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Civil parties to plead for right to question Cheang Sokha and Robbie Corey-Boulet September 14, 2009

Two sets of civil party lawyers have indicated that they will appeal a decision by the Trial Chamber to prevent them from questioning character witnesses in the ongoing case of Tuol Sleng prison chief Kaing Guek Eav, alias Duch.

Lawyers for Civil Parties Group 2 distributed a press release Saturday stating their intent to appeal the August 27 ruling, arguing it was "of outstanding importance to ensure a full participation" of their clients. They also intend to appeal a separate ruling, announced the same day, barring them from filing submissions on sentencing, according to the release.

"There is no more important place in the trial for the Civil Parties than participating at the mitigation stage to defuse any attempts at lessening the punishment of the chairman of S-21," the statement reads.

Lawyers for Civil Parties Group 3 submitted on September 1 their intent to appeal the ruling regarding character testimony. UN court spokesman Lars Olsen said he did not know of forthcoming appeals from the other two groups.

Both rulings were announced in court, but a written explanation has yet to be submitted by the Trial Chamber. "We heard the rejection from the mouth of the Trial Chamber, but they did not issue an official letter to us, and we cannot accept this rejection," said Hong Kim Suon, co-lawyer for Civil Parties Group 2.

The two rulings do not appear to fall under the category of those that are subject to immediate appeal, but Hong Kim Suon dismissed suggestions that the appeal was unnecessary or inappropriately timed.

"I want to tell the public that [Duch] has only confessed to the crimes that occurred at S-21 under his control, not other crimes that happened during the regime," he said. "Also, he has never admitted that he killed people himself - that's what we want to ask him, but we've been prevented from doing so."

At the conclusion of its sixth plenary session, the tribunal announced Friday that civil parties in future cases would form "a single, consolidated group", meaning they will be represented by co-lawyers who will receive support from civil party lawyers. According

to a press release announcing changes approved by the plenary, future civil parties will also submit just one reparations claim.

Olsen said the specifics of the changes approved had yet to be finalised. "It's only the principles which have been decided so far by the plenary," he said. "The most important principle is that the civil parties will continue to have a role."

The plenary also decided that civil party applications would no longer be accepted during the trial phase, setting an application deadline of up to 15 days after the conclusion of the judicial investigation had been announced.

The judicial investigation for the tribunal's second case, which is set to try four top Khmer Rouge leaders currently in custody, is expected to conclude at the end of the year, according to the release.