



**OPENING SPEECH
H.E. PRESIDENT KONG SRIM
ECCC PLENARY SESSION
2 FEBRUARY 2010**

Excellencies, fellow Judges, Ladies and Gentlemen, members of the Press, I extend to you a warm welcome to the ECCC's Seventh Plenary Session.

First, I wish to take this opportunity to thank all whose tireless efforts contributed to the accomplishments made by the ECCC, both within the Chambers and Office of Administration, as well as our many external stakeholders and supporters.

We begin 2010 with a strong sense of achievement. There are a number of very significant milestones reached by the ECCC since the last Plenary Session. These include the conclusion of the ECCC's first trial on the substance in the Kaing Guek Eav case. The case has drawn a strong public interest and the court welcomed nearly 31,000 visitors in the public gallery during the 77-days of trial. The Trial Chamber is currently engaged in drafting the judgment which will be delivered in due course. The OCIJ has also recently announced the closure of the judicial investigation in Case File 002. Further, you will be pleased to know that the Law Technology News of USA has awarded ECCC for 'Most Innovative Use of Technology during a Trial.' The International Republican Institute said in its survey conducted from 31 July – 26 August 2009 that 82 % of Cambodian people are aware of the trial of the Khmer Rouge leaders and 70 % of them think the trial of the Khmer Rouge leaders provides justice for them.

In late 2009, the President of the PTC Chamber issued a decision to deploy the Pre-Trial Chamber on a full-time basis. This was considered necessary in view of the Chamber's increasing workload and the need to ensure that the legally prescribed deadlines could be met. Following consultation with international judges, the United Nations Secretary-General recommended that the Pre-Trial Chamber international judges should comprise Judge Rowan Downing (Australia) and Judge Catherine Marchi-Uhel (France), with Judge Katinka Lahuis (Netherlands) as the Pre-Trial



Chamber's international reserve Judge. Judge Florence Mumba (Zambia), who is currently serving as the reserve international judge in the Pre-Trial Chamber, should be redeployed on the Supreme Court Chamber in place of Judge Catherine Marchi-Uhel. Following nomination by the United Nations Secretary-General of international judges for redeployment within the Chambers, the matter is before the Supreme Council of the Magistracy for approval and subsequent appointment by Royal Decree.

This Plenary Session is my first official opportunity to welcome the ECCC's new International Co-Prosecutor, Mr. Andrew Cayley, and reserve International Co-Prosecutor, Mr. Nicholas Koumjian, to the ECCC. Both have distinguished records of service before a number of international tribunals. On behalf of the ECCC community, I extend a warm welcome to you. A swearing-in ceremony will be held for both following the Vice-President's speech.

I would take this opportunity to underscore that the current Plenary Session has a specific objective which is to agree on amendments to the ECCC's Internal Rules to streamline and consolidate Civil Party participation in ECCC proceedings. The amendments are necessary to enhance the timeliness and efficiency of ECCC's procedures in dealing with civil party applications in Case File 002 given the larger number of applicants and the complexity of the case. As of 29 January 2010, the Victims Unit had received 8,190 Victim Information forms, of which approximately 4,004 are Civil Party applications. These amendments deal with the need for a single claim for collective and moral reparation for Civil Parties, who will comprise a consolidated group and representation by lead Co-Lawyers, supported by Civil Party Lawyers.

The last Plenary adopted an amendment to move the deadline for filing of Civil Party applications to 15 days after notification of conclusion of the judicial investigation. This deadline expired on 29 January 2010. In addition, the Rules and Procedure Committee approved a vastly improved and streamlined Victim Information Form, which was posted on the ECCC website in advance of the deadline.



While some urgent amendments were adopted at the last Plenary, it is critical that a number of reforms necessary at pre-trial and trial stages are given due consideration at this Plenary. At that Plenary, a Sub-Committee, composed of national and international judges was tasked to formulate draft technical amendments to the Internal Rules. The Sub-Committee consulted closely with the Victims Unit, Office of Co-Investigating Judges, Office of the Co-Prosecutors and Defense Support Section and circulated its proposed amendments. Subsequently, the ECCC Rules and Procedure Committee met on 3 to 9 December 2009 to consider the proposals of the Sub-Committee, and comments from the Offices.

Following deliberations and modifications, the Rules and Procedure Committee has forwarded the proposed Rule amendments to the current Plenary for consideration.

The previous Plenary decided to adopt supplementary forms of victim participation, outside formal court proceedings. The proposed Rule amendments under consideration contain measures that significantly enhance the capacities of the Victims Unit in this area. This provides an opportunity for reflection on the purpose of victim participation in ECCC proceedings, how best to serve the needs of victims and to harness resources to assist us in achieving these goals.

This Plenary has the opportunity to contribute significantly to the success of the next phase of the ECCC's life. Although trial of Case File 001 completed with significant success, many challenges remain including maintaining the agreed timelines. The timelines were projected in consultation with all judicial offices. Now is the time to deliver through constructive engagement and effective deliberation over the coming days, let us further safeguard the future work of the ECCC and dedicate ourselves to the mission of delivering timely and effective justice to the victims of Democratic Kampuchea.

Excellencies, ladies and gentlemen, I thank you.

