



**Judges order retraction from tribunal prosecutor
Kong Sotharith
May 18, 2011**

Investigating judges at the Khmer Rouge tribunal on Wednesday ordered the UN prosecutor of the court to retract portions of a public statement made last week they claim violate the confidentiality of an upcoming case.

Wednesday's order comes amid growing discontent with how the court has handled co-called Case 003, for which two suspects have been put forward for investigation. Prime Minister Hun Sen objects to the case going forward, a position echoed by at least some Cambodian tribunal officials.

After the investigating judges announced they had concluded their work in the case on April 29, UN prosecutor Andrew Cayley issued a public statement saying he would appeal for further investigation.

He urged the investigating judges to publicly name the suspects and to properly question them. Cayley also named a number of sites that need to be investigated as part of the case, two extra security centers, an airport construction site in Kampong Chhnang province, and a rock quarry in today's Preah Sihanouk province, then called Kampong Som.

Investigating judges Siegfried Blunk and You Bunleang said in their order Wednesday that Cayley's May 9 statement lacked "legal basis" and violated confidentiality rules of the court. They ordered him to retract portions of his statement within three working days.

It was unclear how retracting a statement that has already been made public would satisfy the confidentiality requirements of the court. Cayley, who is currently abroad, could not be reached for comment.

Tribunal spokesman Lars Olsen said Monday that Cayley can appeal to the Pre-Trial Chamber of the UN-backed court if he does not want to follow the order.

According to Wednesday's order, a prosecutor has the right to "provide the public with an objective summary" of his own submissions. The investigating judges say he exceeded this right by naming specific areas.

Case 003 has come under increased scrutiny in recent weeks, as civil parties seek to file specific complaints and grievances without officially knowing the suspects involved.

Those civil parties who have filed have pointed to Meas Muth, the former commander of the Khmer Rouge navy, and Sou Meth, the former commander of its air force, as likely suspects, following the work of researchers.

Latt Ky, a tribunal monitor for the rights group Adhoc, said the investigating judges do have the legal right to make such an order, but that Cayley “did his job in the interest of the victims...due to a lack of information [provided] by the court.”