



Written Version of the Oral Statement Delivered by the International Co-Prosecutor Robert Petit During the Press Conference of 24 June 2009

I wanted to address you today because I anticipated, given past events, that my yesterday's press release would not be enough to fully cover the topic. Even though I believe it's a rather inconsequential one in terms of the Court itself.

So I will try to cover what I think is relevant to this issue so that the attention can be returned to the substantive matters of the Court.

Firstly, my reasons for leaving:

They are entirely related to personal family matters, totally unrelated to my professional responsibilities at the Court and, therefore, a fully private matter. I deeply believe in the right to privacy and I would hope that it would be respected.

In the real world, people have various priorities that sometimes conflict and must be resolved in accordance with whatever principles one holds.

It has been my experience that the more important the issue, the more fundamental the principle and the tougher the decision. This is one of those cases.

It has been the most difficult decision of my career. But I believe it's the right one.

It is also a decision which has been reached after months of reflection and discussions with the United Nations which is in the process of finding a replacement. I am confident that they will do so soon and any questions regarding this process should be addressed to the Deputy Director of Administration.

However, I realize that this may not satisfy some, and for that I apologize. But I don't believe it's proper to air one's private life in the media.

I also realize, however, that some people for whatever purposes will still try to construe some extraneous aspect to this decision.

There's very little that one can do against that type of approach and those conspiracies might indeed seem like an attractive angle for a story. However, it simply would not be the truth.

I can only repeat, for the last time, that my decision has nothing whatsoever to do with this Court, with my current work, or indeed with Cambodia. Rather, it has everything to do with events that have happened in Canada.



Secondly, the possible impact that my replacement would have on the work of the Court:

Well, however much it pains my ego to say so: I don't believe it will have any.

But I can understand how people, not familiar with this process, might think otherwise. So let me try to explain.

Take the case of Duch. This case was put together from inception, as all our cases, by a team of people working together with one person for each side of the Office in charge of the case.

Evidence was gathered and analyzed, legal and strategic decisions were made, and all of that happened for our side in consultation with my deputy and I because that's how I run my office.

When it became clear that the senior attorney in the case would have to leave, my deputy started preparing himself and is now leading the case and will do so until further notice.

Did that change of personnel modify one iota of the evidence in the file? Did it have any influence on how we decided to present the case and assist the Trial Chamber? Of course, not.

The same reasoning applies for the second case. The Office, as a whole, put together the case, has been monitoring the investigation, responding to developments. When it comes to trial, we, as an Office, through whoever stands up in court, will assist the Trial Chamber.

This is simply the nature of how these cases must be prosecuted, as a team effort, because in all aspects they are bigger than one person alone.

There has also been some speculation that this might impact on the ongoing disagreement with my national colleague. However, again, those fears are unfounded. Back in December last year, I made a decision based on the evidence, the law and my mandate. I placed that evidence, those arguments as well as signed submissions in a case file which I forwarded to the Pre Trial chamber. My national colleague did the same and that file has now been supplemented as requested by the Chamber which has said that it has enough information in the file to render a decision. When it is so, I or my successor, as the case may be, will take the appropriate action from then on. My decision cannot have any impact on the case itself, the state of the disagreement nor on its resolution. It is entirely in the hands of the PTC. And as far as I know, they're not going anywhere.

All the ad hoc tribunals, all the hybrid courts have had numerous changes in their prosecutors, presidents, registrars, key personnel and yet, aside from sitting judges in ongoing cases, none of those changes can be honestly said to have had any significant impact on the processes of those courts.



In modern war crimes courts all relevant information is consigned either electronically or in hard copy to the file precisely to avoid the impact of personnel changes on those cases.

What matters is that there is someone in each position who is lawfully empowered to make decisions and does just that. The rest of the process takes its own course.

Finally, I want to reiterate that I consider it the greatest of privilege to have been able to work with a dedicated, inspired group of people, both national and international, in trying to bring some accountability and some justice to the victims of the Khmer Rouge.

Whilst it is true that this quest has not been easy and that this Court has had many challenges, and will probably continue to face serious issues until the end, these challenges have nothing to do with my decision but were rather a great motivation to keep fighting on.

For twenty years, both in Canada and abroad, I have believed in trying to uphold the rule of law, as the best guarantor of peace, security and justice. I still believe that this Court can help Cambodia achieve those goals.

Thank you

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