

## CHRONOLOGY

### CHRONOLOGY OF THE KHMER ROUGE TRIBUNAL

*Compiled from news clips of the Documentation Center of Cambodia*

- April 30, 1994 The US Congress passes the **Cambodian Genocide Justice Act**, which states “it is the policy of the United States to support efforts to bring to justice members of the Khmer Rouge for their crimes against humanity committed in Cambodia between April 17, 1975, and January 7, 1979.”
- January 13, 1995 The **Documentation Center of Cambodia** (DC-Cam) is officially established pursuant to the Cambodian Genocide Justice Act, with a two-year, \$499,283 grant to the Yale Cambodian Genocide Program.  
*(Office of Cambodian Genocide Investigations, EAP/CGI, Bureau of Asian and Pacific Affairs, U.S. Department of State, document in the possession of DC-Cam)*
- September 14, 1996 The Cambodian government grants amnesty to Ieng Sary, former deputy prime minister of Democratic Kampuchea (DK). The amnesty covered his 1979 conviction (Ieng Sary had been sentenced to death and the confiscation of his personal property by the People’s Revolutionary Tribunal).  
*(Royal Decree, 0996/72)*
- April 11, 1997 The UN Commission on Human Rights adopts Resolution 1997/49. The resolution requested the Secretary-General, through his special representative, to examine any request for assistance in responding to past serious violations of Cambodian and international law.
- May 12, 1997 King Norodom Sihanouk says he was willing to be judged alongside Khmer Rouge leaders to answer his critics, who claimed he was partly responsible for the genocide that took place between 1975 and 1978.  
*(Cambodia Times, May 12, 1997)*
- June 11, 1997 Former DK State Presidium Chairman Khieu Samphan announces that senior rebel Son Sen and his wife Yun Yat were arrested for espionage and treason against the Khmer Rouge movement. The Khmer Rouge had accused the two of being spies for Second Prime Minister Hun Sen and the government of Vietnam.  
*(The Cambodia Daily, June 12, 1997)*
- June 15, 1997 Son Sen, Yun Yat [Son Sen’s wife], and eight of their relatives are massacred.  
*(The Nation, June 25, 1997)*
- June 21, 1997 First Prime Minister Norodom Ranariddh and Second Prime Minister Hun Sen request the assistance of the UN and international community “in bringing to justice those persons responsible for the genocide and crimes against humanity” during the Khmer Rouge regime. The following is the detailed

content of the request for assistance:

Dear Mr. Secretary-General,

On behalf of the Cambodian Government and people, we write to you to ask for the assistance of the United Nations and the international community in bringing to justice those persons responsible for the genocide and crimes against humanity during the rule of the Khmer Rouge from 1975 to 1979.

The April 1997 resolution on Cambodia of the United Nations Commission on Human Rights requests: “the Secretary-General, through his Special Representative, in collaboration with the Centre for Human Rights, to examine any request by Cambodia for assistance in responding to past serious violations of Cambodian and international law as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability.”

Cambodia does not have the resources or expertise to conduct this very important procedure. Thus, we believe it is necessary to ask for the assistance of the United Nations. We are aware of similar efforts to respond to the genocide and crimes against humanity in Rwanda and the former Yugoslavia, and ask that similar assistance be given to Cambodia.

We believe that crimes of this magnitude are of concern to all persons in the world, as they greatly diminish respect for the most basic human right, the right to life. We hope that the United Nations and international community can assist the Cambodian people in establishing the truth about this period and bring those responsible to justice. Only in this way can this tragedy be brought to a full and final conclusion.

Please, Mr. Secretary-General, accept the assurances of our highest consideration.

(signed): Prince Norodom Ranariddh  
First Prime Minister

(signed): Hun Sen  
Second Prime Minister  
(<http://www.khmerinstitute.org/docs/UNKRreportx.htm>)

June 23, 1997      The Secretary-General transmits the letter from the two prime ministers to the presidents of the General Assembly and Security Council.  
(A/51/930-S/1997/488 of 24 June 1997)

December 12, 1997      The UN General Assembly adopts **Resolution 52/135**, which called on the Secretary-General to examine the request of Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law. Below are some parts of the Resolution:

Desiring that the tragic history of Cambodia requires special measures to assure the protection of the human rights of all people in Cambodia and the

non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris in 1991;

...

Endorses the comments of the Special Representative that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge and that their crimes, including the taking and killing of hostages, have continued to the present; and notes with concern that no Khmer Rouge leader has been brought to account for these crimes;

Requests the Secretary-General to examine the request by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law, including the possibility of the appointment, by the Secretary-General, of a group of experts to evaluate the existing evidence and propose further measures, as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability.

- April 15, 1998 Pol Pot dies of heart attack at the age of 73 at Anlong Veng near the Thai border, where he had been detained following his one-day trial on July 25, 1997.  
(*Bangkok Post*, April 17, 1998)
- July 13, 1998 Pursuant to General Assembly Resolution 52/135 of 12 December 1997, the Secretary-General appoints a three-member Group of Experts for Cambodia to evaluate the existing evidence, to assess the feasibility of bringing Khmer Rouge leaders to justice, and to explore options for bringing Khmer Rouge leaders to justice before an international or national jurisdiction.  
(A/52/1007 of 7 August 1998)
- July 31, 1998 The UN Secretary-General creates the **Group of Experts** consisting of Sir Ninian Stephen (Australia, chairman), Judge Rajsoommer Lallah (Mauritius), and Professor Steven Ratner (USA) to assess the feasibility of bringing Khmer Rouge leaders to justice.
- November 14, 1998 The Group of Experts visits Cambodia and assessed the evidence held by the Documentation Center of Cambodia.  
(*Raksmei Kampuchea Daily*, November 11, 1998)
- December 26, 1998 The Cambodian government announces the defection to the government of the two top Khmer Rouge leaders, Nuon Chea and Khieu Samphan.  
(*The Cambodia Daily*, December 28, 1998)
- February 4, 1999 23 Cambodian families file a complaint in the Belgian court against former Khmer Rouge leaders Nuon Chea, Khieu Samphan, and Ieng Sary, accusing them of committing crimes of genocide, crimes against humanity, and war crimes. The plaintiffs were encouraged to lay charges after Belgian-based victims of Pinochet successfully applied for an international arrest warrant for the former Chilean dictator.  
(*Phnom Penh Post*, February 19 – March 4, 1999)
- February 5, 1999 China voices opposition to the establishment of an international tribunal for

former Khmer Rouge leaders, saying it is an internal matter for Cambodia. China's Foreign Minister Tang Jiaxuan said that the trial of Khmer Rouge leaders in an international court brokered by the UN was the idea of Western countries, particularly the United States.  
(Reported by *Rita Patiyasevi and Marisa Chimprabha* on February 6, 1999)

- February 7, 1999 Ieng Thirith, Ieng Sary's wife and Minister of Social Action and Education during DK, writes a letter in response to a February 5 article in *The Cambodia Daily* entitled "Ieng Sary Warns of New Unrest over KR Trial." The article stated that Ieng Thirith is one of the four surviving Khmer Rouge central committee members living in Pailin.  
(*Raksmei Kampuchea Daily*, February 11, 1999 & *The Cambodia Daily*, February 5, 1999)
- February 12, 1999 The Cambodian government incorporates what it calls the last remnants of the Khmer Rouge into the Royal Cambodian Armed Forces.
- February 18, 1999 *The Report of the Group of Experts for Cambodia Pursuant to General Assembly Resolution 52/135* is published. The report recommended the creation of an international tribunal and truth commission to deal with crimes of the Khmer Rouge period.
- March 6, 1999 Former Communist Party of Kampuchea Standing Committee Member Chhit Choeun, alias Mok and Ta Mok, is arrested by the Cambodian army under the 1994 Cambodian law banning the Khmer Rouge.  
(*Bangkok Post*, March 7, 1999)
- March 15, 1999 *The Report of the Group of Experts for Cambodia Pursuant to General Assembly Resolution 52/135* is submitted to both the Security Council and the General Assembly. In its report, the Group recommended the establishment of an international tribunal to try the Khmer Rouge officials for crimes against humanity and genocide committed from 17 April 1975 to 7 January 1979.  
(A/53/850-S/1999/23/1)
- May 5, 1999 Kaing Guek Eav (aka Duch), former Khmer Rouge chief of Tuol Sleng Prison, is quoted as saying that Nuon Chea ordered him to kill the foreigners at Tuol Sleng and "burn their bodies with tires to leave no bones."  
(*Far Eastern Economic Review*, May 13, 1999)
- July 29, 1999 In a meeting with the Cambodian Permanent Representative, the Office of Legal Affairs presents the UN proposal on the establishment of a mixed tribunal for the prosecution of the Khmer Rouge leaders. (A note setting out the main elements of the mixed tribunal was distributed.)
- August 12, 1999 The Cambodian National Assembly approves a new law extending the period of pre-trial detention from six months to three years for people charged with war crimes, crimes of genocide and crimes against humanity.  
(*Raksmei Kampuchea Daily*, August 14, 1999)
- August 13, 1999 A UN human rights official criticizes legislation approved by the Cambodian

National Assembly that allows a three-year pre-trial detention period for suspects charged with genocide, war crimes and crimes against humanity. Rosemary McCreery, director of the Cambodia office of the UN High Commissioner for Human Rights, stated that a three-year detention period violates international standards of justice.  
(*The Cambodia Daily*, August 13, 1999)

The Cambodian government says it wants to maintain overall control of a UN-backed international-style tribunal. Senior Minister Sok An says the tribunal will take place in Cambodian court, but the participation of foreign judges and legal experts will be accepted.  
(*The Cambodia Daily*, August 16, 1999)

August 20, 1999 The Royal Government creates its “Task Force for Cooperation with Foreign Legal Experts and Preparation of the Proceedings for the Trial of Senior Khmer Rouge Leaders,” of which Sok An was appointed the chairman.

The Task Force commenced its work by drafting the law. This first draft law was produced in August 1999 and presented to a United Nations delegation led by H.E. Ralph Zacklin, deputy of Under Secretary-General Hans Corell, in charge of legal affairs of the United Nations.

The Cambodian Draft Law received legal and other technical contributions from experts from France, India, Russia and Australia, and the United States, in addition to input from the United Nations.

The first UN delegation, sent in August 1999, studied the first draft law and presented its own draft. At that time there was no consensus. One major difference was that Zacklin wanted foreign judges to hold the majority, while Cambodia claimed that Cambodian judges must be in the majority.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))

August 25-31, 1999 The **first UN mission to Cambodia** is proposed to conduct negotiations on the legal and practical aspects of establishing a mixed tribunal under Cambodian law and meeting international standards of justice; comments on the draft Cambodian law were submitted.

August 31, 1999 UN and Cambodian officials end a week of negotiations without reaching an agreement on how to set up a genocide tribunal. UN Assistant Secretary for Legal Affairs Ralph Zacklin said that if the Cambodian government does not meet conditions that the UN believes necessary for a tribunal, “The UN will simply cease to follow this process.” The UN delegation summarized its main message:

...If the trial of the Khmer Rouge leaders is to meet international standards of justice, fairness and due process of law, and gain the support and legitimacy of the international community, it is vital that the international component of the tribunal be substantial and that it be seen to be effective on the international as well as the national plane. This cannot be achieved by merely adding a number of foreign judges to the composition of the existing court system. Only a special, *sui-generis* tribunal, separate from the existing court



system, in which Cambodians and non-Cambodians would serve as judges, prosecutors and registry staff accomplish this.”

[\(click here to get full text\)](#)

- September 6, 1999 Ta Mok and Duch are charged with “genocide” under Decree No. 1 issued on August 15, 1979.  
(Prosecutor’s Order No. 044/99, Military Court)
- September 18, 1999 Former Khmer Rouge leaders Ieng Sary and Nuon Chea, now allies of the Hun Sen government, issue a statement suggesting the possibility of a return to civil war if a tribunal is held. The statement also criticized demands by human rights groups and opposition politicians that Nuon Chea and Ieng Sary be tried.
- September 20, 1999 While attending the 54<sup>th</sup> UN General Assembly, Hun Sen delivers a document to UN Secretary-General Kofi Annan outlining three options for UN involvement in a tribunal: 1) provide a legal team and participate in a tribunal conducted in Cambodia’s existing courts; 2) provide legal advice without direct participation in the tribunal; 3) withdraw completely from the proposed tribunal.  
(*The Cambodia Daily*, September 20, 1999)
- September 23, 1999 Returning from talks with UN Secretary-General Kofi Annan on how to try Pol Pot’s former henchmen, top government officials vow to proceed with a trial on their own terms. Instead of assembling an international-style tribunal proposed by the UN, Cabinet Minister Sok An said the government will seek advice from independent US and French legal experts to secure the legitimacy critics say Cambodian courts lack. “We will continue to work on our own draft,” said Sok An, “I promise to keep [the UN] informed on our progress.”  
(*The Cambodia Daily*, September 24, 1999)
- October 8, 1999 The US State Department drops the Khmer Rouge from their list of terrorist organizations, because “it no longer exists as a viable terrorist organization.”  
(*The Cambodia Daily*, October 8, 1999)
- October 19, 1999 Hun Sen endorses a US proposal for a tribunal with three Cambodian judges and two UN-appointed judges. Decisions would require a “supermajority,” in which at least one of the UN-appointed judges would have to agree with any verdict handed down by the tribunal.  
(*The Cambodia Daily*, October 20, 1999)
- December 20, 1999 The Cambodian government sends the UN the draft law outlining how to try one-time Khmer Rouge leaders in a special session of Phnom Penh court with a majority of Cambodian judges and a prosecuting team of one foreign judge and one Cambodian. Cambodia will adopt the law with or without UN approval, said Prime Minister Hun Sen.  
(*The Cambodia Daily*, December 22, 1999)
- December 23, 1999 Sok An says, “UN Secretary-General Kofi Annan made his comments on the draft, indicating that the UN chose the second option of our memorandum.” (He was referring to the three options Hun Sen proposed to Annan in

September 20<sup>th</sup>.)

- December 24, 1999 The Cambodian government amends the draft tribunal law so that tribunal expenses previously to be paid by the UN trust fund would be paid for by a combination of donations from the UN, NGOs and individual countries, and would include an effort from the Cambodian government. The amendment stated that if other countries want to send judges or prosecutors to the proceedings, those countries must pay their own expenses.  
(*The Cambodia Daily*, December 25-26, 1999)
- December 27, 1999 Benson Samay, Ta Mok's lawyer, says he plans to issue subpoenas to several former world leaders, including three former US presidents, in order to question them on their support of the DK regime from 1975 to 1979. Among those he planned to subpoena are Jimmy Carter, Ronald Reagan and George Bush, as well as Margaret Thatcher and Henry Kissinger.
- December 28, 1999 A second draft tribunal law is sent to the UN Secretariat with another request to respond promptly.
- January 5, 2000 UN Legal Counsel Hans Corell meets with Ambassador Ouch Borith, the permanent representative of Cambodia to the UN, to hand over the UN's comments on the second draft law concerning the tribunal.  
(*The Associated Press*, January 6, 2000)
- January 6, 2000 The Cambodian Cabinet approves the draft law to try surviving Khmer Rouge leaders for genocide, despite lingering UN concerns over the limits placed on international jurists.  
(*South China Morning Post*, January 7, 2000)
- January 14, 2000 The Cambodian Cabinet amends the draft tribunal law to allow for the participation of one foreign judge in the investigation process.
- January 18, 2000 The UN receives the translation of the amended draft law for a Khmer Rouge tribunal.
- January 19, 2000 Sok An tells reporters that he submitted the draft tribunal law to Prince Norodom Ranariddh for debate in the Cambodian National Assembly.  
(*Kyodo*, January 19, 2000)
- January 27, 2000 Cambodia's first public forum for discussion of a Khmer Rouge tribunal is held in the northwestern town of Battambang. About 100 people, including former mid-ranking Khmer Rouge officials, attended the talk.  
(*Reuters*, January 27, 2000)
- February 4, 2000 Former top Khmer Rouge leader Khieu Samphan says he is willing to come forward and speak out in a public forum.  
(*Phnom Penh Post*, February 4-17, 2000)
- February 8, 2000 Prime Minister Hun Sen gives the strongest signal yet he is not prepared to surrender control of a Khmer Rouge trial to the United Nations, dimming

nopes of an international genocide tribunal. Speaking to reporters after a closed-door party meeting, Hun Sen blasted UN demands for an international “killing fields” trial as hypocrisy, and urged the world to pay more attention to Cambodia’s appalling poverty instead. “I have a strongest message: the world should pay attention to peace, national reconciliation, national unity, economic development and reducing poverty rather than the Khmer Rouge trial,” said the prime minister.

(AFP, February 9, 2000)

Kofi Annan says that he does not agree with the draft tribunal law approved by the Cambodian government. He identified four fundamental issues: guarantees that those indicted would be arrested; no amnesties or pardons; the appointment of independent, international prosecutors; and the appointment of a majority of foreign judges.

(Kyodo News Agency, February 10, 2000)

February 10, 2000 Hun Sen rejects Kofi Annan’s response on Cambodia’s draft law on Khmer Rouge trials, saying it was unfair to Cambodia. In a letter to the Secretary-General, the prime minister stated that he did not welcome the gap in the positions between the UN and Cambodia, in particular, in the light of the positions taken by other Member States.

(Xinhua, February 10, 2000)

February 12, 2000 On the sidelines of a UN trade conference in Bangkok, Kofi Annan says he is optimistic that a new UN mission to Cambodia will resolve differences with the government over establishing a tribunal.

(AFP, February 11, 2000)

February 14, 2000 Former US Secretary of State Henry Kissinger scoffs at suggestions that he should testify for the defense in a Khmer Rouge genocide trial, saying his Cold War policies sought to stop the Cambodian guerrillas. “I would be a much better witness for the prosecution than I would be for the defense,” Kissinger says. “And I believe all the people in this region who know anything about Cambodia would support this.”

(Associated Press, February 14, 2000)

March 6, 2000 Hun Sen criticizes the UN saying that three former UN Secretaries General should be held accountable for the Khmer Rouge’s occupation of Cambodia’s UN seat during the late 1970s and 1980s. Prince Ranariddh told reporters that he understood the “reality” of Hun Sen’s position, but that he and his father, King Sihanouk, hoped a compromise could be reached.

March 16, 2000 UN and Cambodian negotiators hold their first meeting in the latest round of negotiations to discuss outstanding differences on the format of a Khmer Rouge tribunal. Four critical issues were on the table: who will name the suspects in the trial, whether the Cambodian government will arrest all suspects, whether lingering government deals with the Khmer Rouge will protect some former rebels from being prosecuted, and how the trial’s foreign and Cambodian judges will be appointed.

(The Cambodia Daily, March 16, 2000)

March 21, 2000 Letters are exchanged between UN Under Secretary General for Legal Affairs



March 21, 2000	Letters are exchanged between UN Under-Secretary General for Legal Affairs Hans Corell and Sok An on the questions of amnesty, co-prosecutors and their power to act independently in case of disagreement; the question of the dispute-settlement mechanism was still pending.
March 22, 2000	Following a week of negotiations, Cambodia and the UN announce that they failed to reach agreement on how to convene a joint tribunal of Khmer Rouge leaders.
April 10, 2000	King Sihanouk declares he is willing to face either a Cambodian-run or international genocide tribunal to explain his role during the DK regime. ( <i>The Nation</i> , April 11, 2000)
April 19, 2000	Annan writes to Hun Sen in response to the Cambodian leader's expressed backing of a US plan to resolve the sensitive issue of how to handle indictments in the proposed joint tribunal. "I have not examined it yet," Cambodian chief negotiator Sok An said of Annan's letter. "Only thoroughly examining it will give comments and elaboration on the process." Annan told reporters at UN headquarters, "There have been several proposals put on the table to break the one impasse we have – the impasse on how you handle a situation where one of the prosecutors disagrees with the other" and how an effective review mechanism could work. ( <i>The Cambodia Daily</i> , April 22-23, 2000)
April 22, 2000	Hun Sen responds to the Secretary-General's letter of 19 April in which he stated that the exchange of letters between the UN and Cambodia could not be executed before the Law is adopted. He proposed a "special chamber" formula to settle disagreements between the co-prosecutors.
April 25, 2000	Annan sends a second letter to Hun Sen in response to his letter of 22 April urging him to accept the UN proposal.
April 27, 2000	Hun Sen responds to Annan's April 25 letter requesting an extension of the temporal jurisdiction of the Extraordinary Chambers to begin in 1970.
April 29, 2000	Hun Sen agrees to accept a proposal put forward by US Senator John Kerry. Under the proposal, a panel of judges – three Cambodian and two foreign – would rule on disputes regarding indictments. Four judges would need to be in agreement to block a case from proceeding.
May 17, 2000	Annan writes to Hun Sen seeking confirmation that Hun Sen accepts, through Senator Kerry, the proposal made in the Secretary-General's letter of April 19 regarding the mechanism to resolve any differences between the co-investigating judges and the co-prosecutors, and that the temporal jurisdiction of the Extraordinary Chambers be limited to 1975-1979.
May 19, 2000	Hun Sen sends a letter to Kofi Annan expressing his support for the compromise formula brokered by Kerry in April to try Khmer Rouge leaders. ( <i>Raksmei Kampuchea Daily</i> , May 26, 2000)
July 6, 2000	The UN and Cambodian government finalize the details of a draft accord for

- July 6, 2000 The UN and Cambodian government finalize the details of a draft accord for the tribunal. The envisaged tribunal would be a Cambodian court with the participation of international judges and prosecutors.
- July 7, 2000 Hans Corell presents a draft Memorandum of Understanding that would govern cooperation between the UN and Cambodia on the establishment and operation of a tribunal. The Memorandum was to be signed by the UN and Cambodia after the Cambodian parliament passed the tribunal into law. Corell and Om Yinteng, a top advisor to Hun Sen, toured the Chaktomok Theater, a possible venue for the tribunal, before the UN legal team left Cambodia.
- September 24, 2000 Hun Sen indicates that former Khmer Rouge Foreign Minister Ieng Sary should not be brought to trial on charges of genocide. (In 1979, Ieng Sary was sentenced to death in absentia along with Pol Pot, but was granted amnesty by King Sihanouk after he defected to the government in 1996.) He added that it would be up to the courts and the National Assembly, which was considering a draft law on a Khmer Rouge tribunal, on what to do with Ieng Sary. (*The Cambodia Daily*, September 25, 2000)
- October 17, 2000 Prince Ranariddh tells reporters that King Sihanouk had expressed a wish to see the tribunal delayed because he was concerned about peace and stability in the country. The prince also said that the draft bill on the tribunal was not likely to be adopted this year because the government was more concerned about the recent floods.
- October 18, 2000 Hun Sen announces on national radio his intention to push the tribunal law forward. He stated, "We need to have a court soon or the ghosts of the Khmer Rouge will haunt us." (*The Associated Press*, October 18, 2000)
- November 2, 2000 Eleven nations including Japan, Australia, Canada and New Zealand, submit a resolution to the UN Human Rights Commission requesting the Cambodian government to set up a court to try the Khmer Rouge.
- November 20, 2000 According to newspaper reports, US Senator John Kerry's one-day visit to Cambodia may have revived government efforts toward the formation of the Extraordinary Chambers. Kerry left with firm promises from Sok An, Hun Sen and Prince Ranariddh that the tribunal process would move forward following a schedule that could allow the National Assembly to pass the law in December. (*Phnom Penh Post*, November 24-December 7, 2000)
- November 28, 2000 The Legislative Committee of the Cambodian Parliament and the Government Task Force conclude their discussions on the tribunal draft law. The law was then ready to be debated by the National Assembly. ([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- November 28, 2000 In an interview with Japanese television, Hun Sen reaffirms that trying Ieng Sary may create problems for Cambodia. However, he stated, "Touching Khieu Samphan and Nuon Chea would be no problem." (*Associated Press*, December 3, 2000)

December 4, 2000 UNGA A/RES/55/95

Paragraph 18: Welcomes the successful conclusion of the talks between the Government of Cambodia and the United Nations Secretariat on the question of the trial of the Khmer Rouge leaders who are most responsible for the most serious violations of human rights, appeals strongly to the Government to ensure, including by facilitating the expedited completion of the necessary legislative process as soon as possible, that those Khmer Rouge leaders are brought to account in accordance with international standards of justice, fairness and due process of law, encourages the Government to continue to cooperate with the United Nations on this issue, and welcomes the efforts of the Secretariat and the international community in assisting the Government to this end;

[www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm)

December 19, 2000 Ieng Sary informs the media that he has been contributing to national rebuilding and reconciliation since his defection in September 1996. He also said that he was only in charge of foreign affairs during DK and was not responsible for the genocide.

December 29, 2000 The Cambodian National Assembly receives the tribunal draft bill from the government Task Force. All 98 of the 122 Assembly members present voted for the first chapter of Khmer Rouge tribunal law. The law was expected to be passed in full in early January.  
(*The Cambodia Daily*, December 30-31, 2000)

January 2, 2001 The Cambodian National Assembly unanimously approves the draft law to establish the Extraordinary Chambers to try the Khmer Rouge leaders.  
(*Washington Post*, January 3, 2001)

January 3, 2001 The United States welcomes steps by Cambodia's National Assembly to establish means to investigate and prosecute senior Khmer Rouge leaders for crimes committed during 1975-79.  
(*South China Morning Post*, January 3, 2001)

January 9, 2001 Hans Corell dispatches a letter to the Cambodian government expressing his disapproval of the approved draft law. The UN proposed changes to 18 of the 49 articles of the draft law. Corell also stated that the draft law lacked a provision to ensure adequate UN oversight guaranteeing that prosecutors have authority to pursue suspects who are under amnesty.

January 9, 2001 An unofficial translation of the Law as adopted by the National Assembly on January 2, 2001 is received from the UN Human Rights Office in Phnom Penh. In a letter of January 9, 2001, Corell raised concerns with regard to some of its provisions.

January 15, 2001 The Cambodian Senate unanimously approves the draft tribunal law.  
(*The Cambodia Daily*, January 16, 2001)

January 19, 2001 Hun Sen announces that Khieu Samphan, who was DK head of state from

- January 17, 2001 Hun Sen announces that Rina Samphan, who was PR head of state from April 1976 to January 1979, had sent him a message saying that he was willing to face the tribunal if necessary.  
(*Raksmei Kampuchea*, January 21, 2001)
- February 9, 2001 Corell requests an official translation of the adopted law.
- February 12, 2001 The Constitutional Council approves the draft law. Yong Sem, a member of the Council, concluded that the law is "legitimate under constitutional law." However, the Council noted a technical discrepancy in Article 3 of the draft law, which proposed the death penalty as the maximum punishment. Since the death penalty had been abolished under the current Cambodian Constitution, the Council announced it would send the draft law back to Parliament for amendment.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- February 23, 2001 Hun Sen announces that the draft law must go back to the drafting stage and be debated by Parliament again due to the technical discrepancy identified by the Constitutional Council, which cited a technical error in the legislation that made reference to the 1956 penal code, which contains the death penalty. The fact that the law had to go through the National Assembly for the second time disappointed the UN. "It seems like we are now starting at the bottom of the ladder again," UN spokesman Fred Eckard told reporters in New York.  
(*The Cambodia Daily*, February 26, 2001)
- April 25, 2001 Hun Sen says he wants to keep the bones of Khmer Rouge victims as evidence for a planned trial of Khmer Rouge leaders, after which the fate of the remains could be decided by a public referendum. The prime minister also said that the law would be debated a second time by the Council of Ministers before June, after which the law would be passed on to the National Assembly.  
(*The Cambodia Daily*, April 26, 2001)
- The UN Human Rights Commission adopts a resolution sponsored by Japan urging the Cambodian government to set up a genocide tribunal as soon as possible.
- May 18, 2001 Hun Sen denies accusations by reporters that China is pressuring the Cambodian government over the issue of the tribunal. Instead, he said, "the people who put pressure on me have been [UN Secretary-General] Kofi Annan and [Chief UN Legal Officer] Hans Corell and Americans like [US senator] John Kerry."  
(*Far Eastern Economics Review*, May 24, 2001)
- May 21, 2001 Kofi Annan urges the Cambodian government to expedite the tribunal law. Annan told reporters that his office had not heard anything from the Cambodian government about the tribunal for about six months.
- June 1, 2001 Hun Sen pledges that he will ratify the Rome Statute of the International Criminal Court. If approved by the Parliament, Cambodia would be the first country in the Association of Southeast Asian Nations to ratify the statute. The Prime Minister stated, "Cambodia will benefit the most because of its incomparable experience of genocide in recent years "

- June 4, 2001 DC-Cam Director Youk Chhang asks Thammasat University to hand over the records of Nuon Chea, who studied law at the university on an academic scholarship in the 1940s and later worked for a time in the Thai Foreign Ministry, saying they may contain vital evidence for the Khmer Rouge tribunal.  
(*Bangkok Post*, June 5, 2001)
- June 8, 2001 In a letter to Sok An, Corell reiterates the needs for an official translation of the law and consistency between the two instruments.
- June 12, 2001 Hun Sen announces to international donors at the two-day Consultative Group Meeting held in Tokyo that Cambodia planned to enact the tribunal bill soon. The prime minister said that he had deep respect for justice, and that a Khmer Rouge tribunal could begin by the end of the year.  
(*The Cambodia Daily*, June 15, 2001)
- June 17, 2001 Former Khmer Rouge chief ideologist and Brother Number Two, Nuon Chea, says he will face the court and would accept its legitimacy. However, Nuon Chea insisted he had no knowledge of the killings until after his defection to the government in December 1998.  
(*The Cambodia Daily*, June 19, 2001)
- June 22, 2001 The Cambodian government amends the tribunal draft law, replacing the death penalty with life in prison as the maximum punishment. Hun Sen also expressed optimism that the tribunal could take place by the end of this year.  
(*The Cambodia Daily*, June 23-24, 2001)
- June 22, 2001 UN High Commissioner for Human Rights' special representative for Cambodia, Peter Leuprecht, says Ieng Sary should be tried for crimes committed during 1975-79, and that if the trial is limited to Ta Mok and Duch, it would not be sufficient.  
(*The Cambodia Daily*, June 25, 2001)
- June 27, 2001 In response to recent media statements that a tribunal could start this year, the UN issues a press release stating that no internationally recognized trials could start until the Memorandum of Understanding between the UN and Cambodia was signed and ratified.  
(*Bangkok Post*, August 5, 2001)
- June 28, 2001 Sihanouk assures the UN's Peter Leuprecht that he would sign into law a bill to set up a UN-assisted tribunal to bring Khmer Rouge leaders to justice.
- June 29, 2001 Hun Sen says that if the UN is unhappy about the bill, it can withdraw from the tribunal. "If you don't join, it's better for me. I am going to implement an agreement between the government and you," he stated.  
(*The Cambodia Daily*, June 30-July 1, 2001)
- June 30, 2001 Ranariddh reiterates Hun Sen's position that Cambodia will not bow to UN demands regarding the tribunal bill. He stressed that "Cambodia will have no further negotiation" and "whether the UN accepts this law or not is their



...negotiation and whether the UN accepts the law of non-intervention problem.”

(Reuters, June 30, 2001)

- July 2, 2001 In his letter to Corell, Sok An states his understanding of the relationship between the Law and the Agreement. While accepting the principle that they should be in conformity with each other, he rejected the notion of “imposition.”
- July 6, 2001 In his response, Corell reiterates the need for consistency between the two documents.
- July 11, 2001 The National Assembly approves legislation to establish a tribunal for Khmer Rouge leaders. After the approval, Sok An told reporters that he and Hans Corell “will continue to negotiate more after the law comes into effect.”
- July 12, 2001 Sihanouk announces that he will not involve himself with the tribunal process, especially over the issue of “whether to try Ieng Sary, Noun Chea and Khieu Samphan.”  
(*The Cambodia Daily*, July 13, 2001)
- July 13, 2001 The Cambodian Senate receives the revised Khmer Rouge tribunal legislation.
- July 16, 2001 The War Crimes Research Office at American University releases a report by Stephen Heder and Brian Tittamore outlining charges and available evidence related to the possible prosecution of seven living leaders of the Khmer Rouge. The leaders examined in the report are Nuon Chea, Ieng Sary, Khieu Samphan, Ta Mok, Kae Pauk, Sou Met, and Meah Mut.
- July 18, 2001 Hun Sen announces that the indictment of Khmer Rouge leaders is a decision to be made by the court, and not by scholars. The prime minister characterized the findings as foreign interference in Cambodia’s legal system.  
(*Associated Press*, July 18, 2001)
- July 23, 2001 The Cambodian Senate unanimously approves the new tribunal legislation. After the vote, Sok An told reporters he was optimistic that Cambodia and the UN would reach a resolution and that, “the date of the trial now depends on these negotiations.”  
(*Reuters*, July 24, 2001)
- July 30, 2001 Hun Sen says in a speech at a teacher’s college that the “government has not yet ordered the arrests of Khieu Samphan, Nuon Chea or Ke Pauk,” suggesting that the arrests need to be balanced with peace and national reconciliation.  
(*AFP*, July 31, 2001)
- August 1, 2001 Sok An indicates that the Cambodian government was still seeking the UN’s participation in a genocide tribunal. In a speech given in his home of Takeo province, he said, “we need a partnership between the Cambodian government and the United Nations in the process of the trials of the Khmer Rouge leaders.”

- (*Deutsche Presse-Agentur*, August 2, 2001)
- August 7, 2001 The Constitutional Council approves the second draft of a law that would establish a tribunal for leaders of the Khmer Rouge regime.  
(*The Cambodia Daily*, August 8, 2001)
- August 10, 2001 King Sihanouk signs landmark legislation “on the Establishment of Extraordinary Chambers in the Courts of Cambodia for Prosecuting Crimes Committed during the Period of Democratic Kampuchea – April 17, 1975 to January 6, 1979.”  
(*Associated Press*, August 10, 2001)
- August 14, 2001 Hun Sen says at an inauguration ceremony, which included some of the country’s former Khmer Rouge military commanders, that at least the ten top leaders of the Khmer Rouge would be tried at the proposed tribunal, and that lower- and mid-level cadres would not be among the dozen leaders to be tried for crimes against humanity: “Don’t be afraid. Don’t run into the jungle. This trial is just for some top Khmer Rouge leaders.”  
(*The Voice of Cambodia*, August 14, 2001)
- August 16, 2001 US Ambassador Kent Wiedemann states that the government had given a clear written promise that Ieng Sary can be brought before a Khmer Rouge tribunal and that the US would withdraw its support for the tribunal if Ieng Sary was not tried.  
(*The Cambodia Daily*, August 17, 2001)
- August 18, 2001 Sok An submits to the UN the Law on the Establishment of the Extraordinary Chambers, as adopted on August 10, 2001, in its Khmer version, with a note that the unofficial translation of the Law in both English and French is being finalized.
- August 20, 2001 Hun Sen states that Khieu Samphan could not avoid facing trial despite his denial of involvement in genocide. Prompted by Cambodia’s passage of the tribunal law, a copy of which was sent to the UN in New York, Khieu Samphan denied he ordered killings during DK.  
(*South China Morning Post*, August 21, 2001)
- August 30, 2001 The UN receives the official translations from Khmer to English and French under cover of a letter from Sok An to the UN’s Hans Corell.
- August 30, 2001 Two US senators recommend that the UN not take part in a proposed trial of former Khmer Rouge leaders if the Cambodian government refused to allow safeguards ensuring high legal standards.  
(*The Cambodia Daily*, September 8-9, 2001)
- August 31, 2001 The Cambodian military says it removed tanks and artillery from a former Khmer Rouge stronghold, but denies the move was to avoid violence ahead of planned genocide trials.
- September 13, 2001 Ke Pauk, former Khmer Rouge deputy military commander, denies any involvement in the atrocities that claimed the lives of more than 1 million

Cambodians, saying he was a very small member and standing in a very small part of the country. He also denied rumors that he was seeking a visa to travel to China.

*(The Cambodia Daily, September 13, 2001)*

- October 2, 2001 Sok An extends an invitation to Hans Corell to come to Cambodia to finalize the Articles of Cooperation.
- October 8, 2001 Hun Sen tells US Ambassador Kent Wiedemann he is “anxious to go to trial” using legislation approved by the government and signed by King Sihanouk in August. The Cambodian government sent an invitation to the UN to continue discussions on the tribunal, pushing ahead the final process of setting up trials.  
*(The Cambodia Daily, October 10, 2001)*
- October 10, 2001 In an October 10 letter to Sok An, Hans Corell states that for the UN a number of issues of concern remained. Principal among them was which document – the Law or agreement between the government and the UN – would govern the conduct of the Extraordinary Chambers in the event of a disagreement between the two documents.  
*(Briefing by Hans Corell, February 8, 2002)*
- October 15, 2001 The United Kingdom donates \$500,000 to the UN to help fund the trials of Khmer Rouge leaders in Cambodia, becoming the first country to officially offer financial assistance to the proposed tribunal. “At the moment, the British government has placed half a million dollars with the UN in New York to provide for a Khmer Rouge trial process in Cambodia,” said British Ambassador Stephen Bridges.  
*(United Nations Foundation, UN Wire, October 15, 2001)*
- November 2, 2001 Japan plans to nominate Kuniji Shibahara, a professor of law at Gakushuin University, to serve as a judge at a tribunal.  
*(The Japan Times Online, November 3, 2001)*
- November 23, 2001 In a letter to Hans Corell, Sok An states, “While the Articles of Cooperation may clarify certain nuances in the Law, and elaborate certain details, it is not possible for them to modify, let alone prevail over, a law that has just been promulgated.”
- Sok An acknowledges receipt of the letter and revised draft Agreement, stating that his response is still partial; he raised in this connection an objection to the primacy of the Agreement over the Law.
- November 25, 2001 Negotiations between Cambodia and the UN on setting up the tribunal stall over which language to use as the official one.  
*(Cambodia Today, Phnom Penh, November 26, 2001)*
- December 14, 2001 The Royal Government of Cambodia issues a circular on the preparation of remains of the victims of the DK genocide (1975-1978) and preparation of Anlong Veng to become a region for historical tourism.
- December 18, 2001 In a letter to Sok An, Corell indicates that a comprehensive response will be

- December 19, 2001 In a letter to Sok An, Corell indicates that a comprehensive response will be sent once the Cambodian team completes its review of the UN comments.
- December 19, 2001 *United States Conference Report on H.R.2506, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002* (December 19, 2001)  
 “conditions assistance to any Khmer Rouge tribunal established by the Government of Cambodia on a determination and clarification to congress that the tribunal is capable of delivering justice for crimes against humanity in an impartial and credible manner.”  
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 UNGA A/RES/56/169  
 Section IV: Khmer Rouge tribunal  
Paragraph 2: Welcomes the promulgation of the Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea, noting with appreciation the general provisions and competence of the Law and its provision for a role for the United Nations, appeals to the Government of Cambodia to ensure that the senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom and international conventions recognized by Cambodia are brought to trial in accordance with international standards of justice, fairness and due process of law, encourages the Government to continue to cooperate with the United Nations on this issue, welcomes the efforts of the Secretariat and the international community in assisting the Government to this end, urges the Government and the United Nations to conclude an agreement without delay so that the Extraordinary Chambers can start to function promptly, and appeals to the international community to provide assistance in this regard, including financial and personnel support to the Chambers;  
[www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm)
- January 21, 2002 Foreign Minister Hor Nam Hong expresses pessimism about the tribunal, reasoning, “Due to the UN bureaucracy, there will be no hope that the trial of the Khmer Rouge leaders will be in process soon, and that the Khmer Rouge leaders might die before an agreement between the UN and the government of Cambodia is reached on the establishment of the Khmer Rouge tribunal.”  
*(Raksmei Kampuchea Newspaper, January 25, 2002)*
- January 22, 2002 Sok An faxes a three-page letter to the UN “to eliminate suspicion and express clearly” the government’s position on the make-up of the tribunal.  
*(The Cambodia Daily, January 23, 2002)*
- February 8, 2002 The Secretary-General instructs his legal counsel, Hans Corell, to deliver a letter to the Cambodian government informing them that the UN will no longer negotiate with the government on establishing a special court to try Khmer Rouge leaders. In a daily press briefing, Corell stated, “At the instruction of the Secretary-General of the United Nations, the United Nations will no longer continue negotiations with the Royal Government of Cambodia towards the establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of

Democratic Kampuchea.”

*(The Cambodia Daily, February 8, 2002)*

February 10, 2002 Sok An says the Cambodian government regrets the UN decision announced on February 8. “The Cambodian government is keeping its door open for further negotiations. We have not closed the door like Mr. Corell did.”  
*(The Cambodia Today, February 10, 2002)*

February 11, 2002 An Amnesty International press release states: “The announcement that the United Nations is pulling out of its cooperation with Cambodian authorities to bring suspected perpetrators of gross human rights violations from the Khmer Rouge era to justice came as no surprise. The net result of these years of work is that Cambodian people are still no closer to achieving justice, and that is the real tragedy.”

Hun Sen calls on the UN to reconsider its withdrawal from talks on bringing former Khmer Rouge leaders to trial, urging the world body not to “fall into the wrong path again” with the country’s former rulers. He told reporters that Cambodia could wait “two or three more months” for the UN to change its mind, but said his government will not wait indefinitely.

*(CNN.com./WORLD, February 11, 2002)*

February 12, 2002 In a statement in response to the UN’s announced pullout from tribunal negotiations, Sok An says: “The Royal Government of Cambodia remains committed to seeking justice for the crimes perpetrated by the Khmer Rouge, on behalf of the Cambodian people and of humanity as a whole. We believe that the Law promulgated on 10 August 2001 provides a sound foundation for such a process based within the Courts of Cambodia with international participation and meeting internationally accepted standards, and we earnestly hope that the United Nations will be a part of this process.”

The United States encourages the UN not to abandon efforts to participate in the tribunal.

*(Wire-News from the AP, February 12, 2002)*

Sok An writes to Hans Corell expressing dismay at the announcement of UN withdrawal from the negotiations, and the earnest hope that the UN will return to task of finalizing the Article of Cooperation and establishing the Extraordinary Chambers.

*(Phnom Penh Post, February 15-28, 2002)*

February 14, 2002 Lawyers seek Ta Mok’s release after the UN drops out of the Khmer Rouge trial process. Ta Mok, 75, was jailed in 1999 in Phnom Penh pending trial for his role in the 1975-79 regime. Under Cambodian law, Ta Mok must be formally charged or freed by March 6.  
*(Reuters, February 15, 2002)*

February 15, 2002 Khmer Rouge Brigadier General Ke Pauk, 68, dies of natural causes. Suffering from high blood pressure and diabetes, he went to Thailand for medical treatment in January, suffered a stroke and returned to Anlong Veng in northern Cambodia, where he died.  
*(Reuters, February 16, 2002)*



February 20, 2002 The European Union urges the UN not to give up on negotiations with Cambodia over establishing the tribunal.  
(*Reuters*, February 21, 2002)

Fourteen Sam Rainsy Party parliamentarians ask Hun Sen and two other top government officials to appear at the National Assembly to explain why negotiations with the UN over the tribunal had apparently failed.  
(*The Cambodia Daily*, February 22, 2002)

April 26, 2002 UN Commission on Human Rights E/CN.4/2002/89

Paragraph 18: Appeals to the Government of Cambodia to ensure that the senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia are brought to trial in accordance with international standards of justice, fairness and due process of law, in this connection recognizes the need for the Government of Cambodia and the United Nations to cooperate, appeals to the parties to resume discussions on the establishment of a tribunal for such a purpose and also appeals to the international community to provide assistance in this regard;  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))

March 13, 2002 Kofi Annan says Cambodia must change its position if it wants the UN to help set up a war crimes tribunal for Khmer Rouge leaders. “About a dozen ambassadors came to see me on this issue, and they felt that we should reconsider. I advised them that I thought it would be more effective if they undertook a *démarche* in Phnom Penh and persuaded Prime Minister Hun Sen to change his position and attitude, and to send them a clear message that he is interested in a credible tribunal which meets international standards – that they needed to start there.”  
(*United Nations SG/SM/8160, 13 March 2002 – Transcript of Press Conference by Secretary-General Kofi Annan at Headquarters*)

March 15, 2002 The Royal Government of Cambodia Task Force on the Khmer Rouge Trial states that the UN Secretary-General’s March 13, 2002 statement reflects misunderstandings of the Cambodian government position. “The Khmer Rouge Law, which was itself the product of those negotiations, provides checks and balances between the numbers and decision-making powers of the Cambodian and foreign judges, investigating judges and prosecutors; and provides specific guarantees of legal rights for defendants. Cambodia has expressed its willingness to spell out these rights in even more detail in the Articles of Cooperation. The UN has not identified any violations of internationally accepted standards in the Cambodian Khmer Rouge Law, and has not responded to the letter from the Royal Government of Cambodia dated 22 January 2002 in which a detailed response was given to the 11 points raised by His Excellency Hans Corell.”  
(*Statement from the Royal Government of Cambodia Task Force on the Khmer Rouge Trial, Phnom Penh, March 15, 2002*)

- March 20, 2002 Hun Sen says the UN has three months to re-enter talks with Cambodia to set up a trial of surviving Khmer Rouge leaders. He stated that if further talks do not materialize by the deadline, Cambodia will consider other options to bring justice for the 1.7 million people who died under the brutal ultra-Maoist regime – a foreign-assisted trial or a Cambodia-only tribunal. “I wish to declare again that the door is still open for three more months. Our patience is limited. We do not want anyone to walk out. We want them to participate.” (*Cambodia Today*, March 20, 2002)
- April 9, 2002 New Delhi pledges support for continuation of the mixed Khmer Rouge trial if the UN permanently withdraws. On a visit to Cambodia, Indian Prime Minister Atal Bihari Vajpayee pledged India would send a judge for the trials if the UN maintained its decision to pull out. (*The Cambodia Daily*, April 10, 2002)
- July 2, 2002 Hun Sen indicates his willingness to compromise in order to restart the stalled negotiations. He offered to amend the government’s tribunal law. (*The Cambodia Daily*, July 4, 2002)
- July 3, 2002 UN Human Rights Envoy Peter Leuprecht expresses hope that the stalled tribunal will go forward and says that a number of “friendly” countries continue to try to get the UN and the government together to further discuss a joint trial. (*The Cambodia Daily*, May 4, 2002)
- The UN rejects Cambodia’s call to revive stalled plans for the tribunal, saying it needs more assurances that Cambodia would conduct a fair trial of the leaders of the “killing fields.” (*Reuters*, July 4, 2002)
- July 12, 2002 A letter from Kofi Annan to Hun Sen states that the 8 February decision to end negotiations was “based on the fact that the good offices I had offered did not come to fruition” and that “... in order for me to engage in any further negotiations, I need a clear mandate from the General Assembly or the Security Council. If such a mandate were given, I would be prepared to engage in further talks with the Government of Cambodia in order to fulfill the mandate.” ([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- August 18, 2002 A letter from Hun Sen to Kofi Annan states: “we look forward to the swift conclusion of such preliminaries as you deem necessary for the United Nations to return to the table so that we may conclude our negotiations with an agreement that satisfies both parties, and then move on to the actual establishment of the Extraordinary Chambers.” ([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- August 20, 2002 Annan tells Cambodia he will resume talks on genocide trials if UN Member States want him to do so. He wrote to Hun Sen, saying that in order for him to engage in further negotiations, he needed “a clear mandate from either the General Assembly or the Security Council.”

(Reuters, August 21, 2002)

- August 27, 2002 “A meeting in New York, called by Japan, held at the Japanese Mission, attended by interested states, as follows: France, United Kingdom, Canada, Australia, United States, EU, South Korea, Japan, ASEAN (Philippines, Singapore, Thailand, Indonesia and Cambodia). It was a preliminary meeting to exchange views as to what the international community can do to revive the negotiations.”  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- November 21, 2002 The UN General Assembly passes a resolution requesting the Secretary-General to resume negotiations, without delay, to conclude an agreement with the government of Cambodia based on previous negotiations, and to establish Extraordinary Chambers consistent with the provisions of the present resolution, so that the Extraordinary Chambers may begin to function promptly. The resolution was passed with 39 countries abstaining.
- November 30, 2002 Khieu Samphan says that he and other senior Khmer Rouge leaders are prepared to give evidence on the internal workings of the highly secretive ultra-Maoist regime, headed by Brother Number One Pol Pot, if a South Africa-style truth commission is set up.  
(AFP, December 1, 2003)
- December 2, 2002 Hun Sen says his government is awaiting the passage of the resolution in “upcoming weeks. What we are concerned about is the survival of the Cambodian people and that they are free from the hands of Pol Pot.”  
(AFP, December 2, 2002)
- December 19, 2002 The UN passes a mandate requiring UN Secretary-General Kofi Annan to return to the negotiating table with the government of Cambodia. The resolution, which ordered Annan to restart talks “without delay,” passed by a vote of 150-0, with 30 nations abstaining.  
(*The Cambodia Daily*, December 20, 2002)
- December 23, 2002 Benson Samay, Ta Mok’s lawyer, calls for the temporary release of his client on health and humanitarian grounds.
- December 25, 2002 Prince Ranariddh says, “The government must make concessions to the UN if the restarted Khmer Rouge trial talks are to proceed. Both the UN and Cambodia already know each other’s stance. If we return just to talk from the same angle, the stance that brought us to a standstill before...we might as well not have negotiations.”
- January 6, 2003 Responding to the Secretary-General’s invitation, a Cambodian delegation led by Sok An arrives in New York and schedules seven meetings – one with the Secretary-General and six with representatives of the UN Secretariat, led by Hans Corell – to prepare for a resumption of negotiations for Khmer Rouge trials in accordance with General Assembly Resolution 57/228 of 18 December 2002.
- March 17, 2003 The UN and Cambodia hammer out an agreement to set up a special genocide

court for former Khmer Rouge leaders. The UN legal team and Cambodia's chief negotiator adopted and supported the Articles of the Agreement. The draft agreement was to be approved by the UN General Assembly and the Cambodian National Assembly before work could proceed on actually setting up the court.

- March 18, 2003      The British Embassy in Phnom Penh issues a press release welcoming the signing of the draft agreement and expressing the UK's continued commitment to support a UN-sponsored tribunal. Commenting on the agreement, Foreign Office Minister Mike O'Brien was optimistic that the tribunal would at last bring closure to a tragic period of Cambodia's recent history, and bring to account those most responsible for the atrocities committed under the Khmer Rouge regime, stating that it would provide an opportunity for the Cambodian people to come to terms with their past and to move towards reconciliation.  
(*British Embassy, Phnom Penh, Press Release, March 18, 2003*)
- March 21, 2003      Amnesty International (AI) says it is deeply concerned about provisions in the draft agreement "that reflect a significant retreat from current international law and standards." It stated that the agreement's deficiencies were so serious that it "would oppose the United Nations signing the agreement without major revision." However, the draft provisions AI welcomed included the exclusion of amnesty or pardon for anyone investigated or convicted of crimes covered by the agreement, a clause which potentially applies to anyone previously granted an amnesty by the Cambodian authorities (draft Article 11); provisions that all proceedings be held in public (draft Article 12.2); and the exclusion of the death penalty (Article 10), which is consistent with other international courts.
- March 28, 2003      Cambodia's Cabinet approves a draft agreement with the UN on setting up a trial of former Khmer Rouge leaders.  
(*The Hindu International, March 29, 2003*)
- March 31, 2003      The UN Secretary-General issues a Report to the General Assembly (A/57/769), making some criticisms of the Draft Agreement. He estimated that the Extraordinary Chambers would cost over \$19 million and proposed United Nations' funding via assessed (not voluntary) contributions.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- May 1, 2003      The Third Committee of the UN General Assembly adopts the resolution approving the Agreement between the Royal Government of Cambodia and the UN concerning the Prosecution under Cambodian Law of Crimes Committed during the Period of Democratic Kampuchea.
- May 2, 2003      The Third Committee adopts a resolution approving the Draft Agreement and stating that the United Nations should fund the Extraordinary Chambers by voluntary contributions.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- May 13, 2003      The 85th Plenary Session of the 57th General Assembly adopts Resolution 57/228B approving the Draft Agreement and voluntary contributions.

- June 6, 2003 The UN and Cambodian government sign the Agreement at Chaktomuk Theater, Phnom Penh.  
(*Raksmei Kampuchea Daily*, June 6, 2003)
- June 16, 2003 The Royal Government of Cambodia submits to the National Assembly the Agreement between the United Nations and the Royal Government of Cambodia Concerning the Prosecution under Cambodian Law of Crimes Committed during the Period of Democratic Kampuchea.  
(*The Cambodia Daily*, June 19, 2003)
- June 19, 2003 Australia pledges AU \$1.5 million for the Extraordinary Chambers in addition to the AU \$266,000 already provided in various forms of technical assistance related to the Khmer Rouge trials.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- July 1, 2003 Khieu Ponnary, the first wife of former Khmer Rouge leader Pol Pot, dies at the age of 83 in Pailin.  
(*Raksmei Kampuchea Daily*, July 5, 2003)
- August 13, 2003 Thousands of documents alleging Khmer Rouge-perpetrated atrocities are dispatched to the United States, Britain and France, after a series of security threats. DC-Cam Director Youk Chhang says 70 percent of the evidence is now safely secured in those countries.  
(*AFP*, August 13, 2003)
- November 11, 2003 After studying the three-year plan for the tribunal, the UN agrees that expenditures should be \$40 million. The UN suggests it will pay \$20 million and the Cambodian side the other \$20 million, said Om Yentieng, adviser to Hun Sen and tribunal task force member.  
(*The Cambodia Daily*, November 12, 2003)
- November 19, 2003 The US Congress passes a resolution (H. CON. RES. 83) honoring victims of the Khmer Rouge. The resolution states the US is committed to pursuing justice for the victims. US Congressman Dana Rohrabacher says the resolution marks US recognition of its role in the Indochina conflict from which the Khmer Rouge regime emerged.  
(*The Cambodia Daily*, November 26, 2003)
- December 7, 2003 Karsten Herrel, head of a five-member trial organizing team, says both the UN and Cambodian government were starting from the assumption that the Extraordinary Chambers will be operational in 2004.  
(*Reuters*, December 7, 2003)
- December 10, 2003 Kofi Annan says the process of setting up the tribunal will only begin once pledges for the first three years of the court's operation have been received and enough money for its first year of operation has been deposited in a trust fund.  
(*Associated Press*, December 18, 2003)
- December 17, 2003 Khieu Samphan, the Khmer Rouge's head of state, visited his office earlier this



- December 17, 2003 Khieu Samphan, the Khmer Rouge's head of state, visited his office earlier this year to seek legal assistance ahead of a planned tribunal, says the director of the Cambodian Defenders Project.  
(Associated Press, December 18, 2003)
- December 19, 2003 Australia issues a statement saying that it has earmarked US \$2.1 million for the joint Cambodian-international courts.
- December 22, 2003 Following Khieu Samphan's solicitation of legal aid, his next-door neighbor and fellow revolutionary Nuon Chea says he would represent himself if tried for crimes against humanity and genocide.  
(The Cambodia Daily, December 22, 2003)
- December 29, 2003 In an open letter, Khieu Samphan denies having any part in the deaths of more than 1 million Cambodians during the DK regime, but admits the regime performed "systematic killings."  
(The Cambodia Daily, December 31, 2003)
- March 10, 2004 A UN legal team arrives in Cambodia to hammer out plans for the tribunal before submitting a full budget proposal to the Secretary-General.  
(The Cambodia Daily, March 11, 2004)
- March 12, 2004 King Sihanouk lashes out at the publishing of testimonies by former Khmer Rouge leaders in which they claim they are innocent of the atrocities committed during the period 1975 to 1979. Branding their crimes "Satanic," the King claimed that by making public declarations of innocence, they do not need to ask to be pardoned for their crimes.  
(The Cambodia Daily, March 13-14, 2004)
- March 18, 2004 Karsten Herrel, the head of a UN delegation, says during a second mission to Phnom Penh to prepare for a trial of Khmer Rouge leaders, that tribunal expenses will be "on the higher side" of \$50 million. Herrel declined to give precise budget figures, saying some "cost elements are not totally known."  
(The Cambodia Daily, March 19, 2004)
- March 25, 2004 108th US Congress (2d Session--H.CON.RES.399)  
  
*Resolved by the House of Representatives (the Senate concurring), That the Congress – (1) urges the President to encourage the National Assembly of Cambodia to ratify the agreement between the United Nations and the Royal Government of Cambodia to establish a tribunal, the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea, for the prosecution of surviving leaders of the Khmer Rouge regime of Democratic Kampuchea who committed genocide and other crimes against humanity between April 17, 1975, and January 7, 1979; and (2) urges the President, after such agreement is ratified, to provide support for the establishment and financing of the Extraordinary Chambers, consistent with the Cambodian Genocide Justice Act (22 U.S.C.2656 note).*  
([http://thomas.loc.gov/home/gpoxmlc108/hc399\\_ih.xml](http://thomas.loc.gov/home/gpoxmlc108/hc399_ih.xml))
- April 2, 2004 Long Beach, California lawmakers press President Bush to help fund a

- April 3, 2004 Long Beach, California lawmakers press President Bush to help fund a tribunal to prosecute surviving Khmer Rouge leaders. Congresswoman Juanita Millender-McDonald and Congressman Dana Rohrabacher, who together represent one of the country's largest Cambodian communities, said justice for Khmer Rouge survivors is long overdue.  
(*Long Beach Press Telegram*, April 3, 2004)
- April 7, 2004 Seventeen civic leaders and a member of parliament sign a petition asking an Appeals Court prosecutor to issue arrest warrants for three surviving top Khmer Rouge leaders.  
(*Kyodo News*, April 7, 2004)
- April 8, 2004 US Secretary of State Colin Powell says international judges may give the only semblance of credibility to a tribunal for the Khmer Rouge leaders. Powell was testifying at a Congressional hearing in which a senator asked why the US supported a "flawed" Khmer Rouge tribunal based on "Cambodia's broken judicial system." "I have the same concerns as you have about the preponderance of justices being Cambodians who might not mete out justice in the way we would like to see it meted out," said Powell, "But we will have international judges on the court as well so at least these aging defendants will be brought before a tribunal."  
(*AFP*, April 8, 2004)
- April 9, 2004 The general prosecutor of the Appeals Court asks prosecutors in Battambang, Banteay Meanchey and Siem Reap to bring charges against Khieu Samphan and Nuon Chea, and asks the magistrate to issue arrest warrants in accordance with the rule of proceedings. "As for Ieng Sary, it is necessary first to examine the royal amnesty decree."  
(*The Cambodia Daily*, May 31, 2004)
- April 17, 2004 King Sihanouk marks the 29<sup>th</sup> anniversary of Phnom Penh's fall to the Khmer Rouge by calling for the cremation of the victims of the killing fields and dismissing the proposed UN-backed tribunal. "We are Buddhists whose belief and customs since ancient times have always been to cremate the corpses and then bring the remains to be placed in the stupa at the pagoda," he wrote in Khmer. He also criticized the tribunal, saying it would only insult the dead victims. "The international [community] and the United Nations provide huge funds for this tribunal process. I foresee that it will just be comical, an insult to the suffering souls of the victims," wrote the king.  
(*The Cambodia Daily*, April 19, 2004)
- April 20, 2004 In a message on his website, King Sihanouk says the Khmer Rouge tribunal cannot be taken seriously unless it is held at The Hague, owing to Cambodia's dysfunctional legal system. "The entire world, including the newspapers that I read regularly, qualifies our body of magistrates and judges as 'notoriously corrupt and incompetent'."  
(*The Cambodia Daily*, April 22, 2004)
- April 27, 2004 Khieu Samphan issues an open letter addressing the public's opinion of him and claiming that his image has risen in the estimation of many Cambodians.  
"A more of our countrymen than before, including the younger generation, expressed

"More of our compatriots than before, including the monks, have expressed their sympathies to me, and I do not need to say everything that other people have told me every day along the road, smiling at me and telling me they have read my book," the letter says.

*(The Cambodia Daily, April 28, 2004)*

April 28, 2004 King Sihanouk says in a message on his website that he wants to testify at the Khmer Rouge tribunal. "I testify before the court not only one time but every time the court holds a hearing for questioning this person, and that person, every day, every week, every month, every year, as long as I am alive."  
*(The Cambodia Daily, April 28, 2004)*

May 14, 2004 Cambodia's longtime Minister of Economy and Finance Keat Chhon says he is willing to appear as a witness at a planned UN-funded tribunal. He stated that he would also testify to defend his name if the tribunal chooses to indict him due to his past affiliation with the Khmer Rouge. The French-educated minister, whose service to the Khmer Rouge included a stint as interpreter for Pol Pot, left the movement in the mid-1980s.  
*(Dow Jones Newswires, May 16, 2004)*

May 24, 2004 Deputy Prime Minister Sar Kheng approves the establishment of a special committee to ensure security for participants in the tribunal. The committee will be headed by Interior Ministry Secretary of State Em Sam An. Deputies would include Deputy Director General of National Police Mao Chandara, RCAF Deputy Commander-in-Chief Pol Saroeun, Deputy Director General of National Police Neth Savoeun, and RCAF Deputy Joint Chief of Staff Nov Sam. The committee would also include a representative from the Ministry of Finance and governors of provinces and municipalities where witnesses and suspects reside, according to Mao Chandara.

May 30, 2004 Prosecutors from Banteay Meanchey, Battambang and Siem Reap provinces ignore an April Appeals Court order to arrest former Khmer Rouge leaders Khieu Samphan and Nuon Chea. Yam Yeth, Battambang prosecutor, said he had received the April 9 order, but has not carried it out. "Only the special judge for the international Khmer Rouge tribunal can issue the warrant to arrest." So Vat, Siem Reap prosecutor, also confirmed that he had received the warrant order from the general prosecutor, but said he lacked both documented evidence against the former leaders and the funds to properly investigate them. Om Yentieng, an advisor to Hun Sen and vice chairman of the Task Force in charge of organizing the tribunal, said he was "surprised" by the Appeals Court's decision to issue a warrant, while opposition party lawmaker Son Chhay complained that government officials have pressured provincial authorities not to arrest the former leaders. "Those prosecutors should be punished because they didn't respect the order made by the general prosecutor."  
*(The Cambodia Daily, May 31, 2004)*

June 5, 2004 Hun Sen says Cambodia's courts have no jurisdiction to order the arrests of former Khmer Rouge leaders, saying only the UN-sponsored tribunal will have the power to bring them to justice. "No arrests will be made until the tribunal is set up. Ratification of the tribunal will be the first order of business for a

is set up. Ratification of the tribunal will be the first order of business for a newly formed National Assembly.” He stated that he was not worried that Khieu Samphan or Nuon Chea would try to flee the country to avoid a tribunal. “They don’t know where to go. They will face the tribunal.”  
(*The Cambodia Daily*, June 7, 2004)

The estimated cost of the proposed Khmer Rouge trial is now over \$60 million, \$10 million more than the initial forecast. Trial Task Force Secretariat Member Dr. Helen Jarvis confirmed the estimated cost was now over \$60 million and subject to discussion and review by potential donors, the government and UN.  
(*Phnom Penh Post*, June 4-17, 2004)

- July 20, 2004      Australia pledges another AU \$5 million for the Extraordinary Chambers in addition to the AU \$1.5 million previously announced. The total of AU \$3 million (US \$2.2 million) was additional to the AU \$266,000 already provided in various forms of technical assistance related to the Khmer Rouge trials.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- August 5, 2004      Sean Visoth, executive secretary of the government’s Khmer Rouge Task Force, says the UN team led by Karsten Herrel will arrive Cambodia on August 23 to wrap up the tribunal budget. He added that the three-year trial is expected to cost \$57 million, and the final cost is to be further worked out with donor countries or a group of interested states.  
(*Kyodo News*, August 5, 2004)
- August 6, 2004      The Council of Ministers approves two draft laws:
- a) Amendments to the 2001 Law on the Establishment of the Extraordinary Chambers;
  - b) Ratification of the Agreement between the RGC and the UN signed on 6 June 2003.
- The amendments approved are for the purpose of harmonising the EC Law with the Agreement, and that they reflect those proposed by Hans Corell on 28 May 2003. In addition, the extension of the statute of limitations under Article 3 is proposed to be changed from 20 to 30 years.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- August 23, 2004      Thirty judges and prosecutors chosen by the Supreme Council of Magistracy begin a two-week course on international humanitarian law at the Royal School of Judges and Prosecutors. According to a statement from the UN Development Programme, which assisted the training, the judges and prosecutors would be introduced to issues including war crimes, genocide, and crimes against humanity, fair trial and due process.  
(*The Cambodia Daily*, August 25, 2004)
- August 25, 2004      The National Assembly’s Legislation Commission returns to the government’s Tribunal Task Force a draft bill that would establish the tribunal with some criticism of the draft’s content. “The bill has a lot of mistakes, and there needs to be a lot of changes. The commission already sent it back to the government to make changes,” said Commission Chairman Ek Sam Ol. But Task Force

to make changes,” said Commission Chairman Ek Sam Ol. But Task Force Executive Secretary Sean Visoth said that the errors were spelling mistakes that could be easily fixed: “The commission only asked for correction on some spelling mistakes.”

*(The Cambodia Daily, August 27, 2004)*

September 13, 2004 After announcing the return of a UN delegation to prepare the budget and logistics for the tribunal, government officials abruptly cancel the UN team’s visit. The visit was to be postponed until the National Assembly ratified legislation to establish the tribunal. Prime Minister Hun Sen’s adviser Om Yentieng said the team would be invited back once the bill was passed. “I think the suspension will not be a waste of time,” he added.

*(The Cambodia Daily, September 13, 2004)*

September 16, 2004 Hun Sen says Cambodia will not pay its share for the long-delayed trial of former Khmer Rouge leaders. “Soon there will be talks about the money. I would like to say that Cambodia can offer only the meeting hall and to pay for the water and electricity and security guards...” “There is no way they can ask Cambodia to pay for the trial... If you want a trial, you have to pay. We have to be clear on this,” adding that, “Cambodia can run the trial, but they say they don’t believe that Cambodia can deliver justice.”

*(AFP, September 16, 2004)*

October 2, 2004 “Kofi Annan asked Cambodia’s government to send a letter to the United Nations, after ratifying the UN agreement, so that he can call on or hold a meeting with donors to seek a budget to support the trial,” says Foreign Minister Hor Nam Hong. The UN Secretary-General told reporters that only then can the UN seek donors for the estimated \$50 million needed to try the Khmer Rouge leaders.

*(Reuters, October 2, 2004)*

October 4, 2004 All 107 members of the 123-seat National Assembly vote to ratify the Agreement between the UN and Royal Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during Democratic Kampuchea. “What we have been waiting for so long has happened today,” Prime Minister Hun Sen says after the vote.

*(Documentation Center of Cambodia, Searching for the Truth, English Edition, Issue 58, October 2004)*

In a press conference held in front of the National Assembly after a meeting to ratify the agreement between the UN and Cambodian government, Hun Sen announces he will give all government officials and Cambodians a day off on the first day of the Khmer Rouge tribunal. The announcement was made in response to a July request by Youk Chhang to establish a “Day of Remembrance and Justice.”

*(Searching for the Truth, English Edition, Issue 58, October 2004)*

A letter from Prime Minister Hun Sen is sent to Mr. Kofi Annan, United Nations Secretary-General, on the adoption by the National Assembly of Cambodia of the draft law approving the Agreement between the United

Nations and the Royal Government of Cambodia concerning the prosecution under the Cambodian law of crimes committed during the period of



under the Cambodian law of crimes committed during the period of Democratic Kampuchea.

([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))

- October 5, 2004 96 of 98 National Assembly members vote in favor of the adoption of Amendments to 29 Articles of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea. The 29 Articles are 2, 3, 9, 10, 11, 14, 17, 18, 20, 21, 22, 23, 24, 27, 29, 31, 33, 34, 35, 36, 37, 39, 40, 42, 43, 44, 45, 46, and 47. The overall amendments pertain to technical aspects of the special court, such as structure, jurisdiction and procedures.  
(*Searching for the Truth*, English Edition, Issue 58, October 2004)
- October 18, 2004 Two weeks after presiding over the National Assembly's ratification of the agreement and amendments to articles of the statute to prosecute ex-Khmer Rouge leaders, Assembly President Prince Ranariddh dismisses the tribunal's value, saying its projected budget would be better spent on improving the nation's agricultural sector. "If I had \$55 million, I would use the money to develop the country. It is more beneficial than prosecuting the aging leaders of the Pol Pot regime," he told reporters outside the Assembly. "There are two kinds of justice: the justice for the victims, and another justice for the poor people. Fifty million dollars is too much. How many canals could we dig with that money?" he added.  
(*The Cambodia Daily*, October 19, 2004)
- October 19, 2004 The UN-RGC agreement approved by the National Assembly on October 4 is promulgated by acting Head of State Chea Sim.  
(*Royal Decree*, 1004/004)
- October 22, 2004 The Constitutional Council approved the amended law as being in conformity with the Constitution.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- October 27, 2004 The amended Khmer Rouge law approved by the National Assembly on October 5 is promulgated by acting Head of State Chea Sim.  
(*Royal Decree*, 1004/006)
- November 8, 2004 The Cambodian government releases a statement announcing its completion of the legal legwork for the tribunal.  
(*The Cambodia Daily*, November 8, 2004)
- November 16, 2004 Deputy Prime Minister Sok An sends a letter to Under-Secretary-General and Legal Counsel of the United Nations, Mr. Nicolas Michel, advising him that, in accordance with Article 32 of the Agreement, the legal requirements in Cambodia for entry into force had been complied with.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))
- December 2, 2004 Hun Sen expresses concern that the UN's unwillingness to pay for the tribunal would delay the process long enough that former Khmer Rouge leaders would die before going on trial. "Right now we have the law to prosecute the Khmer Rouge, but the United Nations claims that they do not have the budget," said

Khmer Rouge, but the United Nations claims that they do not have the budget," said the Prime Minister at the December 2 anniversary of the Kampuchea National United Front for National Salvation. "People and I are concerned that former Khmer Rouge leaders will die before the prosecution. This is our concern; the budget is the UN's burden," he added.

*(The Cambodia Daily, December 3, 2004)*

December 10, 2004 The final working budget for a three-year tribunal is set at just \$56.272 million, say UN and government representatives, before stating that the trial's site will likely be moved to the newly constructed Royal Cambodian Armed Forces (RCAF) headquarters on the outskirts of the capital. The UN team would return to New York to present the new budget numbers to Secretary-General Kofi Annan before the world body begins fundraising, UN task force coordinator Mohammed Said told reporters at the Council of Ministers. Sean Visoth, secretary of the government's Tribunal Task Force, said Cambodia would shoulder about \$13 million of the budget, a significantly larger portion than the \$7 million the government had been bargaining for. The budget was whittled down from \$57 million to over \$56 million, which Said called "peanuts" in comparison to the cost of other international tribunals. Some of those savings may result from a government-proposed change of venue for the trial, which was originally slotted to take place at Phnom Penh's Chaktomuk Theater and the National Cultural Centre. The new RCAF headquarters has sufficient facilities to house all the proceedings, Sean Visoth said.

*(The Cambodia Daily, December 11-12, 2004)*

December 15, 2004 Prince Ranariddh says a different location from RCAF headquarters is needed to ensure "a true international standard of justice...For me, any place outside the military barracks must be better."

*(The Cambodia Daily, December 16, 2004)*

December 16, 2004 Prince Ranariddh says Cambodia and the UN will not be able to begin a planned international criminal tribunal unless Japan pays at least half of the required \$56 million. "If Japan does not finance half of the budget, we will not be able to start the trial," said the prince.

*(Japan Today, December 16, 2004)*

December 17, 2004 France pledges EUR 3 million (US \$4 million) towards the planned tribunal, which is expected to cost US \$56 million (EUR 42 million). Xavier Darcos, minister delegate for cooperation and development, said France would contribute EUR 1 million per year for the estimated three years of proceedings.

*(AFP, December 17, 2004)*

January 8, 2005 Hun Sen blasts the international community for quickly aiding countries that were hit by the December 26 tsunami while all but ignoring Cambodia in the aftermath of the Khmer Rouge regime. "The number of people killed by the tsunami was less than 10 percent of the extent of the damage and loss of lives during Pol Pot's regime," he said. "No one wants the Khmer Rouge to be prosecuted more than Hun Sen," he added.

*(Kyodo News, January 8, 2005)*

January 23, 2005 Retired King Norodom Sihanouk says that the prosecution of only a handful of former DK leaders would be a "comedy and hypocrisy." Instead of spending

former UN leaders would be a comedy and hypocrisy. Instead of spending more than \$56 million to establish the tribunal and “to support, for 3 years, its judges in luxury,” he suggested it may be more judicious to provide families of Khmer Rouge victims with fertile land and irrigation systems. “The question is to know whether condemnation by the famous Khmer-UN tribunal of five or six Khmer Rouge would be sufficient to appease my spirit,” the king wrote on his website.

*(The Cambodia Daily, January 25, 2005)*

- January 27, 2005     Sihanouk warns of a possible revolt against the government by ex-Khmer Rouge hard-liners if their leaders are prosecuted by a UN-backed tribunal.  
*(The Cambodia Daily, January 28, 2005)*
- January 28, 2005     Britain announces a US \$940,000 contribution to support the tribunal.  
*(ABC Radio Australia, January 28, 2005)*
- January 29, 2005     Hun Sen urges donor nations to quickly put forth funds for the tribunal before the chance to try ageing former Khmer Rouge leaders is lost.  
*(The Cambodia Daily, January 31, 2005)*
- February 9, 2005     Japan commits \$21.5 million for the tribunal and says it will give the money to the UN by the end of March.  
*(The Cambodia Daily, February 10, 2005)*
- March 7, 2005       Prince Sisowath Thomico, private secretary to retired King Norodom Sihanouk, declares his intention to sue Foreign Affairs Minister Hor Nam Hong to discover the fate of his deceased parents – if and when a Khmer Rouge tribunal is established. Expressing doubt over the UN and government’s will to hold the long-awaited tribunal, Prince Thomico said he wishes to find justice for his late parents, Prince Sisowath Methavi and Princess Nanette Methavi, the older sister of Queen Norodom Minineath.  
*(The Cambodia Daily, March 9, 2005)*
- March 11, 2005     A Cambodian military court investigating judge says Ta Mok and Kaing Guek Eav, alias Duch, were charged in February with war crimes and harming foreign nationals during the regime’s rule from 1975 to 1979.  
*(ABC Radio Australia, March 11, 2005)*
- March 15, 2005     Foreign Affairs Minister Hor Nam Hong responds to statements made by Prince Thomico, warning that he would seek massive monetary compensation for any complaints lodged against him at a future tribunal. Asked to comment on Prince Thomico’s public statement on his intention to file a complaint against the foreign minister, Hor Nam Hong told reporters that anyone who brings forth such a case should be prepared to pay.  
*(The Cambodia Daily, March 17, 2005)*
- March 21, 2005     “To date, the Cambodian government and the UN have raised enough money to pay for at least the first year of the trials (\$39 million of an estimated \$56 million) through contributions from Japan, Australia, Great Britain and France,” says Youk Chhang, Director of the Documentation Center of Cambodia. He appealed for more contributions and involvement from the

Cambodia. He appealed for more contributions and involvement from the international community in making the long-awaited tribunal a reality. "It is my hope that the international community will begin to engage more widely in addressing Asia's human rights abuses, becoming as involved here as it has in Europe and Africa, for example," he said. "Helping Cambodians see justice for the crimes against humanity committed on our soil would ensure donors a place of honor in history."

*(Searching for the Truth, English Edition, First Quarterly 2005)*

March 22, 2005 Retired King Sihanouk says he could contribute \$10,000 on behalf of Prince Sisowath Thomico if Foreign Affairs Minister Hor Namhong were to sue the prince for defamation, according to the retired king's pen pal, Ruom Ritt.  
*(The Cambodia Daily, March 22, 2005)*

March 25, 2005 Canada announces it will contribute C \$2 million (US \$1.64 million) to the UN toward the establishment and operation of the Extraordinary Chambers – C \$1 million for the first year, and C \$500,000 each for the second and third years.

*(Press Release of the Canadian Embassy in Phnom Penh, March 25, 2005)*

The Cambodian government announces that it can only shoulder \$1.5 million of its expected share of \$13.3 million and calls for more funding from interested states to bridge its shortfall of \$11.8 million. Senior Advisor to Hun Sen, Om Yentieng, said Cambodia's contribution will in fact cover \$6.7 million in cash and in kind, as far as the security and premises excluded from the total budget are concerned.

*(The Associated Press, March 27, 2005)*

March 28, 2005 Member states of the UN pledge a total of \$38.48 million towards the establishment of the Extraordinary Chambers, \$4.52 million short of the goal of \$43 million. The pledges were:

Japan	\$21,600,000
France	\$4,800,000
United Kingdom	\$2,870,000
Australia	\$2,350,000
Netherlands	\$2,000,000
Canada	\$1,610,000
Norway	\$1,000,000
Germany	\$1,000,000
Denmark	\$525,000
Austria	\$360,000
Sweden	\$150,000
Republic of Korea	\$150,000
Luxemburg	\$66,000

The US representative stated that in the past ten years, the US has "paid \$7 million toward documentation and research costs for the crimes committed in Cambodia," and that "legislative restraints made it impossible to pledge moneys towards the Tribunal."

*(UN Press Release, L/3082)*

Youk Chhang, DC-Cam director, says he is confident that the shortfall will be met, and that the Cambodian government should consider asking the private sector in the Kingdom to bridge the gap.  
(AFP, March 29, 2005)

April 11, 2005      The Belgian government pledges \$193,500 for a future Khmer Rouge tribunal. Jeroen Cooreman, deputy head of mission for the Belgian Embassy in Bangkok, wrote in an e-mail that Belgium could not make the announcement at a pledging conference at the UN headquarters on March 28 because "the decision had not been officially taken yet at the time of the pledging conference."  
(*The Cambodia Daily*, April 12, 2005)

April 17, 2005      DC-Cam appeals to governments that had embassies in Cambodia during DK or followed events from embassies in Bangkok, organizations and individuals to provide materials they possess on the regime to the Extraordinary Chambers. He also thanked Dr. Steve Heder of the University of London and former Officer in Charge of the Cambodia Office of the United Nations Center for Human Rights David Hawk for providing their Khmer Rouge-related files in anticipation of the tribunal, and expressed his hope that others would follow their lead.  
(*Searching for the Truth*, English Edition, Issue No. 64, April 2005)

April 21, 2005      The US State Department issues a statement: "For the United States to contribute to this process, we believe, as U.S. law stipulates, that the tribunal must meet internationally recognized standards of justice. As the tribunal moves forward, we will engage with the Government of Cambodia, the United Nations, and interested countries to achieve this goal."  
(*Press Release 2005/438*, April 21, 2005)

April 22, 2005      The Vietnamese government replies to DC-Cam's April 17 appeal for relevant Khmer Rouge materials, stating: "Your letter will be forwarded to the relevant authorities of Viet Nam. I am confident that it will attract their attention."

April 25, 2005      In response to DC-Cam's April 17 appeal for relevant Khmer Rouge materials, Germany sends documents to DC-Cam.

April 29, 2005      The agreement between the UN and Cambodia to set up the Extraordinary Chambers takes effect. On April 28, 2005 the Secretary-General of the United Nations wrote a letter to Hun Sen, informing him that the legal requirements on his side had been met. According to Article 32 of the Agreement, it therefore entered into force on April 29, 2005, the day following his notification, given that H.E Sok An had, on November 16, 2004, informed H.E. Nicolas Michel that the legal requirements on the Cambodian side had been met.  
(*Press Release of the Office of the Council Ministers*, May 3, 2005)

According to a UN press statement, sufficient pledges and contributions were now in place to fund the staffing of the two Extraordinary Chambers.  
(*UN News Center*, April 29, 2005)



	<p>The European Commission pledges \$1.3 million to Cambodia's Khmer Rouge tribunal.  <i>(AFP, April 29, 2005)</i></p>
April 30, 2005	<p>Cambodia welcomes a UN announcement that enough money is on hand to set up the tribunal.  <i>(ABC News Online, April 30, 2005)</i></p>
May 6, 2005	<p>France announces it will allocate an additional \$1.3 million in 2005 for the tribunal as an advance on its trial contribution for 2006. "In doing so, France wishes to encourage its partners to increase their efforts so that the necessary credits are in hand for the start of the three-year proceedings," said the statement of the French Ministry of Foreign Affairs.  <i>(The Cambodia Daily, May 7-8, 2005)</i></p>
May 9, 2005	<p>In response to DC-Cam's April 17 appeal for relevant Khmer Rouge materials, Great Britain sends documents to DC-Cam.</p>
May 19, 2005	<p>The United States says it will not be involved in the Khmer Rouge tribunal unless it proves to be fair and free from political manipulation and influence. "The U.S. wants to be in the position where we will be able to support this politically and financially," Pierre Richard Prosper, U.S. ambassador-at-large for war crimes issues, told reporters during a two-day visit to Phnom Penh. "What we want to avoid is some of the problems that exist in the ordinary judiciary being transferred to the Khmer Rouge tribunal," he said. "It must be free from corruption. It must be free from political manipulation or influences and must be transparent," Prosper added.  <i>(Reuters, May 19, 2005)</i></p>
May 20, 2005	<p>Some 1,000 Cambodians gather at one of the Khmer Rouge's infamous "killing fields" to remember the victims of the 1975-79 regime amid calls for its former leaders to face trial soon. Relatives of victims, students, government officials and monks attend the ceremony, held annually to mark the date Pol Pot's ultra-Maoists collectivized agriculture, at the Choeung Ek fields southwest of the capital.  <i>(AFP, May 20, 2005)</i></p>
May 30, 2005	<p>Cambodian Deputy Prime Minister Sok An calls on foreign diplomats in Phnom Penh to help the country pay its share (\$13.3 million) of the costs of a tribunal to try former Khmer Rouge leaders. Sean Visoth, Secretary of the government's tribunal task force, said that India, Singapore and Thailand showed their interest in providing technical support. He added that the European Union is still deciding whether to give the \$1.3 million it has pledged to the United Nations or the Cambodian government.  <i>(Voice of America, Phnom Penh, May 31, 2005)</i></p>
June 2, 2005	<p>Diplomatic corps and representatives from 13 embassies in Phnom Penh join a visit to the proposed Extraordinary Chambers site at Kambol.  <a href="http://www.cambodia.gov.kh/krt/english/chrono.htm">www.cambodia.gov.kh/krt/english/chrono.htm</a></p>
June 5, 2005	<p>Several prominent Cambodian businessmen say they would donate money to</p>

help cover the government's \$11.8-million shortfall for the Khmer Rouge tribunal if the government makes an official request. "I will donate money [to the tribunal] in order to help the government," Said Sok Kong, director of Sokimex Company. He adds that he didn't believe he would be the only business leader prepared to pitch in. Kith Meng, chairman of Royal Group of Companies, echoed the statement, "If [Hun Sen] comes up with a policy or a formal request, we would have no objection."  
(*The Cambodia Daily*, June 6, 2005)

- June 6, 2005 Sam Rainsy Party spokesman Ung Bun-Ang calls on the government of Cambodia to organize a national fund-raiser to make up the shortfall – which the government said is the final hurdle to seeing the long-awaited tribunal take place. "It seems that everybody has been contributing to fund the Khmer Rouge trial except the Cambodian people here and abroad," Sam Rainsy Party spokesman Ung Bun Ang said in a statement.  
(*The Cambodia Daily*, June 7, 2005)
- June 7, 2005 Nuon Chea admits that his health is weakening and high blood pressure is causing him problems. But he said he was trying to stay healthy in case he was called to appear at the long-stalled Khmer Rouge tribunal. "I am taking care of myself and my health, because I am preparing myself to go to court," he stated. "But I do not know how long I can stand in it."  
(*The Cambodia Daily*, June 8, 2005)
- June 8, 2005 Prime Minister Hun Sen rejects proposals for a national fund-raiser to help cover the government's \$11.8-million shortfall for the Khmer Rouge tribunal budget, a move that some observers believe casts doubt on the government's commitment to the long-awaited trial. Commenting on a proposal to raise money for the Khmer Rouge tribunal from local Cambodian contributions, Hun Sen said: "I think such a proposal is not acceptable. Cambodian people earn money just to live." Om Yentieng, a member of the government's Khmer Rouge task force, said afterwards that there would be no appeal to the country's wealthy business leaders – or anyone else – for help.  
(*The Cambodia Daily*, June 9, 2005)
- June 10, 2005 Japan is unable to provide direct financing to cover Cambodia's \$11.8m Khmer Rouge tribunal funding shortfall, but is studying the possibility of making funds available through Japan's bilateral assistance to Cambodia, Japan's foreign ministry says. "The government of Japan, through Foreign Minister [Nobutaka] Machimura, would like to see the Khmer Rouge tribunal be commenced as soon as possible," Hatsuhisa Takashima told reporters at a press conference, "In order to do so the government of Japan is willing to discuss in detail...the arrangement with which Japan would have some mode of financing it through the bi-lateral arrangement between Cambodia and Japan."  
(*The Cambodia Daily*, June 11-12, 2005)
- June 21, 2005 Foreign Minister Hor Namhong states that another barrier to the establishment of a Khmer Rouge tribunal was removed with the announcement that Cambodia will use a special fund set up by the Japanese government to pay its remaining share of the Khmer Rouge trial budget. "They [the Japanese

government] have already offered. We will use this money, so we hope that the Khmer Rouge tribunal can proceed soon," said the minister.  
(*The Cambodia Daily*, June 22, 2005)

June 22, 2005 Hor Namhong's announcement that Cambodia will use a special fund set up by Japanese government to pay its remaining share of the Khmer Rouge trial budget comes as a surprise to the Japanese embassy in Phnom Penh. The embassy's political affairs officer, Fumio Goto, said Japan's bilateral aid program would not cover all of Cambodia's costs, and he asked other countries to contribute as well. "Because this is not only Japan who assists the Khmer Rouge tribunal," he said. "So we understand that now the Cambodian government is prepared, just appeal to all donor countries to assist the Cambodian portion."  
(*Voice of America*, June 22, 2005)

June 27, 2005 Germany pushes the Khmer Rouge tribunal closer to commencement with the announcement of an additional \$1.9 million contribution toward trial's \$56.3 million budget.  
(*The Cambodia Daily*, June 28, 2005)

June 30, 2005 The UN approves the newly constructed Royal Cambodian Air Force headquarters on the capital's outskirts as the location for the planned Khmer Rouge tribunal. The decision was made during a closed-door meeting in New York on June 30 between the UN and representatives from countries that are involved in the tribunal, a diplomat said on condition of anonymity.  
(*The Cambodia Daily*, July 20, 2005)

June 30, 2005 The UN calls on member countries to submit the names of international judges and prosecutors they would like to see nominated for the Khmer Rouge tribunal. The UN Secretariat sent a letter to member countries on June 30, with nominations for the positions – a total of nine from the international community – to be submitted by August 29. "On behalf of the Secretary-General [Kofi Annan], I have the honor to invite your government to suggest the names of individuals whom the Secretary-General might nominate for appointment," wrote Nicolas Michel, the UN's undersecretary-general for legal affairs. The international court officials will make \$129,400 per year calculated upon how long they actually work, the letter said. The officials will start at different times and serve for varying lengths of time depending on the phase – investigation, trials and appeals – of the tribunal they are involved in.  
(*The Cambodia Daily*, August 3, 2005)

June 2005 Youk Chhang, director of the Documentation Center of Cambodia, calls on the governments of ASEAN to participate more in the process of the Khmer Rouge tribunal by providing such much-needed assistance as technical assistance, documentation (providing Khmer Rouge-related documents to the tribunal), counseling (helping people suffering from post-traumatic stress disorder or PTSD), computers, transportation (large vans or small buses for bringing people from the countryside to attend the trials in the capital), and radios.

(*Searching for the Truth*, English Edition, Second Quarter 2005)

July 14, 2005 The government is still waiting for international donors to cover Cambodia's

\$11.8-million Khmer Rouge tribunal budget shortfall and for the UN to appoint a deputy coordinator before moving forward, a government official says at a conference on the tribunal. "Once we get news from the UN [on who will be the deputy coordinator], then Cambodia will look for its own coordinator," said Sean Visoth, secretary for the government's Khmer Rouge tribunal task force. "We are waiting for the UN." The UN posted an advertisement for the deputy coordinator position in April. Applications were due by May 8. According to officials, the UN received more than 100 applications. Japanese Ambassador Fumiaki Takahashi said at the conference, held at the University of Cambodia, that it was in the "final stages" of deciding who would get the job.  
(*The Cambodia Daily*, July 15, 2005)

- July 25, 2005 Ian Pearson, Britain's Foreign Office Minister for Trade, said following a meeting with Prime Minister Hun Sen to discuss the trial that "Britain will contribute about \$2.6 million to the long-awaited Khmer Rouge tribunal. We've said we'll commit [\$2.6 million] over the next three years...to the international side of the tribunal," he said.  
(*The Cambodia Daily*, July 26, 2005)
- August 1, 2005 Haruhisa Handa, the Japanese philanthropist, religious leader, self-styled business guru and author also known as Toshu Fukami, announces a \$1.3 million compensation and memorial fund for victims of the Khmer Rouge. Haruhisa Handa, who is also the founder of the Japanese Blind Golf Association, is providing \$300,000 for the fund, while his welfare organization, World Mate, will be footing the rest of the bill, he said. Survivors of the regime will be invited to apply for money from the fund, which aims to initially give \$100 per family to 10,000 families. "If I get more donations, I can give more money for people," Haruhisa Handa said.  
(*The Cambodia Daily*, August 2, 2005)
- August 4, 2005 "With less than one month until the closing of the nomination process for the election of judges and prosecutors to the new Extraordinary Chambers, Amnesty International is calling on all states to nominate their most highly qualified candidates to the Extraordinary Chambers. Given serious weaknesses in the national judicial system, Amnesty International was dismayed by a decision to appoint a majority of Cambodian judges to serve on the Extraordinary Chambers. Eleven of the 19 judges and one of the two co-prosecutors will be Cambodian. Amnesty International considers that the Cambodian judicial system continues to be weak and subject to political pressures, especially in high-profile cases. It is currently unable to ensure that trials are conducted in a manner that would conform to international law and standards of fairness."  
(*Amnesty International*, 4 August 2005, News Service No: 211, AI Index: ASA 23/004/2005(Public))
- August 15, 2005 Prime Minister Hun Sen says that problems in establishing the Khmer Rouge tribunal are giving him a "headache" and warns there won't be a trial if the government's share of the trial's budget is not covered by the international community.

*(The Cambodia Daily, August 16, 2005)*

- August 25, 2005 The United Nations announces that Michelle Lee of China will coordinate UN assistance to the Khmer Rouge tribunal. Effective September 1, 2005 she will serve as the international deputy director of the Office of Administration. She joined the UN in 1974 and most recently has been in charge of administrative support services for the UN genocide tribunal for Rwanda in Arusha, Tanzania, since July 2003. Previously she was chief of the administrative division at the UN's regional Economic and Social Commission for Asia and the Pacific in Bangkok from February 2001 to July 2003.  
*(AP, August 26, 2005)*
- August 29, 2005 Prime Minister Hun Sen welcomes the appointment of China's Michelle Lee by the United Nations as coordinator for UN-Cambodian efforts in setting up a tribunal for former Khmer Rouge leaders. "We welcome any step made by the United Nations. Any appointment made available to any nationality by the United Nations is welcomed," Hun Sen told reporters, adding that the United Nations has its own regulation that any person employed by this body has to be committed to UN interests.  
*(Kyodo, August 29, 2005)*
- September 20, 2005 French President Jacques Chirac meets Cambodian Prime Minister Hun Sen for talks on bilateral cooperation and efforts to bring surviving leaders of the genocidal Khmer Rouge regime to justice.  
*(ABC Radio Australia, September 20, 2005)*
- September 23, 2005 The new US Ambassador to Cambodia says the time has come for bringing former Khmer Rouge leaders to justice. "It must be a genuine tribunal. If we can be assured with the international standard, the American government will support it. What we need is a real trial, not a pretend trial," he said.  
*(Kyodo, September 23, 2005)*
- October 7, 2005 India contributes \$1 million to the Cambodian side of the budget for the coming Khmer Rouge trials.  
[www.hindu.com/2005/10/08/stories/2005100803181300.htm](http://www.hindu.com/2005/10/08/stories/2005100803181300.htm)
- October 25, 2005 Fugitive former Khmer Rouge commander Chhouk Rin is arrested near the Thai border in Oddar Meanchey province. The arrest followed a request by French President Jacques Chirac for Chhouk Rin's arrest during a September 21 meeting with Prime Minister Hun Sen in Paris. Chhouk Rin had been on the run since February, when the Supreme Court rejected his final appeal against a life sentence issued in 2002 for his role in the 1994 murders of three backpackers from Australia, Britain and France who were taken hostage following a train attack and later executed on Vince Mountain in Kampot province.  
*(The Cambodia Daily, October 26, 2005)*
- November 12, 2005 His Majesty King Norodom Sihamoni signs Royal Decrees appointing His Excellency Sean Visoth as director of the Office of Administration of the Extraordinary Chambers, and assigning Ms. Michelle Lee as deputy director, a



position to which she was appointed on October 14 by the Secretary-General of the United Nations.

(Royal Decree, **NS/RKT/1105/462 & NS/RKT/1105/466**)

November 20, 2005 Retired King Norodom Sihanouk accuses Richard Nixon, former US president, and Henry Kissinger, his then secretary of state, of serving the interests of the Khmer Rouge during their military activities in Cambodia. Documents released last week in the US detailed Nixon's deceptions during the US "secret war" in Cambodia in the early 1970s, when the US launched a heavy bombing on the country. "By using the Lon Nol-ists and Sirik Matak-ists to 'eliminate' the [Sangkum Reastr Niyum] and Norodom Sihanouk, the NIXON-KISSINGER were, in the end, serving the vital interests of the Khmer Rouge, Pol Pot and Pol Pot communism," Norodom Sihanouk wrote in the margins of a newspaper posted on his Web site.  
(*The Cambodia Daily*, November 22, 2005)

November 23, 2005 UN moves ahead with Cambodian trials court for Khmer Rouge leaders

"23 November 2005 - United Nations efforts helping Cambodia to set up special mixed courts to try ageing former leaders of the Khmer Rouge accused of killing hundreds of thousands of civilians during the 1970s are gaining momentum as Secretary-General Kofi Annan considers nominees for the tribunals' international components.

"A short list <<http://www.un.org/law/khmerrougetrials/>> of candidates will be interviewed in early December for the posts of International Judges, International Co-Prosecutor, International Co-Investigating Judge and International Judges of the Pre-Trial Chamber, spokesman Stephane Dujarric told the daily noon briefing in New York.

"The UN and Cambodia signed the landmark agreement to set up a trial court and a Supreme Court within the Cambodian legal system to 'prosecute those most responsible for crimes and serious violations of Cambodian and international law between 17 April 1975 and 6 January 1979.'

"The courts will comprise a mix of international and Cambodian judges. According to the agreement - which stresses the impartiality and independence of the prospective jurists - decisions in the two chambers would be taken by majorities of four judges and five judges, respectively.

### International Judges

"The Agreement provides, in Article 3, for a Trial Chamber, composed of three Cambodian judges and two international judges, and a Supreme Court Chamber, composed of four Cambodian judges and three international judges.

"In accordance with Article 3, paragraph 5, of the Agreement, these five international judges are to be appointed by the Supreme Council of the

Magistracy of Cambodia from a list of not less than seven nominees forwarded by the Secretary-General.

“The other nominees are to remain available for appointment as international judges in the event of a vacancy. They may also be designated to serve as alternate judges in specific cases, in accordance with Article 3, paragraph 8, of the Agreement.

“Acting on behalf of the Secretary-General, the Legal Counsel has established the following short-list of individuals whom the Secretary-General might possibly nominate for appointment as international judges or, in the alternative, as judges of the Pre-Trial Chamber:

- Silvia CARTWRIGHT: New Zealand governor general
- Rowan DOWNING: Australian member of Queens Counsel, legal adviser
- Claudia FENZ: Austrian former international judge at the UN Mission in Kosovo
- Chandra JAYASINGHE
- Martin KAROPKIN: New York City Criminal Court judge, acting judge of New York Supreme Court
- Agnieszka KLONOWIECKA-MILART: Polish former international judge at the UN Mission in Kosovo
- Jean-Marc LAVERGNE
- Fred McELREA: New Zealand, Auckland District Court Judge
- Adel Ibrahim MAGED: Egyptian judge, The International Criminal Court and National Sovereignty
- Motoo NOGUCHI
- Robert SPEAR.

“The individuals concerned are being invited for interviews in New York in December 2005.

“Click here for information on **qualifications** and **conditions of service**.

## International Co-Prosecutor

“The Agreement provides, in Article 6, for a Cambodian prosecutor and an international prosecutor, serving as co-prosecutors.

“In accordance with Article 6, paragraph 5, the international co-prosecutor is to be appointed by the Supreme Council of the Magistracy of Cambodia from a list of two nominees forwarded by the Secretary-General.

“The other nominee is to be appointed as a reserve international co-prosecutor to fill the post of international co-prosecutor in the event a vacancy or the need arises.

“Acting on behalf of the Secretary-General, the Legal Counsel has established the following short-list of individuals whom the Secretary-General might possibly nominate for appointment as international co-prosecutor:

- Maria BENEDETTI
- Charles CARUSO
- Paul COFFEY
- Dermot GROOME
- Robert PETIT
- Jude ROMANO

“The individuals concerned are being invited for interview in New York in December 2005.

“Click here for information on **qualifications** and **conditions of service**.

## International Co-Investigating Judge

“The Agreement provides, in Article 5, for a Cambodian investigating judge and an international investigating judge, serving as co-investigating judges.

“In accordance with Article 5, paragraph 5, the international co-investigating judge is to be appointed by the Supreme Council of the Magistracy of Cambodia from a list of two nominees provided by the Secretary-General.

“The other nominee is to be appointed as a reserve international co-investigating judge, to fill the post of international co-investigating judge, should the need arise.

“Acting on behalf of the Secretary-General, the Legal Counsel has established the following short-list of individuals whom the Secretary-General might possibly nominate for appointment as international co-investigating judge:

- Abdulkadir KAYA
- Agnieszka KLONOWIECKA-MILART
- Marcel LEMONDE

“The individuals concerned are being invited for interview in New York in December 2005.

“Click here for information on **qualifications** and **conditions of service**.

#### International Judges of the Pre-Trial Chamber

“The Agreement provides, in Article 7, for a Pre-Trial Chamber, consisting of three judges appointed by the Supreme Council of the Magistracy of Cambodia and two judges appointed by the Supreme Council of the Magistracy upon nomination by the Secretary-General.

“The Pre-Trial Chamber is to be convened, and its judges to serve, only if and when needed, in order to settle differences between the co-prosecutors or between the co-investigating judges.

“Acting on behalf of the Secretary-General, the Legal Counsel has established the following short-list of individuals whom the Secretary-General might possibly nominate for appointment either as international judges or, alternatively, as judges of the Pre-Trial Chamber:

- Silvia CARTWRIGHT
- Rowan DOWNING
- Claudia FENZ
- Candra JAYASINGHE
- Martin KAROPKIN
- Agnieszka KLONOWIECKA-MILART
- Jean-Marc LAVERGNE
- Fred McELREA
- Adel Ibrahim MAGED
- Motoo NOGUCHI

- Michael PROULX: Canadian former Quebec Appeals Court judge
- Phillip RAPOZA: US Massachusetts Appeals Court judge, formerly UN judge in East Timor
- Robert SPEAR

“The individuals concerned are being invited for interview in New York in December 2005.”

“Click here for information on **qualifications** and **conditions of service**.

November 25, 2005 The Secretariat of the Task Force on the Khmer Rouge tribunal issues a press release stating that His Majesty King Norodom Sihamoni signed Royal Decrees appointing His Excellency Sean Visoth as Director of the Office of Administration of the Extraordinary Chambers, and assigning Ms. Michelle Lee as Deputy Director, a position to which she was appointed on 14 October by the Secretary-General of the United Nations.

With regard to its budget issues, the government still lacks \$10.8 million, and is appealing to other governments to help fill in this gap.

(Secretariat of the Task Force, **Press Release**, November 25, 2005)

December 1, 2005 Total contributions to the United Nations side of the Extraordinary Chambers' budget increase, with recent pledges by Armenia (\$1,000), Namibia (\$500) and Ireland (\$300,000).  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))

December 6, 2005 DC-Cam's director Youk Chhang appeals to the Cambodian Government to negotiate with the French Government for the return of 35 mm films to Cambodia as these may be used in the Khmer Rouge trials. The films were known to have been sent to France for restoration in 1998. He said he had negotiated with several French officials for the return of the films, but the French side responded that it is an individual matter.  
(*Rasmey Kampuchea*, December 8, 2005)

Michelle Lee, the UN's representative to the Khmer Rouge Tribunal, arrives in Phnom Penh to conduct a two-week mission (from December 6-16) that may represent the first solid step toward making the trials become a reality.  
(*The Cambodia Daily*, December 7, 2005)

December 9, 2005 Michelle Lee, in a **joint statement** with the director of the office of administration for the Khmer Rouge Tribunal, says that the principal remaining obstacle relates to the budget issue. “At the present moment the \$43 million on the United Nations side of the budget is almost fully subscribed, but the Cambodian side still lacks \$10.8 million,” Lee wrote in the statement, adding that the Cambodian Government is appealing for urgent help to fill



this gap.

December 10, 2005 The Australian Government announces a grant of AU \$48,306 to the Secretariat of the Task Force to launch regional outreach forums in provincial capitals throughout the country. This grant was awarded as part of the Human Rights Small Grants Scheme 2005-06, and was additional to a grant of US \$19,960 awarded in October under the Australian Embassy's Human Rights and Governance Fund for reprinting and distribution to each school classroom in Cambodia of the Secretariat's highly regarded information booklet "An Introduction to the Khmer Rouge Trials," published in 2004 with assistance from AusAID.  
([www.cambodia.gov.kh/krt/english/chrono.htm](http://www.cambodia.gov.kh/krt/english/chrono.htm))

December 12, 2005 Michele Lee, deputy director of the office of administration for the Khmer Rouge Tribunal, and her team visit the Documentation Center of Cambodia for the purpose of evaluating its resources and facilities for the operation of the tribunal, which is expected to begin to function soon.

Ms. Lee was leading the UN Start-Up Assessment Mission to Cambodia, 6-16 December 2005 consisting of seven members, who include four newly appointed Chiefs of Security, Information and Communications Technology, Budget and Finances and General Services, as well as officials from the United Nations Headquarters in New York – Anne-Marie Ibanez from the Department of Political Affairs, acting as spokesperson for the Mission, and David Hutchinson from the Office of Legal Affairs.

December 14, 2005 The United Nations is seeking another way to use a sum of money to help pay for the planned Khmer Rouge tribunal. Whether or not this world body can use this sum is still a matter. The money, totaling around US \$6.9 million (Euro 5.7 million), is interest that has accumulated from contributions various countries made to the UN's peacekeeping mission in Cambodia in the early 1990s, said Michelle Lee, head of the UN administrative team.  
(*The Associated Press*, December 16, 2005)

December 16, 2005 Director of the Documentation Center of Cambodia Youk Chhang writes a letter to the *Bangkok Post* outlining a number of steps the government of Cambodia could take so that the Khmer Rouge tribunal's current budget obstacle can be removed. These include: 1) accept Japan's offer to cover the shortfall; 2) appeal through the press, make a sincere and formal request and disseminate it widely, both locally and internationally, if it truly wants Cambodians to donate funds; and 3) locate funding from its own budgetary resources for the tribunal. He added that donor countries might consider contributing on a year-by-year basis if they are afraid that their money might be wasted in Phnom Penh.  
(*Bangkok Post*, December 16, 2005)

December 28, 2005 The European Commission pledges US \$1.2 million to help cover the government's share of the Khmer Rouge Tribunal.  
(*The Cambodia Daily*, December 29, 2005)

January 10, 2006 The Documentation Center of Cambodia receives the first formal request from Dr. Steve Heder on behalf of the United Nation Assistance to the Khmer

Rouge Tribunal (UNAKRT) on how he could gain remote access to DC-Cam's summarized files and translations that already exist.  
(An E-mail from Dr. Steve Heder dated January 10, 2006)

- January 18, 2006 Thailand donates US \$25,000 to the Khmer Rouge Tribunal.
- January 18, 2006 Part of the High Command Headquarters of the Royal Cambodian Armed Forces at Kambol is handed over to the Royal Government Task Force for the Khmer Rouge trials. Two buildings and their surrounds are to be dedicated for use as the premises of the Extraordinary Chambers.  
(Statement on the Handover of the Remises for the Extraordinary Chambers in the Courts of Cambodia, by His Excellency Sean Visoth, Director of the Office of Administration and Executive Secretary of the Royal Government Task Force for the Khmer Rouge Trials)
- February 5, 2006 Michelle Lee, the UN's representative to the Khmer Rouge tribunal, arrives in Cambodia to take up residence in preparation for the long-awaited Extraordinary Chambers in the Courts of Cambodia.  
(The Cambodia Daily, February 6, 2006)
- February 7, 2006 Reach Sambath, a Cambodian journalism teacher, is named the press officer for the upcoming Khmer Rouge Tribunal. He was a reporter for Agence France-Press for 12 years, and is now a stringer for *The New York Times* and a teacher of journalism at the Cambodian Communication Institute of the Royal University of Phnom Penh. He holds a degree in journalism from California State University, Fullerton, a bachelor's degree in horticulture from India and a master's degree in journalism from Columbia University in New York.  
(The Cambodia Daily, February 8, 2006)
- February 8, 2006 Nuon Chea, Brother No. 2 after Pol Pot of the Khmer Rouge regime, clears the rumors about his death that swept the country on Tuesday night. "I am not dead," he said.  
(The Cambodia Daily, February 9, 2006)
- February 9, 2006 The administrative heads of the Khmer Rouge Tribunal state that judges and prosecutors are expected to be in place by the first half of this year and that the long awaited trials should commence in 2007.
- Michelle Lee, ECCC's deputy director, comments on the budget issue that by February 15, the tribunal staff will know whether 29 donors to Cambodia have agreed to transfer UNTAC-era trust funds totaling \$6.9 million to make up Cambodia's budgetary shortfall.
- Sean Visoth announces that Deputy Director of National Police Mao Chandara has been named the tribunal's security chief.  
(The Cambodia Daily, February 10, 2006)
- February 20, 2006 The Cambodian and UN administrators of the Khmer Rouge Tribunal are still waiting to receive approval from 27 countries to release \$6.9 million from an UNTAC-era UN trust fund to help pay for the trials, according to the court's spokesman Reach Sambath. "We have confirmed that Britain and Japan have

spokesman Reach Sambath. “We have confirmed that Britain and Japan have approved the transfer,” he says, “We are very optimistic that there will be no problem. The trial will go ahead as scheduled.”

*(The Cambodia Daily, February 21, 2006)*

February 25-26,  
2006

Four-hundred and eighty people from across Cambodia, including Buddhist nuns, Cham Muslims, students and researchers – some of whom could be called on to testify at the trials – spend two days revisiting the scenes of Khmer Rouge atrocities (Tuol Sleng prison, Choeung Ek) and the venue of the Extraordinary Chambers in the Courts of Cambodia (ECCC), asking questions about the courts established to bring victims justice. The visit was arranged by the Documentation Center of Cambodia.

*(The Cambodia Daily, February 27, 2006)*

March 8, 2006

#### United Nations Assistance to the Khmer Rouge Trials

The Secretary-General wrote on March 8, 2006 to Prime Minister Hun Sen of Cambodia, submitting his nominees for international judges, international co-investigating judge, international co-prosecutors and Pre-Trial Chamber judges of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea.

The Agreement that was concluded between the United Nations and the Royal Government of Cambodia in 2003 provides for a Trial Chamber, composed of three Cambodian judges and two international judges, and a Supreme Court Chamber, composed of four Cambodian judges and three international judges. The Agreement provides that these five international judges are to be appointed by the Supreme Council of the Magistracy of Cambodia from a list of not less than seven nominees forwarded by the Secretary-General.

The Secretary-General on March 8, 2006 forwarded the following list of seven nominees for international judges:

Ms. Silvia Cartwright (New Zealand)  
Ms. Claudia Fenz (Austria)  
Mr. Chandra Nihal Jayasinghe (Sri Lanka)  
Mr. Martin Karopkin (United States of America)  
Ms. Agnieszka Klonowiecka-Milart (Poland)  
Mr. Jean-Marc Lavergne (France)  
Mr. Motoo Noguchi (Japan)

The Agreement also provides for one Cambodian investigating judge and one international investigating judge, serving as co-investigating judges. The international co-investigating judge is to be appointed by the Supreme Council of the Magistracy of Cambodia from a list of two nominees submitted by the

Secretary-General. The other nominee is to be appointed as the reserve international co-investigating judge.

The Secretary-General on March 8, 2006 submitted the following nomination for international co-investigating judge:

Mr. Marcel Lemonde (France)

The Secretary-General promised to submit an additional nominee for reserve international co-investigating judge at a later date.

The Agreement further provides for one Cambodian prosecutor and one international prosecutor, serving as co-prosecutors. The international co-prosecutor is to be appointed by the Supreme Council of the Magistracy of Cambodia from a list of two nominees forwarded by the Secretary-General. The other nominee is to be appointed as the reserve international co-prosecutor.

The Secretary-General forwarded the following list of nominees for international co-prosecutor:

Mr. Paul Coffey (United States of America)  
Mr. Robert Petit (Canada)

Finally, the Agreement provides for a Pre-Trial Chamber of five judges; three appointed by the Supreme Council of the Magistracy and two appointed by the Supreme Council of the Magistracy upon nomination by the Secretary-General.

The Secretary-General on March 8, 2006 forwarded the names of the following two nominees for appointment as judges of the Pre-Trial Chamber:

Mr. Rowan Downing (Australia)  
Ms. Katinka Lahuis (Netherlands)

The Secretary-General has requested Prime Minister Hun Sen to transmit his nominations to the Supreme Council of the Magistracy of Cambodia.

There is not yet any indication when Cambodia's Supreme Council of the Magistracy will announce whom it is appointing from among these nominees. (*UN Press Statement*, March 8, 2006)

March 14, 2006

The United Nations and Cambodian Government today signed agreements putting in place the legal foundations for the administrative set-up and operations of the Extraordinary Chambers to try Khmer Rouge leaders, accused of horrific crimes, including mass killings, during the 1970s. One of the agreements signed today concerns supplementary arrangements on the facilities, utilities and services the Cambodian Government would provide for the premises of those Chambers; the other deals with safety and security arrangements, Stephane Dujarric told reporters.

(*UN News*, March 14, 2006)

April 6, 2006

Khieu Samphan and Nuon Chea, Khmer Rouge surviving leaders, want to

become monks in order to educate their bodies and minds in Buddhist ways, according to authorities in Pailin.

(*Kampuchea Thmey Daily*, April 7, 2006)

April 8, 2006	Updated Tribunal Funding <ul style="list-style-type: none"><li>▪ <a href="#">List of Pledging Donor Countries for Cambodian Share</a></li><li>▪ <a href="#">List of Pledging Donor Countries for UN Share</a></li></ul> (Source: <i>Helen Jarvis/ECCC</i> , April 8, 2006)
April 17, 2006	Cambodia mourns 31st anniversary of the Khmer Rouge coming to power.
April 21, 2006	A European Union delegation led by Mark Tarabela, says during a visit to Cambodia that the EU will support the Khmer Rouge Tribunal when the Cambodian and international sides submit new proposals. ( <i>VOA</i> , April 21, 2006)
April 24, 2006	Retired King Norodom Sihanouk decried what he says was a growing revisionist movement to cast the late Khmer Rouge leader Pol Pot as a national hero. He responded to media reports about a Buddhist ceremony held on the eighth anniversary of Pol Pot's death in Oddar Meanchey province's Anlong Veng district, on April 15. Followers of Pol Pot brought offerings of food and incense to the site of his cremation on April 15, as did superstitious people hoping he would offer them luck. "They make pilgrimages to the tomb of the new 'Tevoda' [God] Pol Pot to burn sticks of incense and candles so that the beloved Pol Pot should experience Heaven in stead of Hell and so that as soon as possible he should be reborn on our earth." He added that he hoped that if Pol Pot were to return, the current government would remain in power. ( <i>The Cambodia Daily</i> , April 25, 2006)
April 26, 2006	The Supreme Council of Magistracy will choose the Cambodian and international judges and prosecutors for the Khmer Rouge Tribunal on May 4, Minister of Justice Ang Vong Vathana says. ( <i>The Cambodia Daily</i> , April 27, 2006)
May 7, 2006	National and international judges and prosecutors for the Extraordinary Chambers in the Courts of Cambodia (ECCC) selected by the Supreme Council of the Magistracy on May 4 are appointed by Preah Reach Kret (Royal Decree) NS/RKT/0506/214 of His Majesty Norodom Sihamoni, King of Cambodia. Below is the official list:  1. Judges in the Trial Chamber: Mr. Nil Nonn (Cambodia) Mr. Thou Mony (Cambodia) Mr. Ya Sokhan (Cambodia) Ms. Silvia Cartwright (New Zealand) Mr. Jean-Marc Lavergne (France)  Reserve Mr. You Ottara (Cambodia) Ms. Claudia Escobedo (Australia)



Ms. Claudia Renz (Austria)

2. Judges in the Supreme Court Chambers:

H.E. Kong Srim (Cambodia)

Mr. Som Sereyvuth (Cambodia)

Mr. Sin Rith (Cambodia)

Mr. Yar Narin (Cambodia)

Mr. Motoo Noguchi (Japan)

Ms. Agnieszka Klonowiecka-Milart (Poland)

Mr. Chandra Nihal Javasinghe (Sri Lanka)

Reserve

Mr. Mong Monichariya (Cambodia)

Mr. Martin Karopkin (USA)

3. Co-Investigating Judges:

Mr. You Bun Leng (Cambodia)

Marcel Lemonde (France)

Reserve

Mr. Thong Ol (Cambodia)

International (To be announced)

4. Co-Prosecutors:

Ms. Chea Leang (Cambodia)

Mr. Robert Petit (Canada)

Reserve

H.E. Chuon Sun Leng (Cambodia)

Mr. Paul Coffey (USA)

5. Pre-Trial Chamber:

H.E. Prak Kimsan (Cambodia)

H.E. Ney Thol (Cambodia)

Mr. Huot Vuthy (Cambodia)

Mr. Rowan Downing (Australia)

Ms. Katinka Lahuis (Netherlands)

Reserve

Mr. Pen Pichsaly (Cambodia)

International (None)

(Official May 8 ECCC list)

May 10, 2006

Michelle Lee and her Cambodian counterpart Sean Visoth, top ECCC officials, tell a press conference that there has been another delay for the trials to start in June due to a shortage of qualified Cambodian staff. They added that they hope the situation would be rectified by July, although it could be later.

hope the situation would be resolved by July, although it could be later.  
(*Bangkok Post*, May 11, 2006)

- May 11, 2006 Speaking at a graduation ceremony at the Royal School for Administration, Prime Minister Hun Sen criticizes those who have questioned the qualifications of the judges and prosecutors appointed to the Khmer Rouge Tribunal.  
(*The Cambodia Daily*, May 11, 2006)
- May 12, 2006 The statue of Lokta Dambang Daek (Grandfather with the Iron Staff) was inaugurated in Kandal province on Friday morning. According to Cambodian legal regulations, witnesses have to swear to tell the truth before the statue before testimony is given.  
(*The Cambodia Daily*, May 13-14, 2006)
- May 17, 2006 The UN's High Commissioner for Human Rights Louise Arbour hosts a two-hour talk on judicial reform and tours the Tuol Sleng Genocide Museum with Youk Chhang, director of the Documentation Center of Cambodia.  
(*The Cambodia Daily*, May 18, 2006)
- May 24, 2006 Cambodia's 17 new judges and prosecutors for the ECCC are officially introduced to the ECCC's administrative officials. Five of them were invited to a forum, "Conference on East Timor Lessons Learned" to be held in Bangkok on May 28-29, organized by the East-West Center and Berkeley War Crimes Studies Center.  
(*The Cambodia Daily*, May 25, 2006).
- June 15, 2006 The Royal Government of Cambodia and United Nations Development Programme sign an agreement that will channel approximately \$6.3 million to the ECCC. US \$5 million will come from Norway, Sweden, Denmark, Australia, Japan, New Zealand, Ireland, Canada, United Kingdom, Netherlands, France, and Germany, which were contributed UNTAC operations, and €1 million will come from European Commission member states. Cambodia's contribution to the ECCC is \$13.3 million; these latest contributions reduced the shortfall on the Cambodian side to \$4.96 million.  
(*Remarks by H.E. Sok An, Deputy Prime Minister and Chairman of the Royal Government Task Force, and Douglas Gardner, UNDP Resident Representative and UN Resident Coordinator at the signing ceremony*)
- June 16, 2006 Thiounn Thioeunn, the Khmer Rouge's health minister who earned a medical degree from France, dies of natural causes at the age of 86 in Phnom Penh. His brother Thiounn Prasith was Cambodia's ambassador to the United Nations from 1978-1992, when the Khmer Rouge represented the country at the world forum. Another brother, Thiounn Mumm, also served in senior positions with the Khmer Rouge. Both brothers, who are younger than Thiounn Thioeunn, are believed to be alive (Thiounn Prasith was last reported to be living in New York. After his diplomatic stint ended, he was allowed to remain there based on his wife's employment at the UN).  
(*Sopheng Cheang, AP Writer*, June 21, 2006)
- June 26-27, 2006 DC-Cam organizes a visit to Tuol Sleng Genocide Museum, Choeung Ek, and the ECCC premises for 530 commune chiefs from 12 provinces.

- July 3, 2006 17 Cambodian and 8 international judges and prosecutors chosen to preside over the Khmer Rouge Tribunal take their oaths of office at a ceremony held at the royal palace.  
(*The Cambodia Daily*, July 3, 2006)
- July 6, 2006 Duch's lawyer, Kar Savuth, says he would boycott the trials because nearly all Cambodian judges on the Khmer Rouge Tribunal had lost relatives to the regime.  
(*Reuters*, July 6, 2006)
- July 7, 2006 To ensure former Khmer Rouge leaders have an adequate defense, the Extraordinary Chambers in the Courts of Cambodia will set up a defenders office staffed by foreign lawyers, the ECCC announces at a press conference. Rupert Skilbeck, the principal defender leading the office, said that the Law on the Bar Association must be amended to allow foreign attorneys to serve as co-defense counsel in Cambodia and that 15 attorneys would staff the ECCC defense office to ensure "an equality of arms" between the prosecution and the defense at the Tribunal.  
(*The Cambodia Daily*, July 8-9, 2006)
- July 8, 2006 Retired King Norodom Sihanouk announces that he opposes the newly inaugurated Khmer Rouge Tribunal, saying it will only try a handful of those responsible for the regime and that its budget would be better spent on alleviating poverty.  
(*The Cambodia Daily*, July 10, 2006)
- July 11, 2006 Minister of Information Khieu Kanharith accuses reporters of "psychologically harassing" and "intimidating" former Khmer Rouge leaders, adding that efforts to report on their movements as part of a so-called "Khmer Rouge watch" could jeopardize the Tribunal.  
(*The Cambodia Daily*, July 12, 2006)
- Ta Mok's niece, Ven Ra, says that Ta Mok told her that the military court had denied him proper medical treatment for months when she met him over the weekend. "He told me that he had asked the people who look after him to send him to the hospital for three months before they sent him to the hospital."  
(*The Cambodia Daily*, July 12, 2006)
- July 12, 2006 Nuon Chea, former Khmer Rouge Brother Number Two, clears the rumor that he and Khieu Samphan, Khmer Rouge head of state, have tried to flee. "I would like to express that former leaders of Democratic Kampuchea are not deserting our nation and people and we are in the country."  
(*The Cambodia Daily*, July 13, 2006)
- July 15, 2006 Despite the fact that he opposes the Extraordinary Chambers in the Courts of Cambodia, former King Norodom Sihanouk wrote a statement that he is willing to give statements in the court. "I am not lacking the courage to go to answer before the tribunal. My family, my wife's family and many people who supported Norodom Sihanouk were tortured and killed by Khmer Rouge Pol Pot." However, Information Minister Khieu Kanharith said the government

does not want the retired King to appear before the tribunal because he is the symbol of national unity.

(*The Cambodia Daily*, July 19, 2006)

- July 21, 2006 Ta Mok, age 81, dies in Preah Ket Mealea Military Hospital at 4:45 am, seven years, four months and two weeks after being captured and imprisoned without trial by the government. Ta Mok died from old age and tuberculosis, said a doctor who declined to give his name.  
(*The Cambodia Daily*, July 22-23, 2006)
- July 24, 2006 Ta Mok's body was buried in Anglong Veng, Oddor Meanchey province.  
(*Rasmei Kampuchea Daily*, July 25, 2006)
- DC-Cam begins its two-week training course for twelve police officers on methods for investigating crimes committed by the Khmer Rouge, and interviewing victims and suspects.  
(*The Cambodia Daily*, July 26, 2006)
- July 24-25, 2006 512 commune chiefs from across the country visit Tuol Sleng Genocidal Museum, Choeung Ek Killing Fields, and the ECCC. They also talked to parliamentarians who were involved in the drafting of the Khmer Rouge Tribunal statute, Tribunal officials and the US ambassador to Phnom Penh.  
(*Searching for the Truth*, English Edition, Issue 79, July 2006)
- August 17-24, 2006 Under a DC-Cam outreach project, 142 student volunteers from various universities in Phnom Penh travel to 16 provinces to disseminate information on Khmer Rouge Tribunal. They also interviewed survivors of Democratic Kampuchea. The information distributed included *Introduction to the Khmer Rouge Trials*, two pamphlets published by DC-Cam containing the Khmer Rouge Law, the UN-government agreement on the Tribunal, and various speeches and articles related to the tribunal.
- August 29, 2006 The ECCC invites private companies to bid for the right to construct a pre-trial detention center for Tribunal defendants. Tribunal spokesman Reach Sambath said that the detention center would be built within the tribunal compound in Kandal province. The center is necessary because the ECCC is located outside the city and the Tribunal does not want to have to ferry suspects back and forth from the court, he said.  
(*The Cambodia Daily*, August 29, 2006)
- October 30, 2006 The Extraordinary Chambers in the Courts of Cambodia launches a new Website for the public. The website, [www.eccc.gov.kh](http://www.eccc.gov.kh), offers audio and video recordings of trial proceedings and court orders. It will soon be available in French, in addition to Khmer and English.  
(*The Cambodia Daily*, October 30, 2006)
- November 3, 2006 The Khmer Rouge Tribunal released the draft of its internal rules for the public to consult. The draft rules define the roles of judges, prosecutors, defense attorneys, suspects, witnesses and victims appearing before the ECCC. There are measures like voice distortion and concealing physical features for the protection of witnesses. A \$10,000 fine is in place if the identity of a witness is

revealed. The draft rules also allow the involvement of victims as civil parties for damage claims.

(*The Cambodia Daily*, November 4-5, 2006)

November 12, 2006 The ECCC completes the construction of a four-cell detention center; each cell is equipped with air-conditioning and a hot water system. The construction costs of \$45,000 were covered by Japan.

(*The Cambodia Daily*, November 13, 2006)

November 16, 2006 The Cambodian Bar Association announces that the Khmer Rouge Tribunal's draft rules violate Cambodian law, and demands a greater role in defending the Khmer Rouge's likely suspects. Ky Tech, the Association's president, threatened to sue foreign lawyers practicing at the Tribunal if the Association's demands are not met.

(*The Cambodia Daily*, November 17, 2006)

November 20, 2006 ECCC officials debate the court's internal rules. More than 20 external comments on the Draft Rules were submitted to the Courts.

(*The Cambodia Daily*, November 21, 2006)

Ieng Sary, 77, the Khmer Rouge Brother Number 3, suffered heart trauma and is flown to Bangkok where he was treated for over a week.

(*Phnom Penh Post*, Issue 15/24, December 1-14, 2006)

November 22, 2006 Ky Tech, president of the Cambodian Bar Association, again threatens to sue anyone who participates in a five-day training course in international criminal law being offered by the Defense Office of the ECCC and the International Bar Association. He said that the training violates Cambodian domestic law and named those who would participate in the training as "extremists."

(*The Cambodia Daily*, November 23, 2006)

November 23, 2006 The Cambodian Bar Association will order its members not to participate the training held by the Khmer Rouge Tribunal's Defense Office and the International Bar Association. The CBA called the course "illegal."

(*The Cambodia Daily*, November 24, 2006)

November 24, 2006 The International Bar Association announces the cancellation of its training program for Cambodian attorneys due to the hindrances posed by the Cambodian Bar Association.

(*International Herald Tribune*, November 24, 2006)

November 25, 2006 National and international judicial officers of the ECCC announce the failure to adopt the Internal Rules for the ECCC due to disagreement on several key issues:

- 1) How to integrate Cambodian law and international standards
- 2) The role of the Defense Support Unit, including the issue of how defense lawyers will be qualified
- 3) The role of the co-prosecutor and its impact on the voting procedure
- 4) How the Extraordinary Courts will operate within the Cambodian court structure



*(Joint Statement by National and International Judicial Officers of the ECCC, Phnom Penh, November 25, 2006)*

[http://www.eccc.gov.kh/english/cabinet/press/15/PRESSRELEASE\\_PLENARY\\_in\\_ENG\\_FRENCH\\_.pdf](http://www.eccc.gov.kh/english/cabinet/press/15/PRESSRELEASE_PLENARY_in_ENG_FRENCH_.pdf)

December 5, 2006 Brad Adams, Asia director of Human Rights Watch, criticizes political interference by the Cambodian government in adopting the ECCC's rules, saying that it will further delay the process.  
*(Human Rights Watch, December 5, 2006)*

Cabinet Minister Sok An writes the UN asking to open a dialogue to resolve the acrimonious dispute over the role of the defense Support Section of the ECCC. In a letter addressed to Nicolas Michel, undersecretary general counsel at the UN in New York, Sok An said that "the administration, role and functions of the ECCC's defense support section, as well as its relationship with the Bar Association of Cambodia, were not outlined in the agreement between Cambodia and the UN."  
*(The Cambodia Daily, December 18, 2006)*

December 6, 2006 The ECCC demands proof of Human Rights Watch allegations. Huot Vuthy, a pre-trial chamber judge, criticized Human Rights Watch and demanded proof of the interference of the Cambodian government as charged by this international rights body.

Brad Adam, Asia director of Human Rights Watch, writes an e-mail, confirming that the accusation is accurate.  
*(The Cambodia Daily, December 7, 2006)*

December 7, 2006 The ECCC welcomes victims' complaints. ECCC Co-prosecutor Robert Petit said that victims of the Khmer Rouge can definitely sue for damages. Youk Chhang, director of DC-Cam, said that his organization would offer help to victims who are interested in filing a complaint with the ECCC.  
*(The Cambodia Daily, December 8, 2006)*

December 13, 2006 Keat Chhon, Minister of Finance, admits his involvement in the Khmer Rouge regime (1975-1979). His response came after opposition party leader Sam Rainsy accused him of having played a key role in the Khmer Rouge era, as advisor to the late Pol Pot, the mastermind behind Cambodia's killing fields. Keat Chhon said that he is willing to testify at the trials.  
*(VOA Khmer, December 13, 2006)*

"If I am called upon to answer to the Cambodian people and nation about my past, I will answer," Keat Chhon told the Assembly.  
*(The Cambodia Daily, December 14, 2006)*

December 14, 2006 CPP lawmaker Cheam Yeap says that CPP leaders are not afraid to testify at the Khmer Rouge Tribunal because none of them meet the definition of "senior leaders" of the Khmer Rouge or "those most responsible" for the crimes committed between 1975 and 1979.  
*(The Cambodia Daily, December 15, 2006)*

December 19, 2006 The ECCC organizes a roundtable discussion of the role of media and the

Tribunal. The discussion aims to ensure that the press coverage of the ECCC is fair and accurate. Kranch Tony, the ECCC's Chief of Court Management, told the participants that "On behalf of our country and as host of the ECCC, we need to write with respect to ethical codes and personal morals, when writing about the tribunal." He added that they must respect three points: peace, national reconciliation and justice for the victims.  
(*The Cambodia Daily*, December 20, 2006)

The UN responds to a government request to open a dialogue to resolve the acrimonious dispute over the Defense Support Section of the ECCC and its Principal Defender, Rupert Skillbeck.

In an extract of the UN's formal response given by the ECCC on Tuesday, Nicolas Michel, Undersecretary General for Legal Affairs at the UN in New York, says that the international body shares the Cambodian government's concerns and is confident that the issues can be resolved. Michel referred to a UN report based on a December 2003 UN mission to Cambodia, which discusses the structure and staffing of "a small semi-autonomous unit, loosely linked to the office of administration" that would provide "basic legal assistance and support."  
(*The Cambodia Daily*, December 21, 2006)

- January 11, 2007    Microsoft Singapore takes an initial step in the name of the private sector to try to bridge the budget gap of the Extraordinary Chambers in the Courts of Cambodia by, without any terms or restrictions, donating \$100, 000 to the UN side.  
([http://www.playfuls.com/news\\_10\\_8423-Microsoft-Becomes-First-Private-Donor-For-Khmer-Rouge-Trials.html](http://www.playfuls.com/news_10_8423-Microsoft-Becomes-First-Private-Donor-For-Khmer-Rouge-Trials.html))
- January 18, 2007    The German Development Service donates \$300, 000 toward community programs supporting the upcoming Khmer Rouge Tribunal. The funds are not to be contributed directly to the Tribunal budget, but through the Service's local partner, the Center for Social Development.  
([http://news.monsterandcritics.com/europe/news/article\\_1248130.php/DED\\_donates\\_300000\\_dollars\\_toward\\_Khmer\\_Rouge\\_trials](http://news.monsterandcritics.com/europe/news/article_1248130.php/DED_donates_300000_dollars_toward_Khmer_Rouge_trials))
- February 12, 2007    The Documentation Center of Cambodia received more than 400 kilograms of Khmer Rouge-related documents that had been stored for nearly three decades in Sweden. The documents are in Cambodian, English, French and Swedish.  
(*The Nation*, February 13, 2007)
- February 14, 2007    The New York-based organization, Open Society Justice Initiative (OSJI), issues a statement alleging corruption by Cambodian judges and court officials of the ECCC. OSJI claimed that the Cambodian side must kick back part of their wages to Cambodian government officials in exchange for their positions. OSJI also called for donors and the international community to investigate thoroughly the corruption allegations.  
(*OSJI Press Release*, February 14, 2007)
- March 8, 2007        Cambodian national judges of the ECCC requested that OSJI correct its

statement issued on February 14, 2007 alleging corruption by the Cambodian side. All ECCC-appointed national judges claimed that this unsubstantiated allegation, which was published widely in the local and international media, was creating public confusion and seriously undermining their reputation and integrity.  
(ECCC Press Release, March 8, 2007)

March 16, 2007 After a ten-day session on the draft internal rules, the Review Committee concluded that all remaining disagreements had been resolved, although some fine tuning remains to be done.

Another outstanding issue, which is not declared in the internal rules, is the high charge of the Bar Association of the Kingdom of Cambodia (BAKC) got registration fees (about US \$5000) on foreign lawyers to take part in the ECCC. The international judges refused the proposal and claimed that it is unacceptable and impacts the rights of the accused and victims to select their own counsel. The BAKC was invited to reconsider its decision as soon as possible so that a planned plenary session on adopting the internal rules could take place on April 30, 2007.  
(ECCC Press Release, March 16, 2007)

April 5, 2007 Fifteen Cambodian national judges of the ECCC write a response to their international partner on April 4, 2007. The letter aimed to urge the international judges to reconsider their boycott of the plenary session planned for April 30 to adopt the draft Internal Rules of the ECCC, and to respond to the proposal to exclude the Bar Association of Kingdom of Cambodia (BAKC). National judges see perceived that such an action was not consistent with the "substance and spirit of the Agreement and Law on the establishment of the ECCC." The national judges also pointed out that the registration fees proposed by the BAKC are not declared in the Internal Rules, so these should not be the reason to delay the adoption.  
(ECCC Press Release, April 5, 2007)

April 30, 2007 The Cambodian Bar Association reduces the registration fee for foreign counsels from approximately US \$5,000 per year to a flat fee of US \$500 for the entire period of the Khmer Rouge Tribunal.  
(*The Cambodia Daily*, April 28-29 and May 1, 2007)

May 25, 2005 The Khmer Rouge tribunal may examine the more than 1 million of victims petitions filed in early 1980s, said Chea Leang, ECCC Co-prosecutor, adding that there is no laws barring the tribunal from accepting those petitions.  
(*Rasmei Kampuchea*, May 27-28, 2007)

June 12, 2007 The ECCC's Internal Rules was unanimously adopted after nearly a year of negotiations. All of the unresolved issues at the previous session were resolved, including "how to ensure the rights and involvement of victims, who will now have the right to join as civil parties but can only receive collective and non-financial reparation."  
(*UN News Service*, June 13, 2007)

June 22, 2007 A meeting between officials from the UN Development Program and the

Extraordinary Chambers in the Courts of Cambodia was held to discuss the recommendations given by UNDP after conducting an auditing of Cambodian human resources section. One of the recommendation was that "salaries of Cambodian staffers be reduced by almost half in the face of an imminent budget shortfall."

(*The Cambodia Daily*, June 23-24, 2007)

June 26, 2007      The Cambodian side of the ECCC has accepted all of those recommendations addressed to its side, and has already commenced implementation.

(*ECCC Press Release*, June 26, 2007)

July 18, 2007      The ECCC Co-Prosecutors submit the first Introductory Submission of their investigation to the Co-Investigating Judges. It "contains facts that may constitute crimes, persons suspected to be responsible for those crimes and requests the Co-Investigating Judges to investigate those crimes and suspects." The submission states: "Pursuant to their preliminary investigation, the Co-Prosecutors have identified and submitted for investigation twenty-five distinct factual situations of murder, torture, forcible transfer, unlawful detention, forced labor and religious, political and ethnic persecution as evidence of the crimes committed in the execution of this common criminal plan." The factual allegations "constitute crimes against humanity, genocide, grave breaches of the Geneva Conventions, homicide, torture and religious persecution." The Co-Prosecutors identified five suspects who committed, aided, abetted and/or bore superior responsibility for the alleged crimes; in support of their accusation, they submitted more than 1,000 documents (over 14,000 pages) to the Co-Investigating Judges, including third-party statements and/or written records of over 350 witnesses, a list of 40 potential witnesses, thousands of pages of Democratic Kampuchea-era documentation and the locations of more than 40 undisturbed mass graves.

([http://dccam.org/Tribunal/Documents/Statement\\_of\\_Co-Prosecutor\\_on\\_18-July-2007.pdf](http://dccam.org/Tribunal/Documents/Statement_of_Co-Prosecutor_on_18-July-2007.pdf))

July 20, 2007      Nuon Chea, guessing that he must be one of the first five candidates named by the co-prosecutors before the Khmer Rouge Tribunal, tells *The Cambodia Daily* that the tribunal would be his battlefield. He claimed that there was no policy of killing people. "Don't worry," he said, "I will go to court when they need me, and I will clarify everything at court and stop the accusations and stop people from saying the Khmer Rouge were monsters."

(*The Cambodia Daily*, July 20, 2007)

July 24, 2007      Ieng Vuth, Pailin's deputy municipal governor and the son of Ieng Sary and Ieng Thirith, slams *Rasmei Kampuchea Daily* for speculating that his parents were two of the five names in the Co-Prosecutors' first confidential list charged before the Khmer Rouge Tribunal. He expects the tribunal to be little more than victor's justice. "Justice is with the one who is strong," he stated.

(*The Cambodia Daily*, July 24, 2007)

July 31, 2007      Duch is officially handed over to the ECCC, making him the first suspect to be detained by the Tribunal.

(AFP, July 31, 2007)

- July 31, 2007 Duch is officially charged with crimes against humanity by the Co-Investigating Judges before the ECCC.  
(*Statement of the Co-Investigating Judges*, July 31, 2007)
- Name: Kaing Guek Eav  
Date of Birth: February 15, 1945  
Profession: Teacher of Math(s) -- Kampong Thom province
- August 8, 2007 Duch's lawyer Francois Roux, a French lawyer who defended a September-11-attack terrorist, became the first foreign lawyer officially allowed to practice before the ECCC.  
(*International Herald Tribune*, August 8, 2007 )
- August 9, 2007 A Royal Decree dated August 9, 2007 states that You Bunleng, co-investigating judge at the Khmer Rouge Tribunal, is to replace Ly Vuochleng as president of the Appeals Court. Ly Vouchleng was removed from office because of her alleged involvement in a corruption scandal concerning a human trafficking case. You Bunleng was concerned that he might no longer be able to continue as an investigating judge at the Khmer Rouge Tribunal because he cannot do two big jobs at the same time.  
(*The Cambodia Daily*, August 13, 2007; *Royal Decree* dated August 9, 2007)
- August 15, 2007 In regards to his appointment as head of the Appeals Court, You Bunleng said he would continue to stay with the Khmer Rouge tribunal if his tenure would be essential to the process. "As long as the ECCC considers my presence to be essential it is my duty to continue, ensuring there is no interruption or delay in the process. I will continue my mission at the ECCC until such time as an appropriate and smooth transition can be made..."  
(*You Bunleng Statement*, August 15, 2007)
- August 16, 2007 The United Nations voiced concerns over the appointment of You Bunleng to head the national Appeals Court, saying such appointment could affect "both the efficiency and perceived independence" of the Khmer Rouge Tribunal.  
(*UN News Centre*, August 16, 2007)
- August 20, 2007 The Cambodian Action Committee for Justice & Equity (CACJE) wrote a letter to Samdech Heng Samrin, president of the National Assembly, requesting that he convene an extraordinary session in order to remove the special immunity of former king Sihanouk and to nullify Article 7(3) of the Cambodian Constitution, which states that "The King shall be inviolable" for the transitional period of the Khmer Rouge Tribunal. The letter stated that the purpose of such an action is to provide enough space for judges to issue indictments and call witnesses and victims to testify before the Tribunal. The letter cited Article 31 of the Constitution which states, "Every Khmer citizen shall be equal before the law, enjoying the same rights, freedoms and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status."  
(*Cambodian Action Committee for Justice & Equity*, Letter dated August 20, 2007)
- August 23, 2007 The UN Special Representative and the Special Rapporteur issued a joint statement expressing their concerns that the appointment of Khmer Rouge



statement expressing their concerns that the appointment of Khmer Rouge Tribunal co-investigating judge You Bunleng as head of the Appeals Court appears to have been unconstitutional. The statement reads, "According to Cambodian law, all judicial appointments, transfers, promotions, suspensions or disciplinary actions are decided by the Supreme Council of Magistracy and implemented by royal decree. Yet the royal decree of 9 August 2007 replacing the President of the Court of Appeals (NS/RKT/0807/339) appears not to have been made on the basis of a decision of the Supreme Council of Magistracy: prior to the issuance of the decree, no meeting of the Council was convened."

*(Joint Public Statement of the Special Representative and the Special Rapporteur, Office of the United Nations High Commissioner for Human Rights, August 23, 2007)*

- August 24, 2007 Prime Minister Hun Sen declared the government's absolute position protecting special privileges and immunity of the former king Sihanouk and called the letter of the Cambodian Action Committee for Justice & Equity, which appealed to the National Assembly to remove the former king's special privileges and immunity, a conscienceless request. In regards to the appointment of co-investigating judge You Bunleng, he affirmed that the judge's role and duties as a co-investigating judge at the Khmer Rouge tribunal remain the same and that his recent appointment will not affect the tribunal's process.  
*(Statement on the Decision of the Council of Cabinet's Plenary Session, August 24, 2007)*
- September 5, 2007 Duch lodges an appeal with the ECCC Pre-Trial Chamber against the order the ECCC Co-Investigating Judges issued for his detention on July 31, 2007.  
*(Duch's Appeal Brief, September 5, 2007)*
- September 19, 2007 Nuon Chea, also known as the Khmer Rouge's Brother Number 2, aged 82, was arrested at his home in Pailin and flown to be placed in the custody of ECCC in Phnom Penh. Officially charged with crimes against humanity and war crimes, Nuon Chea has chosen Mr. Son Arun, a Cambodian counsel, to defend him. The tribunal would offer him a foreign co-counsel should he request for one.  
*(The Associated Press; Radio Free Asia, September 20, 2007)*
- October 2, 2007 The ECCC finally makes public an auditing report the UNDP refused to release earlier, claiming it was an internal and confidential document. The audit found serious flaws within the ECCC's human resources practices including weak oversight, bloated salaries and recruitment problems. The flaws are so serious that the auditors recommended that all staffing contracts on the Cambodian side of the tribunal be nullified and salaries cut, and that the UNDP take a more direct oversight role. The Cambodian officials strongly objected to the recommendations, saying they would be "tantamount to internationalizing the ECCC."  
*(Newsweek, October 7, 2007)*
- October 7, 2007 The Khmer Rouge tribunal's prosecutor, Robert Petit, appealed for more funding to be donated to the tribunal which is facing budget shortage in

continuing its important work.  
(DPA, October 7, 2007)

- October 17, 2007 Nuon Chea appealed against ECCC detention order.  
(ECCC Press Release, October 17, 2007)
- October 18, 2007 Nuon Chea selected Dutch lawyer Michiel Pestman to represent him.  
(ECCC Press Release, October 18, 2007)
- October 25, 2007 Foreign Minister Hor Namhong appealed to donor countries for more funding to the Khmer Rouge tribunal, saying that the tribunal is running out of funds.  
(AFP, October 25, 2007)
- November 12, 2007 Ieng Sary, former minister of foreign affairs, and his wife Ieng Thirith, former minister of social affairs, were arrested and placed in the custody of the Khmer Rouge tribunal. Ieng Sary was officially charged for war crimes and crimes against humanity, while his wife was charged for crimes against humanity.  
(*The Cambodia Daily*, November 13, 2007)
- November 19, 2007 Khieu Samphan, former head of state of the Khmer Rouge, was arrested and charged with crimes against humanity and war crimes. The Khmer Rouge tribunal decided to detain Khieu Samphan for up to 1 year ahead of his trials. On the same day, he selected Dr. Say Bory and Jacques Vergès as his co-lawyers.  
(*Reuters*, November 21, 2007; *The Cambodia Daily*, November 22, 2007; ECCC Press Release, November 19, 2007)
- December 03, 2007 The Khmer Rouge tribunal unanimously dismissed Duch's detention appeal. According to the court decision, the tribunal stated that it does not have any interaction with any other judicial body in Cambodian court system and its jurisdiction is limited to subject matters expressed in the tribunal law. Therefore, it does not have the jurisdiction to review actions of the military court which had detained Duch for years before transferred him to the ECCC. In addition, Duch's personal security would be at risk should he be released ahead of his trials. To ensure his presence at trials and to avoid possible threats to potential witnesses and evidences against him, the tribunal decided to continue to place Duch in custody.  
(*The Cambodia Daily*, December 4, 2007)
- February 7-8, 2008 The ECCC Pre-Trial Chamber holds a hearing on Nuon Chea's appeal of his provisional detention. Nuon's attorneys argue that (1) Nuon has not validly waived his right to counsel at his initial appearance, (2) the four civil parties taking part in the appeal hearing do not have an interest in the specific legal issue at stake, and (3) there are insufficient facts to find that provisional detention was necessary to prevent public disorder, danger to Nuon, interference with witnesses, or to ensure Nuon's appearance at trial.
- February 27, 2008 Former S-21 head Kaing Guek Eav, also known as Duch, returns to Tuol Sleng prison and Choeung Ek killing fields for the first time in almost 30 years to participate in a "reenactment" for the Co-Investigative Judges intended to

encourage him to explain past events. Controversy develops after it is revealed that although the “press” was excluded from the event two private French filmmakers were allowed to document the proceedings.

- March 7, 2008 DC-Cam sponsors a public discussion between Club of Cambodian journalists and representatives from the Office of the Co-Investigating Judges on press freedom and confidentiality at the ECCC. The meeting is held in response to concerns raised by journalists about restrictions placed on their coverage of Court proceedings, including the Tuol Sleng “reenactment.”
- March 20, 2008 The Pre-Trial Chamber issues its decision in the *Nuon* provisional detention appeal, finding that his right to counsel had not been violated and the grounds for his provisional detention had been satisfied. It also holds that civil parties may participate in provisional detention appeals hearings.
- April 21, 2008 The new downtown ECCC Information Centre is opened. The office is intended to facilitate the public’s access to the Court and will mainly be used by the Victims Unit and Public Affairs Section.
- April 23, 2008 At Khieu Samphan’s provisional detention appeals hearing, international co-lawyer Jacques Vergès refused to participate on the basis that all the documents in the case file had not yet been translated into French, one of the three official languages of the Court. Samphan said that this deprived him of adequate legal representation at the hearing. The Pre-Trial chamber adjourned the proceedings to a later date and issued a warning to Vergès after finding that he had provided no notice of his objections and that his behavior abused the processes of the Court and the rights of the accused.
- April 25, 2008 A review of ECCC human resources management by Deloitte Touche Tohmatsu is released. The review team assessed whether measures taken to address issues raised by an earlier HR audit had been implemented and whether the HR management policies and practices of the Cambodian side of the ECCC meet international standards. The team found that “[r]obust systems have been developed and implemented to address previous shortcomings, provide effective support to the judicial process and minimize the risk of questionable HR practices occurring in the future.” It also said that continued capacity building measures would be required.
- April 30, 2008 The Pre-Trial Chamber finds that the Co-Investigating Judges’ decisions limiting contact between husband and wife Ieng Sary and Ieng Thirith was not adequately reasoned. Noting that the couple has had 30 years to discuss allegations related to their alleged crimes, it finds that the CIJs “did not explain how the limitation of contacts is a necessary and proportional measure to protect the interests of the investigation.” As a consequence, it decides that in accordance with their right to be “treated with humanity” the Iengs “should be allowed to meet in accordance with the detention rules applicable at the ECCC Provisional Detention Facility.”
- May 15, 2008 The Co-Investigating Judges notifies the parties that they have concluded the first case file concerning Duch.
- May 21, 2008 May 21, the Pre-Trial Chamber hears Ieng Thirith’s Appeal of the Co-

May 21, 2008	May 21, the Pre-Trial Chamber hears Ieng Thirith's Appeal of the Co-Investigative Judges (CIJs) decision to hold her in provisional detention. The appeal sought her release, subject to such conditions as the Pre-Trial Chamber considered necessary to ensure her appearance at subsequent proceedings. The Defense put forth two main arguments in support of its appeal: (1) the CIJs finding of "well-founded reason[s] to believe that [Ieng Thirith] committed" the alleged crimes is unsupported and violated the principle of presumption of innocence; and (2) the CIJs had "no proper evidential basis" for finding her detention necessary.
June 2008	Michelle Lee, UNAKRT Coordinator and ECCC Office of Administration Deputy Director retires from the United Nations and steps down from her position at the ECCC. She is replaced by Knut Rosandhang from Norway.
June 30-July 3, 2008	The PTC held a hearing on Ieng Sary's pre-trial detention appeal. The defense argues that his 1996 amnesty and pardon preclude his prosecution by the ECCC.
July 1, 2008	Dr Say Bory resigns from his position as Cambodian Co-Lawyer for Khieu Samphan, citing ill health. ( <i>ECCC Press Release</i> , July 1, 2008)
July 9, 2008	The Pre-Trial Chamber announces its decision rejecting Ieng Thirith provisional detention appeal, finding that "detention remains a necessary measure." ( <i>AP</i> , July 09, 2008).
July 18, 2008	The Co-Prosecutors file their Final Submission in the <i>Duch</i> case, representing "a comprehensive overview of what the Co-Prosecutors deem to be the relevant evidence contained in the case file" as well as legal arguments supporting the substantive charges on which they would like the Co-Investigating Judges to indict Duch.
August 8, 2008	The Co-Investigating judges issue a Closing Order indicting <i>Duch</i> and sending him forward for trial on charges of crimes against humanity and grave breaches of the 1949 Geneva Conventions.
August 21, 2008	The Co-Prosecutors announce their appeal of the <i>Duch</i> Closing Order, arguing that "it limits Duch's criminality and the modes of his criminality[.]" and "may prevent the Trial Chamber from fully accounting for Duch's criminal responsibility at S-21." In particular, the Prosecutors find the Order flawed because it omits to charge Duch for crimes under the 1956 Cambodian Penal Code and for his responsibility as the co-perpetrator of a joint criminal enterprise.
August 29, 2008	The Pre-Trial Chamber decides that (1) "[l]egitimately unrepresented Civil Parties may be granted leave to address the Pre-Trial Chamber in person when their interests are different from those of the Prosecution" and (2) "[a]ny unrepresented Civil Party claiming the right to address the Pre-Trial Chamber in person at a scheduled hearing shall make a written request explaining the content and the relevance of his or her proposed submissions at least ten (10) days prior to the hearing."
September 15	The ECCC Judges meet in plenary session and adopted amendments to the

- September 1-3, 2008 The ECCC Judges meet in plenary session and adopted amendments to the Court's Internal Rules on topics such as civil party representation, the scope of appeals, and the balance between confidentiality and the need for public hearings. They also adopt a Code of Judicial Ethics.
- September 3, 2008 The first Civil Party application based on a rape complaint is filed by a transsexual man who was sexually assaulted while in detention and also forced to marry a woman.
- September 16, 2008 The Co-Investigating Judges extend Nuon Chea's detention for an additional year. Nuon is appealing the order. ECCC Internal Rule 63 allows persons charged with crimes against humanity and war crimes to be detained for an initial one-year period, which can be extended a maximum of two times if the required conditions are met.
- September 26, 2008 The Pre-Trial Chamber set aside the Co-Investigating Judges order prohibiting communication among the Charged Persons. Citing law from the International Criminal Court and the European Court of Human Rights and the practice of Cambodian courts, the PTC found that limits on contact between detainees can only be ordered when there is evidence of a concrete risk of collusion to put pressure on witnesses and victims.
- January 2009 Nuon Chea's international co-lawyers filed a complaint with the Municipal Court of Phnom Pen, asking it to look into allegation of corruption on the national side of the ECCC. The complaint was dismissed in February.
- January 31, 2009 His Majesty Norodom Sihamoni, King of Cambodia, appointed Florence Mumba (Zambia) as International Reserved Judge of the ECCC Pre-Trial Chamber.
- February 2, 2009 The Victim's Unit announced that it had received 94 Civil Party applications related to Case 001/Tuol Sleng today's deadline. After the deadline an additional application was received by child Tuol Sleng survivor Norng Chan Phal; however, his application has yet to be accepted.
- February 17, 2009 The *Duch* trial official started with an initial hearing addressing preliminary legal and procedural issues having an impact on the conduct of the substantive trial and the scheduling of witnesses and experts.
- February 23, 2009 UN representatives met with H.E. Sok An, Chairman of the Royal Government Task Force on the Khmer Rouge Trials, and agreed to adopt parallel national and international mechanism to receive complaints and suggestions related to ethical concerns. Negotiations are to continue in April.
- February 24, 2009 The Pre-Trial Chamber held a hearing on Ieng Thirith's appeal against the extension of his provisional detention. Ieng Thirith told the judges that she was innocent and blamed Nuon Chea and Duch for murdering her students and other victims.
- February 26, 2009 The Pre-Trial Chamber held a hearing on Ieng Sary's appeal against the extension of his provisional detention. Because of Ieng Sary's absence due to ill



health, the hearing was adjourned to April 2nd.

- February 27, 2009 The Pre-Trial Chamber held a hearing on Khieu Samphan's appeal against the extension of his provisional detention. Because Khieu's international lawyer, Jacques Verges, was unable to attend the hearing, the Pre-Trial Chamber adjourned it to April 4th.
- March 3, 2009 The Co-Investigative Judges issued an Order on Breach of Confidentiality of the Judicial Investigation following publication by the Ieng Sary Defense team of pleadings written by the team that have not been made public on the ECCC website. The CIJs ordered that the Defense Lawyers to remove "confidential" information from their website within 48 hours and reported them to their home bar associations. The lawyers are appealing, arguing that they did not reveal any information about the investigation. The Co-Prosecutor's have filed a supportive brief.
- March 2-6, 2009 The ECCC held its fifth plenary session, during which it adopted amendments to 27 of the Court's Internal Rules, including changes recognizing the right to limited interlocutory appeal and to streamline victim participation.
- March 30, 2009 The substantive phase of the S-21 trial began. At the first opportunity, *Duch* offered an apology to his victims and took full responsibility for the killings and torture at the prison. At the same time, he suggested that he was also a victim, as he was following orders from higher-ups and feared for the safety of his family if he didn't obey.
- April 2, 2009 Ieng Sary's hearing on extension of provisional detention, postponed from February due to his ill health, was held.
- April 3, 2009 The Co-Investigating Judges responded to a request by some defense teams for investigative action regarding corruption at the ECCC and declared that they did not have the jurisdiction to investigate.
- April 3, 2009 Khieu Samphan's hearing on the extension of provisional detention, postponed from February due to the inability of his international counsel to attend, was held.
- May 4, 2009 The Pre-Trial Chamber decided that it was necessary to extend Nuon Chea's provisional extension for another year.
- May 11, 2009 The Pre-Trial Chamber decided that it was necessary to extend Ieng Thirith's provisional extension for another year.
- May 18, 2009 The ECCC announced that Reach Sambath, formerly the Court's Press Officer, replaces Helen Jarvis. Helen Jarvis replaces Keat Bophal, who resigned from her position as head of the Victims Unit after 15 months. Director Youk Chhang wrote the ECCC Director and Deputy Directors of Administration to express his concern that the Court did not appear to follow its human resources guidelines in redeploying Dr. Jarvis to the VU without first advertising the position, and also his view that her appointment does not live up to the spirit of the agreement establishing the Court and its promotion of

up to the spirit of the agreement establishing the Court and its promotion of strong Cambodian ownership of and leadership at the Court.

- May 19, 2009 The Pre-Trial Chamber issued a warning to Jacques Vergés, Khieu Samphan's international legal counsel, on the basis of prior behavior and some statements made during proceedings, stating, "[W]as his conduct to remain offensive or otherwise abusive, or was to obstruct proceedings or adopt a conduct that amounts to an abuse of process, the Chamber would impose sanctions[.]" This warning was forwarded to the Cambodian and Paris Bar associations.
- June 23, 2009 International Co-Prosecutor Robert Petit announced his resignation for personal and family reasons effective September 1.
- June 26, 2009 The Pre-Trial Chamber decided that it was necessary to extend his provisional extension for another year.
- June 29, 2009 DC-Cam in conjunction with the Ministry of Education conducted the National Teacher Training for the teaching of the textbook, *A History of Democratic Kampuchea (1975-1979)*. During the ten-day training, DC-Cam senior staff members together with international scholars and historians trained 24 national teachers in Democratic Kampuchea history and genocide education pedagogy. DC-Cam will train approximately 3000 teachers from all over the country between 2009 and 2010 so that the history of Democratic Kampuchea will be taught in all high schools throughout Cambodia.
- July 3, 2009 the Pre-Trial Chamber affirmed the Co-Investigative Judges decision to extend Khieu Samphan's detention for one year, finding it necessary to protect the Charge Person's security to preserve public order.
- August 13, 2009 The UN and Cambodia announced an agreement to establish a position of "Independent Counselor" to strengthen human resource management and receive any allegations related to corruption. H.E. Mr. Uth Chhorn, Auditor General of Cambodia, was named to the position. The new mechanism was immediately welcomed by donor countries, although the scope of Mr. Uth's authority to resolve ethics allegations and to prevent retaliation is unclear.
- August 26, 2009 The ECCC announced that as of that date the number of people attending the Duch trial had exceeded 20,000, with a daily average of 311 visitors.
- August 29, 2009 Deputy Prosecutor William Smith was named the acting International Co-Prosecutor. Two nominations to permanently replace departing Co-Prosecutor Robert Petit have been forwarded to the Cambodian Government by the UN Secretary-General. The final decision is tasked to the Supreme Council of Magistracy.
- August 26: The ECCC announced that as of that date the number of people attending the Duch trial had exceeded 20,000, with a daily average of 311 visitors.
- September 2, 2009 The Pre-Trial Chamber announced its failure to reach a consensus on the dispute between the Co-Prosecutors over whether or not to request the judicial investigation of five more suspects. The two international judges determined

investigation of five more suspects. The two international judges determined that the International Co-Prosecutor's request should move forward; however the three Cambodian judges agreed with the Cambodian Co-Prosecutor that it should not proceed. Because an affirmative vote of four judges could not be reached, pursuant to the Internal Rules, the request may proceed.

- September 7, 2009 Acting International Co-Prosecutor Bill Smith filed Second and Third Introductory Submissions with the Co-Investigating judges. In announcing the submissions, he also emphasized that he has "no plans to conduct any further preliminary investigations into additional suspects at the ECCC."
- September 11, 2009 The Sixth ECCC Plenary Session concluded. The judges adopted proposals by the Rules and Procedure Committee intended to increase efficiency in trial management by grouping the participation of Civil Parties, providing for representation by a main group of Co-Lawyers, reducing the deadline for receiving Civil Party applications, and preventing challenges to the admissibility of Civil Parties at the trial stage.
- September 16, 2009 The Co-Investigating Judges extended Nuon Chea's detention for a third year. This is the final pre-trial detention extension allowed under the Court's Internal Rules.
- September 17, 2009 The evidence proceedings in the *Duch* case ended. Closing arguments will take place the week of November 23<sup>rd</sup>.
- October 8, 2009 It was announced that in September international Co-Investigating Judge Lemonde, acting without his Cambodian counterpart, sent letters summoning six high-level Cambodian officials to testify at the ECCC, including CPP President Chea Sim, National Assembly President Heng Samrin, Minister of Foreign Affairs Hor Namhong, Minister of Finance Keat Chhon, and CPP senators Ouk Bunchhoeun and Sim Ka. They have not yet agreed to the request.
- November 5, 2009 The Co-Investigating Judges published information outlining the material facts falling within the scope of the investigation of Ieng Sary, Nuon Chea, Khieu Samphan, and Ieng Thirith. Victims who wish to participate as civil parties in Case 002 must have suffered harm that is linked to one or more of these factual situations.
- November 10, 2009 The Co-Investigating Judges extended the provisional detention of Ieng Sary and Ieng Thirith for maximum of one more year.
- November 23, 2009 DC-Cam in conjunction with the Ministry of Education held its second training on the Teaching of *A History of Democratic Kampuchea (1975-79)*. During the 12 days, DC-Cam senior staff members, national teacher trainers and international experts and historians trained 186 provincial teachers in six regional training centers in the country. As with the first training, the second one focused upon historical facts, teaching methodology and how to use teaching materials – the textbook *A History of Democratic Kampuchea (1975-1979)*, Teacher's Guidebook, and student workbook – all of which published by DC-Cam

- November 23-27, 2009 Closing arguments were held in the S-21/Tuol Sleng case, which included an unexpected request by the national defense lawyer for acquittal and release of prison chief Duch on jurisdictional grounds. A detailed description of the arguments can be found at [www.cambodiatribunal.org](http://www.cambodiatribunal.org)
- December 2, 2009 The ECCC announced that Andrew T. Cayley (United Kingdom) had been appointed the new international Co-Prosecutor, replacing Robert Petit (Canada) who resigned in August. Mr. Cayley has experience both as a senior prosecutor at the International Criminal Court and the International Criminal Tribunal for the Former Yugoslavia (ICTY) and as defense counsel at the ICTY and the Special Court for Sierra Leone.
- The European Union donated US\$3 dollars to the Khmer Rouge Tribunal for the national budget of the Tribunal.
- December 8, 2009 ECCC's Co-Investigating Judges issued an order allowing the mode of liability known as Joint Criminal Enterprise (JCE) to be applied for international crimes, but not domestic crimes, prosecuted before the ECCC. The order permits the application of all three forms of JCE.
- December 25, 2009 Japan pledged to donate US\$2 million to the government of Cambodia for the construction of a storage facility for Khmer Rouge tribunal documents and a legal centre for the "socially vulnerable."
- January 14, 2010 The CIJs notified all parties and their lawyers that the two-and-a-half-year judicial investigation in Case 002, involving charges against Nuon Chea, Ieng Sary, Ieng Thirith, Khieu Samphan, and Kaing Guek Eav (Duch), has been concluded.
- February 2, 2010 British lawyer Andrew Cayley was sworn in as the new international Co-Prosecutor, replacing Canadian Robert Petit who resigned in August.
- February 9, 2010 The ECCC judges concluded their seventh plenary meeting. During the session they amended the Court's Internal Rules to restrict the scope of civil party participation – as well as the opportunity for challenges regarding the participation of individual applicants – in advance of Case 002, for which 4000 applications to join have been received but not yet approved.
- February 23, 2010 The ECCC announced that due to the increase in its workload, the Pre-Trial Chamber (PTC) will begin sitting full time. Judge Catherine Marchi-Uhel (France), international reserve judge in the Supreme Court Chamber, has been appointed to serve in the Pre-Trial Chamber, replacing Judge Kathinka Lahuis (Netherlands), who will now become the PTC reserve judge. Judge Florence Mumba (Zambia) has been appointed as the new reserve judge to the Supreme Court Chamber of the ECCC.
- April 30, 2010 The Pre-Trial Chamber dismissed appeals against the second extension of the pre-trial detention of Ieng Sary, Khieu Samphan, and Ieng Thirith. According to the Internal Rules this is the final time their detention can be extended pre-

trial.

- May 20, 2010 The Pre-Trial Chamber affirmed that the "basic" and "systemic" variants of the mode of liability known as "Joint Criminal Enterprise" existed during the temporal jurisdiction (1975-1979) of the Court. However, it became the first court to determine that the third or "extended" type of JCE did not exist in customary law at that time. "Extended" is the most controversial form of JCE, as it allows individuals intentionally participating in a common criminal plan to be convicted for additional unintended acts if they were aware that those acts were likely to take place and willingly took the risk that they would occur. The Trial Chamber is not bound by the PTC decision and may rule differently when this question arises at trial.
- May 21, 2010 The ECCC officially acknowledged "the contribution of DC-Cam as one of a key in-kind donors of documentary materials" to the court.
- June 9, 2010 It was announced that the Co-Investigating Judges disagreed about the timing of authorizing investigations into new crime sites. The international co-investigating judge Marcel Lemonde seeks to proceed immediately. National co-investigating judge You Bunleng originally co-signed the authorization, and then changed his mind after press accounts about the new investigation were published. You Bunleng said that he will reconsider his decision after the closing order in Case 002 is issued in September. Lemonde has recorded their disagreement and is currently proceeding alone, as permitted under the rules.
- June 30, 2010 Helen Jarvis, 64, retired from her position as head of the ECCC's Victim Support Section for "personal reasons."
- July 5, 2010 Defense Support Section granted a request by Kaing Guek Eav (alias Duch) to withdraw his international co-lawyer, Mr. Maitre Francois Roux. The Defense Section noted that "[t]here is no reason to doubt that Mr. Kaing's loss of confidence is genuine."
- July 27, 2010 After the course of a 77-day trial, Duch was convicted of crimes against humanity and grave breaches of the Geneva Conventions and sentenced to 35 years in prison. A five year reduction was awarded to Duch for his illegal detention by Cambodia's military court and another 11 year for the time he already served since his arrest in 1999, making the actual time to be served approximately 19 years.
- August 4, 2010 Referring to the judgment in the *Duch* case, Prime Minister Hun Sen said during a university graduation ceremony that "the government respects the court's decision because the court is independent."
- September 1, 2010 Rong Chhorng, the third person to head the ECCC's Victims Support Section, took office. Helen Jarvis, Mr. Chhorng's predecessor, stepped down in June.
- September 15, 2010 The ECCC issued a closing order in Case 002, sending to trial the four surviving senior leaders of the Democratic Kampuchea – Ieng Sary, Ieng Thirith, Khieu Samphan and Nuon Chea – on charges of crimes against humanity, grave breaches of the Geneva Conventions, genocide, and offences



under the Cambodian Criminal Code 1956 (including murder, torture and religious persecution). According to an ECCC press release, the tribunal has built a 350,000-page case file on the defendants and conducted a demographic survey putting the death toll at between 1.7 and 2.2 million persons, of which 800,000 were violent deaths. Additionally, 2,123 civil party applicants out of 3,988 were admitted as civil parties.

- September 16, 2010 Judge Marcel Lemonde announced his resignation as ECCC's International Co-Investigating Judge, effective December. Reserve International Co-Investigating Judge Siegfried Blunk will take over the position.
- September 17, 2010 ECCC amended its reparation rules to allow for external donations.
- October 13, 2010 Prosecutors at the ECCC appealed the *Duch* judgment, seeking a life term for the crimes committed at S-21, to be reduced to 45 years to take into account the unlawful detention of Duch by Cambodia's military court from 1999-2007.
- November 10, 2010 Richard Rogers, chief of Defense Support Section, announced his resignation and warned of the threat of political interference by Cambodia's government in the judicial work of the ECCC.
- November 18, 2010 The *Duch* defense team appealed the trial judgment, requesting that it be considered invalid and Duch be found to be a protected witness.
- December 1, 2010 Dr. Siegfried Blunk (Germany), formerly reserve international Co-Investigating judge, was appointed to replace departing Co-Investigating judge Marcel Lemonde (France). Among other experience, from 2003-2005 he served as a judge on the hybrid court established by the UN to prosecute serious crimes in East Timor.
- December 2, 2010 Elisabeth Simonneau Fort (France) was appointed international Civil Party Lead Co-Lawyer to represent the consolidated group of civil parties and determine the group's overall advocacy, strategy, and in-court presentation of its interests.
- January 13, 2011 ECCC's Pre-Trial Chamber sent Case 002 to trial and decided that the four accused persons shall remain in provisional detention until they are brought before the Trial Chamber. The Pre-Trial Chamber found the appeal of the closing order by Khieu Samphan to be inadmissible, and the appeals by Ieng Sary, Ieng Thirith and Nuon Chea to be admissible in part. It found that during the temporal jurisdiction of the Court (1975-1979) there was a required nexus between underlying acts of crimes against humanity and an armed conflict, and rape did not exist as a crime against humanity in its own right but could be charged as a crime against humanity of other inhumane acts.
- February 02, 2011 Office of the Co-Investigating Judges informed the public that it has established joint working groups of investigation into Case 003 and Case 004. Nonetheless, they stated that no field investigation is conducted as the groups are analyzing existing materials in the case file.

Link : [Chronology of Cambodian Events since 1950 by Yale University](#)

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