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Cambodians Search for Justice after Pol Pot's Brutal Regime

The people of Cambodia are still searching for justice three decades after former dictator Pol Pot's regime accused of forced labor, starvation and mass executions. The Bureau for International Reporting gives an update.

KIRA KAY, NewsHour Correspondent: Cambodian painter Vann Nath creates vibrant scenes of his country's rich history and peaceful moments in its lush countryside.

But the work he is better known for is darker. It portrays the time he spent under torture and interrogation as a prisoner of the brutal Khmer Rouge regime.

VANN NATH, Cambodian Painter: I was arrested December 30, 1977.

KIRA KAY: Vann Nath was targeted for being an artist, a member of the elite, educated class, and therefore, according to the Khmer Rouge, an enemy of the people.

VANN NATH: I arrived at the prison at 3:00 a.m. They measured how tall I am and took pictures of me. I was interrogated. And all around me, I could hear other people being beaten, screaming and yelling because of their pain. I did not know then, but these people were taken away.

KIRA KAY: Taken away to the infamous killing fields by the hundreds of thousands. From 1975 to 1979, the Khmer Rouge presided over one of the most brutal periods in history. Marked by mass executions, death by starvation, and forced labor, all in an attempt to create a demented vision of a communist utopia, dreamed up and carried out by Pol Pot and his cadres.

YOUK CHHANG, Documentation Center of Cambodia: Everywhere you go, you see mass graves. You see skull. Just like a broken glass, when you drop a glass on the floor and broken, it's what we are.

KIRA KAY: Youk Chhang runs the Documentation Center of Cambodia, which is dedicated to collecting proof of the atrocities that engulfed his nation, an archive of thousands of photographs, documents and interviews that provide the body of evidence that might one day convict those responsible for the deaths of an estimated 2 million people, around a quarter of the entire population.

Now, three decades later, that day may finally be here. In the dusty outskirts of the capital,

Phnom Penh, a shiny new courthouse has been built. It is called the Extraordinary Chambers in the Courts of Cambodia, a lofty name with lofty ambitions: to finally bring justice to a country that has yet to see any accounting for crimes they have suffered.

By the hundreds, Cambodians from across the country are being bused in to tour the complex, to see where trials will be held, to understand that the tribunal is really here, it is finally happening.

A weak judicial system

LY PRANG, Survivor (through translator): It is important for me and the Cambodian people, because I can see justice inside. As victims and survivors of the regime, we can find some justice through this tribunal.

KIRA KAY: The tour was sponsored by Youk Chhang's organization.

YOUK CHHANG: It's the idea to warm them up, to prepare them for the trial, so that in such a way they feel less intimidated, to lose their fear. Having them see it and hear it, they create their own messages and they can tell their neighbor, "I was there. There's a trial."

KIRA KAY: It is understandable there might be a good deal of disbelief that a tribunal 30 years in the making has finally arrived. It wasn't until 1997 that the Cambodian government was finally willing to commit to holding a trial, in response to a good deal of international pressure.

Many top officials in the government and ruling party, including Prime Minister Hun Sen, were themselves once members of the Khmer Rouge.

Six years of bitter negotiation with the United Nations over the structure of the court has resulted in a complicated, jointly run process. Although the U.N. is represented by a team of international judges, the majority will be Cambodian and could be subject to the influence and pressure of a government that has little tolerance for political opposition.

HEATHER RYAN, Open Society Justice Initiative: I think there is a great deal of skepticism among many Cambodians who learn about the court and who know about the court and

watch the court. I think that comes from a basic distrust on the part of many Cambodians of the independence of the judicial system.

KIRA KAY: The weakness of the Cambodian judiciary is a charge the court itself doesn't deny.

HELEN JARVIS, Extraordinary Chambers in the Courts of Cambodia: Not a little weak. Very weak.

And I think it was in actual acknowledgement of that fact that the government asked for international assistance.

KIRA KAY: Helen Jarvis is the chief spokesperson for the court. She says an elaborate system has been developed to ensure this hybrid tribunal keeps up to international standards.

HELEN JARVIS: There's a complex formula of voting, which means that any decision has to involve both international and national. It's called a super-majority.

KIRA KAY: The court cannot afford further delays. It is barely funded for a short three-year mandate, in which it is already likely there will be time for no more than a small, some would say symbolic, handful of prosecutions.

HELEN JARVIS: It's expected that it will be few in number. Neither the U.N. side nor the Cambodian side envisaged a trawling through the country, finding everybody who had committed crimes during that period. The concern is more to establish a judicial accounting of those at the top.

Possible defendants

KIRA KAY: Although it may be a year before any indictments are announced, there are around six likely defendants well-known to the Cambodian public.

Pol Pot himself died in 1998, never having seen the inside of a courtroom. But several of his henchmen, the so-called senior leaders of the Khmer Rouge, are still living with utter impunity within Cambodia.

Nuon Chea, once second in command, lives modestly but comfortably in a small town near the Thai border.

Ieng Sary, the former foreign minister of the regime, now lives in a large villa in a wealthy neighborhood of Phnom Penh. He is well-known about town.

YOUK CHHANG: He hang out on the street, you know, drinking fruit shakes on the street. He bought land.

You know, he had his son made deputy governor. And he have all this, you know, to secure his life, that after

all this happen, you know, he want to have a good life. You know, he destroyed other family, but preserve his own.

KIRA KAY: So far, only two Khmer Rouge leaders have ever been arrested. Comrade Duch, who ran the torture prison where painter Vann Nath was kept, was discovered in 1999, living under a new identity as an aid worker in a refugee camp.

The only other senior leader taken into custody was military commander Ta Mok, known as "the Butcher."

Just weeks ago, the 80-year-old fell into a coma and died, denying the tribunal what many expected would be its first case.

Indeed, it is this race against time that survivors like Vann Nath worry may be the biggest challenge to the success of the court. He himself is suffering from kidney disease, and fears that justice so delayed may not end up being justice at all.

VANN NATH (through translator): I have a little hope that we will get a good result from the court, but we have no other choice. We have waited, and so we will keep waiting. But I don't know if I will live long enough to see the justice.

KIRA KAY: Despite these deep concerns and significant challenges, Cambodians themselves do seem to largely support the trials, perhaps knowing that, as time passes, there are increasingly few other options left for justice.