

सठ्डिश्हेर्डिः कुष्मान्यी सैठसंकासास हैरा

D25/8/8

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

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PRE-TRIAL CHAMBER CHAMBRE PRELIMINAIRE Declassified to Public 06 September 2012

Criminal Case File No

001/18-07-2007-ECCC/OCIJ (PTC)

Before:

Judge PRAK Kimsan, President

Judge Rowan DOWNING

Judge NEY Thol

Judge Katinka LAHUIS

Judge HUOT Vuthy

Date:

22 September 2008

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ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

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Still (Time/Heure): 14:30

មន្ត្រីទទួលបន្ទកសំណុំរឿង/Case File Officer/L'agent chargé

du dossier: U.C.H. ARUIV

RECOGNITION OF CIVIL PARTY LAWYER

Co-Prosecutors

CHEA Leang Robert PETIT YET Chakriya William SMITH PICH Sambath Alex BATES

ឯភសារ**ៈ ପ୍ରତଃଶତ୍ୱ ଓ ସ୍ଥି**ଷ୍ଟ୍ରଶ୍ୱର ଶୀଷଷ୍ଠୀ ଓ CERTIFIED COPY**/COPIE CERTIFIE**E CONFORME

ig is gi ismuumi (Certified Date/Date de certification):

Charged Person

KAING Guek Eav alias "DUCH"

Lawyers for the Civil Parties

KONG Pisey
HONG Kimsuon
YOUNG Panith
Silke STUDZINSKY
KIM Mengkhy
Martine JACQUIN
Philippe CANNONE
MOCH Sovannary

Co-Lawyers for the Defence

KAR Savuth François ROUX



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D25/8/8

- 1. **THE PRE-TRIAL CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia ("ECCC") notes the judicial investigation initiated against KAING Guek Eav, alias "DUCH", in case file number 001/18-07-2007-ECCC/OCIJ and the forwarding of the case file to the Pre-Trial Chamber in accordance with Internal Rule 69(1).
- 2. It is noted that Ms. MEAS Keth Samphotre has been accepted on 4 July 2008 (document number D25/8/4) as a Civil Party by the Office of the Co-Investigating Judges and has designated on 11 September 2008 Ms. MOCH Sovannary as her Cambodian co-lawyer, in addition to Mr. KIM Mengkhy and Ms. Martine JACQUIN who had already been recognized as her co-lawyers, duly admitted to the list of lawyers willing to represent victims before the ECCC. Ms. MOCH Sovannary accepted this designation on 12 September 2008.
- 3. Rule 23(7) of the Internal Rules of the ECCC provides:

"Any Victim participating in proceedings before the ECCC as a Civil Party has the right to be represented by a national lawyer, or a foreign lawyer in collaboration with a national lawyer [...]"

4. The rights and obligations that apply as a result of designation as a Civil Party lawyer are set out in the attached document.

THEREFORE, THE PRE-TRIAL CHAMBER HEREBY ACCREDITS AND RECOGNISES Ms. MOCH Sovannary as an additional co-lawyer of Ms. MEAS Keth Samphotre for the purposes of the judicial investigation before the ECCC.

Phnom Penh, 22 September 2008

President of the Pre-Trial Chamber

PRAK KIMSAN

001/18-07-2007-ECCC/OCIJ (PTC) \(\mathref{D} \mathref{Q} \subseteq \begin{align*} \mathref{S} \end{align*}

Rights and Obligations of Civil Party Lawyers of the Extraordinary Chambers in the Courts of Cambodia (ECCC)

Participation in the judicial investigation: You are authorised to represent your client during his or her participation in the proceedings, as provided in the ECCC Internal Rules.

Access to the case file: You have the right to examine and make copies of the original case file of the judicial investigation to which your client is a party, as well as the paper and electronic copies thereof, during working days and subject to the requirements of the proper functioning of the ECCC. This access may be arranged with the assistance of the Victims Unit or the Case File Officer, but remains under the overall supervision of the competent Greffiers, as appropriate; Within reason, you may make, or request, copies of documents contained in the case file and take them to discuss with your client, but you must not hand over such copies to your client or to any other person.

Professional and Judicial Confidentiality: Through your client's participation as a Civil Party, both you and your client will have access to confidential information contained in the case file. Only the ECCC Judges and Prosecutors can decide to make such information public. You are bound by the confidentiality of the judicial investigation, the Internal Rules of the ECCC and your own professional rules not to disclose any information that you have gained from consulting the case file.

Filing of documents: Once your client has been recognized as a Civil Party, all official documents must be filed through the Case File Officer, as set out in the Practice Direction on Filing of Documents. You will receive electronic notification of documents placed on the case file, and you should provide an email address to the Pre-Trial Chamber greffiers for this purpose. Service of a hard copy will only be possible where you do not have access to email.

Rules and practice directions relating to Civil Party participation before the ECCC can be consulted and downloaded from the Victims Unit web page (http://www.eccc.gov.kh/). If you need any further advice concerning the representation of your client in ECCC proceedings, please contact the Victims Unit.



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028/8/8

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

INTEROFFICE MEMORANDUM Confidential

TO: Anne-Marie Burns

Date: 19 September 2008

ef: VU-2008-028-Conf

Greffier of the Pre-Trial Chamber

THROUGH:

FROM:

Gabriela Gonzalez Rivas, Deputy tread of the Victims Unit

SUBJECT:

Confirmation of lawyer's admission to the list of lawyers of the Victims

Unit

1. The Victims Unit in its capacity as the central contact point between the ECCC and victims and their legal representatives, has been informed that a new Power of Attorney letter from Civil Party Ms. MEASKETH Samphotre (08-VU-00819) was submitted to the Pre-Trial Chamber.

2. In her letter, the Civil Party designate Ms. MOCH Sovannary as her second Cambodian Co-Lawyer, in addition to Mr. KIM Mengkhy. The designated Co-Lawyer is registered in the list of lawyers for victims managed by the Victims Unit and is a member of the Bar Association of the Kingdom of Cambodia, thus entitled to appear before the ECCC.