

**New Report Outlines Credibility Failures at Tribunal**  
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Ongoing controversies at the UN-backed Khmer Rouge tribunal have threatened its legitimacy and must be addressed, a new report says.

In a report issued last month, Mark Ellis, executive director of the UK-based International Bar Association, said the court “falls short” of effective safeguards for judicial independence.

Ellis, who describes himself as an early supporter of the tribunal, joined the defense team of Nuon Chea last year to observe “a growing number of problems that made me question the very legitimacy of the court.”

In a phone interview, Ellis told VOA Khmer the court’s credibility is failing and that more international support is needed.

“I think it’s so important that this court succeeds, because it’s important for the victims, it’s important for Cambodia, it’s important for the international community, and it’s important for international justice that this court is seen as succeeding in its mandate,” he said.

Ellis’s report highlights ongoing controversies at the court, especially the recent rejection of UN-appointed judge Laurent Kasper-Ansermet by the government’s Supreme Council of Magistracy and the lingering question of two more cases at the court.

Ellis called the council’s refusal to approve Kasper-Ansermet as investigating judge at the tribunal “the inevitable result of improper influence over the judiciary by an executive that clearly does not want cases 003 and 004 to go forward.”

Kasper-Ansermet was put forward as a replacement by UN Secretary-General Ban Ki-moon after the resignation of a German judge who said political opposition to those two cases made it impossible for him to do his job.

The report comes amid a fundraising plea to international donors by a court that has been hounded by financial difficulties, as well as increasing questions over its independence.

Tribunal spokesman Huy Vannak said the pledges of funds by donors in recent days demonstrate their confidence in the court.

However, court observers have said that the relatively little amount pledged—around \$12 million from just five countries—means the court has work to do.

In his report, Ellis calls for maintaining international standards at the court and an investigation into alleged political interference by top officials.

“A history of corruption within the Cambodian justice system, coupled with a weak disqualification mechanism, fails to adequately safeguard internationally accepted standards of judicial integrity,” Ellis wrote.

Huy Vannak said judges at the court have worked “tenaciously” to uphold legal principles and professionalism. Government spokesman Phay Siphon called accusations of political interference “inappropriate.”

Ellis said the government can restore the court’s credibility by upholding the appointment of Kasper-Ansermet and ceasing its opposition to cases 003 and 004, which would require the indictment of five more Khmer Rouge leaders.

“And that is a responsibility of the international community, to ensure the court meets that standard as well as authorities in Cambodia,” he told VOA Khmer. “Right now I think both parties are failing in that responsibility.”