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Showing now: The Bophana Audiovisual Resource Centre and the Extraordinary Chambers in the Courts of Cambodia¹

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The Bophana Centre is an audiovisual archive, a training centre and a venue for free film screenings in the centre of Phnom Penh, capital of Cambodia. The centre was founded in 2006 by two Cambodian filmmakers, Rithy Panh and Pannakar Ieu.² In the same year, the United Nations–supported Khmer Rouge Tribunal – formally the Extraordinary Chambers in the Courts of Cambodia (ECCC) – was also established in Phnom Penh. Although vastly different initiatives, the organisation and tribunal share a concern to work towards some form of justice for victims of Khmer Rouge crimes and to foster dialogue about how to constitute a better present and future in light of this and other historical conflicts in the country.

1 The fieldwork that forms the basis of this chapter was conducted in Cambodia in November 2016–January 2017 and June 2017 and was funded by an Australian Research Council Discovery Early Career Research Award [DE160100501].

2 Originally trained in France, Ieu had assisted King Sihanouk's film-making in the heyday of Cambodian film-making from the mid-1960s to the early 1970s (Ly and Muan 2001, 150). At the time he co-founded Bophana, Ieu was responsible for the cinematic division of the Ministry of Culture and Fine Arts (Jarvis 2015, 528).

This chapter is based on fieldwork conducted in and around the ECCC between late 2011 and early 2017. It introduces the work of the Bophana Centre as a unique Cambodian organisation and critically explores its relationship to the ECCC in the wider context of what is generally termed Cambodian civil society. It argues that the practices fostered at Bophana are ontologically and epistemologically at variance with transitional justice theory and practice. The creative labour of Bophana's film- and app-makers is cultural, material and relational. These kinds of practices have seen Bophana play a key role in the outreach and reparation activities of the ECCC, and in turn has changed the nature of these activities.

Ten years after its inception, Bophana is a relatively large and well-organised NGO, with both international and Cambodian-based donors and upwards of 25 paid staff. Its exhibitions, public events and weekly film screenings are well-attended. The Centre's Hanuman audiovisual archive (of film and audio material produced in or about Cambodia) is an excellent resource for students and researchers, being well-organised, centrally located in Phnom Penh and free to access. Conferences hosted by the centre also aim wide – to 'better understand Cambodian history, its culture, architecture, traditions [and] current challenges [as well as] image analysis and film-making' (Bophana 2016).

Counter to the exclusively project-based, developmentalist approaches of many NGOs in Cambodia, Bophana offers a long-term, modest, creative arts-based program of action, with some supplementary project work. The usual subjects of international development interventions and transitional justice in Cambodia – what Alexander Hinton identifies in his critical analysis of Cambodian transitional justice as 'victims [who] remain wounded and unhealed, awaiting rescue' (see Hinton 2013, 191) – are not found at Bophana. Rather, the centre emphasises shared creative labour, questioning of and dialogue about the past, and film appreciation. In and through this organisation, film-making and film-screening practices assemble diverse subjects, objects and affects. In this chapter, I first offer some observations about Bophana's prominent co-founder, Rithy Panh, before turning to the unique relationship between Bophana and the ECCC in the context of more than a decade of so-called transitional justice and civil society activity in Cambodia.

Rithy Panh

Rithy Panh was 12 years old when the Khmer Rouge came to power on 17 April 1975. He was forced from Phnom Penh to work as a farmer in Battambang in the country's north. He suffered greatly from starvation and illness due to overwork during the following years and lost many family members, including both his parents and his siblings. After the Khmer Rouge were ousted in 1979, Panh travelled to the Thailand–Cambodia border and was eventually resettled in Grenoble, France (Jarvis 2015, 527). After trying his hand at woodcarving, he studied film-making. He made 18 films between 1989 and 2016. Many of these films take a specific geographical place of personal (and also wider Cambodian) experience as their documentary subject matter. His 1989 film, *Site 2*, returns to life in the Cambodia–Thailand border camps, while his 2002 film, *S-21: The Khmer Rouge Killing Machine*, details the horror of a high school-turned-security centre in Phnom Penh. An earlier film of Panh's – *Bophana: A Cambodian Tragedy* (1996) – traced the fate of two young lovers, one of whom, a young woman named Bophana, was eventually interrogated, tortured and killed at the S-21 complex. Bophana has now lent her name to the Centre, and her painted portrait hangs in the main stairwell that takes visitors and staff from the street to the first-floor digital archive.

Of Panh's larger body of work, comparative literature scholar Panivong Norindr argues that it is:

through the sounds of everyday life and 'filmed speech' [that] Rithy Panh succeeds in bringing to the fore, and through the voice of putatively unsophisticated subjects, some of the most tragic and under-acknowledged truths of our time (Norindr 2010, 189).

It is also true that the element of filmed silence or 'non-speech' has contributed to Panh's popularly acknowledged title of 'Cambodia's greatest living film-maker'. Helen Jarvis adds that Panh's films and books contribute 'penetrating silences' (Jarvis 2015). Some of the most affecting of these are silences between speech, when a subject of his film cannot or does not speak. However, media scholar Dierdre Boyle's characterisation of Panh's work as 'shattering [official] silence', may be misplaced praise. It is not true that 'official silence' followed the Khmer Rouge regime, because the successor state in Cambodia – the People's Republic of Kampuchea – initiated multiple forms of public memory about the genocide. As well, speech and silence, like memory, is culturally specific. As Carol Kidron

argues in relation to silence in Canadian–Cambodian intergenerational interaction, ‘the lived experience of the silent or silenced past may not always be politically motivated, performed as acts of resistance, or as capitulation to hegemonic indoctrination’ (Kidron 2012, 726–727; see also Kent 2016). Panh himself has explained one moment in his film *S-21* where his subject had no words with which to explain his past events:

I told [one former Khmer Rouge guard] ‘you can complete your words by showing me what happened’ ... I just try to take the memory out of the body, what your body keeps, what your body feels (Panh and Bataille 2012, 41).

Such scenes in *S-21* nonetheless complete more than words. Filmed gestures, of former perpetrators especially, complete – in the sense of *join up* – viewing and embodied memory. This ‘being shown’ is more intimate, and more shocking, than ‘being told’. Although film critics and scholars have lauded such scenes, terming them ‘re-enactments’, Panh has stated that the term ‘re-enactment’ ‘is not the right word’ for his work (Panh in Oppenheimer 2016, 244).

Panh is probably best known outside of Cambodia for his 2013 film *The Missing Picture*, which won 10 international film awards, including at the Cannes and Toronto Film Festivals. *The Missing Picture* takes as its starting point and abiding challenge the absence or impossibility of ‘a picture’ of Khmer Rouge rule in Cambodia, particularly an evidentiary photograph. In an English-language trailer a narrator states: ‘I seek my childhood like a lost picture, or rather it seeks me’. In a French version, it is stated:

For many years ... I have been looking for the missing picture: a photograph taken between 1975 and 1979 by the Khmer Rouge when they ruled over Cambodia ... On its own, of course, an image cannot prove mass murder ... I searched for it vainly in the archives, in old papers, in the country villages of Cambodia. Today I know: this image must be missing ... So I created it ... (Panh 2013).

The film supplements historical footage with images and sequences of painted miniature clay figures – the work of sculptor Mang Sarith – set in dioramas. These figures populate and animate a remembered rather than recorded past. The scenes show rather than tell of life under Khmer Rouge rule; though poignant and incriminating, they avoid simplistic indictments.

Bophana and the ECCC

Bophana has been one of many NGOs to assist Cambodia's internationalised tribunal, the ECCC (see Sperfeldt 2013). Following a Memorandum of Understanding between itself and the tribunal, Bophana has provided audiovisual support for the legal outreach activities of the Public Affairs Section (PAS) of the tribunal. Since 2009, the PAS has been running a specific legal outreach program known as the Khmer Rouge Study Tour (hereafter Study Tour). The first part of a Study Tour involves PAS officers travelling from Phnom Penh to a provincial city, town or village to hold a Memory Night of film screenings and presentations about the ECCC. Bophana technicians travel with PAS staff to the location of the Memory Night, usually a central, open-air, public space. There they erect a large white screen, locate a power source and set up the film projector and recruit speakers necessary for the PAS presentations and film screenings (see Figure 5.1).

Later that night or the next morning, the community is invited to board free buses to Phnom Penh (see Figure 5.2), taking in the Tuol Sleng Genocide Museum (the former S-21 site), the Choeung Ek 'killing field' memorial and the ECCC itself (see Elander 2012). The PAS outreach staff, accompanied by Bophana staff, have taken the Study Tour to scores of provincial communities, and tens of thousands of Cambodians have subsequently passed through the ECCC Public Gallery to observe or hear about the work of the tribunal. In this way, Bophana is facilitating larger ECCC outreach efforts to inform and engage Cambodians in a legal process that is unfolding, for a great many people, in distant chambers.

Bophana has also played a key role in ECCC outreach by way of its development of the audiovisual materials that are screened at the Study Tour Memory Nights. Bophana has produced a short Khmer-language film for children, *The Hermit and the Tiger*, which uses animal characters (played by child actors) to tell the story of a quest for justice. This film is shown early in the night's proceedings, so that children might see it before they fall asleep on mats and laps. Both of the award-winning documentaries that are routinely shown as the main feature at Memory Nights – *About My Father* (2010) and *Red Wedding* (2012) – were directed or co-directed by Bophana-trained film-makers and produced by Bophana. Both films follow women victims of the Khmer Rouge – Phung-Guth Sunthary in *About My Father*, and Pen Sochan in *Red Wedding*. Painful

events, including gender-based and sexual violence in the form of forced marriage, are remembered or uncovered in the films as these women participate in cases before the ECCC.



Figure 5.1: Bophana technicians and PAS staff setting up for an outdoor ECCC Memory Night in Kompong Chhnang, Cambodia.

Source: Photo by author.



Figure 5.2: Free ECCC outreach bus taking villagers from Kompong Chhnang to Phnom Penh.

Source: Photo by author.

About My Father and *Red Wedding* have been received by critics as being ‘in the tradition of Rithy Panh’ (Chan in Titi-Fontaine 2013). One of the co-directors of *Red Wedding* has said in interview that Panh taught her ‘to be especially close to ... characters and to go deep into the questioning of subjects’ (Chan in Titi-Fontaine 2013). Lida Chan’s statement speaks to a learned empathic intimacy as a means for eliciting words or gestures from her subjects. To capture ‘many voices’ or ‘penetrating silences’, one must be ‘close’ and ‘go deep into the questioning’. To fully understand Bophana’s work in and around the Memory Nights, however, recognition must be given to the organisation’s critical familiarity with colonial and neo-colonial cinematic traditions in Cambodia.

Film screening

Public screening of films to Cambodian audiences, in both urban and village settings, dates back to at least the early twentieth century. Cambodia scholars Daravuth Ly and Ingrid Muan note that cinema first arrived in Cambodia during the French protectorate period, and historian Penny Edwards reports that by 1916 a small cinema catered to

Phnom Penh's 1,600 Europeans (Edwards 2007, 59). A General Mission of Cinema of the colonial Government of Indochina reportedly passed through the country in 1917–18, screening to Cambodian audiences in open-air venues (see Ly and Muan 2001, 143). Two striking images in Ly and Muan's book depict the General Mission 'in the field'. One of these images shows a group of men raising a large outdoor screen – white fabric stretched taut inside a frame of bamboo poles (see Figure 5.3). A similar object is used by Bophana technicians at present-day Memory Nights. Although the technology of film production and projection has changed enormously, the kinds of objects onto which images are projected – large, portable, open-air screens – are largely unchanged.

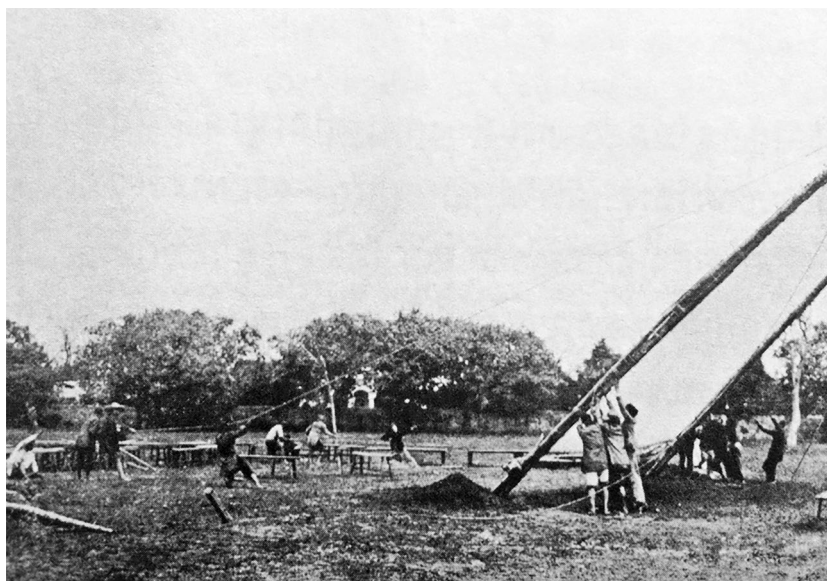


Figure 5.3: The General Mission of Cinema of the colonial Government of Indochina setting up for an outdoor screening.

Source: Image courtesy of Daravuth Ly and Ingrid Muan.

Little is known of the actual films shown during this General Mission, but the use of film as a method of pacification and propaganda-dissemination was gaining traction in the French empire at the time (see Slavin 2001, 59). Four to five decades on, after Cambodia gained independence from France in 1954, the United States Information Service (USIS) 'cinecars' travelled through the country projecting films on American life, health, education and contemporary domestic and foreign affairs to village audiences (Ly and Muan 2001, 145).

These accounts confirm that Cambodian audiences – like many other populations in colonial and Cold War South-East Asia – have long been audiovisually enrolled in imperial and geopolitical projections of power. As the Cambodian population is still predominantly rural, and because of the colonial segregation of viewing subjects – whereby Europeans watched films inside theatres while indigenous populations were offered ‘wandering cinema’ in rural areas (Campbell and Power 2010, 178) – the latter form of cinema survives in the country to the present day. Those best placed to produce ‘wandering cinema’ in the present, however, are not ruling or meddling powers but Cambodians themselves.

Film-making in Cambodia

Film-making in Cambodia has always been an internationalised affair. The USIS ran a film-making training program in Phnom Penh in the 1950s and 1960s, taking in students from various ministries, the Police, and the Army (Ly and Muan 2001, 145–146). Cambodia’s King Sihanouk, himself an avid film-maker, presided over the first International Film Festival of Phnom Penh in 1968, a year before Cambodia’s first National Film Festival in November 1969 (Ly and Muan 2001, 153–154). By the 1960s and into the early 1970s both film-making and film-viewing (in cinemas) were well-established practices in Phnom Penh. As the war between the advancing Khmer Rouge and ruling US-backed Lon Nol forces came closer to the city, cinemas (like other businesses) closed up, fearing for the safety of their patrons (Ly and Muan 2001, 154).

Film-making during Khmer Rouge rule (April 1975 to January 1979) was an insular practice – largely limited to the regime’s own experimentation with film production. The films were subsequently shown in some areas of the country. These propaganda films – showing large-scale infrastructure worksites of hundreds of workers, including children, moving earth without the help of machinery, and often without shoes – were recently shown at the ECCC as evidence of Khmer Rouge crimes against humanity. These films can be found in Bophana’s Hanuman archive, and Rithy Panh, along with many other film-makers – including Public Affairs officers at the ECCC – have included these grainy black and white film sequences as opening shots in their contemporary films.

In the period immediately following Khmer Rouge rule, efforts to revive Cambodian film-making met with limited support. Two Cambodian film-makers who survived the Khmer Rouge period and returned to Phnom Penh – Yvon Hem and Ly Bun Yim – spoke in 2001 of their frustration with the lack of official interest in re-establishing a Cambodian film industry in the post-conflict period (see Ly and Muan 2001). Over the last decade, Bophana has led efforts to accumulate a significant audiovisual archive and organise the means for its public access and the capacity for professional audiovisual training and services to once again be offered in Phnom Penh.³ Importantly too, Bophana has fostered the creative talent of a group of young Cambodian film-makers, not least by providing them with technologies of film-making (see Hamilton 2013).

Bophana and Cambodian civil society

Cambodia has, since the United Nations Transitional Authority period of 1991–1993, played host to a significant number of international and Cambodian NGOs. Peace studies scholar Caroline Hughes (2009) and others (Ear 2013; Slocomb 2010; Springer 2015) point to the growing inequality and aid dependency brought about by 30 years of liberalising Cambodia's economy, a shared priority of the Cambodian state and international interests in the country since the 1980s (see Slocomb 2010, 225). As economic historian Margaret Slocomb notes, Cambodian economic policy of the 1990s was dictated more from outside than from within Cambodia as a direct consequence of a 1994 Structural Adjustment Programme (SAP) with international creditors (Slocomb 2010, 235). With significant increases in inequality following this, experienced geographically as a further entrenched rural–urban divide, the SAP was subsequently replaced (by the same international fund and bank actors) with a Poverty Reduction Strategy Paper in 1999 (Slocomb 2010, 236). Through the 2000s, aid remained central to political priorities and economic policy. Aid dependency also elevated donor-preferred practices and competitive project-based funding that engaged NGO partners in fixed cycles of project design, monitoring and evaluation (Hughes 2009). Geographer Tim Frewer argues that NGOs in Cambodia have recently found a new and expanded role thanks to

3 Like Bophana, Khmer Mekong Films, also founded in 2006, offers full film production services in Phnom Penh, but does not engage in archival work or regular public film screenings.

donor emphasis on civil society and good governance, and that NGOs in Cambodia are generally considered by donors, think tanks and local scholars to be playing a positive role – so much so that recent government attempts to regulate the NGO sector have been understood as an ‘attack’ on civil society (Frewer 2013, 99).

Like many other Cambodian NGOs, the Bophana Centre receives international funding, but is also significantly embedded in Cambodia in terms of staffing, training and cooperation with various state and non-state actors. Bophana advertises that it offers archive and production services to ‘individuals, civil society organisations, enterprises and State institutions’ (Bophana 2016). In this statement, the organisation positions itself as a service provider to Cambodian civil society. Bophana has also engaged with the ECCC as a service provider. As discussed above, Bophana has assisted with both the content and operation of the PAS Study Tour. The PAS has in turn assisted Rithy Panh by granting many hours of interview access to Duch, defendant in ECCC Case 001, out of which Panh made his film, *Duch: Master of the Forges of Hell* (see Panh and Bataille 2012).

Panh was also involved in a key discussion with the ECCC over the filming of the tribunal for livestreaming and recording purposes. Footage from six cameras in the ECCC courtroom is edited in situ into a single stream of images to be sent to live screens around the public gallery, as well as to the media room situated below the public gallery, and to the web via the ECCC livestream. Panh advised that footage from all cameras be preserved, such that it would be possible to record and later show simultaneous occurrences in different parts of the chambers (Helen Jarvis, pers. comm., Phnom Penh, Cambodia, 15 June 2017). For example, he felt strongly that a camera should be trained on the defendants at all times, to record their responses to the evidence and arguments being presented, and that this footage should be preserved in perpetuity (ibid.). Unfortunately, Panh’s advice and offer of Bophana’s help with this approach was not taken up by the non-Cambodian group responsible for ECCC filming, with the result that footage not used in the livestream feed is generally discarded.

Unlike many development and good governance-focused NGOs, Bophana does not explicitly appeal to liberal democratic conceptualisations of civil society that have been ‘influential in guiding the “good governance” agendas among development agencies’ (McIlwaine 2007; see also Frewer

2013).⁴ Bophana eschews the general separateness-with-suspicion between international NGOs and the Cambodian state, whereby the Cambodian state is understood as the current government, and the current government as Cambodia's ruling party. By taking a wide historical and cultural view of the audiovisual arts, Bophana implicitly supports a politics of polyphony in the present as well as *a l'histoire sa polyphonie* (see Norindr 2010, 189). Just as subjects in Panh's films – and in those of his students – are given space to speak and gesture their truths, so does Bophana create a space for multiple, coexisting audiovisual activities that are always already political.

While Cambodian civil society is dominated by humanitarian and human rights-based work, Bophana appears to step back from these normative approaches, offering instead an emphasis on practice, study and enquiry, and on dialogue within and about creative processes. Because memory is part of the creative process, this is also dialogue about memory – personal memory, public memory, social memory and memory that exceeds these categorisations. It is in this sense that Bophana, unlike most civil society actors operating in and around the ECCC, does not participate straightforwardly in the discursive field of 'transitional justice'. The emphasis on creative practice at Bophana does not cleave to the priorities of the interventionist and technical enterprise denoted as 'transitional justice' in Cambodia (and elsewhere). Creative enquiry and experimentation is more open in its approach, and its effects more uncertain, potentially wide-ranging and longer-term, than is countenanced by the prescriptions and evaluations of transitional justice. Focusing on the work Bophana does on a daily basis, following the approach taken by Claire Mercer and Maia Green elsewhere, allows for an understanding of how 'civil society' or 'transitional justice' approaches 'dovetail with [Cambodian] agendas, and with local histories ... that provide further templates for action' (Mercer and Green 2013, 107). I close my analysis with a discussion of yet another shared focus of Bophana and the ECCC that again shows the difference of Bophana's work, a difference that can be thought about by recourse to the tension between the terms 'technical' and 'technological'.

4 Bophana does appeal to notions of 'capacity building' in the form of education and training of Cambodians in film direction, production and film production services.

App-learning on Khmer Rouge history

Bophana is currently developing an internet-based application, a project known as ‘App-learning on Khmer Rouge history’ (hereafter KR-app). This is a multimedia offering that combines archival audiovisual material with Bophana-developed text, drawn images, film sequences and interactive elements. It aims to educate Cambodians, especially youth, about the rise, rule and fall of the Khmer Rouge regime via their internet-enabled devices, especially smartphones and tablets.⁵ By compiling and writing this history, incorporating filmed and transcribed survivor testimony, and by newly (audio)visualising many historical details and events, the KR-app also aims to assist the healing of survivors, generate dialogue (especially between younger and older Cambodians) and encourage Cambodians to read the existing historical sources on this period (interview with Chea Sopheap, Phnom Penh, 9 December 2016). The project has been formally endorsed by the Ministry of Education, Youth and Sports so that it may be incorporated into schools nationwide (ECCC 2017, 10). The KR-app is a proposed reparation project of ECCC Case 002/02, under the ‘guarantee of non-repetition’ measure. As well as finding funding through the New Zealand-based Rei Foundation, Bophana was successful in its bid for European Union funding (via UNOPS, the United Nations Office for Project Services) that was earmarked for ECCC reparations.⁶ The KR-app has been developed with assistance from the two sections of the ECCC responsible for victim participation and reparation requests, the Civil Party Lead Co-Lawyers Section and the Victims Support Section.

While the UNOPS call for proposals did not explicitly use the phrase ‘transitional justice’, the background section of the document refers to a general state of ‘injustice and lack of understanding’ in Cambodia about the Khmer Rouge past, a gross simplification of the politics of the past in Cambodia since 1979, but one often perpetuated in transitional justice discourses about Cambodia and its tribunal. Although calling for proposals

5 A 2015 research report showed that 39.5 per cent of Cambodians own at least one smartphone (up from 26.1 per cent in 2014), with smartphone ownership rates higher among urban residents (51.7 per cent) than rural residents (34.4 per cent), and very high amongst those studying for or holding a university degree (82 per cent) (Phong and Solá 2015, 7). In the same study, 28.6 per cent of Cambodians claimed to access the Internet using their own phone and use of the Internet was also found to decrease dramatically with age, from 51.6 per cent of those aged between 15 and 25 to 10 per cent of those aged between 40 and 65 (Phong and Solá 2015, 16).

6 The Call for Proposals was titled ‘Awareness & Education on Khmer Rouge History Programme – Supportive Educational Resources Development’ and was made in December 2015 for projects to be completed over 2016–2017.

that might ‘remedy’ this situation ‘nation-wide’, supporting information delivery was the main aim of the grant. The call for proposals stated that the successful project will ‘provide supportive educational resources to be disseminated to high schools and university students’ (UNOPS n.d., 2). In reality, Bophana is developing a high-quality creative and interactive educational resource that will likely be used far more widely than in high schools and universities.

The development of the KR-app is in itself a creative process. Both its content and software development are labour intensive, with more than 20 staff affiliated to the project over 2016–2017. The KR-app will have eight ‘chapters’, dealing in loose chronological order with the rise, rule and fall of the Khmer Rouge. Bophana has convened a ‘Scientific Committee’ for the project that regularly advises the lead writer and project manager. Committee members are Cambodian academics and experts with research and publication backgrounds in Khmer Rouge history. Monthly meetings of the Scientific Committee allow for new content that has been developed by the writers to be debated, improved or corrected. Consensus or compromise on wording and explanation is attempted on a sentence-by-sentence basis, a laborious but ultimately highly productive arrangement that also has the potential to enhance research capacity and scholarly networks between committee members, as well as between Bophana and allied organisations dedicated to preserving and promoting critical engagement with Cambodia’s past.

Bophana has also produced bespoke images and film content for the KR-app, employing artists and film-makers to draw, sculpt, photograph and film objects and images that will (audio)visually enhance the text-based content of the app (see Figure 5.4). The process of this creative visualisation work is described by the project manager in the following way:

our artists listen to the memory of the survivor and, under the supervision of the writers ... recreate the story and then the film-makers film it ... some images you cannot find [in the archives], so we have to draw ... to recreate (interview with Chea Sopheap, Phnom Penh, 9 December 2016).



Figure 5.4: Website image advertising the KR-app.

Source: Image courtesy of Bophana Centre.

Although transitional justice discourses imagine information dissemination and awareness raising to be largely technical processes, the significant and creative technological and cultural aptitude of an organisation like Bophana demands far greater attention to processes of understanding, rendering and deliberating past events and claims to truth. This attentiveness is part of the professionalism of the organisation, but it is also generated within the creative process, as a part of being enrolled in the affective and highly material process of working with archival material and survivor memory for public memorialisation, broadly conceived. This is a therapeutic *practice* that extends outward through technologically mediated relations with diverse others and materialities, not inward towards a perceived fragile ego (see Boyd 2017). Such practice goes largely unrecognised within a development project approach that emphasises ‘objectives’, ‘stakeholders’, ‘target activities’ and ‘evaluation’.

While the UNOPS call required successful applicants to ‘be recognised by the ECCC as a Judicial Reparation project’, this is a wholly separate ECCC process with additional conditions. Recognition as a reparation project can only be granted in a judgement handed down by the Trial Chamber or Supreme Court Chamber of the ECCC. Reparation projects relating to a specific trial of the ECCC can be proposed to these chambers by the Civil Party Lead Co-Lawyers if certain criteria have been met – namely that the proposed project will involve and benefit participating victims (known as ‘civil parties’), is directly related to a crime being prosecuted in

the case and has already found full funding. The UNOPS requirement for reparation *recognition* effectively added additional conditions for potential applicants, and asked that they guarantee something they could not.⁷

ECCC civil parties have been involved in the development of Bophana's KR-app. The app development team has also consulted ECCC documents – including case files, civil party testimonies, and judgements – and has also conducted new interviews with civil parties (interview with Keo Duong, Phnom Penh, 30 December 2016). The reported benefit to civil parties of the KR-app is largely one of participating in the development of its content, of contributing their story to a multimedia source that will educate fellow Cambodians and others over coming years. The UNOPS requirement that the project benefit Cambodian youth, however, demands that Bophana consult with young people as well as civil parties (who are predominantly older).

It is difficult to imagine how this careful work of producing high-quality and interactive audiovisual content, technological functionality across multiple devices,⁸ and continuous public engagement and testing of 'beta' versions (with civil parties and youth) is adequately covered by the original EU and Rei Foundation (NZ) funding and two-year project duration. This project-based work, emerging out of international donors' desire to support the restorative justice aims of an internationalised tribunal, risks (perhaps unwittingly) entering into the exploitation of Cambodian NGO staff in a manner akin to multinational corporations sourcing software development in parts of the developing South (see Harindranath 2002, 57–58; Potter et al. 2012, 143).

Conclusion

As critical development scholars have long argued, NGOs are highly specific to particular places and times, despite their appeal to broader – and sometimes global or universal – ideals. With such emplaced specificity comes a complex role in the politics of development, but acknowledgement of this remains largely outside mainstream NGO literatures (Mercer

7 Organisations could commit to applying – and seeking to meet the criteria required by the Civil Party Lead Co-Lawyers (CPLCLs) for proposed reparation projects – but recognition is a matter for ECCC judges, it is beyond the control of either the organisations or the CPLCLs.

8 The aim is to have the app accessible on iOS, Android and Windows systems (for both phones and tablets) and in two languages, English and Khmer.

2002; Mercer and Green 2013). Rather than understanding NGOs as key agents of civil society, this paper has considered ‘civil society’ and ‘transitional justice’ to be key rationales for the continued existence and salience of NGOs already well entrenched in Cambodia’s society and economy. The Bophana Centre provides an example of how organisations intervene in these largely discursive, albeit economically consequential, fields, such that there is both the realisation and refusal of different kinds of work (Mercer and Green 2013).

What is the nature of Bophana’s intervention, specifically? I have echoed here the observations of others on the importance of ‘filmed speech’ and ‘filmed gesture’ in Panh and his students’ work. Some of this work pre-dates both the Bophana Centre and the ECCC. The terms ‘testimony’ (speech or gesture that aims to ‘voice’ a direct experience) and ‘witnessing’ (as film-making and film-viewing) are often attributed to this work. After the ECCC, these terms have specific legal meanings and resonances in contemporary Cambodia and, as such, are often discussed in legal and transitional justice literatures in relation to an individual subject (see Elander 2012; Hughes 2016). Testimony and witnessing at Bophana, however, are distributed or shared practices.

At Bophana, old and new cinematic and communication technologies coexist in productive, creative tension. Here, speech and silence are relational processes, rather than opposed and individualised states. Relationships between people, families, communities, animals, spirits, visions and objects are given representation, as is violence and suffering. As a film-maker, Panh has taken his belief ‘in form, in colors, in light, in framing and editing [and] in poetry’ (Panh and Bataille 2013, 247) and has widened the horizon of contemporary Cambodian engagement with its various pasts and presents. At the Bophana Centre, ‘Uncle Rithy’ has situated his own work and teaching within this horizon and, in doing so, practices a different kind of organisation.

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