

Monday, March 31, 1997

## Justice Rally Was a Threat to CPP's Power, Rainsy Claims

THE CAMBODIA DAILY

Speaking to reporters at his house as wounded Khmer Nation Party (KNP) members were tended to, Sam Rainsy said that his party's attacks on the judiciary's lack of independence strike at the heart of the CPP's hold on power.

"I think we have touched one of the most sensitive points of the CPP system...It is very easy to demonstrate that the judiciary is not independent," he said.

At Sunday's protests, demonstrators called for the creation of the Supreme Council of Magistracy (SCM) and the Constitutional Council—two judicial oversight bodies which legal observers say are crucial for the establishment of an independent judiciary and fair elections.

"Without an independent judiciary, there are no free and fair elections," Sam Rainsy said, explaining that the Constitutional Council would be able to evaluate the coming elections.

But Second Prime Minister Hun Sen has said that blame for the lack of the two councils rests squarely on the shoulders of King Norodom Sihanouk.

"It is the responsibility of the King to create the Supreme Council of Magistracy," Hun Sen said Sunday in a broadcast on Apsara television and radio.

The second prime minister said that he will call the King after he returns from China to ask him to convene the SCM, which would then lead to the convocation of the Constitutional Council.

Meanwhile, Sam Rainsy has sought the advice of King Sihanouk—who is the constitutional guarantor of the independence of the judiciary—before deciding whether he will talk to court officials should they call him in for questioning in the murder investigation of Hun Sen's brother-in-law, Kov Samuth.

Sam Rainsy has said that he had nothing to do with the murder. The KNP president has reiterated his assertions that police used coerced confessions as evidence to portray him as the crime's mastermind.

"I would be willing to stand before justice if Your Majesty offers an opinion that justice is independent. Otherwise, why would I take part in a parody of justice with a verdict known in advance?"

"They can stop me right away

with their KGB and send me directly to their gulags without having to put me before their apparatchik-judges," he wrote in the letter.

Sam Rainsy also said that he would stand before the court if the majority of National Assembly members or both prime ministers assure him that the judiciary is independent.

Responding to reporters' questions about the letter, the KNP president said he asked the King, "Can you assure me that the judiciary is independent?" because as stated in the Constitution, this is the responsibility of the King."

"If he says yes and I am sentenced to prison, then I think he would feel quite bad, but if he says no then the King will have problems with the government," Sam Rainsy said.

The King, writing a letter of condolence to the victims of Sunday's blasts, also voiced fears about disrespect for the law of the land. "Cambodia has had a tremendous Constitution since 1993, but some people do not respect and follow its concepts. Cambodia still is not a state of law," read the March 30 letter which was distributed by the King's cabinet. (Eric Pape, Chris Fontaine and Ham Samnang)



Eric Pape/The Cambodia Daily

An angry and emotional Sam Rainsy blamed the CPP, the army and judiciary for Sunday's blast as he visited some of the 49 people being treated at Preah Kossamak hospital Sunday afternoon. "Cambodia is a terrorist state. Any serious investigation will lead to the army and to the communists. They want to eliminate all opposition in Cambodia. The culprits are in the ranks of the army, the judiciary," he said, as he tried to offer comfort to blast victims lying in pools of blood on the white tile floor.

## Attack Sickens Observers as PM Targets Int'l Community

BY ERIC PAPE  
AND CHRIS DECHERD  
THE CAMBODIA DAILY

Diplomats and human rights workers reacted strongly to Sunday's grenade attack, while Second Prime Minister Hun Sen claimed the international community was partly responsible for the events leading up to the attack.

The protest over the CPP's perceived control of the judiciary was interrupted at about 8:30 am when four grenades were thrown into the crowd, killing 19 and injuring more than 150.

A US Embassy statement condemned the attack as an act of political violence and urged the Cambodian government to take all steps necessary to arrest the perpetrators and bring them to justice.

In the statement, US Ambassador Kenneth Quinn said, "Attacks like this cause great harm to efforts to promote democracy and advance human rights in Cambodia."

The statement also said that it is of the utmost importance that all people in Cambodia do "everything possible to avoid future violence which could put at risk the significant progress Cambodia has made in recent years."

Hun Sen said Sunday evening that the international community

was partly responsible for the violence because it supports Sam Rainsy's actions.

"The leader of the demonstration is fed by foreign nations. A number of countries have encouraged [him] to lead demonstrations. Some countries think this is acceptable behavior," the second prime minister said in a speech broadcasted on Apsara television and radio.

One human rights worker responded furiously to Hun Sen's speech. "This is incredible. How can the leader of a nation say words like this after such a tragedy?"

"This could be the last straw with the international community," said the official, who spoke on condition of anonymity.

Meanwhile, diplomats fretted over the negative impact the attack will have on Cambodia's fragile democratic and economic development.

An Asian diplomat, speaking on condition of anonymity, said such attacks are sure to have a long-term impact on Cambodia's development, particularly in investment and tourism.

"You can expect this kind of incident from now until the elections. The incredible part is that investment is still coming in [up until now]," he said.

Another Asian diplomat speculated that the perpetrators of the attack may never be found, but he suggested that the attack could serve a number of different interests.

"It could be from people who support Hun Sen or it could be people in the party against Hun Sen who want to stir up a turbulent situation," the diplomat said.

He said that the KNP or Funcinpec will likely also be accused of orchestrating the attack.

The diplomat did not rule out the possibility that the attack was the work of a "third force" attempting to destabilize the country.

One Western diplomat said he hopes the Cambodian government will take steps to protect all kinds of legitimate political activities and bring to justice those responsible for a "long line" of human rights abuses.

"One has to ask who benefits from this," the diplomat said on condition of anonymity. (Additional reporting by Ham Samnang)