

Victims Support head to retire
James O'Toole
May 6, 2010

HELEN Jarvis will retire from her position at the Khmer Rouge tribunal at the end of June, just over a year after the announcement of her controversial appointment as head of the court's Victims Unit, court spokesman Reach Sambath said Wednesday.

The announcement comes as the unit, renamed the Victims Support Section (VSS) earlier this year, works to process the flood of civil party applications it received for its crucial second case.

Jarvis, who was named to her current post in June 2009 after serving as the court's chief of public affairs, told colleagues at the tribunal that she was stepping down for "personal reasons", Reach Sambath said.

"She now is 64 years old, and she wishes to spend some time with her family," Reach Sambath said.

Jarvis will step down as the VSS assumes an increasingly prominent role at the court. Procedural reforms adopted in February widened the VSS's responsibilities, empowering the office to pursue "extralegal" measures in expanding its services to the public.

The VSS is also charged with processing complaints, assisting civil party applications and keeping applicants informed of the status of their applications. After 90 civil parties participated for the duration of the tribunal's first case, more than 4,000 have applied to participate in Case 002, in which the court is expected to try ageing Khmer Rouge leaders Nuon Chea, Ieng Sary, Ieng Thirith and Khieu Samphan.

Jarvis could not be reached for comment on Wednesday.

Reach Sambath said the court's Office of Administration would appoint a successor "at an appropriate date". He said that although Jarvis had made valuable contributions in her time with

the court, he was confident that her departure would not hinder the VSS in the execution of its duties.

“The Victims Support Section, they have been working with teamwork, and with her present as chief, there were many achievements there,” Reach Sambath said. “Since it is teamwork, we feel confident that the work will be continued smoothly and competently.”

Long Panhavuth, a programme officer for the Cambodia Justice Initiative, was less sanguine.

He said that Jarvis’s resignation comes at a “crucial time”, and that it “may somehow make the work of victim participation, especially the civil parties, very difficult”.

Last June’s appointment of Jarvis, an Australian academic who also holds Cambodian citizenship, generated criticism on several fronts.

Observers such as Youk Chhang, director of the Documentation Centre of Cambodia, said at the time that it was inappropriate for a foreigner to handle victim participation at the court.

“I myself – and I am a victim – I would want a Cambodian person to represent me,” Youk Chhang said.

Others questioned whether the recruitment process for the Victims Unit position had been public and transparent, given that Jarvis had already been working at the court and had previously served as an adviser to the Cambodian government. As the court searches for her successor, Long Panhavuth said it must conduct “an open and transparent recruitment process, so that the new head can work for the best interests of the victims and civil parties”.

Andrew Ianuzzi, a legal consultant for the Nuon Chea defence team, said he and his colleagues “would welcome the addition of personnel who are not so close to the current government”.

Defence attorneys also raised questions at the time of Jarvis’s appointment last year over a 2006 declaration by Australia’s Leninist Party Faction to which she was a signatory.

“We too are Marxists and believe that ‘the ends justify the means,’” the open letter read.

“In time of revolution and civil war, the most extreme measures will sometimes become necessary and justified. Against the bourgeoisie and their state agencies we don’t respect their laws and their fake moral principles.”

Ianuzzi said Wednesday that as the court searches for Jarvis’s successor, it must consider how that person may be perceived by victims of the ultra-Maoist Khmer Rouge.

“We’d certainly like to see – I think everyone would like to see – someone whose political leanings wouldn’t have obvious potential conflicts of interests with their constituency, the victims themselves,” he said.

Reach Sambath said, however, that Jarvis’s long history in Cambodia and her work at the tribunal have earned her the goodwill of her colleagues.

“We have been proud to work with her, and we wish her a good retirement,” he said. “We appreciate her commitment and dedication to the ECCC.”