



**ឯកសារដើម**  
**ORIGINAL/ORIGINAL**  
 ថ្ងៃ ខែ ឆ្នាំ (Date): 10-May-2019, 15:27  
 CMS/CFO: Sann Rada

**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

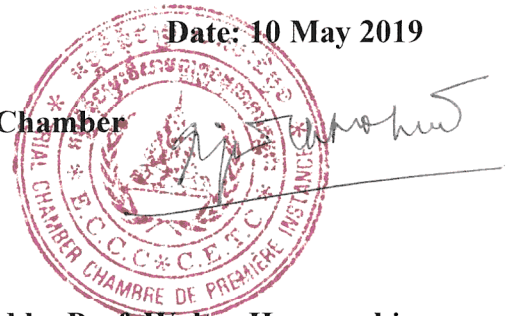
**TRIAL CHAMBER**

**TO:** Records and Archives Unit **Date: 10 May 2019**

**FROM:** NIL Nonn, President of the Trial Chamber

**CC:** All Trial Chamber Judges  
 All Parties, Case 002

**SUBJECT:** State of Physical Exhibits provided by Prof. Walter Heynowski



1. On 5 April 2019, the Trial Chamber informed the parties in Case 002 that it considered transferring to the Tuol Sleng Museum S-21 exhibits provided by Professor Walter Heynowski, namely: a) an orange logbook with about 246 pages containing entries; and b) prisoner photographs (*see* E443/12, paras 2, 4-5).

2. The Nuon Chea Defence objected to such transfer before judicial proceedings in Case 002/02 are concluded, stating *inter alia* that:

[T]here is no suggestion that the documents remaining at the ECCC require immediate preservation; indeed, based on the Defence’s own inspection of the Heynowski Documents, this does not appear to be the case. Nor does the Chamber indicate that the Records and Archives Unit is unable to continue storing the Heynowski Documents on the ECCC premises for the duration of the appeal proceedings. [...] [T]here is no risk to the condition of the documents that requires the [Tuol Sleng] Museum’s immediate intervention.<sup>1</sup>

The Khieu Samphan Defence broadly joins the Nuon Chea Defence in its objections.<sup>2</sup>

3. In this regard, the Trial Chamber requests RAU’s appraisal of the state and storage of the Heynowski materials. In particular:

- a. A description of the conditions under which the exhibits are stored, accessed and handled;
- b. Whether the physical integrity of the materials has been affected since entering the ECCC’s custody; and
- c. Whether RAU has the expertise and resources (including financial) available to archive the Heynowski materials for the duration of any appeal proceedings

<sup>1</sup> Nuon Chea’s Response to the Proposed Transfer of Evidentiary Material to the Tuol Sleng Museum, E443/12/1, 22 April 2019, paras 13, 17, 21.

<sup>2</sup> Réponse de Khieu Samphan au memo E443/12, E443/12/2, 22 April 2019.

to ensure the integrity of the physical exhibits. If not, what measures could be taken to preserve the physical integrity of the Heynowski documents.

4. The Trial Chamber would appreciate a response by **Friday, 31 May 2019**.