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Khmer Rouge trials face collapse as judge quits

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PROSECUTIONS against five high-ranking Khmer Rouge cadres responsible for the murderous organisation's rule of Cambodia in the 1970s are set to be dropped as United Nations trials in Phnom Penh collapse amid farce and acrimony.

The prosecutions include those of killing fields commanders Sou Met and Meas Muth, who have been accused of crimes against humanity and war crimes. German co-investigating judge Siegfried Blunk quit the trials on Monday, citing interference by Cambodian Prime Minister Hun Sen and other government officials.

Mr Hun Sen, a former Khmer Rouge cadre, has said further trials are "not allowed" and Information Minister Khieu Kanharith said in May that if investigating judges wanted to pursue new cases "they should pack their bags and leave".

The trials, officially called the Extraordinary Chambers in the Courts of Cambodia and costing more than \$US1 billion since being established in 2006, are in chaos over bitter internal disagreements and resignations of key staff, including the investigating judges' entire UN legal team.

The Khmer Rouge was responsible for the deaths of an estimated 1.7 million people when it ruled impoverished Cambodia from 1975 to 1979.

The only conviction that has been handed down in the court on the outskirts of Phnom Penh in five years is that of Kaing Guek Eav, a former prison chief known as Duch, who was last year sentenced to 19 years' jail for overseeing the deaths of 15,000 people.

The courts that were supposed to bring justice to the Cambodian people after some of the worst atrocities committed last century will now see only four other Khmer Rouge cadres face trial for crimes against humanity.

They are Khieu Samphan, the former Khmer Rouge head of state, Nuon Chea, the organisation's chief ideologist, Ieng Sary, the former foreign minister, and his wife Ieng Thirith, who was minister for social affairs.

Their trials could drag on for years, prompting speculation the accused, all in their 70s and 80s, may not be alive to hear the verdicts.

The UN-funded court has tried to keep secret the identities of Sou Met, the Khmer Rouge's former air force commander, and Meas Muth, the navy commander, referring in public only to case file 003.

After an international co-prosecutor declared in 2009 there was sufficient evidence to submit the cases to trial, Cambodian judges and prosecutors opposed the cases proceeding, claiming the suspects did not meet the definition of "most responsible" under court rules.

Judges offered no explanation when in April they announced case file 003 was closed.

Days later Andrew Cayley, another international co-prosecutor, tried to reopen the cases but the judges refused.

The court is also set to drop prosecutions against three other high-level cadres in a case file known as 004, including a high-level Khmer Rouge official called Aom An, alias Tho An, who has been accused of crimes against humanity and genocide.

The resignation of Judge Blunk, who also worked as a judge in East Timor, has intensified pressure on the UN to exert its authority at the trials.

Mr Hun Sen, who has ruled Cambodia for more than 20 years, is believed to have had a tense meeting with UN Secretary-General Ban Ki-moon last October during which he reportedly insisted that no further cases would be allowed.

But Human Rights Watch said in a report last week that Mr Hun Sen had no legal right to make such a decision.

Human Rights Watch has been particularly critical of the proceedings and last week called on Judge Blunk, as well as his Cambodian counterpart, to resign after what the group called a failure to "conduct genuine, impartial and effective investigations".

"The investigating judges concluded their investigation into Case 003 without notifying the suspects, interviewing key witnesses or conducting crime scene investigations," said Brad Adams, the Asia executive director at Human Rights Watch.

Information Minister Khieu Kanharith denied the government was influencing the court.