

# The Phnom Penh Post

## **Indictments just the beginning James O'Toole & Vong Sokheng September 16, 2010**

The Khmer Rouge tribunal capped a three-year investigation yesterday by issuing formal indictments for four regime figures, setting the stage for the court's second trial to begin in the first half of next year.

The four – former Khmer Rouge head of state Khieu Samphan, foreign minister Ieng Sary, social action minister Ieng Thirith and Brother No 2 Nuon Chea – face charges including genocide and crimes against humanity.

They are alleged to have helped mastermind a regime under which as many as 2.2 million Cambodians died, 800,000 violently, according to a demographic survey produced in the investigation.

French Co-Investigating Judge Marcel Lemonde – responsible, along with his Cambodian counterpart You Bunleng, for directing the investigation – said it was “a more complex case even than the Nuremberg Trials” for former Nazi leaders, with the case file extending to more than 350,000 pages.

“We make absolutely no claim at all that we have written the definitive history of the Khmer Rouge era,” Lemonde said at a press conference yesterday. “What we have done, however, is to establish the fundamentals, the framework, for a high-level judicial debate which we expect to be conducted in public.”

Prosecutors have 30 days to appeal against the closing order, while defence lawyers will likely move to raise challenges as well. The court's Pre-Trial Chamber must rule on such appeals within four months before the case is sent to the Trial Chamber.

International co-prosecutor Andrew Cayley said in June that the court's second trial would stretch “at least two years”.

Court observers say Case 002, with four defence teams and the four defendants vigorously contesting the charges against them, will be a significantly more complex affair than the tribunal's first case, that of former S-21 prison chief Kaing Guek Eav. The infamous Khmer Rouge jailer, better known as Duch, was found guilty in July of crimes against humanity and grave breaches of the Geneva Conventions, receiving a 30-year jail term.