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Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

INTERNAL MEMORANDUM

TO: Judge Olivier BEAUVALLET and
Judge Kang Jin BAIK

Date: 28 January 2020

FROM: Legal Officer Kristina O'YOUNG

SUBJECT: **CMS Filing Instructions Concerning Notification to the Trial Chamber of The Considerations (D359/24 and D360/33)**

Summarily, not verbatim, the following transpired in Court Management Section (“CMS”) Office of the ECCC on 28 January 2020 (including Ms. Kristina O’YOUNG, Ms. Hyuree KIM, Ms. Sotheavy SOUR, Mr. Rada SANN and Ms. Birhane RET)—around 13:57

On 28 January 2020, Ms. Kristina O’YOUNG and Ms. Hyuree KIM (Greffiers of the Pre-Trial Chamber) visited the CMS office. At approximately 13:57, Ms. O’YOUNG delivered into the hands of Ms. Sotheavy SOUR two Filing Instructions. The two Filing Instructions requested that CMS Notify the Trial Chamber of the Considerations (D359/24 and D360/33), each originally filed concerning Case 004/2 on 19 December 2019.

In discussing the Filing Instructions provided, Ms. SOUR indicated that CMS had already received email instructions from Ms. Bophana ROS, a Greffier of the Pre-Trial Chamber. Ms. SOUR stated that Ms. ROS instructed that the Considerations were not to be notified and that the Case File should be archived. Ms. SOUR stated that Ms. O’YOUNG and Ms. KIM may consider discussing the matter with Ms. ROS. Mr. Rada SANN and Ms. Birhane RETA also joined the conversation.

Ms. SOUR provided the two Filing Instructions to Mr. SANN and he examined them. Ms. RETA took hold of the Filing Instructions and examined them also. Ms. SOUR, Mr. SANN and Ms. RETA reiterated and confirmed the email instruction: that Ms. ROS indicated that the Considerations were not be notified, that the Trial Chamber is not a party and that the Case File should be archived.

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The Filing Instructions requesting notification of the Considerations to the Trial Chamber currently remain in the possession of CMS with Ms. RET, Mr. SANN and Ms. SOUR. Ms. RET and Mr. SANN each indicated that at the moment CMS may not act to notify the Trial Chamber of the Considerations given the conflicting instructions.

Leaving the two Filing Instruction requests with CMS, Ms. O'YOUNG and Ms. KIM thanked Ms. RET, Mr. SANN and Ms. SOUR for their time.



KIM