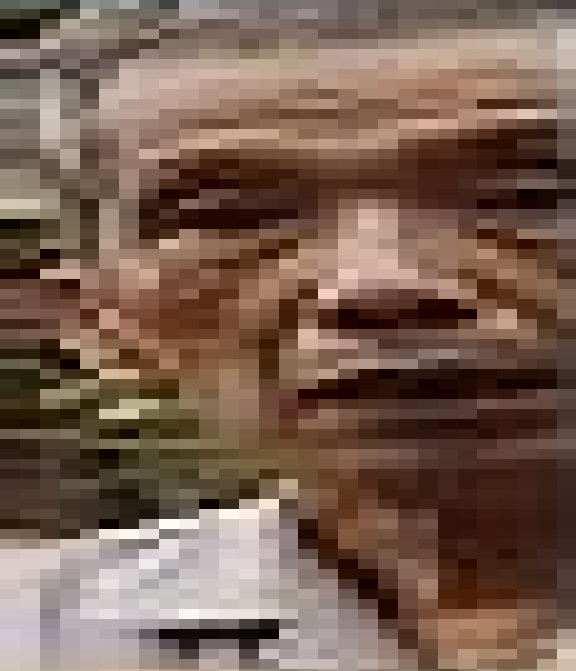
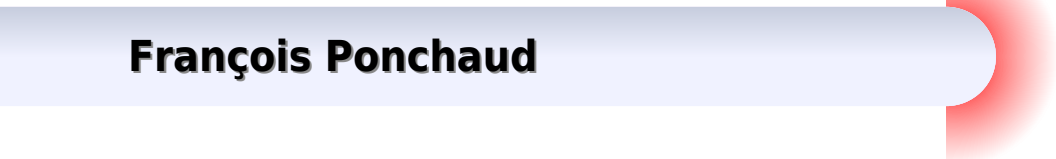


Un Juge Face Aux Khmers Rouges

François Ponchaud



Un Juge Face Aux Khmers Rouges:

Un juge face aux Khmers rouges Marcel Lemonde, Jean Reynaud, 2013-01-03T00:00:00+01:00 AVEC LA COLLABORATION DE JEAN REYNAUD Nommé juge d'instruction pour le procès international des Khmers rouges Marcel Lemonde est chargé en 2006 d'établir la responsabilité des principaux dirigeants encore vivants du tristement célèbre Kampuché démocratique C'est la première fois dans l'histoire et sans doute la seule qui est entrepris le procès de responsables d'un régime communiste Mais le magistrat se trouve rapidement confronté d'incroyables difficultés L'ampleur des crimes donne le vertige près de deux millions de morts un peuple entier réduit en esclavage Les faits remontent d'ordinaire plus de trente ans les témoins sont introuvables ne se souviennent plus ou ne veulent plus se souvenir Il lui faut pourtant découvrir des preuves interroger les suspects les confronter leurs anciens subordonnés supporter les interférences gouvernementales les attaques de la presse et l'agressivité de certains des avocats de la défense Un juge face aux Khmers rouges raconte de l'intérieur les arcanes de cette aventure judiciaire hors du commun faisant suite à l'une des pires tragédies du siècle Il nous livre le récit d'une passionnante bataille entre diplomatie et justice nobles intentions et manque de moyens devoir de mémoire et besoin de tourner la page Jour après jour il décrit la progression de son enquête ses avancées ses reculs et ses frustrations ce que reprenant les mots de Victor Hugo il appelle le pas boiteux de la justice

The Cinema of Rithy Panh Leslie Barnes, Joseph Mai, 2021-07-16 Born in 1964 Cambodian filmmaker Rithy Panh grew up in the midst of the Khmer Rouge's genocidal reign of terror which claimed the lives of many of his relatives After escaping to France where he attended film school he returned to his homeland in the late 1980s and began work on the documentaries and fiction films that have made him Cambodia's most celebrated living director The fourteen essays in The Cinema of Rithy Panh explore the filmmaker's unique aesthetic sensibility examining the dynamic and sensuous images through which he suggests that everything has a soul They consider how Panh represents Cambodia's traumatic past combining forms of individual and collective remembrance and the implications of this past for Cambodia's transition into a global present Covering documentary and feature films including his literary adaptations of Marguerite Duras and Kenzaburo Iwano they examine how Panh's attention to local context leads to a deep understanding of such major themes in global cinema as justice imperialism diaspora gender and labor Offering fresh takes on masterworks like The Missing Picture and S-21 while also shining a light on the director's lesser known films The Cinema of Rithy Panh will give readers a new appreciation for the boundless creativity and ethical sensitivity of one of Southeast Asia's cinematic visionaries Sights, Sounds, and Sensibilities of Atrocity Prosecutions, 2024-07-29 This book unlocks the look sound smell taste and feel of justice for massive human rights abuses Twenty-nine expert authors examine the dynamics of the five human senses in how atrocity is perceived remembered and condemned This book is chockful of images It serves up remarkably diverse content It treks around the globe from Pacific war crimes trials in the aftermath of the Second World War to Holocaust proceedings in contemporary Germany France and Israel from absurd

show trials in Communist Czechoslovakia to international courtrooms in Arusha Phnom Penh and The Hague Readers embark on a journey that transcends myriad dimensions including photographic representations of grandfatherly old torturers in Argentina narco trafficking in Mexico colonialisation in India disinformation and misinformation pixelated in cyberspace environmental degradation in Cambodia militarism in Northern Ireland and civil rights activism in Atlanta Sights Sounds and Sensibilities of Atrocity Prosecutions reimagines what an atrocity means reconsiders what drives the manufacture of law and reboots the role of courtrooms and other mechanisms in the pursuit of justice It unveils how law translates sensory experience into its procedures and institutions and how humanistic inputs shape perceptions of right and wrong This book thereby offers a refreshing primer on the underappreciated role of aesthetics time and emotion in the world of law Drumbl and Fournet have done us all a great service in knitting together in a single powerfully imagined volume these essays about how we might experience the institutionalisation of judgment in atrocity trials Gerry Simpson Professor of Public International Law LSE Law School London Contributions to this volume offer a unique opportunity to delve into law's hidden landscape using the primary reality of the five senses Marina Aksenova Assistant Professor in Comparative and International Criminal Law IE Law School Madrid

Practices of Reparations in International Criminal Justice Christoph Sperfeldt, 2022-07-07 Combining interdisciplinary techniques with original ethnographic fieldwork Christoph Sperfeldt examines the first attempts of international criminal courts to provide reparations to victims of mass atrocities The observations focus on two case studies the Extraordinary Chambers in the Courts of Cambodia where Sperfeldt spent over ten years working at and around and the International Criminal Court's interventions in the Democratic Republic of Congo Enriched with first hand observations and an awareness of contextual dynamics this book directs attention to the social life of reparations that too often get lost in formal accounts of law and its institutions Sperfeldt shows that reparations are constituted and contested through a range of practices that produce change and give meaning to reparations Appreciating the nature and effects of these practices provides us with a deeper understanding of the discrepancies that exist between the reparations ideal and how it functions imperfectly in different contexts

Illiberal Transitional Justice and the Extraordinary Chambers in the Courts of Cambodia Rebecca Gidley, 2019-02-19 This book examines the creation and operation of the Extraordinary Chambers in the Courts of Cambodia ECCC which is a hybrid domestic international tribunal tasked with putting senior leaders of the Khmer Rouge on trial It argues that the ECCC should be considered an example of illiberal transitional justice where the language of procedure is strongly adhered to but political considerations often rule in reality The Cambodian government spent nearly two decades addressing the Khmer Rouge past and shaping its preferred narrative before the involvement of the United Nations It was a further six years of negotiations between the Cambodian government and the United Nations that determined the unique hybrid structure of the ECCC Over more than a decade in operation and with three people convicted the ECCC has not contributed to the positive goals expected of transitional justice mechanisms

Through the Cambodian example this book challenges existing assumptions and analyses of transitional justice to create a more nuanced understanding of how and why transitional justice mechanisms are employed **Testimony/Bearing**

Witness Sybille Krämer, Sigrid Weigel, 2017-08-23 What is the epistemological value of testimony What role does language images and memory play in its construction What is the relationship between the person who attests and those who listen Is bearing witness a concept that is exclusively based in interpersonal relations Or are there other modes of communicating or mediating to constitute a constellation of testimony Testimony Bearing Witness establishes a dialogue between the different approaches to testimony in epistemology historiography law art media studies and psychiatry With examples including the Holocaust the Khmer Rouge Killing Fields and the Armenian genocide the volume discusses the chances and limits of communicating epistemological and ethical philosophical and cultural historical past and present perspectives on the phenomenon and concept of bearing witness *Ferryman of Memories* Deirdre Boyle, 2023-03-17 *Ferryman of Memories* The Films of Rithy Panh is an unconventional book about an unconventional filmmaker Rithy Panh survived the Cambodian genocide and found refuge in France where he discovered in film a language that allowed him to tell what happened to the two million souls who suffered hunger overwork disease and death at the hands of the Khmer Rouge His innovative cinema is made with people not about them even those guilty of crimes against humanity Whether he is directing Isabelle Huppert in *The Sea Wall* following laborers digging trenches or interrogating the infamous director of S 21 prison aesthetics and ethics inform all he does With remarkable access to the director and his work Deirdre Boyle introduces readers to Panh s groundbreaking approach to perpetrator cinema and dazzling critique of colonialism globalization and the refugee crisis *Ferryman of Memories* reveals the art of one of the masters of world cinema today focusing on nineteen of his award winning films including *Rice People* *The Land of Wandering Souls* *S 21* *The Khmer Rouge Killing Machine* and *The Missing Picture*

The Cambridge Handbook of Foreign Judges on Domestic Courts Anna Dziedzic, Simon N. M. Young, 2023-11-09 Foreign judges sit on domestic courts in over fifty jurisdictions worldwide They serve on ordinary courts including apex and constitutional courts as well as specialist courts such as international commercial courts and hybrid criminal tribunals This Handbook presents the first global comparative study of this long standing diverse and evolving practice from colonial precedents to new forms of foreign judging in contemporary conditions of globalisation Chapters by scholars of law politics and history and reflections by judges themselves provide detailed information and critical analysis of foreign judging across Africa Asia the Caribbean Europe the Middle East and the Pacific The chapters examine the notion and relevance of foreignness rationales for foreign judges and the implications for judicial identity adjudication independence and accountability Focusing on an underexplored issue that features mainly in small states and jurisdictions of the Global South this Handbook challenges assumptions and expands knowledge about courts and judges **The Elgar Companion to the Extraordinary Chambers in the Courts of Cambodia** Nina H.B. Jørgensen, 2018-04-27 This Companion is a one stop

reference resource on the Phnom Penh based Khmer Rouge tribunal It serves as an introduction to the Extraordinary Chambers in the Courts of Cambodia while also exploring some of the Court's practical and jurisprudential challenges and outcomes Written by Nina Jørgensen who has worked as senior adviser in the tribunal's Pre Trial and Supreme Court Chambers the Companion offers both direct insights and academic analysis organized around six themes legality structure proceedings jurisprudence legitimacy and legacy This comprehensive Companion will provide a platform for interested sectors of domestic and international society to assess the value of the Extraordinary Chambers both during the tribunal's lifespan and after it has closed its doors The Extraordinary Chambers in the Courts of Cambodia Simon M.

Meisenberg, Ignaz Stegmiller, 2016-03-30 This book is the first comprehensive study on the work and functioning of the Extraordinary Chambers in the Courts of Cambodia ECCC The ECCC were established in 2006 to bring to trial senior leaders and those most responsible for serious crimes committed under the notorious Khmer Rouge regime Established by domestic law following an agreement in 2003 between the Kingdom of Cambodia and the UN the ECCC's hybrid features provide a unique approach of accountability for mass atrocities The book entails an analysis of the work and jurisprudence of the ECCC providing a detailed assessment of their legacies and contribution to international criminal law The collection containing 20 chapters from leading scholars and practitioners with inside knowledge of the ECCC discuss the most pressing topics and its implications for international criminal law These include the establishment of the ECCC subject matter crimes joint criminal enterprise and procedural aspects including questions regarding the trying of frail accused persons and the admission of torture statements into evidence Simon M Meisenberg is an Attorney at Law in Germany formerly he was a Legal Advisor to the ECCC and a Senior Legal Officer at the Special Court for Sierra Leone Ignaz Stegmiller is Coordinator for the International Programs of the Faculty of Law at the Franz von Liszt Institute for International and Comparative Law Giessen Germany *Le tiers impartial et indépendant en droit international, juge, arbitre, médiateur, conciliateur* Catherine

Kessedjian, 2021-02-22 Le tiers impartial et indépendant a pris une telle importance dans la création normative juridique qu'il a paru nécessaire de se pencher sur ce personnage qui cristallise un grand nombre de critiques probablement la mesure du pouvoir accru qui lui est conférée c'est cette tâche que le présent volume est consacré L'auteur emmène le lecteur travers le ddale de la maison justice contexte théorique et philosophique aspects historiques architecture iconographie méthodes d'assignationnelles modes alternatifs les dialogues divers mis en place entre les tiers et avec les experts L'objectif de l'auteur est de susciter l'esprit critique du lecteur en lui permettant de se poser des questions qu'il n'a pas l'habitude de noncer Un siècle de génocides Bernard Bruneteau, 2016-09-14 Le XXe siècle restera celui de l'impouvante Il a commencé avec la radicalisation des populations armées de l'Empire ottoman et s'est terminée avec l'extermination des Tutsis du Rwanda et le nettoyage ethnique dans l'ex Yougoslavie Entre ces deux moments le monde aura connu le plus grand massacre de l'ère stalinienne de l'immense tragédie de la Shoah de la disparition d'une partie du peuple cambodgien Cet essai met en perspective les

entreprises exterminatrices les plus marquantes du XXe siècle. Leur histoire montre que le crime de génocide se fonde sur le ciblage stigmatisant d'un groupe partir de la définition aussi arbitraire que diluante qu'en donne le perpetrator. Aussi l'auteur s'attache-t-il en permanence répondre deux questions : qu'est-ce qui définit l'intention ultime du génocide ? qu'est-ce qui autorise le génocide se présenter comme une solution.

Extraordinary Justice Craig Etcheson, 2019-11-19 In just a few short years the Khmer Rouge presided over one of the twentieth century's cruelest reigns of terror. Since its 1979 overthrow there have been several attempts to hold the perpetrators accountable from a People's Revolutionary Tribunal shortly afterward through the early 2000s Extraordinary Chambers in the Courts of Cambodia also known as the Khmer Rouge Tribunal. Extraordinary Justice offers a definitive account of the quest for justice in Cambodia that uses this history to develop a theoretical framework for understanding the interaction between law and politics in war crimes tribunals. Craig Etcheson, one of the world's foremost experts on the Cambodian genocide and its aftermath, draws on decades of experience to trace the evolution of transitional justice in the country from the late 1970s to the present. He considers how war crimes tribunals come into existence, how they operate and unfold, and what happens in their wake. Etcheson argues that the concepts of legality that hold sway in such tribunals should be understood in terms of their orientation toward politics, both in the Khmer Rouge Tribunal and generally. A magisterial chronicle of the inner workings of postconflict justice, Extraordinary Justice challenges understandings of the relationship between politics and the law with important implications for the future of attempts to seek accountability for crimes against humanity.

AU NOM DU PEUPLE FRANÇAIS; JURY POPULAIRE OU JUGES PROFESSIONNELS ?, 2013

Brève histoire du Cambodge François Ponchaud, 2015-07-02 Entre génocide et dictature redécouvrez l'histoire du Cambodge. Qui d'autre que François Ponchaud, auteur de l'inoubliable *Cambodge année zéro* paru en 1977, pouvait ce point resumer la très riche histoire d'un des pays les plus attachants de l'Asie du Sud-Est depuis l'époque mythique des bâtisseurs d'Angkor jusqu'à la difficile reconstruction après le drame des Khmers rouges. Sans minimiser non plus les enjeux contemporains. Il faut dire que ce n'est pas comme les autres vit sur place depuis 1965 et que chaque jour qui passe est le témoin de ses multiples engagements aux côtés de la population. Il a lui-même appris le khmer pour mieux saisir les subtilités de cette civilisation et accessoirement traduire la Bible dans cette langue. Cet essai historique, richement documenté, nous est livré par un témoin privilégié de la culture cambodgienne.

EXTRAIT Eau et Terre c'est ainsi que les Khmers désignent le pays qui les a vus naître. O finit l'eau, O commence la terre ferme. On ne l'a jamais bien su et on ne le sait toujours pas. Chaque année les eaux boueuses du Mékong descendent du Tibet inondent la vaste dépression située au centre de la péninsule indochinoise et y déposent leur limon fertile. Ici, de cette cuvette, les contreforts de la cordillère annamitique ralentissent la course des nuages de la mousson. Ici, l'ouest, la chaîne des Cardamomes interdit l'accès à la mer et au nord, celle des Dangrek forme une muraille en partie infranchissable. Seul le sud-est s'ouvre vers la mer, travers le Vietnam, une trouée entre la chaîne des Cardamomes et celle des Dangrek au nord-ouest offre un passage vers la Thaïlande. Au centre, le Tonlé Sap, le

fleuve d'eau douce vestige d'un ancien golfe constitue un véritable vivier où se reproduit une multitude d'espèces de poissons dont certaines proches des coelacanthés préhistoriques ont totalement disparu dans les autres parties du monde

CE QU'EN PENSE LA CRITIQUE Une histoire riche donc écrite avec tout l'amour et donc la partialité que l'auteur a pour ce petit pays du Cambodge qui a tant souffert. L'édification est très bien faite agrémentée de quelques cartes et de notes de bas de pages pertinentes

Cyril Babelio PROPOS DE L'AUTEUR François Ponchaud est prêtre des Missions étrangères En 1975 dans les locaux de l'ambassade de France il vit douloureusement la prise de pouvoir des Khmers rouges Phnom Penh qui vidait la capitale de tous ses habitants en quelques heures En 2013 il a témoigné aux procès des dirigeants encore vivants Aucune partie de l'histoire de ce pays ne lui est étrangère

Le mal de vérité Catherine Coquio, 2015-04-15

Moins témoignage cathartique ces mots ne cessent de revenir au sujet des grandes catastrophes politiques du 20^e siècle comme si nous aidait à les assimiler La hantise d'un effondrement a donné lieu à une religion de la transmission Mais en réalité nul ne sait quoi faire d'un si monstrueux héritage qui nous barre l'accès au présent et obstrue notre avenir De ce non-savoir vient le mot moins sous lequel s'agitent le chaos des chagrins individuels et celui des luttes pour la reconnaissance un nouveau vocabulaire politique un marché culturel et présent un champ académique bref une culture Mais cette culture semble aujourd'hui toucher ses limites en se désamarrant du réel au point de faire craindre ce dont elle se réclame la réalité passée et sa moins L'auteur prend le parti de changer de perspective en voyant s'exprimer dans cette impasse une angoisse de la vérité Au-delà du refus d'oublier ce qui déchire l'espèce et détruit un monde produit pour certains un mal de vérité particulier qui s'accompagne d'une crise de la vérité indite Sous un fatras d'époque l'auteure dessine les contours d'une étrange utopie En dressant la physionomie critique de cette culture de la moins elle tente un autre usage des textes moins pour penser avec eux le mal de vérité qui travaille notre rapport au passé et trouver un nouveau rapport politique au présent

Hybrid Justice John D. Ciorciari, Anne Heindel, 2020-01-14

A definitive scholarly treatment of the ECCC from legal and political perspectives

Les Cahiers français, 2013

Le statut et les fonctions du juge pénal international Kadidiatou Hama, 2014-02-01

Le juge pénal international est devenu un acteur incontournable de la scène internationale Qui est-il Dispose-t-il d'un statut adapté ses fonctions Voici une analyse de ses caractéristiques statutaires et des fonctions dans lesquelles il puise son pouvoir et qui lui permettent de faire marcher la justice à l'échelle mondiale en tenant compte de la diversité des juridictions pénales internationales

Justice à l'épreuve (La) Jean-Marie Coulon, Daniel Soulez Larivière, 2002-09

Montée du pouvoir des juges vieillissement des procédures surcharge la justice française est en crise Mais n'est-ce pas plutôt la France qui découvre les servitudes et les vertus du droit Notre justice est elle présente pour les nouvelles missions que la société lui assigne Les juges sont-ils bien choisis et formés pour assumer leur tâche Les cours et tribunaux sont-ils adaptés Quels sont les autres moyens de résoudre les conflits Le système de répression pénale est-il satisfaisant L'avènement d'un ordre juridique européen et au-delà d'une justice internationale ne constitue-t-il pas une chance pour notre propre appareil judiciaire Pour la première fois un juge

et un avocat confrontent sans concession leurs points de vue Apparemment tout les oppose l'exercice de leur métier la fonction qu'ils remplissent leur conception du droit Pourtant par delà les différences et les divergences s'esbauche le portrait de ce que devrait être notre justice Jean Marie Coulon magistrat est premier président de la Cour d'appel de Paris Daniel Soulez Larivière est avocat au barreau de Paris

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