

**ឯកសារដើម**  
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du dossier:.....JAN N. RADA.....



**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**  
Kingdom of Cambodia  
Nation Religion King  
Royaume du Cambodge  
Nation Religion Roi

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

**MEMORANDUM – TRIAL CHAMBER**

**TO: KHIEU Samphan Defence team** **Date: 14 February 2011**

**CC: President and Judges of the Trial Chamber**

សាធារណៈ / Public

**FROM: Susan LAMB, Senior Legal Officer, Trial Chamber**

**SUBJECT: Notification of Trial Chamber's disposition of Request for extension of deadlines (E9/6)**

Reference is made to Motion E9/6, filed on Thursday 10 February 2011, which requested an extension of time on the filing of the KHIEU Samphan witness lists. This request was based in part upon the unavailability of the French version of the OCP witness lists, which were notified in English and Khmer on 28 January 2011. This memorandum constitutes the Chamber's official response to this Motion. In view of the deadlines imposed on the Parties by its earlier Order (E9) and translation constraints before the Interpretation and Translation Pool (ITP), the Chamber shall, as previously indicated (E38), communicate response deadlines to the parties via memorandum on a case by case basis in order to facilitate planning. This is pending change to the relevant Practice Directions.

The Chamber considers that compliance by the KHIEU Samphan team with its deadlines in Rule 80(2) were not in substance impeded by delay in the production of the French translation of the OCP witness lists. As deadlines for the filing of witness lists are contained in the Internal Rules, it was reasonable to expect the KHIEU Samphan team to have commenced preparation of their witness lists in advance of the OCP's filing of their witness lists, and to have relied on the bilingual capacities of the KHIEU Samphan team in order to review the OCP witness lists in the interim. As the OCP witness lists were today made available in French, the Chamber nevertheless grants the KHIEU Samphan team an extension of time until Friday 18 February 2011 to finalize preparation of its witness lists.

In view of translation constraints in the Interpretation and Translation Pool (ITP) in relation to the production of documents in Khmer, the Chamber permits the KHIEU Samphan team to file its witness and other lists in either English or French in the first instance. The Khmer version of its lists should nonetheless be filed before the Chamber at the earliest opportunity.

The Chamber recalls its earlier notification of 3 February 2011 (E35) in which the Chamber advised that it would reject all requests to adopt a modified procedure to that envisaged by the Internal Rules. A courtesy copy is attached to this earlier notification is attached to this memorandum along with an unofficial French translation. All other relief requested in Motion E9/6 is accordingly rejected.

Best regards.

