



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

08 September 2021

PRESS RELEASE BY THE INTERNATIONAL CO-PROSECUTOR

The International Co-Prosecutor (“ICP”) issues this press release to clarify her position on a possible misunderstanding of the judicial status of outstanding cases at the ECCC as a result of incomplete reporting by Voice of America radio, in Khmer, of statements recently made by the Court’s Administration Public Relations spokesman.

In that broadcast, the ECCC spokesman was reported to have said that in the meantime the court will finalize outstanding legal issues and cases that would not proceed. “We still have some administrative work to finalize between the Cambodian government and the United Nations before the court will close. It means, complete its mission.”

The ICP understands that the spokesman’s statements were not reported in their entirety and the spokesman indicated that there are cases before the Court which must be judicially determined in addition to the appeals in Case 002/02 regarding Khieu Samphan.

The ICP confirms that there are cases before the ECCC that must be judicially decided before the Court can complete its work. In addition to the appeals in Case 002/02, Cases 003 and 004 are currently in the pre-trial stage. These cases involve allegations against two charged persons for the crimes of genocide, crimes against humanity and war crimes committed against tens of thousands of individuals who were killed and / or systematically abused during the Democratic Kampuchea period. Both cases are awaiting decisions from the Pre-Trial Chamber. As such, there has not yet been any final judicial determination as to whether these cases will proceed to trial.

It is therefore the ICP’s position that the judicial mandate of the ECCC will not be completed until the Case 002/02 appeal judgment is rendered and Cases 003 and 004 are judicially (as opposed to administratively) decided, either by trial and appeal or otherwise. Any reporting that implies that judges have informally decided Cases 003 and 004 undermines the integrity of the Court and of the ECCC judges, who are presumed to act independently and impartially within the judicial framework of the ECCC.