



The Court Report

OCTOBER 2011

The Extraordinary Chambers in the Courts of Cambodia

Moving Forward Through Justice

Trial Chamber Splits Case 002 into a Series of Trials



The evacuation of Phnom Penh in April 1975.

(Photo: Roland Neveu)

The Extraordinary Chambers in the Courts of Cambodia addressing atrocities during the Khmer Rouge regime has announced that its Trial Chamber will hold a series of trials in Case 002 against four allegedly most senior leaders of the Khmer Rouge still alive, starting with a trial on forced movement of population and the related charges of crimes against humanity.

Following a severance order on 22 September, the chamber will split the proceedings in the court's second case into "a number of discrete cases that incorporate particular factual allegations and legal issues". The chamber would follow the chronological and logical sequence of the indictment in its series of smaller trials.

In Case 002, Nuon Chea, former Deputy Secretary of the Communist Party, former Head of State Khieu Samphan and two former cabinet ministers

are charged with crimes against humanity, Grave Breaches of the 1949 Geneva Conventions (war crimes) and genocide against the Cham and Vietnamese.

Charges under national domestic law have been ruled out by a Trial Chamber decision that was also made on 22 September.

The move was made in "the interests of justice", following a rule amendment in February that the ECCC's Internal Rule 89ter allows the Trial Chamber order the separation of proceedings in relation to accused persons and the charges contained in an indictment, the Chamber said in a press release.

Trials of complex international criminal cases such as ECCC's Case 002 could go on as long as 10 years

Article continues on page 2

In this issue

2 News & Notes

6 Judicial Updates

9 Court Calendar

10 Outreach Partners

11 Outreach Calendar

Trial Chamber Splits Case 002 (continued from front page)

to reach a verdict, according to the chamber's press release. With the severance order, the Chamber will render a verdict at the end of every trial in Case 002 and issue sentence if the defendants be convicted of the charges in question.

"Separation of proceedings will enable the Chamber to issue a verdict following a shortened trial, safeguarding the fundamental interest of victims in achieving meaningful and timely justice, and the rights of all Accused in Case 002 to an expeditious trial," the Severance Order states.

At the first trial of the series, the chamber will consider factual allegations of two phases of population movement, the first forced movement of 1.7 million people from Phnom Penh on 17 April 1975 onwards and the second phase of movements from all over the country from September 1975 and up to 1977.



The Trial Chamber judges at the Initial Hearing in Case 002 in June.

The first trial will also look into crimes against humanity including murder, extermination, persecution, forced transfer and enforced disappearances, according to the chamber.

The chamber emphasizes that limiting the scope of facts to be tried during the first trial "has no impact on the nature of Civil Party participation at trial".

The chamber is currently considering the application of fitness to stand trial in relation to former Social Actions Minister Ieng Thirith and Nuon Chea, separate from this severance order.

More details of the first trial in Case 002 as well as information on subsequent trials will be made available in the coming weeks.

Duch Appeal Judgment Expected by Year End

The Supreme Court Chamber (SCC) of the Extraordinary Chambers in the Courts of Cambodia has notified the public that it is endeavoring to render the appeal judgment in Case 001 concerning a Khmer Rouge security prison chief by the end of this year.

Kaing Guek Eav, alias Duch, was last year convicted of crimes against humanity and grave breaches of the Geneva Conven-

tions and sentenced to 35 years of imprisonment. However, the accused, the prosecution and some of civil parties appealed the trial judgment to the SCC.

In late March the SCC held a three-day appeal hearing in this case to hear oral arguments of the parties.

In its press statement on 1 September, the SCC states that "following the close of written

and oral submissions from the parties in Case 001 at the end of March 2011, the appeals in Case 001 remain under judicial considerations".

The SCC also stated that it "endeavors to issue the appeal judgment in Case 001 later this year". The date of pronouncement will be announced when determined.

Re-assignment of Court Judges

Judges in the Trial and Supreme Court Chambers have been re-assigned by King Norodom Sihamoni at the request of the Presidents of both chambers.

In a decision approved by the Supreme Council of Magistracy, Judge You Ottra has been appointed as a regular judge of the Trial Chamber, replacing Judge Thou

Mony, who has been appointed as reserve judge of the Trial Chamber.

Judge Mong Monichariya has been appointed as regular judge of the Supreme Court Chamber, replacing Judge Sin Rith who has been appointed as reserve judge of the Supreme Court Chamber.



Judges You Ottra (left) and Mong Monichariya (right)

Australian Politicians Visit the ECCC

A delegation of Australian Senate and Parliamentary members appreciated the work of the Extraordinary Chambers in the Courts of Cambodia in bringing truth and justice to victims of the Khmer Rouge regime, after visiting the court on 21 September.

Member of Australian Parliament, Mr. Michael Symon, and Senator Alan Eggleston held talks with the senior management of the court's administration and discussed with Australian nationals to deepen their understanding of the court proceeding.

Mr. Symon expressed his appreciation for the work of the ECCC, and said that he was pleased to see many Australian citizens are working at the court as judicial officials, staff and interns.

Mr. Eggleston praised national and international staff for their hard work to bring justice to Cambodian people over crimes committed under the Khmer Rouge regime. He added

that it is important to record this atrocity in the history of this Cambodian-UN hybrid court.

Australia has been one of major donors besides Japan, France, Germany, United Kingdom, European Union, and the United States. So far, Australia has donated more than US\$14 million to the court, including over US\$11.6 million to the international side and over US\$2.5 million to the national side.

Welcoming the Australian delegation, H.E. Tony Kranh Acting Director of ECCC Administration expressed his appreciation to the Australian government for political and financial support to the ECCC since the court



The Australian parliamentary delegation meets with ECCC staff.

was first established. He believed that Australia will continue to support the ECCC, which will not just bring justice and truth, but it will also leave an impact on judicial reform both on human resource and judicial procedure.

German Official Reassures its Support for Victims

A visiting official of German Foreign Affairs reviewed its assistance to the Extraordinary Chambers in the Courts of Cambodia in mid September and renewed its support for the work of the court.

After participating in a civil party forum held in Kampong Cham, Mr. Semjon Pauker visited the court on 16 September to meet with H.E. Tony Kranh, Acting Director of the Office of Administration, and Mr. Rong Chhornng, Chief of Victim Support Section.

Mr. Kranh told Mr. Semjon about a legacy the court might leave behind that ECCC na-

tional judges, legal officers and lawyers would impart their knowledge and skills gained through the work of the Khmer Rouge tribunal to their national colleagues in the country's judiciary and help Cambodia's judicial reform. Mr. Semjon responded that the international community hopes to see this reform process taking place in the near future.

Mr. Semjon expressed his appreciation to all work that the ECCC has done.

In a note in the ECCC's Comment Book, Mr. Semjon wrote: "It's very reassuring for a country like Cambodia to actually be able to

overcome the obstacles of the past and to address the national trauma for the sake of reconciliation and for the sake of being able to finally look forward to the future. Keep on doing the great work!"

Germany has supported the VSS since it was first established in 2008, among others.

Mr. Kranh expressed his gratitude to Germany for all the support it has given to ECCC, particularly to VSS. He hoped that Germany will continue this support to help the ECCC to complete its mission of bringing justice to Cambodia.

Former British Ambassador Bids Farewell to the ECCC

Outgoing British Ambassador Andrew Mace bid farewell to senior officials of the Khmer Rouge tribunal on 5 September.

During the meeting with H.E. Tony Kranh, Mr. Mace congratulated the court, officially known as the Extraordinary Chambers in the Courts of Cambodia, for its first success

in bringing justice to Cambodians in Case 001.

The United Kingdom has been an active supporter of the ECCC both politically and financially, and has donated a total of US\$5,761,557 to both sides of the ECCC.

Mr. Mace told Mr. Kranh that he would follow the ECCC's proceedings through the media and look forward to hearing about the final judgment of Case 001 and progress in Case 002.

Peace Corps Prepare for Outreach Collaboration

A new group of American Peace Corps volunteers visited the Extraordinary Chambers in the Courts of Cambodia on 30 September to learn more about the Khmer Rouge trials and its outreach programme.

Court spokesman Lars Olsen briefed on the working of the court, and explained outreach efforts including the court's flagship study tours in which the court brings hundreds of Cambodians from rural villages to Phnom Penh to visit Tuol Sleng, Cheung Ek Killing Fields and the ECCC.

The visit of the Peace Corps volunteers was part of the induction new Peace Corp's volunteers undergo to learn about the country they serve. It was also a great opportunity for the court to enhance the partnership with the Peace Corps.

The partnership began early this year with current volunteer Che Lee. He joined the visit and spoke to the group about how he became involved in the study tour after he participated in it with his Cambodian host families from Kampong Som last January.



The Peace Corps volunteers learning more about the work of the ECCC.

He has since brought his 300 students from his volunteering high school and spread the word to his colleagues in other provinces to do the same. Now the ECCC regularly receives hundreds of high school students from provinces facilitated by Peace Corps volunteers.

Mr. Lee encouraged the new volunteers to

discuss the study tour with their Khmer communities so that they can also participate.

The volunteers mainly work as teachers and teacher trainers in the provinces. Since their court visit several have arranged court visits for members of their communities.

UNTV Receives International Emmy Award Nomination

United Nations Television (UNTV) has been nominated for a prestigious international award for its documentary "Cambodia: A Quest for Justice" about Case 001 at the Extraordinary Chambers in the Courts of Cambodia (ECCC).

It is the first time UNTV has been nominated for the International Emmy awards.

The awards promote excellence in television programming and are voted on by judges from over 50 countries. "Cambodia: A Quest for Justice" was one of the top four films in the Current Affairs category.

The documentary was produced by Andi Gitow and Susan Farkas of the UNTV. It was filmed in 2007 and 2009 with assistance from the ECCC's Public Affairs Section, who helped with logistics, organizing interviews and arranging filming to be conducted at the court.

The film first appeared on UNTV's news programme 21st Century in August 2010. It tells

the story of two men: a victim and perpetrator of violence at S-21 prison in Phnom Penh.

The film interviews Chum Mey, who lost his wife and three children during the Democratic Kampuchea regime and is a survivor of torture at the S-21 prison.

Kaing Guek Eav, alias Duch, was the former Chairman of S-21 prison and was found guilty by the ECCC in July 2010 for crimes against humanity and grave breaches of the Geneva Convention. The documentary is the story of his crimes and subsequent trial in the hybrid court.



UN TV Camerawoman, Bree Fitzgerald, films visitors arriving at the ECCC in 2009 while Susan Farkas, Chief of UN Radio and Television Services, watches.

The 30-minute documentary has been broadcast on over 80 television stations around the world. The ECCC is currently producing its Khmer version of the documentary to be distributed to and shown on Cambodian television stations.

Japanese Students Visit KR Tribunal

Two groups of graduate students from Japan gained insights of the working of the Extraordinary Chambers in the Courts of Cambodia after a visit to the court on 21 September.



The Japanese students meet with Mr. Tony Kranh, Acting Director of the Office of Administration at the ECCC.

The groups were from Waseda University Law School and Kobe University. Two law students of Waseda took part in an “externship” programme with the Japan International Cooperation Agency who escorted the pair while three students from Kobe were brought by their lecturer Teruo Jinnai, former head of the UNESCO Cambodia and advisor to the Council of Ministers.

The two groups viewed a video on the

tribunal’s introduction and received briefings from a Public Affairs officer before touring the court building.

“It was such a wonderful experience to visit the ECCC,” said Mr. Keisuke Fukunaga from Waseda. “I have studied international human rights law since undergraduate years but this visit gave me more insights international criminal justice.”

ECCC Meet Journalists in Bangkok

As part of media outreach, representatives of the Extraordinary Chambers in the Courts of Cambodia traveled to Bangkok on 1 September to speak to journalists at the Foreign Correspondents’ Club of Thailand.

At the panel discussion “Justice at Last”, Judge Agnieszka Klonowiecka-Milart of Supreme Court Chamber, Legal Communications Officer Lars Olsen and Press Officer Neth Pheaktra spoke about the latest developments of the ECCC including the upcoming trial of Case 002 and outreach work.

More than 20 Foreign Correspondents from different Media’ Institutions based in Thailand participated to this discussion to learn the working of the court.

Photo Gallery



Visitors from Takeo and Phnom Penh who came to the ECCC during September.

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

Pre-Trial Chamber

During this reporting period the Pre-Trial Chamber (PTC) continued to deliberate on a number of Appeals and an Application lodged before it in Cases 003 and 004.

The Pre-Trial Chamber is currently seized of one Application and six Appeals in Case 003 and two Appeals in Case 004.

Supreme Court Chamber

Case 001

During September the Supreme Court Chamber continued to work on its judgment on the appeals against the Trial Judgment. On 1 September the Chamber released a press statement stating that it “endeavours to issue the appeal judgment in Case 001 later this year.”

Case 002

On 21 September the Chamber issued a decision rejecting as inadmissible a notice of appeal filed by the Civil Party Lead Co-Lawyers against a decision of the Trial Chamber concerning access to medical reports prepared by Trial Chamber expert Professor John Campbell to all Civil Party lawyers.

Outreach

On 11 September, Judge Agnieszka Klonowiecka-Milart presented a paper on “Old Evidence in Core International Crimes Cases in Kosovo” at an international expert seminar in Dhaka, Bangladesh, which continues the Supreme Court Chamber’s partnership with the International Crimes Tribunal – Bangladesh.

Office of the Co-Investigating Judges

Investigations in Case 004 continued during September. Further key witnesses were interviewed in distant locations, and crime sites inspected. A Rogatory letter

was also issued and future field missions were scheduled.

Joint working groups composed of national and international staff continued to evaluate the evidentiary material, including more than 3,000 documents comprising more than 50,000 pages, thereby focusing for the time being on whether the suspects could fall under the basic jurisdictional requirement of article 2 ECCC Law.

Joint working groups processed civil party applications, of which more than 280 for Case 003 and 270 for Case 004 had been received.

In Case 003, where after conclusions of investigations pursuant to Rule 66.1, the International Co-Prosecutor’s request for further investigations were rejected, and the outcome of this appeal is being awaited.

Office of the Co-Prosecutors

Case 002

The Co-Prosecutors filed eight submissions to the Trial Chamber this month. Most significantly, the Co-Prosecutors gave notice that the Trial Chamber should reconsider the exclusion of specific crimes and crime sites from the trial as a result of its *Severance Order pursuant to Internal Rule 89ter* (23 September 2011).

The Co-Prosecutors remain concerned that the *Severance Order*, in its current form, is not in the interests of justice and would not achieve its stated purpose of expediting proceedings, for both legal and practical reasons.

The Co-Prosecutors asked the Trial Chamber to accept a streamlined, representative set of crimes and crime sites for inclusion in the first trial. In the alternative, they asked the Trial Chamber to hear the parties on alternate formats of severance.

Other key filings included the *Response to Ieng Sary’s objections to the admissibility of certain categories of documents* (16

September); the *Request for a report by the ECCC detention facility on Ieng Thirith* (20 September) and a request that the Trial Chamber once again direct the Defence to indicate whether any of the Accused intend to testify at the start of the trial. The Office continues with focused trial preparation.

Case 003

The International Co-Prosecutor filed one submission to the Pre-Trial Chamber on 2 September 2011, requesting the Chamber to authorise the release of a public, redacted version of his 26 August 2011 appeal against the Co-Investigating Judges’ “*Decision on International Co-prosecutor’s re-filing of three investigative requests in Case 003*”.

The International Co-Prosecutor stated that the intense public debate and speculation about Case 003 increases the need for transparency while preserving the confidentiality of the proceedings. In this submission, he referred to the International Co-Investigating Judge’s CIJs remarks in a media interview that his office has developed criteria defining personal jurisdiction for Cases 003 and 004 as well as to the public release of the Co-Investigating Judges’ decision to dismiss three investigative requests from the prosecution. The Pre-Trial Chamber’s decision is pending.

Case 004

The International Co-Prosecutor filed one submission to the Co-Investigating Judges on 2 September 2011, which as at 30 September has still not been placed on the Case File.

The International Co-Prosecutor requested that the CIJs disclose their criteria on the definition of personal jurisdiction (“senior leaders” and “those most responsible”) on the Case File and stated that not releasing such material would violate the CIJs’ legal obligations under ECCC Law and the fundamental principles of legal certainty and transparency of proceedings.

Outreach

The International Co-Prosecutor addressed an expert seminar on “Old Evi-

dence and Core International Crimes” at the Bangladesh International Crimes Tribunal, discussing the legal and practical challenges faced by the ECCC-OCP in prosecuting crimes that took place over 30 years ago for the benefit of a new domestic tribunal working with dated crime base evidence.

The OCP was represented at the Regional Civil Party Forum in Kampong Cham, where newly-admitted civil parties in Case 002 were briefed on the structure of the Office and its role during the forthcoming trial.

Members of the Office also participated actively in two conferences: a regional consultation on the Responsibility to Protect and a Workshop on Reparation and Rehabilitation organized by the Transcultural Psychosocial Organization (TPO) in conjunction with international partners.

Members of the Office also briefed visiting dignitaries and spoke to university students as part of the “Fair Trial Rights Club” programme.

Defence Support Section

The Defence Support Section (DSS) continued to provide legal support and administrative and technical assistance to the Defence teams.

Further to the 31 August motion to the Trial Chamber to conduct site visits, on 6 September the Ieng Sary Defence Team filed both its Objections to the Admissibility of Certain Categories of Documents as well as a Response to the Co-Prosecutors’ Request for Direction on the Filing of Replies to Replies.

In September, the Ieng Sary Defence Team filed two requests: a Request for Access to Strictly Confidential Documents on the Case File, and a Request for Leave to Reply and Reply to the Co-Prosecutors’ Response to Ieng Sary’s Objections to the Admissibility of Certain Categories of Documents. The Ieng Sary Team also responded to the Co-Prosecutors’ Additional Request for a Direction Regarding the Intentions of the Accused with Respect to Testifying.

The Ieng Thirith Defence Team filed a



Outside the courtroom at the ECCC.

motion supporting in part Ieng Sary’s Request for Access to Strictly Confidential Documents on the Case File.

Case 003 and 004

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

Legacy and Outreach

The DSS and the Office of the High Commissioner for Human Rights continued to host a series of seminars for Cambodian students on fair trial rights, known as the Fair Trial Rights Club (FTRC). On 7 September Judge Claudia Fenz gave a lecture to the FTRC on the independence and impartiality of the judiciary. The students conducted interactive case-study exercises and round-table discussions before the lecture.

The students from the FTRC visited the ECCC on 21 September to learn more about the Court and consider whether the positive practices at the ECCC might impact on the domestic justice system. The students were briefed on the structure of the court and the roles of the Chambers and key offices and thereafter had a tour of the court room. Judge Silvia Cartwright, Elisabeth Simonneau-Fort (Civil Party Lead Co-Lawyer), William Smith (Deputy International Co-Prosecutor) and Nisha Valabhji (Officer-in-Charge, DSS) each spoke to the group about their roles at the ECCC, sharing their experiences and some of the challenges they face.

The final FTRC seminar on 22 September focused on advocating fair trial rights outside the courtroom, and members heard from the DC-Cam trial monitoring team

before discussing the importance of a strong civil society with Ou Virak, President of the Cambodian Center for Human Rights.

The Fair Trial Rights Club celebrated the end of the course with a dinner attended by many of those who had contributed to the lecture series. The students were presented with their completion certificates by the President of the Bar Association of the Kingdom of Cambodia, Chiv Songhak.

Victims Support Section

Legal Work

The Victims Support Section (VSS) continued to provide administrative, technical and legal assistance to the Lead Co-Lawyers and Civil Party Lawyers.

The VSS’s Processing and Analysis Team processed and filed 38 Civil Party applications with the Office of the Co-Investigating Judges.

Outreach

On 8 September, the Outreach’s Coordinator attended a radio talk show at FM 102 to have a discussion on psychological sufferings of victims of the Khmer Rouge regime.

On 15th September the Victims Support Section of the ECCC organized a Regional Forum in Kampong Cham for 350 Civil Parties in Case 002 out of 1,745 CPs newly admitted by the Pre-Trial Chamber of the ECCC.

The Civil Party participants were invited

Victims Support Section (continued)

from Kampong Cham, Ratanakiri, Mondulakiri, Stung Treng, Kratie, Svay Rieng and Prey Veng . That was the eighth forum for VSS's 16-month long project on "Improved Victims' Participation in the Proceedings of ECCC," funded by Federal Republic of Germany through German International Development Agency (GIZ).

The forums are organized to increase Civil Parties knowledge of the ECCC's developments. They met with judicial officers from court, and later on that day with their lawyers.

In addition, they meet in groups with their legal representatives to exchange their views and have thorough discussions on the specification of the types of the reparations (collective or symbolic gesture) for the proposal that the Civil Party Lawyers prepare for the Lead Co-Lawyers to submit to the Court. The proposal is a part of the process to demand preparations for the victims through judicial proceedings.

In total 3,678 Civil Party applicants and Civil Parties in Case 002 have attended 12 Regional Forums organized by the VSS from the beginning of 2009 to mid-2011.



Legal representatives at the Regional Civil Party Forum in Kampong Cham.

The death of Vann Nath provoked consternation and a press release was immediately drafted by the Lead Co-Lawyers and Civil Party Lawyers. The Lead Co-Lawyers visited the family, with lawyers and the entire staff of the section, for a last tribute to this remarkable man who defended the memory of numerous victims of the Khmer Rouge with so much dignity and obstinacy.

The recent announcement of a severance

of the proceedings in Case 002 into several trials generated an extensive reflection on consequences on the consolidated group of Civil Parties and the Lead Co-Lawyers Section is committed to redefine its actions in view of this severance.



The Cambodian and United Nations flags.

Lead Co-Lawyers Section

September offered the section the opportunity to participate in a Civil Parties' forum, which took place in Kampong Cham Province on the 15th of the month.

The Lead Co-Lawyers and the Lawyers for the Civil Parties were therefore able to meet them and answer their concerns, in particular about deadlines regarding the beginning of substantial hearings and the health condition of the Accused. Civil Parties were also consulted on their expectations in relation to reparations.

Lead Co-Lawyers and Lawyers for the Civil Parties drafted and submitted several requests tending to preserve rights of Civil Parties as rights of a party in the proceedings.

On 5th September, the announcement of the death of Vann Nath provoked consternation and a press release was immediately drafted by the Lead Co-Lawyers and Civil Party Lawyers.

The Lead Co-Lawyers visited the family as well, with lawyers and the entire staff of the section, for a last tribute to this remarkable man who defended the memory of numerous victims of the Khmer Rouge with so much dignity and obstinacy.

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Decisions/Orders

Trial Chamber

9 September 2011

Decision on Nuon Chea motions regarding fairness of judicial investigation in Case 002 (E51/3, E82, E88 and E92).

12 September 2011

Decision on the applicability of joint criminal enterprise in Case 002, reaffirming the applicability of JCE I and II only (E100/6).

22 September 2011

Decision on defence preliminary objections (statue of limitations on

domestic crimes) in Case 002, deciding the Trial Chamber has no basis to try the accused for domestic crimes under the 1956 Penal Code (E122).

22 September 2011

Severance Order Pursuant to Internal Rule 89ter, ordering the separation of Case 002 (E124).

Supreme Court Chamber

20 September 2011

Decision on notice of appeal from Civil Party Lead Co-Lawyers in Case 002, deciding their filing is inadmissible (E62/3/10/5/1).



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:

19-20th October

Hearing related to specification of Civil Party claims for reparations and Ieng Thirith's fitness to stand trial.

Supreme Court Chamber

Hearings:

None scheduled

Art Preserves Memory of Khmer Rouge Atrocities

A French Cambodian scholar and her collaborators in Cambodia have been organizing a series of art exhibits and memory workshops to preserve the memory of the Cambodian atrocities through art around the world.

Soko Phay-Vakalis, Professor at Paris 8 University in France, has worked with artist and S-21 survivor Vann Nath, who recently passed away, since 2008 when a workshop “Cambodia, the Memory Workshop” took place.

At the first workshop, Mr. Nath, who had worked tirelessly with young artists to develop Cambodian art since his release from S-21 prison in 1979, inspired young artists in producing Khmer Rouge atrocities-related art. This project has since led to three more exhibitions in Cambodia and France.

Mr. Nath was scheduled to be a part of the 3rd Memory Workshop in April 2012 at the Bophana Centre but now the event will take place to present and discuss his work and to pay tribute to his life as a survivor and artist.

The workshops are intended to be an opportunity for artists to collaborate their ideas and to transform the direct memories of the survivors into a cultural

memory for all Cambodian people.

Ms. Phay-Vakalis is also planning an exhibit called “Season in Cambodia” to be launched in New York in 2013, aimed at preserving the memory of the Cambodian genocide through art so that younger generations can understand more about this part of Khmer history.

The exhibit will include more than 30 drawings and sketches by Vann Nath, who, according to the event organizers “has not stopped bringing light, through his work, into what has been covered in silence: famished and tortured bodies, corpses of prisoners, executed by their guards.”

She is also making a documentary film on Vann Nath called “Vann Nath, how art writes history” in conjunction with the Bophana Centre in Phnom Penh.

Ms. Phay-Vakalis wrote about the importance of using art as a remembrance tool in her book “Cambodia Memory Workshop” and said that art plays an important role in honoring the dead, breaking the silence over genocides and to construct a respectful memory of those who died.



Vann Nath with one of his paintings depicting the treatment of prisoners in Tuol Sleng .

S-21 Survivor Vann Nath Dies

Renowned artist and S-21 survivor Vann Nath, who gave crucial testimonies for the Khmer Rouge tribunal’s first case, died on 5 September from heart failures after having long suffered kidney diseases. He was 66.

Mr. Vann Nath was a voice for the voiceless who died at the notorious security prison overseen by accused Kaing Guek Eav alias Duch during the Khmer Rouge regime. He was one of a handful people who walked out alive in 1979.

“I determined that if one day I survived and had freedom... I would compile the events to reflect on what happened, so that the younger generation would know of our suffering,” he told the court on 29 June 2009 when he was called upon as a first survivor witness to testify.

After he survived the regime, he began painting what he had seen at the prison – interrogation, torture and inhumane conditions – to tell the younger generations what happened to Cambodians. His paintings are now displayed at the S-21 turned Tuol Sleng Genocide Museum where he often narrated his experiences to visitors, including the ECCC’s study tour groups.

“I never imagined that I would be able to sit in this courtroom today to describe about my plight of the experience to the younger generations, to the general public, to understand what happened to me,” he said before the trial judges. “This is my privilege. This is my honour. I do not want anything more than that.”

The court’s Trial Chamber found Duch guilty of crimes against humanity and grave breaches of the 1949 Geneva Convention and sentenced him to 35 years in prison in July 2010, but the case has since been appealed by all parties.

The Supreme Court Chamber endeavours to release its appeal judgement by the end of 2011.

Outreach Calendar

Outreach Activities

1 September 2011 Court Visit: Director of the US Peace Corps visits the court.

6-9 September 2011 Regional Client Meeting: CDP meets with lawyers and psychologists in Prey Veng to visit possible memory sites.

8-11 September 2011 Seminar: On “Old Evident and Core International Crimes” in Bangladesh, attended by International Co-Prosecutor and Supreme Court Chamber Judge.

15 September 2011 Regional Forum: VSS hosts the 8th Regional Forum for civil parties in Kampong Cham.

16 September 2011 Court Visit: An official from the Ministry of Foreign Affairs from Germany to discuss the work of the ECCC.

20 September 2011 Workshop: Organized by TPO and RCT on “Repatriation and Rehabilitation—International and National Experiences and Lessons Learnt”

21 September 2011 Court Visit: Australian parliamentarians visit the court to speak with ECCC staff.

30 September 2011 Court Visit: 20 Peace Corps volunteers visit the court to learn about the outreach programs.

5-10 and 17-22 October 2011 Training: ICfC to conduct Training of the Trainer workshops in Stung Treng and Kratie.

6 October 2011 Court Visit: 70 students and staff from ISPP visit the court to speak with court staff about the legal process and ask questions.

10-12 October 2011 Workshop: VSS to host a workshop on reparations with ECCC judges to attend.

14 October 2011 Regional Forum: VSS hosts the 9th Regional Forum for Civil Parties in Pursat.

18-21 October 2011 Meeting: Regional client meeting organized by CDP in Battambang.

24-27 October 2011 Training: ICfC to conduct a Training of the Trainer dialogue exchange in Phnom Penh between local experts in conflict resolution and dialogue facilitation.

25 October 2011 Court Visit: Judges from Austria interact with their ECCC counterparts to learn more about the work of the court.

26 October 2011 Regional Forum: VSS hosts the 10th Regional Forum for Civil Parties in Phnom Penh.



350 villagers from Kampong Cham visit the court on an outreach tour.

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						
September—October						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6 Study tour	7	8 Study tour	9	10
11	12	13 Study tour	14	15 Study tour	16	17
18	19	20 Study tour	21	22 Study tour	23	24
25	26 Pchum Ben	27 Pchum Ben	28 Pchum Ben	29	30	1
2	3	4 Study tour	5	6 Study tour	7	8
9	10	11 Study tour	12	13 Study tour	14 School lecture	15
16	17	18 Study tour	19	20	21	22
23	24	25	26	27 Study tour	28 Public forum	29 Coronation Day



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

“Everyone can be involved in the process”



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