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## **Killing fields trials beset by farce and interference**

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BANGKOK: Prosecutions against five high-ranking Khmer Rouge cadres are set to be dropped as United Nations trials in Phnom Penh collapse amid farce and acrimony.

Charges are expected to be dropped against the alleged killing field death squad commanders Sou Met and Meas Muth, who have been accused of crimes against humanity and war crimes.

The German co-investigating judge Siegfried Blunk quit the trials on Monday, citing interference by the Cambodian Prime Minister, Hen Sen, and other government officials.

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

The trials, officially called the Extraordinary Chambers in the Courts of Cambodia, are in chaos following bitter internal disagreements and resignations of staff, including the investigating judges' entire UN legal team. The trials have cost more than \$100 million since being established in 2006.

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 handed down in five years is that of Kaing Guek Eav, a former prison chief known as Duch, sentenced to 19 years' jail last year for overseeing the deaths of 15,000 people at the notorious Tuol Sleng prison.

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

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

The UN-funded court has attempted 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 co-prosecutor, attempted to reopen the cases but the judges refused.

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

Among other mass crimes, Aom An, a former Buddhist monk, was the head of Kang Meas district in 1977 where genocide was committed against ethnic Cham people, which spread nationwide the following year, according to case summaries published by Human Rights Watch.

Another accused commander in case 004 is Yim Tith, a high-level official of a north-western zone where ethnic Vietnamese were targeted. The third official accused in case file 004 is Im Chem, alias Srei Chem, who presided over forced labour camps where many people died.

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 for more than 20 years, is believed to have had a tense meeting with the UN Secretary-General, Ban Ki-moon, in October last year during which he reportedly insisted no further cases would be allowed.

But Human Rights Watch said in a report last week Mr Hun Sen has no legal right to make such a decision for the court, which is supposed to be independent of the government.

Human Rights Watch has been particularly critical of the proceedings, last week calling 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," the Asia director at Human Rights Watch, Brad Adams, said.

After Mr Ban accepted Judge Blunk's resignation, a UN deputy spokesman, Eduardo Del Buey, called for an end to interference in the work of the court.

"As we have consistently emphasised, the [court] must be permitted to proceed with its work without interference from any entity including the royal government of Cambodia, donor states or civil society," Mr Del Buey said.

He said a reserve judge, Laurent Kasper-Ansermet of Switzerland, would be put in place quickly so the court's work is not interrupted.

After Judge Blunk's resignation, Mr Kanharith, the Cambodian Information Minister, denied the government was influencing the court.