



**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

**អង្គជំនុំជម្រះតុលាការកំពូល**

Supreme Court Chamber  
Chambre de la Cour Suprême

**ឯកសារដើម**  
**ORIGINAL/ORIGINAL**  
ថ្ងៃ ខែ ឆ្នាំ (Date): 23-Jul-2013, 16:42  
CMS/CFO: Sann Rada

សំណុំរឿងលេខ: ០០២/១៩-០៩-២០០៧-អ.វ.ត.ក-អ.ជ.ស.ដ/អ.ជ.ត.ក(២៨)

Case File/Dossier N°. 002/19-09-2007-ECCC-TC/SC(28)

**Before:** Judge KONG Srim, President  
Judge Chandra Nihal JAYASINGHE  
Judge Agnieszka KLONOWIECKA-MILART  
Judge MONG Monichariya  
Judge Florence Ndepele Mwachande MUMBA  
Judge SOM Sereyvuth  
Judge YA Narin

**Date:** 23 July 2013  
**Language(s):** English/Khmer  
**Classification:** PUBLIC

**ORDER REGARDING THE ESTABLISHMENT OF A SECOND TRIAL PANEL**

**Co-Prosecutors**  
CHEA Leang  
Andrew CAYLEY

**Co-Lawyers for NUON Chea**  
SON Arun  
Victor KOPPE

**Accused**  
KHIEU Samphân  
NUON Chea

**Civil Party Lead Co-Lawyers**  
PICH Ang  
Elisabeth SIMONNEAU-FORT

**Co-Lawyers for KHIEU Samphân**  
KONG Sam Onn  
Anta GUISSÉ  
Arthur VERCKEN  
Jacques VERGÈS

**I, KONG SRIM**, President of the Supreme Court Chamber of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea between 17 April 1975 and 6 January 1979 (“Supreme Court Chamber” and “ECCC”, respectively),

**RECALLING** that, on 8 February 2013, the Supreme Court Chamber declared the invalidity of the first severance of Case 002, without prejudice to the Trial Chamber’s reassessment of the severance of Case 002;<sup>1</sup>

**RECALLING FURTHER** that, on 8 February 2013, the Supreme Court Chamber declared that, “in the event of a renewed severance of Case 002, [it] considers that the ECCC should explore the establishment of another panel within the Trial Chamber to support the timely adjudication of the remainder of Case 002”;<sup>2</sup>

**NOTING** that, on 26 April 2013, the Trial Chamber decided to sever Case 002 anew;<sup>3</sup> and,

**RECALLING** that, on 23 July 2013, the Supreme Court Chamber considered that the circumstances surrounding the renewed severance of Case 002 makes it imperative to establish a second panel within the Trial Chamber in order to ensure that Case 002/02 can commence as soon as possible after closing submissions in Case 002/01;<sup>4</sup>

1. **HEREBY INSTRUCT** the Office of the Administration of the ECCC to immediately explore the establishment of a second panel of national and international judges within the Trial Chamber to hear and adjudicate Case 002/02.

**Phnom Penh, 23 July 2013**

**President of the Supreme Court Chamber**



**KONG Srim**

<sup>1</sup> Decision on the Co-Prosecutors’ Immediate Appeal of the Trial Chamber’s Decision Concerning the Scope of Case 002/01, E163/5/1/13, 8 February 2013 (“SCC Decision”), paras. 49-50, 52.

<sup>2</sup> SCC Decision, para. 51.

<sup>3</sup> Decision on Severance of Case 002 following Supreme Court Chamber Decision of 8 February 2013, E284, 26 April 2013.

<sup>4</sup> Summary of Reasons: Decision on Immediate Appeals against Trial Chamber’s Second Decision on Severance of Case 002, E284/4/7, 23 July 2013, para. 11.