

The Phnom Penh Post

Filing to urge genocide charge **Robbie Corey-Boulet and May Titthara** **October 22, 2009**

Chapei singer Kong Nai sings for Khmer Krom civil party applicants at a conference Wednesday.

A TEAM of lawyers representing Khmer Krom civil parties at the Khmer Rouge tribunal is preparing a submission calling for investigating judges to bring genocide charges against the four regime leaders set to be tried in the court's second case.

The submission, to be filed next week, is an attempt to prompt the court to directly acknowledge the sufferings of the Khmer Krom, a group historians have argued was singled out for abuses by the regime, said Mahdev Mohan, a member of the team and director of the Singapore-based nonprofit Access to Justice Asia.

In addition to 25 Khmer Krom clients, the team is representing 11 Vietnamese clients, and the submission will also call for genocide charges to be brought in connection to crimes committed against Vietnamese in Kampong Chhnang, Mohan said.

As part of preparations for the filing, the team held a conference in Phnom Penh this week, during which the clients, some of whom have already been accepted as civil parties, spoke of what happened to them during the regime.

Ven Nat, a 60-year-old Khmer Krom rice farmer from Takeo province, described how he was detained and tortured.

"I did not answer their questions because they accused me of trying to persuade people to go to Vietnam," he said. "Then they put the plastic around my head and my eyes, and I fell unconscious during that time."

Hearing on judges urged

On Wednesday, the defence team for Ieng Sary called on the tribunal to hold a public hearing concerning comments made by Prime Minister Hun Sen, who on September 9 said in a speech in Takeo province that "some foreign judges and prosecutors" had "received orders from their governments to create problems here".

In a filing dated October 20, lawyers Ang Udom and Michael Karnavas said that neither the UN nor international Pre-Trial Chamber judges Katinka Lahuis and Rowan Downing had addressed the remarks.

UN court spokesman Lars Olsen said this was “not true”, adding that during a September 16 press conference Deputy Director of Administration Knut Rosandhaug responded to a question about the comments.

“I expect international judges to act independently of any executive branch, and I have no reason to believe that they don’t,” Rosandhaug said at the time.