



Khmer Rouge Defence Wants NZ Judge Sacked **May 3, 2012**

Defence lawyers in Cambodia's Khmer Rouge war crimes tribunal have called for former New Zealand governor-general Dame Silvia Cartwright to be disqualified as a trial judge.

She and prosecutor Andrew Cayley were last month warned by the UN-backed court's highest body that their trial management meetings could give the appearance they had privileged access to each other.

But Agence France-Presse reports that the pair apparently continued to communicate privately, according to an email meant for Mr Cayley which she accidentally sent to the entire court staff on Wednesday.

In the email, published on the court's website, Dame Silvia wrote: "As you know Andrew, I am seriously considering my own position. I shall not make a hasty ydecision (sic)."

Michael Karnavas, who is defending former foreign minister Ieng Sary, told AFP he had filed an application to disqualify her as a judge.

"The nature of Judge Cartwright's association with international co-prosecutor Cayley shows actual bias or, at a minimum, the appearance of bias," he wrote in a motion dated April 27.

Dame Silvia did not wish to comment but defence lawyers for co-accused "Brother Number Two" Nuon Chea joined calls for her dismissal, AFP reports.

Court insiders were divided over how to interpret Dame Silvia's words, with some sources saying they appeared to show she was considering leaving the court, while others said they merely referred to her stance on the meetings.

Nuon and Ieng and another former Khmer Rouge leader are on trial for war crimes, genocide and crimes against humanity.

The court has so far completed one case, sentencing a former prison chief Kaing Guek Eav, also known as Duch, to life in jail for overseeing the deaths of 15,000 people - including New Zealander Kerry Hamill.

The Khmer Rouge was responsible for the deaths of up to two million people between 1975 and 1979.