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du dossier: Sunn Rukh

E 284/6

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

សាធារណៈ / Public

TRIAL CHAMBER

27 August 2013

TO: All Parties, Case 002
FROM: NIL Nonn, President of the Trial Chamber
CC: All Trial Chamber Judges;
Trial Chamber Senior Legal Office



SUBJECT: Co-Prosecutors' Request for Clarification of Findings Regarding the JCE alleged in Case 002/01 (E284/5)

1. The Co-Prosecutors request the Trial Chamber to confirm which of the five policies forming part of the alleged joint criminal enterprise will be subject to definitive factual findings or legal conclusions in the Case 002/01 judgement. They urge the Chamber to make findings on the establishment and operation of cooperatives and worksites, but to refrain from making findings on the policies of targeting specific groups and the regulation of marriage (E284/5). No responses were filed.
2. The Chamber recalls that on 26 April 2013, it issued its second decision on severance in which it clarified that the inclusion within the scope of Case 002/01 of population movements one and two and executions committed at Tuol Po Chrey, “enable examination of two of the five main themes of the Case 002 Closing Order, i.e. forced movement and execution of purported enemies of the regime” (E284, para. 118). In addition, the Chamber informed the parties at the beginning of this case that the presentation in general terms of all five policies was permissible to enable consideration of the manner in which policy was developed (E141, p. 2). The Chamber considers that no further specifications as to the treatment of JCE policies are required at this time.
3. This is the Chamber’s official response to E284/5.