

Dealing with the Past: Engaging in the Present

A weeklong conference in the framework of Cambodian Victory Over
Genocide Day & UN International Holocaust Remembrance Day 2017

Edited by Dara Bramson and Ali Al-Nasani

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Past Engaging
in the Present



22-27 JANUARY 2017

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A weeklong conference in the framework of Cambodian Victory Over Genocide Day & UN International Holocaust Remembrance Day 2017

Sunday 22 **Arrival of participants**

- 15.00 Meet at Chaktomuk Theatre on Street Preah Sisovath, view exhibition on forced marriage under Khmer Rouge
- 16.00 - 17.30 Phka Sla Dance Theatre on forced marriage under Khmer Rouge at Chaktomuk
- 18.30 - 20.30 Boat tour/dinner from Himawari Hotel next to Chaktomuk

Monday 23 **Theme: Space**

- 9.00 Introductions: Engaging with Sites of Memory
- 9.30 Departure from Double Leaf Hotel
- 9.45 Visit S21 Tuol Sleng Genocide Museum
- 12.15 Joint lunch at Eleven One Kitchen (Street 123)
- 14.00 Meet at Meta House
- 14.30 The Role of Museums and Institutions in Genocide Education Panel with Visoth Chhay (S21), Andreas Ljungholm (Raoul Wallenberg Institute), Natalia Sineaeva (POLIN Museum of the History of Polish Jews), N.N. (Bophana on their Khmer Rouge Smartphone App); Moderation: Dara Bramson (Museum of Jewish Heritage/Auschwitz Jewish Center)
- 18.00 Group dinner at Romdeng

Tuesday 24 **Theme: Justice**

- 8.15 Departure from hotel
- 9.30 - 11.30 Visit Khmer Rouge Tribunal, meet ECCC Spokesperson Neth Pheaktra
- 12.15 Joint lunch
- 14.00 Meet at Meta House
- 14.30 Can there be appropriate justice after genocide? Debate with Julie Bernath (Swisspeace), Marie Guiraud (ECCC), Tim Minea (Kdei Karuna), Ly Vichuta (LSCW); Moderation: Timothy Williams
- 19.00 Film: Facing Genocide (optional) (Metahouse, 1st floor)

Wednesday 25 Theme: Prevention

8.30 Departure from hotel
9.00 – 11.30 Visiting the Killing Fields
12.00 Joint lunch
14.00 Meet at Meta House
14.30 Women, Peace and Security in the Context of Genocide Prevention
Presentation and debate with Alexandra Amling (One Earth Future Foundation), Kry Suyheang (Women Peace Makers), Dylan Ungerman Sears; Moderation: Julie Bernath

Thursday 26 Theme: Healing

9.30 Meet at Meta House
10.00 Healing the Trauma
Presentation and debate with Yim Sotheary (Kdei Karuna), Solida Sun (TPO), Jeannine Surmond (on trauma healing in Nepal); Moderation: Laura McGrew
12.15 Joint lunch at Meta House
14.30 Hate Speech and the Global Peace Index
Presentation and debate with Curtis Bell (One Earth Future Foundation), Dara Bramson, Rafal Pankowski (Never Again Association), Kry Suyheang (Women Peace Makers); Moderation: Marcos Smith (giz)
19.00 Turtle Club, theatre play on Khmer Rouge and civil courage, Metahouse Ground floor
20.30 Dinner at Sovanna

Friday 27 Theme: Memory

9.30 Meet at Meta House
10.00 Why did they participate?
Presentation and debate with Timothy Williams, Yim Sotheary (KdK) on their Female Former Khmer Rouge project; Moderation: N.N.

12.00 Joint lunch at Meta House
14.30 Dealing with the Legacy of the Holocaust
Introductory speech by German Ambassador Dr. Ingo Karsten; Debate with Norbert Feige (Advisor to the National Assembly), Marie Guiraud (ECCC), Rafal Pankowski (Never Again Association); Moderation: Kalyanee Mam
16.30 – 17.30 Reception
19.00 Final dinner at Titanic Restaurant

Khmer/English translation will be provided.

Exhibition: The workshops will be accompanied by a photo exhibition on Former Khmer Rouge by Daniel Welschenbach with text by Timothy Williams.

Meeting venue: Meta House, Cambodian German Cultural Centre, Sothearos Boulevard

Hotel for international guests: Double Leaf Hotel, Phnom Penh, Street 123, Toul Tum Poug

Psychological support: As dealing with these issues can be distressing for some of the participants a psychologist will be present to offer counseling if needed.

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Introduction

September 2017

In 2015 when I returned to Cambodia to speak during Holocaust Remembrance Day, it was a gift to cross paths with Ali Al-Nasani, the Country Director of the Heinrich Böll Foundation. Our fateful meeting led to a friendship inspired by common interests of memory, healing, and trauma. Hours, then weeks, then a year of ongoing discussion ultimately took form as a weeklong conference in 2016 titled *Dealing With the Past: Engaging in the Present*. This publication is the tangible product of that event.

The conference brought together a diverse group of professionals working in the fields of healing, conflict and post-conflict, trauma, memorialization, and human rights from around the world. The concept hinged on broadening the scope of national narratives by focusing on common themes that unite us in the human experience. Despite our obvious focus on Cambodia's history and contemporary healing, the conference achieved its goal by universalizing themes with a focus on healing and engagement. With most events open to the public, it was an occasion – and a successful one at that – to provide a space for reflection and exchange.

Each day's theme – Space, Justice, Prevention, Healing, Memory – guided our site visits, panel discussions, and lectures. The final event took place on Holocaust Remembrance Day and we were honored to welcome German Ambassador Dr. Ingo Karsten as a speaker. Most events took place at Meta House, thanks to Nico Mesterharm, where a photo exhibition on former Khmer Rouge cadres by Daniel Welschenbach with text by Timothy Williams was displayed. This event would not have been possible without support from these individuals as well as Marcos Smith from GIZ, the Civil Peace Service, and the One Earth Future Foundation.

By the end of the week, it was clear that each of us was enriched and humbled by the engagement with the diverse group. The overall consensus seemed to be that delving into these broader themes contextualized the specific work each of us do. I am incredibly grateful to Ali, the Heinrich Böll Foundation staff, and each person who contributed to this event for a life-changing opportunity. We hope that this publication, with reflections from select participants, will illuminate how meaningful the experience was and will continue to be and the enduring impact it will have on our work.

With gratitude,
Dara Bramson



Dealing with the legacy of the Holocaust.

Metahouse Phnom Penh, 27th Jan 2017

Today, we celebrate the **International Holocaust Remembrance Day**. 72 years ago, the largest concentration camp "**Auschwitz-Birkenau**" was liberated by the Soviet troops. January 27 has become the **International Holocaust Remembrance Day** which was endorsed by the **United Nations in 2005**.

What does this day stand for? It commemorates the victims of the Holocaust during World War II. Six million Jews were murdered by Germany's Nazi regime, along with 5 million non-Jews such as homosexuals, Sinti and Roma and disabled persons who were persecuted and killed. Our history is shaped until present by the Nazi-Regime and the dreadful events happened during World War II.

The legacy of the Holocaust is manifold and it is not restricted to Germany alone. The political legacy shapes the structure of Europe until today. The judicial legacy led to many court trials and the last verdict was only delivered last year. And let's not forget the emotional legacy. Those elderly people who are still alive suffer from the trauma of war, persecution and genocide and too many have passed on their trauma to the next generation. History is not over. It shapes nations; it shapes the world as it is today. But we have to learn from history in order not to make the same mistakes again. For many years democracy was on the rise. But today we have to realise that populist movements challenge the democratic systems. Populist movements offer easy solutions to complex questions. We have to realise that democracy without active participation of the people will become vulnerable and easy to attack. Democracy is not perfect, it cannot be. But it is still the best political system that we have as it guarantees political, social and economic rights of all citizens regardless of age, gender, religion, or political belief.

The Auschwitz concentration camp was an enormous and somehow modern killing factory. The gas chambers were industrialized mass murder. Modern companies created the gas and built the ovens. The Auschwitz camp shows us the extremities of the pathological side of modernity. And it warns us where the demonization of minorities or those labelled „undesirable“ can lead in the hands of a brutal modern state.

The annual day of remembrance has to be dedicated not only to the genocide during World War II but also to the subsequent genocides in Ruanda, Bosnia, Darfur and Cambodia. In Cambodia, during Pol Pot's Khmer Rouge Regime almost 2 million people were killed between 1975 and 1979. And until today the question remains: How could it happen?

The Holocaust was the largest organized crime in history - and as many genocides this crime began with extreme ideology and words. A language of hatred is a danger, not only for Jews, but for whoever is targeted. Each time hatred language is used we should act and neither remain passive nor silent.

One of the consequences of Auschwitz is the human rights framework enshrined in the UN Universal Declaration. The international human rights agreements are a toolkit that is designed to prevent mass atrocities and genocide. It is our duty to remember Auschwitz and to cherish that legacy so that Auschwitz may never happen again - neither in Germany nor anywhere else. Germany and the Kingdom of Cambodia are both covenant parties of the UN Human Rights agreements.

To strengthen the reconciliation and the peace building process in Cambodia, the **Civil Peace Service (CPS)** financed by the German government, the CPs ensures that Cambodian citizens and Khmer Rouge survivors are thoroughly informed about the Tribunal processes and can propose collective reparations projects. This program works closely with **Extraordinary Chambers in the Courts of Cambodia (ECCC)** in order to spread out about the process of strengthening reconciliation, peace building, and to help that Khmer Rouge survivors get justice.

In October 2015, the CPS program invited three museum officials to join a study tour to important museums in Germany and a concentration camp in Poland.

The participants of the study tour to Germany included the director of Tuol Sleng Genocide Museum, Mr. Chhay Visoth, and two professionals for exhibition and education. They visited -among others- the **Jewish Museum in Berlin**, the **NS (National Socialism) Documentary Center in Cologne** as well as the **Weimar and Buchenwald Museum**. Furthermore, they visited the **Auschwitz Concentration Camp in Poland**. It enabled them to learn about the restoration of artifacts, how to preserve crime sites and how to deal with the atrocities of the Nazi regime.

This study tour deepened the participants' understanding about the Holocaust during World War II and how Germany is dealing with its past and the memories of human suffering today. At the same time, they learned about the importance of involving young

people into prevention measures. During my visit to the Tuol Sleng Genocide Museum some months ago I was impressed by the enormous efforts of the museum to present an important aspect of Cambodia's past to the national and international public. Germany will continue these commendable efforts.

Until today, the German government is committed to deal with its past and to deal with the legacy of the Holocaust. The German government paid collective reparations to the state of Israel as the heir to those victims who had no surviving family. Germany also paid individual reparations to survivors of the Holocaust. Of course reparations cannot bring those who were murdered. And accepting reparation payments was not the equivalent of forgiving the Nazis for their crimes. Reparations were a symbol that Germany took responsibility for genocide and mass atrocities that were committed in the name of the German people.

Remembrance of the Holocaust is one of the most important things we can do today. Remembrance does not have an expiry date. German schools and universities spend a lot of time at various stages teaching about the Nazi era and the Holocaust. Education is paramount when it comes to learn from history and learning about democratic values. Today throughout Germany, you can find reminders of the brutality of the Nazi regime, and the culpability that ordinary Germans had in that horror. It is on permanent display for everyone to see. There are literally hundreds of memorials and monuments throughout Germany that constantly remind Germans and foreigners of the mistakes of the past. And there are the so called Stolpersteine, stumbling stones, which are literally designed to make a passerby stumble over them and become aware, if only for a few seconds, of one of the millions murdered by the Nazis.

These stones are also a symbol of the commitment in German society that is best summed up by the phrase "Remember! Never again!"



Dealing with the past as a holistic approach

Julie Bernath

Cambodia is quite a relevant context for holding a conference on Dealing with the Past. Since the Extraordinary Chambers in the Courts of Cambodia (ECCC) became operational more than ten years ago in 2006, a diversity of dealing with the past projects have been conducted – including therapeutic, artistic, educational, or intra-generational initiatives – in order to address the massive human rights violations which took place under the Khmer Rouge regime. Although many criticisms have been raised with regards to the ECCC, it has therefore nonetheless created the space for reflections and discussions on the Khmer Rouge regime at various levels and for increased creativity in finding different ways for dealing with the Khmer Rouge past. Pkha Sla, the dance and oral history project on forced marriages, which premiered in Phnom Penh in January 2017 and which we had the great opportunity to attend as conference participants, is only one example of this. Initially, civil society initiatives were carried out alongside the formal, state-sanctioned and retributive process at the Khmer Rouge tribunal in order to monitor and complement it, especially with regards to outreach and victim participation. Over the past few years, there have also been increased collaborations between civil society and the tribunal, mainly in the context of the reparation projects. The country has also seen the emergence of its own generation of experts on transitional justice, whilst several cohorts of international transitional justice practitioners have sojourned in Cambodia.

One could therefore argue that dealing with the past in Cambodia is of a rather holistic nature. However, this process takes place in a specific political context which affects and limits its nature, scope and potential for transformation. One of the most visible limitations today is that the dealing with the past process, after more than a decade, still remains limited to the period of 1975-1979, although the Khmer Rouge regime is embedded in decades of conflict, experiences of authoritarian regimes and massive human rights violations. As such, the case of Cambodia speaks to current debates amongst practitioners and researchers regarding the impact of transitional justice, and the challenges in shaping transformative dealing with the past processes.¹ These debates raise the question of whether and how we need to change the practice of dealing with the past, in view of the ambiguous or weak achievements of transitional justice mechanisms. Here, scholars and practitioners for instance propose to draw more explicitly from conflict transformation theories and tools.² But these debates also reflect the repeated challenges faced in the contexts in which dealing with the past processes take place, especially with regards to achieving long-term social and political change.

¹ Paul Gready and Simon Robins (2014) "From Transitional to Transformative Justice: A New Agenda for Practice", *International Journal of Transitional Justice*, 8: 339-361.

² See for instance Briony Jones, Elisabeth Baumgartner and Sidonia Gabriel (2015) A Transformative Approach to Dealing with the Past, *swisspeace Essential* 02/2015.

In this short contribution, I propose to reflect upon this second aspect, namely on how the dealing with the past process in Cambodia is embedded in the current political context, thereby trying to broadly engage with the title of the conference: “Dealing with the Past: Engaging in the Present”. I draw from qualitative fieldwork conducted for my PhD research between 2013 and 2016 in the capital of Phnom Penh and in rural communities across seven provinces.

Multiple transitions and the lack thereof: dealing with the past in the context of a hybrid political system

The Khmer Rouge regime is embedded in decades of conflict in the geopolitical context of the Cold War, which have led to particularly complex and shifting allegiances and conflict identities. Since the end of the Khmer Rouge regime in 1979, Cambodia has moved from war to negative peace. It has evolved from a command economy to a form of capitalism which is used to strengthen and extend existing patronage networks through the private sector. It has moved from authoritarianism to what most scholars on Cambodia analyse as a “hybrid” political system, i.e. a system that entails both authoritarian and liberal forms of government. Whilst the country has thus undergone multiple transitions over the past decades, it has also experienced to some extent a certain lack of political transition towards democratic forms of governance.

This context then necessarily affected the nature and scope of the state-sanctioned transitional justice process that was established in Cambodia. Scholarly work on the political history of the ECCC and publications by involved actors has shown how the protracted negotiations between the United Nations and the Royal Government of Cambodia have led to the limited personal jurisdiction of the ECCC, but also to the limitation of its temporal jurisdiction. Indeed, the ECCC can only investigate crimes committed between 1975 and 1979, i.e. the period during which the Communist Party of Kampuchea held power over the entire country.

Of course, it is crucial to examine this period of the Khmer Rouge regime, but the dealing with the past process should not exclude an open analysis, discussions and reflections on how this regime is embedded in longer decades of conflict which also had tragic consequences for most Cambodians. Unfortunately, this limited temporal focus is not only adopted at the ECCC but is often being reproduced by civil society organisations working on transitional justice in Cambodia. Looking into the massive human rights violations which took place before or after the 1975-1979 Khmer Rouge regime –and those which continue to happen today– indeed still comes with serious risks.

The specific political context of the negotiations towards the establishment of the ECCC, in which the government was in a strong position to impose its priorities, also led to the choice of a hybrid tribunal. Here, hybridity needs to be understood beyond the legal or technical definition which is usually used, namely that of a court of mixed composition and jurisdiction, entailing national and international aspects and operating within the jurisdiction where the crimes occurred. Indeed, hybridity at the ECCC also entails that different legal cultures of civil vs. common law meet, or indeed clash, at this institution. Scholars such as Alexandra Kent have further proposed to analyse the hybrid nature of this institution from a socio-cultural perspective.³ Kent argues that the national staff members at the ECCC live in quite different worlds in terms of the considerations and measures they need to adopt in order to secure their security and social survival, in comparison to their international colleagues who will most probably leave Cambodia once the ECCC closes down. From a political science perspective and on the basis of my research, I would add to this understanding of the ECCC’s hybrid nature in arguing that neopatrimonial power structures which define the national judiciary also exist at the ECCC and result in similar patterns of control and constraints over its national staff.

These challenges have then led to quite polarized assessments of the Khmer Rouge tribunal by both scholars and practitioners. There is indeed a dividing line between ‘idealists’ on the one hand, who refuse to have a tribunal which does not fully respect international standards, vs. ‘pragmatists’ on the other hand, who are driven by the necessity to secure at least some form of judicial accountability for the Khmer Rouge crimes. The latter position can be illustrated for instance with the position of actors such as David Scheffer who consider international justice to be the ‘art of the possible’.⁴ This divide between idealist vs. pragmatist positions is not unique to the ECCC, but in fact has shaped the positions of policy-makers, practitioners and observers with regards to international interventions in Cambodia ever since the UN peacebuilding mission in the early 1990s.

A hybrid tribunal under the scrutiny of civil parties

The embeddedness of the Khmer Rouge tribunal in the political context of Cambodia is not only an object of discussion, observation and monitoring for practitioners, civil society organisations and scholars. It is also being scrutinised by civil parties participating at the ECCC. Despite at times a lack of understanding of the specific legal issues at stake with regards to the different cases and accused persons, many of the forty civil parties whom I interviewed for instance closely followed the contested Cases 003 and 004 and the refusal of high government officials to testify as witnesses. In doing so, they also scru-

³ Kent, Alexandra. 2013. “Friction and Security at the Khmer Rouge Tribunal.” *SOJOURN: Journal of Social Issues in Southeast Asia* 28 (2): 299–328.

⁴ Scheffer, David. 2012. *All the Missing Souls: A Personal History of the War Crimes Tribunal*. Princeton/Oxford: Princeton University Press, p. 341.

tinise the role of the international community in the current transitional justice process in Cambodia – not just the government or national ECCC officials.

Many civil parties further criticised the ECCC's limited temporal jurisdiction. To some of them, this limits the potential of this institution in 'finding justice' as it does not account for the long term implications of the conflicts in Cambodia which led to, and followed, the Khmer Rouge regime. In this regard, civil parties make use of the diverse spaces available to them to question this limitation: regional civil parties and outreach forums; thematic conferences which bring together different stakeholders working on the ECCC; press conferences at the ECCC; bilateral meetings with their lawyers but also research interviews with researchers such as myself. The ECCC's mandate of course does not formally imply that everyone except the few accused at the ECCC who are found guilty of crimes committed under the Khmer Rouge regime are not responsible. Nonetheless, this can be a tangible interpretation of the ECCC or the 'take-home message' for many Cambodians, which is problematic.

The political context in which the ECCC take place, along with the allegations of political interference at the ECCC, further affects the perceptions of the tribunal's legitimacy in significant ways. My qualitative fieldwork has shown for instance that the ECCC is not necessarily perceived as being entirely separate from the national judiciary or truly independent, but rather as being embedded within the structural power relations in Cambodia. A quote from one of the interviews conducted with Cambodian citizens facing human rights violations today was particularly striking in this regard: "Cambodia is difficult in terms of rights. I don't know if [the accused] is guilty. Maybe it is just like in my case, I am innocent but I was put in jail nonetheless [for one month and 5 days in total]. I don't know..." This perception of a certain lack of independence can also be illustrated with interviews I have conducted with civil parties in Cases 001 and 002: most of the forty civil parties interviewed argued that they would not have participated if the ECCC had not received international assistance because they do not 'trust the Cambodian judges' there.

In this context, one can therefore conceive of the decision of victims to participate as civil parties at the ECCC as constituting to some extent an act of courage. This is especially the case for civil parties living in rural communities. The decision to file a civil party application in such contexts may include taking certain risks, such as being associated with the opposition party. In several cases, respondents mentioned for instance how early civil party applicants were initially perceived as being involved in 'opposition politics' for filing civil party applications at the ECCC, although this changed with time. Since civil society organisations such as the human rights advocacy organisation ADHOC were active in

disseminating information on civil party participation, and extensively assisted the civil party applications throughout the country, some members of the local authorities at the village or commune level indeed initially perceived these activities to be related to the work of opposition parties.

Conclusion

Dealing with the past processes are long-term processes. In the case of Cambodia, this can be seen in the ways in which certain sensitive issues –such as the complex identities of 'victim-perpetrators' or the experiences of gender-based violence under the Khmer Rouge– take a particularly long time to emerge in the public realm. There is therefore still work to be done on these aspects of the Khmer Rouge regime. Moreover, there is still a strong need for engaging with the younger generations who never directly experienced the Khmer Rouge regime themselves and still know little about it. The challenge of reaching out to the younger generations was for instance illustrated during our half-day visit to the Tuol Sleng museum during the conference week. Although much can be said – and much has already been written – on the specificities of the Tuol Sleng museum as a place of memory, the fact that only three young Cambodian students were visiting the museum besides the several dozens of tourists when we were there is rather representative of the lack of presence of young Cambodian visitors to such official memory places.

Nonetheless, more than ten years after the initiation of the Khmer Rouge tribunal, there is a strong need today to widen the scope of the transitional justice process in Cambodia, and to make use of the wide-ranging and multiple experiences in dealing with the past which have been accumulated in the country. If the dealing with the past process does not go further into depth in terms of discussing the root causes of the Khmer Rouge regime and addressing the decades of conflict before and after the limited timeframe of 1975-1979, it risks losing significance, credibility and legitimacy for the people it is supposed to serve. One could argue that here lies the transformative potential for dealing with the past initiatives in Cambodia today, as such efforts could help to further understand how people came to support the Khmer Rouge regime, but also understand the impact which decades of conflict had on institutional structures, political realities, attitudes and relationships which prevail until today.



Coming to Terms with the Holocaust by Criminal Law?

Norbert Feige, *Legal and Parliamentary Adviser*, 27/01/2017

A. Introduction

One of the instruments to deal with a system of injustice is criminal law. It is surely an important, but not the only instrument. And maybe it is not the best instrument. The following contribution shall give an overview on how the Holocaust has been handled in Germany using the mechanisms of criminal law and it will try to assess how effective these mechanisms have been used.

B. The Three Phases of Prosecuting the Holocaust in Germany

Having a closer and more detailed look on the criminal prosecution of the Holocaust in Germany, we can identify three different periods.

1. The Era of Allied Occupation and the young Federal Republic of Germany (1945 – 1955)

Right after the end of the Second World War, the allied victors and other European countries began to investigate German crimes during the war and to conduct criminal proceedings. These proceedings did not only cover the Holocaust, but also crimes against peace and (other) war crimes. In total, between 50.000 and 60.000 persons were convicted in Germany and in other countries (not only because of Holocaust crimes). In the three western occupation zones about 5.000 perpetrators were sentenced, against 500 convicts the death penalty was imposed. Later (in the 1950s), many convicts of these proceedings were released prematurely. This phase ended in the mid 1950s. Some criminal offences were – be it intentionally or not – included by two general amnesty laws in 1949 and 1954.

2. The Period between 1955 and 1980

In the late 1950s, an awareness grew in the Federal Republic of Germany that many crimes committed under the National Socialist regime had not been investigated and prosecuted by then. A special authority to investigate and to support the police and the public prosecutor's offices to dealing with these crimes was established in Ludwigsburg near

Stuttgart. Some very engaged public prosecutors initiated new investigations in crimes committed under the National Socialist regime. These efforts have resulted in numerous highly-publicized (or even spectacular) trials against staff from concentration camps. Most of these defendants were sentenced severely (in the end even more severely than many perpetrators sentenced right after the end of the war).

3. A new Legal Assessment

During the last years, we can observe a remarkable change in the legal assessment of National Socialist crimes. Originally it was a precondition for a conviction that the perpetrator was directly involved in a specific killing action. Otherwise it was not possible to identify in how far the perpetrator has caused the death of the victims. With the new interpretation of the law, it is sufficient that the perpetrator somehow contributes to the “killing mechanism”. So even accountants or “simple” guards of concentrations camps can be sentenced for accessory to murder. Meanwhile this new interpretation is confirmed by the Federal Supreme Court of Germany (revision in the case of Oskar Groening, Lueneburg). So there are still some trials and convictions. The last conviction was imposed in June 2016 (five years against a 95 year-old former guard of the Auschwitz concentration camp, the case of Reinhold Hanning, Detmold).

4. Results

In the Federal Republic of Germany, public prosecutors initiated about 37.000 preliminary proceedings against 172.000 defendants. Around 17.000 defendants were accused, about 7.000 accused persons were convicted. Besides that, there were trials in many other European countries, e.g. in the Soviet Union, Poland, the German Democratic Republic and France.

C. Legal Aspects

Looking back and asking ourselves whether this was a sufficient and appropriate reaction on all these terrible crimes we should have a look at the obstacles that came up in the past. In these cases we can identify several legal problems.

1. Retrospective Laws

A basic principle of the criminal law (“*nulla poena sine lege*”) prohibits the retrospective application of regulations. In the trials of the allied victors the legal basis (crimes against humanity, crimes against peace) was codified only after the second world war. This was not regarded as a critical issue because the cited principle shall not protect members of a criminal regime from punishment. The trials conducted at German courts were not affec-

ted by this legal principle, since all charges and convictions were based on murder or accessory to murder (not on crimes against humanity) and these regulations were in place since 1871. This makes no tangible difference since the range of sentences is the same in both cases with a maximum sentence of life in prison.

2. Perpetration or Accessory

Most of the convictions are based on accessory to murder, not on murder as a perpetrator. In many cases, accessory is sentenced milder than the perpetration. This is a consequence of another principle of the German criminal law. A conviction as a perpetrator is only possible when the acting person wants the crime and its results as his or her own. In many trials, this could not be determined with the necessary certainty.

3. Limitation

The limitation of criminal prosecution was one of the most severe problems in dealing with the National Socialist crimes. Originally the limitation period for murder was only 20 years, i.e. after 1965 investigations would not have been possible in Germany any more. But the limitation period for murder was first extended and later on (in 1979) repealed completely.

4. Evidentiary Problems

Under the former interpretation of the law, it was sometimes difficult to bring sufficient evidence that the defendant was involved in a specific killing action. So some investigation proceedings had to be abandoned due to lack of suspicion or accused defendants were acquitted by the court.

D. Other Challenges

Besides the legal issues, judges and public prosecutors had and have to face some practical challenges when it comes to investigations and trials in Holocaust cases.

1. Death of Perpetrators

Quite a number of perpetrators died still during the war or after the war before they could be sentenced. Some committed suicide, some were killed in action (after dissolving some concentration camps, parts of the staff participated in regular combat operations), some were spontaneously killed by allied soldiers or former camp inmates after the liberation of camps. Some perpetrators died after the war, e.g. as prisoners of war or during the 71 years after the end of the war. All these perpetrators can of course not be sentenced any more.

2. Escaped Perpetrators

Some perpetrators (about 800 to 1.000) could escape to other countries, mainly to South America. After the war and in the sometimes very chaotic situation in Germany it was not difficult to abscond, to go underground and to take a new identity. However we can say that most of those perpetrators who stayed in Germany, could be identified and discovered sooner or later.

3. Lack of Interest to Prosecute Crimes

Particularly in the first years after the war we can observe a significant lack of interest to investigate the crimes connected to the Holocaust.

a) Political Aspects: In the 1950s, the Germany and the allied western countries focused on other topics and new developments in the macro-political environment: the Cold War and the Re-establishment of a German army. In this context, investigating the Holocaust was not the main area of activity. We have to take into consideration that police, public prosecutor's offices and courts had to suffer from an extreme lack of staff right after the war (many officials and employees died due to the war) and all available resources were primarily used to establish and to maintain law and order.

Even in other countries, supporters of the old regime were not prosecuted when they were useful for these countries (e.g. former German soldiers in the French Foreign Legion or the – early - National People's Army of the German Democratic Republic).

b) Judiciary: Many public prosecutors and judges from the National Socialist system remained in their positions after the war or they managed to return to the judiciary. This fact is more than deplorable. But one reason for this development was the lack of available and suitable other staff right after the war. And some of these representatives of the old system protected Holocaust perpetrators from being investigated and sentenced. This is also one of the reasons why we can observe very few and rather mild convictions in this period.

c) Social Aspects: At that time, we have to notice this lack of interest also among German citizens. In the very first years after the war, people concentrated on survival and on the reconstruction of Germany. Afterwards, we can identify the will to dispossess the past. And finally: By far not all German citizens had been victims of the old regime, many of them had been supporters.

4. Course of Time

Today, the course of time is becoming the main challenge for investigations and trials. Defendants and witnesses are getting older. Even the youngest offenders are now more

than 90 years old. Many of them passed away. Some are unfit to stand trial and/or to be imprisoned. Sometimes their health allows only a limited duration of the trial per day and so the trials take more time in total. The course of time may also (truly) affect the memory of defendants and witnesses.

E. Conclusion

Criminal law remains an important instrument to deal with systems of injustice. Since it is focusing on individual perpetrators and their individual guilt, some aspects do not play the main role (e.g. social aspects of such regimes). Coming to terms with the past is not an objective of criminal trials. It can only be a side effect of such trials, so the criminal law can at least contribute to this process.

However, the principles of rule of law have to be respected as well as human rights, even if the perpetrators did not respect these principles and rights at all. Injustice cannot be handled with new injustice. And this leads to limits for these trials.

Looking back at the last 70 years, we can say that making use of criminal law to deal with the Holocaust is surely not a clear success story. There are many things that could have been done better. But at least for the last two or three decades I dare to say that those who were in charge of prosecuting and judging these crimes have tried to repair the mistakes made in the past as far as possible and they have achieved what could be achieved.

Prosecuting injustice and penalizing proven offences consequently may give a certain satisfaction, gratification and appreciation to the victims. If these instruments are used correctly, they do not split the society. They rather contribute to the process of reconciliation. And these instruments are a clear signal to all unjust regimes that are in place today, signaling: "You will not get away with that, we will get you in the end!" and this signal can maybe avoid future injustice. May it never happen again!



Personal reflections on the conference – Dealing with the Past: Engaging in the Present

Jonas Kramp

Sunday the 22nd Feb 2017– the unofficial start of the upcoming week’s conference. Near the banks of the Mekong river a part of the conferences attendees gathered to see the performance of Phka Sla in the Chaktomuk theatre. The Khmer name of the play translates into “areca flowers”, which are normally distributed at Cambodian weddings. However, this tradition did not continue under the Khmer Rouge regime, where forced marriage was widely enforced and all luxury was demonized. In that sense, the absence of the wedding flower during an undesired wedding ceremony in the play symbolized the absence of freedom in the Khmer Rouge time. Using dance and music the performance gave a glimpse into the horrors of this dark period of Cambodia’s history (1975-1979).

Precisely this period and its aftermath until the present day was the major focus of the conference Dealing with the Past: Engaging in the Present. From various different countries experts on the topic of the Khmer Rouge, the Holocaust and more generally genocide, came together to discuss and share their perspectives framed by the conferences leitmotif – how to deal with the past and how to make sure it will never happen again. The amalgam of the attendee’s disciplines, both academic and practical, can be seen as to reflect the complexity of the topic and the challenge to draw similarities between different contexts of mass atrocities to find out what lessons are to be learned from them.

During the week’s five days each one was assigned a specific theme: space, justice, prevention, healing and memory. Starting on Monday, the abstract concept of space was approached by visiting the Toul Sleng Genocide Museum. This museum space in a former school building in the middle of Phnom Penh offers a tour through the chambers of the Khmer Rouge torcher prison. In the block houses on the compound the paranoia of the totalitarian regime was taken out on “the enemy” which was also suspected to be within their own ranks. Many people suffered and died in these walls, those who survived the terror at Toul Sleng were brought to their certain death at Choeung Ek one of Cambodia’s killing fields.

Both sights are spaces of remembrance and have the purpose to let visitors experience the past in terms of the present. The role of technology in this regard was debated at Meta House, for example how technology can enrich a museum space by adding information

to the plain sights with the help of an audio guide. Therefore, it is crucial what information is selected and how this shapes the experience of the visitor. During the debate, it was mentioned that the framing of the information selected in both Toul Sleng and Choeng Ek was widely constrained on the cruelties done in these two places. Additionally, some information on how life in the countryside was, where most of the population was brought, would have been helpful. This debate tied in with the further discussion on genocide education – composed of history and prevention. Here, the distinction between emotions with a short-term learning effect and information with a long-term learning effect was made by Timothy Williams. Hence, the emotional approach by using the element of shock was exposed to its lack of information on topics like collectivization and forced marriage.

Duong Keo from the Bophana Center presented a new smartphone application on the history of the Khmer Rouge period that is designed to reach out to the younger generation of Cambodians and to achieve a long-term learning effect. Visoth Chayy, head of the Toul Sleng Museum stated: “it’s not easy” in regard to interest in genocide education of the Cambodian youth. However, he and his museum are offering multiple activities ranging from artwork and poetry workshops to temporary exhibitions. According to Mr. Chayy it is a big challenge to get Cambodian people to visit the museum because many do not want to stir up the dark memories of this period.

The second day of the conference started with a trip to the Extraordinary Chambers in the Courts of Cambodia (ECCC) or more commonly known as the Khmer Rouge Tribunal. Special about the ECCC is its establishment as a hybrid court after a bilateral agreement between the UN and the Royal Government of Cambodia, thus consisting out of national and international structures. In 2006, nearly 27 years after the Khmer Rouge regime fell, the court began its work.

After a short tour through the courtroom, three different perspectives on the Khmer Rouge trials were presented by an attorney of the prosecution, an attorney of the defense and a lawyer who took a more neutral position. In order to have a fair trial by international standards, the defense lawyer mentioned the presumption of innocence which has to be applied to the Khmer Rouge leaders who are facing charges of crimes against humanity. Intuitively, one would declare the senior leaders instantly as guilty, nevertheless in court the process of reconstructing and enshrining a judicial truth took in case 002/01 roughly four years and is still ongoing in case 002/02. The lengthy process is especially frustrating for the civil parties who in the history of international mass crimes are the first victims participating in trial proceedings as accessory prosecutors. Moreover, the judicial truth constructed may differ from the actual historic events by excluding or not considering certain material.

The ECCC claims that the trials and the participation of the civil parties contribute to peace and reconciliation. This and the question “Can there be appropriate justice after genocide?” were debated in the afternoon panel discussion featuring international law experts. Marie Guiraud representing the ECCC and the civil parties added to the debate that to every person justice means something different. To her, the participation of victims is a huge development of victims’ rights and human rights law. However, feeding into the debate whether there can be appropriate justice, she also mentioned that the ECCC is disconnected from the Cambodian youth and larger parts of society, thus only reaching a fraction of Cambodian society. Participation in the process of bringing the senior leaders of the Khmer Rouge to justice is thus limited to the civil parties. The same applies for the eligibility for moral and collective reparations.

Another factor limiting “full justice” (whatever that may be) is the time frame adopted in the Tribunal ranging only from 1975-1979, excluding all crimes before and after. A metaphor used by Cambodians to describe this is that of a crocodile with a missing head and tail. The main part of the crimes in this image are visible but crimes of the Khmer Rouge after their defeat by the Vietnamese troops or American bombings on Cambodia in 1969 are excluded. Posing once again the complex question “Can there be appropriate justice after genocide?” Julie Bernath abstracted the multiple answers into two tendencies: idealistic and pragmatic approaches.

Furthermore, Ms. Bernath stated that some civil party members think of the ECCC as insufficient in receiving justice and that they distrust the ECCC and more generally the Cambodian judicial system. Moreover, even simple cases were extremely complicated and thus underperformed the high expectations of the civil parties in the trials. In regard to the limited number of cases, the satisfaction of the civil parties, the political interference in cases 003 and 004, limited participation in the trials and the socioeconomic aspect of poverty it is more than open to question whether justice has been or can be achieved in the ECCC. With this in mind, the government’s warning of civil war if the trials are taken too far, drawing on the discourse of peace versus justice, is highly doubtful and as Ali Al-Nasani remarked, there was no case in recent years where justice led to conflict but rather the opposite is true that injustice leads to conflict.

Another debate centered on the issue of appropriate justice was who is a victim and who is a perpetrator? The official Cambodian narrative “we are all victims” which entails a synchronization of perpetrators with victims was questioned by Timothy Williams who observed, that by agreeing with this narrative one abandons the question of agency. Not accepting guilt may work to a certain degree to achieve peace in the Cambodian society but from a perspective of prevention this nullification of agency seems very problema-

tic. Especially, in regard to the omnipresent hate speech directed at the ethnic minority of Vietnamese in Cambodia. Here, parallels were drawn to Poland and Germany for example the German way of dealing with the past (*Vergangenheitsbewältigung*) and the acknowledgement of guilt. But particularly the Polish way of dealing with the past shows some similarities to the Cambodian narrative of victimhood, in terms of a governmental narrative that dictates the remembrance of history and rejects guilt. According to Rafał Pankowski any kind of acknowledgement of Polish participation in the Holocaust and Polish guilt is received as anti-Polish and an affront to all Poles.

Related to these debates over appropriate justice are questions how reconciliation and healing can be achieved in regard to the impunity of perpetrators. During the Khmer Rouge period killings, torture, forced marriage as a pretense to legitimize rape and gender based violence were committed leaving the victims in trauma.

The process of reconciliation was metaphorically described by a member of the Documentation Center of Cambodia (DC-Cam) in the Choeung Ek audio guide as putting back together broken glass piece by piece. Assisting in these individual processes to overcome trauma are Cambodian organizations like Kdei Karuna and the Transcultural Psychological Organization (TPO). A major obstacle in the assistance was the so called “culture of silence” described by both Solida Sun and Sotheary Yim. To break this silence over the past and to create new trust in an inter-generational dialogue is the goal in order to contribute to the healing process of the Khmer Rouge victims. According to Jeannine Suurmond a process has to be undergone leading from grief to mourn to being able to listen to the people who triggered the pain to finally achieve reconciliation.

During the conference links between the contexts of Cambodia, Poland, Rwanda and Germany were made such as different genocide educations or current politics of dealing with the past. However, one presentation by Timothy Williams managed not only to compare but to de-contextualize with the help of his model asking the question “Why do people participate in genocide?”. By “understanding” reasons like coercion, obedience, social dynamics, better food and more sleep which can lead to participation, one can easily start to be trapped once again in the narrative of victimhood. However, as Mr. Williams emphasized throughout the conference, it is important to challenge this notion that no one is a perpetrator to achieve a better prevention.



Healing in Cambodia

Laura McGrew

The concepts of healing and reconciliation are inextricably linked, as discussed at the Heinrich Boll conference on “Dealing with the Past” held in Phnom Penh in January 2017. Under the session in the program on “Healing the Trauma” there were three speakers: Solyda Sun (Transcultural Psychological Organization - TPO), Jeannine Surmond (on trauma healing in Nepal), and Sotheary Yim (Kdei Karuna). I started the session with a short review of theory on healing.

Healing of torn relationships is central and essential to reconciliation, and the healing processes take place both on an individual and a community level (Lederach 2001: 200; Staub and Perlman 2001: 206). Galtung defines reconciliation as ‘closure plus healing: closure in the sense of not reopening hostilities [and] healing in the sense of rehabilitated’ (2001: 4). Healing requires dealing with strong emotions such as hatred, anger, and fear. The tasks of healing are to deal with the hurts, resentments, and enmities that have arisen during mass violence (Stevens 2004: 42-43 cited in Hamber and Kelly 2005: 18). As healing progresses, so also does reconciliation, but if delayed, so is reconciliation.

On an individual level the concept of healing initially drew from psychosocial literature and can be seen as unspecified general healing, healing of heart and mind, and/or trauma healing.⁵ The degree of trauma, and how trauma was experienced and recovered from are important factors in healing, and in individual reconciliation processes: ‘Processes where victims are recognized, wrongs acknowledged, and responsibility allocated are seen to be required to bring closure and healing’ (Skaar, Gloppen, and Suhrke 2005: 4-5). As delineated by Rigby there are two dimensions of the process of reconciliation and thus two types of healing, personal healing (reconciliation to past loss, trauma, etc.) and social healing (reconciliation with others, or between people): ‘becoming reconciled to the pain and loss of the past, and becoming reconciled with former enemies...’ (2006: 6).

Healing, especially in Cambodia is closely related to the concept of ‘the heart’. Kraybill suggests the healing process involves a ‘unity of head and heart’ (1988: 8). Halpern and Weinstein suggest that reconciliation is a two-part process (intellectual (mind) and emotional (heart)): ‘If reconciliation is not merely an intellectual but also an emotional process (contritio cordis), then a major role in making reconciliation between peoples

⁵ A 2007 handbook on trauma in Cambodia stated:

We believe that a greater consciousness about the socio-political and individual aspects of trauma is one of the first steps towards individual and national reconciliation. There will be no path to comprehensive reconciliation in this country until there is more inner peace in the hearts of individuals, more conscious and relaxed communication between couples as well as among people in families, villages and towns (Center for Social Development 2007: 3).

possible, in generating a capacity for reconciliation, will be played by the education of attitudes, or what used to be known by the old-fashioned term “cultivation of the heart” (2004: 568). This terminology of the heart is particularly applicable in Cambodia, as the concept of reconciliation is a compound word, one part of which can be translated as ‘healing.’⁶

Part of healing deals with the concept of memory and the process of making sense of the past.⁷ The process of making meaning of the past and even finding something beneficial may also be an important way to overcome traumatic experience (Field and Chhim 2008: 355). This reinterpretation process may be facilitated through the Western model of ‘talking therapy’, but not necessarily – healing is a very individual process and is steeped in culture. Especially on an individual level, Cambodians work through their cultural traditions to find meaning for the future so as not to let the past overwhelm them. For example, on a community level, approaches to healing and reconciliation include rituals and religious events.

All three speakers on the panel spoke of the importance of, and gave examples of, cultural traditions and rituals to promote healing. TPO has been conducting “Testimonial Therapy” for civil parties at the ECCC for several years and speaker Solyda described how survivors have chance to share with each other, and with the therapists. This helps them find healing through relief from emotional pain, improved self-coping skills, and their ability to manage distress. Solyda also emphasized the importance of sharing between the elderly and the younger generations, to dialogue, so people can better support each other about the past, but also in the present life.

Communication, talking, and sharing were important concepts discussed in the Conference – especially in the “Culture of Silence” many observed in Cambodia. Jeannine’s work on Non-Violent Communication is focused on healing, starting with compassion and empathy, set up in safe spaces in order to encourage dialogue. Jeannine notes a connection between healing and reconciliation – “We set out on a journey not wanting to think about our inner pain, to actually connect to our grief, our lost hopes dreams, life.. after awhile we may be able to listen... maybe reconcile.” Healing through compassion and empathy are the starting points, and justice and prevention flow from there. Jeannine emphasized the retributive justice systems such as the ECCC do not necessarily lead to healing, as survivors are not necessarily seen, and recognized for who they are and what they have suffered.

⁶ *Phsah phsaa* is reconciliation: *phsah* mean pain, while *phsaa* means to heal.

⁷ Minow suggested: ‘What’s needed, paradoxically, is a process for reinterpreting what cannot be made sensible, for assembling what cannot be put together, and for separating what cannot be severed from both present and future’ (1998: 120).

And finally, panellist Sotheary Yim shared insights from her various jobs as a psychologist: with the Center for Social Development, and now with Kdei Karuna. She spoke about the importance of healing for all parties: victims and perpetrators, as well as the various people who work with them. As the other speakers mentioned, Sotheary also mentioned the importance of dialogue – also of truth-telling -- hearing the truth is important for healing and reconciliation. But talking about the difficult past, or difficult subjects is not easy – Sotheary noted: “I agree there is a culture of silence [in Cambodia], why can’t we break that silence? If you want an omelet, you need to break an egg. I am a fan of talking. I heal myself by talking”.

The conversation also turned to the issue of safety and security. Jeannine had discussed the importance of safe spaces for sharing, especially between victims and perpetrators who both may have fears and insecurities. In Cambodia, as the KR had created an atmosphere of mistrust and insecurity, when you could be killed if you spoke up, the challenges to breaking the silence are still great, even 30 years after the KR period. Gender adds another layer onto this culture of silence, as girls in particular have been taught to remain silent. Through the various methods of healing described by Conference participants, the culture of silence is changed.

At various times throughout the conference, others had also brought up healing. Conference organizer Dara Bramson first described the overall goal of the Conference through the concept of space and healing: “Every space is a space for memory, and unites us. We will explore how we engage with spaces of memory and how they interact with spaces of justice, healing, etc.”. Dara also emphasized that healing is not only applicable to victims, but also to communities, perpetrators, families, and others suffering from secondary trauma. Visoth Chhay also mentioned the importance of healing as it is one of the four goals of the Tuol Sleng Museum: reflection, education, remembrance, and healing. Tuol Sleng has a testimony program where survivors share experiences, most importantly to young people, as well as oral history programs which support people to have a voice. Tuol Sleng also incorporates religious rituals at the museum, with providing a place for prayer and reflection. Keo Duong spoke about the importance of story-telling as a part of healing, and an important part of reconciliation. Heang mentioned the important role Buddhism plays in healing Cambodians. She felt that the sense of shared suffering during the regime - between victims and perpetrators - helps with healing, and allows people to coexist. Minea described the KdK dialogue programs as playing an important part of healing, through mutual understanding, as well as various cultural and religious traditions they incorporate into their activities. Consultations with victims is a very important part of healing, so that they feel listened to, and they are able to express their needs – and hopefully get some of their needs met through various healing and reconciliation practices.

The recent dance/theatre project Phka Sla, which was a collaboration between gender expert Theresa de Langis, KdK and Sophylline Chim's Khmer Arts, proved to play an important role in healing. On the first day of activities of the Conference, participants attended a showing of Phka Sla. The Cambodian audience was very involved in the play, exclaiming and answering when the master of ceremonies (Sophylline) posed questions to them. During the question/answer period after the play, one of the dancers was on the stage and was asked how the play made her feel. She at first could not speak, and was visibly emotional. After being provided support (and tissues) by the psychologist facilitator (Sotheary Yim), she gathered herself and was able to explain to the crowd of hundreds, that her parents had been in a forced marriage, but she had not known until a few years ago. When her parents had a second marriage ceremony to re-celebrate their vows, she had thought it unnecessary, until she was involved in this play, when she could see how important the trauma of the forced marriage was, and her parents' ability to triumph over it. Thus, the second marriage ritual was important in healing for her parents, while her involvement in the play was important for healing herself. In addition, hundreds of members of the audience (including myself) were affected by this sharing, and were able to see the importance of cultural traditions in finding meaning and healing.

Through this week-long Conference on dealing with the past, speakers and participants heard new ideas, revisited theory and practice, and engaged in new and stimulating discussions. The concept of healing was one that resonated for many, and after being seen from many different angles, has been expanded and highlighted as a concept important for everyone.

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Tending the Garden of the Heart: Healing from Trauma and Nonviolent Communication

Jeannine Suurmond

The conference *Dealing with the Past: Engaging in the Present* started with the themes genocide education, prevention, and justice, then healing. It is also possible to go the other way around: We begin with healing, and let justice, prevention, and education flow from there. I will tell you how this might look like from the perspective of Nonviolent Communication, and illustrate it with a story from Nepal.

Nonviolent Communication, or NVC, was developed by the psychologist Marshall Rosenberg in the 1960's. During the race riots in Detroit, USA, he noticed that some people managed to stay compassionate, whereas others became violent. Our use of language seemed to account for a large part of the difference. Rosenberg went on to develop Nonviolent Communication as a means to help people stay connected to their own humanity and that of others and from there, respond to conflict and disaster with compassion. Today, NVC practitioners are creating paths for healing and reconciliation in many places, including intimate relationships, professional contexts, health care, social services, police, prisons, governments, schools, and political and social change organizations. Hundreds of trainers and supporters are teaching NVC skills around the world, including the West and countries like Palestine, Nigeria, Iran, Nepal, and here in Cambodia, too.

How can our pain and suffering, even in massive amounts, give rise to something beautiful?

You may be familiar with the Buddhist story about dung, or cow shit. We are sitting in our home and then someone delivers a whole truckload of dung. It is dumped right in front of our house. We did not order it. "Why me?" we ask. We did not deserve it, this thing just happened. Also, we are stuck with it. We cannot call someone to take the heap of dung away. So what do we do? We can put the dung in our pockets or handbag, carry it around. Or we may decide to dig it into the earth, perhaps with the help of some friends. Maybe we can do only half a bucket a day, but we dig the dung in. It is hard work. But after a while, the heap of dung has disappeared. In its place, there is magnificent garden.

Traumatic events shatter the world as we know it, leaving us disordered, disempowered, and disconnected. If the original moment of pain is overwhelming, we may decide to emotionally dissociate from it in order to stop our suffering. Dissociation, however, only temporarily halts the emotional experience. Even long after the painful event, we may continue to experience anger, anxiety, depression, shame, self-blame, and humiliation. We may feel guilty because we survived when others have died. We may tell ourselves that we should have been able to prevent whatever happened, or that if we were somehow better people, we would have overcome our suffering by now. Life continues. We are busy surviving, yet without living as fully as we could be.

When we carry pain in our hearts like dung in our pockets, it can imprison us, and drive us to continue it. Political responses, for instance, tragically perpetuate the trauma when they seek to punish the attackers. This is the case here in Cambodia with the Khmer Rouge Tribunal, in the US with their war on terror following 9/11, and in post-armed conflict Nepal with the Truth and Reconciliation Commission.

Liberation from trauma comes from both physically and emotionally completing the painful experience. Healing and mourning are human needs. Just like other needs (e.g. food, clothing, safety, and autonomy), their fulfillment needs care and space. Safe spaces are needed to allow us to open up old pain with the support of those around us, to feel it, and to finally release it. Safe spaces are needed to shovel and dig in the suffering, the disappointments, the diseases, the tragedies of life.

In Nepal, there was a 10-year long armed conflict between Maoists and the state, from 1996 to 2006. An estimated 13,000 people died, over 100,000 were tortured, raped, or displaced, 1300 are still missing. When I worked in Kathmandu on behalf of the Civil Peace Service Program of the German Agency for International Cooperation (ZFD/GIZ) from 2011 to 2016, we sought to strengthen the restorative potential of the Truth and Reconciliation Commission. The purpose of this commission is to reckon with the human rights abuses committed by both sides during the conflict and move the society forward. We wanted the proceedings to be not just a formality required to complete the peace process, but to contribute to heart-felt healing for everyone hurt by the armed conflict. Collaborating with several organizations, we created opportunities for people to personally experience healing and reconciliation. On one occasion, we hosted an NVC training which concluded with a restorative circle between different parties to the conflict, including ex-Maoist combatants, government representatives, and victims of the violence.

One of the participants was Samjhana, a woman in her twenties. You can see her in the movie that documents this dialogue.⁸ When Samjhana was 10 years old, her father was

abducted by the Maoist People's Liberation Army. When they came to her house to take him away, her father assured her that he would return in a few days. Samjhana has not seen him since. In her village, people told stories of how he was killed by the Maoists. She said to me: "Each time I meet a Maoist, I imagine I am meeting the murderer of my father. I can't stand being in the same room with them."

In NVC, we wonder: What is going on for Samjhana that prompts her to say something like that? What is it that is really important to her?

Most of us have been educated to think in a way that compromises our curiosity regarding the reasons of other people's behavior. We focus on what is 'right' and 'wrong' with them. We express our feelings in terms of what another person has done to us, reducing the fullness of this human being to his or her actions. We struggle to understand why the actions happened, what we want or need, and how to effectively ask for it without using demands, threats, or coercion.

There are less violent and more empowering strategies to achieve our goals. Restorative circles, for example, is a community conflict resolution process inspired by NVC. In restorative circles we explore what triggered conflict, who is impacted, which needs are not met, and how we can restore community. The focus is first on healing the pain, and then on meeting needs for balance and restoration (justice), ways to prevent the conflict from happening again (prevention), and possibly informing others of what was learned (education). In contrast to the formal justice system, no experts, institutions, or funds are required to go ahead. Anyone can organize a circle and adapt it to his or her local context. This flexibility is useful in settings where there is a low level of trust, the social fabric is weak, and it previously was risky, or even dangerous, to talk. We can take the responsibility for truth, justice, restoration, safety, and healing into our own hands.

In the restorative circle in Nepal, ten years after the abduction of her father, Samjhana now cries out: „I want my father back!“ The room falls silent, but for the sound of school children playing outside. The other participants let themselves be touched by what was said. Then, a government official reflects back to Samjhana what he hears her say: How agonizing it is, not knowing what happened to her father. How much she longs for his love. How much she would like to heal and move forward. The ex-combatants listen.

There is a pathway from healing to reconciliation. We set out on a journey from where we are now, maybe not wanting to think about our inner pain, to accepting what is inside of us. We give up resisting. This is when our pain begins to soften and we can start to feel it as a fragility or vulnerability. We can mourn our unmet needs, for love, for safety, for well-

⁸ Raamro Aakha Ma (In The Eyes of The Good), 2015. Available at: <https://www.youtube.com/watch?v=RqA20ydkXgg>

being. After a while, we may slowly be able to reach out, to listen to the person or people who triggered our pain, without having them to hear ours. And maybe, at one point, we will even be able to express our sadness about their suffering, and begin to reconcile.

Having been heard by the other participants in the circle, Samjhana subsequently listened to stories of how poor and young the ex-combatants were, when they joined the Maoist army. How they fought against the state with hopes for more equality and justice. How they tortured and murdered others, lost loved ones, how betrayed they now feel by their leaders. Then the government officials spoke. Once everyone had been heard, options to restore justice and prevent future violence were discussed. There was a request for the state to provide an economic rehabilitation package to disabled ex-combatants and to set up a helpline for victims. The participants agreed to meet again in a few months to monitor the progress made.

Samjhana said: "After participating in this restorative circle, I have changed my mindset towards the Maoists. I now understand their hardships. They had their own true convictions when they went to war. They were not out for their own gain. I want to change the way I think of them, learn to mix with them, and share what I have with them." Other participants to the dialogue said that, for the first time since the end of the war, they felt truly listened to, and understood.

Unconditionally accepting our pain in relation to other people, events, and life at large, gives rise to a quality of kindness, of compassion, towards ourselves and others. Accepting is not the same as approving. Accepting does not mean giving in. It just means I cease being a war with myself and the people around me. I then discover there are abundant ways to meet everyone's needs. I will find that the joy of life is in partaking in what is happening around me, to contribute towards making life more wonderful, and to support the change of those things that I would like to see differently.

Mourning and celebrating are two sides of the same coin. Something comes, something goes. We celebrate when life is going well and our needs are met, we mourn when life is not going well and our needs are not met. Fully mourning our losses enables us to truly celebrate our gains.

When we mourn fully, our suffering can bring about a change of heart, and lead to something beautiful called healing and reconciliation, just as dung can lead a garden to blossom.



Conference Reflection – Women, Peace and Security in the Context of Genocide Prevention

Dylan Ungerman Sears

I attended the Heinrich Boll Stiftung panel discussion on Women, Peace and Security in the context of genocide prevention as a paper presenter to present the findings from my dissertation, titled “The Rule of Impunity: Investigating the Challenges Facing International Accountability for Perpetrators of Wartime Sexual Violence”.

My research focused on perpetrators of wartime sexual violence, exploring why impunity prevails as the rule, rather than the exception. Conflict-related sexual violence is a crucial element of the Women, Peace and Security agenda and prosecuting those responsible is of vital importance in preventing future human rights violations. International tribunals are premised on the logic of deterrence. By prosecuting those bearing the greatest responsibility, past wrongs are deemed unacceptable. In the context of conflict-related sexual violence, very few perpetrators have been held accountable in international tribunals, despite widespread documentation of and research on this phenomenon.

Attributing to our lack of prosecution is our lack of knowledge of perpetrators themselves. The motivations of perpetrators of wartime sexual violence have generally been assumed rather than researched, and perpetrators are commonly alienated and dismissed in theory and practice. Consequently, there prevails a research gap in our understanding of the very people we aim to condemn. This knowledge gap affects prosecutorial processes, perpetuating a vicious cycle of impunity. The less we know about perpetrators, the harder it is to dismantle the misconceptions of sexual violence that exist and achieve justice for victims. My findings support further research on perpetrators, and working towards a more comprehensive approach to justice.

The panel discussion echoed these findings – the two panelists presenting alongside myself explored other aspects of the Women, Peace and Security agenda. Alexandra Amling discussed UN Security Council resolution 1325, and subsequent resolutions relating to women’s experiences in conflict. Suyheang Kry discussed the post-conflict role of women in society from a Cambodian perspective. Our wide-ranging themes exemplify the complexity of WPS, and genocide prevention more broadly. While the UN Resolutions highlight the importance of equal representation and participation, there are often many challenges impeding this goal. In the context of Cambodia, traditional gender roles and societal expectations for women prevent equal access and opportunity. It was very in-

teresting to hear the differing perspectives, from Suyheang and audience members, regarding women's participatory role within Cambodia. Some audience members were far less positive about the direction Cambodia is heading in terms of gender equality. Having only recently moved to Cambodia, I found this discussion interesting. Despite being a culture with traditional values, I have met many young women working hard at dismantling the patriarchal structure. This has been inspiring for me.

My internship at the Khmer Rouge Tribunal (ECCC) supports the work of a legal tribunal, aimed at bringing those bearing the greatest responsibility to justice. Working at the tribunal has allowed me to reflect on post-conflict processes more broadly. As a Public Affairs intern, I have worked with disseminating legal content, as well as attended outreach and restoration projects.

I had the opportunity to attend a testimonial therapy ceremony with Transcultural Psychosocial Organization (TPO). Testimonial therapy is a form of healing for survivors of atrocity, during which they articulate their experiences in public, incorporated with spiritual elements. The staff who I spoke to told me of the many benefits of this form of therapy, which includes: additional emotional support, feelings of empowerment and dignity, a public acknowledgment of suffering, and destigmatization of survivors. Four civil parties participated in the event I attended. Situated in a pagoda within a killing field, the emotional, powerful ceremony deeply impacted me. It further entrenched the importance of a holistic approach to justice. Although my research advocates for an increased focus in perpetrators, I believe that it must not be prioritized over the needs of survivors.

The panel on Women, Peace and Security in the context of genocide prevention was very thought provoking and interesting. The different perspective on the topic allowed for a robust discussion on the post-conflict processes. Suyheang brought her unique perspective on women's roles in Cambodia. The complexities of the international Women, Peace and Security agenda were made quite evident throughout the debate. Such discussion offered insight into the work that remains to be done in achieving gender equality in post-conflict societies. It is these complexities and challenges that make the work being done in this field crucial in preventing future human rights violations.



Why did they join?

Timothy Williams

This week-long series of input, discussion and reflection, organised by the Heinrich Böll Foundation Cambodia, approached the highly timely topic of how to remember and deal with the past. In this contribution I will introduce some of my key ideas of the research on why people participated in the violence of the Khmer Rouge, which I presented at the event, and follow this up with a brief reflection on what this means for seeking justice and reconciliation today. In this context, I will think about the nature of justice and who it is even for, reflecting on the consequences of justice and impunity for reconciliation. I would like to emphasise that I approach this topic from my particular perspective as a researcher who studies those performing the acts of violence, the perpetrators, not as a jurist, an activist or a victim.

Why did people participate in the violence of the Khmer Rouge?

Drawing on extensive field research in which I conducted interviews with 58 former low-level cadres of the Khmer Rouge across ten provinces of Cambodia and combining this with the insights from research on participation in the Holocaust and the Rwandan genocide, I have developed the *Complexity of Evil* model. This model highlights how multifaceted and complex the various reasons are why people participate in genocide and here I can only touch on a few key reasons. It is important to emphasise that this research is on low-level participants who are implementing the genocidal policies but not those in the higher echelons of power who have political or intellectual responsibility for them.

The first response that any former cadre gives when discussing violence under the Khmer Rouge is that people participated because they were fearful for their security and believed that they would die if they did not do as they were ordered. The threat of coercion was highly credible and many were indeed killed, particularly as the purges expanded and it became increasingly easy for Khmer Rouge cadres to be suspected of being internal enemies.

Also, the totalitarian nature of *Angkar* plays its part in why people are obedient to these orders; *Angkar* was said to have 'Pineapple Eyes' and could see anything and everything that happened; there was a sense that any mistakes would be seen. Interviewees also stated both that 'It was the law,' as well as 'There was no law.' Although seemingly contradictory this is best explained by the way society was structured and that in the end there was no 'objective law' or constitution to which people could appeal; at the same time

whatever *Ângkar* said had the quality of a law and had to be followed on pain of death. This basically meant that people became highly dependent on the orders of their individual superiors, them having absolute control and demanding unquestioning obedience.

If one speaks in more depth to former Khmer Rouge, however, other motivations beyond coercion and obedience also begin to be mentioned. People start speaking about how their participation also served their individual self-interest, for example. It is not about personal enrichment, as it was for some people in the Rwandan genocide or the Holocaust, but it is more about basics such as better and more food than the usual starving rations, better clothing, more rest or the hope of better security for themselves and their families. Others tried to follow their own interests by participating in killings in the reasonable assumption that this would fast-track their careers. Also, some people used the violence of the regime as a cover to settle personal scores which predated the genocide or even the civil war.

A further motivation which comes up sometimes is that of status and the possibility one had to gain face. Although the Khmer Rouge formally abolished the concept of status, in effect they actually just re-introduced a new hierarchy with cadres at the top, followed by base people and new people at the bottom. For many of these cadres who had been young and poor peasants prior to the regime, ingratiating themselves with their superiors and gaining face and status will have been extremely attractive.

Some speak of the cruelty of some cadres, others again of the excitement that becoming a cadre entailed for them. But one factor which is quite different to other cases is that social dynamics play a very different role. While in the Holocaust and the genocide in Rwanda, dynamics in the perpetrator group, such as individuals wanting to be conform with their group or peer pressure, were key to understanding perpetration, but in Cambodia there was a strong degree of social isolation instead – this was particularly pronounced as fears of denunciation grew after September 1976. Even though camaraderie did not play a role for the most part, the social group was still important in making sense of this new world; through peers one could come to an understanding on how to define the enemy, how to define the roles which one had, what subservience to *Ângkar* meant and so on.

Importantly, and in contrast to popular conceptions of genocide perpetrators, ideologies play a small role only in motivating low-level cadres (although this play a much more significant role for elites). Ideologies are important not as a motivation, but instead they provide a context within which internal enemies can be defined and constructed as dangerous and thus they provide a framework which justifies and legitimises the violence against them. These categorisations of enemies and the legitimisation of targeting them

is taken at face-value by many of former Khmer Rouge, even as they themselves acknowledged the arbitrary nature of how people could become enemies.

Besides ideologies there are also a host of other facilitative factors which are not motivations, the actual impetus for action, but instead just make participation easier. Among many others, the process of moral disengagement through dehumanising the victims, emotionally distancing oneself from them or euphemistically labelling the process of enemy identification and killing is key. Furthermore, displacing responsibility to one's superiors was made easy through the structure of *Ângkar*, as was diffusing responsibility to other cadres as tasks were minutely divided up and so many people in the long process leading up to the killing could feel they were not really a part of the actual killing.

Perpetrators in societal memory today

Despite speaking quite candidly about their various roles during the Khmer Rouge regime, my interviewees did not present themselves as perpetrators. Instead some explicitly, many more implicitly claim victimhood, referring to the same categories which define victimhood for broad swathes of the rest of the population which survived that period: the many family members lost, the hunger and hard work experienced under the regime, the hardship of collectivisation. Conversely, some also claim to have been rescuers at the time and several individuals told me stories of their resistance. These stories demonstrate for one thing that the totalitarian system of the Khmer Rouge did have fissures in which a degree of agency beyond kill-or-be-killed logics is possible, albeit in an extremely constrained fashion.

In effect, these former Khmer Rouge are complex actors: they were perpetrators who upheld a system of tyranny through their actions, even if they were not its initiators, they were rescuers who worked with constrained agency to counteract the system and they were victims of this same system.

In post-conflict Cambodia this complexity has been greatly reduced and there is little discussion of perpetrators or rescuers across society. The official narrative reads that there were a few key perpetrators at the top and that everyone below was acting under duress and should be seen as survivors of the regime, too. There are cracks in this narratives in communities in which former Khmer Rouge live side by side with the people they victimised; however, in many communities these fault lines do not exist, as many former Khmer Rouge were sent to other communities straight after their recruitment, meaning they can re-integrate into their home communities as survivors like everyone else.

Whose justice? On the virtue of impunity and reconciliation

It is within this context that today Transitional Justice and other ways of dealing with the past more broadly are being pursued. The Extraordinary Chambers in the Courts of Cambodia (ECCC), memorialisation processes at Tuol Sleng, Choeung Ek and in various locations around the country, reconciliation, memory and education projects by various civil society groups and so on all contribute to these processes. The key goals of this process appear to be twofold: justice and reconciliation.

Given that so far the ECCC has only sentenced three individuals for the crimes of a regime under whose rule between 1.7 and 2.2 million people died, it may strike some as difficult to speak about justice having been rendered. However, the way the ECCC has been conceived underlines and supports the narrative of narrow responsibility and broad victimhood, and it lends credence to the status of former Khmer Rouge cadres as survivors not as perpetrators. As such, what we see in Cambodia today is actually widespread impunity for almost all crimes committed during Democratic Kampuchea. And yet we also have a society with little hostility between former perpetrators and their victims, a society which appears to have reconciliation – albeit in some places more superficially than others.

From a human rights perspective, it may make one uneasy to consider that people who personally participated in the killings of hundreds of people are not defined as perpetrators but as survivors. Is justice being denied to those who died if impunity is so widespread? Can justice be focused on those who are most responsible and the victims of so many still be vindicated? In the end, if we believe that justice is not just important as an abstract entity but is primarily a value to be sought for the people who have been victimised and who have to live together in the post-conflict community, then it would appear quite appropriate to narrow justice in the name of reconciliation.

While I have few qualms about the nature of this process of dealing with the past and it strikes me as a useful narrative to be inclusive and reconciliatory, a question mark remains for me about what this type of dealing with the past can mean for the future and the prospect of violence. There is no danger of renewed Khmer Rouge violence, but what happens if violence is incited against the ethnic Vietnamese, gay men or any other marginalised minority? The signal being sent by the way the country is dealing with its Khmer Rouge past is that those ordering violence are fully responsible and that participation does not make one culpable, possibly does not even void one's claims to being a victim oneself. With these lessons what are the chances that people will critically question their participation? Who will resist such violence? Who will reflect on the banality of their motivations of participating and realise before it is too late and they are participating?

Certainly, such a scenario is not inevitable and a vibrant and strong civil society could counteract such a development. But the point remains that the way Cambodia is dealing with its past is painting a picture which is conducive to mobilisation into future violence. Just knowing about the horrors of the past, will not make people less likely to participate. With all credit to the usefulness of this way of dealing with the past for reconciliation today, may civil society actors not forget what impact these projects may have on people's behaviour in worse times which may lurk ahead tomorrow.



Healing is an Individual and Ongoing Process

Interview with the Cambodian Psychologist and Psychotherapist YIM Sotheary

What do we know about the consequences of the Khmer Rouge regime on today's mental health situation in Cambodia?

First of all, the Khmer Rouge regime is still present in the minds of survivors who lived through this period. While the official period of the regime was between 1975-1979, the Khmer Rouge controlled parts of Cambodia before the fall of Phnom Penh in 1975 and after they were driven out of Phnom Penh in 1979.

People not only suffered during the regime but also before 1975, as well as after 1979. I mention this because the longer people suffer, the deeper their trauma gets.

Different types of trauma affect different people depending on what they went through. In addition to the survivors themselves, their children also suffer trauma. The more resilient the parents are, the better the children are at developing coping strategies for dealing with their parents' trauma.

Of course, you cannot compare the suffering of individuals because there is no scale. Suffering is subjective. Trauma is individual and so is healing. There is no one solution that fits everybody.

Today there is still much trauma in society. People are afraid of the war coming back which reinforces their trauma. They give up on their political activism quite easily when they face obstacles because they are still traumatized.

We need to discuss all these aspects in order to provide healing.

How are children affected by their parents' trauma?

Some of the people who experience trauma develop Post Traumatic Stress Disorder (PTSD). PTSD destroys people's ability to love themselves and to take care of themselves and their families. Younger children especially need love and to be taken care of. Trauma affects the way parents communicate with their children, both verbally and emotionally.

The ability to express love and care is crucial in education and in early life. Domestic violence is also a main issues in the today-society. Many parents have difficulty telling their children they love them, especially the 2nd generation of traumatized parents. Consequently, their children are likely to develop problems with attachment and bonding later in life and have trouble maintaining healthy relationships.

Economic stability is vital for healing, and thus living in poverty gravely affects children. Today, a lot of parents advise their children not to get involved in politics because they themselves were not allowed to do so during the Khmer Rouge. Thus, parents transfer their own fears onto their children.

Talking about the past can be uncomfortable and people usually avoid those uncomfortable situations.

That's right and it happens a lot. Talking about pain is not common in Cambodian society. Many people are not used to dealing with their emotions. In the worst case, parents spank their children because they are crying. They want their child to stop crying but by spanking them, the parents increase pain and trauma. Awareness of emotions is not very common in Cambodia, especially in older generations.

What do victims need in order to heal?

People need economic stability in order to heal their wounds. It is only in a situation of stability that they can seek support. The opposite is also true: to be economically successful, you must be emotionally healthy.

Although the situation in general has improved during recent years, there is still a lack of psychological support, especially in the countryside. We need more education about emotions and how to deal with them. It should be included in the school curriculum. Religious also plays an important role in healing the traumas. However, most importantly the individual traumatized need to take initiative in seeking for support. The external experts are the one who support the process but the client's brain who work to heal.

What is the impact of the Khmer Rouge Tribunal on the mental health situation of the survivors?

The Khmer Rouge Tribunal helped with documenting the atrocities that led to trauma. Within the context of the tribunal, psychological support for survivors started being offered. For many years, people believed that the Khmer Rouge period did not have any effect on today's society. This opinion is not prevalent anymore as the amount of still linge-

ring trauma has become especially clear during the procedures of the court. Civil parties sought support from civil society organizations and psychologists. Dialogue has to take place in order for healing to happen and without the support of the national and international communities, this would not have been possible.

When we talk about healing, we have to bear in mind that we cannot simply "switch it on." It is a process and some people give up because change does not occur or that it is not immediate. Education also contributes to the mentality of people. We must start to teach our children how to be aware of themselves. Our parents' generation too often failed but today's parents can change in order to commit to emotional improvement of their lives.

The healthy citizens of a country are the greatest human resources in development and vice versa: to have a prosperous country, its citizens need to be thriving.

Interviewer: Ali Al-Nasani



App-Learning on Khmer Rouge History: An Internet Based Multi-Media Application

Keo Duong and Sopheap Chea

On 17 April 1975, the Khmer Rouge took power, which counted as day one of their three year, eight month, and 20 day regime. During the whole regime, the Khmer Rouge forced people to work extremely hard, provided little food, and no proper medical treatment. People were locked up. There were non-judicial executions to civilians, soldiers, cadres, and party members who were accused of being enemies of Angkar⁹. “Sweep Clean” was the term that the Khmer Rouge used to eliminate what they called “enemies burrowing from inside”¹⁰. The day 7 January 1979 marked the end of the Khmer Rouge regime. After the fall of the Khmer Rouge, it was estimated that 1.7 million people had perished during the regime’s rule.

In recent years, international, governmental, and non-governmental institutions have been working to raise awareness, guarantee prevention, heal survivors’ trauma, etc. However, widely raising awareness to young Cambodian people has been a main challenge. In Cambodia, about 70% of the total population is under 30 years old. They do not know much about what happened under the Khmer Rouge regime. A state of collective denial of past atrocities is observed amongst youth. Thus, encouraging youth to face Khmer Rouge history, facilitated by relevant and engaging tools in their search for the truth, is crucial for a social transformation of Cambodia.

In order to respond to the fast pace of technology and to reach more youth in Cambodia, the Bophana Center successfully developed an internet-based application to learn Khmer Rouge history through smart devices. ‘App-learning on Khmer Rouge History’ (KR-App) is the title of a project that produces multimedia applications, which consists of written articles, films, photos, audios, art works, and interactive elements.

With its aim to reach young adults, the Bophana Center signed a Memorandum of Understanding (MoU) with the Ministry of Education, Youth and Sports to endorse the KR-App as a complementary tool for students to learn history. The project is also a proposed reparation project of ECCC Case 002/02, under the ‘guarantee of non-repetition’ measure.

⁹ The imprecise term “Angkar” (The Organization) allowed the CPK to keep secrecy about its members, its existence, and its history.

¹⁰ David Chandler. *History of Cambodia*, 4th ed. (Chiang Mai: Silkworm Books, 2008).

The project is funded by the European Union (via UNOPS) and Rei Foundation Limited. This paper aims to present unique advantages of the KR-App by discussing its role in dealing with Cambodia's difficult past and contributing to a better future.

Main Strengths of the KR-App

The main advantages of the KR-App are its innovative multimedia, validated and standardized information, and user-friendly learning tools.

The contents of the KR-App are carefully developed through academic and scientific research. The valid sources for each article include legal documentation from the Khmer Rouge Tribunal (official name: Extraordinary Chambers in the Courts of Cambodia, ECCC), archival documents from different institutions, witness interviews, survivors' memoirs, academic books and articles, and other sources. The citation of each source is also included in articles. Additionally, in order to ensure the quality of the articles, a Scientific Committee was formed. The eight Scientific Committee members are Cambodian academics and experts in Khmer Rouge history from different institutions including the Ministry of Education Youth and Sports, Extraordinary Chambers in the Courts of Cambodia (ECCC), History Department at the Royal University of Phnom Penh, Documentation Center of Cambodia (DC-Cam) and Center for Khmer Studies (CKS). At least once a month, the Scientific Committee members meet with a project team (lead writer, project manager, IT team, interface designer) to approve the written contents and interface design. New content developed by the writers are introduced to be debated, improved, or corrected. Consensus or compromise on wording and explanation is attempted on a sentence-by-sentence basis. Moreover, writing teams regularly consult with each committee member before and after the meetings. Therefore, the articles in the application have been checked and approved by Khmer Rouge experts, giving each article academic and standardised validation.

The KR-App offers a wider platform to include multimedia and interactive tools for users on top of written articles. Sixty-five short documentary films and videos of witness testimonies are included along with around 1300 photos, 15 audio files, and a number of artworks. Within each lesson, the application normally consists of video(s) (testimony or documentary), photos, audio file(s) which help users to visualize and understand the history Democratic Kampuchea. For some images that cannot be found in archives, the project employed artists and film-makers to draw, sculpt, photograph, and film objects and images to enhance the text-based content of the application.

On average Cambodians read less than one book a year. To encourage them to read history is very challenging. At the same time, according to the Internet World Stats in March

2017, one quarter of the Cambodian population accesses the internet and the majority of them are young people below 30 years old. Those young people spend much time using their smart devices. Thus, learning history through the KR-App is an applicable tool that fits the needs of young people. The written texts, videos, photos, and audios are also designed especially to fit the target audience of high school students and first year university students.

The KR-App is an educational multimedia application with accurate information about Khmer Rouge history. It was created as a strong complementary tool that can reinforce the national education curriculum for high school and universities in Cambodia and allow students to engage deeply with learning history.

Dealing with Cambodian Past; Contributing to Future

The development of the KR-App plays a significant role in sharing knowledge of Khmer Rouge history with young people and fostering inter-generational dialogue. When young people understand what had happened during the Khmer Rouge and why, they will have sufficient knowledge to prevent atrocities from happening again in the future.

After a big step of completing the development of the KR-App, our next activity is to bring the application to the public, especially young people. The outreach teams will tour schools in different provinces to let students know about the application and that they can install it and learn history by themselves. The application consists of eight chapters starting from the historical background of the communist movement in Cambodia, Cambodia under the rule of Khmer Rouge, and its aftermath. The eight chapters give very comprehensive information of the Khmer Rouge history to users.

After using the KR-App, young people are expected to explore more personal stories from their parents or relatives who had experienced the Khmer Rouge history, which contribute to more inter-generational dialogue in Cambodian families. Learning about the tragic history during the Khmer Rouge and listening to interview testimonies in the KR-App would strongly foster young users to find further life stories with survivors who are close to them. Thus, the app has the power of breaking silence and creating more opportunities for intergenerational dialogue.

The innovative multimedia application consists of accurate and standardized information validated by Cambodian and international experts. It has potential to raise awareness about justice, human rights and peace, and foster intergenerational dialogue. The KR-App stands with its capacity to prevent a similar regime returning again. Young users who are the KR-App main audience are the country's future leaders. By learning history and

understanding factors that led to the regime and reasons why such tragedy happened would guide them to avoid similar or repeated history from happening again.

The KR-App also plays its role to heal survivors' suffering. By young generations recognising what happened during the Khmer Rouge, survivors psychological suffering can be healed. In addition to the recognition of the past, the app development process also helps survivors heal their suffering as many people shared their personal stories. Forty witness testimonies were produced and added to the app after the team talked to nearly one hundred survivors. Amongst those witnesses, there are several Civil Parties of the ECCC. Those Civil Parties could benefit from the KR-App by participating in the development of content, contributing their story to a multimedia source that will educate fellow Cambodians.

In short, providing a user-friendly learning tool about Khmer Rouge history fit to Cambodian context in both project target group and the use of modern technology. It provides an innovative multi-media learning tool with accurate and standardised contents. Thus, the KR-App widely contributes to sharing broader knowledge of Khmer Rouge history, fostering intergenerational dialogue, and guaranteeing that history will not repeat itself. Users can now install the KR-App from both the Playstore (Android system) and Appstore (ISO system) by typing "Khmer Rouge history" to search for it.



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