



The Court Report

The Extraordinary Chambers in the Courts of Cambodia

Moving Forward through Justice



Khieu Samphan, former Head of State of Democratic Kampuchea.



Nuon Chea, former Deputy Secretary General of CKP.

Judgement in Case 002/01 to be pronounced on 7 August 2014

The Trial Chamber has announced that it will issue its judgement in Case 002/01 on 7 August 2014 in the main courtroom of the ECCC. If convictions are entered against the two accused, Nuon Chea and Khieu Samphan, decisions on sentencing and civil party reparation requests will also be delivered. Trial hearings for Case 002/01 commenced on 21 November 2011, and the Chamber finished hearing closing statements from all parties, including the Accused, on 31 October 2013.

Case 002/01 is the first of at least two trials against the two accused. The charges focus on alleged crimes against humanity related to the forced movement of the population from Phnom Penh in April 1975 and later from other regions (phases one and two), and the alleged execution of Khmer Republic soldiers at Tuol Po Chrey in Pursat Province.

In addition to evidence relating directly to these alleged crimes, the Trial Chamber has

also heard testimony on the historical background and establishment of the Democratic Kampuchea government, and the Accused's role within this process, as well as evidence about the regime's administrative and communications structures. The evidence heard in Case 002/01 will also serve as a foundation for the next trial, Case 002/02, where an initial hearing has been scheduled for 30 July 2014.

If either accused is found guilty, the ECCC law stipulates that a sentence of between five years and life imprisonment may be imposed. The Co-Prosecutors have requested that the Trial Chamber convict the two accused for the crimes charged, and impose a sentence of life imprisonment. The two accused have submitted that they are not guilty of the crimes for which they are charged.

▲ See page 10 for information on public/media access on 7 August

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Khieu Samphan appeals severance in Case 002/02



Khieu Samphan with his foreign lawyer Anta Guisse at the courtroom during Case 002/01 closing statements on 31 October 2013. (Photo Credit: ECCC)

On 5 May 2014, Khieu Samphan filed an appeal against the Trial Chamber's severance decision in Case 002/02, requesting that the Supreme Court Chamber annul the decision.

In its decision, issued on 4 April 2014, the Trial Chamber decided that the scope of the trial in Case 002/02 will be limited to genocide, forced marriages and rape, internal purges, treatment of Buddhists and alleged crimes against humanity committed at four security centres, three work sites and one group of adjacent cooperatives.

In his appeal, Khieu Samphan argues that the severance decision issued by the Trial Chamber creates a marked imbalance between the rights of the parties. He submits that the decision violates his right to predictability and legal certainty, as well as his right to be tried without undue delay and to have adequate facilities for the preparation of his defence.

In accordance with the Internal Rules of the ECCC, the Supreme Court Chamber must decide on the appeal within three months, or in case it decides there are exceptional circumstances, within four months.



Initial hearing in Case 002/02 scheduled for 30 July 2014

The Trial Chamber has announced that an initial hearing in Case 002/02 against Khieu Samphan and Nuon Chea will be held in the main courtroom of the ECCC on Wednesday 30 July 2014 at 09:00. If necessary, the hearing will continue on Thursday 31 July 2014.

Case 002/02 is the second case originating from the Closing Order in Case 002. The Trial Chamber has severed the charges in Case 002 into two or more phases with the first trial providing a foundation for later trials, each of which is to culminate with a verdict on the relevant charges. The accused persons are Khieu Samphan, former Head of State of Democratic Kampuchea, and Nuon Chea, former Deputy Secretary of the Communist Party of Kampuchea.

The charges in Case 002/02 include genocide of Cham and Vietnamese, crimes against humanity (including murder, extermination, enslavement, deportation, imprisonment, torture, persecution on political grounds, persecution on religious grounds, persecution on racial grounds, other inhumane acts of rape, forced marriage and attacks against human dignity, and enforced disappearances) and grave breaches of the 1949 Geneva Conventions (including wilful killing, torture, in-

humane treatment, wilful causation of great suffering or serious injury to body or health, wilful deprivation of a fair and regular trial to prisoners of war or civilians, unlawful deportation of a civilian, and unlawful confinement of a civilian). These charges are based on factual allegations concerning four security centres, three worksites and one group of adjacent cooperatives. Case 002/02 is a continuation of the proceedings in Case 002/01. A judgement in Case 002/01 will be pronounced on 7 August 2014.

At the Initial Hearing, the Trial Chamber will consider the following issues:

- Further specification of civil party reparation awards;
- Status of preliminary objections and review of legal issues relevant to Case 002/02; and
- Sequencing of the trial proceedings and initial review of potential witnesses, civil parties and experts.

The hearing will be open to the public and the media. If discussion on potential witnesses, civil parties and experts warrants the holding of some portions of the hearing in closed session, such closed sessions will be held at the end of the hearing.



Judges of the Trial Chamber during the Closing Statement on 31 October 2013.

Norway's contribution re-directed to the national component of the ECCC

The Government of Norway has approved the decision to redirect its recent financial contribution of 6 million NOK (approximately US\$1 million) away from the international component to the national component of the ECCC to meet the salary costs of the national staff.

"On behalf of the ECCC, I would like to express my profound thanks to the Government of Norway and the United Nations for their favourable consideration of this course of action, thereby enabling the national com-

ponent of the ECCC to pay staff salaries from April to June 2014. I also appeal to donor countries to provide more voluntary contributions to secure necessary funding for the 2014 budget of the national component of the ECCC", said Acting Director of the Office of Administration HE Tony Kranh in a statement.

The financial assistance provided by Norway to the ECCC exceeds US\$7 million, and the country has supported the Court since its inception.

Preparations begin for Case 002/02 reparation requests

The Victims Support Section and Civil Party Lead Co-Lawyers' Section will be consulting with civil parties, civil party lawyers, civil society organizations, victims associations, state authorities and donors to identify and discuss potential reparation requests for the benefit of victims of the Khmer Rouge regime.

Planning for the development of reparation requests in Case 002/02 is set to begin this month. Led by the Victims Support Section (VSS) and the Civil Party Lead Co-Lawyers' Section (CPLCLS), the preparations will involve identifying and negotiating potential reparation requests for the benefit of the victims who suffered at the hands of the Khmer Rouge regime from 1975 to 1979. Within the ECCC's unique framework, civil parties are able to participate in the proceedings and, further, seek moral and collective reparations.

The preliminary meeting, Stakeholder Consultation on Case 002/02 Reparations: Lessons Learned, Best Practices and Next Steps, was part of the first stage of planning for reparation requests in Case 002/02. It was hosted by the VSS and CPLCLS on 11 June 2014 in Phnom Penh. Participating in the consultations were civil parties, civil party lawyers, civil society organizations, victims associations, state authorities and donors.

These bodies will work in partnership to provide financial, political and technical support for project development and implementation, in the interest of bringing redress to victims of the Khmer Rouge regime. Such projects seek to uphold the dignity of victims, retain collective memory and mitigate the harms experienced. The realization of any reparation claim of the civil parties is dependent on the conviction of the Accused.



Conference on preparation of Case 002/02 reparation requests on 11 June 2014. (Photo Credit: Net Sokheng)

These preparations for the next trial follow the finalization of the request for reparation projects in Case 002/01. Civil parties requested a total of 13 projects in the first case against Khieu Samphan and Nuon Chea, including public memorials, monuments, testimonial therapy and support groups. The VSS and CPLCLS were required to submit to the Trial Chamber a list of requested projects by the civil parties in Case 002/01 that included proof of funding by 31 March 2014. A total of US\$772,275 has recently been secured for these projects.



The reparation projects to be developed for Case 002/02 will specifically reflect the harms suffered as a consequence of the crimes being charged in this trial. The Trial Chamber recently defined the scope of this next case, which will encompass a variety of criminal charges, including genocide, crimes against humanity and war crimes.

Further engagement with civil parties throughout Cambodia will continue over the following months in an effort to form the reparation requests for the next case.

Marie Guiraud appointed as new Civil Party Lead Co-Lawyer



Ms. Marie Guiraud, new Lead Co-Lawyer at the ECCC

As of 1 June 2014, Ms. Marie Guiraud has assumed the role of international Civil Party Lead Co-Lawyer. She was appointed in late May after having represented civil parties before the ECCC since 2008. Ms. Guiraud has 15 years of experience in criminal law and human rights. She obtained an LLM in Public International Law and Human Rights at the University College of London and a postgraduate degree in law from the University of Montpellier. She has represented victims of international crimes before courts in the Ivory Coast and Democratic Republic of the Congo.

Ms. Guiraud has represented both defendants and civil parties in all areas of criminal

law in France, including terrorism crimes and transnational crimes. She is qualified to practice law in France and Cambodia, and works in both French and English. Ms. Guiraud will work together with the national Civil Party Lead Co-Lawyer, Mr. Pich Ang.

The Civil Party Lead Co-Lawyers shall ensure the effective organization of the representation of civil parties during the trial stage and beyond. Their core responsibilities include representing the interests of the consolidated group of civil parties, overall advocacy, strategy and in-court presentation of the interests of the civil parties, in close consultation with the individual civil party lawyers.

Supreme Court Chamber

In May 2014, the Supreme Court Chamber continued its preparatory review and research on issues relating to Case 002/01.

On 2 May 2014, an international Judge of the Supreme Court Chamber nominated by the UNAKRT Coordinator to hear an administrative dispute between the Co-Lawyers for a named suspect in Case 004 and the Chief of the Defence Support Section rendered her decision. The dispute concerned the Chief of Defence's refusal to appoint the Co-Lawyers' chosen case manager.

The Judge upheld the Chief of Defence's decision and confirmed the validity of the rule prohibiting the appointment of close relatives to ECCC defence teams. The administrative decision may be found on the ECCC website.

In addition, on 5 May 2014, the Defence for Khieu Samphan filed an appeal against the Trial Chamber's decision of 4 April 2014 on the additional severance of Case 002 and the scope of Case 002/02. The Co-Prosecutors responded to the appeal on 16 May 2014. Khieu Samphan's appeal remains under consideration, and preparatory research on issues relating to Case 002/01 remain ongoing.

Trial Chamber

Following the conclusion of the hearing of evidence and closing arguments in Case 002/01 on 31 October 2013, the Trial Chamber is currently engaged in judgement drafting. On 29 May 2014, the Trial Chamber notified the parties and public that the judgement in Case 002/01 will be pronounced on Thursday 7 August 2014 in the main courtroom of the ECCC at 09:00.

On 21 May 2014, the Trial Chamber issued a decision granting in part a joint request from all parties. The Trial Chamber decided to allow the parties to submit their document lists by no later than Friday 13 June 2014 (instead of 30 May 2014) and submit their document lists as well as their witness, civil party and expert lists in one language (instead of two languages), with translations to follow as soon as possible.

The Trial Chamber decided to grant, in part and on an exceptional basis, the joint request because of the complexity of managing the case file in Case 002, as well as the limited resources currently available to the Interpretation and Translation Unit.

On 26 May 2014, the Trial Chamber issued a memorandum concerning two requests by

Prosecution for the imposition of sanctions on two members of the Khieu Samphan Defence team. The first request concerned the in-court questioning of a witness, which the Prosecution alleged was an attempt by counsel for Khieu Samphan to interfere with the witness's testimony. After reviewing the transcript of the exchange, the Trial Chamber found it was unable to impose sanctions on counsel for this conduct due to the possibility that counsel did not intend to direct the witness's testimony.

The second request concerned a newspaper editorial authored by counsel for Khieu Samphan and published in the *Phnom Penh Post*, which asserted that many procedural errors had occurred in the trial and criticized the decisions of ECCC judges.

The Trial Chamber noted that many of the same claims were included in the Khieu Samphan Closing Submission in Case 002/01, albeit in less provocative language. It therefore did not consider it appropriate to comment at this time on whether the editorial misrepresented facts in the case, and declined to impose sanctions on counsel. It did, however, remind all parties that the proper forum for litigation in Case 002 is the courtroom and that any misrepresentations made to the Trial Chamber or the public are a serious matter and, if proven, may result in the imposition of sanctions on counsel.

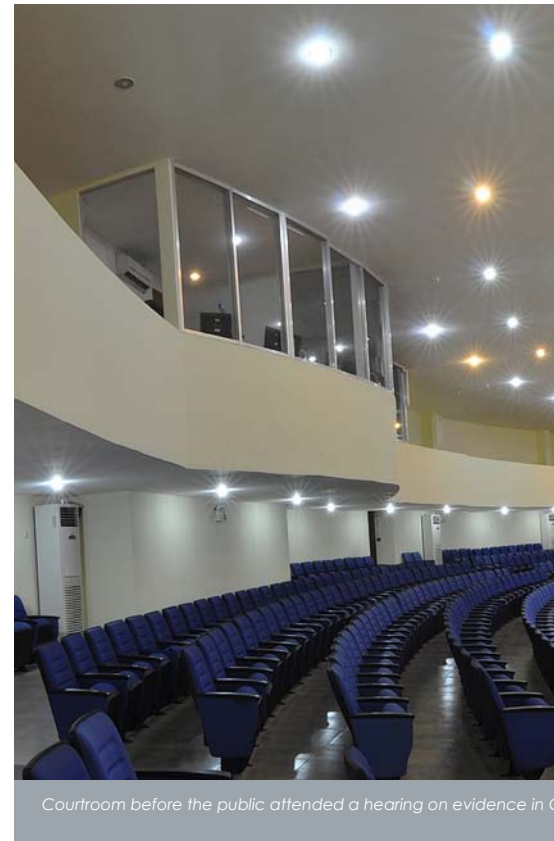
Pre-Trial Chamber

During the reporting period, the Pre-Trial Chamber disposed of a number of procedural and other case-management matters. The Pre-Trial Chamber is currently seized of the following five appeals.

Case 003

Appeal PTC 10

Appeal filed by the Co-Lawyers for a suspect in Case 003 against the constructive denial of 14 requests by the Suspect to the Co-Investigating Judges. On 23 April 2014, the Pre-Trial Chamber, by a unanimous decision, deferred its consideration of the appeal in respect of the Suspect's request to obtain access to the case file until it decides on another appeal (PTC11). PTC11 is pending before the Pre-Trial Chamber and concerns the appointment of the Suspect's counsel. The Pre-Trial Chamber found the appeal inadmissible in respect of the remainder of the Suspect's 13 other requests to the Office of the Co-Investigating Judges.



Courtroom before the public attended a hearing on evidence in Case 002/01

Appeal PTC11

Appeal filed by the Co-Lawyers for a suspect in Case 003 against a decision of the international Co-Investigating Judge rejecting their appointment on the basis of irreconcilable conflicts of interest. The written proceedings on this appeal are now complete and the Chamber is deliberating on all the issues raised. A decision on the appeal will be issued in due course.

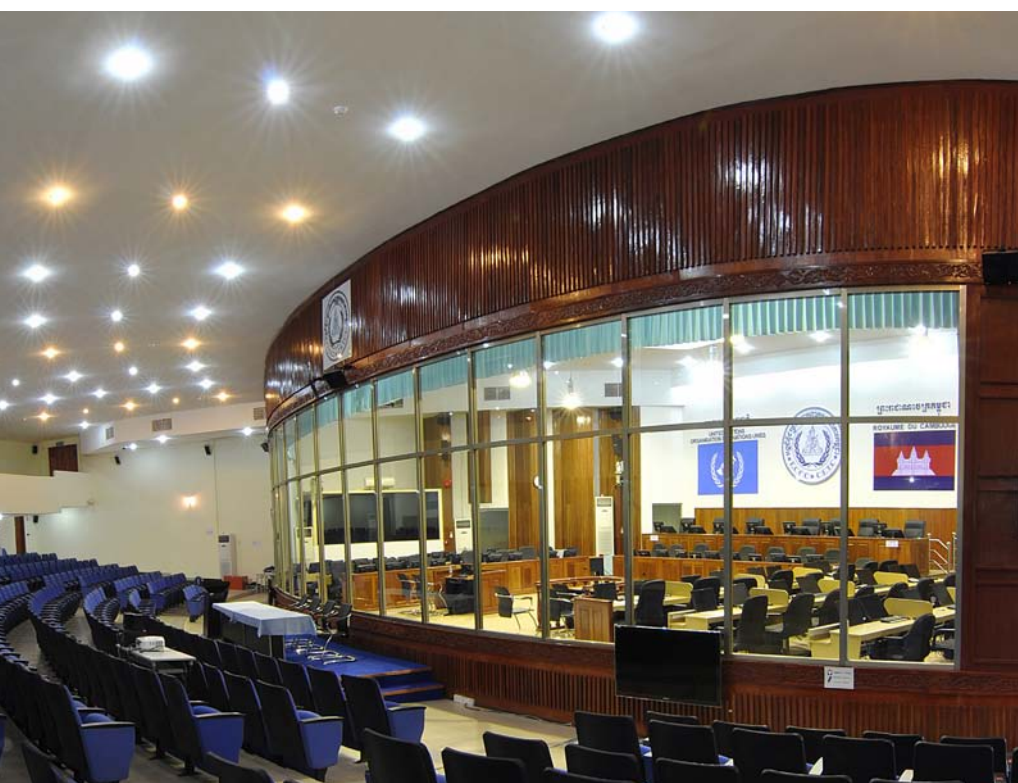
Case 004

Appeal PTC06

On 9 May 2014 the Co-Lawyers for a suspect in Case 004 filed an appeal against the international Co-Investigating Judge's denial of an urgent request for relief based on new information. The appeal was initially filed in the English language only. The Chamber allowed the filing of the appeal in one language only and pursuant to Article 7.2 of the Practice Direction on Filing instructed that the filing of a Khmer translation should follow at the earliest opportunity. The Khmer version of the appeal was filed on 4 June 2014, which is when the deadline for a response to the appeal starts to run.

Appeal PTC07

On 16 May 2014 the Co-Lawyers for a suspect in Case 004 filed an appeal against a decision of the international Co-Investigating Judge on a request for investigative actions.



Case 002/01 on 28 May 2012 (Photo Credit: ECCC)

The appeal was filed in the English language only. The Chamber allowed the filing of the appeal in one language only and pursuant to Article 7.2 of the Practice Direction on Filing instructed that the filing of a Khmer translation should follow at the earliest opportunity. The deadline for a response to the appeal will start to run after the Khmer version of the appeal is notified.

Appeal PTC08

On 19 May 2014 the Co-Lawyers for a suspect in Case 004 filed an appeal against a decision of the international Co-Investigating Judge on a motion for annulment of investigative action pursuant to Internal Rule 76. The appeal was filed in the English language only.

The Chamber allowed the filing of the appeal in one language only and pursuant to Article 7.2 of the Practice Direction on Filing instructed that the filing of a Khmer translation should follow at the earliest opportunity.

According to an email from the ECCC Translation Unit directed to the Defence, the translation of the appeal into Khmer is expected by 20 June 2014. The deadline for a response to the appeal will start to run after the Khmer version of the appeal is notified.

These appeals are all classified as “confidential”.

Office of the Co-Investigating Judges

During the month of May, the international side of the Office of the Co-Investigating Judges (“OICIJ”) continued the investigations of Case Files 003 and 004.

During the month of May, the OICIJ Investigations Unit conducted two field missions with regard to Case 003, during which four witnesses were interviewed. At the ECCC premises, three witnesses were interviewed.

With regards to Case 004, six field missions took place, during which 28 witnesses were interviewed and one site identification report was drafted. Seven witnesses were interviewed at the ECCC premises.

During the month of May, the OICIJ Analysts Unit reviewed external archives of documents and obtained copies of 155 documents. A review of entry logs of prisoners at Khmer Rouge security centres continued. Additionally, the Analysts Unit assisted and participated in all the field missions conducted during the month of May.

Civil party applications in Cases 003 and 004, which presently total in excess of 1,984, are progressively being placed on the case files, while their admissibility and evidentiary value are being subjected to thorough scrutiny

by the two Khmer legal officers. So far, over 1,000 civil party applications have been reviewed for admissibility for both case files.

Outreach activities have continued and a member of the OICIJ participated in the May edition of CHRAIC’s monthly radio programme on the participation of victims in Case Files 003 and 004.

Office of the Co-Prosecutors

Case 002

The Co-Prosecutors have been preparing for the commencement of Case 002/02. On 9 May 2014, the Co-Prosecutors filed their lists of proposed witnesses, experts and civil parties for Case 002/02. The Office of the Co-Prosecutors has also been working to meet the upcoming deadline for the Case 002/02 document list.

On 16 May 2014, the Co-Prosecutors filed a response to the Khieu Samphan Defence team’s appeal of the Trial Chamber’s severance order for Case 002/02. The Co-Prosecutors have also continued to do the necessary work to fulfil their ongoing disclosure obligations in Case 002.

Cases 003 and 004

The Co-Prosecutors have been analyzing the evidence and reviewing the investigation and procedural developments in Cases 003 and 004, responding as necessary and systematically reviewing the record from Cases 001 and 002 to ensure that they fulfil the disclosure obligations arising out of these cases.

Defence Support Section

In Case 002, the Khieu Samphan Defence team has filed an immediate appeal against the Trial Chamber’s Decision on Additional Severance of Case 002/02.

The Defence teams for Nuon Chea and Khieu Samphan have both followed up with the remaining measures to be fulfilled pursuant to the Trial Chamber’s complementary order to the decision on the scope of the trial in Case 002/02. In this regard, each team has submitted its updated lists of witnesses, civil parties and experts. The Khieu Samphan Defence team has also presented its objections to the witnesses proposed by other parties.

Both teams have accordingly filed their positions on the remaining preliminary objections raised earlier by the Defence team for the former co-Accused Ieng Sary, now de-



The Victims Support Section convenes a coordination meeting with its partners to discuss the implementation of reparation projects.

ceased. The objections concerned, first, the statute of limitations for grave breaches of the Geneva Conventions, and, second, jurisdiction over the crime against humanity of deportation in respect of determined crime sites.

The Khieu Samphan Defence team adopted the reasoning in its entirety whereas the Nuon Chea Defence team adhered to the objection to the application of grave breaches of the Geneva Conventions, but did not raise objections on the issue of jurisdiction over the crime of deportation.

In addition, the Nuon Chea Defence team has filed a document in which it gives notice that it has no original lists of documents and exhibits to be updated, but instead will wait for the Trial Chamber's clarification before submitting such documents prior to the upcoming initial hearings. The Defence team for Khieu Samphan has gathered documents and exhibits in order to update its own list.

The Case 003 Defence team has also expressed its interest in taking part in the ongoing debate in Case 002 concerning the application of a statute of limitations for the charges involving grave breaches of the Geneva Conventions. Having recently submitted a similar brief to the Office of the Co-Investigating Judges, the Case 003 Defence team has requested leave to file an *amicus curiae* brief in Case 002.

The brief maintains that the crime of grave breaches is subject to a 10-year statute of limitations and thus cannot be applied at the ECCC.

The Case 003 Defence team has moreover continued to file submissions to protect its client's rights and interests. All other submissions filed by the Case 003 Defence team have been classified as confidential by the Office of the Co-Investigating Judges or the Pre-Trial Chamber.

The Defence team for one of the named suspects in Case 004 filed two appeals with the Pre-Trial Chamber, both of which relate to confidential decisions of the Co-Investigating Judges, and it continued to prepare and file other motions to protect the fair trial rights of the named suspect.

The Defence team for another named suspect has filed a motion challenging the jurisdiction of the ECCC over Case 004. Meanwhile, the team continues to attempt to gain access to the case file and continues to prepare its defence arguments by reading about the potential case against its client from public sources.

Civil Party Lead Co-Lawyers Section

Key Legal Developments

On 9 May 2014, the Civil Parties filed their lists of proposed witnesses, experts and civil parties to testify in Case 002/02, which included a total of 73 persons (69 civil parties, 2 witnesses and 2 experts). The Civil Parties are now preparing a response to defence objections to the calling of some of these persons. Ultimately, the Trial Chamber

will decide whom it wishes to hear in Case 002/02 and will then inform the parties.

Lawyers for civil parties also continue to analyze key evidence, especially civil party applications, in order to finalize their lists of documents and exhibits, which will be filed on 13 June 2014.

Meetings and Outreach

On 23 and 26 May 2014, representatives of the Lead Co-Lawyers Section joined in meetings with partners and potential partners for current and proposed reparation projects in Case 002/01 to discuss implementation and potential new partnerships.

On 29 May, the Lead Co-Lawyers Section and civil party lawyers participated in a Civil Party Forum in Kampot, presenting information to civil parties on the treatment of sexual- and gender-based violence in Cases 002/01 and 002/02.

Reparations

The Lead Co-Lawyers Section worked intensively with the Victims Support Section to plan and prepare the Stakeholders Consultation on Case 002/02 Civil Party Reparations, which took place in Phnom Penh on 11 June 2014.

This event gathered actors from the Court, civil society organizations, government, donors and victims associations to discuss the

lessons learned and best practices in ECCC reparations and identified and elaborated on potential reparation projects for Case 002/02. A similar consultation event will be held with civil parties in the coming months.

Implementation continues to move forward for Case 002/01 requested reparation projects. Lawyers for civil parties continue to work closely with reparation project partners on the implementation of these projects. Several of the projects, including the testimonial therapy project, the self-help groups and the illustrated civil party storybook, have already begun to be implemented. Others, including the exhibition and activity components of the mobile exhibition project, will get underway soon.

Victims Support Section

Legal Representation

The ECCC-funded Civil Party Co-Lawyers of the Victims Support Section ("VSS") have continued to prepare the list of civil parties who may testify in Case 002/02 hearings, as well as considering new evidence, an activity plan and victims' applications for Cases 003 and 004.

Processing and Analysis

The Processing and Analysis team of the VSS received a total of one application in Case 003, and filed 15 applications in Case 004 with the Office of the Co-Investigating Judges. As of 31 May, there had been the same number of applications as in April, totalling 1,766 applications for the two cases.

Outreach

The VSS Chief met with the Bayon TV Program Manager to discuss a current show called "It Is Not a Dream". The aim of the meeting was to introduce the ECCC Reparation and Non-Judicial Measure Project and to discuss the possibility of future cooperation between VSS and the station.

It was reported that the show was initiated in January 2010 and that it has received more than 2,000 applications asking for help in finding family members who became separated during and after the Khmer Rouge regime. As of May 2014, 45 family members had been found and reunions were also organized.

Reparations and Non-Judicial Measures

The Reparation and Non-Judicial Measures Team has facilitated and coordinated the implementation of the eight projects funded through the VSS, and the team has also closely followed the progress of the other 10 non-funded projects.

The Team, in collaboration with the Civil Party Lead Co-Lawyers Section, has been working on the preparation of new reparation requests for Case 002/02. The team conducted a consultation workshop with key stakeholders, including civil party lawyers, NGO partners, donors and government agencies, on 11 June 2014 and will hold a consultation forum with civil parties in late June.

The Team participated in a Technical Working Group Meeting conducted by Kdei Karuna Organization on 23 May 2014 concerning the

development of materials for the "Mobile Exhibition" project implemented by Kdei Karuna and Youth for Peace. The exhibition is expected to begin sometime in July and cover nine provinces.

The Reparation and Non-Judicial Measures Team met with Civil Peace Service (CPS) to clarify and update the roles and responsibilities of the Advisor seconded to the Team and plan for further collaboration.

The Team has closely communicated with the Ministry of Culture and Fine Arts concerning the Memorandum of Understanding between the Ministry and the ECCC and the preparation of a consultation workshop. The memorandum is supposed to be signed in the second week of June and the consultation workshop is planned for early July.

The VSS organized a meeting between civil parties and Civil Party Lawyers in Case 002 on 29 May 2014 in Kampot Province under the financial support of the United Nations Trust Fund to End Violence against Women. One hundred and fifty-two gender-based violence civil parties, including 104 women from five provinces in the northwest of Cambodia, participated in the meeting.

The purpose of the meeting was to update these civil parties on the Reparation and Non-Judicial Measures Project and current developments at the ECCC, and to provide opportunities for civil parties and their lawyers to discuss and clarify any issues relating to the ECCC's proceedings.

Decisions/Orders

Public versions of the decisions, orders, opinions and considerations are available on the official ECCC website:

www.eccc.gov.kh/en/document/court

Trial Chamber

21 May 2014: Decision on Joint Request Regarding the Refiling of Admitted Evidence in Case 002/02, and Filing in One Language <E305/2> Decision on Joint Request Regarding the Refiling of Admitted Evidence in Case 002/02, and Filing in One Language

The Trial Chamber granted, in part and on an exceptional basis, the joint requests for parties to be exempted from submitting documents already admitted as evidence in Case 002/01 and from the requirement to submit in two languages the document list and witness,

civil party and expert lists. The Trial Chamber extended the deadline for the submission of document lists to no later than Friday 13 June 2014 and allowed parties to submit their document lists in one language, with translations to follow as soon as possible.

26 May 2014: Trial Chamber Memorandum Entitled "Decision on Requests for Sanctions Against KHIEU Samphan Defence Counsel <E309>

The Trial Chamber declined two requests from the Co-Prosecutors to impose sanctions against Khieu Samphan's Defence counsel.

29 May 2014: Scheduling Order for Pronouncement of the Judgement in Case 002/01 <E310>

21 May 2014: Decision on refusal to appoint Ms. [Redacted] as the case manager for the [Redacted] defence team

The United Nations Administrative Judge denied the application to appoint Ms. [Redacted] as the case manager for the [Redacted] Defence team. In agreement with the evaluation made by the Chief of the Defence Support Section, the Judge determined that the appointment is not in the interests of justice.



School and community visit in Kampong Speu

On 22 May 2014, the Public Affairs Section went on an outreach mission to Kampong Speu Province. The outreach team visited local communities and four high schools (Hun Sen Chambok High School, Kampong Speu High School, Sokha Phally High School and Phnom Srouch High School), where they were able to talk to the students about their knowledge of the Khmer Rouge trials and ask them questions about their understanding of the process.

The students were very curious to learn more about the ECCC outreach programme and they were keen to discuss what they knew and had learned about the Khmer Rouge and the trials. They even shared personal stories about their families during the regime and their hopes for the future.



The ECCC outreach team visited local communities and four high schools in Kampong Speu Province. (Photo : Lorena Rodriguez Alvarez)



Kim Eng, 20 years old, Sokha Phally High School (Photo Credit: Lorena Rodriguez Alvarez)

"I remember hearing about the ECCC on television. It was something about Duch [Kaing Guek Eav] and his trial. I know he was the former leader of S-21. I think it is important for us to have these trials because we can understand and clearly learn about Democratic Kampuchea. We can also learn what really happened. I sometimes discuss the regime with my mother. She told me many things about the forced labour, the killings and the hunger of the people. My mother was forced to work very hard during the regime. Today, if I could talk to the accused persons, I would ask them 'why did you do this?', 'why did you kill other Khmer Rouge?', 'what is the reason?' Also if I could talk to Duch I would ask him why he and the other Khmer Rouge established S-21. What was their purpose?"



Phorn Leakhena, 17 years old, Sokha Phally High School (Photo Credit: Lorena Rodriguez Alvarez)

"For me, the first time I heard about the ECCC was on the radio. I heard about the trials of the leaders. I think it is very interesting and important. The younger generations need to learn more about the past. My parents told me about the hunger and the killings. And I ask them questions too. I asked about the mass killings and they told me that the Khmer Rouge leaders wanted to kill other Khmers. I want to know the truth. If I could ask a question to the accused it would be: why did you kill so many people? Your own people! I think if we want justice for the victims they have to be sentenced to life imprisonment. I think it is the only answer if we want to bring justice."



Sok Davin, 17 years old, Kampong Speu High School (Photo Credit: Lorena Rodriguez Alvarez)

"I did not know about the ECCC before but I heard about Duch [Kaing Guek Eav] on television. We have talked a little bit about the Khmer Rouge at school but it is nice to get more information from the booklet. I don't necessarily hear about what is happening except for what is said on the radio or on television so I like when people come to tell us about our history."



Sim Sokront, 19 years old – Sokha Phanny High School
(photo credit : Lorena Rodríguez Alvarez)

"I heard about the ECCC on the radio. I also heard the broadcasting of the trials of the leaders and some things about the financial support. I know the names of Ieng Sary, Khieu Samphan and Duch because I heard them before. I think it is important to have these trials in order to find justice for the victims. It is important to find out the truth and to know what really happened. Why did the Khmer Rouge commit these crimes? I discuss with my parents when we listen to the radio, and they recall what happened to them during the regime.

"They were victims of the forced movement and forced labour. They even participated in helping to bury the bodies of the dead people. When I think about justice I ask the question: what's the truth? We rarely talk about the Khmer Rouge with my friends but older generations discuss it. I think the youth should listen to older generations, and ask questions because we don't understand what happened. Why were people hungry? Why did they have to steal? And our parents tell us why!"

More than 5,000 copies of the outreach booklet explaining the role of the ECCC and the current caseload were distributed during the mission.

ECCC weekly radio programme resumes on 19 June 2014

The ECCC will resume its weekly radio programme on 19 June 2014, following a two-month break. The radio programme, "Khmer Rouge Leaders on Trial", airs every Thursday on Bayon FM95 from 12:00 to 13:00.

Each programme presents the major developments from the week's proceedings and features guest speakers from the Court.

"This radio programme provides an important opportunity for the public to interact with court officials and develop a further understanding of judicial proceedings at the ECCC; it is a key channel through which the public can access information", said Acting Director of the Office of Administration H.E. Tony Kranh and Deputy Director Knut Rosandhaug in a statement.

Honours students from United States visit the ECCC

A group of Honours students from the United States visited the ECCC on Tuesday 21 May 2014 as part of a study tour around Cambodia. The students varied greatly in their study interests—their majors ran from nursing to accounting—but all were keen to broaden their outlook and learn about how the United States compares to other countries around the world.

Most of the students expressed their surprise at the brute facts of the Khmer Rouge regime, and were particularly marked by their visit to the Choeung Ek killing fields. After also visiting S-21, they appreciated having the opportunity to learn about the work of the ECCC in prosecuting the senior leadership of the Khmer Rouge.

The students were particularly interest-

ed in the Tribunal's outreach efforts and were concerned to find out whether Cambodians are aware of the trials and how the ECCC is received within the country.

They supported the idea that the Tribunal should not limit itself to the courtroom, but must also continue to inform local Cambodians about the history of the Khmer Rouge regime, and engage these people in trial proceedings.

There was a broad consensus that justice should not only be served through trial judgements, but through community activities that foster an understanding of the trial process and its outcomes.



Students from the United States appreciated having the opportunity to learn about the work of the ECCC.
(Photo Credit: Net Sokheng)

Public access and media accreditation for Case 002/01 judgement

The Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) has announced that the judgement in Case 002/01 against Khieu Samphan and Nuon Chea will be pronounced in the main courtroom of the ECCC on Thursday 7 August 2014 at 09:00. The 482 seats in the public gallery will be allocated as follows:

1. Case 002 civil parties and legal representatives

220 seats have been allocated to civil parties facilitated by the Victims Support Section and intermediary organizations, and their legal representatives. Seats that are not utilized by 08:45 on the day of the pronouncement will be reallocated to the general public.

2. Diplomats, government representatives and scholars

50 seats have been allocated to this group. Advance registration is required. Requests for seats must be sent to pas@eccc.gov.kh. Deadline for registration: Friday 1 August, 16:00. Seats that are not utilized by 08:45 on the day of the pronouncement will be reallocated to the general public.

3. NGO representatives

40 seats have been allocated to NGOs with ECCC-related programmes. Advance registration is required. Requests for seats must be sent to pas@eccc.gov.kh. Deadline for registration: Friday 1 August, 16:00. Following the deadline for requests, and dependent on the total number of requests, the ECCC will notify each NGO of the number of seats allocated. If the number of requests exceeds the total number of seats allocated.

4. Media representatives

20 seats in the public gallery have been allocated to media representatives, whereas the remaining members of the media will be allocated seats in the Press Room (C105) on the ground floor of the court building.

5. General public

50 seats will be allocated to the general public, and will be distributed on a first-come, first-served basis.

Media accreditation

Advance registration and accreditation is required for all media representatives who wish to be granted access to the ECCC. The following procedure will apply for media representatives seeking access to the ECCC:

a) Media representatives who do not already have an ECCC press accreditation card must submit a completed and signed Media Accreditation Form, a .jpg portrait photo and a copy of their passport together with their request for access.

b) Media representatives who have a valid ECCC press accreditation card must register their request for access on 7 August with the Public Affairs Section by sending an email to pas@eccc.gov.kh.

c) Media representatives who have an expired ECCC press accreditation card must re-submit a completed and signed Media Accreditation Form together with their request for access on 7 August to pas@eccc.gov.kh. Please indicate the card number of your expired ECCC accreditation card.

The Media Accreditation Form can be downloaded from the ECCC website:

http://www.eccc.gov.kh/sites/default/files/ECCC_Accreditation_Media_Application_Form-2014.doc

Deadline for media registration and accreditation requests: Friday 1 August 2014, 16:00.

Visitor information for public hearings

Final judgement in Case 002/01

Date: Thursday 7 August 2014

Place: main courtroom of the ECCC

Time: 09:00

Hearing schedule

Date: Wednesday 30 July 2014

Place: main courtroom of the ECCC

Daily hearing proceedings: 09:00 - 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.

ECCC outreach

The Public Affairs Section of the ECCC 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 hosting community video screenings across Cambodia. It also welcomes international group visitors and provides briefings and court tours.

May 2014						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	1	3
4	5	6	7	8	9	10
11	12	13 Khmer Public Holiday	14 Khmer Public Holiday	15 Khmer Public Holiday	16 Study tour Sangke District, Battambang province (300)	17
18	19	20	21 Study tour Daun Keo/Samrong Kampot province (300) + US students (14)	22 Outreach activity Phnom Srouch district Kampong Speu province (5000 booklets)	23 Study tour Kampong Trabek Prey Veng province (250)	24
25	26	27 Study tour Borey Chulsa Takeo Province (400)	28	29 Study tour Svay Rieng province (400)	30 Study tour Svay Rieng province (400)	31

June 2014						
SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3 Study tour Battambang province (300)	4 Outreach in Kampot	5 Study tour Battambang province (350)	6	7
8	9	10 Study tour Kampot and Phnom Penh (400)	11	12 Study tour	13 Study Tour Svay Chrum (400)	14
15	16	17 Study tour	18 Study tour Ohio University	19 Study tour	20	21
22	23 Study tour University of Cologne, University of California (Berkeley), National University of Management	24 Study tour	25	26 Study tour	27	28
29	30					

Outreach activities



High school students listen to a presentation during an ECCC outreach activity in their school in Kampeung Speu Province.

June: (KRT Watch Program) CHRAC will hold a half-day legacy workshop with university students. The theme of the event is “Annotated Cambodia Code of Criminal Procedure and Important Strategies for the Implementation of ECCC’s Best Practice and International Fair Trial Standards”.

The students will be able to discuss the Code and more selected international jurisprudence. Moreover strategies for national legal and judicial reform will be developed in coordination with them.

2 – 4 June: Four local facilitators from Kdei Karuna will facilitate a dialogue between elders and youth in Siem Reap. The aim is to reach 25 people and allow LFs to start using their facilitation skills during the dialogue and to collect issues for future discussion. Project staff will closely observe this activity.

9 June: CHRAC will host a live show at the Women’s Media Centre of Cambodia where the public will be informed about the forced marriages during the Khmer Rouge regime and the work of the Court and NGOs regarding this issue.

9 - 13 June: Kdei Karuna local facilitators and local committees will hold a meeting in Takeo in order to provide updates on the progress of fundraising efforts to build a stupa. Participants will also look for ways to improve the community memory initiative.

August: Launch of Civil Party Story Book (jointly organized with Victims Support Section).



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

The ECCC welcomes visitors. For more information: pas@eccc.gov.kh.



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