepted into the PhD program.
- Kok-Thay Eng is studying for a PhD in global affairs at Rutgers University (US)

Three DC-Cam staff members were accepted for advanced degrees this quarter and will begin their studies in the coming months.

- Sok-Kheang Ly was accepted as a PhD candidate in peace and reconciliation studies at Coventry University (UK).
- Pivone Beang was accepted master's degree candidate in international museum studies at the University of Gothenburg (Sweden)
- Farina So was accepted as a master's degree candidate in international studies at Ohio University (US).

2) Training

January Highlights. PA team leader Dany Long attended a research training on "A comparative research of ethnography of critical education in multi-ethnic highlands of Cambodia and Vietnam" from January 2-9.

February Highlights. VOT team members Sophearith Chuong and Savina Sirik began a three-month training program at the Torture Treatment Center of Portland Oregon, USA, with financial support from the International Human Rights Internship Program and the International Rehabilitation Council for Torture Victims (IRCT). Cambodia Tribunal Monitor Team Leader Sovannpany Kim attended a three-day English Training workshop in Laos funded by Swedish International Development Cooperation Agency (SIDA). The training covered international communication, writing cover letters, and debate and presentation skills.

March Highlights. Farina So and Dany Long attended a two-week course on "The Khmer Rouge Tribunal & Other Ways of Reconciliation" held by InWEnt (Capacity Building International Germany). In May the sixteen participants, including judge students and NGO staff members working on ECCC outreach, will attend a study tour in Germany hosted by the Royal Academy for Judicial Professions (RAJP). Sophorn Huy earned a certificate in "Fundamentals of Capital Market Development and Regulation" after completing a six-week on-line course through the United Nations Institute for Training and Research (UNITAR).

9. MEDIA COVERAGE

1) Selected Articles by DC-Cam Staff, Advisors, and Legal Associates

- Provisos to US Directly Funding KR Tribunal, Youk Chhang Letter to the Editor, *The Cambodia Daily*, Feb. 1, 2008
- Victims Still Waiting to Hear from ECCC – The Response Will Tell, So Farina and Sarah Thomas Letter to the Editor, *Rasmei Kampuchea*, Feb. 17-18, 2008

- Female Survivors From KR Era Behind Cambodia's Recovery, Youk Chhang Letter to the Editor, *The Cambodia Daily*, Mar. 11, 2008

2) Selected Articles Featuring DC-Cam

- Mr. Youk Chhang: Newspaper Is Important Point to Find Justice for the Victim, *Saka/ Newspaper*, Jan. 2008
- Handling of KR-Era Documents Worries DC-Cam, Douglas Gillison, *The Cambodia Daily*, Mar. 11, 2008
- DC-Cam Team Searching for KR Complainants, Erica Kinetz and Yun Samean, *The Cambodia Daily*, Mar. 17, 2008
- Cambodia: Locus Standi for Victims at Khmer Rouge Trials?, Andrew Nette, *The Inter Press Service*, Mar. 25, 2008

10. BEYOND THE TRIBUNAL

1) Permanent Center

On March 11, 2008, Samdech Hun Sen wrote DC-Cam asking that DC-Cam's planned permanent center be attached to a local school or university in Phnom Penh. At the end of March the Ministry of Education was seeking a few appropriate building sites to offer for this purpose. The DC-Cam is now soliciting architectural plans for the new center complex.

The new Center will serve three distinct roles:

- As a *museum* for visitors,
- As a *library and research center* for scholars and interested members of the public, and
- As a *hub for genocide education* about the Khmer Rouge period and the principles of human rights needed to prevent similar calamity in the future.

The Center's museum will house a variety of different exhibits, including photographs, selected documents, and films. Expert staff members from DC-Cam will also provide tours and periodic lectures to visitors in our conference facility and in the exhibit hall itself.

The library will hold books, manuscripts, periodicals, audio/visual materials, and documents for visiting researchers. It will have desks and computer stations for researchers, audio/visual rooms, and a staff of experts to direct researchers to appropriate materials. It will also have a small team of permanent research staff dedicated to producing our own publications, including books and our popular monthly magazine, *Searching for the Truth*. In addition to writing and researching, the team will continue to provide services to the community through outreach programs and family tracing.

The third major component of the permanent center will be an academic training institute where Cambodian and international high school and university students can take courses on Khmer Rouge history, genocide studies, and human rights. DC-

Cam staff is working now with expert local and international advisors from fields including law, anthropology, and political science to design a curriculum. Staff members with advanced research degrees will provide lectures, along with expert international guest lecturers. Local universities have already expressed their interest in collaboration. We expect approximately 50 students to enroll per semester.

In addition these facilities, the permanent center will include a documentary storage and maintenance area where trained staff will recover sensitive materials for visitors. Many Khmer Rouge documents are old and brittle, and they need to be protected carefully to survive. The storage room will be equipped with secure, fire-proof cabinets, and two trained staff members will work to scan, protect, and otherwise preserve the immensely important historical record of the Khmer Rouge era.

Finally, the building will house a number of administrative offices to handle the Center's finances and other managerial matters.

Outside of the building, there will be a memorial to honor victims of the Cambodian tragedy. Functionally and aesthetically, the permanent center will house tranquil spaces in which scholars and visitors can engage in study and contemplation.

2) Genocide Education

From September 2004 to March 2007, the Documentation Center of Cambodia (DC-Cam) implemented a Genocide Education Project with funding from the US National Endowment for Democracy and Open Society Institute. The result of this project was the April 2007 publication of *A History of Democratic Kampuchea*, the first such text written by a Cambodian, Khamboly Dy of DC-Cam's staff.

With the publication of the text, the establishment of the ECCC, and the anticipation that the leaders of Democratic Kampuchea will be put on trial in the coming months, interest in learning about this period of Cambodian history has risen dramatically. For this reason, DC-Cam is now planning to conduct a second 2- year phase of the Genocide Education Project, which will implement four complementary activities:

- The development of a series of guidance materials for teachers on conveying the history of Democratic Kampuchea
- Workshops and other teacher training activities
- The translation of the text into four other Asian languages and French
- The printing of an additional 15,000 copies of the Khmer edition to share to teachers during the training.

APPENDIX

Victim Participation (VPA) Project PROVINCIAL REPORT – KAMPONG THOM PROVINCE

April 2008

1. BACKGROUND TO THE VPA PROJECT'S WORK IN KAMPONG THOM PROVINCE

Background to Kampong Thom Province

Kampong Thom Province is located in the center of Cambodia and is bordered by the provinces of Preah Vihear to the north, Kampong Cham and Kampong Chhnang to the south, Kratie to the east, and Siem Reap to the west. It has a total land area of 15,061 km². The province has eight districts; namely, Baray, Kampong Svay, Stung Saen, Prasat Balangk, Prasat Sambau, Santuk, Staung, and Sandan. Kampong Thom Provincial Town is located 162 kilometers north of Phnom Penh. The province has a population of around 570,000 people, most of whom are engaged in farming and the timber industry.



Map of Democratic Kampuchea in 1976

In 1976, Kampong Thom Province was located entirely in the Northern Zone, though parts of the province subsequently became part of the Eastern Zone. According to reports based upon the Renakse Petitions, the total death toll in Kampong Thom Province was 324,547 people. The vast majority — 273,342 — of the victims were peasants. In addition, 5,092 individuals were left disabled by the regime. During the regime, many people were killed during the construction of large dykes. As of February 2008, the Center's Mapping Project has found seventeen burial sites (containing over 1600 pits holding around 180,000 corpses), ten prisons and six memorials in the province.

Kampong Thom Province proves important to the work of the VPA Project because its inhabitants in 1982-83 account for a large number of the Renakse Petitions held in the Center's archives.

The History of the Renakse Petitions in Kampong Thom Province

The Center holds in its archives the so-called "Renakse Petitions." In 1982-83, the successor government to the Khmer Rouge collected more than 1,250 petitions detailing the crimes of Democratic Kampuchea from over 1.1 million Cambodians.

The Project plans to use these Petitions to locate potential complainants and civil parties. In so doing, the Project will reactivate the informal truth commission begun by the People's Republic of Kampuchea government. By showing Petitioners that their prior testimonies have not been forgotten, the Project will contribute to the process of reconciliation. While the Project's primary focus is upon locating and assisting Renakse Petitioners, the team wishes to help any survivors interested in completing the Court's Victim Information Form.

The Center holds 87 Petitions from Kampong Thom Province. Unlike those from other provinces, those Petitions collected in Kampong Thom Province were collective. Usually, one or two representatives wrote and signed/thumb-printed a Petition on behalf of a large group, representing around 200 to 1000 individuals. Thus, unlike in other provinces, the Petitions from this province do not contain the names and signatures/thumbprints of all individuals represented. Groups represented in the Petitions include individuals from all walks of life, including: teachers, intellectuals, and villages.

2. VPA PROJECT'S FIELD TRIP OF MARCH 10-28, 2008

Overview of Field Trip Details

Statement of Purpose

The purpose of the field trip was to inform survivors of the Democratic Kampuchea regime of their participation rights in the upcoming trials before the Extraordinary Chambers in the Courts of Cambodia (ECCC) and, should they wish to participate, to assist them in the completion of the Form. The Project sought to locate and reach out, in particular, to those individuals in the province who completed Renakse Petitions in 1982-83. As an ancillary purpose, the Project sought to put its recent training into practice and to provide valuable field experience to its staff members.

Preparation for the Field Trip

The Project provides extensive training to its staff on an ongoing basis.



Training Session with Harvard Associates

In January 2008, three Legal Associates from Harvard Law School — Paddy Glaspy, Neil Pai and Andrew Steinman — visited the Center and, with the assistance of John Ciorciari (Senior Legal Advisor), provided training to the Project's staff and other DC-Cam staff members. The Legal Associates prepared a 16-page Interview Manual designed to introduce staff members to the various modes of participation, to instruct them in completion of the Victim Information Form, to provide them with a background

to the Renakse Petitions, and to inform them of the crimes within the Court's subject matter jurisdiction. On January 21, the Legal Associates ran a training session for staff members, working through the Form step-by-step, focusing on interview techniques,

conducting role plays and introducing the elements of crimes. Mr. Ciorciari visited the Center from January 15 to 23 and supervised the Legal Associates' training program. Together with Legal Advisor Anne Heindel, he met with Court officials to discuss matters relating to victim participation. In addition, Legal Associate Norman Pentelovitch authored an evaluation of the VPA Project and its goals.

Immediately prior to the field trip, on March 6 and 7, Terith Chy (Team Leader) and Sarah Thomas (Legal Fellow) led two brief training sessions. They explained the Victim Information Form to the team question-by-question, instructed them to focus on asking certain questions when completing the Form's Description of Crimes question in Part B, and explained the crimes within the Court's subject matter jurisdiction.

Details of Arrangements and Personnel

The VPA Project team used a house in Kampong Thom Provincial Town as its base during the field trip. The trip lasted for three weeks, beginning on March 10 and ending on March 28. Ten staff members participated in the field trip.

Achievements of the Field Trip

Achievements of Team in Numerical Terms

During the field trip, the team succeeded in visiting five of the eight districts in Kampong Thom Province. Specifically, the team held meetings in thirty villages in twelve different communes. Team members informed hundreds of survivors of the Democratic Kampuchea regime of their participation rights and assisted 317 survivors in completing the Victim Information Form. On April 2nd, Ms. Bophal Keat, Head of the Victims Unit, collected the 317 Forms from the Center. The team hopes that the information contained in these Forms will prove helpful to the important work of the Court.

Team's Success in Reaching Out to Renakse Petitioners

Prior to the field trip, the Project's staff members selected many of the villages to be visited based upon the existence of Renakse Petitions from those villages. The team identified Petitions containing the names of eighteen individuals who had resided in the villages in 1982-83. Of these eighteen individuals, the team successfully located eight Petitioners. The other ten Petitioners had either died, moved away or were too unwell to complete the Form. Of the eight Petitioners contacted, only one chose not to complete the Form due to his belief that the Court cannot offer justice because of to political influence.



VPA Meeting in Kampong Thom Province

The team found that all the Petitioners contacted failed initially to remember signing a Petition. In many cases, after showing them the Petition and their signature, they remembered signing and many had vague memories of the meetings at which they had signed. The team found that the Petitioners did not remember the circumstances surrounding the meetings or the effect of political influence on their Petitions.

Meetings With a Potential Civil Party at Request of Victims Unit

On two occasions, staff members met with a potential civil party selected by the Victims Unit who had filed a Victim Information Form with the assistance of the Project. At the request of the Victims Unit, the staff members sought additional supporting materials and provided the potential civil party with information on protective measures. In the near future, the Victims Unit will submit the potential civil party's information to the Co-Investigating Judges for consideration.

Provision of Documentation to the Relative of Tuol Sleng Prisoner

Staff members assisted a woman in Baray District to complete the Form. She completed a complaint informing the Co-Prosecutors of her grandfather's death while imprisoned at Tuol Sleng. She told the staff members that she knew of his death at Tuol Sleng through a family friend who had seen his photograph on display there. She had visited the Genocide Museum herself and was prevented by a guard from taking a photograph of her grandfather's mug shot. Upset at not having his photograph, she asked the staff members to search for documentation relating to her grandfather and his photograph.

Upon the team's return to the Center, staff members found his prison biography with photograph. The Center will deliver the biography to her along with a framed reproduction of his photograph at Tuol Sleng.

Improved Public Awareness of Project

On March 17, the Cambodia Daily published an article by Erika Kinetz and Yun Samean on the team's outreach efforts in Kampong Thom Province. Entitled "DC-Cam Team Searching for KR Complainants," the article provided an introduction to the work of the Project and featured quotes from Terith Chy and Nuon Dork, 61, a villager from Baray District. Nuon had filed a Petition in the early 1980s and appreciated the opportunity to file a second complaint today. Kinetz quoted Dork as saying, "I want the history to be written about the brutality of the Khmer Rouge regime so the younger generation can understand it."

Speaking of the Renakse Petitions, Kinetz praised the Center's desire to "cultivate" the voices of survivors resonating in the Petitions free, for the first time, from political influence. While their language may be politicized, the authors of the Petitions document undeniably the suffering of the people.

Positive Impacts of Field Trip

1. The team's meetings provided survivors of the Democratic Kampuchea regime with a much-appreciated opportunity to tell their story to an interested party, thereby providing them with a sense of relief in many cases.

Example: Srey Soth, 76, Staung District, stated: "It's a relief to have someone to talk to."

2. The opportunity to complete a Victim Information Form and thereby to assist in the creation of a comprehensive historical record pleased survivors as many expressed concern that the younger generation does not believe in the atrocities of the Khmer Rouge period.

Example: A man told our staff members that, when telling his children of how that the young Khmer Rouge soldiers took people to be killed, his children could not understand why the people did not fight back and did not believe his explanation that they were too hungry to resist.

3. The team's meeting provided a useful opportunity to inform low-level perpetrators that the Court will only try senior leaders and those most responsible, thereby providing them with peace of mind and improving the likelihood of their cooperation with the Court.
4. The team's presence in Kampong Thom Province allowed staff members to assist the Victims Unit by meeting on two occasions with a potential civil party assisted by the Center.
5. The field trip provided useful experience to our staff in assisting survivors in the completion of the Form, building upon prior experience and recent training sessions.

Difficulties Experienced and Proposed Solutions

1. Lack of Readiness on Part of Village Chiefs

On a number of occasions, the team experienced difficulties because the village chief had inadequately prepared for the visit (for example, by failing to tell villagers, by giving them an incorrect start time for the meeting or by failing to tell them to bring identification). In many cases, lack of readiness resulted from poor communication with the village chief. In sixteen of the thirty villages visited, the village chief did not own a telephone and arrangements had to be made using the commune chief as an intermediary. This likely resulted in erroneous information being conveyed. In those villages in which the village chief owned a telephone, the team called him ten days, three days and one day prior to visit.

Recommendation: If the village chief does not have a telephone, contact the commune chief ten days, three days and one day before the visit to ensure that he has conveyed the message to the village chief and to check that the village chief has made appropriate arrangements.

2. Confusion Over the Purpose of Meetings and the Provision of Gifts

As the field trip coincided with the election campaign, many villagers attended our meetings in the mistaken belief that they would receive gifts in return for their attendance and, in particular, for completing the Form. At the outset of every meeting, in order to prevent confusion, our staff members

clearly stated that DC-Cam is not a political party and that the team was there only to assist them in exercising their participation rights.

Recommendation: Continue to highlight at the outset that DC-Cam is not a political party.

3. Effect of Presence of Perpetrators and Relatives at Meetings

The presence of former members of the Khmer Rouge and/or their relatives at meetings had a very negative effect upon the number and completeness of Forms collected. Due to their presence, many villagers expressed unwillingness to complete the Form or refused to provide all necessary information (in particular, the names of perpetrators) because they feared retaliation from low-level perpetrators in their villages.

Example: In Kampong Svay District, a woman whose husband had disappeared initially refused to name the man who had taken him away because the perpetrator's son was present at the meeting.

Recommendation: Continue to encourage the participation of former members of the Khmer Rouge as important potential complainants and witnesses because their presence allows the team: (a) to inform them of the limited personal jurisdiction of the Court; and (b) to obtain from them useful insider information about the Khmer Rouge regime.

4. Fear of Retaliation from Low-Level Perpetrators

A number of survivors refused to complete the Form because they feared retaliation from former members of the Khmer Rouge in their villages.

Recommendation: Continue to explain at meetings that the Court will only try senior leaders and those most responsible and will not target low-level perpetrators and, therefore, low-level perpetrators should not fear prosecution and do not have cause to retaliate if named.

5. Unwillingness on Part of Former Khmer Rouge Members to Complete the Form and Incomplete Disclosure of Events

Despite the team's explanation that the Court will only try senior leaders and those most responsible, many former members of the Khmer Rouge either refused to complete the Form or, in completing the Form, provided incomplete and possibly inaccurate information. Staff members found that former members routinely tried to cover up their crimes by blaming their superiors and highlighting their own good deeds.

Example: Former Khmer Rouge Member, 64, Santuk District: "I didn't know much and I don't remember much. I don't want to complete the Form. I'm afraid that I'll be exposed to the Court and be brought somewhere. I don't know how to describe things. I don't want to have any problems. I fear being prosecuted. But I don't fear the law. I fear retaliation from individuals (particularly in my village). I fear revenge."

Recommendation: Continue to explain at meetings that the Court will only try senior leaders and those most responsible and will not target low-level perpetrators; therefore, low-level perpetrators should not fear prosecution. Continue to encourage their participation as important potential complainants and witnesses.

6. Difficulty Remembering Dates and the Order of Events and Remembering Dates Using the Chinese Calendar Only

As noted during other outreach events, survivors experienced considerable difficulties in recalling dates and the order of events during the regime. In addition, staff members found that villagers in Kampong Thom Province could often only remember dates using the Chinese calendar. Staff members could not readily convert these dates to the Gregorian calendar.

Recommendation: Continue to provide assistance to survivors in recalling dates by questioning them and assisting them in ordering events and provide staff members with materials to assist them in converting dates in the Chinese calendar to the Gregorian calendar.

7. Difficulties Experienced in Forming Questions

Members of the team experienced difficulties in forming appropriate questions to elicit all the necessary information when answering Part B's question relating to the Description of Crimes.

Recommendation: Hold further training sessions on a regular basis and conduct a one-on-one review of the Forms with staff members.

8. Inability of Most Survivors to Suggest Victim-Centered Reparations

The vast majority of survivors struggle to suggest forms of reparations that address specifically the needs of the regime's victims. Commonly, their suggestions are limited to addressing needs related to development, e.g. schools, roads and hospitals. Non-victim-centered reparations benefit victims and perpetrators alike. Promisingly, a small number of survivors requested the reconstruction of pagodas destroyed during the regime and genocide education to prevent a repetition of the atrocities.

Recommendation: Encourage survivors to think of reparations designed to address the needs of victims only.

9. Limited Personnel Contributing to Collection of Suboptimal Number of Forms

At almost all meetings, the team did not have a sufficient number of members to assist all villagers wishing to complete the Form at once, requiring many villagers to wait for a staff member to finish helping another before they had the opportunity to complete a Form. As it took around 60-90 minutes to assist in the completion of a Form, many villagers left before they could complete a Form due to the long wait. The limited number of staff members meant that the team could only collect around ten to fifteen Forms in one session. At this rate, the Project will not meet its target of collecting 10,000 Forms within one year.

Recommendation: Recruit additional staff members for the Project.

10. Difficult Working Conditions

Staff members found the working conditions in Kampong Thom Province to be difficult as it was very hot and access to villages was often by difficult roads. In addition, staff members found the working conditions in villages to be

problematic as they did not have suitable work space as village chiefs usually did not provide tables and chairs and staff members were forced to work on the floor or ground. In addition, the small number of staff members meant that the existing staff members had to work very hard without taking suitable breaks to ensure that all villagers at meetings could complete Forms.

Recommendation: Request commune and village chiefs to provide tables and chairs for our meetings and recruit additional staff members.

3. CONCLUSION

The field trip to Kampong Thom Province proved very successful as the team collected over 300 Victim Information Forms for submission to the Victims Unit. The team hopes that the information contained in these Forms will prove helpful to the important work of the Court. Pleasingly, the Forms collected were far more complete than those collected previously due to improved training, supervision and checks for errors and omissions. In general, the Forms contained far more detailed responses to Part B's question on Description of Crimes with at least two pages of descriptive material in most cases.



Staff Assist Survivors in Completing Form

The field trip provided an important opportunity to inform survivors of the regime of their participation rights and to reassure low-level perpetrators that the Court will try senior leaders and those most responsible only and not target them. Furthermore, the completion of a large number of Forms under supervision provided the team with a valuable training experience. As expected due to the collective nature of the Petitions from this province, the team could only meet with a small number of Petitioners and, thus, did not gain a comprehensive impression as to the veracity and effect of political influence on the Petitions.

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