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Cambodia: International community should ensure that senior Khmer Rouge leaders are brought to justice

The international community should offer assistance to the Royal Government of Cambodia to ensure that senior Khmer Rouge leaders -- believed to have been responsible for gross human rights violations -- are brought to justice and given a fair trial, Amnesty International said today.

Reports from Cambodia over the past two days have suggested that Pol Pot, the leader of the Khmer Rouge political movement, may have surrendered to breakaway Khmer Rouge forces in a remote part of northern Cambodia. These reports could not be confirmed independently, but if they are true, a unique opportunity exists to ensure accountability for gross human rights violations committed in the recent past.

“The current political situation in Cambodia, and the ongoing problems in its judicial system make it very difficult to envisage a fair trial for Khmer Rouge leaders within the country,” Amnesty International said. “This is a test of will for the international community to assist the Cambodians by providing a venue outside the country, where trials which meet international standards for fairness can take place.”

Since the Royal Government came to power in 1993, Amnesty International has closely monitored the judicial system in the country. A lack of fairness and transparency within the judicial system persists, and efforts to implement reforms have been hampered by tensions within the coalition government. Ensuring a fair trial for those accused of the type of crimes attributed to Khmer Rouge leaders would present formidable difficulties for the Cambodian judicial system.

Amnesty International believes that because the likely charges which may be levelled against senior Khmer Rouge leaders include crimes against humanity and grave breaches of the Geneva Conventions -- which are crimes of universal jurisdiction -- individuals against whom there is a case could be tried in any state. If the Cambodian judicial system cannot guarantee trials which satisfy international standards for fairness, other states have the responsibility to do so.

“All those implicated in involvement in the gross human rights violations committed during the 1975-79 period (of the Khmer Rouge Government) need to be held accountable for their actions. It is vital that the proper procedures are followed in order to establish the truth, and to ensure that justice is done -- and is seen to be done.”

The organization also renewed its warning against any amnesties for individuals who may have been involved in human rights violations and who have not yet been tried. Amnesties which have the effect of preventing the emergence of the truth and subsequent accountability before the law should not be acceptable. ...ENDS/