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Audit office says probes in progress

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Official cites three complaints under investigation at tribunal

AN anticorruption monitor appointed last year at the Khmer Rouge tribunal is in the process of investigating three complaints, including an allegation that members of the court's security staff have been forced to pay kickbacks to superiors, a representative of the National Audit Authority said Monday.

Speaking after a meeting with visiting UN auditors, Prom Vicheth Sophorn, deputy director of the National Audit Authority's (NAA) Audit Department 3, said the office of the Independent Counsellor (IC) was investigating two complaints from the national staff and one from the UN staff.

Of the two national staff complaints, Prom Vicheth Sophorn said, one related to the alleged wrongful termination of an employee, and the other stemmed from charges that security workers have been forced to pay a portion of their salaries to their superiors.

"The first one is regarding an employee contract, or regarding the termination of an employee. The second is [a] ... security guard, solicit[ing] money from the subordinates," he said.

The complaint from the UN staff, Prom Vicheth Sophorn added, was an additional case of alleged wrongful termination.

"The third one is the same as the previous one ... employee contract problems too, a termination one," he said.

Prom Vicheth Sophorn described all three investigations as "in progress", and said the IC's office would issue a public report of its activities in "April or May", after reporting to the government and the UN.

The UN-backed tribunal first faced corruption allegations in 2006, when Cambodian staff members said that they were forced to pay portions of their salaries to their superiors. A November 2008 report by a German parliamentary delegation quoted

Knut Rosandhaug, the court's deputy director of administration, as saying that corruption was "a serious problem ... which impedes on the work of the hybrid court".

Last August, NAA head Uth Chhorn was appointed as the first independent counsellor for the tribunal, in part to satisfy donor demands that an effective mechanism to combat corruption be put in place.

Mao Chandara, head of the national security and safety staff at the tribunal, said Monday that he was unaware of the allegations described by Prom Vicheth Sophorn.

"I do not have any information in relation to corruption, bribery or security guards paying money to their superiors. I'm not involved at all, and I think it might relate to the administration office," Mao Chandara said, adding that it was up to the IC's office to handle this issue.

UN court spokesman Lars Olsen said he could not comment on the work of the IC's office, as it operates independently of the UN and the tribunal.

The visit of the UN auditors, he added, is part of a periodic, standard audit that is unrelated to the investigations of the IC.

Investigations praised

At the time of Uth Chhorn's appointment, some observers voiced concern about the NAA's political independence and delays by the body in publicising its work, as it is required to do by the 2000 Law on Audit.

On Monday, however, Michelle Staggs Kelsall, a court monitor for the Asian International Justice Initiative, said the fact that the IC's office had investigations in progress was "a positive step, clearly".

"Good to see the office noting its commitment to transparency in issuing a report on its investigations," she said, though she added that it was still unclear whether there were adequate protections for those who come forward with complaints.

While he did not go into detail, Prom Vicheth Sophorn said Monday that such protections were indeed in place, calling interactions with the IC's office "very confidential for the complainant".

Long Panhavuth, project officer at the Cambodia Justice Initiative, said his organisation would like to "congratulate the government and the UN ... for their effort to appoint the IC", calling the office's actions "a very good step".

Uth Chhorn could not be reached for comment on Monday.