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HRW bashes Hun Sen on ECCC stance

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Rights group reports tribunal's autonomy could be in jeopardy.

Human Rights Watch (HRW) on Thursday accused Prime Minister Hun Sen of interfering in the Khmer Rouge tribunal, saying comments he reportedly made to French President Nicolas Sarkozy last week "call[ed] into question the court's independence".

Prak Sokhon, a secretary of state at the Council of Ministers, said Sunday upon Hun Sen's return from France that the premier told Sarkozy he considered the start of the trials of former Khmer Rouge leaders to be a positive development, though he said it was also important for the country to remain "peaceful".

And according to an HRW statement issued Thursday, a senior Cambodian aide present at the meeting between the two leaders said Hun Sen told Sarkozy that the court should only try the five Khmer Rouge leaders who have already been indicted.

"Hun Sen has no role in this court, yet he keeps trying to use his hold over its Cambodian personnel to interfere," Brad Adams, HRW's Asia director, said in the statement.

"The UN and international donors need to put their foot down so that the court can get on with its work in an independent and impartial manner," he added.

The international and national co-prosecutors are divided on the issue of whether to prosecute additional senior regime leaders, and the trial chamber has yet to reach a decision regarding a formal statement of disagreement filed in December.

International prosecutor Robert Petit, who has argued that more prosecutions are justified, resigned last month and will leave the court at the beginning of September.

National prosecutor Chea Leang claims more indictments could jeopardise national stability, a stance Hun Sen echoed in public statements in March, when he said he would "prefer to see the court fail than for war to come back to Cambodia".

The court denied HRW's claim of political interference Thursday and said a decision from the trial chamber was expected "in due course".

"We have noted the report from Human Rights Watch, but the court enjoys judicial independence and will make its decision [about new prosecutions] in due course based on facts, evidence and applicable law," UN court spokesperson Lars Olsen said.

Council of Ministers spokesman Phay Siphon and Minister for Information Khieu Kanharith were both unavailable for comment Thursday.