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Lawmakers in Cambodia Vote to Try Khmer Rouge

By SETH MYDANS
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After years of delays, the Cambodian Parliament's lower house yesterday ratified an agreement with the United Nations to create an international tribunal to try surviving leaders of the Communist Khmer Rouge for atrocities during their four-year rule in the late 1970's.

The ratification was the last major hurdle for holding a trial, although no timetable was set and a number of technical and political issues lie ahead, including the need to raise an estimated \$57 million from international donors.

None of the aging Khmer Rouge leaders have been brought into court for their actions from 1975 to 1979, when as many as one-fourth of the Cambodian population died from execution, starvation, overwork and disease. Experts estimate that at least 1.7 million people died, and some estimates are as high as 2.5 million.

Seven major figures, all in their 60's and 70's, are the main focus of possible proceedings, but only two are in custody. The Khmer Rouge leader, Pol Pot, died in 1998.

The law still needs approvals by the Senate and head of state, both of which are considered formalities. The United Nations and Cambodia reached agreement on a tribunal in June 2003 after long and difficult negotiations. After an election the next month, ratification was delayed as Cambodia formed a government.

"What we were waiting for has been achieved today," Prime Minister Hun Sen told reporters. He said 26 amendments to domestic laws that would be needed to hold the trial would be passed today. The ratification by the 107 members who were present in the 123-seat National Assembly was unanimous.

The opposition leader, Sam Rainsy, speaking before the vote was taken, called the ratification an "urgent matter" and noted that seven years had passed since Cambodia first formally requested help from the United Nations on this issue, news agencies reported.

"Finding justice for victims is important not just in terms of settling past affairs," he said, but also "in our obligation in establishing the rule of law and ending the bad habit of impunity."

Youk Chhang, director of the Documentation Center of Cambodia, which has been collecting evidence for a trial, told Agence France-Presse that he expected it to take at least eight months for a trial to begin.

Khieu Samphan, 72, the former head of state for the Khmer Rouge government and one of the chief defendants, told the news agency that he looked forward to a trial to clear his name.

"I fully support the law because I need clarification for myself," he said, repeating a claim of innocence he made in a memoir published earlier this year.

Mr. Khieu Samphan's next-door neighbor in a remote former Khmer Rouge stronghold is Nuon Chea, deputy secretary of the Khmer Rouge's central committee, another defendant. Its deputy prime minister for foreign affairs, Ieng Sary, has a villa in the capital, Phnom Penh.

Sou Met and Meah Mut, military commanders who are believed to have been central committee members, also are living freely.

Only two of the major figures are in custody, and they could be the first to be brought to trial.

They are Ta Mok, a military commander and central committee member with a reputation for particular brutality, and Kang Kech Ieu, known as Duch, who ran the Tuol Sleng prison, where at least 14,000 people were interrogated, tortured and sent for execution.

The tribunal is to be made up of Cambodian and foreign prosecutors and judges, with Cambodians in the majority. Decisions will require a vote of a majority plus one.

The Cambodian justice system is weak, corrupt and subject to political manipulation, and the formula has been criticized by human rights groups for effectively giving Mr. Hun Sen the last word.

Financing for the tribunal is one of the next challenges. The agreement with the United Nations envisions three years of trials that would involve a staff of 2,000. Mr. Hun Sen has said his government can afford to supply only the courtrooms, security, water and electricity.

Although critics have accused the Cambodian government of delaying agreement for political reasons, Foreign Minister Hor Namhong said Saturday that he had told the United Nations secretary general, Kofi Annan, to move quickly to raise money.

"All the old Khmer Rouge leaders could die, so I want Kofi Annan to pay attention to these issues," he said.