



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

D25/26/b

**អង្គបុរេជំនុំជម្រះ**

PRE-TRIAL CHAMBER  
CHAMBRE PRELIMINAIRE

**Declassified to Public  
06 September 2012**

**Criminal Case File N° 001/18-07-2007-ECCC/OCIJ (PTC)**

**Before:** Judge PRAK Kimsan, President  
Judge Rowan DOWNING  
Judge NEY Thol  
Judge Katinka LAHUIS  
Judge HUOT Vuthy

**Date:** 17 September 2008

<b>ឯកសារដើម</b>	
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... 18 / 09 / 2008 .....	
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**RECOGNITION OF CIVIL PARTY LAWYERS**

**Co-Prosecutors**

CHEA Leang  
Robert PETIT  
YET Chakriya  
William SMITH  
PICH Sambath  
Alex BATES

<b>ឯកសារបានចម្លងតាមត្រឹមត្រូវតាមច្បាប់ដើម</b>	
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: C.A. Juy	

**Charged Person**

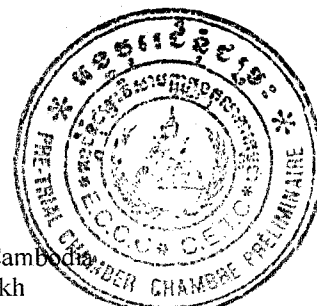
KAING Guek Eav alias "DUCH"

**Lawyers for the Civil Parties**

KONG Pisey  
HONG Kimsuon  
YOUNG Panith  
Silke STUDZINSKY  
KIM Mengkhy  
Martine JACQUIN  
Philippe CANNONE

**Co-Lawyers for the Defence**

KAR Savuth  
François ROUX



D25/26/6

1. **THE PRE-TRIAL CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) notes the judicial investigation initiated against KAING Guek Eav, alias “DUCH”, in case file number 001/18-07-2007-ECCC/OCIJ and the forwarding of the case file to the Pre-Trial Chamber in accordance with Internal Rule 69(1).
2. It is noted that Ms. KIMARI Névinka has been accepted on 8 August 2008 (document number D25/26/5) as a Civil Party by the Office of the Co-Investigating Judges and has designated on 20 August 2008 Mr. KIM Mengkhy as her Cambodian co-lawyer, and Ms. Martine JACQUIN and Mr. Philippe CANONNE as her foreign co-lawyers, duly admitted to the list of lawyers willing to represent victims before the ECCC. Mr. KIM Mengkhy, Ms. Martine JACQUIN and Mr. Philippe CANONNE accepted this designation on 20 August 2008.
3. Rule 23(7) of the Internal Rules of the ECCC provides:
 

“Any Victim participating in proceedings before the ECCC as a Civil Party has the right to be represented by a national lawyer, or a foreign lawyer in collaboration with a national lawyer [...]”
4. The rights and obligations that apply as a result of designation as a Civil Party lawyer are set out in the attached document.

**THEREFORE, THE PRE-TRIAL CHAMBER HEREBY ACCREDITS AND RECOGNISES** Mr. KIM Mengkhy, Ms. Martine JACQUIN and Mr. Philippe CANONNE as the co-lawyers of Ms. KIMARI Névinka for the purposes of the judicial investigation before the ECCC. mi

Phnom Penh, 17 September 2008

**President of the Pre-Trial Chamber**



**PRAK KIMSAN**

Rights and Obligations of Civil Party Lawyers of the Extraordinary Chambers in the  
Courts of Cambodia (ECCC)

**Participation in the judicial investigation:** You are authorised to represent your client during his or her participation in the proceedings, as provided in the ECCC Internal Rules.

**Access to the case file:** You have the right to examine and make copies of the original case file of the judicial investigation to which your client is a party, as well as the paper and electronic copies thereof, during working days and subject to the requirements of the proper functioning of the ECCC. This access may be arranged with the assistance of the Victims Unit or the Case File Officer, but remains under the overall supervision of the competent Greffiers, as appropriate; Within reason, you may make, or request, copies of documents contained in the case file and take them to discuss with your client, but you must not hand over such copies to your client or to any other person.

**Professional and Judicial Confidentiality:** Through your client's participation as a Civil Party, both you and your client will have access to confidential information contained in the case file. Only the ECCC Judges and Prosecutors can decide to make such information public. You are bound by the confidentiality of the judicial investigation, the Internal Rules of the ECCC and your own professional rules not to disclose any information that you have gained from consulting the case file.

**Filing of documents:** Once your client has been recognized as a Civil Party, all official documents must be filed through the Case File Officer, as set out in the Practice Direction on Filing of Documents. You will receive electronic notification of documents placed on the case file, and you should provide an email address to the Pre-Trial Chamber greffiers for this purpose. Service of a hard copy will only be possible where you do not have access to email.

Rules and practice directions relating to Civil Party participation before the ECCC can be consulted and downloaded from the Victims Unit web page (<http://www.eccc.gov.kh/>). If you need any further advice concerning the representation of your client in ECCC proceedings, please contact the Victims Unit. ort

