



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

សំណុំរឿងលេខ: ០០២/១៩ កញ្ញា ២០០៧/អវតក/អជសដ

Case File/Dossier No. 002/19-09-2007-ECCC/TC

Before: Judge NIL Nonn, President
Judge Silvia CARTWRIGHT
Judge YA Sokhan
Judge Jean-Marc LAVERGNE
Judge THOU Mony

Date: 29 March 2011
Original language(s): Khmer/English
Classification: PUBLIC

DECISION ON REQUESTS FOR EXTENSION OF TIME TO FILE LISTS OF DOCUMENTS AND EXHIBITS

Co-Prosecutors
CHEA Leang
Andrew CAYLEY

Accused
NUON Chea
IENG Sary
IENG Thirith
KHIEU Samphan

Civil Party Lead Co-Lawyers
PICH Ang
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Lawyers for the Defence
SON Arun
Michiel PESTMAN
Victor KOPPE
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Michael G. KARNAVAS
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Diana ELLIS
SA Sovan
Jaques VERGÈS
Philippe GRÉCIANO

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ មកលេខ (Date of receipt/Date de réception):
..... 29 / 03 / 2011

ម៉ោង (Time/Heure): 11 : 15

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

THE TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”);

BEING SEISED of Case File No. 002/19-09-2007-ECCC/TC pursuant to the Decisions on Appeal Against the Closing Order by IENG Sary, IENG Thirith, NUON Chea and KHIEU Samphan, rendered by the Pre-Trial Chamber on 13 January 2011;¹

NOTING the IENG Sary’s Request for Extension of Time to File his Lists of Documents and Exhibits, which seeks an extension of time for the filing of its lists of documents and exhibits until after the Office of the Co-Prosecutors and Civil Parties have presented their case, or alternately until 60 days from the date the Trial Chamber has informed the parties as to the structure of the trial and the orders of the topics which will be addressed (“IENG Sary Request”);²

NOTING that the KHIEU Samphan Defence also filed a request for extension of time for the filing of its lists of documents and exhibits which is premised upon the same arguments of the IENG Sary Request;³

NOTING that the IENG Sary Request is also joined by the NUON Chea and the IENG Thirith Defence;⁴

NOTING the Chamber’s Order to File Material in Preparation for Trial (E9) which required the parties to file their lists of documents and exhibits by 13 April 2011 (subsequently modified to 19 April 2011 following the announcement of a judicial recess);⁵

CONSIDERING that on 8 February 2011, the Trial Chamber indicated that it would reject all requests to adopt a modified procedure to that envisaged in the Internal Rules;⁶

FURTHER CONSIDERING that the Defence, having been notified of the relevant deadlines ordered by the Trial Chamber since its Order of 17 January 2011 and having had access to the case file since

¹ Decision on Ieng Sary’s Appeal Against the Closing Order, 13 January 2011, D427/1/26; Decision on Ieng Thirith’s and Nuon Chea’s Appeals Against the Closing Order, 13 January 2011, D427/2/12; Decision on Khieu Samphan’s Appeal Against the Closing Order, 13 January 2011, D427/4/14; and Decision on Ieng Sary’s Appeal Against the Closing Order’s Extension of his Provisional Detention, 13 January 2011, D427/5/9.

² IENG Sary’s Request for Extension of Time to File his Lists of Documents and Exhibits, 18 March 2011, E9/16.

³ Dépôt des listes de documents et pièces à conviction demande de prorogation du délai, 25 March 2011, E9/16/2.

⁴ Notice of Joinder of IENG Sary’s Request for Additional Time in Which to File Its Lists of Documents and Exhibits, 23 March 2011, E9/16/1; IENG Thirith Defence Motion in Support of “IENG Sary’s Request for Extension of Time to File His Lists of Documents and Exhibits, 25 March 2011, E9/16/3.

⁵ Order to File Material in Preparation for Trial, 17 January 2011, E9; Memorandum entitled “Judicial Recess during Khmer New Year period”, 25 March 2011, E68.

⁶ Advance Notification of Chamber’s Disposition of Motions E14, E15, E9/2, E9/3, E24 and E27, 8 February 2011, E35. *See also* Trial Chamber Memorandum entitled “Notification of Trial Chamber’s disposition of request for extension of deadlines”, 16 February 2011, E9/6/1.

the start of the judicial investigation, cannot claim a lack of sufficient time and facilities for the preparation of their defence;⁷

REJECTS the IENG Sary Request and the KHIEU Samphan Request. *NUN* 

Phnom-Penh, 29 March 2011
President of the Trial Chamber



NUN
NUN Nonn

⁷ See also Trial Chamber Disposition of Request for Extension of Deadlines (E9/7 and E9/4/9), 1 March 2011, E9/7/1.