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Cambodian Judges in Khmer Rouge Tribunal Say Ultimatum Uncalled For

Phnom Penh — The Cambodian judges appointed to the joint UN-Cambodian trial of former Khmer Rouge leaders issued a statement Friday accusing a proposed boycott by their international counterparts unnecessary and aimed at delaying the process.

The Cambodian judges reiterated earlier assertions that a row over fees the Cambodian bar wants to impose on foreign lawyers was not part of the internal rules and therefore should not delay their implementation.

They were replying to Tuesday's announcement by international judges that they would boycott a scheduled April 30 plenary to adopt the internal rules if the Cambodian Bar Association did not back down on its demands for 5,000-dollar registration fees for overseas lawyers wishing to represent clients at the hearings.

Tuesday's international judges' statement further threatened to exclude the Cambodian bar from the process if it continued to refuse to drop the fees. The defence says that would severely limit the number of foreign lawyers defendants can choose from, potentially compromising the international standards' caveat of the hearings.

The 56-million dollar joint UN-Cambodian tribunal, which began work last year and is budgeted to take just three years to complete, cannot proceed without adopting internal rules governing every aspect of the work of the special tribunals.

'The national judges appointed to the ECCC (tribunals) consider that the international judges' decision not to participate in the plenary session planned at the end this month would further delay the process of the court,' the 15 national judges wrote.

'In response to the proposal to exclude the Bar Association of the Kingdom of Cambodia from the process, the national judges consider the such a move is not consistent with the substance and spirit of the Agreement between the Royal Government of Cambodia and the United Nations.

The national judges also rejected claims by the international judges that the Defence Support Section of the tribunals was actively discussing solutions to the dilemma.

Bar Association president Ky Tech has said he will not back down on the fees, claiming foreign lawyers are far better paid than their Cambodian counterparts and that it was his duty to his members to impose what he believes are reasonable fees on foreigners wishing to practice law in Cambodia.

The latest impasse is just another in a long line of delays to try a handful of aging former leaders of the 1975 to 1979 Khmer Rouge regime, during which up to 2 million Cambodians died.

Donors have expressed increasing frustration at the lack of progress, fuelling speculation they may walk away altogether if issues are not resolved soon and the hearings begin to progress.

The Cambodian government has reacted angrily to allegations by some human rights groups that it is deliberately stalling the process, strongly denying the claims and in turn accusing lobby groups of trying to hijack the trials for their own political ends.

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