

Three decades after genocide, Cambodia moves slowly toward trial

For Cambodians, tribunal holds promise of closure for the nation.

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YUTHKA VILLAGE, Cambodia — Nhem Sal will never forget the faces of the Khmer Rouge soldiers who tortured him.

Sometimes they put wires in his mouth and shot enough electricity through his body that he lost consciousness. At other times they tied a plastic bag over his head or beat him with metal bars, the 50-year-old farmer said.

Now, more than a quarter-century after the Khmer Rouge unleashed one of the 20th century's most frenzied bloodlettings, Nhem hopes he will finally see some of the communist movement's leaders face justice.

After years of delays, the Cambodian government, assisted by the United Nations, has begun a process to investigate and put on trial the handful of top Khmer Rouge leaders still living.

The list of crimes against humanity is long: At least 1.5 million people, roughly one-fifth of Cambodia's population, died from execution, torture, disease and starvation. The Khmer Rouge turned Cambodia into a massive labor camp, emptying cities, closing schools and banning religion.

"We're sending a strong message to the world that (the Khmer Rouge leaders) have to be held accountable and that there has to be some measure of justice for the Cambodian people," said Michelle Lee, deputy administrative director for the Extraordinary Chambers in the Courts of Cambodia, the full name of the tribunal.

In this Buddhist nation, where suffering is borne stoically, people rarely talk about the traumas and few schools teach about the Khmer Rouge, which ruled Cambodia from 1975 to 1979. Many children do not know who Pol Pot was and in some rural areas people have begun to venerate the Paris-educated Marxist who led the movement as a kind of Robin Hood-like folk hero.

The search for collective understanding is more important than realizing justice, said Dara Vanthan, deputy director of the Documentation Center of Cambodia, a nonprofit research institute that has collected tens of thousands of documents describing Khmer Rouge atrocities.

"People do not know who is responsible for killing their sisters, brothers and parents . . . so they point at each other in blame," he said. "We must make clear who was responsible so we can move forward."

"If this is not resolved it is like a shadow on our hearts that holds us back," he said.

On May 7, Cambodian King Norodom Sihamoni appointed 29 local and foreign judges to serve as prosecutors and trial judges. The formal investigation will begin in July, with the first defendants expected to stand trial sometime next year, officials said.

Nhem and many other Cambodians, however, say the trial will offer only partial redress. Many of the top Khmer Rouge leaders, including Pol Pot, have died, and some people fear that Cambodia's government and courts will intervene on behalf of the remaining defendants.

Deep wounds

In Yuthka Village, Nhem says the past hangs heavily. After the Khmer Rouge fell to Vietnam in 1979, he returned to the hamlet of dirt roads and small wooden homes, but it took him almost 20 years to tell his family what had happened to him.

"I thought no one would believe me," he said. Sitting on a rattan mat, he gazed across bone-dry fields and recalled life under the Khmer Rouge.

Young and impressionable, he joined the Khmer Rouge army in 1972, but after the movement seized control of the country, he became disillusioned and eventually deserted. "Many people were starving, and there were arbitrary arrests," he said. "I was afraid, so I fled."

After hiding in the jungle for several days, he was discovered by a group of soldiers and transferred to Tuol Sleng, a Phnom Penh school the Khmer Rouge had turned into their most infamous prison.

For nearly a year, he lived chained in a room with dozens of other prisoners except for when guards interrogated him. They asked if he had collaborated with the Vietnamese army, he said.

"I told them that I had defected, but because I had not helped the rebels, I always answered no," he added.

That resilience probably saved his life.

"Only a few of the people who were taken to Tuol Sleng prison survived," said Dara, of the Documentation Center of Cambodia. "When people arrived there, they were already considered guilty."

Torture was commonly used to force confessions, and guards frequently beat and electrocuted prisoners. Other inmates had their fingernails and toenails ripped out; some were bled to death or buried alive.

According to documents displayed at the former prison, preserved as a genocide museum, 12,500 people were held and tortured at the site.

Nhem doesn't understand why he survived while most prisoners were killed, but eventually he was transferred to a nearby prison, and after a few weeks he escaped into the jungle.

He hopes the tribunal will allow Cambodia to face its past.

"The trial will provide justice for the dead and allow us to think about why there was the genocide," he said. "Every Cambodian was affected by the regime."

Process of healing

A three-year, \$56.3 million budget for the tribunal will limit the prosecution. Tribunal spokesman Peter Foster said prosecutors "should be able to try between six and 10 people."

He added that the country is only now dealing with the genocide because the Khmer Rouge destroyed Cambodia's infrastructure and killed most educated citizens. "The first task was to rebuild the country," he said.

Dozens of former Khmer Rouge officials still work in the government while other former leaders were granted political and business concessions to persuade them to stop fighting.

Ieng Sary, the regime's former foreign minister and Pol Pot's brother-in-law, who received a pardon from Cambodia's king in 1996, lives in an opulent Phnom Penh villa surrounded by security guards and barbed wire.

Survivors and activists worry that because most living Khmer Rouge leaders are elderly, many will die before the trial can be finished. Nuon Chea, the most senior surviving leader of the movement, is 78. Pol Pot was never prosecuted and died in 1998.

Because the tribunal is an "extraordinary" court, no Cambodian will be exempt from prosecution, but the "close links between the ruling party and the former Khmer Rouge leaders have made people skeptical of the judges," said Pa Nguon Teang, a journalist at the Cambodian Center for Human Rights.

"The government has made too many concessions already (to former Khmer Rouge officials)," he said.

Foster said donor nations realize that the investigation and trial may have problems. But he added that the process will help heal Cambodia's deep psychological wounds.

"For a long time people didn't want to talk about the Khmer Rouge regime," he said.

Nhem, for one, hopes that he can speak as a witness. "If I can, I will tell my story," he said as he held his 8-month-old grandson. He hopes the act of remembering will bring understanding and healing to the country.

"At last we will know why there was the killing," he said.

Khmer Rouge: A timeline

May 19, 1925: Saloth Sar, later called Pol Pot, born in central Cambodia.

1963: Pol Pot and other Khmer Rouge leaders launch a guerrilla war against the Cambodian government.

1969: President Nixon authorizes the secret bombing of Cambodia, which continues until 1973 and kills as many as 250,000.

1970: The Cambodian government is overthrown in a pro-American coup. The North Vietnamese army begins training and arming the Khmer Rouge.

April 17, 1975: The Khmer Rouge seizes Phnom Penh, Cambodia's capital, and begins a series of violent economic and social reforms.

Dec. 25, 1978: Vietnam invades Cambodia and quickly forces the Khmer Rouge to flee.

1989: Vietnam withdraws its forces.

April 15, 1998: Pol Pot dies in his jungle retreat.

June 6, 2003: The United Nations and Cambodia sign an agreement to bring

former Khmer Rouge leaders to trial for genocide.

May 7, 2006: The Cambodian government announces officers to investigate and try Khmer Rouge leaders for genocide.

Sources: 'A History of Cambodia' by David Chandler; 'Lonely Planet Cambodia' guidebook.