



ឯកសារដើម
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E314

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

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

សាធារណៈ / Public

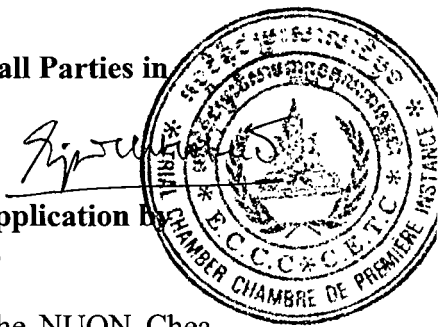
INTEROFFICE MEMORANDUM – TRIAL CHAMBER

TO: H.E. KONG Srim, President of the Judicial Administration Committee Date: 15/08/2014

Cc: Judges and Senior Legal Officer of Trial Chamber; all Parties in Case 002/02

FROM: Judge NIL Nonn, President of the Trial Chamber

SUBJECT: Request to compose a Chamber to decide upon an application by the NUON Chea to disqualify Trial Chamber judges



On 11 August 2014, the Trial Chamber received an email from the NUON Chea Defence notifying the Trial Chamber of its intention to seek the disqualification from any further trials in Case 002 of the following judges: President NIL Nonn, YA Sokhan, Jean-Marc LAVERGNE and YOU Ottara. The NUON Chea Defence does not seek to disqualify Judge Silvia CARTWRIGHT, on the basis that she shall leave the ECCC before 1 September 2014. The NUON Chea Defence anticipates making its application shortly before or on Monday 8 September 2014 and asserts that this complies with Internal Rule 34(3). The NUON Chea Defence requests an extension of the relevant page limit to a maximum of 30 pages in English and seeks permission to file its application in one language (English) only, with a Khmer translation to follow as soon as possible.

According to Internal Rule 34(6), in the event of an application seeking to disqualify multiple judges such that it is impossible to convene a Chamber to hear the application, the Judicial Administration Committee (“JAC”) shall choose additional judges from amongst the ECCC’s judges.

While no disqualification application has yet been made, the Trial Chamber considers that certain matters raised by the NUON Chea Defence in its email may require consideration by the panel in advance of the filing of such application.

The Trial Chamber therefore requests that the JAC constitute a panel of judges from amongst the ECCC judges in order to deal with the matters raised by the NUON Chea Defence’s email and the application when it is made. The Trial Chamber is unaware whether any other party intends to apply to disqualify the same judges as sought by the NUON Chea Defence or additional judges. The NUON Chea Defence’s email is attached.