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Cambodian genocide tribunal charges Khmer Rouge prison chief with crimes against humanity

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PHNOM PENH, Cambodia: Cambodia's genocide tribunal charged the former chief of a Khmer Rouge torture center with crimes against humanity Tuesday — the court's first indictment against a top member of the communist group believed responsible for the deaths of 1.7 million people.

"The Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia have charged Kaing Guek Eav alias Duch for crimes against humanity and have placed him in provisional detention," said a tribunal statement issued Tuesday night.

The suspect, whose name is also rendered as Kaing Khek Iev, headed the S-21 prison in Phnom Penh when the Khmer Rouge held power between 1975-79. The prison was a virtual slaughterhouse where suspected enemies of the regime were tortured before being taken out to killing fields near the capital.

Duch, 62, was one of five top Khmer Rouge figures whose indictments were recommended by prosecutors of the tribunal, which is a mixed body of Cambodian and international jurists. The judges have not yet released the names of the other four.

Cambodia first sought U.N. help in 1997 to set up a tribunal, but it took years of tough negotiations before the two parties signed a pact in 2003 agreeing to hold trials. With further delays since then, the first trials are not expected until early next year.

Earlier Tuesday, he became the first suspect to be questioned by judges of the U.N.-backed tribunal, said tribunal spokesman Reach Sambath.

Duch was a former schoolteacher who supervised the brutal interrogations of those seen as enemies of the Khmer Rouge.

His attention to detail and sense of duty meant S-21 kept meticulous records of victims, which are likely to serve as key evidence in any trial.

But according to a transcript of a 1999 government interview obtained by The Associated Press, Duch claimed he was not a "cruel" man, but "an individual with gentle heart caring for justice ... since childhood."

Reach Sambath said Duch arrived at the tribunal headquarters at dawn Tuesday in a car driven by Cambodian government security forces. He was taken from a military prison, where he has been detained since 1999.

The tribunal's statement said that "in a spirit of transparency," the order of provisional detention would be posted Wednesday on the court's Web site.

Some 16,000 people were imprisoned at S-21, now the Tuol Sleng Genocide Museum. Only about a dozen of them are thought to have survived when the Khmer Rouge regime was overthrown by a Vietnamese invasion in 1979.

Chum Mey, a prison survivor, said Tuesday he was delighted to hear Duch had been brought to the tribunal.

"I want to confront him to ask who gave him the orders to kill the Cambodian people," Chum Mey, 77, said.

"I want to hear how he will answer before the court, or if he will just blame everything on the ghosts of Pol Pot and Ta Mok," he said, referring to the movement's notorious leader, the late Pol Pot, and his former military chief.

Pol Pot died in 1998 and 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. Nuon Chea has said he assumes he is another of the five whom prosecutors are seeking to indict, and the latter two are also widely believed to be on the prosecutors' list.

Since his arrest by the government in May 1999, Duch has been detained on war crime charges.

Some 1.7 million people died from hunger, disease, overwork and execution as a result of the radical policies of the communists.

On July 18, prosecutors submitted to the investigating judges the cases of five former Khmer Rouge leaders they recommend stand trial. None of their names were released.

Like many senior Khmer Rouge, Duch had an academic background. A student who excelled in math, he used to be a schoolteacher and then deputy principal of a provincial college.

He was jailed for his leftist sympathies and opposition to the corrupt climate of mid-1960s Cambodia. By 1970, he had fled to the jungle to join the Khmer Rouge.

Even before the Khmer Rouge came to power, he used to run a prison for the group in the jungle, where their suspected enemies were held and executed.

After the Khmer Rouge were forced from power by the 1979 Vietnamese invasion, Duch disappeared for almost two decades, living under different names in a former Khmer Rouge stronghold in northwestern Cambodia, where missionaries converted him to Christianity.

His chance discovery by a Western photojournalist led to his arrest in May 1999.

Duch, like other former Khmer Rouge figures, has said he was simply following orders from the top to save his own life.

"I was under other people's command, and I would have died if I disobeyed it. I did it (duty) without any pleasure, and any fault should be blamed on the (Khmer Rouge leadership), not me," he told a government interrogator after his arrest.