



**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

13 December 2011

**PRESS RELEASE**

**SUPREME COURT CHAMBER SETS ASIDE THE TRIAL CHAMBER’S ORDER TO  
RELEASE IENG THIRITH FROM DETENTION**

Today, the Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) has granted by supermajority decision an immediate appeal from the Co-Prosecutors, thereby setting aside an order to unconditionally release the Accused Ieng THIRITH issued by the Trial Chamber on 17 November.

The Supreme Court Chamber found that the Trial Chamber must exhaust all available measures potentially capable of helping the Accused to become fit to stand trial. Such decision was adopted in the light of the possibility, albeit slight, of a meaningful improvement in the mental health of the Accused which was foreseen by the medical experts appointed by the Trial Chamber. In a situation where the stay of proceedings may be lifted, the Supreme Court Chamber found that unconditional release of an accused is not required. The Supreme Court Chamber concluded that the original ground for keeping the Accused in provisional detention, namely to ensure her presence during the proceedings, remains valid and relevant.

The Supreme Court Chamber directed the Trial Chamber to request, in consultation with appropriate medical and psychiatric experts, additional treatment for the Accused which may help improve her mental health to such extent that she becomes fit to stand trial. Such treatment is to be carried out in a hospital or other appropriate facility in Cambodia. No later than six months after the commencement of this treatment, the Accused shall undergo a medical, psychiatric and/or psychological expert examination, after which the Trial Chamber shall determine the Accused’s fitness to stand trial without delay.

The Supreme Court Chamber decided that the detention of the Accused shall be carried out in the ECCC Detention Facility until the necessary arrangements for the additional treatment are finalized and in the hospital or comparable facility thereafter.

The full decision is available on the ECCC website:  
<http://www.eccc.gov.kh/en/document/court/decision-immediate-appeal-against-trial-chamber039s-order-release-accused-ieng-thirit>

For further information, please contact:

Lars Olsen  
Legal Communications Officer  
Mobile: +855(0)-12 488 023  
Land line: +855 23 219 841 ext. 6169  
Email: [olsenl@un.org](mailto:olsenl@un.org)

Mr. Neth Pheaktra  
Press Officer  
Mobile phone: +855 (0) 12 483 283  
[neth.pheaktra@eccc.gov.kh](mailto:neth.pheaktra@eccc.gov.kh)