



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
 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

គណៈកម្មាធិការនីតិវិធីនិងវិធានផ្ទៃក្នុង
 Rules and Procedure Committee
 Comité de Procédure

INTEROFFICE LETTER

Date: 28 March 2012
 Classification: Public

FROM: H.E. KONG Srim
 President, Rules and Procedure Committee (“RPC”);

TO: Judge Laurent KASPER-ANSERMET
 International Reserve Co-Investigating Judge;

CC: RPC Members.

SUBJECT: RPC Response to the International Reserve Co-Investigating Judge’s Note of 21 March 2012.

The Note published by the International Reserve Co-Investigating Judge, Laurent Kasper-Ansermet, on 21 March 2012 at paragraphs 51-54 states that the rejection of the amendment proposed by him to the Rules and Procedure Committee exemplifies “the hostility expressed by national staff at the ECCC” toward Judge Kasper-Ansermet. The Committee denies that hostility toward Judge Kasper-Ansermet motivated its decision and wishes to make the following clarification:

The Committee is composed of nine members, including four international judges. Pursuant to Internal Rule 20(2) (Rev. 8), “[t]he Committee shall receive and consider requests for amendments to these [Internal Rules], and draft proposals for discussion at Plenary Sessions. For this purpose, it shall meet as required at the initiative of the President. Committee meetings shall be confidential.” Pursuant to Internal Rule 3(2), “[p]roposals for amendment received from the Rules and Procedure Committee shall be submitted to the Plenary [...]”.

In accordance with these Rules, since its institution the Committee has acted as a filtering organ of the Plenary without any objection ever raised at the Plenary as to this function. Formally notifying individual offices seeking amendments of the outcome of the Committee’s consideration and its reasons therefor, including possible dissenting opinions, is not envisaged in the Internal Rules and has not been practiced in order to save time and resources. The Committee considered the proposal of Judge Kasper-Ansermet according to the same practice applied to all proposals, and without hostility or discrimination of any kind. Therefore the allegations about procedural irregularities on the part of the RPC contained in the Note are unfounded.