

E2/LO



ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Nonn Nonn

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

សាធារណៈ / Public

TO: All Parties, Case 002 **Date:** 21 May 2013

FROM: Nil Nonn, President, Trial Chamber

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

SUBJECT: Succession of deceased Civil Parties in Case 002



1. On 31 May 2011, Civil Party Co-Lawyers HONG Kimsuon and Silke STUDZINSKY filed a motion (E2/8) informing the Trial Chamber that their client D22/1723 passed away. The Civil Party Co-Lawyers informed the Chamber in this motion that their client's son will continue the civil action. Attached to the motion are the Civil Party's death certificate dated 27 May 2011, the statement of the relevant commune chief, the successor's statement as well as the successor's identification document.
2. On 24 April 2012, Civil Party Co-Lawyers SAM Sokong and Lyma NGUYEN filed a motion (E2/9) informing the Trial Chamber that their client, Civil Party D230/2/25 had passed away. In this motion, the Civil Party Co-Lawyers inform the Chamber that their client's wife expressed a desire to become a successor to his civil claim. Attached to the motion are the Civil Party's death certificate dated 14 December 2011, the successor's statement as well as the latter's identification and residence documents.
3. On 20 August 2012, Civil Party Lawyer CHHET Vanly also filed two motions (E2/11 and E2/12) informing the Chamber that her clients, Civil Parties D22/721 and D22/728 had passed away. In these motions, the Civil Party Lawyer informs the Chamber that the daughter of Civil Party D22/721 and the wife of Civil Party D22/728 have expressed a desire to become successors to their civil claims. Attached to the motions are the death certificates of Civil Parties D22/721 and D22/728, dated 20 July 2012 and 3 October 2010 respectively, as well as the successors' statements and identification cards.
4. On 30 April 2013, Civil Party Co-Lawyer KIM Mengkhy filed a motion (E2/19/1) informing the Chamber that his client D22/3690 passed away. In this motion, the Civil Party Lawyer informs the Chamber that the daughter of his client wishes to become her successor in order to continue the civil action filed by her mother. Attached to the motion are the Civil Party's death certificate dated 20 April 2013, the successor's request as well as the latter's identification document.

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5. Having received these motions and attachments, the Trial Chamber notes that all five Civil Parties were recognized as Civil Parties in Case 002, and that it has been established that Civil Party D22/1723's son, Civil Party D230/2/25's wife, Civil Party D22/721's daughter, Civil Party D22/728's wife and Civil Party D22/3690's daughter qualify as their successors.

6. In accordance with the reasons outlined in the Trial Chamber's Decision on Motion Regarding Deceased Civil Party E2/5/3 in Case 001 (E2/5/3 of 13 March 2009), the Trial Chamber finds that the son of Civil Party D22/1723, the wife of Civil Party D230/2/25, the daughter of Civil Party D22/721, the wife of Civil Party D22/728 and the daughter of Civil Party D22/3690 may continue the civil action of these Civil Parties as successors in Case 002.