

5 April 2007

Press Release: Issued at the Request of the National Judges of the ECCC

Phnom Penh — The national judges appointed to the ECCC consider that the international judges' decision not to participate in the plenary session planned at the end of this month would further delay the process of the court.

On 4 April, 2007, all fifteen national judges of the ECCC present a letter in response to their international colleagues' letter of 3 April, in which the latter announced that they would not participate in the plenary session scheduled for 30 April to adopt the draft Internal Rules of the ECCC which would enable the trial to move ahead conforming to the expectation of all victims.

In response to the proposal to exclude the Bar Association of the Kingdom of Cambodia (BAKC) from the ECCC process, the national judges consider that such a move is not consistent with the substance and spirit of the Agreement between the Royal Government of Cambodia and the United Nations (especially article 21.3), Law on the establishment of the ECCC as well as the original intent in establishing the court.

The national judges note that both national and international members of the Review Committee resolved all technical legal issues. The national judges point out that the Bar Association registration fees are not a matter covered by the Internal Rules and therefore should not be a reason to delay their adoption as argued by the international judges in their 3 April letter.

The national judges also regret the international judges' decision to set an ultimatum to the BAKC, despite the national judges' repeated advice that such action would not contribute to a positive resolution of the issue.

Furthermore, the national judges criticise the Defence Support Section of the ECCC for not being active in discussing and negotiating with the BAKC to reach a mutually acceptable arrangement.

The national judges conclude their letter with the hope that the international judges will reconsider their decision and participate in the planned plenary session. They emphasize that the task given by the United Nations and the Royal Government of Cambodia to both the national and international judges is to make the ECCC a historic success and not a failure.

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