



Khmer Rouge trial to proceed October 18, 2011

Prosecutors will press on with a case against former Khmer Rouge leaders in Cambodia.

A United Nations-backed tribunal in Phnom Penh announced it will go ahead with a case against four aging members of Cambodia's Khmer Rouge regime leadership in November, clearing doubts its work will be hampered by the resignation of a German judge from the court nearly a week ago.

Siegfried Blunk, the tribunal's international co-investigating judge, cited interference by Cambodian Prime Minister Hun Sen's government for his Oct. 9 decision to quit, though several rights groups and Khmer Rouge victims had earlier demanded he step down for "bowing to political pressure" in his handling of the trial process.

Extraordinary Chambers in the Courts of Cambodia (ECCC) spokesman Neth Pheaktra confirmed that the trial would proceed during an interview with RFA on Tuesday.

"Today the ECCC announced that it will hear Case 002 against the four accused. The date of the hearing will be Nov. 21," he said.

"This is a hearing that the Cambodian people have long waited for and shows the ECCC's interest in pushing the process earlier in order to offer justice and truth for our citizens. This is good news for everybody."

The four defendants include Khmer Rouge leader Pol Pot's former second-in-command, Nuon Chea, 84, former head of state Khieu Samphan, 79, former foreign minister Ieng Sary, 85, and his wife Ieng Thirith, 78, who was minister for social affairs.

The accused are charged with genocide, war crimes, and crimes against humanity for their role in overseeing the deaths of as many as two million Cambodians when the Khmer Rouge ruled from 1975-1979. All four deny the accusations.

Neth Pheaktra added that the announcement has cleared doubts over when the court would hear Case 002 in the wake of Blunk's resignation.

"People have been questioning [whether] the case [would proceed], but this announcement will end rumors that Case 002 would be delayed," he said.

The U.N. has said that reserve co-investigating judge Laurent Kasper-Ansermet, of Switzerland, will likely replace Blunk and serve alongside Cambodian counterpart You Bunleng in overseeing the proceedings.

According to a statement listed on the ECCC website, opening statements in the trial for Case 002 will commence on the morning of Nov. 21 with the reading of charges against the accused and will continue over several days. The hearing of evidence in the case will begin on Nov. 28.

Ailing defendants

The initial hearing of the case was held on June 27-30 this year, but proceedings were delayed after the accused, all of whom are in or near their 80s, began to complain that their health conditions made them unfit to stand trial.

The court is expected to announce in the coming weeks whether defendants Ieng Thirith and Nuon Chea are fit to stand trial. Ieng Thirith is said to suffer from dementia while Nuon Chea has complained that he has trouble concentrating and sitting for long periods.

Last month, the court divided the case against surviving Khmer Rouge leaders into a series of smaller cases in order to speed up proceedings. Many of the defendants are elderly and infirm, and observers fear that not all of them will live to see a verdict.

The November trial will focus on the forced movement of population and the related charges of crimes against humanity, while later trials will address charges of genocide.

The ECCC has so far completed just one trial which led to the jailing last year of former Khmer Rouge prison chief Kaing Guek Eav, also known as Duch, for 30 years for overseeing the deaths of thousands of people. His case is now under appeal.

Hun Sen, himself a former Khmer Rouge cadre, and other Cambodian officials have often expressed opposition to any further prosecutions in the tribunal beyond the second trial.

Many do not expect the third and fourth cases to proceed.