



## **Champion rower seeks justice in brother's Khmer Rouge killing**

**Sarah Williams**

**July 29, 2011**

Olympic rower Rob Hamill is on a quest. Not for gold, but for justice. Cambodia's Khmer Rouge captured and killed his brother, Kerry, in 1978. And now, Hamill is fighting to bring the murderers to justice. That quest is the subject of a new documentary, "Brother Number One," which premiered this week at the New Zealand International Film Festival.

The cameras followed Hamill as he retraced his brother's path through Cambodia and testified at the first U.N.-backed war crimes tribunal of former Khmer Rouge leaders. The New Zealander said he realized he needed to pursue the case while competing in the first trans-Atlantic rowing race 1997.

### **Feeling the pain**

"Whether it was the ocean, being on the sea, or whether it was just the exhaustion and on the edge sort of, I ended up grieving for Kerry at sea." Hamill told VOA in an interview. "I realized at that time I was going to have to do something, at some point. I didn't know when that would be or how that would look, but it was certainly going to be at least a trip to Cambodia, along the path that Kerry took."

He went on to testify at the 2009 trial of Kaing Guek Eav, also known as Comrade Duch, who controlled the Tuol Sleng prison where Kerry was held in Phnom Penh. Hamill was accompanied by documentary filmmaker Annie Goldson and researcher James Bellamy. Hamill said sitting in the Phnom Penh courtroom was wrenching.

"I wrote my testimony, which in itself is hard, dragging up all those painful memories. Then having to deliver it, all the pain and the sequence of events, and talking about my brother's suicide, as a result of Kerry's loss."

Hamill was the only Westerner in the court, and he said Duch tried to stare him down from across the room. He said they locked eyes for a good 10 seconds in a standoff he called "chilling."

"And I thought for a man who's seeking forgiveness - he had converted to Christianity and said he was remorseful, and he was saying all the right things in the courtroom - that first interaction completely belied his words," Hamill remembered. "Culturally, to stare at someone like that in a normal situation is rude, let alone in this courtroom where you are seeking forgiveness from your victims. He was completely the opposite. So he got off

to a very bad start with me.”

### **The nightmare begins**

Hamill’s brother, Kerry, may have stared at the same Khmer Rouge cadre three decades before. In 1978, the Hamill family’s world was forever changed. Twenty-six year-old Kerry had embarked on a sailing journey beginning in Darwin, Australia to his intended destination of Bangkok, Thailand.

But the boat veered off course to a small island in Cambodian waters. It came under fire and was seized by the Khmer Rouge. The Hamills eventually learned of Kerry’s fate through a newspaper article published months later.

“The article said that Kerry had been captured by the Khmer Rouge, had been incarcerated at Tuol Sleng prison, had been tortured and had been forced to sign a confession that he was a CIA agent and then had been executed,” Hamill said.

The news was devastating. Kerry was the oldest of five children and his siblings looked up to him. The second eldest brother John, just 14 months younger than Kerry, killed himself eight months after the family learned of Kerry’s passing.

Hamill’s parents mourned the sudden loss of their children and his mother, Esther Hamill, developed a debilitating illness.

“My poor parents, you know? What they went through. I feel more now an understanding of that pain and grief that they went through, as a parent myself now,” said Hamill.

### **Overcoming the odds**

Despite the grief, Rob Hamill, the youngest sibling, grew up to become a champion rower, and represented New Zealand in the Atlanta Olympics in 1996.

He says he redirected his energies to make sure his brother and other Khmer Rouge victims were not forgotten. “I thought yes, this has to be told. And I realized people didn’t know much about Pol Pot and the Khmer Rouge,” he said.

The Khmer Rouge seized control of Cambodia in 1975. They killed an estimated 1.7 million people, a quarter of the country’s population, before being pushed from power by Vietnamese forces in 1979. The ultra-Maoist leader of the group, Pol Pot, died in 1998.

The U.N.-backed tribunal is set to open its second case, focusing on the four senior surviving members of the Khmer Rouge. It has accepted Hamill as a civil party in that case as well.

### **Unfinished business**

But there is a third case involving two former military commanders, including a naval commander whom Hamill believes could have released Kerry when he was first captured.

“He could’ve decided, look, this guy’s not coming to blow up our country or attack our country in any way, and let them go. And he chose not to.” he said.

The tribunal rejected Hamill's application to testify, calling his testimony inadmissible on what he called “the most flimsy of grounds.”

“To me, it indicates that there is political pressure, outside pressure into their court, that now could be in continuing cases to be brought forward. I find that very, very frustrating,” he said.

Hamill is not alone. Critics of the tribunal have accused two of the judges of closing Case 3, without interviewing the suspects or visiting where alleged atrocities may have been committed.

Cambodia's government denies involvement in the court hearings. Siegfried Blunk, one of the court's international jurists, told VOA Khmer this week that the co-investigating judges have to determine whether the suspects are among those most responsible for Khmer Rouge crimes. He said no final decision has been made whether to pursue Case 3.

Hamill is watching closely. He says he holds the suspects in that case as responsible as Duch for his brother's death.