

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **Cambodia: Fair trial and due process are not up for negotiation**

Amnesty International today issued a report on its position and concerns regarding the proposed establishment of a mixed Cambodian and international tribunal to try senior members of the Khmer Rouge, which is to be put to a vote at the UN's General Assembly in the coming days.

"Amnesty International's position remains unchanged," said the organization. "Those responsible for the most grave crimes under international law must be brought to justice in trials that adhere strictly to international standards. These standards are the same for everyone, be they Cambodian, Serbian, Rwandan or American."

Within a month of the Khmer Rouge seizing power in Cambodia in April 1975, Amnesty International had sent its first cable to the new government expressing its concern at reports of executions.

In 1978 Amnesty International called on the UN Human Rights Commission to intervene. The organization pushed for the issue of crimes against humanity to be central to the 1991 Paris Accords, but sadly the issue received scant attention due to competing international interests which have continued to this day.

Although an improvement on previous proposals, following the hard work of the UN's Office of Legal Affairs, Amnesty International continues to assert that the current draft agreement for the establishment of a tribunal does not sufficiently guarantee international standards for fairness and requires revision.

In its report, Amnesty International draws attention to the serious deficiencies of the Cambodian judiciary. The organization's long-standing concerns were highlighted yesterday by the killing of senior judge Sok Sethmony. His murder follows several other serious and unprecedented attacks against judicial figures in recent weeks.

Problems of corruption and political interference in the courts have been repeatedly and publicly noted not only by Amnesty International but also by the United Nations itself and many Cambodian human rights NGOs. Today's report includes Cambodian NGO statements as well as references to UN reports.

"Fair trials and due process are not negotiable," Amnesty International said. "It is absolutely essential that justice is both done and seen to be done in Cambodia, not only as an important step to end the culture of impunity which prevails in Cambodia to this day but also to ensure that the proposed

tribunal does not set a dangerous precedent for other similar judicial mechanisms being considered around the world."

For a full copy of the report "*Kingdom of Cambodia: Amnesty International's position and concerns regarding the proposed Khmer Rouge tribunal*" go to:  
<http://web.amnesty.org/library/index/engasa230052003>

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