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Bar Fee Dispute Delays Khmer Rouge Hearings

By Ian MacKinnon

A proposed £2,500 charge for international lawyers to take part in Cambodia's long-delayed Khmer Rouge genocide trial is threatening to derail the process.

Most lawyers are refusing to pay the fee set by the Cambodian bar association. Concern is mounting that defendants could be denied a fair trial if international lawyers pull out. The senior international defence lawyer in the trial, the British war crimes barrister Rupert Skilbeck, is to request talks with the Cambodian bar association to settle the dispute.

All other outstanding issues were resolved when a committee of Cambodian and international judges concluded 10 days of talks last week to thrash out ground rules for the trial. The agreement paves the way for the trial of Khmer Rouge leaders over the deaths of 1.7 million Cambodians in the "killing fields" between 1975 and 1979. The row over fees must be settled before a meeting set for the end of April of the Cambodian and international judges to approve the trial rules.

The role of overseas barristers in the UN-sponsored tribunal was one of the biggest hurdles in failed discussions in November and January. "If this can't be resolved the tribunal does not go forward," said Mr. Skilbeck. "But I'm fairly confident we can find a way to sort this out."

Mr. Skilbeck said the fees proposed would put off most international lawyers, leaving the defendants, thought to number as few as 10, with limited choice.

Establishing the tribunal has taken more than a decade since Cambodia's government asked for UN assistance. The latest wrangling has eaten into the three-year mandate of the court set up last July.

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