

Tribunal Investigators Turn to Difficult Case Kong Sothnararith November 30, 2009

With the trial of Duch closing, Khmer Rouge tribunal investigators are focusing on their second case, but senior government officials have continued their refusal to appear as witnesses.

Summonses for six senior officials have gone unanswered. And investigating judges sent a second summons to Finance Minister Keat Chhon, who was the personal secretary to Pol Pot, in October, that has also not received a reply.

Case No. 2, where four senior leaders will be tried for atrocity crimes, will be more complicated than the Duch trial, the tribunal's first, which ended last week after months of proceedings and years of preparation.

The tribunal is holding the regime's chief ideologue, Nuon Chea, its former head of state, Khieu Samphan, foreign affairs minister Ieng Sary and his wife, Ieng Thirith, social affairs minister.

So far, French investigating judge Marcel Lemonde has been unable to compel six senior government officials to comply with summonses: Senate President Chea Sim, National Assembly President Heng Samrin, Foreign Minister Hor Namhong, Keat Chhon and senators Sim Ka and Ouk Bunchhoeun.

In December 2006, Keat Chhon declared he was ready to testify in the tribunal. In his October letter, posted on the Khmer Rouge tribunal's official Web site last Thursday, Lemonde wrote that the tribunal court clerk had undertaken various attempts to reach Keat Chhon, but these have received no reply. Lemonde still expects an audience with Keat Chhon to be organized, he wrote.

Lars Olsen, the UN's legal officer for the tribunal, declined to speculate on what would happen if the senior leaders did not respond, but he said the UN-backed court is still waiting for an official explanation as to why they have not.

In September, Lemonde wrote the six officials without the support of his Cambodian counterpart, You Bunleng. Following the summonses, Prime Minister Hun Sen said in a public speech they would fail.

Were the figures to give testimony, he said, they would put unfair pressure on the defendants.