

# The Phnom Penh Post

## **Government rejects charges of political manipulation at ECCC**

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*Denies claims of political interference following report by court watchdog that accuses officials of manipulating investigations at the tribunal.*

A senior government official has rejected allegations that the government is preventing judges at Cambodia's war crimes court from interviewing witnesses who are currently serving as members of the government.

"We aren't interfering in anything," Council of Ministers spokesperson Phay Siphon said Thursday.

"It's up to the prosecutors who they want to speak to."

He added: "The government has no power or responsibility in this issue."

Minister of Information Khieu Kanharith said Thursday that deciding who to call as a witness was an issue for court officials, not the government, but refused to comment further.

The most recent allegation of political interference was made by the Open Society Justice Initiative, a US-based international watchdog that said in a report Wednesday that there were "ominous signs of political manipulation" at the UN-backed court.

"Recent public warnings by senior officials against additional indictments have added to fears of political meddling," a press statement said.

"It appears that the government of Cambodia is attempting to block the investigating judges from interviewing certain insider witnesses who hold current positions of power," it added.

In April, Prime Minister Hun Sen said that he would "prefer to see this court fail than for war to come back to Cambodia".

"That is my absolute position ... just focus on these few people," Hun Sen said.

"If they try another 20 people and war erupts, who will take responsibility? ... I would pray for this court to run out of money and for the foreign judges and prosecutors to walk out. That would allow for Cambodia to finish the trial by itself," he added.

Citing the comments and others made by senior officials, OSJI said the government was blatantly interfering in prosecutorial decisions.

"The Cambodian government risks undermining the Khmer Rouge tribunal," said James Goldston, executive director of OSJI, in the press statement.

"Political direction about whom to prosecute and whom not to prosecute directly flouts the court's promise of independence," the report further stated.

However, Phay Siphon claimed that the prime minister's comments were "unofficial" and that if the monitoring group wanted to know what the official line of the government was on the issue, it should request it in writing.

Donors must also act

Clint Williamson, the US ambassador-at-large for war crimes, said during a visit last week that officials must address the issue of graft at the court but did not express concern over political interference.

The OSJI report also criticised donor countries' unwillingness to demand proper oversight mechanisms. "Donors are in a position to insist that adequate protections against improper practices are put in place to protect the integrity of their contributions," it said.