

# **Cambodia's genocide trial gets under way**

- Head of brutal Tuol Sleng prison is first defendant
- Former teacher accused of crimes against humanity

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The UN-backed genocide tribunal in Cambodia staged its first historic hearing yesterday almost 30 years after the end of the Khmer Rouge's reign of terror in which 1.7 million people died, nearly a quarter of the population.

Kaing Guek Eav, known as Duch, the head of the brutal regime's notorious Toul Sleng torture centre, appeared before the panel of five judges on Phnom Penh's outskirts, accused of war crimes and crimes against humanity.

Hundreds of Cambodians - many of whom lost relatives to Pol Pot's henchmen - queued for hours in the tropical sun to gain entry to the special court's chamber to catch their first glimpse of Duch in the flesh, or on the live video feed to the main courtroom.

The first hearing of the war crimes tribunal gives millions hope that the Khmer Rouge's senior leaders will finally face justice and provide answers as to why "Cambodians killed Cambodians".

In the tribunal's so-called "pre-trial chamber" Duch was watched by a handful of journalists and members of the public. The atmosphere crackled as everyone craned to see the former maths teacher, who was in charge of a prison where 14,000 men, women and children died.

He stood before the panel of robed judges - three Cambodian and two international - bowed slightly and held his palms together in a gesture of respect.

"My name is Kaing Guek Eav," he said. "I am 66 years old."

Lawyers for Duch argued that their client should be given bail until his trial, due to begin in the middle of next year, as he has been held in custody for eight years without trial, which they said breached Cambodian and international law.

"The integrity of the court is at stake," said François Roux, one of Duch's two lawyers.

But descriptions of the crimes committed on his orders at Toul Sleng prison were also detailed: the people allowed to bleed to death, victims whose toe-nails were pulled out, or those put in pits that filled with water until they drowned.

Prosecutors argue that his freedom could stir anger and unrest and fear he might flee justice, and observers believe it highly unlikely the tribunal will grant him bail after refusing an earlier application.

Duch, who became a born-again Christian, was seized on May 10 1999, after confessing and expressing remorse to British photojournalist, Nic Dunlop, who spent years tracking him down. He claimed he acted on Pol Pot's orders.

He was transferred into the custody of the £23m war crimes tribunal and charged in July when the rules governing the hearings were finally settled after tortuous talks between Cambodia and the UN.

The landmark hearing brought a crumb of comfort to some of those who crowded into the courtroom to witness the day they have long awaited but feared would never come.

"[Duch] should acknowledge his guilt," said a villager, Chhouek Sao, 55, who lost five members of his family to the Khmer Rouge. It's obvious that justice has been delayed and some people are so frustrated by waiting for so long. We victims of the Khmer Rouge absolutely want Duch to be kept in jail forever because he killed so many people."