

BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

FILING DETAILS

Case No: 002/19-09-2007-ECCC/TC **Party Filing:** Co-Prosecutors
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CLASSIFICATION

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Signature:

**CO-PROSECUTORS' REQUEST TO PLACE OCP PROPOSED DOCUMENTS
LISTED IN ANNEXES C2 AND D3 ON THE CASE FILE AND ASSIGN THEM
REFERENCE NUMBERS**

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Distributed to:

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Judge Claudia FENZ
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SUBMISSION

1. On 13 June 2014, the Co-Prosecutors responded to the Trial Chamber Order E305¹ by filing their Rule 80(3) document list for Case 002/02 with 23 confidential annexes.² Confidential **Annex C2** comprised 473 documents not previously put forward, which the Co-Prosecutors requested to be put before the Chamber in Case 002/02. As those documents were not yet included in the Case File, they were temporarily placed by the OCP on the Shared Materials Drive for review by the Parties and the Chamber.³
2. On 5 September 2014, the Co-Prosecutors filed a Supplemental Rule 80(3) Trial Document List with three confidential annexes, which constituted a further response to the Trial Chamber Order E305.⁴ Confidential **Annex D3** supplemented **Annex C2** and comprised 26 relevant documents not on Case File 002 that the Co-Prosecutors proposed for admission. As previously done for the documents listed in **Annex C2**, **Annex D3** documents were temporarily placed by the OCP on the Shared Materials Drive to enable the Trial Chamber to decide on their placement on the Case File.
3. In the Trial Chambers' "Decision on Joint Request for *de novo* Ruling on the application of Internal Rule 87(4)" on 21 October 2014, the Chamber ruled that the parties' 2014 Trial Document Lists would be considered as "permissible revisions to the 2011 lists to which Internal Rule 87(4) does not apply," and that only "future" requests to put before the Chamber new documents or to hear new witnesses would be subject to the requirements of Rule 87(4).⁵
4. As a result of this decision, the Co-Prosecutors' request the Trial Chamber to:
 - (1) Transfer the 499 documents listed in **Annexes C2** and **D3** from the OCP special folder on the Shared Materials Drive to the Case File;
 - (2) Assign those transferred documents Case File numbers (*i.e.*, E numbers) to facilitate their reference by the parties and the Chamber during the proceedings (*e.g.*, for motions or admissibility and substantive hearings); and

¹ **E305** Trial Chamber Order to File Updated Material in Preparation for Trial in Case 002/02, 8 April 2014.

² **E305/13** Co-Prosecutors' Rule 80(3) Trial Document List, 13 June 2014.


³ **E305/13** Co-Prosecutors' Rule 80(3) Trial Document List, 13 June 2014, para. 5.

⁴ **E305/13/1** Co-Prosecutors' Supplemental Rule 80(3) Trial Document List, 5 September 2014 and 3 confidential annexes E305/13/1.1 to 3.

⁵ **E307/1/2** Trial Chamber Decision on Joint Request for *de novo* Ruling on the application of Internal Rule 87(4), 21 October 2014, paras. 11 & 12.

(3) Make the documents available on Zylab to allow the parties to place them on the daily interface before any substantive hearing.

Respectfully submitted,

Date	Name	Place	Signature
30 October 2014	CHEA Leang Co-Prosecutor	Phnom Penh	
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