

News & Features

Three decades later, justice for genocide victims

Perpetrators of the Cambodian genocide are brought to trial, with Yale's help. *By Alaina Varvaloucas*

Alaina Varvaloucas, TD'09, studied abroad in Cambodia during the spring semester of 2008. She reflects on her research of the trials against the perpetrators of the genocide which occurred between 1975-1979.

As Khieu Samphan began his plea against his detention at the Extraordinary Chambers in the Courts of Cambodia (ECCC) last spring, he pushed his glasses up his nose and rested his chin on his hands. He is 77, white-haired, and of small stature. He claimed abject poverty, and held that his wife struggles to support him and his four children. As I looked at him on the camera screen that broadcast his words to the public viewing room at the ECCC center, I never would have guessed that not so long ago, in 1975-1979, he had helped to run the Khmer Rouge regime—one of the most brutal in recent history—in what was then the Democratic Kampuchea (present-day Cambodia).

Three decades later, five top Khmer Rouge cadres may finally be tried and sentenced in a court created and funded by the joint efforts of the Cambodian government and the United Nations. Although Pol Pot,

Receiving a grant through Yale, Kiernan and others set about training and organizing an NGO that would eventually become independently run by Cambodians in 1997 Phnom Penh. Although eventually self-sufficient, it continued to receive Yale funding for some years after striking out on its own. It currently possesses the same archives stored by YCGP in Sterling Memorial—the largest scholarly collection about the Khmer Rouge regime in the world.

YALE'S CONTRIBUTION TO DC-CAM IS now finished, but DC-Cam's work is not. It is now a critical institution in Cambodia, involved in numerous projects aimed at gathering evidence and information pertaining to the genocide. Some of DC-Cam's projects include forensic work on human remains, fieldwork in the villages where many victims still reside, and anthropological work in the Tuol Sleng genocide museum.

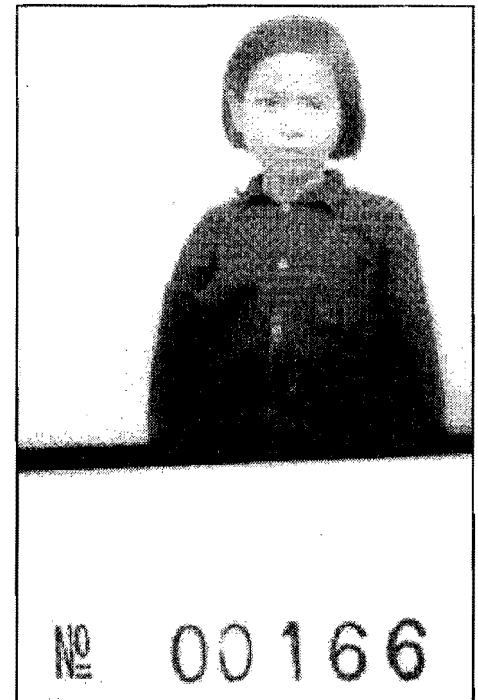
Yale students have completed internships at Tuol Sleng, and thanks to a comprehensive database compiled by Yale, its documentation will be put to good use by the prosecution in the upcoming trials. Of particular use, said Kiernan, will be the

hear why the Khmer Rouge occurred and hear their ideas about their own regime." Dr. Michael Sullivan, a researcher at the Center for Khmer Studies, added that many may just want someone to apologize for everything that has happened, words that have not yet been uttered publicly even after 30 years.

ALTHOUGH THERE IS NOW AN ENTIRE generation of Cambodians born after the fall of the Khmer Rouge, the former cadres are far from forgotten. An estimated 1.7 million Cambodians died of starvation, overwork, untreated illness, or execution during the regime.

Denouncing capitalism and embracing communist principles, the government emptied cities across the country and sent residents to work on collectivized farms in the countryside. Workers were told they were serving a faceless organization named Angkar. Any suspected dissenters accused of plotting against the nonexistent Angkar were murdered or sent to approximately 158 prisons across the country, the most notorious of which was Tuol Sleng in Phnom Penh. About 17,000 people were ruthlessly tortured and exterminated in Tuol Sleng, which is now the site of the aforementioned genocide museum.

Bringing the former leaders to justice should in theory bring some closure to the Cambodian population; however, both domestic and international opinions are split on the issue. Said Sullivan, "We don't know how they will shed light or what they will



COURTESY YALE CAMBODIAN GENOCIDE PROJECT

The YCGP has digitized over 10,000 pictures of prisoners taken by the regime.

er generation about their recent history, not only through the testimony but also through outreach. Already Duch has been involved in reenacting the systematic torture of the thousands of people whose executions he ordered at Tuol Sleng. The floors and walls there are still stained with the blood of many of his victims, and photos of their suffering and demise are candidly displayed, their lingering images jarringly exhibited in the hallways of what used to be an ordinary high school.

'I want to hear why the Khmer Rouge occurred and hear their ideas about their own regime.'

—Vobil, a Cambodian monk

the symbolic head of the regime, died in 1998, Ieng Sary, Nuon Chea, Ieng Thirith,

documents diligently kept by the former security branch headed by Duch: Though

Khieu Samphan, and Comrade Duch (the former head of Tuol Sleng) are all currently in custody in a small compound outside the tribunal halls. Duch's trial has just started, and the litigation for the others will closely follow. The United States has been one of many nations expressing interest in aiding the tribunals, and Yale University has made an instrumental contribution.

Since the early '80s, History Professor Ben Kiernan has been fervently lobbying with his colleagues for the international trials of top Khmer Rouge leaders. In 1994, he started the Yale Cambodian Genocide Project (YCGP), which has worked to archive and collect documents, photographs, and maps in order to determine who was primarily responsible for the tragedy. The YCGP has been central to obtaining and microfilming for worldwide use over 100,000 pages from the Khmer Rouge archives: They are currently held in the Sterling Memorial Library microfilm room and are a worldwide source of reference.

Kiernan and the YCGP were also heavily involved in creating the Documentation Center of Cambodia (DC-Cam) in 1995.

none of the accused will be charged with genocide, the papers will be instrumental in proving crimes against humanity.

But how important to Cambodian society will these upcoming trials be, and how will they contribute to an already immense database of knowledge?

Kiernan, though supportive of the trials, lamented the length of time it has taken for Cambodia and the international community to come to a consensus. The indicted have now had time to consistently switch stories and "boast about what they did, then deny it, then cover it up, then boast about covering it up." But more importantly, said Kiernan, "Until 1997-1998 and before their deaths, we could have had not only Pol Pot up there but (other senior ranking officers) as well." Even now, the indicted are so old that they could very well die before sentencing or even trials commence.

Others are more optimistic. Vobil, a Cambodian monk, said that trials partly run by the international community can help create a more just and fair system out of the weak and inefficient Cambodian legal structure. "But mostly," he said, "I want to

add to the historical record. We will have to wait and see." Indeed, when a group of nationwide Khmer employees from the Khmer Institute for Democracy were asked by their coordinator what good they thought would come of the trials, their response was equal-parts nervous shuffling, a few chuckles, and silence.

Some cited that the trials' international component will have no benign influence on the remarkably corrupt Cambodian judiciary. Anne Heindler, an employee of DC-Cam, described several issues with the trials. "The legal system isn't going to change overnight...but Cambodia may have to meet certain benchmarks." She continued, "A lot of people, especially in the countryside, don't know about the trials or don't know what they really mean. Many cannot reach the trial site. Still more ask 'What about state involvement?...And especially, why are we spending all these millions of dollars and years of our lives trying people we already know are guilty?'"

IF NOTHING ELSE, IT IS HOPED THAT the trials can at least help teach the young-

Further documentation of the atrocities has recently been enabled by a grant awarded by the Cambodian government to DC-Cam for constructing an entire genocide center in Phnom Penh—potentially the most comprehensive in all of Asia. The organization may also finally gain permission to publish a textbook detailing the crimes committed by the regime. It is hoped that with sponsored projects like these supplementing the trials, Cambodia can finally reconcile with its complicated history.

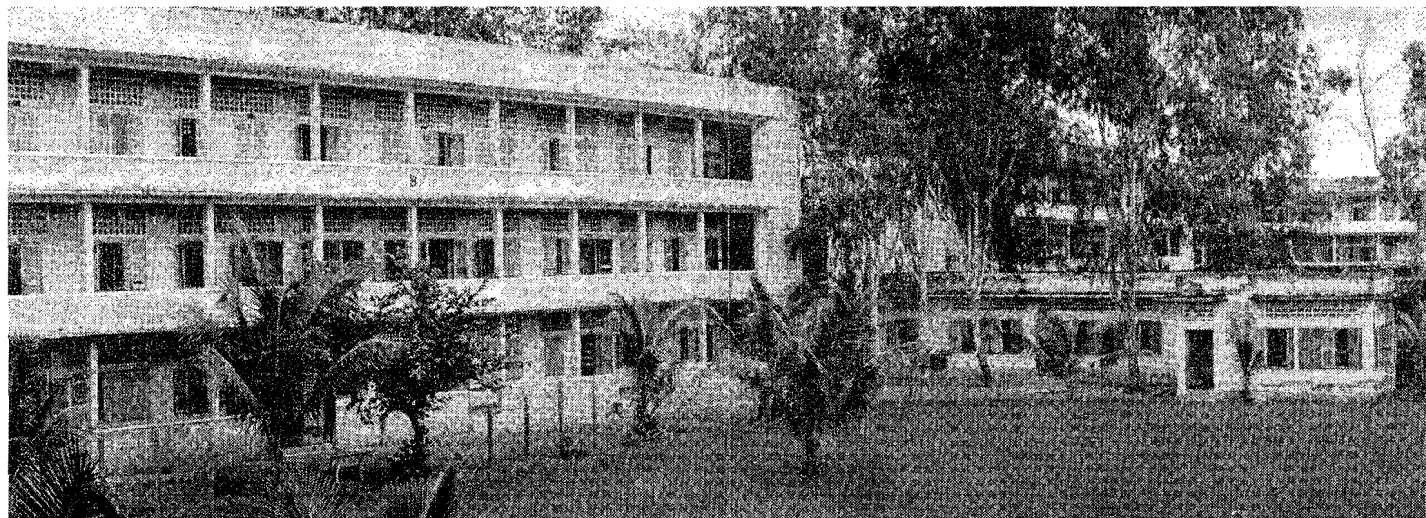
As for whether or not it should be believed that the tribunals will really have a net positive effect on Cambodia, the answer is still unclear. There are those like Dr. Michael Vickery, GRD '77, an occasional critic of the YCGP, who say that the trials will achieve the purposes for which they were designed and that they could quite possibly be a disaster if they fail to meet those expectations. He is now working on Ieng Sary's defense team.

There are those, then, like Youk Chhang, the director of DC-Cam, who are confident in the tribunals' future success. Others are like Kiernan, who believes that though the amount of time it took for the trials to occur is disturbing, it is certainly not a deterrent for taking action now.

And there are those who share the opinion of Anne Heindler, who, while unsure, chooses faith over gnawing doubt. Talking about corruption and funding, she said, "It is hard as an outsider to see all this money coming in and waste coming out. But DC-Cam is all Cambodian employees, and they think [the trials] are useful. I see how important it is to them and I trust that."

She paused and added, "Younger generations will always want to know what happened, so you can never just say 'we're just going to suck it up and get over it.'"

In a country where many people still live in the same villages as the cadres who brutally murdered their entire families, that's easy to believe.



COURTESY YALE CAMBODIAN GENOCIDE PROJECT

Tuol Sleng, the former site of one of the most notorious prisons during the Khmer Rouge regime, is now the site of a genocide museum in Cambodia. About 17,000 prisoners perished in Tuol Sleng alone during the genocide.