



**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**

**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**  
Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Kingdom of Cambodia  
Nation Religion King  
Royaume du Cambodge  
Nation Religion Roi

**អង្គជំនុំជម្រះសាលាដំបូង**  
Trial Chamber  
Chambre de première instance

សំណុំរឿងលេខ: ០០១/១៨ កក្កដា ឆ្នាំ ២០០៧-អវតក/អជសដ  
Case File/Dossier N° 001/18-07-2007-ECCC/TC

<b>ឯកសារដើម</b>
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**Before:** Judge NIL Nonn, President  
Judge Silvia CARTWRIGHT  
Judge YA Sokhan  
Judge Jean-Marc LAVERGNE  
Judge THOU Mony

**Date:** 27 August 2009

**Classification:** PUBLIC

<b>ឯកសារច្បាប់តាមប្រព័ន្ធគ្រប់គ្រងឯកសារ</b>
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**DIRECTION ON PROCEEDINGS RELEVANT TO REPARATIONS**

**AND**

**ON THE FILING OF FINAL WRITTEN SUBMISSIONS**

**Co-Prosecutors**

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**Accused**

KAING Guek Eav alias  
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**The Trial Chamber** of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”), noting Rule 23 of the ECCC Internal Rules, reminds the Civil Parties that they bear the burden of proof regarding the admissibility of their applications and the substance of their claims for reparations.

The Trial Chamber further notes that sub-rules (11) and (12) of Rule 23 of the ECCC Internal Rules provide, respectively, that:

11. Subject to Article 39 of the ECCC Law, the Chambers may award only collective and moral reparations to Civil Parties. These shall be awarded against, and be borne by convicted persons.

12. Such awards may take the following forms:

- a) An order to publish the judgment in any appropriate news or other media at the convicted person’s expense;
- b) An order to fund any non-profit activity or service that is intended for the benefit of Victims; or
- c) Other appropriate and comparable forms of reparation.


In light of the foregoing Internal Rule and the obligation to conduct the trial expeditiously as laid down in Article 33 of the ECCC Law as well as in order to ensure the adversarial character of the reparation proceedings, and in light of Rules 92 and 94 of the Internal Rules of the ECCC and the Practice Directions on Filing of Documents before the ECCC (ECCC/01/2007/Rev.4) the Chamber hereby gives the following

**DIRECTION:**

1. Each Civil Party Group shall file written submissions not exceeding 10 pages in English or French or 20 pages in Khmer by 18 September 2009 stipulating the form or forms of the award of collective and moral reparations they contend should be awarded against the accused, if convicted. The Civil Party Groups may elect to file a joint written submission not exceeding 30 pages in English or French or 60 pages in Khmer. The Defence may file a response, at the latest in the final written submission.
2. The Parties are invited to file final written submissions in preparation of the hearing of closing statements under Rule 94 of the Internal Rules. Such written submissions shall be filed by noon on 11 November 2009 in the three working languages



Requests for translation of the final written submissions in the drafting language into the other two working languages of the ECCC shall be submitted to the ECCC's Interpretation and Translation Pool by 7 October 2009.

3. Final written submissions by the Office of the Co-Prosecutors and the Defence shall not exceed 160 pages in English or French, including footnotes, or 320 pages in Khmer, including footnotes.
4. Final written submissions of all Civil Party Groups combined shall not exceed 160 pages in English or French, including footnotes, or 320 pages in Khmer including footnotes. Should the Civil Party Groups elect to submit separate documents, the following page limits shall apply:
  - a. 52 pages in English or French or 104 pages in Khmer for Group 1;
  - b. 44 pages in English or French or 88 pages in Khmer for Group 2;
  - c. 35 pages in English or French or 70 pages in Khmer for Group 3;
  - d. 29 pages in English or French or 58 pages in Khmer for Group 4.
5. The final written submissions, if any, of the Civil Parties shall indicate the legal and factual basis for Civil Parties' applications to participate as a Civil Party and their claims for reparations. Such submissions will supersede previous requests made by individual Civil Parties for reparation.
6. The hearing of the closing statements will start on 23 November 2009. 

Phnom Penh, 27 August 2009

President of the Trial Chamber



  
NII NOEL