

**Judge's Order Draws Praise**  
**Bridget Di Certo**  
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Rights groups and civil society have applauded the order to resume investigations into controversial Case 003 by the international reserve co-investigating judge last week.

Court monitors, Open Society Justice Initiative on Thursday called the decision an “important development in recognizing the inherent unfairness in the premature decision to terminate investigations”.

“The proper handling of these two cases still under investigation will be a litmus test of the court’s ability to meet the basic standards of international law, in order to bring justice for victims of the Khmer Rouge,” OSJI executive director James Goldston said in a press release after the announcement.

In a decision released on Thursday, UN-nominated Swiss judge Laurent Kasper-Ansermet had determined to reopen the investigations into Case 003 on the basis of requests for further investigation from international co-prosecutor Andrew Cayley in May last year.

Investigations into Case 003 were abruptly closed in April last year by Cambodian co-investigating judge You Bunleng and German judge Siegfried Blunk. After they closed investigations, international co-prosecutor Andrew Cayley said a serious amount of investigation into the government-opposed case still needed to be undertaken. Blunk later quit the court, citing perceptions of political interference as his motivation.

Kasper-Ansermet’s decision said the investigation into the controversial case so far had been “defective and prejudicial to all the parties.”

His Cambodian counterpart You Bunleng, who has refused to work with the UN-nominee, said in his own press statement on Friday Kasper-Ansermet’s actions were “not legally correct”.

“Is he a judge or a press officer?” You Bunleng quipped in his press statement. The Cambodian judge refuses to work with or acknowledge Kasper-Ansermet in an official capacity until the Swiss national is “appointed as a legally accredited judge”.

Ek Tha, of the Council of Ministers’ spokesperson, the Press and Quick Reaction Unit said the government had no comment on the resumption of investigations into the government-opposed Case 003, by the judge the government has refused to acknowledge.

Tribunal legal affairs spokesman Lars Olsen said he had nothing to add to the press statement of the international reserve co-investigating judge at this stage.

Ou Virak, executive director of the Cambodian Centre for Human Rights, said that the Order from Kasper-Ansermet was a “welcome bold move.”

“This is what is necessary and what is needed from the international side at the court,” Ou Virak told the Post yesterday. “I hope now the government will allow this judicial investigation process to proceed.”

Ou Virak called on the international side of the tribunal to step up to the plate in pushing back against political interference and a culture of impunity.

“This is saying more than just for Case 003 – it sends a very strong statement of principle of judicial independence and I would hope the judges in the domestic system would stand up and take notice,” he added.

Victims’ advocate and president of Civicus, Theary Seng similarly welcomed what she called change to “the stank of past UN lethargy of “seeing no evil, hear no evil”.

“The uncommon courage, integrity and persistence shown by reserve international co-investigating judge Kasper-Ansermet has buoyed the spirit of Cambodian victims and KRT watchers alike,” Theary Seng, who was orphaned by the brutal regime said yesterday.

“It is a very positive message of hope and integrity,” Theary Seng added. “But one that needs to be backed up with sustained, muscular action by the UN here as well as at Headquarters.”

Amnesty International’s Rupert Abbott told the Post government obstruction of cases 003 and 004 was shattering the reputation of the tribunal.

“The Cambodian government’s continuing obstruction of Cases 003 and 004 amounts to impunity for serious crimes committed during the period of Khmer Rouge rule in Cambodia,” Abbott said by email. “Further, this obstruction is undermining the reputation of the Tribunal and therefore risks tainting - in the eyes of the victims and the Cambodian public - judgments issued in Cases 001 and 002.”

One day before Kasper-Ansermet made his order on the resumption of investigations public, the UN jobs website posted a job advertisement for international investigators to join his team.