

SHOULD THE KHMER ROUGE LEADERS BE RELEASED? THE OPINIONS

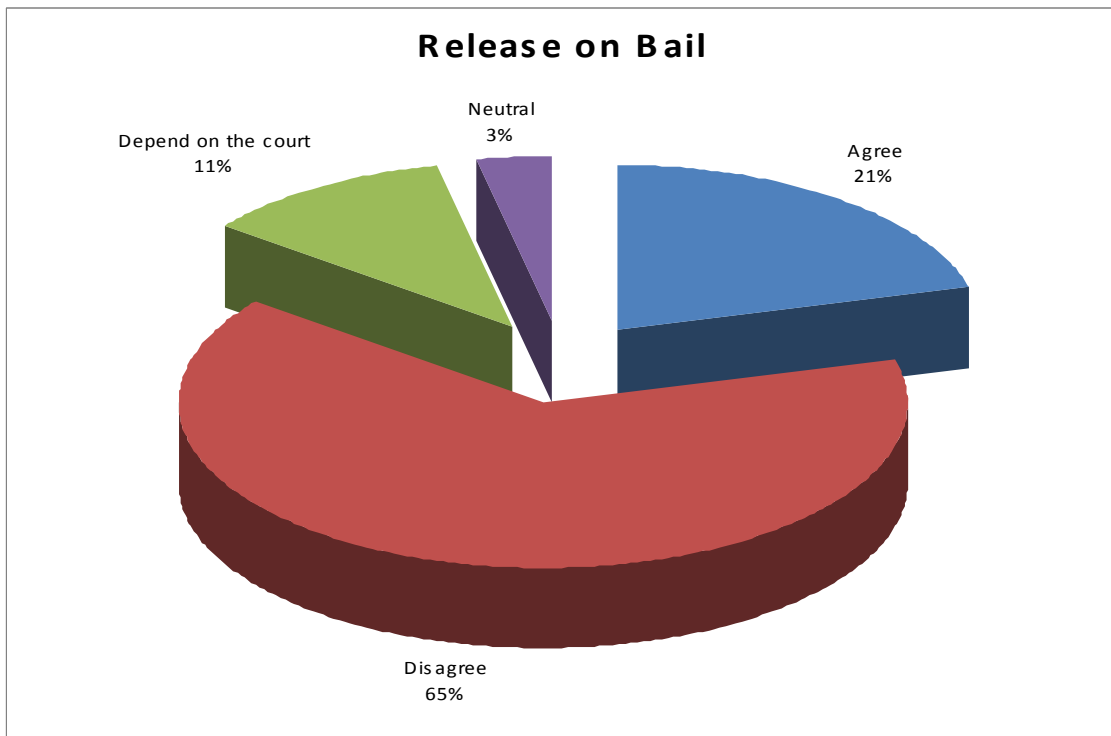
On January 31, 2011, the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) held a public hearing regarding the Application for Immediate Release of the three accused, namely Nuon Chea, Khieu Samphan and Ieng Thirith, in advance of their trial, which is expected to commence mid-year

In accordance with the ECCC Law and in order to bring a measure of accountability for the crimes committed during the Democratic Kampuchea Regime, the Court has indicted the three accused for Genocide, Crimes against humanity, War Crimes, and crimes set forth in the 1956 Cambodia Penal Code. The three accused have been held in provisional detention at the ECCC detention facility since 2007.

When presenting their arguments to the Judges, defense counsels' primary argument for release was that the length of their detention had exceeded the maximum allowed in Internal Rule 63 of the ECCC.

In response, the Co-Prosecutors argued that their claim was inadmissible and a misreading of the rule. Moreover, they pointed to the continuing need for the accused's detention to prevent them from fleeing the country and to protect their security.

This report provides Cambodian's opinions on the potential for immediate release on bail of Nuon Chea, Khieu Samphan and Ieng Thirith.



1. Keo Thy, 42, teacher at Chea Sim Santhor Mok High School

For me, the accused charged with genocide should not be released or freed because their acts committed during the regime were too serious for the whole nation. Therefore, releasing the accused would bring no justice at all for the relatives who suffered under the regime.

2. Ty Sarak Raingsey, 29, pedagogical student majoring in geology and biology

From my perspective, the decision [to release the accused] would not be the right choice because they committed too many wrongdoings upon Cambodian people and they committed genocide against their own Khmer people and thus caused the death of so many people. Some lost their relatives, while others lost their jobs. What they did brought nothing but the total failure of our economy. I personally think that lots of people would feel dissatisfied if the accused are released, because many people lost their relatives and thus they want the Court to seek justice for them.

3. Keo Phorn, 58, Vice Principal of Chea Sim Santhor Mok High School

There will be no justice for the people if the judges release the three accused, who led the country to tragedy. Henceforth, being a Cambodian citizen, we could not release the accused; we need to detain and bring them to trial in order to set a model for the next leaders not to allow the recurrence of such a regime. This is a task we must do to the person who committed offences.

4. Suon Sotheary, male, 26, a pedagogical student majoring in Khmer Literature

From my point of view, I disagree with the release of the accused on bail, because it would be inappropriate to release them before the judgment is rendered and people will not be satisfied. Personally, there must be no release of the accused on bail.

5. Iem Sophat, 26, a pedagogical student majoring in Khmer Literature

From my point of view, we must not release the accused because they are the prisoners of the history, and the world is certain about the fact that they are the prisoners who killed millions of people under the Democratic Kampuchea regime. They were the rulers of a barbarous regime that claimed the lives of people, separating parents from children and vice versa. If we released them, they would seem like innocent free men and they would live as normal people. Once the trial begins, they would be brought before the Chamber; but if the Court did not sentence them, they would still live as normal people. Hence, as a

Khmer who also lost his parents, grandparents and relatives to the regime, I would like to share my perspective that we must not release the accused as they are the prisoners of the history whose notoriety is so well-known. We must seek more evidence so as to quickly put them to trial while they are still alive. Also, we must not let them escape through death, because once they die, we cannot hold the trial, and that would be the most regretful of all.

6. Nget Dy, male, 22, a sociology student at the Royal University of Phnom Penh

To me, the accused should be released because they very old; all are in their 80s. During the period of release, it does not mean that they are free without any guilt. By the time we bring them to trial, they will be 80 or 90 years old. In the next five or six years, they might have (fatal) problem to their health. And if we want to sentence them, it will be no longer than that, because most of them are suffering from disease. Moreover, releasing them is an expression of humanity and forgiveness. However, this is only my personal opinion. I don't know what other people might think of it.

7. Eng Samphoas, female, 21, a sociology student at the Royal University of Phnom Penh

To me, as a member of the next generation who did not go through the regime, they should be released. Of course, responding to the national reconciliation, and particularly the mental illness, most people want the accused to be detained. However, based on their age, I think that freeing them from detention can promote human rights. To me, there is no problem if we release them. Besides, though they are released, we could continue the investigation.

8. Say Sen, Teal Brakeap village, Ang Tasaom commune, Tram Kakk district, Takeo province

To me, I do not want them to be released, because I suffered a lot during the Khmer Rouge regime at Kraing Ta Chann (security office). Also, the crimes they committed were tremendous and thus they should not be released.

9. Chann Ke, Prey Khla village, Reap commune, Peareang district, Prey Veng province

I want them to stay in the prison. If we release them, it seems like we do not care about the deaths of millions of people who died during their ruling regime. And if we did, it would be too lenient for them.

10. Hour Thol, Svay Antor village, Svay Antor commune, Prey Veng district, Prey Veng province

For me, they should not be released because (they) made my relatives die. If they were released, it would cause suffering for me. I would feel angry if they were released as many of my relatives died at the time.

11. Khun Samit, in Svay Antor village, Svay Antor commune, Prey Veng district, Prey Veng province

Being one of the victims, I would not agree to release them at all. The reason is that if they were released, justice seeking would be loose. We could not rely on them as they would flee abroad.

12. Chin Sokh, Ta Kdol village, Ta Kdol commune, Ta Khmao district, Kandal province

We must continue to detain them, because first, due to the security problem; second, the evidence has already pointed to them as real criminals. They were in the top list of the suspects. I know Nuon Chea exactly. We must not release them because if someone attempts to kill them on the way home or at home, we would lose everything that is the history for the next generation.

13. Tean Lan, Sman Kou village, Kanthao Lich commune, Kampong Trach district, Kampot province

I want them to be released because the provisional detention period has lasted for a long time already.

14. Suos Sarin, Tuol Angkup village, Sambo commune, Svay Rieng district, Svay Rieng province

To me, I want [the accused] to be detained until the trial begins because of personal security. And it is a problem when the Court needs them, or it is possible that [they] might commit suicide because (they) might think that it is a serious issue and want to hide their secrets and facts.

15. Mann Kryah, Prek Ta Hom village, Khsach Andet commune, Chhlong district, Kratie province

To me, I want [the accused] to be detained because I suffered terribly. People lived with difficulties under the regime, particularly those of the Cham religion whose religion was eliminated.

16. Suy Sivorn, Thmei village, Kok Thlok Kraom commune, Chi Kreng district, Siem Reap province

To me, I want the Khmer Rouge leaders who have recently put forth the application for immediate release to the Court be released, because they all have aged. Everyone is extremely angry with the leaders of the regime. Demanding them to be detained until they die is an expression of inhumanity. There is no gain in imprisoning them until they die,

because [we] just want to release our anger. Buddha says, "Vindictiveness does not end by being vindictive."

17. Att On, Chrak Krasaing village, Tuol Prich commune, Angsnuol district, Kandal province

I do not support the idea of releasing the accused because this would not equal to what they did. Also, we would find it difficult to maintain their security. In the detention center, they are taken care of, especially their health. Some accused may commit suicide once they are released.

18. Mann Toe, Po Serei village, Kampong commune, Chi Kreng district, Siem Reap province

To me, I want them to be detained because the security is safer than outside.

19. Sokhoeun, 28, motor taxi driver at Kap Ko market

Though I do not often follow the proceedings, I don't want the Court to release those Khmer Rouge leaders because they killed a lot of people and they were the most responsible persons for the crimes they committed against Cambodian people.

20. Sim Chhai Ny, 43, Tuk Tuk driver on the riverside.

I don't want the Court to continue detaining those KR leaders because they are very old. They could do nothing at this age. If they flee, they would not go far away. They would die anyway. Thus, it should be time for them to be freed. Let them sometimes meet with their family. I pity them.

21. Yat, 32, motor taxi driver

I do not want them to be detained anymore because they are very old. They could not do anything at this age. Besides, we know exactly that they are guilty and thus they could not do anything against us. Hence, let them have freedom.

22. Vuth, 36, motor taxi driver

I want the three accused to be freed because they are very old and thus could do nothing against us.

23. Bun Huot, 37, staff of Sanofi Company

I do not want the Court to release those Khmer Rouge leaders because they are the most responsible persons. Moreover, I think that if the Court released them, they would flee the country.

24. Say Sokhom, 27, monk

I do not want the Court to release those Khmer Rouge leaders because I fear that they would flee the country.

25. Van Mony, 43, vendor

During the Khmer Rouge regime, I was a kid and thus I did not know much about the Khmer Rouge. If the Court released them, I would be happy and if not, I would feel pity on them as they are very old.

26. Vann, 32, motor taxi driver

I do not want the Court to release those Khmer Rouge leaders because they committed serious crimes.

27. Hong Huy, male, Preahnet Preah commune, Preahnet Preah district, Banteay Meanchey

In my opinion, I do not want the three leaders to be released because they are the senior leader of the Khmer Rouge regime. The Court should keep them [in custody] to bring to trial. If the Court arrested them and then released them, it would mean that those who did wrong are never brought to trial. There would be no justice for Cambodian people.

28. Chhoem Morn, male, Rorka commune, Kandal Stung district, Kandal

I think the Court must not release them. The law must not release guilty people. The law has been adopted. We must abide by the law, which means we have to make responsible those who violated the law. Although they said they did not commit anything wrong, the truth is they were leaders of the regime. Like Khieu Samphan said he had nothing to comment but he wanted all to abide by the law. Even if he requested to the Court to release him, the law would not let him free because he was a leader at that time.

29. Ie Lai Theng, male, Vihear Luong commune, Suong district, Kampong Cham

I rely on the Court to decide. Although they stay in detention they do not face any difficulty in their living. They have security and doctors to take care of them. If they stay outside of detention, their security won't be guaranteed.

30. Soeng Sitha, male, Svay Chek commune, Rumduol district, Svay Rieng

To my opinion, I think they should not be released because they have been charged with serious crimes. It would be easier for them in terms of security if they are kept in detention [but if released] the government

would find it difficult to watch them. So they should continue staying in detention.

31. Dum Sok, male, Malai commune, Malai district, Banteay Meanchey

I want the Court to release them because they are too old to commit any wrongdoing. They should not take revenge on one another. We should forget about the past.

32. Boeung Ben, male, Boeung Khnar commune, Bakan district, Pursat

I do not want them to be released because they have mistreated people during 3 years 8months and 20 days. The regime is called a prison without wall. I do not mean to take revenge on them. But I want them to experience suffering while they are in detention. If they are released, they will have equal freedom as other people. I want the Court to keep them in detention.

33. Chhai Dom, male, Toek Thla commune, Prey Veng district, Prey Veng province

In my view, I want the Court to continue placing them in detention because the case has not come to conclusion and it is very complex and large. The Court should keep them in detention and continue to find evidence to support the trial. If the Court decides to release them, they will never be brought to trial.

34. Nob Ouch, male, Trapeang Sala Khang Kaet commune, Banteay Meas district, Kampot province

I think, they are very old already; so if they are released, there would not be any problem. Moreover, [the Khmer Rouge] occurred a long time ago. Therefore, the tribunal should release them.

35. Tem Kimseng, male, Sangveuy commune, Chikreng district, Siem Reap province

The tribunal has detained them for 3 years already, so I have no idea if the tribunal continues to detain them; it depends on the law. There would not be problems if the tribunal release the three detainees or continue to argue. For security, Cambodian people who have supported them would be able to create such a regime again.

36. Tann Sinat, female, member of Sya commune council, Kandieng district, Pursat province

To me, if the tribunal can release them by providing them full security, it should release them because they are very old and do not have power to [re]make the movement anymore. However, if they still have a

notion to doing such activities, the tribunal has to arrest them again. I personally do not feel afraid of them.

37. Prak Van, male, Chres commune, Kampong Tralach district, Kampong Chhnang province

I do not agree with the release of the three because they are now in the process of being tried and are senior Khmer Rouge leaders. So they should not be released. The release of them would cause disagreement among the public.

38. Uk Muon, male, Romlech commune, Bakan district, Pursat province

I think that if the tribunal comes to a decision to release the three, there would not be any problem due to the reason that they are old and their family can take care of them. Their health would be worse if they are detained. The tribunal should release them with some degree of restrictions.

39. Thaong Sim, male, Kraing Leav commune, Kraing Leav district, Kampong Chhnang province

I have no idea; it depends on the tribunal since the waiting time is short. I am afraid they would cause insecurity or flee to other countries. If the tribunal is able to maintain their security, they should be released.

40. Min Phat, male, Trea commune, Stung district, Kampong Thom province

I feel that the tribunal has authority and practices the law, so just let the tribunal decide. However, three of them should continue to be detained like Kang Gek Eav, aka Duch, in order to leave a model for the next generation, so that they will not follow.

41. Hau Phay, male, Kraing Deyvay, Phnom Sruoch district, Kampong Speu province

To me, I will not reject [release]; it depends on the tribunal. But, I want to know who ordered the killings if they did not directly order the killings.

42. Sek Sam Ath, female, Promaoy commune, Vealveng district, Pursat province

I let the Court decide. I have no idea in this case.

43. Ly Hort, male, Pornng Teuk commune, Kep district, Kep province

I do not want the three to be released because it will not let victims calm down. On the other hand, they are now very old and I do not know when they will be tried. If the tribunal releases them, it should tell the public about when it will try them. I am afraid they will pass away like Ta Mok.

44. Men Hok, male, a History teacher from a Secondary School at Pursat province

There is no problem for me with regard to the release of the three senior Khmer Rouge leaders who filed an application for immediate release to the Trial Chamber. But I would feel very disappointed if the Court released them, because there is a possibility that they will die or maybe those who lost relatives would take revenge against them. Besides, if those leaders died, the facts hidden in their brain would disappear and the Court would not hold the trial at all. Also, I worry about their security.

45. Heng Chan Dara, 47, history teacher from Pursat province

I personally think that the Court would face difficulty in releasing the three KR leaders because of the conditions and proceedings of the detention were just like the Duch case. But, if the Court released them, it would be a good thing as they would have freedom to travel or cure their illness; however, they would face security problems. Besides, I think that if they were detained, it would also be better too as it would be safer. I fear that if they were released, there would be the same result as what had happened to Khieu Samphan in 1991 when he was hit in the head (people attempted to kill him).

46. An Chantrea, 29, history teacher from Koh Chum Secondary School, Kandieng District

To me, if they were released, there be no justice at all for the people of Cambodia, especially those who went through the Khmer Rouge regime.

47. Sieng Bun Seng, 31, history teacher from O-Ta Paong High School, Bakan District

I usually follow the proceedings via live television. I know that two accused, namely Ieng Thirith and Nuon Chea, asked to leave the hearing due to bad health. In fact, they did this because they want to show the public their unusual health condition in order to allow for their immediate release. I believe that there would be many people agreeing to free them. And for me, I also support the idea of freeing them because they are very old and thus they deserve to have freedom before they are sentenced.

48. Chhun Rim, 32, history teacher from Srah Ma-kak Secondary School at Bakan District

From my point of view, they should be released in order to promote human rights and maintain the purpose of national reconciliation. I think that they would be able to protect themselves. The Court should agree to the application filed by the defense counsel to release their clients.

49. Kung Chanthy, 30, history teacher from Hun Sen Tep Nimit High School, Pailin province

What I say isn't because I favor the Khmer Rouge or because I live in Pailin where there are still lots of Khmer Rouge. I think that the Khmer Rouge leaders in custody at the ECCC should be released for two reasons: 1) there is an application for release from their defense counsel and 2) they are very old and thus they should be freed so then they can live together with their family.

50. Chhuom Arun, male, history teacher from Hun Sen Sala Krao High School, Pailin province

Previously, I think that they should be released because the Court has not made any judgment against them yet. However, once I think thoroughly about their security, I want the Court to continue detaining them because there is only the Court that could guarantee their personal security. If they were released, their life would not be guaranteed. Ultimately, I still want them to be held in provisional detention.

51. Paong Saophea, 27, history teacher from Hun Sen Chamkar Daung High School, Kep province

To me, they should be released and the Court should agree to the application filed by the defense counsel. Regarding security, I think they would be able to protect themselves well.

52. Mom Sam-Ol, 39, a history teacher from Hun Sen Tra Sek Kaong High School at Kampot province

From my viewpoint, the three senior KR leaders should not be released because their wrongdoings do not deserve release at all. Their crimes brought the deaths of millions of people and thus the relatives of the deceased persons would not feel good of those leaders. Releasing them would bring them danger. Besides, they are very old and thus they should not request for release at all. If the Court released them, it would mean that the Court did not see their mistakes.

53. Leng Kap, 42, history teacher from Hun Sen Chhuok High School, Kampot province

If the Court released them, it would be an injustice for the people of Cambodia because these people caused the deaths of millions people under their control. Though they were released, the Cambodia people would not kill them. However, the trial of those who committed such barbarous crimes is extremely important for the young generation. This particular process is crucial to the prevention of its recurrence. For me, before releasing the three leaders, the Court should continue to investigate so as not to allow for an "excuse" of release. I personally think that they should not be released because doing so we could guarantee their security by having doctor nearby all the time and having detention facility guards taking care of their security too before being brought to the trial.

54. Aly Osman, 50, male, Imam Khet Takeo

In my opinion, I did not want the Court to release them because there will be no justice for victims. But given their ages, we should let them out of the prison for a while because they may not cause any chaos in society. They may not escape or fight against Cambodian people. We should let their family take care of their health.

55. Sos Saleh, 46, male, Imam Khet Koh Kong

We cannot let them out of the prison and live freely. We need to keep them. If they are sick or cannot be present in Court, we can wait for them until they get better.

56. Sman Zainoab, 65, female, Islamic religious teacher

Don't let them out; keep them until trial. If the Court lets them out, I will be upset and angry.

57. Khe Isa, 58, male, Imam Khet Preah Vihear

I do not want them to live outside the prison. Being out means they will have freedom and it seems they are not the accused. We suffered from their treatment. Given our pain and suffering, we should not let them out.

58. Kup Aishah, 55, female, Trapeang Chhouk village women representative

I am afraid that they would escape, so the Court will not be able to call them back. It is not acceptable because their crimes seem to be present. Therefore, keeping them in the Court until their trial, like Duch, is a better choice.

59. Math Him, 54, male, Treuy Koh commune council, Kampot province

I followed the hearing of Case 002 last night (February 1, 2011). I think it is impossible to release the KR leaders because they are senior. This

will make the victims upset. If they remain in the prison, it will make people safe and peaceful. If the Court releases them, we will be concerned about our safety.

60. Haji Omar, 73, male, Hakim, O-Trav village, Preah Sihanouk province

Do not release them because they committed serious crimes unlike lower KR cadre. I will get upset [if the Court let them out], because I suffered a lot from the regime.

61. No Min, 52, male, Commune Council Member, Svay Khleang village, Svay Khleang commune, Kroch Chhmar district, Kampong Cham province

It would be unfair to let them stay outside detention because they are senior KR leaders. Would other people agree to see them released? It is not appropriate. I don't agree. The case is very important. Letting them stay outside the detention would cause the people to feel suspicious. So, we should keep them in the detention.

62. Von Navy, 23, female, Year 4 student of Accounting, Western University. Angkor Ban village, Angkor Ban commune, Kang Mea district, Kampong Cham province

We could not see them being released. It is impossible because they are the accused persons who were responsible for serious crimes. Unless there was a proof that they have no guilt, then they could enjoy their freedoms.

63. Saleh Kao, 56, male, Imam in Chhlong district, Chraing Chamreh village, Sangkat Chraing Chamreh, Khan Reussey Keo, Phnom Penh

To my thinking, they should not be released because it was a big issue. They are the leaders of Democratic Kampuchea. They are not low-level leaders.

64. Set Maly, 61, female, housewife, Chraing Chamreh village, Sangkat Chraing Chamreh, Khan Reussey Keo, Phnom Penh

According to the law, they deserve being released. They were detained for so long. We don't want to be authoritarian. We have to respect the accused persons' rights. We don't want to act like what their regime did.

65. Matt Saras, 64, female, housewife, Cham Leu village, Prek Thmei commune, Koh Thom district, Kandal province

It was difficult to answer this question. I think it is not fair to see them being released. They caused people from all walks of life suffered. My

siblings and mother died (crying). But everything depends on the Court's decision. I only wish peace and happiness.

66. Mat Tahir, 29, staff of an organization, Kampong Kes village, Trapeang Sangke commune, Tik Chhou district, Kampot province.

It would be inappropriate conduct. Everyone knows that the three accused persons, who are responsible for the killings, committed the mistakes, thus deserving being imprisoned. So, letting them stay outside the detention facility would be unfair.

67. Nita, 20, female, staff of wildlife organization, Tadip village, Andaung Khmer commune, Kampot city, Kampot province

We should allow the accused persons to get out of detention if they agree to admit their guilt and refrain from harming people's interest. If they can guarantee this, we should let them stay outside for a while.

68. Soh Rumly, 58, Hakem, Trea 2 village, Trea commune, Kroch Chhmar district, Kampong Cham province

It is not right. How could they seek release while their alleged killings are not tried yet. Please let the Court think that it was not appropriate. The people in my village almost have no confidence in the Court because of the long trial. I myself also feel hopeless and no longer wish to follow that process.

69. Slai Man, 68, male, Imam of Mondul Kiri district, Pou Chry commune, Pech Chror Dar district, Mondul Kiri province

It is up to the law. But for me, I don't want to see them being released. Our sufferings are still in our mind. I suggest that the Court try them soon.

70. Haji Sofiyan, 48, male, Imam, Baset village, Tapon commune, Sangke district, Battambang province

The trial is not equal to the number of people who died. It depends on the Court to decide this, but our suffering is still in our mind.

71. Ahmat Yasya Ahfa, 36, male, Imam in Prey Veng province, Kraham Ka village, Mesa Prachan commune, Pea Reang district, Prey Veng province

It's not fair because I'm 100 percent sure of the guilt they committed during the KR regime. So, they should not be released.

72. Sler Mei, 24, male, student

We could let them stay outside the detention for a short period because each people enjoy equal rights and freedoms. For the three accused

persons, if they are to be released provisionally, it is also a good choice in order for them to see the differences between the KR regime and the current situation? Better or worse? So, if they are outside the detention, they can know their past mistakes.

73. Kae Mat, 42, male, Islamic teacher in Prey Pis village, Chres commune, Kampong Tralach district, Kampong Chhnang province

Releasing them would make it difficult to call them back. Given their ages, they may not be able to escape but we worry about their safety and fear that there would be a threat to the people. Especially, if we release them, our trust in Court will run out.

74. Ser Hasikin, 22, a senior student at Royal University of Laws and Economics, majoring in public administration

Based on the fact, it is not right to detain the accused beyond their provisional detention period; however, this case is not a simple criminal case due to the fact that everyone knows these persons committed crimes. Also, this is inappropriate because people in general know that they committed serious offenses. Thus, I do not agree with the idea of freeing them from detention. If they were freed, it would make the next generation think that the investigation is very loose (since there is no capacity to seek witnesses or evidence that allow for the release of the accused). And this shows that the Court moves so slow, leading to injustice and inequality. There is a possibility that these accused might die before they are brought to trial.

75. Kim Kotara, 19, a freshman student at Royal University of Phnom Penh, majoring in media communications

If they were released, to me, it's no problem because they can live together with their family and cure their illness. They could not do anything besides that as they are now in very old age. The Khmer Rouge has no more networks and thus no more people would conspire with the three accused. However, people in general would not agree because they suffer a lot from the loss of their relatives.

76. Ving Sok Ratana, 20, a freshman student at Royal University of Laws and Economics, majoring in banking

There is no need to free them because they killed a lot of people (I learned these from those who went through the regime such as my parents and grandparents). If they were released, it would bring injustice to the people of Cambodia.

77. Phan Linda, 19, a freshman student at Royal University of Laws and Economics, majoring in economics

We must not release them. There would be a lot of disagreement with respect to this issue because during their ruling period, they did not

treat people the same way as they are under current-conditions but in the no-walls prison causing both physical and mental hardship.

78. Yeang Pises, 20, a sophomore student at Royal University of Laws and Economics, majoring in economics

We must not release them, unless there is evidence showing that they were not involved in the crimes. There must be evidence, documents and witnesses revealing their involvement with the crimes. However, such detention must present enough facts to show that they were involved.

79. Dam Limon, 20, a sophomore student at Royal University of Laws and Economics, majoring in banking

It would be better if they were released as they are very old now. The condition and atmosphere in the prison could harm their health conditions. Besides, they could not flee far away due to the fact that they are very old and people in general hate them. Thus, there is no possibility that people would hide them and continue the networks. However, once they were released, they should be protected so then they would not be mistreated.

80. Suy Sengly, 22, a sophomore student at Royal University of Laws and Economics, majoring in banking

I do not agree with the idea of releasing them from detention because the three accused could be considered as capable of doing anything. If they were released, it would bring more burdens as there are always possibilities that (negative) incidents might occur at any time. For example, someone involved in politics might make a conspiracy to murder them. Or there is a possibility that they might die (due to age), which would make the proceedings impossible to be held and that we will never be able to find the real executioners.

81. Phoeun Phirun, 20, a sophomore student at Royal University of Laws and Economics, majoring in banking

I personally think that it's not good at all as there is no one to protect them. In the detention facility, they are well-treated with a doctor taking care of them. If they passed away, the trial would not be able to take place.

82. Ke Chariya, 21, a junior student at Royal University of Laws and Economics, majoring in economics

They should be kept in detention because they are the accused persons and no matter what they are indeed involved and guilty (of the crimes). They are just like expert thieves disguising themselves as if they were innocent. Besides, they are detained in air-conditioned room, and thus, there is no problem to continue the detention because they were not

tortured as what they had done to their prisoners of that time such as pulling out the finger nails.

83. Lim Kanika, 20, a junior student at Royal University of Laws and Economics, majoring in economics

Continuing to detain them is the better choice because they were involved (in the crimes). What family told me could be evidence. According to my family's words and story, I do not believe that they did not commit the crimes.

84. Kheang Meng Chhun, 21, a junior student at Royal University of Laws and Economics, majoring in law.

If we released them, there would be difficulties. There is a possibility that those KR leaders might do unexpected things because listening to Ieng Thirith's loud-rough words, she might do unexpected things. Hence, the Court must consider thoroughly. Detention is the better choice as it's convenient for placing them under investigation. This is an issue for all humanity. The investigation and proceedings take a lot of time as it could not be done overnight.

85. Heng Srey Nin, 22, a junior student at Royal University of Laws and Economics, majoring in economics

Based on the human rights, they should be released because they were detained for a long time already. Also, they are old and physically ill which is not good for their mental health. What they had done previously during the KR period was with intention or without intention? If they were detained for too long, there is no gain too as the result would be the same as Pol Pot. However, releasing them is not good either because of their security as people in general hate them. If they were freed, they must be protected because people who lost their relatives might do something bad against them.

86. Chhoem Sam Ol, provincial teacher, 38 years old, living in Banteay Meanchey

I cannot believe if judges make a decision to release the accused. They should not be released due to the reason that all people in the country are waiting to see the trial. I personally want the trial to begin very soon, so that all Cambodian people can witness it.

87. Kong Hak, male, national teacher

I think that they should be detained because we all see the actual evidence like Tuol Sleng. The accused should have been detained for life. I strongly disagree with the release of them because I also witnessed [the killings] outside the prison. So how can they have said they did not know anything? The next generation can take this model (if they are released).

88. Ben Neang, female, national teacher

I do not mind the release of the accused since they are all very old, and there would also be problems if the tribunal still detains them. Though they made mistakes, it is not easy to detain them; for example, Nuon Chea, he is very old and can not even walk. Problems would occur one after another if we take revenge against each other. We should not take revenge, but tolerate because all things have past, and we all believe in Buddhism. They made mistakes without thinking clearly, so if they now know their guilt and confess, we should forgive them. Human beings always make mistakes, and cannot do right things all the time. What is more, the Documentation Center of Cambodia is teaching about reconciliation, so we should be tolerant. Vindictiveness is ended by not being vindictive.

89. Chin Yahan, female, national teacher

If the tribunal releases the accused, it means they are granted freedom in status as human being. But if we suspect them, we can deploy investigators to inspect them. Moreover, since the tribunal is to follow the international procedure, we should give them right as human beings until they are proven guilty.

90. Va Vuthy, male, national teacher

It seems to be not so good if the tribunal decides to release the accused. They have people to take care of them already, and such healthcare services to old people like them may not be given outside. Hence, keeping them inside [prison] is better than outside. However, if the tribunal really decides [to release], it depends on the tribunal and the law. I strongly believe that the tribunal consists of both national and international staff, as well as local and international law. Overall, I can accept [release].

91. Hav Kunthea, female, 41, O Raing Ov, Kampong Cham province

If the tribunal releases the three Khmer Rouge leaders, I understand that it is inaccurate because they were accused persons; especially they were accused of crimes—crime against humanity, religious persecution, especially genocide. So if they are released, the rule of law will be ineffective.

92. Heng Lida, female, 40, Dambauk Khpus village, Kantok commune, Dangkor district, Phnom Penh

If the tribunal releases all the Khmer Rouge leaders, I don't oppose or am not annoyed with it though many of my relatives died during that time, because they are old.

93. Oeun Ret, male, 47, Sgnuon Pich village, Kantok commune, Dangkor district, Phnom Penh

If the tribunal releases the accused, I approve of it though the killings they made were too serious. However, if the law releases them, I don't mind it.

94. Lim Koeun, female, 35, Sgnuon Pich village, Kantok commune, Dangkor district, Phnom Penh

I don't agree with the tribunal's decision if the accused is released because my parents and relatives were killed. Though some people said that the Khmer Rouge leaders should be released since they are old, I do not strongly agree with it because when they killed people, they never thought about them.

95. San, female, 35, Sgnuon Pich village, Kantok commune, Dangkor district, Phnom Penh

During the Khmer Rouge regime, I was very young. Therefore, I did not know the sufferings during that time. However, in my view, if we release the accused, I also agree with this decision because they are old and could not work. And their names are already in the list. I want them to have freedom because it is their last freedom and they may confess. It is the end of their lives, so they should have freedom.

96. Ot Ol, male, 70 years old, Sangkat Kantok, Khan Dangkao, Phnom Penh

Regarding provisional release, I am not satisfied with the release of the accused because their guilt was the most serious—they killed lots of people.

97. Im Pech, female, 75 years old, Sangkat Kantok, Khan Dangkao, Phnom Penh

My husband and three children were killed in the Khmer Rouge regime by rice seed—they were starved to death. Nowadays, I live with my children, and they are also poor. In this way, I feel that they should not be released. I want the tribunal to detain them for life because they have ruined my future and my properties, and put me in a miserable condition. If they were released even though temporary, they should pay me compensation because I have suffered for so long.

98. Sun Sokhan, female, born in the year of cow, Sangkat Kantok, Khan Dangkao, Phnom Penh

I do not want the tribunal to release them because my father, my 6 children, and many of my relatives were killed, and my living conditions during that time were miserable. Therefore, I do not agree with the tribunal if the accused is released.

99. Elderly female seller, living at Snguon Pech village

During the Pol Pot regime, I felt bereft, my siblings and my uncle were arrested and executed, so I am not satisfied if the accused are released.

100. Seng Sitha, male, 46 years old, commune teacher, Battambang Province

For my own thinking, judges should not make a decision to release them. Because during the Pol Pot regime, leaders of the Khmer Rouge detained a lot of people without giving them right to protest.

101. Yin Sothea, male, national teacher

I think that if judges make a decision to release three leaders of Khmer Rouge, it's ok, because, until now leaders of the Khmer Rouge are ill and old.

102. Sa Sam At, male, 46 years old, Sangkat Kantok, Khan Dangkao, Phnom Penh

I think that if judges make a decision to release the accused, it's not right. Therefore, I suggest the tribunal to sentence the accused for a life in prison.

103. Leng Oeur, male, 52 years old, Sangkat Kantok, Khan Dangkao, Phnom Penh

If judges make a decision to release the charged person, I don't agree with them. I think that the leaders of the Khmer Rouge pained people and killed a lot of people during the Khmer Rouge regime.

104. Sou Hoeun, female, 58 year old, Sangkat Kantok, Khan Dangkao, Phnom Penh

If judges make a decision to release the accused, Noun Chea, Khieu Samphan, Ieng Thirith, in my opinion, I do not want leaders of the Khmer Rouge to be released. Because the leaders of Khmer Rouge hurt a lot of people and killed my family. Therefore, the tribunal should continue to detain them.

105. Bos Socheat Mony, male, 24 years old, Snguon Pech pagoda, Snguon Pech village, Sangkat Kantok, Khan Dangkor, Phnom Penh

I think that this decision [to release] is not right. Human lives are valuable but the Khmer Rouges killed hundreds of them. So the KR Trial [Chamber] should not release them. Human beings are not born of killing so the judges should make re-decision. I never imagined that Khmer Rouge would kill my relatives and people. In my own opinion, I want the KR Trial [Chamber] to sentence them to life in prison.

106. Ke Nak, male, 35 years old, Snguon Pech village, Sangkat Kantok, Khan Dangkor, Phnom Penh

It is impossible [to release] because it is a crime of genocide. If the Khmer Rouge leaders are released, the officials and people will not accept it due to their crimes of killing Khmer nations.

107. Ngin Phally, female, 61 years old, Snguon Pech village, Sangkat Kantok, Khan Dangkor, Phnom Penh

In my heart, I have high anger and sufferings, so I will not forgive the Khmer Rouge leaders. I, other women and people will not accept the release. However the request to release or detain in prison is the same because they still need health care. They [Khmer Rouge Tribunal] do not suckle them. They take care of them more than the population because they are afraid of losing documents.

108. Tep Ky, male, 55 years old, Snguon Pech village, Sangkat Kantok, Khan Dangkor, Phnom Penh

In my own opinion, after the hearing on January 31, 2011, I do not mind the proceedings because the law was approved and practiced. However either releasing or detaining the charged persons is the same. But for public opinion, the KR trial must guarantee that the Khmer Rouge leader attend the trial proceedings. People believe in the law. I request the trial to judge them in accordance with the public, in order to relieve their anger.

109. Chey Korn, male, 72 years old, Achar at Snguon Pech Pagoda

Khmer Rouge's crimes are very serious. I want the Court to provide proper and exact justice to the victims. I have no idea what the Court will decide. However, personally, I do not want those Khmer Rouge leaders live outside the detention center. They deserve to live in detention center for what they did. They should be in the detention center. Their mistakes are unforgivable. During the Khmer Rouge regime, life was fragile; I was concerned that I would be brought to be killed.

110. Chuop Huor, male, 70 yeras old, chief of Snguon Pech village, SangKat Kantok, Phnom Penh

I think that Khmer Rouge leaders should not be freed. They deserve to be in the detention center. It is not a good idea to let them free and the Court will have difficulty if they release them. I want them to be in prison. However, I also think that whether they are in detention or not, they will die soon because they are old and aging.

111. To Sinith, monk, 24 years old, Snguon Pech pagoda

Personally, I think that the Khmer Rouge leaders should be released and freed like other ordinary people. I want them to be freed because they are old. They will not create any problems if they are outside. We should let them do a religious ceremony to gain merit.

112. Eourn Sarorn, monk, 20 years old, Snguon Pech pagoda

I don't want them to be released. I am worried that they might escape and refuse to come to the Court when requested. They killed lots of people. If they die, they should die in the detention center.

113. Sou Reasey, 26 years old, Snguon Pech village, Sangkat Kantok, Phnom Penh

They can be freed and stay at their house unless security guards are on duty to make sure that they can't escape. Without security guards, they might escape.

114. Pheach Ang, 63 years old, Snguon Pech village, Sangkat Kantok, Phnom Penh.

Releasing Khmer Rouge leaders from the detention center does not satisfy me because millions of people died under their supervision. During the Khmer Rouge regime, I lived in hardship. I don't agree to let them free. If the Court allows them to be free, they might escape to other countries. My life during the Khmer Rouge was hard; why do we let them live peacefully?

115. Sum Chhin, 57, Chong Krouch village, Reab commune, Pearaing district, Prey Veng province

Sum Chhin stated that he does not want the Khmer Rouge Tribunal to release Nuon Chea and Khieu Samphan because those KR leaders have made such big mistakes. Furthermore, they will make any excuses when the Court calls them back. He believes that all those accused are full of trickery, so the only good solution is to continue to detain them.

116. Teh Isa (Tuon), Lvea Thom village, Prek Saman commune, Kratie district, Kratie province

He thinks that the Court decision whether to be released or continue to detain those accused is dependent on the KRT. He has no idea about that.

117. Chou Taing, 69, Chonghorb village, Kbal Damrei commune, Sambo district, Kratie province

He will not extremely be happy if the KRT decides to release those accused. Because actually, it is reasonable and clear that [the co-investigators] decided to detain them for the trial since 2007.

118. Em Eoun, 57, Kratie town, Kratie province

He completely disagrees with a Court decision to release the accused because their health is not good. Moreover, those accused never confessed their mistake or cooperated with Court, so it is not reasonable to release them. As former leaders of the country, they have to be held responsible for those crimes.

119. San Sok, 68, Cha village, Cha, commune, Prey Kabas district, Takeo province

He agrees with the asking for urgent released of those accused. This is what we have to respect. However, most of KR survivors will not have sense of closure if the Court decides to release them. He strongly believes those former KR leaders did commit the crime, so they have to be tried legally.

120. Seng Chon, 67, Prek Chhmoah village, Prek SaSar commune, Pearsaing district, Prey Veng province

He does not want the four accused to be released because it is a bad model for the future. They are murderers. If the KRT release them, Cambodians will no longer believe or trust the KRT. Importantly, Cambodia courts has been presently learning from this international Court, therefore, this Court needs to implement its own work carefully. In addition, those accused are too old. If they die, what do the KR victims hope for?

121. So Han, 48, Krasaing ChiMe village, Veal commune, Kong Pisey district, Kampong Speu province

He is a KR victim; for him it is unacceptable if the KRT decides to release the accused. He worries about the security and return of those accused to Court. He thinks that the trial can be made whenever they are detained at the ECCC. In contrast, if they are released, it would not be easy to call them back. Moreover, he worries release will create trouble for the public and process of trial, and that they will destroy evidence.

122. Prof. Pou Sovachana, Pannasastra University

They are senior criminals. They should not be outside the prison. It depends on Court procedure. However, it was serious crimes. Their possible release would set a bad example.

123. Prof. Vong Sotheara, Royal University of Phnom Penh

If ECCC releases them, it will cause the people to be bewildered. They should not be kept outside the detention facility.

124. Prof. Ha Sin, Build Bright University

I think it is up to the legal procedure to decide either to release or to detain them. But I suggest that the investigation speed up.

125. Prof. Rum Ravy, Royal University of Phnom Penh

I feel unhappy if the Court decides to release the three accused. I am a child who suffered during the KR regime. I witnessed the killings. However, I support the Court's decision.

126. Prof. Pun Chhay, Royal University of Phnom Penh

I think we all rely on the Court's discretion to decide whether the three accused should be released or not.

127. Prof. Ieng Lina, Vet Moha Reussey

To my opinion, the release is possible unless they committed the light crimes. But for the KR leaders, there should be no release of them. They could escape.

128. Mr. Chea Soeun, Ministry of Education

In my opinion, although they are old, they should not be released. Their crimes were too severe for release. It is fair enough to keep them in detention.

129. Prof. Ban Thero, Mekong Kampuchea

To my thinking, it is not serious to keep them inside the detention facility. The people would be fed up with the Court if it decided to let them outside detention.

130. Prof. Chan Vutha, Phnom Penh International University

To me, they should not be outside the detention facility. Their release would have a bad effect on the people's minds.

131. Prof. Yorn Try, Meanchey University

To me, people who commit light crimes could be tolerated outside the detention. But this mistake was caused by these KR leaders. They should not be released. They must be held accountable.

132. Prof. You Ty, Economic and Finance Institute

It is the Court's discretion. But to me, releasing them is not fair for the people.

133. Prof. Um Rumny, Cambodian Technology Institute

It would be very difficult to see those blood-tainted persons being released. There would be a strong reaction from the people across Cambodia. We deserve knowing right and wrong first. After that, releasing or detaining them depends on the Court.

134. Prof. Kim Vanny, Poly Technology Institute

They should be kept outside the detention facility but placed under the Court's control. If they are kept inside, it still seems useless. They are old.

135. Chiv Thimong, retired professor)

To my thinking, they should be under the Court's detention and wait for the trial.

136. Prof. So Setha, Prek Leap National Agriculture School

They deserve further detention and their freedoms should be rejected. They caused a lot of people to die.

137. Prof. Srun Heng, Kampong Cham National Agriculture School

In my opinion, I don't support the idea of releasing them. Criminals should be punished. The people's losses were so enormous.

138. Prof. Soeur Yan, Cambodian University for Specialties

To me, it depends on the Court's discretion.

139. Prof. Chea Sopheap, Western University

I think that it is possible for the Court procedure to release them. But based on their acts, they should not be released.

140. Prof. Poy Sokh Chea, Western University

According to my observation, there is no need for them to stay outside. They should be inside the prison. In so doing, the people would not get angry and feel unhappy.

141. Prof. Prum Teavy, Khemarak University

I think their detention period should continue. The detention is still too light for them if we compare it with the living conditions that the Cambodian people suffered during the KR regime.

142. Mom Met, national teacher in DK history

I am not satisfied if the tribunal decides to temporarily allow them to stay outside detention.

143. Seng Pisethneary, national teacher in DK history

It does not matter because this issue is over. Even if I think, I will not get anything back. They seem not to know about the killings of people at that time. It is very hard to wake up the people who pretend to sleep.

144. Siv Thoun, national teacher in DK history

The tribunal should not release them because they are guilty and have not been prosecuted yet. Moreover, the public will not support the release, especially those who used to live through the Khmer Rouge regime.

145. Moung Sophat, national teacher in DK history

The tribunal can release and allow them to stay outside the detention. The tribunal has enough time to find more evidence.

146. Sek Sokha, national teacher in DK history

It depends on the decision of the tribunal because some killings had nothing to do with their order.

147. Teng Sophealeaksmeay, national teacher in DK history

They are pretty old now. It is hard for them to take care of their health, and it is good if the tribunal understands their difficulty.

148. Cheng Hong, national teacher in DK history

There are two reasons to release them. First, according to legal procedure, we have to look at the real situation whether we can find more and enough evidence. Second, we have to look at the consequences of what difficulty and benefit we get.

149. Chea Kalyan, national teacher in DK history

It is unjust if the tribunal decides to release them because their crimes are so big.

150. Chhim Dina, national teacher in DK history

It is not good to release them, especially for those who lived through the Khmer Rouge period.

151. Ten Kimton, national teacher in DK history

It is very wrong if the tribunal releases them because the whole world knows what happened during the Khmer Rouge period. If they have illness, it would not be a problem.

152. Nhil Sal, national teacher in DK history

It is no problem if they were released because they are old now. It is simple because it is a past issue.

153. Ly Romny, national teacher in DK history

If they are released, it is a problem for the people because they killed two million people. Therefore, it is illegal.

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