

Media Alert:
ECCC Trial Progress

The Court notes a significant level of public interest about the commencement of the first trial before the ECCC. The Court therefore wishes to clarify what procedural steps remain to be taken, and provide some information on the likely start date of the trial in the Kaing Guek-Eav (alias Duch) case.

On 21 August 2008, the Co-Prosecutors appealed the Closing Order issued by the Co-Investigating judges. They filed their brief on 5 September, and the Defence responded on 22 September. The Civil Parties are also entitled to respond.

The Pre-Trial Chamber has invited amicus curiae briefs, and additional material may therefore be filed. Such further filings will require additional time for all parties to respond. All documents must be translated into one or more official ECCC languages.

The Pre-Trial Chamber plans to issue its decision on the appeal concerning the Closing Order on 5 December 2008, and it is expected that following this date the case file will be transferred to the Trial Chamber. The Trial Chamber will then ask the parties to submit lists of witnesses that they intend to call at trial, and call a Trial Management Meeting. Given the time required for notification of lists of witnesses by the Co-Prosecutors and by the Defence, and for translation, it is expected that the Trial Management meeting will be convened by mid January 2009.

At the Trial Management meeting, a date for an Initial hearing will be set. The Initial Hearing, which is the first public stage of the trial process, will address preliminary objections by the parties, consider lists of witnesses submitted by them and consider new Civil Party applications. Following the Initial Hearing, the date for the commencement of the substantive trial will be set.

Successfully conducting trials of this significance is a complex process, and the Court recognizes that it can be frustrating for the millions who have been waiting for decades to see justice done. Nevertheless, each step of the legal process must be followed carefully, and conducted in line with the highest standards of justice. This will also ensure the most enduring legacy for the Cambodian Courts.

As we move forward, updates on the progress of the case will be issued through the ECCC Public Affairs Section. The ECCC website will also continue to be updated with any developments as soon as they are confirmed.