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CCHR calls on UN to undertake investigations into political interference at the KRT following judge’s resignation

Yesterday’s announcement that Judge Laurent Kasper-Ansermet has resigned from the Khmer Rouge Tribunal (KRT) epitomizes the “dysfunctional situation” at the tribunal where allegations of political interference are increasingly undermining that institution’s ability to deliver justice for the victims of the Khmer Rouge. In a press statement released by Judge Kasper-Ansermet’s office yesterday, it was stated that, “In view of the victims’ right to have investigations conducted in a proper manner, and despite his determination to do so, Judge Laurent Kasper-Ansermet considers that present circumstances no longer allow him to properly and freely perform his duties.”

The Swiss Judge’s resignation follows active opposition to investigations into Cases 003 and 004 by his Cambodian counterpart, Judge You Bunleng, which Judge Kasper-Ansermet claims has led to “a dysfunctional situation within the ECCC”. In today’s Phnom Penh Post (‘Blocked’ judge quits court: UN appointee slams ‘dysfunctional’ KRT), Judge Kasper-Ansermet is quoted as saying “I am truly blocked in every aspect...It is illegal, and I cannot validate this situation any more.” Judge You Bunleng has opposed Judge Kasper-Ansermet’s authority to act in his capacity as Reserve International Co-investigating Judge even prior to his arrival in Cambodia and, in particular, since the Supreme Council of Magistracy’s (SCM) decision to refuse to confirm his appointment as International Co-Investigating Judge. As such Judge Kasper-Ansermet efforts to work with his national colleague and undertake necessary investigative or judicial action in relation to the controversial Cases 003 and 004 have been stonewalled.

Responding to the resignation of Judge Laurent Kasper-Ansermet, President of the Cambodian Center for Human Rights – and victim of the Khmer Rouge - Ou Virak stated:

“Justice for the victims of the Khmer Rouge hangs in the balance as a result of this latest development. Despite assurances from the UN that allegations of political interference were being dealt with, we find ourselves with another international investigating judge tendering his resignation on grounds of interference. This is not acceptable. The UN must undertake investigations into political interference at the tribunal, not only in respect of Cases 003 and 004 but where all proceedings are concerned. If the government is willing to go to such lengths to block cases it doesn’t want to go ahead, how confident can we really be that it hasn’t already determined the outcome in the cases that have been allowed to go ahead – Cases 001 and 002? The Cambodian public – the very people this tribunal was established to serve – must be informed of the nature and outcome of these investigations into political interference. Depending on the findings, the UN should seriously consider its position with regards the tribunal, including turning its back on the tribunal depending on the degree of interference. If the UN fails to take steps to deal with the institutional damage that has been caused by political interference, the integrity of the KRT will be fatally undermined, including the justice which it seeks to dispense in all cases, including Cases 001 and 002.”

For more information, please contact CCHR President Ou Virak via telephone at +855 (0) 12 40 40 51 or e-mail at ouvirak@cchrcambodia.org.