



Cambodian genocide tribunal hit by new fears of delay

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PHNOM PENH, Cambodia: A Cambodian judge in the U.N.-backed genocide tribunal has been appointed to head the country's Appeals Court, officials said Monday, sparking fears of a further delay in the trial of former Khmer Rouge leaders.

It wasn't immediately clear how the appointment of You Bun Leng, one of two co-investigating judges, would affect the trial of five former Khmer Rouge leaders already under his investigation for crimes committed during their 1975-79 rule.

You Bun Leng said Monday that he will discuss his new appointment with his foreign colleagues, but did not say whether he would step down from his tribunal position.

He is unlikely to snub the government's new appointment, a posting with better job security, and due to the heavy workload it would be virtually impossible to hold down both jobs.

Marcel Lemonde, the U.N.-appointed co-investigating judge, declined to comment on You Bun Leng's new job.

But Peter Foster, a U.N.-appointed spokesman for the tribunal, said he was "concerned" and was seeking clarification from relevant officials.

After countless delays, You Bun Leng and Lemonde only recently initiated investigations into former Khmer Rouge leaders accused of crimes against humanity, genocide and other atrocities that caused the death of some 1.7 million people in the late 1970s.

Theary Seng, director of Cambodian nonprofit group Center for Social Development, said she was surprised at the timing of You Bun Leng's appointment, which came soon after the cases were finally put in the hands of the investigating judges.

"I think it could slow things down," said Theary Seng, whose organization closely monitors the tribunal's activities. "The timing of his transfer is just bad for the Khmer Rouge tribunal."

You Bun Leng said Monday that he will discuss his new appointment with his foreign colleagues.

The judges have so far indicted one of five suspects recommended by prosecutors, Duch, whose real name is Kaing Guek Eav and who headed the former Khmer Rouge S-21 prison. The other four have not been publicly named and still remain free in Cambodia.

You Bun Leng's replacement must focus his attention on those five cases, said Youk Chhang, director of Documentation Center of Cambodia, an independent group compiling evidence of the Khmer Rouge crimes.

"The five cases are the most important and serious ones that can be a foundation to look at other crimes committed by the Khmer Rouge at that time," he said.

The government last week by decree appointed You Bun Leng to replace Ly Vuoch Leng - the only woman serving as a top ranking judge - as president of the Appeals Court.

Ly Vuoch Leng was removed for her alleged involvement in the release of sex trafficking offenders who had been convicted by a lower court, Justice Minister Ang Vong Vathana said Monday.

He declined to elaborate, but local media reported Monday that she had allegedly taken bribes in exchange for acquitting the offenders. Ly Vuoch Leng could not be reached for comment.

The tribunal was established last year following many years of negotiations between Cambodia and the United Nations. Disagreements about tribunal rules had kept the judges' investigations from being launched until last month.

Trials are expected to take place next year.