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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

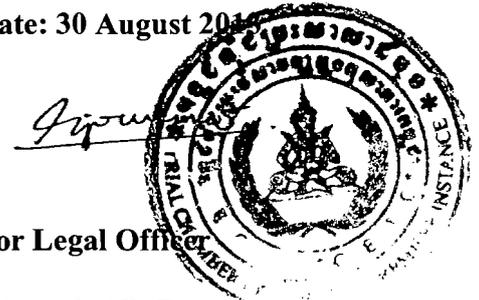
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TRIAL CHAMBER

TO: All Parties, Case 002

Date: 30 August 2013

FROM: NIL Nonn, President of the Trial Chamber



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

SUBJECT: Decision on NUON Chea's Request for a List of All Documents Admitted in Case 002/01 (E295/5)

1. On 15 August 2013, noting a request for a comprehensive list of documents admitted in Case 002/01, the Chamber directed the parties to rely on the E3 classification provided in the annexes of the final document decisions, E299 and E185/2, until Zylab is updated (E295/4, para. 3).¹ The Chamber acknowledges that while it was KHIEU Samphan, not NUON Chea as indicated in E295/4, who originally requested a comprehensive list of documents admitted in Case 002/01 (E295/5, para. 2), the Chamber is now seised of a request by NUON Chea for a comprehensive, organized and sequential list of admitted documents. Noting that admitted evidence has been listed in a series of annexes and written records of proceedings in .pdf format, NUON Chea submits that a comprehensive list would provide clarity concerning the documents admitted at trial, assist the Accused in advising counsel and facilitate and expedite the drafting of final briefs (E295/5).

2. The Chamber notes that both Defence teams have and, throughout the proceedings, have had various resources including full-time Case Managers to monitor the material presented and admitted. Throughout the proceedings, the parties have also been provided clear and unambiguous lists of the evidence admitted in the annexes of the written admissibility decisions (E185, E185/1, E185/2 and E299) and, on a rolling basis, the written records of proceedings. Further, a comprehensive, organized and sequential

¹ The memorandum entitled "Adjusted Schedule for Closing Submissions (E295/1, E295/1/2, E295/1/3, E295/2 and E295/3)" was notified to the parties as a courtesy copy on 15 August 2013 and was formally filed on 22 August 2013 (E295/4).

inventory of all documents admitted in Case 002/01 is available on Zylab. The parties can export this inventory for use in other programs.

3. As the Chamber previously acknowledged, Zylab does not currently reflect the E3 numbers assigned in the annexes of the final document decisions (E185/2 and E299) and written records of proceedings. Thus, while Zylab is updated, the parties can rely upon the lists of evidence in the annexes of the relevant decisions and written records of proceedings, in conjunction with the inventory on Zylab (E295/4, para. 3). Annexes and written records in .pdf format may be converted by programs available to all parties. Finally, the Chamber notes that the parties have access to the technical assistance provided by the Court Management Section and the Information and Communication Technology Section. Accordingly, the Chamber denies the request that it provide the parties a list of all evidence admitted in Case 002/01.

4. This constitutes the Chamber's official response to E295/5. *sf*