

**Nuon Chea Defence response regarding upcoming December 2013 TMM**

Case-File-Officer-Notification,  
Forest O'Neill-Greenberg to: Florian Hansen, Vath Keo, Michael RAGLAND, Claudia Fenz, Silvia  
Sophy Kong, Vinicius HAESBAERT, Jenilee WARD, Miriam  
Cc: MAFESSANTI, Salla Maria MOILANEN, Kenneth William ROBERTS,  
Pheaktra NETH, Mao Sea, Tony Kranh, Chantola Ly, Yuko Maeda,

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Dear Ken,

In response to the Chamber's 8 November 2013 memorandum, the Nuon Chea defence intends to raise two related issues which are likely to impact the Chamber's planning for the trial in case 002/02.

First, we have received indications that our consultancy budget may be reduced significantly in the first months of 2014. On any trial schedule, these reductions would negatively impact our ability to both properly prepare for the second trial and begin work on the appeal in trial 002/01. At a minimum, and especially in light of the resources of the prosecution, our budget must be a primary consideration in the trial-planning process. Secondly, the status of the second panel of judges proposed by the February 2013 Supreme Court Chamber decision remains unknown. It is our position that a second panel would facilitate the case 002/02 proceedings in multiple ways and we strongly support the appointment of such a panel. As to the timing of the second trial, our view remains highly dependent on whether such a panel is to be appointed.

We look forward to addressing these specific issues, among others, at the upcoming Trial Management Meeting.

Best Regards,

Forest