



Third Edition

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P R E F A C E

By Samdech Akka Moha Sena Padei Techo Hun Sen

Prime Minister of the Royal Government of Cambodia

Brothers and Sisters, People of Cambodia,

Not a single one of our people has been spared from the ravages brought upon our country during the three years, eight months and twenty days that Pol Pot's Khmer Rouge held power under the regime known as Democratic Kampuchea.

During that time, over three million of our people lost their lives. They were our parents, our children, our relatives, our colleagues and our friends. Those of us who survived have lived for a quarter of a century bearing pain and grief for those we lost and being haunted by the nightmare of our own experiences.

Even those of you born after 1979, who did not directly experience these crimes, still bear a heavy burden. You see your parents and older brothers and sisters still suffering. You also share in the difficulties of rebuilding our society from Year Zero without the benefit of the wisdom and experience of those who were lost. It continues to be a long, hard struggle and we all know that Cambodia today lags far behind our neighbours in health, education and economic infrastructure.

Now the time has come for those responsible for planning and directing this horror to be held accountable for their crimes. After years of negotiation with the United Nations, we have established a new

Cambodian court that includes international judges and staff. Its official name is the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea. This is the first court in the world of its kind.

These crimes of the Khmer Rouge period were committed not just against the people of Cambodia but against all humanity. It is therefore fitting that Cambodians work together with the international community in trying those most responsible and, in so doing, help to build a culture that will prevent the recurrence of such crimes anywhere. We hope that our new court will be a successful model for Cambodia, but will also make a wider contribution to international justice.

I am sure you join me in trusting that these trials take place in a calm and dignified manner. When the judges have delivered their verdicts, we hope that Cambodians and all who support us will feel a load lifted from our backs as we finally bring justice in the name of the victims.

Prime Minister



INTRODUCTION

By His Excellency Sok An

*Deputy Prime Minister and Chairman of the Royal Government of Cambodia
Task Force for Cooperation with Foreign Legal Experts and Preparation of the
Proceedings for the Trial of Senior Khmer Rouge Leaders*

The Khmer Rouge regime took power on 17 April 1975 and was overthrown on 7 January 1979. More than three million people perished. The end of the Khmer Rouge period was followed by a civil war. That war finally ended in 1998, when the Khmer Rouge political and military structures were dismantled.

In 1997 the government requested the United Nations (UN) to assist in establishing a trial to prosecute the senior leaders of the Khmer Rouge.

In 2001 the Cambodian National Assembly passed a law to create a court to try serious crimes committed during the Khmer Rouge regime 1975-1979. This court is called the

Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea (Extraordinary Chambers or ECCC).

The government of Cambodia insisted that, for the sake of the Cambodian people, the trial must be held in Cambodia using Cambodian staff and judges together with international personnel. Cambodia invited international participation due to the weakness of the Cambodian legal system and the international nature of the crimes, and to help in meeting international standards of justice. An agreement with the UN was ultimately reached in June 2003 detailing how the international community would assist and participate in the Extraordinary Chambers.

This special new court was created by the government and the UN but is independent of them. It is a Cambodian court with international participation that is applying international standards. It will provide a new role model for court operations in Cambodia.

This booklet is to introduce you to the Extraordinary Chambers and answer some of the questions people commonly ask about the trials. Now that the Extraordinary Chambers (ECCC) has been established, a special Public Affairs Section can provide additional information to the public and the media.



Deputy Prime Minister



MESSAGE

By Kofi Annan

*Secretary-General of the United Nations
at the time of the signing of the Agreement*

The success of the Extraordinary Chambers will stand as a beacon in the region, signalling that the sinister culture of impunity is, indeed, being replaced by a culture of accountability. It will also leave Cambodia with a positive legacy for its continuing efforts in strengthening the rule of law. If we succeed in achieving our goals, the Cambodian people will have reached a landmark on their road to justice, peace, liberty and well-being.

Q₁

Why has it taken so long to start to bring to trial the crimes committed in the Khmer Rouge period?

History shows that it is very difficult to put people on trial while a war is still in progress. Cambodia first approached the UN for assistance to conduct a trial in 1997. Since the civil war ended in 1998, the Royal Government and the UN have worked together towards implementing a new type of mixed national-international tribunal. It took some time to work out the details of this new style of court.

In 1999 the Cambodian Government appointed a Task Force to prepare for the trials and negotiate with the UN. The negotiations with the UN were long and complicated but both sides agreed in 2003 on the details of international participation.

This new hybrid court is called the Extraordinary Chambers in the Courts of Cambodia (ECCC) and it became fully operational in June 2007.



Khmer Rouge troops entering Phnom Penh on 17 April 1975

Source: The Documentation Center of Cambodia



Students visit Tuol Sleng Genocide Museum in Phnom Penh to learn about the events that occurred in the Khmer Rouge period

Choi Risei



Chor Sokunthea

An offering to spirits of victims of the Khmer Rouge at Choeung Ek memorial

Q₂

**Why are we going to have trials now?
How will the Khmer Rouge Trials benefit the
people of Cambodia?**

For over a quarter of a century, the Cambodian people have waited for justice. Finally, the time has now come for the senior leaders of the Khmer Rouge and those most responsible for serious crimes to be held accountable for their crimes and for the historical record to be set straight.

The Extraordinary Chambers is designed to provide fair public trials in conformity with international standards. The chief goal is to provide justice to the Cambodian people, those who died and those who survived. It is hoped that fair trials will ease the

burden that weighs on the survivors. The trials are also for the new generation - to educate Cambodia's youth about the darkest chapter in our country's history.

By judging the criminals in fair and open trials and by punishing those most responsible, the trials will strengthen our rule of law and set an example to people who disobey the law in Cambodia and to cruel regimes worldwide. If criminals know that they will be held accountable, they may be deterred. By supporting and learning about justice, we can all contribute to the reconstruction of our society.



ECCC/R each Sambath

Students looking at ECCC posters and booklets

Q₃

Who will be put on trial?

In the spirit of achieving justice, truth and national reconciliation, the Cambodian government and the UN decided that the court should limit prosecutions to the senior leaders of Democratic Kampuchea (the name of the state established by the Khmer Rouge) who planned or gave orders, as well as those most responsible for committing serious crimes. It is expected that only a small number of people will fall within this definition and be tried by the Extraordinary Chambers.

Over the years, tens of thousands of ordinary Khmer Rouge soldiers have defected to the government. They have nothing to fear from this court. The policy of national reconciliation is still in place. Please remember that only the most culpable people will be tried under the law governing the Extraordinary Chambers.

The court will have the responsibility to decide exactly who was a 'senior leader' and who was 'most responsible' for the crimes committed by the Khmer Rouge. The court will seek out only those people, not every former member of the Khmer Rouge or every person in the villages of Cambodia who may have committed crimes during the Khmer Rouge period.

- Low level and middle-ranking Khmer Rouge members who are not most responsible for serious crimes will not be prosecuted. Many are now re-integrated into our society. Hopefully, these people will live peaceful lives according to Buddhist principles and assist in the development of our country.
- Children or other family members or associates of Khmer Rouge leaders will not be responsible for their parents' or associates' crimes. Nobody will be responsible for another person's actions just because they are related to or associated with that person.
- Only people who are still alive will be tried. There will be no posthumous trials.



Tom Fawthrop

Khmer Rouge soldiers after disarming and joining the Government forces



Sapornan/Reuters/Khmer.com

Opening session of People's Revolutionary Tribunal, 15 August 1979

Q₄

What punishment will the suspects receive if convicted?

The maximum sentence is life in prison and the minimum sentence is five years in prison. There will be no death penalty. The death penalty is unconstitutional in Cambodia. In addition, the court may order the confiscation of property or money that the defendant has acquired unlawfully or by criminal conduct. Any confiscated property will be turned over to the state.

Q₅

Will there be amnesties and pardons?

The Royal Government of Cambodia has stated that it will not request an amnesty or pardon for any person who may be investigated or convicted in these trials.

Q₆

Have any of the Khmer Rouge senior leaders been tried before?

In 1979 there was a genocide trial in Phnom Penh known as the People's Revolutionary Tribunal. That tribunal tried Ieng Sary and Pol Pot and found both guilty of the crime of genocide, but neither of them appeared in court nor served any sentence.

In 1996 the King granted a pardon to Ieng Sary for the sentence imposed when the People's Revolutionary Tribunal tried him for genocide. It will be up to the judges to decide on the scope of this pardon. Even if he cannot be re-tried for genocide, there may be other charges that could be brought against him on the evidence available. In 1997 the Khmer Rouge themselves tried Pol Pot for crimes allegedly committed within the organisation after 1979. Pol Pot died in 1998, so he will not be tried in this court.



The Lord of the Iron Staff -- guardian spirit statue outside the ECCC court building



The court building for the ECCC



Q₇

What about the foreign countries that supported or were involved with Democratic Kampuchea or countries that committed war crimes in Cambodia before 1975 - will they go on trial?

No, this court can only try individuals for crimes that they committed during the Khmer Rouge period. It cannot try countries or organisations.

Q₈

What about crimes committed by senior leaders of the Khmer Rouge or others after 1979?

No, this court can try only crimes committed in Cambodia between 17 April 1975 and 6 January 1979.

However, the existing Cambodian courts have the power to try these crimes. For example, the trial of Khmer Rouge officers responsible for ambushing the Phnom Penh-Kampot train in 1994, killing 11 Cambodians and executing three western hostages, took place in the normal Cambodian courts. In that case, former Khmer Rouge Generals Sam Bith and Nuon Paet and Colonel Chhouk Rin were found guilty and were sent to jail serving sentences for their crimes.

Q₉

When will the trials begin? What is the court doing in the meantime?

The trials are expected to begin in 2008. Judicial officers and all staff at the court are aware of the urgency of these trials and are working hard to complete the work of the ECCC as quickly as possible, while meeting international standards.

In February 2006 both Cambodian and international staff moved into the premises for the Extraordinary Chambers. On 3 July 2006 the national and international judicial officials of the ECCC were sworn in and on 12 June 2007 they unanimously adopted the Internal Rules of the court. The next day the ECCC investigators were sworn in and investigations started.

The first introductory submission was finalised by the co-prosecutors on 18 July 2007. As a result of it, only two weeks later, on 31 July 2007, the co-investigating judges made the first arrest and within four months all five suspects named in the first introductory submission were under provisional detention at the ECCC.

The charged persons are:

- Kaing Guek Eav, alias Duch (former chief of S-21) charged with crimes against humanity.
- Nuon Chea (former head of the Democratic Kampuchea National Assembly) charged with crimes against humanity and war crimes.
- Ieng Sary (former minister of foreign affairs of Democratic Kampuchea) charged with crimes against humanity and war crimes.
- Ieng Thirith (former minister of social affairs of Democratic Kampuchea) charged with crimes against humanity.
- Khieu Samphan (former head of state of Democratic Kampuchea) charged with crimes against humanity and war crimes.

On 20 November 2007 the Pre-Trial Chamber opened its first public hearing, on the appeal by Duch against his provisional detention. The appeal was dismissed on 3 December 2007, and in early 2008 the Pre-Trial Chamber proceeded to hear appeals lodged by other charged persons.



Kaing Guek Eav (Duch) and his national and international co-lawyers (Kar Savuth and François Roux) at ECCC Pre-Trial Chamber hearing, November 2007

ECCC/P-001

Q₁₀

How long will the trials take?

It was originally estimated that the trials would run for three years, but a precise estimate is not possible. Their length will depend on how long investigators need to collect evidence, how many people are put on trial, how many witnesses are called and how many appeals are made. When all trials and appeals are completed, the Extraordinary Chambers will be dissolved.

Q₁₁

Where will the trials take place?

The trials will take place in a large court room on the outskirts of Phnom Penh on National Road 4, Chaom Chao commune, Dangkor district.

Q₁₂

How do the Extraordinary Chambers work?

There are two levels of court:

The Trial Chamber and the Supreme Court Chamber. At the Trial Chamber, there are 5 judges - 3 Cambodian and 2 international judges. At the Supreme Court Chamber there are 7 judges - 4 Cambodian and 3 international. All decisions will be made by the judges.

The Supreme Court Chamber is the final court

SUPREME COURT CHAMBER: 7 JUDGES
4 Cambodian + 3 International

Appeals will go from the Trial Court to the Supreme Court which is the highest level

TRIAL COURT CHAMBER: 5 JUDGES
3 Cambodian + 2 International

PRE-TRIAL CHAMBER: 5 JUDGES
3 Cambodian + 2 International

deals with appeals in the pre-trial phase of proceedings, such as against orders for provisional detention. It also will settle matters described in Question 18 below.



People in all parts of Cambodia are getting to know about the wor



... of the ECCC through our outreach program

Q13

Who can go to watch the trials?

These trials are for the people of Cambodia. Anyone over the age of 18 can come to watch the trials—rich, poor, people from the cities and people from the provinces and foreigners too. There is no admission cost and hundreds of seats are reserved for the general public, including people who have a special interest in a particular case.

All trials will be open to the public at all times except in special circumstances when the judges decide that the public must be excluded to protect the identity of witnesses or victims.

Q14

If we cannot go to watch, how will we know what is happening inside the court?

Many people from all over the world want to know what is happening during the trials. You can follow the trials on radio and in the newspapers and on local and international television. Northwestern University in the United States has loaded video footage from the court hearings as webcasts on its web site www.cambodiatribunal.org

The ECCC is distributing information about the court throughout Cambodia, including this booklet, posters, stickers and other material, and many NGOs also have outreach programs aimed at helping Cambodian people understand the ECCC process.

ECCC/R each Sambath/Chin Hem vichet



National and International Judicial Officers after the Swearing-in Ceremony together with the Minister of the Royal Palace, the Representative of the Secretary-General of the United Nations and the Director and Deputy Director of Administration of the ECCC.

Q15 | *How were the judges appointed?*

A number of international judges were nominated by the UN secretary-general. On 4 May 2006 the Cambodian Supreme Council of the Magistracy selected from that list 12 international judges and prosecutors from 10 different countries as well as 17 Cambodian judges and prosecutors. These 29 judges and prosecutors were appointed by royal decree on 3 July 2006 and took their oaths at the Silver Pagoda in Phnom Penh.

In order to be selected, both Cambodian and international judges have to be people of high moral character qualified to be judges in their own countries. They must be honest and independent, and they must not accept instructions from any person, government or other source. All judges are receiving specific training about Cambodian and international law and procedure relevant to the ECCC.

Q16 | *How will the judges reach decisions?*

The judges will try to reach unanimous agreement on any decision made. If they cannot all agree, then a decision requires what is called a 'super-majority'. In the Trial Chamber, 4 out of the 5 judges must vote for a conviction and, in the Supreme Court Chamber, 5 of the 7 judges must vote for an appeal decision.

Every decision must therefore have the support of both Cambodian and international judges. Because of this formula, if the super-majority cannot be reached, then the defendant will be released. This follows the fundamental legal principle that everyone must be considered innocent until they are found guilty of a crime.

Q17 | *Who decides who will be put on trial? And who decides what they will be charged with?*

Two co-prosecutors (1 Cambodian and 1 international) collect evidence and decide whom to charge and with what crimes. The co-prosecutors pass cases to the two investigating judges (1 Cambodian and 1 international). If there is enough evidence, the case proceeds to trial (much evidence has already been collected and is being safely stored).

Q18 | *What if the co-prosecutors or co-investigating judges disagree on whether to take a case to trial?*

They will try to reach agreement, but if they cannot, then five judges in the Pre-Trial Chamber will meet to make a decision whether or not to take the case to trial. Neither the Cambodian nor the international judges, co-prosecutors or co-investigating judges can alone block a case from going to trial.

Q19 | *What do the trial judges do?*

The trial judges hear the evidence presented by the prosecution and by the defence, and by victims who are civil parties; they then consider both sides of the case, discuss among themselves and decide whether the suspect is guilty or not guilty. The trial judges must issue a written judgment explaining the reasons for their decision. If any judges disagree with the decision, they must also explain their reasons for voting differently from the majority. All the judgments will be made public.

OFFICIAL EMBLEM FOR THE
EXTRAORDINARY CHAMBERS IN THE COURTS
OF CAMBODIA



The emblem represents the Extraordinary Chambers by combining a depiction of the administration of Cambodian justice during the ancient period of Angkor with the United Nations' wreath of olive branches symbolising peace. The official colour is dark blue.

The figure is seated on a dais and is holding a sword to symbolise the authority of the court. This is the central figure in the mural in the former Appeals Court in the Ministry of Justice in Phnom Penh, where he is flanked by two assistants referring to the law as inscribed on palm-leaf manuscripts.



A Cambodian court in the Angkor period administering justice used as the basis for the emblem of the ECCC. From a mural in the former Appeals Court in the Ministry of Justice.

Q20

What evidence will be used at trial?

Evidence will be presented by the prosecution, by the defence and by those victims who are civil parties. It could be in the form of:

- documents
- physical evidence, such as mass graves or former prisons; and
- statements and testimony by victims, perpetrators, witnesses and defendants

Thousands of documents have been collected and hundreds of mass graves, prisons and memorials have been mapped by the Research Committee of the Salvation Front (Renakse), the Documentation Center of Cambodia (DC-Cam) and the Cambodian Genocide Program. These are being made available to the court.

In Cambodian courts, all legally obtained evidence can be considered. It is up to the court to decide upon the importance of each piece of evidence.

Q₂₁

What crimes will be tried? Will the trials use Cambodian law or international law?

During 1975-79 it is estimated that millions of people died from torture, execution or starvation and untreated illness. Many deaths may be proved in court to be the direct responsibility of the people who were in control of the country at that time.

Crimes under Cambodian law:	<ul style="list-style-type: none"> • murder • torture • religious persecution
Crimes under international law:	<ul style="list-style-type: none"> • genocide killing or causing serious mental or physical harm intended to destroy all or part of a national, ethnic, racial or religious group • crimes against humanity such as mass murder, extermination, enslavement, deportation, torture, imprisonment, persecution on political, racial and religious grounds, rape and other crimes of sexual violence • war crimes such as unlawful treatment of civilians or prisoners of war, attacks on civilian targets, destruction of educational, religious institutions • destruction of cultural property such as theft or damage of historical buildings, archaeological sites, museums, art, and important book collections • crimes against internationally protected persons such as diplomats

The judges will need to decide what crimes were committed and by whom. Overwhelming evidence of horrendous crimes has been amassed over the past two decades. The challenge for the prosecution will be to marshal enough evidence to prove individual guilt for particular crimes.

Q₂₂

What rights will the defendants have?

Defendants (charged persons and accused) have many legal rights under Cambodian and international law. Some of these are the right to:

- a fair and public hearing;
- be presumed innocent until proven guilty;
- engage legal counsel of his or her choice, both Cambodian and international;
- have adequate time and facilities to prepare his or her defence;
- have legal counsel provided by the court if he or she does not have enough money to pay for it; and
- have the opportunity to examine the witnesses against him or her.



Source: DC-Cam

A Khmer Rouge labour camp some time between 1975 and 1979



Youk Chhang

Choeung Ek genocide memorial



Q₂₃

Who will be called as witnesses?

A witness is a person who can give a firsthand or factual account relevant to investigations and trials falling within the mandate of the court. Such a person could be a victim or another person who has other relevant information. This factual account amounts to "evidence". Depending on the stage reached in the proceedings, this evidence is given by a witness during investigations and become part of the case-file, or during the trial and becomes part of the formal record of the hearing. Anyone considered important in establishing the truth during the investigations and trials could be asked to give such evidence, including experts.

Q₂₄

Do I have to give information to the court?

If a prosecutor or investigating judge wants to interview you, you must tell the truth. However, you have the right to remain silent if you think the answers may incriminate you. Everyone has the right to call a lawyer to advise them and to be with them during all questioning. (See page 22 of this booklet for contact information for legal assistance).

Q₂₅

What if I want to give information about someone who I believe committed serious crimes during the Khmer Rouge period?

If you have information that you think may help the prosecution or the defence, you can contact them yourself at the ECCC (see back cover of the booklet for contact information). Victims and others who might have relevant

information about serious crimes that were committed during the period of Democratic Kampuchea may want to send this information to the court. For the purpose, a Victim Information Form should be completed and submitted to the Victims Unit.

Q₂₆

What support will be given to witnesses and victims giving testimony, and to people around the country who may be distressed at hearing their evidence?

Everybody understands that it will be emotionally distressing to testify at the trials about the Khmer Rouge time. The court will arrange psychological support for any witness in need of it.

And people all over the country who have bad memories of what happened may begin to remember their own experiences. Any person needing counselling and support should contact your provincial office of the Mental Health Committee of the Ministry of Health, or specialist NGOs that have clinics and doctors available in different provinces, such as TPO and SSC. (See page 23 and 25 of this booklet for contact information.)

Q_{27A}

How can victims participate in the trial?

Victims may want to send information to the Co-Prosecutors informing them about crimes they believe have been committed.

Victims who have suffered physical, psychological and material harm as a result of a crime investigated by the Court, may apply to become a civil party. Civil parties have the right to choose their lawyer. If there is a large number of civil parties, the ECCC will help them organise common legal representation. Civil parties can also organise their civil party action by becoming members of an association of victims.

Victims who wish to participate in proceedings, as complainants or as civil parties, should complete the Victims Information Form and submit it to the Victims Unit. Please note that applications to be civil parties must be filed before the opening of the proceedings before the Trial Chamber. Forms can be requested from the Victims Unit at the address indicated in this booklet. The Form is also available on the web site of the ECCC at www.eccc.gov.kh and it is also distributed by partner organisations mentioned at the back cover of the booklet.

Victims Unit

The Victims Unit has been established to assist victims who wish to participate in the proceedings of the ECCC. The Unit is the central contact point between the ECCC and victims or their representatives. The Unit informs victims of their rights relating to participation and reparations, and enables them to file complaints and civil party applications to the ECCC if they wish to do so. The Unit supports the work of the Co-Prosecutors and the Co-Investigating Judges by processing these complaints and civil party applications. The Unit also maintains contact with victims and their lawyers regarding the status of their complaints and applications, and keeps them updated regarding developments in individual cases. The Unit also assists victims to obtain legal advice and legal representation, as well as psychosocial support.

To ask questions about the form or how to complete it or obtain it, or to ask about the best way to deliver completed forms to the ECCC, a person should contact the Victims Unit. Please note that the form or any information provided are free of charge.

Victims Unit

No. 6A, Street 21, Tonle Bassac I, Chamkar Mon,
Phnom Penh (near Psar Kap Ko)

or

National Road 4, Chaom Chau, Dangkao, Phnom Penh

Tel. + (855) 23 219 814 ext. 6058

E-mail: victimsunit@eccc.gov.kh

Q 27B

Will victims be entitled to compensation?

If a case proceeds to trial and an accused person is convicted by the ECCC, victims may ask the Court to make an order of reparations. Under Cambodian law, civil parties may claim compensation in criminal cases for damages they suffered from the crimes being tried. The judges have decided that individual financial compensation will not be possible in the ECCC. However, the judges may award collective and moral reparations such as an order to publish the judgment in any appropriate news or other media at the convicted person's expense, or an order to fund any non profit activity or service that is intended for the benefit of victims.

Q₂₈

Why is the United Nations involved?

In June 1997, the then co-prime ministers, Prince Norodom Ranariddh and Samdech Hun Sen, wrote to the then secretary-general of the UN, Kofi Annan, requesting UN assistance in prosecuting the crimes of the Khmer Rouge. They asked for help because they felt that the Cambodian judiciary lacked sufficient resources and expertise to undertake such a complex task on their own, and also because these crimes are of such magnitude as to be of worldwide concern.



Then Senior Minister Sok An meets the UN Secretary-General Kofi Annan in January 2003 to discuss the establishment of the Khmer Rouge trials

Source: United Nations

Q₂₉

Why are the Khmer Rouge leaders not on trial in The Hague at the International Criminal Court (ICC) or the International Court of Justice (ICJ)?

The International Criminal Court was established in The Hague in the Netherlands in 2002. Cambodia is a founding member of the International Criminal Court, but this court can hear cases only about crimes that took place after it was created.

The International Court of Justice tries only cases between states.

Q₃₀

Are the Extraordinary Chambers a Cambodian court or an international court?

The Extraordinary Chambers are part of the Cambodian court system. However, they have special features as a 'mixed' or 'hybrid tribunal'. The majority of the staff are Cambodian. There are Cambodian judges and foreign judges, Cambodian prosecutors and defence lawyers and foreign prosecutors and defence lawyers. They are applying Cambodian law and international law.

Q₃₁

Are there any other courts in the world like the Extraordinary Chambers?

Mixed tribunals have recently been used in other countries including Sierra Leone, East Timor, Kosovo and Bosnia, but each has its own structure.

Q₃₂

Why was this model chosen for the Extraordinary Chambers?

The mixed tribunal model is seen as a way to provide full national participation and involvement in the trials while at the same time ensuring international standards and participation. These trials are not a remote process far away in The Hague in Europe. They are being held in Cambodia, conducted mainly in Khmer, are open to participation by Cambodian people and are being reported on local television, radio and newspapers.

Q₃₃

How much will the trials cost?

It was originally estimated that the Extraordinary Chambers would cost around \$60 million over three years - around \$20 million per year. In early 2008 it was estimated that the cost of the full operations of the court would rise to \$30 million a year. This sounds like a lot of money but it is similar to the Special Court for Sierra Leone, and much lower than the cost of the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda (each now costing around \$150 million per year).

Q₃₄

How is the court financed?

Both the Cambodian government and more than 35 other countries have made contributions to pay for the court. This special funding should not interfere with or reduce other donor funds that have been committed to Cambodia for development assistance. Japan has donated 50% of the international share, with other major donations from France, Germany, the United Kingdom and Australia.

India and the European Union are the major donors to the Cambodian side of the budget, together with more than \$5 million left over from UNTAC, which the original donors agreed to contribute to the ECCC.

The Cambodian government has contributed \$1.5m in cash plus more than \$5m in extra-budgetary support, such as providing the premises and paying for detention.

There is still an urgent need for funding to continue the work of the court. We are hoping to receive ongoing funding from donor countries or from concerned organisations, companies, foundations or individuals.

Q35

How can I find out more information about the Khmer Rouge and the trials?

For more information you can contact the court directly, through its Public Affairs Section. You may contact us by email at: info@eccc.gov.kh or phone (023) 219814 or fax (023) 219841

Reading:

All Cambodian newspapers give regular coverage to the work of the ECCC. The Documentation Center of Cambodia (DC-Cam) in Phnom Penh has set up a public information room where people can come to read documents, see videos and get other information. The center also reports on the trials in their magazine *Searching for the Truth*.

Internet:

You can find out the latest about the Khmer Rouge trials by visiting the web site of the Extraordinary Chambers www.eccc.gov.kh and also www.unakrt-online.org for information regarding United Nations assistance to the ECCC and www.cambodiatribunal.org for webcasts of the proceedings.

Other relevant sites include:

- The Documentation Center of Cambodia: www.dccam.org
- The Cambodian Genocide Program at Yale University: www.cgp.org
- Genocide Watch: www.genocidewatch.org
- Open Forum: KRT Web Portal www.krtrial.info
- Cambodia Tribunal Monitor: www.cambodiatribunal.org

Radio

Cambodian National Radio (FM 96 and AM 918) and all the private radio stations are reporting regularly on the work of the Extraordinary Chambers. Listen especially to these programs:

- The Women's Media Centre of Cambodia (FM 102 in Phnom Penh) weekly program, *The Truth*, presents information about the Khmer Rouge and ECCC. It is broadcast every Friday from 10:50 to 11:50 and rebroadcast on Saturday from 07:30 to 08:00
- The Documentation Center of Cambodia (DC-Cam) has a radio program consisting of reading articles from *Searching for the Truth* magazines and others books published by DC-Cam broadcast around the country:
 - FM 102 of Phnom Penh every Wednesday and Thursday from 19:30 to 19:45
 - FM 93.25 of Kampot province daily broadcast from 07:00 to 07:30 and 19:00 to 19:30
 - FM 99 of Preah Vihear province daily broadcast from 7:00 to 7:30 and 18:30 to 19:00
 - FM 103.25 of Battambang province daily broadcast from 09:00 to 9:30 and 15:00 to 15:30
- ADHOC program, *Khmer Rouge Tribunal and the International Criminal Court* broadcast once a month
 - FM 105 every Thursday of the fourth week of month from 11:00 to 12:00
 - FM 90 every Saturday of the second week of month from 19:30 to 20:00
 - FM 105.5 of Siem Reap province every Tuesday of the first week of month from 06:00 to 07:00
 - FM 98.5 of Pursat province every Monday of the first week of month from 06:00 to 07:00

- FM 93.25 of Kampot province every Monday of the first week of month from 12:00 to 13:00
- FM 99 of Preah Vihear province every Monday of the first week of month from 11:00 to 12:00
- FM 103.75 of Svay Rieng province every Monday of the first week of month from 15:30 to 16:30
- FM 90.25 of Oddor Meanchey province every Wednesday of the first week of month from 11:00 to 12:00
- FM 90 of Battambang province Saturday of the second week of month from 19:30 to 20:00
- Cambodia Human Rights Action Committee radio program, KRT Watch, broadcast on FM 102 every Thursday from 17:30 to 18:30
- Center for Social Development radio program, Voice of Justice, broadcast
 - FM 104 from Monday to Friday from 13:00 to 14:00
 - FM 105 daily broadcast from 20:00 to 20:30
 - FM 93.5 daily broadcast from 18:00 to 20:00 PM
- Radio Free Asia (RFA) Khmer language broadcasts on
 - AM 13.865 KHz and 15.785 KHz from 18:30 to 19:30
 - AM 7.580 KHz and 13.740 KHz from 05:30 to 06:30
 - FM 105 from 20:30 to 21:30 and 06:00 to 07:00
 - FM 102 from 07:00 to 7:30
- Voice of America (VOA) Khmer language broadcasts on
 - AM 1575 6060 7130 15340 from 05:00 to 05:30
 - AM 1575 5955 71 55 from 20:30 to 21:30
 - FM 105 from 21:30 to 22:30

- ABC Radio Australia Khmer language broadcasts in Khmer from 12:00 to 13:00 on
 - FM 102 in Phnom Penh
 - FM 96.5 in Banteay Meanchey
 - FM 101.5 in Siem Reap
 - FM 92.75 in Battambang
 - FM 98.5 in Kratie and in English 24 hours a day on FM 101.5 in Phnom Penh and Siem Reap
- Radio France International (RFI) broadcast in Khmer from 19:00 to 20:00 on
 - FM 92 in Phnom Penh
 - FM 92 in Siem Reap
 - FM 94.5 in Battambang
 - FM 94.5 Kampong Cham
 - FM 94.5 Sihanouk Ville
 - FM 102 in Phnom Penh from 21:00 to 22:00 and in French 24 hours a day on FM 92 in Phnom Penh

Television

All Cambodian television stations include regular coverage of the progress of the ECCC in their news and public affairs programs. Special focus is given by:

TVK - *Equity* program broadcast every Sunday at 1930 and repeated on Monday at noon. Frequently has coverage relating to the Khmer Rouge trials.

Apsara TV - broadcasts 24 hours a day, including Khmer and French programs transmitted at times convenient for people in Europe, Australia and North America to watch.

CTN - has a special van at the court for live transmission of the proceedings as they unfold.

International television, especially BBC, Aljazeera, CNN, NHK, and Channel New Asia



Q36

What role are NGOs playing?

Many NGOs in Cambodia and around the world are interested in the Khmer Rouge trials and are supportive in different ways. For example, some are assisting witnesses and victims with psychological counselling, others are reporting on the proceedings of the trials or providing training or legal advice and representation.

Q37

Where can I find support services?

LEGAL ASSISTANCE

The Bar Association of the Kingdom of Cambodia
N° 10-11 Croix Rouge Khmere (St. 180),
Boeung Raing, Daun Penh
PO.Box: 1587 Phnom Penh
Tel/Fax: 023 220 237/ 023 213 658

Cambodia Human Rights & Development Association (ADHOC)
No. 3, Street 158, Boeung Raing, Daun Penh, Phnom Penh
Tel/Fax: 023 990 544
Email: adhoc@forum.org.kh

Cambodian Defenders Project (CDP)
No.12, Lovie-em Street 282, Phnom Penh
Tel/Fax: 023 720 032/ 023 720 031
Email: cdp@cdpcambodia.org

Cambodian Human Rights Action Committee (CHRAC)
No.9, Street 330, Boeung Keng Kong 3, Chamkar Mon
PO Box: 499, Phnom Penh
Tel/Fax: 023 351 415,
Email: chrac@forum.org.kh

Cambodian Human Rights Committee
East of National Television Antenna, Tuol Sangke,
Russe Keo, Phnom Penh
Tel/Fax: 023880751 (ext. (0)), Fax 023 882065

Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
No.16, Street 99, Boeung Trabek, PO. Box: 499, Phnom Penh
Tel/Fax: 023 360 965, 211 391, 982 669/ 023 217 626
Email: contact@licadho.org

Legal Aid of Cambodia (LAC)
No.18, Street 604, Boeng Kok II,
Tuol Kork, P.O Box: 1167, Phnom Penh
Tel/Fax: 023 884 262/ 023 884 263
Email: lac@online.com.kh,

INFORMATION SERVICES:

Cambodia Justice Initiative (CJI/OSJI)
2nd Floor, Room No. 222
Phnom Penh Center, Phnom Penh
Tel/Fax: (855) 023 221 793
Email: cji@online.com.kh

Center for Social Development (CSD)
No.19, Street 57 Boeung Keng Kang I,
Chamkar Mon, Phnom Penh
Tel/Fax: 023 364 735/ 023 364 736
Email: csd@online.com.kh

Documentation Center of Cambodia (DC-Cam)

No. 66 C, Preah Sihanouk Blvd, Phnom Penh
Tel/Fax: 023 211 875/ 023 210 358
Email: dccam@online.com.kh

Khmer Institute for Democracy (KID)

No.5, Street 57, Phnom Penh
Tel/Fax: 023 214 928/ 023 216 206
Email: director.kid@online.com.kh

Open Forum of Cambodia

House 17D, Street 296, Toul Svay Prey II, Chamkar Mon,
PO Box: 853, Phnom Penh
Tel: (855)23 212 624 / 360 345
Fax: (855)23 360 345
Email: openforum@of.forum.org.kh

Women's Media Centre of Cambodia (WMC)

No.30, Street 488/ 484, Phnom Penh
Tel/Fax: 023 223 597
Email: wmc@online.com.kh

NGO MENTAL HEALTH SERVICES

Transcultural Psychosocial Organisation (TPO)

No. 20 Street 334, Boeung Keng Kong I,
Chamkar Mon, Phnom Penh
PO Box: 1124, Tel/Fax: 023 219 182 / 023 218 478
Email: admin@tpocambodia.org

TPO - Battambang

N° 652, Street Phsar Tuol Ta-ek, Tuol Ta-ek Commune,
Tel: 053 952 343,
E-Mail: tpobtb@camintel.com

TPO - Pursat

No.513 Peal Nhek II Village, Ptak Prey Commune,
Sampaev Meas District,
Tel: 052 951 555
Email: tpops@camintel.com

TPO - Banteay Meanchey

N° 26, Sophy Village, Kompong Svay Commune,
Serey Sorphorn District,
Tel: 054 958 910,
Email: tpobmc@camintel.com

TPO - Kampong Thom

No. 36 7th Village, Kompong Thom Commune,
Stueng Sen District
Tel: 062 961 375
Email: tpoktp@camintel.com

**Social Services of Cambodia (SSC) - Phnom Penh
in the National Institute of Public Health**

Lot 2, Street 289 (Kim Il Sung Blvd), PO Box: 1477
Tel: 023 881 432 / 023 881 532 / 012 811 825
Fax: 023 881 430,
Email: ssc@online.com.kh

SSC - Kampong Speu

National Road No 4, Phnom Dey Village,
Chbar Morn Commune, Chbar Morn District
(3km west of Kampong Speu Market).
Mrs. Heng Srey: 012 803533

Jesuit Service Cambodia

No. 96, Street 592, Tuol Kork, Phnom Penh
Tel/Fax: 023 880 139/ 023 880 140
Email: jrscam@forum.org.kh



Pre-Trial Chamber in session

GOVERNMENT MENTAL HEALTH SERVICES

Banteay Meanchey : Mongkul Borei Hospital
Psychiatric Consultation Room. Koh Keo Village, Russey Krok.
Dr. Van Luch: 012 600321,
Mr. Ho Serey Vitthyu (Hospital Director)

Battambang : Referral Hospital, Outpatient Psychiatric
Department. Prek Mahatep Village, Svay Po Commune,
Dr. Oum Nhil: 012 889 897

Kampong Cham : Referral Hospital, Outpatient Psychiatric
Department. 7th Village, Kampong Cham Commune,
Mr. Sor Savuth: 012 892092

Kampong Speu : Oudong Referral Hospital, Mental Health
Clinic. Ponley Village, Veang Chas Commune,
Mr. Kim Sopheap: 012 910062

Kampong Thom : Referral Hospital, Psychiatric Consultation
Ward. Kampong Thom Commune, Stuoeng Sen District,
Dr. Ort Bunky: 011 864887

Kampot : Referral Hospital, Outpatient Psychiatric
Department. Ms. Chap Socheata: 012 700167

Kandal : Chey Chumneas Hospital, Centre for Child Mental
Health. No. 47, Street 198, Takhmao.
Tel: 023 300 534,983 348, Dr. Bhoomi Kumar: 012 482 854

Phnom Penh : Mittapheap Khmer-Soviet Hospital, Outpatient
Psychiatric Department. Prof. Ka Sunbaunat: 012 865440,
Dr. Ang Sody: 012 622487

Preah Vihear : Referral Hospital, Outpatient Psychiatric
Department Lor aeth Village, Kampong Tranark Commune,
Tbaeng Meanchey District, Dr. Chou Polina: 012 968328

Pursat Referral Hospital, Psychiatric Service.
Phtak Prey Commune, Sampov Meas District
Dr. Teng Hokly: 012 989306

Siem Reap : Referral Hospital, Outpatient Psychiatric
Department. Mondul I, Svay Dangcum.
Mr. Mom Sovannara 012 700 899

Svay Rieng : Referral Hospital, Outpatient Psychiatric
Department, Srah Vong village, Svay Rieng Commune,
Svay Rieng District, Dr. So Boran: 011 638307



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Extraordinary Chambers in the Courts of Cambodia
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Moving Forward Through Justice

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