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..... SANN RONG

E321/3

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

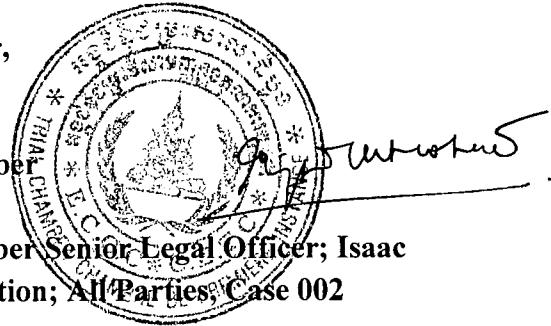
ភាពសាធារណៈ / Public

TRIAL CHAMBER

TO: Tony KRANH, Acting Director, Office of Administration; **Date:** 28 March 2017
Knut ROSANDHAUG, Deputy Director, Office of Administration;

FROM: NIL Nonn, President of the Trial Chamber

CC: All Trial Chamber Judges; Trial Chamber Senior Legal Officer; Isaac ENDELEY, Chief, Defense Support Section; All Parties; Case 002



SUBJECT: Decision on the Termination of Appointments of Court Appointed Standby Counsel for KHIEU Samphan

1. The Chamber recalls that on 5 December 2014 it ordered the appointment of Standby Counsel for KHIEU Samphan for the purpose of preparing and maintaining the capacity to take over his defence at any time should the Chamber determine it necessary to replace his current Counsel (E321/2). The Chamber's decision was based on a finding that the conduct of KHIEU Samphan and his Counsel had obstructed proceedings during the previous two months, during which time Counsel for KHIEU Samphan had failed to assist the Accused in the Case 002/02 trial proceedings. After a search conducted by the Defence Support Section in furtherance of the Chamber's order, on 7 January 2015 TUOCH Vorleak and Calvin SAUNDERS were appointed as national and international Standby Counsel, respectively (T. 8 January 2015, p. 2). Since this time, circumstances have not necessitated the replacement of current Counsel for KHIEU Samphan by Standby Counsel.

2. Following the conclusion of evidentiary hearings on 11 January 2017, the remaining stages of the proceedings in Case 002/02 are the filing of the Parties' closing briefs by 24 April 2017 and the delivery of closing statements commencing on 5 June 2017. The Chamber further recalls that in its decision E439/5 it decided to terminate all proceedings concerning all facts set out in the Closing Order in Case 002 not included in Case 002/01 or Case 002/02 pursuant to Internal Rule 89 *quater* (3).

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3. The Chamber considers that following the submission of closing briefs, the grounds warranting retention of Standby Counsel for KHIEU Samphan will no longer be present. The Trial Chamber therefore terminates the appointments of national and international Standby Counsel for KHIEU Samphan by the Defence Support Section effective the date of filing of the Accused's closing brief.
4. The Chamber requests the Office of Administration to take any and all necessary steps to facilitate the orders in this decision.