

Duch trial now expected in 2009

Written by

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According to a new time line released by the Khmer Rouge court today, a trial for Tuol Sleng head "Comrade Duch" will not begin before early 2009. This is certainly a disappointment for many following proceedings, who had hoped the tribunal's first public trials would start in late September.

Once the judges [hand down their decision Dec. 5](#) on whether additional charges will be included in the indictment against Duch, his case file will be transferred to the Trial Chamber.

The Trial Chamber will then ask parties to submit witness lists and will schedule a logistical meeting, hopefully by January 2009. At that "Trial Management" meeting, the chamber will set a date for an Initial Hearing, the first public stage of the trial process.

The Initial Hearing will address "preliminary objections by the parties, consider lists of witnesses submitted by them and consider new Civil Party applications," according to a release from the ECCC.

After this Initial Hearing, a date for the substantive trial will be set.

"Successfully conducting trials of this significance is a complex process, and the Court recognizes that it can be frustrating for the millions who have been waiting decades to see justice done," the ECCC release reads. "Nevertheless, each step of the legal process must be followed carefully, and conducted in line with the highest standards of justice." ½

While this is true, and I can certainly understand the complicated and groundbreaking nature of the court's work, I would still urge the ECCC to fulfill its mandate with as little delay as possible. Many Cambodians are already disillusioned with the court and the perceived ongoing delays will not help improve the tribunal's image.

At the same time, part of the reason people have waited eagerly for the start of trials is because so much of the ECCC's work is not available to the public. If the court could release more

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information during the current investigative stage, I think it would help mitigate some of the disappointment and frustration over a 2009 trial start date.è ½