

**ឯកសារដើម**  
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អ្នកទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé  
du dossier: Sann Rada



E319/9

**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

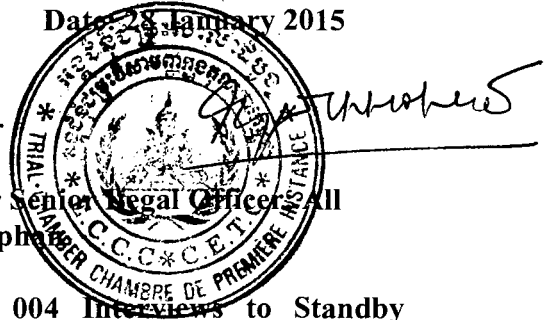
**TRIAL CHAMBER**

**សាធារណៈ / Public**

**TO: Judge Mark B. Harmon**  
**International Co-Investigating Judge**

Date: 28 January 2015

**FROM: NIL Nonn, President of the Trial Chamber**



**CC: All Trial Chamber Judges; Trial Chamber Parties; Standby Counsel for KHIEU Samphan**

**SUBJECT: Request to Disclose Confidential Case 004 Interviews to Standby Counsel**

1. On 14 October 2014, the International Co-Investigating Judge issued a decision authorizing the Co-Prosecutors to disclose 26 confidential written records of interview from Case 004 to the Trial Chamber, Defence Counsel of both Accused, and Civil Party Lead Co-Lawyers (E319.2, para. 23) in Case 002. This authorization prohibited disclosing these 26 confidential written records of interview to anyone not explicitly identified in his decision (E319.2, para. 23).
2. On 5 December 2014, the Trial Chamber ordered the Defence Support Section to appoint Court Appointed Standby Counsel for KHIEU Samphan (E321/2). Standby Counsel were subsequently appointed, appearing in court for the first time on 8 January 2015. Standby Counsel is required to prepare and maintain the capacity to take over the defence of KHIEU Samphan at any time should the Trial Chamber deem it necessary to replace KHIEU Samphan's current defence counsel (E321/2, para. 19; *see also* E321/2/2).
3. Consequently, the Chamber hereby requests the International Co-Investigating Judge to extend to Standby Counsel the disclosure authorization contained in E319.2, under the same terms and conditions as the other parties. The Chamber also requests that the International Co-Investigating Judge include Standby Counsel in any future, similar authorization for disclosure of confidential materials from ongoing investigations.