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KR Defenders Office to Have Foreign Lawyers

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To ensure former Khmer Rouge leaders have an adequate defense, the Extraordinary Chambers in the Courts of Cambodia will set up a defenders office staffed by foreign lawyers, the ECCC announced at a press conference on Friday.

The principal defender leading the office, Rupert Skilbeck, said that the ECCC judicial officers have agreed that while there are many skilled Cambodian defense attorneys, the Law on the Bar Association must be amended to allow foreign attorneys to serve as co-defense counsel in Cambodia.

Skilbeck said 15 attorneys would staff the ECCC defense office to ensure “an equality of arms” between the high powered prosecution and the defense at the tribunal.

Addressing the issue of impartiality on the part of the Cambodian judges and prosecutors, Skilbeck, who was appointed last month after serving in the war crimes courts for Bosnia and Sierra Leone, said that such issues have arisen in other UN - backed tribunals.

“In every international tribunal of this type, there have been challenges made to judges over impartiality.... In the Sierra Leone tribunal a judge was removed after he stated that the defendants were guilty,” Skilbeck said.

“I expect, based on this experience, that there will be such challenges in this tribunal as well,” he added.

Replying to another question by a reporter regarding the allegations of political bias and corruption leveled at some of the Cambodian judges, ECCC Co-Investigating judge, You Bun Leng said that procedures are being discussed for the disqualification of judges.

“The national and international judges have exchanged ideas on rules for petitioning for the removal of any judge,” he said.

Asked after the press conference about the criticism of Cambodian jurists, Co-Prosecutor Robert Petit said that he does not comment on allegations—only facts.

“I will base my assessment on the facts,” he said.

The press conference attended by judges and prosecutors wrapped up a four-day planning session following a swearing-in ceremony on Monday.

“I don't have to tell you that the realization of this court has taken a long time, so long that I am sure there are still some in Cambodia who are having difficulty believing the Extraordinary Chambers is really going to take place,” Petit said in his speech to the news conference.

Petit also said that although his work will begin on Monday, “it does not mean that indictments will be issued on Tuesday.”

Co-investigating judges Marcel Lemonde and You Bun Leng said later that it is not yet decided who the suspects for prosecution will be, when they could be arrested or how many there might be.

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