



**Composite Chronology of the Evolution and Operation of the
 Extraordinary Chambers in the Courts of Cambodia**

The following chronology is a composite of data drawn from information available at the website of the Extraordinary Chambers in the Courts of Cambodia, available at www.eccc.gov.kh/english, the Documentation Center of Cambodia (DC- Cam), available at <http://www.dccam.org/Archives/Chronology/Chronology.htm>, and by the Center for International Human Rights at Northwestern University School of Law (Chicago, Illinois).

More detailed information and certain sources are available in the chronologies prepared by the ECCC and DC-Cam.

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1994

April 30

The US Congress adopted the Cambodian Genocide Justice Act to provide funding for the documentation of the “crimes against humanity” committed during the Pol Pot era. The law 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.”

1996

September 15

The Cambodian government provided amnesty to former Deputy Prime Minister Ieng Sary covering his 1979 conviction and the 1994 law.

1997

April 11

The UN Commission on Human Rights adopts resolution 1997/49, which requested that the Secretary General, through his Special Representative, examine any request from Cambodia for assistance in creating a mechanism of accountability for past serious violations of Cambodian and international law.

June 20-22

The US Secretary of State, Dr. Madeleine Albright, suggested options for accountability to the foreign ministers at the G-8 Summit.

June 21

First Prime Minister Norodom Ranariddh and Second Prime Minister Hun Sen requested the assistance of the United Nations in a manner similar to that provided for responding to genocide and crimes against humanity in Rwanda and the former Yugoslavia.

June 23

The Secretary-General transmitted the letter from the two prime ministers to the presidents of the General Assembly and Security Council.



1997 continued

July

Prime Minister Hun Sen staged an internal coup and Ranariddh is removed from the government.

November 27

Prime Minister Hun Sen and Ung Huot, the new First Prime Minister and Minister of Foreign Affairs and International Cooperation, sent a letter to US President Bill Clinton requesting help from the United States in creating an international criminal tribunal to bring to trial the Khmer Rouge leadership.

December 12

The UN General Assembly adopted resolution 52/135, which asked the Security-General to examine the request of the Cambodian authorities for assistance in responding to the past serious violations of Cambodian and international law.

1998

April 15

Pol Pot died in a Khmer Rouge camp where he had been detained following his one-day "trial" on 25 July 1997.

April 16

US President Bill Clinton reaffirmed, while visiting Santiago, Chile, the US resolve to bring the senior Khmer Rouge leaders to justice.

April 28

The US Mission to the United Nations circulated a draft UN Charter Chapter VII resolution, which would establish the International Criminal Tribunal for Cambodia (ICTC).

May 6

The Cambodian government acknowledged the death of Pol Pot and expressed a desire to establish a national or international court of justice after the July 1998 general elections.

July 13

Pursuant to General Assembly Resolution 52/135 of 12 December 1997, the Secretary-General appointed 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



1998 continued

national jurisdiction.

July 31

UN Secretary-General Kofi Annan created 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.

August-September

US Ambassador at Large for War Crimes Issues David Scheffer consulted with UN Secretary-General Kofi Annan in New York and with Cambodian officials in Phnom Penh regarding further steps on accountability.

November 14-23

The Group of Experts visited Cambodia.

December 9

The UN General Assembly adopted resolution 53/145, which welcomed the decision of the Secretary-General to appoint a group of experts to evaluate the accountability options in Cambodia and make recommendations

December 25

Two surviving senior leaders of the Khmer Rouge, Khieu Samphan and Nuon Chea, defected to Cambodian authorities.

1999

January 1

Prime Minister Hun Sen issued a statement clarifying that he had not offered Khieu Samphan and Nuon Chea any amnesty in exchange for their defection, and that he was not reversing his position on the need for trials of the senior Khmer Rouge leaders.

January 21

Prime Minister Hun Sen forwarded to UN Secretary-General Kofi Annan an “Aide Memoire and Analysis” on bringing Khmer Rouge leaders to trial.

Mid-January

US Ambassador at Large for War Crimes Issues David Scheffer visited Cambodia, Thailand, China, France, and The Netherlands to explore several approaches to accountability through UN Security Council action.

February 5



1999 continued

China voiced 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 says 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.

February 12

The last remnants of the Khmer Rouge were incorporated into the Royal Cambodian Armed Forces.

February 18

The Report of the Group of Experts for Cambodia Pursuant to General Assembly Resolution 52/135 was published.

March 15

The UN Group of Experts for Cambodia delivered its report to the UN Security Council and the UN General Assembly, recommending that the Security Council establish a Chapter VII international criminal tribunal to try Khmer Rouge leaders for atrocity crimes committed from 17 April 1975 to 7 January 1979.

March 3

Prime Minister Hun Sen sent a letter to UN Secretary-General Kofi Annan rejecting the UN Group of Experts for Cambodia Report and stating that he is considering developing a system similar to the South African Truth and Reconciliation Commission.

March 3

US Secretary of State Madeleine Albright rejected a South-African style commission as a credible alternative for accountability in Cambodia.

March 8

Khmer Rouge military leader Ta Mok was arrested by the Cambodian military under the 1994 Law to Outlaw the Democratic Kampuchea Group.

March 8

Cambodian Foreign Minister Hor Nam Hong visits New York, met with UN officials and US officials, including US Ambassador at Large for War Crimes Issues David Scheffer and Ambassador Nancy Soderberg of the US Mission to the United Nations, and rejected the recommendations of the Group of Experts for Cambodia for an international criminal tribunal, preferring Cambodian courts.

Early April

US Senator John Kerry met with Prime Minister Hun Sen and proposed a tribunal comprised of both international and Cambodian judges.

April 28



1999 continued

Prime Minister Hun Sen sent a letter to UN Secretary-General Kofi Annan, stating that there would be a domestic trial of Ta Mok with the assistance of foreign judges and prosecutors.

May 9

Duch, former director of S-21 Tuol Sleng prison, was arrested and charged with murder and membership in an outlaw group under the 1994 Law to Outlaw the Democratic Kampuchea Group.

July 30

The United States presented to Prime Minister Hun Sen a new proposal that would have the Security Council establish a tribunal outside Chapter VII authority and with minority Cambodian participation in judicial officers and enforcement powers.

July 30

UN Assistant Secretary-Generals Alvaro De Soto and Ralph Zacklin briefed the Security Council on the possibility of a mixed tribunal established under domestic law and with majority international judicial officers; the Russian and Chinese representatives raise serious concerns about any Security Council involvement.

August 12

The Cambodian National Assembly approved 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.

August 12

The Cambodian government stated that it wants to maintain overall control of a UN-backed international-style tribunal. Senior Minister Sok An said the tribunal will take place in a Cambodian court, but the participation of foreign judges and legal experts would be accepted.

August 17

Prime Minister Hun Sen rejected the UN plan, calling it a question of “whether Cambodia should be cooperating with the UN or the UN should be cooperating with Cambodia.”

August 20

The Cambodian Government created a "Task Force for Cooperation with Foreign Legal Experts and Preparation of the Proceedings for the Trial of Senior Khmer Rouge Leaders," more commonly known as the Royal Government Task Force for the Khmer Rouge Trials, which began drafting the law.

Late August

The Royal Government Task Force for the Khmer Rouge Trials completed the first draft

1999 continued

law and presented it to a UN delegation led by Ralph Zacklin, UN Deputy Legal Counsel, which conducted negotiations for one week, until 31 August, in Phnom Penh. The talks ended poorly with Zacklin stating that unless the Cambodian government met the UN conditions considered necessary for the court, then, “The UN will simply cease to follow this process.”

September 7

Ta Mok and Duch were charged with genocide under Decree No. 1 issued on 15 August 1979.

September 20

Prime Minister Hun Sen met with UN Secretary-General Kofi Annan in New York and presents three options for UN involvement

1) Provide a legal team and participate in a tribunal conducted in Cambodia's existing courts; 2) provide a legal team which would not participate in the tribunal; 3) withdraw completely from the proposed tribunal.

September 20

Prime Minister Hun Sen and Senior Minister Sok An met with US Under Secretary of State Thomas Pickering and US Ambassador at Large for War Crimes Issues David Scheffer and explored ideas for moving past Hun Sen's three options presented earlier to UN Secretary-General Kofi Annan.

September 23

Returning from talks with UN Secretary-General Kofi Annan on how to try Pol Pot's former henchmen, top government officials vowed to proceed with a trial on their own terms. Instead of assembling an international-style tribunal proposed by the UN, Minister of Cabinet Sok An stated that the government would 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.”

Late September

US Ambassador at Large for War Crimes Issues David Scheffer prepared a concept paper proposing a special trial chamber and special appeals chamber in the Cambodian courts, participation by international judges and prosecutor, and a supermajority vote requirement for judicial decisions. The paper was shared with UN Legal Counsel Hans Corell and Cambodian officials.

October 15

US Ambassador to Cambodia Kent Weidemann formally delivered the US proposal for a “special chamber” that would require a “supermajority” vote (majority plus one) for decisions and judgments; Prime Minister Hun Sen subsequently agreed with the US proposal on 19 October but continues to insist on a majority of Cambodian judges.



1999 continued

Late October

U.S. Ambassador at Large for War Crimes Issues David Scheffer visited Cambodia and prepared a working draft of a law that would govern the establishment and operation of what he proposed would be called the “Extraordinary Chambers.” This evolved as the “Extraordinary Chambers in the Courts of Cambodia” (ECCC).

December 17

The UN General Assembly adopted resolution 54/171, which appealed to the Government of Cambodia to continue cooperation with the UN in order to ensure accountability for the Khmer Rouge leadership in accordance with international standards of justice, fairness, and due process of law.

December 20

The Cambodian government sent the draft tribunal law to the UN Secretariat. Cambodia will adopt the law with or without UN approval, said Hun Sen.

December 24

The Cambodian cabinet met to consider the draft tribunal law.

December 29

The Cambodian Government submitted a second draft tribunal law to the UN Secretariat.

2000

January

Prime Minister Hun Sen agreed to the requirement of appointing two Co-Investigating Judges, one Cambodian and the other selected by the UN Secretary-General.

January 5

UN Legal Counsel Hans Corell met with Ambassador Ouch Borith, the Permanent Representative of Cambodia to the UN, to discuss the draft law and deliver a letter recording his comments.

January 5

The Cambodian cabinet adopted the draft law, despite UN concerns over limitations on international jurists.

January 12

US Ambassador at Large for War Crimes Issues David Scheffer delivered a non-paper to

2000 continued

UN Legal Council Hans Corell with a proposal for how to resolve disputes between the Co-Prosecutors. A second non-paper delivered by Ambassador Scheffer later in January proposed the same formula for disputes between the Co-Investigating Judges.

January 14

The Cambodian government made further alterations to the draft law to allow for two Co-Investigating Judges.

January 18

The UN received a translation of the amended draft law for the ECCC.

January 27

Cambodia held its first public forum to discuss the creation of a Khmer Rouge tribunal.

February 1

US Senators Leahy, Kerry, McConnell, and Kennedy urged UN Secretary- General Kofi Annan to send a negotiating team to Cambodia.

February 8

UN Secretary-General Kofi Annan identified four key issues unmet by the draft law: the appointment of an independent, international prosecutor; a majority vote rule in chambers where there is a majority of foreign judges; guarantees that those indicted would be arrested; and a guarantee of no amnesties or pardons.

February 10

Hun Sen rejected Kofi Annan's response to the draft ECCC Law, saying it is unfair to Cambodia. In a letter to the Secretary General, the prime minister stated 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 UN Member States.

February 12

UN Secretary-General Kofi Annan met with Prime Minister Hun Sen in Bangkok, Thailand, and agreed to send a negotiating team to Phnom Penh but stressed the need for international standards.

Early March

United States proposed to UN and Cambodian officials that a special chamber be created to resolve disputes between the Co-Prosecutors or between the Co- Investigating Judges.

March 16

UN and Cambodian negotiators held their first meeting in the latest round of negotiations to discuss outstanding differences on the format of the ECCC. There are four critical issues: 1) who will name the suspects in the trial; 2) whether the Cambodian government will arrest all suspects; 3) whether lingering government deal with the Khmer Rouge will

2000 continued

protect some former rebels from being prosecuted, and 4) how the trial's foreign and Cambodian judges will be appointed.

March 20

Senior Minister Sok An sent a letter to UN Legal Counsel Hans Corell stating that the amnesty granted to Ieng Sary only applies to his 1979 conviction in absentia and indicating that no more amnesties would be granted.

March 21

UN Legal Counsel Hans Corell rejected compromises and the talks stall.

March 24

UN Legal Counsel Hans Corell sent a letter to Senior Minister Sok An arguing the necessity of limiting personal jurisdiction to the senior Khmer Rouge leaders and suggesting a third party mechanism to settle disagreements between the Co- Investigating Judges or between the Co-Prosecutors.

March

The French Government suggested the creation of a special chamber within the ECCC to resolve differences of investigations and indictments with a supermajority vote.

Late March/Early April

At the request of UN Legal Counsel Hans Corell, US Ambassador at Large for War Crimes Issues David Scheffer traveled to Phnom Penh and Bangkok to confer with Cambodian officials and seek to bridge remaining differences between Cambodia and the UN Secretariat. Understandings reached in these meetings are later confirmed during US Senator John Kerry's visit to Cambodia in late April.

April 11

US Senator John Kerry met with Prime Minister Hun Sen in Miami.

April 12

UN Secretary-General Kofi Annan met with Prime Minister Hun Sen in Havana.

April 19

UN Secretary-General Kofi Annan wrote to Hun Sen in response to the Cambodian leaders' expressed backing of a US plan to resolve how to handle indictments in the ECCC. Cambodian chief negotiator Sok An said he had not examined Annan's letter yet.

April 22

Prime Minister Hun Sen responded to the Secretary-General's letter of 19 April in which he states that the exchange of letters between the UN and Cambodia could not be executed before the ECCC Law is adopted. He proposes a "special chamber" formula to settle disagreements between the Co-Prosecutors.



2000 continued

April 25

UN Secretary-General Kofi Annan sent a second letter to Hun Sen in response to his letter of 22 April urging him to accept the UN proposal.

April 27

Prime Minister Hun Sen responded to UN Secretary-General Kofi Annan's 25 April letter requesting an extension of the temporal jurisdiction of the ECCC to begin in 1970.

April 29

Prime Minister Hun Sen agreed with US Senator John Kerry that the ECCC have a panel of judges—three Cambodian and two foreign—who would rule on disputes regarding indictments pursuant to the supermajority rule.

April 29

US Senator John Kerry left Cambodia after a two-day visit that focused mostly on the ECCC and a compromise was reached over the procedure when there would be differences between the Co-Prosecutors and between the Co-Investigating Judges. Senator Kerry announced upon his departure from Phnom Penh the commitment of the Cambodian government to reach agreement with the United Nations by 15 June 2000.

May 15

US Senator John Kerry, US Permanent Representative to the United Nations Richard Holbrooke, and US Ambassador at Large for War Crimes Issues David Scheffer met with UN Secretary-General Kofi Annan in New York for detailed discussions on how to move forward with the UN and Cambodia talks.

May 17

UN Secretary-General Kofi Annan wrote to Prime Minister Hun Sen seeking confirmation that Hun Sen accepts, through US Senator John Kerry, the proposal made in the Secretary General's letter of 19 April regarding the mechanism to resolve any differences between the Co-Investigating Judges and the Co-Prosecutors, and that the temporal jurisdiction of the ECCC would be limited to 1975-1979.

May 19

Prime Minister Hun Sen sent a letter to UN Secretary-General Kofi Annan expressing his support for the compromise formula brokered by US Senator John Kerry in April to try Khmer Rouge leaders.

July 6

UN Legal Counsel Hans Corell led a third delegation to Phnom Penh, where details of the draft agreement were finalized.

July 7



2000 continued

UN Legal Counsel Hans Corell presented a draft Memorandum of Understanding that would govern UN cooperation with the ECCC following Cambodian parliament approval of the ECCC Law.

August 2

Prime Minister Hun Sen informed leaders at the National Assembly that the government's work on establishing a tribunal is done, and responsibility for any additional progress lies with lawmakers.

September 24

Prime Minister Hun Sen indicated 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 is considering a draft law on a Khmer Rouge tribunal, on what to do with Ieng Sary.

November 2

Eleven nations submitted a resolution to the UN Human Rights Commission requesting that the Cambodian government establish a tribunal.

November 20

US Senator John Kerry visited Cambodia to confirm the government's position on the draft ECCC Law and announces that the Cambodian leaders have agreed to expedite the ECCC.

November 28

The Legislative Committee of the Cambodian Parliament and the Royal Government Task Force on the Khmer Rouge Trials concluded their discussions on the draft ECCC Law.

December 4

The UN General Assembly adopted resolution 55/95, which welcomed a successful conclusion of the talks between the Cambodian government and the UN Secretariat and encourages continued cooperation in order to achieve the expedited completion of preparation for the tribunal.

December 29

The Cambodian National Assembly began to debate on the draft ECCC Law.



2001

January 2

The Cambodian National Assembly unanimously approved the draft ECCC Law.

January 3

The United States welcomed steps by Cambodia's National Assembly to establish a means to investigate and prosecute senior Khmer Rouge leaders for crimes committed during 1975-79.

January 9

UN Legal Counsel Hans Corell sent a letter to the Cambodian government expressing his concerns about the draft law, including the lack of a provision to ensure adequate UN oversight so that prosecutors can pursue suspects who have been granted amnesty. The UN proposed changes to 18 of the 49 articles of the draft law.

January 12

Ten US Members of Congress, headed by House of Representatives Minority Leader Richard Gephardt, arrived in Cambodia to discuss the tribunal and the upcoming election.

January 14-16

US Ambassador at Large for War Crimes Issues David Scheffer visited Phnom Penh and met with Prime Minister Hun Sen, Senior Minister Sok An, and others to explore how to harmonize the draft ECCC Law and the draft UN/Cambodia Agreement.

January 15

The Cambodian Senate unanimously approved the draft ECCC Law.

February 9

UN Legal Counsel Hans Corell requested an official translation of the draft ECCC Law as adopted.

February 12

The Constitutional Council approved the ECCC Law but sent it back to the Cambodian Parliament for a technical amendment because Article 3 of the ECCC Law provided for the possible imposition of the death penalty, which had been abolished under the Cambodian Constitution.

February 16

Peter Leuprecht, the Special Representative of the Secretary General for Human Rights in Cambodia, arrived in Cambodia to discuss the progress of the ECCC Law with senior Cambodian officials.

February 23

Prime Minister Hun Sen announced that the draft ECCC Law must go back to the drafting

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stage and must 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.

March 6

Sam Rainsy, leader of Cambodian's main opposition party, withdrew his support for the ECCC, stating that it lacks credibility.

April 25

The UN Human Rights Commission adopted a resolution sponsored by Japan that advocated the development of the tribunal as soon as possible.

May 21

UN Secretary-General Kofi Annan urged the Cambodian government to accelerate approval process for the ECCC Law.

May 25

A letter from Senior Minister Sok An expressed regret over the delay in the process of finalizing the amendment "necessitated by the Constitutional Council decision on the Draft Law as adopted by the National Assembly."

June 8

In a letter to Senior Minister Sok An, UN Legal Counsel Hans Corell reiterated the need for an official translation of the law and for consistency between the two instruments.

June 22

The Cambodian government amended the draft law by revising Article 3 to replace the death penalty with life in prison as the maximum punishment.

June 26

Senior Minister Sok An informed UN Legal Counsel Hans Corell that the Council of Ministers revised the text of Article 3 of the draft ECCC Law in order to comply with the ruling of the Constitutional Council, and added that the draft ECCC Law is being transmitted to the National Assembly for adoption, to the Senate and the Constitutional Assembly for review, and for promulgation by the head of state.

June 27

In response to recent media statements that a tribunal could start in 2001, the UN issued a press release stating that no internationally recognized trials could start until the Memorandum of Understanding between the UN and Cambodia has been signed and ratified.

June 28

Cambodian King Norodom Sihanouk assured Peter Leuprecht, Special Representative of



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the Secretary General for Human Rights in Cambodia, of his intention to sign the amended ECCC legislation into law.

June 29-30

Prime Minister Hun Sen and Prince Norodom Ranariddh made statements denouncing UN pressure and refusing to accede to UN demands regarding the draft ECCC Law as amended.

July 2

In his letter to UN Legal Counsel Hans Corell, Senior Minister Sok An stated his understanding of the relationship between the ECCC Law and the UN/Cambodia Agreement. While accepting the principle that they should be in conformity with each other, he rejected the notion of “imposition.”

July 6

In his response, UN Legal Counsel Hans Corell reiterated the need for consistency between the two documents.

July 11

The Cambodian National Assembly adopted the draft ECCC Law as amended with the revised Article 3.

July 13

The Cambodian Senate received the amended draft ECCC Law.

July 23

The Cambodian Senate unanimously approved the amended draft ECCC Law.

August 1

Senior Minister Sok An indicated that the Cambodian government was still seeking the UN’s participation in the ECCC.

August 7

The Constitutional Council approved the amended draft ECCC Law.

August 10

Cambodian King Norodom Sihanouk signed into law the finalized “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” (ECCC Law).

August 16

US Ambassador Kent Wiedemann stated that the Cambodian government has given a clear written promise that Ieng Sary can be brought before the ECCC and that the US would withdraw its support for the ECCC if Ieng Sary was not tried.



2001 continued

August 18

Senior Minister Sok An sent the Khmer official version of the ECCC Law to UN Legal Counsel Hans Corell.

August 30

US Senators Patrick Leahy and Mitch McConnell sent a letter to the UN supporting the creation of international standards of due process for the trials.

August 31

Senior Minister Sok An sent English and French translations of the ECCC Law to UN Legal Counsel Hans Corell.

October 2

Senior Minister Sok An invited UN Legal Counsel Hans Corell to Cambodia to finalize the Articles of Cooperation between the UN and Cambodia.

October 8

Prime Minister Hun Sen told US Ambassador Kent Wiedemann that he was “anxious to go to trial” using legislation approved by the Cambodian government and signed by King Norodom Sihanouk in August 2001. The Cambodian government sent an invitation to the UN to continue discussions on the ECCC, pushing ahead the final process of setting up trials.

October 10

UN Legal Counsel Hans Corell sent a letter to Senior Minister Sok An relating 11 points of concern about the ECCC Law and insisting that a future agreement between the UN and Cambodia take precedence over the ECCC Law.

October 15

The United Kingdom donated USD 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.

November 16

Prime Minister Hun Sen expressed frustration with the UN’s lack of commitment to establishing the tribunal.

November 23

Senior Minister Sok An sent a letter to UN Legal Counsel Hans Corell stating that the agreement between the UN and Cambodia would not take precedence over the ECCC Law under Cambodian Law.

December 17

UN Legal Counsel Hans Corell sent a letter to Senior Minister Sok An requesting a

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response to the 11 points of concern included in his 10 October letter.

December 19

The UN General Assembly adopted resolution 56/169, which welcomed the promulgation of the ECCC Law and encouraging the conclusion of negotiations so that the ECCC could begin functioning as soon as possible with international financial and personnel support.

2002

January 22

Senior Minister Sok An sent a letter to UN Legal Counsel Hans Corell concerning the 11 points in Corell's 10 October letter.

February 8

The UN Secretariat announced that it would no longer continue negotiations with the Cambodian government on establishing the ECCC. UN Legal Counsel Hans Corell stated that the greatest matter of contention is the Cambodian position that the ECCC Law would prevail over the agreement between the UN and Cambodia.

February 10

Senior Minister Sok An said the Cambodian government regretted the UN decision announced on 8 February: “The Cambodian government is keeping its door open for further negotiations. We have not closed the door like Mr. Corell did.”

February 11

Prime Minister Hun Sen announced that his government would welcome resumption of negotiations.

February 12

Senior Minister Sok An issued a statement responding to the UN announcement and release the English text of the ECCC Law and his letters to UN Legal Counsel Hans Corell dated 23 November 2001 and 22 January 2002.

February 15

Former Khmer Rouge commander Ke Pauk, a potential ECCC suspect, died.

February 20

The European Union urged the UN not to give up on negotiations with Cambodia over establishing the ECCC.

February 22

Cambodian prosecutors charged former Khmer Rouge military commander Ta Mok with crimes against humanity.



2002 continued

March 13

After meeting with ambassadors from countries supporting a resumption of negotiations, UN Secretary-General Kofi Annan advised them to focus their efforts on encouraging Prime Minister Hun Sen to alter his position.

March 15

The Royal Government of Cambodia Task Force on the Khmer Rouge Trials responded to UN Secretary-General Kofi Annan's statement, stating that the UN had misunderstood Cambodia's stance.

March 18

Senior Minister Sok An called on the UN to resume negotiations.

March 20

Prime Minister Hun Sen announced that his government would only wait three months for the UN to resume negotiations.

April 9

Indian Prime Minister Atal Bihari Vajpayee announced that India would assist Cambodia in trials.

April 26

The UN Human Rights Commission appealed to the Cambodian government and the UN to resume discussions on the establishment of a tribunal.

May 14

Prime Minister Hun Sen accused the UN of blocking the tribunal's progress and reaffirms Cambodia's commitment to move forward with the trials alone.

July 2

Prime Minister Hun Sen announced that his government was ready to compromise with the UN on the ECCC Law.

July 3

Peter Leuprecht, the Special Representative of the Secretary General for Human Rights in Cambodia, urged the UN to participate in the ECCC trials.

July 3

The UN rejected Cambodia's call to revive stalled plans for the tribunal, saying it needed more assurances that Cambodia would conduct a fair trial of the leaders of the "killing fields."

July 4

Cambodian Foreign Minister Hor Namhong reported that Cambodia and the UN have



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reached an informal compromise.

June-July

Japan facilitated the relationship between Cambodia and the UN to encourage a resumption of negotiations.

July 12

UN Secretary-General Kofi Annan sent a letter to Prime Minister Hun Sen, indicating that he was willing to reopen talks on Khmer Rouge trials if provided with a clear mandate from the General Assembly or the Security Council.

July 29-30

The 35th ASEAN Ministerial Meeting at Bandar Seri Begawan released a Joint Communique expressing their support for the creation of the tribunal and encouraging cooperation between Cambodia and the UN.

August 18

Prime Minister Hun Sen sent a letter to UN Secretary-General Kofi Annan, encouraging a swift response from the UN and the resumption of negotiations.

August 20

UN Secretary-General Kofi Annan stated that he would resume talks on the ECCC if UN Member States wanted him to do so. He wrote to Prime Minister 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.”

August 27

The Group of Interested States (Japan, France, United Kingdom, Canada, Australia, United States, EU, South Korea, Japan, Philippines, Singapore, Thailand, Indonesia and Cambodia) held a preliminary meeting in New York to discuss possibilities for an international effort to revive the negotiations.

September 26

The Group of Interested States held their second meeting to consider options and decided to move forward with an ad hoc resolution in the Third Committee.

November 6

South African President Thabo Mbeki announced that South Africa was ready to provide assistance to Cambodia for the ECCC.

November 13

Japan and France sponsored and deposited draft resolution A/C.3/57/L.70 to provide the UN Secretary-General with his required mandate.

November 20

2002 continued

The UN Third Committee adopted draft resolution A/C.3/57/L.70, which outlined new plans on ECCC trials and called for resumption of negotiations between the UN Secretariat and the Cambodian government.

November 21-22

Senior Minister Sok An and Prime Minister Hun Sen welcomed the UN's decision and expressed enthusiasm.

December 18

The General Assembly plenary meeting adopted Resolution 57/228, approving the resolution accepted by the Third Committee.

December 19

UN Secretary-General Kofi Annan invited Prime Minister Hun Sen to send representatives to an exploratory meeting in New York to prepare for the resumption of negotiations.

2003

January 6

Responding to the UN Secretary-General's invitation, a Cambodian delegation led by Senior Minister Sok An arrived in New York and scheduled seven meetings – one with the UN Secretary-General and six with representatives of the UN Secretariat, led by UN Legal Counsel 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.

January 6

UN Legal Counsel Hans Corell delivered to the Cambodian delegation a nonpaper that sought radical amendments to the ECCC Law that would have incorporated futile positions taken by the UN negotiators years earlier prior to their agreement on the compromise language reflected in the ECCC Law as amended.

January 14

Senior Minister Sok An met with UN Secretary-General Kofi Annan.

January 31-February 24

A series of letters were exchanged between Hun Sen and UN Secretary-General Kofi Annan, setting the stage for further negotiations.

March 13-16

A fifth round of talks between the Royal Government Task Force on the Khmer Rouge



2003 continued

Trials and the UN delegation took place in Phnom Penh and produced a draft agreement that applied the UN/Cambodia Agreement as law, removes the Appeals Chamber, and improved adherence to international due process standards.

March 28

The Cambodian Council of Ministers approved the draft agreement.

March 31

UN Secretary-General Kofi Annan issued a Report to the General Assembly (A/57/769), commenting (sometimes critically) on the draft UN/Cambodia Agreement. He estimated the budgetary cost of the ECCC and proposed UN funding through assessed contributions.

May 2

The UN Third Committee adopted a resolution approving the draft UN/Cambodia Agreement and UN funding through voluntary contributions.

May 13

The UN General Assembly adopted Resolution 57/228B, approving the UN/Cambodia Agreement and UN funding through voluntary contributions.

June 4

Sweden offered funding to the Secretariat of the Royal Government Task Force on the Khmer Rouge Trials.

June 6

UN Legal Counsel Hans Corell and Senior Minister Sok An signed the Agreement between the United Nations and Cambodia Concerning the Prosecution under Cambodian Law of Crimes Committed during the Period of Democratic Kampuchea (UN/Cambodia Agreement) in Phnom Penh.

June 13

Cambodia's Council of Ministers approved the UN/Cambodia Agreement.

June 17

The Cambodian government submitted the UN/Cambodia Agreement to the Cambodian National Assembly.

June 19

Australia pledged AUD1.5 million for the ECCC in addition to AUD 266,000 already provided.

July 1

Pol Pot's first wife, Khieu Ponnary, a potential ECCC suspect, died



2003 continued

July 8

The United Kingdom offered funding to the Secretariat of the Royal Government Task Force on the Khmer Rouge Trials.

July 27

Cambodian general elections for the National Assembly resulted in a deadlock when the Cambodian People's Party (CPP) won a majority but was unable to obtain the two-thirds majority necessary to form a government.

October 1

The United Nations appointed Karsten Herrel as Coordinator for United Nations Assistance to the Khmer Rouge Trials (UNAKRT).

December 8-13

The UN Technical Assessment Mission, led by Karsten Herrel, visited Phnom Penh and held talks with the Royal Cambodian Government Task Force and relevant ministries, organizations and individuals. The mission gathered information about costs and other practical matters relating to the implementation of the UN/Cambodia Agreement.

December 10

Kofi Annan said the process of setting up the tribunal would only begin once pledges for the first three years of the court's operation had been received and enough money for its first year of operation had been deposited in a trust fund.

December 12

The Royal Cambodian Government Task Force and the UN Technical Assessment Mission released a joint press statement expressing the opinion that substantial progress had been made.

2004

February 23

First meeting between the Group of Interested States and UNAKRT discussing the budget for the ECCC.

February 27

UN Legal Counsel Hans Corell retired and Senior Minister Sok An sent a letter expressing his appreciation and best wishes.

March 10-18

The follow-up mission of UNAKRT technical team led by Karsten Herrel, concerning



2004 continued

budget and logistical issues, visited Phnom Penh.

March 25

The US Congress (108th Congress (2d Session--H.CON.RES.399) adopted a concurrent resolution stating: “The House of Representatives (the Senate concurring) Resolved 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).”

March 26

Second meeting between the Group of Interested States and the UNAKRT in New York.

March 31

Third meeting between the Group of Interested States and the UNAKRT in New York.

April 15

Fourth meeting between the Group of Interested States and the UNAKRT in New York.

May 6

Fifth meeting between the Group of Interested States and the UNAKRT in New York.

May 24

Deputy Prime Minister Sar Kheng approved the establishment of a special committee to ensure security for participants in the tribunal. The committee was headed by Interior Ministry Secretary of State Em Sam An. Deputies 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 also reportedly included a representative from the Ministry of Finance and governors of provinces and municipalities where witnesses and suspects reside.

June 26

Cambodian political parties reached a settlement to end the political deadlock and establish a new government.

June 10

Sixth meeting between the Group of Interested States and the UNAKRT in New York. Karsten Herrel responded to calls for reductions in budget estimates with suggestions for cuts in areas that will not weaken due process, international standards for court



2004 continued

operations, security and safety, and efficiency and effectiveness.

June 30

Seventh meeting between the Group of Interested States and the UNAKRT in New York.

July 20

Australia pledged an additional AUD1.5 million for the ECCC.

August 6

The Cambodian Council of Ministers approved amendments to the ECCC law which harmonized it with the UN/Cambodia Agreement and extended the statute of limitations for certain Cambodian crimes constituting part of the subject matter jurisdiction of the ECCC. The Council of Ministers also ratified the UN/Cambodia Agreement.

August 11

Meeting between the Group of Interested States and the Royal Government Task Force on the Khmer Rouge Trials in Phnom Penh to discuss a budget proposal.

August 23 –September 10

Training courses begin for judges, prosecutors, and lawyers in preparations for the opening of the trials.

September 13

Meeting between the Group of Interested States and the Royal Government Task Force on the Khmer Rouge Trials regarding the budget proposal. After announcing the return of a UN delegation to prepare the budget and logistics for the tribunal, government officials abruptly canceled the UN team's visit. The visit was postponed until the National Assembly ratifies amended legislation to establish the ECCC.

September 27

Karsten Herrel, Coordinator of the UNAKRT, completed his duties and handed responsibility to Sharon Van Buerle, Chief, Political, Legal and Humanitarian Service, Program Planning and Budget Division of the UN.

October 4

National Assembly of Cambodia debated and unanimously approved the UN/Cambodia Agreement.

October 4

Prime Minister Hun Sen sent a letter to UN Secretary-General Kofi Annan expressing approval of the UN/Cambodia Agreement.

October 5

The Cambodian National Assembly approved the amendments to the ECCC Law.



2004 continued

October 12

The Report of the Secretary General on Khmer Rouge trials was released.

October 19

The UN/Cambodia Agreement was ratified in Cambodia by acting Head of State Chea Sim and the Instrument of Ratification is sent to the UN.

October 22

The Constitutional Council approved the amended ECCC Law as being in conformity with the Cambodian Constitution.

October 27

Cambodian acting Head of State Chea Sim promulgated the amended ECCC Law.

November 8

The Cambodian government released a statement announcing its completion of the legal preparation for the ECCC.

November 16

Deputy Prime Minister Sok An sent a letter to Nicolas Michel, Under-Secretary-General and Legal Counsel of the United Nations, stating that Cambodia has complied with the legal requirements for entry into force (of a treaty).

November 29

Report of the Secretary-General on Khmer Rouge Trials stated that the UN would not consider the legal requirements for entry into force satisfied until pledges were received for the first three years of operation and actual contributions are received for the first year.

December 8-13

A UN Mission to Phnom Penh led by Mohammed Said, Coordinator for the UNAKRT, finalized a three-year budget of USD56.3 million for the ECCC.

December 17

France pledged EUR 3 million (USD 4 million) towards the ECCC, which was expected to cost USD56 million (EUR 42 million). Xavier Darcos, minister delegate for cooperation and development, stated that France would contribute EUR 1 million per year for the estimated three years of proceedings.

2005

January 10



2005 continued

France announced funding in the amount of 3 Million Euros for the ECCC.

January 27

The United Kingdom announced funding in amount of £500,000.00 for the ECCC.

February 9

Japan announced its contribution of USD21.6 million for the ECCC.

March 21

The eighth meeting between the Group of Interested States and the UNAKRT was held in New York. The Japanese Mission to the UN urges foreign support for the Cambodian share of the ECCC budget.

March 25

A follow-up meeting concerning the ECCC budget was held in Phnom Penh among the Group of Interested States, ASEAN countries and the Royal Cambodian Government Task Force on the Khmer Rouge Trials.

March 25

Canada announced its contribution of CAND2 million for the ECCC.

March 28

Pledging conference where thirteen countries pledge a total of USD38,477,033 to the ECCC, including: Japan (USD21.6m), France (USD4.8m), Australia (USD2,351,097), Canada (USD1,612,903), Germany (USD1m), Holland (USD1,981,506), Denmark (USD531,914), Luxembourg (USD66,050), Austria (USD360,000), Sweden (USD150,000), United Kingdom (USD2,873,563), Norway (USD1m), and Republic of Korea (USD150,000). The US representative stated that in the past ten years, the US has “paid USD7 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.”

March 29

Belgium announced its contribution of USD 198,151 for the ECCC.

March 29

The European Union announced its contribution of EUR 1 million for the ECCC.

April 11

The Belgian government pledged USD 193,500 for a future Khmer Rouge tribunal.

April 21

The US State Department stated “For the United States to contribute to this process, we



2005 continued

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.

April 25 – May 6

Second training course for 30 judges and prosecutors held in Phnom Penh.

April 28

UN Secretary-General Kofi Annan sent a letter to Prime Minister Hun Sen, stating that the legal requirements on the United Nations' side for entry into force of the UN/Cambodia Agreement have been complied with in accordance with Article 32 of the UN/Cambodia Agreement.

April 29

The UN/Cambodia Agreement entered into force.

April 29

According to a UN press statement, sufficient pledges and contributions were in place to fund the staffing of the ECCC. The European Commission pledges USD1.3 million to the ECCC.

May 3

Prime Minister Hun Sen sent a letter to UN Secretary-General Kofi Annan, stating: "A generation has passed since these crimes were committed. We cannot afford to lose any more time. I can assure you that we will do our utmost to ensure the Extraordinary Chambers may begin to function as soon as possible, and that they attain the level of international standards that we have both agreed on and that are needed to address the needs for justice of the Cambodian people and all humanity."

May 6

France announced it would allocate an additional USD 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," stated the French Ministry of Foreign Affairs.

May 30

A follow-up meeting among the Group of Interested States, ASEAN countries and the Royal Cambodian Government Task Force on the Khmer Rouge Trials was held in Phnom Penh to discuss the Cambodian share of the budget and their appeal for bilateral assistance. Singapore, India, and Thailand announced that they intended to assist.

June 2

The diplomatic corps, including representatives from 13 embassies in Phnom Penh, visited the proposed ECCC site at Kambol.



2005 continued

June 15

Germany announced its contribution of an additional EUR 1.5 million for the ECCC.

June 30

The United Nations sent a letter to all Member States and non-member states requesting suggestions of names for international judges and prosecutors for the ECCC.

July 20-21

The Second Training Course for lawyers to prepare for the Khmer Rouge trials was held in Phnom Penh.

July 21

New Zealand announces its contribution of USD 500,000 for the ECCC.

July 18

UN Assistant Secretary-General and Controller Warren Sach sent a letter to Deputy Prime Minister Sok An, stating that the UN and the Group of Interested States concurred with the selection of the Royal Cambodian Armed Forces High Command Headquarters as the premises for the Co-Investigating Judges, the Co-Prosecutors, the Extraordinary Chambers, the Pre-Trial Chamber, and the Office of Administration. The UN proposed that the Cambodian government confirm three points: (i) the premises are totally enclosed and fenced off from the active military facility, (ii) separate and direct access is provided to the premises for the ECCC and their related institutions, and (iii) adequate arrangements are made by the Cambodian government for public transportation between the center of Phnom Penh and the site.

August 9

Deputy Prime Minister Sok An sent a letter to UN Assistant Secretary- General Warren Sach confirming the three points requested by the UN and stating that the Cambodian side would be able to begin work once the Cambodian share of the budget was fulfilled.

August 25

The United Nations announced that Michelle Lee of China would serve as the international deputy director of the Office of Administration to coordinate UN assistance for Khmer Rouge trials.

October 7

India announced its contribution of USD 1 million for the Cambodian share of the ECCC budget.

November 12

Cambodian King Norodom Sihamoni appointed Sean Visoth as Director of the Office of Administration of the ECCC and Tony Kranh as Reserve Director.



2005 continued

November 12

Cambodian King Norodom Sihamoni assigned Michelle Lee to the position of Deputy Director of the Office of Administration, to which she had been appointed by the UN Secretary-General.

November 23

UN Legal Counsel Nicholas Michel announced candidates for the international judges, Investigating Judge, and Prosecutor.

December 1

Armenia, Namibia, and Ireland pledged to contribute, respectively, USD 1,000, USD 500, and USD 300,000 to the UN share of the ECCC budget.

December 6-16

Michelle Lee led a UN Startup Assessment Mission to Cambodia to work with a Cambodian delegation led by Sean Visoth on preparations towards the establishment of the ECCC.

December 10

Human Rights Day. Australia announced additional funds of AUD 48,306 as a contribution to the Secretariat of the Task Force to launch Regional Outreach Forums throughout the country.

December 28

The European Commission announced funds of almost EUR 995,100 to help cover the Cambodian share of the ECCC budget.

2006

January 10

Thailand announced funds of USD 24,330.90 as a contribution to the Cambodian share of the ECCC budget.

January 16

The High Command of the Royal Cambodian Armed Forces handed over premises for the ECCC to the Royal Cambodian Government Task Force for the Khmer Rouge Trials.

January 18

Thailand donated USD 25,000 to the ECCC.

February 3



2007 continued

The appointment of senior Cambodian staff for the ECCC took place.

February 6

The joint start-up team led by Director and Deputy Director of the Office of Administration, Sean Visoth and Michelle Lee, took up duties at the new ECCC premises.

February 9

The Director and Deputy Director of the Office of Administration held the first press conference at the ECCC.

February 26

The Documentation Center of Cambodia organized the first monthly visit of Cambodian villagers to the ECCC.

March 8

UN Secretary-General Kofi Annan sent a list of nominees for positions as international judges, Co-Prosecutor and Co-Investigating Judge.

March 14

Signing ceremony of Supplementary Agreements on Security and Safety and Utilities, Facilities and Services between Royal Government of Cambodia and the United Nations, held in the ECCC Court Room presided over by Deputy Prime Minister Sok An.

May 4

The Supreme Council of the Magistracy selected 17 Cambodian judges and 12 international judges for the ECCC.

May 7

King Norodom Sihamoni appointed the selected judges by Royal Decree.

May 10

Deputy Prime Minister Sok An briefed the diplomatic corps on the appointments of the judges, followed by a joint press conference by Sean Visoth and Michelle Lee.

May 12

There is an inauguration by Sean Visoth and Michelle Lee of the spirit house for the spirit known as the "Lord of the Iron Staff", created by Professor Srieng Y.

May 17

Former US Ambassador at Large for War Crimes Issues David Scheffer briefed the press and the Cambodian national judges of the ECCC in Phnom Penh on international standards of due process applicable to the ECCC.

May 19



2007 continued

ECCC Public Affairs Section representatives and former US Ambassador at Large for War Crimes Issues David Scheffer participated in a public forum on the ECCC trials, organized by the Centre for Social Development and attended by several hundred people from the southern provinces of Kampot, Kep, and Sihanoukville.

May 23

ECCC Public Affairs Section welcomed a group of 480 villagers at the ECCC's Courtroom, which was then followed by speeches from the ECCC Director and Deputy Director of Administration.

May 31

ECCC Public Affairs Section representatives attended a follow-up meeting with NGOs in Phnom Penh sharing experiences from East Timor and Sierra Leone on the role of NGOs and their relationship with the hybrid courts.

June 15

The Royal Government of Cambodia and United Nations Development Program (UNDP) signed an agreement that would channel approximately USD6.3 million to the ECCC. USD 5 million came from contributions by 12 countries (Norway, Sweden, Denmark, Australia, Japan, New Zealand, Ireland, Canada, United Kingdom, Netherlands, France, and Germany) that had been made to UNTAC operations in Cambodia; EURO 1 million comes from European Commission member states. Cambodia's contribution to the ECCC is USD 13.3 million and, with these contributions, there remained a shortfall on the Cambodian side of USD 4.96 million.

July 3

The Cambodian and international judges, Co-Prosecutors, and Co-Investigating Judges were sworn into office at the Royal Palace in Phnom Penh.

July 7

The ECCC announced at a press conference that, in order to ensure former Khmer Rouge leaders have an adequate defense, the ECCC would set up a defenders office staffed by foreign lawyers. Rupert Skilbeck, the principal defender leading the office, stated 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.

July 21

Ta Mok, aged 81, dies.

August 22

The U.S. Government offered USD 2 million as an "Endowment Fund" to the Documentation Center of Cambodia (DC-Cam).

2007 continued

November 3

The ECCC released the draft of its Internal Rules for public comment.

November 25

National and international judges of the ECCC announced the failure to adopt the Internal Rules for the ECCC due to disagreement on several key issues: how to integrate Cambodian law and international standards; the role of the Defense Support Unit, including the issue of how defense lawyers will be qualified; the role of the co-prosecutor and its impact on the voting procedure; and how the ECCC will operate within the Cambodian court structure.

December 5

Deputy Prime Minister Sok An wrote to UN Legal Counsel Nicholas Michel, asking to open a dialogue to resolve the acrimonious dispute over the role of the Defense Support Section of the ECCC. He writes 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."

December 7

The ECCC publicly welcomed victims' complaints. ECCC Co-Prosecutor Robert Petit stated that victims of the Khmer Rouge crimes could 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.

2007

January 11

Microsoft Singapore donated USD 100,000 to the UN administrative requirements of the ECCC.

Late January

Former US Ambassador at Large for War Crimes Issues David Scheffer held working meetings with Deputy Prime Minister Sok An, ECCC officials, and ambassadors and diplomats of interested nations in Phnom Penh to discuss ways to resolve disputes between the Cambodian and international judges over the draft Internal Rules.

February 14

The Open Society Justice Initiative (OSJI) issued a press release alleging that Cambodian judges and personnel of the ECCC are compelled to kick back part of their wages to Cambodian government officials in exchange for their position. OSJI calls for donors and international community to investigate thoroughly the corruption allegations.



2007 continued

Early March

Former US Ambassador at Large for War Crimes Issues David Scheffer visited with Deputy Prime Minister Sok An and other ECCC officials to discuss proposals for resolving the OSJI dispute and the BAKC dispute with the international.

March 8

Cambodian national judges of the ECCC requested that OSJI correct their statement issued on 14 February 2007 alleging corruption by the Cambodian side. They claim that such unsubstantiated allegations had been creating public confusion and seriously undermining their reputation and integrity.

March 16

After its ten-day session on the draft Internal Rules, the judges' Review Committee concluded that all remaining disagreements had been resolved, although some "fine tuning" remained to be done. However, another outstanding issue aside from the Internal Rules had erupted. The Bar Association of the Kingdom of Cambodia (BAKC) sought to charge registration fees of approximately USD 5,000 per year on foreign lawyers to participate in the work of the ECCC. The international judges rejected the BAKC proposal, claiming it was unacceptable and affected 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 occur on 30 April 2007.

April 3

The international judges of the ECCC wrote a letter to the Supreme Court Chamber of the ECCC stating that they would boycott the plenary session scheduled to adopt the Internal Rules on 30 April 2007 if the BAKC did not reconsider its proposed fee on foreign lawyers' registration. The letter, which was signed by all the international judges of the ECCC, stated that they were "saddened that at the time of writing, the Cambodian Bar had not reconsidered its position."

April 5

Fifteen Cambodian national judges of the ECCC wrote a responding letter urging the international judges to reconsider their boycott of the plenary session planned for 30 April to adopt the draft Internal Rules. The Cambodian judges claimed such action was not consistent with the "substance and spirit of the Agreement and Law on the establishment of the ECCC." The Cambodian judges also pointed out that the registration fees proposed by the BAKC were not declared in the Internal Rules, and argued that the fees should not serve as a reason to delay adoption of the Internal Rules.

April 30

The BAKC reduced the registration fee for foreign counsel from approximately USD 5,000 per year to a one-time fee of USD 500 for the entire period of the ECCC.



2007 continued

June 12

After nearly a year of negotiations, the ECCC judges approved the ECCC Internal Rules in plenary session.

June 13

The ECCC Pre-Trial Chamber held its first session to swear in ECCC investigators.

July 18

The ECCC Co-Prosecutors submitted 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 stated: “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)

July 20

Nuon Chea, guessing that he must be one of the first five candidates named by the co-prosecutors before the Khmer Rouge Tribunal, told *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

Ieng Vuth, Pailin's deputy municipal governor and the son of Ieng Sary and Ieng Thirith, slammed *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 expected 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 continued

Kaing Guek Eav, alias “Duch,” chief executioner and leader of the Tuol Sleng prison in Phnom Penh where more than 12,000 men, women and children were tortured and sent to the so-called “Killing Fields,” was officially handed over to the ECCC, making him the first suspect to be detained by the ECCC. Duch had since become a born-again Christian and talked candidly about his role in the Khmer Rouge regime. Researchers have found written orders by Duch regarding torture and killings. However, he denied responsibility saying, “I was under people’s command, and I would have died if I disobeyed it...I did it without any pleasure, and any fault should be blamed on the leadership, not me.”

Mid-August

Pre-Trial Chamber began operations.

August 8

Duch’s lawyer Francois Roux, a French lawyer, became the first foreign lawyer officially allowed to practice before the ECCC.

August 9

Cambodian Royal Decree stated that You Bunleng, co-investigating judge at ECCC, was to replace Ly Vuochleng as president of the Appeals Court. This called into question his future role in the ECCC.

August 15

You Bunleng claimed he would remain as judge at the ECCC, saying, “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.”

August 16

UN voiced concern over the August 9th appointment to the Cambodian Court of Appeal of You Bunleng, citing concerns over the ECCC’s efficiency and perceived independence. It was argued that You Bunleng was appointed as President of Cambodia’s Court of Appeal through untraditional means at the request of the executive branch of Cambodia’s government and without the involvement of the Supreme Council of Magistracy that the Cambodian law requires.

August 23

The Secretary-General’s Special Representative for Human Rights in Cambodia, Yash Ghai, and the Special Rapporteur on the Independence of Judges and Lawyers, Leandro Despouy, issued a joint statement that the appointment of You Bunleng casted doubt on whether “judicial independence is being fully respected in Cambodia.”

August 23

Duch appealed against the ECCC order for his provisional detention. The case was sent to the Pre-Trial Chamber.

2007 continued

September 19

Nuon Chea, chief ideologue of the movement and “Brother No. 2” to Pol Pot, was arrested, charged with war crimes and crimes against humanity, and placed in provisional detention. Nuon Chea disputed the charges saying he would be ashamed to have committed such crimes and that, “We did not have any direct contact with the bases and we were not aware of what was happening there.” He held that the Military Committee, of which he was not a member, had all the real power. He also cited the fact that he personally lost 40 family members during the period. Nuon Chea’s fellow detainee, Duch, told authorities, “Nuon Chea, he was the principal man for the killings.”

October 2

A United Nations Development Program (UNDP) commissioned report was released by the ECCC exposing widespread malpractice in hiring local staff members for the ECCC and handing out lucrative salaries to unqualified people. Cambodian officials objected to the recommendations that all staffing contracts on the Cambodian side of the ECCC be nullified, salaries cut, and that the UNDP take a more direct oversight role.

October 17

Nuon Chea appealed against his ECCC detention order.

October 25

Cambodian Foreign Minister Hor Namhong appealed to donor countries for more funding to the ECCC.

October 27

Photographer of Tuol Sleng, Nhem En, was called to be a witness at trial of Duch.

October 29 –November 9

Review Committee of the Judges of ECCC was charged with evaluating the internal rules of the court and recommending revisions to the full plenary of judges. The Committee reviewed and/or adopted recommendations on documents including a Draft Common Code of Judicial Ethics, Amendments to the Internal Rules, Practice Direction on Protective Measures, Amendment to the Practice Directions on Filing of Documents and on Victim Participation.

November 1

ECCC published an order that the investigation and trial of Duch would proceed separately from that of the others. The other four accused “may be investigated and tried together.”

November 7-8

A Joint Prosecutors’ Colloquium, hosted by Co-Prosecutors Chea Leang and Robert Petit, which periodically brought together the prosecutors of the five major international criminal tribunals to learn lessons from each other, held public and private sessions in Phnom Penh. It highlighted the challenges facing prosecutions of atrocity crimes.

2007 continued

Participants include Larry D. Johnson, Assistant Secretary-General of the United Nations for Legal Affairs; Carla del Ponte, Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia; Hassan Jallow, Chief Prosecutor of the International Criminal Tribunal for Rwanda; Stephen Rapp, Chief Prosecutor of the Special Court for Sierra Leone; and Fatou Bensouda, Deputy Prosecutor of the International Criminal Court in the Hague.

November 11

Co-investigating judges issued press release stating that Nuon Chea had been examined by three medical experts who concluded that he is in “a stable condition and that there was no medical reason which would run counter to his detention conditions or participation in the judicial investigation.”

Mid-November

Gabriella Gonzales, former deputy of the Victims Unit at the ICC, began work in ECCC Victims Unit, the centralized initial contact point for victims and their representatives for the filings necessary for participation in the proceedings.

November 12

Ieng Sary, deputy prime minister and the foreign minister of former Khmer Rouge government, was arrested and charged with crimes against humanity and war crimes. His chosen counsel will include Cambodian lawyer Ang Udom and later Michael Karnavas, President of the Association of Defense Counsel of the International Tribunal for the Former Yugoslavia. Ieng Sary disputes the crimes with which he is charged saying, “there are certain accusations that I cannot accept” and “I would like to know the truth about a dark period in our history. I do not know where the truth lies. I am very happy that this Court has been established because it will be an opportunity for me to discover the truth and also to share what I know.”

November 13

Ieng Thirith, minister of social action, member of Pol Pot’s inner circle and sister of Pol Pot’s first wife, was arrested, charged with crimes against humanity and placed in provisional detention. Her chosen representation will include Cambodian lawyer Phat Pouy Seang and Diane Ellis, an experienced British barrister.

November 14

Khieu Samphan, former Khmer Rouge head of state, suffered stroke.

November 15

Co-Investigating Judges ordered that Ieng Sary and Ieng Thirith be placed in provisional detention.

November 19

Khieu Samphan, former head of state, was taken from the hospital after being discharged, arrested, charged with war crimes and crimes against humanity, and placed in provisional

2007 continued

detention. Chosen to represent him is Dr. Say Bory, former head of the Bar Association of Cambodia, and Jacques Verges, French lawyer, so-called “The Devil’s Advocate,” and former counsel for Nazi Gestapo officer Lkaus Barbie, Venezuelan terrorist Carols the Jackal and Slobodan Milosevic. Mr. Khieu Samphan denies all charges, claiming he held no effective power.

November 20-21

ECCC Pre-Trial Chamber held the court’s first public hearing. The Pre-Trial Chamber convened to decide the appeal of Duch’s pretrial detention order. Over 500 people observed the first day of hearings.

December 3

Pre-Trial Chamber upheld Duch’s pretrial detention. The Pre-Trial Chamber asserted its independence from other judicial bodies in the Cambodian court system and held that its jurisdiction is limited to subject matters expressed in the ECCC law.

December 13

Pre-Trial Chamber received amicus curiae brief from the Cambodian Human Rights Action Committee (CHRAC) in relation to appeal made by Nuon Chea against his provisional detention order. The brief asserted that Nuon Chea’s right to counsel was breached and urged the ECCC to hold a new hearing.

2008

July 2006 – January 2008

ECCC received more than 700 complaints and civil parties’ applications. In the first quarter of 2008, this number increased to 1,147.

January 15-16

Co-Investigating Judges held meetings in Pailin, former Khmer Rouge stronghold and resident village of four of the accused, with local government officials and with a range of people from Pailin Municipality to explain the objectives, scope, and progress of the ECCC and the work of the investigator over the coming period.

January 28 –February 1

Third Plenary Session of Judicial Officers convened. Judge Kong Srim and Judge Silvia Cartwright made opening remarks.

January 31

National and international judges adopted a common Code of Judicial Ethics which included articles on judicial independence, impartiality, integrity, confidentiality, diligence, conduct during proceedings, public expression and association, extra-judicial

2008 continued

activity, and observance of the code.

February 4

Pre-Trial Chamber opened hearing on Nuon Chea's appeal against provisional detention and adjourned in response to request by his Cambodian defense lawyer, Son Arun. This public hearing was the first time civil parties participated in the proceedings of the ECCC, legally represented by their lawyers.

February 26

Confidential on-site investigations were held at Choeung Ek, also known as the "Killing Fields," where the Khmer Rouge regime allegedly executed more than 12,000 people between 1975 and 1979.

February 27

Confidential on-site investigations held at Tuol Sleng, the former high school used by the Khmer Rouge regime as the Security Prison 21 (S-21) and where thousands were tortured.

February 31

Tenth Meeting of the Friends of the ECCC (at Ambassadorial level) was held at the French Embassy.

March 11

Director of Administration, His Excellency Sean Visoth, held meeting with all Cambodian staff of the ECCC to give progress report on the judicial and administrative activities and on the current funding shortage situation.

March 20

Pre-Trial Chamber announced decision: firstly to confirm the full role of civil parties at every stage of the proceedings (a matter challenged by the defense); secondly, to reject Nuon Chea's appeal against the Order of Provisional Detention.

March 27

ECCC Human Resource Management passed the scrutiny test. The review was carried out in late February 2008 to assess the ECCC management's abilities to be well prepared for upcoming tasks and responsibilities and ensure that the HR management policies and practices of the Cambodian side of ECCC are transparent, accountable, meet international standards, and provide consistent and effective measure against any mismanagement.

March 27

Group of Interested States held meeting on ECCC at United Nations in New York, attended by representatives of 20 countries, the Controller, the Legal Counsel, and the Cambodian Permanent Representative to the United Nations and an ECCC delegation led by the Director of Administration, who gave a briefing on recent developments and forward planning.

April 3



2008 continued

Australia contributed AUD 500,000 to the ECCC.

April 15

On the tenth anniversary of the death of Pol Pot, UN Secretary-General Ban Ki-Moon issued statement in solidarity, stating, “I would like to remind the international community of the urgent importance of bringing to closure one of history’s darkest chapters.”

April 16-21

UN Assistant Secretary-General and Controller Warren Sach visited the ECCC.

April 18

Eleventh meeting of the Friends of the ECCC (at Ambassadorial level) held at Embassy of Japan.

April 23

Pre-trial hearing adjourned when Jacques Verges, lawyer for Khieu Samphan, stormed out of courtroom because the case file against Khieu Samphan was not translated into French. This incident highlighted the translation backlog faced by the ECCC.

May 8

Twelfth meeting of the Friends of the ECCC at ambassadorial level was held at the French Embassy in Phnom Penh.

May 15

The Duch investigation concluded. ECCC predicted the trial will take place in September 2008.

May 16

First issue of the ECCC newsletter was published.

May 21

Khieu Samphan was hospitalized for high blood pressure amid rising concerns for the health of the elderly defendants.

May 21

Ieng Thirith appeared before the Pre-Trial Chamber for her appeal against her pre-trial detention.

May 23-28

Joseph Mellot, advisor to the U.S. Ambassador-at-Large for War Crimes Issues, conducted a review of the ECCC, fueling rumors that the U.S. was considering funding the ECCC.

June 1

2008 continued

Knut Rosandhaug took over the UN position of Deputy Director of Administration, succeeding Michelle Lee.

June 16-20

Meetings of the Group of Interested States were held in New York, joined by the Director of Administration, His Excellency Sean Visoth, and the Deputy Director of Administration, Knut Rosandhaug, to discuss the new revised budget.

June 18

Japan contributed an additional USD 2.9 million to the Cambodian side of the ECCC, the bulk of which will go toward funding the salaries of around 25 Cambodian staff at the ECCC.

June 24

Co-Investigating Judges refused the request for release of Khieu Samphan.

June 24

ECCC issued press release disclosing a budget shortfall and seeking an additional USD 43.7 million from pledging states. They cut the proposed budget to USD 143 million from USD 170 million and bring the ECCC's expected end date forward by one year to 2010.

June 27

Cambodian Parliamentary elections were held.

June 30 –July 3

Hearings on Ieng Sary's appeal against pre-trial detention were held. The hearing on the first day was adjourned early because of Mr. Ieng Sary's ill health.

June 30

Say Bory, Cambodian co-lawyer for Khieu Samphan resigned citing concerns that he would not be able to represent Khieu Samphan through to the conclusion of trial due to poor health.

June 30-July 3

Ieng Sary sought absolution of charges citing his 1996 royal pardon. His lawyers claimed that a trial would constitute double jeopardy—since Ieng was tried by the Vietnamese People's Revolutionary Tribunal in 1979—and argued that detention might kill the aging defendant. The bail appeal hearing was adjourned due to Ieng Sary's poor health.

July 9

Ieng Thirith was denied bail as the judges ruled that “detention remains a necessary measure.”



2008 continued

July 10

Tribunal officials deemed Khieu Samphan healthy enough to remain in detention.

July 11

Germany pledged USD 2.4 million to the tribunal.

July 18

Prosecutors completed the final submission for the Duch case, containing 200 pages of factual and legal arguments. The Prosecutors argued that Duch should be charged with crimes against humanity, grave breaches of the Geneva Convention and torture and homicide in violation of the Cambodian Penal Code of 1956.

July 21

Cambodian law professor Sar Sovan agreed to represent Khieu Samphan.

August 1

Ieng Sary was taken to the hospital after blood was found in his urine.

August 4

Rupert Skilbeck, head of the Defense Support Section, resigned after accepting a position with the Open Society Justice Initiative. The resignation would not delay the first trial.

August 5-6

A UN Oversight Committee in New York began reviewing allegations of corruptions involving kickbacks at the Tribunal brought forward in June. In response to the allegations, the UNDP/donor nations decided to withhold USD 300,000 in funding. Consequently, none of the 250 Cambodian staffers had received their July paychecks.

August 11

Ieng Sary was discharged from the hospital and was returned to detention.

August 12

Duch was indicted and sent to the main chamber. Amidst corruption allegations, Keo Thyvuth, the Cambodian Chief of Personnel at the Tribunal, was removed and replaced by Rong Chhorng.

August 13

Psychologists deemed Duch's mental state relatively normal and said that he could be rehabilitated and reintegrated.

August 13

Japan pledged USD 2.9 million to pay the July salaries of the 300 staffers who had not been paid due to the corruption scandal.

2008 continued

August 15

The Tribunal established an anti-corruption team headed by Judge Kong Srim and spokeswoman Helen Jarvis in an attempt to establish international credibility with donor nations reluctant to provide funds. The Tribunal hoped this would help end the USD 43.8 million budget shortfall.

August 18

Sean Visoth, the director of administration at the Tribunal declared, "If there is any corruption in the KRT relating to me, I will resign."

August 21

Defense attorneys announced that the trial of Khieu Samphan would be delayed until court documents were translated into French, the native language of his attorney, Jacques Verges. The prosecution appealed the indictment of Duch, seeking additional charges against Duch. The lawyers alleged that the indictment did not charge Duch for homicide and torture under the Cambodian Penal Code of 1956 and his role as a "as a co-perpetrator for a significant number of crimes that occurred as part of a joint criminal enterprise inside the prison."

August 25

The United States announced that it would fund the tribunal upon resolution of the corruption investigation.

August 29

New documents revealed that as many as 177 people were released from S-21, at least 100 of whom were Khmer Rouge soldiers, contradicting the prevailing belief that no one had ever been released and that only 14 people survived.

September 2

At the beginning of the fourth plenary session of judges, New Zealand Judge Silvia Cartwright admonished the Cambodian staff to resolve the "troubling" allegations of graft.

September 3

Sou Sotheavy, 68, a transgender woman, filed a complaint with the tribunal claiming she was raped multiple times for "moral offenses."

September 8

A UN representative said the UN side of the tribunal would run out of funds between October and December. While the UN would not provide additional funds, officials expected donor-nations to provide money. Monitors worried that budget woes might delay the start of the first trial. At the fourth biannual plenary session of judges, amendments were enacted to expedite the process by limiting the defendants' right of appeal and requiring that victims file civil party suits with a single lawyer.



2008 continued

September 15-16

At the end of his three-day visit to Cambodia, Deputy U.S. Secretary of State John Negroponte announced that the United States would give USD 1.8 million to the tribunal.

September 16

The Cambodian government declared that all future graft allegations would be reviewed in secret by the Royal Government of Cambodia KRT Task Force.

September 19

Nuon Chea, 82, the most senior of the Khmer Rouge leaders facing trial would remain in detention for another year.

September 19

Hanrot Ranken, a prosecutor and prominent member of the Supreme Council of Magistracy declared, "The ECCC is one of the major causes of the lack of judges and prosecutors at the local court."

October 1

The tribunal ended the segregation of the five detainees.

October 2

Officials announced that the trial of Duch would be delayed until early 2009 due to the appeal of the indictment by the prosecution.

October 3

Detainees' families sought their release for participation in P'Chum Ben and other religious holidays.

October 7

Germany pledged an additional USD 4.3 million to the tribunal.

October 9

The Open Society Justice Initiative said the tribunal's troubles with corruption were "serious and potentially fatal" to its legitimacy and called upon donor nations to demand the resolution of graft charges before providing additional funds.

October 13

The defense counsel for Khieu Samphan withdrew its appeal for bail since they did not want to delay the process further by waiting for a pretrial ruling.

October 17

Judge Prak Kim San rejected Ieng Sary's appeal of his pretrial detention.

2008 continued

October 17

Lawyers for Nuon Chea appealed their client's pretrial detention.

October 22

Australia pledged nearly USD 3.5 million to the tribunal.

October 23

The tribunal deemed Nuon Chea and Ieng Sary fit to stand trial.

November 13

Judges declared that Ieng Sary and Ieng Thirith would be detained for another year.

November 18-20

Judges hoped to hold a private hearing in which Duch and Nuon Chea would confront one another regarding the killings of Tuol Sleng. While it was initially scheduled for this week, the hearing was postponed because Nuon Chea's lawyer said he was not yet prepared.

December 1

Robert Petit filed a Statement of Disagreement against his Cambodian co-prosecutor, Chea Leang, with the Office of Administration regarding their different opinions on the opening of new judicial investigations into crimes perpetrated by senior leaders of the Khmer Rouge throughout Cambodia. Petit believed more arrests were warranted while Chea disagreed.

December 5

Judges decided that Duch would face additional charges of homicide and torture but would not face the charge of joint criminal enterprise sought by the prosecution. The latter charge would enable the tribunal to hold Duch responsible for the crimes perpetrated by others working in the prison. Due to the delays, Duch was still not expected in court until March at the earliest. At an appeals hearing, Khieu Samphan said, "I have always worked on the side of my country...I don't understand why I am being charged with crimes against humanity." His lawyers, Jacques Verges and Sa Sovan, appealed the denial of their request for a translation of all of the documents into French, arguing that such a measure was necessary for a fair trial considering French was Mr. Verges's native language.

December 10

Cambodian Deputy Prime Minister and Chairman of the Royal Government Task Force on the Khmer Rouge Trials, Sok An, and UN Secretariat members discussed the need to embolden the court by improving human resources management and strengthening anti-corruption efforts.

December 16



2008 continued

Non-governmental watchdog groups released a statement saying, "Lack of transparency and inadequate access to information continue to be a problem...the Court needs to immediately amplify transparency and reinforce engagement and dialogue with NGOs."

December 24

The tribunal has identified six more potential suspects.

December 30

Judges refuse to review Khieu Samphan's detention, citing lack of jurisdiction.

December 31

Chea Leang reasserted her opposition to the trial of additional suspects and filed her response to Petit's statement of disagreement. Ieng Sary was discharged from Calmette Hospital for the second time this week due to blood in his urine and swollen hands and feet. His lawyer, Ang Oudon, said that Ieng Sary's health was undermining defense preparations and alleged that his continued detention was aggravating his health, saying, "At this rate, he will not be able to participate in the court."

2009

January 6

Human Rights Watch issued a report calling the tribunal "deeply flawed." It accused the Cambodian government of obstructing justice.

Chea Leang explained why there should not be additional suspects. She argued that additional suspects would go beyond the scope of the tribunal's mandate, make the trials even longer and more expensive, and impede national healing.

January 9

Attorneys for Nuon Chea sought criminal corruption charges against the top Cambodian officials at the tribunal.

January 11

Japan pledged a subsequent donation of USD 21 million to the tribunal.

January 12

Attorneys for Nuon Chea alleged that the Cambodian judges were utilizing intimidation tactics – such as threatening to sue them for defamation of the tribunal administrators – in an attempt to stop the corruption investigation.



2009 continued

January 12

Prosecutors submitted a list of witnesses in the trial of Duch. The judges will decide who will be called in the trial.

January 15

The Phnom Penh Municipal court announced that it would order tribunal employees to testify regarding graft charges.

January 19

The head of the defense section of the Tribunals endorsed the criminal corruption investigation and spoke out against the intimidation by Cambodian judges.

At the trial logistics meeting, it was determined that the trial of Duch would begin on February 17.

January 20

The tribunal started a media campaign to encourage victims to participate in the trial of Duch.

January 21

A survey conducted by UC-Berkeley revealed that 85 percent of Cambodians knew little or nothing about the tribunal, that one-third of those surveyed doubted the tribunal's objectivity, and that 23 percent believed it was corrupt.

January 27-February 17

There was a major dispute between Cambodian and international officials about the trial of additional defendants, with the former not wishing to pursue additional defendants and the latter believing the trial of additional suspects was necessary for the tribunal's integrity. Many believed Hun Sen was controlling the Cambodian prosecutors and judges in order to limit the tribunal's scope. According to Human Rights Watch, "The tribunal cannot bring justice to the millions of the Khmer Rouge's victims if it tries only a handful of the most notorious individuals, while scores of former Khmer Rouge officials and commanders remain free."

February 2

Germany said it would not donate additional funds to the tribunal until corruption charges were addressed.

February 9

The Phnom Penh Municipal Court's announced that criminal investigation into graft at the Khmer Rouge tribunal abruptly stopped.

February 12

The first textbook on the Khmer Rouge genocide was unveiled.



2009 continued

February 17

The trial of Duch began. While Francois Roux, a lawyer for Duch, spoke of Duch's remorse, he implored the court to "respect the rule of law, respect the rights of the accused and respect the principle of an adversarial proceeding" after the last-minute inclusion of a survivor of S-21 to the case. He also protested Duch's detention arguing, "A person cannot be kept in pretrial detention for more than three years under Cambodian law." Co-prosecutor Robert Petit declared that he would again seek joint criminal enterprise charges.

February 18

Lawyers debate the use of the Vietnamese video recordings of the S-21 prisons. While Robert Petit argued, "It is an absolute must for this trial chamber to have all available evidence," co-defense attorney Kar Savuth said that the film was Vietnamese propaganda.

February 20

A spokesman from the Cambodian side of the Tribunal, Reach Sambath, said, "We may not have any money to run the court next month." The court required another USD 44.1 million to operate through 2009.

February 20

Judge Prak Kimsan, head of the pre-trial chamber, rejected Khieu Samphan's appeal to have documents translated into French on the basis that the court's rules do not provide for appeals related to translation issues.

February 23

UN officials said there had been progress in resolving the alleged corruption issues.

February 24-27

The tribunal held public hearings in which lawyers for Ieng Thirith, Ieng Sary, and Khieu Samphan argued for their release from pre-trial detention due to health and evidentiary concerns.

February 24

At the first hearing, Ieng Sary denied wrongdoing, saying he dealt strictly with Chinese humanitarian experts, while Duch and Nuon Chea were responsible for the killings. The 76-year-old angrily yelled, "Don't accuse me of being a murderer, otherwise you will be cursed to the seventh circle of hell."

February 26

Ieng Sary was unable to attend the hearing to appeal his detention because an early-morning health examination resulted in his being taken to this hospital for the ninth time since his arrest in November 2007.

February 27



2009 continued

Khieu Samphan's appeals hearing was delayed because his attorney, Jacques Verges, failed to appear in court.

March 2

According to President of the Supreme Court Chamber, Judge Kong Sri, "The national side of the court will not have sufficient funds for the staff salaries for this month."

March 2

Lawyers for Nuon Chea requested testimony from Premier Hun Sen, former king Norodom Sihanouk, and other leaders who "are likely in possession of documents and information relevant to the pending judicial investigation." The lawyers also announced that they were filing a complaint due to the leak of these confidential filings.

March 3

Lawyers for Ieng Sary were warned that there would be consequences if they did not remove confidential documents regarding the investigations from the Internet within 24 hours.

March 5

Lawyers for Ieng Sary accused judges of infringing on their right to publicly protect their client, saying they were abusing confidentiality to reduce transparency.

March 5

A European Commission delegation pledged further support on the condition that corruption allegations were resolved.

March 10

Tribunal officials announced that they were in the midst of discussions with UN officials to release frozen funds if corruption charges were addressed.

March 12

The Cambodian Minister of Information said the Tribunal should focus on current suspects instead of "dragging their feet" by focusing on issues like additional defendants. He accused international judges of prolonging the process because "the longer they drag their feet, the more money they get."

March 16

Lawyers for Ieng Sary appealed the order requiring them to remove documents from their website.

March 18

Lawyers for the Civil Parties formally protested the fact that internal rule 89bis does not permit Civil Parties or their lawyers to respond to the prosecution's opening statement. They wanted a maximum of two hours to respond to the opening statement to be delivered



2009 continued

on March 30.

March 20

Judges ruled that Norng Chunpha, the only child to survive Tuol Sleng, would not be granted survivor status at the tribunal because he submitted an application two days late in February. While he could still testify as a witness, he would not be entitled to reparations.

March 20

Japan gave an "urgent" USD 200,000 to the tribunal to continue operations.

March 30

The trial resumed and a court official read the charges against Duch, accusing him of “crimes against humanity, enslavement, torture, sexual abuses, and other inhumane acts,” and described techniques utilized at S-21.

March 31

Duch took responsibility for the crimes committed at S-21 and asked for forgiveness. He also said he was a "scapegoat," as he did not have a leadership role in the Pol Pot regime, and only executed orders, despite knowing they were criminal, because failure to do so may have placed him and his family in jeopardy. Prosecutors made their opening statement. They said, "The accused was knowingly and intentionally in control of the entire Tuol Sleng criminal enterprise...S-21 formed an integral and indeed vital role in a widespread attack on the population of Cambodia. The accuser's crimes were part of this attack." They described the torture and murder tactics and the policy that “no one could leave S-21 alive,” while focusing on a few revealing stories. Duch's lawyers reaffirmed their client's statement, saying Duch was being prosecuted in place of those who committed the worst atrocities, and he was but one of 195 prison chiefs. He asked, “How can justice be done and how can the victims who survived accept this?” Hun Sen again voiced his belief that pursuing further defendants could cause the country to descend back into civil war. He said, "I prefer this court to fail...I won't allow war to re-occur in Cambodia."

April 1

Lawyers for Duch requested that he be detained apart from the other four defendants since his testimony might implicate them. The defense further added that Duch's ten-year pre-trial detention amounted to a violation of his rights. The prosecution challenged the request, saying moving Duch out of the tribunal could place him at risk from retaliation by victims and their families. Duch accepted all 260 charges against him, objecting only to the nomenclature of Tuol Sleng, saying it was called S-21 and renamed Tuol Sleng after the collapse of the regime. The prosecution inadvertently said that Nuon Chea had commanded Duch to murder four groups of prisoners and conduct research on poisons using prisoners.

April 2

Ieng Sary sought release at an appeal hearing.

2009 continued

April 3

Khieu Samphan appealed his pre-trial detention. Judges rejected a request to investigate corruption at the court, saying such an investigation would be outside their jurisdiction.

April 3

A top UN legal officer, Peter Taksoe-Jensen, discussed whistleblower protection for tribunal employees. Duch blamed America's support for General Lon Nol during the Nixon Administration for the rise of the Khmer Rouge. He said he "sacrificed everything for the revolution" and said his role as a prison chief "was unavoidable...I hated to do it." Duch said the purpose of M-13 prison, open from 1971-1975, was "detaining, interrogating, and smashing people" suspected of espionage in areas "liberated" by the regime. The incarcerated, he said, remained shackled all the time in inhumane conditions and were fed very little.

April 7

Duch told the tribunal that prisoners would be forced to write confessions, which he would read before ordering torture and killing. He said, "I never believed the confessions I received told the truth. At most, they were about 40 percent true." Duch claimed he was put in charge of S-21 after impressing Pol Pot leaders with his stewardship of M-13.

April 8

Peter Taksoe-Jensen and Sok An failed to reach an agreement about combating corruption after three days of talks. That notwithstanding, Taksoe-Jensen submitted a proposal for Sok An to review.

April 8-9

François Bizot, a French anthropologist abducted by the Khmer Rouge and detained at M-13 for three months, was the first witness to testify. He said Duch was not a "monster" but rather a communist revolutionary, like some of his friends in Paris, who was on a "mission."

April 20

The Australian government authorized the UNDP to release the AUD 456,000 it had pledged to the tribunal. That notwithstanding, the UNDP said it "was not in a position to release the funds at this time," citing the unresolved graft investigation. Tribunal officials, who had planned to use the money to pay April salaries, said the UNDP should follow donor requests.

April 21

Duch testified that prisons like M-13 had captivity pits dug two meters into the ground to keep prisoners from escaping, and to protect them from American B-52 bombings. Despite not being his original intention, Duch said that M-13 "was not just harsh but cruel and heinous. It was the place where humanity was smashed." He said he created a state of fear that caused guards to carry out his orders, because if they failed to



2009 continued

comply they were scared of being beheaded. Chan Khorn, a former guard at M-13 who worked under Duch, said none of the guards disobeyed Duch.

April 22

Duch testified that Pol Pot lied when he said he was unaware that S-21 existed and was established by the Vietnamese as propaganda in a 1997 interview. Duch said this false account led him to speak to British journalist Nic Dunlop, who found him in hiding in 1999. He said that, despite the absence of a written order, "Pol Pot was the one who initiated the idea, Son Sen implemented it, and Nuon Chea is the one who did the follow up." Duch further testified that after he was found in May 1999, UN officials duped him into confessing and gave him USD 50 to travel to Thailand where he would be arrested by international authorities, who would bring him to trial in Belgium. Duch declined this offer.

April 23

Duch said "S-21 was under the supervision of Professor Son Sen," and revealed that "All security offices, including the S-21 office, had the duty to detain and interrogate and finally to smash – that is to kill." He also said that the rape of a female detainee caused him to hire the wives of five subordinates to interrogate women in the prison. He said, "As chairman, my main duty was to report on confessions of those who were tortured. I, myself, annotated those confessions in order for my superior to understand."

April 27

Duch said the sign containing such rules as "while getting lashes or electrification you must not cry at all" was "fabricated by Vietnamese when they came in." He again discussed how his job was to review documents and the forced confession, though there was at least one time when he himself interrogated an important prisoner. He attributed his appointment to run the center to being "very faithful and honest to" the regime.

April 28

Duch testified that he sought to distance himself from S-21, but Son Sen and Nuon Chea were not amenable to this and he followed their orders. He also said that staff were purged for minor mistakes. Though Duch previously testified that the sign containing the ten rules by which prisoners were to abide was Vietnamese propaganda, surviving guard, Him Huy, testified the rules were real and that Duch wrote each one. Judges announced that they would not rule on Duch's release for the duration of the trial until June 15.

April 29

Duch denied waterboarding or suffocating detainees because of the risk of death, saying that "the normal beating technique and the electrocution technique with use of a telephone (line)... which was connected to an electric current to electrocute prisoners" were employed. The War Crime Studies Center reported, "The initial estimates of the trial completing in 12 weeks now seem somewhat unrealistic... Given the chamber is yet to hear an estimated 49 further witnesses, proceedings may continue till at least the end of



2009 continued

2009.”

April 30

Duch called Pol Pot worse than China's "Gang of Four," saying he "evacuated all the people from Phnom Penh city, smashed the former regime officials, smashed the capitalists, smashed the intellectuals. So... only the peasant worker class remained." He further said, "When people were perceived as enemies and arrested and sent to S-21, no one was entitled to release them. Even Pol Pot, the most senior person in the Khmer Rouge, acknowledged that he had no right to release any people.” Duch reaffirmed that knew he was committing "all kinds of...serious crimes," but did not protest to ensure that he and his family would be safe.

May 1

Japan donated USD 4.17 million to the Cambodian side of the tribunal to fund salaries.

May 4

It is reported that former king Norodom Sihanouk's representatives said calling him to the tribunal would violate Cambodian law.

May 5

The court rejected Nuon Chea's appeal for bail.

May 6

Duch testified that Nuon Chea bore ultimate responsibility for the death camps. He said 196 Killing Fields existed between 1976 and 1979. Duch further said that the Chinese diplomatic and trade officials in Cambodia were kept shielded from the killings. A recess began.

May 7

Australia again asked for its funds to be released by the UNDP.

May 11

The court rejected bail for Ieng Thirith.

May 12

Lawyers for civil parties requested access to documents concerning the graft investigation.

May 14

A UN spokesman said the UN "would expect" Cambodian officials to give the UN the findings of the corruption investigation.

May 15

The Cambodian government revealed that it was investigating foreign staff at the tribunal.

2009 continued

A foreign lawyer called this "childish and thuggish." Later in the day, the government said it was investigating claims of "misdeeds," not monitoring staffers. The United States said that it should handle these investigations.

May 18

The trial of Duch resumed. Duch admitted to forging confessions to implicate the regime's continually changing political enemies, resulting from the power struggle between Ta Mok and Pol Mok. Later, expert Craig Etcheson testified about the structure of the regime, focusing on its statutes that each level of cadre frequently report to superiors and the fact that cadres who were "not pure" were subject to "disciplinary measures," including death. The tribunal shuffled some personnel.

May 19

Craig Etcheson continued his testimony. He spoke of the "widespread purges throughout Democratic Kampuchea," saying over 1,000 Khmer Rouge cadres from the eastern zone and over 1,000 from the northwest zone were sent to S-21, as were over 1,400 people from regime ministries. Defense lawyer Francois Roux raised an objection to a report discussed by Etcheson since it allegedly said little about S-21, but the objection was rejected by judges.

May 21

Judges warned Jacques Verges, the French lawyer for Khieu Samphan, that he could face dismissal if he continued making "unsubstantiated" allegations and using "abusive and insulting" language.

May 22

Clint Williamson, the American ambassador-at-large for war crimes, said the tribunal was making "real progress," but spoke of the need for the court to address corruption.

May 25

The Cambodian government declared that it would collaborate with the United States on the corruption charges, but stressed that "The US is just a facilitator...a friend of the court" without "any power to make decisions."

May 26

A government official said that the press's critical reporting "could cause justice to escape the Cambodian people...A few foreign newspapers in Cambodia should be more professional in publishing articles related to corruption allegations." Former editor of the Far Eastern Economic Review, Nayan Chanda, testified about how the Khmer Rouge's communist revolution in 1975 became a territorial conflict with Vietnam. Duch disagreed, saying that could be said about Korea, but "As for us and Vietnam, we never had any joint territory." He further stated, "I did not think of Pol Pot as a patriot. He had blood on his hands. Pol Pot used the slogan that if we wanted to defeat the Vietnamese we had to be clean in our ranks and clean in ourselves...In that conflict Pol Pot was a murderer, and more than one million people were killed under the hand of Pol Pot."

2009 continued

May 27

French judge Marcel Lemonde said he would quit if he felt there was government interference in his work. Japan pledged to help preserve the Tuol Sleng genocide museum by signing a three-year agreement. Craig Etcheson testified, "S-21 was unique. It was... considered an organ of the government or the communist committee."

May 29

A high-ranking government official denied the government was preventing judges from interviewing witnesses working in the Cambodian government. Craig Etcheson testified that the torture methods used at S-21 were even more brutal than those used at other prisons. They included "burning, removing fingernails and toenails, putting salt or saltwater on wounds, tormenting people with poisonous insects." In response to questions from civil party lawyer Alain Werner, Etcheson said that "smash means something more than killing...It was to smash into little pieces." He added that starvation was a common form of "smashing." Defense lawyer Kar Savuth denied Etcheson's claim that S-21 was the biggest torture location.

June 1

Foreign Minister Hor Namhong stated the tribunal must balance the need for justice with the need for stability. Prime Minister Hun Sen said that expanding the scope of the tribunal's jurisdiction and charging additional leaders could divide the country.

June 3

International Co-Prosecutor Robert Petit declared that the ECCC judges cancelled a hearing to announce whether further prosecutions would progress. The judges' decision would resolve the months-old legal wrangle between Petit and his Cambodian counterpart, Chea Leang, who had sought to block further prosecutions, cited concerns for national stability.

June 4

The Court's security team planned to conduct investigations on the thefts of official documents including drafts of a letter to court official. Suspects claimed the letters were stolen from the defense counsel. The names of those who allegedly stole the documents have not yet been released.

June 5

International co-lawyer Michiel Pestman said one of his team's confidential documents was found floating in a "moat" or a half-meter wide "ditch filled with water lilies." The document is said to be a draft letter signed by members of the Democratic Socialist Perspective's (DSP) Leninist Party faction.

June 8

The defense team for Khmer Rouge foreign minister Ieng Sary raised concerns about the appointment of former tribunal spokeswoman Helen Jarvis as the head of the courts

2009 continued

Victims' Unit. The letter argues that Jarvis' political views compromise her role and conflicts with her outreach responsibilities.

June 8

Duch accepted responsibility for murdering children of inmates as chief jailer of S-21 during the Khmer Rouge.

June 10

Duch testified that Khmer Rouge ideologies utilized a variety of theories practiced by Marx, Lenin, and China's "Gang of Four." Duch testified that hundreds of Vietnamese civilians and prisoners of war were put to death after being accused of espionage.

The Court postponed hearing eye-witness statements of former deputy chief Mam Nai and guard Him Huy.

June 10

A tribunal spokesman confirmed that no official documents were stolen from defense attorneys; attorney Michiel Pestman suspected theft after he found confidential papers floating in a pond near his office.

June 11

Duch testified that Khmer Rouge officers forced Buddhist monks to disrobe. Efforts such as these, or even killing monks, were intended to dismantle Buddhism as the national religion.

June 15

Court judges found that under Cambodian law, Duch was illegally detained over the past decade.

Duch broke down in tears while testifying that S-21's own guards and interrogators were among those executed, sometimes for minor mistakes.

June 16

Duch testified that some inmates had blood completely drained from their bodies or were used for medical experiments.

June 17

Duch testified he only once visited Choeung Ek, the country's most notorious "killing field," and that he witnessed only one execution at S-21 jail.

Duch testified that Pol Pot, former Khmer Rouge leader, ordered the killing and burning of four Western prisoners, who were captured while sailing in Cambodian waters.

June 19

Victims of the Khmer Rouge questioned Helen Jarvis' ability to lead while she is currently a member of a Leninist party.



2009 continued

Prime Minister Hun Sen asked Surya Subedi, the new UN human rights envoy to Cambodia, for an "explanation" as to why a UN representative wanted to try Duch out of the country nearly ten years ago.

June 22

Prosecutors argued that Duch lied about the seniority of his position during the regime in order to protect himself; Duch maintained he merely followed orders from above.

June 23

Duch testified that he was "shocked" when confronted with his bloody past and continues to pray for forgiveness annually.

June 23

Chea Leang, Deputy Prosecutor at the Court of Appeal, is expected to be promoted as general prosecutor of the Supreme Court.

Canadian Co-Prosecutor Robert Petit announced his decision to resign from the tribunal, citing personal and family reasons.

June 24

Defense attorneys played video footage of Duch breaking down into tears two years earlier while delivering a speech to victims; this caused Duch reassert that he prays for forgiveness "all the time."

Duch testified that pregnant women at S-21 were not "well treated;" he said they were not allowed to go to the hospital and instead gave birth to their children in traditional ways without expert nurses.

June 24

Co-Prosecutor Robert Petit confirmed that his resignation did not result from disagreements with his Cambodian counterpart about pursuing additional witnesses.

June 25

In a press conference, Co-Prosecutor Robert Petit detailed failings of the court; these include the inability of the tribunal to explain itself to Cambodians, the tribunal's lack of funding, and the role of the Cambodian government in court proceedings.

June 25

Duch testified his repentance is possible because he is a new person and that every member of the communist party should apologize and take responsibility for their actions.

June 26

The National Assembly's decision to strip two opposition lawmakers of their parliamentary immunity has caused observers to note a large gap between Cambodian law and the country's daily reality.



2009 continued

Christopher Peschoux, the head of the UN Office of Human Rights in Cambodia, reiterated that he did not attempt to help Duch leave the country and be tried in another court.

June 29

Survivor Vann Nath testified that he was only spared from death because he painted propaganda portraits of Khmer Rouge leader Pol Pot.

June 29

The Documentation Center of Cambodia plans to offer a one-week course where twenty-four education officials will learn from genocide experts and receive training on how to teach the history of the Khmer Rouge regime.

July 1

Bou Meng, a survivor of the Khmer Rouge's main prison, begged Duch to reveal the truth about his wife's death so he could know where to pray for her soul. The 68-year-old described how he was tortured to make him confess to being a CIA spy but escaped death after he was put to work painting pictures of former leader, Pol Pot. Bou was one of only seven people to survive the prison, where more than 12,000 men women and children died during Pol Pot's 1975-1979 "killing fields" reign of terror. Duch broke down in tears as he responded that Bou Meng's wife had presumably been murdered at Choeung Ek.

July 2

A former child prisoner described to the Court the last time he saw his mother before she was murdered. Norng Chan Phal, who is one of just the survivors from the S-21 prison in Phnom Penh, told the court he was separated from his mother shortly after they arrived at the facility.

July 3

Judges rejected the appeal made by Khieu Samphan, the former Khmer Rouge head of state, to be released from jail before his trial at the Court. The former leader appealed for his release in April, but judges ruled his detention was necessary to protect his security and preserve public order.

July 6

Defense lawyers for Khmer Rouge foreign minister Ieng Sary accused judges of barring defense teams from filing on a controversial conspiracy doctrine under which leaders could be charged with crimes they did not directly commit. According to lawyers Michael Karnavas and Ang Udom, the Trial Chamber denied a request to make submissions on Joint Criminal Enterprise, a legal doctrine that can be used to convict a defendant of crimes committed by other people in furtherance of a common plan or cause.

July 7

Phork Khan, a survivor of the notorious Khmer Rouge torture prison S-21, testified he escaped death by crawling from a pit of corpses at a mass execution site and floating



2009 continued

down a river on a plank of wood. He stated guards pushed him into a mass grave at a site somewhere on the outskirts of Phnom Penh, which he believes was the infamous Choeung Ek.

July 8

Chin Meth, the first to offer testimony as a female survivor during Duch's trial, told the Court that her ankles and wrists still bear scars where she was bound for beatings – attacks that sometimes lasted until she passed out. She stated "They beat me with a wooden stick. They twisted my ankles with pliers... While they tortured me, they tied my hands behind my back and beat me very seriously. It was terrifying."

July 9

Nam Mon, a woman who survived S-21, testified that her two elder brothers were guards at the notorious jail, while she initially lived and worked as a medic before being interrogated. Her first brother killed her father, and was executed because he had hesitated before murdering his father. The witness also testified to how she was transferred to the "re-education center," S-24, where she was forced to dig graves for the corpses of children.

July 10

The Alaska Bar Association decided not to take action against Michael Karnavas, defense lawyer for Ieng Sary, after judges at the Khmer Rouge tribunal threatened to sanction him in March for publishing court documents on an independent Web site.

July 13

Mam Nai, a former chief interrogator at S-21 and the second-most senior member of the prison staff still alive, denied holding any position of responsibility at the prison. He told the court he was merely a low-level interrogator who questioned less important detainees and he had not seen anyone tortured or killed while at the prison.

July 14

A controversial legal doctrine threatened to disrupt Court proceedings after lawyers moved for a key witness to be halted until he consulted a lawyer. The motion made by Francois Roux, co-lawyer for Duch, occurred after former S-21 prison deputy Mam Nai had been sworn in. Roux questioned whether Nai's testimony could be used against him under a conspiracy charge being pushed by the prosecution and pending a decision by the chamber.

July 15

Duch implored his former deputy, Mam Nai, to tell the truth and admit responsibility for the torture that occurred at S-21 during the Khmer Rouge.

Interrogator Mam Nai told the Court that he was overcome by fear when Duch stripped him of his main duties after prisoners said he visited their homes. He testified that regardless of their loyalty or high rank, Khmer Rouge officials could be arrested and executed on suspicion of being traitors. Mam Nai was allegedly responsible for torturing high-ranking officials of the Communist regime.



2009 continued

July 16

Former guard Him Huy testified that prisoners thought they were being freed when they were actually being led to Cambodia's killing fields. He stated, "All prisoners were blindfolded so they did not know where they were taken and their hands were tied up to prevent them from contesting us."

July 20

An aide to former King Norodom Sihanouk reaffirmed the King's refusal to cooperate with the UN-backed Khmer Rouge tribunal, even if the court calls him to testify. The response came amid reports that investigating judge Marcel Lemonde sent a request to the former monarch to testify as a witness in upcoming trials of jailed leaders of the Khmer Rouge.

July 21

Prak Khan, former interrogator at the main Khmer Rouge prison told the Court, how Duch often taught his staff torture methods using electric shocks and suffocation.

July 22

The UN will appoint a new spokeswoman, Yuko Maeda, for the Khmer Rouge tribunal, to replace Peter Foster, who resigned in December 2008. She will work closely with spokesman Reach Sambath, her Cambodian counterpart.

July 22

Duch told judges that he did not need his subordinates to face trial for the deaths of S-21 inmates, as he refuted the testimony of interrogator Prak Khan. Duch said Khan's testimony was mostly untrue and denied Khan's story about his staff tossing an 8-month-old infant out of a second story building. Duch concluded that Khan, and other subordinates, were speaking out of fear.

July 23

Cambodian prime minister Hun Sen's called to limit prosecutions at Court bring into question the independence of the tribunal. New York-based Human Rights Watch, a leading human rights group, alleged that Hun Sen has attempted to control the Court by asserting war could return to Cambodia if cases are brought against additional members. This accusation was a response to Sen's comments to French President Nicolas Sarkozy which called into question the role of government and the ECCC.

July 27

Rob Hamill will testify before the Court, one day short of 31 years after his brother, Kerry Hamill, was abducted, tortured and killed by Pol Pot. Kerry's yacht strayed into Cambodian waters and he was captured and sent to S-21, along with over 12,000 others who entered the torture center gates.

2009 continued

July 28

Duch responded to witness testimony of subordinate interrogators, by stating “I am the top criminal responsible for all the acts committed at S-21, responsible for all the lives lost at S-21. I am responsible emotionally and legally.” Duch has previously accepted responsibility for his role governing the jail but he has consistently rejected prosecutors' claims that he held a central leadership role in the Khmer Rouge.

July 28

A former guard and bookkeeper at the S-21 torture and extermination center, Suos Thy, stated that up to 200 children were separated from their parents during their time at the camps. It was the first time a number had been put on the children killed at the camp. These statements contradicted earlier testimony when a man explained that as children, he and his brother survived at the camp before the Vietnamese topped the Khmer Rouge.

July 29

The Khmer Rouge tribunal headed into a short recess after hearing the testimony of former guards of S-21. Reach Sambath, the tribunal's chief spokesman, said more than 13,500 people have attended 51 days of public hearings since the Court opened its doors.

July 30

The New York City Bar Association urged Prime Minister Hun Sen to investigate reports of corruption allegations at the tribunal. The association outlined concerns that attorneys working in Cambodia, including three international lawyers, were being threatened with criminal charges.

July 30

Judges decided against allowing the use of footage of Tuol Sleng prison shot by Vietnamese troops in 1979 as evidence in the Duch's trial, citing time restrictions and concerns that the footage would be repetitive. Prosecutors believed the footage was necessary to demonstrate inhumane conditions at S-21. Defense attorneys for the accused previously argued the authenticity of the footage had never been verified.

August 3

With a UN-backed tribunal underway for five top Khmer Rouge leaders, Cambodia's government will include a text on the Khmer Rouge in its 2009 high school curriculum. Half a million copies of [A History of Democratic Kampuchea](#) are being distributed to more than 1,300 schools across the country for grades nine through 12.

Sek Dorn, a former medic at the most notorious Khmer Rouge prison in Cambodia told the Court he treated people with missing fingernails and toenails, stating that hundreds of prisoners died from torture wounds. Dorn stated that he did not personally witness the torture, but saw the effects during medical treatment.

August 5

Cheam Soeu, who joined the Khmer Rouge as a youth and served as a guard at S-21,



2009 continued

testified that he watched a Western prisoner being burned alive. Duch denied this statement and told the Court his orders were to first kill the prisoners, and then burn to ashes. Cheam Soeu said he constantly feared that if he did something wrong he would face the same fate.

August 7

David Chandler, a history professor from Australia's Monash University characterized S- 21 as an "anteroom to death" and called Duch "an enthusiastic and proud administrator of S-21 who worked out techniques and organizational methodology from scratch." Chandler also discussed at length the Khmer Rouge's priority on secrecy and obsession with conspiracy theories.

August 7

Khmer Rouge tribunal officials met with local rights organizations Friday in a bid to strengthen cooperation between the court and civil society and to improve outreach to victims of the regime. The goal was to avoid repetitive outreach activities. The group also intended to inform the public about court proceedings and encourage them to file testimony or complaints as civil parties in upcoming trials.

August 10

Witness and former guard, Saom Meth, testified that he saw Duch beat and personally torture an inmate with a stick. Saom Meth also described various torture techniques used at the jail, including the insertion of electric wires into the ears and the ripping out of prisoners' fingernails.

A former Khmer Rouge prison guard, Chhun Phal, told the Court that he was ordered to dump corpses into a mass grave. After disposing of corpses for two hours, Phal and eleven other guards dug two more pits to add to the hundreds of mass graves at the Choeng Ek.

August 11

Duch admitted for the first time that he tortured a prisoner personally and confirmed the testimony of comrade Saom Meth who had told the Court that he witnessed Duch beat an inmate with a stick. Regardless of this confession, Duch admitted his most serious crime was the "political indoctrination" of his staff at S-21 to make them consider inmates as enemies of the Khmer Rouge party. All the crimes committed at S- 21, regardless of forms of torture used and regardless whether the Special Forces used or transported the prisoners to be executed somewhere else, they had to do it because of my instruction," he said.

Duch told the Court he wanted the "strictest level of punishment." The defendant stated, "I accept the regret, the sorrow and the suffering of the million Cambodian people who lost their husbands and wives. I would like the Cambodian people to condemn me to the harshest punishment."

August 12



2009 continued

The United Nations and Cambodia announced an agreement to establish an anticorruption watchdog to oversee the organization of the Tribunal and bring to justice the perpetrators of the country's "Killing Fields." They designated an Independent Counsellor to represent a further step in strengthening human resource management in the ECCC administration and promote anticorruption measures. The parties mutually agreed to appoint Cambodian Auditor General Uth Chhorn to the position.

August 15

Olympic rower, Rob Hammill, and a woman who was still in the womb when her father was sent to the torture facility are among a group of 18 civil parties expected to testify as the Court begins to hear from relatives of victims who were tortured and killed in S-21. Silke Studzinsky, another civil party lawyer, said the testimony would also provide more information on some of the regime's "direct victims."

August 18

New Zealand rower Rob Hamill confronted Duch, who ordered the torture and execution of his brother 31 years ago. Duch made no remarks.

Antonya Tioulong, whose father served as prime minister in 1962, testified that Duch's crimes as a prison administrator were unpardonable. Tioulong told the Court about her sister Raingsi who was brutally tortured while she was imprisoned at S-21.

The wife and eldest daughter of Professor Phoeung Ton, who are part of the KRT civil party addressed Duch during Wednesday's hearing. Prof. Phoeung Ton was a professor of international and maritime law, and he was also Duch's former professor; Professor Ton was brought into S-21 for questioning and he disappeared around 1977.

August 20

Tribunal spokesman, Reach Sambath, announced that a verdict in the trial of chief jailer Duch, is expected by early next year around the end of September. The Court promised a "fair and just" verdict. Several foreigners and Cambodians arrived at the Court to testify about the effects on their lives of losing loved ones in S-21. Presiding judge Nil Nonn warned witnesses to only give evidence and not to use the hearing to "take revenge."

Duch told the Court that he was incapable of helping his friends. Despite his love and respect for them, he considered them "enemies of the revolution" and he did not spare them in S-21.

August 27

Duch, whose real name is Kaing Guek Eav, told the Court that he adopted the nickname 'Duch' as his revolutionary name because he wanted a name in Khmer – the national language of Cambodia. He further explained that his revolutionary name because it was one used by a good student in a book he studied when he was young. "So Duch is a good one and has Khmer character. That's why I used Duch."

Representatives of civil party complainants will not be allowed to weigh in on Duch's



2009 continued

punishment, despite two of the four groups requesting they be allowed to share their opinions on the appropriate punishment. Hong Kim Suon, a lawyer for one of the civil parties, called the decision “unfair to victims,” though defense lawyers for the accused said it helped maintain balance and fairness in the proceedings.

August 28

Efforts to bring Khmer Rouge survivors residing in the US to file with the Court continued as the deadline for filing approached (for Case 002). Civil parties and witness statements are an integral part of the UN-backed court, and are used in the hopes of providing some national reconciliation to the process.

August 28

Duch claimed reasons ranging from a broken heart to disenchantment with the Lon Nol regime influenced his decision to join the Communist Party of Kampuchea (CPK).

August 31

Mental health experts testified that Duch did not suffer from any mental disorders despite having overseen the killing of thousands of people. French psychologist Francoise Sironi-Guilbaud and Cambodian psychiatrist Kar Sunbaunat concluded that Duch lived with “disappointment, but lacked sympathy for others.

Lawyers representing victims of S-21 decided to boycott the Court after being barred from questioning a defendant about his personality and state of mind. The move, made by victims’ attorneys, came after attorneys were told they could not question Duch about his character.

September 1

Testimony from two psychologists revealed that Duch does not suffer from a mental disorder, but his motives in running S-21 were backed by his personal experiences and desire for praise. The expert witnesses predicted a successful and rehabilitative integration back into society for the leader.

September 2

The Acting Director of the Office of Administration of the ECCC forwarded the “Considerations of the Pre-Trial Chamber Regarding the Disagreement between the Co-Prosecutors Pursuant to Internal Rule 71” to the two Co-Prosecutors. The Considerations declare that the Pre-Trial Chamber has yet to assemble an affirmative vote of at least four judges on the Disagreement. This allowed the International Co-Prosecutor to open judicial investigations with the Co-Investigating Judges. The ECCC decided to open judicial investigations of five to six suspects, who served as lower-level members of the communist movement. Investigations open up the possibility of prosecutions, though many oppose this move in fear of sparking a civil war in Cambodia. Cambodian judges are projected as unlikely to gain support from the public to block further indictments of Khmer Rouge leaders.

2009 continued

September 2

Duch declared he made several attempts to avoid the position of director of S-21 but was forced to do so in order to save the lives of himself and his family.

Duch testified that Pol Pot's revolutionary vision restructured education, the economy, and religion; Duch highlighted that the flaw of this philosophy was that it led to a paranoid regime whereby Cambodians struggled for survival.

September 2

A tribunal official reported that the ECCC has included more victim participation than any other genocide court in history.

September 3

Despite a nine-month disagreement concerning the debate about how further indictments would affect national security, the ECCC decided to pursue exploration of additional suspects. National and international co-prosecutors remain divided on the issue.

September 4

A group of civil parties protested the ruling that civil party attorneys would not be allowed to question character witnesses. Members of the civil parties cited that this unjustly restricted their participatory rights in a trial where "enhanced recognition of victims" is held in high regard.

September 7

Cambodian Prime Minister Hun Sen renewed strong warnings concerning the Court's decision to investigate additional suspects. Judges foresaw more complicated issues arising should they proceed towards a second trial.

Prime Minister Hun Sen warned prominent Khmer Rouge researcher Youk Chhang to clarify his position regarding the PM's resistance to the judge's decision of investigating more suspects.

Youk Chhang recanted earlier statements which caused tension between himself and the prime minister, about advocating additional charges against other Khmer Rouge leaders.

September 7

Canadian Co-Prosecutor Robert Petit speaks about his struggle to bring killers to justice as he departs the ECCC after three years of service.

September 8

Though the names of additional suspects have not been released, a co-prosecutor formally recommended that the court investigate five more senior officials for crimes against humanity; the proposal was recommended to co-investigating judges who will decide on the appropriate next steps.

September 8



2009 continued

The Acting International Co-Prosecutor and Office of the Co-Investigating Judges filed second and third introductory submissions to open judicial investigations.

September 9

Prime Minister Hun Sen accused the tribunal of pursuing new suspects as a ploy by other governments inciting unrest within Cambodia.

September 14

Attorneys for two of the civil party groups decided to appeal a decision that restricts them from questioning character witnesses.

A defense witness testified that Duch is being used as “scapegoat” for the injustices of the regime since other chief jail leaders have already died.

Former chief prosecutor Richard Goldstone, who served as a judge in international courts adjudicating atrocities in Rwanda and Yugoslavia, testified as an expert witness; he asserted that confessions made by Duch might bring other ex-cadres to admit crimes.

September 14

The United Nations declared Cambodia's Tuol Sleng Genocide Museum a “Memory of the World” site for its significant historical documents.

The Applied Social Research Institute of Cambodia hosted several events to provide survivors and families of victims the opportunity to provide testimony that could be used in trial against former leaders.

September 15

The Christian minister who baptized Duch testified that Duch’s conversion from Buddhism to Christianity was sincere and not a pragmatic decision to gain forgiveness.

Duch testified that after his brother-in-law was accused of espionage, Duch jailed and tortured him in S-21.

September 16

Duch ended his testimony by apologizing and inviting victims to visit him in prison.

September 18

Chief Judge Nil Nonn officially adjourned the trial, thereby officially ending the opportunity to enter testimony or evidence.

September 22

The Documentation Center of Cambodia plans to release a book titled On Trial: the Khmer Rouge Accountability Process which details politics behind the establishment of the court, analyzes challenges of this process, and assesses the proceedings of the first case.

September 23



2009 continued

Observers questioned the role and effectiveness of the tribunal's independent counselor Uth Chhorn, as he prepares to face the media for the first time.

September 24

Villagers in a northwestern Cambodian village plan to raise money to help restore a Khmer Rouge communal dining hall; the dilapidated wooden structure is meant to remind Cambodians of the victims' hunger during the regime.

September 24

The tribunal's independent counselor Uth Chhorn intends to collect information and complaints from staffers at the ECCC.

September 30

Survivors residing in Oregon are given the opportunity to file testimony and document evidence of their experiences during the Khmer Rouge regime.

October 4

An article appearing in the September 30 issue of the French newspaper *Le Monde* suggested that Im Chaem, who served as chief of Preah Net Preah district in Banteay Meanchey province during Democratic Kampuchea, is among the five suspects named in introductory submissions filed by the prosecution last month. UN court spokesman Lars Olsen on Sunday said the report was "pure speculation."

October 7

The Court summoned six top government and legislative officials as witnesses against leaders of the late regime. In a move opposed by the Cambodian government, letters signed by the French investigating judge called on officials to testify in the second case against former leaders for war crimes and crimes against humanity. Current senate president Chea Sim, national assembly president Heng Samrin, foreign minister Hor Namhong, finance minister Keat Chhon and senators Sim Ka and Ouk Bunchhoeun were each "asked for a hearing as a witness."

The Victim's Unit of the tribunal received civil party applications from ten victims who say they were subjected to forced marriage during the regime. In groups of up to twenty, the victims were gathered in community halls and told to marry strangers, which nobody dared to refuse openly for fear of punishment. The press release, issued by the Cambodian Defenders, argued that the population policy is a crime against humanity; yet the UN court spokesman Lars Olsen noted Tuesday that the decision on whether to recognize forced marriage as a crime would be up to the Trial Chamber.

October 9

Cambodian Prime Minister Hun Sen said he found it strange that the Court had summoned six top government and legislative officials as witnesses and questioned this decision to bring "plaintiffs" in as witnesses.



2009 continued

October 9

Foreign Affairs Minister Hor Namhong, one of the six senior members of Prime Minister Hun Sen's Cambodian People's Party summoned before the Court, stated he wanted to check his schedule before deciding whether to testify at the Court.

October 11

Sa Sovan, defense attorney for former Khmer Rouge head of state Khieu Samphan, said he would file a motion to seek the removal Judge Marcel Lemonde for bias in the investigation of his client. The move followed a similar motion filed by the defense team for former Khmer Rouge foreign minister Ieng Sary, who demanded that Lemonde be disqualified from the Court. The motions are a response to the sworn statement by Lemonde's former chief of intelligence and analysis, who alleged the Investigating Judge told subordinates to favor evidence showing suspects' guilt over evidence of their innocence.

October 14

The defense team for former Khmer Rouge foreign minister Ieng Sary reiterated the contents of a request filed in May 2009, which sought information about the ongoing investigation of four former leaders. Defense attorneys said they have yet to receive a timely response from the Office of Co-Investigating Judges.

October 30

In a motion filed last week, two pre-trial judges, including Australian Rowan Downing QC, have been accused of taking instruction from their respective governments. The lawyers of accused war criminal Ieng Sary filed a motion requesting the two pre-trial judges to be removed from the court due to a public perception of bias.

November 3

A senior representative from the ECCC Victims Unit states the role of the ECCC is not only to find justice, but also to heal and unify the country. Though there is no consensus on general compensation for the victims, the spirit of the tribunal is to conduct trials that meet international legal standards, keeping in mind that victim outreach is a large component.

November 5

Judges outlined the progress of the second case and continued to urge victims to file as witnesses. Thus far, the investigation has covered 16 province officials, 13 detention centers, and multiple execution sites. Investigators have found instances of forced evictions, forced marriages, and crimes against ethnic minorities.

November 6

The tribunal formally distributed a list of twenty execution sites, security centers, cooperatives, and work sites amongst other investigatory details relating to Case No. 002.

2009 continued

November 20

A new weekly television show has been effective in disseminating to the Cambodian public summaries of testimony and evidence and information on how the courts are run.

November 23

Attorneys began the closing arguments of Duch's trial. Prosecution lawyers asserted that Duch had "broad autonomy" in running these death camps.

November 24

Prosecution attorneys demanded a lengthy prison sentence for Duch. Defense attorneys urge judges to take into account Duch's attempts to apologize and his remorse regarding his actions.

November 25

Prosecution attorneys pleaded for a 40-year prison sentence for former leader Duch, believing that this time could help him reflect on "his conscious and free choice to abandon all respect for human life."

November 25

Duch expressed his "excruciating remorse" for his actions and role as top jailer during the Khmer Rouge regime. He stated he wants to share the sorrow of the Cambodian people and meet with the families so he can apologize directly.

November 26

Defense attorneys presented two contradictory closing arguments on behalf of Duch, hence discrediting their argument. Duch's international defense lawyer Francois Roux, told the court that the closing arguments advanced on Wednesday by his Cambodian counterpart, Kar Savuth, had undermined Roux's own planned closing. Kar Savuth told the tribunal that Duch, who is charged with crimes against humanity, war crimes and crimes under Cambodian law, should be freed for a number of reasons, including his contention that international law did not apply and the statute of limitations under the Cambodian law had expired.

November 27

In the last few minutes of his trial, Duch asked to be acquitted and released – a shocking plea in light of the proceedings to date. The verdict and sentence are to be expected in a few months.

The tribunal turned its attention to its second case, despite the refusal of six governmental officials to appear as witnesses and summonses remaining unanswered.

The ECCC Pre-Trial Chamber rejected a request made by attorneys representing foreign minister Ieng Sary. The request called to examine two judges for potential bias. The Pre-Trial Chamber ruled the submission as "inadmissible" and "unsupported by evidence."

December 1



2009 continued

Attorneys representing Khmer Rouge Brother No. 2 Nuon Chea requested the tribunal to investigate alleged government action to block the testimony of six government officials. Though the testimony was requested in September, the filing stated the government had decided the officials would not appear in court.

December 1

The tribunal declined the request to investigate two judges that were allegedly receiving instructions from their respective governments about trial proceedings.

December 2

United Kingdom attorney Mr. Andrew T. Cayley is appointed as new international Co-Prosecutor. Mr. Nicholas Koumjian of the United States is appointed reserve Co-Prosecutor.

December 3

Prime Minister Hun Sen denied any interference with the UN-backed court but repeated his concern that further investigations of suspects could spark national instability. This statement was in response to demands from attorneys that Prime Minister Hun Sen and other government officials be questioned.

December 7

Amnesty International released a statement that the tribunal will not reach its goals in attributing responsibility to those “most responsible” unless investigations of suspects take place.

December 8

Defense attorneys representing former Khmer Rouge Brother No. 2 Nuon Chea asserted that recent public remarks made by Prime Minister Hun Sen violate tribunal rules and jeopardize their client’s trial. Hun Sen made statements warning of the destabilization of Cambodia should further investigations take place.

December 9

The tribunal dismissed the request to disqualify French investigating judge Marcel Lemonde.

December 9

Judges at the tribunal issued a ruling allowing surviving Khmer Rouge leaders to be charged with joint criminal enterprise (JCE) when they appear as defendants. Though JCE is applicable under international law, it has become a controversial issue at the ECCC because it contradicts Cambodian law. The first form of JCE exists when participants share intent to commit a crime, the second form exists when a criminal plan is implemented in “a common concerted system of ill---treatment”, and the third, or extended, form concerns crimes considered “natural and foreseeable” consequences of a common plan.



2009 continued

December 11

Khmer Rouge victims and members of civil parties held a conference to discuss their unique role and opportunity in trial proceedings; many feel that justice has been denied. The Documentation Center of Cambodia encouraged the tribunal to be transparent in disseminating information to the public in an effort to avoid upsetting Cambodians who have “waited years for justice.”

December 14

“Enemies of the People,” a documentary about the Khmer Rouge regime and the atrocities they committed during the 1970s, is selected to compete at the Sundance Film Festival in the United States in January 2010.

December 15

A delegation of officials from Cambodia and the United Nations, headed by chief Cambodian administrator Kraing Tony and the UN’s deputy for administration Knut Rosanhaug, departed for New York in an effort to petition donors for more funding as the court pursues four more leaders of the Khmer Rouge regime.

December 16

The court charged former Khmer Rouge Brother No. 2 Nuon Chea and former Foreign Minister Ieng Sary with genocide.

December 18

The court charged former head of state Khieu Samphan with genocide.

December 18

Hang Vannak, complaint and applications manager for the ECCC Victims’ Unit, delivered a presentation before four hundred civil party applicants regarding estimated death tolls of security centers and execution sites. Descriptions of methodologies and estimates of total casualties were met with criticism.

December 21

The court charged Ieng Thirith with genocide.

December 22

New international Co-Prosecutor Andrew Cayley discusses challenges and opportunities unique to his involvement with the tribunal.

December 23

The first textbook to document the Khmer Rouge history is distributed to students in various schools throughout the country.

December 27

2009 continued

Japan provided USD 2 million for the construction of a legal document center for the Khmer Rouge Tribunal. The center will disclose declassified documents to the public and provide access to important records.

2010

January 6

Co-Investigating Judges announced the decision to end investigations of former Khmer Rouge leaders. This decision marked the beginning of a 30-day period in which defense attorneys have the opportunity to appeal the conclusions of the judges, before the case moves to trial.

January 7

Chea Sim, President of the ruling Cambodian People's Party, warned the Tribunal not to meddle in the country's internal affairs. Sim asserted that only the most senior Khmer Rouge leaders should be tried so as not to risk national progress and stability.

January 12

Survivor Chum Mey spoke about his experience in June 2009 in establishing the "Victims Association of Democratic Kampuchea. The goal of the organization is to promote reconciliation among survivors but the organization currently lacks proper funding.

January 14

The Co-Investigating Judges concluded two and a half years of judicial investigations in the second case of charges against four former Khmer Rouge leaders. Documentary evidence, witness and civil parties' statements are being examined for admissibility.

Spokesman Lars Olsen predicts the issuance of a Closing Order by September 2010, paving the way for Trial 002 to begin by the end of 2010.

January 19

Co-Investigating Judges You Bunleng and Marcel Lemonde ruled that genocide charges specific to the ethnic minority group Khmer Krom fall outside the scope of the tribunal's investigation and will not be brought to the ECCC in Trial 002.

January 20

The Court agreed to debate a rule that requires all civil party lawyers to be represented by a single set of co-lawyers.

January 22

Chinese ambassador Zhang Jin Feng stated that the Chinese government never aided the Khmer Rouge regime but rather attempted to provide assistance to suffering Cambodians.

2010 continued

January 27

Documentary film “Enemies of the People” premiered at the Sundance Festival; the film explores the Khmer Rouge regime through the lens of journalist Thet Sambath and Briton Rob Lemkin.

January 30

Documentary film “Enemies of the People” created by journalist Thet Sambath and Briton Rob Lemkin, won the Sundance Film Festival’s Special Jury Prize.

February 1

Court officials remain divided on whether to use former leader Nuon Chea’s testimony presented to a journalist in documentary “Enemies of the People.”

February 2

The Cambodia Human Rights Action Committee (CHRAC) urged the ECCC to address the issue of civil party admissibility in Trial 002, stating that victim participation should be at the forefront of the Court’s seventh plenary session.

Tribunal judges and other officials began a week of plenary session, with renewed focus on the tribunal’s efficiency. The trial judges began to consider their verdict for Duch, whose trial wrapped up late last year.

Tribunal officials predicted that the ECCC will try a total of ten defendants at a cost of USD 100 million and expect to finish trials in 2015.

February 3

The tribunal announced plans to alter rules about victim participation in court proceedings by creating one team of co-lawyers to represent all civil parties. Currently, four legal teams represent all parties.

February 11

On the basis of his failing health, former Khmer Rouge minister Ieng Sary appealed for bail and requested to be put under house arrest instead of remaining in detention. Attorneys representing Sary criticized prosecution arguments that keeping Sary would lead to social unrest.

February 11

“Breaking the Silence” – a one hour performance illustrating the stories of Khmer Rouge survivors – premiered last week at the National Institute of Education.

February 15

Attorneys for Ieng Thirith requested her release from pre-trial detention, claiming she is not a threat to witnesses. In addition, defense attorneys argued that Thirith would not destroy evidence and was not a “flight risk.”



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February 18

The Court announced its plans to create an online repository where all court and case materials will be available digitally without copyright concerns.

February 25

The 2010 and 2011 budgets for the tribunal marked an increase in funds from international donors to meet demand for pursuing additional former leaders.

February 26

The Court warned defense attorneys to follow the internal rules of procedure and evidence after they filed documents which had already been addressed by the ECCC.

March 2

Khmer Rouge tribunal investigators were requested to call Prime Minister Hun Sen to testify with other key government figures, but declined, after deciding that Hun Sen was “not likely to provide additional evidence” and should not be interviewed.

March 3

Attorneys for Khmer Krom civil parties at the tribunal have appealed the co-investigating judges’ decision not to bring genocide charges specific to the ethnic group. They argued that a narrow scope of the investigation will prevent their clients and other civil party applicants from meaningfully participating in the court proceedings.

March 4

Donors have approved an USD 85 million budget for Khmer Rouge tribunal operations over the next two years, a court official confirmed, but actual pledge are still under consideration.

March 11

In a controversial move that underlines the increasing allure of the country’s genocidal history and the importance of tourism in the country, the government has decided to “preserve and develop” Anlong Veng. The city was the last stronghold of the Khmer Rouge regime, which was responsible for the deaths of up to two million people.

March 19

Cambodia's Tuol Sleng Genocide Museum, established in what once was a torture center operated by the Khmer Rouge regime, will be renovated. Museum officials stated that the museum’s physical infrastructure will be upgraded, as will it its archive of materials that document the atrocities of the regime.

March 23

An anticorruption monitor, appointed last year at the Tribunal, is in the process of investigating complaints. Of the three, two national staff complaints relate to the alleged



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wrongful termination of an employee and a charge that security workers have been forced to pay a portion of their salaries to their superiors. The third includes an allegation that members of the court's security staff have been forced to pay kickbacks to superiors.

March 25

The Khmer Rouge's former head of state, Khieu Samphan, returned to detention after being hospitalized for about ten days after catching a cold.

March 31

The United States pledged to contribute USD 5 million dollars in funding to the tribunal. The decision is still subject to Congressional approval.

April 5

Adhoc, a local rights group offering legal assistance programs to victims of the Khmer Rouge, shut down due to insufficient funding. The advocacy group had been working since 2007 to increase awareness, monitor the ECCC, and register civil party applicants.

April 11

Secretary of State Hillary Clinton on Sunday extended New Year's greetings to Cambodia in which she congratulated the country for recent moves to bring former Khmer Rouge officials to justice and praised its deepening ties with the United States.

April 13

"Breaking the Silence" – a new drama about the impact of the Khmer Rouge regime – will debut on Voice of America on April 18 and will continue to play into May 2010.

April 15

One hundred fifty former Khmer Rouge officials gathered to engage in dialogue about the meaning of reconciliation and justice; the group met in the outskirts of Anlong Veng, one of the last strongholds of the regime.

April 19

Upon meeting with Cambodian Deputy Prime Minister Sok An, the UN Legal Counsel raised concerns regarding the financial situation of the tribunal. They urged international donors to provide contributions and pledges to national and international components of the Court.

April 21

Co-producer Rob Lemkin of "Enemies of the People" accused Court judges of presenting a "selective" view of his film after the ECCC unsuccessfully tried obtaining a copy prior to its release. In an order published last week, the court's co-investigating judges (CIJs), You Bunleng and Marcel Lemonde, said it was "deeply regrettable" that the filmmakers had declined to hand over the film for use in the Case 002 investigation despite promising to do so in media reports.

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April 28

International Co-Prosecutor Andrew Cayley vowed to work quickly and efficiently in balancing Cambodia's desire for justice while properly carrying out his duties.

April 30

The Pre-Trial Chamber judges refused to release former head of state Khieu Samphan, foreign minister Ieng Sary, and social affairs minister Ieng Thirith; the three are currently held in pre-trial detention.

April 30

International donors plan to meet in May to discuss financial issues surrounding the tribunal.

June 3

A "Peace and Justice" session, held at a conference in Kampala, allowed states' representatives to reaffirm that peace and justice are complementary, rather than mutually exclusive. Various speakers, including Mr. Youk Chhang, the Director of the Documentation Center for Cambodia, attended the conference.

June 9

Co-Investigating Judges You Bunleng and Marcel Lemonde disagreed on when to proceed with the investigations of five new suspects. Court spokesman Lars Olsen released a statement saying Lemonde would proceed alone as Bunleng recently changed his mind about opening investigations. This disagreement continues a long-standing pattern of disputes between Cambodian and international officials over Court proceedings.

June 14

Co-Prosecutor Andrew Cayley assured a group of Khmer Krom residents that the suffering inflicted upon their community during the regime will not be overlooked by the Court.

June 15

Judges rejected a request made by defense attorneys that investigators interview a witness with "a unique role as both a former member of the Khmer Rouge and one of the architects of Democratic Kampuchea's downfall." The Court's Pre-Trial judges reaffirmed a ruling made by the Co-Investigating Judges earlier in February which stated that an interview of this specific witness was not necessary for the investigation.

June 17

An anticorruption office established last year at the Khmer Rouge tribunal plans to release its first public activities by the end of the month. Uth Chhorn, an Independent Counsellor and the head of the government's National Audit Authority, reported that the



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delays stemmed from difficulties in coordination.

June 21

Cambodian students in a former Khmer Rouge stronghold were issued a textbook Monday that for the first time teaches the atrocities of the past. Approximately, 1,000 copies of "A History of Democratic Kampuchea" were handed out.

July 1

The verdict in the trial of Khmer Rouge prison director Duch will be broadcast live across Cambodia later this month. Tribunal Spokesman Reach Sambath predicted millions of people from across the country will tune in to listen to the hearing which is expected to last for several hours.

July 2

Japan, the Court's largest donor, gave USD 2.26 million to help ease the critical financial strain the court is facing. Staff salaries have been unpaid since April; Japanese Ambassador Masafumi stated the cash is also intended to improve morale.

July 5

The ruling Cambodian People's Party reiterated its position against the Court's decision to indict further suspects. Party President Chea Sim echoed earlier warnings of Prime Minister Hun Sen stating that the pursuance of other former leaders could lead to instability in the country.

July 9

Co-Investigating Judge Marcel Lemonde requested that six senior government officials appear as witnesses at the court. Defense lawyers for former Khmer Rouge leader Nuon Chea requested that the court investigate alleged political interference, claiming a threat to their client's fair right to trial.

July 9

Duch sacked his international lawyer Francois Roux, citing a "loss of confidence," just a few weeks before a verdict is planned to be released. During most of the trial, Duch's defense team focused on getting a lighter sentence by downplaying his position with his regime and highlighting his remorse. On the final day of the trial in November 2009, Duch suddenly demanded his release after months of admitting responsibility for the murders he oversaw at S-21 prison. Duch's Cambodian co-lawyer, Kar Savuth, will continue to represent him in trial.

July 16

The Court announced a formal end to its investigations in Case 002 after all appeals related to the investigatory stage of the proceedings. Court Spokesman Lars Olsen stated the Pre-Trial Chamber would hand the completed case file to the court's Co-Prosecutors. The final submissions would then be submitted to Co-Investigating Judges who would decide whether or not to indict the leader.

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July 25

The Court sentenced Duch to thirty-five years in prison. This was the first verdict involving a leader of the genocidal regime that destroyed approximately 1.7 million people, a generation of Cambodia's people. Duch impassively listed as the chief judge read out the verdict, convicting him of crimes against humanity and war crimes. He will serve 19 years of the sentence, as the Court deducted the eleven years he has already spent in detention, and five more for being illegally detained in a military court. Duch could possibly be released one day, particularly if his term is reduced for good behavior – a prospect that left many Tuol Sleng survivors angry. Many victims were critical of the sentence as they believed it to be too short and lenient for Duch's involvement during the regime.

July 27

Duch decided to appeal his sentence for overseeing the torture and execution of thousands of people at Tuol Sleng Prison. Though his lawyer gave no further details of the grounds for the appeal, Duch continued to assert that he was just following orders and had asked the Court to acquit him.

August 4

Cambodian Prime Minister said he respects the landmark conviction of former leader Duch and would not interfere with the decision because the government has no right to interfere or put pressure on the Court.

August 6

Duch hired a second local attorney, Kang Ritheary, to represent him because he could not find "international lawyers that meet his criteria," according to the Court's spokesman Lars Olsen.

The Court announced its plan to distribute 17,000 copies of a 36-page summary of the historic verdict, as well as 5,000 copies of the full 450-page verdict in order to raise awareness and educate Cambodian communities.

August 9

The Court's chief of administration, Sean Visoth, appeared in public after going on an extended sick leave almost two years ago amid a flurry of corruption allegations. The former administrator appeared energetic and healthy, but noncommittal when asked if he was returning to the Court.

August 17

Prosecutors filed their final submission for the Court's second case, paving the way for the indictment and trial of four senior regime figures currently in custody. The prosecutors requested that the former leaders be tried for an array of charges including genocide and crimes against humanity. Prosecutors decided to appeal the jail sentence of thirty-five years handed to Duch in July, joining a chorus of victims who believe the term is unacceptably short and insufficient in comparison to the gravity of Duch's crimes and

2010 continued

role in the regime.

August 24

A group of civil party lawyers announced that it would appeal judgments on reparations and admissibility for its clients. The group will become the first to file notice of plans to challenge the Court's rulings on victims.

August 25

Duch started formal appeal proceedings and stated he should not have been on trial at all. He admitted overseeing the systematic torture of thousands of people and apologized to victims' relatives, but claimed that he was not responsible.

September 3

Lawyers for former Khmer Rouge Brother No. 2 Nuon Chea appealed a decision by judges to not investigate allegations of political interference by government officials. The lawyers said a decision from the court's Office of the Co-Investigating Judges last month to reject their request was part of a pattern of placing "considerations of expediency above fair trial requirements".

September 7

Cambodia and the UN appealed to international donors to fund the Court as it prepares for its second trial of former Khmer Rouge leaders. The appeal was made during a meeting in the capital Phnom Penh between the government, officials from the United Nations-backed court and representatives from 22 countries. Though the Court was originally budgeted at USD 56 million over the course of three years, it significantly raised its estimates last year to USD 170 million.

September 8

The Court expected to begin its second trial of former leaders by mid-2011.

September 13

The Court's Pre-Trial Chamber judges issued a split decision on the controversial issue of political interference and the question of whether the matter warrants an internal investigation. The Khmer Rouge Court convened a plenary session in which rule changes for victim participation and reparations will be adopted.

September 14

Lawyers for Duch requested an extension of the deadline for filing an appeal on behalf of their client, claiming that the "size and complexity" of this case necessitated longer time. Minister of Information Khieu Kanharith rejected assertions from two international judges that he and other government officials may have interfered with the work of the Court. In a decision released by the tribunal, International Pre-Trial Chamber judges Rowan Downing and Catherine Marchi-Uhel said comments made by Khieu Kanharith last year "may amount to an interference or reflect other efforts to prevent the testimony" of six



2010 continued

government officials summoned to appear.

September 16

The court formally indicted the four top surviving leaders of the regime, which paves the way for the panel's long-awaited second trial. The four defendants have been in detention since 2007, and deny any guilt for their roles and their role in the communist party. After serving on the Court for four years, one of the two Co-Investigating Judges, Marcel Lemonde, said he was quitting his job to focus on other projects. The decision was made shortly after four former senior members of the regime were indicted.

September 19

Lawyers for former Khmer Rouge foreign minister Ieng Sary filed a motion to disqualify the president of the Trial Chamber at Cambodia's war crimes tribunal, Nil Nonn, alleging that he admitted to accepting bribes.

September 20

The Court has adopted rule changes that will allow for more expansive reparations awards to recognized civil parties. The Court's existing rules required the cost of reparation awards to be borne by the accused, though the scope for such awards was extremely limited.

September 29

The Court released a demographic survey conducted as part of their investigation in its second case. The 143-page report estimated between 800,000 and 1.3 million people died from violent acts during the regime and the remainder succumbed to starvation, overwork, and other causes.

October 1

The UN human rights office in Cambodia undertook a project to transfer the knowledge and experience gained at the ECCC to national courts. The primary objective of this project is to address some of the key shortcomings observed in the Cambodian judiciary.

October 13

The Court moved its five Khmer Rouge prisoners out of the custom-built jail in Phnom Penh because of the risk of flooding after heavy rains this week. Their new location was not disclosed to the public.

October 18

The United Nations Office of Legal Affairs in New York decided to keep a report from the anti-graft monitor – measuring the corruption at the tribunal – private and classified, despite a pledge from a monitor earlier this year to release the report to the public.

October 22

Court officials spoke to an audience of students at the Royal University of Law and



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Economics in Phnom Penh. They urged that students learn from Duch's verdict in July, and work to strengthen the Cambodian judicial system.

October 25

United Nations Secretary General Ban Ki-moon has planned to travel to the Court, in addition to meeting with the Prime Minister during his visit to the Kingdom this week. The Secretary General will meet with and take questions from court staff and is expected to discuss the Court during his meeting with Hun. In addition, Ban has planned to make a stop at S-21.

October 27

The Cambodian government decided to not allow the Court to prosecute former low-ranking officials of the genocidal regime because it fears national instability.

Cambodian Prime Minister Hun Sen told UN chief Ban Ki-moon that a second Khmer Rouge war crimes trial due to start early next year would be the last. He affirmed that case number three is not allowed because "we have to think about peace in Cambodia." After he toured S-21, the Khmer Rouge's main prison and the torture center, UN Secretary General Ban Ki-moon made an emotional appeal to send a message to the world that the Khmer Rouge's crimes against humanity will not go unpunished. Prime Minister Hun Sen ordered Secretary General to shut down the UN human rights office in Cambodia and to remove the current envoy. Ban has given no response.

October 28

UN Secretary General Ban Ki Moon stated that the ECCC would decide whether to pursue more Khmer Rouge cadres. This statement was made after Prime Minister Hun Sen ruled out a third trial of former regime members.

October 29

The UN Secretary General Ban Ki Moon flew out of Cambodia after he was met with resistance from the government of Prime Minister Hun Sen to the continuation of the Khmer Rouge tribunal.

November 1

US Secretary of State Hilary Clinton toured Cambodia's genocide museum during a visit to the capital and urged the country to respect human rights and fight corruption. Additionally, Clinton visited S-21 – the main interrogation and torture center of the regime – where she urged the nation to proceed with trials of the former regime's surviving leaders. On her visit, Clinton called for the strengthening of democratic institutions and for a greater tolerance of opposition views.

November 3

Local rights groups and lawyers wanted the Court to include "sexual violence" among its serious crimes as it prepares to try four regime leaders. The statement was made at the opening of a two-day international conference on gender and justice.



2010 continued

November 11

Lawyers for former Khmer Rouge Brother No 2 Nuon Chea appealed to UN investigators to address allegations of political interference within the framework of the Court. The letters were also forwarded to Prime Minister Hun Sen, King Norodom Sihamoni, and UN Secretary General Ban Ki-moon.

November 21

Lawyers for Duch officially lodged an appeal against the verdict handed down by the Court in July. They argued that Duch's case fell outside the Court's jurisdiction and that the Court should acquit Duch.

November 25

More than 300 victims of the Khmer Rouge, many of them Cham Muslim, gathered at the Documentation Center of Cambodia on Wednesday to learn more about genocide charges for the upcoming trial of four regime leaders.

November 30

Judges at the Court rejected a request to appoint a lawyer for the five suspects who could face prosecution in the Court's third and fourth cases.

December 3

The Court appointed French lawyer, Elisabeth Simonneau Fort, to serve as the lead international lawyer for civil parties. Fort will work alongside Cambodian lead lawyer Pich Ang, who was appointed in September. These positions were established in response to the 21,000 cases of civil parties who have been accepted to participate for the second trial. Fort's responsibilities include overall advocacy, strategy, and in-court presentation of the interests of the Civil Parties.

December 9

A US-based monitoring group stated that the ECCC suffers from the weak positions of international donors in the face of government opposition to further indictments. The controversy of whether or not the Court will pursue cases 003 and 004 remains a question and various senior government officials have failed to respond to court summonses.

December 20

The Court agreed to lower its multi-million dollar budget for next year. Both Cambodian and international counterparts revised the 2011 budget and planned to submit the proposal to the steering committee in New York. Though officials could not provide exact details of the budget total or cut, it is expected to be "less" than the previously approved proposal of USD 46.8 million.

December 22

The German government has pledged EUR 1.2 million (around USD 1.58 million) to

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support victims' participation at the ECCC. The money will go towards a sixteen-month project, ending in December 2011, that will cover the "processing, outreach, and legal representation" of victims at the hybrid court.

December 23

The Court stated the appeals over the convictions and 19-year sentence for Duch will be heard in March 2011. Duch is the first leader to be convicted of war crimes. Despite Duch admitting to the oversight of torture and deaths at S-21, his lawyers argued he merely followed orders and was wrongfully convicted.

December 30

The Court released a statement estimating that more than 67,000 people have visited the ECCC or attended hearings since its first case in March 2009.

2011

January 3

Newly released cabinet documents showed Australia's foreign minister in 1980, Andrew Peacock, recommended continued recognition of the Khmer Rouge regime in Cambodia. The documents, released by the National Archives, included a cabinet submission from Mr. Peacock on the highly sensitive issue of what to do about recognizing the government in Cambodia.

January 7

The ruling Cambodian People's party supported the trials and called for a UN-backed war crimes court to safeguard "hard-won peace" in its trial of top Khmer Rouge leaders.

January 13

The ECCC declared its decision to uphold the indictments against four top Khmer Rouge leaders, thereby rejecting their appeals to dismiss the case. This paves the way for a major trial. The accused face charges of war crimes, crimes against humanity, genocide, and related crimes under Cambodian laws in connection with the deaths of up to two million people. The Pre-Trial chamber ordered the accused persons to be sent for trial and to be held in provisional detention until they are brought before the trial chamber.

January 20

Lawyers for former Khmer Rouge Brother No. 2 Nuon Chea and head of state Khieu Samphan lodged bids for their clients' release on bail. In applications, the lawyers charged that judges in the Court's Pre-Trial Chamber had misinterpreted the ECCC's internal rules, causing Nuon Chea and Khieu Samphan to be detained unlawfully.

January 21



2011 continued

Lawyers for former Khmer Rouge foreign minister Ieng Sary requested that the Court limit hearings in their client's upcoming case to half-day sessions due to the 85-year-old's fragile health.

January 28

Japan agreed to make a contribution of USD 11.7 to the Court that is trying former leaders of communist Khmer Rouge. The contribution from Japan – the single biggest donor – will cover about 25% of the Court's 2011 budget. Japan has provided a total of USD 67 million – approximately 49% of all contributions.

January 31

The accused former leaders Nuon Chea, Ieng Thirith and Khieu Samphan attended a hearing to request release from pre-trial detention. The elderly defendants have been in detention since 2007. Khieu Samphan, former head of state, and Ieng Thirith, former Cabinet member, made similar pleas in asking to be released from unlawful detention. A date for the trial has not yet been set but is scheduled to begin by the middle of 2011.

February 1

Co-Investigating Judge You Bunleng stated that he was participating in investigations concerning the Court's controversial third and fourth cases. Though he disagreed with his international counter about the decision to investigate cases against the four Khmer Rouge leaders, he has already begun his work in the investigations concerning the Court's third and fourth cases.

February 2

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.

February 7

Cambodia's Appeal Court upheld a guilty verdict against three former Khmer Rouge soldiers for their role in the killing of a British de-miner Christopher Howes and his Cambodian interpreter Houn Hourth. In October 2008, the three convicted soldiers, including Khim Ngon, were sentenced to 20 year imprisonment and ordered to pay 10000 USD in compensation to Hourth's family.

March 23

ECCC Pre-Trial Chamber rejected motions for disqualification of Trial Chamber judges, saying they presented no solid evidence of bias.

March 30

ECCC Supreme Court Chamber concluded the three-day hearing of Duch appeal against the guilty verdict handed against him in July 2010.



2011 continued

April 29

Co-Investigating Judges announced the closure of investigation in Case 003.

May 9

International Co-Prosecutor Andrew Cayley, without the support of the National Co-Prosecutor, issued a public statement urging public release of more information about and more serious investigation of controversial Case 003. In the statement, Mr. Cayley revealed the factual situation and crimes sites under investigation in Case 003.

May 10

In a public statement issued in response to the International Co-Prosecutor, National Co-Prosecutor Chea Leang reiterated her earlier position in regards to the investigation of Case 003 and Case 004 that the unnamed suspects do not fall within the personal jurisdiction of the ECCC.

May 18

Co-Investigating Judges at the ECCC ordered International Co-Prosecutor Andrew Cayley to retract his statement he released on 9 May in relation to Case 003.

May 20

ECCC issued a statement, rejecting reports that ECCC had so far spent more than USD 200 million. The statement put the expenditure from 2006 to 2010 at 109.1 million. Below is a chart of ECCC expenditures:

Year	Cambodia	United	Total
2006	\$1.7 million	\$7.6 million	\$9.3 million
2007	\$3.7 million	\$11.8	\$15.5
2008	\$4.9 million	\$20.5	\$25.4
2009	\$5.9 million	\$22.3	\$28.2
2010	\$7.9 million	\$22.8	\$30.7
Expenditure	\$24.1 million	\$85.0	\$109.1
Revised Budget	\$9.9 million	\$30.8	\$40.7
Total	\$34.0 million	\$30.8	\$149.8

May 25

International Co-Prosecutor Andrew Cayley appealed an order issued by the Co-



2011 continued

Investigating Judges to retract his public statement on the investigation of Case 003.

June 7

Co-Investigating Judges rejected a request by International Co-Prosecutor Andrew Cayley to conduct further investigation and extend the deadline for submission of civil party application in Case 003 by six weeks. On their own motion, they recognized the validity of applications submitted within three weeks after the original deadline or any applications submitted by 8 June.

June 2011

The ECCC hired three persons to replace Reach Sambath, chief of the ECCC Public Affairs Section, who passed away on May 11: Dim Sovannarom, Officer in Charge; Huy Vannak, Public Affairs Officer; and Neth Pheaktra, Press Officer.

June 9

The Co-Investigating judges of the Khmer Rouge Tribunal issued a statement warning against publishing information from the leaked Second Introductory Submission. The document is considered confidential and anyone who publishes information from this document "is liable to be subjected to proceedings from Interference with the Administration of Justice pursuant to Internal Rule 35," stated the Statement.

June 14

International Co-Prosecutor Andrew Cayley resubmitted three investigative requests and a request for an extension of the deadline for filing Civil Party applications in Case 003 to the Office of the Co-Investigating Judges.

June 24

The Pre-Trial Chamber of the ECCC granted appeals by 1,728 civil party applicants in the Case 002 and granted them status as civil parties in the Case.

June 27-30

The Trial Chamber held the initial hearing in Case 002, marking the official start of the trial.

June 28

Mr. CHUNG Chang-ho (Republic of Korea) was appointed as the new international judge to serve in the Pre-Trial chamber of the ECCC. Mr. Chung will take office from 1 August 2011, replacing Judge Catherine Marchi-Uhel (French).

August 3

The Court's Tenth Plenary Session concluded, after amending the Internal Rules relating to immediate appeals to the Supreme Court Chamber, autopsies of persons in custody in the case of death, and meetings of the Judicial Administration Committee.



2011 continued

August 8

After public urging by the International Co-Prosecutor to comply with its obligations to keep victims informed, the Office of Co-Investigating Judges released information about crimes sites and criminal episodes in Case 004. At the same time it expressed "serious doubts whether the suspects are 'most responsible' according to the jurisdictional requirement of Article 2 ECCC law."

August 19

International Co-Prosecutor Mr. Andrew Cayley appealed the Co- Investigating Judges' rejection of: 1) a request for an extension of time for the filing civil party applications and 2) three requests for additional investigative actions in Case 003.

August 29-31

The Trial Chamber held a preliminary hearing on issues of fitness to stand trial of accused Ieng Thirith and Nuon Chea. The hearing afforded all parties the opportunity to question expert geriatrician consultant Dr. John Campbell. During the hearing Dr. Campbell opined that Nuon Chea is currently fit to stand trial, but expressed serious doubts regarding Ieng Thirith's fitness. Dr. Campbell revealed that he has diagnosed Ieng Thirith with Alzheimer's disease, a chronic progressive disease which causes dementia. The Trial Chamber ordered additional testing of Ieng Thirith.

August 31

The Co-Investigating judges announced that they "have instituted proceedings for Interference with the Administration of Justice (Contempt of Court) pursuant to ECCC Internal Rule 35" in response to a Voice of America Khmer 10 August video and report quoting verbatim from a confidential document. They also warned "anyone intending further disclosure of confidential court documents... that his case be transferred to the National Prosecutor."

September 16

Judge You Ottara was re-assigned to be a judge of the Trial Chamber, replacing Judge Thou Mony (now reserve judge), and Judge Mong Monichariya was re-assigned to be regular judge at the Supreme Court Chamber, replacing Judge Sin Rith (now reserve judge).

September 22

Pursuant to ECCC Internal Rule 89^{ter}, the Trial Chamber issued an order severing Case 002 into a series of smaller cases focusing on specific issues and time frames. In its order, the Chamber noted the lengthy trials at the International Criminal Tribunal for the former Yugoslavia (ICTY), some of which took over ten years to complete. The Chamber stated that the first trial will concern the forced evacuation of urban Cambodians immediately

1/4/12 Documentation Center of Cambodia (DC-Cam) following the KR victory in April of 1975 and continuing into 1976

2011 continued

October 9

International Co-Investigating Judge Siegfried Blunk resigned from his position at the ECCC, citing the perception of political interference in his work.

October 19-20

The Trial Chamber held hearings to discuss initial requests for reparations from the Civil Party Lawyers and the fitness of Ieng Thirith.

November 17

Finding Ieng Thirith unfit for trial due to dementia caused by the onset of Alzheimer's disease, the Trial Chamber determined that it had no legal basis for her judicial supervision and decided to release her unconditionally. The national and international judges split regarding her release, with the national judges deciding she should stay in the custody of the court under medical observation for six months to see if her condition improves. Because the chamber could not reach a super majority, they ordered her release, citing international human rights standards. The Prosecution appealed the decision to release—but not the finding that she is unfit—to the Supreme Court Chamber.

November 21

Mr. Kong Sam Onn was appointed as the Cambodian Co-Lawyer for Khieu Samphan, replacing Mr. Sa Sovan who withdrew from his position.

November 21

Opening statements began in Case 002 against senior leaders Nuon Chea, Ieng Sary, and Khieu Samphan. All three accused offered prepared statements, though Ieng Sary says he will not testify.

November 21

In collaboration with the Ministry of Culture and Fine Arts and Tuol Sleng Genocide Museum, the Documentation Center of Cambodia officially launched a history classroom at former Khmer Rouge S-21 prison, providing free lectures and discussions on the history of the Khmer Rouge regime and related issues, such as the ECCC. The classroom also aims to serve as a public platform for visitors and survivors to share information and preserve an important period of Cambodian history for future generation to learn.

(http://d.dccam.org/Archives/Protographs/DC-CAM_History_Classroom_at_S-21--EN.pdf)

(http://d.dccam.org/Archives/Protographs/DC-CAM_History_Classroom_at_S-21--KH.pdf)

November 29

The Japanese government contributed USD 2.925 million to the ECCC's international component to support the judicial process of the Khmer Rouge Tribunal.



2011 continued

December 5

The Trial Chamber of the ECCC began two weeks of evidentiary hearings against the three accused namely Ieng Sary, Khieu Samphan, and Nuon Chea.

December 13

Mr. Arthur Vercken (French) was appointed international Co-Lawyer representing Khieu Samphan.

December 13

The Supreme Court over-ruled the Trial Chamber's November 17 decision, 1/4/12 Documentation Center of Cambodia (DC-Cam) finding a legal basis under Cambodian law for judicial supervision of Ieng Thirith while she receives additional medical treatment in an appropriate Cambodian medical facility to determine if there is a prospect of her regaining fitness to stand trial. Her medical condition will be reviewed in six months.

2012

January 12

The Office of the Council of Ministers of the Royal Government of Cambodia, issued and then retracted, a [press statement](#) regarding the delay in appointment of a new international Co-Investigating Judge at the ECCC.

January 18

Mr. David Scheffer was appointed by Secretary-General Ban Ki-moon as the Special Expert to advise on United Nations Assistance to the Khmer Rouge Trials, replacing Mr. Clint Williamson.

January 24

Deputy Prime Minister His Excellency Sok An discussed with Ambassador David Scheffer, Special Expert to United Nations Secretary-General on the United Nations Assistance to the Khmer Rouge Trials, the ongoing cooperation of the United Nations and the Royal Government of Cambodia in support of the Extraordinary Chambers in the Courts of Cambodia (ECCC) and published a [Joint Statement](#).

January 26



2012 continued

United Nations Special Expert David Scheffer said that reserve judge Kasper-Ansermet has the full right to carry out his functions as international Co-Investigating Judge under the 2003 agreement between the Royal Government of Cambodia and the United Nations without a second approval by the Supreme Council of Magistracy.

(The Cambodia Daily and Phnom Penh Post, January 26, 2012)

February 1, 2 & 6

Mr. Youk Chhang, Director of DC-Cam, testified before the Trial Chamber in Case 002.

February 3

The Supreme Court Chamber announced the [appeal verdict](#) in Case 001 against Kaing Guek Eav *alias* Duch, head of the S-21 detention center, where more than an estimated twelve thousand people were killed during the Khmer Rouge regime. Duch was sentenced to life imprisonment for crimes against humanity and grave breaches of the 1949 Geneva Conventions.

February 21

In collaboration with local media, the ECCC disseminated a [compilation of apology statements](#) made by Kaing Guek Eav, *alias* Duch.

February 27

Jean-Francois Cautain, the Ambassador and Head of Delegation of the European Union (EU), told the Cambodian government that the EU would contribute USD 1.7 million to the Khmer Rouge Tribunal's national side to support the ongoing work of the Tribunal.

March 2

The Japanese government announced that it would contribute another USD 6 million to both international and national components of the Khmer Rouge Tribunal—USD 2.5 million and USD 3.5 million respectively. As of February 2012, Japan has contributed USD 76.64 million to the Khmer Rouge Tribunal.

(The Mainichi Daily News,

<http://mdn.mainichi.jp/mdnnews/national/archive/news/2012/03/02/20120302p2g00m0dm014000c.html>)

March 19

Laurent Kasper-Ansermet [submitted his resignation letter](#) as International Reserve Co-Investigating Judge of the ECCC to the Secretary-General of the United Nations. The resignation was made over the disagreement with National Co-Investigating Judge concerning Cases 003 and 004.

March 19

Kaing Guek Eav, *alias* Duch, the former head of S-21 prison who was sentenced to life imprisonment for crimes committed at S-21 prison, testified before the trial chamber as the witness in Case 002 against the three accused: Nuon Chea, Khieu Samphan, and Ieng Sary.

March 20

2012 continued

Judges Rowan Downing and Chang-ho Chung, International Judges of the Pre-Trial Chamber, [recused themselves](#) from consideration of the application made on 8 February by Reserve International Co-Investigating Judge Laurent Kasper-Ansermet over the disqualification of the president of the Pre-Trial Chamber.

March 26

National Pre-Trial Chamber Judges' [response](#) to Laurent Kasper-Ansermet's note on March 21, 2012 on i) the returning of documents from Administrative Office to Pre-Trial Chamber, and ii) International Co-Investigating Judge's application on the disqualification of Pre-Trial Chamber Judge Prak Kimsan.

March 26

Australian Foreign Minister Bob Carr said in a statement on Monday that the Australian government will contribute another AUD 1.61 million to the ECCC to support the work of the Court in prosecuting former KR senior leaders and most responsible persons of the regime. While AUD 1 million will go to the international component, AUD 0.61 million will be given to the national component of the ECCC. Since the establishment of the Court until now, Australia has contributed more than USD 18 million to the ECCC.

(<http://www.odt.co.nz/news/world/australia/203026/australia-donates-khmer-rouge-trials>)

March 26

In a response to International Co-Investigating Judge's Press Statement on March 19, 2012, the National Co-Investigating Judge [explained a number of issues](#) raised by his counterpart including 1) The lack of acknowledgement and support for Judge Laurent Kasper-Ansermet standing as the International Investigating Judge; 2) Disagreement pursuant to Rule 72; 3) Refusal of placement of documents by the International Reserve Co-Investigating Judge into the case files; 4) Rejection of the request for access to case file by civil party lawyers following the issuance of an admissibility order; 5) Withholding the judicial official stamp of the office of the Co-Investigating Judges; and 6) Obstruction to the internal investigations.

March 28

The International Reserve Co-Investigating Judge, Laurent Kasper-Ansermet, [disputed all of the allegations](#) contained in the Press Release made by the National Co-Investigating Judge on 26 March 2012.

March 30

Secretary-General's statement on the Extraordinary Chambers in the Courts of Cambodia concerned recent events at the ECCC, including the resignations of the International Co-Investigating Judge Siegfried Blunk and the Reserve International Co-Investigating Judge Laurent Kasper-Ansermet, and selection of new International Co-Investigating Judge and new Reserve International Co-Investigating Judge.

(<http://www.un.org/sg/statements/index.asp?nid=5961>)

April 3

The ECCC published a compilation of all [statements](#) of apology and acknowledgement



2012 continued

of responsibility made by Kaing Guek Eav during the course of trial, in one pdf file on its website. The decision on the publication of Duch apology was made by Trial Chamber as part of reparation in Case 001 and was affirmed by the Supreme Court Chamber in its Appeal Verdict.

April 9

The Supreme Court Chamber of the ECCC published the full reasons in Khmer and English of [the Appeal Judgment in Case 001](#) against Kaing Guek Eav alias Duch. A summary of the Final Judgment as well as the disposition were read out by the President of the Supreme Court Chamber on February 3, 2012's hearing. A summary and explanation of the judgment, created by the Cambodia Tribunal Monitor, was compiled [here](#).

April 27

Mr. Mom Luch, with 17 years of experience as a lawyer in the field of criminal law, was assigned as a national lawyer to represent a suspect involved in Case 004 by the ECCC's Defense Support Section (DSS).

April 27

Ieng Sary [requested to disqualify](#) Sylvia Cartwright.

April 30

Ms. Anta Guissé, a French defense lawyer with over ten years of experience in international criminal law, was assigned as the third International Co-Lawyer representing Mr. Khieu Samphan in Case 002 before the ECCC.

May 2

Mr. Isaac Endeley, former Legal Officer in the Chambers Support Section and in the Defense Counsel and Detention Management Section at the United Nations International Criminal Tribunal for Rwanda (UNICTR), was appointed by the ECCC as chief of Defense Support Section (DSS).

May 3

Reserve Investigating Judge Laurent Kasper-Ansermet issued a decision on contested Case 003 that Sou Met, former chief of Democratic Kampuchea (DK) air force, and Meas Muth, former chief of DK navy, fall under the court's jurisdiction and are categorized as the most responsible persons for crimes committed during the KR regime.

(The Cambodia Daily, May 3, 2012)

May 16

Japanese Judge Motoo Noguchi, an international judge of the Supreme Court Chamber of the ECCC since its inception in 2006, sent his [resignation letter](#) to the UN Secretary-General.

June 1

Andrew Cayley, International Co-Prosecutor of the ECCC, responded to a letter dated 29 May 2012 from Margot Wallström entitled "Victims of Khmer Rouge Sexual Violence Still Seek Justice," stating that the Co-Prosecutors have not excluded victims of sexual violence from court procedures. In their Final Submission of Case 002 submitted to the



2012 continued

Co-Investigating Judges, the Co-Prosecutors included crimes of sexual violence, including forced marriage, to be charged as crimes against humanity.

(The Phnom Penh Post, June 1, 2012)

June 4

The Trial Chamber delivered a [decision](#) on Ieng Sary's [Application for Disqualification of Judge Cartwright](#) submitted on April 27, 2012, that denied Ieng Sary's application and request on instructing Judge Cartwright and Andrew Cayley, International Co-Prosecutor, to cease and desist from ex parte communications and meetings.

June 5

The Co-Prosecutors of the ECCC issued a [Public Statement](#) concerning a news report on Case 003 investigations related to a Democratic Kampuchea (DK) military invasion in Vietnam, extension of crime sites investigation, and identification of the potential individuals responsible for the crimes committed during Democratic Kampuchea, as incorrect and deceptive. The Co-Prosecutors responded that the DK military invasion in Vietnam has already been investigated as part of Case 002. The extension of crime sites investigations in Case 003, according to the Co-Prosecutors' opinion, was necessary to assign responsibility for the crimes alleged in Case 003. Moreover, the Co-Prosecutors stated that the news report incorrectly and deceptively identified individuals as potential targets of the investigation for whom the former International Co-Investigating Judge has expressed no conclusion, since the investigation is still in process.

June 7

Justice Steven J. Bwana, a Tanzanian with more than 38 years of experience as a judge, registrar and legal professional, was appointed as new international reserve judge in the Pre-Trial Chamber of the ECCC, replacing Kathinka Lahuis.

(<http://www.eccc.gov.kh/en/articles/justice-steven-j-bwana-appointed-new-international-reserve-judge-pre-trial-chamber>)

June 19

Nuon Chea's Defense Counsel issued its Notice to the Trial Chamber that counsel plans to conduct "independent research" at DC-Cam in an attempt "to verify the provenance and chain of custody of those documents on which the Office of Co-Prosecutors intends to rely."

June 28

The Office of the Co-Prosecutors issued its Response to Nuon Chea's Defense Counsel's notice of June 19 that related to research at DC-Cam, stating that any investigative tasks should be determined solely by the Co-Investigating Judges and requesting that the Trial Chamber prohibit "any additional investigatory acts by Nuon Chea's Defense Counsel." However, the Co-Prosecutors did not object Nuon Chea's Defense Counsel to access to publicly available information at DC-Cam.

June 29

The Trial Chamber of the ECCC issued its Decision on Nuon Chea's Defense Counsel's Misconduct, categorizing the pattern of misconduct as: "unauthorized disclosure of confidential information; offensive, disrespectful or otherwise unethical in-court



2012 continued

behavior; offensive or disrespectful remarks in written motions; misrepresentations made before the Trial Chamber; and failure to adhere to Trial Chamber orders designed to protect the rights of the defendant, Nuon Chea."

July 12

During a meeting with Cambodian Foreign Minister Hor Namhong, New Zealand Foreign Affairs Minister Murray McCully disclosed that New Zealand would provide [additional funding](#) of NZD 100,000 to the Khmer Rouge Tribunal. To date, New Zealand has contributed NZD1 million to the Khmer Rouge Tribunal in support of its mission to bring former Khmer Rouge leaders to justice.

July 13

A [commitment](#) of USD 1.4 million from the Australian government will provide further support to the Khmer Rouge Tribunal for "judicial and legal costs and the hearing of witness testimony." Since 2006, Australia has contributed a total of USD 19.7 million to the Khmer Rouge Tribunal.

July 30

On June 20, 2012, the Supreme Council of the Magistracy of the Kingdom of Cambodia approved two new appointments. U.S. Judge Mark Harmon will serve as International Co-Investigating Judge of the ECCC, and French Judge Oliver Beauvallet was designated Reserve International Co-Investigating Judge of the ECCC.

August 13

The Trial Chamber issued a memorandum in response to a notice from the Defense Team of Nuon Chea of June 19, 2012 regarding research at DC-Cam.

August 30-31

The Trial Chamber held a hearing to determine Ieng Thirith's fitness to stand trial. The accused had received six months of additional medical treatment.

September 12

The Ieng Sary Defense Team issued its [response](#) to Judge Jean-Marc Lavergne's question of "What have the defense lawyers been doing over the course of the many years of the judicial investigation?" posed to International Co-Lawyer Michael G. Karnavas on September 6, 2012. They argued that their work attempted to reveal irregularities and weakness in the proceedings and that pretending that these irregularities did not exist undermined "the integrity of the proceedings".

September 13

The ECCC Trial Chamber delivered its [decision](#) regarding the reassessment of Ieng Thirith's fitness to stand trial. The Trial Chamber affirmed its prior finding that "the accused Ieng Thirith suffers from a progressive, degenerative illness and that she remains unfit to stand trial," and ordered the release of the accused. However, upon her release, the accused has an "obligation not to interfere with the administration of justice by contacting witnesses, victims, or other Accused (with the exception of her husband, Ieng Sary), [...] not to leave the territory of the Kingdom of Cambodia, to inform the ECCC Office of Administration of any change of address, and [...] to refrain from communicating with the media in relation to proceedings before the ECCC."

2012 continued

September 14

Mr. Stephen Rapp, U.S. Ambassador-at-Large for War Crimes Issues in the Office of Global Criminal Justice, announced yesterday that the U.S. will contribute an additional USD 5 million to support the ECCC's international component. (The Cambodia Daily, September 14, 2012)

September 14

The Co-Prosecutors [appealed](#) the Trial Chamber's decision to unconditionally release the accused Ieng Thirith. Although the Co-Prosecutors concur with the Trial Chamber's assessment that Ieng Thirith is unfit to stand trial and should be released, they believe she should not have been released unconditionally. The Co-Prosecutors proposed that Ieng Thirith should: "1) reside at a specified home address to be provided by her Co-Lawyers; 2) make herself available for a weekly safety check by authorities or officials designated by the Trial Chamber; 3) surrender her passport and ID card; 4) not contact, directly or indirectly, the other co-accused (excluding her husband, accused Ieng Sary); 5) not contact, directly or indirectly, any witness, expert or victim who may potentially be heard by the Trial Chamber, and not interfere in the administration of justice; and 6) undergo a medical examination every six months by medical practitioners to be appointed by the Trial Chamber." The Co-Prosecutors believe that the above-proposed measures would: "1) ensure that the accused will not flee the jurisdiction of this court; 2) ensure the accused does not interfere with witnesses or other accused who will be providing evidence at trial; 3) ensure her safety and that of the public; and 4) ensure that her health is adequately monitored to enable the Trial Chamber to remain informed of her medical condition."

September 16

The President of the Supreme Court Chamber released a [decision](#) regarding the request of Co-Prosecutors to stay the Trial Chamber's order to unconditionally release the accused Ieng Thirith. The Supreme Court Chamber ruled that Ieng Thirith be released under these provisional conditions: "1) ...inform the Chamber of the address where she will reside and not change residence without prior authorization from the Chamber; 2) ...surrender her passport and any other travel documents, and remain in the territory of the Kingdom of Cambodia; and 3) ...respond to any summons issued by the Court." These provisional measures will remain in effect until the Supreme Court Chamber makes a final decision on the merits of the appeal by the Co-Prosecutors. Ieng Thirith was released from detention.

September 27

Norway announced a USD 1 million contribution to the Khmer Rouge Tribunal. To date, Norway has contributed a total of USD 5 million to the Tribunal.

October 10

The Ministry of Education, Youth and Sports and the Documentation Center of Cambodia signed a memorandum of understanding at the headquarters of the Ministry of Education to transfer a parcel of land (4,785.61 square meters) to DC-Cam to build its permanent center called the Sleuk Rith Institute. The institute aims to be the leading center for genocide studies in Asia comprising of three major pillars: a museum, a research center and a school.

2012 continued

http://d.dccam.org/Projects/Genocide/photos/Agreement_of_MoEY_and_Sports_and_DCCAM/index.html; <http://www.phnompenhpost.com/index.php/2012101159239/National-news/former-detention-site-to-become-genocide-research-centre.html>

November 8

The ECCC Trial Chamber held a hearing to determine Ieng Sary's fitness to stand trial.

November 8

Nuon Chea Defense Team issued a "Preliminary Response to Co-Prosecutors' Further Request to Put before the Chamber Written Statements and Transcripts." to:

"1) seek clarification from the Chamber concerning the legal standards applicable to the admission of written statements without the appearance of the witness before the ECCC in accordance with the submissions in the present Response.

2) submit that the following categories of evidence are inadmissible absent cross-examination: a) evidence of the acts and conduct of the Accused, including any evidence of the acts and conduct of entities to which the Accused is alleged to belong, including but not limited to the Standing, Central and Military Committees; b) evidence concerning crimes committed or administrative structures in place at S-21 or S-24; c) evidence of administrative or communication structures, with particular emphasis on national and zone-level structures; d) evidence of the acts and conduct of any person with whom the Accused is alleged in the Closing Order to have participated in a joint criminal enterprise.

3) submit that statements taken by DC-Cam and any other entity not authorized by the ECCC or the Cambodian state are inadmissible.

4) request that the Chamber deem any statement which, on the face of the description provided in the Co-Prosecutors' annexes, includes evidence falling within paras b(i) or (ii), supra, inadmissible in full absent cross-examination.

5) reserves its right to: a) identify any further statements which include evidence described in paragraph (b), supra; b) identify further statements or categories of statements which include evidence of crimes that are highly proximate to the Accused or of a live issue in the case against the Accused; and c) identify unreliable statements or categories of unreliable statements."

However, on April 9, 2012, the ECCC Trial Chamber issued its decision that the Trial Chamber "...denies the NUON Chea DC-Cam Motion's request for additional information (E1/39.III) and KHIEU Samphan's request that original copies of contemporaneous documents possessed by DC-Cam be produced before the Chamber and retained by the ECCC for the duration of the trial in Case 002 (E 168), on grounds that no necessity has been demonstrated for either request; and recalls that the probative value and thus weight to be accorded to all evidence put before the Chamber in consequence of this decision will be determined by the Chamber at the conclusion of the hearing of evidence in Case 002/01 and in connection with the verdict".

November 13

The Supreme Court Chamber held a hearing on the Co-Prosecutors appeal against the conditions of Ieng Thirith's release.

2012 continued

November 21

New Zealand's Prime Minister John Key announced during his trip to the ECCC to contribute another NZD 200,000 to the international component of the Khmer Rouge Tribunal. Since its inception in 2006, the New Zealand has contributed NZD 1.2 million to the tribunal. (<http://news.msn.co.nz/nationalnews/8567755/nz-boost-for-cambodian-war-crimes-tribunal>)

December 3

The ECCC's Trial Chamber delivered a decision on objections to documents proposed to be put before the Chamber in co-prosecutors' annexes A6-A11 and A14-A20 and by the other parties.

December 14

Mr. Ang Udom, the Cambodian Co-Lawyer, and Mr. Michael Karnavas, the International Co-Lawyer, have been [assigned](#) by the ECCC's Defense Support Section to represent a suspect named in the Second Introductory Submission submitted by the International Co-Prosecutor to the Office of the Co-Investigating Judges on November 20, 2008 which was part of the Case File in Case 003.

December 17

The Supreme Court Chamber [ordered](#) "a regime of judicial supervision against Ieng Thirith, including six-monthly medical examinations and a monthly check by the judicial police... and rejected the rest of the appeal, and decided to return Ieng Thirith's passport and identification card," according to its [decision on immediate appeal against the Trial Chamber's Order](#) to unconditionally release the Accused Ieng Thirith delivered on December 14, 2012.

December 18

Mr. William Hague, the United Kingdom's Foreign Secretary, [announced on December 13](#) that the government of the United Kingdom has contributed another USD 1 million (£600,000) to the international component of the ECCC. To date, the UK has contributed USD 7.9 million to the Khmer Rouge Tribunal.

December 19

The International Co-Investigating Judge issued the following information about additional sites in case file 004:

- Thipakdei Security Office, Tuol Mtes worksite, Phnom Tra Cheak Chet, Along Vil Breng, Sector 1 Security Office and Damnak Reang execution site in Battambang province
- Tuol Seh Nhaus Pits, Prey Krabau Killing Fields, Phum Veal Prison, Svay Chrum aka Phum Thkaul Prison, Boeng Bat Kandal aka Trach Kraol Prison, Chanreangsei Pagoda Execution Site, Kaun Thnoat or Cham Village mass graves and wells and Veal Bak Chunching execution site in Pursat province
- "Prey Sokhon execution site", the "Wat Ang Srei Muny Detention Center", Slaeng village forest, Wat Angkun, Preil and Saom villages execution site, Wat So Ben prison, Wat Pratheat Security Center and Kraing Ta Chan Security Center in Takeo province



2012 continued

- The “Colonial Prison in Kampong-Thom” in Kampong Thom province
- “Thnal Bek execution site in Kampong Cham province.

December 20

Three members of Nuon Chea Defense Team, Michiel Pestman, Andrew Iannuzi and Jasper Pauw, quit their position reasoning the lack of fairness at the Khmer Rouge Tribunal. (Voice of America, <http://www.voacambodia.com/content/the-lawyers-for-notorius-khmer-rouge-leader-quit/1568135.html>)

December 26

Judge Florence Ndepele Mwachande Mumba, Zambian, nominated by the Secretary-General of the United Nations, [was appointed](#) as the sitting judge of the Supreme Court Chamber of the Khmer Rouge Tribunal by the Supreme Council of the Magistracy of Cambodia, replacing former judge Motoo Noguchi who resigned in July 2012.

2013

January 18

The government of Japan [pledged another USD 2.5 million](#) to the international component of the Khmer Rouge Tribunal, announced yesterday by the Japanese Embassy in Phnom Penh. To date, Japan has contributed USD 78.7 million to the Khmer Rouge Tribunal.

February 8

The Supreme Court Chamber of the Khmer Rouge Tribunal issued its ‘[Decision on the Co-Prosecutor’s Immediate Appeal of the Trial Chamber’s Decision Concerning the Scope of Case 002/01](#)’, which was submitted to the Supreme Court Chamber on November 7, 2012.

February 12

The Trial Chamber of the Khmer Rouge Tribunal issued a [memorandum](#) on the directions to the parties in consequence of the Supreme Court Chamber's Decision on Co-Prosecutors' Immediate Appeal of the Trial Chamber's Decision concerning the Scope of Case 002/01.

February 25

The UK Foreign Secretary William Hague announced today that the UK will contribute another £ 1.4 million to the international component of the Khmer Rouge Tribunal.

(<https://www.gov.uk/government/speeches/uk-support-for-court-of-cambodia-and-tribunal-for-lebanon>)

February 26

The ECCC Public Affairs Office issued a [Press Release](#) on the Revised ECCC Budget for 2012-2013. The new revised budget is USD 69.6 million.

2013 continued

February 28

The Office of Co-Investigating Judges [issued a statement](#) in relation to Case 003. Case 003 “remains open and the investigation of alleged crimes are proceeding,” and victims of the alleged crime sites as stated in the statement are able to apply as witness, civil party, or complainant.

March 1

Ms. Zainab Hawa Bangura, the Special Representative of the Secretary-General on Sexual Violence in Conflict, welcomed the decision of the Khmer Rouge Tribunal to prosecute the crimes of sexual violence committed during the Khmer Rouge.

(<http://www.un.org/apps/news/story.asp?NewsID=44264&Cr=sexual+violence&Cr1=#.UTHyJ6XCnfZ>)

March 14

Accused Ieng Sary, former Khmer Rouge deputy Prime Minister for Foreign Affairs, [died at the Khmer Soviet Friendship Hospital](#). Ieng Sary had been hospitalized since March 4, 2013.

March 14

The Trial Chamber [issued its decision](#) to terminate all proceedings against the Accused Ieng Sary, following the death of the Accused. Pursuant to Article 7(1) of the Cambodian Code of Criminal Procedure and Internal Rule 23bis(6), death extinguishes any criminal and civil action.

March 25

The Norwegian government [pledged NOK 6,000,000](#) (approximately USD 1 million) to the international component of the Khmer Rouge Tribunal. To date, the Norwegian government has contributed more than USD 6 million to the Khmer Rouge Tribunal.

March 29

The Defense Team for Khieu Samphan [submitted a request](#) to release the accused from provisional detention.

April 2

The Co-Prosecutors [submitted their investigation](#) into the death of Ieng Sary on March 14, 2013 at the Khmer Soviet Friendship Hospital. The report was concluded that Ieng Sary’s death was from natural causes.

April 2

The Trial Chamber issued its [Second Decision](#) on Accused Nuon Chea’s Fitness to Stand Trial. According to the decision, Nuon Chea is fit to stand trial. At the same time, the Trial Chamber denied the Defense request “to order additional mental and physical examinations of the Accused and to permit the participation of the Accused in the trial proceedings from the Detention Facility.” The Trial Chamber also directed the Medical Unit and Detention Facility to implement the recommendation of the Medical Experts.

April 26

The Trial Chamber delivered its [decision on Case 002 severance](#), following the Supreme Court Chamber’s decision on February 8, 2013 on the Trial Chamber’s original severance

2013 continued

decision in Case 002.

May 10

The Co-Prosecutors filed an [immediate appeal](#) against the Trial Chamber's second decision on severance of Case 002 issued on April 26. In its appeal, the Co-Prosecutors propose that the decision should be amended to include the S-21 Prison in the scope of trial in Case 002/01.

June 6

Kaing Guek Eav, alias Duch, was [transferred](#) from the ECCC detention center to Kandal Provincial Prison to serve the remaining prison term.

June 19

The Australian government announced on June 18, 2013 to [contribute another AUD 3.25 million](#) to the international component of the Khmer Rouge Tribunal. To date, the Australia's financial assistance reaches AUD 23 million.

June 27

A newspaper reported that Sou Met, the former Khmer Rouge air force commander and suspect in the Khmer Rouge Tribunal Case 003, had died of diabetes and high blood pressure in Battambang Province on June 14, 2013.

(Voice of America, <http://www.voacambodia.com/content/khmer-rouge-suspect-sou-met-dead-witnesses-report/1690436.html>)

July 23

The Supreme Court Chamber [issued an order](#) to the Office of the Administration to establish a second panel within the Trial Chamber in order to start the Case 002/02 after the closing submission in Case 002/01.

August 9

Mr. Lt Gen Rt Hon Sir Jerry Mateparae, the Governor-General of New Zealand, [announced another contribution of NZD 200,000](#) to the national component of the Khmer Rouge Tribunal in the quest for justice. To date, the New Zealand government has contributed NZD 1.4 million to the Khmer Rouge Tribunal.

August 21

The EU ambassador to Cambodia Jean-Francois Cautain announced that the European Union will provide another contribution of 3 million Euros (USD 4 million) to the international component of the Khmer Rouge Tribunal. To date, the European Union and its member states have contributed more than USD 43 million to the Khmer Rouge Tribunal.

(The Global Post: <http://www.globalpost.com/dispatch/news/kyodo-news-international/130821/eu-provides-3-mil-euros-khmer-rouge-tribunal-cambodia>)

August 22

The Supreme Court Chamber [rejected the immediate appeal of release](#) filed by Khieu Samphan and ordered the continued provisional detention. Khieu Samphan was put in provisional detention on 19 November 2007 by the order of the Co-Investigating Judges.



2013 continued

September 3

The Defense Support Section issued a [Press Statement](#) noting the death of Mr. Jacques Verges, International Co-Lawyer for the Accused Khieu Samphan. Mr. Verges died in France at the age of 88 on August 15, 2013. Mr. Verges had represented the Accused Khieu Samphan since November 2007.

September 4

Ambassador David Scheffer, UN Special Expert on UN Assistance to the Khmer Rouge Trials issued a statement following the ECCC budget crisis in the national component of the Court. The national side of the ECCC had recently faced another budget constraint to fund the salaries of the national staff. If there was no solution, the national staff would go on strike which would disrupt the work of the Court. Mr. David Scheffer urged the national staff to remain patient and the UN is committed to end the current funding crisis as soon as possible.

(United Nations Assistance to the Khmer Rouge Trials, <http://www.unakrt-online.org/articles/statement-un-special-expert-ambassador-david-scheffer-national-budget-crisis-eccc>)

September 5

His Excellency Mr. Kranh Tony, Acting Director of the Office of Administration of the ECCC, issued a statement following the funding crisis of the national component of the ECCC. Most of national staff of the ECCC had not received their salary for three months. Mr. Kranh Tony urged the national staff who had suspended their work to return to work and expressed gratefulness to the UN for its commitment to end the funding crisis of the national side which made in its statement by Mr. David Scheffer on September 4, 2013.

September 9

The International Co-Prosecutor Andrew Cayley in August 2013 [tendered his resignation](#) to the Secretary-General of the United Nations, citing personal reasons. Mr. Cayley will leave the ECCC on 16 September. Following Mr. Cayley's leaving, the Reserve International Co-Prosecutor, Nicholas Koumjian, will take the office in October 2013.

October 16

The ECCC Trial Chamber began hearing closing statements in Case 002/01 which involved the Accused Nuon Chea and Khieu Samphan. The evidentiary hearings of Case 002/01 had been held from November 21, 2011 to July 23, 2013 on forced transfer and charges related to Crimes Against Humanity.

December 11

Mr. Nicholas Koumjian (USA) [was appointed](#) as new International Co-Prosecutor at the ECCC, following the nomination by the UN Secretary General and the approval by the Supreme Council of the Magistracy.

December 16

Mr. Bit Seanglim and Mr. So Mosseny [were assigned](#) by the ECCC Defense Support Section as the Cambodian Co-lawyers to represent two different suspects named in the Third Introductory Submission by the International Co-Prosecutor which is part of Case 004.



2013 continued

December 20

The President of the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia [issued a memo](#) informing the Director of the Office of Administration that he is not recommending the appointment of a second Trial Chamber panel to hear the remaining charges in the second phase of Case 002.

December 26

Deputy Secretary William Burns on June 26, 2013 signed a required certification for the Khmer Rouge Tribunal, per section 7044(c) of the Department of State, Foreign Operations, and Related Programs Act, 2012 as carried forward by the Full-Year Continuing Appropriation Act, 2013, that the United Nations and the Royal Government of Cambodia are taking credible steps to address allegations of corruption and mismanagement within the Khmer Rouge Tribunal.

(Source: <http://www.menafn.com/3ec7f181-8bcd-4bb0-8f31-a68397574593/Summary-of-the-Certification-Related-to-the-Khmer-Rouge-Tribunal?src=main>)

2014

January 19

The Government of Japan [contributed USD 1,385,567](#) to the international component of the Extraordinary Chambers in the Courts of Cambodia. This amounts to a total of more than USD 82 million and constitutes approximately 36 percent of the total contributions to the court.

February 11

The Trial Chamber held an adversarial hearing on oral arguments on the scope of Case 002/02 and on the Khieu Samphan Defense Team's request that Case 002/01 should be adjudicated before the evidentiary hearing in Case 002/02 commences.

February 18

The Defense Support Section [assigned](#) Ms. Suzana Tomanovic from Bosnia as the Foreign Co-Lawyer to represent a suspect named in the Third Introductory Submission filed by the International Co-Prosecutor to the Office of the Co-Investigating Judges on 7 September 2009, which is part of the Case File in Case 004.

February 25

The Victim Support Section [issued a press release](#) on Meaningful Reparations for Victims of Khmer Rouge Regime requested by the civil parties in Case 002/01 before the Trial Chamber.

March 7

The State of Qatar announced a [contribution of USD 20,000](#) to the national component of the ECCC.



2014 continued

April 1

Mr. John R.W.D. Jones QC from the United Kingdom [was assigned by the Defense Support Section](#) as the foreign Co-Lawyer to represent a suspect in the Third Introductory Submission filed by International Co-Prosecutor to the Office of the Co-Investigating Judges as part of the Case File in Case 004.

April 1

The Government of Norway [announced](#) another contribution of USD 1 million to the ECCC. To date, Norway has contributed about USD 7 million to the tribunal.

April 7

The Trial Chamber [issued a new severance decision](#) which defines alleged crime sites and factual allegations that will be included in the trial in Case 002/02 against Khieu Samphan and Nuon Chea. Those charges are:

- Genocide against the Cham and the Vietnamese (excluding crimes against humanity committed by the Revolutionary Army of Kampuchea on Vietnamese territory);
- Forced marriages and rape (nationwide);
- Internal purges;
- S-21 Security Centre; Kraing Ta Chan Security Centre, Au Kanseng Security Centre and Phnom Kraol Security Centre;
- 1st January Dam Worksite; Kampong Chhnang Airport Construction site, Trapeang Thma Dam Worksite;
- Tram Kok Cooperative;
- Treatment of Buddhists (limited to Tram Kok Cooperatives)
- Targeting of former Khmer Republic Officials (implementation limited to Tram Kok Cooperatives, 1st January Dam Worksite, S-21 Security Centre and Kraing Ta Chan Security Centre)

April 21

Thirteen reparation projects in Case 002/01 [have been put forward](#) to the Trial Chamber to benefit victims of the Khmer Rouge Regime. Those projects include National Day of Remembrance, Public Memorials Initiative, Memorial for Khmer Rouge Victims: "For Those Who Are No Longer Here", Monument for Khmer Rouge Victims in France, Testimonial Therapy, Self-Help Groups for Rehabilitation, Permanent Exhibition on Forced Transfer and Tuol Po Chrey, Mobile Exhibition on Forced Transfer and Tuol Po Chrey, a New Chapter on Forced Transfer and Tuol Po Chrey in Teacher's Guidebook, Community Peace Learning Center in Samrong Khnong, Illustrated Civil Party Storybook, Publication and Distribution of Case 002/01 Judgment, and Publication of Civil Party Names on ECCC Website.

April 24

The International Co-Prosecutor filed a Supplementary Submission in Case 004, requesting the investigation of sexual or gender-based violence and forced marriage in key districts that are currently under investigation as part of the case.

2014 continued

May 20

The Government of Norway [approved that its recent contribution](#) of approximately USD 1 million can be redirected from the international component to the national component to meet the salary costs of national staff. Until today, Norway has contributed more than USD 7 million to the Khmer Rouge Tribunal.

May 26

Ms. Marie Guiraud, a French lawyer with more than 15 years of experience in the field of criminal law and human rights, [was appointed](#) as new International Civil Party Lead Co-Lawyer at the Khmer Rouge Tribunal starting from June 1, 2014.

May 29

The Trial Chamber [announced](#) that the judgment in Case 002/01 against Khieu Samphan and Nuon Chea will be announced on August 7, 2014.

June 04

The Victim Support Section and Civil Party Lead Co-Lawyers' Section [will consult](#) with civil parties, civil party lawyers, civil society organizations, victims associations, state authorities and donors to identify and discuss potential reparation requests in Case 002/02 for the benefit of victims of the Khmer Rouge Regime.

July 02

The Government of Australia [pledged another contribution](#) of approximately USD 3 million to the international component of the ECCC. The Government of Australia has contributed more than USD 24 million to the ECCC in total.

July 08

The ECCC and the Ministry of Culture and Fine Arts will sign a [Memorandum of Understanding](#) on July 10, 2014 to establish a memorial at Tuol Sleng Genocide Museum in order to commemorate the victims who died during the Khmer Rouge regime.

July 09

The Government of Malaysia [contributed USD 50,000](#) to the national component of the ECCC.

July 10

The Government of Sweden [announced a new contribution](#) of approximately USD 4.5 million to the international component of the ECCC. To date, the contribution made by the Government of Sweden exceeds USD 10 million.

July 29

The Supreme Court Chamber [dismissed an appeal](#) from Khieu Samphan requesting annulment of the Trial Chamber's severance order for Case 002/02.

August 07

The Trial Chamber found Nuon Chea and Khieu Samphan guilty of crimes against humanity committed between 17 April 1975 and December 1977 and [sentenced them to life imprisonment](#) in its judgment in Case 002/01.

September 1

Ms. Claudia Fenz (Austria) [was appointed](#) as a new international judge to serve in the

2014 continued

Trial Chamber, replacing Judge Silvia Cartwright (New Zealand).

September 12

The Government of Chile [contributed USD 10,000](#) to the national component of the Khmer Rouge Tribunal.

September 12

The Trial Chamber [issued its decision](#) on sequencing of trial proceedings in Case 002/02 which includes:

A. Cooperatives:

a) Tram Kok Cooperatives, including the Treatment of Buddhists, and the related Kraing Ta Chan Security Centre;

B. Worksites:

- a) 1st January Dam;
- b) Trapeang Thma Dam;
- c) Kampong Chhnang Airport;

C. Treatment of targeted groups:

- a) Treatment of the Cham, excluding the Kroch Chhmar Security Centre but including the movement of population phase II limited to the treatment of the Cham;
- b) Treatment of Vietnamese, excluding the crimes committed by the Revolutionary Army of Kampuchea on Vietnamese Territory;
- c) Former Khmer Republic Officials, implementation limited to Tram Kok Cooperatives, 1st January Dam Worksite, S-21 Security Centre and Kraing Ta Chan Security Centre;

D. Security Centers and Internal Purges:

- a) Au Kanseng;
- b) Phnom Kraol;
- c) S-21;

E. Regulation of marriage (nationwide);

F. Nature of the armed conflict;

G. Role of the Accused.

September 19

The Trial Chamber [issued its scheduling order](#) for hearing on the substance in Case 002/02 from Friday 17 October 2014 until Thursday 18 December 2014.

October 3

The Victims Support Section announced that they [will hold a meeting](#) on October 6, 2014 in Phnom Penh between the Civil Parties and Civil Party Lawyers in Case 002 in order to

2014 continued

1) inform Civil Parties on the Judgment of Case 002/01, and update Civil Parties on the ECCC's judicial proceedings, 2) provide opportunities for Civil Parties and their lawyers to meet and have discussions on issues related to Case 002/02, and 3) inform Civil Parties on the developments of reparations in Case 002 and projects of non-judicial measures.

October 13

The ECCC [will hold](#) on October 16, 2014 the 11th Plenary Session to discuss proposed amendments to four Internal Rules recommended by the Rules and Procedures Committee on the basis of proposals by Office of Co-Prosecutors and Victims Support Section.

October 24

The Trial Chamber [issued an official warning for misconduct](#) to the national and international defense counsel for Khieu Samphan and Nuon Chea, after the defense counsel abandoned the courtroom during the opening statements in Case 002/02 on October 17, 2014 and subsequently either failed to appear or provide any valid justification for their absence from a Trial Management Meeting on October 21, 2014.

November 4

The International Co-Prosecutor [filed](#) on October 31, 2014 a Supplementary Submission in Case 003 that was principally intended to remove any ambiguities concerning the scope of the Introductory Submission.

November 24

The Trial Chamber has [adjourned trial hearings](#) in Case 002/02 until January 8, 2015, as a result of continued refusal of counsel for Khieu Samphan to participate in the proceedings in Case 002/02 before December 29, 2014.

November 26

The International Co-Prosecutor, Nicholas Koumjian, [reiterated](#) that no further cases will be submitted to the Co-Investigating Judges, following the arising questions at recent court outreach events concerning whether there will be more cases at the ECCC after cases 003 and 004.

December 5

The Trial Chamber denied a request from the Co-Prosecutors to appoint an amicus curiae counsel on a temporary basis, and [ordered](#) the Defense Support Section to appoint one international and one national Court Appointed Standby Counsel for Khieu Samphan, following its finding that the conduct of Khieu Samphan and his Defense counsel over the last two months, including the failure to appear in court, obstructed proceedings.

December 19

The Trial Chamber on December 19, 2014 issued an order, [referring the misconduct](#) of Khieu Samphan's national Co-Lawyer Kong Sam Onn to the President of the Bar Association of the Kingdom of Cambodia, and referring the misconduct of foreign Co-Lawyers Arthur Vercken and Anta Guissé to the President of the Paris Bar Association and the Prosecutor General of the Paris Appeal Court.

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February 19

The Trial Chamber [issued an oral order](#) to representatives of media, which prohibited the publication of photographs and images of a witness 2-TCW-944, whom the Trial Chamber has granted protective measures.

March 3

The International Co-Investigating Judge [charged Meas Muth](#) in absentia with the following alleged crimes: homicide, as a violation of the 1956 Cambodian Penal Code; Crimes against Humanity of murder, extermination, enslavement, imprisonment, persecution on political and ethnic grounds, and other inhumane acts allegedly committed at Wat Enta Nhien security center, Kampong Som, Kratie, S-21 security center, and against Vietnamese, Thai and other foreigners at sea and on the islands over which Democratic Kampuchea claimed sovereignty; and Grave Breaches of the Geneva Conventions of 1949 through the commission of the crimes of unlawful confinement of civilians, wilful deprivation of a prisoner of war or civilian's rights to fair and regular trials, wilful killing, unlawful deportation or transfer, wilful causing of great suffering or serious injury to body or health, and torture, allegedly committed in Kampong Som, Kratie, S-21 security center, and against Vietnamese, Thai and other foreigners at sea and on the islands over which Democratic Kampuchea claimed sovereignty. This is part of Case 003.

March 3

The International Co-Investigating Judge [charged Im Chaem](#) in absentia with the crimes of homicide, allegedly committed at Phnom Trayoung security center and Spean Sreng worksite, Crimes against Humanity of murder, extermination, enslavement, imprisonment, persecution on political grounds, and other inhumane acts at the Phnom Trayoung security center, and Crimes against Humanity of murder, enslavement, imprisonment, and other inhumane acts at the Spean Sreng worksite.

March 24

The Victims Support Section and the Cambodia's Ministry of Culture and Fine Arts announced that they [will inaugurate a Memorial](#) to Victims of the Khmer Rouge Regime at Tuol Sleng Genocide Museum in Phnom Penh on Thursday 26 March 2015. The memorial is dedicated to and erected in memory of all Khmer Rouge victims, especially to the at least 12,272 victims who were unlawfully detained at S-21 Prison during the Khmer Rouge Regime between 1975 and 1979.

March 27

[The International Co-Investigating Judge charged Ao An](#) with the following alleged crimes: premeditated homicide, as a violation of the 1956 Cambodian Penal Code, allegedly committed at Kok Pring execution site, Tuol Beng security center and Wat Au Trakuon security center; and the Crimes against Humanity of murder, extermination, persecution on political and religious grounds, imprisonment, and other inhumane acts (namely inhumane conditions of detention) at Kok Pring execution site, Tuol Beng

2015 continued

security center and Wat Au Trakuon security center. This is part of Case 004.

April 21

The revised budget for the court was published. For the year 2015, the [ECCC needs 33.8 million USD](#), of which 27.1 million USD is for the international component and 6.7 million USD is for the national component, in order to pursue its judicial proceedings.

April 28

Mr. Olivier Beauvallet, French, [was appointed](#) as new International Judge to serve in the ECCC's Pre-Trial Chamber, replacing Judge Chang-ho Chung from Republic of Korea. Ms. Brenda Hollis (USA) was appointed reserve International Co-Prosecutor.

June 02

The Co-Investigating Judges [issued a decision](#) dismissing the allegations against Sou Met, a suspect in the second introductory submission filed by the Acting International Co-Prosecutor on September 7, 2009, following his death in June 2013.

June 04

The Supreme Court Chamber [scheduled the first hearings](#) to hear the testimony of three witnesses, relating to appeals in Case 002/01 against Nuon Chea and Khieu Samphan, on July 2, 3, and 6, 2015, respectively.

June 22

Judge Baik Kang Jin from Republic of Korea [was appointed](#) as new International Judge in the Pre-Trial Chamber replacing Judge Rowan Downing from Australia. Professor Michael Bohlander from Germany was appointed new Reserve International Investigating Judge, replacing Judge Olivier Beauvallet (France).

July 07

The International Co-Investigating Judge, Mark Brian Harmon, [announced his resignation](#) due to personal reasons.

July 20

The Office of the Co-Investigating Judges [urged](#) the Socialist Republic of Vietnam and the Kingdom of Thailand to comply fully with the outstanding requests for assistance, by providing relevant documents relating to the investigations in Case 003 and 004 and access to archives that may contain these documents. The ECCC's Office of the Co-Investigating Judges has on November 11 and 15, 2013 issued International Rogatory Letters to the Socialist Republic of Vietnam and the Kingdom of Thailand, respectively, seeking the above assistance. However, neither the Socialist Republic of Vietnam nor the Kingdom of Thailand has responded the ECCC's Office of the Co-Investigating Judges' letters.

August 21

The European Union (EU) [pledged another EUR 8.9 million](#) to the ECCC for 2015 and 2016. In 2015, the contribution of EUR 2 million will go to the national component and EUR 3.5 million to the international component. Concerning the remaining EUR 3.4 million will be decided in 2016. Until today, the EU has contributed EUR 16.2 million to the ECCC.



2015 continued

August 22

Ieng Thirith, former Khmer Rouge Minister of Social Action, [passed away](#) at about 10:30 am in Pailin Province, Cambodia. Her case had been part of Case 002, but she had been found unfit to stand trial in 2012.

August 24

Judge Michael Bohlander (Germany) [was appointed](#) as the new International Co-Investigating Judge, replacing Judge Mark Brian Harmon (USA), and Judge Maureen Harding Clark (Ireland) [was appointed](#) as new Reserve International Co-Investigating Judge.

September 4

The Trial Chamber [will hear evidence](#) related to charges of genocide regarding the treatment of the Cham people in Case 002/02 against Khieu Samphan and Nuon Chea, starting from September 7, 2015. Fourteen witnesses and Civil Parties and one expert are expected to testify during this part of the trial.

November 17

The Paris Bar Council Disciplinary Board [issued a decision](#) regarding Khieu Samphan Defense Counsel Ms. Anta Guissé's behavior of late 2014, determining that she was not guilty of breaching fundamental principles of the profession and therefore acquitted her of the charges.

November 17

International Khieu Samphan Defense Counsel Mr. Arthur Vercken (France) [resigned](#) as the international co-lawyer.

December 9

The International Co-Investigating Judge [charged Yim Tith](#), former acting secretary of the Khmer Rouge's Northwest Zone, for the following crimes as part of Case 004:

- Genocide of the Khmer Krom;
- Crimes against Humanity, namely murder; extermination; enslavement; deportation; imprisonment; torture; persecution against the so-called "17 April people", "East Zone Evacuees", Northwest Zone cadres, their families and subordinates, as well as the Khmer Krom and Vietnamese; and other inhumane acts including forced marriage;
- Grave Breaches of the Geneva Conventions of 1949 committed as part of an international armed conflict between Democratic Kampuchea and the Socialist Republic of Vietnam, namely wilful killing and the unlawful deportation or transfer of civilians;
- Violations of the 1956 Cambodian Penal Code, namely premeditated homicide.

December 14

The International Co-Investigating Judge [charged Meas Muth](#), former Khmer Rouge naval commander, with the following crimes:

- Genocide;
- Crimes against Humanity, namely murder; extermination; enslavement; imprisonment; torture; persecution; other inhumane acts (inhumane treatment, enforced disappearances,



2015 continued

forced labor, forced marriage, rape and attacks on human dignity due to conditions of detention);

- Grave Breaches of the Geneva Conventions of 1949, namely wilful killing; wilfully causing great suffering or serious injury to body or health, torture and unlawful confinement of civilians.

- Violations of the 1956 Cambodian Penal Code, namely premeditated homicide.

This constituted an amendment to the charges in absentia of March 2015.

December 18

The Co-Investigating Judges notified the [conclusion of judicial investigation](#) against Im Chaem in Case 004, which has been conducted for over six years from 2009 to 2015 following the receipt of the Third Introductory Submission filed by the International Co-Prosecutor.

2016

January 27

The Supreme Court Chamber [issued a decision](#) on the conduct of the Co-Lawyers for Nuon Chea during the appeal hearing of 17 November 2015, during which they had walked out of the court room. They determined that the National Co-Lawyer engaged in misconduct and reprimanded him.

February 5

The Trial Chamber issued a decision regarding evidence obtained through torture and determined, with the dissent of Judge Claudia Fenz, that statements from security centers as determined by the Co-Investigating Judges would fall within the scope of Article 15 of the Convention Against Torture and could therefore not be used in court, unless it was proven that an individual statement was not obtained through torture.

February 15

The Co-Investigating Judges ordered the severance of the proceedings against Im Chaem from Case 004 and the creation of a new case file, 004/01, following the conclusion of the judicial investigation on 18 December 2015 and her right to a determination of the charges brought against her without undue delay.

February 19

The Trial Chamber referred Victor Koppe to the Amsterdam Bar Association for possible misconduct. The International Nuon Chea Defense Counsel had given an interview to the Mekong Review, during which he made personal remarks towards Judge Jean-Marc Lavergne.

2016 continued

March 14

The ECCC's International Co-Investigating Judge charged Ao An, an accused in Case 004, with the [following additional charges](#):

- Genocide of the Cham;
- Crimes against Humanity, namely murder; extermination; enslavement; imprisonment; torture; persecution against the “17 April people”, former Lon Nol soldiers, Central (Old North) Zone cadres, their families and subordinates, people from the East Zone, and other “bad elements” and “internal enemies”; persecution against Cham and Vietnamese people; and other inhumane acts including forced marriage, rape, enforced disappearances, physical abuse, forced labor, and inhumane conditions of detention;
- Violations of the 1956 Cambodian Penal Code, namely premeditated homicide.

These crimes were allegedly variously committed at Anlong Chrey Dam Forced Labor Site; Kok Pring Execution Site; Met Sop (Kor) Security Centre; Tuol Beng Security Centre and Execution Site and Wat Angkuonh Dei Pagoda; Wat Au Trakuon Security Centre; Wat Batheay Security Centre; Wat Phnom Pros Execution Site; Wat Ta Meak Security Centre; Chamkar Svay Chanty Security Centre; Wat Baray Chan Dek Security Centre; Wat Srenge Security Centre; and at various locations in Kampong Cham Province.

April 20

John R.W.D. Jone, QC, international Co-Lawyer for Ms. Im Chaem, [passed away](#).

April 21

The ECCC's International Co-Investigating [Judge invited scholars, academic organizations](#) and any other organization operating in the field of international criminal law to submit written amicus curiae briefs on the issue on whether, under customary international law applicable between 1975 and 1979, an attack by a state or organization against members of its own armed forces may amount to an attack directed against a civilian population for the purpose of Article 5 of the ECCC Law (crimes against humanity) by May 19, 2016.

May 24

The new figure of 15,101 prisoners at S-21 [was put forth in a memorandum](#) by Co-Investigating Judge Michael Bohlander to the Trial and Supreme Court chamber presidents in a declassified memo. It is 2,828 higher than the number previously accepted by the court.

June 10

The Government of Sweden [pledged another of SEK 28 million](#) to the international component of the ECCC for the period 2016 to 2019.

June 13

The Khmer Rouge Tribunal announced that it [will not investigate allegations of forced pregnancy](#) during the Democratic Kampuchea regime in its Case 004, citing issues of legality, timing and a lack of evidence.



2016 continued

July 01

The Defense Support Section [appointed Mr. Wayne Jordash QC](#) (United Kingdom) as the international Co-Lawyer to represent Ms. Im Chaem in Case 004/01.