

**REMARKS AT THE OPENING OF THE THIRD PLENARY SESSION OF JUDGES OF  
THE EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

**BY HIS EXCELLENCY KONG SRIM  
President of the Plenary Session**

**28 January 2008  
Raffles Hotel Le Royal, Phnom Penh**

Excellencies, Ladies and Gentlemen

I am pleased to welcome colleagues both national and international judicial officers to this Plenary Session.

We begin 2008 with a strong sense of achievement. The judicial process for which we have all been appointed to carry out began to move forward very fast in earnest, as on the very next day of the adoption of the Internal Rules by the last Plenary Session.

During the last six months, ECCC has gone through a non-stop round of activities. Let me recap some of the main points:

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| 18 July               | First Introductory Submission by the Co-Prosecutors to Co-Investigating Judges   |
| 31 July               | Co-Investigating Judges charged Kaing Guek Eav (Duch) (for crimes against humanity), and issued Order of Provisional Detention   |
| 8 Sept                | Co-Investigating Judges charged Nuon Chea (for crimes against humanity and war crimes), and issued Order of Provisional Detention  |
| 12 Nov                | Co-Investigating Judges charged Ieng Sary (for crimes against humanity and war crimes) and Ieng Thirith (for crimes against humanity), and issued Order of Provisional Detention of both |
| 19 Nov                | Co-Investigating Judges charged Khieu Samphan (for crimes against humanity and war crimes) and issued Order of Provisional Detention   |
| 20-21 Nov             | first public hearing of Pre-Trial Chamber on Appeal by Kaing Guek Eav (Duch) against provisional detention   |
| 3 Dec<br>(4 Feb 2008) | Pre-Trial Chamber announces its decision to reject the appeal<br>scheduled commencement of Pre-Trial Chamber hearing of appeal by Nuon Chea against provisional detention)               |

We can proudly say that despite the many years lost since the crimes were committed and the long time spent in negotiation, the ECCC, the youngest in the family of

internationalised courts, has shown itself to be exemplary when compared with its international and hybrid counterparts. Allow me to highlight some of important facts as follows :

**1- Adoption of Internal Rules** : the Internal Rules was adopted in a record speed despite the fact that the ECCC is the first hybrid tribunal to be established in a civil law system, and the first to be mandated to follow national procedure.

**2- No fugitives, and fast arrest and charge of suspects** : the first suspect was arrested in less than two weeks from the date of the Introductory Submission, or six weeks from the adoption of the Internal Rules. All five suspects named therein were charged and placed in provisional detention in just four months of the Introductory Submission. No other tribunal has anything like such a record.

**3- Victims Participation** : the ECCC is the first hybrid court to provide for victim participation as Civil Parties

**4- Transparency and public involvement** : the ECCC judicial officers have taken a number of unprecedented actions to provide the public access to information and to the proceedings.

**5- Financial aspects** : ECCC is the smallest tribunal, with the lowest budget. We have a staff of around 300 (200 national and 100 international), compared to over 1,000 at the ICTY and ICTR. Our current total budget of around \$20 million per year is relatively small, as we can see by comparing it to that of the ICTY (now \$157.5m per annum) and ICTR (now \$138.5 per annum).

In between these judicial actions our Judicial Administration Committee and the Rules and Procedure Committee have met a number of times by remote means and in person and decisions on various issues had been made. As the President of the two committees, I will make a report in more detail according to the schedule as provided in the draft agenda.

I would like to take this opportunity to draw attention to all participants that as our court is moving toward to the trial stage, this Plenary Session has a specific objective agenda, among others, which is to examine how best to improve the provisions of the Internal Rules relating to the proceeding before the Trial Chamber taken into account of the experiences gained by our judicial offers during the past 6 months. I therefore urge to everyone to pay due consideration to the all proposal amendments which put before you during these.

May I declare the opening of the third plenary session!!!

Thank you.