

**Seattle University School of Law
Cambodia Legal Internship
Intern Report- Summer 2010**

TO: Junsen A. Ohno, International Programs Administrator
FROM: Krista Nelson, Summer Associate, Documentation Center of Cambodia (DC-Cam)
RE: Summer 2010 Documentation Center Report

Dates of Internship

Start: May 24, 2010

End: July 30, 2010

Supervisor:

Anne Heindel, DC-Cam Legal Advisor

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Description of Internship Work Assignment:

I. Legal Memorandum to the Extraordinary Chambers in the Courts of Cambodia (ECCC)

DC-Cam typically hires ten summer associates, all of whom are assigned a different legal issue to research for the ECCC. The topics vary and while most are procedural issues, there are often several substantive crimes to choose as a project.

I researched the ECCC's presumption of confidentiality during the pre-trial period, namely the presumption of confidential documents related to the judicial investigation and the presumption of in camera hearings before the Pre-Trial Chamber. While the ECCC's internal rules of procedure explicitly enumerate confidentiality measures, so too do the rules mandate transparent proceedings when possible. Yet there are currently no standards to guide the Office of the Co-Investigating Judges and the Pre-Trial Chamber in their release of public information.

Confidentiality measures at the ECCC have become a controversial topic recently, as the Ieng Sary Defence team was sanctioned for breaching the confidentiality of the judicial investigation when they posted information related to the case on their website; in addition, several journalists have been warned that reporting on material related to the investigation risks sanctions from the Court.

My project analyzed the Court's history of document release and public pre-trial hearings at the ECCC, included a comparative analysis of confidentiality measures among other international criminal tribunals, established the need for standards, and outlined prospective contours of the presumption of confidentiality at the ECCC.

An article regarding my research is currently being prepared for publication in DC-Cam's magazine, *Searching for the Truth*.

II. Case 001 Verdict Screening Outreach Project

On July 26, 2010, the ECCC delivered its first judgment in Case 001 against Kaing Guek Eav, alias "Duch," former director of the infamous Tuol Sleng S-21 prison during the Khmer Rouge Era. As part of the Living

Documents Project, which holds film screenings and facilitates community dialogue in local villages, DC-Cam screened the verdict in seven communities of historical significance across the country.

For the verdict, I traveled to Bakan District, Pursat province. Comprised of many Khmer Kampuchea Krom, those targeted by the Khmer Rouge for having “Khmer bodies, with Vietnamese minds,” the area witnessed some of the worst killings between 1975 and 1979. We spent four days in Rumlech Commune preparing for the screening at the commune pagoda, arranging additional screenings at local restaurants, and interviewing survivors.

The compiled report from all seven verdict screening locations may be viewed at http://www.dccam.org/Projects/Living_Doc/pdf/The_Duch_Verdict-A_DC-Cam_Report_from_the_Villages.pdf

III. Attendance at ECCC/Meetings

Several visits to the ECCC were arranged throughout the summer. Legal associates had the opportunity to meet with the Defence Support Section, Office of the Co-Investigating Judges, Office of the Co-Prosecutor, and the Nuon Chea Defence team.

IV. Reconciliation Road Inauguration

On May 28, 2010 the staff of DC-Cam inaugurated “Reconciliation Road” in Kadal, Banteay Meanchey Province. The small community of Kadal is where DC-Cam Director, Youk Chhang, was relocated during the forced evacuations of Phnom Penh over thirty years ago. After several months of improvements funded by DC-Cam, the road was completed in late May and serves as a symbol of reconciliation at the community-level. My article reporting the inauguration appeared in the summer edition of *Searching for the Truth* Magazine and is available at

http://www.dccam.org/Projects/Magazines/Image_Eng/pdf/2nd_Quarter_2010.pdf

Notes for Future DC-Cam Interns:

Please also see reports from 2008 and 2009

I. Internship Preparation

While a basic familiarity with current ECCC proceedings and background knowledge of international criminal law is helpful, do only what you can in the spring in addition to completing your coursework. You will have time to research during your first couple days at DC-Cam, so do not feel like you have to devote a lot of time to preparation. The following websites are helpful:

- <http://www.dccam.org/>
- <http://www.cambodiatribunal.org/>
- <http://www.eccc.gov.kh/english/default.aspx>
- <http://www.phnompenhpost.com/>

Anne Heindel, DC-Cam legal advisor and summer intern supervisor, will contact you in the spring regarding scheduling dates and other logistical information. The summer schedule is flexible, and DC-Cam asks that interns stay for ten weeks.

The prices in Phnom Penh have increased recently. Safety is very important in Cambodia and should not be compromised in your living situation. Budget \$350-\$600 per month for your apartment or guest house rental and live in a building with 24-hour security.

In addition, summer associates should do the following before departure:

- Purchase plane ticket.
- Obtain paperwork from Junsen.
- Schedule an appointment with SU travel clinic and obtain medication (malaria medication is not necessary in Phnom Penh, although you may want to bring some for travel outside of the city).
- Make a reservation at a guest house in Phnom Penh. The Golden Gate hotel is recommended for its proximity to DC-Cam. A reservation can be made online at http://www.goldengatehotels.com/Room_Rate.htm
- Contact other DC-Cam interns to make introductions and arrange possible roommates.
- Issue travel notifications to your bank.
- Bring six passport photos for visas.

Upon Arrival in Phnom Penh:

- Note the currency is USD. Plan to have small bills upon arrival.
- Visas may be obtained upon arrival. Purchase a business visa for \$25 USD. If you purchase a standard visa, DC-Cam cannot arrange the renewal and you will have to leave the country to renew.
- Standard rate from the airport is \$7 USD for a tuk tuk and \$9 USD for a taxi. To get to DC-Cam/Golden Gate Hotel area, tell your driver it is near Wat Lanka.
- DC-Cam is located on Sihanouk Blvd near Independence Monument, next door to Shiva Shakti Indian Restaurant. There is a large black gate and a sign that says "Public Information Room," but there is no DC-Cam sign.
- There is WiFi all over the city and internet is available at most coffee shops and restaurants.
- Most summer associates either live along the Riverside or in BKK. The Riverside is a very touristy area that is known for restaurants and night life, whereas BKK is more upscale, closer to DC-Cam, and where many ex-pats live. When looking for an apartment you can contact a realtor who can show you several buildings. There is one located near the Golden Gate hotel on Street 63. You may also choose to drive around in a tuk tuk and look for rental signs, or ask some of the DC-Cam staff for assistance.

Work at DC-Cam

- Work attire is business casual. Men typically wear button-ups, but no ties are necessary. Women typically wear dress shirts and skirts, dresses, and sandals. While it is becoming more common to see women in sleeveless tops, thin-strapped tank tops are still inappropriate.
- The work day begins at 7:30 and ends at 5:00 with a lunch break from 12:00-1:30.