



**ឯកសារដើម**  
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):  
.....19.....109.....19016.....

ម៉ោង (Time/Heures): 15:30 ជាតិ សាសនា ព្រះមហាក្សត្រ

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé  
du dossier: SANN RADA Kingdom of Cambodia  
Nation Religion King

លេខ / N°: D324

**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

**Royaume du Cambodge  
Nation Religion Roi**

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

**ការិយាល័យសហចៅក្រមស៊ើបអង្កេត  
Office of the Co-Investigating Judges  
Bureau des co-juges d'instruction**

Case File No: 004/07-09-2009-ECCC-OCIJ

Before: **The Co-Investigating Judges**  
Date: **19 September 2016**  
Language(s): **English [Original]**  
Classification: **PUBLIC**

**NOTICE OF PLACEMENT ON THE CASE FILE OF AVAILABLE  
RECORDS RELATING TO THE ESTABLISHMENT OF THE  
ECCC**

**Distribution:**

**Co-Prosecutors**  
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Nicholas KOUMJIAN

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Emmanuel JACOMY  
Martine JACQUIN  
Christine MARTINEAU  
Barnabe NEKUI  
Lyma NGUYEN  
Beini YE



**I. NOTIFICATION**

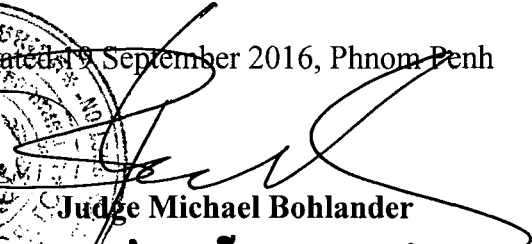
1. Disagreements between the Co-Investigating Judges in this case were registered on 22 February 2013, 5 April 2013, 22 January 2015, and 21 October 2015.
2. On 8 September 2016, I notified the parties to Case 003 of the placement on Case File 003 of a number of records of the negotiations between the United Nations and the Royal Government of Cambodia for the establishment of the ECCC which contain references to the intended scope of the ECCC's personal jurisdiction. These documents, which were obtained from the United Nations' Archives and Record Management following a request filed by the Meas Muth Defence in Case 003 in November 2015,<sup>1</sup> are also relevant to the investigation of Case 004.

**FOR THE FOREGOING REASONS, I:**

3. **INSTRUCT** the Greffier to place on Case File 004:
  - a. the documents listed in the Annex to this decision; and
  - b. the correspondence between the Office of the Co-Investigating Judges and the United Nations for the provision of these documents.

This notification is filed in English, with a Khmer translation to follow.

Dated 19 September 2016, Phnom Penh

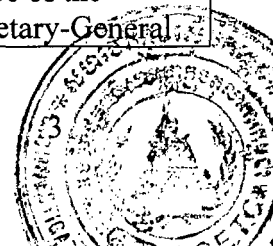


**Judge Michael Bohlander**  
**សេចក្តីក្រុមស៊ើបអង្កេតអន្តរជាតិ**  
**International Co-Investigating Judge**  
**Co-juge d'instruction international**

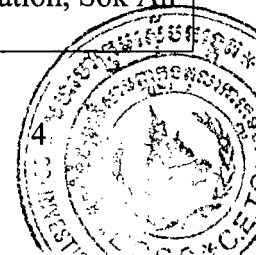
<sup>1</sup> See Case File No. 003-D181/2, *Notice of Placement on the Case File of Available Records Relating to the Establishment of the ECCC*, 8 September 2016.

**Annex to the Notice of Placement on the Case File of Available Records Relating  
to the Establishment of the ECCC**

Document name	Date	Author(s)	Source	
D324.8	Letter from Secretary-General Annan to President of the Security Council	31 July 1998	Secretary-General Kofi Annan	Presumably the Office of the Secretary-General
D324.9	Letter from Secretary-General Annan to President of the General Assembly	31 July 1998	Secretary-General Kofi Annan	Presumably the Office of the Secretary-General
D324.10	Resolution adopted by the General Assembly: 53/145. Situation of human rights in Cambodia	9 December 1998	UN General Assembly	UN General Assembly
D324.11	Identical letters dated 21 January 1999 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General and the President of the Security Council	22 January 1999	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.12	Identical letters dated 3 March 1999 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General and the President of the Security Council	3 March 1999	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.13	Press briefing: Mr Hor Namhong	12 March 1999	Hor Namhong	Unknown
D324.14	Letter dated 15 March 1999 from Secretary-General Annan addressed to the President of the General Assembly	15 March 1999	Secretary-General Kofi Annan	Presumably the Office of the Secretary-General
D324.15	Identical letters dated 15 March 1999 from the Secretary-General to the President of the General Assembly and the President of the Security Council. Attaches report by Group of Experts established under GA Res 52/135	16 March 1999	Secretary-General Kofi Annan	Presumably the Office of the Secretary-General
D324.16	Letter dated 17 March 1999 from the Permanent Representative of Cambodia the United Nations addressed to the President of the Security Council	17 March 1999	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.17	Letter from Secretary-General to Judge Lallah	17 March 1999	Secretary-General Kofi Annan	Presumably the Office of the Secretary-General
D324.18	Letter from Secretary-General to Sir Ninian Stephen	17 March 1999	Secretary-General Kofi Annan	Presumably the Office of the Secretary-General



D324.19	Letter from Secretary-General to Professor Steven R Ratner	17 March 1999	Secretary-General Kofi Annan	Presumably the Office of the Secretary-General
D324.20	Identical letters dated 17 March 1999 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General and the President of the Security Council	18 March 1999	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.21	Letter dated 19 March 1999 from the Permanent Representative of Cambodia the United Nations addressed to the President of the Security Council	19 March 1999	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.22	Identical letters dated 24 March 1999 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General and the President of the Security Council	24 March 1999	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.23	Letter dated 19 April 1999 from the Permanent Representative of Cambodia the United Nations addressed to the President of the Security Council	19 April 1999	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.24	Situation of Human Rights in Cambodia – Report by Secretary General	20 September 1999	Secretary-General Kofi Annan	Executive Office of the Secretary-General
D324.25	Letter from Secretary-General to King Norodom Sihanouk for his birthday	22 October 1999	Secretary-General Kofi Annan	Executive Office of the Secretary-General
D324.26	Email from Sok An, President of the Group of Experts, to Kofi Annan, concerning the draft law creating the ECCC	12 January 2000	Sok An, Senior Minister	Ministry of State, Cambodian Permanent Mission to UN
D324.27	Letter from Ouch Borith, Permanent Representative of Cambodia to the United Nations, notifying the Secretary-General that a draft or establishing the ECCC has been finalized	18 January 2000	Ouch Borith, Permanent Representative of Cambodia to the United Nations	Cambodian Permanent Mission to UN
D324.28	Resolution Adopted By The General Assembly at the 83 <sup>rd</sup> plenary meeting on 17 December 1999 – 54/171. Situation of human rights in Cambodia	15 February 2000	General Assembly	General Assembly
D324.29	Letter from Hans Corell, Head of the UN Delegation, draft letter from the Secretary-General of the UN to Samdech Hun Sen,	21 March 2000	Hans Corell, Head of the UN Delegation	Hans Corell, Head of the UN Delegation, Sok An



	letter from Sok An to Hans Corell			
D324.30	Letter from Kofi Annan to Samdech Hun Sen regarding the composition of the ECCC	19 April 2000	Secretary-General Kofi Annan	Executive Office of the Secretary-General
D324.31	Letter from Samdech Hun Sen to Kofi Annan regarding disagreements between the Co-Prosecutors and the Co-Investigating Judges	27 April 2000	Prime Minister Hun Sen	Cambodian Permanent Mission to UN
D324.32	Letters between Kofi Annan and Samdech Hun Sen about negotiations	28 June 2002, 29 July 2002, 12 July 2002, 18 July 2002, 19 August 2002	Secretary-General Kofi Annan; Prime Minister Hun Sen	various
D324.33	Letter from Samdech Hun Sen to Kofi Annan forwarded by Japanese Mission to UN	1 July 2002	Prime Minister Hun Sen	Japanese Mission to UN
D324.34	Resolution 57/228 adopted by the General Assembly about Khmer Rouge trials	27 February 2003	General Assembly	General Assembly
D324.35	-Note to the Secretary-General summarizing Sok An's position regarding the Khmer Rouge trials. -Non-paper summarizing the structure and functioning of the ECCC	6 January 2003	Hans Corell	unknown
D324.36	Statement by the United Nations Under-Secretary-General Hans Corell	17 March 2003	Hans Correl	unknown
D324.37	Note to the SG: Report to the General Assembly on Cambodia's ECCC	28 March 2003	Hans Corell; Iqbal Riza, Chef de Cabinet	various
D324.38	Report of the Secretary-General on Khmer Rouge trials	31 March 2003	Secretary-General Kofi Annan	Executive Office of the Secretary-General
D324.39	Letter from Jean-Marc de La Sabliere, French Ambassador, to Kofi Annan	30 April 2003	Jean-Marc de La Sabliere, French Ambassador	French Permanent Mission to the UN
D324.40	-Power from Kofi Annan to Hans Corell for signing the agreement between the UN and Cambodia concerning prosecution of the Khmer Rouge leaders. -Letter from Hans Corell to Sok An, Senior Minister in Charge of	16 May 2003	Secretary-General Kofi Annan; Hans Corell	



	the Office of the Council of Ministers, concerning the signing of the agreement			
D324.41	-Resolution 57/228 adopted by the General Assembly about Khmer Rouge trials. -Annex: Draft agreement between the UN and Cambodia concerning prosecution of the Khmer Rouge leaders	22 May 2003	General Assembly	General Assembly

