



**Tribunal Observers Say Latest Row Bodes Ill for Court**  
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Khmer Rouge tribunal monitors and other experts say the latest row between two judges at the UN-backed court will further harm the pursuit of cases against former Khmer Rouge leaders.

The Cambodian investigating judge and his would-be international counterpart exchanged critical public press statements on Monday, further eroding cooperation on two cases before the office of investigating judges.

Reserve judge Laurent Kasper-Ansermet's said this week the Cambodian investigating judge, You Bunleng, had prevented him from releasing important information about two cases at the court.

His statement was immediately followed by a rebuke from You Bunleng, who said Kasper-Ansermet had not yet been officially recognized by the Cambodian government as the international investigating judge and that he lacked knowledge of the law. The rare public exchange highlights obstacles facing the court that need to be addressed by the broader international community, said Clair Duffy, tribunal monitor for the Open Society Justice Initiative.

“The real problem here is that the UN and the donors have continued their public silence in relation to these events as they are unfolding,” she said.

A UN spokesman said the organization was “aware of this development” but declined to

comment further.

Duffy said the Cambodian government had effectively stalled the official appointment of Kasper-Ansermet, nominated to replace a German judge who resigned amid heavy criticism of the office's handling of cases 003 and 004 last year.

Both cases are strongly opposed by Prime Minister Hun Sen and other members of the government.

“In the meantime, what is happening is that cases 003 and 004 can't move forward,” she said.

Andrea Evans, legal director for the US-based Center for Justice and Accountability, which helped some civil parties file with the tribunal, said the investigating judges need to complete their work in both cases.

“If the investigations stall, it will signal to victims and survivors that politics and political interference can trump justice,” she said. “That would be an affront to survivors who have waited over 30 years for some measure of justice. It would also tarnish the legacy of the [tribunal] and undermine the significant efforts that have been made to hold the most responsible perpetrators of the atrocities committed by the Khmer Rouge accountable.” The investigating judges' office has taken no action on the five additional suspects outlined by prosecutors in 2008. The office came under fire in April 2011 when key staff members walked off the job citing a toxic environment and the hasty conclusion to the investigation of Case 003.

Peter Maguire, author of “Facing Death in Cambodia,” said the UN and donors have been quiet and that the Cambodian government has made clear political decisions in the case. Treating tribunal decisions as though they have nothing to do with politics is “ridiculous,” he said.

Nevertheless, he said, the court needs to move forward with its current case, No. 002, which accuses three detained leaders of atrocity crimes.

“Like I tell my children, finish what’s on your plate before you get dessert,” he said.