



## **Researcher issues review of tribunal jurisdiction**

**Kong Sothnarith**

**August 3, 2011**

A leading Khmer Rouge scholar released a 60-page review of UN tribunal jurisdiction on Tuesday, saying that impartial investigations of atrocity crimes suspects should determine whether they are under the scope of the court.

Stephen Heder, who left the investigating judges' office with four other staff members after its hasty conclusion of a controversial case, was referring to the views of some Cambodian judges who have argued five potential suspects were not "most responsible" for the crimes of the regime.

Questions over the handling of those two cases have divided the court, known officially as the Extraordinary Chambers of the Courts of Cambodia. ECCC judges and prosecutors are meeting in a full session this week to prepare for an upcoming trial of four jailed Khmer Rouge leaders.

In his "Review of the Negotiations Leading to the Establishment of Personal Jurisdiction of ECCC," Heder wrote that it was "logical to assume" candidates for prosecution "should be drawn among as yet unidentified or publicly unnamed members of the Central Committee, of the Government ministers and mid-level of Communist Party of Kampuchea."

Heder said in an e-mail the paper "stands for itself" and declined to comment further. However, Ou Virak, director of the Cambodian Center for Human Rights, said the paper was discussing controversial cases 003 and 004, which are opposed by Prime Minister Hun Sen.

Cambodian judges have echoed that opposition, saying more indictments at the court could destabilize the country's security. Critics, however, say the full prosecution of the two cases would provide a greater sense of justice and reconciliation for Cambodian victims of the regime.