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មន្ត្រីទទួលបន្ទុកសំណុំរឿង : Case File Officer/L'agent chargé
SANN RADA

E378/1

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

ព្រះរាជាណាចក្រកម្ពុជា
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Kingdom of Cambodia
Nation Religion King
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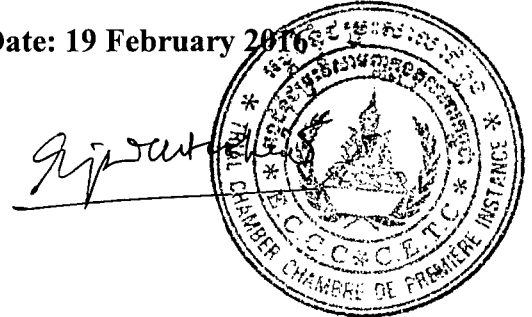
TRIAL CHAMBER

TO: Dean, Amsterdam Bar Association

FROM: NIL Nonn, President of the Trial Chamber

**CC: All Trial Chamber Judges
Trial Chamber Senior Legal Officer
All Parties, Case 002**

Date: 19 February 2016



SUBJECT: Addendum- Possible Misconduct of a Lawyer Admitted to your Bar Association- Mr. Victor KOPPE

Reference is made to the notification of 11 December 2015 (E378) from the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) Trial Chamber, regarding possible professional misconduct on the part of Mr. Victor KOPPE, a defence lawyer representing Mr. NUON Chea in Case 002/02. The Trial Chamber now wishes to advise you of further behaviour by Mr. Victor KOPPE since 11 December 2015 which, in the Trial Chamber’s opinion, appears to constitute professional misconduct before the ECCC as outlined in Internal Rule 38(1).

In an interview printed in the 3 February 2016 edition of the Mekong Review, a quarterly literary journal, Mr. Victor KOPPE makes a public personal attack on the Trial Chamber and Judge Jean-Marc Lavergne in particular. Excerpts of this interview were subsequently reprinted in The Cambodia Daily newspaper on 4 February 2016.

During the interview the following remarks and comments were made by Mr. Victor KOPPE:

- When asked if he will change his behavior, he replies: “No. I have strong professional contempt for the French Judge [Judge Jean-Marc Lavergne] particularly. If that is going too far, then so be it.”¹
- When asked if he has something against the Judge, he replies: “Yes.” The interviewer, Mr. Bui Jones asks, “Because he’s French?” “[Laughs] No, not because he’s French.

¹ Victor’s justice (Minh Bui Jones, Mekong Review), February-April 2016; See also *Defense Lawyer’s Jibes at Judge Get personal in Interview* (George White, The Cambodia Daily), 4 February 2016.

No, I like French people. It would be too easy. He does everything he can to prevent me asking questions. He is on an active path to try to prevent [Nuon Chea's] story being told."²

- “The words: ‘I have nothing but professional contempt for the international judges’ was a sentence that I thought out before I said it.” When asked if he anticipated the response, he replies: “Yes, I’ve chosen those words carefully. I’ve chosen those words because they were and they still are on the very edge of what I can say professionally.”³
- “If you’re in that courtroom day in day out, you know... it’s unbearable, day in day out, to be face with that French Judge, who is the ultimate combination of bias, incompetence and dumbness. People don’t understand how hard that is.”⁴
- When asked if there would be any consequence for his misconduct, Mr. Victor KOPPE replied: “I sincerely doubt it. My predecessors, Michiel [Pestman] and Andy Ianuzzi, got complaints at their Amsterdam and New York bars [respectively]. I don’t think they responded. As a matter of fact, as I said to the [press], I’m actually quite happy with it”.⁵

Appended to this memorandum you will find copies of the relevant articles mentioned in the excerpts above for your reference.

The Trial Chamber would be grateful to have this behaviour considered together with the factual allegations contained in its referral of 11 December 2015. The Trial Chamber would urge timely investigation of the matter to ensure that it can be concluded as a matter of urgency and in any event within the ECCC’s lifespan.

I would appreciate it if you would inform the Trial Chamber in due course of the outcome of the referral of 11 December 2015 (E378), together with this addendum and of any action taken in consequence of it, through its Senior Legal Officer.

If you have further questions, or require additional information from the Chamber, please address your enquiries to:

Ken Roberts (roberts13@un.org)
 Senior Legal Officer, Trial Chamber
 Extraordinary Chambers in the Courts of Cambodia
 PO Box 71, Phnom Penh
 Cambodia

² *Victor’s justice* (Minh Bui Jones, Mekong Review), February-April 2016; See also *Defense Lawyer’s Jibes at Judge Get personal in Interview* (George White, The Cambodia Daily), 4 February 2016.

³ *Victor’s justice* (Minh Bui Jones, Mekong Review), February-April 2016.

⁴ *Victor’s justice* (Minh Bui Jones, Mekong Review), February-April 2016; See also *Defense Lawyer’s Jibes at Judge Get personal in Interview* (George White, The Cambodia Daily), 4 February 2016.

⁵ *Victor’s justice* (Minh Bui Jones, Mekong Review), February-April 2016.