



**អង្គបុរេជំនុំជម្រះ**

PRE-TRIAL CHAMBER  
CHAMBRE PRELIMINAIRE

**Criminal Case File N° 002/19-09-2007-ECCC/OCIJ (PTC03)**

**Before:** Judge PRAK Kimsan, President  
Judge Rowan DOWNING  
Judge NEY Thol  
Judge Katinka LAHUIS  
Judge HUOT Vuthy

**Date:** 30 April 2008

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... 30 ..... / ..... 04 ..... / ..... 2008 .....
ម៉ោង (Time/Heure): 15 h 40
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ..... P.H.E.A. Kosal .....

**DECISION ON IENG SARY'S REQUEST FOR SEPARATION OF ORAL HEARINGS ON JURISDICTION AND PROVISIONAL DETENTION**

**Co-Prosecutors**

CHEA Leang  
Robert PETIT

**Charged Person**

IENG Sary

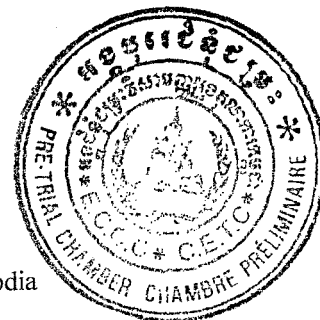
**Lawyers for the Civil Parties**

HONG Kim Suon  
LOR Chunthy  
NY Chandy  
KONG Pisey  
Silke STUDZINSKY

**Co-Lawyers for the Defence**

ANG Udom  
Michael G. KARNAVAS

<b>ឯកសារបានចម្លងតាមរបៀបត្រឹមត្រូវស្របតាមច្បាប់ដើម</b>
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification): ..... 30 ..... / ..... 04 ..... / ..... 2008 .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ..... P.H.E.A. Kosal .....



E22/1/28

1. **THE PRE-TRIAL CHAMBER** is seized of “Ieng Sary’s Request for separation of oral hearings on jurisdiction and provisional detention”, filed on 13 March 2008 (“Request”).
2. The Co-Prosecutors responded to the request on 02 April 2008.
3. The Lawyers for the Civil Parties did not file any response.
4. The Charged Person replied to the Co-Prosecutors’ response on 08 April 2008.
5. The Co-Lawyers request that the Pre-Trial Chamber separate any oral proceedings and decisions relating to the issues of jurisdiction from those relating to provisional detention.
6. In its decision on the Request for suspension, on 30 April 2008, the Pre-Trial Chamber denied the request for suspension of the consideration of the appeal on provisional detention. The reasons for separation put forward by the Co-Lawyers, are, after this decision, limited to “practical scheduling reasons”. The Co-Lawyers have not explained why practical scheduling reasons would require such separation.
7. The Pre-Trial Chamber does not see any practical scheduling reasons for a separation. As considered in the decision of 03 March 2008, the subject of the jurisdiction is included in the appeal of the Co-Lawyers. The Pre-Trial Chamber will therefore deal with all the matters at the same time as the hearing on the appeal.

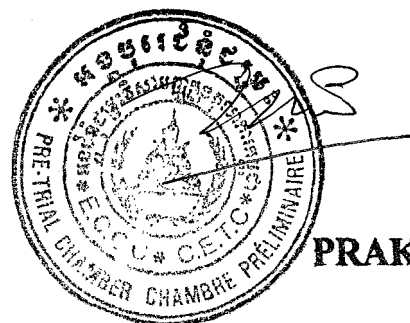
**THEREFORE THE PRE-TRIAL CHAMBER HEREBY DECIDES:**

To deny the Charged Person’s Request for separation.



Phnom Penh, 30 April 2008

**President of the Pre-Trial Chamber,**



**PRAK KIMSAN**