



JOINT PRESS RELEASE

Civil Society Celebrates Commemoration Ceremony for the Victims of the Khmer Rouge ahead of Second Trial

Ceremony 20 November 2011 at Choeung Ek

Phnom Penh, 20 November 2011

On 21 November 2011, the long awaited second trial against three senior Khmer Rouge leaders will commence at the Extraordinary Chambers in the Courts of Cambodia (ECCC). Civil society organizations, who have been engaged in the process since the very start of the proceedings, welcome the commencement of the most important trial of the ECCC, despite the fact that judicial proceedings have taken some years before the final commencement of Case 002. For effective proceedings of this landmark and most important case, it must be ensured that civil party participation continues in a meaningful manner and that judicial proceeding of the ECCC is conducted fairly and transparently.

Support to Khmer Rouge victims, who have been longing for justice for decades, has been provided by several civil society organizations, namely: Cambodian Human Rights and Development Association (ADHOC), Avocats Sans Frontieres - France (ASF France), Cambodian Defenders Project (CDP), Cambodian Human Rights Action Committee (CHRAC), Khmer Institute of Democracy (KID), Ksaemksan Victims Association, Legal Aid of Cambodia (LAC), and Transcultural Psychosocial Organization (TPO).

In the context of the opening of the substantive hearing of Case 002, these organizations have arranged for a ceremonial event at Choeung Ek on 20 November 2011 to mark the historical commencement of the tribunal's second trial and to give victims a greater voice. The organizers thereby would like to emphasize the following:

- 1) We urge the importance of Civil Party participation throughout the Case 002 proceedings.

The challenge of victim participation was taken up by the ECCC from the very beginning

and must be resolved and facilitated through creative and intelligent means and not at the expense of victims' rights.

- 2) The impact of the severance order should not be underestimated and could have negative trickle-down effects. Only a small number of the Civil Parties is directly involved in the first trial, and it remains to be seen if the Chamber adheres to its promise of letting victims participate as a consolidated group whose interests are adequately taken into account.
- 3) We urge the ECCC to further reinforce its reparations and non-judicial measure mandate. The Duch trial with its limited and uncreative application of reparations led to great disappointment for the Civil Parties and victims, but the severance of the case file into mini trials sets a new challenge and presents an uncertainty for the consolidated group. The court needs to clarify the impact of the mini trials on the reparations mandate.
- 4) Only continuous affirmative and financial commitment by the international donors and the United Nations guarantees a fair and independent trial in which victims are genuinely integrated and their views are taken seriously. Furthermore, continued and increased cooperation between civil society and the ECCC is also required.
- 5) With regard to the upcoming second trial, civil society is disappointed by the fact that the request made by the Civil Party Lead Co-Lawyers to present preliminary remarks during the opening statements was denied. The views and concerns of the civil parties should be an integral part of the trial proceedings.
- 6) The judicial independence of the ECCC must be safeguarded. Political interference with the work of the ECCC must cease. The future legacy of the ECCC will only be viewed as a success if all members of the ECCC respect the basic principles of independence, equity, integrity and transparency.

For more information, please contact:

Mr. Thun Saray	President of ADHOC/Chairman CHRAC	Tel: 016 440 044
Mr. Sok Sam Oeun	Executive Director CDP	Tel: 012 901 199
Mr. Chum Sirath	Vice-President Ksaemksan Victims Association	Tel: 012 812 968
Mr. Youn Sarath	Project Assistant TPO Cambodia	Tel: 017 663 856
Mr. Barnabé Nékuie	Avocat Sans Frontières France	Tel: 098 753 752