

# San Francisco Chronicle

## **San Jose Cambodian community awaits justice**

**Becky Palmstrom**

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One of the worst genocides of the 20th century happened in Cambodia, in the 1970s. The extremist Khmer Rouge party, led by Pol Pot tried to create a rural farming society, evacuating people from their homes and jobs in urban areas to the country, where many were killed by the government, starved, or were worked to death.

KENNETH QUINN: The Khmer Rouge had a plan, and it was to remove all of these impediments so that then what is left is malleable group of peasant-citizens and others who were not in these classes, could be transformed into this new socialist Khmer Rouge communist person.

That was former U.S. Ambassador to Cambodia, Kenneth Quinn. Almost overnight, high schools were converted into prisons and the city's teachers, engineers, and lawyers were locked up in them. Hospitals were emptied out and shut down, the nurses and doctors killed for being intellectuals, and the patients told they had to figure out how to survive without medicine. A fifth of Cambodia's population died in what became known as the Killing Fields.

QUINN: They did that by uprooting everybody, separate families, take the children away, turn the children against the parents, destroy religion. Break down every stricture of society because then you have stripped away everything that in the view of the Khmer Rouge was corrupt and imposed from the West.

Many of the survivors became refugees and over one hundred thousand of them came to resettle in America. Now, they have a chance to seek justice. Reporter Becky Palmstrom has that story.

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BECKY PALMSTROM: In June an international court in Cambodia will try four of the main Khmer Rouge leaders, who were responsible for the genocide. Some 40 survivors, now living here in America, will be involved in testifying in that trial. This is one of the first times survivors can be participants so directly in an international court - they provide testimony and can also confront the accused. The trial is a really big deal in places like San Jose, home to one of California's largest Cambodian communities.

In a Buddhist Temple in San Jose, about a hundred Cambodian immigrants are gathering to remember the tragedy.

SOPHANY BAY: Children, our parents, our sibling, our friend, they died during the Pol Pot regime, and we do the religious ceremony to remember all the people who died in the Khmer Rouge Regime.

Sophany Bay is a leader in this community. When she finishes speaking, the temple's monks begin their chants. They hold up page after page of paper. Every sheet has several names - the names of the relatives people here lost under the Khmer Rouge.

The lucky ones only have one close relative's name to mourn - most have many more. The eldest monk takes a flame to each and the pages burn as orange as his robes. The Cambodians clasp their hands together, their eyes closed, their mouths murmuring the Buddhist blessings.

BAY: If I did not see justice, you know, it's kind of like I kind of cannot close my eyes properly when I die.

Sophany Bay, the leader, lost her three children, her father, her brother, and her sister to the regime. She was one of the first people to record her testimony for the court.

BAY: The spirit of my children, my parents, you know, ask me why I don't find justice for them.

She's not the only one to feel that way.

SANIA MEAS: I'm still stressful, hateful, and denial - everything you know. I accept that my husband was dead, but I cannot face it.

Sania Meas was a Fulbright scholar in America before the Khmer Rouge came to power. When she returned to the states less than 10 years later, she was a refugee. She had lost teeth from the beatings. Her family members had been killed.

MEAS: Pain me to death. I cannot find my husband, I cannot find my son. So I do not care the judgment day, but for the sake of my community I want justice done for them.

To deal with her trauma, Meas studied for a third Master's degree in psychology.

MEAS: I went through a lot of counseling, but it doesn't help me a damn thing. I'm still there as ever. I went to about a hundred sessions, nothing cured me.

Researchers say more than half of the Cambodian diaspora suffer from posttraumatic shock syndrome - PTSD. That's why this trial is so important to many - it might help them heal.

Standing to one side of the room is a young, non-Cambodian woman. Her name is Nushin Sarkarati, and she's watching the ceremony intently. This is the first time Sarkarati has seen many of these people in person. But she knows their stories well. Sarkarati is a part of the Center for Justice and Accountability - an organization that

offers legal counsel to survivors of human rights abuses. She is a lawyer and she's here today to tell these survivors, in person, whether their testimony will be part of this historic trial.

After the ceremony and more introductions Sakarati steps to the front of the room. Everyone leans forward.

NUSHIN SARKARATI: ASRIC collected 170 different testimonies to submit to the court. Forty-one of these were submitted as civil party applications, and 30 were actually admitted as a civil party.

She's explaining that everyone here who submitted a claim to the court will have it heard. All the testimonies will be used to try the four Khmer Rouge leaders this summer.

KELVIN SO: I am so happy that this is the first time that my case have been accepted by the Phnom Penh tribunal.

Though many, like Kelvin So, are relieved, others are not convinced of the court's legitimacy and wonder why the Khmer Rouge leaders get more rights than their victims ever did.

PARTICIPANT: My question is, why this court continues to go on with the trial, after all the evidence that we have. It is clear that the Khmer Rouge killed people without taking victims to trial. They didn't ask any questions; they just killed people. So why you need to carry on with this trial at all. It seems that we've been patient, but we cannot go on waiting for the results of this trial anymore.

SARKARATI: So, in any fair court of law, a defendant is innocent until proven guilty. So they are trying to make sure that these people are tried with all the rights that most defendants get in a fair court of law. This way when the judgment is issued nobody can ever contest the judgment. And say that this is an invalid judgment because the defendant didn't have all of his rights.

A handful of these Cambodian refugees will be there to testify directly to the court. Sophany Bay hopes she'll be among them.

BAY: I want to go to the court to see those killers and to ask them. I have three questions I want to ask them. One, I want to ask them, "Why you kill so many people?" Second, "You want to do that, you want to kill people, to get power or somebody behind you?" Number three, "Who stayed behind the scene?" I want to see them in court you know.

Some of these here today might finally be able to confront their torturers, tell the stories of their lost children, murdered husbands and dead relatives to the world. Kelvin So says it will be historic.

SO: I believe that this is a part of history if those leader got prosecuted and put to jail - it will be part of a big history for Cambodia. Maybe a small part of it too.

It might not cure the trauma, but confronting the truth of what happened in Cambodia is perhaps one step towards ensuring that it never happens again.

In San Jose, I'm Becky Palmstrom, for Crosscurrents.

*As a Rotary World Peace fellow Becky Palmstrom has worked on a survey about what the court means to the Cambodian diaspora in America.*