



The Court Report

MAY 2012

The Extraordinary Chambers in the Courts of Cambodia

Moving Forward Through Justice

Compilation of statements of apology
made by Kaing Guek Eav alias Duch during the proceedings



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First Reparations for Civil Parties Awarded

The Extraordinary Chambers in the Courts of Cambodia has published a compilation of apologies made by Kaing Guek Eav, alias Duch, on the ECCC official website, marking the court's first reparation award for civil parties who are legally recognized as victims by the court.

In its appeal judgment concerning the former chief of the S-21 security prison, the ECCC's Supreme Court Chamber on 3 February affirmed the

Trial Chamber's decision on reparations to compile and post on the website all statements of apology and acknowledgements of responsibility made by Duch during the course of the trial, including the appeal stage. The highest chamber rejected other appeals on reparations in its appeal judgment.

The court has since compiled his statements of

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Duch's Full Appeal Judgement is Issued

Following the issuance of a full judgement on appeals in Case 001 concerning the chief of the Khmer Rouge's former security prison, the Extraordinary Chambers in the Courts of Cambodia is now preparing to distribute the final judgement books bound in soft covers nationwide.

On 9 April, the ECCC's Supreme Court Chamber published the fully-reasoned final judgement in Khmer and English against Kaing Guek Eav, alias Duch. This came two months after its President Kong Srim read out a summary of the judgement and the disposition at a public hearing where a thousand visitors closely watched the conclusion of the court's first case on 3 February.

In the final judgement, the Supreme Court Chamber affirmed the Trial Chamber's guilty verdict against Duch for crimes against humanity and grave breaches of the 1949 Geneva Conventions, sentencing him to life imprisonment - the maximum sentence available under Cambodian law. Duch oversaw the security prison S-21 in the late 1970s, where 12,372 people were unlawfully detained in inhumane conditions, repeatedly tortured and eventually executed.

"The crimes committed by Kaing Guek Eav were undoubtedly among the worst in recorded human history," said President Kong Srim

during the pronouncement. "They deserve the highest penalty available to provide a fair and adequate response to the outrage these crimes invoked in victims, their families and relatives, the Cambodian people, and all human beings."

The full judgment (612-pages in Khmer and 350-pages in English) explains in detail how the Supreme Court Chamber has come to the conclusion to quash the 35-year sentence imposed by the Trial Chamber on 26 July 2010 and to reverse the lower chamber's decision to grant a remedy for his illegal detention by the Cambodian Military Court before the ECCC's establishment.

It provides more insights over why the Supreme Court Chamber entered separate convictions for the crimes against humanity of extermination, enslavement, imprisonment, torture and other inhumane acts, granting in part the Co-Prosecutors' appeal. It also explains reasons behind why 10 individual appellants, whose applications for a Civil Party status were rejected by the Trial Chamber, were now admitted as Civil Parties in the



final judgment.

The official full judgment is available on the ECCC website for the public to download, along with the final list of admitted 76 Civil Parties.

In an effort to make the appeal judgment more available for the Cambodian people, the ECCC has been printing 5,000 copies of the full judgment and another 15,000 copies of the summary judgment in Khmer. These copies will be distributed to Civil Parties, Cambodian judicial institutions, libraries, universities and central and local government offices in coming weeks.

First Reparations for Civil Parties Awarded

(continued from pg. 1)

apologies and acknowledgements of responsibility made during the 77-day trial hearing and the three-day appeal hearing and produced a 21-page publication of apologies in Khmer with pictures of trial scenes and archive photos of the security prison. The publication, along with the 16-page English version, was posted on the website on 3 April.

The compilation contains various testimonies of Duch, particularly the expressions of remorse he made throughout the proceedings, right from his opening statement on 31 March 2009 to his final words at the appeal hearing on 30 March 2011.

In addition, the ECCC's Victims Support Section has produced a complementary print version of the apologies for civil parties and other victims of the Khmer Rouge. These are now being distributed throughout Cambodia.

The participation of victims in the proceedings as civil parties is a hallmark of the ECCC. In the first case concerning Duch, 90 victims who claimed they had suffered physical, psychological and material harm from the crimes in question participated in the trial proceedings.

Among these 90 participants, 66 were admitted as civil parties by the Trial Chamber in July 2010 and another ten appellants were recognized as victims by the Supreme Court Chamber in February 2012. Altogether 76 individuals are now acknowledged as civil parties in Case 001 and their names are posted on the website along with the fully-reasoned appeal judgment.

Excerpts from Duch's statements of apology

I still claim that I alone am responsible for the loss of at least 12,380 lives. These people, before their death, endured intense and prolonged suffering and countless inhumane conditions. I wish, now and forever, to respectfully and humbly apologize to the souls of the dead... To the survivors, I still stand by my acknowledgement that I am morally and legally responsible for all crimes inflicted on you at S-21. (Transcript of 25 November 2009 [p.46 Line 10 to p. 48 Line 1]33)

Please allow me to offer my apology to all the victims who were subjected to the utmost suffering at this place until the day they lost their lives or until 7 January 1979. I would like to offer my apology to the victim's families who have been living in pain for the past 33 years without their beloved family members and who have not yet obtained justice. (Transcript of 16 September 2009, [p. 36 Line 2 to p. 37 Line 24]32)

Defence Support Section Welcomes New Chief



A new chief of the Defence Support Section has joined the Extraordinary Chambers in the Courts of Cambodia to strengthen its administrative support for defense.

Mr. Isaac Endeley took up his post on

17 April, nearly one and a half years after the post was vacated with the departure of the former chief, Richard Rogers. Veteran in law and judicial administration, Mr. Endeley is expected to bring a wealth of knowledge and

expertise to assist in the work of defense teams.

From February 2005 until his transfer to the ECCC, Mr. Endeley worked as a Legal Officer in the Chamber's Support Section as well as the Defence Counsel and Detention Management Section at the United Nations International Criminal Tribunal for Rwanda.

(UNICTR). In the later capacity, he administered the UNICTR's highly complex Legal Aid Programme. Prior to joining the UN, he worked as an Attorney-Editor for WestLaw, now known as Thomson/Reuters, a legal research and publishing firm based in Minnesota, USA. Before that, he was a Professor of Political Science and International

Relations at universities in the USA and Canada.

Originally from Cameroon, Mr. Endeley holds a Bachelor's degree and a Certificate in Education from Keele University in the UK, a Master's degree and a Ph.D. from the Université de Montréal in Québec, Canada, and a Juris Doctor degree from William Mitchell College of Law in Minnesota, USA.

Mr. Endeley has previously worked as a translator and has attained language-proficiency diplomas from institutions in the former USSR, France and Switzerland. He is also the author of two recent books on international affairs.

Third International Co-Lawyer Joins Khieu Samphan Team



At the request of Mr. Khieu Samphan, the Defence Support Section has assigned Ms. Anta Guisse as the third International Co-Lawyer representing him in Case 002 proceedings at the Extraordinary Chambers in

the Courts of Cambodia.

Ms. Guisse is a French defence lawyer with over ten years of experience in international criminal law, having worked for the defence in three cases at the United Nations International Criminal Tribunal for Rwanda, and as a victims' representative at the International Criminal Court.

Among many other consultancy and pro-bono positions, Ms. Guisse has been a board member and legal advisor of the 'Citizenship Governance Initiatives', a Cameroon-based association working on citizens'

participation and governance, and has also been a Trainer for the ICTR Capacity building programme, in collaboration with the Kigali Bar Association, to coach Rwandese lawyers in international humanitarian law.

Ms. Guisse and the two other International Co-Lawyers, Mr. Jacques Vergès and Mr. Arthur Vercken, will share the responsibility of representing Mr. Khieu Samphan, alongside National Co-Lawyer, Mr. Kong Sam Onn.

Mom Luch Assigned as National Defence Lawyer

The Defence Support Section of the Extraordinary Chambers in the Courts of Cambodia has assigned Mr. Mom Luch as a national lawyer to represent a suspect named in a submission by the International Co-Prosecutor to the Office of the Co-Investigating Judges on 7 September 2009. The case is now referred to as Case 004.

Mr. Mom has 17 years of experience as a lawyer, primarily working in the field of criminal law. He first served as a deputy chief judge in Koh Kong Provincial Court for seven years before working as a lawyer and legal assistant for Legal Aid of Cambodia.

In 2005 Mr. Mom founded the Phnom Penh International Law firm (PIL) where he represents mainly criminal cases, but also represents clients in civil litigations. In 2006 he began working for a legal consultancy firm and began teaching and consulting at the Lawyer Training Center in Phnom Penh.

Mr. Mom participated in a training course on international criminal law run by the DSS in 2007 and was appointed in his role with the ECCC in April this year.



The Lord of the Iron Staff– the ECCC's guardian spirit statue

Youth for Peace Opens first Peace Learning Center

Youth for Peace has recently inaugurated the first Community Peace Learning Center at the Krang Ta Chan memorial site in the Tram Kok District, Takeo Province.

Krang Ta Chan was formerly part of the Southwestern Zone that was under the control of Khmer Rouge leader Ta Mok. In the early years of the regime the site was used as a Communist Party of Kampuchea meeting location but was later allegedly turned into a detention center in 1973. After the Khmer Rouge's victory in 1975, large numbers of new people were transferred to Krang Ta Chan. Though only having the capacity to hold around 85 prisoners at a time, it is alleged that over 15,000 people were executed in the prison and its vicinity. The site is currently being investigated for Case 002, and 11 Civil Parties have been admitted in relation to the crimes committed there.

The Learning Center contains a dialogue and meeting room, a library, and an exhibition hall that hosts educational material on different aspects of Cambodia's recent history; the command structure of the Khmer Rouge; as well as information on the verdict of Case 001. Youth for Peace is now in the process of producing further pedagogical material and organizing high school study tours, exhibitions, film screenings and other events to attract surrounding community members and outsiders.

Many victims and Civil Parties cite the education of the post-war generation about



Inauguration ceremony at Krang Ta Chan memorial site

past atrocities as one of their crucial grievances with regard to reparations and non-judicial measures. By initiating the establishment of local pedagogical facilities, Youth for Peace's project serves as a model for non-judicial measures to be implemented by the ECCC's Victim Support Section. "We want to transform these mass killing sites into sites of remembrance and peace education" said YFP Executive Director Long Khet.

Youth For Peace is now establishing similar learning centers in other locations such as

Wat Thlork (Svay Rieng), Wat Kirum and Wat Samrong Knong (both in Battambang).

The organization has been working in Krang Ta Chan for the past three years providing historic education and ECCC outreach to the local youth, as well as facilitating dialogues between victims and the younger generation of Cambodians. It has also initiated the establishment of a local memory committee in collaboration with the commune council which is now in charge of preserving and managing the site. Numerous projects to commemorate and process the past have been implemented in recent years including 'Understand, Remember and Change' workshops for youth, oral history projects, research activities, art projects, public forums, re-enactments, intergenerational dialogues, and remembrance ceremonies.

Youth for Peace places great emphasis on actively involving the local community and there has been remarkable progress in community participation over the past years. The community has mapped the sites and designed an art house that provides space for the local youth group to meet and study.

The local community also raised considerable funds to realize the project. These funds were complemented by the support of the Institut für Auslandsbeziehungen (IFA) and Gesellschaft für Internationale Zusammenarbeit (GIZ), Germany.



A mural of artworks by local children that depict the events of Krang Ta Chan during the Khmer Rouge era

VSS Holds Workshop On Gender Sensitivity in Transitional Justice Process in Cambodia

On 5 April, the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia organized a workshop on “The Baseline Study on Gender Sensitivity in Transitional Justice Process in Cambodia” in Phnom Penh. This workshop was attended by 40 participants from different NGOs and Civil Society Groups.

The study that initiated the workshop was conducted by Dr. Theresa de Langis, Senior Specialist in Women's Human Rights in Conflict Settings and Ms. Noy Sophary, a Cambodian Specialist. Their study aimed to measure the levels of gender sensitivity evidenced by NGOs working in transitional justice, which made the ECCC a valuable case study.

The findings from this baseline study were presented at the workshop to initiate a discussion on gender-sensitive practices in

the field of transitional justice, conflict transformation and gender-based violence. The inclusive discussion on the results of the study led to the further planning of strategic actions for moving forward.

Following the presentation and discussions, participants and consultants drafted a comprehensive list of recommendations on how to better implement and promote the issues raised in the workshop. Some of these recommendations included:

- Raise awareness of gender in the transitional justice context;
- Promote a gender responsive approach in all projects and project activities;
- Expand psychological support services;
- Develop approach of “do no harm” in

projects that involve women participating in the transitional justice process;

- Develop internal policies or regulations that provide specific provisions on gender equality; and
- Formalize cooperation among NGOs

The workshop was part of the project “Promoting Gender Equality and Improving Access to Justice for Female Survivors and Victims of Gender-Based Violence under the Khmer Rouge Regime”, sponsored by the UN Women. It was launched in 2011 and involves the collaboration of the VSS with Transcultural Psychosocial Organization (TPO) and Cambodian Defenders Project (CDP).

Two Groups of U.S. Students Visit ECCC

The Extraordinary Chambers in the Courts of Cambodia welcomed two groups of international students in April, both from the USA, providing briefings and a rare opportunity to observe an international tribunal.

On 19 April, 20 high school students from Seattle, Washington, accompanied by three teachers visited the court to learn more about the Khmer Rouge tribunal which investigates the atrocities committed in the late 1970s. A week later, 12 undergraduate students from University of Redland, California, paid a visit to gain the firsthand experience of the tribunal and Cambodia’s history before travelling to Siem Reap to work with an NGO for several weeks. Both groups of students were pleased to meet with public affairs staff to hear about the working of the court, as well as its achievements and challenges.

The ECCC continues to welcome group visitors throughout the year. The Public Affairs Section provides a flexible programme that can be tailored for any group, both national and international.

For more information, please contact pas@eccc.gov.kh



American high school students watch a presentation on the work of the ECCC

New Features of ECCC Website

Two new additions have been made to the ECCC website that make it easier for the media and public to access photos of the different participants of the court.

The photo gallery section of the website can now be searched or browsed based on categories, keywords or names of persons. There are currently more than 500 photos of ECCC activities on the site since 2006 and hundreds more are expected to be uploaded monthly.

Additionally, there is an updated “Who is Who” section of the website to assist representatives of the media and viewers of online videos of court proceedings, to help determine the identities of the judges and the different parties who appear in the courtroom. Each participant has a short profile describing their role in the court along with biographical information.



Case 002

Evidence Hearing

The Trial Chambers of the Extraordinary Chambers in the Courts of Cambodia continued in April with the hearing of evidence in the first trial in Case 002, in which three former Khmer Rouge leaders – Nuon Chea, Ieng Sary and Khieu Samphan – are accused of crimes against humanity, grave breaches of the Geneva Conventions of 1949 and genocide.

The first trial focuses on the forced movement of the population from Phnom Penh in April 1975 and then from the other regions during 1975-1977, and related crimes against humanity.

In April, the chamber continued examining the administrative and communications structures of the Communist Party of Kampuchea and some aspects of the roles of the accused.



The public gallery of the court allows villagers, students, NGO workers and others a chance to

Three witnesses were called upon to give testimony over the course of 14 days of hearings before and after the Khmer New year, and defendant Nuon Chea also made a statement to the court.

Witnesses were questioned on topics ranging from Khmer Rouge ideology to their personal relationships with the Accused, with many questions focusing on the roles and powers of the defendants within the Democratic Kampuchea regime.

Former S-21 chairman Kaing Guek Eav, alias Duch, who was found guilty and sentenced to life imprisonment in the ECCC's first case against him, continued his testimony and discussed the CPK policies, confessions extracted at S-21 and his relationship with the accused, particularly with Nuon Chea.

Mr. Saut Toeng, a personal bodyguard and messenger for Nuon Chea, was asked questions about his activities, including accompanying the accused across the country for study sessions and worksite visits, as well as to China and North Korea.

Mr. Saloth Ban, a nephew of the late Saloth Sar (Pol Pot) and the former Secretary-General of the Ministry of Foreign Affairs, was asked questions about the fate of intellectuals who returned to Cambodia after 1975, as well as the arrests at his ministry and the general structure of CPK.



Cambodian citizens visited the court and viewed Case 002 hearings in April.



Defendant Nuon Chea speaks with counsel during hearings in Case 002



Defense counsels confer with each other in the Trial Chamber



Defendant Khieu Samphan speaks with counsel during Case 002 hearings

Editor's note: The Trial Monitoring section with summaries of the proceedings is put on hold until further notice. Transcripts of the public hearings are available on the ECCC website at: www.eccc.gov.kh/en/Case002-Transcripts/en.

ECCC Outreach Activities

ECCC

The ECCC regularly welcomes visitors to the court as part of its ongoing outreach efforts, intended to educate the wider public about the history of the Khmer Rouge period, the work of the court, and the progress of cases. In the month of April, both Cambodian and international visitors received briefings from staff, tours of the court, and the chance to sit in on hearings in Case 002.



International students watch a video on the work of the ECCC



A Public Affairs representative briefs visitors on the work of the court



Cambodian villagers learn about the trials and attend a hearing via the ECCC Study Tour program



American students visiting the court attend a briefing and Q&A session held by Public Affairs staff



PAS distribute informative materials to visitors of the ECCC

Visitors to Hearings

The first trial of Case 002 in the Extraordinary Chambers in the Courts of Cambodia has drawn a great deal of public interest. In April alone, nearly 6,000 people visited the court to observe the public hearings. Among them were 3,650 Cambodians escorted by the ECCC's free transport from across the country.

Also 287 Civil Parties, victims who seek reparations, attended the proceedings. In total, the court has received around 31,000 visitors to the hearings since the Opening Statements in November 2011. The ECCC will continue to provide free transport for Cambodians.

DATE	PUBLIC VISITORS			JOURNALISTS		NGO	CIVIL PARTY	VIP	TOTAL
	National		Int'l	National	Int'l				
	PAS	Others							
02/04/2012	300	5	26	7	4	3	34		379
03/04/2012	270	5	11	8	3	1	35	2	335
04/04/2012	320	5	15	8	4	4	35	0	391
05/04/2012	250	4	14	9	6	2	35	0	320
09/04/2012	370	13	25	25	6	4	15	0	458
10/04/2012	700	6	24	20	9	4	15	0	778
18/04/2012	290	7	2	19	4	7	20	0	349
19/04/2012	250	5	31	15	5	3	20	0	329
20/04/2012	300	2	10	7	3	2	20	0	344
23/04/2012	600	6	2	9	4	5	35	2	663
24/04/2012	490	4	7	15	4	0	35	2	557
25/04/2012	320	9	2	15	4	0	35	0	385
26/04/2012	510	4	18	9	4	3	35	0	583
30/04/2012	720	5	4	6	3	2	22	0	762
Total April	3650	65	139	149	52	32	287	6	5970

Every month, each section of the Extraordinary Chambers in the Courts of Cambodia compiles a summary of their activities to inform the general public on the latest developments of the court. The following are updates from each section on the activities of **April 2012**. For decisions and orders, please refer to page 10.

Pre-Trial Chamber

During the reporting period, the Pre-Trial Chamber disposed of a number of procedural and other case-management matters.

In April the Pre-Trial Chamber remained seised of two applications and two appeals in Case 003, in addition to two applications in Case 004. The pending appeals relate to Civil Party applications in Case 003 that were rejected by the Co-Investigating Judges. The other pending matters remaining before the Pre-Trial Chamber for its consideration are confidential in nature at the date of this Report.

Supreme Court Chamber

Case 001

The Chamber issued the full and final reasons for its Appeal Judgment (Case File No. 001/18-07-2007-ECCC/SC, 3 February 2012, F28.), a summary and the disposition of which were issued at a public hearing on 3 February 2012.

Case 002

The Chamber issued decisions on two immediate appeals: Decision on Ieng Sary's Appeal Against Trial Chamber's Decision on its Senior Legal Officer's Ex Parte Communications' and the Decision on Ieng Sary's Appeal Against the Trial Chamber's Decision on Motions for Disqualification of Judge Silvia Cartwright.

The Chamber also released the full reasons for the Decision on Immediate Appeal by Nuon Chea Against the Trial Chamber's Decision on Fairness of Judicial Investigation. A summary of the decision had been issued in January 2012.

The Chamber also began its review of a request on behalf of the Nuon Chea defence team to file a new immediate appeal outside of the prescribed time limits. (see decisions on page 10 for details).



Office of the Co-Prosecutors

Case 002

The OCP continued to litigate Case 002 through filings, including, notably, a request to re-prioritize certain witnesses based on the witnesses' advanced age.

The OCP also continued to litigate Case 002 in Court, with a large portion of trial days this month. The OCP made oral submissions in court on various substantive and procedural issues, including the admission of documents. The majority of the trial days this month concerned the examination of witness Kaing Guek Eav alias Duch, and the OCP also participated in the examination of Saut Toeng and Saloth Ban.

Case 003

The OCP continues to analyze the evidence in and monitor the progress of Case File 003.

Case 004

The OCP continues to analyze the evidence in and monitor the progress of Case File 004.

Defence Support Section

On 17 April the Defence Support Section welcomed its new Chief, Mr. Isaac Endeley. Mr. Endeley joins the ECCC after several years working at the International Criminal Tribunal for Rwanda. April also

saw Ms. Anta Guisse commence her position as an International Co-Lawyer for the Accused Khieu Samphan in Case 002, and Mr. Mom Luch assigned as National Co-Lawyer for a Suspect named in the Third Introductory Submission submitted by the International Co-Prosecutor to the Office of the Co-Investigating Judges as part of the Case File in Case 004.

On 25 April the Nuon Chea Defence Team (NCDT) filed an "Application for immediate action pursuant to Rule 35", ECCC Internal Rule 35 being concerned with Interference with the Administration of Justice. This latest appeal by the NCDT for action to be taken regarding alleged political interference in ECCC proceedings comes in response to the resignation of Co-Investigating Judge Kasper-Ansermet who, on 21 March 2012, published a Note outlining what he refers to as "egregious dysfunctions" at the ECCC. The NCDT contends that there is a legal and ethical obligation to investigate allegations of interference by the government in ECCC proceedings, as well as international jurisprudence to support a stay in proceedings until such an investigation is complete.

On 27 April the Ieng Sary Defence Team (ISDT) filed "Ieng Sary's Rule 34 Application for Disqualification of Judge Silvia Cartwright or, in the Alternative, Request for Instruction and Order to Cease and Desist from Ex Parte Communications & Request for Disclosure of Ex Parte Communications" following the discovery that ex parte communications between Judge Cartwright and International Co-Prosecutor Andrew Cayley had not ceased despite the Supreme Court Chamber ad-

vising that such communications “may create the appearance of asymmetrical access enjoyed by the prosecutor to the trial judge”.

Victims Support Section

The Processing and Analysis Team (PAT) continued to process Civil Party applications in Case 004. Avocats Sans Frontières (ASF) provided French translations of the summaries of the CP applications for Case 002 to the PAT for processing and submission to the Trial Chamber. During the month of April, 124 translated documents from the ASF were filed to the Trial Chamber.

The PAT assisted the VSS’s Non-Judicial Measures Team in discovering the identities of Civil Parties who suffered at various crime sites including Kraing Ta Chan, Takeo, Wat Samrong Knong, Phnom Sampov, Phnom Banan, Wat Thlork, Svay Rieng. This research will assist in the preparation of the projects of non-judicial measures/ programmes.

Outreach

Since April 25 the VSS has been distributing the ‘Summary of Supreme Court Chamber Appeal Judgement in Case 001’ to Civil Parties and their families. The VSS produced and distributed the 6th edition of their newsletter and distributed books and DVD’s containing the statements of apology made by Duch to the Civil Parties of Case 001 who reside both in-country

and overseas.

The VSS also rotated 10 Civil Parties per day to sit in on Trial Chamber hearings, and CPs from Case 001 that had been transferred to Case 002 were also invited to attend proceedings.

In total, 287 Civil Parties were able to visit the ECCC hearings in the month of April. The Lead Co- Lawyers’ Section continued to cooperate with Civil Party Lawyers to conduct research and prepare the witnesses for questioning. They also continued to provide support and administrative assistance to all teams. Meetings have also been organized to ensure effective participation by Civil Parties during the hearings.

Reparation and Non-Judicial Measures

The Reparation and Non-Judicial Measure (R&NJM) Team of the VSS in coordination with Lead Co-Lawyers Section has been continuing to organize three different Sub-Working Groups on a regular basis with participation of Lead Co-Lawyers, representative Civil Party Lawyers, IOs/NGOs, institutions and Victims Associations. The meetings aim to update stakeholders on the current situation of reparation projects, to coordinate involvement and to seek the support of various partners.

On April 24 , the R&NJM Team of VSS held a meeting with Youth for Peace/Peace Institute of Cambodia (YfP/PIC) who is a widely recognized / renowned NGO that offers education in peace, leadership, conflict resolution, and reconciliation to

Cambodian’s youth. During the meeting YfP/PIC and VSS discussed possibilities to cooperate on and to extend the existing “Community Peace Learning Center” project which could be regarded as a NJM-project. It was discussed how to develop a concrete NJM project involving a description of the project, it’s implementation plan, finance and fundraising plan, and cooperation of partners.

On April 27, the R&NJM team were invited by YFP to participate in a national workshop reflecting on efforts of Cambodian society in dealing with its recent past. The workshop presented key findings of research carried out in Cambodia and intends to discuss how Cambodian society may continue in its efforts to come to terms with the legacy of the Khmer Rouge regime. Specific focus would be on how to connect subsequent generations more effectively to the memories of the KR regime survivor generation and to engage them in learning from history.

CP Lead Co-Lawyers Section

Civil Parties met with the Lead Co-Lawyers, the Civil Party Lawyers along with the Victim Support Section and the intermediary organizations to discuss issues of reparations and plan reparations projects.

The preparation of the single reparations submission continues, with the Lead Co-Lawyers and the Civil Parties working to describe the specific awards that will be claimed. The preparations for this submission and deciding the mode of implementation are long and difficult tasks requiring ongoing commitment and consultation between the Lead Co-Lawyers and the Civil Party Lawyers with all of the concerned stakeholders.

On April 18, the National Lead Co-Lawyer gave an interview with a women’s radio show on FM 102 about Remembrance Day, where she discussed the meaning and the importance of Remembrance Day.

Also in April, Ms. Chea Samrach joined the Lead Co-Lawyers’ Section as a Legal Officer.



Participants of the Reparation and Non-Judicial Measure Team of the VSS Sub-Working Group

Decisions/Orders

Versions of the decisions, orders, opinions and considerations, some of which are redacted, are available on the official ECCC website: www.eccc.gov.kh.

Trial Chamber

9 April 2012

Decision on objections to documents proposed to be put before the chamber on the co-prosecutors' annexes A1-A5 and to documents cited in paragraphs of the Closing Order relevant to the first two trial segments of Case 002/001. The Trial Chamber granted a request by the co-prosecutors to put approximately 1100 contemporaneous Democratic Kampuchea era documents before the chamber, most of which were obtained from the DC-Cam archives or cited in the Closing Order. It rejected objections raised by the defence to a number of these documents as well as to those cited in the relevant part of the Closing Order on the basis that they are considered to be prima facie relevant and reliable.

30 April 2012

Decision Concerning New Documents and Other Related Issues. The Trial Chamber granted in part a number of requests filed by the co-prosecutors and the accused to place additional documents in the case file, including documents presented after the start of the trial. In its ruling, the chamber sets out the criteria to be satisfied and the procedural steps for putting new documents before the chamber and advised the parties that they will be provided the opportunity to raise objections as to whether the new documents placed in the case file shall be put before the chamber and serve as evidence for the verdict.



Supreme Court Chamber

17 April 2012

Decision on Ieng Sary's appeal against the Trial Chamber's decision on motions for disqualification of Judge Cartwright. The Supreme Court Chamber found that the conduct of a judge could be investigated under Internal Rule 35 if the usual test were satisfied. However, the chamber held that an ex parte meeting did not constitute an interference with the administration of justice without any further allegation of impropriety. The Supreme Court decides that the appeal is admissible; rejects the request for a public, oral hearing; and decides to dismiss the appeal on its merits.

25 April 2012

Decision on Ieng Sary's Appeal Against the Trial Chamber's Decision on its Senior Legal Officer's Ex Parte Communications. After considering the issue of the admissibility of the Appeal under Internal Rule 104(1); Internal Rule 104(4)(d); and Internal Rule 21, the Supreme Court Chamber declares the appeal inadmissible because it does not fall within the Supreme Court Chamber's limited jurisdiction to hear immediate appeals. Furthermore, the chamber declined the co-prosecutors' request

to refer the appeal to Defense Support Section for an assessment of whether the work performed thereupon was both necessary and reasonable.

27 April 2012

The full reasons for the *Decision on Immediate Appeal by NUON Chea Against the Trial Chamber's Decision on Fairness of Judicial Investigation* have been issued. The Supreme Court Chamber held that the Trial Chamber erred in subsuming the accused's Rule 35 request to investigate allegations of governmental interference within its request to terminate proceedings under Rule 89. However, the chamber held that the allegations concerning the Case 002 investigation were litigated extensively before the Co-Investigating Judges and the Pre-Trial Chamber, and the Trial Chamber ought not to act as an appellate body in respect of those decisions. The Supreme Court Chamber also decided not to initiate proceedings against the defence counsel due to its public disclosure of the appeal brief, which had been classified as confidential. However, the Supreme Court Chamber noted that a chamber's classification of documents must be respected by all parties.

Upcoming Public Hearings (For an updated hearing schedule, visit <http://www.eccc.gov.kh/en/event/court-schedule>)

Trial Chamber Hearings:

Hearing of evidence in Case 002
(Monday-Thursday, 9:00-16:00,
except public holidays)

May Judicial Recess

The Chamber will recess from Monday 7 May until Wednesday 16 May, inclusive. The Trial Chamber will resume sitting on Thursday 17 May and will also sit on Friday 18 May.

Outreach Activities

5 April 2012 VSS/ECCC, in corporation with Transcultural Psychosocial Organization (TPO) and Cambodian Defenders Project (CDP), hold a workshop on “Gender Sensitivity in Transitional Justice and Gender Thematic” in Phnom Penh.

6 April, 2012: A guest speaker from the ECCC Public Affairs Section features on the Cambodian Television Network for a wrap-up of Case 002 hearings and Duch’s testimonies

9 April, 2012: UNAKRT PAS arranges a guest speaker for a wrap-up of Case 002 hearings and Duch’s testimonies on Bayon TV

9 April 2012: TPO and ICFC host a film screening at the Royal University of Phnom Penh (RUPP) Department of Social work for social work students on the history of the KR and the ECCC

10 April 2012: TPO, the International Center for Conciliation (ICFC) and the Documentation Center of Cambodia (DC-Cam) host a film screening of ‘We Want (U) to Know’ at the RUPP Department of Media and Communications

17 April 2012: TPO hosts the live radio show ‘Women during the Khmer Rouge Regime’ on WMC FM 102

18 April 2012: TPO and CDP hold a Forum Theater in Takeo where 50 villagers participate in acting out gender-based violence situations under the KR

23-24 April 2012: ICFC holds the Community Memory Initiatives (CMI) Project - Study. Villagers visited Tuol Sleng and Kraing Tachan to learn about how other people remember Khmer Rouge history

26 April 2012: ICFC and TPO host a screening of ‘We Want (U) to Know’ at Kampong Speu. Over 100 people learned about the ECCC and the KR regime from ICFC representatives

24/30 April 2012: CDP in association with the Civil Parties and the GBV victims host a Self Help Group in Phnom Penh

2 May 2012: TPO, ICFC and DC-Cam host a film screening at the RUPP Department of History Department for students on the history of the KR and the ECCC

7-8 May 2012 : TPO and YFP host a film screening in Kampong Speu on recent developments of the ECCC. Around 60 villagers are expected to attend

15-20 May 2012: CDP and Civil Party Lawyers host a Team Leader Training in Phnom Penh on gender-based violence during the KR, and its prevalence today

23-25 May 2012: TPO, ICFC and YFP host four film screenings on the ECCC in Battambang. Three are to be held in the community and one at the Buddhist university

May 2012: ADHOC assists Civil Parties to attend the ECCC proceedings and meet with CP lawyers

May/July 2012: ADHOC hosts the fifth round of Civil Party District Meetings in various provinces to update CPs about recent developments in Case 002



Students from Siem Reap province visiting the court.

ECCC Outreach

The Extraordinary Chambers in the Courts of Cambodia now hosts a **weekly radio show, ‘Khmer Rouge on Trial’**, airing every Thursday evening from 5:15 – 6:15 pm, on AM 918 KHZ and FM 105.75 MHZ. Each show presents highlights from the week’s hearings, and featured guest speakers from the court break down major developments in the proceedings. Listeners are also invited to call in and ask questions or express their opinions.

In addition, the Public Affairs Section hosts **Khmer Rouge Tribunal Study Tours** from Monday to Thursday, bringing groups of 300-500 villagers from areas throughout Cambodia to attend the ongoing hearings of Case 002 and have a guided tour of the Tuol Sleng Genocide Museum, and a visit the Choeung Ek Killing Fields. During the trial recess, the Public Affairs Section conducted **school visits** to give briefings and held **community video screenings** across Cambodia.

ECCC OUTREACH CALENDAR						
April– June 2012						
SUN	MON	TUE	WED	THU	FRI	SAT
15 Public Holiday	16 Public Holiday	17 Hearing 002: Study Tour	18 Hearing 002: Study Tour	19 Hearing 002: Radio show	20	21
22	23 Hearing 002: Study Tour	24 Hearing 002: Study Tour	25 Hearing 002: Study Tour	26 Hearing 002: Radio show	27	28
29	30 Hearing 002: Study Tour	1 Khmer Public Holiday	2 Hearing 002: Study Tour	3 Hearing 002: Radio show	4	5 Khmer Public Holiday
6	7 Khmer-Public Holiday	8 Recess	9 Khmer Public Holiday	10 Recess: Radio show	11	12
13 Khmer Public Holiday	14 Public Holiday	15 Public Holiday	16 Khmer Public Holiday	17 Hearing 002: Radio show	18 Hearing 002	19
20	21 Hearing 002: Study Tour	22 Hearing 002: Study Tour	23 Hearing 002: Study Tour	24 Hearing 002: Radio show	25	26
27	28 Hearing 002: Study Tour	29 Khmer Public Holiday	30 Hearing 002: Study Tour	31 Radio show	1 Khmer Public Holiday	2
3	4 Hearing 002: Study Tour	5 Hearing 002: Study Tour	6 Hearing 002: Study Tour	7 Hearing 002/ Radio show	8	9
10	11 Hearing 002: Study Tour	12 Hearing 002: Study Tour	13 Hearing 002: Study Tour	14 Hearing 002: Radio show	15	16



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

“Everyone can be involved in the process”



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The Court Report

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