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Khmer Rouge Figure Is First Charged in Atrocities

By [SETH MYDANS](#)

BANGKOK, July 31 — A tribunal in [Cambodia](#) charged the commandant of the main [Khmer Rouge](#) torture house with crimes against humanity on Tuesday, bringing the first charge in a long-delayed trial in the deaths of 1.7 million people in the late 1970s.

The commandant, Kaing Guek Eav, 64, known as Duch, was the leader of the Tuol Sleng prison in Phnom Penh where at least 14,000 men, women and children were tortured and sent to killing fields. Only a handful survived.

Two weeks ago, prosecutors announced that they had submitted to the tribunal a list of five potential defendants for consideration by co-investigating judges, who are authorized to decide on filing formal charges.

The other four names have not been disclosed. In the charges on Tuesday, the judges said Duch had been placed in “provisional detention,” but did not explain. A small holding center was recently built on the grounds of the tribunal in Phnom Penh, the capital of Cambodia.

Duch has been the only major Khmer Rouge figure in custody, in a military jail in Phnom Penh on separate charges, since 1999 when a British photographer discovered him in rural Cambodia. He was working for a government agency and had become a born-again Christian.

Because of his conversion, “He spoke candidly about his role as [Pol Pot](#)’s chief executioner,” said the photographer, Nic Dunlop, referring to the Khmer Rouge leader.

“If he remains true to his words and talks as openly as he did then, he can potentially throw huge light on areas of darkness that have eluded scholars for decades,” said Mr. Dunlop, who wrote about Duch in “The Lost Executioner.” Duch could offer damaging testimony against other potential defendants, who have denied or minimized their roles in the Khmer Rouge rule.

Nearly one-fourth of Cambodia’s population died under the Communist Khmer Rouge, which ruled Cambodia from 1975 to 1979. Many died of disease, overwork or starvation, or were killed outright.

Many, notably in Tuol Sleng prison, were accused of being enemies of the revolution and forced through torture to confess to often fantastic crimes before execution. Researchers have found written orders by Duch regarding torture and killings.

In a government interview in 1999, Duch called himself “an individual with gentle heart caring for justice,” according to a transcript quoted by The Associated Press.

“I was under other people’s command, and I would have died if I disobeyed it,” the transcript reads. “I did it without any pleasure, and any fault should be blamed on the leadership, not me.”

Pol Pot died in 1998 and other leaders have died without being tried. But some major figures live in Cambodia and are often mentioned as possible defendants.

Among them are Nuon Chea, the movement’s chief ideologue; Khieu Samphan, former head of state; and Ieng Sary, former foreign minister. All were members of the Khmer Rouge central committee. All have denied responsibility for the crimes.

“All the former Khmer Rouge have different stories,” Mr. Dunlop said. Most of the leaders shift responsibility or deny it, he said. “Duch potentially could change all of that and provide evidence and testimony that could indict a lot of people in the Khmer Rouge leadership.”

In an interview in 1999 with Mr. Dunlop and Nate Thayer, a journalist for the Far Eastern Economic Review, Duch said that top leaders knew what was occurring in Tuol Sleng, and he named names.

“The first was Pol Pot,” he said. “The second was Nuon Chea, the third Ta Mok,” the Khmer Rouge military leader who died last year. “Khieu Samphan knew of the killings, but less than the others.”

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