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**Twitter Key in Judge's Rejection**  
**Bridget Di Certo**  
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The Supreme Council of the Magistracy is of the view that UN-nominated reserve international co-investigating judge Laurent Kasper-Ansermet is “compromising the confidentiality and integrity of investigations” and has violated judicial ethics with his use of Twitter, the council said in a summary report issued on Saturday.

The report, issued by the Council of Ministers' Press and Quick Reaction Unit, states that the council met on January 13 to “vote and count the ballots concerning the proposed appointment of the International Co-Investigating Judge”.

“According to the results [...] the members of the Supreme Council of the Magistracy decided not to appoint Mr Laurent Kasper-Ansermet,” the report, dated January 13, stated.

“Following discussion, the meeting reached the view that Judge Laurent Kasper-Ansermet's posting of a considerable number of documents on his Twitter account concerning the ECCC, and specifically concerning cases 003 and 004 since his appointment as Reserve International Co-Investigating Judge, would appear to violate the Code of Judicial Ethics, the Internal Rules and legal principles” of the tribunal, the council said in the report.

According to the report, Kasper-Ansermet's distribution of information in the form of posting links to various news articles was in violation of several principles of the tribunal.

The council said that Kasper-Ansermet's posting of articles relating to the tribunal constituted “criticising both of his own colleagues, Co-Investigating Judges You Bunleng and Siegfried Blunk”.

Bunleng and Blunk came under fire after they closed investigations into the government-opposed Case 003 in April, without having conducted key elements of investigation such as interviewing the suspects.

A mass staff walkout over the investigations ensued and Blunk abruptly resigned in October, citing perceptions of government interference in cases 003 and 004 as his motivation.

“Furthermore, this distribution could have an adverse impact and cause confusion or doubts regarding [his/her] impartiality,” the council said, adding in bold font that it could

also “undermine the standing and integrity of the ECCC”.

Court monitor Open Society Justice Initiative’s Clair Duffy said the real concerns about independence were with the Supreme Council of the Magistracy itself.

“The ECCC’s national co-prosecutor, Chea Leang, and national co-investigating judge, You Bunleng, both sit on the SCM and were part of that decision-making process,” Duffy said.

“So not only did the SCM act outside its authority on this issue, there are also obvious concerns around its independence.”

The Supreme Council of the Magistracy is not a proper forum to challenge the impartiality of any ECCC judge, Duffy said, adding that proper procedure was for a party to the proceedings to bring a motion for disqualification of a judge.

UN-appointed Special Expert at the tribunal, David Scheffer, said in a press conference on Wednesday that the decision to appoint the judge was strictly up to the discretion of UN Secretary-General Ban Ki-moon, not the Supreme Council of the Magistracy.