

## **Khmer Rouge Court's Methods in Spotlight Again**

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Techniques and methods of the Office of Co-Investigating Judges were under the microscope yesterday at the Khmer Rouge tribunal after the international counsel for co-accused Nuon Chea attempted to probe into the way interviewers questioned witness Norng Sophang, a former cryptographer who decoded Democratic Kampuchea-era messages.

Attorney Andrew Ianuzzi referred to an earlier interview in which Sophang said he was “bombarded” with questions about the disappearance of cadres, as if investigators weren’t happy with his answers.

The prosecution objected, and defence teams chimed in with support for Ianuzzi.

In response, the American lawyer said: “I don’t think this chamber should attach any presumption of regularity to the OCIJ’s investigation.”

Judge Jean-Marc Lavergne explained the ruling, which sided with the prosecution, and called the line of questioning “inappropriate”.

“It is important that issues raised at trial should be raised openly, without containing in themselves allegations according to which the co-investigating judges’ investigators have been dishonest or fraudulent,” he said.

Sophang himself cast doubt on the statements. He told the court that some answers qualified by words such as “perhaps” could be viewed as assumptions, not fact.

Cambodia’s war crimes tribunal has an investigative process unique among other international tribunals.

Documentation Center of Cambodia legal adviser Anne Heindel highlighted in a recent analysis of the misgivings over investigation that the tribunal was based on a system that typically involves a lengthy investigative period and a short trial.

However, the skirmish over investigative procedure in the tribunal’s landmark Case 002 has stretched over a number of weeks and filings since judges began hearing substantive evidence in the case.