

Absence of Tribunal Administrator Raises Concerns

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Khmer Rouge tribunal officials say the prolonged sick leave of its top Cambodian administrator, who faded from his position at the height of corruption allegations at the UN-backed court, has not affected operations.

Some independent observers, however, say the more than one-year absence of Sean Visoth will hurt the court, if it goes unresolved.

Sean Visoth requested leave for health reasons in November 2008, as international donors were considering corruption allegations by Cambodian staff at the court, who said they were paying kickbacks to senior officials in order to keep their jobs.

Approximately \$700,000 were withheld from the tribunal, despite assurances from court and government officials that corruption was not taking place at the court. Several months earlier, Sean Visoth had promised to leave his job if corruption were found in his department.

Sean Visoth has never been officially replaced, but officials at the Council of Ministers told VOA Khmer in recent interviews he has taken a position there. Sean Visoth now works closely with Council Minister Sok An, who also oversees the tribunal for the government, the officials said on condition of anonymity.

Knut Rosanhaug, the UN deputy administrator for the tribunal and Sean Visoth’s international counterpart, told VOA Khmer in a recent interview he was unaware of the personal health situation his colleague.

Rosanhaug said he would work with whomever the government appointed. “It is the privilege of the government to appoint its staff at the court,” he said, adding that his current working relationship with the acting director, Kranh Tony, is “excellent.”

Reached by phone, Sean Visoth said he has not yet determined whether he will return to work at the court. “I have another position as adviser to the government,” he said.

Meanwhile, an internal committee has been set up on the Cambodian side of the court to investigate kickback allegations, led by a Cambodian independent councilor. Rosanhaug said he had not received any reports on kickback allegations from the independent councilor.

The question of corruption within the tribunal came directly to a head in January 2009, when lawyers for detained Khmer Rouge leader Nuon Chea filed a suit in Phnom Penh court alleging corruption by Sean Visoth and his chief of staff, Keo Thivuth.

Lawyers claimed corruption in the court compromised their client's chance for justice. The Phnom Penh court declined to act on the suit.

Now, as the tribunal heads into a trial of Nuon Chea and other jailed leaders, some tribunal observers say the question of corruption and the position of Sean Visoth need further attention.

"The non-resolution of Sean Visoth's position provides opacity and doubt that will affect the whole process," said Chhang Youk, director of the Documentation Center of Cambodia. "The court must correct whatever the mistake was" before the upcoming trial, expected in early 2011, he said.

Chhang Youk said his team had experienced problems submitting documents to the court, especially in the administration office.

However, Rosanhaug said anyone with problems can contact himself or Kranh Tony for assistance.

And tribunal spokesman Reach Sambath said the court had not met any obstacles without Sean Visoth. There is no scheduled date for his return, Reach Sambath said.