

## KONFERENZBERICHTE

### Cambodia's Khmer-Rouge Tribunal: Success or Scandal?

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Is the tribunal a positive step towards dealing with Cambodia's recent past or mere a symbol for the failure of western support? The ratio between five accused perpetrators of the killing fields and the estimated figure of 1.5 million victims sheds a light on the thorny steps the tribunal has taken. "Out of thousand steps we have to walk we managed to pass thirty" described Theary Seng, human rights activist and ardent fighter for the tribunal her everyday work. Cambodia's PM Hun Sen is clearly not in favour of such a court. He even tries to exert political pressure on the judges involved, as Jürgen Aßmann, adviser to the prosecutors at the Khmer Rouge Special Tribunal confirmed. The Khmer-Rouge tribunal is special in many ways. "While the International Criminal Tribunal for the former Yugoslavia takes place in the Netherlands and the International Criminal Tribunal for Rwanda moved to Tansania – the Khmer-Rouge tribunal occurs in Cambodia" said Manfred Richter, member of the board of Friedrich-Naumann-Stiftung für die Freiheit, in his opening speech. Working on the past could become a cornerstone for true reconciliation.

"This is a national court with an international component" explained Aßmann the challenges of the tribunal which deals solely with the Khmer Rouges' rule 1975 - 1979 in his keynote speech. Thus the court works on crimes against humanity and violations of national law. It is however challenging to prove guilt thirty years after the crimes actually happened. Only when it's widely accepted the tribunal can be successful. As one of the major problems Aßmann named the fact that 40 per cent of all Cambodians don't know about the work of the tribunal. "We know for certain that a genocide occurred in Cambodia, but we will not be able to prove it." A genocide usually turns against a certain group (national, religious, ethnic) – the Cambodian mass murder turned against each and everyone. Aßmann agreed that rumours of corruption within the judiciary don't lack proof. The risks of the tribunal are very real but he would not talk about a scandal.

Despite all true facts about a corrupted tribunal Theary Seng sees it as a "great opportunity to shape it into something more positive". She wants to stress the two sides of this court: a court of law as a legal construct and a court of public opinion. Thanks to the latter public debates emerge about what happened during the reign of the Khmer Rouge. "It is very important that these people are convicted as a very visible form of justice. Former mythical figures are now seen as real men". Thus, she added, it is also a symbolic court.

MP Jürgen Koppelin, Parliamentary Secretary of the FDP parliamentary group, is more critical towards the outcome of the Khmer-Rouge tribunal. "The tribunal is a

piece belonging to a history textbook.” People were asking: what about these old stories? While paying a visit to Cambodia he visited the tribunal. He asked “who are the accused?” People didn’t know that for a long time, because there was no personal cult, such as with a clear leader. “You don’t need any witnesses because the accused tell you everything.” But a majority of Cambodians is not interested in the court’s activities. In this particular case the government represents the will of its people while opposing the tribunal.

Theary Seng contradicted this view. One major reason for low interest and low participation of the public in the court room is the fact, that it is located in a military compound in the suburbs of Pnom Penh. Difficult to reach for many a Cambodian plus the fact of low income which does not allow to travel to Pnom Penh for the purpose of watching the tribunal’s procedure is the consequence. So it is not the people but the government not being interested in a tribunal. But it is high time to work on history in Cambodia, to talk with the last victims of the killing fields. Just one out of 200 killing fields has been recovered. The younger generation – sixty percent of Cambodia’s population is under the age of 30 – was born afterwards.

Time in the court’s proceedings is an essential factor. But to prove guilt in order to convict one has to know the responsibilities and the chains of command as Jürgen Aßmann pointed out. After liberating Cambodia and bringing the killings to an end in 1979, Vietnam staged a tribunal, convicting Khmer Rouge leaders but this was a victor’s justice. The international Khmer-Rouge tribunal wants to make a clear difference. Aßmann is still optimistic that the tribunal will succeed.

Theary Seng sees a window of opportunity for public opinion to elaborate on the topic of the past. “We should use the court as a catalyst to jumpstart discussions”. The court is a significant step towards a democratic society. Still, Jürgen Koppelin stayed more critical towards the role of the tribunal. “I strongly wish people would involve themselves stronger”. This benefits the country and a democratic society.

Charles du Vinage

## **Innovation and Technology in Korea – An International Perspective**

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Die Konferenz zum Thema „Innovation and Technology in Korea – An International Perspective“ wurde gemeinsam von der Wirtschaftskammer Österreich, der Universität Duisburg-Essen sowie der Hanns-Seidel-Stiftung Korea organisiert. Sie war eine Fortsetzung der von Jörg Mahlich (Wirtschaftskammer Österreich) und Werner Pascha (Universität Duisburg-Essen) initiierten Konferenz zum Thema „Innovation and Technology in Korea: Challenges of a Newly Advanced Economy“ im Jahr 2005. Damals standen die jüngsten Entwicklungen in Korea im Fokus, während die diesjährige Tagung den internationalen Vergleich in den Mittelpunkt