

**BEFORE THE SUPREME COURT CHAMBER  
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

**FILING DETAILS**

**Case No:** 002/19-09-2007-ECCC/TC      **Party Filing:** Co-Prosecutors  
**Filed to:** Supreme Court Chamber  
**Original Language:** English  
**Date of document:** 21 November 2012



**CLASSIFICATION**

**Classification of the document  
suggested by the filing party:** PUBLIC  
**Classification by the Chamber:** សាធារណៈ/Public  
**Classification Status:**  
**Review of Interim Classification:**  
**Records Officer Name:**  
**Signature:**

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**CO-PROSECUTORS' REQUEST FOR A PUBLIC ORAL HEARING OF THE  
IMMEDIATE APPEAL OF THE DECISION CONCERNING  
THE SCOPE OF TRIAL IN CASE 002/01 OR IN THE ALTERNATIVE REQUEST TO  
FILE A JOINT REPLY TO THE THREE DEFENCE RESPONSES**

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**Filed by:**

**Co-Prosecutors**  
CHEA Leang  
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**Distributed to:**

**Supreme Court Chamber**  
Judge KONG Srim, President  
Judge A. KLONOWIECKA-MILART  
Judge SOM Sereyvuth  
Judge C. N. JAYASINGHE  
Judge MONG Monichariya  
Judge Florence Ndepele MUMBA  
Judge YA Narin

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**REQUEST**

1. On 8 November 2012 the Co-Prosecutors filed an immediate appeal of the Trial Chamber's decision concerning the scope of the trial in Case 002/001<sup>1</sup> ('the appeal'). On 13 November 2012 Counsel for Khieu Samphan issued a request for an extension of time to file its' response to the appeal within 15 days after notification of the French translation.<sup>2</sup> On 19 November 2012 Counsel for Ieng Sary and Nuon Chea filed their responses to the appeal.<sup>3</sup>
2. On 20 November 2012 this Chamber granted Counsel for Khieu Samphan an extension of time of 10 days to file their response to the appeal. Such extension is to commence after the notification of the French translation of the appeal.<sup>4</sup>
3. Article 8.4 of the Practice Direction on the filing of Documents before the ECCC<sup>5</sup> directs that parties are only entitled to submit a reply to a response if there is to be no oral argument, in which case, it must be filed within five days of notification of the response. In this instance, the Co-Prosecutors request that this Chamber hold public oral argument on the appeal due to the importance of the issues being raised to all parties and the people of Cambodia.
4. If such oral argument is not required by the Chamber, the Co-Prosecutors request that it be allowed to file a joint reply to all 3 Defence responses commencing five days from the notification of the Khieu Samphan response in Khmer and one of the other two official ECCC languages. This will avoid repetitive filings on similar issues and will save unnecessary time spent drafting and translating three separate appeal responses.

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<sup>1</sup> **E163/5/1**, 'Appeal Register-Co-Prosecutors' Immediate Appeal of Decision concerning the Scope of Trial in Case 002/01, 8 November 2012.

<sup>2</sup> **E163/5/1/2**, 'Demande urgente de prorogation de délai de réponse', 13 November 2012.


<sup>3</sup> **E163/5/1/3**, 'Ieng Sary's Response to the Co-Prosecutors' Immediate Appeal of Decision concerning the Scope of Trial in Case 002/01', 19 November 2012 and **E163/5/1/4** 'Response to Co-Prosecutors' Immediate Appeal of Decision Concerning the Scope of Trial in Case 002/01', 19 November 2012.

<sup>4</sup> **E163/5/1/2/1**, 'Decision on Request by Co-Lawyers for Khieu Samphan for Extension of Time to Respond to the Co-Prosecutors' Immediate Appeal of Decision concerning the scope of Trial in Case 002/01, 20 November 2012.

<sup>5</sup> **ECCC/01/2007/Rev:7**, Practice Direction on the Filing of Documents before the ECCC.

5. In light of the short time to respond to the current responses of Ieng Sary and Nuon Chea the Co-Prosecutors respectfully submit that this request be decided within one to two days.

Respectfully submitted,

Date	Name	Place	Signature
21 November 2012	YET Chakriya Deputy Co-Prosecutor	Phnom Penh	
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