



Still awaiting justice

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Last month marked the 10-year anniversary of the death of Pol Pot, a brutal and cruel figure who died peacefully in a small wooden hut in northern Cambodia without ever being forced to answer for his role in the death of nearly 2 million Cambodians in the Killing Fields. We also recently mourned the death of Cambodian photojournalist Dith Pran, whose inspiring story of surviving those bloody years was a triumph of the human spirit amid one of history's darkest chapters.

Thirty years after these atrocities shocked the world's collective conscience, time is running out if the perpetrators are ever to be held accountable. The survivors still yearn to see justice served.

America and the international community must act now to support Cambodia's war crimes tribunal.

Coming to grips with the past is necessary to building a better future for the Cambodian people -- but after so many years of impunity, much work remains to restore the rule of law. Even today, human-rights abuses plague the country. Holding the worst offenders from the Khmer Rouge to account for their crimes will lay to rest a legacy of lawlessness and brutality. It will also send an important message to leaders of genocidal regimes like the one in Sudan, and brutal dictatorships like those in Burma and Zimbabwe, that the worst crimes will not go unpunished.

It was for these reasons that America helped the Cambodian government form a special court to try senior Khmer Rouge leaders. Of all the work I've

been a part of on the Senate Foreign Relations Committee, I am especially proud to have played a key role in the tribunals' creation -- traveling to Cambodia time and again to help find a compromise structure that was acceptable to both the United Nations and the Cambodian government.

In the end, the Extraordinary Chambers in the Courts of Cambodia (ECCC), was set up less than two years ago in Cambodia's capital city, Phnom Penh. Today, this hybrid court, where Cambodian and international judges, prosecutors, defense counsel, and court staff work side by side with the Cambodian government, is finally prepared to begin its first trials of five of the most senior Khmer Rouge leaders who -- next to Pol Pot himself -- were most responsible for the killing fields.

Unfortunately, after several stops and starts, the court faces a looming financial crisis -- indeed, there is a real danger that the ECCC will collapse before it even gets off the ground. Direct American support is needed. Unfortunately, since we helped to broker the agreement between the U.N. and the Cambodian government to establish the tribunal, the United States has declined to support the court politically or financially.

Make no mistake, our reticence has stemmed in part from reasonable concerns about the independence of the process and apparent financial improprieties. However, today most of these issues have been addressed, and the best way to ensure a legitimate process going forward is to get our country more involved in the court.

With American backing, we can use our financial leverage to improve the process. Specifically, our involvement could effect higher standards of transparency, independence, integrity, more effective witness protection, meaningful victim participation, and adequate anti-corruption

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measures. We can also assist ongoing U.N. efforts to ensure that the trials proceed fairly. That's why I have proposed a modest contribution of about \$2 million, dedicated to support the victims' rights and witness protection programs run by the United Nations.

Recent history in places like Rwanda and Yugoslavia has shown that U.S. leadership can make the crucial difference in the search for post-conflict justice. Other international donors have been carrying the burden without us for years -- and many are now beginning to suffer from "tribunal fatigue." Even a minimal U.S. contribution of \$2 million would help mobilize others to increase their support, while sending a message to the people of Cambodia and the world that America stands strongly behind our principles.

Cambodians have already waited too long for justice. Many children today have no recollection of their country's torturous past -- and some even doubt that the atrocities ever happened. Day by day, survivors die without seeing any accountability for the horrors that were committed, and without lending their voices to the record of history. A successful tribunal for Cambodia will continue the essential process that began with the Nuremberg trials of setting a standard for accountability and sending a message that the world will never forget.

Time is running out for Cambodia to make peace with its history. They need our help. As Dith Pran said, "The dead are crying out for justice." We must do our part to make sure that these cries are finally heard.

Sen. John Kerry has represented Massachusetts in the U.S. Senate since 1984.

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