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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

សាធារណៈ / Public

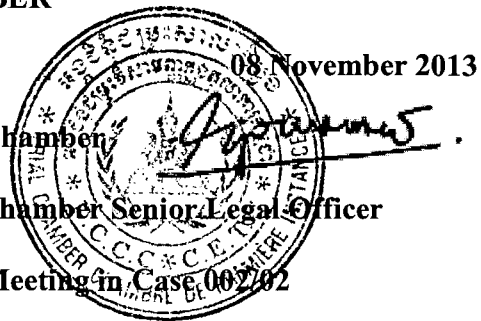
TRIAL CHAMBER

TO: All Parties, Case 002

FROM: NIL Nonn, President of the Trial Chamber

CC: All Trial Chamber Judges; Trial Chamber Senior Legal Officer

SUBJECT: Scheduling of Trial Management Meeting in Case 002/02



1. In its “Decision on Severance of Case 002 Following Supreme Court Chamber Decision of 8 February 2013” (E284), the Trial Chamber gave notice of its intention to hold a Trial Management Meeting later in the year to solicit the parties’ views on the proper scope of Case 002/02.

2. The Chamber therefore informs all parties that it will hold a Trial Management Meeting in Case 002/02 on 11 and 12 December 2013. Should the Trial Management Meeting not conclude on 12 December 2013 as planned, it will continue on 13 December 2013. The format of the Meeting will follow the format of previous Trial Management Meetings held in Case 002/01.

3. The purpose of the Trial Management Meeting is to facilitate the planning of Case 002/02. In particular, the Trial Chamber intends to raise the following issues for discussion amongst the parties:

- a. **Scope of Case 002/02 (and future trial segments):** the Chamber will invite submissions from the parties as to the charges that ought to be tried in Case 002/02. In particular, the Chamber draws the parties’ attention to the Supreme Court Chamber’s “Decision on Immediate Appeals Against Trial Chamber’s Second Decision on Severance of Case 002” E284/4/7 (and also its “Decision on the Co-Prosecutors’ Immediate Appeal of the Trial Chamber’s Decision Concerning the Scope of Case 002/01”, E163/5/1/13): the parties may wish to comment on the formulation of Case 002/02 proposed therein, bearing in mind the requirements of fairness, the rights of the Accused, the need for expedition and the

criterion of 'reasonable representativeness' discussed by the Supreme Court Chamber in E163/5/1/13. The parties may also wish to address the Chamber, briefly and in outline only, on the envisaged relationship between Case 002/02 and future trial segments in Case 002, if any are anticipated.

- b. **Tentative trial schedule for Case 002/02:** although the discussion will necessarily take place at a very early stage in Case 002/02 proceedings, and much will depend upon the Chamber's future formulation of the scope of the case, the Chamber will seek submissions from the parties in relation to the schedule for the trial (and future Trial Management Meetings) in Case 002/02. Parties should be prepared to give a preliminary estimate of their availability and required preparation time. The Chamber will also give a tentative indication of its own position in this regard.

4. Parties are invited to comment on the agenda proposed above. In particular, parties are invited to indicate whether there are any other issues that they believe should be addressed at the forthcoming Trial Management Meeting. The Chamber emphasises that it anticipates holding further Trial Management Meetings in Case 002/02 to deal with practical, procedural and technical issues better addressed once the scope of Case 002/02 has been formulated more precisely.

5. Comments on the above agenda should be sent to the Chamber by e-mail via the Trial Chamber Senior Legal Officer, copying all other parties, by **20 November 2013**. Once it has received and considered the parties' suggestions, the Chamber will issue a final agenda for the Trial Management Meeting, which will set out a number of specific questions to be addressed by the parties in the course of the Meeting. The final agenda will be filed and distributed in advance of the Meeting so as to give all parties adequate time to prepare their submissions.