

Tribunal liaison slams media for ‘misunderstood’ statement

Julia Wallace

July 18, 2012

The UN chief liaison for the Khmer Rouge tribunal, Davis Scheffer, has rebuked the media for having “misunderstood” his statement that the court’s new investigating judge would have to do a better job cooperating with the government.

Mr Scheffer made the remarks to Voice of America in an interview broadcast last week.

“In the case of these two investigative judges [Siegfried Blunk and Laurent Kasper-Ansermet], clearly there were problems... You can overcome the problem in part by putting a new person in the office, one who can perhaps deal with the situation more effectively than his predecessors and with a sense of greater cooperation with the government,” he said.

The remarks drew fire from court monitors, who said that judges in any court should not be concerned with cooperating with the government.

“The courts are not meant to ‘cooperate’ with the government, nor indeed to even give a ‘sense of cooperation’ with the government. Rather, the courts are meant to be, inter alia, an avenue for redress for abuses of political power,” wrote Clair Duffy of the Open Society Justice Initiative in a comment on OSJI’s website last week.

In a statement issued yesterday, Mr Scheffer did not say he had been misquoted, but expressed disappointment that his remarks were misinterpreted. He claimed he had not meant to say that the judge should be more cooperative with the government.

“I was referring to the fact that the new international co-investigating judge, when officially announced, will have been formally appointed by the Supreme Council of the Magistracy. This should help to remove many of the obstacles faced by the previous judge, Judge Kasper-Ansermet” he explained in a statement yesterday.

Judges Blunk and Kasper-Ansermet, in particular, struggled with his Cambodian counterpart’s refusal to cooperate with him after the Supreme Council of the Magistracy denied him a formal appointment.

His replacement, Mark Harmon, has been confirmed by the government, but it is unclear when he will arrive in Cambodia to begin work.