



CALL FOR EXPRESSIONS OF INTEREST

Contributors (Consultants) to a Commentary on ECCC Jurisprudence

EOI/CMS/2022/04

UNAKRT is accepting expressions of interest from suitably qualified candidates to contribute to a *Commentary on ECCC Jurisprudence*, which is intended to be a comprehensive, fully referenced, and useful day-to-day research tool for law students, academics, and legal practitioners (both international and Cambodian).

The purpose of the Commentary on ECCC Jurisprudence is twofold: 1) to assist academics and practitioners in understanding how ECCC jurisprudence is instructive in interpreting and applying relevant provisions of Cambodian and international criminal law; and 2) to provide a compendium of the ECCC's legacy and contribution to the development of international criminal law.

The Commentary on ECCC Jurisprudence will cover the following topics:

1. **The ECCC's personal and temporal jurisdictions**, including an analysis of the negotiations establishing the ECCC, bars to the exercise of jurisdiction (e.g., amnesty and pardon, principle of *ne bis in idem*).
2. **Crimes under the ECCC's jurisdiction**, which will provide a historical background of the origins of the crimes under the ECCC's jurisdiction, an analysis of their applicability at the ECCC, and a breakdown of the elements of the crimes.
3. **Individual criminal responsibility**, which will cover each of the modes of liability listed under Article 29 of the Establishment Law in addition to the mode of liability known as Joint Criminal Enterprise, analyzing their applicability at the ECCC and providing a breakdown of their elements.
4. **Fair trial rights**, which will cover the fair trial rights provided to Suspects, Charged Persons, and Accused before the ECCC, including the presumption of innocence and principle of *in dubio pro reo* and rights to equality of arms, equal treatment, to be informed of the charges, to counsel, to remain silent, to expeditious proceedings, to appeal, and to assist in one's own defence.
5. **The procedure**, which will cover the jurisprudence on the ECCC internal rules for each stage of the proceedings – the general provisions, prosecution phase, investigation phase, pre-trial phase, trial phase, and appeals phase.
6. **Sentencing**, which will address the ECCC's sentencing framework and analyze the Trial Chamber and Supreme Court Chamber's application of sentencing principles in Cases 001 and 002.
7. **Civil Party Action**, which will analyze the procedure for Civil Party Action and the right to reparations under the ECCC framework, including Civil Party Admissibility, the role of Civil Parties during the proceedings, and the reparations principles developed in Cases 001 and 002.

8. **Administration of Justice**, which will analyze the framework and jurisprudence governing the administration of justice at the ECCC, including ethical and professional standards for judges and lawyers at the ECCC and select topics such as recusal and disqualification of judges, interference with the administration of justice, and misconduct of counsel.

Requirements: Candidates should hold an advanced university degree in law or related field; possess at least five (5) years of relevant experience (professional experience with, or in-depth knowledge of, the ECCC is an advantage); be fluent in English (knowledge of Khmer is an advantage); and have access to standard word processing software.

Applicants should indicate which chapter or chapters they would like to work on. Please note that not all preferences can be guaranteed.

This assignment will be performed remotely.

How to register your interest

Previously rostered applicants are encouraged to submit an updated [P-11](#) form together with a brief motivation statement in the email body to unakrt-jobs@un.org no later than **4 December 2022**. Non-rostered candidates are also encouraged to apply by submitting the same before the deadline.

Applicants should identify topics of interest or expertise in their motivation statements.

Due to the volume of applications received by UNAKRT, only those applicants under serious consideration will be contacted. Issuance of assignments is subject to available funds. Remuneration is available on a deliverable basis following certified delivery of outputs as detailed in the consultant's terms of reference.

If you have any questions, please contact unakrt-jobs@un.org.
