

Annex G(1): Admissibility Arguments for Civil Party Applicants Found Inadmissible for Insufficiency of the Evidence or Related Grounds (Foreign-National Legal Teams)

(See Annex F(1) for key to inadmissibility codes.)

VSS Ref	Full Name	Ground(s)	Submissions by Co-Lawyers for Civil Party Applicant	Cambodian Lawyer	Foreign Lawyer
11-VSS-00100	AM Nai Oun	3	The applicant relatives were killed at Phnom Pros Phnom Srey, Kampong Cham province. The applicant learned that her relative were ordered to teach students. After, they were killed. She lost her dare relatives.	Kim Mengkhy	Martine Jacquin
11-VSS-00065	BRACH Sorng	3, 7	The applicant saw her younger brother be killed by a blow to the back of the head with a hoe in 1977 at Sambuor sub-district. In the same year, the applicant's father was killed at Trapeang district, Takoe province. The applicant got suffered by the cause of killing of her younger brother and her father.	Kim Mengkhy	Martine Jacquin, Isabelle Durand
17-VSS-00074	CHUM Socheat alias CHUM Ling	6	The applicant provides sufficient detail to establish that he was present in Cambodia from 17 April 1975 and was forced into labor and at cooperatives and worksites within the country throughout the duration of the DK regime. For example, he recalls in detail being place in a Kong Chlat work group and being made to dig dirt from a pond for Khmer Rouge road projects, the insufficient food rations his efforts to supplement his diet with "pig slop." He also recounts the suffering he experienced as malnutrition and edema set in. (See Case File No. 004, D5/1998 at ERN 01479988). These facts establish that Mr. Chum was in the country during the relevant time periods and was made to work in cooperatives and worksites under inhuman conditions. These facts alone are sufficient to establish his admissibility as a Civil Party to the proceedings.	Sam Sokong	Nushin Sarkarati, Daniel McLaughlin
11-VSS-00133	KEN Rom	3, 6	In 1975, the applicant' uncle and older brother was brough by the Khmer Rough to Prasat Ballang district, Kampong Thom province. Since then, they're dissapeared. The applicant got suffered from the losing of her uncle and her older brother.	Kim Mengkhy	Martine Jacquin, Isabelle Durand

VSS Ref	Full Name	Ground(s)	Submissions by Co-Lawyers for Civil Party Applicant	Cambodian Lawyer	Foreign Lawyer
11-VSS-00024	KHI Leat	3	The applicant got suffer from the loss of his house, and his sister was forced to married.	Kim Mengkhy	Martine Jacquin, Isabelle Durand
11-VSS-00010	KHLOUK Nang	6	During the Khmer Rough regime, the applicant was forced to work at Kampong Svay district, Kampong Thom province.	Kim Mengkhy	Martine Jacquin, Isabelle Durand
11-VSS-00129	KIM Seng	3, 7	The applicant's sister was arrested by the Khmer Rouge soldier and sent to be killed without any mistakes in May 1975. By this cause, the applicant really hate the Khmer Rouge regime. More over, the applicant lost his properties and his family is poor now.	Kim Mengkhy	Martine Jacquin, Isabelle Durand
16-VSS-00012	LENG Yim	6	During Khmer Rough regime, the applicant and her husband was forced to work. And then in 1977, the applicant's husband was detained in Angkuon Dei pagoda, then he bring to killed in Toul Sleng security center.	Kim Mengkhy	Martine Jacquin
16-VSS-00074	LY Sambo	3	The applicant's Victim Information Form clearly states that she was living and working in Chouk Krang, Ampil, Kampong Bay, and Kampong Trach districts from late 1975-1978 (See Case File No. 004, D5/1917 at ERN 01372780). The implication from her statement is that the applicant had been transferred within Kampot province, where she states she was in May 1975. This is supported by the fact that several of the districts she lists are still districts within Kampot province. This suggests that it is more likely than not that she was in Kampot Province during the period that Yim Tith exercised extensive authority within the Southwest Zone and the harms she experience during that time can be imputed to the accused.	Sam Sokong	Nushin Sarkarati, Daniel McLaughlin
16-VSS-00015	MAN Sles	5	During Khmer Rouge regime, the applicant was forced to work. And also during this regime, his mother and relatives was killed. The applicant got suffer because he lost his mother and his relatives.	Kim Mengkhy	Martine Jacquin
16-VSS-00016	MAT Keu	3, 6	During the Khmer Rough regime, the applicant was lost their relatives and his properties. By this cause, the applicant always headache, and quickly forget.	Kim Mengkhy	Martine Jacquin
11-VSS-00058	MEAS Sorth	3, 6	During the Khmer Rough regime, the applicant was assigned to work hard. By this cause, the applicant's leg became disable.	Kim Mengkhy	Martine Jacquin

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11-VSS-00354	MEY Yoeurn	3	The applicant was force to work to harvest rice. While she was harvesting rice, her right eyes was stricken with a grain of rice and become blind. She didn't have medical to cure her eye, and than she was diprived of food for 7days. Although she was blind, she still forced to be a guard at night. If she refuse, she would be killed. The applicant's was eye blind until now.	Kim Mengkhy	Martine Jacquin
16-VSS-00071	NEOU Sarem	5, 6	The applicant gave a detailed, 72-page accounting of the dates, locations, facts and circumstances of the harm she and her family members experienced as a consequence of crimes and policies within the scope of Case 004. This document is incorporated into her Civil Party application by reference (<i>see</i> Case File No. 002/01, E3/3983 at ERN 00569769), but does not appear to have been considered by the ICIJ in making a determination on the admissibility of this applicant. Co-Lawyers for this client will seek to have the document put before the Pre-Trial Chamber.	Sam Sokong	Nushin Sarkarati
12-VSS-00852	OU So	3	The applicant's Victim Information Form provides adequate information to substantiate the harm he experienced as a consequence of the crimes committed against him and his father, sister, and two brothers who were killed in Kampot Province in 1977. In all cases, he provides the location and years the events took place as well as the names and occupations of each of his relatives, where and why they were arrested and where they were sent after arrest. (<i>See</i> D5/633, ERNs: 00910363-66.) Additional evidence proving the applicant's relationship to these relative is not required and would be impossible to obtain given that such records would have been destroyed or lost during the Democratic Kampuchea period.	Lor Chunthy	
17-VSS-00033	PHAN Saly	3	The applicant provided sufficient information in her Victim Information Form, including the dates the crimes took place in Cambodia (1977-1979), her whereabouts (Phnom Tnaut in a northern, forest region of the country), the harms she experienced (forced labor and execution of her husband, in particular) to support a finding of admissibility. (<i>See Case File No. 004, D5/1981 at ERN 01425434-35</i>). This is especaly true in light of the fact that the applicant has lived in the United States for decades and does not benefit from the constant exposure to place names and other reminders of that would keep this informaiton fresh in her mind.	Sam Sokong	Nushin Sarkarati, Daniel McLaughlin

VSS Ref	Full Name	Ground(s)	Submissions by Co-Lawyers for Civil Party Applicant	Cambodian Lawyer	Foreign Lawyer
12-VSS-00856	POL Sotheara	3	The applicant got suffer from the loss of his relatives, and property.	Kim Mengkhy	Martine Jacquin
16-VSS-00077	SAO Kim Seang	6	The applicant provides adequate timeframes (1977) and location (in Cambodia) to establish that she suffered harm as a consequence of the CPK policy to reeducate bad elements and kill enemies, namely her aunt, cousin and nieces and nephews who were killed in Koki Bek Village. (See D/1920 at ERN 01374172.)	Sam Sokong	Nushin Sarkarati
17-VSS-00071	SAR Poch	3	The applicant's Victim Information Form provides adequate information to substantiate the harm she experienced as a consequence of the crimes committed against her and her immediate relatives. She indicates that the events took place during the Democratic Kampuchea period after the fall of Phnom Penh and names the various locations where she was enslaved. She further names 7 relatives that were killed and explains their relationship to her and where and why they were killed. As well, she indicates that she was an eye witness to these killings. (See D5/1991, ERNs: 01429773.) Additional evidence proving the applicant's relationship to these relative is not required and would be impossible to obtain given that such records would have been destroyed or lost during the Democratic Kampuchea period.	Sam Sokong	Nushin Sarkarati
11-VSS-00140	SEANG Yây	3	The applicant and her husband was forcibly transferred to Angkor Chey District, Kampot province. The applicant's husband was tied upside down for one night during traveled to Kampot province. When the applicant arrived Kampot province, they give her with one tank for one month. At there, the applicant and her husband was force to work hardly. The applicant got suffered from the losing of her two older brothers and her properties.	Kim Mengkhy	Martine Jacquin
11-VSS-00032	SOEM Roern	5	The applicant suffered because of the death of her husband, and was forced to marry.	Kim Mengkhy	Martine Jacquin, Isabelle Durand
11-VSS-00149	SOKH Chim	3, 6	During the Khmer Rouge regime, the applicant was forced to work. The applicant's husband was tied his hands behind his back and was killed in Wat Srangae, Kampong Svay district, Kampong Thom province. By this cause, the applicant got suffered from the losing of her husband, and she has a mental problem.	Kim Mengkhy	Martine Jacquin, Isabelle Durand

VSS Ref	Full Name	Ground(s)	Submissions by Co-Lawyers for Civil Party Applicant	Cambodian Lawyer	Foreign Lawyer
11-VSS-00376	SOM San	3, 6	During Pol Pot regime, the applicant's father was tied up at night, and bring to Kouk Bring execution site. By this cause, the applicant got suffer when remind about the Pol Pot regime, and she've had the nightmare all night. And, she finds it difficult to breath.	Kim Mengkhy	Martine Jacquin
11-VSS-00028	SUM Thol	6	During the Khmer Rough regime, the applicant was forced to work. The applicant also saw her older sibling being tied and killed with a hoe at Kouk Kream village, Vihear Thum sub-district, Kampong Siem district, Kampong Cham province.	Kim Mengkhy	Martine Jacquin, Isabelle Durand
11-VSS-00044	SUONG Hun	3	During the Khmer Rough regime, the applicant was forced to work. The applicant and his family were mistreated.	Kim Mengkhy	Martine Jacquin, Isabelle Durand
17-VSS-00025	TEAO Lim	6	As noted in the Victim Information Form, the applicant suffers from post-traumatic stress disorder and expeirences difficulty remembering specific dates and information. Nonetheless, she reports that she was in Cambodia during the Khmer Rouge period, supported by the fact that she fled the country as a refugee in 1979, and that she suffered a great deal under the strain of forced labor, the loss of her daughter and the suffering of her husband who experienced long-term imprisonment and abuse. She also identifies that she resided in Tangkok City during at least part of the DK period. The evidence clearly supports a finding that the applicant was in Cambodia for the full DK period and suffered harma as a consequence of the implementation of various CPK policies, including the operation of cooperatives and worksites. (See D5/1949 at ERN 01404229.)	Sam Sokong	Nushin Sarkarati, Daniel McLaughlin
11-VSS-00337	TUON Pronh	5	The applicant's older brother was killed at the end of 1978 at Ou Chrov district, Banteay Meanchey province.	Kim Mengkhy	Martine Jacquin
11-VSS-00178	YAN San	5	During Khmer Rough regime, the applicant was forced to work without enough food. And then in 1977, She was forced to married with a man. As the result, it made her suffer with what she met as like forced to work, and force to married.	Kim Mengkhy	Martine Jacquin