

BEFORE THE TRIAL CHAMBER  
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

**FILING DETAILS**

**Case No:** 002/19-09-2007-ECCC/TC **Party Filing:** All Parties  
**Filed to:** Trial Chamber **Original Language:** English  
**Date of document:** 2 May 2014

**CLASSIFICATION**

**Classification of the document  
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**Classification by Trial Chamber:** សាធារណៈ/Public

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**Review of Interim Classification:**

**Records Officer Name:**

**Signature:**

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**PARTIES' JOINT REQUEST REGARDING THE REFILING OF ADMITTED  
EVIDENCE IN CASE FILE 002/02, AND FILING IN ONE LANGUAGE**

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**Filed by:**

**Co-Prosecutors**  
CHEA Leang  
Nicholas KOUMJIAN

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**Distributed to:**

**Trial Chamber**  
Judge NIL Nonn, President  
Judge Silvia CARTWRIGHT  
Judge YA Sokhan  
Judge Jean-Marc LAVERGNE  
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**Copied to:**





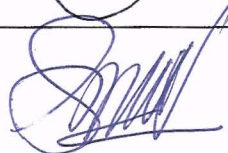
**Accused**  
NUON Chea  
KHIEU Samphan

## REQUEST


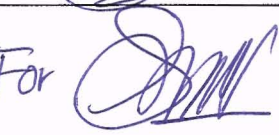


1. The Defence for Nuon Chea, the Defence for Khieu Samphan, the Civil Party Lead Co-Lawyers and the Co-Prosecutors (“the Parties”) respectfully request the Trial Chamber to amend the “Order to File Updated Material in Preparation for Trial in Case 002/02” (E305), dated 8 April 2014, as set out below in paragraph 2 below.
2. Among other matters, the order requires the Parties to: a) include, in their updated document lists for 002/02, documents that have already been admitted (para.11 and footnote 12); and b) submit their witness, expert and Civil Party lists (para.2) and document lists (para.5) in two languages. With regards to these two requirements, for the reasons set out below, the Parties jointly request that they:
  - a. not be obliged to include, in their document lists for Case 002/02, those documents that have already been admitted as evidence in Case 002/02 as confirmed in the Trial Chamber’s decision E302/5 of 7 February 2014 (paragraph 7); and
  - b. not be obliged to submit their document lists (due on 30 May 2014) and witness lists (due on 9 May 2014) in two languages.
3. Due to the number of the admitted documents - over 5,000 - to individually add E3 numbers to all document entries in the digital versions of previously submitted lists would be an extremely time consuming task for the Parties and the court’s translation resources. It would take away from the parties’ time to prepare for the trial and concentrate on determining what other documents should be included in their lists. The task is significantly more time consuming for those parties who did not include many of the now admitted documents in their original lists, but who wish to rely on those documents.
4. Further challenges arise from the fact that it is highly likely that several Parties would want to rely on the same admitted documents. With the Parties submitting separate long lists within a short period of time, the Interpretation and Translation Unit (ITU) will be asked to translate different entries for the same document up to four times. It has never been possible to have document and witness lists translated into more than one language by the Court’s due dates because of the volume of entries, and the ITU’s limited resources. The translation resources are particularly stretched now due to ongoing work on the translation of the Case 002/01 trial judgment and demands arising from the continuing investigations by the Office of the Co-Investigating Judges.

5. Due to the above logistical and resource problems, the Parties are of the view that the admitted documents from Case 002/01, which have now been admitted in Case 002/02, should not need to be submitted again as the Parties are entitled to rely on them in the hearings and final arguments in Case 002/02.
6. If it would be of assistance to the Chamber, the Co-Prosecutors can provide to the Chamber and the other parties their internal list of admitted documents with E3 numbers. However, as this list is generated from the databases of the Office of the Co-Prosecutors, details such as document descriptions and references to Closing Order paragraphs cannot be replicated at this stage due to changes made in the databases since 2011.
7. For the above reasons, the Parties respectfully request the Chamber to amend order E305 to direct that:
  - a. the Parties are not required to include in their document lists evidence which has already been admitted by the Trial Chamber; and
  - b. the Parties' witness, expert and Civil Party lists, as well as their document lists (due on 9 and 30 May respectively), be filed initially in one official language only, with translations to follow as soon as possible.

Respectfully submitted,

| Name  | Signature  | Date       |
|---|--|------------|
| CHEA Leang<br>Co-Prosecutor                 |      | 2 May 2014 |
| Nicholas KOUMJIAN<br>Co-Prosecutor          |      | 2 May 2014 |
| SON Arun<br>Co-Lawyer for NUON Chea         | For  | 1 May 2014 |
| Victor KOPPE<br>Co-Lawyer for NUON Chea     |      | 1 May 2014 |
| KONG Sam Onn<br>Co-Lawyer for KHIEU Samphan |      | 2 May 2014 |

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|--|--|------------|
| Arthur VERCKEN<br>Co-Lawyer for KHIEU Samphan          | For  | 2 May 2014 |
| Anta GUISSÉ<br>Co-Lawyer for KHIEU Samphan             | For  | 2 May 2014 |
| PICH Ang<br>Civil Party Lead Co-Lawyer                 |       | 2 May 2014 |
| Elisabeth SIMONNEAU FORT<br>Civil Party Lead Co-Lawyer |       | 2 May 2014 |