



# The Court Report

JUNE 2011

## The Extraordinary Chambers in the Courts of Cambodia

*Moving Forward Through Justice*

### Initial Hearing in Case 002 is Set



*The Trial Chamber at the ECCC has set the date for the case's initial hearing*

The Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia has set an initial hearing in its second case concerning four allegedly most senior leaders of the Khmer Rouge for 27-30 June, which will mark an official opening of the trial seen as one of the most complicated trials in the recent history.

The four are former Deputy Secretary of the Communist Party Nuon Chea, 84, former Foreign Minister Ieng Sary, 85, former Head of State Khieu Samphan, 79, and former Social Actions Minister Ieng Thirith, 79. They are accused of being among the highest ranked members in the communist regime led by the late Pol Pot. During their

four year reign, at least 1.7 million people are believed to have died from starvation, torture and execution.

The four accused have been held at the ECCC Detention Centre since 2007, and were indicted last September with a closing order by the court's Co-Investigating Judges and confirmed of the indictment by the Pre-Trial Chamber in early this year. The indictment charges the accused with genocide, crimes against humanity, grave breaches of the 1949 Geneva Conventions as well as murder, torture and religious persecution under Cambodian law.

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### Initial Hearing in Case 002 (continued from front page)

The four accused have denied the allegations against them, for the period between April 1975 and January 1979.

Nuon Chea known as “Brother Number 2” allegedly acted as chief policy architect of the Communist Party of Kampuchea. After the fall of the regime, Ieng Sary was once tried and convicted of genocide at the 1979 People’s Revolutionary Tribunal along with Pol Pot and sentenced to death in absentia, but awarded a royal pardon in 1996.

Within the framework of the civil law system, the initial hearing is scheduled to deal with procedural matters prior to the

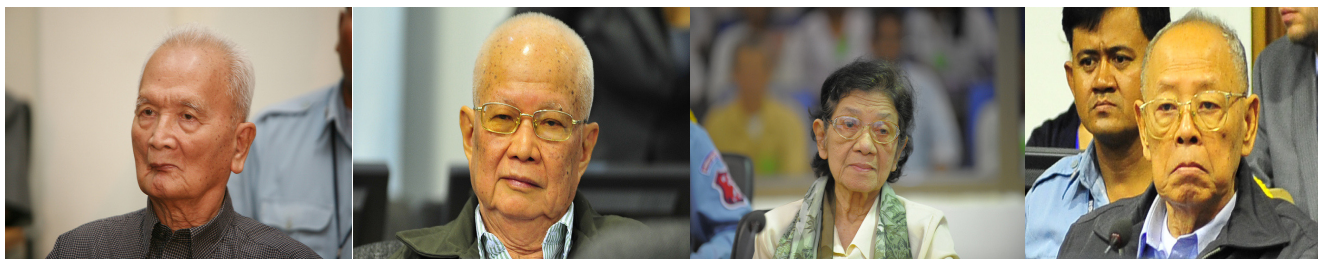
commencement of substantive hearing to examine evidence and witnesses.

As provided by the ECCC’s Internal Rules, and as announced by the Trial Chamber in its 17 May Scheduling Order, the Initial Hearing will consider lists of potential witnesses and experts submitted by the parties, preliminary objections concerning the jurisdiction of the chamber pursuant to Internal Rule 89, and will hear initial specifications of reparations awards sought by the Civil Parties.

Further hearings may also be scheduled by the Chamber at a later date, in advance of the commencement of the trial on the

substance.

The ECCC’s Trial Chamber has so far concluded its first trial against Kaing Guek Eav alias Duch in July 2010, convicting him for crimes against humanity and grave breaches of the 1949 Geneva Convention. The trial judgment was appealed and the Supreme Court Chamber is expected to render its verdict in the coming months.



The four accused in case 002: Nuon Chea, Khieu Samphan, Ieng Thirith and Ieng Sary (from left to right)

### Trial Chamber’s Legal Officer Briefs on Case 002

On 6 May 2011, the Trial Chamber Senior Legal Officer Susan Lamb briefed representatives of the ECCC’s NGOs partners and trial monitors on progress in pre-trial preparations in Case 002.

She explained that upon being seised of this case in January 2011, the Chamber was immediately confronted with numerous applications for release, based on alleged defects in the Indictment. Urgent hearings were convened on these issues in January 2011. Decisions on these motions, which confirmed the Chamber’s jurisdiction over the Accused, were rendered in February 2011.

Ms. Lamb further outlined a number

of other issues presently before the Chamber that impact on the timing of the commencement of the trial in this complex, multi-accused case. These include several challenges to the medical fitness of three Accused to stand trial. In response, the Chamber has appointed an expert geriatrician to assess the medical fitness of these Accused. The expert geriatrician is expected to conclude his assessment of these Accused in late June 2011. Hearings on these issues are likely to be required in due course. There is also a need to decide a number of preliminary legal challenges (concerning, amongst others, the impact of the amnesty/pardon granted to the Accused Ieng Sary, and whether certain offences charged in the Indictment are presently

time-barred). Other key components of trial-readiness include assessment of which of the cumulative total of 1054 witnesses, Civil Parties and experts sought by the parties would ultimately be heard by the Chamber at trial, as well as the identification and timely translation of the high volume of documents relevant to the early trial phases.

Early pre-trial preparations were assisted by a Trial Management Meeting, held before the Chamber in early April 2011. The Initial Hearing in Case 002, which will take place between 27-30 June 2011, will also ensure further progress in these areas. The date of commencement of the hearing of the substance in Case 002 will be announced in due course.

## Judicial Consideration Continued for Case 003

Following the notification of conclusion in judicial investigation by the court's investigating judges, the Khmer Rouge tribunal in May continued its judicial consideration for the investigation and victims' participation in Case 003 concerning unnamed multiple suspects.

In response to the 29 April notification by investigating judges You Bunleng and Siegfried Blunk, international Co-Prosecutor Andrew Cayley on 9 May publically stated his intention to file further investigative requests to the investigating judges in accordance with the tribunal's internal rules. In his statement, Mr. Cayley mentioned alleged crimes and crime sites and details of investigative actions he intended to request.

On 18 May, the co-investigating judges issued an order that the international prosecutor retract the statement on the grounds that he had no legal basis to make a public statement on judicial investigation at this stage and that the statement breached confidentiality. In response, the international prosecutor on 25 May filed an appeal to the Pre-Trial Chamber to challenge the order.

Meanwhile, civil party applicants filed appeals against the decisions by the co-investigating judges who had turned down their applications for a civil party in Case 003 and Case 004. The first civil party applicant filed her appeal on 18 May to request the Pre-Trial Chamber set aside the co-investigating judges' decisions and grant a civil party status. Co-lawyers for another civil party applicant also filed a notice of appeal on the rejection order by the co-investigating judges on his application for a civil party status.

The notification of conclusion of judicial investigation is a procedural step during the investigation phase, not a judicial decision, and the case's investigation phase remains open until the co-investigating judges issue a closing order with either indictment or dismissal. (see the diagram on the right)

Case 003 and case 004 were originally initiated by two introductory submissions from the then acting international prosecutor in September 2009, following a judicial consideration by the Pre-Trial Chamber on the disagreement between the national prosecutor and the previous international prosecutor over the cases. Case 004 remains under investigation by the co-investigating judges. By law the cases must remain confidential during investigation.

### STEPS FOLLOWING CONCLUSION OF INVESTIGATION

In accordance with ECCC Law, Agreement and Internal Rules within the framework of the Civil Law system, the Extraordinary Chambers in the Courts of Cambodia follows the steps listed below after the notification of conclusion of investigation by the Co-Investigating Judges, as recently done in Case 003.

#### Notification of Conclusion

When the Co-Investigating Judges decide that they have enough evidence, they **notify that they have concluded the investigation**. (Rule 66.1)

#### Request for Further Investigation

The Parties (for example the Co-Prosecutors) have 15 days to **request the Co-Investigating Judges to carry out further investigations** (such as interviewing more witnesses, visiting crime sites). (Rule 66.1)

#### Further Investigation or Reasoned Order

Upon a valid request, the Co-Investigating Judges can either carry out further investigations, or else explain why they think that they already have enough evidence. The explanation is given in an **Order**. (Rule 66.2)

#### Appeal to the Pre-Trial Chamber

If the Parties do not agree with the Co-Investigating Judges' Order, they can **appeal the Order** to the Pre-Trial Chamber within 30 days. (Rule 66.3)

#### Return of Case File

After any additional investigations have been carried out (or any appeals have been decided by the Pre-Trial Chamber), the Co-Investigating Judges **send the case file** (including the evidence) **to the Co-Prosecutors**. (Rule 66.4)

#### Final Submission

The Co-Prosecutors review the evidence and can suggest **within 3 months** (if a suspect is not in detention) whether the Charged Person (s) should be indicted or the case be dismissed. This suggestion is called the **Final Submission**. The Co-Investigating Judges do not have to follow the suggestion. (Rules 66.5)

#### Closing Order

The Co-Investigating Judges issue a reasoned **Closing Order** either indicting the Charged Person(s) or dismissing the case. (Rule 67.1)

#### Appeal to the Pre-Trial Chamber

The Closing Order is open to **Appeal**. (Rule 67.5)



## Two Foreign Delegations Meet ECCC Officials

On 5 May, two delegations from Sweden and Israel visited the Extraordinary Chambers in the Courts of Cambodia to exchange views on the working of the tribunal with court officials.

Swedish Ambassador for Human Rights Hans Dahlgren led a 5-member delegation from the Swedish Ministry of Foreign Affairs in Stockholm to meet with Deputy Director of Administration Knut Rosandhaug and Co-Investigating Judges You Bunleng and Siegfried Blunk. Those accompanied include Ms. Caroline Stein, Counsellor of the Foreign Ministry's International Law department, and Ambassador to Cambodia Anne Hoglund.

Mr. Dahlgren has held positions in the Swedish diplomacy and has served as a representative to the UN and other international organizations in his long diplomatic career. He made the courtesy call to the court as part of his 5-day official visit to the kingdom.



*Co-Investigating Judges You Bunleng and Siegfried Blunk (both centre) meet with the delegation from Sweden*

Meanwhile, two diplomats from Israel paid a visit to the court to discuss the scope of the work at the Khmer Rouge tribunal.

Mr. Cham Choshen, Director of Foreign Affairs Ministry's South East Asian department, and Mr. Ian Weitzman from the Israeli embassy in Bangkok held a

talk with Acting Director Tony Kranh and his deputy Knut Rosandhaug.

The court's senior management briefed on the progress it had made so far and the challenges it faces in the coming months.

The short visit was made during their two-day official visit to Cambodia.

## Ex-Japanese Ambassador Visits the ECCC

A prominent professor on Japanese diplomacy who served as ambassador to the United Nations made a courtesy visit to the Khmer Rouge tribunal on 2 May to see the work of the court first hand.

After touring the courtroom, Prof. Shinichi Kitaoka met with Deputy Director of Administration Knut Rosandhaug to learn the achievements of the tribunal and its challenges ahead.

He was ambassador to the UN from 2004 to 2006 when the UN was working out the details of technical cooperation with the Royal Government of Cambodia over the establishment of the Extraordinary Chambers in the Courts of Cambodia.

## More Students Receive Briefings

As schools went on a summer recess in May, more students requested the Extraordinary Chambers in the Courts of Cambodia brief them on the work of the tribunal.

On 19 May, six American college students visited the court through the University of Cambodia to understand the national reconciliation and the role of the tribunal, while 13 law students from New York visited the Trial Chamber to learn the work of the court from representatives of the chamber.

As part of the ECCC flagship study tour

programme, the court also received several hundred Cambodian school students in May.

High school and university students from the provinces arrived at the court by bus to participate in question and answer sessions with court staff and learn more about the judicial process. Students also visit Tuol Sleng and Choeng Ek as part of their tour.

The ECCC is open to the general public and its Public Affairs Section organizes a tailored visit programme for groups upon request.



*Students receive a presentation from ECCC staff inside the court.*

## Elite Military Personnel Visit the KR Tribunal

Senior military and defence officials from around the world held a series of discussions on 17 May with officials of the Extraordinary Chambers in the Courts of Cambodia to get insights into post-conflict issues in Cambodia.

Twelve fellows participating in a prestigious course with the United Kingdom Royal College of Defence Studies spent nearly three hours in the court to meet with representatives of the Office of Administration, the Office of the Co-Prosecutors and the Defence Support Section.

After hearing briefings by the



*Deputy Prosecutors Yet Chakriya and William Smith bring the work of the court to elite military personnel.*

representatives, the visitors led by Vice Admiral Charles Style, commandant of RCDS, raised a number of issues, from allegations of political interference to the impact on the society and the ECCC's limited jurisdiction, to understand the significance of the tribunal for the post-

conflict society.

The visit to the ECCC was part of their six-day study tour in Cambodia. During their stay, the delegation, consisting of the personnel from Europe, Middle East, Africa, South America and South Asia, met with represent-

atives of the civil society, the Ministry of National Defence and the Cambodian Mine Actions Committee among others. They also visited the Tuol Sleng Genocide Museum to understand the scope of atrocity.

The ECCC also received another group of military officials from the USA on 10 May. Nine staff officers with the National War College toured the courtroom and received a briefing on the work of the court.

## ECCC Launches Electronic Filing

The Extraordinary Chambers in the Courts of Cambodia has launched electronic filing to improve efficiency.

Any court user issued with a network account by the Information Communication Technology can securely file a document using a web form. This can be done from the ECCC main office, the town office or from anywhere in the world via the internet. While on transit, filings are encrypted to prevent unauthorized access.

This enhanced filing will benefit the ECCC as staff will no longer have to travel between offices to file documents manually, documents will no longer have to travel between offices to file documents manually, documents will no longer need to be scanned and they are more easily accessed by staff.

Electronic filing is a welcome addition to the software tools that the court continues to leverage with the goal of improving efficiency. Court Management Section is pursuing integration of the software with the notifications database and the electronic records system.

Court staff have been developing filing software since 2008 and they now have the acceptable technical framework to implement it. In 2010 the project was tested and it was implemented for staff use in April.

*The new electronic filing system is launched at the ECCC*

## Change in Khieu Samphan's Defence Team

One of the two international Co-lawyers representing accused Khieu Samphan, Mr. Philippe Greciano, withdrew from his position in late May.

The accused reserves the right to have a second international defence counsel in addition to his first international counsel Mr Jacques Verges and national counsel Dr. Sa Sovan.

Every month, each section of the Extraordinary Chambers in the Courts of Cambodia compiles a summary of their activities to inform the general public on the latest developments of the court. The following are updates from each section on the activities of **May 2011**. *For decisions and orders, please refer to page 9.*

## Pre-Trial Chamber

During this reporting period the Pre-Trial Chamber deliberated on a number of appeals and applications lodged before it.

The Pre-Trial Chamber is currently seized of 94 appeals filed against the Co-Investigating Judges Inadmissibility decisions on 1747 Civil Party Applications in Case 002. The Pre-Trial Chamber has continued its deliberations on those appeals in which submissions are complete. Further to this, the Pre-Trial Chamber has received 5 Appeals relating to Case 003 and 004.

### Case 003

On 18 May 2011 an appeal was filed by Lawyers for SENG Chang Theory concerning the appellant's admissibility as a Civil Party in Case 003.

On 24 May 2011 an appeal was filed by Lawyers for Robert Hamill concerning his admissibility as a Civil Party in this case.

On 25 May 2011 the International Co-Prosecutor filed a confidential appeal against the Order by the Office of the Co-Investigating Judges to retract his public statement made on 9 May 2011. This was followed by a Public Redacted version on 27 May 2011.

### Case 004

On 18 May 2011 an appeal was filed by Lawyers for SENG Chang Theory concerning the appellant's admissibility as a Civil Party in Case 004.

On 24 May 2011 an Appeal was filed by Lawyers for Robert Hamill concerning the appellant's admissibility as a Civil Party in Case 004.

## Trial Chamber

On 6 May, the chamber's senior legal officer briefed representatives of the ECCC's NGOs partners on the work of the

chamber leading up to the commencement of the trial, in an effort to assist the civil society in understanding the complexity and magnitude of Case 002 and its trial preparation.

Other key components of trial-readiness include assessment of which of the cumulative total of 1054 witnesses, Civil Parties and experts sought by the parties would ultimately be heard at trial, as well as the identification and timely translation of the high volume of documents relevant to the early trial phases.

The date of commencement of the hearing of the substance in Case 002 will be announced in due course.

## Supreme Court Chamber

### Case 001

The Supreme Court Chamber continued to work on its judgment on the appeals against the Trial Judgment.

### Case 002

The Supreme Court Chamber continued to work on its decisions on three immediate appeals on detention from the accused, Nuon Chea, Ieng Thirith, and Khieu Samphan. The Chamber's decisions are due on 6 June 2011, in accordance with Internal Rule 108(4).

From 9 to 11 May 2011, national and international judges and personnel of the Supreme Court Chamber participated in a capacity building seminar organized by Professor Dr. David Cohen, Director of the Berkeley War Crimes Studies Center, and funded by the British Embassy in Phnom Penh.

Distinguished jurists from the International Criminal Tribunal for the former Yugoslavia and leading academics in international and comparative criminal law presented at the seminar on subjects relevant to the work of the Supreme Court Chamber.

## Office of the Co-Investigating Judges

In Case 004, the Office of the Co-Investigating Judges continued to investigate the factual allegations submitted by the previous International Prosecutor. The Working Groups, composed of national and international staff including analysts and investigators, analyzed the evidence compiled in Case 002 (more than 11,000 documents, including more than 1,000 interviews) for their relevance to Case 004, and after this analysis, the Co-Investigating Judges transferred the relevant evidence (more than 1,200 documents comprising more than 41,000 pages) from the case file 002 to the case file 004.

OCIJ conducted field investigations in the provinces of Battambang, Pursat and Takeo.

The Legal Unit produced memoranda on complex legal issues related to cases 003 and 004, and drafted decisions on applications. The work on creating a legal database for publication of OCIJ decisions (and possibly later other ECCC decisions) continued.

## Office of the Co-Prosecutors

### Case 002

During the month of May, the OCP (Office of the Co-Prosecutor) was heavily engaged in preparing for the initial hearing and trial proceedings.

Additionally, the OCP filed public submissions on a variety of issues, including: (i) the statute of limitations for national crimes; (ii) the issues to be raised at the initial hearing; (iii) the time allocation for opening statements; (iv) the question of whether the parties should be per-



mitted to meet with witnesses prior to calling them to give evidence; and (v) the question of whether statements previously made by Kaing Guek Eav alias "Duch" should be admitted as evidence if he does not appear in court as a witness.

On 4 May, the OCP participated in a detention hearing for the accused Ieng Sary.

#### Case 003

On 10 May, the International Co-Prosecutor filed a request that the time for the filing of civil party applications in Case 003 be extended by six weeks.

Subsequently, on 18 May the International Co-Prosecutor filed three requests for further investigation by the CIJ. On 25 May, the International Co-Prosecutor filed an appeal against the order of the Co-Investigating Judges for the retraction of public statements in respect of case 003.

#### Outreach

On 14 and 15 May, the International Co-Prosecutor attended the Colloquium of International Prosecutors in Freetown, Sierra Leone, to discuss completion strategies.

The OCP participated in a regional civil party forum held in Siem Reap on 19 May. The forum involved approximately three hundred civil parties from across the country.

On 24 May 2011, the International Co-Prosecutor attended the League of Arab States' Conference on the International Criminal Court where he gave a speech in relation to the trigger mechanisms that give rise to the ICC's jurisdiction.

## Defence Support Section

During the reporting period the defence Support Section (DSS) continued to provide legal support and administrative and technical assistance to the defence teams. The DSS also undertook legacy and outreach work.

#### Case 002

On 3 May, the defence team for Ieng Sary requested that the inclusion of rape as a crime against humanity and the mode of responsibility under the third form of joint criminal enterprise be inadmissible. The defence also requested that the Co-Prosecutor should not be permitted to re-characterize the current charges as permitted in Rule 98 to include rape and joint criminal enterprise, due to the addition of new constitutive elements.

On 11 May, the Nuon Chea Defence team queried whether defence teams were still prohibited from contacting witnesses whom they have placed on their witness lists and from conducting their own investigations. They also asked for clarification of the meaning of the term "brief" with regard to the length of opening statements.

On 23 May, the Ieng Sary defence team filed a motion to add new trial topics to the trial schedule that address issues from pre-1976 and post-1979. The topics include the UN's continued recognition of Democratic Kampuchea during the 1980s, the nature of the Vietnam-backed government of the People's Republic of Kampuchea, and the historiography of Democratic Kampuchea.

#### Cases 003 and 004

The Defence Support Section continued to monitor closely the developments in Cases 003 and 004, and to work to ensure that the rights of the un-named suspects are upheld in conformity with the highest international standards and best practices.

#### Legacy and Outreach

On 31 May, the DSS and the Office of the United Nations High Commissioner for Human Rights advertised the Fair Trial Rights Club: an eight-seminar fair trial rights course for Cambodian law students and recent law graduates. The Fair Trial Rights Club will provide participants with the opportunity to consider fair trial rights in the context of the trials at the ECCC, meet with high-profile individuals working at the ECCC and in the local justice sector, and gain a better understanding of fair trial rights as one of the foundations for all human rights.

On 17 May, DSS representatives gave a presentation to the delegation from the British Royal College of Defence Studies. Members of the delegation raised questions about whether it was the Cambodian people or rather the 'international community' who wanted the Khmer Rouge trials, and whether a truth and reconciliation commission would have been preferable to the ECCC.

## Victims Support Section

#### Legal Work

The Victims Support Section received 140 Civil Party applications for Case 003, and 178 applications were submitted to join Case 003 and Case 004. The Processing and Analysis Team has been processing these applications and will deliver them to the Office of Co-Investigating Judges.

On 25th May, with the coordination of the VSS, International Lead Co-lawyer was sworn in at the Appeal Court of Cambodia. The VSS staff also assisted 7 legal assistants and interns of Civil Party lawyers to have access to the court premises, and e-mail and network accounts.

#### Outreach

On 26 May, the Outreach's Coordinator joined call-in shows on the VoA (Voice of America) to have discussions on victims participation in the ECCC's proceedings.

On 19 May, the VSS organized a Regional Forum for Civil Party for Case 002 in Siem Reap Province.

This Regional Public Forum was organized for 300 Civil Parties from 7 Provinces including Battambang, Pailin, Banteay Meanchey, Kampong Thom, Kampong Cham, Kampong Speu and Siem Reap Provinces. This is the fifth Regional Public Forum for VSS' 16-month project on "Improved Victims' Participation in the Proceedings of ECCC," which is funded by Federal Republic of Germany through German International Development Agency (GIZ).

*Article continues on following page*

## Victims Support Section (continued from page 7)

During the forum, the CPs of Case 002 had opportunities to meet with CPs of Case 001 so that they could share their experiences with each other, especially those related to the judicial process.

The CP attendants met and exchanged their views with their lawyers. They thoroughly discussed the specific types of reparation (collective or symbolic schemes) for the proposal that the Civil Party Lawyers have to prepare for the Lead Co-Lawyers to be submitted to the Court. The proposal is part of the process to demand the preparation of a reparation plan for the victims through judicial proceedings.

The forum was intended to update the Civil Parties on recent developments of the ECCC. Since the beginning of 2009, nine forums were organized by the VSS with the participation of more than 2,615 Civil Party applicants and Civil Parties in Case 002.

Generally, the CPs attendants listened to judicial officers and staff from the VSS, Office of the Co-Prosecutors, Witness/Expert Support Unit, Civil Party Lead Co-lawyers, Civil Party Lawyers and staff .

### Non-Judicial Measures and Reparations

In May, the VSS Reparations and Non-Judicial Measures Team met with several stakeholders in order to build up its future framework for the implementation of its mandates. For this purpose, the Team finished a comprehensive report on reparation requests in the following categories:

- Remembrance/ Memorialization
- Rehabilitation
- Documentation/Education



The VSS organized the Regional Civil Party Forum in Siem Reap

### Others

The VSS attended a meeting on 31 May with the Civil Party Co-Lead Lawyers and Civil Party Lawyers, where representatives of the team presented the report on reparations. The 90-page plus report has been sent to the Co-Lead Lawyer Section and they will disseminate it to the Civil Party Lawyers.

The Team also fully participated in meetings to get the VSS's proposal on Ending Violence against Women to the UN Trust Fund for consideration of grant. Meetings with people on the UNIFEM proposal teams will continue into June.

In May, the NJR Team welcomed research teams from the University of Wyoming and Leitner Center for International Law and Justice at Fordham Law School.

The team from Wyoming presented their findings on the analysis of reparation

related to the verdict of Case 001, while the latter met with the NJR team to discuss their paper, which was on mental health in Cambodia. They shared their knowledge on the issues, in particular reparations.

In May, the Project Team Manager went to Germany on the Khmer Rouge Tribunal Fellowship.



## Civil Party Lead Co-Lawyers' Section

On 19 May 2011, the Lead Co-Lawyers (LCL) and a number of the Civil Party lawyers (CPL) attended the Fifth Regional Forum organized by the Victims Support Section (VSS) for the Civil Parties in Case 002.

During the workshop, Mr.Pich Ang and Ms.Elisabeth Simonneau Fort, Lead Co-Lawyers, addressed the Civil Parties and

said that their primary role is to ensure the voices of the Civil Parties are heard and to facilitate a smooth Civil Parties' participation and the work of Civil Party lawyers.

They praised the Civil Parties for their vital role in the upcoming trial and encouraged the Civil Parties to meet with their lawyers for a discussion on the issues related to the trial and collective reparations.

During the month of May, the LCLs organized numerous meetings with the CPLs regarding preparation for the initial hearing of Case 002, upcoming trial and reparations. The LCLs also attended meetings organized by the Judicial and Non-Judicial Reparations Team of the VSS to have discussions on Civil Parties' reparations.



# Court Calendar

## Decisions/Orders

### Pre-Trial Chamber

**3 May 2011**

Decision on Ieng Sary's Request to Reclassify all PTC08 Documents as Public in Case 002. The chamber decided the documents will remain confidential (PTC08).

### Trial Chamber

**9 May 2011**

Decision on Ieng Thirith and Ieng Sary's Applications for Disqualification of Judge You Ottra From the Special Bench and Requests for a Public Hearing, which is rejected by the chamber (E63/5).

**11 May 2011**

Scheduling of Initial Hearing of Case 002 for the 27-30th June 2011 (E86).

**11 May 2011**

Decision on Nuon Chea's Request to Order Resumption of Detention Interviews in Case 002, and the chamber denied the request. (E66/2).

**12 May 2011**

Decision on Ieng Sary's Request for an Expedited Decision on Issues Raised at the Trial Management Meeting in Case 002 (E87).

**12 May 2011**

Decision on Ieng Sary's Request for Release. The chamber rejected his request for release and bail (E79/2).

### Co-Investigating Judges

**18 May 2011**

Order on International Co-Prosecutor's Public Statement Regarding Case File 003. The International Co-Prosecutors were ordered to publish a retraction of specified Case 003 documents (D14)



A panoramic view of the main courtroom in the Extraordinary Chambers in the Courts of Cambodia. (Photo: Meng Kimlong)

## Upcoming Public Hearings

### Pre-Trial Chamber Hearing

None scheduled

### Trial Chamber Hearings:

27-30 June 2011  
Case 002 initial hearing

### Supreme Court Chamber

#### Hearings:

None scheduled

## First Documentary on Forced Marriage “Red Wedding”

During the Khmer Rouge regime tens of thousands of people were reportedly forced to marry someone unknown to them. Now the first portrait of a woman survivor was documented in a film by Lida Chan.

Pen Sokchan, today 48 years old, says she was coerced into a marriage with a Khmer Rouge soldier at the age of 15. After the wedding, she claims her husband raped her on the orders of Angkar.

Living with the shame for more than 30 years, she finally decided to break the silence and find the truth about her past. The film follows her during this quest that leads her to confront former Khmer Rouge leaders, file a civil party application to the Extraordinary Chambers in the Courts of Cambodia (ECCC) and eventually reveal her story to her family.

Pen Sokchan is now admitted as civil party to case 002 and represented by the team of Cambodian Defenders Project (CDP).

“The film team lived with her and became like a family,” says Lida Chan, the director of “Red Wedding”. Making this film took one year during

which Ms. Chan gradually built up trust with Ms.Pen.

“It was already hard for Sokchan to talk about her story. But on top of that, she had to do this in front of a camera.” says Ms. Chan when asked about the challenges of the film-making.

Working on this film had a strong impact on Ms. Pen. She says that until working with Ms. Chan, she was a victim who silently accepted her suffering which would only reveal itself in nightmares.

The steps she took in the course of the film made her feel she no longer needs to fear the Khmer Rouge and can be proud of her courage. However, as Ms. Chan remarks, one film cannot heal her trauma.

“This is a voice for all of our stories,.” says another alleged victim of forced marriage after watching the film.

“Red Wedding” will be launched on 2 June, at the Chenla Theater in Phnom Penh with 450 participants from NGOs, universities, international and governmental institutions, including the ECCC.

More screenings are planned in the near future for Phnom Penh as well as



### RED WEDDING

A FILM BY LIDA CHAN



LIDA CHAN, GUILAUME P. SUON, AMBROISE BOUSSIER, LIDA CHAN, SOPHIEK SAK  
 SAM RAKSANA, SOPHIEK SAK, GUILAUME P. SUON, LIDA CHAN, AMBROISE BOUSSIER, LIDA CHAN, SOPHIEK SAK  
 GUILAUME P. SUON, LIDA CHAN, AMBROISE BOUSSIER, LIDA CHAN, SOPHIEK SAK  
 YANNI CHHANNING, SOMNOK SOMPHET, LONG SOPHANEATH, CHEL CHHANNING  
 RITHY PANNI  
 BOPHANA AUDIOVISUAL RESOURCE CENTER | BOPHANA PRODUCTION  
 giz | Fondation America



Civil party Pen Sockhan (left) and director Lida Chan are pictured during shooting in Pursat.



គ្រូបម្រុងការពារសិទ្ធិមនុស្ស  
**CAMBODIAN DEFENDERS  
 PROJECT**

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# Outreach Calendar

## Outreach Activities

**3-5 and 24-26 May 2011** NGO Dialogue Project: ICfC and TPO organize recorded videos to be exchanged between Victims and former KR in Kampot

**4 May 2011** Self-Help Project: TPO establishes a new KR victims self-help group for Civil Parties of Case 002 so that they may help each other and share their experiences

**5 May 2011** Student Forum: CDP organizes a student forum at Norton University in Phnom Penh.

**9-12, 13-16 and 23-26 May 2011** Capacity Building: YFP help to develop "memory culture" through the Community Memorial Committee.

**10 May 2011** Visit: US military Fellows from the National War College.

**17 May 2011** Visit: UK Royal College of Defence

**19 May 2011** Regional Forum: Takes place in Siem Reap. VSS, the Civil Parties, the Lead Co-Lawyers and the Defence to attend.

**20 May 2011** Radio Show: TPO and WMC discuss the KR regime with Victims, to be aired on WMC's 102FM

**23-26 May 2011** YFP Capacity Building: Youth groups in Takeo Province learn how the memory works.

**24-26 May 2011** NGO Dialogue Project: ICfC and TPO organize face-to-face dialogues between Victims and former KR.

**30 May 2011** Visit: US International relations students from University of Southern California

**2 June 2011** Film Launch: Launch of the documentary "Red Wedding" in Phnom Penh

**9 June 2011** Visit: French Ambassador Christian Connan.

**6-9 June 2011** ICfC Project: Training in Ratanakiri about dialogue and talking about the Khmer Rouge for the Justice, History and Outreach project..

**8 June 2011** Presentation: UC Berkeley's study "After the First Trial: A Population-based Survey on Knowledge and Perception of Justice and the ECCC" to NGO's, the ECCC and government officials.

**8 June 2011** CHRAC Radio Show: Radio listeners call in to discuss their views on victim participation in the trial.

**14-17 June 2011** Regional Client Meeting: CDP meet with 18 civil parties.

**22 June 2011** Radio Show: Callers discuss case 002, the initial hearings and the accused persons.

**27 June 2011** Visit: War Crimes Ambassador Stephen Rapp.



Cambodian students attend an ECCC briefing.

**27 June 2011** Visit: UN expert Clint Williamson.

**30 June 2011** Newsletter: CHRAC distribute the KRT Watch (no.58)

## ECCC's Outreach

The Public Affairs Section hosts Khmer Rouge Tribunal Study Tours every Tuesday and Thursday, bringing a group of 300 villagers from areas throughout Cambodia to have a guided tour of the Tuol Sleng Genocide Museum, a visit the Choeung Ek Killing Fields, and briefings by court officials at the ECCC. On the night before each of these Khmer Rouge Tribunal Study Tours, PAS staff members stay over in the provinces and host Khmer Rouge-related film screenings in conjunction with the Bophana Audiovisual Resource Center.

PAS also visits high schools and universities to brief students on the work of the Khmer Rouge tribunal.

### ECCC OUTREACH CALENDAR

#### May-June

SUN	MON	TUE	WED	THU	FRI	SAT
1 Labor Day	2	3 KRT Study Tour	4	5 KRT Study Tour	6	7
8	9	10 KRT Study Tour	11	12 KRT Study Tour	13 King Norodom's Birthday	14
15	16	17 KRT Study Tour	18	19 KRT Study Tour	20	21
22	23 Royal Ploughing Day	24	25	26 KRT Study Tour	27	28
29	30	31	1	2 KRT Study Tour	3	4
5	6	7	8	9 KRT Study Tour	10	11
12	13	14 KRT Study Tour	15	16 KRT Study Tour	17	18 Queen Mother's Birthday
19	20	21	22	23 KRT Study Tour	24	25
26	27 Initial Hearing	28 Initial Hearing	29 Initial Hearing	30 Initial Hearing	1	2





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

“Everyone can be involved in the process”



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\*\*\* Do you want to visit the Khmer Rouge Tribunal? \*\*\*

The ECCC welcomes visitors. For more information, contact: [pas@eccc.gov.kh](mailto:pas@eccc.gov.kh)