

Re: Courtesy copy of ICP Request to Trial Chamber to Take Action to Obtain Access to Case 004/2 (Ao An) Indictment and Case File

Megan HIRST

Sent: Tuesday, February 04, 2020 1:08 AM**To:** Brenda Hollis; Leang Chea; RICHARD ROGERS; Goran Sluiter; Luch MOM**Cc:** Nonn Nil; Sokhan Ya; Claudia Fenz; Ottara You; Martin Greg Karopkin; Ang PICH; Lauren TIPTON; William Smith; Ruth Mary HACKLER; Lauren TIPTON; Kristin ROSELLA; Vanly CHET; Kimsuon Hong; Mengkhy Kim [Kim.Mengkhy@eccc.gov.kh]; Chunthy Lor; Sokong SAM; Soworn Sim; Srinna Ty; Pov VEN; Laure DESFORGES; Isabelle Durand; Emmanuel JACOMY; Martine Jacquin [Jacquin.Martine@eccc.gov.kh]; Daniel MCLAUGHLIN; Lyma Nguyen; Nushin SAKARATI

Dear parties

Thank you for your recent efforts to keep civil parties informed of the developments taking place in Case 004/02 by including PICH Ang and me in your emails.

As you know, from the time at which the Trial Chamber is seised of a case, civil parties participate as a consolidated group whose interests are represented by the Lead Co-Lawyers (rule 12ter(4) and rule 23(3)). In addition, rule 69(3) permits the Lead Co-Lawyers to be granted access to the case file during an appeal against a closing order before the Pre-Trial Chamber, in order to facilitate preparation for trial.

In December 2019, the PTC Greffier granted access to the Case 004/02 case file to me and PICH Ang, pursuant to rule 69(3). However more recently it has come to light that there is some doubt about our status in Case 004/02. The Office of Administration has informed me that there is currently no litigation before the Trial Chamber and that it does not consider that my designation extends to Case 004/02. If the Office of Administration's position is correct, it appears to mean that there are currently no Lead Co-Lawyers recognised in Case 004/02, and therefore that civil parties are represented only by their civil party lawyers.

In light of this uncertainty, I request that you please include all Case 004/02 civil party lawyers on your correspondence and courtesy copies. I am copying them here, and listing them with ECCC email addresses below. I know that that several of these ECCC email addresses are not functioning, and our office is working with those civil party lawyers to rectify these problems.

Many thanks for your understanding and cooperation.

Kind regards

Megan Hirst

International Civil Party Lead Co-Lawyer

Extraordinary Chambers in the Courts of Cambodia

Email: hirst.megan@eccc.gov.kh / Ext: 6484**Case 004/02 Civil Party Lawyers:**Vanly CHET <CHET.Vanly@eccc.gov.kh>;Kimsuon Hong <Hong.Kimsuon@eccc.gov.kh>;Mengkhy Kim <Kim.Mengkhy@eccc.gov.kh>;Chunthy Lor <CHUNTHY.Lor@eccc.gov.kh>;Sokong SAM <SAM.Sokong@eccc.gov.kh>;Soworn Sim <Sim.Soworn@eccc.gov.kh>;Srinna Ty <Ty.Srinna@eccc.gov.kh>;Pov VEN <VEN.Pov@eccc.gov.kh>;Laure DESFORGES <DESFORGES.Laure@eccc.gov.kh>;Isabelle Durand <Durand.Isabelle@eccc.gov.kh>;Emmanuel JACOMY <JACOMY.Emmanuel@eccc.gov.kh>;

Martine Jacquin <Jacquin.Martine@eccc.gov.kh>;
Daniel MCLAUGHLIN <MCLAUGHLIN.Daniel@eccc.gov.kh>;
Lyma Nguyen <Nguyen.Lyma@eccc.gov.kh>;
Nushin SAKARATI <SAKARATI.Nushin@eccc.gov.kh>

From: Brenda HOLLIS <brenda.hollis@un.org>

Sent: 04 February 2020 15:38

To: Nonn Nil <Nil.Nonn@eccc.gov.kh>; Sokhan Ya <Ya.Sokhan@eccc.gov.kh>; Claudia Fenz <fenz@un.org>; Ottara You <You.Ottara@eccc.gov.kh>; Martin Greg Karopkin <karopkin@un.org>; Luch MOM <MOM.Luch@eccc.gov.kh>; RICHARD ROGERS <ROGERS.RICHARD@eccc.gov.kh>; Goran Sluiter <Sluiter.Goran@eccc.gov.kh>; Kimsuon Hong <Hong.Kimsuon@eccc.gov.kh>; Chunthy Lor <Lor.Chunthy@eccc.gov.kh>; Sokong SAM <SAM.Sokong@eccc.gov.kh>; Soworn Sim <Sim.Soworn@eccc.gov.kh>; Srinna Ty <Ty.Srinna@eccc.gov.kh>; Pov VEN <VEN.Pov@eccc.gov.kh>; Isabelle Durand <Durand.Isabelle@eccc.gov.kh>; Emmanuel JACOMY <JACOMY.Emmanuel@eccc.gov.kh>; Lyma Nguyen <Nguyen.Lyma@eccc.gov.kh>; Megan HIRST <HIRST.Megan@eccc.gov.kh>

Cc: William Smith <smith5@un.org>; Ruth Mary HACKLER <hackler@un.org>

Subject: Courtesy copy of ICP Request to Trial Chamber to Take Action to Obtain Access to Case 004/2 (Ao An) Indictment and Case File

Dear Chamber and Parties,

Attached is a courtesy copy, in Khmer and English, of the ICP's Request to Trial Chamber to Take Action to Obtain Access to Case 004/2 (Ao An) Indictment and Case File. The Request was filed in hard copy, as the Court Management System's electronic filing system does not yet provide for filings to the Trial Chamber in this case. provide this courtesy copy to you as I do not know how long it takes to notify a hard copy filing.

I am also sending a separate email courtesy copy to the NCP in Khmer and English.

Kind regards,
Brenda J Hollis
ICP