



ឯកសារដើម
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E305/19

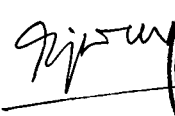
ព្រះ រាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ


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

TRIAL CHAMBER

TO: All Parties, Case 002 **Date:** 19 May 2016

FROM: NIL Nonn, President of the Trial Chamber 

CC: All Trial Chamber Judges; Trial Chamber Senior Legal Officer 

SUBJECT: Direction to Parties to File Any Objections to Admission of D359/1/1.1.28 and D359/1/1.1.53

1. On 30 June 2015, the Trial Chamber issued its “Decision on Objections to Documents Proposed to Be Put before the Chamber in Case 002/02” (E305/17). In this decision, the Chamber reserved ruling on several documents, including D359/1/1.1.28 and D359/1/1.1.53, which were submitted by the KHIEU Samphan Defence in German only, without translations into any ECCC language. The Chamber directed the KHIEU Samphan Defence to indicate which portions of these documents it sought to be admitted into evidence (E305/17, para. 29). The Co-Prosecutors reserved their right to object to these German-language documents until translations were available (E327/4, paras 6, 8).

2. Full-length Khmer- and English-language translations of D359/1/1.1.28 are now available on Zylab. Regarding D359/1/1.1.53, the Chamber notes that the first and longest section of this document is a speech by POL Pot. The first page of this speech notes that the text is an “unofficial translation” from the French (D359/1/1.1.53, p. 2). An official French-language version of this speech, which was published by the Democratic Kampuchea Ministry of Foreign Affairs, has already been admitted into evidence as E3/144. (The Chamber has requested that ITU prepare translations of E3/144 into Khmer and English.)

3. ITU has compared D359/1/1.1.53 to E3/144 and concluded that “on the whole, the German faithfully renders the French”, although with “a number of discrepancies.” An overview of these discrepancies, prepared by ITU, is attached. Considering this information, including the fact that E3/144 is an official version of POL Pot’s speech, the Chamber directs the KHIEU Samphan Defence to indicate by 25 May 2016 whether it maintains its request to admit D359/1/1.1.53.

4. The Chamber also notes that a partial English-language translation of most other pages of D359/1/1.1.53 is now available in Zylab. A number of Russian-language pages have not been translated and are not here at issue.

5. The Trial Chamber will allow the parties the opportunity to make any objections to admitting D359/1/1.1.28 and D359/1/1.1.53 into evidence. The parties shall file any such objection by 2 June 2016.