

# The Khmer Rouge Tribunal: Resources for the Cambodian Diaspora

Over 275,000 Cambodians live in the United States and nearly 10,000 Cambodians live in Minnesota alone. Many people survived the atrocities committed by the Khmer Rouge regime and want to see those responsible held accountable for their crimes against humanity. This resource sheet is designed specifically for people interested in becoming more aware of and engaged with the activities of the tribunal charged with bringing Khmer Rouge leaders to justice.

## KHMER ROUGE TRIBUNAL BACKGROUND

**Brief History:** Approximately 1.7 million Cambodians died under the Khmer Rouge regime in Cambodia between April 1975 and January 1979. The Cambodian government eventually realized that justice for the victims of the Khmer Rouge would be a step toward the redevelopment and healing of the nation and asked the United Nations for assistance with prosecuting the Khmer Rouge leaders. After lengthy negotiations, the parties created the Extraordinary Chambers in the Courts of Cambodia (the ECCC). The ECCC's first investigation commenced in 2007.



ECCC Staff Building, Cambodia 07/2011  
Photo by Amanda Mortwedt

**Role of the ECCC:** The ECCC is truly a one-of-a-kind international court. It is a domestic Cambodian court with Cambodian legal procedure but is comprised of both Cambodian and international lawyers and judges who enforce domestic and international laws. The United Nations Assistance to the Khmer Rouge Trials (UNAKRT) supports the international legal community at the ECCC. UNAKRT assists the ECCC with the prosecution of the senior leaders of the Khmer Rouge and those who were most responsible for serious violations of international law and Cambodian domestic law.

**Who will be held responsible?** The Cambodian government and the UN agreed that the ECCC would bring to trial *senior leaders of Democratic Kampuchea* and *those who were most responsible* for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia, that were committed during the period from 17 April 1975 to 6 January 1979.

The ECCC has explained why it is limiting its prosecution to senior leaders and those most responsible: *Over the years, tens of thousands of ordinary Khmer Rouge soldiers have defected to the government. They have nothing to fear from this court. The policy of national reconciliation is still in place... [O]nly the most culpable people will be tried under the law governing the Extraordinary Chambers.* By not prosecuting people who had worked as low- and mid-level leaders of the Khmer Rouge, the ECCC emphasizes to Cambodians that peace and reconciliation are important priorities.

**Who are the accused? Case 001:** *Kaing Guek Eav alias Duch*, the former Chairman of the Khmer Rouge S-21 Security Center in Phnom Penh, was the first defendant in Case 001. *Duch was found guilty of crimes against humanity and grave breaches of the Geneva Convention and sentenced to 35 years.* On appeal, his sentence was increased to life imprisonment.

**Case 002:** *Nuon Chea*, former Deputy Secretary of the Communist Party of Kampuchea; *Ieng Sary*, former Deputy Prime Minister for Foreign Affairs; and *Khieu Samphan*, former Head of State. The defendants are indicted on charges of *crimes against humanity, grave breaches of the Geneva Conventions of 1949, and genocide.* In 2011, the ECCC stayed the charges against a fourth defendant, *Ieng Thirith*, former Minister of Social Affairs, after she was diagnosed with age-related dementia. Case 002 is divided into a series of smaller trials. The first mini-trial focuses on the crime of forced movement of population.

**Case 003:** No defendants have officially been named in the "military case." It is, however, widely believed that the defendants will include Navy Commander *Meas Muth* and Air Force Commander *Sou Met*.

**Case 004:** No defendants have been named but it is suspected that the defendants will include three Khmer Rouge regional officials: *Aom An*, *Yim Tith*, and *Im Chem*. In March 2012, *Im Chem* was notified that she should prepare for being indicted.

### What is the role of the victims?

Victims of the Khmer Rouge regime serve important functions as civil parties and witnesses in the trials.

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## MULTIMEDIA

### Websites

#### Extraordinary Chambers in the Courts of Cambodia (ECCC)

<http://www.eccc.gov.kh>

The ECCC website offers updates on the cases and includes legal documents from all of the proceedings. It also has live video streaming of court hearings.

- Video clips of the trials:  
<http://www.youtube.com/user/krtribunal?blend=19&ob=video-mustangbase>

#### Cambodia Tribunal Monitor

<http://www.cambodiatribunal.org/> (in Khmer & English)

The Cambodia Tribunal Monitor is a group of organizations and academics dedicated to providing information on the Khmer Rouge trials. It has current reports and video reporting about ECCC proceedings.

- Video recordings and reports of the trials:  
<http://www.cambodiatribunal.org/multimedia>

#### The Open Society Justice Initiative

<http://www.soros.org/initiatives/justice/news/cambodia-statement-20120321>

The Open Society Justice Initiative monitors the Khmer Rouge Tribunal and engages in related advocacy work.

#### Documentation Center of Cambodia (DC-CAM)

<http://www.dccam.org>

DC-CAM is a Cambodian organization that documents, conducts research, and provides information about the Khmer Rouge period in Cambodia's history.

#### The Phnom Penh Post: KRTalk

<http://www.phnompenhpost.com/index.php/KRTalk/>

The Phnom Penh Post is a newspaper that is widely circulated in Cambodia. One section of its online content is dedicated to coverage of the Khmer Rouge trials.

#### VOA Khmer (in Khmer & English)

<http://www.voanews.com/khmer-english/news/>

**Voice of America (VOA)** is an international multimedia broadcasting service funded by the U.S. government that has current news about the Khmer Rouge trials.

- News clips of the trials:  
<http://www.youtube.com/user/voakhmerservice>

#### Yale University: Cambodian Genocide Program

<http://www.yale.edu/cgp/news.html> (in Khmer & English)

The Cambodian Genocide Program provides documentation of the Cambodian Genocide, including photographs and maps.

## MULTIMEDIA

#### American University Washington College of Law

<http://www.wcl.american.edu/warcrimes/eccc.cfm>

The War Crimes Research Office offers a chronology of developments in the ECCC as well as a discussion guide and briefing papers.

#### Access Justice Asia

<http://www.accessjusticeasia.org/projects/cambodia-khmer-rouge-tribunal/>

Access Justice Asia provides legal advice and representation to the Khmer Krom in the ECCC.

#### Sithi.org: Cambodia Human Rights Portal

<http://www.sithi.org/index.php?>

Sithi.org provides information on current human rights conditions in Cambodia.

### TV Reports and Other Videos

#### Facing Justice: Time for Justice, Cambodia

<http://forum.eastwestcenter.org/Khmer-Rouge-Trials/>

Facing Justice provides reports and videos from the Khmer Rouge Tribunal and is sponsored by Asian International Justice Initiative and the East-West Center.

#### KhmerLiveTV

<http://www.youtube.com/user/KhmerLiveTV>

#### Minnesotans Put the Khmer Rouge on Trial for Crimes of Genocide

The Advocates for Human Rights, June 9, 1990

Opening Statements: <http://bit.ly/xyvIzZ>

Summary of Testimony, Verdict: <http://bit.ly/wYAZF0>

### Twitter

**ECCC.GOV.KH** @KRTRibunal

**Cambodia Monitor** @cambodiamonitor

**Cambodia Tribunal** @CambodiaTribMon

**CCHR Cambodia** @cchrcambodia

**Clair Duffy** @ClairDuffy (Open Society Justice Initiative)

**Open Society Justice Initiative** @OSFJustice

**The Khmerican** @khmerican (Discusses Khmer-American news)

**KRT Trial Monitor** @KRT\_Monitor

**L. Kasper-Ansermet** @LKasperAnsermet (former ECCC International Co-Investigating Judge)

**US Embassy Phnom Penh** @USEmbPhnomPenh

**VOA Khmer** @VOAKhmer

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## RECENT FILMS

### Enemies of the People

A film by Thet Sambath & Rob Lemkin, 2010  
Journalist Sambath records his interviews with Nuon Chea, also known as Brother Number Two, who is one of the defendants in Case 002.

<http://enemiesofthepeoplemovie.com/> (available for purchase online)

### Duch, Master of the Forges of Hell

A film by Panh Rithy, 2011  
The story of Kaing Guek Eav, better known as Duch, the defendant in Case 001.

<http://www.festival-cannes.fr/en/archives/ficheFilm/id/11165706/year/2011.html>

### Lost Loves, Cambodian Genocide Drama

A film by Chhay Bora, 2010  
A true story of the life of Leav Sila under Pol Pot's regime.

<http://www.cambodiapalmfilm.com/about-the-film.html>

### Red Wedding

A film by Lida Chan, 2011  
An account of forced marriage under Pol Pot's regime.  
<http://www.cam111.com/photonews/2011/05/30/99191.html>

### Wanting To See The Truth

A film by Tara Urs, 2006  
Features teenagers in Cambodia who did not initially believe the history of the Khmer Rouge.  
<http://news.bbc.co.uk/2/hi/asia-pacific/6186991.stm>



Lotus flower in Cambodia 08/2011  
Photo by Amanda Mortwedt

## SELECTED BOOKS

### Historical

David Chandler, **Brother Number One: a Political Biography of Pol Pot**. Westview 1999.

Craig Etcheson, **The Rise and Demise of Democratic Kampuchea**. Westview 1987.

Steve Heder, **Cambodian Communism and Vietnamese Model Vol. 1**. White Lotus 2004.

Karl Jackson (ed.), **Cambodia 1975-1978: Rendezvous with Death**. Princeton 1989.

Ben Kiernan, **The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79**. Yale 1996.

### Voices of Survivors

Minnesota Historical Society: Khmer Oral History Project

<http://collections.mnhs.org/ioh/index.php/10000831>

Loung Ung, **First They Killed My Father**. Harper Collins 2000.

Pin Yathay, **Stay Alive, My Son**. Silkworm 2000.

### Survivors & Health Effects

Sucheng Chan, **Survivors: Cambodian Refugees in the United States**. University of Illinois 2004.

Sharon K. Ratliff, **Caring for Cambodian Americans: A Multidisciplinary Resource for the Helping Professions**. Routledge 1997.

Beth Van Schaack et al., **Cambodia's Hidden Scars: Trauma Psychology in the Wake of the Khmer Rouge** - An Edited Volume on Cambodia's Mental Health. DC-CAM 2011.

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## ADVOCACY TOOLS

### How to Apply as a Civil Party at the ECCC

<http://www.eccc.gov.kh/en/victims-support>

Any person who can demonstrate that he or she has suffered physical, material, or psychological injury as a direct consequence of at least one of the crimes prosecuted before the ECCC may apply to become a Civil Party. Victims wishing to apply as civil parties should contact the ECCC Victims Support Section: Phone: **023 214 291**; or **097 742 4218** (helpline).

### The Advocates for Human Rights

*A Guide to International Human Rights Mechanisms* is a basic tool for international human rights advocacy with the UN and regional treaty bodies.

[www.theadvocatesforhumanrights.org/international\\_human\\_rights\\_mechanisms\\_2.html](http://www.theadvocatesforhumanrights.org/international_human_rights_mechanisms_2.html)

*A Practitioner's Guide to Human Rights Monitoring, Documentation, and Advocacy* covers every step in the human rights documentation and advocacy process.

[www.theadvocatesforhumanrights.org/a\\_practitioner\\_s\\_guide\\_to\\_human\\_rights\\_monitoring\\_documentation\\_and\\_advocacy.html](http://www.theadvocatesforhumanrights.org/a_practitioner_s_guide_to_human_rights_monitoring_documentation_and_advocacy.html)

### Amnesty International

*Amnesty International Campaigning Manual* is a guide to conducting various types of human rights campaigns.

[www.amnesty.org/en/library/info/ACT10/002/1997](http://www.amnesty.org/en/library/info/ACT10/002/1997)

### Global Voices Advocacy

Global Voices Advocacy provides tools for advocacy blogging and online advocacy campaigns.

[advocacy.globalvoicesonline.org/projects/guide](http://advocacy.globalvoicesonline.org/projects/guide)

### Tactical Technology Collective

The Tactical Technology Collective offers several toolkits and guides to support a variety of advocacy strategies.

[www.tacticaltech.org/toolkitsandguides](http://www.tacticaltech.org/toolkitsandguides)

## DIASPORA ORGANIZATIONS

### Regional

#### United Cambodian Association of Minnesota

<http://ucamn.org/>

#### International Khmer Assembly (IKA) - Minnesota Chapter

<http://cambodianconvention.org/>

IKA's mission is to support and unite Cambodian communities and address issues facing the Cambodian Diaspora.

#### Cambodian Student Association of Minnesota

<http://www.tc.umn.edu/~csam/>

#### Watt Munisataram/MN Cambodian Buddhist Society

<http://wattmunisota.org/>

#### Cambodian Association of Illinois

<http://cai.maaillinois.org/>

### National

#### Cambodian - American Heritage, Inc.

<http://www.cambodianheritage.org/>

#### Cambodian American Resource Agency

<http://www.caraweb.org/>

#### Cambodian Association of America

<http://www.cambodianusa.com/>

#### The Cambodian Family

<http://www.cambodianfamily.org/>

#### The Center for Justice & Accountability (CJA)

<http://cja.org/article.php?list=type&type=447>

CJA works with victims of the Khmer Rouge regime and represents civil parties in Case 002 who are living in the United States.

#### National Cambodian American Organization

<http://ncao-us.org/>

### International

#### International Khmer Assembly (IKA)

<http://cambodianconvention.org/>

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