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CMS/CFO: Sann Rada

# BEFORE THE TRIAL CHAMBER

### EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

## **FILING DETAILS**

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# NUON CHEA'S RULE 87(4) FIRST REQUEST FOR ADMISSION INTO EVIDENCE OF 15 DOCUMENTS RELEVANT TO YSA OSMAN'S (2-TCE-95) TESTIMONY TABLE OF AUTHORITIES

Filed By Distribution

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#### I. ECCC DECISIONS AND ORDERS

- 1. **E289/2**, 'Decision on Civil Party Lead Co-Lawyers' Internal Rule 87(4) Request to Put Before the Chamber New Evidence (E289) and KHIEU Samphan's Response (E289/1)', 14 June 2013.
- 2. **E313**, 'Case 002/01 Judgment', 7 August 2014.
- 3. **E307/1**, 'Decision on Parties' Joint Request for Clarification Regarding the Application of Rule 87(4) (E307) and the NUON Chea Defence Notice of Non-Filing of Updated Lists of Evidence (E305/3)', 11 June 2014.
- 4. **E307/1/2**, 'Decision on Joint Request for *de novo* Ruling on the Application of Internal Rule 87(4)', 12 October 2014.
- 5. **D427**, 'Closing Order', 15 September 2010.
- 6. **E215**, 'Decision on Assignment of Experts', 5 July 2012.
- 7. **D361/1**, 'Order on Ieng Thirith Defence Request for Investigation into Mr. Ysa Osman's Role in the Investigations, Exclusion of Certain Witness Statements and Request to Re-Interview Certain Witnesses', 16 March 2010.

### II. PRIMARY SOURCES

- 8. **E3/1822**, Ysa Osman, 'Oukoubah: Justice of the Cham Muslims under the Democratic Kampuchea Regime', 2002.
- 9. **E3/2653**, Ysa Osman, 'The Cham Rebellion: Survivors' Stories from the Village', 2006.
- 10. E3/5194, 'Written Record of Interview of AHMAD Sofiyah', 8 July 2008.
- 11. E3/8325, 'Report of the Execution of Rogatory Letter', 21 July 2008.
- 12. **E367/3**, 'Letter from the United Nations Legal Counsel to the President of the Trial Chamber entitled "Request for a Waiver of Immunity of Mr. YSA Osman", 28 January 2016.

#### III. ATTACHMENTS

- 13. Public Transcription of Osman's History Video Attached as *Attachment 1 Public*.
- 14. UNAKRT Vacancy Announcement Attached as *Attachment 2 Public*.
- 15. **D361/3.1**, List of Witnesses Interviewed with Ysa Osman Present Attached as *Attachment 3 Confidential*.
- 16. Ysa Osman, 'How many Cham killed important genocide evidence,' *Phnom Penh Post*,
  10 March 2006 Attached as *Attachment 4 Public*.
- 17. George Wright and Khuon Narim, 'Khmer Rouge Genocide Debate Moves to Trial', *Phnom Penh Post*, 8 September 2015 Attached as *Attachment 5 Public*.
- Ben Kiernan, 'Orphans of Genocide: The Cham Muslims of Kampuchea Under Pol Pot', Critical Asian Studies, Vol. 20, No. 4, October-December 1988 – Attached as Attachment 6 Public.
- Michael Vickery, 'Comments on Cham Population Figures', Critical Asian Studies,
   Vol. 22, No. 1, January-March 1990 Attached as <u>Attachment 7 Public</u>.
- 20. Philip Short, 'Devil's advocate: there should be no KR trial', *Phnom Penh Post*, 10 November 2000 Attached as *Attachment 8 Public*
- 21. Touch Bora, 'Why did they kill?', *Phnom Penh Post*, 4 November 2005 Attached as *Attachment 9 Public*.
- 22. Touch Bora, 'Evidence of Intent Lacking', *Phnom Penh Post*, 13 January 2006 Attached as *Attachment 10 Public*.
- 23. Touch Bora, 'Genocide Definition', *Phnom Penh Post*, 24 March 2006 Attached as *Attachment 11 Public*.
- 24. **D269/5.1**, Ben Kiernan, Excerpts from "Genocide and Resistance in Southeast Asia", 2007 Attached as *Attachment 12 Public*.
- 25. Stéphanie Giry, 'The Genocide that wasn't', *New York Review of Books*, 25 August 2014 Attached as *Attachment 13 Public*.

- 26. Stuart Alan Becker, 'Cham-Khmer harmony can be an example for the world', *Phnom Penh Post*, 4 November 2011 Attached as *Attachment 14 Public*.
- 27. Kevin Ponniah and Koam Chanrasmey, 'Chams' long wait nearly over', *Phnom Penh Post*, 21 February 2014 Attached as *Attachment 15 Public*.