

Investigation Continues to Draw Ire at KRT

Stuart White

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Wednesday's admonishment by Khmer Rouge tribunal judges against counsel for the accused casting aspersions on the court's co-investigating judges didn't seem to dampen the defence's spirits yesterday.

Andrew Ianuzzi, co-counsel for Khmer Rouge number two Nuon Chea, began the day by taking to task the suggestion made by Court President Nil Nonn that the previous day's questioning was inappropriate under court rule 76.7.

Ianuzzi sought to make the case that the alleged malfeasance of the co-investigators went beyond the realm of mere "procedural defects".

"The kinds of things we've been complaining about, to be frank, cannot be described by any reasonable person as 'procedural defects'," Ianuzzi said. "They are what we call in the United States, if I remember that correctly, substantive due process."

Ianuzzi then launched into a hypothetical application of similar due process laws in an American context, before promptly having his microphone disconnected by Nonn.

"The floor is not given to you just to make your free speech as you wish ... and we already ruled on that issue," said Nonn, who instructed the American attorney to submit any complaints in writing.

Michael Karnavas, co-counsel for Khmer Rouge-era Minister of Foreign Affairs IengSary, also took the opportunity to highlight alleged investigation irregularities.

Karnavas asked to play an audio recording of Sophang's interview in which investigators acknowledged that they had conducted a previous, unrecorded interview the day before, and called attention to the fact that one interviewer was a younger brother to a member of the prosecution.

"What you are suggesting is that we do not have the right to challenge the witness's testimony," Karnavas responded after also being rebuked under rule 76.

"Why wasn't that initial interview tape recorded? What's the purpose of a dress rehearsal?"

Karnavas continued, saying: "If you're going to have some transparency --", before he

too had his microphone disconnected.

Witness Norng Sophang's testimony concluded just before adjournment. Testimony from a new witness will be heard on Wednesday.