

## **Khmer Rouge Tribunal's Achievements Threatened by Political Interference**

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NEW YORK—The Extraordinary Chambers in the Courts of Cambodia (ECCC) is expected to successfully complete its first trial this week when it hears closing arguments in the case of Kaing Guek Eav, alias "Duch," the former chief of the notorious Toul Sleng prison. The trial has generally satisfied international standards of fairness and due process. But that accomplishment could be undermined by the refusal of a Cambodian judge and Cambodian government officials to participate in the investigation of the court's second case, according to a report released today by the Open Society Justice Initiative.

"The conclusion of a fair trial in the Duch case is a landmark achievement," said James A. Goldston, executive director of the Open Society Justice Initiative. "But it will be a hollow victory if political interference prevents the court from pursuing additional cases and fulfilling its mandate as the evidence warrants."

The Justice Initiative's report calls on the UN and the court's donors to ensure the Cambodian government does not attempt to interfere with judicial or prosecutorial decisions. Noting that the departure of the court's international prosecutor in September left a critical void, the report urges that a qualified replacement be appointed quickly, and argues for the immediate implementation of a long-delayed anticorruption program to address kickback allegations that have dogged the court. The Duch trial and the lessons it provides for future trials at the court are also examined.

"The ECCC has demonstrated that it is capable of conducting a fair trial and has the potential to provide a measure of justice and accountability to the people of Cambodia" said Goldston. "Now the government of Cambodia and the court's donors must demonstrate their determination to ensure that the court fulfills that potential."

*Recent Developments at the Extraordinary Chambers in the Courts of Cambodia: November 2009* is the latest in a series of regular Justice Initiative publications offering news, analysis, and recommendations on the tribunal.

Previous reports and other background information on the court are available here: [http://www.soros.org/initiatives/justice/focus/international\\_justice/articles\\_publications/sub\\_listing](http://www.soros.org/initiatives/justice/focus/international_justice/articles_publications/sub_listing)

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