



» WORLD WEEKLY

Q&A: Khmer Rouge defence lawyer Michael Karnavas on the endless trial

DANIEL OTIS
SPECIAL TO THE STAR

PHNOM PENH, CAMBODIA—The recent death of Ieng Sary, a former Khmer Rouge foreign minister, leaves only two defendants at the tribunal tasked with trying Khmer Rouge leaders for genocide, war crimes and crimes against humanity.

Since its inception in 2005, only one person has been convicted by the tribunal, known formally as the Extraordinary Chambers in the Courts of Cambodia. With a judgment in the current case expected to take at least another year, it is possible that the remaining defendants — both octogenarians — will die before hearing their verdicts. Meanwhile, despite international pressure, the Cambodian government has publicly expressed its desire to see the ECCC shuttered after the current round of proceedings. Two planned cases involving mid-ranking cadre will likely never go to trial.

Ieng Sary's international co-lawyer, Michael Karnavas, sat down after his client's passing to discuss the future of the ECCC. This interview has been edited and condensed.

Q: There have been accusations of government interference at the ECCC. How would you characterize this?

A: From the very beginning, I think the Cambodian government wanted to have some kind of trial just to say that they had one. At the same time, they wanted to oversee the process, the narrative and its scope, by creating a system that would allow them maximum flexibility to control the (proceedings). So, if they heard something they didn't like, or if proceedings were going in a direction they didn't care for, or if the court was trying to investigate people that they think should not be indicted because that would touch upon sensitive events or certain individuals currently in high places, then they'd be able to stonewall or stall the proceedings. I think the government never had honest intentions to have a trial that would get to the truth.

Q: Can the ECCC be salvaged?

A: \$170 million has been spent so far and we haven't even finished. At the current rate, I think it's going to be very difficult for the trial to end with both of the accused still there. That would mean one accused being tried to the tune of \$250 million. By and large, the bench is incompetent. None of the judges — not a single one of them — have the sort of experience, knowledge and background for these kinds of cases. But, on the international side, you won't be able to find experienced judges from other tribunals willing to come because of all the negative publicity that the ECCC has had. I have young lawyers saying they want to do internships with me, then asking if their future is going to be impacted by all of the negative publicity that is coming out of the tribunal. And these are interns!

Q: How do you think the ECCC will be viewed in hindsight?

A: The sad legacy of the ECCC is that all of the positive things coming out of it — some of the decisions and procedures have been very good from a legal standpoint — almost get lost in this cloud of controversy surrounding it, whether it's corruption, incompetence or treating the national staff like indentured servants (many of them have not been paid since November). I think the ECCC is primarily a failure, but there still is time, maybe not to pull the rabbit out of the hat, but perhaps to sort of shift course and make this a better success.



RICK LOOMIS/MCT/LOS ANGELES TIMES

'We want respect'

Egyptian police officers, who say they are scapegoats, protest in front of the Interior Ministry in Cairo.

Egypt's new order creates identity crisis for police

JEFFREY FLEISHMAN
LOS ANGELES TIMES

CAIRO—The young policeman with scuffed boots and sleepless eyes sat on a motorcycle in a neighbourhood that no longer feared or respected him.

Khaled Sayed wore the colours of his trade: a black beret adorned with a silver eagle. An officer for three years, Sayed patrols streets where guns flow and jobless youths roam with knives and rage. Uniformed men with badges and battered side arms once held sway here, but their swagger has been clipped by a new and dangerous order.

Egypt's police and central security forces, for decades the tuggish protectors of Hosni Mubarak's repressive state, now safeguard a new government run by Islamist elements they once persecuted. The 2011 turnaround has sparked an identity crisis. Some officers have sided with protesters, while others have been blamed for systematic torture, including sexual humiliation and electric shock.

THE ATMOSPHERE threatens the nation's tenuous stability and jeopardizes tourism and foreign investment at a time of growing pressure from the West for wider civil rights protections.

"The revolution has changed the system. We're confused about who we are now," said Sayed, watching over a tangle of alleys. "President (Mohammed) Morsi doesn't know what he wants from us. Does he want the police to fight thugs and criminals, or crush the street protests against him?"

The police are tormentor one day, victim the next. Street cops and central security conscripts often appear adrift in a discomfiting netherworld, looking for cover and feeling abandoned by their commanders while carrying out the duties of a president from the Muslim

"The revolution has changed the system. We're confused about who we are now."

KHALED SAYED
POLICE OFFICER

Brotherhood that many of them despise.

Opposition parties blame the police for torturing and killing activists and protesters. Human rights groups have criticized Morsi for not reforming the Interior Ministry, which often adheres to Mubarak-era brutality, including the recent televised beating of a man who was stripped naked and dragged by police through the street.

"The police are acting badly," said Ramadan Eissa, a pensioner in Sayed's Imbaba neighbourhood. "They beat someone. Why? Why risk further ruining their reputation? They have always been this way. They are making better pay nowadays. They should stop their behaviour. But they're conceited and too proud of themselves."

POLICE SAY they are scapegoats for government failures to stem economic and social turmoil that has given rise to an angry and brazen public.

Police stations have been attacked and officers killed, including five in Port Said. More than 50 people have died there since January in clashes between armed mobs and security forces after a court verdict against soccer fans accused of murder.

Morsi backed the police after the Port Said violence and "gave the green light for business as usual to continue abusive practices," said Heba Morayef, director of Human Rights Watch in Egypt. "Not dealing with the question of police brutality is a ticking time bomb."

Low-ranking police officers, however, staged a nationwide strike recently, calling for the removal of new Interior Minister Mohamed Ibrahim and accusing Morsi and the Muslim Brotherhood of using them as shock troops to suppress public dissent. Officers rebuked the Brotherhood for attempting to exert influence over their ranks. Some police withdrew from protests at the presidential palace in December rather than confront demonstrators — a surreal scene that never would have happened under Mubarak.

The Interior Ministry calmed the strike by promising to buy 100,000 new 9-mm automatic pistols for police, who are increasingly outgunned by criminal gangs. Human rights groups worry the new weapons will give officers loyal to Ibrahim, who is perceived as a Morsi ally, more lethal firepower against protesters.

"We want peace in the streets and respect," said Naqeeb Awel Mohamed, a cop in Imbaba for 13 years. "I can't have citizens raising weapons in my face. That's unacceptable. There are too many guns and too much chaos. The people are furious over inflation and unemployment. This comes out toward the police, but in reality we are the same as the people."

'Nasty piece of work'

BBC journalist 1, Mayor Boris Johnson 0

JENNIFER QUINN
STAFF REPORTER

For certain parts of British society, journalism is a spectator sport. Who's winning, who's losing — and this week, the loser appeared to be London Mayor Boris Johnson.

For the record: He's not used to losing.

A BBC journalist named Eddie Mair was declared winner. I think it's fair to say Mair is not a familiar face to many U.K. television viewers. (The reason: he's usually on the radio, where he presents a smart evening news program called PM.)

But on Sunday morning, Mair was sitting in for Andrew Marr on one of the BBC's most important political shows. The program — which everyone just calls "Marr" — is where politicians go to make big announcements, defend unpopular policies, preview important speeches.

It's must-watch TV for anyone in politics, business and the media. And I hope it goes without saying that it's not always very exciting. Sunday was an exception.



Boris — he's one of those people who is known in the U.K. by only his first name — must have thought it'd be the usual. He's charming, and funny, and smart. And he usually charms and bumbles his way through.

But Mair asked him hard questions and demanded answers. And then this: "You're a nasty piece of work, aren't you?"

Twitter went absolutely mad. The news made news.

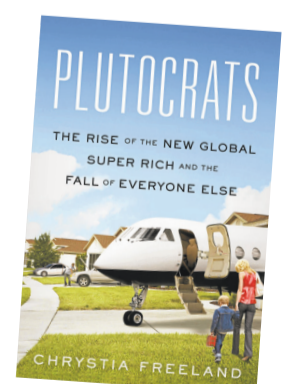
"After the 15 minutes of chilling inquisition by the soft-spoken Eddie Mair, Johnson's reputation had taken a severe pounding," wrote the political editor of the left-leaning Guardian, Patrick Wintour. "It was probably the worst interview the mayor has ever conducted."

Boris's father, Stanley Johnson, told London radio that he thought Mair's interview was a "disgusting piece of journalism."

But the mayor on Mair? He was doing his job. And, according to the BBC, Boris thought it was "splendid."

And so, it seems, did the viewers. Just ask Twitter.

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Gelber Prize update

Last week, we told you about the five books nominated for the prestigious Gelber Prize, awarded each year for the world's best non-fiction book in English on foreign affairs.

Chrystia Freeland's *Plutocrats: The Rise of the New Global Super-Rich and the Fall of Everyone Else* earned this year's \$15,000 prize.

Read a Q&A with Freeland and the Star's Olivia Ward at thestar.blogs.com/worlddaily