

**Seattle University School of Law
Cambodia Legal Internship
Intern Report – Summer 2009**

From: Aileen Tsao, Documentation Center of Cambodia (“DC-Cam”) Summer Legal Associate
To: Junsen A. Ohno, International Programs Administrator
Re: Report for Summer 2009 Internship with Documentation Center

Dates of Internship:

Start date: June 1, 2009

End date: August 9, 2009

Supervisor: Anne Heindel, DC-Cam Legal Advisor

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Description of Internship Work Assignment:

1. Legal Memorandum to the Extraordinary Chambers in the Courts of Cambodia “ECCC”:

Each Summer Associate was to complete a legal memorandum analyzing a relevant, or soon to be relevant, issue at the ECCC. A list of topics was provided by DC-Cam, in consultation with the ECCC Office of the Co-Prosecutors, the defense teams, and the civil party attorneys. Topics considered concern regarding corruption, accountability for civilian hierarchies, and remorse as a mitigating factor. My memo focused on ECCC Internal Rule 23(1), which describes the role of civil parties as “supporting the prosecution.” My analysis considered whether civil parties have the right to elicit evidence during trial, and whether they have the right to make submissions on sentencing.

This topic was proposed by Civil Party Team 1, and I had the opportunity to meet with the attorneys and staff on this team. Additionally, I was also able to discuss my topic with the defense counsel for defendant Nuon Chea, and the Office of the Co-Prosecutors.

2. Attendance at the ECCC/Meetings

All Summer Associates had the opportunity to attend ECCC proceedings. Additionally, several associates assisted by filling in as court reporters for the Cambodia Tribunal (www.cambodiatribunal.org). At the ECCC also met with the Office of the Co-Investigating Judges, the Co-Prosecutor representing Cambodia and the International offices, and Judge Dame Silvia Cartwright. At these meetings we were able to ask further questions pertaining to our research topic or about the tribunal in general.

3. DC-Cam Outreach

DC-Cam has a number of outreach projects to spread awareness on the ECCC and the Khmer Rouge Era. I had the opportunity to travel with the Victim Participation Team and Living Documents Team to the Pursat province. The Victim Participation Team assists the ECCC by locating and accessing Khmer Rouge related documents and educating

local Cambodians on how to file complaints for atrocities committed during the Khmer Rouge Regime. The Living Documents Team provides a role for genocide survivors by encouraging them to become involved in the tribunal project. DC Cam brings them to genocide memorial centers and the ECCC.

In Pursat, DC-Cam's Living Documents Team and Victim Participation Team provided an interactive presentation on the ECCC to approximately 400 members from the community. The CEO, Youk Chhang, shared his personal story of how the Khmer Rouge had killed his sister and devastated his family. The Teams facilitated a conversation between victims and individuals who had attended ECCC proceedings to share their experience with the community. Following the discussion, I had the opportunity to interview survivors to learn their responses to the ECCC.

My experience travelling with DC-Cam to Pursat was subsequently published in DC-Cam's "Truth Magazine" (attached).

Non-DC-Cam Work:

While in Cambodia, I spent two weekends at Wat Opot Orphanage in the Takeo province. I had volunteered at this orphanage for a few weeks two years ago, so there was no formal set-up required. The orphanage is located in the Takeo province and cares for approximately 60 children, many of whom are HIV-positive. It was wonderful to spend time outside of Phnom Penh, and have the opportunity to re-connect with the children. I was also able to bring them DC-Cam's textbooks in English and Khmer to educate them on the tribunal.

www.watopot.org

Notes for Future DC-Cam Interns:

(in addition to Chris Dearing's report from 2008)

Office:

- **Hours:** 7:30-5:00, with a break from 12:00-1:30. My suggestion is not to bother adjusting to the time change. When you naturally wake up at 5am your first morning in Cambodia... just stick with it, since you'll be waking up around 6:30 eventually anyways. Since the sun goes down at 6:00, the 7:30-5 shift seems less unusual
- **Attire:** The local staff tended to exclusively wear collared, button-down shirts with pants or skirts. I would say the expectations are a little lower for summer associates. Most of the men wore button-down shirts or polo t-shirts with pants. Women generally wore shirts that covered their shoulders, with pants/skirts that hit their knees. Sandals were okay! If you go to court – you will be expected to dress nicer (no sandals) but suits are not required.
- **Typical Day:** Unless you are at court, or travelling with the outreach team, most of your time will be spent working on the memo in the office. During the researching phase, this will involve a lot of westlaw and reading off of your laptop.

Preparation:

- **Packing:** bring an umbrella and great rainjacket! It's the rainy season and the torrential downpours are like nothing you see in Seattle. Otherwise, pretty much everything you need, you can find in Phnom Penh. There is a large ex-pat community with grocery stores, clothing, coffee shops, etc. that will cater to most of what you're looking for. However, assume that the first two weeks you may not have time to go shopping so pack one of everything you will need, and then later you can replenish (ie: contact solution, toiletries, clothes, etc.)
- **Business cards:** have some SU business cards printed before you leave. Phnom Penh has a large legal NGO-network, and it is common for people to be constantly exchanging information. Even if you are not planning to return to Cambodia, but are interested in international law in general, there are a lot of very talented, accomplished people that you can learn from.
- **Laptop:** you will be bringing your laptop to and from DC-Cam every day. Be sure to back everything up before you leave!

In Cambodia

- **Safety:** foreigners get mugged – a lot. Hold on your laptops/purses tightly if you're on a moto/tuk-tuk. Bring a money belt or passport carrier around with you if you think you'll be carrying a lot of money. Otherwise, carry around as little cash as possible. Keep a copy of your passport with you at all times.
- **Living:** Contact the other DC-Cam interns ahead of time to see who you will be arriving with to assure that you will be living with someone (unless you choose to live on your own). The area close to DC-Cam, "BKK1" is a more expensive, ex-pat area. However, it is also safer than areas like "Riverside" which are very touristy and you will probably make a good target
- **Eating:** Find a "Door to Door" booklet from any coffeeshop/restaurant. It will change your life – there is the menu for every restaurant and you can call them to deliver food to your door any time