



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

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PRESS RELEASE

PRE-TRIAL CHAMBER OVERTURNS PREVIOUS REJECTION OF 98% OF APPEALING CIVIL PARTY APPLICANTS IN CASE 002

In a reasoned decision issued on 24 June 2011, the Pre-Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) granted appeals submitted from 1,728 civil party applicants in Case 002 and granted them status as civil parties in the case. The appellants' applications to become civil parties had previously been rejected as inadmissible.

In its decision, a super-majority of the Pre-Trial Chamber, with Judge Catherine Marchi-Uhel dissenting in part, found inter alia that an incorrect interpretation of the necessary causal link between crimes being investigated and the injury suffered by the civil party applicants had been applied when the applications previously were rejected as inadmissible. Furthermore, the Pre-Trial Chamber found that the criteria for what constitutes necessary injury in order to be recognised as a victim had been too narrowly interpreted. In this regard, the Pre-Trial Chamber emphasised the necessity of taking into account the mental suffering of the many Cambodians who survived the Khmer Rouge regime. The Pre-Trial Chamber also noted that determination of the threshold for admissibility of civil party applications in proceedings dealing with international mass crimes such as genocide, crimes against humanity and grave breaches of the Geneva Conventions of 1949 differ from what is applicable in domestic proceedings dealing only with national crimes.

Following the decision of the Pre-Trial Chamber, a total of 1,728 civil party applicants who were previously rejected as inadmissible, has been granted status as civil parties in Case 002. This brings the total number of civil parties in Case 002 to 3,850.

The full reasoning of the Pre-Trial Chamber can be found in their decision which is available at <http://www.eccc.gov.kh/en/document/court/decision-appeals-against-orders-co-investigating-judges-admissibility-civil-party-app>

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