

Corruption could derail tribunal, defense lawyer says

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Allegations of corruption at the Khmer Rouge tribunal could cause investigative delays and possibly prompt the UN to withdraw its support from the court, defense attorney Michael Karnavas said Thursday.

"We don't know if six months or a year from now, this institution will be present," he told the Pre-Trial Chamber; the "ever-growing issue involving corruption and the courts" may convince donors to pull out of the process.

Thus, he reasoned, the chamber should release Ieng Sary, his aged client, from provisional detention. Karnavas [has also argued](#) that the octogenarian's frail health necessitates that he be able to live under house arrest.

Ieng did indeed look sickly Thursday, bundled in a jacket and hunched over his cane. He interrupted the hearing just 30 minutes after it opened for what appeared to be a bathroom break. A little after 11 a.m., he left the courtroom to rest and did not return for the rest of the day.

Karnavas' statements about corruption and the court's future came just days after Prime Minister Hun Sen made several disconcerting remarks about the tribunal. [As reported in the Post](#), he said he hoped the hybrid court would fail and was angry at Japan for providing urgent financial assistance to the ECCC in March.

(Side note: The Japanese provided the money to [pay staffer salaries for March](#) since funding to the court's Cambodian side has been frozen pending the resolution of corruption allegations. The UN and Cambodian government were supposed to announce new corruption safeguards for the court March 23. However, that deadline has come and gone with no resolution of the issue.)

"The UN is perfectly within their rights to cease to provide assistance, financial or otherwise," Karnavas told the court. If funding dries up and/or the court becomes a purely national body, its

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future would be far from certain.

Although Karnavas asked judges to delay a decision on his client's appeal until June so he could argue the corruption issue more thoroughly, his request was denied. The Pre-Trial Chamber felt it was too speculative to consider in relation to the appeal.

A decision on the appeal against extension of provisional detention will be announced in the near future. When the corruption and budgetary issues will be resolved is unclear.

* Lawyers for Comrade Duch also requested Wednesday that [their client be released on bail](#) . An appeal regarding Khieu Samphan's detention will be held tomorrow.