

**BEFORE THE PRE-TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

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**INTERNATIONAL CO-PROSECUTOR'S RESPONSE TO IM CHAEM'S APPEAL
AGAINST THE DECISION TO CHARGE HER *IN ABSENTIA***

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I. Introduction

1. Im Chaem has filed an appeal¹ challenging the decision² of the International Co-Investigating Judge (“International CIJ”) to charge her *in absentia*. In the Charging Decision, the International CIJ correctly found that the facts of this case presented a question not addressed by the Internal Rules.³ He then correctly sought guidance on this question in procedural rules established at the international level. Having done so, he properly concluded that charging Im Chaem *in absentia* was the only way to ensure the fairness and expeditiousness of the proceedings and to protect the rights of Im Chaem, the victims, and the Cambodian people.⁴ The Charging Decision was thus correctly decided and consistent with all relevant law. Further, Im Chaem has failed to articulate any prejudice arising from the Charging Decision. Indeed, the Charging Decision gives her more rights, not fewer. The International Co-Prosecutor (“Co-Prosecutor”) therefore respectfully requests that the Appeal be dismissed.

II. Procedural History

2. The judicial investigation against Im Chaem began on 7 September 2009 with the filing of the Introductory Submission.⁵ Im Chaem was notified of her status as a suspect on 24 February 2012.⁶ On 31 July 2014, a summons was personally served on Im Chaem requiring her to attend an initial appearance scheduled for 8 August 2014.⁷ On 12 August 2014, Im Chaem’s counsel informed the International CIJ that Im Chaem would not respond to the summons.⁸

¹ **D239/1/2** Im Chaem’s Appeal against the International Co-Investigating Judge’s Decision to Charge Her *In Absentia*, 2 April 2015 (the “Appeal”) notified to OCP on 27 May 2015.

² **D239** Decision to Charge Im Chaem in Absentia, 3 March 2015 (“Charging Decision”).
³ Charging Decision, para. 57; *see* Internal Rule 2.

⁴ Charging Decision, paras 57-75; *see* Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea (“ECCC Law”), art. 23 new.

⁵ **D1** Co-Prosecutors’ Third Introductory Submission, 20 November 2008; **D1/1** Acting International Co-Prosecutor’s Notice of Filing of the Third Introductory Submission, 7 September 2009; Charging Decision, para. 1.

⁶ **D108** Notification of Suspect’s Rights [Rule 21(1)(D)], 24 February 2012; Charging Decision, para. 2.

⁷ **A150** Summons to Initial Appearance, 29 July 2014; Charging Decision, para. 11.

⁸ Specifically, Im Chaem indicated that she would not respond to a summons signed only by the International CIJ. **A150/2** ICIJ’s Note Concerning Im Chaem’s Initial Appearance, 14 August 2014, para. 6; Charging Decision para. 20.

3. On 14 August 2014, the International CIJ issued an arrest warrant to secure Im Chaem's attendance at an initial appearance; the warrant was delivered to the Cambodian Judicial Police on 15 August 2014.⁹ The warrant has not been executed.¹⁰
4. In light of these events, the International CIJ assessed the impact on the course of proceedings of "a wilful failure by Im Chaem to appear at an initial appearance or a failure by the Judicial Police, without undue delay, to execute an arrest warrant to bring her before the ECCC". He determined that these failures would prevent the Co-Investigating Judges from fulfilling their responsibility to complete the investigation of Case 004 and would also thwart the intended purpose of the ECCC Law. He also determined that further delay would prejudice Im Chaem's right to participate in the judicial investigation and to have adequate time and facilities to prepare her defence. Finally, he concluded that further delay would "prejudice the right of victims and the Cambodian people and could engender disrespect for the ECCC, which forms a unique and vital part of the Cambodian judiciary."¹¹
5. Having conducted this analysis, he concluded that charging Im Chaem *in absentia* was "the only way to ensure the fair and expeditious conduct of the proceedings."¹² The Charging Decision, which includes a detailed Notification of Charges, was distributed to the parties, including Im Chaem's counsel, whom she has selected to represent her.¹³ Following review of the Charging Decision, Im Chaem, through her counsel, lodged the instant Appeal.¹⁴

III. Applicable Law

A. Admissibility

6. Although Internal Rule 21 does not by its terms explicitly define the appellate jurisdiction of any chamber, the Pre-Trial Chamber (the "Chamber") has previously held that "Internal Rule 21 requires that the Pre-Trial Chamber adopt a broader interpretation of the Charged Person's

⁹ C1 Arrest Warrant, 14 August 2014; C1.1 Report on service of the Arrest Warrant to the Judicial Police, 15 August 2014; Charging Decision, para. 21.

¹⁰ Charging Decision, para. 23-30.

¹¹ Charging Decision, paras 70-72.

¹² Charging Decision, para. 73.

¹³ Charging Decision, cover page; D239.1 Notification of Charges against Im Chaem; D122/11 Decision on the Recognition of Lawyer for Im Chaem, 24 February 2014; D122/13/1 Decision on the Recognition of International Co-Lawyer for Im Chaem, 2 May 2014.

¹⁴ Appeal, paras 1, 12.

right to appeal in order to ensure that the fair trial rights of the Charged Person are safeguarded[.]”¹⁵

7. Internal Rule 74(3)(a) provides that a “Charged Person or the Accused” may appeal decisions of the Co-Investigating Judges confirming the jurisdiction of the ECCC.¹⁶

B. Merits

8. Internal Rule 2 provides in part as follows:

Where in the course of ECCC proceedings, *a question arises which is not addressed by these [Internal Rules]*, the ... Co-Investigating Judges ... shall decide in accordance with Article 12(1) of the Agreement and Article[] ... 23 new ... of the ECCC Law as applicable, having particular attention to the fundamental principles set out in Rule 21 and the applicable criminal procedure laws. In such case, a proposal for amendment of these [Internal Rules] shall be submitted to the Rules and Procedure Committee as soon as possible.¹⁷

9. Article 12(1) of the UN-RGC Agreement provides:

The procedure shall be in accordance with Cambodian law. *Where Cambodian law does not deal with a particular matter, or where there is uncertainty regarding the interpretation or application of a relevant rule of Cambodian law, or where there is a question regarding the consistency of such a rule with international standards, guidance may also be sought in procedural rules established at the international level.*¹⁸

10. Similarly, Article 23 new of the ECCC Law provides in part:

All investigations shall be the joint responsibility of two investigating judges, one Cambodian and another foreign, hereinafter referred to as Co-Investigating Judges, and shall follow existing procedures in force. *If these existing procedures do not deal with a particular matter, or if there is uncertainty regarding their interpretation or application or if there is a question regarding their consistency with international standards, the Co-Investigating Judges may seek guidance in procedural rules established at the international level.*¹⁹

¹⁵ Case 002-D300/1/2/4 Decision on IENG Sary’s Appeal against Co-Investigating Judges’ Decision Refusing to Accept the Filing of Ieng Sary’s Response to the Co-Prosecutors’ Rule 66 Final Submission and Additional Observations, and Request for Stay of the Proceedings, 20 September 2010 (“Ieng Sary Appeal Decision”), para. 13.

¹⁶ Internal Rules of the Extraordinary Chambers in the Courts of Cambodia, Revision 9, 16 January 2015 (“Internal Rules”), Rule 74(3)(a).

¹⁷ Internal Rule 2 (emphasis added).

¹⁸ Agreement between the United Nations and the Royal Government of Cambodia Concerning the Prosecution under Cambodian Law of Crimes Committed During the Period of Democratic Kampuchea, 6 June 2003 (“UN-RGC Agreement”), art. 12(1) (emphasis added).

¹⁹ Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea *as amended on 27 October 2004* (“ECCC Law”), art. 23 new (emphasis added).

IV. Standard of Review

11. The standard of review is correctly set out in the Appeal.²⁰

V. Submissions

A. Admissibility

12. Because Im Chaem is properly considered to be a Charged Person, the Co-Prosecutor submits that the Appeal is admissible pursuant to Internal Rule 74(3)(a).

B. Merits

1.Im Chaem’s failure to personally appear in these proceedings raises a question not addressed by the Internal Rules.

13. This appeal turns first on the issue of whether, in the circumstances of this case, “a question arises which is not addressed by [the Internal Rules]”.²¹ The answer to this question is clearly in the affirmative.
14. The Internal Rules describe a summons as “an *order* to any person to appear before the ECCC.”²² The Internal Rules therefore view a summons as legally binding and contemplate that it will be complied with. In this case, Im Chaem has failed to comply with a legally binding summons.
15. The Internal Rules also contemplate that arrest warrants will be promptly executed.²³ In this case, the arrest warrant against Im Chaem has not been executed.
16. The current factual situation is therefore not merely unforeseen by the Internal Rules; it is, rather, directly contrary to the factual situation foreseen by the Internal Rules. It necessarily follows that the situation raises a question not addressed by the Internal Rules.

2.No existing procedures in the Criminal Procedure Code of Cambodia deal with the factual situation presented by this case.

17. Like the Internal Rules, the Criminal Procedure Code of Cambodia (“Criminal Procedure Code”) grants an investigating judge the power to issue a mandatory order to appear to any

²⁰ Appeal, para. 30.

²¹ Internal Rule 2.

²² Internal Rule 41 (emphasis added).

²³ Internal Rule 45(2).

person.²⁴ The Criminal Procedure Code also provides for an investigating judge to issue arrest warrants and contemplates that they will be executed.²⁵

18. The existing procedures in the Criminal Procedure Code do not deal with the current factual situation, in which an order to appear has not been complied with and an arrest warrant has not been executed. Given that this situation raises issues unforeseen by either the Internal Rules or the Criminal Procedure Code, it was appropriate under applicable law for the International CIJ to look to procedural rules established at the international level in answering this question.²⁶

3. Under the rules established at the STL, Im Chaem would be deemed to have already appeared in these proceedings because of her active participation through counsel of her own choosing. Her charging would therefore not be considered to be in absentia.

19. Rule 104 of the Rules of Procedure and Evidence of the Special Tribunal for Lebanon (“STL”) provides: “Proceedings shall not be *in absentia* if an accused appears before the Tribunal in person, by video-conference, or by counsel appointed or accepted by him.”²⁷
20. This rule makes sense, because a person appearing in proceedings through qualified counsel of her choosing is not “absent” from the proceedings in any meaningful sense. This is clearly the case with Im Chaem: she has chosen her own counsel,²⁸ she communicates with them about the case and gives instruction to them,²⁹ and she participates actively in the case through them.³⁰ She is also aware of the proceedings against her and the charges she faces: her counsel have received the Charging Decision and the accompanying Notification of Charges; being in possession of such information, they are under an ethical duty to provide it to and discuss it with their client; and they have given no indication that they have not done so. Finally, through her lawyers she has access to all of the evidence in the case file as well as the right to propose investigative actions and challenge decisions of the International CIJ.³¹

²⁴ Criminal Procedure Code, arts 186-188.

²⁵ Criminal Procedure Code, arts 195-199.

²⁶ Internal Rule 2; UN-RGC Agreement art. 12(1); ECCC Law, art. 23 new.

²⁷ Rules of Procedure and Evidence, Special Tribunal for Lebanon (“STL Rules”), Rule 104.

²⁸ **D122/11** Decision on the Recognition of Lawyer for Im Chaem, 24 February 2014; **D122/13/1** Decision on the Recognition of International Co-Lawyer for Im Chaem, 2 May 2014; Charging Decision, para. 74.

²⁹ *See, e.g.*, Charging Decision, para. 60.

³⁰ The Appeal, like other pleadings filed by the Im Chaem Defence, recites that it is submitted by “Ms. IM Chaem, through her Co-Lawyers”. Appeal, para. 1.

³¹ Charging Decision, para. 73; Internal Rules 55(10), 58(6), and 74(3).

21. Accordingly, STL Rule 104 reflects the reality that *all* of the rights that are sought to be secured to an accused by requiring her physical presence at criminal proceedings are just as surely secured when she is represented by qualified counsel of her own choosing, with whom she communicates and to whom she provides instruction.³² Given that such representation removes the dangers of *in absentia* proceedings, in situations where an accused is so represented, it is inapposite to speak of or analyse the proceedings as being *in absentia* at all.
22. Of course, as the International CIJ correctly found, the Rules and jurisprudence of the STL also permit proceedings in which the accused is truly absent, i.e. proceedings in which the accused has not appeared either personally or through counsel.³³ These are subject to a number of procedural safeguards designed to give the absent accused the best possible opportunity to learn about the charges and to have his interest represented by counsel.³⁴ But these procedural safeguards are designed simply to make it more likely that an accused enjoys the rights and advantages that this Chamber can already be certain beyond doubt that Im Chaem enjoys: the right to know the charges and evidence against her and the right to participate in proceedings through counsel of her own choosing. In other words, Im Chaem and her interests are demonstrably in a more protected position than the accused at the STL. It follows that her charging is consistent with the procedural rules established there.

4. Under the jurisprudence of the European Court of Human Rights, because of her timely notification of the proceedings and participation through counsel, Im Chaem would be deemed already to have appeared in these proceedings or to have waived her right to appear.

23. Jurisprudence of the European Court of Human Rights supports the notion of STL Rule 104 that a person represented in proceedings by counsel of his own choosing is not truly “absent” in any meaningful legal sense. A case relied on by the International CIJ, *Lala v. The*

³² *Cassese’s International Criminal Law* discusses trials *in absentia* at considerable length, and examines the rationale behind rules permitting and prohibiting such trials. *Cassese’s International Criminal Law*, Third Edition, Antonio Cassese *et al.* eds, Oxford University Press, Oxford, 2013 (“*Cassese’s ICL*”), pp. 357-362. It notes that the rule requiring the presence of the accused at trial “derives from the right of an accused to be confronted with the witnesses against him” and notes that the ICTY and ICTR have followed that model, “emphasizing in particular the role of the accused in participating effectively in his or her own defence.” *Cassese’s ICL*, p. 357. It follows that, where these interests are protected, the accused suffers no prejudice from her absence. This is especially the case where the absence is voluntary, and where the accused may exercise her right to appear at any time.

³³ Charging Decision, paras 50-54.

³⁴ Charging Decision, paras 50-54.

Netherlands,³⁵ implies that the entire debate regarding *in absentia* trials may simply be irrelevant when an accused is given due notice of proceedings and participates in proceedings through counsel he chooses and instructs.

24. The accused in *Lala*, like Im Chaem, was given due notice of the proceedings against him; like Im Chaem, was represented by counsel of his choosing; and, like Im Chaem, actively participated in the proceedings against him through that counsel.³⁶ He refused to attend the proceedings in person because he was subject to arrest as the result of an unrelated matter and feared he would be arrested if he physically appeared in court.³⁷ Because of *Lala*'s failure to personally appear, the Dutch court ruled that his lawyer was prohibited from presenting *Lala*'s defence and entered a default judgment against him.³⁸ The European Court of Human Rights held that it was a violation of the European Convention for *Lala*'s lawyer not to be permitted to present a defence simply because *Lala* was voluntarily absent from the proceedings.³⁹ But it implicitly supported the proposition that, had *Lala*'s lawyer been permitted to present *Lala*'s defence, there would have been no violation, despite *Lala*'s voluntary absence.⁴⁰
25. *Lala* thus raises the question of whether Im Chaem's charging is even properly considered to be *in absentia*. At the beginning of its analysis, the *Lala* Court stated:

“The Court notes at the outset that the present case *does not concern the question whether trial in the absence of the accused is compatible with Article 6, paras. 1 and 3(c) ... : the applicant's complaint is not that the appeal was heard in his absence – he had not availed himself of his right to attend ...*”⁴¹

26. The clear implication of this statement is that an accused who is aware of the proceedings against him and who is participating through counsel in those proceedings but nevertheless does not “avail[] himself of his right to attend” is in fact not “absent” at all. His physical absence is simply an implicit waiver of a right that he has, and is aware he has, and has chosen not to exercise.

³⁵ *Lala v. The Netherlands*, European Court of Human Rights, Application no. 14861/89, 22 September 1994 (“*Lala*”); Charging Decision, para. 49 & fn 53.

³⁶ *Lala*, paras 10-12.

³⁷ *Lala*, para. 10.

³⁸ *Lala*, para. 12.

³⁹ *Lala*, paras 33-34.

⁴⁰ *Lala*, paras 33-34.

⁴¹ *Lala*, para. 30 (emphasis added).

27. A second case relied on by the International CIJ, *Sejdović v. Italy*,⁴² also addresses situations in which a person can be deemed to have waived his right to be present in proceedings against him. In *Sejdović*, the Court set out the principle that “[n]either the letter nor the spirit of Article 6 of the Convention prevents a person from waiving of his own free will, *either expressly or tacitly*, the entitlement to the guarantees of a fair trial”.⁴³ (This sentence appears in a subsection entitled “Waiver of the right to appear at the trial” and, in context, clearly deals with the right to be present.) The Court then went on to hold that, to be effective, a waiver “must be established in an unequivocal manner and be attended by minimum safeguards commensurate to its importance” and that it must not be contrary to any important public interest.⁴⁴
28. In its discussion of how to determine whether a waiver of the right to be present is unequivocal, the Court stated that it had previously held that “to inform someone of a prosecution brought against him is a legal act of such importance that it must be carried out in accordance with procedural and substantive requirements capable of guaranteeing the effective exercise of the accused’s rights; vague and informal knowledge cannot suffice[.]”⁴⁵ But, the Court also made it clear that the important thing is for the accused to have *actual knowledge* of the proceedings, not a particular form of formal notification. An accused who has such actual knowledge and nevertheless fails to attend will be considered to be voluntarily absent:

The Court cannot, however, rule out the possibility that certain established facts might provide an unequivocal indication that the accused is aware of the existence of the criminal proceedings against him and of the nature and the cause of the accusation and *does not intend to take part in the trial or wishes to escape prosecution. This may be the case, for example, where the accused states publicly or in writing that he does not intend to respond to summonses* of which he has become aware through sources other than the authorities, or succeeds in evading an attempted arrest, *or when materials are brought to the attention of the authorities which unequivocally show that he is aware of the proceedings pending against him and of the charges he faces.*⁴⁶

29. Precisely as contemplated by the court in *Sejdović*, Im Chaem herself has made public comments demonstrating that she is aware of the charges against her and that she intends to evade the proceedings if she can. In an interview with the *Cambodia Daily*, Im Chaem said “I

⁴² *Sejdović v. Italy*, Application no. 56581/00, 1 March 2006 (“*Sejdović*”), cited in footnote 52 of the Charging Decision.

⁴³ *Sejdović*, para. 86 (citations omitted) (emphasis added).

⁴⁴ *Sejdović*, para. 86 (citations omitted).

⁴⁵ *Sejdović*, para. 99 (citations omitted).

⁴⁶ *Sejdović*, para. 99 (emphasis added and citations omitted).

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absolutely do not accept [the charges]. I did nothing wrong. Whoever filed the charges against me, please go take them and put them in jail.”⁴⁷ Articles in the *Phnom Penh Post* demonstrates that her husband and other family members are also aware of the charges, and that she sold her land, bought a car, and left home after learning of the charges against her.⁴⁸ Im Chaem also gave an interview to VOA Khmer in which she said, “They charged me wrongly. I did not commit any wrongdoing. I will not appear at the court.”⁴⁹ All of these statements demonstrate that Im Chaem is voluntarily absenting herself from the proceedings, and thus waiving her right to be present.

5. Under the view of the Human Rights Committee relied on by the International CIJ, Im Chaem would be deemed to have waived her right to be present.

30. The International CIJ also properly relied on a view of the Human Rights Committee to the same effect.⁵⁰ In its view on the matter of *Mbenge v. Zaire*, the Human Rights Committee said:

“According to article 14(3) of the [ICCPR], everyone is entitled to be tried in his presence and to defend himself in person or through legal assistance. This provision and other requirements of due process enshrined in article 14 cannot be construed as invariably rendering proceedings in absentia inadmissible irrespective of the reasons for the accused person’s absence. Indeed, proceedings in absentia are in some circumstances (*for instance, when the accused person, although informed of the proceedings sufficiently in advance, declines to exercise his right to be present*) permissible in the proper administration of justice.”⁵¹

31. The HRC’s view sensibly concurs with the approach of the European Court of Human Rights and the STL: when an accused is aware of the proceedings against him and afforded every opportunity to participate, but nevertheless remains voluntarily absent, he is not prejudiced by the continuation of proceedings in his absence. In addition, it would be unjust to allow him to interfere with society’s interest in the proper administration of justice by his refusal to attend.

⁴⁷ “Former Khmer Rouge Officials Meet New Charges with Defiance”, *Cambodia Daily*, 5 March 2015, <https://www.cambodiadaily.com/news/former-kr-officials-meet-new-charges-with-defiance-79133/>, accessed 8 June 2015.

⁴⁸ “Im Chaem Isn’t Home”, *The Phnom Penh Post*, 17 March 2015, <http://www.phnompenhpost.com/im-chaem-isnt-home>, accessed 8 June 2015; “KRT Suspect Turns Up Ill in Tram Kak”, *The Phnom Penh Post*, 18 March 2015, <http://www.phnompenhpost.com/krt-suspect-turns-ill-tram-kak>, accessed 8 June 2015.

⁴⁹ “Named Suspect Says She Will Not Cooperate With Tribunal”, *VoA Khmer*, 4 March 2015, <http://www.voacambodia.com/content/named-suspect-says-she-will-not-cooperate-with-tribunal/2667421.html>, accessed 8 June 2015.

⁵⁰ Charging Decision, para. 47, citing Human Rights Committee, *Daniel Monguya Mbenge v. Zaire*, UN Doc CCPR/C/18/D/16/1977, 25 March 1983 (“*Mbenge v. Zaire*”), para. 14.1.

⁵¹ *Mbenge v. Zaire*, para. 14.1 (emphasis added).

6. Procedural rules of the ICC permit a confirmation-of-charges hearing to take place without an accused who is voluntarily absent.

32. The International CIJ correctly identified a confirmation-of-charges hearing pursuant to Article 61 of the Rome Statute of the ICC as a procedural analogue to the notification of charges at the ECCC.⁵² A confirmation hearing at the ICC is a pre-trial proceeding at which a person may object to charges, challenge the evidence presented by the prosecution, and present evidence.⁵³ It does not result in a determination of criminal liability, but rather in a confirmation or a decision not to confirm charges on which the Prosecutor seeks to proceed to trial.⁵⁴
33. While the Rome Statute provides that in general such a hearing shall be held in the presence of the person being charged, exceptions are provided where the person has waived his or her right to be present or has “fled or cannot be found and all reasonable steps have been taken to secure his or her appearance before the Court and to inform the person of the charges and that a hearing to confirm those charges will be held.”⁵⁵ In this case, the International CIJ has taken all reasonable steps to secure Im Chaem’s physical appearance and has successfully notified her of the charges against her through counsel. He has therefore taken steps to protect the interests sought to be protected by Article 61(2) of the Rome Statute as pre-conditions for holding a hearing on confirmation of charges *in absentia*.

7. The International CIJ did not err in rendering the Charging Decision

34. In light of the foregoing, the International CIJ was correct to conclude that the facts of this case presented a question not addressed by the Internal Rules and correct in his analysis of the relevant Cambodian procedural rules and procedural rules established at the international level. He therefore committed no error in rendering the Charging Decision.

8. Im Chaem has suffered no prejudice as a result of the Charging Decision

35. As discussed above, the International CIJ’s decision to charge Im Chaem does not constitute error. Even if it *did* constitute error, however, that error would have caused Im Chaem no prejudice.

⁵² Charging Decision, para. 56.

⁵³ Rome Statute of the International Criminal Court (“Rome Statute”), art. 61.

⁵⁴ Rome Statute, art. 61.

⁵⁵ Rome Statute, art. 61(2).


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36. Im Chaem complains that she was not physically present when the charges against her were notified, but she has not demonstrated that she is in any worse position as a result. In fact, far from prejudicing Im Chaem, the Charging Decision has worked to her benefit: she now has access to the case file and has standing to request investigative actions and challenge decisions of the International CIJ.⁵⁶
37. In addition, Im Chaem could eliminate any prejudice she has suffered by simply arranging to attend a Rule 57 appearance with the International CIJ. The tone of the Charging Decision makes it clear that the International CIJ would be prepared to arrange such a hearing at any time. The same is true if she wishes to make a statement pursuant to Internal Rule 58.

VI. Relief Requested

38. For the foregoing reasons, the Co-Prosecutor respectfully requests that the Chamber dismiss the Appeal.

Respectfully submitted,

Date	Name	Place	Signature
16 June 2015	Nicholas KOUMJIAN International Co-Prosecutor	Phnom Penh	

⁵⁶ Charging Decision, para. 73; Internal Rules 55(10), 58(6), and 74(3).
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