



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia  
Nation Religion King

Royaume du Cambodge  
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

សំណុំរឿងលេខ: ០០១/១៨ កក្កដា ២០០៧/អវតក/អជសដ

Case File/Dossier No. 001/18-07-2007/ECCC/TC

**ឯកសារដើម**  
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de réception):  
04 / MAR / 2009

ម៉ោង (Time/Heure): 11:00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង (Case File Officer/L'agent chargé du dossier): C.A. Juy

Before:

Judge NIL Nonn, President  
Judge Silvia CARTWRIGHT  
Judge YA Sokhan  
Judge Jean-Marc LAVERGNE  
Judge THOU Mony

Date:

4 March 2009

Classification:

PUBLIC

**ឯកសារចម្លងត្រឹមត្រូវតាមស្នាមដើម**  
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME

ថ្ងៃ ខែ ឆ្នាំ បញ្ជាក់ (Certified Date/Date de certification):  
04 / MAR / 2009

មន្ត្រីទទួលបន្ទុកសំណុំរឿង (Case File Officer/L'agent chargé du dossier): C.A. Juy

DECISION ON THE CIVIL PARTY STATUS  
OF APPLICANTS E2/36, E2/51 AND E2/69

Co-Prosecutors

CHEA Leang  
Robert PETIT

Accused

KAING Guek Eav alias "DUCH"

Lawyers for the Civil Parties

KONG Pisey  
HONG Kimsuon  
YUNG Panith  
KIM Mengkhy  
MOCH Sovannary  
Silke STUDZINSKY  
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Elizabeth RABESANDRATANA  
Karim KHAN

Lawyers for the Defence

KAR Savuth  
François ROUY



**THE TRIAL CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia;

**BEING SEISED** of Case File No. 001/18-07-2007-ECCC/TC pursuant to the “Decision on Appeal Against the Closing Order Indicting Kaing Guek Eav Alias Duch,” rendered orally by the Pre-Trial Chamber on 5 December 2008 and filed in Khmer on 9 December 2008;

**HAVING RECEIVED** the applications to be joined as Civil Parties filed by Civil Party applicants E2/36, E2/51 and E2/69, (“the Applicants”);<sup>1</sup>

**NOTING** the Interim Recognition of Applicants E2/36 and E2/51 on 13 February 2009<sup>2</sup>;

**HAVING CONSIDERED** the submissions made orally by the Parties during the Initial Hearing;

**RECALLING** the Decision of the Trial Chamber Concerning Proof of Identity for Civil Party Applicants, issued on 26 February 2009<sup>3</sup>;

**HAVING RECEIVED** the requested additional proof of identity for Applicants E2/51 and E2/69 on 26 February 2009<sup>4</sup>, in the form of an election card and a voter registration form respectively;

**NOTING** that no additional information was received with respect to Applicant E2/36 and that to date, the only information in the possession of the Chamber relating to the identity of this Applicant is a “Clarification” dated 4 February 2009, certifying the residence of the Applicant, and written by the Cambodian Human Rights and Development Association, which is not an official authority<sup>5</sup>;

### **HEREBY**

**CONSIDERS** that the documents filed by Applicants E2/51 and E2/69 are satisfactory proof of their identity,

**CONSIDERS** that the document provided by Applicant E2/36 is insufficient to establish his identity,

**CONFIRMS** the Civil Party status of Applicant E2/51 in the case against the Accused,

**DECIDES** that Applicant E2/69 is admitted as Civil Party in the case against the Accused, and

<sup>1</sup> As already indicated during the Initial Hearing, as an interim measure, the Trial Chamber will refer to Civil Parties or Civil Party applicants by referring to the document reference number of their original Civil Party applications placed in the case file.

<sup>2</sup> See Documents E2/36/5 and E2/51/5

<sup>3</sup> See Document E2/94

<sup>4</sup> See Document E2/94/1

<sup>5</sup> See Document E2/36/4



**DECLARES** Civil Party Application E2/36 inadmissible in the case against the Accused. *ANW*

Phnom Penh, 4 March 2009

President of the Trial Chamber



*ANW*

**ANW**