



Alleged torturer cries in court

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Kaing Guek Eav testifies Monday

A man accused of running an infamous Khmer Rouge torture center broke down in tears at his trial Monday as he spoke of the imprisonment and execution of former comrades in the facility he commanded.

Kaing Guek Eav, alias Duch, testified to Cambodia's U.N.-assisted genocide tribunal that the prison's own guards and interrogators were also among those executed during the regime's brutal rule, in some cases for simple irregularities and mishaps in carrying out their duties.

He commanded Phnom Penh's S-21 prison, where as many as 16,000 men, women and children were tortured before being sent to their deaths when the communist group held power in 1975-79. About 1.7 million Cambodians died from forced labor, starvation, medical neglect and executions under the regime.

The tribunal also ruled Monday that Duch — who is being tried for crimes against humanity, war crimes, murder and torture — was held in government custody longer than is legally allowed, and if found guilty can apply to have his sentence reduced.

The 66-year-old displayed rare emotion during his testimony as he spoke of seeing fellow revolutionaries locked up in the cells of his prison.

"I did not want them to see my face when they were in such conditions," he said as tears rolled down his face. He said even today he tries not to recall them.

"Betraying friends, yes, I did. That was beyond cowardly," he said.

Duch had previously testified that being sent to S-21 was tantamount to a death sentence. Most prisoners were tortured into giving fanciful confessions that suited the Khmer Rouge's political outlook, though they generally had been loyal members of the group.

He also said more than 100 personnel from S-21 and the Prey Sar prison — a reeducation center on the outskirts of Phnom Penh — were arrested, tortured and executed for minor offenses. He said he was the one who reported such incidents to his superiors.

Those killed included torturers, security guards and interrogators. Their wives and children were also arrested and executed because they were considered the regime's enemies, he said.

Duch is the first senior Khmer Rouge figure to face trial, and the only one to acknowledge responsibility for his actions. He could face a maximum penalty of life in prison; Cambodia has no death penalty.

The tribunal's judges agreed Monday that Cambodian laws only allowed him to be held for three years without trial. Duch had been held by Cambodia's military court from 1999 until 2007, after which he was transferred to the tribunal's custody.

His lawyers have applied several times — most recently in April — for his release from provisional detention, as well as credit for time served and a reduced sentence to compensate Duch for the violation of his rights.

The judges said his detention until 2007 "constitutes a violation of the Cambodian domestic law applicable at the time" and of "his internationally recognized right to a trial within a reasonable time," the judges said in a 15-page ruling.

They said the tribunal was not responsible or liable for the prior abuse of Duch's rights, but agreed that if found guilty, "he is entitled not only to credit for time already spent in detention, but also to a reduction in sentence as a result of previous violations to his rights."

Duch's age, however, means that a reduction in his sentence would have little impact should he be sentenced to life imprisonment.

Four other senior Khmer Rouge leaders will face trial in the next year or two. They include Khieu Samphan, Nuon Chea, Ieng Sary and his wife Ieng Thirith.