

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
..... 26 / 01 / 2017

ម៉ោង (Time/Heure) : 14:45

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent du dossier: SANNU RADA

E442/2/1



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា

ព្រះមហាក្សត្រ

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

Nation Religion Roi

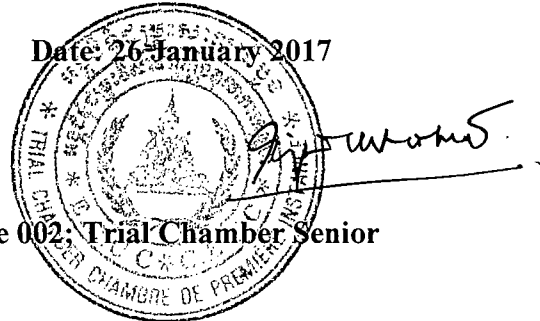
សាធារណៈ / Public

TRIAL CHAMBER

TO: All Parties, Case 002

Date: 26 January 2017

FROM: NIL Nonn, President of the Trial Chamber



CC: All Trial Chamber Judges; All Parties, Case 002; Trial Chamber Senior Legal Officer; Co-Investigating Judges

SUBJECT: Decision on International Co-Prosecutor's Request for Authorization to Provide Confidential Case 002 Documents to the MEAS Muth Defence in Case 003

1. The Trial Chamber is seized of a confidential request from the International Co-Prosecutor, filed on 16 January 2017, seeking authorization to provide confidential Case 002 Documents to the MEAS Muth Defence in Case 003 (E442/2, "Request"). The International Co-Prosecutor specifically requests, in accordance with the procedure set out in an Order by the International Co-Investigating Judge dated 16 September 2016, authorization to disclose documents listed in Confidential Annex A (E442/2.2) on the basis that the MEAS Muth Defence needs access to this material in order to respond to OCP requests to place the documents on Case File 003 (E442/2, paras 1-3). It seeks this authorization on an urgent basis due to the closure of the Case 003 investigation on 10 January 2017, after which the parties have 30 days to file requests for further investigative action which includes the placement of materials on Case File 003. No party made submissions in response.

2. The Trial Chamber recalls that it has previously authorised the International Co-Prosecutor to provide Defence Teams in Cases 003 and 004 with access to certain documents considered relevant to ascertaining the truth in those cases, to be transferred to the relevant case files (E442/1, paras 2-3). Having reviewed the list of documents in Annex A, the Chamber has no objection to the provision of these confidential Case 002 documents to the MEAS Muth Defence.

3. The Chamber therefore grants the Request and authorises the OCP, in coordination with the Court Management Section, to transfer electronic copies of the documents listed

E442/2/1

in Confidential Annex A E442/2.2 to the MEAS Muth Defence in Case 003. The Chamber recalls that these documents are confidential and shall be maintained as such.

4. This constitutes the Trial Chamber's response to E442/2.