



GENOCIDE WATCH

THE INTERNATIONAL ALLIANCE TO END GENOCIDE

U.N. Says Won't Change Judge for Cambodia War Crimes Court
By Prak Chan Thul, Reuters
25 January 2012

(Reuters) - The United Nations will send its investigating judge to resume work at the Khmer Rouge war crimes tribunal in Cambodia, despite moves by the government to have him replaced, a top envoy said Wednesday.

Cambodia had no authority to block Swiss Laurent Kasper-Ansermet from taking up the post under a 2003 agreement between the government and the United Nations, said David Scheffer, special expert on U.N. assistance to the Khmer Rouge trials.

Scheffer said Kasper-Ansermet would go to work on investigating two more unidentified suspects in the highly controversial cases being referred to as 003 and 004, which relate to their roles in the "year zero" revolution that killed as many as 2.2 million Cambodians from 1975-1979.

The two cases have been a source of acrimony in the tribunal and have led to heated disagreements and several resignations. Cambodia's government is vehemently against indicting the two suspects, who are widely believed to be former Khmer Rouge military commanders.

"We do look forward to the judge returning to this country from his commitment in Switzerland this week and we look forward to him working on building a credible case files in case 3 and 4," Scheffer told reporters after meeting government officials.

"Recognizing that we believe in our interpretation of the (2003) agreement, namely regardless of that breach, the judge has full authority to operate as the international investigating judge," he said.

Critics have accused Cambodia's government of trying to prevent further cases from being investigated and Prime Minister Hun Sen, himself a former Khmer Rouge soldier, has even warned of a civil war if more indictments are issued.

CONTROVERSIAL CASES

The government said Monday its judicial bodies had full authority to reject judges if they did not consider them suitable and the United Nations was "confused" about an agreement it signed.

It gave no response Wednesday to Scheffer's announcement that the judge would return. Cambodian officials have said the government felt Kasper-Ansermet was unsuitable because he had used his Twitter account to draw attention to a debate over whether to pursue cases 003 and 004.

The hybrid U.N.-Cambodian court is hearing case 002, involving three top members of the ultra-Maoist Khmer Rouge regime, accused of war crimes, genocide and crimes against humanity. Khmer Rouge leader Pol Pot died in 1998.

Prosecutors have appealed the unexplained decision by a previous international judge Siegfried Blunk -- who resigned in October -- not to indict the two additional suspects, despite what rights groups say is overwhelming evidence to build a case against them.

Blunk's official reason for quitting was political interference.

The court, set up in 2005, has handed down just one sentence, a 35-year jail term commuted to 19 years for Kaing Guek Eav, also known as Duch, for his role in the deaths of more than 14,000 people at a torture center in Phnom Penh.

GENOCIDE WATCH is the Chair of the International Campaign to End Genocide
P.O. Box 809, Washington, D.C., USA 20044. Phone: 703-448-0222
E-mail: communications@genocidewatch.org Website: www.genocidewatch.org



GENOCIDE WATCH

THE INTERNATIONAL ALLIANCE TO END GENOCIDE

His appeal is due to be heard on February 3.

© 2012 Reuters