


**ឯកសារដើម**  
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**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

**MEMORANDUM – TRIAL CHAMBER**

**TO: All parties, Case 002** **Date: 8 February 2011**

**CC: President and Judges of the Trial Chamber**

សាធារណៈ / Public

**FROM: Susan Lamb, Senior Legal Officer, Trial Chamber**

**SUBJECT: Interim procedure before the Trial Chamber where translation constraints preclude compliance by the Parties with filing deadlines**

Reference is made to “Teng Sary’s Urgent Expedited Request to File Preliminary Objections in English with the Khmer Translation to Follow” (E34), which seeks leave to file a pleading in one language alone due to the inability of the Interpretation and Translation Pool (ITP) to produce its Khmer translation within the filing deadline. In view of the general relevance of this issue, this memorandum is addressed to all Parties.

Where translation constraints alone render it impossible for parties to comply with filing deadlines, the Chamber has implemented the following interim procedure pending resolution by ITP of present acute staffing shortages:

1. Where a party has been advised by ITP that it would be unable to deliver the Khmer translation of a pleading within the filing deadline, the Parties may advise the Senior Legal Officer of this, attaching the relevant communication from ITP.
2. An advance copy of the filing (in either English or French) may then be communicated to the Senior Legal Officer. Providing this is done as soon as these translation constraints are known and in advance of the filing deadline, the pleading will be considered to have been received by the Chamber in time. Following consultation with the Chamber, an advance copy of the filing will then be distributed. The Chamber will also in this case communicate applicable response deadlines to the other Parties on a case by case basis.
3. As filing in Khmer and either English or French is essential to valid filing before the ECCC, the Khmer translation should be obtained at the earliest possible opportunity and the pleading then filed through the usual channels.

In order to ease translation burdens, the Chamber requests the Parties to utilize the above procedure as an alternative to filing requests for leave to file in one language alone when confronted with such constraints.

Amendments to the ECCC Practice Direction on Filing will be proposed by the Trial Chamber in due course.

Best regards.