

## Judges must investigate corruption, scholar writes in Wall Street Journal

Written by  
Friday, 29 May 2009 03:00

---

Because the Cambodian Government, international donors and United Nations have failed to adequately address corruption allegations at the Khmer Rouge Tribunal, the court's judges are now the best hope for salvaging the ECCC's legitimacy, scholar John Hall [writes in today's \*Wall Street Journal\*](#)

Failing to do so could "deal a fatal blow to the court's credibility," he writes.

In March, defense lawyers for Nuon Chea filed a request with the Co-Investigating, asking that they investigate the alleged kickback scheme at the court. The [judges denied the request](#), saying it was outside of their jurisdiction. The defense teams are appealing that decision.

"Judges have a responsibility to ensure the proper administration of justice within their court," Hall writes. "The claim of the co-investigating judges that they lacked jurisdiction to investigate allegations of corruption involving court personnel was arguably in conflict with this core judicial responsibility."

Tribunal watchdog the Open Society Justice Initiative also [released a report today](#) highlighting alleged corruption at the tribunal.

"The combination of unaddressed corruption and the appearance of political interference is a toxic mix for the court," according to the report.

Comments by Prime Minister Hun Sen that the tribunal should not pursue additional prosecutions "are evidence of efforts to politically direct prosecutorial decision-making," OSJI writes.

Moreover, "the recent statements of government officials and concerns about interference threaten to put the UN, the donors, and the staff of the ECCC in the near-impossible position of

## Judges must investigate corruption, scholar writes in Wall Street Journal

Written by

Friday, 29 May 2009 03:00

---

either abandoning the ECCC or assisting a court that is destined to fail in fulfilling its mandate."

The dispute over additional prosecutions must be resolved as fairly and as transparently as possible, according to OSJI.

It seems that some announcement about the prosecutions should be forthcoming.

Co-Prosecutor [Robert Petit announced previously](#) that if an oral hearing on the matter were to be held, it would be scheduled for June 5 -- next week.

In other court news, Khmer Rouge scholar Craig Etcheson finished his testimony before the tribunal today. I will post highlights soon.