

**SPECIAL COURT FOR SIERRA LEONE
OUTREACH AND PUBLIC AFFAIRS OFFICE**



PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

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Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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The Exclusive
Monday, 11 March 2013

Salone Frowns At Recruitment Of Child Soldiers

By Alyson Rowe

Sierra Leone is launching a five-year program to combat the recruitment of child soldiers. It will run child soldier prevention programs in local schools. The nationwide drive, the first of its kind in West Africa, will make child rights training mandatory for the local police and armed forces and outline standards on how troops must engage with children in combat.

Sierra Leonean troops are confronting child soldiers on the front lines when they join peacekeeping missions in countries such as Somalia and Mali.

A decade after the end of a civil war in which an estimated 10,000 child soldiers were recruited, Sierra Leone has a generation of young people who have gone to war and killed.

To avoid another generation growing up amid such violence, the program aims to couple child protection training for the police and army with an education program in 45 schools across five districts.

The Child Soldier Initiative (CSI), a non-profit group founded by Canadian Lieutenant-General Romeo Dallaire, the former U.N. commander who led the ill-fated peacekeeping mission in Rwanda from 1993 to 1994, has designed the training manual and program for the army, police force and prison officials. CSI officials said they do not yet know how many security officials will be trained but the army has 13,000 soldiers.

In the second phase of the scheme, now being developed, CSI hopes to train and employ former child soldiers to run the school program, which will teach children about their legal rights and explain what child soldierry is and what tac-

tics are used to recruit children.

Sierra Leone is the first country in West Africa to adopt an official child soldier policy, said Ismail Tarawalle, director of internal security at the Office of National Security. Other war-affected countries like Sudan, Mali, and Ivory Coast have received training from charities like CSI and UNICEF but do not have mandatory child protection training policies.

"It is an important project because it will enhance the military's capacity to meet international standards and ensure adequate training for military personnel," Tarawalle said.

The charity has raised \$150,000 for the first 18 months of the program, but executive director Shelley Whitman estimates it will cost an additional \$350,000 to run the project for five years as planned. CSI has done child protection training for security personnel in 45 coun-

tries, but Whitman said this is the first time its goal is to train a whole nation.

Child soldiers are a problem confronting many African countries. Psychological trauma, maimed children with amputated limbs, and stolen childhoods are its immediate effects. But for post-conflict countries like Sierra Leone, its impact lingers a decade later.

Many former soldiers who did not successfully reintegrate and finish school are now homeless and jobless, a generation of unskilled young adults living in the streets.

Saudamini Siegrist, a child protection specialist with UNICEF, said CSI's long-term commitment to a large-scale security sector training program is significant because it fills a gap in post-conflict countries' rehabilitation schemes.

"Recovery from the consequences of war takes time - even a lifetime," said Siegrist.

Kuwait News Agency

Friday, 8 March 2013

Lebanon Tribunal on Hariri case publishes annual report

BRUSSELS, March 8 (KUNA) -- The fourth annual report on the Special Tribunal for Lebanon's (STL) activities was sent this week to the UN Secretary-General and the Lebanese Prime Minister, the STL said in a statement Friday.

"Our aim is to help the people of Lebanon restore in full the operation of the rule of law in Lebanon, so that they and their families may enjoy the peace and tranquility that is their birthright," STL President Judge Sir David Baragwanath, noted in the report.

"The eight years which have elapsed since the attacks ... make more urgent the task of locating and detaining the accused," said the President of STL which is based near the Dutch city of the Hague. The report details the preparations for trial, including Defence challenges to the Tribunal's legality, disclosure of evidence, and the postponement of the tentative date for trial.

The Pre-Trial Judge set 25 March 2013 as a tentative date for the start of trial. The STL has indicted four suspected members of Hizbollah in Lebanon for carrying out the car bomb blast in Beirut on 14 February 2005 that killed the former Lebanese Prime Minister Rafiq Hariri and 21 others.

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Associated Press
Monday, 11 March 2013

Int'l court drops case against Kenyan suspect

THE HAGUE, Netherlands — International Criminal Court prosecutors said Monday they are dropping their crimes against humanity case against a prominent Kenyan after a key witness admitted lying in his incriminating testimony.

The announcement is an unprecedented admission of failure by prosecutors and the first time in the 10-year-old court's history that they have dropped a case so close to trial.

Prosecutor Fatou Bensouda told judges she is withdrawing all charges against Kenyan Cabinet secretary Francis Muthaura, who is charged with crimes including murder, rape and deportation for his alleged involvement in deadly violence that erupted after his country's 2007 presidential election.



Kenya's President-elect Uhuru Kenyatta, right, attending church service in Gatundu Catholic Church with his wife Margaret Kenyatta in his hometown of Gatundu, about 45 kilometers north of Nairobi, Kenya, on Sunday, March 10, 2013. The election commission said Kenyatta, the son of Kenya's founding father, won last Monday's vote with 50.07 percent of ballots. (KHALIL SENOSI/AP Photo)

Muthaura is indicted with Kenyan president-elect Uhuru Kenyatta, but prosecutors argue they have more evidence against Kenyatta and his prosecution should continue.

"We do not feel that we have a reasonable prospect of conviction and therefore withdraw the charges against him," Bensouda told judges.

Muthaura, who was sitting in court, showed no emotion as Bensouda made her statement.

However, Bensouda stressed that the case against Kenyatta would continue.

"This decision affects Mr. Muthaura's case alone," she said.

She said witnesses in the case against Muthaura had either "been killed or have died since those events and other witnesses refuse to speak with the prosecution."

She also accused Kenyan authorities of not living up to their public pledges to fully cooperate with the court in its investigation of violence after the 2007 vote that left more than 1,000 people dead.

The Kenyan government "has provided only limited assistance to the prosecution and they have failed to provide the prosecution with access to witnesses or documents that may shed light on Mr. Muthaura's case."

She also stressed that the decision wasn't linked to Kenya's election last week, in which Kenyatta won the presidency.

"We are all keenly aware of the most recent political developments in Kenya, but these have not ... and cannot have a bearing on the decision that I make as prosecutor," Bensouda said.

Lawyers for Kenyatta are using the hearing to attempt to persuade judges to order a review of evidence that prosecutors say proves he orchestrated deadly postelection violence.

It was not immediately clear if the withdrawal of the Muthaura case would help their cause.

The lawyers say the case should be reviewed because a key prosecution witness lied, fundamentally undermining the prosecution case against him and Muthaura.

Kenyatta won last week's election despite his indictment at the Hague-based court on charges of crimes against humanity including murder, rape and deportation. Prosecutors label him an "indirect co-perpetrator" of violence committed by his supporters in 2007-2008.

Kenyatta, the son of Kenya's founding father, Jomo Kenyatta, and one of the country's richest men, insists he is innocent.

His trial had been scheduled to start next month, but judges last week postponed it until July, saying the defense needed more time to prepare.

Read more here: <http://www.thenewstribune.com/2013/03/11/2508351/kenyan-president-elect-seeks-evidence.html#storylink=cpy>

Daily Nation
Sunday, 10 March 2013

Why the international court may find it impossible to convict Uhuru or Ruto

The trial of Kenya's International Criminal Court suspects for crimes committed after the bungled 2007 presidential election is likely to turn out as the main trial case for the ICC in the public opinion of the international community.

The case is likely to undermine its credibility and ability to administer justice fairly. This is because Mr Uhuru Kenyatta as president is going to pose some serious challenges to the administration of justice for the victims of post-election violence.

For one, the majority of people who voted in the General Election this year might not be fully aware of the economic and political implications of electing a person who has a case at the ICC, but they are aware of the issues involved.

And, despite this, they supported Mr Kenyatta overwhelmingly.

In a way, this means that the voters were simply stating that in spite of what has been purported as the role of Mr Kenyatta in the violence, they still believed he is their best bet for the country's top job either through what they had learnt about him or through the policies he espouses or through sympathy because the history of the anti-colonial struggle are still fresh.

Another angle to this is that the majority of elites, most of whom shape public opinion, argue that a Uhuru presidency is likely to follow the footsteps of the Kibaki administration.

In short, a Uhuru presidency, regardless of historical injustices that are said to have been committed by his family and cronies in the past, is good for business today and tomorrow.

As naïve and ignorant as some of the voters may be, they will not welcome any interference in state governance in the form of expecting their president and his deputy to be perpetually absent from office supposedly in the Netherlands standing for trial when they have accepted him.

The sentiment that ICC largely, or solely, targets African leaders is a theoretically shared one across the continent, and practically shared across the globe given the stack evidence of 30 indictees at the ICC, all being Africans.

Another arrest warrant for a sitting African president for not co-operating with the court will only help to weaken its efforts in ensuring that crimes against humanity get punished.

The court has been struggling to repair its dented image as one created to convict African leaders, with notable failure to arrest President Omar Hassan al-Bashir of Sudan.

The ICC has indicted about 30 African leaders, among them Bashir, Mr Uhuru Kenyatta and three other Kenyans, Mr Laurent Gbagbo and his wife, the late Muammar Gaddafi and his son Saif al-Islam, Jean-Pierre Bemba, Germain Katanga, and Joseph Kony. No leader from the United States, Europe or Asia though war crimes have been committed.

The ICC's increasing flexibility while handling the Kenyan cases is an indicator of the fact that it fully appreciates the complexity of the situation.

It accepted the postponement of the start of the trial for Mr Kenyatta from April 11 to July 9 and we expect more concessions from the same court in future if a Uhuru government gains more popularity with time.

This, of course, would depend on how his party handles the election results and the disputes arising.

The prospects that a president and deputy president can be holed up at The Hague leaving a political power vacuum are next to nil. If the ICC is to survive, the challenge rests with the court and the West to modify their approach to the case and their expectations of the persons indicted.

The African continent is coming of age where it is beginning to think it can handle conflicts and cases against humanity, and this thought is gradually, albeit painfully slowly, being transformed into its institutional framework of governance, law and order.

Defiance by Uhuru and his deputy to attend the trials at The Hague based court might easily translate into overall defiance of the African continent towards the court's activities.

The USA and other powers have no moral authority whatsoever to dictate what happens for it needs to, first and foremost, become party to the Rome Statute thus subjecting its own citizens to the same processes.

However, it would be wiser for the US and company to work out ways of circumventing the difficulties involved in the one case that might shame the ICC most.

Mr Nyongesa, a practising architect in Nairobi, is at present pursuing a Masters degree in International Studies at the University of Nairobi.

The New Times
Sunday, 10 March 2013

Rwanda: Bandora Extradited

Genocide suspect Charles Bandora, who recently lost battles against his extradition from Norway to Rwanda arrived at Kigali International Airport yesterday evening.

He is the first Genocide fugitive to be extradited to Rwanda, following a series of deportations and a transfer of one suspect from the International Criminal Tribunal for Rwanda (ICTR).

At exactly 07:00 p.m., the KLM commercial flight carrying Bandora touched down at Kigali International Airport transporting the suspect from the Norwegian capital Oslo, marking the end of the suspect's battles against extradition.

After the plane touched down, Bandora remained on board for about 20 minutes as Norwegian officers processed extradition formalities with their Rwandan counterparts.

Upon arrival, Bandora clad in grey cap, grey jacket, a white striped shirt and a red t-shirt, was served with an arrest warrant and his rights read out, before being handcuffed by a Rwandan National Police officer. Norwegian officials handed Bandora to National Prosecutor and Head of the Genocide Fugitives Tracking Unit, John Bosco Siboyintore. In turn, in accordance with the relevant legal provisions, Siboyintore handed Bandora over to the designated Judicial Police Officer.

He was then led to a waiting white Nissan truck which then drove away.

Former businessman Bandora, 60, is accused of organising and participating in the Genocide against the Tutsi, particularly the killings of hundreds who had taken refuge at Ruhuha Church in the former Ngenda Commune, currently in Bugesera district.

His extradition was confirmed by a European Court of Human Rights, which on Friday last week rejected his appeal that he would not get fair trial once transferred to Rwanda.

At the time, he was a businessman and the vice-president of the MRND, the party well known for having conceptualised and implemented the Genocide that left over a million people dead in just 100 days.

Prosecution spokesman Alain Mukuralinda said that Bandora will be detained for a maximum of 72 hours during which police will be processing his charges and after which his file will be forwarded to the National Public Prosecuting Authority.

The extradition is a result of a 2008 Rwandan request and a resultant Interpol international arrest warrant dated 16 April 2009.

According to Prosecution, Bandora will appear before a court within seven days, where "readiness by both parties to commence substantive trial will be assessed."

A statement issued by the prosecution upon Bandora's arrival welcomed the first extradition.

"Bandora's physical transfer is historic as it is the first such extradition decision to be carried out. Other such physical transfers resulted from transfer or deportation decisions as opposed to extradition requests initiated by Rwanda," reads the statement, adding "Similar extraditions are pending in various national jurisdictions and this could lead to more extraditions to Rwanda in the very near future."

Bandora will be tried, according to the Transfer Law, in the Special Chamber of the High Court trying cases referred to Rwanda from the International Criminal Tribunal for Rwanda and other jurisdictions.

The statement also states that "the Public Prosecution would like to thank the Kingdom of Norway for the significant vote of confidence it has given to the Rwandan justice system and for the smooth implementation of this extradition. Norway's timely and effective execution of justice has been exemplary." The final decision to extradite Bandora came hardly a month after the Norwegian court sentenced another Rwandan, Sadi Bugingo, to 21 years in prison for his role in the Genocide.

"Nineteen years after the devastating events of the 1994 Genocide, this is a landmark day for Rwandan justice and for continued trust and cooperation between Rwanda's national justice system and its foreign and international counterparts," reads the government statement.

Precedent

The extradition of Bandora, who first surfaced in Malawi - where he was arrested and later released under unclear circumstances - is widely seen as positive sign, especially given pending cases, mainly in Europe where scores of fugitives are awaiting extradition.

Among these is the former Director General of the Civil Aviation Authority, Sylvaire Ahorugeze, whom Sweden has not extradited, even after a petition to European Court of Human Rights was lost.

Nordic countries have taken a significant step in dealing with Genocide fugitives who have successfully eluded justice for nearly two decades, compared to other European countries, according to Kigali.

Besides Bugingo, a Finnish court in 2010 handed a life sentence to Francois Bazaramba, a former cleric over Genocide charges.

Others are Denmark which earlier this month convicted Yvonne Basebya, a Rwandan woman over her role in the Genocide.

However, some other countries in Europe have been severally accused by Prosecution of lacking interest in pursuing the fugitives on their soil.

Most have arrested, and sent investigative teams to Rwanda to get on-ground information on the suspects, and in some cases arrests made but the suspects are released under circumstances that remain unclear, according to Rwandan prosecutors.

Rwandan says one such countries is France, which remain a den of most of the affluent Genocide fugitives, including the former First Lady Agathe Habyarimana, former military leaders and top clerics most of whom seen as some of the architects of the Genocide.

Some of these - including Ms Habyarimana - have been arrested and then released.

Another European country that has been accused of handling fugitives with soft gloves is Britain.

Reuters

Monday, 11 March 2013

Khmer Rouge Genocide: Justice Delayed May Be Justice Denied

Under Cambodia's murderous Khmer Rouge, Meas Mut and Sou Met, now two-star generals in their 80s, are said to have hauled prisoners to S-21, a torture centre that symbolised the horrors of a regime that wiped out nearly a quarter of the population. By Prak Chan Thul.

Another soldier, Im Chaem, now a Buddhist nun in her 60s, is suspected of running a forced labour camp where fellow Khmer Rouge cadres Ta An and Ta Tith oversaw massacres in the "Killing Fields" revolution of 1975-79.

Those allegations, contained in cases known as 003 and 004 at a UN-backed tribunal, are plunging Cambodia into soul searching over how far to pursue war-crimes accusations against former commanders, some of whom now occupy senior roles in government.

They are also fuelling criticism of the United Nations over whether its cash-strapped joint Cambodian tribunal will ever deliver justice for victims of the ultra-Maoist regime that tore Cambodia apart and was responsible for up to 2.2 million deaths.

The European Union, the second-biggest donor after Japan, has called on Cambodia to come up with more funding for the tribunal, where some workers went on strike last week after going for more than two months without pay. Cambodia says it has given more than its fair share and has appealed for bigger donations.

The tribunal's new American judge, Mark Harmon, said last month he wanted to reopen case 003 involving former Khmer Rouge navy chief Meas Mut and former air force chief Sou Met.



Photo: People attend the hearing of former Khmer Rouge S-21 prison chief Kaing Guek Eav alias Duch (not pictured), as he testifies at the Court Room of the Extraordinary Chambers in the Courts of Cambodia (ECCC) on the outskirts of Phnom Penh March 19, 2012. Duch testified against three other former senior Khmer Rouge leaders -- Nuon Chea, Khieu Samphan and Ieng Sary, about the structure of the Democratic Kampuchea, the roles and responsibilities of each accused, communications within the relevant period, and forced evacuation, labour and marriages.

That puts him on a collision course with authoritarian Prime Minister Hun Sen, who has been accused of interfering to limit probes that could implicate powerful politicians. Meas Mut and Sou Met are now advisers to the Defence Ministry.

Hun Sen, a close ally of China which was a key supporter of the Khmer Rouge during the "Killing Fields" years, has vowed to prevent new indictments and has said he would be happy if the United Nations left Cambodia. He was himself a Khmer Rouge fighter before defecting to Vietnam, which invaded Cambodia and toppled Pol Pot's regime in 1979.

Almost every Cambodian alive lost a family member under the Khmer Rouge. Many fear the Extraordinary Chambers in the Court of Cambodia (ECCC), which began work in 2006 after an agreement between the Cambodian government and the United Nations to try those "most responsible" for the killings, will fail to bring justice.

The court, dogged from the outset by allegations of corruption, political interference and profligacy, had spent \$175.3 million by the end of last year and handed down just one conviction - that of S-21's former prison chief, Kaing Guek Eav, alias "Duch", who was jailed for life for the deaths of more than 14,000 people. He has repeatedly said he was "just following orders".

Now on trial in the court's second case, known as 002, are the only remaining members of the inner circle of Khmer Rouge leader Pol Pot, who died in 1998: chief ideologue Nuon Chea, 86, former Foreign Minister Ieng Sary, 87, and head of state Khieu Samphan, 81. They may not live to hear the verdicts. Ieng Sary and Nuon Chea have been in and out of hospital for years.

Most of the suspects live in isolation away from the capital and have not talked about the accusations in public.

While Hun Sen's government has done little to stop case 002, it has reason to be concerned with 003 and 004: some government officials occupied Khmer Rouge positions similar to those held by the suspects.

CASE "REMAINS OPEN"

Harmon said case 003 "remains open and the investigation of the alleged crimes is proceeding" against members of Khmer Rouge navy and air force units for atrocities.

Harmon, who arrived late last year after two predecessors quit in quick succession, has urged victims of the crimes alleged in 003 or people with knowledge of them to come forward.

004, involving Im Chaem, Ta An and Ta Tith, was also under investigation by judges, the court said. Ta Tith is now a wealthy businessman.

The third and fourth cases have faced obstacles almost from the day they were initiated in 2008. Investigators and the public have struggled to gain access to case information, while financial difficulties threaten to shut the court down.

One former judge, Laurent Kasper-Ansermet of Switzerland, resigned a year ago after finding himself in "a highly hostile environment" with Cambodian judge You Bunleng, whom he accused of blocking investigations.

The cases would continue to divide the court, said Anne Heindel, an American lawyer and legal adviser to the Documentation Center of Cambodia, which researches Khmer Rouge atrocities.

"If (case 003) ever gets to trial chamber, it will be a new mess," she said.

Before Kasper-Ansermet resigned, he said four senior members of Hun Sen's ruling Cambodian People's Party (CPP) should be interviewed in connection with possible war crimes.

He identified National Assembly President Heng Samrin as a Khmer Rouge division commander when crimes were committed against Vietnamese civilians in 1977 and 1978, a court document showed.

The document also recommended interviewing Senate and CPP President Chea Sim, Senator Ouk Bunchhoeun and armed forces chief Pol Saroeun.

Kasper-Ansermet said investigators had discovered the Khmer Rouge attacked undefended villages and slaughtered whole families.

Prosecutors decided not to pursue these allegations, saying they had already been investigated as part of case 002 and were unrelated to 003.

"We are not interfering with the ECCC's work but facilitating them," said Cambodian government spokesman Ek Tha, who denied "any influence or authority whatsoever" over the court.

"Hun Sen decides everything in this country," said Henri Locard, a French historian of modern Cambodia who interviewed Im Chaem two years ago.

"I am protected by Hun Sen and I've done nothing," Locard quoted her as saying.

International donors, who already give Cambodia about \$1 billion a year in aid, were reluctant to fund the controversial third and fourth cases, said Heindel, preferring the court to wind down with the second case as a successful legacy.

That case was suspended on March 4 when 20 court translators went on strike over unpaid wages.

Many Cambodians now accept that further Khmer Rouge prosecutions are unlikely.

"We want all people to stand trial but it's useless because it's up to this dictatorial government to decide," said Lorm Vichey, 57, who lost his mother and three brothers under the Khmer Rouge. "What can we do?" DM

REUTERS/ Samrang Pring

Voice of America

Sunday, 9 March 2013

Khmer Rouge Tribunal Stalls Amid Troubles

Robert Carmichael, VOA

PHNOM PENH — The United Nations-backed tribunal investigating Cambodia's murderous Khmer Rouge movement ran into more trouble this week, suspending hearings after a strike over unpaid wages and the illness of one of the three defendants.



Khmer Rouge tribunal in Cambodia (file photo)

It has been an eventful week for the embattled Khmer Rouge tribunal. On Monday, as British journalist and author Philip Short prepared to take the stand to start several days of testimony, the entire Cambodian translation team went on strike over unpaid wages.

The Khmer Rouge tribunal operates in three languages - Khmer, French and English. Without the Cambodian translators, there was no way it could proceed. Hearings remain suspended.

The United Nations pays the wages of the international employees, while the Cambodian government is responsible for the salaries of national staff. None of the Cambodian staff has been paid since November.

Since the court opened in 2006, the government has contributed around \$15 million in cash and in kind to the tribunal, but has relied on foreign donors to foot its portion of the wages bill.

Funding issues

Government spokesman Ek Tha reckons donors are reluctant to pay because they have to contend with their own financial issues. He insists the government is committed to the tribunal, and is adamant that it will not collapse.

The situation, says Anne Heindel, a legal adviser with the research organization the Documentation Center of Cambodia, or DC-Cam, has produced a standoff between donors and government.

"It seems as if donors are not willing to provide that funding any more, and the international side is having its own difficulties getting funded, and has over the last few years had its own share of crises, and at least at the moment it appears there's no state willing to step in and fill that gap," she said.

Defendent absent

Former Khmer Rouge second-in-command Nuon Chea, former President Khieu Samphan and former Foreign Minister Ieng Sary (L-R) attend their trial at the Extraordinary Chambers in the Courts of Cambodia (ECCC) on the outskirts of Phnom Penh, November 21, 2011. Former Khmer Rouge second-in-command Nuon Chea, former President Khieu Samphan and former Foreign Minister Ieng Sary (L-R) attend their trial at the Extraordinary Chambers in the Courts of Cambodia (ECCC) on the outskirts of Phnom Penh, November 21, 2011.



Former Khmer Rouge second-in-command Nuon Chea, former President Khieu Samphan and former Foreign Minister Ieng Sary (L-R) attend their trial at the Extraordinary Chambers in the Courts of Cambodia (ECCC) on the outskirts of Phnom Penh, November 21, 2011.

Later on Monday it emerged that one of the three defendants - the former foreign minister Ieng Sary - had been taken to hospital.

At 87, Ieng Sary is the oldest of the defendants and widely regarded as the most frail. On Wednesday, one news outlet reported that Ieng Sary's health was critical. Michael Karnavas, Ieng Sary's international defense lawyer, would not go that far but he did say his client's health is extremely serious.

The health of the three defendants - who are in their 80s - has long been a concern. In January, Nuon Chea, known as Brother Number Two, was treated in hospital for acute bronchitis. Khieu Samphan, the former head of state, was also hospitalized for fatigue and shortness of breath.

Later this month the tribunal will hold health hearings for Ieng Sary and Nuon Chea. Michael Karnavas says Ieng Sary's heart problems and other ailments mean he is unable to take a meaningful part in his own defense.

"Were you to ask me: Do you see him being able to be in court any time soon? The answer is no. If he comes back in court and he's in the present condition, is he able to follow the proceedings? The answer is no," he said.

Previously the three defendants have waived their right to be present in court, which has allowed hearings to continue in their absence. Michael Karnavas says Ieng Sary will no longer issue a waiver.

"So effectively the trial will have to come to a grinding halt until such time as he's better. And I think right now the situation is more or less ripe to start considering severance," he said.

Should Ieng Sary's case be severed, that would effectively mean the end of his trial.

Mini-trials in jeopardy

DC-Cam's Anne Heindel says the tribunal's woes go beyond health issues and funding. Last month, the Trial Chamber was ordered to revisit its 2011 decision that divided "Case Two," as the case against the ex-leaders is known, into several mini-trials. The first of those smaller trials, which began more than a year ago, has mainly addressed the forced movement of people in 1975.

However, few people expect the tribunal to ever proceed past this first mini-trial, and that meant the judges effectively excluded the crimes that affected most Cambodians, who spent the years from 1975 to 1979 enslaved in work camps.

In the coming weeks, the Trial Chamber will decide which crimes to add to the first mini-trial. However Heindel believes key charges will remain absent.

"I don't expect we'll hear anything about genocide, about forced marriage, about work sites - things that average Cambodians find quite important, or survivors find quite important, because they relate to their experiences during the regime," she said.

Heindel says the confluence of all of these issues is damaging.

"It's not looking good for the court's legacy because Case Two is the court's centerpiece case: it was supposed to address the senior surviving leaders, it's supposed to address crimes throughout Cambodia," she said.

Two million people died during the Khmer Rouge's rule of Cambodia between 1975 and 1979. Three decades later the tribunal's ongoing problems risk overwhelming its central purpose: to deliver a vital reckoning for some of the worst crimes of the 20th century.