



## **New delay hits genocide trial of former Khmer Rouge leaders** **August 24, 2011**

Phnom Penh - Testimony in the trial of four surviving Khmer Rouge leaders before a UN-backed war crimes court is unlikely to start this year, tribunal sources and observers said, marking another delay in proceedings against the elderly defendants.

The court had previously said it expected the presentation of evidence and witnesses in the case, the second to come before the tribunal, to begin in mid-2011 before it pushed that date back to October.

But its recent decision to order a psychiatric assessment on the former social affairs minister Ieng Thirith to determine her mental fitness for trial meant there is now little prospect of a 2011 start.

The behaviour of Ieng Thirith, whose sister suffered from schizophrenia, has been at times erratic. At a preliminary hearing in 2009, the Shakespeare scholar made headlines when she warned her accusers they would be 'cursed to the seventh circle of hell.'

Court spokesman Lars Olsen said late Tuesday that the court would 'shortly' appoint national and international psychiatric experts. He said testimony could start once the court had ruled on Ieng Thirith's mental fitness and a number of other preliminary legal issues.

'At this point, it's not possible to say when that will be,' Olsen said.

International prosecutor Andrew Cayley said he 'sincerely hoped' the case would start this year because Cambodians and donors to the cash-strapped court needed to see progress.

'But we will see,' Cayley said, conceding there 'are serious factors influencing the start date which have to be addressed.'

However Anne Heindel, a legal adviser at the genocide research organization DC-Cam, said the chances of testimony starting this year were now 'practically nil,' echoing the opinions of some court staff not authorized to speak on the record to the media and other tribunal observers.

The four surviving leaders, aged 79 to 85, have denied charges of genocide, war crimes and crimes against humanity during the Khmer Rouge's 1975-1979 rule.

The other three defendants are: Nuon Chea, known as Brother Number Two, who was deputy to the late Khmer Rouge leader Pol Pot; former head of state Khieu Samphan; and ex-foreign minister Ieng Sary.

On Monday, the court is to assess the medical reports on three of the defendants to determine their physical fitness to stand trial.

The tribunal estimated 1.7 million to 2.2 million people died in less than four years of rule by the Khmer Rouge, which emptied Cambodia's cities as it advocated a rural, agrarian society. The court said 800,000 of those deaths were violent with the rest attributed to overwork, starvation and illness.

In its first case, the court last year sentenced the regime's security chief, Comrade Duch, to 30 years in prison after finding him guilty of war crimes and crimes against humanity. The verdict on his appeal is pending.