

BEFORE THE TRIAL CHAMBER**EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC/TC**Party Filing:** The Defence for IENG Sary**Filed to:** The Trial Chamber**Original language:** ENGLISH**Date of document:** 14 June 2012**CLASSIFICATION****Classification of the document
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**IENG SARY'S REQUEST FOR A FORMAL TRIAL MANAGEMENT MEETING TO
DISCUSS THE POSSIBILITY OF IMPLEMENTING REMOTE ACCESS TO THE S-
DRIVE**

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The Trial Chamber Judges:
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Reserve Judge THOU Mony
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Co-Prosecutors:
CHEA Leang
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All Defence Teams**All Civil Parties**

Mr. IENG Sary, through his Co-Lawyers (“the Defence”), pursuant to Rule 79(7),¹ hereby requests the Trial Chamber to schedule a formal trial management meeting for the purpose of discussing, on the record, the possibility of implementing remote access to the S-Drive. The Defence further requests the Trial Chamber to direct a representative of the Office of Administration, as well as other relevant individuals to give testimony at this meeting.² This Request is made necessary because the Office of Administration has ignored repeated requests³ to grant the parties remote access to the S-Drive or to explain why this would not be possible. Remote access to the S-Drive would greatly assist all parties in performing their work and enhancing their productivity, and it would appear that it would also increase information security (although the Defence claims no expertise in internet technology matters). This is because the parties are currently required to save information on usb flash drives or external hard drives in order to continue working once they have left the office. The widespread use of these devices increases the risk of computer viruses and also the possibility that some of these devices, perhaps containing sensitive information, could be lost or stolen. Remote access also saves significant time and money. It can remove the need to drive over two hours roundtrip from central Phnom Penh to the ECCC to perform tasks which could easily be performed remotely. This is especially important now that the trial has begun, since the parties only have the evenings and weekends free to prepare for trial and carry out other related work. It would save money by allowing the parties’ staff and consultants to perform some work remotely without the need to be flown to Phnom Penh with such frequency.⁴

WHEREFORE, for all the reasons stated herein, the Defence respectfully requests the Trial Chamber to schedule a formal trial management meeting at the earliest available opportunity

¹ Rule 79(7) of the ECCC Internal Rules (“Rules”) states that “[i]n order to facilitate the fair and expeditious conduct of the proceedings, the Chamber may confer with the parties or their representatives, as applicable, by holding a trial management meeting.” It appears that the meeting referred to in Rule 79(7) was envisaged to be held prior to the start of trial; however nothing in this Rule prohibits the Trial Chamber from holding trial management meetings at other points.

² This is authorized by Rule 79(8), which states: “[t]he Chamber may ... invite *inter alia* representatives of the Office of the Administration, including representatives of the different sections or units of the Court, to attend the meeting.” Rule 9(1) (on the Functions of the Office of Administration) provides further support. It states: “The Office of Administration shall support the Chambers ... in the performance of their functions and shall be responsible for their administration and servicing. In this respect, the above-mentioned judicial officers may make suggestions to the Office of Administration, through the Judicial Administration Committee, including the taking of appropriate disciplinary measures against staff under their authority, where warranted.”

³ The Defence has attached as an Annex a timeline which sets out the steps the Defence and other parties have taken to address this issue.

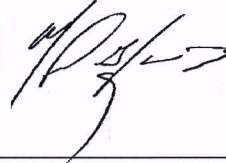
⁴ The Civil Parties, in particular, have stated that remote access is important because many Civil Party lawyers live and work abroad.

and call a representative of the Office of Administration, as well as any other individuals the Trial Chamber deems relevant to provide testimony.

Respectfully submitted,



ANG Udom



Michael G. KARNAVAS

Co-Lawyers for Mr. IENG Sary

Signed in Phnom Penh, Kingdom of Cambodia on this 14th day of **June, 2012**