

Trial of Khmer Rouge leaders underway in Cambodia

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The trial of three top leaders of the former Khmer Rouge regime began in the Cambodian capital of Phnom Penh last month, with the first evidence being presented last week.

The three—Nuon Chea, 85, regarded as the Khmer Rouge's chief ideologist; Khieu Samphan, 80, the former head of state; and Ieng Sary, 86, the former foreign minister—are facing charges of genocide, war crimes and crimes against humanity during the regime's rule in Cambodia from 1975 to 1979. All have pleaded not guilty.

A fourth accused, former social affairs minister Ieng Thirith, was declared medically unfit to stand trial due to Alzheimer's disease. The prosecution is appealing this ruling, issued by the presiding judges before the opening statements of the trial last month.

The Extraordinary Chambers in the Courts of Cambodia (ECCC) proceedings are expected to take months or perhaps years. There is no doubt that the trial is dealing with one of the great crimes of the twentieth century. In the first phase of the trial, the accused are being prosecuted for the forced movement of people from urban areas into the countryside.

The Documentation Centre of Cambodia has estimated that during this process one million Cambodians were executed and a similar number died from starvation, disease and overwork—20 percent of the country's population at the time.

However, the political character of the court and trial has been clear from the outset. The ECCC has been carefully contrived to convict the Khmer Rouge leaders while covering up the role of the major powers, which bear much of the responsibility for the tragedy that engulfed Cambodia and its people.

The prosecution took a day and a half to outline the crimes, focussing exclusively on the culpability of the Khmer Rouge. International co-prosecutor Andrew Cayley declared that the defendants could not simply blame Pol Pot, the top Khmer Rouge leader who died in 1998. "These crimes were the result of an organised plan developed by the accused and other leaders and systematically implemented," he said.

Against all the evidence, Nuon Chea denied that the Khmer Rouge government was responsible for crimes against humanity, saying: "It was the Vietnamese who killed Cambodians." Anti-Vietnamese chauvinism was a central theme in Khmer Rouge propaganda once it came to power in 1975.

The Khmer Rouge government, backed by China, stoked up tensions with Vietnam over unresolved border issues leading to a series of clashes. A Vietnamese invasion in 1978 toppled the regime and installed the current Prime Minister Hun Sen, a former Khmer Rouge cadre, in power. China, tacitly backed by the US, responded by invading Vietnam in a short

but bloody war designed to undermine Vietnam's role in Indochina.

While the prosecutors and media routinely refer to the Khmer Rouge leadership as "communist," the party was a product of Stalinism and its reactionary nationalist perspective of "socialism in one country." It emerged from the Khmer People's Revolutionary Party (KPRP), formed in the early 1950s through the breakup of the Stalinist Indochinese Communist Party into national units based in Vietnam, Laos and Cambodia.

Pol Pot, Ieng Sary and Khieu Samphan were all part of a Cambodian student group in Paris in the 1950s that rose to prominence within the KPRP on returning to Cambodia. Their orientation was not to the working class, but, under the influence of Maoism, to the peasantry.

Despite its "communist" label, the Khmer Rouge reflected the suspicion and hostility of backward layers of the peasantry to urban life, education and culture. Having seized Phnom Penh in 1975, the new regime emptied the capital of its people, who were forced into harsh rural labour. The Khmer Rouge's persecution of "class enemies" was directed at intellectuals, urban workers and sections of the urban middle class as well as against ethnic minorities, especially the Vietnamese.

While the Khmer Rouge leaders are certainly responsible for horrific crimes, the ECCC has been deliberately limited in its investigations to the 1975-1979 period, in order to cover up the role of the major powers in these events. Negotiations on the structure of the court took years in order to ensure that the interests of the Hun Sen government in Cambodia, as well as those of the United States, China and other powers, were protected. The result is a complex balancing of Cambodian and international officials, prosecutors and judges to assure joint control over every aspect of the trials.

The importance of the time limits was underscored by the call by Nuon Chea's lawyer last month for Henry Kissinger, US President Richard Nixon's national security adviser and later secretary of state, to be brought before the court. The *New York Times* noted: "The references to US culpability are clearly aimed at the public and historical record, since the charges in this case are strictly limited to the Khmer Rouge period from 1975 to 1979."

This dismissive comment is to obscure the enormity of US crimes in Cambodia and Vietnam. Beginning in 1969, the Nixon administration, without the approval of the US Congress, launched a massive bombing campaign against Cambodia, supplemented by troop operations into the country. The bombing was widespread and not just confined to the border areas where the North Vietnamese moved supplies into South Vietnam. Some estimates put the death toll from the bombing at around 600,000.

In 1970 the CIA organised a coup that toppled the government of Cambodian King Norodom Sihanouk, who had sought to manoeuvre between Hanoi and Washington and maintain neutrality. The coup installed General Lon Nol, setting off a civil war that eventually led to the Khmer Rouge seizure of power in 1975.

Following the collapse of the US puppet regime in Saigon in 1975, Washington quietly shifted its support behind the Chinese-backed Khmer Rouge regime as a means of countering Vietnamese influence. After 1979, China, the European Union and the US continued to recognise the deposed Khmer Rouge as the legitimate government of Cambodia. The US worked with China and Thailand to supply Pol Pot's insurgents with arms,

ignoring the Khmer Rouge's atrocities during the 1975-1979 period.

Eventually, the collapse of the Soviet Union and the end of the Cold War, during which Moscow had backed Vietnam, transformed relations with regard to Indochina. As part of the Paris Peace Agreement in 1991, Vietnam withdrew its troops from Cambodia, to be replaced by UN "peacekeeping" troops. The Hun Sen regime began to open up Cambodia as a cheap labour production platform for foreign investors.

It was not until 1997 that the UN began its investigations. The US and other major powers recognised that the crimes of the Khmer Rouge had to be somehow laid to rest, but worked to ensure that none of their own crimes saw the light of day.

The ECCC was finally set up in 2006 but has tried only one previous case. In July 2010, Kaing Guek Eav, known also as Duch, was convicted of multiple murders as the commandant of the notorious S-21 prison in Phnom Penh where over 12,000 people were killed. Conveniently, Duch pleaded guilty, expressed remorse and claimed he was just obeying orders. The trial was a preparation for the far more significant cases now being heard.

All those with a stake in the current trial—from the Hun Sen regime to China, the US and European powers—recognised the danger that the current defendants could expose the wider culpability of other governments in the catastrophe that befell Cambodia. Every aspect of the trial is geared to ensuring that this does not take place.

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