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Khmer Rouge official's sentence opposed

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Prosecutors and defense lawyers asked for drastic changes this week in the sentence given to the former commandant of the Khmer Rouge's main prison.

In a three-day hearing outside Phnom Penh, prosecutors asked for a maximum sentence of life in prison. The defense asked for an acquittal that could allow release of the defendant, Kaing Guek Eav, better known as Duch.

He is the first Khmer Rouge official to stand trial for atrocities committed when the radical Communist regime held power in Cambodia, causing the deaths of an estimated 1.7 million people from 1975 to 1979. Four other senior Khmer Rouge leaders are expected to stand trial this summer.

Last July, Duch (pronounced DOIK) was sentenced to 35 years in prison for war crimes and crimes against humanity after an emotional and sometimes lurid trial describing the torture and killing of inmates at the Tuol Sleng prison.

The sentence was reduced to 19 years for time served and because of technicalities, arousing an outcry from survivors of the Khmer Rouge regime. It meant that Duch, now 68, could possibly walk free one day.

More than 14,000 prisoners were held and interrogated at Tuol Sleng; only a handful survived to see the Khmer Rouge driven from power by a Vietnamese invasion. During the trial, Duch acknowledged and apologized for his crimes. Then, on the final day, he fired the French lawyer who had constructed this defense. His Cambodian co-counsel said Duch was not guilty and demanded his immediate release.

During the appeal hearings this week, his lawyers repeated that demand. "He had no other choice than to implement the orders. Otherwise he would have been killed," one of his lawyers, Kang Ritheary, told the judges.

Prosecutors, meanwhile, said the court had given too much weight to mitigating factors like Duch's cooperation and his qualified expressions of remorse.

"We call for the imposition of a life term, reduced to 45 years," said a prosecutor, Andrew Cayley.

A ruling is expected this summer.