

ECCC Reports Progress; Mum On Criticism

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There were congratulations for countries providing judges and prosecutors to the Khmer Rouge tribunal, but little comment on the reservations expressed about some of the Cambodian legal contingent at a news conference at the Council of Ministers on Wednesday evening.

Wednesday marked almost three months since the team of UN and government staff moved into the Extraordinary Chambers in the Courts of Cambodia premises at RCAF headquarters in Kandal province.

A lack of Cambodian support staff may mean that the prosecution's investigations will be set back from June to July, said Sean Visoth, director of the tribunal's office of administration.

"Cambodia has an obligation and has every means to make sure that once a warrant is issued they can bring the suspects before the court," he said.

He added that those "most responsible" for the regime's crimes would face justice.

Sean Visoth's Deputy Director Michelle Lee said support staff must be selected by the co-prosecutors before preliminary investigations can begin.

"I can assure you our intention and our wish is to bring them on board as soon as possible, by either the end of June or the beginning of July," she said.

ECCC officials announced to about 50 reporters and NGO officials that they had briefed the diplomatic corps immediately before the conference on progress made toward the tribunal.

"We both congratulate the 10 countries whose nationals were appointed," Sean Visoth and Lee said in a statement distributed at the news conference.

"We also congratulate [the Cambodian judicial officials] on their appointment," the statement added.

Tribunal officials outlined the mandatory criteria that were used to select the Cambodian appointees.

These include requirements that the judges have no criminal records and that they be "free from any extra influences, inducements, pressures, threats or interference, direct or indirect, from any quarter for any reason."

"In selecting the Cambodian judges, the Supreme Council of the Magistracy followed guidelines for interpreting and applying these mandatory criteria, such as seeking a balance between experience and formal education," Lee said.

"In addition, they took into account a number of desirable criteria, namely language ability, gender and ethnic representation, ability to operate in a modern court environment and inter-cultural sensitivity," she added.

Some human rights and legal aid officials have raised questions about some of the Cambodian appointees, such as Military Court President Ney Thol, who is slated to serve as a pre-trial chamber judge.

Officials at Wednesday's meeting sidestepped questions regarding Ney Thol and other Cambodian appointees.

In response to legal expert Lao Mong Hay, who asked to know which judges belonged to which political parties, Sean Visoth said there was no provision between the UN and the Cambodian government regarding party affiliation. He did not elaborate.

Asked whether there was a need for some Cambodian judges to rebuild their reputations—something that one official has said the Khmer Rouge tribunal would give them the opportunity to do—Sean Visoth referred a reporter to a list of mandatory qualifications handed out to audience members.

Asked if he acknowledged the concerns raised about the past rulings of some of the Cambodian judges, Sean Visoth replied, "It is the freedom of expression," and moved on to another question.

Lee was similarly tactful.

Asked to clarify the UN's position on Ney Thol, whose August sentencing of Sam Rainsy Party lawmaker Cheam Channy was slammed by the US and the European Union, Lee, Sean Visoth and tribunal Chief of Public Affairs Helen Jarvis conferred quietly before Lee handed the question over to Sean Visoth.

Sean Visoth then said that all Cambodian appointees had been chosen by members of the Supreme Council of Magistracy, and quickly moved on to another question.

It was also announced that furniture, equipment, Internet connectivity and a backup generator had been installed at the ECCC compound.

Razor wire has also been installed above and below the existing security wall around the compound.

The facilities for the ECCC "are by no means interior to those available in other hybrid or international courts, and we see no physical obstacle to the two Co-Prosecutors taking up their posts at the earliest possible moment," according to the statement.

(Additional reporting by Reuters)