

Genocide court orders three ex-Khmer Rouge leaders to stay in jail February 17, 2011

Phnom Penh - The international war crimes tribunal ruled Thursday that three ageing former Khmer Rouge leaders must remain in custody ahead of their trial, which is expected to start later this year.

The ruling comes after the three appeared at a public hearing on January 31 asking to be released.

Lawyers had argued that their clients, who were arrested in 2007, should be freed since they had already been held for longer than permitted by the genocide court. The appeal followed a January 13 decision ordering the three to remain in pre-trial detention. But the court failed to issue a reason for the decision until January 21.

In its ruling released Thursday, the tribunal agreed that the delay in giving a reason had 'resulted in a breach of the accused persons' rights' but added any remedy would have to wait until the trial ended.

According to the ruling, the accused have to remain in jail to ensure they attended court once their trial begins.

Four former leaders of the movement have been held in pre-trial detention at the UN-backed court, which is based in Phnom Penh.

The three that had appealed their continued detention are the former head of state, Khieu Samphan; the movement's chief ideologue Nuon Chea, known as Brother Number Two; and the former social affairs minister Ieng Thirith.

The movement's foreign minister Ieng Sary did not submit an appeal.

Last month the tribunal confirmed the indictments against the four, clearing the way for their trial to begin on charges of genocide, war crimes, crimes against humanity and other crimes under Cambodian law.

They are accused of involvement in millions of deaths from execution, disease, starvation and overwork during the Khmer Rouge's 1975-79 Maoist regime. They deny the charges. A recent demographic study by the tribunal estimated that there were between 1.7 million and 2.2 million deaths in that period, of which 800,000 were violent.

The genocide charges relate to the persecution of Cham Muslims and ethnic Vietnamese

living in Cambodia at the time.

All the accused are elderly - aged 78 to 85 - and there are fears one or more might die before a trial is concluded. The movement's leader, Pol Pot, died in 1998.