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International tribunal must not be politically selective

Amnesty International today expressed cautious optimism at news that the Security Council will debate a resolution on crimes against humanity and war crimes in Cambodia. However, while noting that a draft resolution will seek to bring to justice *some* of those responsible for these crimes, it urged that any tribunal established should be able to try *all* those who have committed such crimes in the last three decades.

The human rights organization has long and repeatedly argued that the issue of impunity for human rights violators continues to play a destructive role in Cambodian society and that future protection of human rights for Cambodians is dependent on ensuring justice for all those guilty of human rights violations.

Amnesty International expressed concern that the measures proposed do not go far enough to ensure an end to the cycle of impunity in the country.

“While welcoming any moves to bring to justice those believed to be responsible for the gross human rights violations committed during the period April 1975 to January 1979, it is vital that any tribunal is not politically selective in its approach,” the organization said.

The wording of the resolution, as it stands, is selective both in the categories of those who would be tried who are defined as “certain senior members of the Khmer Rouge” and the time-frame in which the crimes were committed “15 April 1975 to 7th January 1979”. This would prevent the tribunal from investigating the many others who may have committed such crimes in Cambodia over the past three decades.

“It would be the same as if the international tribunal for the former Yugoslavia could try only Serbs or the international tribunal for Rwanda only Hutus,” Amnesty International said.

Amnesty International has also repeatedly urged that the international community should take every opportunity available to bring to justice anyone implicated in involvement in gross human rights violations, and it is for this reason that the world needs a permanent international criminal court.

Ad hoc international tribunals on specific countries such as the one proposed on Cambodia can serve a useful purpose, but they are not a substitute for a permanent international criminal court, where an independent prosecutor would be able to examine evidence and make non-political decisions about which cases should be brought before the court.

In the light of the current debate on the best way to bring to justice those suspected of involvement in gross human rights violations in Cambodia, Amnesty International renews its call for the establishment of a permanent international criminal court, which will be discussed at a special diplomatic conference in Rome in June and July of this year. Such a court must have the power to bring to justice all persons responsible for such crimes, independent of any political considerations.

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