



The Court Report

The Extraordinary Chambers in the Courts of Cambodia

Moving Forward through Justice



Representatives of the PDG take part in a town hall meeting with national and international staff of the ECCC on 26 June. (ECCC photo)

PDG visits the ECCC from New York

Members of the ECCC Principal Donors Group (PDG) spent three days in Phnom Penh, from 25 June to 27 June 2014, discussing funding arrangements for the tribunal. The representatives acknowledged recent financial difficulties, which have led to uncertainty over short-term contracts, a lack of staff entitlements, job cuts and, in some cases, unpaid salaries. But the Chair of the group stressed that the June visit was not about finding ways to reduce UN support; rather, the group aimed to learn more about the objectives of the ECCC to better raise money. The Group stated that its biggest goal is to make funding arrangements as consistent as possible.

After meeting with each of the different sections of the court, the PDG held a town hall-style meeting at the ECCC to update staff and respond to questions, many of which referred to the financial difficulties on the national side of the budget. Ambassador David Scheffer, the UN Secretary-General's Special Expert on the trials, used the opportunity to reassure ECCC staff that much of the past year has been spent

trying to raise funds for the national side, but also urged the Royal Cambodian Government to fulfil its own funding obligations under the ECCC founding agreement.

The PDG is a subset of the UNAKRT steering committee, consisting of donors to the ECCC. It meets frequently, but informally, to discuss budgetary and administrative matters and emerging operational issues on which the UN Secretary-General requires donor views and feedback. It is made up of seven states that contribute the most funding to the tribunal: Australia, France, Germany, Japan, the United Kingdom, the United States and Sweden. Together, these states contribute around 77 per cent of ECCC funding. Group members try to raise money through their own governments, the UN and the Cambodian government, as well as looking for new donors. The PDG also provides diplomatic and political support for the ECCC, and advocates on its behalf. ▲ See page 2 for a statement from the PDG

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Statement by the Principal Donors Group: 27 June 2014

Today New York-based representatives of the PDG for the ECCC completed an important three-day visit to Phnom Penh. The visit by the PDG—a group of key contributing countries working with the UN to support the ECCC—reinforced its commitment to the ECCC and the pursuit of justice for victims of atrocities of the Khmer Rouge regime.

The PDG witnessed first hand the breadth of collaboration between the Royal Government of Cambodia and the international community at the ECCC. The PDG fully supports the ECCC’s mandate, which makes a significant and unique contribution to accountability and reconciliation in Cambodia.

Important progress is being made. The trial verdict in the first phase of Case 002 against surviving senior leaders of the Khmer Rouge, to be delivered on 7 August, will represent a major milestone in the work of the ECCC. The next phase of the case will cover some of the most significant charges yet heard by the ECCC, including genocide and other grave crimes committed on a national scale. The Trial Chamber has scheduled an Initial Hearing for 30 July and evidentiary hearings are anticipated to start in the coming months. In Cases 003 and 004, judicial investigations continue in respect of a large number of significant crime sites. All this work is made possible by the ECCC’s dedicated and professional staff.



Group photo of representatives from the PDG and the ECCC management. (ECCC photo)

The ECCC brings to the fore a series of unique features. Over 4,000 victims have already played an active role in the proceedings through representation as civil parties. Through its outreach programme, some 240,000 Cambodians have visited the ECCC and millions more have followed the proceedings through television and radio coverage. The collaboration between national and international staff seeks to ensure the ECCC will have a lasting legacy, enhance domestic capacity and generate best practices in criminal justice. These features are particularly important for a country working to come to terms with its past.

The ECCC demonstrated by the Royal Government of Cambodia. We welcome the Government’s contribution of US\$1.1 million in January towards the salaries of national staff and its commitment to further fundraising efforts. The PDG urges all states to provide further financial support to Cambodia and the UN as partners in this historic endeavour.

The PDG will leave Cambodia with a clear sense that the ECCC continues to make significant progress in holding to account those most responsible for atrocities committed by the Khmer Rouge. The PDG will continue to support this essential mandate.

The PDG recognizes the ongoing support for

Bangladeshi tribunal official visits the ECCC

The Coordinator of the Investigation Agency at Bangladesh’s International Crimes Tribunal visited the ECCC on 23-24 June 2014. Mr. Mohammad Abdul Hannan Khan met with representatives from most sections of the ECCC during his two-day visit and discussed shared challenges and lessons learned, as well as some of the major differences between the two tribunals.

After speaking with ECCC officials and receiving a tour of the main courtroom, Mr. Khan speculated that the biggest challenge for the Cambodian hybrid system is the speed at which trials are conducted. He noted, by way of example, that evidence collected during investigations can wait several years before it is seen in court.

Mr. Khan suggested that the International Crimes Tribunal can work more quickly because it operates principally in one language and because it is based on domestic law and is fully staffed and funded through the national government. However, he said the two tribunals share the same difficulty in prosecuting



Mr. Mohammad Abdul Hannan Khan with the Acting Director and Deputy Director of the Office of Administration. (ECCC photo)

crimes that are alleged to have taken place several decades ago. The Bangladeshi tribunal was established in 2009 to prosecute those suspected of committing genocide during the 1971 war of liberation.

Conversely, Mr. Khan was extremely positive about the tribunal’s outreach efforts, a side to the ECCC that is not currently mirrored by the International Crimes Tribunal. He said that by engaging civil parties, bringing Cambodians to the courtroom and travelling to meet victims the ECCC is helping to make sure the atrocities of the Khmer Rouge never happen again. Mr. Khan emphasized the importance of educating people about the past and eradicating any trace of impunity.



Stakeholders meet to discuss Case 002/02 reparations

On 11 June 2014, civil parties, civil society organizations, donors and civil party lawyers gathered in Phnom Penh for the Stakeholders Consultation on Case 002/02 Reparations: Lessons Learned, Best Practices and Next Steps. The consultation was hosted by the Victims Support Section (VSS) and the Civil Party Lead Co-Lawyers Section (CPLCLS). The day consisted of interactive dialogues; panel presentations with legal consultants and the national Lead Co-Lawyer, Mr. Ang Pich; and speeches from the VSS Chief, Mr. Vannak Hang, and the Acting Director of the Office of Administration, Mr. Tony Kranh.

The stakeholders used this preliminary consultation to collaboratively identify existing financial and human resources that can be put toward reparation requests and non-judicial measures in Case 002/02 and to gauge the interest of partners in contributing to such projects. On the same day, the Trial Chamber announced that an Initial Hearing in Case 002/02 will take place on 30 July 2014 in the main courtroom of the ECCC and that it will consider further specifications of civil party reparation awards among other issues.

According to the ECCC framework and Internal Rules, civil parties are able to participate in trial proceedings and seek moral and collective reparations against the Accused. This is important for bringing redress to victims of the Khmer Rouge regime and mitigating the harms experienced. The realization of reparation requests is dependent on the conviction of the Accused. The VSS and CPLCLS have organized further consultations with victims and civil parties over the following weeks, prior to the Initial Hearing on 30 July 2014.

The presentations covered topics such as the legal framework for reparations at the ECCC, as

recognized in both domestic and international law; guiding principles and best practice in reparations; the reparation projects in Cases 001 and 002/01; and overcoming challenges in project design and implementation.

There were also opportunities for journalists, civil party lawyers, civil parties and civil society organizations to pose questions to the panellists regarding the reparation process and the planned outcome of reparations. The interactive dialogue sessions provided opportunities for stakeholders to discuss project concepts and their feasibility for inclusion in Case 002/02 reparation requests.



Panellist outlines key factors for successfully achieving meaningful reparations. (ECCC photo)

Panellists also outlined other key factors for successfully achieving meaningful reparations, including the need for a modern management and fundraising strategy, good cooperation and teamwork among stakeholders, joint objectives for all stakeholders, and, lastly, obtaining external expert advice and support.

Australia pledges AU\$3.25 million

The Government of Australia has confirmed that it will make a new single contribution of AU\$3.25 million (approximately US\$3 million) to the international component of the ECCC. With this new pledge, the Government of Australia's total contribution to the ECCC will exceed AU\$26 million. Australia is the second-largest donor to the ECCC, and it has supported the court since its inception. "As we await the verdict for Case 002/01 and continue the work on the remaining cases, this funding helps to ensure that justice can be delivered to the people of Cambodia in a timely fashion. Australia has been an invaluable partner in this endeavour since the establishment of the tribunal, for which the ECCC would like to express its deep gratitude", said Acting Director of the Office of Administration Tony Kranh and Deputy Director Knut Rosandhaug.

Malaysia contributes US\$50,000 to the ECCC

The Government of Malaysia has contributed US\$50,000 to the national component of the ECCC. Malaysia is a new donor to the ECCC, and made this contribution in response to an appeal by the UN Secretary-General, Ban Ki-moon, and the Royal Government of Cambodia. The international community was asked to urgently come forward with pledges of financial support to the ECCC. "It is a pleasure to welcome Malaysia as a new donor to the ECCC. On behalf of the ECCC, we would like to express our sincere appreciation for this contribution from the Government of Malaysia", Acting Director of the Office of Administration Tony Kranh and Deputy Director Knut Rosandhaug said in a statement.

Sweden announces SEK 30 million contribution

The Government of Sweden announced that it will make a new contribution of SEK 30 million (approximately US\$4.5 million) to the international component of the ECCC for 2014-2015. With the new contribution, Sweden's financial assistance to the ECCC will exceed US\$10 million. Sweden is a key financial backer of the ECCC and is a member of the Principal Donors Group. "The ECCC is grateful for Sweden's strong commitment to international law and pursuit of justice for the Cambodian people, as demonstrated through its continued support of the Court. The new contribution of US\$4.5 million comes at an important time for ECCC (...)", Acting Director of the Office of Administration Tony Kranh and Deputy Director Knut Rosandhaug said in a statement.

ECCC weekly radio programme resumes

The ECCC weekly radio programme, "Khmer Rouge Leaders on Trial", resumed on 19 June 2014, following a two-month break. The programme, which is broadcast in the Khmer language, airs every Thursday on Bayon FM95 from 12:00 to 13:00 and through its substations across the country.

"Khmer Rouge Leaders on Trial" is an interactive show, which presents the major developments from the week's proceedings and features guest speakers from different sections of the court. Listeners have the opportunity to call in and ask questions to representatives from the ECCC. The most recent show, on 3 July 2014, focused on preparations for

the pronouncement of the judgement in Case 002/01 on 7 August 2014.

The weekly programme, launched on 24 November 2011, is an initiative of the Public Affairs Section of the ECCC and is a significant component of the Section's outreach and public information platform. The aim of the radio programme is to facilitate the public's involvement in, and support of, the judicial proceedings. The public also has the opportunity to expand its understanding of the way in which the court operates and the details of the trial proceedings. The programme seeks to reach Cambodian audiences nationwide. It is broadcast in all 25 provinces and in remote communities.

Supreme Court Chamber

In June 2014, the Supreme Court Chamber continued its preparatory review and research on issues relating to Case 002/01. The Supreme Court Chamber also continued its examination of an appeal by Khieu Samphan against the Trial Chamber's decision on the additional severance of Case 002 and the scope of Case 002/02. Khieu Samphan's appeal remains under consideration, and preparatory review and research on issues relating to Case 002/01 remain ongoing.

Trial Chamber

Following the conclusion of the hearing of evidence in Case 002/01, the Trial Chamber is currently engaged in judgement drafting. The judgement in Case 002/01 will be pronounced on 7 August 2014 in the main courtroom of the ECCC at 09:00.

On 4 June 2014, the Trial Chamber issued a memorandum concerning a request made by Michael Karnavas and Ang Udom, counsel to a suspect in Case 003 and former counsel for Ieng Sary, to file an *amicus curiae* brief on the applicability of a statute of limitations for grave breaches of the Geneva Conventions. The Trial Chamber noted that an *amicus curiae* is traditionally an independent and impartial adviser to the court whose role is simply to inform and not to advocate. The Trial Chamber decided that counsel who has acted for a party in the proceedings before it and who presents himself as counsel for a party in Case 003 is neither objective nor disinterested in the outcome of proceedings. As the applicants are affiliated with the court or its offices and cannot be considered impartial and independent advisers, the Trial Chamber denied the request.

On 11 June 2014, the Trial Chamber issued a memorandum regarding a joint request by all parties for clarification regarding the application of Internal Rule 87(4), seeking an exemption from the requirement to file reasoned submissions for the admission of new evidence which was not available before the opening of the trial. They submitted that the limitations in Internal Rule 87(4) should apply only to evidence proposed by the parties after a new Initial Hearing for Case 002/02. The parties submitted that Internal Rule 87(4) might not be satisfied without a new Initial Hearing where the parties wish to exclude individuals for various reasons.

The Trial Chamber reminded the parties that the proceedings in Case 002/02 are part of the whole case and that general preliminary matters were taken into account at the opening of the trial in Case 002—that is, at the Initial Hearing in June 2011. As such, procedural issues dealt with at that time concern all sub-

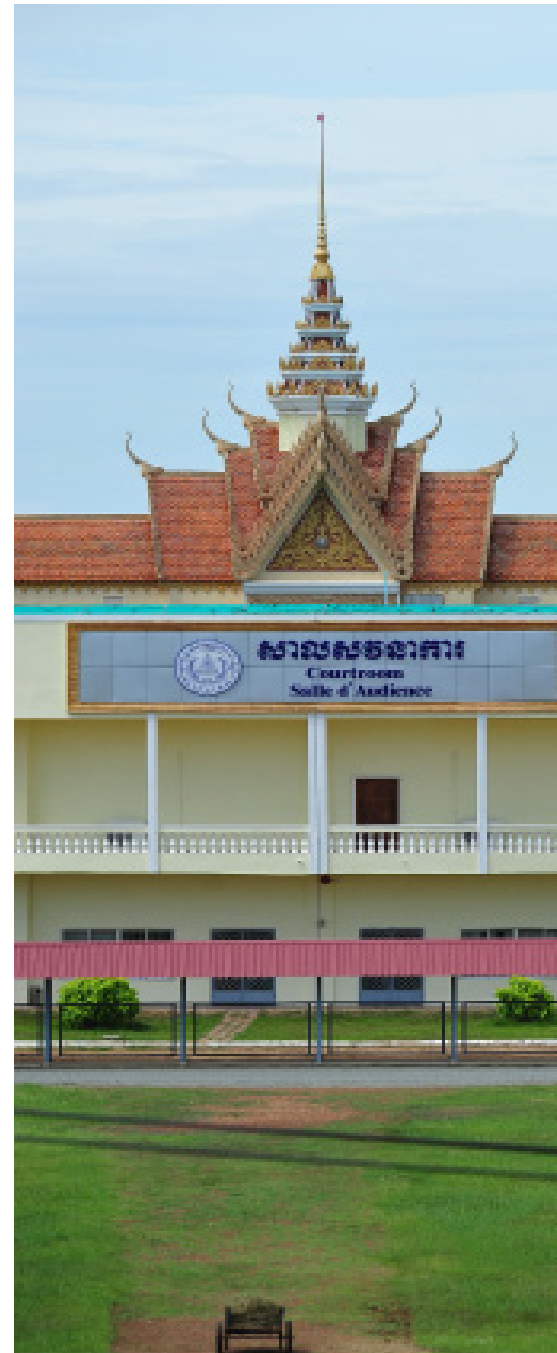
sequent trials following the severance of Case 002. The Trial Chamber found that the parties had failed to provide cogent or convincing arguments that the efficiency and fairness of the proceedings would be impeded unless the Chamber modified the procedural regime for the admission of new evidence.

The Trial Chamber decided that if the parties do not meet the heightened standard in Internal Rule 87(4), the Trial Chamber may summarily reject the proposed evidence. However, it held that the Chamber has previously and exceptionally admitted new evidence that does not satisfy Internal Rule 87(4) where it is in the interests of justice and it maintains the discretion to proceed in a similar manner. It found that since Internal Rule 87(4) only governs the proposal of new evidence and that the parties were able to include or omit from their Case 002/02 lists any individuals or evidence previously included on their initial lists.

As the Case 002/02 Preparation Order did not authorize the parties to add new individuals to these lists, the Chamber invited the parties to file applications to hear new individuals in accordance with Internal Rule 87(4). The Chamber reminded the Nuon Chea Defence team of its obligation to meet the requirements of Internal Rule 87(4) and to file its lists in a timely manner, notwithstanding its submission that it is unable to file updated document and exhibit lists due to its failure to file initial lists of such evidence.

Also on 11 June 2014, the Trial Chamber issued a Scheduling Order for the Further Initial Hearing for Case 002/02, to be held on Wednesday, 30 July 2014 in the main courtroom of the ECCC at 09:00. The hearing will be held in public, unless some portions require a closed session, and will be convened to consider the further specification of civil party reparation awards; the status of preliminary objections and review of legal issues relevant for Case 002/02; and the sequencing of the trial proceedings and initial review of potential witnesses, civil parties and experts.

On 12 June 2014, the Trial Chamber issued a direction to the Civil Party Lead Co-Lawyers to provide additional information concerning protective measures they had requested in respect of one individual included in their updated list of witnesses, civil parties and experts for Case 002/02. The Civil Party Lead Co-Lawyers had sought protective measures without indicating the measures sought or providing a reason for such omission. While the Trial Chamber found this to be in breach of the protection order, it noted its duty to ensure that trials are conducted with full respect for the protection of victims and directed the Civil Party Lead Co-Lawyers to indicate on a "strictly confidential" basis the protective measures sought for this individual by no later



than 20 June 2014. On 20 June 2014, the Civil Party Lead Co-Lawyers rescinded their request for protective measures for this individual.

Pre-Trial Chamber

During the reporting period, the Pre-Trial Chamber was seized of three appeals in Case 003 and three appeals in Case 004, all of which are classified as confidential.

Case 003

All appeals and applications pending before the Pre-Trial Chamber in Case 003 concern the appointment of Ang Udom and Michael Karnavas as Co-Lawyers for a suspect in Case 003, which had been rejected by the international Co-Investigating Judge on the basis of "irreconcilable conflicts of interest" stem-



ming from their past representation of Ieng Sary in Case 002, and their right to file submissions before the Co-Investigating Judges and to access the Case 003 Case File.

On 3 June 2014, the Pre-Trial Chamber was seized of an appeal by the suspect against the “continuing refusal” of the international Co-Investigating Judge to place his submissions on the case file and to act upon them. The filings were completed on 25 June 2014 and the Pre-Trial Chamber will dispose of the matter in due course.

On 30 June 2014, the Pre-Trial Chamber announced its disposition of the suspect’s appeal against the international Co-Investigating Judge’s decision rejecting the appointment of the Co-Lawyers. The Pre-Trial Chamber, by a

unanimous decision, reversed the impugned decision and recognized the Co-Lawyers as counsel for the suspect. The full, reasoned, decision will be issued in due course and published in a redacted form.

The Pre-Trial Chamber is currently deliberating on an appeal by the same suspect against the “constructive denial” of his request to get access to the Case 003 Case File, which the Chamber had previously deferred until it decided on the conflict-of-interest appeal mentioned above.

Case 004

The Pre-Trial Chamber is currently deliberating on three appeals filed by two suspects in Case 004, namely: i) an appeal filed by a suspect in Case 004 against the international Co-Investigating Judge’s denial of an Urgent Request for Relief Based on New Information, asking to get access to the Case 004 case file; ii) an appeal filed by another suspect in Case 004 against a decision of the international Co-Investigating Judge rejecting his three requests for investigative actions, and; iii) an appeal by the same suspect against a decision of the international Co-Investigating Judge rejecting his application for the annulment of investigative actions pursuant to Internal Rule 76. These appeals were all filed in English in May 2014 and in Khmer in June 2014, and no responses have been provided within the applicable deadline.

Office of the Co-Investigating Judges

During the month of June, the international side of the Office of the Co-Investigating Judges (OICIJ) continued the investigations of Case Files 003 and 004. The OICIJ Investigations Unit conducted one field mission with regard to Case 003, during which three witnesses were interviewed. At the ECCC premises, two witnesses were interviewed. With regard to Case 004, three field missions took place, during which 13 witnesses were interviewed. Six witnesses were interviewed at the ECCC premises.

During the month of June, the OICIJ Analysts Unit reviewed external archives of documents. A review of over 1,000 entry logs of prisoners at Khmer Rouge security centres continued. Additionally, the Analysts Unit assisted and participated in all the field missions conducted during the month of June.

Civil party applications in Cases 003 and 004, which presently total in excess of 2,116, are progressively being placed on the case files, while their admissibility and evidentiary value are being subjected to thorough scrutiny by two Khmer legal officers. So far, over 1,000

civil party applications have been reviewed for admissibility for both case files. In addition, two civil party lawyers have been recognized in Case 003 and two others were recognized in Case 004.

Office of the Co-Prosecutors

Case 002

The Co-Prosecutors’ preparations to ensure an efficient and thorough examination of the issues in the upcoming Case 002/02 trial continued throughout June. On 13 June 2014, the Co-Prosecutors filed a list of documents (over 6,000) to be used as evidence in Case 002/02. On 19 June 2014, the Co-Prosecutors submitted comments on the Trial Chamber’s proposed agenda for the Initial Hearing in Case 002/02.

The Co-Prosecutors have been analyzing the evidence and reviewing the investigation and procedural developments in Cases 003 and 004, responding as necessary, and systematically reviewing the record from Cases 001 and 002 to ensure that they fulfil the disclosure obligations arising out of these cases.

Cases 003 and 004

The Co-Prosecutors have been analyzing the evidence and reviewing the investigation and procedural developments in Cases 003 and 004, responding as necessary, and systematically reviewing the record from Cases 001 and 002 to ensure that they fulfil the disclosure obligations arising out of these cases.

Outreach

On 20 June 2014, Co-Prosecutor staff spoke to a visiting group of students from the Center for Law, Justice and Culture, Ohio University, regarding forced marriage, sexual violence and the treatment of Cham Muslims during the Democratic Kampuchea period.

Defence Support Section

The Khieu Samphan Defence team has filed its list of documents to be used in Case 002/02. It has also filed a motion under Internal Rule 87(4) seeking the inclusion of a new expert in its expert/witness list, as well as a motion outlining the legal issues it believes require examination during the Initial Hearing on 30 July 2014. The Nuon Chea Defence team remains hard at work, preparing for the impending trial in Case 002/02.

The Case 003 Defence has continued to file confidential submissions to protect its client’s rights and interests. Since the case file remains inaccessible, the Case 003 Defence team relies on publicly available information.



The Victims Support Section convenes a coordination meeting with its partners to discuss the implementation of reparation projects. (ECCC photo)

In Case 004, all Defence teams are furthering their attempts to gain access to their respective case files. One Defence team has filed a motion requesting the inclusion of its filings in the case file; at the moment the Office of the Co-Investigating Judges (OCIJ) has refused to do so. The same team has filed another motion with the OCIJ, inquiring as to the outcome of the case in the event of a split decision between the national and international Co-Investigating Judges, where one judge indicts the named suspect and the other dismisses the case.

Similarly, in Case 004 the Defence team is filing motions to seek clarification on various issues regarding the named suspect's rights.

All Case 004 Defence teams continue to ensure that their clients' rights as named suspects are respected. Efforts are concentrated on preparing their clients' defence through the use of the limited information received and publicly available sources.

Civil Party Lead Co-Lawyers Section

Key legal developments

On 13 June 2014, the Civil Parties filed their updated list of documents and exhibits which

they seek to have admitted into evidence in Case 002/02. Their list included 1,346 documents, most of which are written statements by civil parties, and will serve as a basis for lawyers for civil parties' interventions in Case 002/02.

Meetings and outreach

On 9 June 2014, the national Lead Co-Lawyer spoke on the Women's Media Centre radio programme on the topic of forced marriage during the Khmer Rouge regime.

On 20 June 2014, representatives of the CPLCLS met with undergraduate students from Ohio University to brief them on the role of civil parties in ECCC proceedings and discuss issues related to the students' research projects.

On 25 June 2014, the CPLCLS met with high-level delegates from the PDG. The meeting served as an opportunity for the CPLCLS to highlight its and the civil party lawyers' work on behalf of civil parties, as well as to discuss some of the major accomplishments and challenges in fulfilling their mandate before the ECCC.

Reparations

On 11 June 2014, the CPLCLS and the VSS hosted the Stakeholders Consultation on Civil Party Reparations for Case 002/02. During this

event, over 80 representatives from the ECCC, civil society, government, donors and victims associations learned about and gave feedback on lessons learned and best practices in ECCC reparations and helped to identify and elaborate on potential reparation projects for Case 002/02.

A more detailed report on the Stakeholders Consultation will be issued in the coming weeks. As a vital next step in the reparations development process, the CPLCLS and VSS will host a similar consultation with civil parties on 21 July 2014.

As the implementation of requested Case 002/01 reparation projects moves forward, two of the five installations for the Permanent Exhibitions on Forced Transfer were inaugurated by DC-Cam and officials of the Royal Government of Cambodia in Battambang and Banteay Meanchey provinces on 24 and 27 July, respectively.

As well, Youth for Peace hosted a civil party forum on the topic of "sharing life experiences from the Khmer Rouge regime and supporting the Community Peace Learning Center" on 26 and 27 June as part of the requested reparation project Community Peace Learning Center at Samroang Khnong.

Victims Support Section

Legal representation

The ECCC-funded civil party lawyers of the VSS have continued to prepare the list of civil parties who may testify in Case 002/02, as well as considering new evidence and victims' applications for Cases 003 and 004. The lawyers also attended the Stakeholder Consultation on Case 002/02 Reparations on 11 June 2014.

Processing and analysis

The Processing and Analysis Team of the VSS filed one application in Case 003 and 14 in Case 004 with the OCIJ. As of 30 June 2014, there were 1,767 applications for the two cases.

Outreach

The VSS prepared and finalized its quarterly report, "Fifteen: Newsletter Issue", which will be distributed to stakeholders, including civil parties, victims, complainants, and the

national and international communities. The purpose of publishing the newsletter was to provide information about civil party participation in judicial proceedings and ongoing efforts to provide redress. It also updated readers on the activities of the ECCC more generally.

The Chief of the VSS met with the Coordinator of Defence Sans Frontières to discuss civil party representation and administrative issues for the support of civil party lawyers. He also met with a Judge of the Trial Chamber to discuss current reparation issues.

Reparations and non-judicial measures

The Reparation and Non-Judicial Measures Team has facilitated and coordinated the implementation of all 18 of its projects through meetings and technical support. The Team also coordinated and helped to resolve an overlap issue between Kdei Karuna and Youth for Peace in selecting locations for a mobile exhibition project.

The Team has met several times with the Ministry of Culture and Fine Arts to prepare for a signing ceremony for the Memorandum of Understanding concerning the construction of a memorial stupa at Tuol Sleng Genocide Museum.

The ceremony will be held on 10 July 2014 at the museum.

The Team also participated in an inauguration ceremony for the Permanent Exhibition on Forced Transfer project held by DC-Cam on 27 June 2014 in Banteay Meanchey province, a Civil Party Forum conducted by Youth for Peace on 26 June 2014 at Samroung Knong Pagoda in Battambang province, and an inauguration ceremony for the Permanent Exhibition on Forced Transfer project held by DC-Cam on 24 June 2014 in Battambang province.

Finally, the Team organized a coordination meeting with four implementing partners on 20 June 2014 to improve project implementation and to clarify the roles of each party.

Decisions/Orders

Public versions of the decisions, orders, opinions and considerations are available on the official ECCC website:

www.eccc.gov.kh/en/document/court

Trial Chamber

4 June 2014: Decision on Request for leave to file amicus curiae brief <E306/3/1>

The Trial Chambers denied the request made by Mr. Michael G. Karnavas and Mr. Ang Udom, who present themselves as counsel to a suspect in Case 003 and former counsel for Ieng Sary (Applicants). The Trial Chamber found that the Applicants are affiliated with the court or its offices and cannot be considered impartial and independent advisers to the Chamber.

11 June 2014: Decision on Parties' Joint Request for Clarification regarding the Application for Rule 87(4) (E307) and the NUON Chea Defence Notice of Non-Filing of Updated Lists Evidence (E305/3) <E307/1>

The Trial Chambers reminded the Nuon Chea Defence of its obligation to meet the requirements of Internal Rule 87(4) and demonstrate reasonable diligence in discovering and proposing all evidence at this late stage.

11 June 2014: Scheduling Order for Further Initial Hearing <E311>

The Trial Chamber notified the parties that a further Initial Hearing for Case 002/02 will be held on Wednesday, 30 July 2014.

12 June 2014: Direction to Civil Party Lead Co-Lawyers to Provide Additional Information concerning Requested Protective Measures <E305/7/1>

The Trial Chamber requested the Lead Co-Lawyers to indicate, on a "strictly confidential" basis, the protective measures sought for one of the witnesses no later than 20 June 2014.



Visitor information for public hearings

Final judgement in Case 002/01

Date: Thursday, 7 August 2014

Place: Main courtroom of the ECCC

Time: 09:00

Hearing schedule

Date: Wednesday, 30 July 2014

Place: Main courtroom of the ECCC

Daily hearing proceedings: 09:00 - 16:00

Two 15-minute breaks: 10:30 and 15:00 (roughly)

Lunch break: 12:00 - 13:30

Rules in the public gallery: Visitors are advised to wear appropriate clothing and to behave in a manner appropriate to the nature of the proceedings. No mobile phones, cameras, large bags, food or drink are permitted in the main courtroom.

Visitors are requested to remain seated while the court is in session. Visitors should take all personal belongings with them when leaving the public gallery during breaks.

Language of proceedings: The court provides simultaneous interpretation of its proceedings in Khmer, English and French.

The speakers in the main courtroom project the proceedings in Khmer, but English and French translation is also available through the headsets on either side of the main courtroom. English is on channel 2 and French is on channel 3.

Interning at the ECCC



ECCC Interns, July 2014 (Luca Poltronieri photo).

The UNAKRT internship programme offers recent university graduates and postgraduate students an opportunity to work in the unique environment of this hybrid tribunal in Cambodia. Here are a couple of stories from two interns in the Supreme Court Chamber and the Office of the Co-Prosecutors.

Intern: Sarah Bessell

Office of the Co-Prosecutors

As an intern with the Office of the Co-Prosecutors (OCP), I have the pleasure of working with a remarkable and talented group of people dedicated to international criminal justice. It is a formative experience that I know will shape the rest of my career in human rights law. There is never a dull moment at the court: the learning curve is steep, the work fast paced, and the satisfaction of a job well done is incredibly rewarding.

Working with staff and interns from many different legal backgrounds and experiences has been invaluable in understanding how international criminal law operates on a daily

basis. Beyond its prosecutorial mandate, the OCP plays an important role in mentoring young men and women, arming them with the skills and confidence to become tomorrow's agents for justice. The OCP's interns, both national and international, are some of the best and brightest individuals that I have worked with, and I look forward to being colleagues over the course of our careers.

It is one thing to study abstract concepts in a classroom, and another thing entirely to confront these issues first hand. Living and working in Phnom Penh means that I may encounter someone who lived through the Democratic Kampuchea period at any given moment.

The few times that I have had the privilege of listening to someone recount their experiences under the Khmer Rouge have had more of an impact than reading any book or watching any documentary. It has also reaffirmed and strengthened my dedication to the pursuit of human rights through justice. Living in a society where victims and perpetrators live side

by side has challenged many of my previous positions on justice in post-conflict situations, forcing me to constantly assess and refine my worldviews. This is just one of the important lessons that I will take back with me when I return to the United States to complete my final year of law school.

Intern: Cameron Christensen

Supreme Court Chamber

I applied to intern at the ECCC because I want to help bring justice for the people of Cambodia. I lived in Cambodia for two years as a missionary and during that time I met hundreds of people who were victims under the Khmer Rouge. They told me of their friends dying, family members being taken and never returned, beatings and countless other horrific experiences.

Their first-hand accounts of the Khmer Rouge, and my learning of the ECCC's mandate in Cambodia, made me want to get involved in the tribunal as soon as I could. When I got

accepted into law school, one of my primary goals was to spend a summer working with the Khmer Rouge war tribunal.

I have just finished my second month of the three months I will be with the court. My experience as an intern in the Supreme Court Chamber has been an invaluable opportunity for me. I have met brilliant people from all over the world and have enjoyed getting to know and work with them. Within my section, working closely with the Judges,

legal officer and other interns has taught me immensely about the practice of international law.

Every day I spend my time researching procedural and substantive issues that are currently before the court. It has been a great experience to not only see the subjects I learned in my first year of law school applied in a real setting, but to delve deeper into legal doctrines and problems.

I am grateful that I have been able to intern at the ECCC. This is a unique body that is doing great things and I am proud to be a part of it, no matter how small my contribution may be. The time I have spent at the court will provide a great foundation for me for the rest of my legal career. I have gained great experience, built friendships that will last a lifetime and, most importantly, worked in something that truly matters.



UNAKRT and ECCC internship programme

The UNAKRT internship programme offers recent university graduates and post-graduate students an opportunity to work in the Extraordinary Chambers in the Courts of Cambodia. Interns will have the opportunity to gain practical experience and improve their theoretical knowledge, working within one of the following offices:

- The Offices of the International Judges of the Pre-Trial Chamber, the Trial Chamber or the Supreme Court Chamber;
- The Office of the international Co-Prosecutor;
- The Office of the international Co-Investigating Judge;
- The Defence Support Section;
- The Civil Party Lead Co-Lawyers Section;
- The Court Management Section;
- The Public Affairs Section; or

- The Office of the Deputy Director of Administration/Coordinator of UNAKRT.

I. Eligibility criteria

Candidates will be selected based on whether they are:

- Under 35 years of age;
- Highly motivated, with outstanding academic qualifications in a field of study pertinent to UNAKRT;
- Enrolled in a graduate school programme (second university degree or equivalent, or higher);
- Enrolled in the final academic year of a first university degree programme;
- A recent graduate with a university degree as defined above and, if selected, available to commence the internship within a one-year period of graduation;

- Proficient in English and/or French.

II. Application process

Openings for internships are published electronically through the UNAKRT web page (unakrt-online.org) and the ECCC website (eccc.gov.kh/en)

III. Application form

To apply for an internship as a foreign applicant, please fill in an application form (available through the UNAKRT and ECCC website) and return it by email to the UNAKRT Human Resources Management Section: internship@unakrt-online.org

Cambodians applying to the ECCC programme should send the application form by email to the ECCC Human Resources Section: personnel@eccc.gov.kh

Applications shall include a motivation letter and a resumé.

Community members reflect on Khmer Rouge period

More than 200 people from three different provinces visited the ECCC in the first week of July 2014 to participate in study tours focusing on the history of the Khmer Rouge and the activities of the tribunal. The communities came from Pursat, Battambang and Takeo provinces, and they shared their experiences of the Khmer Rouge regime.

Mr. Bunrom, Pursat province

"I remember the killing in my homeland. I witnessed the killing of local people and heard about the killing in Tuol Po Chrey in Kandieng district. The people who were killed were local people that the Khmer Rouge accused of being traitors.

"The Khmer Rouge officials asked former officials of the Lon Nol regime to register their names, promising to give them work and to welcome Norodom Sihanouk upon his return.



Mr. Bunrom, 72 years old, farmer in Khna Toteung commune in Bakam district, Pursat province
(Photo Credit: Lorena Rodríguez Alvarez)

"But in reality, the Khmer Rouge looked for these officials to kill them, saying that this respected the order of Angkar, despite the community never having heard of the Angkar.

"I really wanted to see the ECCC and am happy to see that the court exists. This court will bring justice for the victims and will also reveal why and how the Khmer Rouge identified the 'traitors'. Justice is rising. I have lost two family members. If I could ask the Khmer Rouge leaders anything, then I would ask: why did you kill your own people?"



The ECCC welcomed 200 people from three different provinces on July 2014
(Photo : Lorena Rodríguez Alvarez)



Mr. Sim Hum, 66 years old, Rokar Krao commune, Daun Keo district, Takeo province
(Photo Credit: Lorena Rodríguez Alvarez)

Mr. Sim Hum, Takeo province

"I lost five members of my family [in the evacuation of Phnom Penh]. I am happy to hear that the verdict concerning Nuon Chea and Khieu Samphan will be pronounced on 7 August 2014. I am waiting to hear what the decision of the Trial Chamber will be.

"I think the ECCC will provide a lesson to younger generations in Cambodia to avoid the crimes of the Khmer Rouge regime. I also think it will bring justice for the victims. I believe that justice is here."



Mrs. Seang Sarom, 53 years old, farmer in Sangke district, Battambang province
(Photo Credit: Lorena Rodríguez Alvarez)

Mrs. Seang Sarom, Battambang province

"During the Khmer Rouge regime, I was separated from my mother to live with Kong Kuma (a children's group). Shortly afterwards, my father was killed. People in my community suffered from torture and starvation. If I were given the chance to meet the Accused, I would ask why they killed their own people.

"I learned about the Khmer Rouge trial via TV. I think the ECCC is on track to find justice for Cambodians. Having this court here is good because it is like a mirror for the future generations and hopefully it will prevent them from following such a regime. What I want from the court is justice."

ECCC outreach

The Public Affairs Section of the ECCC hosts Khmer Rouge Tribunal Study Tours, bringing groups of 200-300 villagers from areas throughout Cambodia twice a week to the ECCC, the Tuol Sleng Genocide Museum and the Choeung Ek killing fields for a guided tour and briefings. During the trial recesses, the Public Affairs Section also conducts school visits to give briefings, as well as hosting community video screenings across Cambodia. It also welcomes international group visitors and provides briefings and court tours.

July 2014						
SUN	MON	TUE	WED	THU	FRI	SAT
		1 Study tour Pursat Province (200)	2	3 Study tour Battambang province (350)	4 Study tour Takeo province (300)	5
6	7	8 Study tour Pursat province (500)	9 Study tour Battambang province (350)	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	29	29	30	31		

June 2014						
SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3 Study tour Battambang province (300)	4 Outreach in Kampot	5 Study tour Battambang province (350)	6	7
8	9	10 Study tour Kampot and Phnom Penh (400)	11	12 Study tour	13 Study Tour Svay Chrum (400)	14
15	16	17 Study tour	18 Study tour Ohio University	19 Study tour	20	21
22	23 Study tour University of Cologne, University of California (Berkeley), National University of Management	24 Study tour Battambang and Phnom Penh (400)	25	26 Study tour Takeo Province (200)	27	28
29	30					

Outreach activities

14 July: “KRT Watch” radio call-in show at the Women’s Media Centre of Cambodia. During this event CHRAC will discuss the organization’s upcoming events in relation to the announcement of the judgement in Case 002/01. CHRAC will also inform the public on how to get involved and how to get information about the judgement. (This event will also run on 26 July 2014.)

19 July: Legacy Workshop with university students at the Cambodian University of Specialities in Kampot province. The theme of this event held by CHRAC is: “meaningful victim participation and reparations”. The students will receive a general overview of victim participation, legal perspectives on victim participation, how to become a civil party and proposed reparation projects for Case 002/01.

21-24 July: It is anticipated that the construction of a stupa will be completed by late July and that the community will hold celebrations. The stupa will also be used as a memorial site for Khmer Rouge victims, as well as an educational tool for youths. (Kdei Karuna)

28 July-1 August: It is expected that a community history book on the Khmer Rouge period will be published and shared with younger generations through a half-day workshop. This book will describe individual experiences under the regime. Participants will learn about Khmer Rouge-era history through forum theatre and discussions with those who experienced the regime. (Kdei Karuna)

End of July: Legacy Workshop with university students at Khmarak University in Phnom Penh. The theme of this event held by CHRAC is: “Annotated Cambodian Code of Criminal Procedure and important strategies for the implementation of the ECCC’s best practice and international fair trial standards”. The students will discuss the Annotated Cambodian Code of Criminal Procedure. Moreover, strategies for national, legal and judicial reform will be developed in coordination with the students.

August 2014: Launch of the Civil Party Story Book. The book will be distributed to victims of the Khmer Rouge and other stakeholders.



Find out more about the Extraordinary Chambers in the Courts of Cambodia

The ECCC welcomes visitors. For more information: pas@eccc.gov.kh.

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

English Français

ABOUT ECCC ORGANS OF ECCC CASELOAD LEGAL DOCUMENTS MEDIA CENTER

FEATURED CONTENT
Case 002/01 day by day
Watch video recordings, summaries, transcripts, trial records and witness information from each day of the trial in Case 002/01.

INDICTED PERSONS

ECCC EXPLAINED IN 7 MINUTES

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Youtube www.youtube.com/krtribunal



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