



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
..... 05 / 04 / 2016

ម៉ោង (Time/Heure) : 13:30

មន្ត្រីទទួលបន្ទុកសំណុំរឿង (Case File Officer/L'agent chargé)
..... Sann Rade

E393

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Kingdom of Cambodia
Nation Religion King
Extraordinary Chambers in the Courts of Cambodia
Royaume du Cambodge
Nation Religion Roi
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

TRIAL CHAMBER

សាធារណៈ / Public

TO: All Parties, Case 002 **Date:** 5 April 2016
FROM: NIL Nonn, President of the Trial Chamber
CC: All Trial Chamber Judges; Trial Chamber Senior Legal Officer
SUBJECT: Decision admitting new OCIJ Prisoner List



1. On 30 March 2016, the Trial Chamber received an interoffice memorandum (“Memorandum”) from the International Co-Investigating Judge (“ICIJ”) notifying the Trial and Supreme Court Chambers of the product of its S-21 analysis project. The ICIJ informed the Chamber that an analyst, under the supervision of the Analyst Unit Team Leader within the OCIJ, had prepared a new S-21 prisoner list (“S-21 Prisoner List”) based upon S-21 contemporaneous documents collected from Tuol Sleng and the Documentation Center of Cambodia. The Chamber was also provided a list of documents relied upon by the OCIJ analyst in preparing the S-21 prisoner list (“List of Documents”). On 31 March 2016, updated lists were provided to the Chamber with a complete set of ERN numbers.

2. The Chamber considers that it is conducive to ascertaining the truth to admit on its own motion the Memorandum, the S-21 Prisoner List and the List of Documents pursuant to Internal Rule 87(4). The S-21 Prisoner List directly pertains to a topic in Case 002/02 on which the Chamber is set to hear evidence. In addition, it was prepared by a judicial entity of the ECCC and therefore satisfies the *prima facie* standards of reliability and authenticity. The Memorandum and List of Documents, also prepared by a judicial entity of the ECCC, are necessary to fully understand the S-21 Prisoner List and therefore conducive to ascertaining the truth. The Chamber considers accordingly that they should also be admitted.

3. The Chamber notes that the admission of these documents responds to the NUON Chea Defence request to obtain pertinent new evidence created by the ICIJ in Cases 003 and 004 (T. 31 March 2016, p. 74 (Draft)). The Chamber further notes that the S-21 Prisoner List and List of Documents contain ERN numbers for each of the documents which are either already on the Case 002 Case File or have been placed on the Shared Materials Drive on a progressive basis since 2014 (E308/4). Therefore, the S-21 Prisoner List appears to consist of an analysis of contemporaneous documents which were previously available to the parties.