

Phnom Penh, 12 January 2012

PRESS STATEMENT

The Office of the Council of Ministers wishes to provide information regarding the appointment of a new international Co-Investigating Judge at the ECCC, in view of a number of media reports implying that Royal Government of Cambodia has been obstructing or delaying this process.

In fact between October and December 2011 there were a whole series of written and oral communications between the United Nations and the Cambodian government on this matter, including technical discussions between legal teams on both sides.

The matter is now in the hands of the Supreme Council of the Magistracy (SCM), which is now independently carrying its normal procedures and legal considerations before a decision would be made.

Details of communication between UN and RGC -- including ten letters, four telephone conversations and two personal meeting as detailed below.

- | | |
|----------------------------------|--|
| 18 October | letter from the Secretary-General to the Prime Minister requesting the government to request the Supreme Council of the Magistracy to appoint Mr Laurent Kasper-Ansermet |
| 3 November | response from the Prime Minister to the Secretary-General suggesting prudent consideration in the light of "certain activities by Mr Laurent Kasper-Ansermet that have been brought to public attention" |
| 14 November | letter from the Secretary-General to the Prime Minister Stating that the UN wishes the appointment to proceed |
| 14 November | telephone discussion between the Under-Secretary-General and Legal Counsel and Deputy Prime Minister Sok An |
| 15 November | response from the Prime Minister to the Secretary-General suggesting that legal expert teams on both sides examine the situation in detail and prepare their opinions for discussion |
| 16 November | letter from the Secretary-General to the Prime Minister agreeing to discussions between the legal teams |
| 29 November
(Phnom Penh time) | telephone conference call between the legal teams |
| ??? | meeting between the Secretary-General and the Prime Minister on the sidelines of the ASEAN Summit in Bali in which this matter was discussed |

- 15 December letter from the Under-Secretary-General and Legal Counsel to the Deputy Prime Minister asking him "to encourage the Supreme Council of the Magistracy to appoint Judge Kasper-Ansermet as the international Co-Investigating Judge at the Earliest opportunity"
- 20 December response from the Deputy Prime Minister to the Under-Secretary-General and Legal Counsel stating that the government had been awaiting clarification of the UN position and will now forward the request to the SCM
- 20 December letter from the Under-Secretary-General and Legal Counsel to the Deputy Prime Minister expressing gratitude that the request is being transmitted to the SCM
- 22 December response from Deputy Prime Minister