



## **Khmer Tribunal ‘A Battle Against Time’: Japan Judge July 13, 2012**

Cambodia's UN-backed court on Khmer Rouge atrocities may be "a battle against time" but it is paving the way for national reconciliation, the outgoing Japanese judge in the tribunal said Thursday.

The court, set up in 2006 to seek justice for the deaths of up to two million people under the 1975-1979 hardline communist Khmer Rouge rule, has so far settled just one case.

It sentenced former prison chief Kaing Guek Eav, better known as Duch, in February to life in jail for overseeing the deaths of some 15,000 people.

"Although it has finished only one case so far, I think it has provided something that can be a prerequisite for national reconciliation," Motoo Noguchi told a news conference in Tokyo.

The 51-year-old Japanese is one of three foreign judges in the seven-member top panel in the Khmer Rouge tribunal, formally called the Extraordinary Chambers in the Courts of Cambodia (ECCC).

"Tens of thousands of people have observed the trial so far" and it has been widely reported, said Noguchi.

"People are beginning to talk in an open manner about the Khmer Rouge days with the younger generations listening," he said, adding that the Khmer Rouge was now mentioned in Cambodian school textbooks after a blackout that lasted decades.

Noguchi will formally leave his judge's post on Sunday to work as a senior official at a research institute of the Japanese justice ministry.

He admitted that the court was now proceeding with its second case at "what the people may regard as a stressfully slow speed".

"It is literally shaping up as a battle against time as the victims and the defendants are getting older," Noguchi said, attributing the delay to "technical" reasons, rather than any political interference.

The second case involves former Khmer Rouge leaders "Brother Number Two" Nuon Chea, former head of state Khieu Samphan, and ex-foreign minister Ieng Sary.

All in their 80s, they face charges of genocide, war crimes and crimes against humanity.

Ieng Sary's wife Ieng Thirith, the regime's former social affairs minister, faces the same charges but she has been ruled unfit to stand trial because she has dementia.

Top Khmer Rouge leader "Brother Number One" Pol Pot died in 1998.

Apart from the age problem, Noguchi said there was a funding bottleneck for the court amid a global economic slowdown, even as Japan remained its top donor.

"There seems to be no magical solution to it."

Noguchi said his decision to leave the post had nothing to do with the resignation of two international judges in the court in the six months to March.

They resigned over difficulties investigating two new cases involving lower-level officials due to strong opposition from the Cambodian government.

The tribunal was set up in 2006 and the second trial only started in late 2011.

"It may take a few more years for the second case to reach the appeal court," Noguchi said. "I thought it was timely to leave the post now."