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DOCUMENTATION CENTER OF CAMBODIA
Phnom Penh, Cambodia
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The *Duch* Verdict: A DC-Cam Report from the Former Khmer Rouge Stronghold of Malai

Witnessing Justice, Village Screenings of the First Khmer Rouge Verdict
of the Extraordinary Chambers in the Court of Cambodia (ECCC)

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Reported by Anne Heindel



Former KR combatants hold photos of their one-time neighbors Ieng Sary, Noun Chea, Khieu Samphan. A civil party in Case 001 whose father died at S-21 stands on far right holding a photo of Ieng Thirith.¹

Screenings held in cooperation with the Ministry of Interior and funded by U.S. Department of State Bureau of Democracy, Human Rights and Labor (DRL) with the core support from USAID and Sweden. OSI, Denmark, Australia and Norway provided the screening materials.

¹ Five days after the forum the four leaders were indicted by the ECCC. See Press Release, Extraordinary Chambers in the Courts of Cambodia, 16 Sept. 2010 (announcing the indictment of Ieng Sary, Ieng Thirith, and Khieu Samphan for crimes against humanity, war crimes, genocide, and offenses under the 1956 Cambodian penal code), available at http://www.eccc.gov.kh/english/news.view.aspx?doc_id=369.

Overview

The Documentation Center of Cambodia (DC-Cam)'s Living Documents Program hosted a forum about the Extraordinary Chambers in the Courts of Cambodia (ECCC)'s first verdict on September 11th in the former Khmer Rouge stronghold of Malai commune, Malai district, Banteay Meanchey.

On July 26, the ECCC issued its judgment against Kaing Guek Eav *alias* Duch for crimes committed in connection with the S-21 detention center, sentencing him to 35 years, minus five to remedy his illegal pre-trial detention. Because he has already served 11 years in detention, he has less than 19 years to serve of his sentence. Since the pronouncement, DC-Cam has hosted live and replayed screenings of the sentencing in eight provinces and Phnom Penh to collect and evaluate participants' reactions.

Although limited to one detention site, the *Duch* trial raised numerous legal, political, historical, and moral challenges. It also provided the first opportunity for Cambodians to hear public discussion and debate on policies of the Democratic Kampuchea (DK) period that resulted in the deaths of nearly two million people in only three years, eight months, and twenty days. Duch's confession of his crimes and the Court's judgment of his actions can be meaningful even for survivors unconnected to S-21, as they speak to the responsibility of the many other prison chiefs still living who will never be held accountable for similar acts.

Verdict screenings are intended to generate discussion about the meaning of the *Duch* verdict in local communities and to raise awareness of upcoming case 002, the second and most important trial of senior Khmer Rouge (KR) leaders Nuon Chea, Khieu Samphan, Ieng Sary, and Ieng Thirith. This is the first verdict screening in which an ECCC Civil Party has helped lead the discussion and encourage audience participation.



Field of green beans, Malai District

Background on Malai District

Malai is five minutes from Thailand, but approximately eight hours from Phnom Penh. It is reachable only by a dirt road heavily pockmarked by the seasonal monsoon and the steady traffic of overloaded vehicles transporting people, goods and local agricultural products—chiefly green beans—to and from Thai-border markets. Heading south from Kaun Damrei commune, the road follows the border through some of the most fertile and heavily mined land in Cambodia, connecting numerous villages settled by Khmer Rouge displaced after the fall of the Democratic Kampuchea regime.



Road to Malai



Boeng Béng commune hall office

Approximately 95% of the nearly 8350 residents of Malai commune are former Khmer Rouge from other provinces who, like many others who live along the border, arrived in this mountainous area in 1979. Many fled to the border due to rumors spread by the KR leaders that the Vietnamese would cut their throats if they caught them.

Laurence Picq, the French wife of Suong Sikoeun *alias* Kong, an assistant of Ieng Sary, has written about her escape from Phnom

Penh to Malai at that time.² She spent a month traveling to the jungled border zone and gave birth in Boeng Béng commune to a son who, died from malnutrition and disease only a few months later.³ Many cadre succumbed to these same ills.

² See Biography of Kong, *Searching for the Truth* magazine, English Issues 7-11 (2000), available at http://www.dccam.org/Projects/Magazines/previous_issues_eng.htm.

The region was fiercely fought over during the 1980s and early 1990s, with the KR using the Phnum Malai range—a 400-square-meter area—as its main military sanctuary. Although Vietnamese forces overran the area in 1984-85, reportedly killing thousands, it was overtaken by the KR again in 1989 after Vietnam began withdrawing its forces from the country. During these years KR leaders warned people that if they went to government-controlled areas they would be targeted for killing. One woman at the Malai forum, Svay Bo, returned anyway to her home town in Takeo and lived there for 11 months but went back to Malai when she was rejected by her neighbors for having served with the KR.

In 1996, Ieng Sary and local KR officials defected to the government, and the town was established by decree a year later, on August 6, 1997. After he defected, Ieng Sary founded a political party called the Democratic National Union Movement (DNUM), including membership from Malai. All top officials were former Khmer Rouge. Ieng Sary attempted to distance the party from the Pol Pot faction, claiming that the new party did not seek power and was established “for the necessary purpose of Reconciliation, Unity and to Stop Fighting.” In 2001, shortly after the first ECCC Law was passed, a speech by Ieng Sary emphasized that the movement opposed any activities that might lead to instability, possibly in reference to the Court.

Although claiming that the party had no ideology or party apparatus, it included a central committee, comprising seven members including Y Chhean, Chairman; Sok Pheap, Vice Chairman; and Ieng Vuth, member. Moreover, eight divisions of KR soldiers each had three representatives on the “permanent committee for each battlefield.” After setting up these committees, the leadership “would step ahead towards



Malai Commune town center

³ See Laurence Picq, *Beyond the Horizon: Five Years with the Khmer Rouge* (1989). See also Laurence Picq, *Comment: My Life Under Ieng Sary: Crying Against the Shame & Horror*, Phnom Penh Post, 4 Oct. 1996; Suong Sikooun *Letter: From Pol Pot's Winter to the Malai-Pailin Spring*, Phnom Penh Post, 15 Nov. 1996.

courage its spirit for the strengthening the talk process in purpose of stopping the complete bloodshed in Cambodia for her lovely people of Cambodia." The movement continued at least until August 2001, when 400 members met in Malai to celebrate the fifth anniversary of its founding. Because it never formally dissolved, its status today remains unclear.

Since 2005, the district chief has been Tep Khunnal, a former Pol Pot advisor who represented the Khmer Rouge during the 1991-93 UN-brokered peace process. Khunnal remained close to Pol Pot until June 1997 when Pol Pot ordered the murder of Son Sen and 10 members of his family for "treachery" for negotiating the end of hostilities with first Prime Minister Prince Norodom Rannariddh. Although he fled with Pol Pot from opposing KR forces shortly after the murders, a few weeks later Khunnal took part in Ta Mok's trial of Pol Pot, supporting his prosecution and life imprisonment.

In 1998, Khunnal became an aid to Khieu Samphan and a representative of his KR National Solidarity Party in negotiations with Prime Minister Hun Sen. He defected to the government with Pol Pot's second wife Mea Son that year, and married her shortly after, reportedly pursuant to a death bed request from Pol Pot. They moved to Malai, where they became neighbors of DNUM spokesperson Suong Sikoeun, Laurence Picq's ex-husband. In a 2000 interview, Tep Khunnal said, "Why do they only focus on 1975 to 1979"? ... What about in the 1960s or the French rule or the Vietnamese? A lot of people were killed in those times too."⁴ He also called Khieu Samphan his "idol" for fighting for social justice while serving as a parliamentarian.

Malai Forum

Upon their arrival, the approximately 120 participants received copies of the *Duch* verdict summary, DC-Cam's booklet entitled *Genocide: The Importance of Case 002, Searching for the Truth* magazine, and the textbook "A History of Democratic Kampuchea (1975-1979)."⁵



Malai Forum

⁴ Gina Chon, Thet Sambath & Lor Chandara, *Past Imperfect: Former Khmer Rouge Intellectuals Reflect on a Time They'd Rather Forget*, Cambodia Daily, 15-16 April 2000 at 16.

⁵ After the forum the team drove to Sampov Lun to conduct ground work for a future screening and distributed these materials to homes and farmers traveling by tractor along the way.

Deputy district chief Nin Phuok opened the forum, welcoming the participants and encouraging everyone, including local officials, to pay attention, participate in the discussion, and critically analyze the verdict. Most of those in attendance were women, including the deputy district chief and several commune council members from the three communes invited (Malai, Boeng Béng, and O Sralau). District chief Tep Khunnal was unable to attend because he teaches economics and management at a university in Battambang every weekend. However, his deputy said that he likes to participate in social events and meetings organized by NGOs or by the government, and had he not been busy with his personal business, he would have attended.

The team screened two films: "Tuol Sleng 1979," and "Behind the Walls of S-21." The former contains graphic footage taken by the Vietnamese when they first discovered the detention center, and the second includes interviews with S-21 prisoners and a prison guard. The audience was also shown a short clip of Duch's sentencing. After the screenings, the team led a discussion centered around two questions:

- (1) What does the *Duch* verdict mean to them?
- (2) Should the senior Khmer Rouge leaders be tried and sentenced?

Hav Sophea, a civil party in Case 001 whose father Chin Sea *alias* Hav Han died at S-21, traveled by taxi from her home in Kampong Thom province to participate in the forum. She explained to the audience how she had participated in the Court's proceedings against Duch and how meaningful it was for her to seek justice for her father who died "with nothing." In her view, Duch's sentence is too short, though she acknowledged his cooperation with the Court and confession of guilt.

Living Documents team leader Sirik Savina then asked audience members to hold up photos of the four senior leaders in custody at the ECCC and referred the audience to the *Genocide: The Importance of Case 002* booklet. Several people said that they had known Ieng Sary, Nuon Chea, and Khieu Samphan as neighbors. Six women shared their experiences under the KR and



Malai Forum

their views of the verdict and upcoming case 002, and one sang part of a Khmer Rouge victory song about April 17th. Some of the women who spoke were interviewed after the forum and provided additional information about their backgrounds and views on the trials.

Sum Aun, age 38, originally from Boeung Bei village, Khum Khnar commune, Bakan district, Pursat, spoke first. She told the audience that she lived next to Nuon Chea at Phnom Chhat (Umbrella Mountain) in 1992. Her husband was a KR singer 1991-1992 while UNTAC was preparing for the election in Thmar Puok. She said,

When we recall the [Democratic Kampuchea] past, each of us still feels terrible. None of us could avoid the sufferings and the loss of family members. I also lost many relatives on my father's side to the regime, although I did not lose any of my immediate family members.

At first she said that she agrees with the decision to prosecute the KR leaders and has no right to judge. "I was just a neighbor to [Nuon Chea]. I did not have clear understanding of what he did to victims during the DK regime." Asked if only the four leaders should be tried or if direct perpetrators should also be prosecuted, she said, "I think the top leaders should be held accountable." For her, lower level cadres should not be targeted for prosecution because if not for the leaders they would not have committed any crimes. Moreover, she believes prosecutions of direct perpetrators could be seen by villagers as a provocative action and lead to more violence. After hearing other participants express their views, she spoke again and asked that the punishment of the senior leaders be reduced. When interviewed after the forum she said:

I think the Court is correct to bring the KR leaders to trial. However, in my capacity as a resident of Malai and one of their followers, I don't want them to be tried or sentenced at all. They are our leaders and our people's representatives. I never witnessed any killings or executions. They always helped to get us food from China. They helped to get clothes and food for me, my family, and the people here. In my opinion, I don't want the Court to sentence Duch to so many years. The Court should reduce it because we don't want to seek revenge against each other. I think we have similar opinion on their trial of KR leaders. But we dared not speak our mind.



Malai Forum

She said that the screening and discussion were effective reminders for the younger generation to think twice before acting, so that they don't repeat history.

Pen Pann said that she recognized Ieng Sary because she has lived in the Malai region since 1979 when she was evacuated from Phnom Penh. "Ieng Sary was the one who imported food

and goods to support the people through the Malai border gate." She said tearfully that she supported the Court and accepted its judgment because of the many family members she had lost to the regime.

Another woman knew Khieu Samphan from when he was a leader in Malai 1979-1980. She said, "I don't have any idea what he did during the KR regime, but during the time I knew him I think he was a good leader." Nevertheless, she agreed that the Court should bring the KR leaders to trial.

Yi Sim, age 53, from Ang Ta Som, Tram Kok district, Takeo Province, has lived in Malai since 1979. During the DK she worked as a cook at a power plant in Phnom Penh. She was the first speaker to strongly defend the senior leaders. Her contribution appeared to change the tone of the forum, either influencing others to support her views or providing them the courage to speak their minds publicly. She said, "For those four leaders, I never saw them hit, arrest, or torture people." The only crimes she saw were on the film shown at the forum. She emphasized that the four were good leaders when she worked with them, and are old already. She thinks that the Court should not sentence them for too long since they are also Khmer.

Sim elaborated on her views after the forum during an interview with Living Documents staff. She said that while living in Phnom Penh during the DK, she was not aware of Tuol Sleng nor any other security prisons. At her factory, she noticed that some nights one or two people would disappear, but she had no idea where they went and did not dare ask her supervisor.

Living on the border in 1979, the area was completely jungle and they had nothing to eat, even salt. Each family had only a half can of rice or three spoonfuls of rice for each meal. Many died of starvation. Because of hunger, they snuck into Thailand and stole food. Some were caught and beaten to death. Seeing their hunger, the KR leaders struggled to find food for them; they went to Thailand and China to beg for aid to save the people's lives.



Thai border marker near Malai Commune

They saved the people from death and after they defected to the government, the leaders helped them reunite with family members.

She speaks to her children about the regime and has told them about her hardships during that time: carrying soil, building dikes, and eating only porridge. She wants them to understand that today they can live a prosperous life compared to hers; that they should appreciate their lives. Her children visited Tuol Sleng prison and now when they come home and she tries to advise and hit them, they say she is being mean because she is Khmer Rouge. She has no idea what they think about her.

Sim believes that the tribunal was created to try the KR leaders because the regime caused many deaths in the country. She acknowledges that the regime was a dictatorship. However, she never saw the leaders commit crimes directly and doesn't believe that they or any government would lead a country to devastation or cause the death of its own people. She is afraid that their subordinates committed the crimes. Regarding Duch, if he was truly a brutal murderer who had no compassion for Khmer people, that was his own business; she doesn't know whether or not he is responsible for the crimes and doesn't have an opinion about it. She sees him as a pitiable person because he is old and has to endure a lot of pain before he dies. She also pities the senior leaders and believes the government and the UN should give them a shorter sentence than Duch's 30 years because they are so old already. She emphasized that she was not trying to protect them; however, she lived with them since she was 19 and never saw them commit any crimes.

Finally, she said that she thought the forum was beneficial for villagers because they will now have a better understanding of the tribunal and Court procedures. Some villagers have been following the proceedings in the news but none has previously received any KR or ECCC informational materials.

After Yi Sim spoke, another woman said that people should not take revenge against the four in detention. Instead, Cambodians should work together, children should listen to their parents, and people should be able to earn enough to support their families. Ceremonies for the dead should be held. Although the KR were bad, they left a lot of infrastructure such as irrigation canals. She wants people to consider the good they did and give them only short sentences since they are old.

Kheum Kheng, age 52, likewise asked that the senior leaders' sentences be short. Although they were the Khmer Rouge leaders, there were many cadres at the grassroots level who were also involved in crimes. During the DK regime, even a person working in a security unit had the right to kill someone. She suggests that DC-Cam try to understand the true situation during the KR regime. Even if people in some regions suffered terribly, there were also some regions in which people lived a peaceful life. Blood did not cover the whole country.

Kheng says Ieng Sary and his family protected them and didn't let them be put in prison after 1979 but helped them live peacefully. In the Eastern Zone, even small children were taken to be killed, but Ieng Sary didn't take anyone. "Please," she said, "the Court should not only find justice for all Cambodian people but also find the truth about the KR top leaders." She emphasized that the Court was established not only bring justice to victims, but also to former KR. She doesn't blame the government for bringing the leaders to justice, but when there was no food Ieng Sary's



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cooperative provided food. If the Court acts vindictively, the cycle of revenge will never end, even in the next life.

Kheng also noted that in 1975 people were chased out of the cities, but when the Vietnamese came she was likewise chased out of Phnom Penh and many KR were gunned down by the Vietnamese. She said:

Most people define 7 January as a day of victory and a day of rebirth. However, this is not true for Khmer Rouge. Khmer Rouge people left Phnom Penh for the border trying to find a new peaceful life. But they suffered from hunger, disease, and fighting. I experienced this myself. I was 18 years old by then. From Phnom Penh, I moved from one place to another. On the way, because of hunger, we asked for rice from local cooperatives. There were a thousand of us. However, they did not help us but trapped and killed us. If one of us did not go to investigate a place first, we might be killed. I assumed this was an act of vengeance.

Kheng asked that the Court reconsider how many people it tries, saying, "I think these four or five people are enough or too many to bring to trial. In my view, there should be less, not more than these five. Finally, I would like to request the Court to reduce the sentence so that we can live together in harmony."

In her closing remarks after the forum, deputy district chief Nin Phuok thanked DC-Cam for coming and said that the community supported the prosecution and trial of Duch and understood the sentence. Malai commune chief Dim Sok said that he had enjoyed listening to discussion of the past because although the war had been destructive to society, today it is good for people to express their ideas and experiences. He said that for more than 40 years he had suffered a lot. "I shot people and people shot me back, but now we live in peace." Though he has no connection to the ECCC, "It is the law that we live under."



Commune Chief Dim Sok

Additional Viewpoints

In an interview after the forum, **Sin Sophal Rith, female, age 50**, said that before 1975, her father was a doctor and the family moved from Phnom Penh to Pailin. When the KR came to power in 1975, they were evacuated to live in Sala Krao. Then they were assigned to work in a mobile unit at Ampil Pram Deum. She was then sent to work at textile factory at Damnak Sala until 1979, when she ran from the Vietnamese with other workers to Malai. In 1980, she married Ho Chaun, who worked as a singer for the KR from 1985 until the late 1990s when they defected to the government. He would record songs and send them to the KR leaders who lived in Koh Kong. They would check the songs to see if they matched the KR revolutionary stance and then broadcast them on the radio. She tells her children about her life stories, but they do not believe her at all.



Interview with Yi Sim



Filming the bean fields

She thinks the Court and the UN should reduce the sentences of the KR leaders because she never saw them doing bad things to their own people. The KR leaders usually lived in Thailand, but came into Cambodia for big meetings. When she was living with them, she could only see them doing good things and never saw any killings. She wants the Court to reduce Duch's sentence too because she is not sure if he was the one who gave the orders or followed the orders. Either way, she wants his sentence to be reduced.

Duong Chhun, male, aged 50, was born in Phnom Sruoch, Kampong Speu. He said he has very little education because he stopped studying when he was in grade 12 (equal to grade 1 today) when the Khmer Rouge began collecting children to serve in

the army. He served in Division 1 under Ta Mok's command. When the Vietnamese invaded, they ran toward the Thai border, but the Thai did not allow them to stay. Many died of starvation and from the fighting. He thinks that the killing during the KR regime was caused by hatred. When someone was promoted to a high position, he began to mistreat those at the lower level. He found it difficult to express his views on the tribunal and said that he doesn't really have an opinion.

Tuy Loas, male, age 58, born in Tbeng village Kampong Thom, was a KR soldier during the DK regime and moved to Malai in 1979. He does not object to the trial of the KR leaders and understands that they will receive short or long sentences according to their guilt. Personally, he thinks the tribunal is important for the younger generation because it could set an example for young people to think before doing something.

Ul Ron, male, age 60, was born in Kampong Thom and moved to Malai in 1981. He joined the Khmer Rouge in 1972 and worked in a warehouse supply unit until Kuy Kuon, the head of the military unit in the north zone, was arrested and accused of being an enemy. Most of the people in the unit were then arrested. Ron was anxious and couldn't sleep at night, wondering why. When Vietnamese troops captured Phnom Penh, he tried to escape the KR, but ended up serving with an army unit in Pailin and then Malai through the 1990s.

Ron has watched the *Duch* trial on TV. In his view, the regime would not have collapsed if it hadn't been for internal enemies. He himself witnessed in Siem Reap atrocities such as those discussed during the trial and believes that all such acts were committed by subordinates. Ron said that in the provinces people ate only porridge, which was contrary to Pol Pot's policy of providing food to the people three times per day. He also experienced not having enough to eat although he served the KR. None dared to resist this policy. Everyone just shut his mouth because there was no freedom of speech. Some subordinates in some regions continually reported that their unit had enough rice to eat when it did not. He thinks that they lied



Tractor transport, Malai District

because they wanted to be promoted. After he returned from Siem Reap, he reported the atrocities he had seen in a letter to Nuon Chea, whose headquarters was near the Sports Center. He rode his bicycle there and sent the letter through a guard. When he was later told that Kang Chab, the deputy governor of Siem Reap, had been arrested, he felt relieved.

He believes that the weakness of the Pol Pot regime was that they didn't have monitoring teams in the provinces. "I think that no matter how smart you are, you still have some weaknesses. For example, Pol Pot also had some weaknesses in the way that he only read the reports of the provincial governors, but never went to those provinces to directly observe the situation himself."

In Than, female, was born in Siem Reap province. She clears grass and collects corn and peas for the owner of a farm because she does not own any rice fields. She was given approximately 2-3 hectares of land during the integration in 1997, but sold it because she was afraid of land mines. Than joined the KR in 1973 by force and threat. She knew that the KR leaders led the



Minefield clearance, Malai District

country based on communist theory, but did not know what communism meant. She dared not ask because she was afraid that she would say something wrong and be sent away. Than ran from the Vietnamese because it was rumored they would cut people's throats. In Malai, she was drafted into the army and transported food for the soldiers. She wanted to return home, but was afraid and "did not think critically." During the KR integration, she wanted to defect to the government because she had been separated from her siblings for such a long time.

She thinks that Duch's 19-year imprisonment is reasonable because he committed wrongs in the past. According to Buddhist concepts, Duch has received his bad deeds. During 1977-1979, Than heard about Khieu Samphan, Nuon Chea, and Ieng Sary from her friends, but she never knew them because she only held a low-level position. She supports their trial; however, she asked the Court to reduce their sentences since they

are old. She asks that those whose lost relatives under KR leaders forgive them, as everyone has lost at least one loved one under the regime, and people should not take revenge. She said, "This terrible time has passed and we should forgive and reduce their sentence. We might be able to do this now, but we could not during the KR time, as they did not believe in any religion or embrace Dharma." From then until now, she regrets what she has done for the revolution and her separation from her parents.

Conclusion

The Malai forum was notable for the active role taken by Hav Sophea, a civil party in Case 001, and her ability to draw the audience into conversation. Her involvement encouraged discussion, made it impossible for the participants to deny that crimes had taken place at S-21, and gave a face to the victims who are pinning their hopes for justice on the ECCC proceedings. Nevertheless, most participants did not have strong views about the *Duch* verdict, likely owing to the fact that they did not know Duch personally. On the other hand, most seemed to agree that their former neighbors, the four senior leaders, should receive only short sentences because they did good things as well as bad, and are now old. Although the documentary footage and participation of Sophea made the crimes real, the participants were able to deny personally knowing anything about S-21, and thus distance themselves from KR crimes generally.



Woman on tractor reads a distributed *Searching for the Truth* magazine, Malai district

In order to generate more self-reflection, at the next forum the team intends to add a clip of Duch expressing his responsibility for the atrocities committed at S-21.

About the Living Documents Project

The Living Document's Program seeks to increase the participation of ordinary Cambodians in the work of the ECCC, help them better understand DK history and the Court's legal processes, and provide them with an opportunity to see Court proceedings and to speak to Court officials. Since ECCC proceedings began in 2007, the Program has brought around 10,000 people, including 1500 commune chiefs and nearly 400 Cham

Muslim religious leaders, to Phnom Penh to receive legal training, observe proceedings at the ECCC, and participate in discussions about what they have seen. In addition, the Program holds forums about the ECCC around Cambodia.

Media Coverage

The screening in Malai was covered by *Reaksmey Kampuchea*, *The Cambodia Daily*, and a freelance journalist. Published articles are below.

Ieng Sary Support High in Malai as Trials Loom

BY NEOU VANNARIN
AND JULIA WALLACE
THE CAMBODIA DAILY

MALAI DISTRICT, Banteay Meanchey province - The swift and brutal 1975 evacuation of Phnom Penh by victorious Khmer Rouge forces has become notorious for the devastation it inflicted. But if many people here in Malai had their way, the 1979 expulsion of the Khmer Rouge by Vietnamese troops would be just as infamous.

"Khmer Rouge people left Phnom Penh for the border trying to search for a new peaceful life, but they suffered from hunger, disease...fighting and shooting," recalled Khem Kheng, who once worked as a cleaner at the regime's Ministry of Foreign Affairs, scrub-

bing floors and making beds for visiting dignitaries.

At a forum held here by the Documentation Center of Cambodia on Saturday, she recounted the privations of her flight from the capital, appealing to the Khmer Rouge tribunal to consider the suffering of rebels too.

"Blood did not cover all over the country. Please, I suggest to the court to not only find justice for all Cambodian people but also find the truth about the Khmer Rouge top leaders. The court is not only established to calm the victims but also for the former Khmer Rouge. If the court runs this way, it means vindictiveness ends by being vindictive."

It would be hard to find many people who disagree with the in-

dictments expected to be handed down this week to four senior Khmer Rouge leaders—Brother Number Two Nuon Chea, Foreign Minister Ieng Sary, Social Action Minister Ieng Thirith and head of state Khieu Samphan.

But defiant Malai, a narrow wedge of Banteay Meanchey province hugged by the Thai border, is populated almost entirely by former Khmer Rouge cadres who are less than thrilled about the prospect of seeing their former leaders and neighbors on trial for genocide and crimes against humanity.

"People here are liking, supporting and respecting Ieng Sary," confirmed Dim Sok, the chief of Malai commune, who served in the Khmer

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Rouge army. He praised the former foreign minister as a great "economist" who had focused his efforts after 1979 on rural development and funneled part of the Chinese aid money he controlled directly to the people of Malai.

"How can they hate him if he brought lots of food and supplies for them?" he asked, explaining that the people of the district had never felt hunger during Ieng Sary's reign here.

"He had an economic concept and never killed people," Mr Sok insisted. "You can see he helped build Malai market. People here, they are not happy to prosecute him."

Malai remains defiant partly because it is so remote. From the provincial capital, the district is a bone-clattering two-hour journey down a deeply rutted dirt road. It is still impassable in the rain, lined with dozens of freshly cleared minefields.

But this area was also perhaps the most important of the Khmer Rouge border strongholds. Once known as Phnom Malai, it served as a de facto capital and key military base in the 1980s, and remained semiautonomous well into the late '90s.

Along with Pailin, Phnom Malai was controlled by Ieng Sary, and when he defected to the government in 1996 he brought the area's tens of thousands of residents and soldiers with him, dealing a crippling

blow to his former movement.

The district is now governed by Tep Khunnal, the regime's former ambassador to the UN. He remained with the Khmer Rouge until its bitter last gasp, first as an aide to Pol Pot and later, after denouncing Brother Number One, to Khieu Samphan, a man he once called his "idol." Now married to Pol Pot's widow, the one-time communist juggles his administrative duties with a weekend job teaching economics and management at a university in Battambang province.

Nowadays, Mr Khunnal says, the 42,000 residents of the district are focused on business, with little time to think about the leaders who once abolished the market.

"Most of the villagers now are thinking only how to produce their agriculture. How much does corn cost? How much does rice cost? And is the road good enough to transport their products?" Mr Khunnal said in a telephone interview on Monday.

The tribunal "is too far from them, because they are now only thinking of producing their agricultural products and earning money for their children to go to university," he continued. "But they just have a sentimental feeling about the former Khmer Rouge leaders."

Indeed, almost every participant in the forum had words of praise for Ieng Sary, Nuon Chea, and Khieu Samphan, whom they frequently described as "nice" and "polite."

Kith Peou, 49, spent the 1980s working in a transportation

group run by Ieng Sary in the 1980s, ferrying weapons and supplies across the Thai border to Malai. She said she supported punishing former Khmer Rouge leaders for crimes they may have committed, but she had only good memories of Ieng Sary to share.

Ms Kheng, the cleaner, also had nothing but praise for her "nice" former boss, saying she was sure that Ieng Sary, at least, was innocent of all charges.

"He has never done anything wrong," she said. "The Ministry of Foreign Affairs never took people to do hard work."

Ms Kheng appealed to the tribunal to minimize the four senior leaders' punishment: "Grudges are eliminated by not grudging," she said. She insisted that the leaders themselves had never ordered any killings. "At that time, even one police officer also had the power to take people to kill," she pointed out.

Former cadre Yem Sim agreed, suggesting that the senior leaders may have been scapegoats for hidden culprits.

"I would like to request the government and international organizations not to punish them very strong," she said. "I lived with them from 1975 on, and they were really nice, they were nice to people. They never made us starve or killed people. They protected our land from enemy invasion."

Ms Sim, 53, bemoaned the demonization of the Khmer Rouge, which is now so widespread that even her children

brandish her rebel status during disagreements.

"When I advise them or fight with them, they say, 'You were Khmer Rouge, so that's why you are so naughty,'" she complained.

DC-Cam workers said participants in the forum were some of the most unrepentant they had ever encountered.

"I've been to forums in other former Khmer Rouge strongholds, but I haven't ever seen this level of defiance with so many people standing up and saying, 'Don't prosecute them' or 'Don't punish them too much,'" said Anne Heindel, a legal adviser to DC-Cam, who attended the event.

Even those who were not openly unhappy with the idea of prosecution seemed at least mildly nostalgic about their years under Khmer Rouge rule.

Vann Sophal, 49, proclaimed himself utterly uninterested in the tribunal: "I am just an illiterate farmer and know nothing about that." But he remembers Ieng Sary's control of the area with some fondness.

"Back then things were normal," he recalled, "but we got our own pension every month and we got monthly allotments of fish sauce and prahok and seasoning. Now, after we lose him, we just get by on our own farming work."

"Now it is a little bit difficult, because previously there were no robbers and we just hung our clothes and things outside without worrying. I didn't really like it, but we were all in here together."

រៀនប្រវត្តិសាស្ត្រកម្ពុជាប្រជាធិបតេយ្យគឺរៀនពីការរស់ស្តាប់អំពីប្រល័យពូជសាសន៍



សំរៀងពីអតីតបង្កើនក្រុមហ៊ុនអ.វ.ត.កត្រូវតែធ្វើឱ្យច្បាស់ណាស់ តម្រូវការព័ត៌មាននិងអាចយកបានថែមទៀតលើសំណុំរឿង០០២

ម៉ាឡេ-បន្ទាយមានជ័យ ៖ តាមរយៈការបញ្ជូនកិច្ចសន្យាសរសេររបស់បងប្អូនពលរដ្ឋ និងអតីតយុទ្ធជនអតីតយុទ្ធនារីខ្មែរក្រហមដែលធ្លាប់លង់ក្នុងមនោសញ្ចេតនានិងមនោគមន៍វិជ្ជានៃមេដឹកនាំខ្មែរក្រហមនោះបានបង្ហាញថាអង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា (អ.វ.ត.ក) និងស្ថាប័នអ្នកពាក់ព័ន្ធដំណើរការកាត់ទោសខ្មែរក្រហមគួរតែប្រើប្រាស់បទពិសោធន៍កាត់ទោសមេកុកទូលស្នែងកាំង ហ្គេចស៊ាវ (ឌុច) នៃសំណុំរឿង០០២ទៅឱ្យបញ្ជាក់និងធ្វើឱ្យប្រសើរឡើងទៀតក្នុងសំណុំរឿង០០២ ។



បងប្អូនអតីតខ្មែរក្រហមនៅម៉ាឡេ ចាប់អារម្មណ៍ប្រាប់លោកម៉ាង យូ-បុគ្គលិករបស់គាត់ ពីការកាត់ទោសខ្មែរក្រហម (រូប៖ ឡាញ់)

អ្នកស្រីមីម ខេង ជំទប់១១ឃុំម៉ាឡេ ស្រុកម៉ាឡេជាអតីតបុគ្គលិកនារីវ័យក្មេងនៅក្នុងក្រសួងការបរទេសកម្ពុជាប្រជាធិបតេយ្យ (ប១) និងយាយនោះវត្តរតនៈម៉ាឡេក្នុងពេលបញ្ចប់វិស័យអង្គការកុកទូលស្នែងនិងសាលាគ្រូមុខកាលពីថ្ងៃទី១១ខែកញ្ញាឆ្នាំ២០១០ថា ការកាត់ទោសមេដឹកនាំខ្មែរក្រហមអាចនាំឱ្យស្រាប់ដល់ការសន្យាផ្សះផ្សាបង្រួបបង្រួមជាតិដែលលើកឡើងមុនអតីតខ្មែរក្រហមធ្វើសមាហរណកម្មមុនឆ្នាំ១៩៦៦ក្នុងមក ។ អ្នកស្រីនិយាយបន្តថា៖ ការកាត់ទោសកាំងហ្គេចស៊ាវហៅឌុច មេកុកទូលស្នែង ឬស-២១ បានប្រកាសសាលាក្រុមរួមកណ្តាល (សំណុំរឿង០០១) ក្នុងតុលាការកាត់ទោសខ្មែរក្រហម និងស្ថាប័នអ្នកពាក់ព័ន្ធប្រើប្រាស់បទពិសោធន៍ក្លាបមកកាត់ទោសក្នុងសំណុំរឿងលេខ០០២ នាពេលខាងមុខឱ្យបានត្រឹមត្រូវប្រយ័ត្នប្រយែង ។ បើយកល្អកុំកាត់ទោសអ្វីៗ នួនជា ឡើយសំផន អៀងសារី និងអៀង ធីវិទ្យាជាប់គុកខ្លួនខ្លួនពេក ។ ពោលគឺគួរយកគឺថ្លៃ វិជ្ជាប្រែ-ដោយការមិនចង់រៀន ។ ព្រះពុទ្ធសាសនាបានអប់រំបែបនេះគឺកុំសងសឹក ឬសើរើកាយគ្នា ។ ព្រោះថាព្រាយថ្ងៃទី៧មករា១៩៧៥ដែលភាគច្រើនយល់ថាប្រជាជននិងប្រជាជាតិកម្ពុជា រស់ឡើងវិញនោះ តែតាមពិតខ្មែរក្រហមបានស្លាប់និងដកគ្រោះដោយសារការសងសឹក ខណៈខ្លួនកុំដោយខ្លួនរស់នៅបានរួចត្រូវបង្ខំចិត្តដកថយខ្លួនទៅប្រើ

ផែនការដ៏វិសេសយកជម្រើសគន្លឹះឡើងវិញ ។ អ្នកស្រី និន ភូក អភិបាលរងស្រុកម៉ាឡេដែលជាអតីតយុទ្ធនារីខ្មែរក្រហមនិយាយថា ការកាត់ទោសគឺសំអាងលើច្បាប់ជាតិនិងអន្តរជាតិ ។ ឧក្រិដ្ឋកម្មដែលខ្មែរក្រហមបានប្រព្រឹត្តឡើងគឺជាកំហុសឬយ៉ាងណា សូមបងប្អូនមកទស្សនាវិទ្យុវីដេអូ អាចស្សៀវហៅប្លង់កសាវនាខាងសាលាវិទ្យុខ្មែរក្រហម និងបង្គោលស្នាក់នៅកម្ពុជាចែក និងស្លាប់ការនិយាយពីប្រវត្តិសាស្ត្រ ឬរំលឹកខ្លួនឯងពីប្រវត្តិក្នុងកាត់ខ្មែរក្រហម។ សូមនាំគ្នាពិចារណាចុះ ។ ព្រោះថាបើកាត់ទោសរើម្បីបានយុត្តិធម៌សុទ្ធជាមិនគិតដល់នយោបាយផ្សេងជាតិវិញ ព្រមទាំងមិនសូវល្អប៉ុន្មានទេ ។ លោក ម៉ាង យូ នាយកមជ្ឈមណ្ឌលឯកសារកម្ពុជាថ្មីនិយាយថា ផ្នត់គំនិតបងប្អូនអតីតខ្មែរក្រហមដែលដិតដាមដោយមនោគមន៍វិជ្ជាលាយឡើងនិងមនោសញ្ចេតនានិងមេដឹកនាំប្រធានខ្មែរក្រហម គឺនាំឱ្យពួកគេគិតថាការកាត់ទោសមេដឹកនាំខ្មែរក្រហមគួរតែមិនជាការចាំបាច់នៃដំណើរយុត្តិធម៌ និងការបង្រួបបង្រួមជាតិទៅកម្ពុជាទេ។ លោកនិយាយបន្តថា ការសិក្សាស្រាវជ្រាវ និងអប់រំពេញលំអានដល់បងប្អូនអតីតខ្មែរក្រហមពី អ.វ.ត.ក ពីរាជរដ្ឋាភិបាល និងពីវគ្គពាក់ព័ន្ធគឺសំខាន់ណាស់ ។ ការធ្វើសមាហរណកម្មរបស់អតីតខ្មែរក្រហម និងរាជរដ្ឋាភិបាលអាចថាមកតែរូបរាងកាយ តែចិត្តនិងក្លាយជាស្លឹកក្រាមដំបូលច្បាប់ ។ ប៉ុន្តែអ្នកដែលលោកគិតថាខ្លាំងជាងការកាត់ទោសនោះគឺមិនអាចចង់ឱ្យពលរដ្ឋណាម្នាក់រួមទាំងពលរដ្ឋអតីតខ្មែរក្រហម

មានជីវភាពក្រីក្រ ហើយការលំបាកដែលពុំគួរជួបជួនពីមុន ។ ពលរដ្ឋប្រុសស្រីនៅតំបន់អតីតខ្មែរក្រហមម៉ាឡេដៃរៀន បញ្ចេញយោបល់ដោយមានការរន្ធត់ ព្រោះតែមនោសញ្ចេតនា និងមនោគមន៍វិជ្ជាខ្មែរក្រហមដែលដិតដាមយ៉ាងយូរនិងពួកគេ ។ ពួកគេមិនសូវសប្បាយចិត្តទេ នៅពេលណាតុលាការខ្មែរក្រហម កាត់ទោសមេដឹកនាំខ្មែរក្រហមជាតំបន់ ៤ រូប ក្នុងសំណុំរឿង០០២ ខាងមុខរួចជាកាត់ទោសខ្លួនខ្លួនពេក។ ពួកគេលើកពីអាយុចាស់ សុខភាពមិនសូវល្អនិងប្រវត្តិរើមនោគមន៍វិជ្ជាខ្មែរក្រហមទាំងអស់ដែលផ្សាយមនោគមន៍វិជ្ជាគន្លឹះបង្កឱ្យគិតស្តីទេ ។ លោក ម៉ាង យូ នាយកមជ្ឈមណ្ឌលឯកសារកម្ពុជាថ្មីនិយាយថា ផ្នត់គំនិតបងប្អូនអតីតខ្មែរក្រហមដែលដិតដាមដោយមនោគមន៍វិជ្ជាលាយឡើងនិងមនោសញ្ចេតនានិងមេដឹកនាំប្រធានខ្មែរក្រហម គឺនាំឱ្យពួកគេគិតថាការកាត់ទោសមេដឹកនាំខ្មែរក្រហមគួរតែមិនជាការចាំបាច់នៃដំណើរយុត្តិធម៌ និងការបង្រួបបង្រួមជាតិទៅកម្ពុជាទេ។ លោកនិយាយបន្តថា ការសិក្សាស្រាវជ្រាវ និងអប់រំពេញលំអានដល់បងប្អូនអតីតខ្មែរក្រហមពី អ.វ.ត.ក ពីរាជរដ្ឋាភិបាល និងពីវគ្គពាក់ព័ន្ធគឺសំខាន់ណាស់ ។ ការធ្វើសមាហរណកម្មរបស់អតីតខ្មែរក្រហម និងរាជរដ្ឋាភិបាលអាចថាមកតែរូបរាងកាយ តែចិត្តនិងក្លាយជាស្លឹកក្រាមដំបូលច្បាប់ ។ ប៉ុន្តែអ្នកដែលលោកគិតថាខ្លាំងជាងការកាត់ទោសនោះគឺមិនអាចចង់ឱ្យពលរដ្ឋណាម្នាក់រួមទាំងពលរដ្ឋអតីតខ្មែរក្រហម

ពិសោធន៍ និងលទ្ធផលនោះយកទៅប្រើសម្រាប់កាត់ទោសមេដឹកនាំខ្មែរក្រហមជាតំបន់ក្នុងសំណុំរឿង០០២ ខាងមុខ ។ លោកនាយកមជ្ឈមណ្ឌលឯកសារកម្ពុជាថ្មីនិយាយថា បើតុលាការធ្វើការដោះដាយមិនប្រយ័ត្ន មិនអនុវត្តតាមតួនាទីខ្លួនឱ្យរឹតតែច្រើន គឺក្រោយការកាត់ទោសខ្មែរក្រហមទៅ វាគឺនាំឱ្យនាំឱ្យមានការបែកបាក់ក្នុងក្រុមអតីតខ្មែរក្រហម ។ ដូចជាខ្មែរកាណឌូឯកសារស្តីពីកុកទូលស្នែង ដែលថតដោយវៀតណាម គឺនៅតែធ្វើឱ្យខ្មែរក្រហមនៅក្នុងនាយាយល់ ថាឧក្រិដ្ឋកម្មឃោរឃៅយ៉ាងធ្ងន់ធ្ងរ ដោយអតីតខ្មែរក្រហមសូមិភាគបូណ៌ ព្រោះវៀតណាមជាអតីតគូសត្រូវរបស់ខ្មែរក្រហមដែលថតឯកសារនោះ ។ ដូចជាកាលពីថ្ងៃទី១៧មករា គេជម្រុសប្រជាជន និងថ្លែង មកវា ខ្មែរក្រហមត្រូវគេរុញច្រានទៅគ្នាយ ។ ខ្មែរក្រហមរត់ចោលស្រុក ដោយសារពួកគេប្រព្រឹត្តបទឧក្រិដ្ឋ និងដោយសារវៀតណាមរុញច្រាន ។ លោកស្រី ហាវ សុភា ដើមបណ្តឹងរដ្ឋប្បវេណីក្នុងសំណុំរឿង០០២ និងលានទៅធ្វើនៅសំណុំរឿង០០២ ទៀតនិយាយថា គេពិបាកស្មានចិត្តពីព្រាងរបស់បងប្អូនអតីតខ្មែរក្រហមពីរឿងកាត់ទោសខ្មែរក្រហម ព្រោះពួកគេធ្លាប់រស់នៅក្រោមការដឹកនាំរបស់ខ្មែរក្រហមពីសម័យពេញវិញ និងក្រោយឆ្នាំ ១៩៧៥ មក ។ ពួកគេកុំសូវទទួលបានការអប់រំពេញលំអដូចមនោគមន៍វិជ្ជាខ្មែរក្រហមពីសំណាក់រាជរដ្ឋាភិបាលនិងដៃគូទេ ។ ឡាញ់

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