

Learn from the past to save the future

Cambodian Prime Minister Samdech Hun Sen announced on Dec. 15 that his Council of Ministers will vote Dec. 24 on the long-awaited draft law authorizing a *national* war crimes tribunal for aging leaders of the now-defunct Khmer Rouge. The law will then be sent to the National Assembly for passage. Holding a copy of the draft, he told Deutsche Presse Agentur (DPA), "You see how we are working as an independent and sovereign country, which will not tolerate, at all, acts of genocide. . . . Once the draft is adopted by the Council of Ministers, we will not retreat." During his September trip to the UN General Assembly, Prime Minister Samdech Hun Sen delivered an *aide m emoire* rejecting Secretary General Kofi Annan's proposal for a "mixed tribunal," to be convened outside of Cambodia and run by foreign judges and prosecutors appointed by Annan, as a gross violation of Cambodia's sovereignty.

Cambodia did not, however, close the door on UN assistance, and has sought advice from legal experts in Russia, India, France, and the United States. Subsequently, the United States proposed the "super majority" proposal. The existing three-tier Cambodian court structure will be respected, allowing for trial, appeal, and Supreme Court appeal. At each level, the unusual, and risky, proposal calls for a majority of Cambodian judges and a minority of foreign judges; a majority of the entire panel must uphold any ruling. The trial stage will have five judges, three Cambodians, two foreigners; four judges must confirm the ruling. The appeals court will have seven judges, four Cambodians, three foreigners; the Supreme Court will have nine judges, five Cambodians, four foreigners. Foreign prosecutors might also work alongside Cambodian peers.

Only two former Khmer Rouge leaders are in custody, former Khmer Rouge Defense Minister Ta Mok, a.k.a.

"The Butcher," and Kang Khhek Ieu, a.k.a. "Duch," chief executioner at Tuol Sleng prison. In his DPA interview, Samdech Hun Sen said these two should not be made scapegoats, but others should be tried. The case of Khmer Rouge Foreign Minister Ieng Sary is unique, as he received a royal amnesty in 1996, backed by both prime ministers and a two-thirds majority of the National Assembly, but he has no immunity from a charge of crimes against humanity, Hun Sen added. He continues to warn, though, that the process must be conducted carefully to avoid spooking former Khmer Rouge into fleeing to the jungle and renewing war.

The purpose of any tribunal, he said again on Dec. 15, "is to be responsible to the needs of the Cambodian people." This issue is addressed in *EIR's* new videotape "Storm Over Asia," where *EIR* Founder Lyndon LaRouche discusses the revolution in diplomacy and human rights accomplished in the 1648 Treaty of Westphalia, ending nearly 150 years of religious wars in Europe. Cambodia's challenge is an internal war, waged by Cambodians, against Cambodians, in Cambodia. *How* to win the peace is not so different.

LaRouche reports that the parties to the Treaty of Westphalia "had the wisdom to agree . . . that we were not going to try to find the blame for each party for guilt in connection with these wars, and the atrocities which were perpetrated as part of these wars; no seeking of retribution. The principle of no retribution, was key to securing the peace. People realized that to try to fight out the issues of recrimination and respective guilt . . . would mean the war would just go on. . . . When people say, . . . 'we've got to go in there and straighten these people out,' all you're doing is . . . spreading war; you're spreading war that can not be stopped, because now, the people who are going in, doing the punishing, are the new criminals. . . . So the solution to war, as has always been understood by the great strategists of modern European civilization, and also China, is to bring peace. . . ."—*Gail Billington*

and their officers defected to Vietnam. Hun Sen, at that time a lower-level officer in the Eastern zone, refused to carry out instructions to massacre Vietnamese villagers, and defected with his troops into Vietnam.

The Carter administration took office in January 1977, with Zbigniew Brzezinski taking over as National Security Adviser. Brzezinski, like Kissinger, was a founding member of the Trilateral Commission, established in 1972 to promote the power of the financial oligarchy over the rights of sovereign nation-states. Carter was entirely a creation of the Trilateral Commission entourage within his Cabinet. Brzezinski, in addition to his adherence to British geopolitics generally, also harbored delusions of his Polish aristocratic heritage, and

professed a deep-seated hatred of Russia (not *communism*, but *Russia*, as is most evident today in his continuing role in the destabilization of Russia). Brzezinski's immediate preoccupation upon taking office was the extension of Kissinger's China Card as a geopolitical weapon to divide Eurasia and divide the developing sector nations of the Non-Aligned Movement.

With the demise of the Gang of Four in 1976, ending the Cultural Revolution once and for all, China was returning to sanity. Besides continuing the negotiations with the United States, there were also efforts to improve their strained relations with Vietnam, and deep concerns about the extremes of the Khmer Rouge in Cambodia. Brzezinski was hell-bent to