

# The Phnom Penh Post

**Judges must address alleged ECCC kickback scheme, lawyers say**  
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*Calls mount for judges to take action over graft allegations following the UN and government's failure to agree to anti-corruption measures.*

Defence lawyers at the Khmer Rouge tribunal said Wednesday that trial judges had no choice but to investigate graft claims at the UN-backed court, a day after filing separate motions urging the judges to uphold the court's "inherent power" to ensure proceedings are free and fair.

"I don't see any way for the [pretrial chamber] to wriggle out of this one," Andrew Ianuzzi, a legal consultant for Nuon Chea's defence team, said.

"They've already shown that they have inherent power over the court. So they cannot deny it," he added.

Lawyers for all defence teams bar one filed separate appeals to the pretrial chamber on Monday in a sign that they will not let the corruption issue go away.

All say that claims that staff on the Cambodian side of the court were forced to pay portions of their salaries to their bosses tainted the judicial process and could rob their clients of a fair trial.

"This really shows that we're not just an annoying lone voice in this issue. It's something that's affecting all defence lawyers - and even now the prosecution," Ianuzzi said, referring to comments made by international Co-prosecutor Robert Petit in an interview with Asia Sentinel at the end of last month.

When contacted on Wednesday, Petit confirmed that he believed the issue "needs to be dealt with swiftly".

The appeals also made note of a recent CNN report that aired allegations by court staff members who said that a senior Cambodian court official, Sean Visoth, had collected up to US\$40,000 a month in the scheme.

Court officials have dismissed the allegations, saying numerous audits have failed to produce evidence of wrongdoing.

Judges rejected an earlier request by the lawyers for them to investigate the corruption claims, saying this was outside the court's jurisdiction.

But legal observers have also criticised the judges' lack of action.

"When you are working as the head of an institution, you can't just push your responsibility onto someone else," Long Panhavuth, program officer at the Cambodia Justice Initiative, said Wednesday.