



Despite Snags, Khmer Rouge Trial Offers Revelations

Luke Hunt

May 6, 2009

Unsubstantiated corruption allegations against the Cambodian judiciary overshadowed the Khmer Rouge war crimes tribunal, denying it the pristine start that supporters would have hoped for.

The United Nations linked their funding for the trial to an inquiry into whether Cambodian judges paid kickbacks for their jobs, resulting in a cash shortfall after staffers balked at the demand. However, the Japanese announced a \$4.1 million grant for the Cambodian side of the tribunal, which should ensure enough funds until the end of 2009.

The allegations stole a lion's share of the attention from center stage, where the trial of Kang Guek Eav, former head of the dreaded S-21 detention centre, has gripped Cambodians and longtime observers alike, casting a fresh light on the inner workings of Pol Pot's regime. Also known as Duch, his testimony leaves little doubt about the calculating brutality that characterized the ultra-Maoists, before and after they came to power in April 1975.

Among Duch's revelations were the existence of M-13, a previously unknown death camp established in a communist-held zone in 1971, when Pol Pot's forces were still battling the U.S.-backed Lon Nol government for control of the country.

"It's really important, in the telling of history, what happened 30 years ago," said Khmer American author and lawyer, Theary Seng. "The Khmer Rouge tribunal is now shedding light on this very, very dark period."

About 300 people perished in M-13, located near Omlaing, roughly 50 miles west of Phnom Penh. Duch said the camp was designed to "detain, to torture, and to smash, that is to kill," and operated between 1971 and 1975. M-13 became a prototype for later centers like S-21, where 16,000 people were systematically exterminated after Pol Pot seized control of Cambodia, renaming it Kampuchea. A total of 196 death camps would ultimately be constructed.

Seng, the executive director for the Center for Social Development, a Phnom Penh-based human rights organization, said Duch's testimony surrounding the M-13 death camp as well as his naming of names had left a powerful and poignant mark on the tribunal. "Even [those of us] who have been following the tribunal since its establishment . . . have found surprising pieces of information we did not know existed before," she said. "Imagine how the rest of the population feels."

Duch corroborated earlier claims over chains of command made by Ieng Thirith -- a former minister for social affairs in Pol Pot's cabinet and the wife of Ieng Sary, the regime's foreign minister. Both said ultimate responsibility for S-21 lay with Brother No. 2, Nuon Chea, whose case -- along with the Iengs -- has yet to be heard by the Extraordinary Chambers in the Courts of Cambodia (ECCC).

Duch also left no doubt that Chinese diplomats and trade officials were in Cambodia during the nearly four-year Khmer Rouge reign that left one-third of the country's population, or about 2 million people, dead. As the S-21 killing machine gained momentum, senior Khmer Rouge cadres were considering moving the death camp's location, out of fears the Chinese might wander in and discover what was really happening behind the barbed wire at Tuol Sleng.

Duch said that Pol Pot's crimes were far greater than those of the Gang of Four who controlled China in the latter stages of the Cultural Revolution. This obviously implies that Pol Pot and Nuon Chea feared Beijing and deliberately sought to keep the Chinese in the dark about their bloody behavior.

However, given the number of death camps and the fact that Phnom Penh's entire population -- along with that of every other city and town -- was forced into the countryside as part of the government's effort to forge an agrarian utopia, it remains highly unlikely that the Chinese did not have some inkling of what was going on.

Among the other revelations from Duch's testimony were the existence of a special team of five female interrogators he established to deal with women prisoners, and that his preferred methods of torture were whips and electric shocks, as these were simpler than waterboarding and less likely to kill the victim.

Previously unknown, too, was that a handful of foreign prisoners captured soon after the Khmer Rouge takeover -- one each from Australia, Britain, New Zealand and the United States -- were separated from Vietnamese and Cambodian prisoners, personally handled by Duch and kept alive until the second quarter of 2008.

Duch, a former mathematics teacher, insisted that he carried out his superiors' orders, which he admits killed thousands, to protect his family and to avoid being beheaded.

Seng added that, although the tribunal is still in the early days, Duch's testimony has already helped enormously in demystifying the Khmer Rouge. Normally, Cambodians prefer not to talk about their tragic past due to fears of recriminations. Memories are still raw from decades of conflict that only ended in 1998. But Seng said Cambodians were for the first time beginning to talk and debate about what happened, openly and without fear.

"There is so much power in hearing Duch speak and seeing his demeanor, his expressions and listening to the tone in his voice," she said. "This is one of the most important aspects."

More than 5,000 forced confessions were obtained at S-21. But lawyers for Ieng Thirith have indicated they will perversely argue that such confessions are inadmissible as evidence in court because they were obtained under duress, violating the victim's human rights.

Luke Hunt is a Hong Kong-based correspondent and a World Politics Review contributing editor.