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Judges Take PM's Remarks to Task

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Prime Minister Hun Sen's remarks regarding the guilt of Case 002 former Brother No 2 Nuon Chea "risk being interpreted as an attempt to improperly influence the judges in charge of the case", judges at the Khmer Rouge tribunal said in a decision published yesterday.

The decision came in response to a request from Nuon Chea's defence team for a public condemnation of the premier's comments and a public warning to be issued to him.

Earlier this year, Vietnamese news agencies reported that Hun Sen, a former Khmer Rouge cadre himself, called Nuon Chea a "killer and genocide [perpetrator]".

"Everybody knows our country used to have a genocidal regime, and [now] we and the world have opened a trial against them," he said.

Trial Chamber judges at the tribunal in a decision dated May 11 and published yesterday, said Hun Sen's actions were "incompatible" with the rights of the accused.

"It is therefore clear from the international jurisprudence that any declaration of an accused person's guilt by a public official prior to a verdict being delivered by a court is incompatible with the presumption of innocence," the judges wrote.

However, due to legal technicalities, the judges found Nuon Chea's defence's request inadmissible, as lawyers had already raised the issue orally in court.

The judges determined they had dealt with this suitably in court and thus the relief suit by defence lawyers – a public condemnation and public warning – were not granted.