

**BEFORE THE OFFICE OF THE CO-INVESTIGATING JUDGES
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

Case No: 003/07-09-2009-ECCC/OCIJ (PTC35) **Party Filing:** International Co-Prosecutor

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**INTERNATIONAL CO-PROSECUTOR'S URGENT NOTICE OF HER INTENT TO
FILE A REPLY ON THE ISSUE OF FORWARDING CASE FILE 003 TO THE
TRIAL CHAMBER**

Filed by:

Brenda J. HOLLIS
International Co-Prosecutor

Distributed to:

Co-Investigating Judges
Judge YOU Bunleng
Judge Michael BOHLANDER

Co-Lawyers for MEAS Muth
ANG Udom
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CHEA Leang
National Co-Prosecutor


**All Civil Party Lawyers
in Case 003**

003/07-09-2009-ECCC/OCIJ (PTC35)

I. SUBMISSION

1. The International Co-Prosecutor (“ICP”) hereby gives notice that pursuant to article 8.4 of the Practice Direction on the Filing of Documents,¹ she is preparing a Reply to Meas Muth’s Response to her request to the Co-Investigating Judges (“CIJs”) to forward Case File 003 to the Trial Chamber.² The Reply will be filed in one language no later than Monday, 24 May 2021, with a translation to follow at first opportunity thereafter.³
2. Immediately upon receipt of the Response on 12 May 2021, the ICP began preparing a Reply to address several arguments raised in that Response, which, she submits, ignore or misstate the law and defy logic, including Meas Muth’s arguments on the import of the finding made by all five Pre-Trial Chamber Judges that the Indictment is valid, and on the admissibility of the ICP’s request. Her goal is to provide additional relevant law, jurisprudence and submissions to assist the CIJs in deciding this crucial issue as quickly as possible.
3. However, earlier today, the ICP received notice that the CIJs will announce their decision on the issue tomorrow, 20 May 2021. She, therefore, files this submission in one language due to urgency and will provide a Khmer translation as soon as possible.
4. Mindful of the importance of a fully informed decision to a final determination of the future of Case 003, the ICP respectfully asks the CIJs to postpone their decision until they have considered her Reply.

Respectfully submitted,

| Date | Name | Place | Signature |
|-------------|---|------------|---|
| 19 May 2021 | Brenda J. HOLLIS International Co-Prosecutor | Phnom Penh |  |



¹ Practice Direction on the Filing of Documents Before the ECCC, ECCC/01/2007/Rev.8, amended 7 March 2012 (“Practice Direction”), art. 8.4 (“A reply to a response shall only be permitted where there is to be no oral argument on the request, and such reply shall be filed within 5 calendar days of notification of the response to which the participant is replying.”).

² **D270/4** Meas Muth’s Response to the International Co-Prosecutor’s Request to the Co-Investigating Judges to Forward Case File 003 to the Trial Chamber, 11 May 2021. Filed in English only.

³ Practice Direction, arts 7.1, 7.2.