



KRouge defence documents not stolen: court spokesman
Patrick Falby
June 10, 2009

An investigation at Cambodia's UN-backed war crimes court has concluded there was no theft of documents from a Khmer Rouge leader's defence team, a tribunal spokesman said Wednesday.

Last week Michiel Pestman, the Dutch defence lawyer for regime ideologue Nuon Chea, said he suspected confidential papers had been stolen from his office after he found them floating among waterlilies in a pond at the court.

But court spokesman Lars Olsen said a tribunal security report had concluded there was no theft in the incident that some local media dubbed "Waterlilygate".

"The main conclusions are clear: there is no evidence to substantiate allegations of foul play or theft of documents," Olsen told reporters at a press briefing.

Olsen said that details of exactly how the documents ended up in the pond would be revealed in the report.

The confidential documents were drafts of a defence letter to the recently appointed head of the court's victims unit, Helen Jarvis, raising concerns about her membership of Australia's Leninist Party Faction (LPF).

Jarvis signed a 2006 LPF statement which proclaimed: "Against the bourgeoisie and their state agencies we don't respect their laws and their fake moral principles."

The defence has said Jarvis's statement indicated she might not respect the rules of the Khmer Rouge court, however tribunal spokesman Olsen said the administration respected her right to have personal views.

"Dr. Jarvis's political affiliations were well known prior to her being made head of the victims' unit," Olsen said.

The troubled tribunal, which is currently trying former Khmer Rouge prison chief Duch, also faces accusations of political interference by the government and claims that Cambodian staff were forced to pay kickbacks for their jobs.

Duch has stated that he took orders to kill and torture from Nuon Chea, who is commonly referred to as the Khmer Rouge "Brother Number Two."

In Wednesday's testimony, Duch spoke about how Khmer Rouge leader Pol Pot "cleverly" sought to dismantle the national religion of Buddhism by assassinating abbots and ordering monks to disrobe.

"Pol Pot opposed all religions as a general principle... (But) they never sent anyone to (my) office because of their belief in religion," Duch said.

Pol Pot, the so-called "Brother Number One", died in 1998 before facing justice, and fears over the health of ageing suspects hang over the court.

Others in detention awaiting trial besides Nuon Chea are former head of state Khieu Samphan, foreign minister Ieng Sary and his wife and minister of social affairs Ieng Thirith.

The long-awaited first trial has heard Duch, real name Kaing Guek Eav, acknowledge responsibility and beg forgiveness for overseeing the torture and execution of more than 15,000 people at the notorious Tuol Sleng prison.

Up to two million people died of starvation, overwork, torture or execution as the 1975 to 1979 Khmer Rouge regime emptied cities and enslaved the population on collective farms in its bid to create a communist utopia.