



## **Khmer Rouge Death Camp Commander Awaits Sentence**

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PHNOM PENH -- The trial of a Khmer Rouge prison commandant who oversaw the deaths of at least 12,000 people has wrapped up. But in his final statement, Kang Guek Eav, also known as Duch, stunned the court by asking for an acquittal.

It was a complete about-face from a desperate man who had acknowledged he was guilty of crimes against humanity and breaches of the Geneva Conventions, although claiming he acted under orders and amid fear of retribution.

The three Cambodian and two international judges declined the request and ended the trial. Sentencing is expected early next year.

In summing up, Duch's lawyers attempted to downplay the role of S-21, an extermination camp converted out of a Phnom Penh school at Toul Sleng during the Khmer Rouge's rule, from April 1975 to January 1979.

Helen Jarvis, head of the court's victims unit, said many of the victims will be relieved that the court had wrapped up the trial, which began in February. "For the last seven months they have been here almost every single day, and have been following the ups and downs," she said. "They've been on the edge of their seats, crying, angry, upset, worried. Their emotions have been absolutely high-pitched for seven months."

About 1.7 million people died under the Khmer Rouge's rule -- from murder, starvation and illness caused by forced migration around the country -- as the ultra-Maoists attempted to establish their vision of an agrarian utopia.

At S-21, the court heard prisoners were routinely beaten and whipped, had their toenails torn out, and faced electric shocks and water-boarding. Surgery was performed on prisoners without anesthesia, and blood was extracted from them until they lay dying. Westerners were burnt alive.

Prosecutors asked for 40 years in prison, instead of a life sentence, because Duch had admitted running the prison, apologized for his role and provided evidence against other senior leaders slated for trial.

However, Theary Seng -- an author, lawyer and human rights activist -- argued that Duch should be sentenced to two or three life sentences, even after taking into consideration his cooperation with the court. "There are too many counts on which he could be found guilty and each one carries a life sentence," she said.

Defense lawyer François Roux told the court that Duch was full of remorse, drawing comparisons with Albert Speer, Adolf Hitler's defense minister in World War II, who was sentenced to 20 years in jail at the Nuremberg war crimes trials.

Roux said Duch had shed tears over the graves of the children who, after being processed at S-21, were subsequently transported to the Killing Fields on the outskirts of town, where, like their parents, they were bludgeoned to death.

The Khmer Rouge established 196 such camps around the country, all based on a prototype developed by Duch in 1971.

S-21 remained the principal camp among them, and Duch was central to the Khmer Rouge's policy of purging potential enemies of the state. "S" was derived from Santabel, the name of the Khmer Rouge secret police. "Twenty-one" was Duch's secret personnel number.

Prosecutors said Duch's crimes were comparable with those of Nazi Germany and Stalin's Russia. But Greg Stanton, president of Genocide Watch, said that footage shot by a Vietnamese cameraman who entered Toul Sleng along with invading Vietnamese troops in late 1978 indicated that the brutality under Pol Pot may have been much worse.

The film was ruled inadmissible by judges after it was challenged by the defense for its authenticity, and the footage remains unseen. But Stanton described the 10-minute, black-and-white, silent film as showing bodies chained to beds and burnt alive. "Bodies were shackled at the ankles and disemboweled. It's the most horrible thing on earth," he said. "You could tell the film was shot just after those people were burned alive."

But in comparing the evidence offered before the court with the information Duch surrendered a decade ago, photographer and author Nic Dunlop said the truth had been told -- if in varying degrees.

"He's been truthful up to a point, there is a measure of sincerity. There is consistency in what he says, but he's had 10 years to script it," Dunlop said. "The prosecution asserts he lacks sincerity and lacks empathy for the victims, perhaps, but 10 years ago he wasn't reading an apology from a piece of paper."

Dunlop is credited with tracking down Duch, who he found working at his old profession as a teacher in the countryside in 1999. As a consequence, Duch

surrendered to the authorities. Dunlop later published a book about him, titled, "The Lost Executioner."

"It's like we are taking down a brick wall, brick by brick," Dunlop said, "a wall that separates his emotional life and reality. . . . He always seemed disconnected."

That lack of empathy and disconnection perhaps explains why Duch ignored seven months' worth of his own defense in asking for an acquittal.

International politics and three decades of war in Cambodia prevented a tribunal until now with Duch the first Khmer Rouge leader to face trial. Trials of former Foreign Minister Ieng Sary, his wife Ieng Thirith, former head of state Khieu Samphan and Brother Number Two Nuon Chea, are not expected to begin until late next year.

Other Khmer Rouge leaders -- including Brother No. 1 Pol Pot -- have died.