

## **The Long Road to Justice:**

### **13 Years of Working To Ensure That the Khmer Rouge Trials Belong to You**

#### **By Youk Chhang**

During the Khmer Rouge period from April 17, 1975 to January 7, 1979, Cambodians walked constantly. They walked from the cities to the countryside, from their villages to distant provinces, and from the rice fields to the battlefields. After January 7, 1979 the survivors of our country's genocide walked again; this time back to their homes.

In 1997, Cambodians began another journey; the journey to seek justice for crimes committed by the Khmer Rouge. And today, 31 years after the Khmer Rouge regime fell we are taking a giant step along the road to justice.

On February 6, 2006 the Extraordinary Chambers in the Courts of Cambodia (ECCC) - commonly referred to as the Khmer Rouge Tribunal (KRT) - officially began setting up offices at the military barracks outside of Phnom Penh. The first trial, Case 001, began on March 30, 2009, two years behind schedule. The case opened with the defendant, former head of S-21 prison Duch (Kaing Geuk Eav), apologizing to victims and accepting responsibility, but ended shockingly however on November 27, 2009 with Duch rejecting responsibility on jurisdictional grounds because he was not a "senior Khmer Rouge leader or those most responsible" as stated in the Khmer Rouge Tribunal Law. The judgment of Duch will be delivered in March 2010.

In late 2010 or early 2011, the most important Khmer Rouge trial will begin. Case 002 will try the highest level Khmer Rouge leaders still alive today: Noun Chea, Khieu Samphan, Ieng Sary, and Ieng Thirith. This trial will be a crucial moment in Cambodia's road to justice because the evidences and analyses brought forth will provide answers to many fundamental questions about the Khmer Rouge regime that survivors had wondered for over three decades.

Cambodia, the United Nations, and several other countries have worked for many years to help us see justice delivered. The United Nations and national governments raised much of the initial \$56 million budget for the KRT and stepped in during budgetary shortfalls in late 2008. These governments have also generously funded many Cambodian human rights and international non-government organizations (NGO) that support and monitor the trial process by helping victims file complaints of Khmer Rouge atrocities to the Court, observing and reporting on the activities of the Cambodian government and United Nations, providing counseling to those who suffered during Democratic Kampuchea, and other activities.

Perhaps the most important way that NGOs can help is to work with the Extraordinary Chambers and each other to ensure that the public is informed about the trials and involved in them.

These trials are about seeking justice for victims of the Khmer Rouge regime. These are your trials, and without your participation in them, the Cambodian people will not be able to judge whether the trials are fair, of high standards, and accessible to all.

But how can the people of Cambodia participate in the trials? They are far away and it is expensive to travel to Phnom Penh. Many NGOs in Cambodia are working to make certain that people can read about the trials through magazines and other written materials that are delivered to sub-district and district offices across the country. Others will broadcast news on the radio, and the Documentation Center of Cambodia (DC-Cam) is working with TVK and other stations to produce programs that will help educate people about the Extraordinary Chambers.

In the past few years, DC-Cam has also implemented a project which brought 400-500 villagers every month from all across Cambodia to Phnom Penh to visit genocide memorial sites and meet with officials at the KRT courtroom. After this first phase of the Living Documents Project, phase two which began in early 2009 allowed victims to directly attend Duch's trial hearing, participate in KRT educational workshops, and view Khmer Rouge related videos. Afterward, villagers returned home to share with community members during village forums what they saw and learned so that Cambodians have the opportunity to learn about the trials from people like themselves, in addition to tribunal officials and NGO staff. All of these activities have helped villagers understand how the trials work and to become familiar with the tribunal process. For Case 002, DC-Cam will increase its activities and outreach efforts given the significance of this trial.

All of us want to see trials that are fair and just, and for the Cambodian people to participate in them without fear of intimidation or uncertainty. Learning about the tribunal from the written word, radio and television, and from your family, friends and neighbors will help you see that justice can work in Cambodia and that building a more just future for our children can become a reality.

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*Youk Chhang is the director of the Documentation Center of Cambodia. This week is the 10th anniversary of the publishing of DC-Cam Genocide Magazine: "Searching for the Truth." With the ministries of Interior and Information, DC-Cam has distributed 1.5 million copies of the magazine to the villagers within*

*Cambodia. This week also is the 13th anniversary of the establishment of DC-Cam.*

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MEMORY & JUSTICE*

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