



Investigators' spat reveals more divisions at Khmer Rouge tribunal June 9, 2010

Phnom Penh - Further divisions in Cambodia's war crimes tribunal came to light Wednesday after its two senior investigators openly disagreed on when to proceed with cases against five new suspects.

The hybrid UN-Cambodian court, which is tasked with trying those responsible for Khmer Rouge-era crimes, has a dual structure in which local and foreign staff fill equal positions in each of the court's operational areas.

Documents released Wednesday showed Cambodian investigating judge You Bunleng reversed an earlier agreement with his international counterpart to start investigations into the five suspects, none of whom has been named by the court. Court spokesman Lars Olsen said tribunal rules meant international investigating judge Marcel Lemonde would proceed alone.

'The international investigating judge will go ahead by himself and start the investigation,' Olsen said.

In his memorandum to Lemonde, You Bunleng said he had changed his mind after taking into account several factors, including the state of Cambodia's society.

That echoed comments made by Prime Minister Hun Sen, who has argued that the prosecutions could lead to civil war. His weighing-in on the tribunal led to accusations of political interference.

You Bunleng told his international counterpart that they could discuss the issue in September once formal notices to prosecute four ageing Khmer Rouge leaders now in custody were issued.

Youk Chhang - who heads DC-Cam, an archive of material relating to the 1975-79 rule of the Khmer Rouge - said he was encouraged that You Bunleng had not ruled out investigating the new cases.

'The good news is that he is not saying no,' Youk Chhang said in reference to fears that political pressure could stop those cases.

Judgement in the tribunal's first case - that of the former head of the S-21 prison, Comrade Duch - was scheduled for July 26. Duch was prosecuted for war crimes and crimes against humanity for his role in the deaths of more than 12,000 people who entered S-21 in Phnom Penh.

The four surviving senior leaders of the Khmer Rouge are in detention for their alleged involvement in the deaths of 1.7 million people. Their trials were expected to begin early next year.

The four are: former Brother Number Two Nuon Chea, the movement's ideologue; former head of state Khieu Samphan; former foreign minister Ieng Sary; and his wife, the former social affairs minister Ieng Thirith.

Around 1.7 million people are thought to have died from execution, disease, starvation and overwork during the Khmer Rouge's rule of Cambodia. Its leader, Pol Pot, died in 1998 on the Thai-Cambodian border.