



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

INTEROFFICE MEMORANDUM

TO: Brenda Hollis
A: International Co-Prosecutor

Date: 23 January 2020

FROM: Knut Rosandhaug
DE: Deputy Director of Administration

CC: Tony Kranh
 Acting Director of Administration

SUBJECT: Case 004/02
OBJET:

1. I refer to your memorandum dated 15 January 2020 in which you ask me to “consider and implement whatever steps, if any, [the Office of] Administration can take to move the [Case 004/02] process forward administratively and/or to try to resolve the delay” in notifying the ICP’s pleadings to the Trial Chamber.
2. You further express your “understanding that CMS is awaiting approval from the TC, via the TC Greffier, before it can assign a case number, create an electronic option and notify the filings, and that, to date, CMS has not received this approval”. In the context of your memorandum, I understand your request for administrative intervention to extend to the creation of a new case file partition to allow filings to be made before the Trial Chamber in case 004/02.
3. As case files are within the jurisdiction of the respective chambers, the Office of Administration, through its sub-offices, can only implement judicial acts following an instruction or direction of the chambers as communicated through their greffiers. Short of this, any intervention by my Office could constitute interference with the administration of justice, sanctionable under Internal Rule 35.
4. As you are aware, the Pre-Trial Chamber issued its Considerations on the Appeals against the Closing Orders in case 004/02 on 19 December 2019. The Records and Archives Unit (RAU) was instructed by the Pre-Trial Chamber’s greffier to file the PTC’s Considerations, with notification to be sent to the Pre-Trial Chamber, Office of Co-Investigating Judges, Office of Co-Prosecutors, Defence and the Civil Parties in case 004/02. The filing was duly effected by RAU and the said parties were electronically notified on the same day.



5. By email dated 21 January 2020, the Trial Chamber's greffier informed the Co-Prosecutors and AO An's defence, while copying the Pre-Trial Chamber and the Office of Administration, that the PTC's Considerations in Case 004/02 "have so far not been notified to the Trial Chamber and neither the Indictment nor the Casefile have been forwarded yet".
6. Accordingly, the Office of Administration has duly completed all its tasks related to this context.

