



Khmer Rouge leaders seek release before trial January 31, 2011

PHNOM PENH, Jan 31 (IPS) , 2011 (IPS) - Standing in an air-conditioned courtroom on the outskirts of the Cambodian capital, an aging former Khmer Rouge figure accused of genocide offered few words as he asked for his release. "I only have one suggestion," said Khieu Samphan, "Please abide by the law."

More than three years after their arrests, three former Khmer Rouge leaders accused of crimes against humanity and genocide asked a United Nations- backed war crimes tribunal Monday to release them ahead of their pending trials.

Lawyers for Khieu Samphan, the regime's head of state; Nuon Chea, its chief ideologue; and Ieng Thirith, a former cabinet minister, are arguing they should be released after having been kept in pre-trial detention since their arrests in 2007. A fourth co-defendant, former foreign affairs minister Ieng Sary, did not appear in court.

Observers say releasing the accused could ignite public outrage in this Southeast Asian country. The Khmer Rouge movement was responsible for the deaths of an estimated 1.7 million people. But, more than 30 years after the regime was toppled, senior leaders have yet to stand trial.

Lawyers for the accused argued Monday that the Extraordinary Chambers in the Courts of Cambodia (ECCC), as the hybrid tribunal is officially called, is bound by its rules to release them in advance of their trials. The court officially indicted the four accused last September. Lawyers claim that any detention exceeding the four months that have since passed is illegal.

Court officials have not specified a date for the trials, but have indicated they are expected to take place this year. Sa Sovan, a lawyer acting for Khieu Samphan, noted the court has extended his client's detention period numerous times since his 2007 arrest.

"There are no grounds to continue his detention any longer," he said. Son Arun, a lawyer for Nuon Chea, said his client has no intention of fleeing the country if released. On the contrary, he argued, he is eager to testify and explain his side of the story.

"Nuon Chea has indicated again and again that he wishes to participate and cooperate with the court," Arun said. "He would like to live with his family and he does not intend to run away." Court prosecutors, however, argued against releasing the accused, suggesting they had many reasons to flee, and that authorities may not be able to

guarantee their safety outside the confines of the court complex.

"The passage of time has not diminished the impact of these crimes," co-prosecutor Andrew Cayley said. "If anything, it has increased the impact of these crimes. There are many members of the Khmer population who are suffering from psychiatric disorders as a result of their experiences during this appalling time."