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Khmer Rouge Trials Enters Crucial Phase

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In Cambodia, the effort to bring to account the surviving leaders of the murderous Khmer Rouge regime has entered a crucial phase. Years of documentation and research is being turned into evidence by prosecutors, building a case against those responsible for the deaths of an estimated two million Cambodians.

FAYLE: The chatter of birds in the grounds of the former Phnom Penh high school now known as Tuol Sleng. Thousands of people from all walks of life were brought here from all over the country. Held in miserable conditions—often for months—they were tortured, taken to the killing fields and executed, only a handful are known to have survived.

Everyone, as they say in Cambodia, is a victim, with a quarter of the population perishing in often terrible circumstances in the three years, eight months and 20 days the Khmer Rouge held power in the latter half of 1970s

Now, nearly three decades on, the building blocks for the mixed Cambodian-international court are in place and the detail of just how the trials will be conducted is being thrashed out. A more than 80-page draft of the court's internal rules has recently been released for public comment.

CHHANG: Right now it's a crucial stage for the investigation and I think the office of the prosecutors have been very active, they've been working very hard. Not just with us but also with other civil societies and other individuals in terms of gathering information for evidence and hopefully that it can turn the evidence to become a legal case.

FAYLE: Youk Chhang is the director of Documentation Centre of Cambodia, which for years has been in the forefront of preserving the history of the genocide. Agreement to hold the special United Nations-backed Khmer Rouge tribunal took years of tortuous negotiation...but even today, it's still not clear whether the indictments will be limited to a few high profile leaders of the former regime or the net will be spread more widely.

CHHANG: This is the job of the co-prosecutor. We shall give them some time on this issue. And I think also it would be unfair for us to point a finger at certain individuals at this stage.

FAYLE: You've been studying this issue for years and so have many others. You must have an idea as to who you think is going to be in the frame when the time comes.

CHHANG: Well I know who these people are. I know who's the driver, who's the clerk, who's the chief of unit but you know I'm not a lawyer, I'm not a co-prosecutor so it's not my role to say this or that should be prosecuted. But we have that information which has also been available to co-prosecutors in the last several months and we've been supplying all kinds of information, photos, documents, sounds, you name it, location of massacre. So it's up to them to decide who among these people should be prosecuted.

FAYLE: Give me your best guess as to when you think proceedings will kick off.

CHHANG: I think it's too soon to say January 2007 but I think between April and June because they need a couple of months to settle down between the investigator and the co-prosecutors. So I hope maybe April or June 2007.

FAYLE: The process is expected to cost well over 50 million US dollars and some question the usefulness of the exercise, arguing that while it may be a preoccupation of NGO groups and international lawyers the bulk of Cambodia's young population now has other priorities.

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