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**BEFORE THE SUPREME COURT CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

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**GROUP 1--CIVIL PARTIES' CO-LAWYERS' NOTICE OF INTENT
SUPPLEMENTAL FILING**

Filed by:

**Co-Lawyers for Civil
Parties:**

Mr. Karim A. A. KHAN
Ms. TY Srinna
Mr. Alain WERNER
Ms. Brianne McGONIGLE

Assisted by:

Ms. Daniella RUDY
Ms. Kate GIBSON

Distributed to:

The Supreme Court:

Judge KONG Srim, President
Judge Motoo NOGUCHI
Judge SOM Sereyvuth
Judge Agnieszka KLONOWIECKA-
MILART
Judge SIN Rith
Judge Chandra Nihal JAYASINGHE

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du dossier: Ratanak

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Copied to:

Accused:

Mr. KAING Guek Eav alias
"Duch"

Counsel for the Accused:

Mr. KAR Savuth

Office of the Co-Prosecutors:

Ms. CHEA Leang
Mr. Andrew CAYLEY
Mr. YET Chakriya
Mr. William SMITH
Mr. PICH Sambath

Co-Lawyers for Civil Parties

Mr. KIM Mengkhy
Ms. MOCH Sovannary
Ms. Martine JACQUIN
Mr. Philippe CANONNE
Mr. KONG Pisey
Mr. HONG Kimsuon
Mr. YUNG Panith
Ms. Silke STUDZINSKY
Mr. Pierre-Oliver SUR

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Introduction

1. On 24 August 2010, the Co-Lawyers for Civil Party Group 1 (CPG-1) filed its Immediate Appeal¹ pursuant to Internal Rule 104(4) (Rev. 3) on behalf of nine Civil Parties within Group 1. On 31 August 2010, the Supreme Court Chamber Greffiers instructed the Co-Lawyers for CPG-1 to re-file their Appeal, with the inclusion of the Power of Attorneys for the nine Civil Parties. CPG-1 subsequently re-filed its Immediate Appeal on 14 September 2010, attaching said Power of Attorneys.
2. On 30 September 2010, the Supreme Court Chamber (SCC) rendered its decision on the characterisation of Group 1 – Civil Party Co-Lawyers’ Immediate Appeal of Civil Party Status Determinations in the Trial Judgment.² In its decision the SCC found that as the Trial Chamber had rejected the nine civil parties on the merits of their applications,³ it considered “that the concept of ‘immediate appeal’ does not apply to an appeal against the Trial Chamber’s decision to reject the nine civil party applications.”⁴ Instead, the decision against the nine civil party applications falls within “the procedural regime applicable to appeals against the Trial Judgment.”⁵
3. Notwithstanding its decision to reject the procedural basis upon which CPG-1’s Immediate Appeal rested, the SCC decided that “in the interest of justice, and given the novel and complex procedural framework of the civil party participation before the ECCC,” it would characterise the Immediate Appeal as a notice of appeal and an appeal brief.⁶ To best serve the interests of the nine civil parties, the SCC therefore granted the Co-Lawyers for Civil Party Group 1 the opportunity to file “a supplementary notice of appeal and a supplementary appeal brief on any other civil interests of the nine individuals.”⁷

¹ E188/10.

² F811

³ Trial Judgment, paras 636, 647-649.

⁴ F811, para. 4.

⁵ *Ibid.*

⁶ *Ibid.*, at para. 5.

⁷ *Ibid.*, at para. 6.

Notice of Intent

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4. The Co-Lawyers for Civil Party Group 1 by and through this notice wish to acknowledge the decision rendered by the Supreme Court Chamber on 30 September 2010. CPG-1 is grateful to the SCC in exercising its discretion so as to characterise and treat the Immediate Appeal as a notice of appeal and an appeal under the procedural scheme related to the Trial Chamber Judgment. Notwithstanding the opportunity to file a supplementary notice of appeal and supplementary appeal brief, CPG-1 hereby notifies the Supreme Court Chamber that it does not intend to file an additional brief or to enlarge the issues raised to include the issue of reparations.
5. CPG-1 respectfully notes that the right to recognition, and the determination of the proper status of putative civil parties, precedes any consideration of what may amount to appropriate (or available) reparations on the facts of the case. Indeed, notwithstanding the order of the Trial Chamber that the various utterances of Duch, expressing regret or contrition or responsibility, for what took place at S-21 be compiled and posted on the ECCC website,⁸ it is clear that the major reparation ordered by the Trial Chamber was the acknowledgement of civil party status itself. This is evidenced, inter alia, by the Trial Chambers order that the names of all recognised civil parties be included in the body of the Judgement itself.⁹ CPG-1 therefore rests with its submission addressing the Trial Chamber's Judgment on the merits of the applications and seeks recognition of the nine civil party applications for the reasons given in CPG-1's filing dated 24 August 2010 and as a form of reparation.

⁸ Trial Chamber Judgment, para. 668.

⁹ Ibid., at para. 667.

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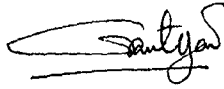
Respectfully submitted by

Co-Lawyers for Civil Parties (Group 1)

Signed on 28 October 2010



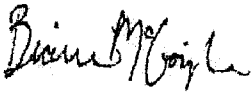
Karim A. A. Khan



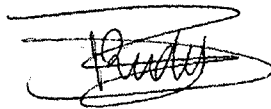
Ty Srinna



Alain Werner



Brianne McGonigle



Daniella Rudy



Kate Gibson