



**Khmer Rouge victim quits tribunal saying UN-backed court is a sham**  
**Robert Carmichael**  
**November 15, 2011**

Phnom Penh - A prominent survivor of Cambodia's Khmer Rouge regime said Tuesday she would no longer participate in the UN-backed tribunal, saying it had become a farce.

Theary Seng's decision came days before the November 21 start of the trial of four surviving Khmer Rouge leaders charged with genocide, crimes against humanity and war crimes for their alleged roles in the deaths of up to 2.2 million people between 1975-79.

The troubled court has for months battled a rising tide of problems, and Seng said the UN must shoulder much of the blame for failing to tackle issues.

'The United Nations has abstained from fulfilling its duties, and more than that has helped (to) enable the impunity,' said Seng, whose parents were killed by the regime, and who had been recognized by the court as a victim, or civil party.

Seng said corruption, apathy, UN inaction and interference by Cambodian politicians in the tribunal had motivated her decision.

'It's an issue of having enough of this sham, of having enough of this farce that is very much political theatre,' she said. 'I no longer want my name, the memories of my parents, of my family, to be soiled in this process that is no longer legitimate.'

The Open Society Justice Initiative (OSJI), which monitors the tribunal, urged UN Secretary-General Ban Ki-moon to appoint an independent panel to investigate 'an unprecedented crisis of confidence' in the court following allegations of misconduct.

The OSJI report followed the surprise resignation on October 9 of German co-investigating judge Siegfried Blunk, who was accused of deliberately undermining the investigations into two further cases that are opposed by the Cambodian government.

In October, a decision by two international judges at the tribunal appeared to support long-running allegations of misconduct levelled against Blunk and his Cambodian counterpart You Bunleng.

They said Blunk and You Bunleng had backdated documents, refused to recognize civil party lawyers, prevented lawyers from accessing the case file, and denying victims the 'fundamental right to legal representation.'

OSJI said that written decision showed Blunk and You Bunleng had shown consistent willingness 'to violate basic legal principles in order to reach pre-determined legal outcomes.'

In its first case, the court last year sentenced the regime's security chief, Comrade Duch, to 30 years in prison after finding him guilty of war crimes and crimes against humanity. Duch has appealed his conviction.