

ANNEX CONCERNING CIVIL PARTY APPLICANTS FOR WHOM JUDGE MARCHI-UHEL CONCURS WITH THE MAJORITY THAT IT IS PLAUSIBLE THAT THEY SUFFERED A HARM AS A RESULT OF AT LEAST ONE CRIME FOR WHICH THE ACCUSED ARE INDICTED

IMPUGNED ORDER	APPEAL	CIVIL PARTY APPLICANT REJECTED BY CIJs	ADMISSIBILITY FINDING	IMMEDIATE VICTIM
<b>D411 (Kampong Speu Province)<sup>1</sup></b>	<b>PTC 76<sup>2</sup></b>	08-VU-01222 (D22/1401) <sup>3</sup>	Phase 1 of forced transfer	Applicant's father-in-law <sup>4</sup>
		08-VU-01227 (D22/1411) <sup>5</sup>	Forced marriage	Applicant's younger brother <sup>6</sup>
		08-VU-01306 (D22/1013) <sup>7</sup>	Phase 1 of forced transfer	Applicant's uncle <sup>8</sup>
		09-VU-02516 (D22/2288) <sup>9</sup>	Phase 1 of forced transfer	Applicant's parents, aunts, uncles and grand mother <sup>10</sup>
		09-VU-02517 (D22/2289) <sup>11</sup>	Forced marriage	Applicant <sup>12</sup>
		09-VU-02521 (D22/2293) <sup>13</sup>	Forced marriage	Applicant's older brother <sup>14</sup>
		09-VU-03309 (D22/2318) <sup>15</sup>	Forced marriage	Applicant's sister <sup>16</sup>

<sup>1</sup> Order on the Admissibility of Civil Party Applicants from Current Residents of Kampong Speu Province, 9 September 2010, D411.

<sup>2</sup> Appeal against Order on the Inadmissibility of Civil Party Applicants from Current Residents of Kampong Speu Province (D411), 20 September 2010, D411/8/3 ("PTC 76").

<sup>3</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>4</sup> Supporting documentation filed by the Co-Lawyers, D411/3/31.

<sup>5</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>6</sup> Supporting documentation filed by the Co-Lawyers, D411/3/6.

<sup>7</sup> Insufficient information to verify compliance with Rule 23 *bis* (1) and (4) (Impugned Order D411, para. 28 and Annex 3).

<sup>8</sup> Supporting documentation filed by the Co-Lawyers, D411/3/18.

<sup>9</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>10</sup> Supporting documentation filed by the Co-Lawyers, D411/3/3.

<sup>11</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>12</sup> Supporting documentation filed by the Co-Lawyers, D411/3/19.

<sup>13</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>14</sup> Supporting documentation filed by the Co-Lawyers, D411/3/28.

<sup>15</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).



	09-VU-3310 (D22/2319) <sup>17</sup>	Phase 1 of forced transfer	Applicant's uncle <sup>18</sup>
	09-VU-03311 (D22/2320) <sup>19</sup>	Forced marriage	Applicant's sister <sup>20</sup>
	09-VU-03314 (D22/2323) <sup>21</sup>	Phase 1 of forced transfer	Applicant's grandparents <sup>22</sup>
	09-VU-03318 (D22/2327) <sup>23</sup>	Phase 1 of forced transfer	Applicant's older sister and her family <sup>24</sup>
	09-VU-3323 (D22/2331) <sup>25</sup>	Phase 1 of forced transfer	Applicant's older brother, his wife and their four children <sup>26</sup>
	09-VU-03331 (D22/2337) <sup>27</sup>	Forced marriage	Applicant <sup>28</sup>
	09-VU-03349 (D22/2353) <sup>29</sup>	Forced marriage	Applicant's younger sister <sup>30</sup>
	09-VU-03350 (D22/2354) <sup>31</sup>	Forced marriage	Applicant's younger sister <sup>32</sup>
	09-VU-03358 (D22/2362) <sup>33</sup>	Forced marriage	Applicant's younger and older sisters <sup>34</sup>
	09-VU-03393 (D22/2395) <sup>35</sup>	Phase 1 of forced transfer	Applicant's grandparents <sup>36</sup>
	09-VU-03395 (D22/2397) <sup>37</sup>	Phase 1 of forced transfer	Applicant's aunt and uncle <sup>38</sup>

<sup>16</sup> Supporting documentation filed by the Co-Lawyers, D411/3/15.

<sup>17</sup> Insufficient information to verify compliance with Rule 23 *bis* (1) and (4) (Impugned Order D411, para. 28 and Annex 3).

<sup>18</sup> Supporting documentation filed by the Co-Lawyers, D411/3/2.

<sup>19</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>20</sup> Supporting documentation filed by the Co-Lawyers, D411/3/9.

<sup>21</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>22</sup> Supporting documentation filed by the Co-Lawyers, D411/3/4.

<sup>23</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>24</sup> Supporting documentation filed by the Co-Lawyers, D411/3/16.

<sup>25</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>26</sup> Supporting documentation filed by the Co-Lawyers, D411/3/32.

<sup>27</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>28</sup> Additional information incorporated in the Appeal.

<sup>29</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>30</sup> Supporting documentation filed by the Co-Lawyers, D411/3/14.

<sup>31</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>32</sup> Supporting documentation filed by the Co-Lawyers, D411/3/29.

<sup>33</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

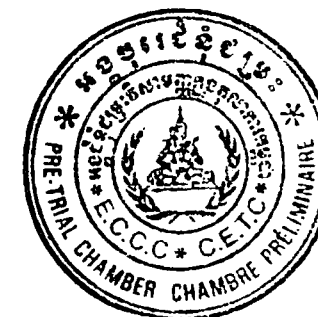
<sup>34</sup> Supporting documentation filed by the Co-Lawyers, D411/3/20.

<sup>35</sup> Insufficient information to verify compliance with Rule 23 *bis* (1) and (4) (Impugned Order D411, para. 28 and Annex 3).

<sup>36</sup> Additional information incorporated in the Appeal.

<sup>37</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>38</sup> Supporting documentation filed by the Co-Lawyers, D411/3/27.



		09-VU-03429 (D22/2424) <sup>39</sup>	Persecution against Buddhists	Applicant (Prohibition of practicing Buddhism) and Applicant's nephew (a monk, who was disrobed and killed) <sup>40</sup>
		09-VU-03455 (D22/3164) <sup>41</sup>	Forced marriage	Applicant <sup>42</sup>
		09-VU-03461 (D22/3170) <sup>43</sup>	Phase 1 of forced transfer	Applicant's older sister <sup>44</sup>
		09-VU-04172 (D22/2463) <sup>45</sup>	Phase 1 of forced transfer	Applicant's second cousin <sup>46</sup>
		09-VU-04178 (D22/2469) <sup>47</sup>	Phase 1 of forced transfer	Applicant's older cousin and her six months old child <sup>48</sup>
		09-VU-04187 (D22/2473) <sup>49</sup>	Phase 1 of forced transfer	Applicant's uncle and his family members <sup>50</sup>
		09-VU-04189 (D22/3583) <sup>51</sup>	Forced marriage	Applicant's younger sister <sup>52</sup>
		10-VU-00026 (D22/2505) <sup>53</sup>	Phase 1 of forced transfer	Applicant's younger siblings <sup>54</sup>
		10-VU-00404 (D22/3822) <sup>55</sup>	Persecution against Buddhists	Applicant (Prohibition of practicing Buddhism) and Applicant's nephew (a monk, who was disrobed) <sup>56</sup>

<sup>39</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>40</sup> Supporting documentation filed by the Co-Lawyers, D411/3/24.

<sup>41</sup> Insufficient information to verify compliance with Rule 23 *bis* (1) and (4) (Impugned Order D411, para. 28 and Annex 3).

<sup>42</sup> Supporting documentation filed by the Co-Lawyers, D411/3/13.

<sup>43</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>44</sup> Supporting documentation filed by the Co-Lawyers, D411/3/33.

<sup>45</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>46</sup> Supporting documentation filed by the Co-Lawyers, D411/3/23.

<sup>47</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>48</sup> Supporting documentation filed by the Co-Lawyers, D411/3/8.

<sup>49</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>50</sup> Supporting documentation filed by the Co-Lawyers, D411/3/30.

<sup>51</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>52</sup> Supporting documentation filed by the Co-Lawyers, D411/3/11.

<sup>53</sup> No proof of kinship with an immediate victim in relation to forced marriage and harm is not linked to the facts under investigation and (Impugned Order D411, paras. 24 and 27 and Annex 3).

<sup>54</sup> Supporting documentation filed by the Co-Lawyers, D411/3/5.

<sup>55</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).



		08-VU-01483 (D22/1752) <sup>57</sup>	Phase 2 of forcible transfer Kampong Speu province to Pursat province in 1977	Applicant's mother-in-law and brothers-in-law (Applicant's husband considered an enemy) <sup>58</sup>
		09-VU-01052 (D22/1545) <sup>59</sup>	Phase 2 of forcible transfer Svay Rieng Province to Prey Veng Province in 1976	Applicant's sister <sup>60</sup>
		09-VU-01502 (D22/0785) <sup>61</sup>	Persecution against Buddhists	Applicant (Prohibition of practicing Buddhism, including ceremonies for her dead siblings) <sup>62</sup>
		09-VU-04191 (D22/3585) <sup>63</sup>	Phase 2 of forcible transfer Kampong Speu province to Kampong Thom province in 1975	Applicant and his family members, classified 17 April people <sup>64</sup>
	<b>PTC 172<sup>65</sup></b>	08-VU-01347 (D22/383) <sup>66</sup>	Persecution on religious grounds against Buddhists	Applicant (Prohibition of practicing Buddhism, no access to a pagoda to pray, monks disrobed, Buddha statues thrown into the water and no possibility to celebrate the deaths) <sup>67</sup>

<sup>56</sup> Supporting documentation filed by the Co-Lawyers, D411/3/7.

<sup>57</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>58</sup> Report on Civil Party Application D22/1752 and Further particulars sought by the Pre-Trial Chamber (D411/3/4).

<sup>59</sup> Insufficient information to verify compliance with Rule 23 *bis* (1) and (4) (Impugned Order D411, para. 28 and Annex 3).

<sup>60</sup> Further particulars sought by the Pre-Trial Chamber (D411/3/4).

<sup>61</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>62</sup> Further particulars sought by the Pre-Trial Chamber (D411/3/4).

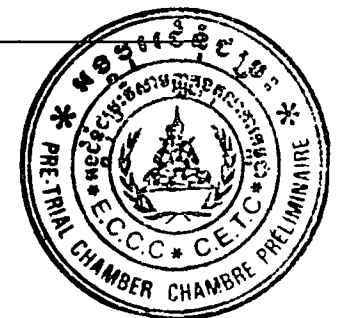
<sup>63</sup> Harm is not linked to the facts under investigation (Impugned Order D411, para. 27 and Annex 3).

<sup>64</sup> Report on Civil Party Application D22/3585.

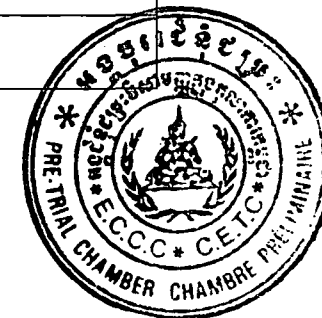
<sup>65</sup> Appeal Against Orders on the Admissibility of Civil Party Applicants from Current Residents of Kampong Speu, 2 November 2010, D411/5/1 ("Appeal PTC 172").

<sup>66</sup> No proof of kinship with an immediate victim and harm is not linked to the other facts under investigation (Impugned Order, paras. 25-27 and Annex 3).

<sup>67</sup> Additional information incorporated in the Appeal and Report on Civil Party Application D22/383b.



		09-VU-01417 (D22/0843) <sup>68</sup>	Phase 2 of forced transfers from Kampong Speu Province to Battambang Province during the second half of 1975	Applicant and her family <sup>69</sup>
		08-VU-01460 (D22/1723) <sup>70</sup>	Other inhumane acts through forced marriage	Applicant's cousin and her cousin's daughter <sup>71</sup> (Applicant deceased, succeeded by Son) <sup>72</sup>
		09-VU-01422 (D22/1860) <sup>73</sup>	Phase 2 of forced transfers from Kampong Speu Province to Battambang Province in 1976	Applicant's aunt <sup>74</sup>
		08-VU-01303 (D22/364) <sup>75</sup>	Persecution on religious grounds against Buddhists	Applicant (prohibition to practice Buddhism) <sup>76</sup>
<b>D419 (Kampot Province)<sup>77</sup></b>	<b>PTC 112<sup>78</sup></b>	09-VU-03389 (D22/2392) <sup>79</sup>	Inhumane acts through forced marriage	Applicant <sup>80</sup>
		09-VU-01186 (D22/1490) <sup>81</sup>	Imprisonment (North Zone Security Centre)	Applicant <sup>82</sup>



<sup>68</sup> Harm is not linked to the facts under investigation (Impugned Order D411, paras 19-25 and Annex 3).

<sup>69</sup> Report on Civil Party Application, 31 December 2009, D22/843/1.

<sup>70</sup> Threshold of psychological harm not met in relation to forced marriage (Impugned Order D411, para. 25 and Annex 3).

<sup>71</sup> Summary of supplementary information, D22/1723b.

<sup>72</sup> Declaration of Succession, 31 May 2011, E2/8.1; Decision on Declaration of Succession Regarding Deceased Civil Party Applicant D22/1723, 24 June 2011, D411/5/3.

<sup>73</sup> Insufficient information to verify compliance with Internal Rule 23 bis (1) and (4) (Impugned Order D411, para. 28 and Annex 3).

<sup>74</sup> Summary of supplementary information, D22/1860b and additional information filed in support of the appeal, D411/5/1.2.3.

<sup>75</sup> No proof of relevant harm, Impugned Order D411, para. 23 and Annex 3.

<sup>76</sup> Additional information incorporated in the Appeal, para. 61. See also D364/3b.

<sup>77</sup> Order on the Admissibility of Civil Party Applicants from Current Residents of Kampot Province, 14 September 2010, D419 ("Impugned Order D419").

<sup>78</sup> *Appel des Co-avocats de parties civiles, Groupe Avocats Sans Frontières France, de l'ordonnance D419 sur la recevabilité des constitutions de parties civiles résidant dans la province de Kampot*, 27 September 2010, D419/2/1 ("Appeal PTC 112").

<sup>79</sup> Harm is not linked with facts under investigation (Impugned Order D419, para. 29 and Annex 3).

<sup>80</sup> Report on Civil Party Application D22/2392.

<sup>81</sup> Harm is not linked with facts under investigation (Impugned Order D419, para. 29 and Annex 3).

<sup>82</sup> Supplementary Information, D22/1490b.

		08-VU-01858 (D22/1946) <sup>83</sup>	Inhumane acts through forced marriage	Applicant's cousin <sup>84</sup>
		09-VU-04181 (D22/3577) <sup>85</sup>	Inhumane acts through forced marriage	Applicant's cousin <sup>86</sup>
	<b>PTC 113</b> <sup>87</sup>	09-VU-01336 (D22/0647) <sup>88</sup>	Inhumane acts through forced marriage	Applicant's sister in law <sup>89</sup>
		09-VU-01317 (D22/0636) <sup>90</sup>	Inhumane acts through forced marriage	Applicant's sister <sup>91</sup>
	<b>PTC 114</b> <sup>92</sup>	08-VU-00820 (D22/448) <sup>93</sup>	Persecution on religious grounds against the Cham	Applicant (one or more of the following: prohibition of Islam and/or Cham language and/or to hold funeral ceremonies, forced to eat pork) <sup>94</sup>
		08-VU-01553 (D22/385)	<i>Ibid</i>	<i>Ibid</i> <sup>95</sup>

<sup>83</sup> Threshold for personal psychological harm is not met in relation to forced marriage; harm is not linked to the facts under investigation (in relation to Buddhist persecution at Wat Damnak Trayeung; harm is not linked to the facts under investigation (outside geographical scope/Vietnamese persecution); harm is not linked to the facts under investigation in relation to the other crimes (Impugned Order D419, paras 26-27 and Annex 3).

<sup>84</sup> Report on Civil Party Application D22/1946.

<sup>85</sup> Threshold for personal psychological harm not met in relation to forced marriage; harm is not linked to the facts under investigation (other alleged crimes) (Impugned Order D419, paras 26-27 and Annex 3).

<sup>86</sup> D22/3577b.

<sup>87</sup> Appeal Against Order on the Admissibility of Civil Party Applicants from Current Residents of Kampot Province, filed on 24 September 2010, D419/5/1 ("Appeal PTC 113").

<sup>88</sup> Application declared inadmissible on the ground that the threshold for personal psychological harm not met in relation to forced marriage and that the harm was not linked to the facts under investigation in relation to the other alleged crimes (Impugned Order D419, para. 27, and Annex 3).

<sup>89</sup> D22/1502 and Appeal PTC 113.

<sup>90</sup> Harm is not linked with facts under investigation (Impugned Order D419, para. 26 and Annex 3).

<sup>91</sup> Supplementary information included in the Appeal as an Annex, D419/5/1.1.1.

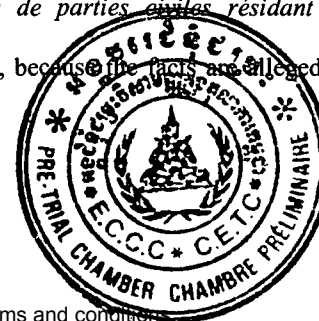
<sup>92</sup> *Requête d'appel d'ordonnance sur la recevabilité des constitutions de parties civiles résidant dans la province de Kampot (52 requérants) Table des sources*, 27 September 2010, D419/7/1. Despite the reference to the table of authorities in the title of this document, it contains the appeal; the table of authorities is in the document entitled *Requête d'appel d'ordonnance sur la recevabilité des constitutions de parties civiles résidant dans la province de Kampot (52 requérants)*, dated 27 September 2010, D419/7/1.1.

<sup>93</sup> Harm is not linked to the facts under investigation regarding the treatment of the Cham, because the facts are alleged to have been committed in Kampot (Impugned Order D419, para. 26, footnote 23 and Annex 3).

<sup>94</sup> Supplementary information, D22/448b.

<sup>95</sup> Supplementary information, D22/385b.

*Civil party applications admissible in the view of Judge Marchi-Uhel*



	08-VU-01775 (D22/1500)	<i>Ibid</i>	<i>Ibid</i> <sup>96</sup>
	08-VU-01776 (D22/388)	<i>Ibid</i>	<i>Ibid</i> <sup>97</sup>
	08-VU-01783 (D22/919)	<i>Ibid</i>	<i>Ibid</i> <sup>98</sup>
	08-VU-01787 (D22/1501)	<i>Ibid</i>	<i>Ibid</i> <sup>99</sup>
	08-VU-01789 (D22/923)	<i>Ibid</i>	<i>Ibid</i> <sup>100</sup>
	08-VU-01833 (D22/225)	<i>Ibid</i>	<i>Ibid</i> <sup>101</sup>
	09-VU-00576 (D22/1982)	<i>Ibid</i>	<i>Ibid</i> <sup>102</sup>
	09-VU-03790 (D22/3441)	<i>Ibid</i>	<i>Ibid</i> <sup>103</sup>
	09-VU-03870 (D22/3521)	<i>Ibid</i>	<i>Ibid</i> <sup>104</sup>
	09-VU-03874 (D22/3525)	<i>Ibid</i>	<i>Ibid</i> <sup>105</sup>
	09-VU-03876 (D22/3527)	<i>Ibid</i>	<i>Ibid</i> <sup>106</sup>
	09-VU-03880 (D22/3530)	<i>Ibid</i>	<i>Ibid</i> <sup>107</sup>
	09-VU-03882 (D22/3532)	<i>Ibid</i>	<i>Ibid</i> <sup>108</sup>
	09-VU-03896 (D22/3546)	<i>Ibid</i>	<i>Ibid</i> <sup>109</sup>
	09-VU-04254 (D22/3640)	<i>Ibid</i>	<i>Ibid</i> <sup>110</sup>
	09-VU-04257 (D22/3643)	<i>Ibid</i>	<i>Ibid</i> <sup>111</sup>
	09-VU-03793 (D22/3444)	<i>Ibid</i>	<i>Ibid</i> <sup>112</sup>
	08-VU-01785 (D22/921)	<i>Ibid</i>	<i>Ibid</i> <sup>113</sup>

<sup>96</sup> Supplementary information, D22/1500/1.

<sup>97</sup> Supplementary information, D22/388b.

<sup>98</sup> Supplementary information, D22/919b.

<sup>99</sup> Supplementary information, D22/1501/1.

<sup>100</sup> Supplementary information, D22/923b.

<sup>101</sup> Supplementary information, D22/225.

<sup>102</sup> Supplementary information, D22/1982b.

<sup>103</sup> Supplementary information, D22/3441b.

<sup>104</sup> Supplementary information, D22/3521b.

<sup>105</sup> Supplementary information, D22/3525b.

<sup>106</sup> Supplementary information, D22/3527b.

<sup>107</sup> Supplementary information, D22/3530/1.

<sup>108</sup> Supplementary information, D22/3532b.

<sup>109</sup> Supplementary information, D22/3546/1.

<sup>110</sup> Supplementary information, D22/3640b.

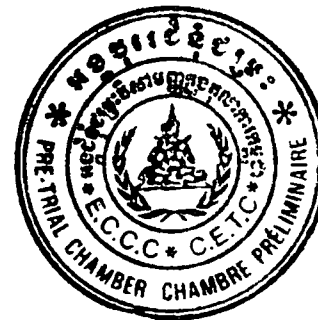
<sup>111</sup> Supplementary information, D22/3643b.

<sup>112</sup> Supplementary information, D22/3444/1.

<sup>113</sup> Supplementary information, D22/921/1.



	08-VU -01844 (D22/224)	<i>Ibid</i>	<i>Ibid</i> <sup>114</sup>
	08-VU-02184 (D22/478)	<i>Ibid</i>	<i>Ibid</i> <sup>115</sup>
	08-VU-02370 (D22/1147)	<i>Ibid</i>	<i>Ibid</i> <sup>116</sup>
	09-VU-00059 (D22/1720)	<i>Ibid</i>	<i>Ibid</i> <sup>117</sup>
	09-VU-00060 (D22/1719)	<i>Ibid</i>	<i>Ibid</i> <sup>118</sup>
	09-VU-00572 (D22/2080)	<i>Ibid</i>	<i>Ibid</i> <sup>119</sup>
	09-VU-00573 (D22/1979)	<i>Ibid</i>	<i>Ibid</i> <sup>120</sup>
	09-VU-00575 (D22/221)	<i>Ibid</i>	<i>Ibid</i> <sup>121</sup>
	09-VU-00619 (D22/1978)	<i>Ibid</i>	<i>Ibid</i> <sup>122</sup>
	09-VU-00621 (D22/900)	<i>Ibid</i>	<i>Ibid</i> <sup>123</sup>
	09-VU-00723 (D22/830)	<i>Ibid</i>	<i>Ibid</i> <sup>124</sup>
	09-VU-03773 (D22/3424)	<i>Ibid</i>	<i>Ibid</i> <sup>125</sup>
	09-VU-03783 (D22/3434)	<i>Ibid</i>	<i>Ibid</i> <sup>126</sup>
	09-VU-03796 (D22/3447)	<i>Ibid</i>	<i>Ibid</i> <sup>127</sup>
	09-VU-03794 (D22/3445)	<i>Ibid</i>	<i>Ibid</i> <sup>128</sup>
	09-VU-03864 (D22/3515)	<i>Ibid</i>	<i>Ibid</i> <sup>129</sup>
	09-VU-03871 (D22/3522)	<i>Ibid</i>	<i>Ibid</i> <sup>130</sup>
	09-VU-03875 (D22/3526)	<i>Ibid</i>	<i>Ibid</i> <sup>131</sup>

<sup>114</sup> Supplementary information, D22/224/1.<sup>115</sup> Supplementary information, D22/478b.<sup>116</sup> Supplementary information, D22/1147b.<sup>117</sup> Supplementary information, D22/1720/1.<sup>118</sup> Supplementary information, D22/1719/1.<sup>119</sup> Supplementary information, D22/2080B.<sup>120</sup> Supplementary information, D22/1979b.<sup>121</sup> Supplementary information, D22/221/1.<sup>122</sup> Supplementary information, D22/1978/1.<sup>123</sup> Supplementary information, D22/900b.<sup>124</sup> Supplementary information, D22/830b.<sup>125</sup> Supplementary information, D22/3424b.<sup>126</sup> Supplementary information, D22/3434b.<sup>127</sup> Supplementary information, D22/3447/1.<sup>128</sup> Supplementary information, D22/3445/1.<sup>129</sup> Supplementary information, D22/3515b.<sup>130</sup> Supplementary information, D22/3522/1.<sup>131</sup> Supplementary information, D22/3526b.



		09-VU-03878 (D22/3528)	<i>Ibid</i>	<i>Ibid</i> <sup>132</sup>
		09-VU-03883 (D22/3533)	<i>Ibid</i>	<i>Ibid</i> <sup>133</sup>
		09-VU-03885 (D22/3535)	<i>Ibid</i>	<i>Ibid</i> <sup>134</sup>
		09-VU-03890 (D22/3540)	<i>Ibid</i>	<i>Ibid</i> <sup>135</sup>
		09-VU-03892 (D22/3542)	<i>Ibid</i>	<i>Ibid</i> <sup>136</sup>
		09-VU-04240 (D22/3626)	<i>Ibid</i>	<i>Ibid</i> <sup>137</sup>
		09-VU-04244 (D22/3630)	<i>Ibid</i>	<i>Ibid</i> <sup>138</sup>
		09-VU-04253 (D22/3639)	<i>Ibid</i>	<i>Ibid</i> <sup>139</sup>
		09-VU-04262 (D22/3648)	<i>Ibid</i>	<i>Ibid</i> <sup>140</sup>
		08-VU-01778 (D22/945)	<i>Ibid</i>	<i>Ibid</i> <sup>141</sup>
		09-VU-00055 (D22/531)	<i>Ibid</i>	<i>Ibid</i> <sup>142</sup>
		09-VU-00622 (D22/1502)	Inhumane acts through forced marriage	Applicants aunt <sup>143</sup>
	<b>PTC 115</b> <sup>144</sup>	09-VU-03797 (D22/3448) <sup>145</sup>	Inhumane acts through forced marriage	Applicant's sister <sup>146</sup>
		09-VU-00261 (D22/1970) <sup>147</sup>	Persecution on religious grounds against the Cham	Applicant (threats to oblige him to eat pork and suffered from ban on prayers and reading of the <i>dharma</i> ) <sup>148</sup>

<sup>132</sup> Supplementary information, D22/3528b.

<sup>133</sup> Supplementary information, D22/3533b.

<sup>134</sup> Supplementary information, D22/3535b.

<sup>135</sup> Supplementary information, D22/3540b.

<sup>136</sup> Supplementary information, D22/3542/1.

<sup>137</sup> Supplementary information, D22/3626b.

<sup>138</sup> Supplementary information, D22/3630b.

<sup>139</sup> Supplementary information, D22/3639b.

<sup>140</sup> Supplementary information, D22/3648b.

<sup>141</sup> Supplementary information, D22/945b.

<sup>142</sup> Supplementary information, D22/531/1.

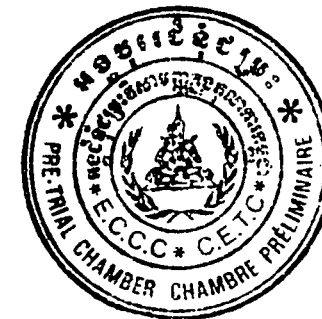
<sup>143</sup> Supplementary information, D22/1502b.

<sup>144</sup> Appeal against the Order on the Admissibility of Civil Party Applicants from Current Residents of Kampot Province (23 Applicants), 27 September 2010, D419/8/1 ("Appeal PTC 115").

<sup>145</sup> Threshold for personal psychological harm not met in relation to forced marriage (Impugned Order D419, para. 27 and Annex 3).

<sup>146</sup> Supplementary information, D22/3448b.

<sup>147</sup> Harm was not related to the facts under investigation (Impugned Order D419, para. 26 and Annex 3).



		09-VU-00262 (D22/1459) <sup>149</sup>	Persecution on religious grounds against the Cham	Applicant (ban on the practice of Islam) <sup>150</sup>
		09-VU-03761 (D22/3412) <sup>151</sup>	Persecution on religious grounds against the Cham	Applicant (ban on the practice of Islam) <sup>152</sup>
		08-VU-01832 (D22/1943) <sup>153</sup>	Persecution on religious grounds against the Cham	Applicant (conversion of his mosque into a pig pen) <sup>154</sup>
		09-VU-03863 (D22/3514) <sup>155</sup>	Inhumane acts through forced marriage	Applicant's younger sister <sup>156</sup>
		09-VU-00062 (D22/1673) <sup>157</sup>	Inhumane acts through forced marriage	Applicant's cousin <sup>158</sup>
		09-VU-01426 (D22/1915) <sup>159</sup>	Inhumane acts through forced marriage	Applicant's niece <sup>160</sup>
		09-VU-02063 (D22/3024) <sup>161</sup>	Inhumane acts through forced marriage	Applicant's niece <sup>162</sup>

<sup>148</sup> Supplementary Information D22/1970a.

<sup>149</sup> Harm not linked to the facts under investigation (Impugned Order D419, para. 26 and Annex 3).

<sup>150</sup> Supplementary Information D22/1459b. Khmer version of the statement (D22/1459b) further specifies that the Applicant's uncle was killed for failure to comply with the ban on prayers.

<sup>151</sup> The application of Civil Party Applicant 09-VU-03761 (D22/3412) was also declared inadmissible on the ground that the threshold for personal psychological harm was not met in relation to forced marriage (Annex 3).

<sup>152</sup> Report on Civil Party Application D22/3412.

<sup>153</sup> The application of Civil Party Applicant 08-VU-01832 (D22/1943) was also declared inadmissible on the ground that there was no proof of kinship with the immediate victim of forced marriage (Annex 3).

<sup>154</sup> Supplementary Information D22/1943a.

<sup>155</sup> The application of Civil Party Applicant 09-VU-03863 (D22/3514) was declared inadmissible on the ground that the threshold for personal psychological harm was not met in relation to forced marriage and Harm is not linked to the facts under investigation (Annex 3).

<sup>156</sup> Supplementary Information D22/3514a.

<sup>157</sup> The application of Civil Party Applicant 09-VU-00062 (D22/1673) was also declared inadmissible on the ground that the threshold for personal psychological harm was not met in relation to forced marriage and there was no proof of kinship with the immediate victim of forced transfer in relation to the evacuation of Phnom Penh (Phase 1) (Annex 3).

<sup>158</sup> Presumption of psychological harm reinforced by the fact that the applicant justifies the existence of a bond of affection with the immediate victim (Supplementary Information D22/1673a.).

<sup>159</sup> The application of Civil Party Applicant 09-VU-01426 (D22/1915) was also declared inadmissible on the ground that the threshold for personal psychological harm was not met in relation to forced marriage and that there was no proof of kinship with the immediate victim of forced transfer in relation to the evacuation of Phnom Penh (Phase 1) (Annex 3).

<sup>160</sup> Supplementary information, D22/1915b.

<sup>161</sup> The application of Civil Party Applicant 09-VU-02063 (D22/3024) was also declared inadmissible on the ground that the threshold for personal psychological harm was not met in relation to forced marriage (Annex 3).

*Civil party applications admissible in the view of Judge Marchi-Uhel*



		08-VU-01828 (D22/1200) <sup>163</sup>	Phase 1 of forced transfer and murder	Applicant (witnessed people forcibly evacuated from Phnom Penh and witnessed seven students executed during their transfer) <sup>164</sup>
		09-VU-01427 (D22/1916) <sup>165</sup>	Persecution on religious grounds against Buddhists	Applicant (Prohibition of practicing Buddhism, including not being allowed to follow religious funeral rites following her brother's death from disease and malnutrition) <sup>166</sup>
		09-VU-00703 (D22/1605) <sup>167</sup>	Inhumane acts through forced marriage	Applicant's two cousin <sup>168</sup>
	PTC157 <sup>169</sup>	08-VU-02160 (D22/0098) <sup>170</sup>	Inhumane acts through forced marriage	Applicant <sup>171</sup>
		08-VU-02163 (D22/0215) <sup>172</sup>	Inhumane acts through forced marriage	Applicant <sup>173</sup>
		09-VU-00329 (D22/1815) <sup>174</sup>	Inhumane acts through forced marriage	Applicant's younger sister <sup>175</sup>

<sup>162</sup> Supplementary information, D22/3024b.

<sup>163</sup> No proof of kinship with the immediate victim of the forced transfer in relation to the evacuation of Phnom Penh (Phase 1) (Impugned Order D419 and Annex 3).

<sup>164</sup> Supplementary information, D22/1200b.

<sup>165</sup> Threshold for personal psychological harm not met in relation to forced marriage, no proof of kinship with an immediate victim in relation to forced transfer, Phase I and Buddhist persecution and harm not linked to other facts under investigation (Impugned Order D419, para. 26 and Annex 3).

<sup>166</sup> Report on civil party application, D22/1916/1

<sup>167</sup> Harm is not linked to the facts under investigation (Impugned Order D419, para. 26 and Annex 3).

<sup>168</sup> Supplementary information, D22/1605/b.

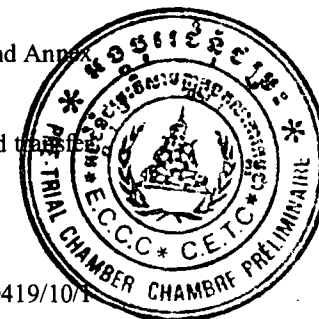
<sup>169</sup> Appeal against Orders on the Inadmissibility of Civil Party Applicants from current Residents of Kampot Province (D419), 27 October 2010, D419/10/1 ("PTC 157").

<sup>170</sup> Crimes alleged to have been committed at Wat Damnak Trayeung are not linked to the facts under investigation because the Co-Investigating Judges were only authorized to investigate crimes committed in that security center in relation to Buddhist persecution and harm is not linked to the facts under investigation, (other alleged crimes) (Impugned Order D419, para. 26 and Annex 3).

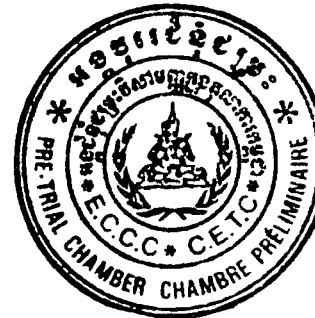
<sup>171</sup> Additional information provided by the applicant to the Co-Lawyers, Appeal PTC 157 under the heading "supplementary information".

<sup>172</sup> Crimes alleged to have been committed at Wat Damnak Trayeung are not linked to the facts under investigation because the Co-Investigating Judges were only authorized to investigate crimes committed in that security center in relation to Buddhist persecution and harm is not linked to the facts under investigation (other alleged crimes) (Impugned Order D419, para. 26 and Annex 3).

<sup>173</sup> Additional information provided by the applicant to the Co-Lawyers, Appeal PTC 157 under the heading "supplementary information".



	<b>PTC 164</b> <sup>176</sup>	09-VU-01756 (D22/2169) <sup>177</sup>	Phase 1 of forced transfer	Applicant's older brother, the latter's wife and children <sup>178</sup>
	<b>PTC 165</b> <sup>179</sup>	09-VU-00926 (D22/1253) <sup>180</sup>	Persecution on religious grounds against Buddhists	Applicant (Prohibition of practicing Buddhism) <sup>181</sup>
		09-VU-03359 (D22/2363) <sup>182</sup>	Persecution on religious grounds against Buddhists	Applicant <sup>183</sup>
		09-VU-2104 (D22/2200) <sup>184</sup>	Inhumane acts through forced marriage	Applicant was shocked by the forced marriages she witnessed on 5 occasions in her commune and was afraid of being herself forced to marry should her husband disappeared <sup>185</sup>



<sup>174</sup> Harm is not linked to the facts under investigation (Impugned Order D419, para. 26 and Annex 3).

<sup>175</sup> Additional information provided by the applicant to the Co-Lawyers, Appeal PTC 157 under the heading "supplementary information".

<sup>176</sup> Appeal against Orders on the Admissibility of Civil Party Applicants from Current residents of Kampot Province (D419), 2 November 2010, D419/11/1 ("PTC 164").

<sup>177</sup> The harm he alleged in relation to the treatment of the Vietnamese in Kampot province is not linked to the facts under investigation because the Co-investigating Judges were only authorized to investigate these crimes in Prey Veng and Svay Rieng Provinces, as described in paragraphs 67-70 of the Introductory Submission and the harm is not linked to the other facts under investigation (Impugned Order D419, para. 26 and Annex 3).

<sup>178</sup> Supplementary statement from the applicant filed on appeal, D419/11/1.4.1.

<sup>179</sup> Appeal against Orders on the Admissibility of Civil Party Applicants from Current residents of Kampot Province, 2 November 2010, D419/12/1 ("PTC 165").

<sup>180</sup> Threshold for forced marriage not met in relation to forced marriage and harm is not linked to other alleged crimes (Impugned Order D419, paras. 26-27 and Annex 3).

<sup>181</sup> Appeal PTC 165, paras 39-40, incorporating further information from the applicant.

<sup>182</sup> Insufficient information to verify compliance with Rules 23 *bis* (1) and (4) in relation to the alleged crimes (Impugned Order D419, para. 29 and Annex 3).

<sup>183</sup> Supplementary from the applicant incorporated in Appeal PTC 165, para. 45.

<sup>184</sup> Harm is not linked the facts under investigation (Impugned Order D419, para. 26 and Annex 3).

<sup>185</sup> Additional information incorporated in the Appeal PTC 165, para. 47.