



**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

**Interoffice Memorandum**

**ឯកសារដើម**  
**ORIGINAL/ORIGINAL**  
ថ្ងៃ ខែ ឆ្នាំ (Date): 16-Dec-2015, 15:25  
CMS/CFO: Sann Rada

**TO:** Hon. Judge KONG Srim, President of the Supreme Court Chamber  
**COPY:** All Judges of the Supreme Court Chamber  
Parties to Case 002  
Senior Legal Officer and Greffiers of the Supreme Court Chamber  
**From:** Isaac Endeley, Chief, Defence Support Section  
**Date:** 16 December 2015  
**SUBJECT:** **Second Update on the Supreme Court Chamber’s Instruction to Appoint Standby Counsel for Mr. NUON Chea**



1. I have the honour to inform the President and Judges of the Supreme Court Chamber that Mr. PHAT Pouv Seang, the former National Co-Lawyer for the late accused Mrs. IENG Thirith, has agreed to serve as Standby Counsel for Mr. NUON Chea in the ongoing appeal proceedings in Case 002/01. Mr. PHAT has many years’ experience at the ECCC and is very familiar with all the rules and procedures.
2. Following the death of Mrs. IENG Thirith on 22 August 2015 and the Trial Chamber’s decision dated 27 August 2015 to terminate all judicial proceedings against her, the Defence Support Section (“DSS”) requested Mr. PHAT to perform a number of administrative tasks related to the closing of his former client’s files at the ECCC. He has now completed those tasks and is available for reappointment.
3. I met with Mr. PHAT at the DSS office today, 16 December 2015, and we had a detailed discussion of the terms of reference, including the level of remuneration, for the proposed new appointment as Standby Counsel. Mr. PHAT asserted that there is no conflict of interest between his former client and Mr. NUON Chea and that he has never made any written or oral submission at the ECCC that could be viewed as being against Mr. NUON Chea’s interests. He also confirmed that he is immediately available and willing to accept the appointment as Standby Counsel.
4. Accordingly, I wish to notify the Supreme Court Chamber that I have appointed Mr. PHAT Pouv Seang as Standby Counsel for Mr. NUON Chea with effect from today, 16 December 2015, for an initial term of three months.

Respectfully submitted.