

## **Requirement to Expand Khmer Rouge's Case**

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Prosecutors have once again called on judges at the Khmer Rouge tribunal to expand the current case against the regime's three most senior living leaders, warning that a failure to do so would undermine the court's legacy.

Ever since Case 002 was severed into "mini-trials" shortly before its start last year, prosecutors, civil parties and court monitors have raised concern over the narrow scope of the first case – which, given the advanced age and ill health of the defendants, will likely be the only case. That case, known as Case 002/001, deals only with forced evacuations, and many have argued the focus is an insufficient representation of the worst of the Khmer Rouge's crimes.

Admitting that the defendants' poor health made it unlikely further mini-trials would be heard, the Trial Chamber last month agreed to slightly expand the scope of the current case, but added just one additional crime site, saying that further expansion would lengthen the proceedings too much.

In an appeal filed with the Supreme Court Chamber on Wednesday, the co-prosecutors argue on both moral and legal grounds for the inclusion of two crime sites requested in their original motion – the infamous S-21 security centre and the District 12 execution site, where hundreds were murdered.

"The Trial Chamber erred in law and/or erred in the exercise of its discretion, by failing to apply the correct legal standard for severance of charges," they argue, adding that the additions requested would not substantially elongate the case, as the judges have contended.

"The exclusion of the crime sites requested by the Co-Prosecutors leaves charges which are, in fact, not reasonably representative of the crimes charged, to the detriment of the rights and interests of victims, the Co-Prosecutors, and the goals of national reconciliation and an accurate historical record."