

The Court Report

March 2009



The Extraordinary Chambers in the Courts of Cambodia

Moving Forward Through Justice

In this issue

- 2 News and Notes
- 3 Judicial Updates
- 7 Public Information & Outreach
- 10 Court Calendar
- 11 NGO Page
- 13 Outreach Calendar
- 14 Find Out More

The 5th Plenary Session of ECCC Judicial Officials was held from Monday 2 March until Friday 6 March.

In the Judicial section, featured are the Pre-Trial Chamber, Trial Chamber, Office of the Co-Prosecutors, Office of the Co-Investigating Judges, Defence Support Section and the Victims Unit.

In the Public Information & Outreach page, we publish a report of the first joint outreach mission of Public Affairs and Victims Unit. The issue also has an article on the work of Public Affairs and an article about the first Cambodian team to attend the Jessup International Law Moot Court Competition.

In the NGO page, featured are CHRAC and an article on the conference "Leaving a lasting legacy for victims".

As usual, included are the Court and Outreach Calendars.



ECCC second TV Spot aired on Cambodian channels

The Public Affairs Section (PAS) is broadcasting a TV Spot (along with a matching Radio spot) announcing the opening of the substantive hearing for Duch to the Cambodian people.

The TV spot will be aired on TVK, CTN, Bayon TV and Apsara between 26 and 29 March. It follows the first TV spot which announced the initial hearing of Duch on television from 13 to 16 February.

Each TV spot lasts one minute. It provides information on the upcoming hearing and indications on how to come to the Court, while showing interviews (vox pops) of Cambodians on their opinion and expectations of the Court. Similar TV spots will be broadcast until the end of Duch's trial. Over 700 people across the country and from all walks of life have been interviewed in order to compile these TV spots.

Please contact PAS if you would like copies of the spot to show to the public.

5th Plenary Session of Judicial Officials

Between Monday 2 March 2009 and Friday 6 March 2009, the ECCC held its 5th Plenary Session at the Cambodiana Hotel, Phnom Penh.

The principal purpose of the Plenary Session was to deliberate upon proposed amendments to the ECCC's Internal Rules.

Amendments were adopted in relation to twenty-seven of these Rules. Many of these amendments reflect efforts at harmonization or other minor technical improvements.

The amendments adopted are designed to streamline and expedite court proceedings before all Chambers of the ECCC.

During its final day, the Plenary Session was briefed by the Senior Court Management Officer and the Head of the Victims Unit regarding a number of trial management challenges posed by the participation of a large number of victims in ECCC proceedings. The significant involvement of victims is a notable feature of ECCC proceedings and the Court's practice in this area is expected to be watched closely by other international Tribunals, in particular the International Criminal Court, whose Statute and Rules contain similar provisions.

A brief presentation was also given on outreach and media relations by the Chief of Public Affairs.



Outreach Officer Chin Hemvichet at a meeting organized in a Wat in Banteay Meanchey province during the recent outreach mission.

Judicial Updates

Pre-Trial Chamber

At the beginning of this period, the Pre-Trial Chamber was seized of seven outstanding appeals, ranging from translation rights to provisional detention. It also remained seized of a disagreement between the Co-Prosecutors. During the period, the Chamber rendered three major decisions, held three hearings and received one new appeal. It currently remains seized of six appeals and one disagreement.

On 20 February 2009, the Pre-Trial Chamber rendered its decisions in relation to two appeals against the Order on Translation Rights and Obligations of the Parties, filed by Charged Persons Khieu Samphan and Ieng Sary. Both appeals were dismissed.

On 25 February 2009, a further decision was rendered on a request filed by the lawyers for the Civil Parties for reconsideration of the Chamber's assessment of the legal status of the Internal Rules in a previous decision. The decision was on the Charged Person Nuon Chea's appeal against the Order Refusing a Request for Annulment. The Civil Party lawyers' request was dismissed.

Hearings were held in the last week of February 2009 in relation to four pending appeals on provisional detention in Case File 002, concerning Charged Persons Ieng Thirith, Ieng Sary and Khieu Samphan (two appeals). The first hear-



ing, for Ieng Thirith's appeal, took place on 24 February 2009. The second, which opened on 26 February, was adjourned until 2 April 2009 due to the state of health of the Charged Person, Ieng Sary. The third hearing, which concerns two appeals filed by Khieu Samphan, opened on 27 February and was adjourned at the request of the Charged Person until 3 April 2009 due to the unavailability of his International Co-Lawyer.

A further appeal, concerning the provisional detention of Charged Person Nuon Chea, was deliberated upon on the basis of written submissions alone.

On 5 March 2009, the Co-Lawyers for Ieng Sary filed a notice of appeal against the Co-Investigating Judges'

Order on Breach of Confidentiality of the Judicial Investigation. The appeal brief was filed on 10 March 2009.

A new International Legal Officer for the Pre-Trial Chamber commenced her functions on 12 February 2009.

Trial Chamber

The opening of the trial in Case 1 with the initial hearing on the 17 and 18 February 2009 was a historic event, which the Trial Chamber handled according to the Internal Rules of the ECCC. In the initial hearing, the Trial Chamber considered applications for admission of civil parties, the list of witnesses and the list of experts in Case 1. Some legal issues were raised in preliminary objections. These will be resolved in the substantive hearing. The substantive hearing, during which the Trial Chamber will consider the evidence contained in the Case File, will open on 30 March.



Office of the Co-Prosecutors

Legal Work:

In February 2009, the OCP continued its participation in the judicial investigation and the appellate proceedings in Case 2 in which charged persons Duch, Khieu Samphan, Ieng Sary, Ieng Thirith and Nuon Chea are being investigated. In particular, on 16 February, it filed its response before the Pre-Trial Chamber to Ieng Sary's application for summoning medical experts during his detention hearing on 26 February. In addition, the OCP appeared in the detention extension appeal hearings of Ieng Thirith (24 February), Ieng Sary (26 February) and Khieu Samphan (27 February) before the Pre-Trial Chamber.

The OCP is now preparing to file its response to Ieng Thirith's motion before the Co-Investigating Judges for exclusion of evidence obtained allegedly under torture (11 February).

Trial Preparation:

The OCP accelerated its trial preparation in Case 1 that deals with the Khmer Rouge's S-21 Security Centre in Phnom Penh. The OCP complied with the directions issued to it during the Initial Hearing of 17–18 February 2009. It is now preparing for the commence-



ment of the substantive trial proceedings on 30 March. It is also preparing to respond to the preliminary challenges raised by the accused Duch.

Analysis:

Amongst many other activities, the OCP maintained and updated its case management database (CaseMap), prepared witness summaries of potential witnesses, analyzed open source and in-house documents, updated chronologies of the accused, prepared audio-visual case presentation aids and continued its microfilm digitization project.

It continued to analyze the Case File and prepared Trial Readiness Assessment Reports (TRAR) to assess the requirements of making further investigative requests to the Co-Investigating Judges.

Prosecutorial Disagreement:

The Co-Prosecutors now await the determination of the Pre-Trial Chamber in respect of the disagreement proceedings. The pleadings in these proceedings are complete. While the International Co-Prosecutor filed his Statement of Disagreement on 1 December 2008, the National Co-Prosecutor filed her Response on 29 December 2008. On 27 February, the National Co-Prosecutor filed certain additional documents before the Pre-Trial Chamber in support of her arguments.

Notwithstanding the disagreement, the Co-Prosecutors have been and shall continue to work together, in all their cases, to ensure that justice is rendered to the victims of the Khmer Rouge.

External Activities:

The OCP is taking an active part in the proposal for the creation of a permanent mechanism of cooperation between

national and international prosecuting authorities under the aegis of the International Association of Prosecutors (IAP).

On 11 February, Deputy Co-Prosecutor William Smith addressed the Foreign Correspondents Club of Thailand in Bangkok on current developments before this Court.

Senior Assistant Prosecutor Anees Ahmed addressed graduate law students of Kobe University at Kobe, Japan (5 Feb) and the Asia Pacific University at Beppu, Japan (6 Feb) on current developments before this Court. On 18 February, he delivered a lecture on international criminal law to parliamentary officials at the Cambodian Senate.

Office of the Co-Investigating Judges

In March, the OCIJ has welcomed a new international Associate Legal Officer and expects a new national Legal Officer and an international Legal Team Leader at the end of the month.

The OCIJ's investigation into the alleged crimes mentioned in the introductory submission and the responsibility of Nuon Chea, Ieng Sary, Ieng Thirith, Khieu Samphan, and Duch is ongoing. While extensive interviewing by investigators is ongoing in the field via rogatory letters, a number of judicial interviews of key witnesses have taken place on the premises. The Co-Investigating Judges have also conducted usual hearings on detention conditions with Charged Persons.

The ECCC Detention Liaison Officer reported that the Co-Investigating Judges' order concerning better access

for the Charged Persons to the Case file had been fully implemented (see: http://www.eccc.gov.kh/english/cabine/courtDoc/222/D127_EN.pdf).

On 10 March 2009, the Co-Investigating Judges ordered the assignment of experts to conduct a demography report to determine the population of Cambodia on 17 April 1975 and on 7 January 1979. This report is expected to be completed by the end of August.

The OCIJ continues to receive requests for investigative action from the parties which are entered into the investigative calendar and organized within the existing work and judicial strategy and timeline.

There are now 52 Civil Parties in case file 2 and the OCIJ is currently processing a further 140 applications which we have acquired from the Victims Unit. Meanwhile, six civil parties have been interviewed by OCIJ investigators in the past month.

On 13 March, on the basis of numerous civil party claims, the CIJ forwarded a request to the OCP for a decision on whether to investigate the issue of forced marriages during the DK regime.

The Analysis Unit of the OCIJ has organized and is currently providing Casemap (an analytical computer software program) training, to unify and harmonize its use between the OCIJ, Victims Unit, Chambers and other Court organs. An expert from the developers of the software is currently in Phnom Penh conducting training and providing practical solutions for integrating the software between the offices.

On 03/Mar/2009, the CIJs reminded the parties of their obligations regarding confidentiality and ordered a defence team to cease posting confidential case file information on its website:

http://www.eccc.gov.kh/english/cabine/courtDoc/248/D138_EN.pdf

The OCIJ is actively examining documents to be placed on the ECCC website to improve transparency and keep the public abreast of our work within the court. These documents should be available to the public by the end of the month and continually updated from that time.

Finally, the OCIJ sent two legal officers (one national one international) to the CSD Forum on Justice and National Reconciliation in Banteay Meanchey in order to describe the functions of the office and to answer questions from the locals.

Defence Support Section

Under an arrangement with Washington and Lee University, put in place in 2007, selected students at Law School assist the DSS by conducting research on substantive and procedural points of international criminal law. This course, called "International Law Practicum", is run by Thomas H. Speedy Rice, Professor of practice in W&L's Transnational Law Institute, and affords students the opportunity to engage in legal research and to work directly with practicing lawyers on cutting-edge international law issues.

Last month, as every semester, the DSS hosted a group of students and their Professor who visited the ECCC for a week. They participated in the daily activities of the DSS, attending staff meetings, discussing their ongoing assignments with Defence Teams, and undertaking research work in DSS premises. They actively contributed to the DSS "Legal Update", by holding a presentation to DSS staff on the last developments in the Karadzic case before the International Criminal Tribunal for the former Yugoslavia. Luckily, several hearings were scheduled this week. The students thus got the opportunity to watch hearings before the Pre-Trial Chamber on detention issues in the Ieng Thirith and Ieng Sary cases.

Over the past four semesters, twenty law students have taken part in the program. Eight of them have visited the DSS in Cambodia. While offering a unique method of legal education for students, the International Law Practicum has allowed the DSS to benefit from their assistance on long-term research projects, as well as on specific urgent assignments, making it an extremely valuable tool for Defence Teams.



Washington and Lee Professor Rice attending a DSS staff meeting.

Victims Unit

Since the beginning of February, the processing team of the Victims Unit is fully staffed. The last two Data Entry Clerks started on 2 February 2009. They were trained on the job for two weeks and started to do full data entry since the third week of February. With the help of the new colleagues, the Victims Unit is able to gradually reduce the existing backlog. As of 28 February 2009, the Victims Unit has received a total of 3363 completed Victim Information Forms. On average, the Victims Unit receives around 200 forms per month (for more details, please see the table below).

In the second week of February, 9 German journalists visited the Victims Unit. They were briefed by the Head of the Victims Unit on the core functions and the state of affairs at the Victims Unit and had the opportunity to interview some of the Civil Parties participating in Case 1.

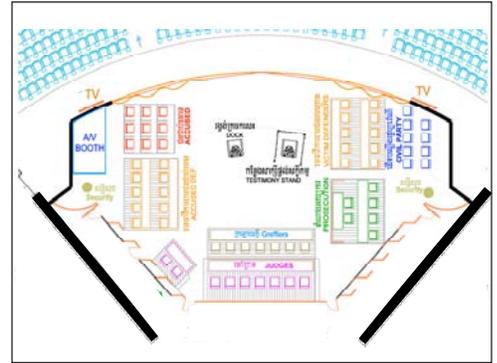
The Victims Unit facilitated the attendance of 72 Civil Parties at the Initial Hearing on 17 and 18 February 2009. Five staff members from the Victims

Unit worked hand in hand with 12 facilitators from the Khmer Institute for Democracy (KID), the Cambodian Human Rights and Development Association (ADHOC), the Documentation Centre of Cambodia (DC-Cam), Advocats sans frontières (ASF) and the Transcultural Psychosocial Organization (TPO).

The Civil Parties met at the premises of the Information Centre from where they travelled to the Court by the buses organized by the ECCC. Both days, the Civil Parties followed the hearings either from the Courtroom, the Public Gallery or from the room designated for such purpose. This room also provided the opportunity for the Civil Parties to consult with their lawyers and retreat in case of any symptoms of stress caused by the hearing.

Two Outreach Facilitators from the Victims Unit participated in the Public Forum on 27 February organized by the Center for Social Development (CSD). One of them spent the whole week in Banteay Meanchey province with a colleague from the Public Affairs Section in order to inform the public about victim participation before the ECCC.

Main courtroom of the ECCC



Information on the Web



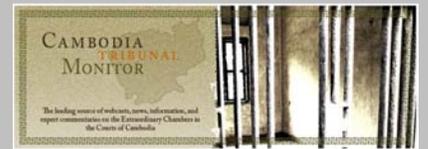
The ECCC website

<http://www.eccc.gov.kh>



Khmer Rouge Trial Web Portal

<http://www.krtrial.org>



<http://www.cambodiatribunal.org>

NUMBER OF COMPLAINTS / CIVIL PARTY APPLICATIONS RECEIVED BY THE ECCC IN FEBRUARY 2009

Number of Complaints	179
Number of Civil Party Applications	161
Total received in Feb 2009	340
Total received:	3363



Outreach in Banteay Meanchey: Young monks reading an ECCC poster



Outreach & Public Information

The first joint outreach mission of Public Affairs and Victims Unit carried out in Banteay Meanchey

Public Affairs Outreach Officer **Chin Hemvichet** and **Leoung Sophal**, Victims Unit Outreach Facilitator, worked together in Banteay Meanchey province from February 27 to March 7.

Public forum in Banteay Meanchey

On the first day of our outreach mission, we attended the public forum on justice and national reconciliation organized by CSD in Banteay Meanchey, along with representative staff from the Office of the Co-Prosecutors, the Office of the Co-Investigating Judges and WESU. More than one hundred villagers and government officials from five districts attended the forum.

Participants were concerned about several issues: the old age of the charged persons making truth-seeking an uncertain process, the budget of the Court, the compensation of victims and guaranteeing national reconciliation if more suspects were to be arrested.

Many Cambodians assumed the charged persons to be guilty. The participation of the Defence Support Section is thus very important for explaining the rights of the accused.

Outreach activities

The following day and until March 6, we carried out our mission in seven districts in Banteay Meanchey and in



Outreach team presenting the ECCC to Achar Wat (pagoda clerks)

Banteay Ampil district, Oddar Meanchey. Visiting one district per day, we first went to the district governor offices, briefing the officials on the ECCC, our outreach activities and victim participation. Then we visited pagodas, high schools, markets and villages. In total, we briefed more than 490 Cambodians of all walks of life.

"Our biggest success was at the high school of Thmor Puok. We first met the Deputy Director of the school, then asking him to pass our message to all teachers. Two days later, we came back to meet the students. We organized a question game, and it was incredible, nearly all students answered correctly!" reports Chin Hemvichet. *"Such good cooperation with high school teachers is a very effective strategy for our outreach work."*

Visiting monks and Achar Wat (pagoda clerks) was also effective, as they can play an important role in facilitating information dissemination at village level, particularly towards elder people.

Loeung Sophal, for the first time attending an outreach activity on the ECCC and victims' rights, says: *"I was deeply interested in this work. Although they cannot read and write, many people wanted to know more about the ECCC, their rights to court participation and reparations. I enjoyed meeting them. As Outreach facilitator from the Victims Unit, my mission was to explain and help victims to complete the Victims Information Form."*

In total, 14 civil party applications and 1 complaint were received and forwarded to the Victims Unit.

ECCC Outreach Material [Banteay Meanchey, Feb 2009]

Location	Booklets	Stickers	Posters	Cap	T-shirts	Folders
CSD Forum	100	200	110	10	20	20
Seven districts	2900	1800	940	190	180	280
TOTAL	3,000	2,000	1,050	200	200	300

Presenting the work of Public Affairs

The Public Affairs Section of the ECCC (PAS), a dedicated team of six staff members, works in five major areas: ECCC to Media, Monitoring Media coverage of ECCC, Outreach, Inreach, Web Site, Publications and other materials.

ECCC to Media

The Press Officer, Chief of Public Affairs and Public Affairs Officer give press comments, interviews and briefings on a daily basis. In addition to that, Public Affairs facilitates interviews with Judicial Officers and senior staff on request, as well as issuing press statements and media alerts of any Chamber, Office or Section of the ECCC. The PAS also facilitates interviews or general footage for film crews.

During public hearings, PAS assists with live feeds and DVD copies (on approval by Chamber) and provides for information on the hearing (Case Information Sheet and Biographical Notes on Judges and other Parties).

Since 2007, over 500 journalists (205 international, 125 national) have been accredited by the PAS.



Press Officer Reach Sambath



Em Sokhym from Public Affairs, monitoring national press coverage

Monitoring Media coverage of the ECCC

Each week, a list of TV, radio and press reports on the ECCC is compiled and provided to the ECCC staff and copies of print and electronic files are archived.

Outreach

In 2008, outreach missions have been organised to 12 provinces in Cambodia: Battambang, Kampong Cham, Kandal, Kampot, Koh Kong, Kratie, Oddor Meanchey, Pailin, Phnom Penh, Pursat, Rattanakiri, Takeo. So far, 23 of the 24 provinces in Cambodia have been covered by the PAS Outreach team. ECCC Officials regularly attend forums organized by the ECCC or by partner NGOs such as CSD.

With a new Outreach team from Victims Unit, PAS expects to conduct increased outreach activities this year.

Inreach

The Public Affairs Section welcomes group visits and diplomatic visits to the Court. Public tours are organized every Tuesday for all interested visitors, the tours beginning in the visitors' gate at 9am and 11am. In 2008, the ECCC welcomed 13,040 visitors.

Public attendance of hearings is also managed by PAS: it notifies the Court Schedule and Invitation via website, email, newspaper and radio announcements, organises the seat reservations and free transport from downtown Phnom Penh.

Website

PAS updates the ECCC website available in three languages almost every day. Information on each section, press statements, photo albums and public Court documents can be found on the website.

Publication and other materials

The PAS organises the publication and production of booklets, posters, stickers, caps and T-shirts. In 2008, 96,700 Khmer booklets, 13,084 Khmer posters and 37,800 Khmer stickers have been distributed.

Finally, the PAS organises the monthly publication of The Court Report.



TV/Radio monitor Officer Mao Vutha

The first Cambodian team to attend the Jessup International Law Moot Court Competition

The first and only team ever to come from Cambodia has left for Washington DC to attend the International Rounds of the Philip C Jessup International Law Moot Court Competition opening on Sunday 22 January.

The team has been coached by two international lawyers –Zachery Lampell and Shona Grundy. Zachery is a Legal Consultant in the Office of Co-Prosecutors, Shona is interning in the Defence Support Section. The involvement of ECCC lawyers in coaching the team is a part of our effort towards legacy for Cambodia.

The Jessup Moot Court Competition

This competition is the largest moot court competition in the world, with over 500 law schools in more than 80 countries competing. The competition usually takes the format of a series of national rounds, with the winners from each country attending the international rounds in the United States. As this is the only team in Cambodia, there was no national round and the team automatically qualified to partake in the international rounds in Washington this March.

This years' topics

The Jessup International Moot Competition is an annual event and involves a simulation of a fictional dispute between countries before the International Court of Justice, the judicial organ of the United Nations. This year's problem deals with humanitarian inter-



Zachery Lampell and Shona Grundy have coached the Cambodian team

vention, confidential evidence, sexual harassment by UN peace-keepers, and the legality of the death penalty. Each team is required to prepare oral and written pleadings arguing both the applicant and respondent positions of the case. The Cambodian team first began working on this year's problem in September 2008. They worked extremely hard on their written memorials, which were submitted to the Jessup Competition at the beginning of January this year. Since then, the team has been meeting on a twice weekly basis to work on and practice their oral submissions in preparation for the oral rounds that they will participate in Washington.

The Jessup Moot is celebrating its 50th anniversary this year. As a special addition to the normal program, the International Law Student Association and the American Society of International Law are co-hosting a dinner event at which Dame Rosalyn Higgins, the recently retired President of the International Court of Justice, and Judge Stephen M. Schwebel, a former President of the International Court of Justice, will be present. It is incredibly exciting that the Cambodian team will have the opportunity to attend such a

prestigious event.

The Cambodian team

The Cambodian team comprises 5 students from the Royal University of Law and Economics (RULE) representing the new generation of Cambodian lawyers – Sreng Nearirath, Piseth Panha, Khun Sonita, Soy Kimsan and Vireak Thirith. They are all students on the English Language LLB Program at the University and are all due to graduate this year.

Shona reports: "The students have all worked exceptionally hard and have committed an incredible amount of their own time to ensuring they compete to the best of their abilities at the competition. It is a fantastic opportunity for the students - both to be able to attend the international rounds in Washington themselves as well as the fact that they will be representing their country at the highest level possible in international law mooting. Nothing like this has ever happened before in Cambodia. Whatever the outcome of the competition, the fact that they have made it to Washington is a huge

Court Calendar



Recent Decisions

20 February 2009: PTC Decision on Khieu Samphan's Appeal against the Order on Translation Rights and Obligations of the Parties

20 February 2009: PTC Decision on Ieng Sary's Appeal against the OCJ's Order on Translation Rights and Obligations of the Parties

23 February 2009: PTC Decision on Ieng Sary's Request to Summon Medical Experts to Give Evidence during the Oral Hearing on Provisional Detention

25 February 2009: PTC Decision on Civil Party Co-Lawyers' Joint Request for Reconsideration [Nuon Chea's Appeal against Order Refusing Request for Annulment]

26 February 2009: PTC Decision on Defence's Request to Delay the Commencement of the Hearing and Revised

Scheduling Order [Khieu Samphan's Appeal against Extension of Provisional Detention]

27 February 2009: PTC Written Version of Oral Decision of 26 February 2009 on the Requests Presented Before the Pre-Trial Chamber during the Hearing Held on the Same Day [Ieng Sary's Appeal against Extension of Provisional Detention]

27 February 2009: PTC Written Version of the Oral Decision on Defence's Request to Adjourn the Hearing [Khieu Samphan's Appeal against Extension of Provisional Detention]

(Note: Published decisions are available for download on the ECCC Website under Court Documents at: www.eccc.gov.kh)

Scheduled Court Activities

Upcoming Hearings

2 April 2009: PTC Public hearing for Ieng Sary's Appeal against the Order on Extension of Provisional Detention

3 April 2009: PTC Public hearing for Khieu Samphan's Appeals against 1) the Order on Extension of Provisional Detention and 2) the Order Refusing Request for Release

Trial Chamber: Public hearings in Case 1 (Kaing Guek Eav alias Duch) will be held 30 and 31 March, 1 April and thereafter Monday to Thursday from 6 April until 2 July (except for recess 13-17 April and 1-15 May)

Pre-Trial Chamber: Any hearings will be scheduled in the weeks 2 and 3 April 2009, 1-5 June 2009 and 27-31 July.



Outreach in Banteay Meanchey: a student of the Thmor Puok high school asking questions to the outreach team

NGO Page: Partners in ECCC Outreach

Leaving a lasting legacy for victims

On March 10, the Victims Unit, the International Center for Transitional Justice (ICTJ) and CHRAC jointly organised a conference on “Leaving a lasting legacy for victims”. The aim of the workshop was to facilitate better communication between NGO intermediaries, the Victims Unit and civil party lawyers, focusing on civil party participation in the ECCC proceedings. Victims Unit staff, ECCC officials, Civil Party lawyers and civil society members attended the conference at the Sunway hotel.

Unprecedented victim participation

Even though civil party participation did occur in other war crimes trials such as the Klaus Barbie trial, the ECCC represents the first internationalised tribunal in which civil parties are able to fully participate in the proceedings. This is tremendously important for the Cambodian people and Cambodian victims, and could provide a lasting legacy in putting a human face to the 1.7 million lives lost through the testimonies of civil parties.



Opening remarks at the conference

Since the establishment of the ECCC, significant progress can be measured through a move from discussing the need of victim participation towards addressing *how* to make victims participate. However, the ECCC still face many challenges. How will victims be involved in Case 2? How can victim participation and communication with their lawyers be facilitated? How should victims be grouped?

Lessons learned from Latin America

The conference started with a comparative presentation on the rights of victims and the criminal system in Latin America by Michael Reed, working for ICTJ in Bogotá, Colombia.

Developments relating to victim participation are based on the introduction of victims through 19th century criminal reform in Europe. Victim’s rights revolve around the following rights: information, participation, assistance, protection and reparation. Highlighting them in the Latin American context, Reed laid a special focus on victims’ psychosocial needs: lawyers should always focus in their contacts with victims on confidence-building and empowerment

and create a general atmosphere of security. Clear information on concrete institutional offers should also be disseminated periodically in order to shape realistically the expectations of victims. A distinctive feature of victim participation in Latin America is its origin in a very strong tradition of social groupings. Culturally fluent social dynamics in Cambodia could similarly be explored.

Finally, Reed presented a special prosecution initiative in Colombia. Under the July 2005 Justice and Peace Law, 200,000 victims are currently registered to participate at the trial of around 3,572 perpetrators. This law results from the demobilisation of paramilitaries who have committed crimes during 30 years without ever having been punished. While many challenges need to be addressed, such as the lack of sufficient staff, this is an example of growing participation of victims in criminal procedures.

Formulating key strategies

After this comprehensive presentation, four thematic sessions were organized. In each session, groups worked on the



main challenges of legally involving victims. The aims of victims' participation, the practical, procedural and legal challenges of victim participation as well as the issue of grouping and legacy were addressed in these sessions.

In the end, key recommendations were formulated. Participants at the conference agreed upon following main recommendations:

NGO intermediaries should facilitate outreach, inform victims of the necessity of groupings and the possible grouping criteria and provide advice on that matter, help establish a relationship between lawyers and clients at an early stage. **Civil Party Legal Representatives** should help establish a clear communication system between victims and lawyers, increase cooperation and transparency amongst

Civil Party lawyers, maintain regular contacts with the civil parties they represent, follow-up and implement the lawyer cooperation guidelines created by the Victims Unit. Each lawyer or team should also represent only one group. **Victims Unit and the ECCC** are recommended to follow-up and implement lawyer cooperation guidelines, identify who is responsible for disseminating information to Civil Parties, guarantee legal representation for victims, advise victims on the issue of grouping, conduct regular meetings with Civil Party lawyers and relevant NGO intermediaries, identify victims' expectations and provide victims with accurate information about how the Court may or may not meet these expectations.

The ICTJ group visited the ECCC on the day after the conference to present their results and recommendations.

The Cambodian Human Rights Action Committee (CHRAC)

CHRAC was created in 1994 by local NGOs and associations for the purpose of joint cooperation in the promotion of human rights, liberal democracy, and development in Cambodia. Currently, the coalition has 21 member NGOs and associations, all of them independent, impartial, non-political and non-profit organizations operating in Cambodia. Along other activities, CHRAC carries out critically supporting the ECCC.

Outreach activities conducted in February were funded by the German Development Service (DED) and the National Endowment for Democracy (NED).

4,500 Khmer copies of the Khmer Rouge Tribunal Watch February Newsletters were distributed in 23 provinces.

Radio call-in programs were held every Wednesday at Women Media Center of Cambodia (FM 102):

Call in show: "Initial Hearing of former Chief S-21"	5.30-6.30 pm	18 Feb
Re-broadcasting:	5.30-6.30 pm	25 Feb

In March 2009, radio programs will continue as follows:

Call in show: "Appeals before Substantive Hearing"	5.30-6.30 pm	4 th March
Re-broadcasting:	5.30-6.30 pm	11 th March
Call in show: "Presence of the Civil Parties in the Trial Proceeding"	5.30-6.30 pm	18 th March
Re-broadcasting	5.30-6.30 pm	25 th March



CHRAC

Tel/Fax: 023 351 415

Email: chracsecretariat@yahoo.com

chrac@forum.org.kh

www.chrac.org

Outreach Calendar



Recent Activities- ECCC and Partner NGOs

13 February: National Co-Prosecutor Chea Leang appeared on the RFA radio program "Listener Forum"

27 February – March 7: First joint outreach mission of Public Affairs and the Victims Unit, carried out in Banteay Meanchey province

8 March: Chief of Public Affairs and Press Officer appeared on the CTN program "Sunday Talk" with HE Phay Siphon, Secretary of State of the Office of the Council of Ministers

12 March: On visitors' day, the Public Affairs Section welcomed and briefed Professor Sorel from Florida, Patrick Walsh (senior advisor of the Truth Commission in East Timor) and a Professor in international law from Japan

13 March: Helen Jarvis, Chief of Public Affairs, and Keat Bophal, Head of Victims Unit, appeared on the RFA radio program "Listener Forum"

16 March: 30 members of the Rotary Centre for Peace and Conflict Studies from 18 countries visited the ECCC during their field trip

17 March: Radio/TV Monitor Mao Vutha welcomed journalists from Vietnam and the United States on visitors' day

17 March: Head of Victims Unit Keat Bophal appeared on the RFA radio program "Listener Forum"

Scheduled Activities- ECCC and Partner NGOs

26 and 27 March: Outreach team will attend village meetings organised in two communes in Svay Rieng province by the KRT web portal project at the Open Forum of Cambodia (OFC)

28 March: Outreach team will meet with commune chiefs and villagers in Kin Svay district, Kandal province

28 and 29 March: Victims Unit is organizing a meeting with Civil Parties and intermediary organizations in Case 1

10 April: ECCC Officials and Outreach Officer are planning to participate in the CSD forum in Stung Treng province





Find out more about the ECCC

"Everyone can be involved in the process"

Extraordinary Chambers in the Courts of Cambodia

National Road 4, Chaom Chau, Dangkao
PO Box 71
Phnom Penh, Cambodia

Information Centre

Street 21, House 6a, (near Psar Kap Ko)
Phnom Penh Cambodia

Contact the Court

General

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Tel: (855) 12 488 156

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Tel: (855) 23 214 291

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On the Web

ECCC

<http://www.eccc.gov.kh/>

UNAKRT

<http://www.unakrt-online.org>

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

The ECCC welcomes visitors every Tuesday. The tours begin in the visitors' gate at 9:00 and 11:00.