



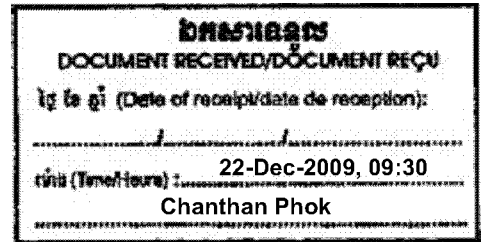
អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
BUREAU DES CO-JUGES D'INSTRUCTION
OFFICE OF THE CO-INVESTIGATING JUDGES

A: KHIEU Samphan's Defence Team DATE: 14 December 2009
TO: SAR Sovan
Jacques VERGÈS

DE: YOU Bunleng
FROM: Marcel LEMONDE
Co-Investigating Judges

CONFIDENTIAL



OBJET: **RESPONSE TO YOUR NOTE OF 1 DECEMBER CONCERNING**
SUBJECT: **THE REQUEST FOR PROCEDURAL MEASURES**

REF: 002/19-09-2007-ECCC-OCIJ – D235/3

We acknowledge receipt of your note dated 1 December 2009 stating that as a result of not receiving timely notification of the translation of certain requests relating to the procedure under Rule 66 of the Internal Rules, Mr Khieu Samphan has not been able to exercise his rights during the judicial investigation.

The Co-Investigating Judges endeavour, to the extent possible, to have all requests submitted by parties and our responses translated quickly. However, as you are aware, the sheer number of requests received during the judicial investigation and the translation requirements of the other Chambers of the Court require equitable allocation of the resources of the ECCC.

We are reassured to see that, despite these exigencies, the main application was indeed translated into French and that the French version of your response was translated urgently and placed on the case file on 3 December 2009 in order to enable you to take any necessary action. We seize this opportunity to remind you that you may contact the Court's Translation Unit at any time to indicate how you would like your requests for translation into French prioritised and to request that a translator be made available to you for the purposes of sight translating documents filed in English or Khmer.

Finally, we would like to recall that, unlike an international judge against whom an application for disqualification has been filed, your client and his Khmer Co-Lawyers receive all relevant documents in their mother tongue in good time. It is therefore incorrect for your Note to refer to "*English-speaking parties*", since all the parties involved in this matter are Khmer, assisted by counsel of various nationalities, as the Co-Prosecutors made no filing in the matter.

In light of all the foregoing, your client's rights have not in any way been affected.

