



**ឯកសារដើម**  
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):  
..... 20 / 09 / 2016 .....

ម៉ោង (Time/Heure):..... 13:30 .....

អគ្គិយ្យបណ្ឌិតសំណុំរឿង/Case File Officer/L'agent chargé  
du dossier: ..... SANN RADA .....

E421/3

**ព្រះរាជាណាចក្រកម្ពុជា**  
**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: 26 August 2016**

**FROM: Judge Ya Sokhan, for the President of the Trial Chamber**

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

**SUBJECT: Decision on Requests Regarding Internal Rule 87(4) Deadlines**



1. The Trial Chamber is seised of the parties' submissions made at the Trial Management Meeting of 4 August 2016 regarding the 1 September 2016 deadline for Internal Rule 87(4) requests for new evidence in Case 002/02 (*See* E421, para. 3). In this regard, the Chamber:

**GRANTS** the NUON Chea Defence request to maintain the 1 September 2016 deadline for Internal Rule 87(4) Requests filed by the Co-Prosecutors;

**NOTES** however that the Chamber will consider the Co-Prosecutors' and Lead Co-Lawyers' requests to admit new evidence where they seek to rebut new evidence sought by the Accused and admitted by the Chamber after 1 September;

**GRANTS** the NUON Chea and KHIEU Samphan Defence Requests for an extension of time until 30 September 2016 to respond to any Internal Rule 87(4) Requests subsequent to E319/52 and prior to 1 September 2016, or to file their own Internal Rule 87(4) requests triggered by disclosures filed by the Co-Prosecutors within that timeframe;

**INFORMS** the parties that it shall consider as untimely Internal Rule 87(4) requests by the Defence concerning Case 003 and 004 documents if filed more than 14 days after notification of the disclosure;

**INFORMS** the parties that Internal Rule 87(4) motions related to experts to be called by the Chamber will be accorded separate deadlines;

**DENIES** the NUON Chea Defence request to require the Co-Prosecutors to identify within disclosed documents the elements that are potentially exculpatory; and

**REAFFIRMS** that the Co-Prosecutors have an obligation to identify any potentially exculpatory material in their possession which continues until the end of Case 002/02.

2. The full reasons for this decision will follow in due course.