

Khmer Rouge prison chief could get 40 years

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PHNOM PENH, Cambodia — Lawyers for the Khmer Rouge prison chief blamed for thousands of killings in Cambodia accused prosecutors Thursday of making him a scapegoat for all the horrors committed by the regime.

Lawyer Francois Roux also criticized the 40-year jail sentence prosecutors have demanded for Kaing Guek Eav, also known as Duch (pronounced DOIK), as indicative of a prosecution more interested in punishing him than uncovering the truth behind the brutality of the Khmer Rouge's 1975-79 rule.

Duch, who commanded the notorious S-21 prison where those accused of disloyalty to the xenophobic communist regime were held. He oversaw the torture and execution of about 16,000 men, women and children during the Khmer Rouge's reign.

Some 1.7 million Cambodians died of torture, execution, disease and starvation under the Khmer Rouge, when the Maoist ideologues led by Pol Pot emptied cities and forced virtually the entire population to work on farm collectives.

"As long as the prosecution's submissions make this man a scapegoat, you will not advance the development of humankind one millimeter," Roux told the packed court. "No, Duch does not have to bear the whole horror of the tragedy of Cambodia on his head."

Roux also criticized prosecutors for portraying Duch as a key member of the regime responsible for the network of terror.

"How dare you!" he declared, telling the court that a mere 1 percent of the Khmer Rouge victims died at S-21.

Duch, 67, is charged with crimes against humanity, war crimes, murder and torture, which carry a maximum penalty of life imprisonment.

Duch has denied personally killing or torturing the S-21 prisoners, and testified that he acted with reluctance on orders from his superiors, fearing for the safety of his family and himself.

Addressing the court Wednesday, Duch once again apologized to the dead, their families, survivors of the regime and to all Cambodians — something he has done repeatedly since the trial began in March.

He said he was "deeply remorseful and profoundly affected by the destruction on such a mind-boggling scale."

But he also emphasized that he was not alone in carrying out torture and killings, which also took place at 196 prisons across the country, and insisted there was little he could do to prevent the horror at S-21.

"I could do nothing to help," he said. "Pol Pot regarded these people as thorns in his eyes."

One of his lawyers, Kar Savuth, said his client was not a senior Khmer Rouge leader responsible for the group's policies and therefore should not be prosecuted.

Australian co-prosecutor William Smith earlier acknowledged Duch's admissions of guilt and the fact that he has given evidence against other Khmer Rouge leaders, but said he still must be held accountable.

"The crimes committed by the accused at S-21 are rarely matched in modern history in terms of their combined barbarity, scope, duration, premeditation and their callousness," he said. "Not just the victims and their families but the whole of humanity demand a just and proportionate response to these crimes and this court must speak on behalf of that humanity."

Some survivors and other victims of the Khmer Rouge attending the U.N.-backed trial said a 40-year prison term, which would likely lock up Duch for life, would not be harsh enough. They wanted a life sentence.

"I cannot accept this sentence request because it is too little," Chum Mey, 78, one of a handful of survivors from the S-21 prison.

Closing arguments are expected to finish Friday, and judges are to decide the verdict and sentence by early next year.