



New York, 30 March 2012 - Statement attributable to the Spokesperson for the Secretary-General on the Extraordinary Chambers in the Courts of Cambodia

Recent events at the Extraordinary Chambers in the Courts of Cambodia (ECCC), including the resignations of the international Co-Investigating Judge, Siegfried Blunk, and the reserve international Co-Investigating Judge, Laurent Kasper-Ansermet, have raised serious concerns about the ECCC judicial process in relation to Cases 003 and 004. The circumstances that have given rise to these two resignations remain worrying.

Judge Blunk linked his resignation to interference in Cases 003 and 004 by the Royal Government of Cambodia. The Cambodian Supreme Council of the Magistracy did not appoint Judge Kasper-Ansermet as the international Co-Investigating Judge, as it was required to do by the UN/Cambodia Agreement. However, as the duly appointed international reserve Co-Investigating Judge, Kasper-Ansermet has performed his duties with full legal authority. He referred to a series of incidents on the Cambodian side of the ECCC in relation to Cases 003 and 004 which, he concluded, resulted in serious irregularities and violations of proper procedure that endanger and impede due process of law and the proper conduct of investigations in the two cases.

The Secretary-General believes that it is essential that the judicial process in relation to Cases 003 and 004 be brought back onto a positive course. The Secretary-General has decided, in this regard, to initiate a process for the selection of a new international Co-Investigating Judge, and a new reserve international Co-Investigating Judge, in accordance with the provisions of the UN/Cambodia Agreement. Their selection by the Secretary-General will not by itself, however, fully address the concerns that have arisen in regard to the judicial process in these cases.

It is essential that the Royal Government of Cambodia extend full cooperation to the new judges once it has been informed by the Secretary-General of their selection. Critically, the new judges should be promptly appointed by the Cambodian Supreme Council of the Magistracy. The Royal Government of Cambodia should afford the new international Co-Investigating Judge every assistance and full cooperation to carry out his or her functions. The United Nations will remain vigilant in its efforts to ensure that such assistance and cooperation are provided.

The Secretary-General encourages the Royal Government of Cambodia and the international community to view the selection of the new judges as an opportunity to move forward beyond recent events, and enable the ECCC to carry out its obligations in full by considering all of the cases before it in accordance with international standards of fairness.

The Secretary-General notes in this regard that the ECCC faces a serious funding challenge. He encourages all partners to provide financial contributions in order to enable the Court to concentrate on the critical judicial work at hand. The Secretary-General's Special Expert, Mr. David Scheffer, will continue to advocate for funding as well as to address issues of cooperation with the Royal Government of Cambodia.