



Special Representative of the Secretary-General  
for Human Rights in Cambodia

តំណាងពិសេសរបស់លោកអគ្គលេខាធិការអន្តរជាតិសិទ្ធិមនុស្សប្រចាំកម្ពុជា



**Statement to the press by Ambassador Thomas Hammarberg,  
Special Representative of the Secretary-General  
for Human Rights in Cambodia  
20 May 1999**

1. It is essential that the trial of the leaders of the Khmer Rouge (1975-1979) meets international standards of justice, fairness and due process of law. The tribunal should therefore be international in character. This was emphasised by the Secretary-General when he submitted the report of the Group of Experts to the Security Council and the General Assembly.
2. The Cambodian Government has emphasised that the crimes were committed in Cambodia, that the perpetrators were Cambodians and the majority of victims also were Cambodians and that therefore the legal proceedings should take place in Cambodia.
3. I have now again met the Prime Minister and his leading advisors on this important issue. I have listened and asked questions. What has emerged is a resolve by the Government that a trial be organised in Cambodia which would meet international standards. The tribunal would be Cambodian and at the same time international in character. The teams of judges and prosecutors would be “mixed”, both foreigners and Cambodians would be appointed.
4. These ambitions need to be properly reflected in the enabling legislation which the Government has decided should be put to the National Assembly. This legislation has, *inter alia*, to clarify the applicability of national and international law, to define an internationally acceptable mechanism for the appointment of judges and prosecutors and to guarantee that no legal impediment exists to the arrest by the Cambodian authorities of those indicted. Several other aspects need to be clarified, some of them mentioned by the Group of Experts in their February report.
5. I was asked by the Prime Minister to identify an international expert who could take part in the analysis and formulation of how the international standards for practice, fairness and due process of law should be integrated into the proposed legislation. I believe this reflects important progress. I will now go to New York in order to consult with the UN Secretariat on the best answer to this request. I hope we will be able to give a swift and positive response.