



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

**Speech to ECCC Plenary, 21 February 2011
By Judge Silvia Cartwright, Vice-President of the ECCC Plenary**

President of the plenary HE Kong Srim, colleagues, ladies and gentlemen

May I join the President in welcoming the participants in this Plenary session of the ECCC, and also in welcoming the newly appointed reserve Co-Investigating judge M. Laurent Kasper-Ansermet. We all look forward to working with you and introducing you to the many professional complexities associated with the Extraordinary Chambers in the Courts of Cambodia.

During the last Plenary a milestone was reached when the then co-investigating judges, You Bun Leng and Marcel Lemonde filed their Closing Order for case 002 now within the Trial Chamber’s jurisdiction following the completion of appeals before the PTC. Although judge Lemonde is not with us today, I would like to thank him rather belatedly for the months of highly skilled work that he undertook from 2006 until the end of last year. He is now back in France and we miss his presence as a valued colleague. The positive is that judge You Bunleng, a colleague I have come to know and respect for his legal abilities, remains with judge Blunk, as Co-Investigating Judges at the Extraordinary Chambers.

Ladies and gentlemen, much has been written and said about the achievements of the ECCC in its short history in Cambodia. Many point as the President has done, to the high level of public interest in its proceedings. That is indeed an unusual feature of the Tribunal. Those of us who come from other jurisdictions and probably our national colleagues, know that after an initial flutter of interest in a widely-publicised trial the public tends to forget it and go about its daily business while the court works on. To me the sustained public interest here in Cambodia signifies two things: First, a thirst for knowledge about what happened during the period when the country was known as Democratic Kampuchea, and secondly it reflects the fact that the court, although situated in a difficult place, is far more accessible to the local people than if it were sited in the Hague or some other foreign capital.

But to me success for a court means a great deal more than providing well-researched and tested information for a public which might have suffered as the result of crimes committed many years ago. A court can be regarded as a success only if it meets certain criteria including that it conducts fair, transparent and expeditious trials, that its sentences, if convictions are entered, are measured and in keeping with legal principles, and that its judges are independent and impartial. It would be an added bonus if the legal issues which we determine here – and there are many technical legal matters for our attention – can help develop the international criminal law as well as inform and assist the domestic courts.

One of the ways in which the ECCC develops its procedures is by reviewing and refining its Internal Rules as experience in their application grows. These meetings are a valuable opportunity to do this and to discuss general legal issues among colleagues. I hope that this 9th Plenary will prove as useful in this regard as its predecessors have done.