



**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

14 July 2020

**PRESS RELEASE**

Today, the Special Panel of the Extraordinary Chambers in the Courts of Cambodia issued its Decision on KHIEU Samphân’s Application for Disqualification of the Six Appeal Judges Who Adjudicated in Case 002/01.

On 31 October 2019, the Co-Lawyers for KHIEU Samphân filed the Application for Disqualification and requested the Supreme Court Chamber to disqualify the Six Appeal Judges who adjudicated in Case 002/01. On 25 November 2019, the Co-Prosecutors as well as the Civil Party Lead Co-Lawyers each filed their respective Responses to the Application for Disqualification.

On 17 December 2019, the Judicial Administrative Committee unanimously finalised the composition of the Special Panel to adjudicate KHIEU Samphân’s Application for Disqualification.

The Special Panel, in its Decision, set forth the legal foundations governing the admissibility of an application for disqualification of a judge and unanimously found KHIEU Samphân’s Application for Disqualification admissible (at paras 22-43).

On the merits of the Application for Disqualification, the Special Panel set out the applicable legal standard for disqualification of a judge and found that neither the alleged prejudging of the Appeal in Case 002/02 (at paras 62-87) and erroneous findings in the Case 002/01 Appeal Judgment (at paras 100-112) nor the procedural uncertainties following the pronouncement of the Case 002/02 Trial Judgment (at paras 119-124) suffice to rebut the strong presumption of impartiality attached to the Challenged Judges. Accordingly, the Special Panel unanimously dismissed the Application for Disqualification in its entirety.

The decision of the Special Panel is available at:

[https://eccc.gov.kh/sites/default/files/documents/courtdoc/%5Bdate-in-tz%5D/11\\_EN.pdf](https://eccc.gov.kh/sites/default/files/documents/courtdoc/%5Bdate-in-tz%5D/11_EN.pdf)

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