

Remembering 'Year Zero' when Beijing-backed regime rammed socialism through

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UNITED NATIONS - Thirty-five years ago this week, the guns fell silent in Cambodia. The capital city Phnom Penh was captured by the Khmer Rouge communists and the war was finally over. Then an unfathomable reign of terror commenced pulling Cambodia into yet lower levels of the Indochinese inferno. Now a generation later, an UN-backed tribunal is trying key Khmer Rouge leaders accused of mass killings and other crimes during the country's genocide.

During the rule of the Beijing-backed Pol Pot regime between 1975-1979, nearly two million Cambodians were killed by their own people in the name of communist utopianism. The Year Zero as it was called, was to forcibly transform Cambodia into a socialist state, which rivaled the radicalism even of Mao's Cultural Revolution in Mainland China.

Neighboring Vietnam's invasion of its old ethnic rival, Cambodia and the instillation of a puppet regime in 1979, interrupted the sanguinary rule of Democratic Kampuchea. Despite the illegality of the invasion and the dubious legitimacy of the rulers, (many of them former Khmer Rouge defectors), from a human rights perspective, and for the average Cambodian, the situation improved.

Yet Democratic Kampuchea was still the UN-recognized representative holding the seat of Cambodia. An annual political General Assembly debate brought together representatives of the Pol Pot regime, genuine nationalists, and the mercurial if bizarre Prince Sihanouk. The People's Republic of China backed the Khmer Rouge, the U.S. Administration of Jimmy Carter had just recognized Beijing and thus was playing the China Card, and most developing countries opposed Hanoi's invasion too. Thus there existed the political clout to produce resounding majorities condemning Vietnam's illegal occupation of Cambodia.

In light of the condemnations of Vietnam, it almost became an afterthought that the Khmer Rouge had presided over the infamous Killing Fields, an indisputable genocide which tore the once gentle heart from this Indochina land, making the very name Cambodia synonymous with forced starvation, torture and death.

Given massive international political pressures, Vietnam withdrew from Cambodia and allowed a UN peacekeeping and political process which led to free and fair

elections in the early 1990s. Not surprisingly the old Kingdom of Cambodia was reestablished. By 2003 the UN and Cambodia agreed to a joint judicial Tribunal, tasked with trying leading Khmer Rouge figures. The Tribunal is composed of both Cambodian and foreign judges.

Recently the UN's Chief Legal Counsel, Patricia O'Brien, visited the Phnom Penh-based Tribunal, officially called the Extraordinary Chambers in the Courts of Cambodia, (ECCC). After holding discussions with Cambodian officials, she stressed the continuing importance of the Tribunal, but called on donor countries to provide funding to support the ongoing judicial process. The ECCC budget for 2010 stands at \$45 million and is paid by both the Cambodian government and foreign donors. The Tribunal provides a full and proper legal framework with Trial and Appeals Chambers.

A trial of the notorious leader Kiang Guek Eav also known as "Duch" has finished and he is awaiting sentence. He was charged with crimes of torture and premeditated murder at the infamous S-21 camp. There will be at least a few more trials before the Tribunal winds down its mandate in 2015.

According to a statement, "The ECCC has confirmed its ability to conduct complex international criminal trials to international standards." Yet the obvious question arises; with so many of the perpetrators of the Khmer Rouge genocide still alive, and many living openly in Cambodia, why is the Tribunal's mandate so narrow?

Clearly there are large numbers in Cambodian society who are willing to turn the page on the past, or who more likely, fear returning to that past. Confronting the living ghosts of the Pol Pot regime raises fears and a specter of a Cambodia which existed before probably most of the current population was even born. The fragile peace, fractious democracy, and fluctuating economic development have moved forward but could quickly wilt in the hot-light of recriminations or perhaps worse. Revenge for the crimes of the genocidal regime is not the issue, but justice should be the indisputable goal.

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