



Report: 'Corrosive' interference could see Khmer Rouge court fail July 7, 2010

Phnom Penh - An international organization monitoring the Khmer Rouge tribunal has warned that the court risks failing due to the "corrosive impact of political interference" by government officials.

In a hard-hitting report released late Tuesday in New York, the Open Society Justice Initiative (OSJI) said the United Nations, international donors and international court staff must demand an end to political interference to ensure its credibility.

"Troubling evidence exists that the Cambodian government is improperly attempting to limit what the court can and cannot do," the report stated.

It also said the court must be more transparent in its decision-making, saying it had overly favoured confidentiality over transparency.

The OSJI cited two key instances it said showed Cambodian government officials attempting to influence the actions of the court and blatantly ignoring the tribunal law.

Late last year the government said international court staff could "pack up their clothes and return home." That followed Phnom Penh's position that six senior ruling party figures could ignore summonses issued by the tribunal, which had sought their testimony.

In another incident, Prime Minister Hun Sen publicly opposed the court's desire to investigate five more ex-Khmer Rouge in addition to the five already in custody, claiming that would risk civil war.

The report said both examples were unacceptable invasions of the court's independence and against tribunal law, and chastised the UN for failing to react. The court's UN coordinator, Norwegian Knut Rosandhaug, said in a statement he was not aware of political interference "as I do not believe the public statements referred to, qualify as such."

Rosandhaug said he expected court staff would ignore any attempts at political interference, adding that he believed international standards were being followed.

The report comes ahead of the July 26 verdict in the trial of Kaing Guek Eav, also known as Duch, the former head of the Khmer Rouge's main torture and execution centre S-21.

Duch was charged with crimes against humanity and war crimes in a trial OSJI said had proved rewarding for many Cambodians.

The remit of the court, which is a hybrid UN-Cambodian body, is to try those considered most responsible for crimes committed by the Khmer Rouge regime during the movement's rule between 1975 and 1979.

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 are 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.

The movement's leader, Pol Pot, died in 1998.