



Cambodians confront the past in second major Khmer Rouge trial

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In recent years, more Cambodians -- both young and old -- have been confronting the mass killings of the 1970s committed by the Khmer Rouge regime. Another phase of this effort to inform and educate the Cambodian public has been taking place in a crowded courtroom, where the second of two United Nations-administered trials is under way.

Hundreds of Cambodians traveled to the court in Phnom Penh this week to watch two days of opening statements for the defendants -- a group of three top Khmer Rouge leaders who are now in their 80s.

Relatives of victims of the Khmer Rouge "killing fields" -- sites where an estimated 1.7 million people were slain and buried during Khmer Rouge rule from 1975 to 1979, Buddhist monks and other citizens were among those bused in to view the proceedings, seeking answers to events that only in recent years have become topics of public discussion in Cambodia.

"This is very important for the country, acknowledging that this in fact happened, this ruined lives, society, culture," said Elizabeth Becker, a journalist who has covered and written extensively about Cambodia, including in her book "When the War Was Over."

"Over the decades, the myths, the legends have changed -- there was a time when Cambodians thought that the Americans were responsible. Now you ask a Cambodian, one out of two thinks the Vietnamese were responsible." Vietnam ousted the Khmer Rouge in 1979.

Cambodians have only recently begun to speak openly about what happened decades ago. Many in the Cambodian diaspora who lived through the Khmer Rouge era, like author and activist Loung Ung, have been outspoken proponents for the trials.

"While this was happening, the West knew about it, but we in Cambodia didn't learn about it. We were living in zones, we didn't know what was happening, people disappeared and we couldn't speak up or scream and fight," she said. "Especially for people in the new generation, this is an opportunity to learn what happened."

This is the second case being heard in the court, dubbed the Extraordinary Chambers in the Courts of Cambodia, or ECCC. In 2010, it sentenced Kang Guek Eav, also known as "Duch," to 35 years of imprisonment for his role as director of the Tuol Sleng interrogation and execution facility in Phnom Penh, where an estimated 12,000 people died. The court has said it will announce a decision on his appeal on Feb. 3, 2012.

his time, three other leaders who proclaim their innocence are standing trial. Nuon Chea, 85, is considered the chief ideological leader of the regime, and is being tried alongside Khieu Samphan, 80, who was the Khmer Rouge head of state, and Ieng Sary, 86, who was the foreign minister. Ieng Thirith, 79, who was the minister of social affairs, was excused after the court ruled last week that she had dementia and was not fit to stand trial.

They are charged with crimes against humanity, genocide and war crimes, including the deaths of an estimated 1.7 million people, nearly a third of the country's population at the time.

On Monday, Nuon Chea insisted that he was a patriot who had saved his country from the Vietnamese. Khieu Samphan said he blames a secret U.S. bombing campaign for the rise of the Khmer Rouge and asked that King Sihanouk and Henry Kissinger, who was U.S. national security adviser and secretary of state in the last years of the Vietnam War, be brought to trial. His defense team said Thursday that it will not file that request. He also denied he had any knowledge of the killing taking place under his command.

Ieng Sary, the foreign affairs minister who allegedly ordered the torture and execution of expatriates he asked to return to Cambodia during the regime, only said he was too sick to give testimony.

The court has come under fire since its inception in 2003 both from nongovernmental organizations working in the country, and the current Cambodian government of Prime Minister Hun Sen. Human rights groups say there should be more trials, but the Cambodian leadership has said that will not happen. It is not yet clear what the tribunal will do. In addition, there are concerns about the cost -- an estimated \$150 million thus far -- and the speed of justice, especially given the age of the defendants in the case.

George Stanton, a law professor at Washington and Lee University, who founded the Cambodian Genocide Project at Yale, said what might determine when the tribunal ends is when it runs out of money.

But he also noted that the prosecutor of this case, Andrew Caley, called this "one of the most important trials in international criminal history," including the Nuremberg trials, the International Criminal Tribunal for Rwanda and the trial of Slobodan Milosevic at The Hague in 2002.

"I think it will establish forever who actually planned the crimes that were committed in Democratic Kampuchea," he said, referring to the Khmer Rouge name for Cambodia. "For the victims, it's going to help them understand why."

The next phase of the trial begins Dec. 5, and by some estimates, the proceedings could last well into the end of next year.

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