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PRESS RELEASE

Today, the Pre-Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia issued its Considerations on Appeal against the International Co-Investigating Judge’s Order on the Admissibility of Civil Party Applicants in Case 003.

On 28 November 2018, the International Co-Investigating Judge issued his Closing Order in Case 003, and, by a separate order, decided on the admissibility of all remaining Civil Party applications pursuant to Internal Rule 23bis.

Following the Chamber’s issuance of the Considerations on Appeals against the Closing Orders in Case 003 on 7 April 2021, the Pre-Trial Chamber examined the Appeal brought by the Civil Party Applicants whose applications had been rejected by the International Co-Investigating Judge’s Order.

In Case 003, 646 people have filed Civil Party applications since the beginning of the investigation (para. 5).

In its Considerations, the Pre-Trial Chamber unanimously found the Appeal admissible (para. 33) and clarified the legal principles governing admissibility of Civil Party applications before the ECCC (paras 34-41).

However, on the merits of the Appeal in the case at hand, the affirmative vote of at least four judges was not achieved (para. 42).

The National Judges found that all applications in Case 003 should be rejected since they are of the view that “the two Closing Orders are of the same value and stand valid” and that “Case File 003 against the Charged Person MEAS Muth should be held at the ECCC Archives” (paras 43-46).

The International Judges examined the Appeal and the applications on their merits. In conclusion, the International Judges found that the International Co-Investigating Judge erred in his decision on admissibility under Grounds 1(1) and 1(3) in that five additional victims should have been found admissible as Civil Parties in Case 003 (para. 111).

The Pre-Trial Chamber’s decision is available at:
https://eccc.gov.kh/sites/default/files/documents/courtdoc/%5Bdate-in-tz%5D/D269_4_EN.PDF

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