

BILLON UNG BOUN-HOR: Thank you, Mr. Prosecutor, ladies and gentlemen.

I take the liberty today of speaking before you as a victim and as a naive speaker on the issue of national sovereignty. Everybody knows that each country has its own national sovereignty, but to what extent does national sovereignty apply? I speak here with full knowledge of the facts.

If you take, for example, the case of Cambodia, one has relied on national sovereignty in order to give us a court which will be seated within the country itself; however, is it the case that national sovereignty is valid in a country where insecurity prevails everywhere?

For example, a personal example, in Cambodia recently, three assassinations occurred in February, and, on the 24th of April, the assassination of judges who had dared to sentence three Khmer Rouge who had assassinated foreigners. This 43-year-old judge was assassinated with impunity.

Can we, therefore, speak of the primacy of national sovereignty in cases such as that of Cambodia? But will it be the case also for other countries? Because if that is the case, furthermore, the issue of national sovereignty, as it is perceived in Cambodia, means that there are two former Khmer Rouge in government today. How is it possible, therefore, to continue to insist on the primacy of national sovereignty and to expect that the Khmer Rouge will be prosecuted and tried within the borders of that country?

This is difficult for us to accept because we feel that internally we will have no genuine justice, nor will we have independence or impartiality on the part of the courts. We have no security - security for the applicants, their lawyers, witnesses and judges - since it is the case that a judge who dared sentence Khmer Rouge assassins was

recently assassinated; and they were lowly persons within the structure. When the heads of the Khmer Rouge need to be tried, the situation will become much worse.

This is why I ask myself the question: As victims, we fear that this judgment - excuse me for the term; I'll be direct, but I wish that you would not be offended by it - that a judgment performed within Cambodia, with the insecurity and fear that prevailed in the country, will succeed in fact in giving the authors of those assassinations that have occurred a basic impunity. This is why I want to ask: What will be the conditions and what will be the criteria applied when you decide country X, because of national sovereignty, is entitled to undertake a trial within its borders and another one will be entitled to a trial of an international nature, as would be the case, for instance, for Cambodia and other countries, such as Rwanda, Yugoslavia, et cetera, which are entitled to have the benefit of international justice.

At the level of Cambodia we are unable to understand this. Perhaps we are very naive, we cannot understand. We know that life has the same value regardless of a colour or origin, and yet we see that as Cambodians, we are being discriminated against.

I'm sorry for speaking to you in this fashion. Thank you for letting me speak.