

Speech by

His Excellency BIN Chhin, Standing Deputy Prime Minister,

Acting Minister in charge of the Office of the Council of Ministers

**on the Occasion of Official Inauguration of Legal Documentation Center (LDC) Relating to the
Extraordinary Chambers in the Courts of Cambodia**

27 June 2017

- **The Venerable Monks**
- **Excellency Hidehisa HORINOCHI, Ambassador of Japan to the Kingdom of Cambodia**
- **Excellencies, *Lok Chumteav* Ambassadors to the Kingdom of Cambodia who are present today**
- **Excellencies Senior Ministers, Excellencies, *Lok Chumteav*, ladies and gentlemen, and distinguished national and international guests**

Today, I am honoured and absolutely delighted to preside over the official inauguration of *the Legal Documentation Center (LDC)* relating to the Extraordinary Chambers in the Courts of Cambodia.

Taking this opportunity, I, in the name of the Royal Government and the Cambodian people, through His Excellency Ambassador of Japan to Cambodia, would like to express my deep gratitude to the people and the Government of Japan who always provide development assistance in all fields to the Kingdom of Cambodia, both in terms of materials, infrastructure and funding, especially today we all are inaugurating an additional building with the funding and equipment provided by the Government of Japan.

Excellencies, *Lauk Chumteav*, ladies and gentlemen

None of the Cambodian people will forget the tragedy and mass killing committed by the Democratic Kampuchea regime over the course of 3 years, 8 months and 20 days, from 17 April 1975 to 6 January 1979 during which Pol Pot took power.

During that period, more than 3 million people lost their lives, and we, the survivors, have lived for more than 38 years with pain and suffering, grieving for those who lost their lives and the nightmares as our bitter memories which keep haunting us. Even those who were born after 1979, not experiencing

those crimes, have also carried these heavy burdens and seen their parents and relatives continue to live with pain and grief.

Crimes occurring during the Democratic Kampuchea regime were not only committed against the Cambodian people, but also against the whole humanity. Therefore, it is absolutely right that the Royal Government of Cambodia has cooperated with the international community to bring to trial the former senior leaders and those most responsible for serious crimes committed in order to search for the truth, seek justice for the victims and a memory for the next generations as well as to prevent further occurrence of crimes and tragedy, and to end the culture of impunity all over the world.

Excellencies, *Lauk Chumteav*, ladies and gentlemen

Since its inception in early February 2006, the Extraordinary Chambers in the Courts of Cambodia (ECCC) has taken proceedings in Case 001 and Case 002 and remaining cases.

Case 001 against Kaing Guek Eav, alias Duch, former S-21 security centre or Tuol Sleng prison chief, was concluded on 3 February 2012, convicting him, for life imprisonment, on crimes against humanity and grave breaches of the 1949 Geneva Conventions (War Crimes).

Case 002 against two former senior leaders of the Democratic Kampuchea regime, namely Nuon Chea and Khieu Samphan who are still alive; the two accused were indicted for crimes against humanity, grave breaches of the 1949 Geneva Conventions (war crimes) and genocide crimes. Due to the enormity and complexity of Case 002, the trials were severed into two phases: **Case 002/01**, focusing on crimes against humanity related to forced evacuation of population, and charges related to the murder of former civil servants of the Lon Nol's Khmer Republic. The two accused were found guilty of crimes against humanity and were sentenced to life imprisonment according to the Final Judgment on 23 November 2016.

Case 002/02 came to trial, focusing on charges of crimes against humanity, war crimes, genocide crimes, grave breaches of the 1949 Geneva Conventions and crimes against humanity. The hearings of this Case were recently concluded on 23 June, and a Judgement may be announced in the first half of 2018, and in case of an appeal, an Appeal Judgement will be announced in 2019.

The ECCC, a court which prosecutes international crimes, allows Khmer Rouge victims to participate in its legal proceedings as civil parties and seek **moral and collective** reparations rather than individual financial reparations.

In Case 002/02, the Civil Party Lead Co-Lawyers have requested the ECCC Trial Chamber to recognise 22 reparation projects designed for “**memorial, rehabilitation and educational purposes**” to remedy the prejudice and sufferings of the Khmer Rouge victims during the period of Democratic Kampuchea.

The Royal Government of Cambodia has received five reparation projects requested by the Civil Party Lead Co-Lawyers to consider possible contribution and implementation. Among the requested five projects, the Legal Documentation Centre is one of the submitted projects for which the Royal Government decided and approved in principle as reparations for civil parties in Case 002/02 on 13 December 2016.

I would like to take this opportunity to extend the most profound gratitude to ***Samdech Akka Moha Sena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia***, for constantly and strenuously supporting the process of the tribunal, ranging from the initiative to establish the tribunal to the establishment of the LDC, including budgetary and material assistance, for the cause of historical memory and contribution to strengthening and maintaining peace, unity, reconciliation and social development in Cambodia for the next generations.

Excellencies, *Lauk Chumteav*, ladies and gentlemen

The LDC forms half-part of the building constructed at the total cost of approximately US\$2.025 million under the Japanese Non-Project Grant Aid. The building will be shared by and granted to two institutions: **The Bar Association of the Kingdom of Cambodia and the LDC**. In addition, the Japanese side has fully agreed and supported the inclusion of the centre in reparation projects for Case 002/02.

Furthermore, the Japanese government has given an additional funding of more than US\$330,000 to equip the centre with technical systems/facilities for its full functioning.

I wish to emphasize that the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic

Kampuchea states: “[t]he *Extraordinary Chambers in the Courts of Cambodia shall automatically dissolve following the definitive conclusion of these proceedings.*” In this sense, the Royal Government of Cambodia set up the LDC under the Office of the Council of Ministers through the Sub-decree No. 159 ANKR-BK dated 16 November 2015. The centre has a role in housing legal and related documents from the ECCC’s trial proceedings and serves as a place for the public and national and international researchers to explore topics pertaining to the trials of former senior leaders of the Khmer Rouge regime. ECCC has been impacting in our society positively in the areas of education, knowledge transfer, capacity building and strengthening of rule of law and this centre plays an important part in historical memory, education and prevention of the return of a murderous and genocidal regime.

On behalf of the Royal Government of Cambodia and in my own capacity, I appreciate and encourage leaders of all relevant institutions especially the ECCC, the Japanese Embassy in Cambodia and national and international partners to continue providing closer cooperation and coordination so that the LDC can successfully fulfil its roles and duties in response to the need of the general public inside and outside the country.

In the meantime, I also wish to recall the achievements left behind by *Samdech Vibol Panha Sok An*, including the negotiation process held under the wise leadership of *Samdech Akka Moha Sena Padei Techo Hun Sen* with the UN to establish the Khmer Rouge Tribunal, and his significant contribution to establishing the LDC. These achievements and legacies, combined with all relevant documents and evidence, will definitely benefit researchers and the next generations for their research and pursuit of knowledge.

At the same time I would like to appeal to our citizens, local authorities and competent institutions to provide cooperation and support for maintaining and preserving these achievements in the long run.

Finally, I would like to wish Excellencies, Ladies and Gentlemen the four gems of Buddhist blessing: Longevity, Nobility, Healthiness and Strength.

Now I would like to announce the official opening of the LDC from now on.

Thank you.