

BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

**FILING DETAILS**

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**CO-PROSECUTORS' NOTIFICATION OF LEGAL ISSUES IT INTENDS
TO RAISE AT THE INTIAL HEARING**

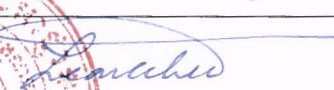
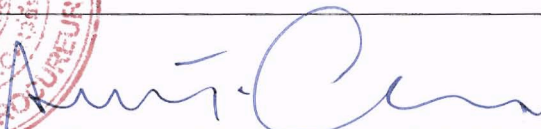
<u>Filed by:</u>	<u>Distributed to:</u>	<u>Copied to:</u>
Co-Prosecutors CHEA Leang Andrew CAYLEY	Trial Chamber Judge NIL Nonn. President Judge Silvia CARTWRIGHT Judge YA Sokhan Judge Jean-Marc LAVERGNE Judge THOU Mony	Accused NUON Chea IENG Sary KHIEU Samphan IENG Thirith
	Civil Party Lead Co-Lawyers PICH Ang Elisabeth SIMONNEAU FORT	Lawyers for the Defence SON Arun Michiel PESTMAN Victor KOPPE ANG Udom Michael G. KARNAVAS PHAT PouV Seang Diana ELLIS SA Sovan Jaques VERGES Phillipe GRECIANO

002/19-09-2007-ECCC/TC

NOTICE

1. Pursuant to Internal Rule 80(3)(c) and in accordance with the Trial Chamber's "Order to File Material in Preparation for Trial" issued on 17 January 2011,¹ the Co-Prosecutors indicate to the Trial Chamber that they intend to raise the following legal issues at the Initial Hearing:
- (1) *Opening Statements*: length and form (*Rule 89 bis 1*);
 - (2) *Uncontested Facts*: effect on trial presentation (*Rule 80(3)(e)*);
 - (3) *Documentary Evidence*: objections, method of admission, witness statements (*Rule 80(3)(d) and 87*);
 - (4) *Accused Presence During the Hearing*: (*Rule 81*);
 - (5) *Accused Testimony*: order, length, questioning manner and time allocation (*Rule 89 bis 2 and 90*);
 - (6) *Witness Testimony*: number, order, length, questioning manner and time allocation (*Rule 84 and 91*);
 - (7) *Civil Parties Testimony*: order, length, questioning manner and time allocation (*Rule 91*);
 - (8) *Objections*: types and manner;
 - (9) *Notice of Request to Recharacterize Charges in Indictment at Judgment to include*:
 - (a) that an armed conflict is not required to prove a crime against humanity;
 - (b) rape as a crime against humanity;
 - (c) commission of crimes by the third form of joint criminal enterprise (*Rule 98*).
2. The Co-Prosecutors also notify the Trial Chamber that they be given a full opportunity to respond to any legal issues raised by other parties at the Initial Hearing.

Respectfully submitted,

Date	Name	Place	Signature
19 April 2011	CHEA Leang Co-Prosecutor	Phnom Penh	
	Andrew CAYLEY Co-Prosecutor		

¹ Document Number E9, Trial Chamber's "Order to File Material in Preparation for Trial," 17 January 2011, para. 15.
Co-Prosecutors' Rule 80(3)(c) List of Initial Hearing Issues