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 Extraordinary Chambers in the Courts of Cambodia
 Chambres Extraordinaires au sein des Tribunaux Cambodgiens

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

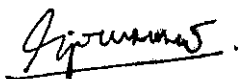
ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

TRIAL CHAMBER

Date: 06 September 2013

TO: Lead Co-Lawyers

FROM: NIL Nonn, President, Trial Chamber 

CC: All Trial Chamber Judges; All Parties, Case 002;
Victims Support Section (“VSS”); Trial Chamber Senior Legal Officer

SUBJECT: Trial Chamber’s subsequent and Final Order on the Updated Specification of Civil Party Priority Projects as Reparations pursuant to Rule 81bis(4) (E218/7/3).

1. Following the Trial Chamber’s memorandum on 1 August 2013, requesting the Lead Co-Lawyers for specific information on proposed reparation projects (E218/7/2), the Lead Co-Lawyers filed their response on 23 August 2013 (E218/7/3).
2. The Chamber takes note of the information submitted by the Lead Co-Lawyers and makes the following observations in relation to the notification and the specific reparation projects.

General Observation:

3. The Chamber once again reiterates that all reparation proposals, including new reparations projects, if any, have to be submitted at latest **by 26 September 2013**. The Lead Co-Lawyers shall ensure that all questions and directions in both memorandum E218/7/2 and this memorandum are addressed, in particular that:
 - 1) Proof of consent and cooperation of any involved third party has to be demonstrated;
 - 2) Funding has to be fully secured, as the Chamber cannot endorse a reparation project that has secured partial funding only;
 - 3) Any necessary additional information shall be provided to the Chamber, such as detailed descriptions (including sketches and/or pictures) and budget plans of proposals.

Specific Observations:

First Category: Remembrance and Memorialization:

4. The Chamber notes that only the first project (National Remembrance Day) fulfils the established requirements. The Chamber observes that the two remaining projects as currently proposed

do not fully meet the established requirements, as no funding or only partial funding has been secured (second and third projects). Moreover the Trial Chamber notes that with respect to the third project a commitment from the Phnom Penh municipality regarding a suitable site is still outstanding.

Second Category: Rehabilitation

5. Regarding the proposals in the Second Category (fourth and fifth projects), the Chamber requests clarification whether the amount of 125,000 Euros covers the projects for the duration of 36 months or whether additional funding would be necessary to cover this period. In the event that further funding is necessary to maintain the projects for the full period, the Chamber requests an indication of how much. In the event further funding were not obtained, the Chamber requests an indication of how long the projects could continue on the funding already secured.

Third Category: Documentation and Education

6. The Chamber notes that the funding and commitment from implementing organisations for the sixth project (permanent exhibition on forced population movement) has been secured.

7. Regarding the seventh project (mobile exhibition) it is not clear whether the secured funding is only partial funding or whether the amount mentioned is sufficient to secure the project for 24 months. In the event that further funding is necessary to maintain the projects for the full period, the Chamber requests an indication of how much. In the event further funding were not obtained, the Chamber requests an indication of how long the projects could continue on the funding already secured.

8. Regarding the eighth project (history book chapters) the Chamber reminds the civil parties that the Chamber is unable to endorse any book chapter on facts that are currently under judicial consideration and need to be finally adjudicated. Therefore even though the idea is generally laudable, the Trial Chamber cannot provide any official endorsement regarding this project.

9. In view of the above, the Chamber directs that final written submissions and clarifications be submitted by **26 September 2013**. In addition, the Chamber reminds the Co-Lead Lawyers that proposals that do not comply with the requirements set out in this memorandum and in E218/7/2 cannot be endorsed.