



The Court Report

JANUARY 2014

The Extraordinary Chambers in the Courts of Cambodia

Moving Forward Through Justice



Judges of the Trial Chamber sit in the courtroom to hear evidence in Case 002. (File photo)

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2nd Trial Panel Not Established for Case 002/02

Having consulted with the prosecutors and legal counsel for the defence and civil parties, the president of the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia has decided not to recommend the establishment of a second panel of judges to try the remaining charges in Case 002 concerning the accused Nuon Chea and Khieu Samphan.

President Nil Nonn issued a memo on 20 December informing the director of the ECCC's Office of Administration that it would be more expeditious for the current panel of the chamber to hear the second sub-trial in Case 002. The decision came after a two-day trial management meeting in early December in which all parties submitted their opinions on the establishment of a second panel.

According to the memo, the president considered legal uncertainties regarding the appointment of a new panel as well as the time necessary for its establishment and the case's preparation before reaching his conclusion. He notes that appointing another panel of judges within the chamber is "not in the interests of justice since it would be less expeditious than proceeding with the existing bench who are already familiar with the case".

During the trial management meeting on 11-12 December, the first meeting organised to facilitate

the planning of the second trial, the bench and the parties extensively discussed the possibility of appointing another panel of judges. This followed the Supreme Court Chamber's recommendation that the Trial Chamber's president "avail himself of the existing possibilities" to set up another panel.

The Trial Chamber spent many hours questioning the acting and deputy directors of the administration regarding practical matters necessary for the establishment of a new panel. Throughout the meeting, the directors reiterated that "there is no financial or administrative impediment" for the establishment of a second panel or any other requirements by the chamber to conduct the second sub-trial in Case 002.

In particular, the acting and deputy directors explained that although no budgetary requirements for a second panel have been included in the current budget proposal for 2014-2015, funds will be made available for new requirements upon requests by the chamber, and the principal donor group has been alerted on such possibilities. However, the directors explained that it would take several weeks, or even months, to hire new international judges and support staff, while consultants and temporary staff as

(Continues on page 3)

Trial Chamber Outlines Pre-Trial Steps in Case 002/02 Trial

Following the president's determination not to recommend another panel to hear the second trial in Case 002 against Nuon Chea and Khieu Samphan, the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia has released a workplan which highlights the major stages and activities necessary prior to the second trial's commencement.

The steps outlined in the workplan issued on 24 December include consideration of the fitness of the accused persons, the determination of the scope of the trial and the filing of proposed witness lists and documents.

As a first step, the chamber directed the parties to file written submissions on the defendants' fitness by 15 January and on the scope of the second trial by 31 January. The chamber also directed the defence team for Khieu Samphan to make written submissions by 5 February on their view that the second trial should commence after a final judgement is rendered in the first trial. The cham-

ber further scheduled oral hearings on responses to those submissions for 11 February.

After those initial steps, the chamber states it will consider the parties' proposals for witnesses and experts, the fate of charges excluded from the scope of the second trial and any preliminary objections by the parties, among other things, before scheduling the initial hearing.

The chamber notes in its memo issued together with the workplan that these steps are fundamental and must be completed before determining the date for the commencement of the evidentiary hearings.

In Case 002, the current bench has completed the first sub-trial against Nuon Chea and Khieu Samphan and is currently drafting a judgement to be issued in a few months.

(See related article on page 1)

Workplan on Case 002/02

1. Assessment of the accused's fitness / severance
 - Written submission by 15 Jan. 2014
 - Oral response on 11 Feb. 2014
2. Determination of the scope
 - Written submission by 31 Jan. 2014
 - Oral response on 11 Feb. 2014
3. Consideration on Khieu Samphan team's request for a stay of proceedings
 - Written submission by 5 Feb. 2014
 - Oral response on 11 Feb. 2014
4. Pre-trial preparations
 - Proposal of witnesses
 - Proposal of evidentiary documents
 - Determination of procedural matters
 - Disposition of remaining charges excluded from the case
5. Holding of initial hearing
6. Commencement of evidentiary hearings

Co-Prosecutors Propose 8 Criminal Events for Case 002/02 Trial

In a 5 December submission, the co-prosecutors of the Extraordinary Chambers in the Courts of Cambodia proposed to include eight crime sites or events in the second phase of the trial in Case 002 concerning Nuon Chea and Khieu Samphan.

Included in the proposal are the S-21 security center, the treatment of the Vietnamese and the Cham Muslims, the Trak Kok Cooperatives, the 1st January Dam worksite, the Kampong Chhnang Airport construction site, and the Au Kanseng and Phnom Kraol security centres. The co-prosecutors argue that limiting the second trial to these proposed crime sites and events could expedite the trial proceedings while covering all of the legal characterization of charges in the indictment, namely genocide, crimes against humanity and grave breaches of 1949 Geneva Conventions. They suggest that this broad representativeness could make the second trial the last in Case 002.

The prosecutors estimate that under their proposed scope, 12 to 18 months would be required to hear evidence, so long as the evidence admitted in the first trial is admitted in the second trial and no disrup-

tions occur. They further estimate that their proposed witnesses, civil parties and experts necessary for this trial could be heard in less than 100 trial days within that span.

The prosecution argues their proposal is in line with the guidelines established by a November decision of the Supreme Court Chamber that the "combination of Cases

002/01 and 002/02" must be "reasonably representative of the indictment" in Case 002.

In its memo issued on 24 December, the Trial Chamber has directed the parties to submit their proposals on the scope of trial by 31 January and scheduled a public hearing to hear oral responses on 11 February.



Survivor Chum Mey gives a guided tour to villagers at the Tuol Sleng Genocide Museum, the former S-21 security prison. Alleged crimes at S-21 are now proposed to be part of the scope of trial in Case 002/02. (file photo)

New Prosecutor Ready to Lead Cases

The Extraordinary Chambers in the Courts of Cambodia announced in early December that Mr Nicholas Koumjian, the former reserve co-prosecutor, has been officially appointed as co-prosecutor by a royal decree, following his nomination by the UN secretary-general in September.

Mr Koumjian now jointly leads a team of senior and assistant prosecutors to deal with Case 002 concerning Nuon Chea and Khieu Samphan and other remaining cases before the court. He has co-proposed a trial plan with a potential scope of trial and a list of potential witnesses in the second sub-trial in Case 002.

In addition to his judicial work, the new prosecutor has also commenced public engagements through media and commu-

nity outreach.

During a TV interview at the ECCC on 24 December, Mr Koumjian expressed his pleasure to be working closely alongside Cambodian counterparts in a hybrid court such as the ECCC, and wished for an expeditious trial in Case 002 in order to prosecute the accused persons for alleged crimes in work camps, security centers and genocide against specific groups. "We look forward to trying these charges that are the reason why the court was set up," he said.

The American veteran prosecutor has previously engaged in a number of high profile international cases, following 20 years of experience as a prosecutor in Los Angeles, USA.



Mr Nicholas Koumjian is filmed in an interview by Cambodian Television Network on 24 December.

2nd Trial Panel ... (Continued from page 1)

well as national judges and staff could be recruited much faster.

The prosecution, meanwhile, said they prefer the current bench to hold the second trial, arguing that the existing bench could expedite the proceedings more so than a second panel as they are already familiar with the case. The prosecution also claimed that the current judges are capable of hearing the evidence in the second trial starting as soon as late February while drafting a judgement for the first trial, asserting this is common practice at other international courts.

The defence team for Khieu Samphan questioned the legality of appointing a second panel and insisted that the second trial should not commence until a final judgement is handed down in the first trial

against their client. Nuon Chea's counsel, meanwhile, noted that they see no legal obstacles to the appointment per se but suggested that allegations of bias could become an issue if existing reserve judges within the ECCC were appointed to such a panel.

Representatives of the civil parties also questioned the president's jurisdiction to appoint a new panel and expressed their preference to begin the second trial with the current bench as soon as a judgement is rendered in the first trial, or even earlier if possible.

President Nil Nonn's decision came after assessing all such legal, financial and administrative matters addressed during the meeting.

In Case 002, Nuon Chea and Khieu Samphan face charges of genocide, crimes against humanity and grave breaches of the 1949 Geneva Conventions. The first trial against them, which

National Lawyers Assigned to Two Suspects in Case 004



Mr Bit Seanglim



Mr So Mosseny

The Defense Support Section of the Extraordinary Chambers in the Courts of Cambodia has assigned Cambodian lawyers to two suspects named in Case 004, the final case under investigation before the ECCC, according to an announcement made on 16 December.

Mr Bit Seanglim will represent one suspect and Mr So Mosseny another in the same case. The case was originally brought by the prosecution in 2009 requesting judicial investigation of five suspects. The five were later separated by the investigating judges into two cases of 003 and 004. The identities of those suspects still remain confidential.

Mr Bit and Mr So are both members of the Cambodian Bar Association.

Mr Bit is a graduate of Golden Gate University and the University of San Francisco in the USA, and possesses broad knowledge of Cambodian criminal law and procedure.

Mr So, meanwhile, has worked as a case manager for the defense team of the late accused Ieng Sary in Case 002, as well as another defence team in Case 003. He also lectures at the University of Cambodia and Limkokwing University of Creative Technology in Phnom Penh.

In Case 004, International Co-Investigating Judge Mark Harmon continues to investigate a total of over 44 crime sites in six provinces and two criminal episodes of purges in the central and north-west zones.

focuses on crimes against humanity in relation to two phases of forced evacuation and the alleged execution of former Lon Nol soldiers at Tuol Po Chrey, was completed with closing statements in October 2013. The judgement in the first trial is expected in the second quarter of 2014.

(See related article on page 2)

Every month, each section of the Extraordinary Chambers in the Courts of Cambodia compiles a summary of its activities to inform the general public on the latest developments of the court. The following are updates from each section on the activities of **December 2013**. For public decisions and orders, please refer to page 7.

Supreme Court Chamber

In December, the Supreme Court Chamber began preparatory review and research on issues relating to the scope of Case 002/01.

Trial Chamber

Following the conclusion of the hearing of evidence and closing arguments in Case 002/01 on 31 October, the Trial Chamber is currently engaged in judgment drafting. The verdict is expected in the second quarter of 2014.

On 11 and 12 December, the Trial Chamber held a trial management meeting to facilitate the planning of the second phase of Case 002. The chamber heard the parties to Case 002 and representatives of the Office of Administration on issues including the possibility of establishing a second trial panel.

On 20 December, the president of the Trial Chamber issued a memorandum informing the director of the Office of Administration that he is not recommending the appointment of a second Trial Chamber panel to hear the remaining charges in the second phase of Case 002. The president took into consideration legal uncertainties regarding the appointment of a second panel, as well as the time that would be required for its establishment and preparation for the case, before concluding that the appointment of a second panel would be less expeditious than proceeding with the existing bench that is already familiar with the case.

On 24 December, the Trial Chamber issued a memorandum informing the parties to Case 002 of the next steps in the second phase of that trial. The chamber also issued an accompanying workplan highlighting the major stages and activities necessary prior to the

commencement of the substantive hearing in Case 002/02.

In the memorandum, the Trial Chamber identified numerous issues which require resolution prior to the start of evidentiary hearings, including the scope of the trial, the fate of facts or charges not included in Case 002/02, the assessment of the fitness of the accused, the filing of lists of relevant witnesses, experts and civil parties proposed to appear at trial, the filing of relevant document lists, and the determination of any outstanding preliminary objections. As a first step, the Trial Chamber directed the parties to file submissions on the fitness of the accused by 15 January 2014 and on the scope of the trial by 31 January 2014. It further directed the Khieu Samphan defence team to file submissions to support its assertion that Case 002/01 must be finally adjudicated and the appeals process, if any, completed before the evidentiary hearings in Case 002/02 can start.

To expedite the hearing of these issues, the chamber announced its intention to hear oral arguments on 11 February 2014 in lieu of written responses.

Pre-Trial Chamber

During the reporting period, the Pre-Trial Chamber disposed of a number of procedural and other case-management matters and continued its consideration of three appeals in Cases 003 and 004 pending before it, namely:

- An appeal by a suspect in Case 003 against the constructive denial of 14 requests filed to the Co-Investigating Judges;
- An appeal from a suspect in Case 004 against a decision from the International Co-Investigating Judge rejecting requests to have access to the case file and to participate in the judicial investigation; and
- An appeal filed pursuant to Internal Rule 11(5) by a lawyer whose admission on the list of counsel authorized to represent indigent persons before the ECCC had been denied by the Head of the Defence Support Section.

These appeals are all classified as confidential or strictly confidential.

In addition, a judge in the Pre-Trial Chamber who had been appointed as an administrative judge in respect of a non-fee dispute between a co-lawyer and the Defence Support Section issued his decision on 13 December. He found the co-lawyer's claim for the reimbursement of a flight ticket for his legal consultant inadmissible.



The ECCC court building (file photo)

Office of the Co-Investigating Judges

During the month of December the international side of the Office of the Co-Investigating Judges (OICIJ) continued the investigations of Case Files 003 and 004:

One mission was undertaken by OICIJ investigators in each case. During each of these missions four witnesses were interviewed (eight witnesses were interviewed in total). In addition, four witnesses were interviewed at the ECCC premises in relation to both cases.

During the month of December the OICIJ Analysts Unit continued the review of 799 documentary evidence held in external sources. Additionally, the Analysts Unit assisted the investigators in the missions conducted during the month of December.

Civil party applications in Cases 003 and 004, which presently total in excess of 1,700, are progressively being placed on the case files while their admissibility and evidentiary value are being subjected to a thorough scrutiny.

During the month of December, outreach to civil parties and potential witnesses in Case 003 and 004 have been ongoing and members of the OICIJ have met with civil society representatives to work on a concerted strategy to reach out to victims on these cases. An OICIJ legal officer was present at the regional meeting for Case 002 civil parties in Phnom Penh and provided updated information on steps to apply to Cases 003 and 004.

Office of the Co-Prosecutors

Case 002

The co-prosecutors participated in the trial management meeting (TMM) that took place on 11 and 12 December regarding Case 002/02. The co-prosecutors filed a written submission on the scope of Case 002/02, proposing that the trial cover all remaining legal charges and therefore that this would be the last trial for Case 002. The prosecutors proposed that all evidence already heard in Case 002/01 be considered part of the record and not

be repeated, and that the evidence of crimes be limited by covering representative crime sites rather than all crime sites mentioned in the closing order. The co-prosecutors submitted a list of their own proposed witnesses for a trial of this scope, estimating that these witnesses could be heard in 96 court days and estimating that all evidence in Case 002/02 under their trial plan could be heard in a year to a year and a half.

Case 003

The co-prosecutors have been monitoring the evidence and developments in Case 003, responding as necessary and attempting to systematically review the record from Cases 001 and 002 to ensure that they fulfill their disclosure obligations regarding the OICIJ.

Case 004

The co-prosecutors have been monitoring the evidence and developments in Case 004, responding as necessary and attempting to systematically ensure that they fulfill their disclosure obligations regarding the OICIJ.

Outreach and Other Activities

The co-prosecutors travelled to Takeo province on 17 December in an outreach trip organized by the Documentation Center of Cambodia (DC-Cam), where they met with approximately 300 civil parties and interested persons.

Defense Support Section

The defence teams in Case 002 participated in the trial management meeting held on 11 and 12 December. Both defence teams raised administrative issues in relation to Case 002/02.

The Nuon Chea defence team raised no objection to the possibility of convening a second panel to hear case 002/02 and suggested the precise scope of the trial be left open until a later date.

The Khieu Samphan defence team asserted that Case 002/01 must be finally adjudicated and the appeal process, if any, completed before the evidentiary hearings in Case 002/02 can start. The team further indicated that the scope of the trial and all further legal issues need to be resolved before the trial commences.

The Trial Chamber subsequently issued a decision not to establish a second

panel to hear Case 002/02. The Khieu Samphan defence team must now file submissions to support its assertions and both defence teams must file submissions on the fitness of the accused and on the scope of the trial.

The Case 003 defence filed a motion asserting that grave breaches of the Geneva Convention cannot be applied at the ECCC for crimes that allegedly occurred in 1975-79 due to the expiration of the applicable statute of limitations for such crimes. The defence also continued to file other submissions to protect the client's interests.

In Case 004, the Defence Support Section assigned Mr So Mosseny and Mr Bit Seanglim as national co-lawyers to represent two different suspects named in the Third Introductory Submission submitted by the international co-prosecutor to the Office of the Co-Investigating Judges on 7 September 2009. The national co-lawyers are currently in the process of assembling their respective defence teams. The defence teams in Cases 003 and 004 continue to review publicly available material, as they do not yet have access to the relevant case files.

Civil Party Lead Co-Lawyers Section

Hearings & Decisions

As featured in this edition of the Court Report, the first trial management meeting for Case 002/02 was held on 11-12 December. At this meeting, lawyers for civil parties stressed the civil parties' desire for a judgment in Case 002/01 as soon as possible and their wish that proceedings in Case 002/02 commence and include all of the crimes charged in the closing order.

Meetings & Outreach

On 5 and 16 December, respectively, the national lead co-lawyer was invited to speak on reparations and the importance of civil party participation in proceedings before the ECCC, at Bayon Radio and Build Bright University. On 16 December, he presented an informational update on proceedings before the ECCC, including the trial management meeting, and the expectations of the civil parties on the Cambodian News Channel (CNC).

On 23 December, lawyers for civil parties participated in a regional civil



Officials of the Khmer Rouge tribunal meet with civil parties at the 8th Regional Civil Party Meeting in Phnom Penh on December 23.

party forum held in Phnom Penh where they updated civil parties on the status of proceedings and reparations in Case 002/01 as well as discussing plans for proceedings in Case 002/02. At the conclusion of this forum, the approximately 200 civil parties in attendance issued a press release calling on the Court “1) to deliver the judgment in Case 002/01 expeditiously and 2) to commence the evidentiary hearings in Case 002/02 as soon as possible in view of both our and the accused’s age and health condition and the burden on stakeholders to finance the ECCC.”

On 30 December, the Lead Co-Lawyers’ Section, Victims Support Section (VSS) and the Transcultural Psychosocial Organization (TPO) organized a workshop for civil party lawyers and intermediary organizations to assist them in selecting civil parties to participate in the Testimonial Therapy Project. This project is a proposed reparation project in Case 002/01 in which approximately 200 civil parties will be selected to participate on the basis of a set of objective criteria aimed at identifying the most vulnerable civil parties.

Reparations

Lawyers for civil parties continued to work with all project partners and VSS to develop the content of the proposed reparation projects and identify civil parties to participate. The Trial Chamber issued a memorandum in December setting a 31 March 2014 deadline by

which lawyers for civil parties will need to provide all further updates to the final claim for reparations. In response, lawyers for civil parties continue to work in cooperation with the VSS and project partners to finalize funding and provide the additional project details that the Trial Chamber requires by the March deadline.

Victims Support Section

Legal Representatives

Court funded Civil Party Lawyers of Victims Support Section (VSS) went on field visits to the provinces of Prey Veng, Pursat, Svay Rieng, Battambang, Kampong Chhnang, Kratie, Kandal, and Kampong Thom in order to update civil parties regarding the proceedings of two sub-trials in Case 002 and reparation projects. Additionally, the lawyers assisted people to apply for civil parties in Cases 003 and 004.

Processing and Analysis

The Processing and Analysis Team of VSS received a total of 112 applications in Cases 003 and 004 to process, and filed 30 applications with the Office of Co-Investigating Judges. As of 31 December, there have been 1,598 applications for these two cases.

Outreach

The chief of VSS participated in an outreach coordination meeting organized by Public Affairs Section and joined ECCC’s radio show at Bayon Radio station to talk about victim’s participation in the ECCC’s proceedings. He also addressed this topic at the meeting with students organized by Cambodian Human Rights Action Committee (CHRAC) at Built Bright University.

• Regional Civil Party Meeting

On 23 December, VSS organized its eighth regional meeting in Phnom Penh. Two hundred and nineteen civil parties, including 124 females, from eight provinces in northern Cambodia attended the meeting. The meeting was to (i) periodically update the civil parties in Case 002 on the work and progress of the ECCC; (ii) provide opportunities for civil parties and their lawyers to discuss the hearing of Case 002/01; and (iii) to update the civil parties on the progress and implementation of the reparations and non-judicial measures programme.

Reparations

The monitoring of reparation projects funded by the German Federal Ministry for Economic Cooperation and Development (BMZ) through VSS has started. VSS talked with implementing partners over their progress and asked them to submit progress and financial reports. VSS worked with the Lead Co-Lawyers Section to help the Transcultural Psychosocial Organisation (TPO) with the selection of civil parties for testimonial therapy.

Decisions/Orders

Public versions of the decisions, orders, opinions and considerations are available on the official ECCC website: www.eccc.gov.kh.

Trial Chamber

4 December 2013: *Response to the OCIJ Request for an Unredacted Copy of the Parties' Closing Briefs in Case 002/01* <E295/6/6>

5 December 2013: *Trial Chamber Memorandum Entitled "Scheduling of and Agenda for Trial Management Meeting in Case 002/02"* <E301/3>

18 December 2013: *Trial Chamber Memorandum Entitled "Implementation of Experts' Recommendations on Ieng Thirith's CT Head Scan"* <E138/1/10/1/5/9/3>

19 December 2013: *Trial Chamber Memorandum Entitled "Request for Clarification on Reparations Projects"* <E218/7/7>

20 December 2013: *President's Memorandum on the Proposal to Appoint a Second Panel of the Trial Chamber to Try the Remaining Charges in Case 002* <E301/4>

24 December 2013: *Trial Chamber Memorandum Entitled "Trial Chamber Workplan for Case 002 and Schedule for Upcoming Filings"* <E301/5>

24 December 2013: *Annex to Trial Chamber Memorandum, "Case 002/02 Trial Chamber Workplan (detailed)"* <E301/5.1>



Hundreds of visitors attend a hearing. (file photo)

Hearings

11 February 2014: Preparatory Hearings in Case 002/02

Visitor information for public hearings

Hearing Schedule

Daily hearing proceedings: **9:00-16:00**
Two 15-minute breaks: **10:30** and **15:00** (roughly)
Lunch break: **12:00-13:30**

Rules in the Public Gallery

Visitors are advised to wear appropriate clothing and to behave in a manner appropriate to the nature of the proceedings. No mobile phones, cameras, large bags, food or drink are permitted in the main courtroom. Visitors are

requested to remain seated while the court is in session. Visitors should take all personal belongings with them when leaving the public gallery during breaks.

Language of Proceedings

The court provides simultaneous interpretation of its proceedings in Khmer, English and French. The speakers in the main courtroom project the proceedings in Khmer, but English and French translation is also available through the headsets on either side of the main courtroom. English is on channel 2 and French is on channel 3.



A panoramic view of the main courtroom in the Extraordinary Chambers in the Courts of Cambodia.

(Photo: Meng Kimlong)

A Year in Review: Highlights of 2013



The Trial Chamber resumes the hearing of evidence in the first trial in Case 002.

The Trial Chamber renders two oral decisions, declaring Nuon Chea fit to stand trial and re-severing Case 002 to the same as before, confining the first trial to the first two phases of forced movement of population and the executions at Tuol Po Chrey.

15 selected Civil Parties testify about their traumatic experiences and sufferings for the next four trial days. Responding to questions posed by them, Nuon Chea and Khieu Samphan express condolences to the victims and their families.

The Trial Chamber concludes the evidentiary hearings in Case 002/01 and schedules the Closing Statements for October. The Supreme Court Chamber, meanwhile, rejects the second severance appeals, and orders that the second trial in Case 002 begins "as soon as possible" after the closing submissions, and that Case 002/02 includes charges related to S-21, a worksite, a cooperative and genocide.

Nicholas Koumjian



British jurist Andrew Cayley announces his resignation from the post of international Co-Prosecutor after nearly four years of service, citing personal reasons. Nicholas Koumjian is nominated to take up the post.



The Case 002/01 trial ends with the two-week closing statements, where prosecution asks for life sentence while the two accused claim innocence. A trial judgment is expected in the second quarter of 2014.

The Trial Chamber begins the first trial management meeting on the second trial in Case 002, discussing the appointment of a second trial panel and other relevant issues.

8 January

The Supreme Court Chamber invalidates the Trial Chamber's severance order, which has separated Case 002 in an unspecified number of sub-trials.

8 February

Accused person Ieng Sary dies at age 87 at a hospital from an "irreversible cardiogenic shock". Upon his death, the Trial Chamber terminates all criminal and civil actions against him in accordance with law.



Ieng Sary

14 March

29 March

ECCC's Co-Prosecutors appeal the Trial Chamber's second severance order, asking that alleged crimes at the S-21 security prison be included within the scope of the first trial. Nuon Chea's defence team subsequently appeals the second severance, asking for the annulment of the severance or alternatively an expansion to genocide and other alleged crimes at cooperatives and worksites.

10 May

27 May

6 June



Kaing Guek Eav

Kaing Guek Eav, alias Duch, the first accused convicted at the ECCC, is transferred to a state prison in Kandale, where he has to serve life sentence. This transfer signals the completion of the ECCC's mandate in Case 001.

23 July

15 August

French lawyer Jacques Vergès, who has represented accused Khieu Samphan since November 2007, dies at the age of 88.



Jacques Vergès

16 September

21 October



The number of visitors to the Case 002/01 trial hearings reaches more than 100,000.

31 October

25 November

The Supreme Court Chamber issues its full reasoning for the second severance appeal decision on Case 002, directing the Trial Chamber to explore the appointment of a second panel.

11 December

20 December

The president of the Trial Chamber announces his determination not to recommend the appointment of a second panel for Case 002/02. A few days later, the chamber issues a workplan in the preparation for Case 002/02.

Cambodian Participants Praise ECCC Community Outreach

The Extraordinary Chambers in the Courts of Cambodia continued its community outreach activities to raise public awareness about the tribunal across Cambodia in December.

At least 2,500 local people from Kompong Thom, Kompong Chhnang, Battambang, Siem Reap and Kandal Provinces visited the ECCC and the relevant crimes sites of S-21 and Cheung Ek killing fields through the court's study tour programme. In addition, nearly 1,500 people from remote areas of Kompong Thom, Kompong Chhnang and Battambang provinces, including those from the



Students attend a presentation by the press officer of the Khmer Rouge tribunal at a Kampong Thom high school.

home village of convict Duch, attended ECCC's community video screenings. In addition, 1,000 high school students in Kompong Thom received a lecture about the ECCC's proceedings and its latest developments.

Mr Yi Phuon, a commune chief of Kompong Chhnang, expressed his satisfaction with the ECCC's study tour for local people, saying that around 2,000 villagers from his commune have benefited from the study tours since 2011. He stated that this programme has contributed to a better understanding of the ECCC's mandate and its achievement among Cambodians. He also said that he has encouraged participants to transfer the knowledge gained from this programme to their children and other members of the community, adding that dispersing this understanding would promote national reconciliation.

Mr Sos Ly, a 50-year-old victim who lost all nine members of his family during the Democratic Kampuchea regime, said that he has been relieved from his sorrow when learning about the ECCC's progress. Mr Ly said that he has confidence in the ECCC to bring justice for him and his lost family.

Mr Morn Sothea of Kompong Thom also emphasized how important it is to bring local people from remote areas to the ECCC. Having brought at least 8,000 people from his province to the court, he wishes that every Cambodian learns about and supports its proceedings because "this court gives us a hope." He thanked donor countries to continue to support the ECCC, which helps to find the truth regarding what happened during the regime.

Lawyers from Myanmar Gain Insight into Khmer Rouge Trials

A group of lawyers from Myanmar visited the Extraordinary Chambers in the Courts of Cambodia on 6 December in order to gain a better understanding of the Khmer Rouge trials.

Members of the Public Affairs Section welcomed the guests with a tour of the main courtroom's public gallery. Following an introduction to the court's mandate and caseloads, the lawyers enjoyed presentations by Eric Husketh, a legal officer from the Defence Support Section, about the importance of fair trial rights, and new International Co-Prosecutor Nicholas Koumjian on the role of the prosecution.

The visit was made possible by the London-based NGO, Justice Base, that supports Burmese lawyers in their efforts to promote rule of law. The visit to the ECCC is one of several



A delegation of lawyers from Myanmar pose in front of the court building after a study visit on 6 December.

training initiatives conducted by the organization which ultimately aims to assist the development of a fully transparent, locally-led trial monitoring project in Myanmar.

ECCC and Partners Discuss Legacy Initiatives at OHCHR Event

Partners of the Extraordinary Chambers in the Courts of Cambodia gathered in Phnom Penh on 18 December to discuss the progress of various projects for the ECCC legacy in an effort to enhance the effects of those projects.

The ECCC Legacy Update Meeting, organised by the United Nations Office of the High Commissioner for Human Rights in Cambodia, was a forum to exchange views between judicial officials from the ECCC and representatives from the Cambodian government, NGOs, universities and donors. It was the first follow-up meeting since June. "It is important to highlight the tribunal's lasting impact in rule of law by promoting

the end of impunity and strengthening of local courts with effective trials," said Marie-Dominique Parent, deputy representative of OHCHR-Cambodia, in her opening remarks.

In the morning session, panelists reported on the progress and challenges they face whilst trial monitoring, capacity-building, and undertaking outreach and reparation projects. Aviva Nababan, program coordinator of Asian International Justice Initiative, which monitors and reports on the trial proceedings, highlighted the challenges in disseminating summaries of trials in an intelligible language as well as increasing the trial's presence in social media.

Doreen Chen, OHCHR's ECCC Legacy Pro-

gramme consultant, described the agency's efforts in promoting a dialogue between Cambodian lawyers regarding ECCC legacy through workshops and roundtable events. She also reported on the Fair Rights Trials Academy, a short course for Cambodian law students which offers lectures by practitioners from the ECCC and the local justice sector.

Chief of Public Affairs Dim Sovannarom presented the outreach efforts of the ECCC while legal officers of the Civil Party Lead Co-Lawyers Section, Eleonor Fernandez and Katrina Marie Natale, delivered a presentation on reparation requests in Case 002/01.

The afternoon session focused on the publication of the Annotated Code of Criminal Procedure, a handbook on Cambodian criminal code which annotates articles of Cambodian criminal procedure code alongside the ECCC's jurisprudence and other international human rights norms. The project was a brain child of the ECCC's Office of the Co-Prosecutors and has received financial and technical support from various institutions.

Participants discussed how to maximise the effects of the handbook once it is released in early 2014. The Annotated Code of Criminal Procedure is expected to help Cambodian legal practitioners interpret, apply and develop Cambodian criminal procedure law.



Representatives of the Extraordinary Chambers in the Courts of Cambodia and its partners discuss legacy projects at the ECCC Legacy Update Meeting on 18 December.

ECCC Co-Prosecutors Join a DC-Cam Public Village Forum



ECCC Prosecutors appear at a village forum.

The two co-prosecutors of the Extraordinary Chambers in the Courts of Cambodia traveled on 17 December to the ancient town of Angkor Borei, Takeo, to meet and talk with hundreds of local villagers.

They joined a public village forum, organized by the Documentation Center of Cambodia (Dc-Cam), where nearly 500 villagers and students gathered to hear the progress of the tribunal directly from the prosecutors.

During her presentation, National Co-

Prosecutor Chea Leang discussed Case 001 and the courts difficulties in collecting evidence for all of the cases. She likewise informed the crowd that the verdict for case 002/01 would be announced in the coming months and that case 002/02 is set to begin in the near future.

International Co-Prosecutor Nicholas Koumjian, on the other hand, focused on the legacy of the tribunal, and clarified the meaning of crimes against humanity to the audience. He further emphasized that the tribunal offered a chance to establish an accurate historical record and find the truth concerning what happened in Cambodia after 1975.

The participants found the direct communication with the prosecutors meaningful. Ms Uy Phal, 57, said she felt a sense of relief and warmth to see that the tribunal is working towards justice for the Cambodian people, adding that the

co-prosecutors' presentation brought her hope for an imminent verdict.

Earlier in December, Mr Veng Huot and Mr Vicent de Wilde, both senior assistant prosecutors at the ECCC, participated in another village forum in Kampong Chhnang. Several other such public outreach forums are scheduled in the new year.



Hundreds of villagers participate in the Takeo forum organized by the Documentation Center of Cambodia.

Outreach Calendar

Outreach Activities

5 December: A Public Village Forum for 200 villagers takes place at Kampong Chhnang Province organized by DC-Cam.

16 December: 150 to 200 law students participate in the Workshop on Civil Party Participation in ECCC at the Build Bright University, with the participation of the AIJI.

18 December: The Cambodian office of the United Nations High Commissioner for Human Rights organizes an ECCC Legacy Update Meeting.

23 December: Victim Support Section organizes the 8th Civil Party Regional Meeting where around 200 civil parties in Case 002 receive up-to-date information on the case.

ECCC Partner NGOs

- Asian International Justice Initiative (AIJI)
- Bophana Audiovisual Resource Center
- Cambodian Defenders Project (CDP)
- Cambodia Human Rights Action Committee (CHRAC)
- Cambodian Human Rights and Development Association (ADHOC)
- Cambodia Justice Initiative/Open Society Justice Initiative (CJI/OSJI)
- Human Rights Center University of California, Berkeley (HRC)
- International Center for Transitional Justice (ICTJ)
- Kdei Karuna (formerly iCfC)
- Khmer Institute for Democracy (KID)
- The Documentation Center of Cambodia (DC-Cam)
- Transcultural Psychosocial Organisation (TPO)
- Women's Media Centre of Cambodia (WMC)
- Youth for Peace (YfP)
- Youth Resource Development Program (YRDP)



Students read the ECCC material provided to them during an outreach programme in Kampong Thom.

ECCC Outreach

The Public Affairs Section of the Extraordinary Chambers in the Court of Cambodia hosts Khmer Rouge Tribunal Study Tours, bringing groups of 200-300 villagers from areas throughout Cambodia twice a week to the ECCC, the Tuol Sleng Genocide Museum and the Choeung Ek Killing Fields for a guided tour and briefings. During the trial recesses, the Public Affairs Section also conducts school visits to give briefings, as well as hosts community video screenings across Cambodia. It also welcomes international group visitors and provides briefings and court tours.

December 2013

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6 Delegation of lawyers from Myanmar	7
8	9	10 Study Tour	11 Trial Management Meeting in Case 002/02	12 Trial Management Meeting in Case 002/02	13	14
15	16	17 Study Tour	18	19 Study Tour ECCC Radio Show	20	21
22	23	24 Study Tour	25	26 Study Tour ECCC Radio Show	27 Study Tour	28
29	30 Study Tour	31				

January 2014

SUN	MON	TUE	WED	THU	FRI	SAT
			1 International New Year's Day	2	3	4
5	6	7 Khmer Public Holiday	8	9 Study Tour	10	11
12	13	14 Study Tour	15	16 Study Tour ECCC Radio Show	17	18
19	20	21 Study Tour	22	23 Study Tour ECCC Radio Show	24	25
26	27	28 Study Tour	29	30 Study Tour		



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

“Everyone can be involved in the process”



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**The ECCC welcomes visitors. For more
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The Court Report

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