

We, **YOU Bunleng** (យូ ប៊ុនឡេង) and **Siegfried BLUNK** (ស៊ីកហ្វ្រីដ ប្លង់), Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia (the "ECCC");

**Noting** the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004 (the "ECCC Law");

**Noting** Rules 12, 12 *bis*, 21, 23, 23 *bis*, 23 *ter*, 53 and 55 of the ECCC Rules (Rev.7) (the "Rules");

**Noting** Articles 1, 3 and 6 of the Practice Direction on Victim Participation (the "Practice Direction");

**Noting** the Trial Chamber Judgment in *KAING Guek Eav alias Duch* (001/18-07-2007/ECCC/TC);

**Noting** the judicial investigation being conducted pursuant to the Co-Prosecutors' Third Introductory Submission;

## **I - PROCEDURAL HISTORY**

1. The present order is in relation to the Civil Party Application of Rob HAMILL ("The Applicant") filed on 22 April 2011 with the Co-Investigating Judges (CIJ) by the ECCC Victims Support Section ("VSS") pursuant to Rule 12 *bis*(b).<sup>1</sup>
2. The Applicant requests to be party to the proceedings in Case 003 and Case 004 for the injury he suffered as the alleged direct consequence of crimes within the jurisdiction of the ECCC<sup>2</sup> further to the death of his brother, Kerry HAMILL, arrested in 1978 by the DK navy having inadvertently sailed his yacht, the Foxy Lady, into Cambodian waters and subsequently transferred to S-21 for interrogation and execution.
3. The Applicant also alleges that persons by the name of Meas Mut and Sou Met are responsible for these crimes.<sup>3</sup>
4. The Applicant requests that the information he submitted for Case 002<sup>4</sup> and his testimonies given on the day 59 of the trial<sup>5</sup> of case 001 be incorporated into his Civil Party Application for Case 003.<sup>6</sup>

<sup>1</sup> See Inter-Office Memorandum (Strictly confidential) dated 21 April 2011.

<sup>2</sup> See Victims Unit report on Civil Party Applications VSS-2011-009-OCIJ dated 22 April 2011, Victim Information Form VU 11-VSS-00002 and Annexe dated 07 April 2011, p.1-4 and 7.

<sup>3</sup> See Victims Unit report on Civil Party Applications VSS-2011-009-OCIJ dated 22 April 2011, Victim Information Form VU 11-VSS-00002 and Annexe dated 07 April 2011, p.1-4 and 7.

<sup>4</sup> Referred to in Case File 002 under D22/2073

<sup>5</sup> Referred to as in Case File 001 Trial Transcriptions E1/63.1

<sup>6</sup> See Victims Unit report on Civil Party Applications VSS-2011-009-OCIJ dated 22 April 2011, Victim Information Form VU 11-VSS-00002 and Annexe dated 07 April 2011.