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CJA contact: Lisa Cohen 310-395-2544
lisa@lisacohen.org

Senior Khmer Rouge Officials Found Guilty of Crimes against Humanity

The Khmer Rouge Tribunal issues first judgment against senior leaders of the Khmer Rouge regime for crimes committed during the start of the regime

Phnom Penh, CAMBODIA – On August 7, 2014, the Khmer Rouge Tribunal in Phnom Penh, known as the Extraordinary Chambers in the Courts of Cambodia (ECCC), found two senior officials of the Khmer Rouge regime guilty of crimes against humanity. **This is the tribunal's first judgment against senior leaders of the Khmer Rouge regime for atrocities committed in Cambodia from 1975 to 1979.**

The Court sentenced Khieu Samphan, former Head of State of the Khmer Rouge regime, and Nuon Chea, second in command under Pol Pot (aka, “Brother Number Two”), to **life imprisonment**. The judgment covered crimes against humanity that occurred during the forced evacuation of Phnom Penh in April 1975 and the second phase of forced transfers from different parts of the country in 1976, as well as the execution of former Lon Nol soldiers at Tuol Po Chrey in Pursat immediately after the Khmer Rouge takeover in 1975. The remaining charges against these defendants – including forced labor, forced marriage, crimes against humanity, war crimes and genocide – will be heard in the next trial slated to begin in the fall of 2014.

In addition to the criminal sentence, today's judgment recognized the right to reparations for the 3,866 victims admitted as Civil Parties to the trial. The reparations recognized include a memorial day for victims, a monument to honor victims, education on the crimes, and mental health counseling.

During the pronouncement of the judgment, the Court specifically highlighted the harm suffered by U.S. Civil Party Sophany Bay. Mrs. Bay, who now resides in San Jose, CA, testified during the trial about her continued suffering and loss of all three of her children during Pol Pot's regime. The Court found that one of her children died as a direct result of the Khmer Rouge's evacuation of Phnom Penh. Upon hearing the verdict, Mrs. Bay said, “The Court cannot give me my children back but it can give me justice. I participated in the trial for the memory of my children and for all victims. Today, the world will know who is responsible for our suffering.”

The Center for Justice and Accountability (CJA) provides legal representation for 45 U.S.-based Civil Parties before the ECCC, including Sophany Bay. About the verdict, CJA Staff Attorney Nushin Sarkarati said, “The regime's work in targeting intellectuals and evacuating cities in Cambodia destroyed the legal system and established rampant corruption and impunity nationwide. Today's judgment is a step in repairing what was lost: rule of law and respect for human rights in Cambodia.”

Kelvin So, another CJA client and Milpitas, CA resident, was forced to evacuate Phnom Penh in 1975 with his family and spent three years in a forced labor camp. “I have waited a long time to hear the Tribunal announce this powerful verdict condemning Khieu Samphan and Nuon Chea to life imprisonment for the destruction they brought to their own people, under their rule,” said Mr. So. “The judgment tells the Khmer Rouge, and the world, that no matter how much time has passed, the victims will still demand justice. With this conviction, I am hopeful that the defendants will now formally apologize to the Khmer people and the world for their role in the devastation they committed.”

Both Mrs. Bay and Mr. So are also members of the U.S. victim's association, the Applied Social Research Institute of Cambodia (ASRIC). ASRIC submitted the largest collection of victim applications from the United States to the ECCC, and works with CJA to provide outreach to victims residing in the U.S. diaspora on matters before the ECCC.

About CJA:

The Center for Justice and Accountability (CJA) is a San Francisco-based human rights organization dedicated to ending torture and other severe human rights abuses around the world and advancing the rights of survivors to seek truth, justice and redress. CJA pursues litigation to hold perpetrators individually accountable for human rights abuses, develop human rights law, and advance the rule of law in countries transitioning from abuses.

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