



Khmer Rouge tribunal problems, again

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Only dedicated followers of events associated with the Khmer Rouge Tribunal (officially the Extraordinary Chambers in the Courts of Cambodia, ECCC) will have kept track of the maneuverings of the past six months in relation to the possibility of bringing additional defendants before the court.

As matters stand, there has been the one conviction, of Kaing Guek Eav, known as Duch, in Case 1, while four defendants are due to face court later this month in Case 2: Khieu Samphan, the former Khmer Rouge head of state, aged 79; Nuon Chea, the KR chief ideologue, aged 85 (pictured); Ieng Sary, the KR foreign minister, aged 85; and Ieng Tirth, Sary's wife and former minister for social affairs, aged 79. (The court has been in existence since July 2006, and Case 2 is expected to run for many months, if not years.)

As long ago as 2009, Prime Minister Hun Sen made it abundantly clear that he would not permit the tribunal to operate beyond Case 2. But the international co-prosecutor, Andrew Cayley, is pressing for additional defendants to be examined, while his opposite Cambodian number, Chea Leang, has opposed this suggestion — she is a niece of the Cambodian deputy prime minister, Sok An.

Two investigating judges, one Cambodian and one German, have now rejected Cayley's request. (It is now an open secret that the individuals Cayley proposed should be brought before the court are serving generals in the Cambodian army.)

In recent days, the issue has become further complicated with allegations that the tribunal has not just been bowing to political pressure from Hun Sen but also from the UN, though Secretary-General Ban Ki-moon rejected claims that UN was not pressing for additional prosecutions beyond Case 2.

Adding to the mess, four foreign members of the tribunal's legal staff have resigned in protest against the failure of the tribunal to expand its operations as Cayley suggests. One is a well-known American expert on the Khmer Rouge, Stephen Heder, who has described the current situation as being 'a toxic atmosphere of mutual mistrust'.

For those wishing to delve further into this complex issue, they will be well served by going here, or read Seth Mydans in the IHT for 17 June.