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KR court must widen net: group

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THE Khmer Rouge tribunal will fall short of its responsibility to prosecute those “most responsible” for the atrocities committed under Democratic Kampuchea in the absence of investigations of further suspects, Amnesty International said in a statement.

Responding to the appointment of new International Co-Prosecutor Andrew Cayley, announced by the UN-backed court last week, Amnesty said the British national should review the decision announced by acting International Co-Prosecutor William Smith in September that only five more suspects will be investigated by the tribunal beyond the five who are now in detention.

“Unless more cases are investigated and prosecuted, it is highly questionable whether the current caseload would fulfill the mandate of the Tribunal,” Amnesty said.

The statement, released Friday, came just one day after Prime Minister Hun Sen repeated his warning that an expanded dragnet at the tribunal could plunge the Kingdom back into civil war.

Council of Ministers spokesman Phay Siphon said Sunday that it was “too early” to comment on the prospect of further investigations in the absence of official communication from the tribunal itself. “The ECCC has their own due process,” he said.

In calling for expanded investigations, Amnesty cited the 2003 agreement between the UN and the Cambodian government defining the purpose of the tribunal as “to bring to trial senior leaders of Democratic Kampuchea and those most responsible for the crimes and serious violations of Cambodian penal law”, claiming that the prosecution of only 10 suspects would be inadequate in the face of the millions who suffered under the regime.

“Should the new International Co-Prosecutor decide not to conduct further investigations into other crimes nor to prosecute other suspects, the people of Cambodia, including survivors and their relatives around the world, deserve an

explanation,” Amnesty said.

The group Human Rights Watch also weighed in Sunday with senior researcher Sara Colm saying, “Bowling to political pressure to limit the scope of prosecutions withholds justice from the victims of the Khmer Rouge and undermines the court’s legitimacy, credibility and independence.”

“Instead, the tribunal should vigorously follow its mandate to investigate and prosecute senior Khmer Rouge leaders and those most responsible.”

Smith’s September filings to the tribunal requested investigation of five confidential suspects, and came despite the objections of National Co-Prosecutor Chea Leang. Smith and UN court spokesman Lars Olsen referred questions to Cayley, who could not be reached for comment on Sunday.