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## Ex-Khmer Rouge leaders go on trial in Cambodia

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PHNOM PENH, Cambodia — The four surviving leaders of the Khmer Rouge went on trial Monday, more than three decades after the collapse of a government that caused the death of as much as one-fourth of the population and left Cambodia a nation of traumatized survivors.

Now frail and fading from the memory of many Cambodians, the three men and one woman are charged with crimes against humanity, war crimes, genocide, homicide and other offenses that occurred when the Khmer Rouge were in power from 1975 to 1979.

The case is the centerpiece of a United Nations-backed tribunal that has lasted five years and cost more than \$100 million and is intended finally to lay the past to rest.

The defendants are Khieu Samphan, 79, the nominal head of state; Nuon Chea, 84, described as the Khmer Rouge's ideologue; Ieng Sary, 85, the foreign minister; and his wife, Ieng Thirith, 79, who was minister of social affairs. All have declared their innocence.

“The beginning of Case 002 will be a cathartic moment for all Cambodians,” said Ou Virak, president of the Cambodian Center for Human Rights, a private advocacy group, using the formal term for the case. “While the crimes of the Khmer Rouge were committed over a quarter of a century ago, they remain ingrained in Cambodia's collective psyche.”

Though the top leaders are now in court, many thousands of Khmer Rouge continue to live among the people they abused and will never face justice. The trial is expected to last for years, and the age and ill health of the defendants is a concern to court officials.

Procedural hearings taking place now were to include managing the assignment of medical officers to assess the defendants' mental and physical fitness to face trial. The physical condition of some of the defendants could influence the schedule set by the court in the months to come. Testimony in the case was expected to begin in August or September.

The top Khmer Rouge leader, Pol Pot, died in 1998 before he could be brought to trial. Other possible defendants, including Son Sen, Pol Pot's right-hand man, and Ta Mok, a top military commander, have also died.

One Khmer Rouge figure has already been tried and convicted: Kaing Guek Eav, known as Duch, who ran the main prison and torture house of the Khmer Rouge. He was sentenced to a term of 35 years that was reduced to 19 years. An appeal is pending.

The tribunal is something of an experiment, attempting to graft international standards of justice onto Cambodia's weak and politically malleable court system. A Cambodian prosecutor and Cambodian judges work together with foreign counterparts.

The process has been dogged by accusations of corruption and manipulation by the Cambodian government.

In the latest controversy, the international co-prosecutor, Andrew Cayley, is attempting to push ahead with cases against four more defendants, despite the assertion by Prime Minister Hun Sen that two cases were enough and the opposition of the Cambodian co-prosecutor, who echoed that view.

Nevertheless, Mr. Cayley commended the government for bringing top figures to trial. "The Cambodian government itself brought about this process," he said in a telephone interview. "The Cambodian government arrested these people and brought them into custody, and whatever the criticisms are, they have to be given credit for that."

In an innovation, the tribunal is including victims as civil parties whose lawyers have the right to question witnesses and demand reparations. A recent court decision allowed the inclusion of 3,850 victims in the current case.

The trial is complex, said Clair Duffy, who has observed it for the Open Society Justice Initiative, a private legal and human rights group. In addition to the thousands of civil parties, it involves a 700-page indictment, hundreds of witnesses, thousands of pages of documentary evidence, scores of lawyers in the courtroom and three working languages — Khmer, English and French.

It is also likely to be drawn out as the lawyers for the four defendants pursue different strategies, including the possible exchanges of accusations among the defendants themselves.

Already in a pretrial court appearance, Mrs. Ieng Thirith has accused Mr. Nuon Chea of responsibility for the killings. In his trial, Duch also said he received orders from senior leaders, and it is possible that he could be a witness in the current trial.

After the Khmer Rouge was driven from power in January 1979 by a Vietnamese invasion, its leaders and fighters retreated into the jungles and carried out a decade-long guerrilla war.

As the insurgency collapsed, Mr. Nuon Chea and Mr. Khieu Samphan surrendered at the end of 1998 and were allowed to live quietly in a remote town that had been one of the last Khmer Rouge strongholds.

Mr. Ieng Sary and his wife lived in an expensive villa in downtown Phnom Penh until all four defendants were arrested in 2007 and brought to a specially built jail, which they share with Duch, on the grounds of the tribunal.

All four have been reported to have medical problems, and court officers say they are receiving the best care the country has to offer.