



# The Court Report

MAY 2011

## The Extraordinary Chambers in the Courts of Cambodia

*Moving Forward Through Justice*



*A Cambodian court in the Angkor period administering justice is the basis for the emblem of the ECCC. This is from a mural in the former Appeals Court in the Ministry of Justice.*

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## Co-Investigating Judges Conclude Case 003 Investigation

The Khmer Rouge tribunal's Co-Investigating Judges You Bunleng and Siegfried Blunk announced on 29 April that they have concluded their judicial investigation in Case 003, which was initiated by a request from the international Co-Prosecutor one and a half years ago.

The two investigating judges notified the conclusion of their investigation to the Co-Prosecutors, in accordance with the court's Internal Rules. The Co-Prosecutors by law are given 15 days to make further request for investigation if they wish.

The case still remains confidential by law. According to their 29 April press release,

the case file contains more than 2,000 pieces of evidence comprising more than 48,000 pages. Prior to the notification, the Co-Investigating Judges conducted their investigation, interviewed witnesses, analysed factual allegations and reviewed the materials in the case file and evidence available from Case 002.

The judicial investigation into Case 003 was opened up with an introductory submission by then Acting International Co-Prosecutor Bill Smith on 7 September 2009, when he submitted two introductory submissions on crimes allegedly committed by five unnamed suspects. The two submissions were later

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## RGC Calls for Asian Financial Assistance to KR Tribunal

In search of new funding to support the cash-strapped Khmer Rouge tribunal, the Royal Government of Cambodia hosted on 1 April a donor meeting with the ASEAN member states plus India and South Korea, calling for financial support from Asia.

A dozen diplomats from the Asian embassies in town gathered at the Council of Ministers where Deputy Prime Minister H.E. Sok An appealed for financial assistance to the Extraordinary Chambers in the Courts of Cambodia.

“We urge you to continue to give full support to the tribunal in its endeavor to bring justice to the victims of the Khmer Rouge, once and for all,” Sok An told the participants in his opening remarks. “We would welcome the financial support of all your governments to the ECCC”.

Chairing the meeting, the deputy prime minister addressed the audience that the ECCC has shown tremendous achievements with the successful conduct of the first trial and an

Mr. Sok An said Case 002 would be seen as a landmark in international criminal law by legal practitioners and scholars around the world while it would provide an opportunity



ASEAN member states, India and South Korea representatives meet with Deputy Prime Minister H.E. Sok An and ECCC officials.

for Cambodians to gain an understanding of the bitter chapter in their history. “Cambodia needs to come to terms with its past to be able to move forward side-by-side with other developing nations,” he appealed.

Visiting UN special expert, Mr. Clint Williamson, also joined the deputy prime minister to call for more financial

unprecedented number of public participation in the tribunal’s judicial proceedings. He then expressed that now is the time for potential donors to act their support as the court is to commence the most important trial in the world at this point in time, Case 002 against four allegedly most senior surviving Khmer Rouge leaders.

support from the Asian countries. “It is the only war crimes tribunal in Asia,” emphasized Mr. Williamson. “[The UN Secretary-General Ban Ki-moon] has encouraged more engagement from Asian governments in the ECCC to make this court truly successful, and to show a greater degree of Asian ownership over efforts to bring long-term stability to the continent.”

## ECCC Donors Hear Reports from UNOPS

Donors for the national side of the Extraordinary Chambers in the Courts of Cambodia gathered on 26 April in the court to hear financial reports from the United Nations Office for Project Services, which manages certain donor funds.

Acting Director of Administration H.E. Tony Kranh and his deputy Knut Rosandhaug welcomed representatives of the European Union, the Australian embassy and the Japanese embassy as well as officials of the UNOPS, before the parties held a closed meeting.

In his welcoming remarks, Mr. Kranh appreciated the donors for their financial support to the work of the court.

The UNOPS has been providing financial management services to donors for the national side of the court since July 2010 when

it entered an agreement with the EU. So far, the EU, AusAID and Japan channeled their contributions through the UNOPS.

During the closed meeting, the UNOPS presented its 2010 expenditure report on the donor funds to the ECCC’s national side coffers, and explained how their monies were used last year within the total ECCC national side budget of US\$7.9 million.

The Cambodian side of the court has budgeted US\$9.9 million exclusive of contingency for this year but it remains US\$1.3 million short.



ECCC representatives welcome donors who gather for UNOPS reports on ECCC financial management.

## President of Lao Supreme Court Visits ECCC

Having toured the courtroom and held discussions with officials of the Extraordinary Chambers in the Courts of Cambodia on 27 April, the president of the Lao Supreme Court praised the ECCC for its achievements and capacity to meet with the international due process of law.

“We, the Lao judges and lawyers, must learn from the ECCC, which is a local court that meets with the international standards,” H.E. Khammy Xayavong, president of the Lao Supreme Court, said at the end of the official meeting with the ECCC’s Acting Director of the Office of Administration H.E. Tony Kranh and his deputy Knut Rosandhaug.

President Xayavong led a delegation of the Lao Supreme Court to the ECCC to gain an insight of the workings of the Khmer Rouge tribunal and the challenges the court faces.



President of the Lao Supreme Court H.E. Khammy Xayavong and his delegation meet with ECCC officials on 27 April.

Welcoming the delegation, Mr. Kranh briefed them about the court structure and its progress, and discussed the positive legacy that the court would leave after the completion of its mandate to try senior leaders and those most responsible for crimes committed during the Khmer Rouge regime in the late 1970s.

“We hope that judges, lawyers and legal staff working here will become a great asset for the Cambodian judicial system and its future reform,” he said.

Mr. Rosandhaug added that the court has faced a number of challenges including the maintenance of the three official languages of Khmer, English and French.

“But those challenges are to test our patience and it has been proved that we succeed in it,” he said. “We hope the ECCC could be a good model for other criminal courts around the world.”

In return, President Xayavong thanked the opportunity to visit the ECCC. “I have not been well informed of the ECCC before I met with you. Our meeting was very crucial to understand how the tribunal works,” he concluded.

## Britain and Norway Contribute Funds to ECCC

In April, both the Governments of United Kingdom and Norway confirmed their new contributions to the cash-strapped Extraordinary Chambers in the Courts of Cambodia, respectively.

The UK on 11 April announced that they would donate £ 1,000,000, or approximately US\$ 1.6 million, to the Khmer Rouge tribunal while Norway on 22 April confirmed the new donation of NOK 6,000,000, or approximately US\$ 1.1 million. Both the donations were intended for the international component of the ECCC.

The confirmation came at a crucial time for the ECCC where the court is preparing the delivery of the Supreme Court Chamber judgment in Case 001 and the commencement of the trial in Case 002.

“We are very thankful for the generosity and continuous support,” stated Acting Director of the Office of Administration, H.E. Tony Kranh and Deputy Director Knut Rosandhaug in a statement. “Such support is imperative to ensure that the court can complete its mandate, bringing justice to the Cambodian people and the victims of the Khmer Rouge who have waited for more than 30 years to see justice be done.”

Both the UK and Norway have been supporting the ECCC since the court’s establishment in 2006. While the UK has provided financial assistance exceeding US\$5.7 million to the ECCC, Norway has so far financed the court in total of US\$3.9 million.

## Message from the Director

Dear readers,

We would like to express our profound gratitude for your thoughts and sympathies for the loss of our beloved colleague, the late Reach Sambath, who had worked for the Public Affairs Section first as Press Officer and then as Chief for the last five years.



Reach Sambath

The late Reach passed away on 11 May after suffering a stroke at work in the previous afternoon. He was 47 years old, and survived by his wife, three children and a brother.

It was indeed a great loss for the Extraordinary Chambers as he was the driving force in making the court accessible for the greater public and their experience at the court meaningful. He dedicated his life to the work of the Khmer Rouge tribunal with a strong belief that it would help bring closure to the dark chapter of Cambodia’s history.

We will carry on our mission to complete the mandate entrusted on us. This will be our tribute to his dedication and sacrifice.

Yours truly,  
Tony Kranh  
Acting Director  
Office of Administration



## Basic Judicial Process

Prosecution before the Extraordinary Chambers in the Courts of Cambodia follows the steps listed below, in accordance with ECCC Law, Agreement and Internal Rules within the framework of the Civil Law system:

### INTRODUCTORY SUBMISSION

This is a written submission from the Co-Prosecutors requesting the Co-Investigating Judges to open an investigation and to propose charges.

### JUDICIAL INVESTIGATION

The Co-Investigating Judges investigate only facts set out in the above submission (and supplementary submission if applicable) and may charge any person therein.

### PRE-TRIAL CHAMBER HEARINGS

Parties may appeal against decisions of the Co-Investigating Judges, apply to annul investigative action or request a sanction against persons allegedly interfering with the administration of justice.

### FINAL SUBMISSION

This is written by Co-Prosecutors requesting the Co-Investigating Judges to indict or dismiss the case.

### CLOSING ORDER

This is made by the Co-Investigating Judges at the end of the judicial investigation; Decision whether to indict or dismiss charges; Decision on all remaining Civil Party applications.

### TRIAL

Judges, Co-Prosecutors, Civil Parties, Defence Co-Lawyers and the Accused put forward and examine evidence and witnesses in order to ascertain the truth.

### JUDGMENT

The Trial Chamber renders a decision on the guilt of the Accused. If found guilty, the Trial Chamber orders a specific sentence and, if appropriate, collective reparations to victims.

### APPEAL TO THE SUPREME COURT CHAMBER

Co-Prosecutors, Defence and Civil Parties may appeal the decision of the Trial Chamber. The Supreme Court Chamber's decision is final.

## ECCC's Investigation and Role of Investigating Judges

Co-Investigating Judges You Bunleng and Siegfried Blunk have notified their conclusion of investigation in Case 003, passing one of the benchmarks in judicial investigation. The case still remains in the phase of judicial investigation until or unless the co-investigating judges close their investigation with a Closing Order with a decision to either send the case to trial or to dismiss it.

As the Extraordinary Chambers in the Courts of Cambodia operates in the civil law system, its investigation is unique to other internationalized criminal courts. In this system, investigating judges play a key role to lead judicial investigation.

### Characteristics of proceedings before the ECCC and of the Co-Investigating Judges' functions:

Following the example of Cambodian law, the investigations before the trial stage at the ECCC are carried out not by the Parties (Prosecutors and Defense) but by two Co-Investigating Judges, a national Judge and an international Judge.

They are responsible for collecting evidence with a view to determine, on the one hand, if the facts set out by the Co-Prosecutors in the Introductory Submission constitute a crime within the jurisdiction of the ECCC and, on the other hand, if the charged person is to be indicted and sent to trial before the Trial Chamber.

Furthermore, all the documents collected during the investigation and placed in the case file by the Co-Investigating Judges will constitute the basis for the proceedings before the Trial Chamber.

### Principles in accordance to which the Office of the Co-Investigating Judges must act:

- **Impartiality:** the Co-Investigating Judges shall investigate impartially, whether the evidence is inculpatory or exculpatory;
- **Independence:** the Co-Investigating Judges must act independently, meaning that they shall not accept or seek any instructions from any government or any other source;
- **Equality of arms:** the Co-Investigating Judges shall always strike a balance between the rights of the different Parties, protecting the interests of both victims and witnesses and respecting the rights of the Defense and the Co-Prosecutors;
- **Confidentiality:** proceedings at the investigative stage are in written and, as a general rule, secret. This to protect the rights and interests of the Parties, in particular:
  - respecting the presumption of innocence of the suspect or the charged person,
  - allowing protective measures for the identity of witnesses and

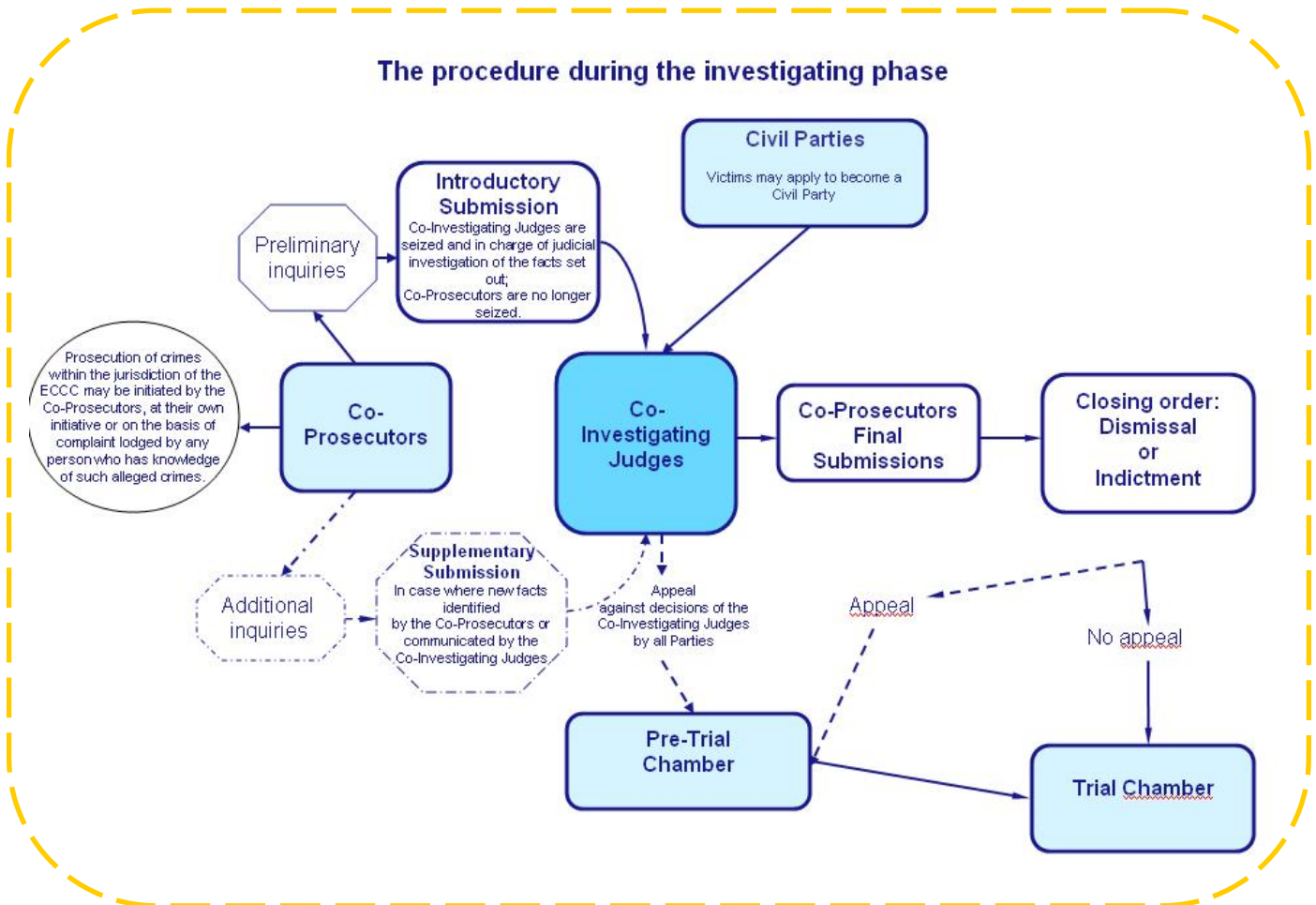
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## ECCC's Investigation and Role of Investigating Judges (continued)

victims, if necessary,  
- conducting an efficient investigation.

For all practical purposes, this means that any subject taking part in the proceedings is bound by confidentiality and, consequently, all documents and information included in the case file are confi-

dential, even in the case where this document is simply considered as common knowledge. Considering the peculiar nature of the ECCC, the principle of confidentiality is however flexible in order to provide the public with a minimum amount of information.



## Case 003 Investigation (continued from front page)

referred to as Case 003 and 004 by the Office of the Co-Investigating Judges.

According to a press statement issued in 2009 by the then acting international co-prosecutor, the crimes in question were committed as part of a joint criminal enterprise, constituting a systematic and unlawful denial of the rights of Cambodian people. The introductory submission requested at that time the Co-Investigating Judges investigate eight factual situations of murder, torture, unlawful detention, forced labour and persecution.

If proved, these factual allegations might constitute crimes against humanity, grave breaches of the Geneva Conventions and violations of the 1956 Cambodian Penal Code, according to the Prosecutor.

The notice of conclusion of judicial investigation is a procedural step during the investigation phase, not a judicial decision to close the case.

The Internal Rules of the Extraordinary Chambers in the Courts of Cambodia specify that in response to the notice of conclu-

sion, the party to the case is given 15 days to request any further investigative action and the Co-Investigating Judges must either carry out the request or reject it with a reasoned decision, which can be appealed to the Pre-Trial Chamber. Once everything is settled by the PTC, the case will be forwarded back to the Co-Prosecutors to make a final submission with specific requests. In response, the Co-Investigating Judges will issue a Closing Order with either indictment or dismissal.

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 **April 2011**. *For decisions and orders, please refer to page 9.*

## Pre-Trial Chamber

During the month of April, the Pre-Trial Chamber deliberated on a number of Appeals and Applications lodged before it.

As of the end of April, the PTC was seized of 94 appeals filed against the Co-Investigating Judges Inadmissibility decisions on 1,747 Civil Party Applications. The PTC continues its deliberations on those appeals in respect of which submissions are complete. It is anticipated that consideration of these appeals would continue for some time with each Appellant grouped within the 94 appeals having their appeal considered individually.

On 11 April, the PTC filed and notified its fully reasoned decision on Ieng Sary's Appeal against the Closing Order in both English and Khmer. (See page 9)

## Trial Chamber

During the reporting period, the Trial Chamber remained seized of Case 002 and conducted pre-trial preparations necessary to ensure trial-readiness.

In all, the parties have requested the testimony of a combined total of 1,054 proposed witnesses, experts and Civil Parties. Ultimate determination of which witnesses, experts and Civil Parties will be heard at trial will be made by the Chamber at the initial hearing, following oral argument.

In response to numerous motions from three Defence teams alleging a lack of fitness of three accused to stand trial, and in view of the advanced age of all accused, the Chamber appointed a specialist geriatrician to undertake an assessment of these three accused's fitness to stand trial, and appropriate length of trial sessions. The expert is expected to commence these assessments in May

2011. The fourth accused, Khieu Samphan, has chosen not to avail himself of this assessment.

On 5 April, a Trial Management Meeting was held, in order to provide early guidelines to the parties regarding envisaged modalities for the conduct of trial, and to further trial-readiness in advance of both the initial hearing and commencement of the trial on the substance. No date was set for the initial hearing at the Trial Management Meeting. (The initial hearing has since been scheduled to begin on 27 June.)

Prior to the Trial Management Meeting, the Trial Chamber rendered 23 decisions in response to 44 motions from the parties. In addition, a further 11 pending motions were disposed of during, and immediately after, the Trial Management Meeting in two additional decisions.

As of 8 April (prior to the Khmer New Year recess), the Trial Chamber remained seized of one pending motion and an application for disqualification of the Trial Chamber reserve Judge. In addition, the Chamber was seized of numerous objections from various parties to a significant number of experts, witnesses and Civil Parties contained in the various witness, Civil Party and expert lists, as well as a number of preliminary objections concerning the Chamber's subject-matter and personal jurisdiction over all accused.

Directions to the parties concerning further briefing in relation to some of these preliminary objections, as well as the envisaged modalities for their determination, were issued to the parties on 5

## Supreme Court Chamber

Regarding Case 001, on 1 April, the Supreme Court Chamber filed its decision to file the additional evidence that it had admitted by oral decision during the appellate hearing on 30 March. The Supreme Court Chamber continues to work

on its judgment on the appeals against the Trial Judgment.

Regarding Case 002, the Supreme Court Chamber continues 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 3 June 2011, in accordance with Internal Rule 108(4).

On 7 April, the Chamber filed its decision on a request by Khieu Samphan relating to the deadline to reply to a response by the Co-Prosecutors. On 8 April, the Chamber filed its decisions on two immediate appeals filed by the Accused, Ieng Sary, finding them both inadmissible under the Internal Rules.

## Office of the Co-Investigating Judges

The Office of Co-Investigating Judges continued to research the factual allegations submitted by the International Prosecutor in Cases 003 and 004.

Assigned Working Groups reviewed materials in case files 003 and 004. Also, the evidence in case file 002, which consists more than 11,000 documents including more than 1,000 interviews, was analyzed for its relevance to Cases 003 and 004 with the aim of being transferred to these case files.

The Legal Unit produced a number of memoranda on complex legal issues related to Cases 003 and 004, and drafted decisions on applications and motions. Research was done by experts for both cases.

The Co-Investigating Judges interviewed witnesses in the field and at the ECCC for Case 003. Having analyzed the existing evidence in this case, the Co-Investigating Judges considered the investigations concluded. A public noti-

fication was issued on 29 April according to Rule 66.1.

## Office of the Co-Prosecutors

On 19 April, the Office of Co-Prosecutors filed its document list pursuant to Internal Rule 80(3) and in accordance with the Trial Chamber's requirements. The Document List is divided into 20 annexes and includes 33 different categories of documents. It includes a brief description of all of the documents the OCP intends to rely on at trial and details the points of the Indictment to which each document is relevant. In total, the Document List includes 6,488 documents.

On 19 April, the OCP filed a list of the legal issues it intends to raise at the Initial Hearing, including issues such as the admission of documentary evidence, the testimony of witnesses and the recharacterization of certain charges set out in the Indictment.

## Defence Support Section

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

### Before the Trial Chamber (Case 002)

On 1 April, in response to a Trial Chamber order requiring defence teams to provide a list of the documents already on the Case File that they intend to put before the Chamber, the Ieng Sary defence team submitted a list of all of the documents on the Case File for Case 002. The team argued that there was no requirement in Cambodian criminal law or procedure or in the ECCC Internal Rules for defence teams to set out prior to trial all the material from the Case File that they intended to rely upon, nor was this required of the Defence in Case 001. They further argued that limiting the ability of defence teams to rely upon any

document on the Case File was neither reasonable nor just. In compliance with the same TC order, the Ieng Sary defence team, on 19 April, submitted a further list of new documents (not on the Case File) that it intended to put before the TC, reserving the right to supplement this document list at a later stage. On 19 April, the Nuon Chea defence team submitted a notice of joinder, indicating their adoption of the submissions set out by the Ieng Sary defence team in the filing of 1<sup>st</sup> April. On 19 April, the Ieng Thirith defence team submitted its list of documents to be relied upon at trial, also reserving the right to supplement this list.

On 13 and 19 April respectively, the Ieng Sary and Nuon Chea defence teams filed notification of the legal issues that they intended to raise at the Initial Hearing for Case 002.

On 26 April, the Ieng Sary defence team filed a motion submitting that statements by Kaing Guek Eav alias Duch should not be admitted unless made in court as a witness under oath and subject to cross-examination. The motion also requested disclosure by the Office of the Co-Prosecutors and TC of all instances in which they found Duch to be untruthful in his statements. Further, the team argued that a Prosecutor should never knowingly offer evidence which he or she knows to be untruthful and that disclosure of statements considered by the OCP and TC to be untruthful was necessary to protect Ieng Sary's right to adequate facilities for the preparation of his defence.

### Before the Supreme Court Chamber (Case 002)

On 4 and 5 April respectively, the Nuon Chea and Ieng Thirith defence teams filed replies to the Co-Prosecutors' responses to their respective appeals against the TC decision on the urgent applications for the immediate release of Nuon Chea, Khieu Samphan and Ieng Thirith.

### Before the Co-Investigating Judges (Cases 003 and 004)

A Cambodian lawyer continued to undertake work in the interests of the Unnamed Suspects in Cases 003 and 004 in accordance with the ECCC Law and

international law and best practice.

## Outreach/Legacy Work

The DSS worked with representatives of the Office of the United Nations High Commissioner for Human Rights to finalise plans to organise a Fair Trial Rights Club in Phnom Penh. The Fair Trial Rights Club will be held over a number of months and will include interactive presentations, seminars, guest lectures and role-play exercises to teach Cambodian students about fair trial rights, with reference to best practices and challenges at the ECCC. The Fair Trial Rights Club is aimed at contributing to Cambodian law students' understanding of and conviction for fair trial rights, empowering them to promote greater respect for fair trial rights and strengthened rule of law when they go on to work in the Cambodian justice sector.



## Victims Support Section

### Legal Work

The Victims Support Section received applications from two lawyers who wished to be included in the VSS's list. Their applications are in the process of reviewing. The VSS also assisted two international lawyers to be admitted to the Bar Association of the Kingdom of Cambodia.

The VSS continued to assist the Office of the Co-Prosecutors in delivering notification letters to Complainants who live in the country. We travelled to meet the Complainants, gave them their notifications and brought their receipt letters to be handed over to the OCP.

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## Victims Support Section (continued from page 7)

### Non-Judicial Measures and Reparation

Throughout March and April, the VSS Reparations and Non-Judicial Measures Team met with several stakeholders in order to build up its future framework for the implementation of non-judicial measures for victims.

VSS's Project Manager attended meeting with the Ministry of Culture and Fine Arts



*Victims Support Section staff delivers a notification letter to a Complainant.*

to discuss future work cooperation. The Team also conducted a meeting with the Civil Party Lead Co-Lawyers Section (CP LCLs) and Civil Party Lawyers on reparations submission before the Trial Chamber. The team also held an NGO meeting with representatives from DC-Cam, TPO, CDP, YfP, CHRAC, Virtual Tribunal, ICfC, and ADHOC.

Based on those meetings and previous consultations, the team almost completed reparation analysis reports. It is also in process of drafting a mapping report of activities relevant for the future development of non-judicial measures.

In addition, team members conducted crime site visits in Kampong Chhnang to assess the feasibility of whether Civil Parties' and victims' requests can be carried out at the

Kampong Chhnang Airport, Prey Damrei Srot Security Centre, and Prey Trapeang Ampil Execution site.



*The Victims Support Section meets with the Civil Party Lead Co-Lawyers' Section and Civil Party lawyers to discuss reparations.*

Mr. Tan Visal, programme manager, received the Khmer Rouge Tribunal (KRT) Fellowship, funded by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. He attended training courses held in Phnom Penh for three weeks.

## Civil Party Lead Co-Lawyers' Section

On 5 April, the Lead Co-Lawyers and some National and International Civil Party Lawyers attended the Trial Management Meeting in preparation for the commencement of trial in Case 002.

During the meeting, the National Co-Lead Lawyer presented some international Civil Party Lawyers to the TC so that they are fully entitled to act before the ECCC. The Lead Co-Lawyers and Civil Party Lawyers also raised their concerns and responded to the Defence Lawyers for the interest of the consolidated group and the specific rights of the Civil Parties in the framework of the ECCC.

In cooperation with the Civil Party Lawyers, the LCLs filed materials, submissions and responses to other parties in Case 002. The LCLs were also concerned about the pending status of the Civil Party applicants who were not admitted by the Co-Investigating Judges in September 2010, given that they cannot enjoy their full

rights as Civil Parties unless they are included in the consolidated group. The LCLs strongly suggested that a decision be issued as soon as possible.



*Civil Part Lawyers meet the Secretary-General of the Bar Association.*

The LCLs organized meetings on reparations and other issues concerning the consolidated groups with the Civil Party Lawyers.

The National Lead Co-Lawyer was invited by the CHRAC Radio Program 102 FM to talk about the development of case 002 and the preparation for the trial hearings.

On 8 April, Civil Party Lawyers and the Lead Co-Lawyers met with Mr. Sourn Visal, the Secretary-General of the Bar Association of the Kingdom of Cambodia, on behalf of President Chhiv Songhak.

The Lead Co-Lawyers case managers participated in trainings to support the LCLs and CPLs in their work.

On 25 April, Ms. Jeanne Sulzer, a former Legal Officer with the Office of the Co-Investigating Judges, joined the LCLs Section as a new International Legal Officer.



## Decisions/Orders

### Pre-Trial Chamber

**11 April 2011**

Fully reasoned decision on Ieng Sary's Appeal against the Closing Order: PTC found that the Royal Amnesty granted to him in 1996 does not bar

the current prosecution of Ieng Sary before the ECCC. PTC also dismissed several other grounds of Ieng Sary's appeal (D427/1/30).

### Trial Chamber

**4 April 2011**

Decision on Ieng Sary's Motions Regarding Judicial Notice of Adjudicated Facts from Case 001 and Facts of Common Knowledge Being Applied in Case 002, which the TC consequently rejected (E69/1).

**8 April 2011**

Decision on Ieng Sary's Motion for a Hearing on the Conduct of the Judicial Investigations, which the TC consequently rejected (E71/1).

### Supreme Court Chamber

**1 April 2011**

Decision to File Additional Evidence Admitted by Oral Decision of the Chamber during the Appeal Hearing in which the SCC decided to file the evidence that it had admitted during the appellate hearing on 30 March 2011 (F2/6).

the deadline for the reply by Khieu Samphan is five full calendar days following the notification of the French translation of the Response by the Co-Prosecutors (E50/3/1/2/1).

**8 April 2011**

Decision on Two Notices of Appeal filed by Ieng Sary, in which the SCC found the two immediate appeals inadmissible under the Internal Rules (E9/7/1/1/4).

**7 April 2011**

Decision on Khieu Samphan's Request for an Extension of Time to Reply to the Response by the Co-Prosecutors, in which the SCC decided that



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

## Youth for Peace: Building Peace among Youth and Beyond

A leading local organization in peace-building with young people, Youth for Peace has been working on various programmes in support of the Khmer Rouge tribunal from national reconciliation to the preservation of memories on the Khmer Rouge atrocities.

The “Youth for Justice and Reconciliation” Project was launched in 2007 in order to address the need to inform the post-war generation about the war, its root causes and consequences. The project offers a series of workshops to high school students and youth groups in seven different provin-



Students from Battambang and Pailin learn about the history of their provinces in Pailin.

inces. In addition to explaining the functioning and current status of the Khmer Rouge tribunal through role plays, exhibitions and seminars, activities include a trip to local mass killing sites, an intergenerational dialogue with survivors, an art workshop and Buddhist ceremonies.

Forming “Memory Culture Committees”

in communities is another initiative of YFP targeting survivors of the Khmer Rouge regime. In this initiative, survivors are encouraged to form a committee, initiate their own projects such as the construction of memorials and museums in collaboration with youth groups, and share their experiences with the next generation.

As part of the Memory Culture project, YFP organized in early

May a ‘Transformative Art’ workshop with 16 high school students in Svay Rieng province. Two German artists facilitated the art workshop and encouraged the students to reflect on the past, the present and the future and visually express their ideas through painting. These paintings became a part of a memorial sculpture. The sculpture will eventually be burnt in a Buddhist ceremony in order for the survivors and the youth to “let go of the past”, find closure and look ahead.

YFP also works with former Khmer Rouge cadres to support national reconciliation. The youth organisation is scheduled to release a new book called “Taking Responsibility or Acting under Orders?” which presents excerpts from interviews with former Khmer Rouge members who shared their war experiences. It is a first

step in the process of seeking the truth from lower level Khmer Rouge supporters and initiating a process of reflection on their personal role in the regime.



High school students participate in the ‘Transformative Art’ workshop in Svay Rieng.



A youth theatre group performs a reenactment of the Khmer Rouge regime in Takeo.

Another initiative of YFP is the Oral History Project to document personal accounts of Khmer Rouge survivors. In June, the organisation will resume the project in collaboration with the US-based organization Khmer Legacies and students from Yale University. Together with their Khmer counterparts, the students will go to the field and interview survivors on the history of mass killing sites in four different provinces.



Youth for Peace Cambodia

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# Outreach Calendar

## Outreach Activities

**1 April 2011** Radio Show: PAS Press Officer discusses the Supreme Court hearing on the programme “the Truth”, aired on the Women’s Media Center’s 102FM

**1-4 April 2011** Interviews: Al Jazeera interviews a psychologist and 2 clients of the Cambodia Defenders Project on forced marriage during the Khmer Rouge regime and will broadcast a short magazine story on it in June

**5-7 April 2011** NGO Dialogue Project: the International Centre for Conciliation and the Transcultural Psychosocial Organization organize the Victim-Former Khmer Rouge Dialogue Project in Kampot where both groups exchange recorded messages, aided by psycho-social trained facilitators and information on psycho-social issues and the work of the court

**6 April 2011** Radio Show: Chief of Public Affairs discusses Duch’s final appeal on the programme “KRT Watch”, aired on WMC’s 102FM

**13 April 2011** Court Visit: DSS meet with a German PhD student writing on the effect of transitional justice on the record of history, with a special focus on the importance of Vietnam and global powers before, during and after the KR regime

**19-20 April 2011** Court Visit: PAS, VSS, OCP and DSS meet a senior researcher from the Research Centre for Torture Victims for a study on “Symbolic Reparations for Victims of Human Rights Violations”

**19-21 April 2011** NGO Dialogue Project: ICfC and TPO meet with local facilitators in Kampot to review the previous session held on 5-7 April

**20 April 2011** Radio Show: PAS Press Officer discusses preparations for Case 002 on the programme “KRT Watch”, aired on WMC’s 102FM

**22 April 2011** Radio Show: TPO participates in a discussion on the KR regime, aired on WMC’s 102FM

**27 April 2011** Court Visit: US Congress staff member meets with ECCC officials

**27 April 2011** Court Visit: President of the Lao Supreme Court Khammy Xayavong and his delegation meet with ECCC officials

**3-5 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



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

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

## 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						
April-May						
SUN	MON	TUE	WED	THU	FRI	SAT
27	28 SCC Hearing	29 SCC Hearing	30 SCC Hearing	31	1	2
3	4	5	6 School Visit: Phnom Thom High School	7 KR Study Tour: Banteay Meanchey	8	9
10	11	12	13	14 Khmer New Year	15 Khmer New Year	16
17	18 Khmer New Year	19	20	21 KRT Study Tour: Prey Veng	22	23
24	25	26 KRT Study Tour: Kampong Chhnang	27	28 KRT Study Tour: Preah Vihear	29 School Visit: Samaki High School & NIE	30
1	2	3 KRT Study Tour: Stung Treng	4	5 KRT Study Tour: Kampong Cham	6	7
8	9	10 KRT Study Tour: Prey Veng	11	12 KRT Study Tour: Siem Reap	13 H.M. King Norodom Sihamoni's Birthday	14
15	16 H.M. King Norodom Sihamoni's Birthday	17 H.M. King Norodom Sihamoni's Birthday	18	19 KRT Study Tour: Siem Reap	20	21 Ploughing Day
22	23 Ploughing Day	24	25	26 KRT Study Tour: Kampot	27	28





# 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)*