



Memorialisation as Related to Transitional Justice Processes in Cambodia: an Exploration

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This document is one of seven Country Explorations that served as a foundation for the Exchange report. The Exchange report itself looks into the state of affairs in the field of transitional justice in the participating countries, mapping out memorialisation initiatives and ways forward. This Country Exploration is largely based on documents produced by the participants prior and during the Exchange. It was written by Sonja Meyer, fact-checked and edited by Laura McGrew and validated by the country-group participants. Marina Oliver - Tomić, Annet van Offenbeek and Ralph Sprenkels provided additional editorial support.

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Cover photo by Transcultural Psychosocial Organization. Youth and Khmer Rouge Survivors at the photo exhibition of TPO, Pratak Krala Dam Khmer Rouge crime site in Kampot Province in 2015.

## 1. Introduction

The series of Country Explorations on Memorialisation as Related to Transitional Justice Processes was elaborated collaboratively as part of the Asia Exchange Meeting ‘Memory for Change’, which was held in Bangkok, Thailand in November 2014. It consists of seven concise overview documents, each referring to one of the participating countries in the Exchange. The Country Explorations provide a contextual overview as well as an analysis of initiatives that find themselves in the realm of memorialisation and transitional justice in each country. They also offer ideas for ways forward concerning the enhancement of local, regional and international engagement on the subject. The Country Explorations feed into the comparative sections of the Asia Exchange Report. Different relevant initiatives and situations touched upon in the Exchange report are explained here in more detail.

## 2. History and Background

Cambodia gained independence from France in November 1953 under King Sihanouk who ruled the country throughout the 1950s and 1960s. The communist movement originated in the context of the Indochinese struggle against French colonial rule. One of the groups that gained significant force was the Khmer Revolutionary Party, later named the ‘Khmer Rouge’ (KR) by King Norodom Sihanouk.

In the late 1960s and early 1970s - despite Sihanouk’s efforts to remain neutral - the country became embroiled in the US war in Vietnam and was subject to heavy US bombing. With support from the US, General Lon Nol staged a coup d’état to overthrow Sihanouk who then escaped to China and formed a coalition with his former enemies, the KR. Sihanouk established an exile government and called on the population to join the resistance movement. Many people followed Sihanouk’s appeal to defend the country against ‘foreign invaders’ as well as the KR’s propaganda, which called for the improvement of the economic situation of Cambodia’s poor and rural populations, and the abolishment of the country’s class system.

Having controlled large parts of the rural areas since the early 1970s, the KR entered Phnom Penh in April 1975, deported the urban population, and established the state of Democratic Kampuchea, which lasted until 1979. During the close to four years of KR rule, almost a quarter of the population – in particular the educated city dwellers, seen as enemies of the KR regime – perished through starvation, overwork, and execution. In late 1978, Vietnamese troops, along with KR defectors under the leadership of Heng Samrin overthrew the KR and pushed them towards the jungle mainly near the Thai-Cambodian border. A new government was established under the banner of the People’s Republic of Kampuchea (PRK). More than a million refugees fled to the border and lived in refugee or displaced persons camps. Throughout the 1980s, the guerrilla war continued in the border areas near Thailand between the Vietnamese-backed PRK, and three anti-Vietnamese factions (the KR,

the royalists, and the republicans). The coalition (supported by the U.S., China, the Western bloc and various Asian countries) continued to fight the PRK (supported by Vietnam, the Soviet Union and Eastern bloc countries) in Phnom Penh. During this time, the KR continued to represent Cambodia at the UN in New York.

When the Cold War came to an end, several countries pushed for a solution to the ‘Cambodian problem’. In 1991, the Paris Peace Agreements were signed, a political settlement that included all warring factions, and the United Nations Transitional Authority in Cambodia (UNTAC) was established. Between 1991 and 1993, UNTAC undertook an unprecedented peacebuilding mission, which also repatriated hundreds of thousands of refugees (from all three factions) who had sheltered along the Thai-Cambodian border. While the KR boycotted the 1993 UNTAC elections, the UN brokered a power-sharing agreement between the Royalist election winners National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia (FUNCINPEC) under Prince Norodom Ranariddh and the Cambodian People’s Party (CPP) - the successor government to the PRK<sup>1</sup>. The unwieldy power-sharing agreement of ‘co-ministers’ was dominated by the CPP as they still controlled the security forces. A civil war continued mainly along the Thai-Cambodian border between the KR and the Royal Government of Cambodia.

In 1994, the National Assembly passed a law that outlawed the KR and provided amnesties in return for defections. This led to a competition between the two ruling parties over the incorporation of KR supporters. Finally, CPP Prime Minister Hun Sen ousted his royalist counterpart Norodom Ranariddh from office in 1997 and by 1998, all KR factions had defected to the government. Many KR were integrated into government ranks and the Prime Minister called on the population to ‘dig a hole and bury the past’ in order to move forward with national reconciliation. Since then, in spite of a series of elections that were declared free and fair, the CPP under Prime Minister Hun Sen has continuously consolidated CPP’s power basis through patronage and at times violent crackdowns on dissenting voices.

Research shows that about 11% of the Cambodian adult population suffers from symptoms of Post-Traumatic Stress Disorder<sup>2</sup>, and a third of Khmer Rouge survivors display symptoms of anxiety and depression.<sup>3</sup> More than 50% of Cambodia’s population is under 25 years old, and born after the KR regime.<sup>4</sup> The risk of trauma being transmitted to younger generations is large, especially since levels of psychosocial support and education are low in Cambodia.

Many of the root causes of the violent history remain unaddressed such as the discrimination of ethnic minorities, especially of ethnic Vietnamese people. Socio-economic gaps and injustices that persist despite significant economic growth increasingly fuel the discontent of the masses. Large national demonstrations in 2013 concerning the elections

<sup>1</sup> FUNCINPEC won the 1993 elections but Hun Sen refused to accept the results. An agreement created the position of two co-Prime Ministers: Hun Sen and Norodom Ranariddh

<sup>2</sup> Sonis, J. Gibson, J., de Jong, J.T.V.M., Field, N., Hean, S. & Komproe, I. (2009) Probable Posttraumatic Stress Disorder and Disability in Cambodia: Associations with Perceived Justice, Desire for Revenge, and Attitudes Toward the Khmer Rouge Trials, *Journal of the American Medical Association* 302 (5): 527-536.

<sup>3</sup> Sonis, J et al. (2009) Probable Posttraumatic stress Disorder and Disability in Cambodia Associations with Perceived Justice, Desire for Revenge, and Attitudes Towards the Khmer Rouge Trials. In: *JAMA* 302/5, pp. 527-536.

<sup>4</sup> CIA World Fact Book (2013).

and labour and land disputes have indicated a high level of dissatisfaction with the CPP leadership.

### 3. Transitional Justice Mechanisms

Right after taking control of Cambodia in 1979, the Vietnamese-backed PRK undertook the first efforts to conduct trials for the atrocities of the KR, occurring between 1975 and 1979. The ‘People’s Revolutionary Tribunal’ sentenced KR leaders Pol Pot and Ieng Sary to death in absentia, but the trial lacked fair rights for the defendants and was seen by most observers as a show trial. In the early 1980s, the PRK government collected many statements, and amassed evidence in mass graves, as in the notorious Tuol Sleng torture centre and prison. They also collected more than one million thumbprints to push the UN to recognise the crimes of the KR, to remove the KR from their UN seat, and to accept the PRK as the official government of Cambodia (known as the ‘Renakse Petitions’).

After the end of the Cold War, the international community increasingly pushed towards bringing former KR to justice.<sup>5</sup> However, since Hun Sen had started his ‘Win-Win-Policy’ to attract KR defectors, including an amnesty law, he had lost any interest in upsetting his new potential allies. Nevertheless, the two Prime Ministers (Hun Sen and Norodom Ranariddh) officially requested UN assistance to set up a tribunal in 1997. Protracted negotiations lasted almost a decade to establish the Extraordinary Chambers in the Courts of Cambodia (ECCC) which finally started operating in 2006. The court is a hybrid tribunal; the Trial Chamber and each section of the tribunal is staffed with a national and an international team.

Substantial hearings in Case 001 against Kaing Guek Eav, chief of one of almost 200 KR detention centres, started in March 2009. In 2013, the Trial Chamber sentenced him to life imprisonment. Hearings in Case 002 began in 2012, which initially charged four senior leaders. One accused, former Minister of Social Affairs Ieng Thirith, was declared unfit to stand trial due to dementia, and her husband Ieng Sary, former Deputy Prime Minister for Foreign Affairs, died in March 2013. The case was severed into two different ‘mini trials’ due to the complexity of the charges. In August 2014, the Trial Chamber announced the first verdict in Case 002/01 sentencing the two remaining accused Nuon Chea, former Deputy Secretary of the CPK, and Khieu Samphan, former Head of State, to life imprisonment. The Trial Chamber also recognised 11 of the 13 collective and symbolic reparations projects that were requested by Civil Party lawyers. However, recently, some Civil Parties have demanded individual compensation.<sup>6</sup>

In early 2015, three further suspects were charged with crimes against humanity by the International Co-Investigating Judge in Cases 003 and 004 – without support from the national side. Government officials have repeatedly expressed their opposition to the cases and have warned that the country may fall back into instability if mid-level cadres are

<sup>5</sup> Fawthrop, T. / Jarvis, H (2004). *Getting Away with Genocide?: Elusive Justice and the Khmer Rouge Tribunal*. Pluto Press.

<sup>6</sup> Naren, K. & Robertson, H., *Victims Call for Money from ECCC*, The Cambodia Daily, 17 October 2014, available at: <https://www.cambodiadaily.com/news/victims-call-for-compensation-from-eccc-70135/>

prosecuted.<sup>7</sup> Two arrest warrants against suspects in Case 003 and 004 were not executed by the Cambodian police. One suspect voluntarily appeared at the tribunal to hear the charges.<sup>8</sup>

Despite flaws with regard to political interference, there have been some significant achievements of the ECCC: The tribunal has brought the topic back to the public agenda and acted as a catalyst for social dialogues on reconciliation and pathways to a more democratic society.

From the outset of the ECCC, civil society actors have been instrumental to facilitating victims' participation and recruiting survivors and relatives who wished to file complaints and/or act as Civil Parties to ECCC proceedings. NGOs have ensured legal representation as well as psychological support for Civil Parties and witnesses (with financial and technical support from international donors). In addition, NGOs have been crucial in promoting restorative justice through dialogues, truth-seeking (e.g. through Oral History projects), research, psychosocial support, and educating the post-war generation.

The process of transitional justice faces multiple challenges in Cambodia. State institutions had been fully depleted of their capacity by the KR regime, which killed large parts of the educated elite. State-society relations are weak in Cambodia. Relationships are difficult and marked by mutual distrust. NGOs are usually perceived as being part of the political opposition or even closely collaborating with the opposition party. Sometimes their efforts are dismissed as being under foreign interference since they rely on foreign funding. In addition, cooperation and coordination amongst civil society is weak, and many compete for resources rather than work towards a common goal. Social relations were shattered by KR policies. People generally do not trust anyone beyond their immediate family.<sup>9</sup> Most people are preoccupied with satisfying their basic needs since poverty is still widespread. Many focus on 'moving on', and are reluctant to address issues of the past as they fear this would jeopardise their stability. The sheer number of affected people<sup>10</sup> makes it even more difficult to address the grievances of survivors in a comprehensive manner.

The defence teams claim that the Trial Chamber is biased, prosecuting some KR leaders while not touching upon the ones in the government. Hence, defence teams at the ECCC have repeatedly tried to bring the KR past of some leading government officials to public attention. The Trial Chamber however has dismissed such claims. Although the ECCC has

<sup>7</sup> The accused are Meas Muth, former Navy commander in Case 003 as well as Im Chaem, allegedly head of Phnom Trayoung security centre and Spean Sreng worksite during the KR and Ao An, former deputy Central Zone commander in Case 004.

<sup>8</sup> White S., & Titthara M., Khmer Rouge duo charged Phnom Penh Post, 3 March 2014, available at: <http://www.phnompenhpost.com/khmer-rouge-duo-charged> & Turton, S., Second Case 004 suspect charged, Phnom Penh Post, 27 March 2015, available at: <http://www.phnompenhpost.com/national/second-case-004-suspect-charged>. Also: <http://www.ijmonitor.org/2015/03/time-to-acknowledge-obstruction-of-khmer-rouge-prosecutions/>

<sup>9</sup> Asia Barometer (2007)

<sup>10</sup> According to a population based-survey, 92% of people who lived under the Khmer Rouge regime and 50% of those who were born after consider themselves victims of the Khmer Rouge (Pham et al. (2009): "So we will never forget. A population-based survey on attitudes towards social reconstruction and the Extraordinary Chambers in the Courts of Cambodia", Human Rights Center, University of California, p. 24)

opened some space for public dialogue, the past remains a sensitive topic. This is mainly because of the presence of former KR in government, as well as the fact that various key politicians have courted KR votes. After decades of repression and with ongoing political violence and intimidation, most Cambodians are reluctant and fearful to speak out about the crimes inflicted upon them, and even more about who bears responsibility for what happened. The foundation for this was laid during the 1980s when history and the past were mainly used for propaganda purposes rather than with an aim to heal, reconcile, or educate subsequent generations. Silence and fear were further cemented in the 1990s in the course of the partisan efforts to co-opt KR factions. Until today, many survivors feel intimidated and are not confident to reveal the truth.

The international community has played an ambivalent role in bringing TJRN forward in Cambodia. The fact that many international actors played a strong role in the Cambodian civil war before and after the KR regime contributed to the narrow mandate of the Tribunal regarding its temporal jurisdiction.

For NGOs, a major obstacle to the pursuit of transitional justice mechanisms and the ability to conduct effective outreach to the population is caused by a lack of funding. With political interference at the ECCC, the slow progress of the trials, and new issues emerging in the region and the world (for example, the situation in Burma/Myanmar), many donors are withdrawing their funding from the transitional justice field. Funding issues have also frequently led to a stalemate of judicial proceedings, as national personnel went on strike for several weeks.

## 4. Memorialisation Initiatives

During the rule of the PRK (1979-1989), memory work was dominated by the state and the ruling communist party, which used it to gain political legitimacy as the ‘liberator’ of the country. The main state-initiated memorials include the notorious Toul Sleng Museum, as well as the killing fields in Choeung Ek on the outskirts of Phnom Penh. The government introduced the ‘Day of Anger’, which serves to remind people of the horrors of the KR regime, while ‘Liberation Day’ on 7 January commemorates the toppling of the KR by Vietnamese troops in 1979. These commemoration days continue to be celebrated particularly by the ruling party, which has been in power since the 1980s. In the early 1980s, the PRK leadership launched a campaign calling on the population to collect the human remains in their surroundings and display them in stupas (Buddhist monuments) all over the country. Although many of these memorial sites are no longer kept up, this practice has been debated in terms of the cultural appropriateness of displaying victims’ remains. In the early stages of the establishment of the Khmer Rouge Tribunal, King Sihanouk publicly called for the cremation of all bones, while Prime Minister Hun Sen has repeatedly highlighted the importance of the remains as evidence against former KR leaders.

In the course of attempts to broker an inclusive peace agreement in the early 1990s, the chapter of KR history was erased from history textbooks and all parties avoided commemorations in order to avoid jeopardising the peace negotiations. Only in 2010 was

the topic reintroduced into the formal curriculum through an initiative of the Documentation Centre of Cambodia (DC-Cam) in cooperation with the Ministry of Education.<sup>11</sup>



Figure 1: A ‘community dialogue’ event, between victims, youth and former Khmer Rouge Cadres, 2014. (Source: Kdei Karuna).



Figure 2: A ‘community dialogue’ event. A witness of the Democratic Kampuchea era shares her experiences with students, 2014. (Source: Youth Development Program).

<sup>11</sup> More information available at [http://www.dccam.org/Projects/Genocide/Genocide\\_Education.htm](http://www.dccam.org/Projects/Genocide/Genocide_Education.htm).

DC-Cam, which started out as the Yale Genocide Project in 1998, was one of the first groups that started documenting and collecting evidence of past atrocities after the Paris Peace Accords. Since then, many actors have documented survivors' stories and collected audio-visual materials to preserve historical evidence and collective memory.<sup>12</sup>

After the establishment of the ECCC in 2006, society-led memory work in Cambodia increasingly gained momentum. Starting out with ECCC outreach and awareness-raising, NGOs were the main driving force in pushing for improved victims' participation in the criminal proceedings. They also developed creative, artistic, educational, and therapeutic initiatives that complement and supplement the retributive transitional justice process at the community level, focusing on rebuilding relationships. Examples of initiatives set up by NGOs include:

- Community peace learning centres, community museums, and memorials at local crime sites run by community memory committees, as well as the construction of a stupa at Tuol Sleng Museum;
- Community and intergenerational dialogues (including film, theatre, and arts) (see figures 1 and 2);
- Various remembrance ceremonies at historical sites;
- Oral history and truth-seeking projects including 'Testimonial Therapy' (officially recognised by the ECCC as a reparations project). Such projects complements the historical record established at the ECCC (e.g. the Women's Hearing) and Civil Party Story Books (see figure 3);
- History education initiatives such as the creation of teachers' guidebooks and trainings, awareness raising in high schools, informal education projects and exhibitions (see figure 4);
- Film documentaries of survivors ('We Want U To Know', 'Enemies of the People', various films produced by students of the Department for Media and Communication at the Royal University of Phnom Penh such as 'A River Changes Course', 'The Missing Picture', and many others);
- Theatre and performing arts at the national level.

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<sup>12</sup> Including audio-visual material at the Bophana Center, oral histories collected by Youth for Peace, Kdei Karuna, the Cambodian Defenders Project, and Cambodian Women's Oral History Project, as well as an extensive database of the Cambodian Human Rights Action Committee who has an with Victim Information Forms collected in the context ECCC Civil Party applications.



Figure 3: 'Testimonial Therapy' for victims of the Khmer Rouge regime at Choeng Ek (the Killing Fields), 2014.  
(Source: Transcultural Psychological Organisation)

The diversity of initiatives reflects a more favourable climate for memorialisation, less burdened by political motivations as compared to the 1980s and 1990s. Nonetheless, they must still operate in a highly politicised environment and thus remain confined to the period under investigation at the ECCC, excluding violations that occurred before and after the regime.

NGOs have sought to promote reconciliation at the community level. Dialogues have led to acknowledgement and promotion of understanding among the different identity groups involved in the various war experiences. Many victims express feelings of relief and healing after participating. Knowing that former KR distinguish between 'right' and 'wrong' by highlighting that 'they had no choice', can be helpful for some victims to come to terms with the past. Other survivors have been more reluctant to accept this as an apology and continue to call for justice and punishment of the perpetrators. This mostly depends on the individual experiences, i.e. people who have suffered more often find it more difficult to accept the justifications of former KR cadres. Many survivors cope with their memories through religious practices. People with strong Buddhist beliefs often state that they want to let go of the past and focus on the Buddhist merit for the future.<sup>13</sup>

<sup>13</sup> See for example the two victims in Kdei Karuna's Victim-former Khmer Rouge Dialogue Project. Information available at <http://www.kdei-karuna.org/whatwedo/jho/vfkr/>.



Figure 4: A community guide who is a victim-survivor talks about a temple that was used as a youth prison. Samrong Knong, Battambang province. (Source: Youth for Peace).

## 5. Lessons Learned

Since many international donors and technical advisors have been in place to support efforts to deal with the past, some methodologies are considered ‘foreign’ to the Cambodian context (e.g. forum theatre). However, many of the approaches have also been adapted to the cultural context and have been combined with more traditional activities so that the risk of foreign imposition could be mitigated to a certain extent.

Especially in times of election campaigns, politicians and government authorities use the dark chapter of KR history to gain political legitimacy by contrasting it with the achievements of the current leadership who saved the population from the KR. Equally, opposition groups frequently attempt to delegitimise the current leadership by pointing to their KR pasts. NGO initiatives that collaborate closely with local authorities are sometimes limited in the level of truth(s) and the types of narratives that they can address, and often self-censor themselves to some extent. At the same time, such collaborations provide opportunities to gradually expand the space for initiatives that memorialise state violence and human rights violations, allowing for a more open discussion of Truth, Justice, Reparation, and Non-Recurrence (TJRNR) issues.

Civil Parties and NGOs have pushed the ECCC to ensure victims’ participation and to fulfil its mandate for collective and symbolic reparations. This would guarantee a strong link between the processes at different levels. The reparations process through the ECCC is an important tool for memorialisation and transitional justice. NGOs have played a key role in

facilitating participation and outreach. However, even though there are channels of participation such as working groups and consultation meetings, some Civil Parties and survivors have recently expressed disappointment with the responsiveness of the reparations process. Many observers tend to overload the ECCC with unrealistic expectations as to what the tribunal as a judicial institution can really achieve in terms of healing, education, and reconciliation. The court can provide impetus and lay the foundations for further initiatives that contribute to a more transformative approach to seeking justice. However, it will not be able to comprehensively address the need for healing and reconciliation, including the psychosocial needs of survivors and the post-war generation.

Memorialisation needs to be understood as a process. In Cambodia, current memorialisation initiatives just present a first step in the pursuit of social justice and transformation. The country is currently at a critical turning point as the events in 2013 revealed. Initiatives need to be tailored to the needs and interests of the younger generation in order to unfold their transformative potential. Social dialogue between the generations helps future citizens understand the legacies of the past for the current society.

NGO initiatives should make sure not to constrain themselves to the narrow mandate of the ECCC (with regards to the period under investigation, persons accused and political space) but instead seek a broader perspective. To take out the narrow period of KR history from the wider historical context risks the missing of a crucial opportunity: using the ECCC process as an entry point for initiatives that promote deeper social change and civic awareness through addressing root causes of the civil war. Developing an understanding of what led people to support the KR is essential for working towards a transformative impact of current transitional justice efforts.

Similarly, the period that followed the totalitarian regime needs to receive greater attention so that youth understand impacts of the violent past on prevailing discourses, attitudes, social norms, and continuing patterns of violence. For instance, topics such as discrimination and crimes against ethnic minorities have yet to be addressed and continue to be prevalent today (e.g. conflict with Vietnamese minorities, land evictions of indigenous minorities, general prejudices against 'others' and fears of migrants arriving in the country). In addition, the topic of Systematic Gender-Based Violence (SGBV) was largely ignored in the first phases of the trial and only since January 2015 has it started to be explicitly dealt with in the hearings. Social injustice, economic inequality and a persisting gap between the living conditions in urban and rural areas have all sparked renewed public upheaval in the recent past.

Because of the defection deals made during the 1990s, today the ruling party has to maintain a balance between trying senior KR leaders and not upsetting the constituencies in former KR strongholds. Former KR are still reluctant to admit their guilt and to express regret publicly. The fact that the ECCC has only tried three senior leaders feeds into the general perception that everyone is a victim, and that only the top-level KR leadership should be held accountable for the crimes committed. This collectivisation of victimhood can help survivors overcome some of the persisting grief but also impedes a deeper process of

social reflection on specific responsibilities. Apologies usually state that perpetrators acted under orders and are therefore victims of the regime themselves. While there is a general, rather mystifying demonisation of the KR as a group, the dynamics between collectivisation and individualisation of guilt and responsibility are insufficiently addressed in Cambodia. This limits the potential of memorialisation initiatives to link more meaningfully to present injustice and promote accountability and democratic change. There are reports that perpetrators who have made efforts to reveal truth(s) beyond the standard official narratives have been threatened and have had to leave their communities.<sup>14</sup>

Culture is a determining factor in which memorialisation initiatives operate and develop their impact. In Cambodia, there are several cultural challenges, such as the tradition of 'saving face', which discourages former KR from publicly confessing mistakes. The common belief in Buddhist Karma, whereby perpetrators will be punished in their next life, can lead people to not place a great importance on dealing with the past. Many survivors work hard to improve their Buddhist merit, in order to avoid having to go through similar atrocities in their next lives. Therefore, initiatives that incorporate religious ceremonies and remembrance practices can be considered most meaningful for the local population.

Cambodia has an oral tradition; people generally do not read and write very much but rather tell stories and transmit knowledge through speech and interaction. Therefore, oral history projects, dialogues and the documentation of survivors' stories have been the chosen approaches for many NGOs. In addition, arts and music are very prominent in Cambodian culture and have a strong uniting potential for communities. Many NGO projects make use of this method to attract participants and find creative ways of opening up a deeper discussion.

## 6. Ways Forward

Several NGOs and observers have stated the need for stronger coordination and networking between the different initiatives and groups involved. Exchange participants came up with a plan to streamline documentation and oral history collections, and establish a joint platform through which to make survivors' stories available to the public (especially to the post-war generation). Taking a life story approach, participants intend to go beyond the period of 1975-1979 and leave the authority of determining which historical events have shaped their lives most with the narrators (as opposed to the tribunal which sets a very narrow frame for witnesses to testify on certain periods and topics).

Many of the memorialisation initiatives in Cambodia still struggle to make a stronger link between past atrocities and current injustices, finding it difficult to attract young audiences who did not experience the KR regime and only have blurred memories of the civil war. Focusing their efforts more explicitly on the post-war generation will be crucial for transitional justice initiatives to contribute to social transformation and to more diversified

<sup>14</sup> For example, there are widespread rumours that lower-level perpetrators who spoke out in the unique film project "Enemies of the People" left their communities out of fear of retaliation.

social discourse on the roles and responsibilities of citizens. Conducting a youth survey on transitional justice to better understand their perspectives on reconciliation and desired pathways of transformation could be a valuable starting point to strengthen the transformative potential of dealing with past atrocities.

Cambodia is developing rapidly; internet usage has grown by over 400% since January 2014. Using new media to target young groups and making information accessible in interactive ways has great potential to attract the youth's attention on history and social issues. Bophana Center is planning to develop a mobile app for young people to access information on the ECCC and related issues. In addition, creating a virtual truth commission has been under discussion among several NGOs.

The tribunal is now starting to address some of the most important crimes and historical facts. There is great potential for NGOs to make use of narratives revealed to bring history to a larger social debate. Unfortunately, outreach efforts through radio and TV have decreased over time. A recent study has shown that despite outreach activities, the population, especially in rural areas, is not well informed about what goes on during the proceedings. If the tribunal is to develop a lasting impact on social transformation, it is imperative to reemphasise the need for continued outreach and public information.

With the ECCC's proceedings coming to an end, KR history needs to be mainstreamed into civic education initiatives so that the younger generation can develop a more comprehensive understanding of the legacies of the war in their society, and not feel as though the past does not concern them. Contextualising the chapter of KR history and taking into consideration the time before and after the regime (which would include abuses by actors other than the KR) is difficult to realise in the current political climate. However, it will have to be addressed in the long run so that future generations can transform society based on a sound understanding of the factors that have impeded peaceful conflict resolution in the past, and resist manipulation by political elites.

## Acronyms

CHRAAC = Cambodian Human Rights Action Committee

CPP = Cambodian People's Party

DC-Cam = Documentation Centre of Cambodia

FUNCINPEC = National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia

KdK = Kdei Karuna

KR = Khmer Rouge

PRK = People's Republic of Kampuchea

TJRNR = Truth, Justice, Reparation, and Non-Recurrence

TPO = Transcultural Psychological Organisation

UNTAC = United Nations Transitional Authority in Cambodia

YFP = Youth for Peace

YRDP = Youth Resource Development Programme

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Impunity Watch (IW) is a Netherlands-based, international non-profit organisation seeking to promote accountability for atrocities in countries emerging from a violent past. IW produces research-based policy advice concerning processes intended to enforce victims' rights to truth, justice, reparation and non-recurrence (TJRNR). IW works closely with civil society organisations in countries emerging from armed conflict and repression to increase their influence on the creation and implementation of related policies. IW runs Country Programmes in Guatemala and Burundi, while also undertaking specific and comparative research in other conflict-affected countries on particular aspects of impunity.

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