

## Report from closed-door corruption meetings made public

Written by

Tuesday, 03 February 2009 07:00

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In early December, a high-level UN delegation held a closed-door meeting with Deputy Prime Minister Sok An. A pressing issue on the agenda: unresolved corruption allegations at the Khmer Rouge Tribunal. Although a press conference was scheduled for the meeting's conclusion, the event was [called off at the last minute](#) .

The UN delegation left Cambodia without speaking to the press or public, and instead [issued a joint statement](#) with the Cambodian government vowing to strengthen corruption mechanisms at the court. In that statement, the parties agreed to hold a series of discussions and then report the results of those sessions by the end of January.

The Cambodian government issued such a report Jan. 31. The UN has, so far, not provided its own report or comments to local media.

I've posted the Cambodian team's report below. As could be expected, it sounds as if the UN has been pushing for greater international oversight of corruption allegations -- and the Cambodian government has been firmly guarding its own oversight capacities.

In response to the UN team's proposal to create an entirely new mechanism for receiving and reviewing corruption complaints, the Cambodian team wrote its understanding was that the UN would establish only a "parallel mechanism [to the national Ethics Monitors] within the ECCC."

Since that time, the UN submitted a revised proposal, and the Cambodian team a revised counter-proposal. The struggle over jurisdiction continues.

*Report from the Cambodian team:*

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*At a meeting on 10 December 2008, His Excellency Mr. Sok An, Deputy Prime Minister and Chairman of the Royal Government Task Force on the Khmer Rouge Trials, and Mr. Peter Taksoe-Jensen, the Assistant Secretary-General for Legal Affairs, agreed to set up joint sessions between the national and international related structures of the ECCC to ensure that the entire administration operates in a transparent, fair and efficient manner. It was further agreed that these measures will meet the requirements of due process of law, including full protection against retaliation. It was agreed that there is a need to act expeditiously, and that the results of the joint sessions were to be reported to the Government Task Force and the Steering Committee by the end of January 2009.*

*In early January Mr. Peter Taksoe-Jensen appointed Mr Rajeev Kumra and Ms Wendy Lobwein (both of UNAKRT) and Ms Patricia Georget (of OLA and currently attached to UNAKRT) to compose the UN team, while HE Sok An appointed the existing national Ethics Monitors (HE Judge Kong Srim and HE Dr Helen Jarvis ) and the national Legal Officer to form the Cambodian team.*

*The first joint session was held on 14 January 2009, followed by five sessions -- the last for the month being on 30 January.*

*At the first meeting, the UN team proposed the establishment of a new mechanism for receiving and reviewing complaints by ECCC staff, consisting of three elements: "an independent international Ethics Officer; an Ethics Committee, and the ECCC Pre-Trial Chamber".*

*On 20 January, the Cambodian team presented its response, which expressed the view that "Our understanding of the Joint Statement was that the United Nations would establish a parallel mechanism [to the national Ethics Monitors] within the ECCC, and make reference to its existing structures at the other two tiers. ... In accordance with the above perspective, we invite the UN designated officials to continue to hold Joint Sessions with the national designated officials, with the following proposed agenda items:*

*\* To examine and consider any comments and suggestions, where appropriate, of the national and international related structures. ;*

*\* To discuss other issues, for example, developing a common strategy, plan of action, reporting procedures etc."*

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*On 26 January the UN team presented a revised proposal, and then requested the Cambodian team to present a "counter-proposal", which was submitted on 28 January, and we are awaiting the response of the UN team.*

*The sessions have been positive, with both teams working constructively towards designing an effective and mutually acceptable implementation of the objectives agreed between the parties, as outlined in the joint statement of 10 December 2008, through further strengthening the complaints mechanism and working to achieve high standards of ethics throughout the ECCC.*