



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

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PRESS RELEASE

Today, the Pre-Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia issued its Considerations on the Appeal against the International Co-Investigating Judge’s Order on the Admissibility of Civil Party Applicants in Case 004/2.

On 16 August 2018, the International Co-Investigating Judge issued his Closing Order in Case 004/2, and, by a separate order, decided on the admissibility of all remaining Civil Party Applications pursuant to Internal Rule 23 *bis*.

Following the Chamber’s issuance of the Considerations on the Appeals against the Closing Orders in Case 004/2 on 19 December 2019, the Pre-Trial Chamber examined the Appeal brought by the Civil Party Applicants whose Applications had been rejected by an Order of the International Co-Investigating Judge.

In Case 004/2, 1,920 people have filed the Civil Party Applications since the beginning of the investigation (para. 3).

In its Considerations, the Pre-Trial Chamber unanimously clarified the legal principles governing admissibility of Civil Party applications before the ECCC (paras 31-38).

However, on the merits of the Appeal in this Case at hand, the affirmative vote of at least four judges was not achieved.

The National Judges found that all Applications in Case 004/2 are inadmissible and should be rejected since the Judges, in the 19 December 2019 Considerations, “decided to confirm the Order Dismissing the Case against AO An and to overturn the Indictment issued against AO An.” (paras 41-43).

The International Judges considered that the Appeal is admissible and examined the Applications on their merits. In conclusion, the Judges found that the International Co-Investigating Judge erred in his decision, set out in Grounds 2 and 4, and that twelve additional victims should have been found admissible as Civil Party in Case 004/2 (para. 117)

The Pre-Trial Chamber’s decision is available at:
https://eccc.gov.kh/sites/default/files/documents/courtdoc/%5Bdate-in-tz%5D/D362_6_EN.pdf1_.pdf

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