

Study Looks at Tribunal's Legacy in National Judicial System Kong Sothanarith December 6, 2012

Judicial and other officials met in Phnom Penh on Tuesday to discuss the legacy of the Khmer Rogue tribunal in Cambodia's notoriously flawed judicial system, following a study by a former official for the UN-backed tribunal.

The report, by David Boyle, a former staff member in the tribunal's investigating judges office, was done to "help strengthen Cambodian justice," he said. The report runs 200 pages in English, 450 pages in Khmer, and was presented to the public in a seminar in Phnom Penh on Tuesday.

In it, Boyle evaluates Cambodia's own penal code and compares it to the internal rules of the tribunal, looking at individual cases and broad procedures. Boyle will send recommendations to the government, but after a public review period.

Marcel LeMonde, a former investigating judge at the tribunal, who resigned in 2010, said the tribunal will leave some "positive traces" amid Cambodia's own judicial system. But he cautioned: "the rule of law cannot be constituted in a day."

You Bunleng, who is currently the Cambodian investigating judge at the hybrid tribunal court, said the study is important because it shows where Cambodia's system can meet international standards.

"It's crucial for all law applicants to acknowledge this largely and interpret the law according to international standards of justice," he said.

Latt Ky, a tribunal monitor for the rights group Adhoc, said Tuesday there are recommendations in the report that the government can follow.