



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Chambres extraordinaires au sein
des tribunaux cambodgiens

PRESS RELEASE

**The Co-Investigating Judges respond to a Request for investigative action
 by certain defence teams
 concerning allegations of corruption at the ECCC**

Responding to a Request filed by the defence for NUON Chea on 27 March 2009 (supported by two other defence teams), the Co-Investigating Judges today handed down an Order in which they declared that they did not have jurisdiction to investigate corruption at the ECCC.

Whilst reiterating their desire for an irreproachable Court, they noted that the primary condition for fair trials is that the judges themselves respect the Law, particularly the jurisdictional limits laid down by their founding documents. Accordingly, they were obliged to note that they did not have jurisdiction, under the 27 October 2004 Law and the Internal Rules, to conduct the action requested by the defence.

The Co-Investigating Judges have been seized by the Co-Prosecutors of the difficult but essential task of investigating the alleged crimes committed during the Democratic Kampuchea regime. The equally important task of watching over the reputation of the Court and providing appropriate follow-up on the allegations of corruption that have been made public is not within the mandate of the Co-Investigating Judges, but rather of the Cambodian and United Nations authorities.

As regards the defence request that the Co-Investigating Judges call for an administrative inquiry into these allegations, the judges noted that the appropriate Cambodian and United Nations authorities were already seized of the matter and decided to have a copy of the order forwarded to them.

With a view to transparency, the Co-Investigating Judges have decided to publish their order, as well as the defence requests and motions. A small number of documents annexed to the requests

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា មានទីតាំងស្ថិតនៅ ផ្លូវជាតិលេខ៤ សង្កាត់ ចោមចៅ ខណ្ឌ ដង្កោ ក្រុង ភ្នំពេញ ប្រអប់សំបុត្រលេខ៧១ 1

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that are the subject of distinct judicial or administrative procedures have not been made public. The full set of published documents may be accessed by clicking on http://www.eccc.gov.kh/english/court_doc.list.aspx?courtDocCat=case_docs, then entering the Case file reference number "D158" in the "Search doc no. :" field.

Phnom Penh, 3 April 2009