

Lawyers call for release of three ex-Khmer Rouge leaders January 31, 2011

Phnom Penh - An international war crimes tribunal in Cambodia Monday heard an appeal by defence lawyers that it release three former leaders of the Khmer Rouge movement ahead of their trial, which is expected to start later this year.

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

Lawyers said the rules of the court meant that their clients, who were arrested in 2007, should be released since they had already been held for longer than permitted. The movement's former head of state, Khieu Samphan, addressed the court briefly, and told the judges he had little to add to his lawyer's submission.

'I have just one suggestion,' said Khieu Samphan. 'Please abide by the law.'
The two other defendants who appeared in court were: 'Brother Number Two' Nuon Chea, the movement's ideologue, who left the court early complaining of dizziness; and Ieng Thirith, the former social affairs minister, who also returned to the detention centre after waiving her right to be present.

The fourth former leader, foreign minister Ieng Sary, has not appealed his detention. Earlier this 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 deny the charges.

The court's announcement followed a series of appeals by the defendants against their pre-trial detention, all of which were rejected by the court.

However, their lawyers said the court's decisions lacked reasoning, and under the court's rules were therefore illegal. They said the court should release their clients immediately. Later Monday the court will hear submissions from the prosecution detailing why the three should remain in pre-trial detention.

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