ಕದ್ಬೆಕಮ್ಮಿಯಬಿಹಾಕು ಹಕ್ಷದು

Justice within Reach

By Ly Sok-Kheang November 28, 2011

The notorious crimes committed by the Democratic Kampuchea (DK)_regime (1975-1979) are, among other things, infamous inside and outside Cambodia. The Cambodian people have explicitly known those responsible for the mass atrocities. Of the dozen leaders, former ideologue Nuon Chea, former Head of State Khieu Samphan, and former Deputy Prime Minister in charge of foreign affairs Ieng Sary took the highest command of the regime. While they are legally bound to face criminal charges under international and domestic law, former low-level Khmer Rouge (KR) cadres have begun to think of their moral responsibility for those upon whom crimes were intentionally or unintentionally inflicted.



Mr. Phy Phuon (front), former messenger of Ieng Sary, and Mr. Hong Huy (second right), a survivor.

The Extraordinary Chambers in the Courts of Cambodia (ECCC)'s historical court hearing that began on November 21, 2011 against the senior three KR leaders has turned a new leaf for both victims and former low-level KR cadres. It has been more than thirty years that these KR leaders have enjoyed their freedom of movement, thus

irritating Cambodians and the rest of the world. During the intervening years, the hope for justice has been extremely thin, or perhaps not even possible to some who reasoned that the Cambodian government had no political will to pursue justice. Even with its concrete establishment of ECCC and five senior KR leaders being placed under ECCC's provisional detention, such a pessimistic view still persisted. Commentators thought there would be no trial until after all of these leaders had died of natural causes. Now there is a light at the end of the tunnel, as an actual court proceeding has commenced its historical work.

Three KR Leaders Take the Stand

During the three-day hearing, national co-prosecutor Ms. Chea Leang read a summarized statement on the nature of the crimes that each accused should have known or had reason to know in their capacity as rulers. Overall both national and international co-prosecutors Ms. Chea Leang and Mr. Andrew Cayley stressed that the Joint Criminal Enterprise (JCE) bound the three accused in the criminal charges, which includes the forceful evacuation, enslavement, systematic and widespread purges, forced marriage, and genocide on ethnic and religious groups.

However none of these leaders have admitted the historical mistakes made during their leaderships. they turn. presented various reasons to challenge the prosecution. Nuon Chea made counter-argument in the afternoon of



Mr. Chhim Phan (right) and Ms. Kranh Ut, (left)

November 22, 2011, by viewing

the trial as injustice. He read that the court merely looked into one side of the entire history, rather than the root causes and effects of the revolution. In this way he compared the proceedings with the notion that only the body of a crocodile is raised for discussion, but not its head and tail. His statement has thus focused on external factors such as Vietnamese aggression and United States bombardment before the DK's rule (1975-1979) and the long-standing and steadfast endeavor to defend and prevent Vietnam from annexing Cambodia. However, he never went deeper into the question of "why" his regime caused nearly two million to die.

Without responding point by point to the prosecution's charges, Ieng Sary read his statement in the morning of November 23, 2011 by stating that he should not be tried. His nearly two-page statement reiterated that: "...In 1996, I received a royal decree of amnesty and pardon from the then-King Norodom Sihanouk." However, his appearance before the Trial Chamber showed great respect for the court.

Third in row to read his statement on November 23, 2011, Khieu Samphan challenged the co-prosecutors by stating that: "...over the last two days, I feel that it is different from what I expected...The co-prosecutors merely make guessing accusations, no-evidence claims, and mixed up this and that issue." Mr. Samphan asked the co-prosecutors to stop the accusation as there was no document to prove that he was a member of the Central Committee officially. He even said the position of "Head of State" was just a sort of decoration.

It has almost become a normal practice for these leaders to try to shun their responsibility. What they should realize is that the regime's extremism and radicalism, which led to widespread and systematic purges, could be among the numerous reasons that led the DK regime to destroy this country across all sectors and to kill nearly two million people.

The regime has indeed sowed the seed of enmity that its legacy has put the relations between victims and former KR cadres at risk. Having gone through a variety of reconciliation efforts since the collapse of 1979, both victims and former low-level KR cadres are now coming together to observe the legal proceedings against these leaders. It is one of the important processes to prove that both sides all have been and are poised to unite to fight genocide.

Integrating the Differences



Ms. Chiem Kin, a wife of Ta Val, former Mobile Unit Chief, Region 5

The term "genocide" legally refers to the worst crimes that have taken place in world history. The DK regime's senior leaders have been charged with international crimes including genocide against the Vietnamese (including Khmer Krom people) and the Cham people, representing the second largest population of Cambodia. The severity of the crimes brought about untold suffering that many survived the regime only to find themselves in a state of great depression and trauma. This mental status has become a huge barrier to daily life since the DK's collapse. More or less it hampers healthy inter-personal relations, especially between former KR cadres and victims. The

genocide has spiritually and socially divided these groups. However, as years have elapsed, change has been visible and the discriminatory notion of "us" versus "them" has

vanished from time to time.

The nightmare of the genocide, rather, helps integrate the differences among the former adversaries. Ms. But Kimony, a survivor from Battambang Province, spoke frankly about her tolerance and leniency toward all the low-level KR cadres as they just executed their superior's orders. She made the comment without knowing that Mr. Chhim Phan, who sat close to her, was among many former KR cadres. Paying great attention to other participants' views with his eyes frequently looking to the ceiling, Mr. Chhim seemed to be satisfied. Although he did not say anything about it, his wife Ms. Chuon Rin nodded in agreement and murmured "that's right."



Mr. Chhim Phan at ECCC

However, a challenging question to them was raised about whether any former KR cadres beyond went their superiors' orders because they were by personal induced greed, grudges, vengeance. All thirty participants seemed to be quiet for a while before Ms. Kimony

proceeded to say that if so, the survivors had the

right to get angry with them. However, Mr. Suon Sokhen, the first deputy chief of Sangkat Svay Pao, Battambang Province, and Mr. Kung Vatha, deputy chief of Social Affairs Office of Battambang Province, acknowledged that there would be some former KR cadres who indeed acted brutally on their own decision. But many, including Mr. Chhim, had to acknowledge this and express regret for what they had done wrong. According to interviews with three KR cadres and eight survivors, they repeated a conciliatory phrase of vindictiveness that is ended by not being vindictive. The phrase implied that they all did not want to see other junior KR members, except the current accused, tried. They have demonstrated their preparation for forgiving those low-level KR cadres, whose moral responsibility would be adequate.

The Moral Responsibility of Former Low-Level KR Cadres

So far the three KR leaders—Nuon Chea, Ieng Sary and Khieu Samphan—have never accepted that the death of nearly two million people and the untold suffering brought to bear upon the survivors were the result of their regime. So the legal

proceedings at the ECCC have become the last approach to get these KR leaders to publicly acknowledge their guilt through an avalanche of inculpatory evidence. However not everyone is excited by the trial. Among the thirty people invited by DC-Cam, Mr. Phy Phuon, revolutionary name Chiem, former Ieng Sary's messenger, told DC-Cam's team members that he was very disappointed with the charges on his former boss. Mr. Phuon, an ethnic Jaray, decided not to visit the court hearing again on the second day and instead returned to his home village in Malai District, Banteay Meanchey Province. He informed DC-Cam's team members that he had an urgent task at home.



Ms. Chuon Rin at ECCC

However, it is recalled that their ideologies, policies, radicalism, and extremism are known to have inspired thousands of DK's low-level cadres to take turns killing each other and their people in every place. DK's legacy left most former KR cadres regretful and sorrowful for their acts. Mr. Chhim Phan of Malai District confessed during his interview that it was his superior's orders that forced him to kill a couple in front of Preah

Net Preah Pagoda. Mr. Chhim Phan stated: "...it was Sam Art who

ordered me to kill the couple. In the meeting when the event occurred, thousands of villagers from the entire commune of Preah Neth Preah were invited to attend in order to witness the killing of the couple. The idea (known by the KR as the People's Court) was to warn others not to follow the same mistakes as the couple; otherwise they would meet the same fate. Youk Chhang, who was fourteen at the time and lived just a few hundred meters from the killing site at Trapeang Veng Village, was also called to join the meeting and witnessed the killing with his own eyes. In the meantime, Mr. Chhim stated that after executing the order, he was so scared to recall such a traumatic event. He has lived with a great fear of personal safety after the DK's collapse. He fled along with the defeating KR forces and never returned to the Preah Net Preah District until now.

Although the People's Revolutionary Tribunal (PRT) tried in absentia the late Pol Pot, Prime Minister of DK, and Ieng Sary in August 1979, there was no specific legal measure against the low-level cadres. However, many-including Mr. Chhim Phan

found themselves morally responsible for their acts. Mr. Chhim said, "...although those who suffered from that event blamed and attacked me, I would not get angry. In my mind, I did not commit the crimes by my own will ...even if a person who is tied with hot anger punches and kicks me, I would not respond at all..." Mr. Chhim said that was a kind of moral acceptance of his guilt.

Nevertheless, "superiors' orders" was a common phrase that most low-level cadres used, to some extent, to reduce the sense of guilt. Mr. Seng Chon of Kampong Chhnang Province and Ms. But Kimony of Battambang Province are convinced by this argument, but find it hard to tolerate them if they acted on their own anger or malice. This interwoven nature of crimes of low-level cadres remains ambiguous in many ways. In return, Mr. Chhim has adopted religious approaches to pray for the couple. On many occasions, Mr. Chhim Phan reiterated that he found this visit important and feels relieved as he can disclose the tremendous burden of guilt. He has never spoken about this publicly since he committed the crimes.

Conclusion



DC-Cam Director Youk Chhang talks to Mr. Chhim Phan (left)

Most participants consider this trial observation trip to be beyond significant but also a responsibility, thus being favorable for building mutual understanding. Asked about a joint visit with former KR cadres, six survivors from Battambang Province decidedly said it was good and that they felt no discrimination toward those cadres.

They all stayed, ate, travelled, and observed the court hearing together during the three-day court observation. This has been one of the most constructive visits to restore previous uneasy relations in the legacy of the DK regime. Moreover, the participants obtained the information on the trial of only "senior KR leaders and those most responsible." It helps send a message to all the people to maintain better interpersonal relations, namely between the victims and former KR cadres, in our

society. Mr. Hong Huy was quoted by British Broadcasting Corporation as saying that he, "...felt no bitterness against people like Mr Phan. It was the top leaders, the people now on trial, who were really to blame."

During the visit, there was a challenge facing the participants. Ms. Chuon Rin, the wife of Mr. Chhim Phan, fell down when she stepped on a cement-made stair. She stood up only to find one of her knees bleeding at the entrance of the ECCC. Rather than underestimating her injury, DC-Cam's team member sent her to a qualified and professional hospital in the center of Phnom Penh. This led to the cancelation of a post-hearing meeting at DC-Cam on November 22, 2011. Mr. Chhim said his confession now coincided with his wife's leg injury. While he felt so sorry for that, he said if he failed to do this, her condition might be worse.

APPENDIX



គ្នុដោយជាល់ដែរនៅខាងមុខទីធាវត្ ព្រះនេត្រព្រះ នៅក្នុងឆ្នាំ១៩៧៧ រកការងាះធ្វើជាកម្មករជីកត្បូងនៅ ចូលរួមជាកម្លាំងជាមួយខ្មែរក្រហម-ក្រហមនឹងមានវាសនាមិនខុសពីអ្នក រតនៈមណ្ឌលនេះដែរ នៅទីនោះជន ត្រូវធ្វើការខាងដកស្នងនិងច្រូត ។ ១៤ឆ្នាំ ហើយរស់នៅក្នុងភូមិត្រពាំង របស់ម្ចាស់ចម្ការ ។ អ្នកទាំង២៣៩ភ្ញើប- កម្លាំងចម្រុះរបស់ខ្មែរក្រហមប្រមាណ

ស្រុកកោះធំ ខេត្តកណ្តាល។ កើតនៅក្នុង ត្រកូលកសិកនៅនមានតែប្អូនស្រីឡាក់ ។ រដ្ឋប្រហារទម្នាក់សម្ដេចព្រះនេះវាត្ដម ពេលបែកទីក្រុងភ្នំពេញ មួយថ្ងៃស្រាប់ ព្រះជាមួយដែរ។ ភាក្រក ជាប្រធាន *ការខុសត្រូវខាងការងារ លើកទំន*ប់ ប្អូនស្រីនេះជាអ្នកកេច្រាក់មកជួយឧបត្ថម្ភ សីហនុ ពេលនោះសង្គ្រាមបានកើត តែមានកងស្វ័យគ្រាណរបស់លន់ នល់

បនាប់ពីឈប់រវុន ផន បានទៅ សិបខងរបស់ លន់ នល់ ហើយក៏មិនចង់ ដៃយកភិរពញាបួនអស់ហើយមិនបាច់

ដែលបានចោទថា អ្នកទាំងពីរនោះ- ស្រុកបរប៉ៃលិនតាមរយៈការណែនាំ ដែរ។ ដូច្នេះផន និងគ្រួសារបានរក្បស មកវិញឱ្យរស់ទៅអានេះយើងនិយាយ បានប្រព្រឹត្តខុសសីលធម៌ ។ ផនបាន របស់មិត្តភក្តិ ប៉ុន្តែមិនទាន់បានទៅដល់ ខ្លួនទានៅដីម៉ាល់ផ្លូវកាត់ ដែលជាស្រុក អះអាងថា ភា សំភាត ជាអ្នកបញ្ហាឱ្យ ប៉ែលិខផង ផន បានជួបគ្រួសារជនជាតិ កំណើតខាងប្រពន្ធ ។ ផន គិតថាបើបន្ត្ គាត់សម្លាប់អ្នកទាំងពីរនៅក្នុងពិធីមិទ្ទឹង ចិនមួយនៅក្នុងស្រុករតនៈមណ្ឌល ៨ន រស់នៅទីនេះអាចនឹងមានគ្រោះថ្នាក់ មួយដែលមានការចូលរួមពីគណ:- បានសម្រេចចំតួនៅស៊ីឈ្នួលធ្វើការងារ ដល់អាយុជីវិត ។ ពេលទៅដល់ភូមិ ស្រុកព្រះខេត្រព្រះរួមមានតា ម៉ោង, តា- ផ្ទះវិញដោយទទួលបានកម្រៃប្រាំមួយ ម៉ឺម៉ាល់អ្នកស្រុកនៅទីនោះ បានទាំគ្នា សំអាត, តា ខូ និងតា ក្រក ប្រធានឃុំ រយៈរៀលក្នុងមួយខែ ។ ដោយ ផន ចូលរួមជាមួយខ្មែរក្រហមទាំងអស់ ចេញទៅតស៊ូនៅក្នុងព្រៃ ពេលដែល ព្រះនេត្រព្រះ ។ លើសពីនេះទៅឡើត គ្នាប់បានរៀនដល់ថ្នាក់ទី៣នោះ ជន ហើយពួកគេបានចូលទៅក្នុងព្រៃដើម្បី ត្រឡប់មកវិញត្រូវបានចាត់ទាំងឱ្យធ្វើជា ខ្មែរក្រហមបានកោះរហាប្រជាជន- បានបង្រៀនកាសាខ្មែរ និងកាសាបារាំង គស្វី ។ ដូច្នេះ ជនបានសម្រេចចិត្ត ប្រធានពួកក្រុមភូមិនិងឃុំស្វើរតែគ្រប់ៗ រាប់រយនាក់នៅក្នុងឃុំទាំងមូលឱ្យមក ដល់កូនចិនដែលខ្លួនរស់នៅបម្រើរដីឡី ចូលជាមួយខ្មែរក្រហមនៅចុងឆ្នាំ មើលការសម្លាប់គូសង្បារនេះ ដើម្បី រកប្រាក់បន្ថែម ។ រស់នៅទីនោះបាន ១៩៧១ ។ ផនត្រូវបានចាត់តាំងឱ្យធ្វើ ចង់ព្រមានដល់បុរស-នាវីផ្សេងទៀត រយៈតែ៣ខែ ជន បានផ្ទាស់ទៅធ្វើការ ការខាងរកម្ហូបនិងទឹកឃ្មុំសម្រាប់ក្រុម កុំឱ្យយកគំរូតាមប្រសិនបើនរណា នៅទម្លាះមួយទៀត ដែលមានឈ្មោះថា ដែលមានសំមាជិកប្រមាណដប់-ហ៊ានប្រព្រឹត្តខុសពីបទបញ្ជារបស់ខ្មែរ- រស្មីសង្ហានៅឃុំដំណាក់ស្ដៅក្នុងស្រុក គ្រួសារ ។ ចំណែកប្រពន្ធរបស់ផន

ដែងនៅក្នុងឃុំព្រះនេត្រព្រះនេះដែរ។ ការនៅឆ្នាំ១៩៧០ ។ ប្រពន្ធរបស់ ផន ជា៤.១០០នាក់ ។ នៅដើមឆ្នាំ១៩៧៥ ស់ព្វថ្ងៃ ផទ មានអាយុ៧២ឆ្នាំ ឈ្មោះ ជូន នៃ។ បន្ទាប់ពីរៀបការ ផន ផន ត្រូវបានចាត់តាំងឱ្យនៅក្នុងក្រុម ទីនោះបានតែពីរថ្ងៃ តា ក្រក បានផ្ទាល់ រស់នៅក្នុងស្រុកម៉ាឡៃ ខេត្តបន្ទាយមាន បានសុំថៅកែមករស់នៅបែកដោយ ឃ្វាលគោរីដលមានមនុស្សចំនួន១៤ មក ធ្វើជាប្រធានឃុំព្រះខេត្តព្រះ ក្នុង រពលនោះមានតាម៉ោង, តាសំអាតនិង ជ័យ ។ ជនមានស្រុកកំណើតនៅក្នុង ប្រកបរបរដាំបន្លែនៅក្នុងឃុំទឹកពុះ។ ទៅ១៥នាក់ ដើម្បីឃ្វាលគោចំនួន៥០ ស្រុកព្រះខេត្រព្រះ ហើយ តាក្រក បាន នៅឆ្នាំ១៩៧០ លន់ នល់ បានធ្វើ ទៅ៦០នីម ។ ផន បាននិយាយថា មុន ហៅ ផន ឱ្យមកធ្វើជាគណៈឃុំព្រះខេត្រ *ំខ្ញុំត្រូវបាន ថា ក្រក បញ្ជូនឱ្យទៅមើល*

ថាអីទេ ហើយគេប្រាប់ថា កុំភ័យយើង ភ័យអ៊ីឡេតទេ ចាំយើងទៅប្រមូលយក ទៅតាមភាសារបស់គេណា! ។

ជម្នះនៅឆ្នាំ១៩៧៥ ផន និងអ្នកឯទៀត បាន ត្រឡប់មករស់នៅភូមិ ឱ្យម៉ាល់ផ្ទះ កាត់វិញ។ ផន បានឱ្យថា អ្នកដែលបាន គ្នា ។ នៅទីនោះមានរៀបចំប្រជុំចំនួន ប៊ីថ្ងៃ ដែលមានតា ក្រក ដែលជាអតីត កងទ័ពស្រុកព្រះខេត្រព្រះជាអ្នកដឹក នាំប្រជុំ។ ដោយ តា ក្រក ធ្លាប់ស្គាល់ ផន កាលនៅឃ្វាលគោនៅក្នុងព្រៃនោះ តា ក្រក បានហៅ ផន ឱ្យមក ធ្វើការជា ស្រុកក្រឡាញ់ ប៉ុន្តែនៅមិនទាន់ដឹង-ច្បាស់ថា នៅភូមិណានៅឡើយទេ។ នៅ

លោក ឈឹម ផន និងលោក នាំង យុ សមាជិក។ តា ក្រក ជាអ្នកគ្រប់គ្រង *ដូច្នេះខ្ញុំមិនស្វូវដឹងថានៅក្នុងភូមិឃុំនេះ* ការងារ ទូទៅចំណែក តា សន តែងតែ *មានរឿងអ្វីខ្លះកើតឡើងនោះទៅ* ។ ដើរធ្វើការជាមួយ តា ក្រក ។ ចំណែក ពេលខ្មែរក្រហមទទួលជ័យ ផន ទទួលជាអ្នកសរសេះរបាយការណ៍

> និងចុះពិនិត្យមើលកងក្អរ ។ ធ្វើការងារយ៉ាងម៉េចៗនោះទេ ពីព្រោះ គាត់ធ្វើអ្វី តាមតែបញ្ហាតែប៉ុណ្ណោះ។

តា ខ្វុងផន បាននិយាយខៀតថា តាសន ជាអនុប្រធាន និងផន ជា- *នៅអាងត្រពាំងឲ្យប្រហែលមួយឆ្នាំ*

สล พละเกี่ยกก่อง ลู้ยัง โห่งได้รุ่งพลองก่อง รู้ยุงก็ก่อยบา: โกกู้หัวให้การกล พละกักผลกา สล *ល្វដឹងអំពីរឿងពំរដែល ទាក់ទងនឹង* ពេលដែលពួកខរពីបានចូលមកកាន់នៅ បានបញ្ជាក់បន្ថែមថា ទោះបីជានៅ នរយា ៣យារបស់អង្គការផ្ទាក់ រយ័រនាះ តំបន់៥។ តា ក្រក ត្រូវបានចាប់ខ្លួននៅ ជំនាន់នោះគាត់ មានតួនាទីជាសមាជិក ទេ ហើយមួយរយៈក្រោយមក ទៀត ខែវស្សាគ្នា១៩នៅក់ ចំណែកអ្នកដែល ឃុំពិតមែនប៉ុន្តិចិនស្តីថានអ្នកណាមក មានឈ្មោះ តា ថាម ម្នាក់ទៀត ដែល ពាក់ពីនក៏ត្រូវបានគេចាប់ ខ្លួនយកទៅ វើរវល់ថា មួយកាត់ទេ ដូច្នេះកិច្ចការ មាន ឡែវយៈមក ខាងតំបន់៥ ត្រូវបាន មួយចំនួនដែរ។ តា សន ដែលជាអនុឃុំ ភាគច្រើនគាត់មិនបានដឹងឡើយ។ ម៉ោង។ ព្រះត្រូវជំនួសដោយ តា ណុញ និង នារី ^{ដល់បច្ចុ}ប្បន្ន ។

រលឹកដៃ នៅខណៈ នោះ អ្នកដែលចូល

មួយកាត្តមានគ្នាជី៥ទៅ៧នាក់ ដូចប្រជា ឯកសារកម្ពុជា ។ មានការច្របូកច្របល់ដោយសារមាន

នៅពេលកងទ័ពវៀតណាមចូល ចាត់តាំងឱ្យមកធ្វើជាសមាជិកនៅ ឃុំក្រះ ត្រូវបានសម្លាប់មុខពេលចាប់ខ្លួន តាក្រក នៅពេលកងទឹកវៀតណាមចូល នេត្រក្រនេះនេះ។ តា ចាម តែងតែ ដើរ ដោយសាះបាន ប្រព្រឹត្តទុសសិលធម៌។ មកនៅគ្នាំ១៩៧៩ ផន បានភ្លៀសខុនទៅ *ធ្វើការ ជាមួយ ភា ក្រក និង ភា សន* ភា ម៉ោង ភា សំភាគ និង ភា ខ្វុ ដែលជា ជាមួយ ភា ណុភា នា វីថា និងកឹងទ័ព ដែរ ។ នៅពេលប្រជាជនថ្មីដែលខ្មែរ គណៈស្រុកព្រះខេត្រព្រះ ក៏ត្រូវបាន ជាច្រើនទាក់ឡេតទៅនៅតំបន់ព្រៃមាន់។ ក្រហមជម្លៀសមកពីកន្លែងផ្សេងៗ មក ហៅយកទៅវៀនសូត្របន្តបន្ទាប់ ហើយ នៅពេលមានការឡាំងគ្នាកាន់តែ ខ្លាំង រទ្វីពី តាមតែបញ្ជាតែជាណ្ត្រារ។ ធ្វើការទោងនិនប៉ះទៅស្ថានស្តែងមាន ៨នបានធ្វើមាត្តភូមិនីត្តិទីមកកាន់ស្រុក គណៈស្រុក ព្រះនៅព្រះ នៅ កម្លាំង៣០នាក់។ ក្រោយមក យាយ ខែម កំណើតឡើង។ ខ្លួនវិញ។ ប៉ុន្តែ ៨ន បាន បានមក ទទួលជាគណៈ ស្រុក ជំនួស តា សម្រេចចិត្តបន្តរួមរស់នៅជាមួយខ្មែរ ចំណែកឃុំព្រះខេត្រ ក្រហម គឺរស់នៅក្នុងស្រុកម៉ាឡៃរហូត

ព្រះត្រូវជន្មសាធាយ មករក្មេច ថា។ ចំណែក ជននៅរក្សាត្តតាទំនាំងល និងត្រូវបានចាត់តាំងឱ្យទៅមើលការ-បីនាក់រួមមាន ខ្លួន ជា, ឡេវ សំផន និង

ផន នៅចាំបានថាពេលមួយ ដែលជា រដ្យុង សារី គឺជាលើកទីមួយហើយដែល អាក្រក់ទៅដោយសារ កងទ័ពវេត្រ- កាត់ទោសមេដឹកខាំខ្មែរក្រហមដោយ ណាមជិតចូលមកដល់ យាយ ខែម ផ្ទាល់ភ្នែក។ គាត់មាខការសប្បាយរឹក បានដឹកនាំប្រជុំដោយមានការចូលរួម វាយខៅក្នុងចិត្តក្រៃលែង ចំពោះវត្ត ចាប់តាំងពី ប្រធានក្រុមឡើងទៅ និង មានរបស់គាត់នៅឯតុលាការហើយ មានខាងទ័ពស្រុកបានមកចូលរួមនៅ បន្ទាប់ពីបាននិយាយនូវរឿងរាំវពិត ផ្ទះរបស់ យាយ ថែម។ ពេលនោះ យាយៈ ដែល បានលាក់ទុកនៅក្នុងចិត្តអស់រយៈ ខែមហាននិយាយថា *ំតើមិត្តណា*- ពេលជាងសាមសិបធ្នាំក្រោយពេល ដែលស្ម័គ្រចិត្តទៅច្បាំងជាមួយយួនសូម ដែលរបបខ្មែរក្រហមបានដួលរលំ ។ ផន មានវិប្បដិសារីដែលបាន រួមបានលើកដៃទាំងអស់គ្នា។ ប៉ុន្តែ សម្លាប់គូសង្យារទាំងពីរ ហើយខឹង

បន្ទាប់ពីប្រជុំចប់ ផន បានត្រឡប់ បែបនេះ ។ ផន និងអ្នកស្រុកជាច្រើន មកឃុំព្រះ ខេត្រព្រះ ដើម្បីប្រមូលផល ឡាតត្រូវបានមជ្ឈមណ្ឌលឯកសារ-ស្រូវវិញទោះបីជា ទិខ្មផលស្រូវដែល កម្ពុជានាំមកសង្កេតដំណើរការកាត់ ប្រមូលបានមានចំនួនច្រើនក៏ដោយ ប៉ុន្តែ ទោសមេដឹកខាំខ្មែរក្រហមដែលជា ប្រជាជននៅតែ ហួយចុកមិនគ្រប់គ្រាន់ ដំណើរការផ្សះផ្សាមួយរវាងជនដៃ-ម^{ានក្រ}្តាទថ្ងៃ ស្ថានការ សូម៉ីតែ ជន ផ្ទាល់ក៏តម្រូវឱ្យហូបបបៈ ដល់និងជនរងគ្រោះបស់មជ្ឈមណ្ឌល នៅក្នុងឆ្នាំ១៩៧៧ ស្ថានការ សូម៉ីតែ ជន ផ្ទាល់ក៏តម្រូវឱ្យហូបបបៈ ដល់និងជនរងគ្រោះបស់មជ្ឈមណ្ឌល

នាយ ឈុនលី

NATIONAL

Guilt Still Haunts Khmer Rouge Killer of Secret Lovers

BY KUCH NAREN AND ALICE FOSTER THE CAMBODIA DAILY

From the moment that former Khmer Rouge commune official Chhim Phan beat a couple accused of being secret lovers to death with a hoe in 1977, his life became a living nightmare.

Today, Mr Phan is a 72-year-old grandfather with a kindly manner, but he cannot escape the image of the dead couple he publicly executed for the "morality offense" of loving each other in Banteay Meanchey province's Preah Netr Preah commune.

"When I hit him, I kept my eyes closed. I just heard the sound," Mr Phan said in a soft voice, gesturing to show how he lifted the hoe to strike first the man, then the woman. "After I finished, I was not sure if they were dead or alive. I just moved back."

As Mr Phan walked away from the spot, he briefly glanced at the bodies lying on the ground—it was an image that would take over his mind in the following weeks and months. "I feel really regretful, and it's always a nightmare up to the present time," he said. "Even though I was forced to do it, I was scared at the time that I would be killed if I refused the order."

Mr Phan was recently found by the Documentation Center of Cambodia (DC-Cam) in Banteay Meanchey's Malai district. He is one of many former Khmer Rouge officials who the organization has found in the countryside in order to document their stories.

At the Khmer Rouge tribunal last week, during the beginning of the second case against former regime leaders, Mr Phan and his wife of more than 40 years sat alongside victims in the public gallery. Though he had killed the young couple with his own hands, Mr Phan blamed the accused for killings under the regime.

"They made me feel suffering and pain," he said. "I feel that I was one of the Khmer Rouge victims because they created me to be a killer."

Mr Phan has never had the courage to find out the identities of the two lovers he beat to death, or to even visit the execution site. He also claims that he was not involved in any other killings during the Pol Pot regime.

He feels guilt, though.

Mr Phan said that he frequently goes to the pagoda and Buddhist ceremonies to pray that the spirits of the dead couple find peace and do not take revenge.

"I don't know how much I can

pay back to them," he said. "Maybe, when I die, hell will have recorded my mistake for killing them, or maybe the pair had karma...in a previous life that caused me to meet this situation."

DC-Cam director Youk Chhang, then 14 years old and the tallest boy in his children's unit, was among the many hundreds of people brought to watch the killing of the lovers at the so-called People's Court where Mr Phan struck those terrible blows.

"The whole village said, 'kill, kill, kill, kill," said Mr Chhang. "I only remember that he hit the man first, but [the man] resisted to die."

The woman who was killed was a married woman in her twenties and an evacuee from Phnom Penh. She was being punished for falling in love with the local Khmer Rouge chief of logistics who gave her food.

Khmer Rouge district committee members, including Sam Art, who ordered Mr Phan to carry out the executions, were called for "re-education" in 1977 and never returned, according to a DC-Cam report.

"Phan was the only commune committee member to survive the purge," said the report, noting that Im Chaem, a suspect in the tribunal's Case 004, had come from the southwest to purge the district.

Mr Phan said that unhappiness, anxiety and sleeplessness still plague him.

"I feel that the guilt has caused a nightmare in my life," he said.

-National Brief -

Body of Drowned B Kak Woman Identified by Husband

The husband of a Phnom Penh woman who reportedly threw herself off a bridge last week, allegedly in despair of being left out of a land titling plan for Boeng Kak lake families facing eviction, said he found her body in Kandal province on Saturday. Doeung Phou said that after local residents in Kien Svay district found the body of a woman stuck in a patch of reeds along the banks of the Mekong River, he drove down to identify his wife, Chea Dara, and had her body cremated that afternoon. District police chief Pa Sam Eth said his officers received a call from local residents about the body and met Mr Phou at the river. He said they handed over custody of the body, but made no attempt to determine the cause of death. (Chhorn Chansy)

List of Villagers who Attended Case 002 Hearing November 21-22, 2011

Number	Name	Sex	Age	Brief Background
1	Hong Huy	М	58	Khmer Rouge survivor and Preah Net
				Preah Commune chief
2	Sum Sal	М	52	Former Khmer Rouge prison guard of Tra
				Yong Prison, Banteay Meanchey Province
3	Chhim Phan	М	72	Former Khmer Rouge Preah Net Preah
				Commune deputy chief,

Banteay Meanchey Province

				*
4	Thib Samphat	M	54	Former prisoner of Ta Yong prison,
				Banteay Meanchey Province
5	Praing Sal	М		Former Khmer Rouge Poy Pring security
				guard, Banteay Meanchey Province
6	Nhonh Soeum	М		Former Khmer Rouge Poy Pring security
				guard, Banteay Meanchey Province
7	Ban Mit	М		Former Khmer Rouge Poy Pring security
				guard, Banteay Meanchey Province
8	Nao Ream	F	44	Survivor who is now living inside the
				house used as Poy Pring prison under the
				Khmer Rouge regime
9	Chiem Kin	F	59	Ms. Chiem Kin was a militiawoman during the Democratic Kampuchea (DK) period, while her husband, Ta Val, was Chief of a Mobile Unit in Region 5. As a result of widespread purges carried out by the Khmer Rouge central command, Ta Val was arrested and sent to Tuol Sleng "S-21" prison. Ta Val's confession from Tuol Sleng is now archived at the Documentation Center of Cambodia (DC-Cam). During her first-ever visit to DC-Cam and ECCC, Ms. Chiem stated that she did not know the place where her husband was killed. The visit provided her with two valuable pieces of information regarding her husband's fate. First, Ms. Chiem realized that Ta Val ended up being imprisoned, interrogated, tortured and executed at S-21. She was pleased to

				get such an important story about her husband, even if it confirmed her worst fears. Second, she gained information that will help her to search for family members on her husband's side of the family. After 30 years without any clues about her husband's fate, Ms. Chiem now has some information. Currently, Ms. Chiem's children are searching for their father's relatives.
10	Phy Phuon alias	М	63	Ieng Sary's messenger
	Chiem			
11	Yun La	М	52	Khmer Rouge survivor:
				In 1975, he was drafted into the Khmer
				Rouge army in Kompong Leng District. In
				late 1978, he witnessed the killing of
				hundreds of new people in a rubber
				plantation farm in Kampong Cham
				Province.
12	Lach Phat	F	71	Complainant:
				She gave birth to her child during the
				evacuation. Later, her child died. Her
				husband was arrested, detained, and
				executed.
				Her daughter was put into a sack and
				drowned to death in a lake.
13	Kem Sok	F	63	Complainant:

				Under the Khmer Rouge regime, she lost
				her father named Kem Thok, her husband
				named Vorn Mich, and her daughter
				named Mich Kim Muoy.
14	Sin Sinet	F	48	Civil Party:
				During the Khmer Rouge regime, she
				worked in a children's unit at office K 9 at
				Orussei, Phnnom Penh. Her grandfather
				was arrested and executed at Tuol Sleng.
15	Hun Chim	М	75	Civil Party:
				His brother was arrested and killed at
				Kraing Ta Chan prison.
16	Chhau Dum	M	67	Civil Party:
				His father was killed during the purge of
				Eastern Zone cadres.
17	Kranh Ut	F	52	Civil Party:
				Her husband was arrested and killed at
				Sang prison. When her daughter became
				sick, Khmer Rouge medical staff injected
				her to death.
18	Leng Sarath	F	54	Civil Party:
				She was detained at Sang prison, Tonel

19	San Sok		Civil Party:
			During the Khmer Rouge regime, he lost
			his grandma named Koy Hin, his wife
			named Tiv Kim Ky, his sister named San
			Leng Ngann, his nephew named Um Sei
			La, his niece named Um Srey Pon, and his
			brother-in-law named Um Phan.
20	Chea Oeun		Petitioner and complainant:
			Father-in-law named Touch Kung,
			mother-in-law named Pin Rum, sister-in-
			law named Touch Ry and Touch Rin,
			brother-in-law named Touch Sokhan and
			Touch Sokhen, wife named Touch
			Roeung, son named Chea Morokot, and a
			foster brother named It Thun Rith
21	Nou Neary	F	Chief of Svay Por Sub-District,
			Battambang Province
22	Choun Sokhean	М	Deputy chief of Svay Por Sub-District,
			Battambang Province
23	Sam Ton	M	Member of sub-district council, Svay Por
			Sub-District, Battambang
24	Uk Kim	M	Member of sub-district council, Svay Por

Sub-District, Battambang

25	Em Sary	F	Member of Department of Women's
			Affairs, Svay Por District, Battambang
26	Yos Samoeun	М	Worker Chief, Svay Por District,
			Battambang
27	No Sadah	F	4 Village, Svay Klaing Sub-District, Krouch
			Chhmar District, Kampong Cham (Cham-
			Muslim)
28	Kup Aishah	F	Trapeang Chhuk Village, Beong Sub-
			District, Baray District, Kampong Thom
			(Cham-Muslim)
29	Khnuor Kaitoam	М	Sre Prey Village, Orussei Sub-District,
			Kampong Tralach District, Kampong
			Chhnang (Cham-Muslim)
30	Math Him	M	Treoy Koh Village, Kampong Bay Sub-
			District, Kampong Bay District, Kampot
			(Cham-Muslim)

Coordinators: Kimsrauy Visal, Men Pechet, Sok Vannak, Ly Sok-Kheang, and Long Dany of the Documentation Center of Cambodia (DC-Cam).