



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

29 June 2018

PRESS RELEASE
The Pre-Trial Chamber issues its considerations
on the International Co-Prosecutor’s Appeal against the Co-Investigating Judges’
Closing Order having dismissed the case against IM Chaem

The Pre-Trial Chamber has issued its considerations on the International Co-Prosecutor’s Appeal against the Co-Investigating Judges’ Closing Order having dismissed the case against IM Chaem due to a lack of personal jurisdiction regarding the criminal allegations against her.

The Pre-Trial Chamber unanimously concluded to the existence of various procedural defects, in particular with regards to the evidentiary assessment and the undue delay in concluding this judicial investigation.

The Pre-Trial Chamber has further ruled that the applicable law before the ECCC does not preclude the national courts’ jurisdiction.

The five Judges have come to different conclusions regarding the merits of the appeal. Three judges have concluded to the lack of personal jurisdiction of the ECCC over IM Chaem. Two other judges have found that the evidence brought sufficient charges to consider that IM Chaem was among those most responsible and that the ECCC have jurisdiction over her.

As four out of five votes are required to overturn a Co-Investigating judges’ decision, the decision affirming that the ECCC have no jurisdiction over IM Chaem shall stand. This decision eventually concludes case 004/1.

The Pre-Trial Chamber’s Considerations and the impugned decision are available on the ECCC website: <https://www.eccc.gov.kh/en/document/court/considerations-international-co-prosecutors-appeal-closing-order-reasons> or www.eccc.gov.kh

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