

Duch trial off to a slow start

Written by
Monday, 30 March 2009 07:00



Journalists and lawyers, court officials and members of the public, crammed into the ECCC courtroom Monday, eager to witness the start of the Khmer Rouge [tribunal's first substantive hearing](#) . Although the trial of "Comrade Duch" officially opened with a [Feb. 17 Initial Hearing](#) , that event was largely procedural.

Monday marked the beginning of what many see as the "real" trial -- during which witnesses for the defense and prosecution will testify, and Duch himself is widely expected to make a public confession.

Unfortunately, this seminal day was somewhat underwhelming. And brief.

Despite the fanfare surrounding the event, proceedings consisted of a short biographical interview with the defendant, and a recitation of the entire indictment against Duch (most of which has been [posted on the ECCC website since August](#)).

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Although court did not convene until 10 a.m. (generally it starts at 9 a.m.), judges granted a request from Co-Prosecutors to delay their opening statement until Tuesday -- adjourning the hearing around 3:10 p.m. In all, the chamber spent a little over three hours in productive, public session.

Because proceedings had moved slowly, Co-Prosecutors would have had to begin their two-hour opening statement around 3 p.m. Essentially, this left judges with three choices: 1.) To order the prosecutors to deliver their entire opening statement, causing proceedings to extend 30 minutes past the usual 4:30 p.m. close of business, 2.) To tell the prosecutors they should deliver some of the opening statement today, and the rest tomorrow, or 3.) To adjourn the hearing early, allowing prosecutors to begin their opening statement Tuesday morning.

Audience members were visibly upset that judges chose the third option. As they filed out of the courtroom, grumbling about wasted time and money spread through the crowd.

I can understand why Co-Prosecutors wouldn't want to split their opening statement in two -- it would most likely ruin the flow of the argument. But I, like many in attendance, also questioned whether it would have been wiser for the trial chamber to push through, holding court a bit later than expected (on a day when they had already started late).

As has been noted time and again, a significant number of Cambodians worry that the court has been moving too slowly. ([Many fear defendants will die before they are brought to trial](#) .) Adjourning proceedings early doesn't help alter this perception.

Hopefully, the pace of proceedings will accelerate over time.

"I expect the court will begin to move more quickly as they get into the swing of things," said Heather Ryan, a court monitor with the Open Society Justice Initiative.

If they don't, it could become increasingly difficult for the court to refute charges that it is an inefficient and financially imprudent institution.

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* *Pictured: Reporters outside the court Monday.*