

Photo: Senior leaders of Democratic Kampuchea (DK) waiting for the arrival of the Chinese delegation at the Po-chen-tong International Airport, Phnom Penh. Chinese Ambassador to DK, Sun Hua, is standing second from the left. DK senior leaders from right to left: Ieng Thirith, Minister of Social Affairs; Yun Yat, Minister of Education and Culture; Pol Pot; Ieng Sary, Minister of Foreign Affairs; Vorn Vet, Minister of Economics; Nuon Chea, President of People's Assembly and Khieu Ponnary. Others are unidentified. Source: Documentation Center of Cambodia Archives.



FINAL JUDGMENT OF CASE 002/01

“The purpose of this law is to bring to trial senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia, that were committed during the period from 17 April 1975 to 6 January 1979.” (Article 1, Law on the establishment of Extraordinary Chambers in the Courts of Cambodia for the prosecution of crimes committed during the period of Democratic Kampuchea.)

On **November 23, 2016** the Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) will pronounce its final judgment for Case 002/01 against the accused Nuon Chea and Khieu Samphan. The Accused were found guilty of crimes against humanity and sentenced to life in prison by the Trial Chamber. This is the first final decision against the senior leaders of the Khmer Rouge regime, who issued policies that resulted in the death of nearly two million people.

Case 002/01 commenced with opening statements in November 2011. The case included the charges of crimes against humanity related to the forced evacuation of Phnom Penh in April 1975, and a second population movement, which was initiated in September 1975 and lasted until 1977. Also the charges included the alleged massacre of former Lon Nol soldiers and their officials at Tuol Po Chrey.

On 7 August 2014, the Trial Chamber found Nuon Chea and Khieu Samphan guilty of crimes against humanity and imposed a sentence of life imprisonment. Both of the accused appealed their convictions to the Supreme Court Chamber, requesting a reversal of the Trial Chamber’s judgment and acquittal. The Co-Prosecutor also filed an appeal, asking the Supreme Court Chamber to declare that the most extended form of the mode of liability known as joint criminal enterprise is applicable at the ECCC. The Supreme Court Chamber will pronounce its judgment for case 002/01 on 23 November 2016, bringing the proceedings in the Case 002/01 to a conclusion.

The Trial in Case 002/02 commenced with opening statements on 17 October 2014, and includes the following charges:

- Genocide against the Cham and the Vietnamese (excluding crimes 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 Center, Au Kansaeng Security Center and Phnom Kraol Security Center;
- 1st January Dam Worksite; Kampong Chhnang Airport Construction site, Trapeang Thma Dam Worksite;
- Tram Kok Cooperative;
- Treatment of Buddhists (limited to Tram Kok Cooperatives); and
- Targeting of former Khmer Republic Officials (implementation limited to Tram Kok Cooperatives, 1st January Dam Worksite, S-21 Security Center and Kraing Ta Chan Security Center)

The presentation of evidence in this case is expected to end in December 2016, with closing statements by the end of first quarter of 2017. A trial judgment is currently projected for December 2017.

The survivors of the Khmer Rouge regime have been anxiously waiting for justice for over 37 years. For survivors living in remote areas, it has been particularly challenging to receive news about the verdict. To ensure the Cambodian public in the rural areas have access to information and news about the verdict pronouncement at the ECCC gallery in Phnom Penh, the **Documentation Center of Cambodia** (DC-Cam) will organize public village forums and live screenings in seven locations in Cambodia:

SEVEN LOCATIONS OF LIVE SCREENING OF THE FINAL JUDGMENT OF CASE 002/01

1. Wat Kumnou, Angkor Borei district, Takeo province.
2. Wat Svay Tuntim, Romeas Haek district, Svay Rieng province.
3. Pouthi Ban, Koh Thom district, Kandal province.
4. Wat Rorng Damrey Sar, Rolea P’ier district, Kampong Chhnang province.
5. Wat Chamkar Mlou, Krouch Chhmar district, Kampong Cham province.
6. Koh Nheak provincial town, Mondulkiri province.
7. Wat Thala, Thala Barivat district, Stung Treng province.

The live screenings and forums will provide ethnic minorities, marginalized people, former Khmer Rouge soldiers and cadres, and villagers living in rural areas with access to information that they would otherwise have no access to. We expect hundreds of people to participate in each village forum. Participants will be briefed about the history of Case 002/01 before its pronouncement, which will begin at 9 a.m. Following the verdict, 2 DC-Cam staffs at each site will organize a forum for participants to express their opinions, reactions, and views on justice, healing, and reconciliation.

This screening program is being conducted with the support of the Ministry of Interior; Office of Global Programs, Bureau of Democracy Human Right, and Labor (DRL); U.S. Department of State; European Union (EU); The Robert Bosch Foundation (Stiftung) and The Center for International Human Right (CIHR); Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ); Swiss Agency for Development and Cooperation; Extraordinary Chamber in the Courts of Cambodia (ECCC); Ministry of Education, Youth and Sports and Ministry of Tourism. The screening is funded by the United States Agency for International Development (USAID).

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MEMORY & JUSTICE

“...a society cannot know itself if it does not have an accurate memory of its own history.”

The Documentation Center of Cambodia (DC-Cam)
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DC-Cam Affiliations:

The Cambodia Tribunal Monitor (CTM)
www.cambodiatribunal.org

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