



**Lawyers in Khmer Rouge trial file suit against government officials  
October 24, 2011**

Phnom Penh - Lawyers for one of the surviving leaders of the Khmer Rouge filed suit Monday against Prime Minister Hun Sen and 10 senior officials alleging political interference at the war crimes court.

Andrew Ianuzzi, a member of the legal team for Nuon Chea, who is also known as Brother Number Two, said the suit claimed an array of criminal activity including witness tampering.

'We mean specific interference with the administration of justice, and these are crimes under the current penal code and the earlier code,' Ianuzzi said after filing the case at the municipal court.

Nuon Chea is one of four defendants in the UN-backed court's second case. The move by his defence team follows the surprise resignation of the tribunal's German co-investigating judge Siegfried Blunk citing political interference.

Blunk quit on October 9, saying a series of statements by politicians about two cases under investigation - known as Cases 003 and 004, both of which the government has long said it would not permit to go to trial - had made his position untenable.

On Monday, government spokesman Phay Siphon, who is one of the 11 officials cited in the filing, said the municipal court would need to make its own decision.

'We feel this is a new strategy of (Nuon Chea's) defence lawyers to try and find a good excuse to defend their client,' he said.

The suit claims the statements by the government officials constitute judicial interference and compromise the fair trial rights of the Case 002 defendants.

Ianuzzi said government officials had indicated that witnesses should not testify, opposed the investigations in Cases 003 and 004, and flouted summonses requiring them to give testimony in Case 002.

In October 2010, Hun Sen told UN Secretary-General Ban Ki-moon that Cases 003 and 004 would not be allowed. In September, Foreign Minister Hor Namhong was quoted as saying that the government, not the UN-backed tribunal, would decide who could be arrested.

Last week, UN chief legal officer Patricia O'Brien told the government that it must cooperate fully with the court and refrain from interfering with Cases 003 and 004.

Nuon Chea and three other defendants are due to stand trial on November 21 for genocide, crimes against humanity and war crimes. They have denied all charges.

The four ageing defendants are alleged to be responsible for policies that led to the deaths of up to 2.2 million people under the 1975-79 Khmer Rouge regime.

In its first case the court last year sentenced the regime's security chief, Comrade Duch, to 30 years in prison after finding him guilty of war crimes and crimes against humanity. Duch has appealed his conviction.