



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

Phnom Penh, 28 May 2021

PRESS RELEASE

FROM THE INTERNATIONAL CO-PROSECUTOR

In accordance with Internal Rule 54 of the ECCC, Brenda J. Hollis issues this public statement regarding the current status of Case 003 before the ECCC.

On 7 April 2021, the Pre-Trial Chamber (PTC) issued its Considerations On Appeals Against Closing Orders in the case of Meas Muth (Case 003). As in Case 004/2, the Chamber was once again faced with two contradictory Closing Orders, one indicting Meas Muth for trial, the other dismissing the case against him. Once again there was no supermajority – that is, at least four judges - upholding the Closing Order dismissing the case. However, unlike Case 004/2, all five PTC judges found that the Indictment against Meas Muth is valid, but there was no supermajority order specifically sending the case file to the Trial Chamber for trial.

The Trial Chamber has refused to act without having a case file before it. So, as the PTC did not forward the case file to the Trial Chamber, on 19 April 2021, the International Co-Prosecutor filed a request to the Co-Investigating Judges asking them to transfer it to the Trial Chamber. That request was based on the unanimous finding of the PTC that the Indictment is valid, ECCC law and Internal Rules. On 20 May 2021, the Co-Investigating Judges denied this request, leaving the Meas Muth case in judicial limbo at the pre-trial stage.

The International Co-Prosecutor has notified the PTC that she will file a request that it resolve this judicial limbo by issuing a decision to conclude the pre-trial stage of the proceedings in Case 003 in accordance with the PTC's own findings in its Considerations and the ECCC legal framework which require that the case proceed to trial.