



On the Record: Civil Society and the Tribunal in Cambodia

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Defining Reconciliation

Youk Chhang, Chea Vannath, and Ok Serei Sopheak take a long-term view of what Cambodia society will need to recover from the Khmer Rouge crimes. Youk Chhang makes a strong plea for trial and punishment of former Khmer Rouge leaders but also calls for social services to be provided for the Khmer Rouge defectors and their families. Chea Vannath focuses on the need to find the right process for achieving complete and long-term reconciliation and emphasizes the importance of including the voices of all concerned parties. Lastly, Ok Serei Sopheak speaks to the difficulties in achieving long-term reconciliation and the need for development in the isolated areas of the former Khmer Rouge to increase exposure of these long-contested areas.

Contents:

- **The Khmer Rouge Ideology Survives by Youk Chhang**
- **Balancing Justice, Truth and Reconciliation by Chea Vannath**
 - **The Truth**
 - **Pandora's Box**
 - **Mental Health**
- **Development and Truth are the Keys to Reconciliation by Ok Serei Sopheak**

From the AP Editorial Desk

In this issue, Youk Chhang, Chea Vannath, and Ok Serei Sopheak take a long-term view of what Cambodia society will need to recover from the Khmer Rouge crimes. Of all those interviewed for the study, these three have spent the most time in the former Khmer Rouge areas and are most familiar with the former Khmer Rouge.

Youk Chhang is Director of the Documentation Center of Cambodia (DC-Cam). He makes a strong plea for trial and punishment of former Khmer Rouge leaders but also calls for social services to be provided for the Khmer Rouge defectors and their families. Chea Vannath, who heads the Center for Social Development, and Ok Serei Sopheak, from the Cambodian Centre for Conflict Resolution, focus their comments on reconciliation and healing of society. Both recognize that this will require that the truth be told and that the Khmer Rouge explain their crimes.

Youk Chhang is an outspoken figure in Cambodia whose mission in life is to bring the former

Khmer Rouge leaders to justice. He heads up the Documentation Center of Cambodia, which collects and houses the evidence that will be used in any prosecution of the Khmer Rouge. The Center is bustling with new research projects -- gathering evidence and investigating Cambodia's terrible past.

When the Khmer Rouge came to power in 1975, Youk Chhang was 14 years old. He has written many articles referring to his personal losses under the Khmer Rouge. His older sister and her daughter died from starvation. His sister's husband was taken away and executed. Both his mother and father perished, and so did many of their extended family members.

The following article by Youk Chhang was partially published in the *Cambodia Daily*. In it, Youk Chhang shares his view of reconciliation. He feels strongly that the former Khmer Rouge leaders should not be allowed to hide behind the words 'national reconciliation' as they are now doing now but must be brought immediately to an independent tribunal. He fears the Khmer Rouge ideology still lives on and is poisoning Cambodia society -- he feels it must be extinguished by the rule of law, including a tribunal. But he also suggests putting the focus of reconciliation on integration of Khmer Rouge 'defectors' and providing them with social services for and equal rights under the law:

Chea Vannath is the President of the Center for Social Development (CSD). She and her staff exhibited remarkable courage in organizing a recent series of three public fora on the Khmer Rouge and national reconciliation. These took place in three provinces: Battambang (January), Phnom Penh (February), and Sihanoukville (March).

The fora provoked a huge response among Cambodians. The first was shown on television. For the first time since the demise of Democratic Kampuchea, former Khmer Rouge mid-level officials appeared in public and on national television reading from prepared speeches or delivering impromptu remarks. All of them asked that bygones be bygones. They were echoed by some monks, nuns, and women's association members.

The televised debate prompted some complaints that the views expressed were not representative of Cambodians, and some even thought that the Khmer Rouge should not even have been allowed to speak. But the key thing was public debate had taken place: Cambodians were beginning to deal with their past.

Chea Vannath is remarkable in other respects. She says that her own suffering under the Khmer Rouge regime allowed her to become close to other people, to see them in a new light, and to gain insight into misery and suffering. She feels that she gained wisdom from witnessing the rupture of Khmer society that resulted from the Khmer Rouge's genocidal social experiments. As a result, when she visited the former Khmer Rouge strongholds of Pailin and Malai to prepare for the public fora, she went with an open mind and a spirit of forgiveness.

Chea Vannath is one of the few Cambodians who has visited South Africa. She thus has some knowledge about the South African Truth Commission. In the following article, she focuses on the need to find the right process for achieving complete and long-term reconciliation. She also emphasizes the importance of including the voices of all concerned parties.

Ok Serei Sopheak was a senior aide to the Co-Minister of the Interior, Sar Kheng. After a shake-up in the government, Ok Serei Sopheak left his post and took a job as the Director of the Cambodian Center for Conflict Resolution. Even while holding his high-profile job in the Ministry, Ok Serei Sopheak was interested in conflict resolution. He was one of the key organizers of a 1994 negotiation training seminar in Cambodia, organized by the US Institute of Peace. This broke new ground by bringing together military officers and civilian officials who had recently been at war. Former enemies sat side-by-side and acted out negotiation strategies. There were some astonishing moments.

Ok Serei Sopheak is the personification of reconciliation. He originally worked with the non-communist resistance (NCR) at the Thai-Cambodian border, first as a physician -- he was trained in France -- and later in a more political role. He was one of the few former NCR members to join the powerful Cambodian People's Party (CPP) and was considered a progressive member.

Ok Serei Sopheak was part of a delegation that traveled in November 1999 to the northwest provinces near the former Khmer Rouge headquarters of Pailin and Malai. In the article below, he speaks of the personal transformation he has undergone as he increases his knowledge of the former Khmer Rouge, and how he has bluntly asked them questions. He speaks to the difficulties in achieving long-term reconciliation and the need for development in the isolated areas of the former Khmer Rouge, to increase exposure of these long-contested areas.

The Khmer Rouge Ideology Survives

by Youk Chhang

Pol Pot quit the world on April 15, 1998. However, his demise does not bring closure to a history of horrors during which over a million lives were taken. Nor does his death mean a complete failure of the Khmer Rouge regime.

The Communist Party of Kampuchea's (CPK) Standing Committee and Central Committee members -- both full rights members and candidate members -- and the high-ranking members most loyal to Pol Pot who participated in establishing the Khmer Rouge policies are somewhat in hiding today.

Along with thousands of other Khmer Rouge soldiers, some of them, unfortunately, are also implicated in the mass executions; these officials are taking refuge under the umbrella of "national reconciliation." They are all trying to hide from their victims, as well as from their personal legal accountability before society and history.

Although they are of Khmer blood and origin like their victims, the defecting Khmer Rouge leaders remain a gang of people whose brains were washed and sharpened with Pol Pot's ideology. A number of the top-ranking members of this gang caused the killing and torture of people they perceived as "enemies of Angkar."

The ideology unarguably enticed them to kill the enemies of Angkar on the grounds that "If you are to eradicate grasses, you must eradicate all their roots" or "Keeping you is no gain, losing you

is no loss." This ideology continues to have a deep impact on present-day Cambodia, undermining the rebuilding of the country based on the rule of law, democracy, and human rights. This ideology remains in existence, deep inside their brains; it is an invisible partner of the defecting Khmer Rouge leaders, some of whom are now in the government and the military, functioning as decision-makers and setting down policies for Cambodian society.

Although Pol Pot physically perished, he continues as an ideological and spiritual monster who sucks the blood and bones of the defecting Khmer Rouge leaders and threatens them to successfully implement those policies on a "100-percent Win" and "Great Leap Forwards" base.

All members of the Royal Government of Cambodia of the individual three parties represented in the National Assembly and the Senate have two obligations in addressing this state of affairs:

- 1) They must agree to punish any Khmer Rouge leaders who are found guilty by an independent tribunal, operating according to international norms and standards, of having established, participated in establishing, or encouraged their subordinates to implement the policy of massive executions;
- 2) They should provide sufficient social services in a timely manner to the families of the Khmer Rouge defectors, especially to women and children, in the form of social welfare, work assistance, and education. In other words, the Khmer Rouge defectors should be granted the same rights and services as other Cambodians.

Failure to address this second issue in a satisfactory manner would be tantamount to ignoring basic human needs and indirectly allowing the Khmer Rouge defectors to live outside the rule of law in Cambodia. Moreover, failure to achieve both historical obligations not only means refusing to provide fair justice to the over one million victims put to death with such suffering and injustice; it also resembles opening Pol Pot's coffin and allowing his corpse, in effect, to strut right out into broad daylight. And that would greatly encourage him and serve as congratulations for his continued victory. We must not allow Pol Pot this posthumous victory.

- **Youk Chhang** is Director of the **Documentation Center of Cambodia** (DC-Cam).

Balancing Justice, Truth and Reconciliation

by Chea Vannath

Concerning justice and reconciliation after the many years of war, we Cambodians have to think of the best solution for Cambodian society. We must think of all the alternatives, and think what is best to lead to a long-term solution. We must also ask the people their opinions, which is why the Center for Social Development (CSD) organized the series of Public Fora in Battambang, Phnom Penh, and Sihanoukville.

Everybody who talks about the Khmer Rouge says they want justice, truth and reconciliation. The former Khmer Rouge leaders themselves said in our Public Forum in Battambang that they want the same thing, justice, truth, and reconciliation. If we have different concerned parties and they all say the same thing, the truth of each party must be reconciled.

There is not one ultimate truth, each party has their own view of the truth. The truth is related to each party -- what they are doing and where they are. In this situation there is the truth of the government, the international community, the Khmer Rouge, and the Cambodian people. These four truths need to be reconciled, up to the level of satisfaction of each party. The government and the international community have so far been discussing their own phases of the process, but another side is missing -- the side of the Cambodian people.

I went to South Africa in 1999. In the case of South Africa, it was possible to have a truth commission, because the leaders were trusted. Unfortunately, here in Cambodia, there is a lack of trust in society. There is no religious person who has the stature of Desmond Tutu. However, we do have the monarchy, which I believe is the best institution we have to help unify society.

A trial is the objective of a process of seeking justice. Before we get to that objective, many smaller processes need to occur. The CSD Public Forum is one of those processes: a public process to allow people to voice their concerns, interests, and views. This was the first public occasion for the Khmer Rouge to do so since 1979. It was the first time we could hear openly from the Khmer Rouge side on this issue. Prior to this we have only been able to hear one side of the story. Thus the Forum was an opportunity for both opposing groups to hear each other on the common issue of national reconciliation, and to begin to find common ground between them.

In spite of the great effort of the leaders in South Africa, the Truth Commission did not achieve complete reconciliation in society. Some people I spoke to said they feel that justice had not been done. Thus, to ensure that the people are satisfied, we must think carefully in order to find the most appropriate process for Cambodia. For true reconciliation to be successful, we must make sure that all parties have faith in, and are satisfied with, the processes of achieving that reconciliation. Personally, I feel that at the present time we still have a long way to go before we are able to achieve true reconciliation in Cambodia.

The Truth

As Cambodians we must know the truth. We must know who was the cause of the terrible events that happened during the Khmer Rouge period. "Why, how, and what happened?" are very important questions that deserve answers. We can say that the war was caused by the interrelations between superpowers, but how did this come into play? The truth would teach a very good lesson for the rest of the world -- a lesson on how the strong countries can affect weaker countries unable to defend themselves. In my eyes, the external causes are just as important as the internal causes.

As human beings who have suffered, we also want to know the truth about the Khmer Rouge regime for the sake of humanity. It is also important for our children and grandchildren to know their history and to know the truth so as to prevent history from repeating itself.

So, finding the truth is the main goal for the Cambodian people. However, we must also ask what do the people want to do after that? While some will be satisfied with simply knowing the causes, some want to hear an apology, and some people even want to behead the leaders

responsible. These opinions vary widely, and all must be considered.

Pandora's Box

However, we have to be careful about opening a Pandora's box in Cambodia. If we go further and further we can see who is involved, but we also have to set some limits to the process. This is the concern of both the government and the Khmer Rouge leaders. At the forum, the Khmer Rouge leaders said that when at first they were asked to give an apology, they did so. Afterwards, however, others weren't satisfied with this, and the journalists made a joke of it. Now they say that they are afraid that more and more will be asked of them and if they are pushed and pushed further, where will it all end? Personally, I think that perhaps the process of making the apology was not complete. Yes, the leaders made an apology, but one word of "sorry" does not end the process, does not end the suspicion.

Mental Health

Concerning the mental health care needed to heal Cambodian society, this is a long, long process, and so far there is just one drop of water in the ocean. Maybe we need 1,000 more counseling programs like the ones in existence. I can't be helpful myself in this work. For myself, I use meditation -- this is my very way of life. How can I be angry at a machine -- the Khmer Rouge machine? Yet I still want to know "What? Why? and How?"

In conclusion, it is important for us to determine what is the most appropriate process to bring about true reconciliation. What are the wounds left by the Khmer Rouge regime? What do Cambodian people want in, and in addition to, a Khmer Rouge trial? What process can truly heal Cambodia's traumatized society?

- **Chea Vannath** is President of the Center for Social Development.

Development and Truth are the Keys to Reconciliation

by Ok Serei Sopheak

Now that the protracted war in Cambodia has ended, we can begin to discuss this 'hot' topic [of the Khmer Rouge]. To build a good future, we must deal with the past. If we still have old questions, we need to deal with them thoroughly, in order to face current events. Recent public meetings [convened by the CSD and the Cambodian Institute for Peace and Cooperation] are on the right track and will begin to cleanse the bad past. This type of discussion will help to stabilize society and move toward conflict prevention.

In the former Khmer Rouge areas, we could see that the development programs bring development, and with development, comes reconciliation, peace and long-term stability. The groundwork for reconciliation is laid in many areas, because of development projects. The four keys to this are: roads, clean water, schools, and health projects. Roads are important to link the distant areas so that reconciliation can occur. Without roads, there is no access to markets. Putting resources into development is an important means to integrate society so that people can live together again. This can help to reconcile the hearts. In some meetings at the village and

commune levels, people sit separately. But we must remember, that after such a long war, the wounds in the heart are not yet healed. It was apparent that the reconciliation process will take a long time -- it can't happen overnight.

I have also invited some of the former Khmer Rouge leaders to dinner along with government officials and nongovernmental organization (NGO) leaders to begin informal discussions. Even though there were some accusations, I believe the former Khmer Rouge leaders accepted that and were sincere. They said that they want to rebuild the country all together. These were meetings of hope.

I knew some of these former Khmer Rouge from my time in the resistance. I asked them why they needed to kill people. Why did Ieng Sary call people from abroad and kill so many of them? We had lots of discussions. They said they didn't know. They couldn't explain why. They said that it was the job of the security department directly controlled by Pol Pot. How can we build a future with such suspicion?

I believe that the former Khmer Rouge leaders should explain to us what happened, and they should apologize. They need to accept that they caused great suffering. I said to them, "you should explain why Cambodians killed Cambodians. And if you cannot answer why, you should explain the circumstances." The next generation of Cambodians must know what happened to us. I think if we can come up with positive ways to build a new future for our children together that would be very positive. We need a truth-telling process that will help society to deal with the past. I think they must tell the truth about what happened.

- **Ok Serei Sopheak** is Director of the Cambodian Center for Conflict Resolution (CCCR) of the **Cambodian Development Research Institute**

In the Next Issue: Religion