

The Phnom Penh Post

Duch appoints Cambodian lawyer Cheang Sokha & James O'Toole August 9, 2010

Former Tuol Sleng prison chief Kaing Guek Eav has appointed a new lawyer as he prepares to appeal his conviction for crimes against humanity and grave breaches of the Geneva Conventions at Cambodia's war crimes tribunal.

The Khmer Rouge jailer – better known as Duch – last month became the first person to be convicted at the tribunal, receiving a 30-year prison sentence. With credit for time already served, he stands to spend roughly 19 more years in prison.

Although Duch reportedly wanted a Chinese lawyer to replace Roux – “He doesn't want a lawyer from a free country to judge the communist people,” defence attorney Kar Savuth explained last month – he will settle for 41-year-old Kang Ritheary, a private practice attorney with the Asean International Law Group in Phnom Penh.

“Kaing Guek Eav had provided the Defence Support Section with certain criteria for the selection of an international co-lawyer,” United Nations court spokesman Lars Olsen said Friday. As the DSS could not find any international lawyers who met his criteria, Duch instead chose a second Cambodian lawyer, Olsen said.

Kang Ritheary will replace Francois Roux, the French attorney whom Duch dismissed last month, citing a “loss of confidence” in his representation. Duch and Kar Savuth broke dramatically with Roux during closing arguments last year, asking that Duch be acquitted and released.

Up until that point, the defence team had pursued a strategy of expressing remorse and accepting limited responsibility for crimes committed at Tuol Sleng. Roux later called the turnabout a “bad surprise”.

Kang Ritheary said yesterday that he felt duty-bound to accept the appointment.

“I think it’s my legal obligation,” he said. “I can’t say that I’m proud, because as you know, the Khmer Rouge period is a sensitive issue, but I decided to accept this position and I will try my best.”

Kang Ritheary said the defence team was preparing documents for Duch’s appeal and expected to file it in around two weeks.