

## **Khmer Rouge victims boycott tribunal in Cambodia**

**By Sopheng Cheang**

**August 31, 2009**

Lawyers representing victims of Cambodia's murderous Khmer Rouge regime boycotted a tribunal trying its leaders after being barred Monday from questioning a defendant about his personality and state of mind.

The move by the victims' attorneys — who were granted courtroom rights similar to those held by the defense and prosecution — came after judges overseeing the U.N.-assisted tribunal said they could not question former Khmer Rouge prison chief Kaing Guek Eav about his character.

Kaing Guek Eav — better known as Duch — headed the Khmer Rouge's notorious S-21 prison, where up to 16,000 people were tortured and later taken away to be killed. Duch is charged with crimes against humanity and other offenses.

The tribunal is seeking justice for the estimated 1.7 million people who died in Cambodia from execution, overwork, disease and malnutrition as a result of the communist regime's radical policies while in power from 1975-79.

In court Monday, French psychologist Francoise Sironi-Guilbaud testified that Duch was not suffering any mental problems.

Victims' lawyers were later barred from questioning Duch about his mental health. It was unclear why the judges made the decision.

Chhum Mey, one of a handful of survivors of S-21 prison, said he was disappointed with the ban.

"As long as the tribunal is not allowing me or my lawyer to have the right to ask Duch about his personality and character, I will not attend the court," the 79-year-old told reporters, crying as he spoke. "Can we get full justice from this court?"

The tribunal is the first of its kind to integrate victims into legal proceedings. While introducing a human element, the inclusion of the "civil parties" has also complicated and slowed the trial.

Duch (pronounced DOIK), 66, is the first of five senior Khmer Rouge figures to face trial, and the only one to acknowledge responsibility for his actions. Duch faces a maximum penalty of life imprisonment. Cambodia has no death penalty.

Also Monday, Australian William Smith was appointed acting international co-prosecutor of the tribunal. His appointment was an interim measure pending a decision on a permanent replacement for international prosecutor Robert Petit, whose resignation takes effect Tuesday. Smith had been a deputy co-prosecutor.

Petit announced his resignation in June, citing family reasons.