

Prosecutor wants 5 more Khmer Rouge investigated

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A prosecutor at Cambodia's Khmer Rouge tribunal has formally recommended that five more suspects be investigated for crimes against humanity and other offenses, setting the legal body on a collision course with the country's powerful prime minister.

A statement from the tribunal Tuesday said the acting international co-prosecutor, William Smith of Australia, submitted his recommendation to the co-investigating judges, who would then decide whether to issue arrest warrants.

Citing the confidentiality of the process, the tribunal announcement did not identify the five new suspects. It said the cases involved at least 32 instances of murder, torture, unlawful detention, forced labor, and persecution that constituted violations of Cambodian and international law.

Cambodian Prime Minister Hun Sen has repeatedly spoken out against expanding the list of defendants beyond the one now on trial — Kaing Guek Eav, also known as Duch, — and four others in custody.

On Monday, Hun Sen said such action could lead to civil war, a claim doubted by his critics.

"I would like to tell you that if you prosecute (more leaders) without thinking beforehand about national reconciliation and peace, and if war breaks out again and kills 20,000 or 30,000 people, who will be responsible?" Hun Sen said.

The tribunal's Cambodian co-prosecutor opposed further indictments, but the tribunal last week ruled that his international counterpart could seek them. The tribunal, created last year under an agreement reached in 2003 between Cambodia and the United Nations, employs joint teams of Cambodian and international court personnel.

Lars Olsen, a spokesman for the tribunal, said there was no timeframe for action by the co-investigating judges on Smith's submission, made Monday.

The tribunal is seeking justice for the estimated 1.7 million people who died in Cambodia from execution, overwork, disease and malnutrition as a result of the communist regime's radical policies while in power between 1975-79.

The U.N. administrator for the tribunal issued a blunt reminder Tuesday to Hun Sen that the panel was independent.

"It is a clearly established international standard that courts do not seek approval of advice on their work from the executive branch," Knut Rosandhaug said in a statement.

Critics accuse Hun Sen of trying to limit the tribunal's scope to prevent his political allies from being indicted. Hun Sen once served as a Khmer Rouge officer and many of his main allies are also former members of the group.

The tribunal's long-awaited first trial — of Kaing Guek Eav, the Khmer Rouge's chief jailer for war crimes and crimes against humanity — opened in March. A joint trial of the four other defendants is expected within the next two years.

The Khmer Rouge came to power after a bitter 1970-75 civil war, and after being ousted from power in 1979, carried out an insurgency from the jungles until 1999.

Hun Sen has dominated Cambodian politics for more than two decades. He ousted his former co-prime minister in a 1997 coup and has since ruled virtually unchallenged.