

The Phnom Penh Post

ECCC reveals Case 2 details

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November 6, 2009

The Khmer Rouge tribunal on Thursday distributed a list of 20 execution sites, security centres, cooperatives and work sites related to the ongoing investigation of five regime leaders, marking the first time information about the scope of the investigation has been made public.

The network includes 14 security centres and execution sites, along with six cooperatives and work sites spread across 16 provinces. They range from Trapeang Thmar dam in Banteay Meanchey, the regime's largest irrigation project, to the notorious S-21 security office in Phnom Penh and less-known security centres in Mondulhiri and Ratanakiri.

During a press conference at the tribunal, spokesmen Lars Olsen and Reach Sambath also referred generally to acts against specific groups that had been involved in the investigation, including the regime's internal "purges" and mistreatment of Buddhists, Vietnamese and Cham Muslims. With the exception of displacement and forced marriage, however, they did not mention specific crimes.

Olsen emphasised that no decision had been made on whether the leaders would even be indicted, let alone on the specific crimes for which they might be tried.

"The information you will get today only reflects what is currently being investigated," he said.

The five leaders are former S-21 commandant Kaing Guek Eav, alias Duch; Brother No 2 Nuon Chea; head of state Khieu Samphan; foreign minister Ieng Sary; and social action minister Ieng Thirith.

Historian David Chandler said Thursday that he was not surprised at the wide range of sites listed. "It was a network of killing institutions you had during Democratic Kampuchea, and they want to implicate these big shots in that network," he said.

He noted that, should the investigation lead to indictments, the cases against those leaders who have not yet been put on trial would pose much greater challenges for the prosecution than the case against Duch, who has issued numerous confessions

and apologies during his trial for crimes committed at S- 21.

“S-21 was a closed circle, and it went on for a long time,” he said. “Duch said he did it, and the documents said he did it. These guys say: ‘We didn’t do it,’ and there are no documents, so it gets much trickier.”

The confidentiality question

Olsen said the tribunal had decided to release the information on Thursday for the benefit of prospective civil party applicants, who must submit applications no later than 15 days after the tribunal’s co-investigating judges announce that the investigation has been completed. The judges have said they would try to complete the investigation by the end of the year.

“Since the end of the investigation is approaching, the need to keep all information about what’s being investigated confidential is not as strong as it was in the beginning,” Olsen said.

Not everyone agreed with the move. Michael Karnavas, international co-lawyer for Ieng Sary, said he believed the tribunal “went overboard in disseminating confidential information”, adding that the naming of specific sites could have a “chilling effect” on witnesses who might be able to provide exculpatory evidence.

But Andrew Ianuzzi, legal consultant for Nuon Chea’s defence team, said he had no problem with the information that was presented.

“I think it’s probably self-evident to anyone who’s well-versed in what happened in Cambodia what particular crime scenes [the judges] might be looking at,” he said.