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Justice forges ahead in Cambodia as prosecutors submit Khmer Rouge genocide cases

Prosecutors for the international tribunal reviewing the genocide in Cambodia in the 1970s submitted a list Wednesday of former top Khmer Rouge leaders they recommend stand trial.

A statement from the Extraordinary Chambers in the Courts of Cambodia said the submission to investigating judges “contains facts that may constitute crimes, identifies persons suspected to be responsible for those crimes, and requests the co-investigating judges to investigate those crimes and suspects.”

It said there were five suspects, but did not name them. The judges will decide on the basis of the evidence provided whether to proceed with indictments.

Some 1.7 million people died from hunger, disease, overwork and execution as a result of the radical policies of the communist Khmer Rouge during its 1975-79 rule. The statement said prosecutors submitted evidence including thousands of pages of documentation and the locations of more than 40 mass graves.

The prosecutors' announcement was “a turning point of the tribunal” that the Khmer Rouge's victims have long waited for, said Youk Chhang, director of the Documentation Center of Cambodia, an independent group collecting evidence of the regime's atrocities. “Things are moving along right now. There remains hope that justice will prevail,” Youk Chhang said.

The tribunal statement said the prosecutors, a joint Cambodian-international team, submitted 25 cases to the judges involving “murder, torture, forcible transfer, unlawful detention, forced labor and religious, political and ethnic persecution.”

All five suspects were senior leaders, it said.

The late Khmer Rouge leader Pol Pot died in 1998 and his former military chief Ta Mok died in 2006.

Senior-level colleagues, Nuon Chea, the movement's chief ideologue; Ieng Sary, the former foreign minister; and Khieu Samphan, the former head of state, live freely in Cambodia but are in declining health.

Kaing Guek Eav, who headed the former Khmer Rouge S-21 torture center, is the only one in government custody, but not under the law guiding the tribunal.

The move by the prosecutors came about a year after Cambodian and foreign judicial officials took their tribunal posts.

Cambodia first sought U.N. help in 1997 to set up a tribunal, but it took years of tough negotiations with Cambodia saying it was concerned about its sovereignty before the two parties signed a pact in 2003 agreeing to hold trials.

Trials were originally expected to start this year but bickering between Cambodian and foreign judges over procedural rules delayed the process.

The tribunal announced a detention facility at its headquarters, about 18 kilometers (11 miles) west of the capital of Phnom Penh, was ready to hold any defendants.