

Genocide Charge Could Delay Trial: Observers

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New charges of genocide for four jailed Khmer Rouge leaders could create a delay in bringing them to trial, court observers say.

Genocide was added to the war crimes and crimes against humanity charges brought against Nuon Chea, Khieu Samphan, Ieng Sary and Ieng Thirith earlier this month, as the UN-backed court prepares for their trial.

But the new charges create an opportunity for opposition by defense attorneys or disagreement among civil party victims, which could turn the case back to the Pre-Trial Chamber.

If those parties disagree with the new charges, they will file for explanation from the investigating judges or complaints to the Pre-Trial Chamber, said Long Panhavuth, a tribunal monitor for the Cambodia Justice Initiative.

“In this situation, whether it is slowed or not depends on whether the parties file complaints to the Pre-Trial Chamber or not,” he said.

Tribunal procedures require time for review of cases following the work of investigating judges, who in this case, No. 002, have said they wanted to complete by the end of the year.

Tribunal spokesman Reach Sambath said the new charge would not delay the legal process.

“The work is normally moving as planned,” he said.

The investigating judges have already notified the other parties that their investigation is complete, “so there is nothing delayed.”

Even if the new charges slightly delay the court, the genocide charges are in the interest of seeking justice, said Latt Ky, a tribunal monitor for Adhoc.

“So I think endeavoring to search for any evidence to charge the suspects is based on practical truth and arguments based on reality,” he said. “It’s deeply meaningful for justice. So if it’s a little bit late, I agree with the action of the [tribunal].”