



As trial opens, questions of truth and justice

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With four jailed leaders in the dock before a trial chamber on Monday morning, victims of the Khmer Rouge said they were waiting to see whether the UN-backed court can provide them a measure of truth and justice.

The court is under some pressure from victims groups who say they fear the tribunal process is being hijacked by the political influence of the prime minister and other government officials, some of whom were themselves members of the Khmer Rouge.

Monday's hearing—a preliminary, mostly procedural affair—marks the beginning of a trial that Cambodians have awaited for decades. It also heralds a process that will not only put four leaders on trial, but also, some experts argue, the question of whether an international court can serve equally the demands of both national reconciliation and international justice.

"I want to see how justice is provided to victims," Vann Nath, a 66-year-old survivor of the Khmer Rouge's Tuol Sleng prison, told reporters at the tribunal.

"While the first day of trial was certainly an opportunity for us all to consider what we lost during the Khmer Rouge years, it is important that we now cast a critical eye over the proceedings throughout the trial," Ou Virak, president of the Cambodian Center for Human Rights, said in a statement Monday. "The court's reputation has taken a number of hits as a result of its failure to address questions of corruption and political interference."

The trial would offer an example for the domestic courts, he said, while urging judges to consider in its list of witnesses "people in positions of political power who hold information that is relevant to this case."

"A failure on the part of the judges to ensure the participation of such figures will undermine the integrity of the trial as well as the legitimacy of the justice the tribunal seeks to dispense," he said.

Hundreds of people filed into the tribunal courtroom on the outskirts of Phnom Penh Monday morning, with all four leaders—Nuon Chea, Khieu Samphan, Ieng Sary and Ieng Thirith—present at first. All of them say they are innocent of the atrocities perpetrated by the Khmer Rouge during its rule from 1975 to 1979, when as many as 1.7 million Cambodians died.

Nuon Chea, the chief ideologue of the regime known as Brother No. 2, left the hearing early, saying he was "not happy" with the hearing. Ieng Sary and Ieng Thirith also left early, claiming health difficulties. Khieu Samphan, the nominal head of the regime, remained to face the Trial Chamber.

The preliminary hearing is scheduled to last through Thursday. Trial Chamber judges will be considering the list of witnesses and experts, the question of a previous immunity deal for Ieng Sary, the 1979 Vietnamese trial for ousted Khmer Rouge leaders, and the health needs of the aging defendants.

Lao Monghay, an independent political analyst, said the trial of the four senior leaders will be "better" than the trial of Kaing Guek Iev, the Tuol Sleng torture chief better known as Duch, who received a commuted sentence of 19 years in the tribunal's first trial.

Lao Monghay said he expected them to receive heavier sentences for the charges against them, including war crimes, crimes against humanity and genocide.

"It's better that they are heavily punished, because they were the top responsible," he told VOA Khmer.

Chum Mei, an 80-year-old survivor of Tuol Sleng, said he had been waiting a long time for Monday's hearing.

"I wanted to see the judges and prosecutors, and how they charge the four top Khmer Rouge leaders," he said. "I will be happier today than other days."