

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

FILING DETAIL

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NOTICE OF INTENT PURSUANT TO INTERNAL RULE 90

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Distribution

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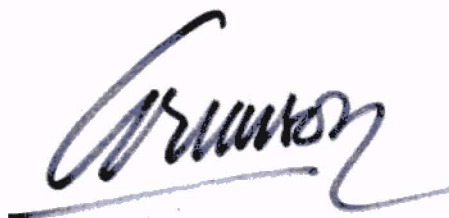
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The Co-Lawyers for Nuon Chea (the 'Defence') hereby submit the instant response to the Trial Chamber's request for notice of whether Nuon Chea will respond to questions pursuant to Internal Rule 90:

1. On 23 May 2013, the Trial Chamber by oral instruction requested each Accused to provide notice of whether they intend to respond to questions pursuant to Internal Rule 90 or instead to invoke their right to remain silent. Later that afternoon, the Chamber's legal officer circulated an email to all parties indicating that such notice ought to be provided by way of written submission due 27 May 2013 by 9 am.
2. At 9 am on 27 May 2013, the Defence indicated by email correspondence to the Trial Chamber that Nuon Chea would 'answer questions concerning matters within the scope of the trial up until and including population movement phase I and the alleged events at Tuol Po Chrey. He will not answer questions concerning later events, including administrative and communication structures as they manifest after Tuol Po Chrey.' The Defence further indicated that it would file that indication formally as soon as possible. That email was circulated to all the parties shortly thereafter.
3. The Defence hereby files said notification and confirms Nuon Chea's intent to answer questions as previously indicated. Nuon Chea will answer any questions concerning administrative, communication and military structure after the above-mentioned temporal period in the next trial.
4. The Defence furthermore notes that, due to persistent fatigue, Nuon Chea's ability to answer questions for an extended period at any given time may be limited. He reserves his right to be excused from further questioning for that reason in any such case.

CO-LAWYERS FOR NUON CHEA



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