

**BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAIL

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**SECOND RULE 87 REQUEST TO USE DOCUMENTS DURING CROSS-
EXAMINATION OF EXPERT WITNESS PROFESSOR DAVID CHANDLER**

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1. On 12 July 2012, counsel for Nuon Chea (the 'Defence') submitted a request pursuant to ECCC Internal Rule 87 ('First Request') to use certain documents in order to test the credibility of expert witness Professor David Chandler.¹ The Defence hereby submits this request pursuant to Rule 87(4) to use a supplementary set of documents for the same purpose ('Second Request'). A list of those documents is attached as Annex A.
2. The documents listed in Annex A were not 'available' prior to trial in the sense intended by Rule 87(4) for the reasons stated in paragraphs 14 through 17 of the First Request. Furthermore, the documents in Annex A, each of which include press interviews with Professor Chandler and establish his previously expressed opinions, satisfy the five-factored test set out in Rule 87(3) for the reasons stated in paragraph 18 of the First Request.
3. The Defence respectfully requests to put the material described in Annex A before the Trial Chamber and to use such material during its examination of Professor Chandler.

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¹ Document No. E-172/27/1, 'Rule 87 Request to Use Documents During Cross-Examination of Expert Witness Professor David Chandler', 12 July 2012, ERN 00823751-00823756.