

B. Executive Summary

The aim of the project ‘Psychology, Mental Health and Law: Integrating Psychological Knowledge in the Khmer Rouge Trials’ was to contribute to closing the knowledge gap between psychology and law on the impact of traumatic sequelae on witness evidence in international criminal trials. The main emphasis of the project lay on the trials at the Extraordinary Chambers in the Courts of Cambodia (ECCC). An important feature of the project was its combination of psychological and legal, international and Cambodian, as well as theoretical and empirical expertise.

Incipiently, we would like to express our gratitude to the SNIS for its continuous support throughout the project.

I. Research Plan

1. Problem Statement

As a result of having survived or witnessed mass atrocities, the mental health of many witnesses can be severely affected with Posttraumatic Stress Disorder (PTSD) being highly prevalent (e.g. Van Velsen, Gorst-Unsworth, & Turner, 1996 for survivors of torture and organized violence). Knowledge of psychological sequelae of traumatic experiences is important in judicial decision-making and credibility assessments. For example research has shown that, after highly disturbing and stressful experiences, individuals can have difficulties recognising key people involved in those events (Morgan-III et al., 2004; Valentine & Mesout, 2009). As another example, inconsistency when recalling traumatic experiences, often taken to be an indication of making up the story, has been shown to be an effect of PTSD (Herlihy, Scragg, & Turner, 2002). Yet, research on the impact of psychological difficulties on witness presentation and credibility judgments in international criminal trials has remained scarce and predominantly monodisciplinarily (e.g. Combs, 2010).

Furthermore, trauma narratives may have immediate and long-term effects on the health of professionals dealing with victims, but only little literature exists on vicarious traumatization in judges, prosecutors or court monitors in international criminal trials.

Studies suggest a high prevalence of PTSD in Cambodian citizens, ranging from 11.2-62.0% (de Jong et al., 2001; Marshall, Schell, Elliott, Berthold, & Chun, 2005; Mollica et al., 1993). During the Khmer Rouge regime, as many as 2 million people perished and appalling human rights atrocities were committed (Secretariat of the Royal Government Task Force - Kingdom of Cambodia, 2004). The Extraordinary Chambers in the Courts of Cambodia (ECCC) were set up as a so-called hybrid court through an agreement between Cambodia and the United Nations (UN). They were created to try senior perpetrators and those most responsible for the crimes committed during the Khmer Rouge regime between 1975 and 1979. The trials are being held in Phnom Penh, Cambodia.

2. Objectives

The general objective of our study was to combine psychological and legal expertise to study the impacts of traumatic experience on fact-finding in international criminal trials. The central focus of the study lay on the proceedings at the Extraordinary Chambers in the Courts of Cambodia.

The specific aims of our study were threefold:

- Firstly, we wanted to better understand the role of psychological knowledge and how it is incorporated into international criminal trials. We particularly sought to gain knowledge of the impact of trauma on the judicial decision-making process particularly in assessing inconsistent witness testimonies and victim statements.
- Secondly, we wanted to bridge the gap between psychological and legal knowledge in the court by training lawyers and trial monitors.
- Finally, we wanted to offer on-site support to trial monitors and lawyers in the court in order to mitigate the effects of vicarious traumatization. To this end, the Competence Center of Human Rights of the University of Zurich cooperated with the War Crimes Studies Center of UC Berkeley in a monitoring program of the trials. International and Cambodian lawyers monitor and analyse the trials to assess their compliance with international standards of fair trial and to foster knowledge of the Cambodian people about the trials.

II. Organizational Structure

An international team of researchers with a legal, psychological background worked on the study. The project team further collaborated with practitioners on the ground.

Overview of the project structure	
Involvement of two or more Universities in Switzerland	<ul style="list-style-type: none"> • University Hospital Zurich (Department of Psychiatry)/Faculty of Medicine of the University Zurich • University of Zurich (Department of Psychology and Faculty of Law)
Involvement of researchers from Switzerland	<ul style="list-style-type: none"> • Prof. Ulrike Ehlert • Prof. Christine Kaufmann • Prof. Brigitte Tag • Dr. Julia Müller • Rebecca Brönnimann (doctoral candidate) • Laura Marschner (doctoral candidate)
Cooperation/joint research with international organisations and/or NGOs	<ul style="list-style-type: none"> • Centre for the Study of Emotion and Law /London/UK CSEL/UK • War Crimes Study Center, University of California, Berkeley/USA • AIJI (NGO)/Phnom Penh/Cambodia
Involvement of researchers from abroad	<ul style="list-style-type: none"> • Prof. David Cohen: USA • Dr. Jane Herlihy: UK • Dr. Pennie Blackburn: Psychologist/UK
Involvement of practitioners in Cambodia	<ul style="list-style-type: none"> • Sovanna Sek: Lawyer/Cambodia • Judith Strasser: Psychologist/Cambodia • Kounila Keo: Film-maker/Cambodia
Co-funding from other sources	<ul style="list-style-type: none"> • University of Zurich (Department of Psychology and Faculty of Law/Competence Center for Human Rights) • University Hospital Zurich • Centre for the Study of Emotion and Law • War Crimes Study Centre, University of California, Berkeley • Zürcher Universitätsverein (ZUNIV)

III. Procedure

Overall, the project was divided into three stages: The first stage comprised background research and a post-hoc analysis of the trial proceedings in the first case at the ECCC. The emphasis of the second phase lay on research on the ground. Members of the project team went to Cambodia to train monitors and civil party lawyers, attend court hearings, conduct interviews and establish psychological supervision for the monitors through an external psychologist. In the third stage of the project, the data was analysed and articles as well as the legal and psychological dissertations were drafted. Furthermore, a short film was produced jointly with the SNIS to illustrate the objectives of the project.

Before explaining the activities carried out during the three project phases in greater detail, two key challenges which the project encountered need to be illustrated briefly:

- The project was set to begin in the period between the trials of the first and the second case at the ECCC, in order to have a full set of monitors' reports from the trial in case 1 to analyse and to allow preparation for and coverage of the trial in case 2. Yet, numerous, unforeseeable problems arose at the ECCC during the pre-trial phase of case 2. Following the developments at the Court, in particular the recurrent delay of the trial phase in case 2 and the severance of the trial into several sub-trials, the project goals unfortunately had to be adjusted and in part given up, namely the joint observation by psychologists and lawyers of the trial phase in Cambodia to evaluate the level of traumatising and its impact on fact-finding.
- Another main challenge was to find a methodology appropriate for analysing testimonies and suitable to accommodating the needs of the differing disciplines involved, psychology and law. Lawyers are often not trained in the application of empirical methods and psychologists might not be familiar with normative lines of argumentation. Since each discipline had to use its own methodology to produce scientifically valid results, close communication between the project members was essential to understand the motivations and limitations of each discipline. The discussions proved to be controversial and testing, but at the same time provided many new perspectives on one's own discipline. The doctoral candidates jointly drafted a paper on the impact of trauma on witness evidence in international criminal trials which combined legal and psychological considerations.

1. *First Project Phase*

- Psychological research

Psychological research contained text-analyses of the video recordings of case 001. We wanted to know if risk factors for PTSD are associated with linguistic indicators of trauma pathology. We therefore secondly examined if the narrative accounts that witnesses construct differ on a cognitive, emotional and perceptual level depending on the questions of different law-enforcement personnel (judges, prosecutors, civil party lawyers, defense counsel), as well as of gender and nationality of different interviewer. Thirdly, we wanted to find out if different parties to the proceedings differ in word use relating psychological processes such as dominance and psychological proximity and distancing, and if they differ concerning the submission of appropriate and inappropriate questions.

It was analysed if witnesses with a higher level of risk factors for PTSD (such as being female, having been detained at a young age, having lower educational attainment) will present more linguistic indicators of trauma pathology. For the text analyses the Linguistic

Inquiry and Word Count (LIWC) was used, a well validated transparent text analysis software developed by Pennebaker, Booth & Francis (2007).

By analyzing speech samples of 24 witnesses with the LIWC, the influence of the role of the questioner on witness testimonies was examined. Variability in witness testimonies is often assumed to be attributable to the style of questioning, and the behavioural, social and psychological attributes of the interviewer, giving rise to inconsistencies and to unreliability of witness testimonies. The LIWC-analysis of trial 001 showed, consistent with the predictions, that differences in witness testimonies were related to different interviewers. Verbal expressions of affective, cognitive, and perceptual processes differed according to whom (judges, prosecutors, civil party lawyer, or defense; male vs. female interviewer; national vs. international interviewer) was interrogating the witness at the time. When answering questions by females witnesses used significantly more cognitive process words as when answering questions by males. When interviewed by international rather than by Cambodian parties to the proceeding witness accounts were composed of significantly more verbal expressions of affective processes and of perceptual processes. Furthermore, witnesses used most cognitive and affective process words during the interview by civil party lawyers and defence lawyers. These results may be due to a prior supportive relationship between civil parties and their lawyers and due to a more interrogative question style by the defence lawyers, who attempt to undermine the credibility of the interviewed witnesses. Data shows that LIWC analysis is an appropriate method to examine witness accounts and, therefore, contributes to a better understanding of the complex relationship between testimony in events under litigation and credibility (Brönnimann, Herlihy, Müller & Ehlert, 2013).

A second analysis also explored aspects of the investigative interviews in trial 001 with the help of the LIWC. In particular, we examined how questions of interviewers differ in terms of word use relating to psychological processes according to the LIWC. Furthermore, we were interested in how these linguistic patterns in questions asked by the different parties to the proceedings can be related to the linguistic contents of the witness accounts. Statistical evaluations of the speech samples of 26 interviewers showed that, depending on their legal role, interviewers differed in their word use associating with dominance and psychological proximity and distancing. The study showed that when interviewing traumatized witnesses in a naturalistic setting such as the ECCC, different parties to the proceedings differed in their verbal rapport building as measured with the LIWC. As has been hypothesized, law-enforcement personnel (judges, prosecutors, civil party lawyers, defense counsels) differed in their linguistic patterns associated with both rapport building and social distance. Results from this field study indicated that witnesses' own lawyers verbally built rapport more intensively than the other parties to the proceedings. Civil party lawyers used most first-person singular pronouns, significantly more than judges, prosecutors and defense counsel. Furthermore, civil party lawyers used most words out of the social process category. They used significantly more social process words than judges. In addition, civil party lawyers verbally expressed significantly more positive emotions than judges. In sum, civil party lawyers' language use hints towards more personal, less distant and dominant, and thus less stress inducing interview styles in the first ECCC trial (Brönnimann, Herlihy, Horn, Müller & Ehlert, submitted).

Consistent with our hypothesis, these findings can be linked with the results of the first analysis – linguistic contents of witnesses' accounts are associated with linguistic contents of questions asked prior.

All the analyses undertaken so far based on the English translation of the Khmer testimonies. In order to minimize wrong classifications and thus characteristic distortions due to insufficient translations, a Cambodian interpreter working at the University of Southern California, Los Angeles, Dr. Kosal Path, has developed a Khmer translation of the English

LIWC-dictionary in collaboration with the University of Zürich. Due to limited resources and funding) it was unfortunately not possible to conduct a validation of the Khmer dictionary. Further studies on the performance of the Khmer LIWC concerning the equivalence of the original LIWC version and the Khmer dictionary are needed. Therefore, a comparison of the results of the English and Khmer LIWC analysis of the lawsuit in terms of how they match could not be carried out. Results of such a comparison would have contained information as to whether the international and the national judicial experts really work with the same verbal contents from the witnesses. A link containing the contact details of the project members will be posted on the LIWC homepage (www.liwc.net). The Khmer translation of the LIWC dictionary will be available for researchers interested in doing a validation of the Khmer translation. Such a study must attach a note of affiliation to the University of Zurich and the SNIS.

- Legal research

First, the ECCC's procedural framework governing witness evidence as well as pertinent decisions and transcripts of case 1 were analysed. To conceptualise the project's focus on the ECCC within the broader procedural framework of international criminal trials, relevant academic literature, case law and practices of international criminal tribunals as well as selected national criminal systems were reviewed with regard to the impact and handling of psychological trauma in trial. Contrary to the ECCC's procedural rules, which are influenced by the civil law system, most international criminal tribunals operate with a predominantly adversarial procedural structure. Hence, the active role judges play in the examination of witnesses at the ECCC is comparatively novel and has proven a relevant factor in the analysis of witness questioning. Moreover, the conceptualization of the standard of proof to be applied was scrutinized with regard to the evaluation of witness evidence.

Overall, the legal research pursued a two-fold focus in the study of evidence by traumatized witnesses at the ECCC, taking into account the impact of psychological suffering on the examination and evaluation of evidence, as well as the impact of testifying on the individual traumatized witness. With regard to both factors, the institutional support provided to the witness prior, during and after testimony as well as the procedure of the examination had to be considered. The normative framework of victim testimony was assessed focusing mainly on its legal role, the witness's examination in court, as well as the judicial assessment of its credibility.

In the context of the ECCC, a distinction must be drawn between witnesses and civil parties who are a formal party to the proceedings and whose mandate includes to (1) assist the prosecution in proving the guilt of the accused and (2) to seek moral or collective reparations. From a legal perspective different rules, depending on the status, are applicable which may influence how a witness or civil party gives evidence. Whereas witnesses at the ECCC may not receive any preparation from the parties (such as 'proofing' comparable to the practice at other international criminal tribunals), civil parties were occasionally prepared by their lawyers. Given that the parties to the proceedings may not have any contact with the witnesses, their preparation and support by the Witness and Expert Support Unit ('WESU') of the ECCC is essential for a positive experience of testimony, particularly for traumatized witnesses.

The project's research approach and its preliminary results were selected in competitive peer reviews for presentation at several conferences. In July 2011, a presentation entitled 'Trauma, Memory, and the International Criminal Trial: Reflections on Victim-Witness Testimony' was given at the conference 'Affective States of International Criminal Justice' at Melbourne Law School. At the East Asian Law and Society Conference in Seoul in September 2011, a paper presentation on the ECCC's procedural framework at the intersection of common law and

civil law was given. The paper ‘Unspeakable Memories? Unattainable Truths? Victim-Witnesses in International Criminal Trials’ was selected for presentation at the Research Forum of the American Society for International Law. The developments at the ECCC were critically reviewed in an article published in the peer reviewed *Zeitschrift für Internationale Strafrechtsdogmatik* in 2011.

2. *Second Project Phase*

- Legal research in Cambodia

During the second phase, the doctoral student spent three months in Cambodia to attend hearings of the trial, conduct interviews with experts as well as court professionals and work with a Cambodian lawyer to better understand the Cambodian legal system and the possible influences of cultural elements on the testimony. For instance, since personal feelings are generally considered a highly private matter in Cambodia and cultural rules governing behaviour frown upon the open expression of strong affect (Cheung 1993), the expression of feelings like anger or sadness in front of an authority such as a judge can be problematic both for the witness him- or herself and for the national authority having to handle the specific situation in court. The monitors were interviewed in person and by means of a questionnaire on how and based on which criteria they determine the credibility of the witnesses whose testimony they observed in court.

- Psychological trainings and supervision

The originally planned project outputs were three training seminars for monitors and judges, held in Cambodia. Time constraints made more than one seminar for the monitors difficult, and internal political developments at the Court prevented an independent training of the judges. However, we did deliver one training session to monitors, and a further training was delivered to civil party lawyers in cooperation with a local NGO.

Jane Herlihy and Pennie Blackburn delivered a one day training session to a full cohort of legal monitors, including the team leader and the Program Officer from the War Crimes Studies Center (n=12). The training included:

- Introduction to psychology & legal decision making
- Psychological responses to trauma
- Research showing the impact of psychological issues on legal decision making
- Self-care exercises.

The training was well-received; participants were engaged and enthusiastic. We have pre-post training evaluation data for all participants, measuring change in knowledge, confidence and response to a case example. In the global questions on satisfaction with the training, participants answered:

I would recommend this training to others doing the same or a similar job to me
1-not at all true / 2-slightly true / 3-somewhat true / 4-very true / 5-extremely true

Responses were:

2/12 – very true

10/12 – extremely true

In partnership with the local NGO ‘Transcultural Psychosocial Organisation’ (‘TPO’), the trainers also provided a two day session to the two co-lead lawyers, a number of Civil Party Lawyers, legal assistants (who interview survivor-witnesses & civil parties and prepare legal

cases) and Transcultural Psychological Organisations (TPO) psychologists (who prepare and support civil parties), 20 in total.

TPO hosted the event and provided, free of charge, interpreting for the two days of training and translation services for the evaluation measures. The content of the training was essentially the same as for the monitors, with more careful explanation of research concepts and more participatory exercises, as was appropriate to the audience.

The training was again well-received; participants were engaged and enthusiastic. We have pre-post training evaluation data for all participants, measuring change in knowledge, confidence and response to a case example. In the global questions on satisfaction with the training, participants answered:

I would recommend this training to others doing the same or a similar job to me

1-not at all true / 2-slightly true / 3-somewhat true / 4-very true / 5-extremely true

Responses were:

1/17 – slightly true

2/17 – somewhat true

7/17 – very true

7/17 – extremely true

This and the rest of the evaluation data has been analysed and reported in a paper authored by the trainers and psychology project members.

Furthermore, as part of the project, monitors received psychological support by a psychologist in Cambodia (Judith Strasser, TPO) to help them cope with their experiences and avoid secondary traumatization. This psychological support was supervised and evaluated.

3. Third Project Phase:

- Data analysis and summarization of research results in writing

The psychological papers “Do testimonies of traumatic events differ depending on the interviewer?” and “Linguistic Features of Rapport Building in Legal Interviews – Results from the Khmer Rouge Trials” have been integrated in a paper based dissertation work “Examining Investigative Interviews with Traumatized Witnesses in the Extraordinary Chambers in the Courts of Cambodia”. It aimed to draw attention to fundamental issues and problems that can arise in the context of investigative interviewing. Because victims’ credibility strongly relies on the ability of the witnesses to remember and communicate coherently and consistently in court about the possible horrific experiences they suffered, and because inconsistency in disclosure has implications for credibility, variability in witness accounts due to interviewer behavior within the investigative interview became an important issue in our work. Furthermore, interviewers differ in how they accommodate and interview witnesses depending on their legal role. Therefore, in our studies attention has been paid on how different parties to the proceedings interview traumatized witnesses and on variability in witnesses’ accounts in relation to different interviewers in the field of international criminal trials using a predominant inquisitorial procedure, such as the ECCC.

The doctoral thesis of Rebecca Brönnimann was accepted as a doctoral dissertation by the Faculty of Arts of the University of Zurich in the winter semester 2012 on the recommendation of Prof. Dr. Ulrike Ehlert and Prof. Dr. Christine Kaufmann.

One focus of the project lay on an interdisciplinary analysis of the criteria which influence testimony and its evaluation by judges in an international criminal trial. The research is based on the hypothesis that legal rules especially on credibility have so far mainly been developed

on an ad hoc basis by judges and lack an examination based on both evidentiary psychology and legal standards. It is argued that the specific effects of international crimes on a person need to be taken into account. Often, they have encountered loss of family and social environment and lost faith in administrative and legal structures. Such witnesses can act differently and pose specific challenges to fact-finding, some of which can only be solved through an interdisciplinary effort by lawyers and psychologists. Based on their review of pertinent case law and literature, the doctoral students drafted a paper on the impact of trauma on witness testimony. Given that only two cases have reached the trial phase at the ECCC, the paper takes on a broader focus and examines jurisprudence of other international criminal tribunals as well.

- Production of a short film on the project

We welcomed the opportunity of collaborating with the SNIS on the production of a short film on the project. Parts of the film were shot in Phnom Penh to include statements by Cambodian and international monitors and cooperation partners.

- Organisation of a conference on the trials at the ECCC

To launch the film and to discuss the proceedings at the ECCC with fellow researchers and practitioners, a conference was organized by the Competence Center for Human Rights of the University of Zurich (Prof Christine Kaufmann). The conference entitled ‘The Khmer Rouge Tribunal – Assessing Recent Developments and Challenges Ahead’ took place on 19 November 2012 at the University of Zurich. It was attended by researchers, practitioners and interested students. The keynote speech was delivered by Catherine Marchi-Uhel, former judge at the ECCC and current head of chambers at the International Criminal Tribunal for the former Yugoslavia (ICTY). The keynote speech was followed by a discussion with distinguished experts such as Prof. Dr. Ulrike Ehlert (Department of Psychology, Clinical Psychology and Psychotherapy, University of Zurich), Prof. Dr. iur. David Cohen (War Crimes Studies Center, University of Berkeley) and Ass. Prof. Dr. iur. Sarah Summers, LL.B. (Faculty of Law, University of Zurich). The event was generously supported by the Zürcher Universitätsverein (ZUNIV).

IV. Results

A key goal of the project was to raise awareness among lawyers for

- the impact that impaired mental health, as a consequence of having experienced international crimes, can have on the way a witness testifies in an international criminal trial. It was unfortunate that no joint observation of the trial hearings of case 1 at the ECCC by a psychologist and a lawyer was possible as a result of the delayed start of the trial. The review of the case law confirmed the importance attached to the testimony of victims as well as the challenges posed by impaired mental health to fact-finding. Judges are often aware of the special needs of victims and witnesses, but they must take into consideration the fair trial rights of the accused, in particular the right to examine or have examined witnesses against him or her.
- the effects that dealing with traumatized persons and their stories can have on the mental health of lawyers themselves. In this regard, the trainings of monitors and civil party lawyers showed positive effects.

V. Overview of Publications and Other Activities

<p><u>Published manuscripts:</u></p>	<p>Brönnimann, R., Herlihy J., Müller, J., & Ehlert, U. Do testimonies of traumatic events differ depending on the interviewer?, <i>The European Journal of Psychology Applied to Legal Context</i> 5 (2013), pp. 97 et seq.</p> <p>Ehlert, C. & Kaufmann C. The Duch Trial at the Extraordinary Chambers in the Courts of Cambodia – Involving the Cambodians in the Process. <i>Chinese (Taiwan) Yearbook of International Law and Affairs</i>, Volume 28 (2010), pp. 22 et seq.</p> <p>Kaufmann, C. & Marschner, L.. Eine kritische Bestandsaufnahme aktueller Entwicklungen der Außerordentlichen Kammern an den Gerichten von Kambodscha. <i>Zeitschrift für Internationale Strafrechtsdogmatik</i> 10 (2011), pp. 811 et seq.</p> <p>Marschner, L. International Criminal Law between Standardization and Differentiation; in: Loacker, L. & Zellweger-Gutknecht, C. (eds.), <i>Differenzierung als Legitimationsfrage</i>, APARIUZ Vol. 14, Dike Zurich 2012, pp. 383 et seq.</p>
<p><u>Submitted manuscripts:</u></p>	<p>Brönnimann, R., Müller, J., Horn, A., Herlihy J. & Ehlert, U. (submitted). Linguistic Features of Rapport Building in Legal Interviews – Results from the Khmer Rouge Trials.</p>
<p><u>Manuscripts in preparation:</u></p>	<p>Brönnimann, R. & Marschner, L. (in prep.). Trauma and the International Criminal Trial: Reflections on the Interplay between Mental Health and International Criminal Law.</p> <p>Herlihy, J., Blackburn, P., Brönnimann, R. & Müller, J. Emotion at the Extraordinary Chambers in the Courts of Cambodia (ECCC): can psychological training improve quality of justice at international criminal trials?.</p>
<p><u>Organised conference:</u></p>	<p>Competence Center for Human Rights of the University of Zurich (2012). <i>The Khmer Rouge Tribunal – Assessing Recent Developments and Challenges Ahead</i>, Zurich, 12 November 2012.</p>
<p><u>Oral presentations at conferences and symposia:</u></p>	<p>Brönnimann, R., Müller, J. Herlihy, J. & Ehlert, U. (2011). Linguistic Analyses of Witness Testimonies: Influences of the Interrogation by Different Parties to the Proceedings. 12th European Conference on Traumatic Stress, Vienna, Austria, 2-5 June 2011.</p> <p>Herlihy, J. & Müller, J. (2011). Vicarious Traumatisation and Legal Decision Making. 12th European Conference on Traumatic Stress, Vienna, Austria, 2-5 June 2011.</p> <p>Kaufmann, C. & Marschner, L. (2011). Unspeakable Memories, Unattainable Truths? Victim-Witness Testimony at the Khmer Rouge Tribunal. American Society of International Law Research Forum Los Angeles, 5 November 2011.</p> <p>Marschner, L. (2011). The Dialects of International Criminal Law: A ‘Tower of Babel’? 2nd EALS Conference, Seoul, 30 September 2011.</p> <p>Marschner, L. (2011). Trauma, Memory, and the International Criminal Trial: Reflections on Victim-Witness Testimony. University of Melbourne, 21 July 2011.</p> <p>Müller, J. (2011). Trauma and Psychological Processes in the Khmer Rouge Trials - a Short Introduction. 12th European Conference on Traumatic Stress, Vienna, Austria, 2-5 June 2011.</p> <p>Ehlert, C. (2011) The Duch Trial at the Extraordinary Chambers in the Courts of Cambodia – Involving the Cambodian in the Process. International Law Association Asia-Pacific Regional Conference in Taipei, 29 May 29-1 June 2011.</p>

VI. Conclusion

Research on witness testimony, in particular the testimony of traumatized persons, can substantially contribute to improving international criminal trials. We hope to have contributed to paving the road for further research on credibility criteria in international criminal trials. Of particular relevance is the possible contribution of psychological aspects to the discussion on the need and possibility to formulate standards for evaluating oral evidence in international criminal trials (with a particular focus on witnesses with impaired mental health, esp. after experiencing traumatic events).

VII. Bibliography

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