

Reconciliation in Cambodia

Daryn Reicherter, MD*, Gerald Gray, LCSW**

Sir,

We wish to add to two dimensions of the article “Reconciliation in Cambodia” by Bockers et al. in the most recent issue of *TORTURE*. The article itself in fact divides into two dimensions. There is a general discussion of the definition of reconciliation and approaches to promoting it. Then there is a focus on reconciliation and its methods in Cambodia.

As regards the general description of approaches and methods to promote reconciliation, two of these should be expanded. The section on retributive justice notes two aspects of this justice: that it promotes security by imprisoning perpetrators, thus preventing further criminal activity, and that by punishing perpetrators it helps rebuild society’s sense of social justice.

There is at least a third function intended for retributive justice: prevention – by warning other would-be perpetrators of the consequences of human rights crimes. Evidence for the first two intended consequences can be measured by interviewing victims and witnesses. While one cannot in-

terview would-be perpetrators, there is indirect evidence of knowledge of consequences among those active, from the attempts of perpetrators to avoid torture that leaves physical evidence, to attempts to redefine “torture”, to word from national human rights groups that their persecutors avoid visiting countries that have been prosecuting perpetrators. It is a reasonable assumption that these considerations reach the pool of would-be torturers, and that as tribunals have a longer history, that these considerations will deter some, possibly even key ones.

A second approach to reconciliation is reparations. The authors write that reparations “show the wrongdoer feels remorse.” That may be true in some cases, but not in any human rights torture cases so far brought in the U.S., where courts have had to pass judgments that include reparations because perpetrators have never offered them. This fact makes a further argument for the use of retributive justice in some countries, to force reparations.

Finally, in the concluding section of the article, various suggestions are made about what is needed in Cambodia for reconciliation (ending poverty and corruption; a fair, transparent and publicly accessible tribunal; community building; teaching history in schools; rituals, ceremonies, and memorials to deal with genocide losses; and provision of therapeutic approaches to trauma for the

*) Stanford University School of Medicine, Palo Alto, California, USA.

**) The Institute for Redress & Recovery, Santa Clara University School of Law, Santa Clara, California, USA.
Correspondence to: reichertermd@yahoo.com

nation). While these are true, to avoid discouragement it is important to speak to the professionals who are readers of this journal about where they may in any practical way intervene.

In that light, it is encouraging to be able to inform readers that ideas for mental health reform in Cambodia are in discussion, following a suggestion by clinicians affiliated with the Documentation Center of Cambodia. The inclusion of mental health resources as a potential reparation at the Extraordinary Chambers in the Courts of Cambodia (ECCC) is a progressive and encouraging move. It may be the first ever of its kind, and in any case suggests clinicians may help shape the work of tribunals, including healing, and possibly reconciliation.

Moreover, the Documentation Center of Cambodia has produced a book on the topic of mental health in Cambodia titled "Cambodia's Hidden Scars; Trauma Psychology in the Wake of the Khmer Rouge." The book is an edited volume of chapters, based on new research, written by experts in psychology, psychiatry, and public health, as well as human rights attorneys. It covers the topics of trauma psychology in Cambodia, discusses the connections between trauma psychology and the court (applicable to any tribunal), and critiques the contemporary mental health system in Cambodia. All sections are co-written by Western and Khmer experts in the field and will be published in Khmer and English. The book points out the severity of the problem in Cambodia and provides an overview of possible changes in the current system that could address the improvements suggested by the ECCC. It is also an advocacy piece for improved attention to the issue of victim psychology in Cambodia and generally.