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**Keynote Address  
of**

**H.E. Dr. Widhya Chem  
Ambassador, Permanent Representative  
of the Kingdom of Cambodia  
to the United Nations**

**at**

**Symposium  
The Extraordinary Chamber of Cambodia/Khmer Rouge Tribunal:  
Balancing Victims Needs Against Defendants Rights**

**Rutgers School of Law  
Newark**

**April 25, 2006**

Mr. Dean,  
Ladies and Gentlemen,

1. I would like to begin by conveying my sincere appreciation to the Global Legal Studies at the Rutgers School of Law, the International Center for Transitional Justice, as well as the Documentation Center of Cambodia, for inviting me to take part in today's Symposium on the Extraordinary Chamber of Cambodia: The Khmer Rouge Tribunal Balancing Victims' Needs against Defendants Rights.
2. I also would like to commend this initiative as it allows interactive discussions and possible inputs that would be useful for the overall efforts to provide justice to the victims of the atrocities committed under the Khmer Rouge regime. Indeed, the issue of balancing the needs of victims and rights of defendants certainly present opportunities for discussions and further contemplation as it has received more attention in the domain of international criminal law rather recently.
3. The Establishment of the Extraordinary Chambers possesses such significant achievement for the Government and People of Cambodia as the tireless effort to bring the perpetrators to justice finally started to materialize twenty-seven years after the collapse of the Khmer Rouge genocidal regime, which was unparalleled in human history in terms of cruelty and systematic destruction and, yet unnoticed by the international community for a number of years.
4. It therefore, remains an essential task to have clearly in sight, what the trial should bring about:

First: It should bring about a sense of long overdue justice to the victims dead and alive. Let me recall that up to three million, nearly half of the Cambodian population then, perished through summary executions, exhaustion, diseases and hunger. Those who survived, must bear physically and psychically the deep marks left behind. If national reconciliation has succeeded to bring back peace to this once peaceful Kingdom literally reborn from its own ashes, it does not mean that forgiving is forgetting. Some of the top henchmen already escaped justice and died, some of old age. Time has become the essence.

Secondly, the trial should bring remembrance to the international community in order to prevent the recurrence of deliberate policies of genocide and crimes against humanity.

Third, the outcome of such common efforts would help strengthen the judicial system and the rules of law in my own country, Cambodia, which were wiped out during the Khmer Rouge regime.

Mr. Dean,  
Ladies and Gentlemen,

5. Throughout the years of discussions and negotiations with the United Nations and the international community, three main principles, namely the respect and search for justice, the respect for Cambodia's sovereignty, and the paramount importance to maintain peace, political stability and national unity have always guided the Royal Government of Cambodia.
6. The Royal Government of Cambodia believes in the complementarity of laws when it comes to combine national laws and regulations with international treaties, covenants and instruments.
7. We are grateful for the patient and generous support and assistance that have been provided by members of the international community, without which the actual process to establish the Extraordinary Chambers could not have been commenced last year.
8. Although the Royal Government of Cambodia is in the process of fulfilling its side of budget requirement, we have been very encouraged by the progress made so far. The recent appointment of Ms. Michelle Lee as the Deputy Director of the Office of Administration of the Khmer Rouge Tribunal, the opening and selection of officers of the Office of Administration in Cambodia, as well as the currently ongoing selection and nomination process of the international and Cambodian judges, are all important steps that have been taken in order to realize the establishment of the Trial.
9. The theme of today's Symposium, namely victims' needs versus the rights of the defendants, should not mislead us from a situation of the worst violation of Human Rights ever in history and put the henchmen on par with the millions of victims. The presumption of innocence should be dealt with a double dose of precaution as not to lead to a travesty of justice.

10. I am saying so in the consciousness that any democratic society sticks to rules and humanitarian values whereas the very regimes like the Khmer Rouge simply abolished in blood the very rules of democratic societies without any recourse that we know of. It is, therefore, the more difficult, yet somehow necessary, to give henchmen those very rights that the latters had flatly denied when they were in power. Even today some of them remain convinced of the rightness of their policies of the past.
11. I am confident that today's Symposium will carefully weight not only the needs, but more importantly, the rights of the victims against the rights of the defendants, as these are not ordinary criminals, but the most horrendous, who took pain to elaborate and implement in full consciousness the policies that we all know.
12. The ultimate goal of the Khmer Rouge Tribunal is not to enflame old passions and revive old pains, but to bring to light, what was kept so long buried in deep secrecy. Only light can bring accountability to the people and to history. Guided by this light, may I wish the Symposium fruitful debate and a successful conclusion.

Thank You.