



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
Kingdom of Cambodia
Nation Religion King

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

Royaume du Cambodge
Nation Religion Roi

អង្គបុរេជំនុំជម្រះ
Pre-Trial Chamber
Chambre Préliminaire

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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: Uch ARUN

026/9/12

Criminal Case File N° 002/19-09-2007-ECCC/OCIJ (PTC36)

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

Date: 27 May 2010

បញ្ជាក់ថា ច្បាប់ចម្លងនេះត្រឹមត្រូវតាមច្បាប់ដើម
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..... 27 / 05 / 2010

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: Uch ARUN

**PUBLIC
CANCELLATION ORDER**

Co-Prosecutors

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YET Chakriya
William SMITH
PICH Sambath
Tarik ABDULHAK

Charged Person

KHIEU Samphan

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Mr. KIM Mengkhy
Ms. MOCH Sovannary
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Ms. Annie DELAHAIE
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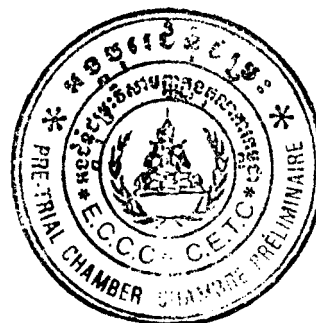
Co-Lawyers for the Charged Person

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Ms. Laure DESFORGES
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Mr. PICH Ang
Mr. Julien RIVET
Mr. Pascal AUBOIN

Unrepresented Civil Parties



Cancellation Order

THE PRE-TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) notes the Charged Person’s Appeal against the Order on Extension of Provisional Detention dated 18 November 2009 (“Appeal”).

1. On 27 April 2010 the Pre-Trial Chamber scheduled a public hearing for the delivery of its decision on the Appeal on **30 April 2010 at 10:30** advising that a summary of the decision will be read out by the President of the Pre-Trial Chamber. Summons to the Charged Person and his Co-Lawyers were served on the same day.
2. On 30 April 2010 the Charged Person and his Co-Lawyers were not present for the hearing for pronouncement of the decision on Appeal.
3. The Charged Person had a right to attend, which he did not exercise upon basis that his Co-Lawyers were not available. The Pre-Trial Chamber did not receive any formal application to adjourn the hearing.
4. In light of this, on the same day of 30 April 2010, the Pre-Trial Chamber, reserving the Charged Person’s rights, directed that the Charged Person can make application to be heard on at least five days notice and that any such notice is to be given within 21 days from this day.
5. On 10 May 2010, the Charged Person submitted a request to be heard.
6. On 12 May 2010, the Pre-Trial Chamber scheduled a public hearing for the **27th of May 2010 at 15:00** and advised that The Charged Person will have 15 minutes to be heard.
7. On 27 May 2010 at 11:40 a.m. the Charged Person Khieu Samphan asked the detention authorities to inform the Pre-Trial Chamber that he refuses to attend the hearing. The Pre-Trial Chamber received a letter from the Director of the detention facility in this regard on 27 May 2010 at 13:30.

Cancellation Order



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8. Considering the refusal of the Charged Person to attend, which was fingerprinted by the Charged Person and submitted in writing to the Pre-Trial Chamber,

THE PRE-TRIAL CHAMBER HEREBY

CANCELLES the public hearing set for the 27th of May 2010 at 15:00.

Phnom Penh, 27 May 2010 *Prak*,

President of the Pre-Trial Chamber

