

Khmer Rouge Court Judge Wants Nuon Chea's Lawyers Reprimanded

Bridget Di Certo

June 22, 2012

The “consistent pattern of misconduct” of Brother No 2 Nuon Chea’s defence lawyers will be referred to the Cambodian Bar Association for disciplinary action, presiding judge Nil Nonn said at the conclusion of testimony at the Khmer Rouge tribunal yesterday.

“This misconduct had included but not been limited to willful violation and unauthorised disclosure to the press of confidential or strictly confidential material,” Nil Nonn said.

About 15 minutes later, the Nuon Chea team published a press release accompanied by a copy of a confidential order by now-resigned reserve co-investigating judge Laurent Kasper-Ansermet that the defence lawyers say implicates senior ruling Cambodian People’s Party politicians in Khmer Rouge-era crimes.

“Since the early days of the proceedings, the defence has attempted to explore the roles and possible criminal culpability of Hun Sen, Heng Samrin, Chea Sim and other RGC officials,” the international lawyers for Nuon Chea wrote in their press release.

Prime Minister Hun Sen, Senate President Chea Sim and National Assembly President Heng Samrin were among a group of six government officials that flouted court summonses by investigators in Case 002.

The Nuon Chea defence team has been seeking their testimony ever since and has repeatedly raised the issue, even filing a criminal complaint to the Phnom Penh municipal court about alleged government interference in proceedings at the tribunal.

Senior defence lawyer Michiel Pestman said this was the third time the judges had threatened to file a complaint with the bar association, but they had never followed through.

“We have encouraged them to do so. I think a professional body should look at this,” the Dutch lawyer said. “I am not sure if the Cambodian Bar is appropriate. I have very little confidence in the Cambodian Bar. I hope they are going to file as well with a proper professional body that has the experience to deal with this and that would be the Dutch Bar,” he said.

Secretary-General Suon Visal at the Cambodian Bar could not be reached for comment.