



For Immediate Release  
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## **U.S. Cambodian Survivors see death of accused Ieng Sary as missed opportunity for justice**

San Francisco, CA – On March 14, 2013, a co-founder of the Khmer Rouge, Ieng Sary, died before a verdict was reached in the trial against him and two other senior leaders of the Khmer Rouge regime before the Extraordinary Chambers in the Courts of Cambodia (ECCC). His death at the age of 87 serves as a wake-up call to the UN backed Tribunal, which has been riddled with delays since its inception.

The Center for Justice and Accountability (CJA) and the Applied Social Research Institute of Cambodia (ASRIC) represent Cambodians in the US diaspora in their claims for reparations in the second trial before the ECCC against Ieng Sary, Nuon Chea, and Khieu Samphan. Since the formation of the ECCC, only one person has been held to account for Khmer Rouge atrocities: former head of S-21 Tuol Sleng Prison, Kaing Guek Eav *alias* Duch. The second trial, which began in November 2011, has already removed one defendant, former Minister of Social Affairs Ieng Thirith, who was found unfit to stand trial due to Alzheimer's disease. The age and health of the defendants have caused significant delays for the court. Other factors such as political, administrative, and financial difficulties have interfered with the expediency of the trial.

Civil Party Sophany Bay, a San Jose resident who lost three children during the war, states: "I am disappointed that I don't get to hear the Court explain Ieng Sary's responsibility for the crimes. If the Court continues to delay the trial the way it has been, all of the people responsible for the war will die and we will get no answers and no justice for the victims." Virginia based Civil Party Sarem Neou, who lost her husband and children to the Khmer Rouge and witnessed Ieng Sary's role as Foreign Affairs Minister stresses, "I wanted to see him face a full trial. We thought that there would be a decision within a year. All of these delays and interferences from the government are creating a system that is not perfect, but it is our last hope for justice."

Dr. Leakhena Nou, ASRIC's Executive Director, maintains, "The survivors who suffered egregiously under the Khmer Rouge regime should remain the trial's primary focus. With each delay, survivors endure further trauma. The many delays that have plagued this court could prove disastrous for those who have waited too long for justice."

The hospitalization of the defendants has stalled the proceedings time and time again. Both the International Criminal Tribunal for Rwanda and the Former Yugoslavia have dealt with the issue of ailing defendants and determined that the right of the defendants to be present at trial is not an absolute right and may be limited in cases where the illness of the defendant proves disruptive to the efficiency of the trial. According to CJA staff attorney and International Civil Party lawyer Nushin Sarkarati, "Although the defendants have a right to confront the evidence against them

and be present in court, this must be balanced with the right of the victims and all parties to a fair and efficient trial. Given that the health of the accused has been highly disruptive in this trial, the Judges must issue a ruling on how to manage the proceedings in their absence, in a manner that will not gravely disrupt the rights of the defendants, if we want to see a judgment in this case.”

**For more information about the case, visit [www.cja.org](http://www.cja.org).**

### **About the Center for Justice and Accountability**

CJA is a San Francisco-based human rights organization dedicated to deterring torture and other severe human rights abuses around the world and advancing the rights of survivors to seek truth, justice and redress. CJA uses litigation to hold perpetrators individually accountable for human rights abuses, develop human rights law, and advance the rule of law in countries transitioning from periods of abuse. CJA is currently representing US-based civil parties in the second trial before the Extraordinary Chambers in the Courts of Cambodia. CJA works with the Cambodian victim’s organization, the Applied Social Research Institute of Cambodia (ASRIC), to update and educate Cambodian survivors on the ECCC throughout the trial.

### **About the Applied Social Research Institute of Cambodia (ASRIC)**

Founded in 2002 by medical sociologist Dr. Leakhena Nou, ASRIC is a non-profit, grass-roots and social action research organization committed to supporting the global Cambodian community post-genocide. ASRIC is dedicated to advancing Cambodian cultural identity and to restoring, distributing, and implementing procedural justice for victims and survivors of the Khmer Rouge. Through ASRIC’s Cambodian Diaspora Victims Participation Project (CDVPP), ASRIC assisted the Cambodian genocide survivors in the US to file applications to participate before the ECCC. These cases are now being represented by ASRIC’s legal counsel, CJA.