



KR killings revealed, by accident

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A Khmer Rouge tribunal staffer on Thursday provided estimated death tolls for security centres and execution sites related to the ongoing investigation of five regime leaders, going far beyond what had previously been made public in a presentation that the court later described as unauthorised.

Hang Vannak, the complaint and applications manager for the court's Victims' Unit, delivered his presentation on the scope of the investigation before an audience of 400 civil party applicants at the tribunal.

Judges in November distributed a list of 20 execution sites, security centres, cooperatives and work sites throughout 16 provinces that were being investigated, but provided little information on the types and scale of specific crimes committed at any of them.

On Thursday, however, Hang Vannak went methodically through the list, describing how victims were killed at each site and, in some cases, providing estimates of the number of mass graves and total casualties.

Richard Rogers, chief of the court's Defence Support Section, expressed concern that the presentation could have compromised the confidentiality of the investigation of the four regime leaders awaiting trial: Brother No 2 Nuon Chea, foreign minister Ieng Sary, head of state Khieu Samphan and social action minister Ieng Thirith.

"If this information came from the OCIJ investigation, then it is a serious and blatant breach of the confidentiality requirement," said Rogers.

"In any event, wherever this information came from, it is irresponsible to suggest, prematurely, that certain inculpatory findings have been made with respect to the charges still under investigation."

In his remarks, Hang Vannak said that more than 20,000 people had died at the "1st January Dam" site in Kampong Thom province; that 15,000 "might have been" killed in caves near the Wat Kirirum security centre in Battambang province, and that 10,000 had been killed at the Tuol Po Chrey execution site in Pursat.

An estimated 12,000 people were killed at the Kraing Ta Chan security centre in Takeo province, he said, adding that an exhumation conducted in 1979 had uncovered 2,000 bodies.

He added that as many as 10,000 bodies could still be at the site in “undisturbed graves”.

At the Prey Trapaing Ampil execution site in Kampong Chhnang province, he said, 500 mass graves had contained between 20 and 50 bodies each.

In addition, he said, 41 mass graves “associated with” the Wat Tlork security centre in Svay Rieng “may contain” between 10,000 and 15,000 bodies.

In total, Hang Vannak provided information on at least 80,500 deaths.

After his presentation, he told a reporter that he had drawn on information from “various investigations and documents”. He said some of the information might have been included in the prosecution’s 2007 introductory submission, which is confidential, and that some of it might have been obtained later. He provided a typed list of the different sites that included details about each one, but he declined to say who compiled it.

UN court spokesman Lars Olsen said the court did not stand by the presented data.

“The staff member who presented estimates on facts and numbers during the presentation of the civil party forum was not authorised to provide any such information, and as such the information cannot be considered reliable,” he said.

“The court’s position is that it is not possible at this point in time to provide any neutral, objective estimate on the number of deaths in the different crime sites.”

Asked why a Victims’ Unit staffer was providing prospective civil parties and the media with information the court did not endorse, Olsen said Hang Vannak had “acted on his own”.

Olsen added that he had made a similar statement during the afternoon session of the forum. Reporters were invited to attend the morning session, but not the afternoon session.

When told of the presentation, Ieng Sary’s international co-lawyer, Michael Karnavas, reiterated the confidentiality concerns he raised in November, when the court released limited information about the investigation, a move it said was necessary for prospective civil parties preparing applications.

“It begs asking where are they getting this information, and why are the two co-investigating judges not intervening robustly to eliminate any conduct, however unintentional it may be, that compromises the investigation,” Karnavas said via email.

For her part, Heather Ryan, a trial monitor for the Open Society Justice Initiative who attended the civil party forum, said she was less concerned about the confidentiality issue.

“I didn’t notice any disclosure of what would be confidential that would impinge the safety of witnesses or the rights of the defendants,” she said. But she said the tribunal’s decision not to source information presented in a public forum was potentially problematic.

“They have to make sure that, when they do give information publicly, it is uncontested information or, if it’s contested, that they make clear that it’s contested,” she said.

“It’s hard to evaluate the information because we don’t know the source.”