

Prosecution seeks tougher sentence March 28, 2011

The prosecution in the appeal case of the former head of security for the Khmer Rouge in Cambodia said yesterday it would seek a tougher sentence from the United Nations-backed war crimes tribunal when it opens today.

Last year, the tribunal's lower chamber sentenced Comrade Duch, whose real name is Kaing Guek Eav, to 35 years in jail for his role in the deaths of at least 12,272 detainees at the notorious S-21 prison in Phnom Penh in the 1970s.

Duch's sentence was reduced to 19 years for time already served and compensation for being held illegally prior to trial. The prosecution will seek to have him jailed for life on the grounds that the original sentence was too lenient.

"The most important ground of appeal is that the sentence given by the trial chamber was manifestly inadequate," international co- prosecutor Andrew Cayley said. "We are seeking life imprisonment."

Prosecutors also objected to the court's decision to subsume a number of crimes against humanity charges into a single conviction. Cayley said those charges were so significant that Duch should be found guilty of them individually. Duch's appeal against the conviction is scheduled to last three days, with the verdict likely to be delivered in June.

Duch's lawyers are arguing that the court did not have jurisdiction to try him.

The 68-year-old is the first person the international court has found guilty of crimes committed under the Khmer Rouge regime.