



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

Nation Religion Roi

**អង្គជំនុំជម្រះសាលាដំបូង**

Trial Chamber

Chambre de première instance

**សំណុំរឿងលេខ: ០០២/១៩ កញ្ញា ២០០៧/អវតក/អជសដ**

**Case File/Dossier No. 002/19-09-2007/ECCC/TC**

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... ០៨ / ០៦ / ២០១២ .....
ម៉ោង (Time/Heure): ..... ១២ : ០០ .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ..... <b>SONN ARUN</b> .....

**Before:** Judge NIL Nonn, President  
Judge Silvia CARTWRIGHT  
Judge YA Sokhan  
Judge Jean-Marc LAVERGNE  
Judge YOU Ottara

**Date:** 8 June 2012  
**Original language(s):** Khmer/English/French  
**Classification:** PUBLIC

**DECISION ON PLACEMENT OF NEW DOCUMENTS ON THE CASE FILE**

**Co-Prosecutors**  
CHEA Leang  
Andrew CAYLEY

**Accused**  
NUON Chea  
IENG Sary  
KHIEU Samphan

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

**Lawyers for the Defence**  
SON Arun  
Michiel PESTMAN  
Victor KOPPE  
ANG Udom  
Michael G. KARNAVAS  
KONG Sam Onn  
Jacques VERGÈS  
Arthur VERCKEN  
Anta GUISSÉ

**THE TRIAL CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”);

**BEING SEISED** of Case File No. 002/19-09-2007/ECCC/TC pursuant to the Decisions on Appeal Against the Closing Order by IENG Sary, IENG Thirith, NUON Chea and KHIEU Samphan, rendered by the Pre-Trial Chamber on 13 January 2011<sup>1</sup>;

**NOTING** its Decision Concerning New Documents And Other Related Issues of 2 May 2012 (E190) (“Decision”), which ordered the parties to upload to the Shared Materials Drive or otherwise make accessible by 11 May 2012 the 37 new documents identified in paragraph 28 of the Decision;

**NOTING** that the Decision was filed in French on 11 May 2012, and that the parties were unable to upload documents to the Shared Materials Drive between 12 and 16 May 2012 because of ECCC staff holidays;

**NOTING** that the IENG Sary Defence uploaded one new document (document #8 in E109/6.2) to the Shared Materials Drive on 10 May 2012;

**NOTING** the Co-Prosecutors’ Response To Trial Chamber Decision Concerning New Documents And Other Related Issues of 11 May 2012 (E190/1), which specified the location of two new documents (documents #233 in E109/4.1 and #17 in E109/4.5);

**NOTING** that the KHIEU Samphan Defence uploaded 16 new documents (documents #1, #7, #11, #14, #16, #17, #18, #19, #20, #21, #22, #23, #25, #26, #27 and #28 in E109/1.1) to the Shared Materials Drive on 17 May 2012;

**NOTING** that document #233 in E109/4.1 is already on the Case File as document number E109/2.3R, in consequence of the Decision;

**CONSIDERING** that the KHIEU Samphan Defence uploaded its documents to the Shared Materials Drive as soon as reasonably practicable after the filing of the French version of the Decision;

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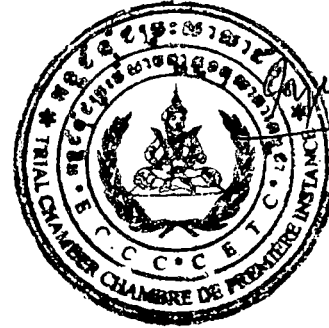
<sup>1</sup> Decision on Ieng Sary’s Appeal Against the Closing Order, 13 January 2011, D427/1/26; Decision on Ieng Thirith’s and Nuon Chea’s Appeals Against the Closing Order, 13 January 2011, D427/2/12; Decision on Khieu Samphan’s Appeal Against the Closing Order, 13 January 2011, D427/4/14; and Decision on Ieng Sary’s Appeal Against the Closing Order’s Extension of his Provisional Detention, 13 January 2011, D427/5/9.

**CONSIDERING** that the 18 new documents provided by the IENG Sary Defence, the Co-Prosecutors and the KHIEU Samphan Defence are *prima facie* conducive to ascertaining the truth in Case 002;

**PLACES** on the Case File the 18 new documents listed in the Annex to this decision;

**REMINDS** the parties that it may consider any attempt to rely on any of the remaining 19 new documents identified in paragraph 28 of the Decision to be an application to admit new evidence under Internal Rule 87(4). ~~89~~

Phnom Penh, 8 June 2012  
President of the Trial Chamber



*Nil Nonn*