



## **In Cambodia, Verdict Nears in Khmer Rouge Genocide Trial**

**Judy Woodruff**

**May 25, 2010**

### **SUMMARY**

Thirty years after the Khmer Rouge's reign of terror, those accused of perpetrating genocide in Cambodia are facing justice for the first time. Special correspondent Fred de Sam Lazaro reports on the forthcoming verdict from the war crimes tribunal.

**JUDY WOODRUFF:** Next: a step toward justice in the Southeast Asian nation of Cambodia.

We have a report from special correspondent Fred de Sam Lazaro. A version of this story aired on the PBS program "Religion and Ethics NewsWeekly."

**FRED DE SAM LAZARO:** For several months, as many as two million Cambodians tuned in to a weekly court drama on TV.

**NEWS ANCHOR** (through translator): Hello, and welcome to the 22nd program in our series "Duch on Trial."

**FRED DE SAM LAZARO:** This is no fictional series. The genocide being described killed almost two million in the 1970s. However, most viewers know little about what is now distant history.

Two-thirds of today's Cambodians weren't even born when the Khmer Rouge were in power. And few Cambodians know much about the international tribunal that is trying a handful of prominent survivors of the Khmer Rouge regime for their role in the killings. The TV series is intended to change that.

**NEWS ANCHOR** (through translator): Now we're going to see a selection of evidence given to the court about some of the crimes which with Duch has been charged.

**NEWS ANCHOR** (through translator): Viewers should be aware that some, but not all of the stories told here were denied by Duch.

**FRED DE SAM LAZARO:** The first to trial was Kaing Guek Eav, better known as Comrade Duch, now in his late 60s.

**KAING GUEK EAV**, former Khmer Rouge prison chief (through translator): We treated them as if they were already dead. I allowed four torture methods.

**FRED DE SAM LAZARO**: The trial itself is taking place just outside Phnom Penh. The capital is also the site of the prison Duch commanded where at least 14,000 men, women and children were photographed and documented in a macabre administrative process, then tortured and killed.

Van Nath was one of only seven people who came out alive. Today, he paints and sells pictures of the painful memories. He talked about his imprisonment with Eric Stover, a human rights scholar and expert who is studying the impact of international courts on societies and individuals.

**ERIC STOVER**, Human Rights Center, University of California, Berkeley: How long were you held before you were asked to come and draw the portraits?

**VAN NATH**, former prisoner (through translator): One month and four days.

**FRED DE SAM LAZARO**: Van Nath's life was spared so he could paint portraits of Pol Pot, the Khmer Rouge leader who went into hiding and died in 1998.

**VAN NATH** (through translator): In that six months, about 67 pictures of Pol Pot.

**FRED DE SAM LAZARO**: Testifying at the trial left him angry at being cross-examined and at seeing how well the defendant seemed to be treated.

**VAN NATH** (through translator): It was just like a shock when I go there to the court and see him. When I tell them the truth, they doubt me, ask me a lot of questions. I don't feel the trust when I tell them, and that makes me feel bad. It seems like the accused person has more rights than the civil parties do, and I'm really not satisfied with that.

**FRED DE SAM LAZARO**: Many also aren't satisfied with the slow pace of justice. It was delayed for years by Cold War politics and the reluctance of the Cambodian government, which still has former members of the Khmer Rouge in it. Stover says the tricky negotiations limited the scope of the court, which was set up with two international and three Cambodian justices.

**ERIC STOVER**: The Cambodian government itself was not that in favor of this court. Even the negotiations to create it took a long period of time. We say that with evidence, over time, evidence loses its value. You're 30 years later, people's memories have been -- people have forgotten. People have died. So they -- going after those most responsible is really all you're going to get at this point.

**FRED DE SAM LAZARO:** Justice delayed may be justice denied for many victims, but Chum Sirath, who started a group called the Victims Association says, despite the limited number of defendants, the court sends an important message.

**CHUM SIRATH,** Victims Association: If you can have a bigger number, more people, it would be better. But, if not, it's better than nothing. When you commit a crime, there will be people who try to put you -- to take you into account. This is one of the lessons that young generation can learn.

**FRED DE SAM LAZARO:** Eric Stover says the court itself has had to learn how to teach some of those lessons.

**ERIC STOVER:** I don't think any court should be expected to be a social engineering institution. They're just not designed to do that. But what we can expect from them is that they should have vigorous programs to try to go out into the population and describe what they're doing, why they're doing it, and what their limitations are.

**FRED DE SAM LAZARO:** He says, after a slow start, the court did launch outreach programs. Twice a week, buses have brought in thousands of Cambodians on field trips.

I asked this group of visitors how many had ever heard of the court before coming here. The international community wanted the word spread even further. That's why the British government and the U.S.-based East-West Center sponsored the television series.

**MAN** (through translator): Do you think the trial has gone well? The process has been pretty impressive. I have supported it because I was one of the victims. I was in prison under the regime.

**FRED DE SAM LAZARO:** Matthew Robinson was hired to produce the court series. **MATTHEW ROBINSON,** television producer: We had to devise a language and to base our understanding of what was going on in the court that would be intelligible to people who -- whose basic knowledge of -- of legal proceedings, indeed, court proceedings, is minimal indeed.

**FRED DE SAM LAZARO:** The program has also urged viewers to engage in more dialogue about the trial and about the genocide.

**NEWS ANCHOR** (through translator): Thanks to everyone here for this discussion of Duch's trial.

**NEWS ANCHOR** (through translator): We hope that this will encourage you at home to talk together about this topic so vital to Cambodia's future well-being and progress.

**FRED DE SAM LAZARO:** Those conversations aren't easy, says Robinson.

**MATTHEW ROBINSON:** I mean, anybody from 25 down are not so much skeptical about it, but they lack knowledge. And parents seem to be reluctant, maybe even embarrassed, to -- to talk about what happened to them.

**FRED DE SAM LAZARO:** Youk Chhang, who survived the Khmer Rouge killing fields, wants to make sure young people get the knowledge they need, even if their parents won't talk about it.

**YOUK CHHANG,** director, Documentation Center of Cambodia: This is the textbook for grade nine and 12.

**FRED DE SAM LAZARO:** He's director of the Cambodia Documentation Center, which has published a textbook that is now in the hands of one million Cambodian students.

**YOUK CHHANG:** Start from the creation of the Khmer Rouge movement all the way to the fall of the Khmer Rouge in '79.

**FRED DE SAM LAZARO:** Most kids growing up in this country have never learned about it?

**YOUK CHHANG:** They never learned about this, but they heard about this. Right now, for the first time in 30 years, from grade 9 through 12, also the foundation year of every single university, allowed to study Khmer Rouge history.

**FRED DE SAM LAZARO:** The verdict and sentencing are expected in early June, six months after final arguments ended and two years after the trial began. Youk Chhang hopes it will help the country move on.

**YOUK CHHANG:** The court helped to put the past behind, and that gives us the direction we are going to be turning next for the future. And the court put the past into perspective, so that we can learn from it.

**FRED DE SAM LAZARO:** Survivors, like Van Nath, hope it brings justice.

**VAN NATH** (through translator): The verdict should be balancing what Duch has done, how many people he killed and how many he caused suffering. For me, I can't forgive.

**FRED DE SAM LAZARO:** Eric Stover says the court, by example, can be an important building block for the future of this country, still recovering from years of war and genocide.

**ERIC STOVER:** People will have basic needs and need to be attended to, but, if you're going to have real progress, you also put in the infrastructure for democracy,

infrastructure for the rule of law, infrastructure that will support human rights, because, without that, you will always be in an uphill battle.

**RAY SUAREZ:** The tribunal's next case will be a joint trial for four elderly defendants. It's expected to start in 2012.

**JIM LEHRER:** Fred's reporting is in partnership with the Undertold Stories project at Saint John's University in Minnesota.