

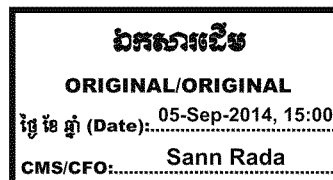
BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

FILING DETAILS

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CO-PROSECUTORS' SUPPLEMENTAL RULE 80(3) TRIAL DOCUMENT LIST

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1. The Co-Prosecutors hereby submit a supplemental filing to their 13 June 2014 Rule 80(3) document list for Case 002/02.¹ In the three annexes accompanying this filing, the Co-Prosecutors identify: 16 additional documents already admitted as evidence in Case 002/01 (**Annex D1**); 101 additional documents already on Case File 002 but not admitted as evidence (**Annex D2**); and 26 additional documents not on Case File 002 (**Annex D3**), which they request the Trial Chamber to admit as evidence in Case 002/02. These documents primarily consist of statements (i.e., interviews, civil party applications, complaints) or other evidentiary material related to individuals who have been proposed by the parties to testify in the Case 002/02 trial, and other additional evidence discovered in the course of the Co-Prosecutors' ongoing preparation for the start of evidentiary proceedings in Case 002/02.
2. **Annex D1** consists of 16 Civil Party applications, supplementary information filings or other statements that have already been admitted as evidence in Case 002, but were not identified in the Co-Prosecutors' April 2011 or June 2014 Rule 80(3) document lists. **Annex D1** supplements **Annex B** from the Co-Prosecutors' June 2014 Rule 80(3) document list,² and is submitted in accordance with the Trial Chamber's request that the parties' updated Rule 80(3) lists include admitted documents that they intend to rely upon in the Case 002/02 trial proceedings.³ As documents already admitted in Case 002,⁴ these documents do not require Rule 87(4) justifications.⁵
3. **Annex D2** consists of 101 documents already on Case File 002 that were not previously put forward for admission by the Co-Prosecutors in either their 2011 or 2014 Rule 80(3) document lists, and supplements **Annex C1** from the Co-Prosecutors' June 2014 filing.⁶ This annex includes 42 Civil Party applications or supplementary statements and 31 Complaints, all or most of which are believed to have been previously included in the Civil Party Lead Co-Lawyers' Rule 80(3) Document Lists, but which are nonetheless identified

¹ E305/13 Co-Prosecutors' Rule 80(3) Trial Document List, 13 June 2014.

² E305/13.21 Annex B – Admitted Documents in Case File 002/01 [not on OCP April 11 list], 13 June 2014.

³ E305 Order to File Updated Material in Preparation for Trial in Case 002/02, 8 April 2014, footnote 12; E305/2 Decision on Joint Request Regarding the Refiling of Admitted Evidence in Case 002/02, 21 May 2014, para. 9.

⁴ E392.5 Trial Chamber Memorandum entitled "Clarification regarding the use of evidence and the procedure for recall of witnesses, civil parties and experts from Case 002/01 in Case 002/02," 7 February 2014, para. 7.

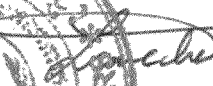

⁵ E305 Order to File Updated Material in Preparation for Trial in Case 002/02, 8 April 2014, para. 14.

⁶ E305/13.22 Annex C1 – Documents in Case File 002, 13 June 2014.

here in order to specify such documents that the Co-Prosecutors may use in relation to individuals who have been proposed to testify regarding Case 002/02 crime sites. Moreover, in a joint request presently pending before the Trial Chamber, the Co-Prosecutors and Civil Party Lead Co-Lawyers have submitted that Rule 87(4) should not apply to documents already on Case File 002.⁷ The Co-Prosecutors will thus defer filing a Rule 87(4) motion until a decision is rendered on that request, so that they may file a single consolidated submission that addresses all new documents to which Rule 87(4) applies in accordance with the directions of this Chamber.⁸

4. **Annex D3** consists of 26 new documents not on Case File 002 that are proposed for admission by the Co-Prosecutors. This annex includes 10 CPK propaganda magazines newly obtained from DC-Cam in July 2014, a number of recent publications, interviews and media reports relevant to Case 002/02, and other evidence discovered by the Co-Prosecutors since the filing of their June 2014 document lists. The Co-Prosecutors will address the Rule 87(4) justifications for these documents in their subsequent consolidated submission, and will make the documents available on the Shared Materials Drive as previously done for the documents listed in **Annex C2**.⁹

Respectfully submitted,

Date	Name	Place	Signature
5 September 2014	CHEA Leang Co-Prosecutor	Phnom Penh	
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⁷ **E307/1/1** Joint Request for a *De Novo* Ruling on the Application of Rule 87(4) in Case 002/02, and a Submission Regarding the Non-Applicability of Rule 87(4) to Material Already on the Case File, 15 August 2014, paras. 16-21.

⁸ See **E307/3/1** Trial Chamber Memorandum entitled “Decision on Co-Prosecutors’ Application for Extension of Page Limit for Witness, Expert and Civil Party Internal Rule 87(4) Justifications, 21 July 2014, para. 2 (“it is in the interests of justice, as well as the interests of procedural and logistical efficiency, for each party to file a single consolidated submission pursuant to Internal Rule 87(4)”).

⁹ **E305/13.23** Annex C2 – Documents not in Case File 002, 13 June 2014.