

The FIRST POST

Will Comrade Duch be the last of the Khmer Rouge to face justice?

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The large auditorium looks pleasant enough: almost sterile, like a modernist concert hall in a small Nordic country. You half expect a jazz trio to come onstage and take a bow before the 500 spectators.

But the bullet-proof glass, which shields the stage, gives the lie to that. This is no ordinary auditorium. All eyes in the audience are focused on one elderly Cambodian man, as he murmurs into his microphone.

"I am particularly sorry for the many children we smashed against trees, and so forth." The man speaking these searing words is Comrade Duch, otherwise known as Kang Kek Iew. This former teacher was a senior apparatchik in the Khmer Rouge regime, from 1975-1979, when they slaughtered maybe 1.7m Cambodians, through execution, beating, torture and starvation, in their insane pursuit of an agrarian communist paradise.

Today's hearings have been a long time coming. Following the collapse of the Khmer Rouge regime to a Vietnamese invasion, Duch fled like many Khmer Rouge cadres to rural Cambodia. For 20 years he criss-crossed the country, adopting a bogus identity. He was finally tracked down in 1999 by British photographer Nic Dunlop, who recognised the gaunt figure teaching maths in Samlaut as the notorious Duch, who once ran the Khmer Rouge torture garden at Tuol Sleng, and the killing fields of Cheong Ek.

Even then Duch nearly evaded justice. For 10 years Cambodian politicians, foreign governments and UN agencies have haggled over the precise terms of this tribunal. Some thought it would never happen. And yet here we are, in the Extraordinary Chambers of the Court of Cambodia, in a packed and specially modified courtroom on the far outskirts of Phnom Penh.

Unlike the other four Khmer Rouge leaders who are still awaiting arraignment, Duch has cooperated with the courts. He has pleaded guilty to the principal charge, that he organised the torment and murder of 15,000 people. He merely denies he did any of the killing himself.

Why has he confessed? Some say it is yet another ruse by the wily old communist, aimed at lessening an inevitably heavy sentence; others believe his remorse is genuine: Duch became a fervent Christian years ago.

Certainly he looks sorrowful and drawn on this hot sunny morning in Phnom Penh. And he is not alone. I can hear stifled sobs across the auditorium. No doubt there are parents here, parents of those children who were "smashed to death against trees" by Duch's underlings.

Today's hearings are the last of the trial: a final chance for Duch to explain himself - if such a thing is possible. It is also a final chance for Cambodians to witness the Khmer Rouge being brought to justice: the other four members of the regime, still facing trial, are so old they might die before they reach court.

The summing-up in Duch's case is expected to take place in late November with sentencing early next year.

In the meantime, the defending lawyer asks Duch if he has anything to say. Duch quietly apologises to his victims. Then he claims that he had little choice in doing what he did. If he had refused to work at Tuol Sleng he would have been killed himself. The Khmer Rouge would not have allowed him to walk away.

He leans and whispers into the microphone. "The only exit was survival."

A few minutes later the court rises, and the prisoner is escorted below. As he steps down from the dock, I realise, with a shock, just how small he is. Duch is just a little old man, with a haggard face, who embodies the agony, grief and despair of an entire nation.