



វគ្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

ឯកសារដើម
ORIGINAL/ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ (Date): 20-Nov-2013, 12:00
CMS/CFO: Krystal THOMPSON

INTEROFFICE MEMORANDUM

TO: H.E. Kong Srim,
President of the Supreme Court Chamber

Date: 31 October 2013

FROM: Tony Kranh, Acting Director of the Office of Administration
Knut Rosandhaug, Deputy Director of the Office of Administration

SUBJECT: Judicial order regarding establishment of a second trial panel
OBJET:

Dear Mr President,

1. Reference is made to the judicial order of 23 July 2013, in which the Supreme Court Chamber instructed the Office of the Administration to “explore the establishment of a second panel of ... judges within the Trial Chamber to hear and adjudicate Case 002/02”.
2. Following this instruction the Office of Administration consulted the President of the Trial Chamber. The President stated that judges of his Chamber “...were each appointed by Royal Decree either directly or from a list of candidates established by the Secretary-General of the UN to serve as judges for the duration of the proceedings. Therefore, [they] will discharge these responsibilities for so long as [they] are able”. He further confirmed awareness of Article 11 new of the Law on the Establishment of the Extraordinary Chambers in the Court of Cambodia¹ and Article 3(8) of the 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.²
3. The Office of Administration has reviewed administrative and financial implications of an establishment of a second panel of judges within the Trial Chamber – and confirms its readiness to support any decision made by the Supreme Court Chamber or the Trial Chamber to duly complete the judicial processes in Case 002.

¹ “In addition to the foreign judges sitting in the Extraordinary Chambers and present at every stage of the proceedings, the President of each Chamber may, on a case-by-case basis, designate one or more reserve foreign judges already appointed by the Supreme Council of the Magistracy to be present at each stage of the trial, and to replace a foreign judge if that judge is unable to continue sitting.”

² “In addition to the international judges sitting in the Chambers and present at every stage of the proceedings, the President of a Chamber may, on a case-by-case basis, designate from the list of nominees submitted by the Secretary-General, one or more alternate judges to be present at each stage of the proceedings, and to replace an international judge if that judge is unable to continue sitting.”