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Cambodian genocide tribunal judges try to hammer out guiding rules for trials

By: Ker Munthit

Cambodian and foreign judges began a weeklong meeting Monday to confirm rules for the much-delayed genocide trials of former Khmer Rouge leaders, blamed for the deaths of 1.7 million people.

In his opening remarks, Kong Srim, a Cambodian judge with the U.N.-backed genocide tribunal, urged his national colleagues and foreign counterparts to work hard to adopt the procedural rules by June 13.

The rules are necessary before the trials for crimes against humanity and genocide can be convened, hopefully by early next year.

Speaking on behalf of her U.N.-appointed colleagues, Judge Sylvia Cartwright from New Zealand expressed optimism that the rules can be adopted.

"We know that if the internal rules are adopted in their present draft form, we have a foundation from which it may be possible to ensure a free, fair and transparent trial," she said.

She and Kong Srim are co-chairing the plenary session.

The radical policies of the communist Khmer Rouge are blamed for the deaths of about 1.7 million people through hunger, disease, overwork and execution during their 1975-79 rule.

The tribunal was created last year after seven years of contentious negotiations between the United Nations and Cambodia.

Trials had been expected to start this year. But Cambodian and foreign judges spent the last six months bickering about the rules. The setting of expensive legal fees for foreign lawyers wanting to take part in the tribunal was the latest obstacle, resolved only in April.

Many fear that unless agreement is reached quickly, the aging defendants could die before being brought to justice.

Kong Srim, who chairs the current joint plenary session, said that, after a long delay, a historic moment had arrived.

With the rules, the tribunal "can move forward to discharge its historic responsibility to provide justice, for which the Cambodian people and humanity as a whole have been waiting for a long time," he said.

Marcel Lemonde, a co-investigating judge, said in a recent interview that the investigation phase should begin within weeks after the rules are adopted.

Arrests of potential defendants could also begin during the investigation period, said Lemonde, a former judge in France.

But he has also warned that another failure to agree on the rules this time could put the future of the tribunal in jeopardy.