

Initial Hearing hoopla

Written by
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Even though the trial proper for "Comrade Duch" is expected to start around a month from now, that didn't stop journalists and spectators from [flocking to the ECCC](#) today for the torture chief's Initial Hearing. Foreigners and Cambodians packed the tribunal's main courtroom. Many came specifically to see Duch, who intently jotted notes during the procedural hearing and offered a traditional *Som Pas* to the audience whenever the court recessed.

During the morning session, Co-Prosecutor Robert Petit announced that he will [once again raise the issue of Joint Criminal Enterprise](#) in relation to Duch's case. Although the Pre-Trial Chamber [already rejected a request](#) that Duch be held accountable under the [theory of JCE](#), Petit said the Trial Chamber would not be bound by this decision.

Lawyers and judges also reviewed new civil party requests, leading the defense to spar with prosecutors over whether a late application from professed [Tuol Sleng survivor Norng Chan Pal](#) should be considered by the chamber.

Defense attorney Francois Roux chastised Norng for circumventing the judicial process and

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speaking to media. A fair trial must be held "in a courtroom and not in a press conference," he said. Judges will make a decision on Norng's request in the near future.

They went on to discuss the witnesses who will testify at trial, a process that continued after the court recessed for lunch. Co-Prosecutors said they would need at least 40 trial days to accommodate all of their witnesses and experts, while the defense claims it needs just over four days for its 13 witnesses.

The chamber will continue the Initial Hearing tomorrow, opening in private session. Check back for reports from *Post* reporters and a more detailed blog entry.



* *Pictured: A full house at the tribunal Tuesday (above, photo courtesy of the ECCC); Comrade Duch faces the judges (at right, photo courtesy of SkyNews).*