



ឯកសារដើម
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E163/5/6

ព្រះរាជាណាចក្រកម្ពុជា
សាសនា ព្រះមហាក្សត្រ
Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

TRIAL CHAMBER

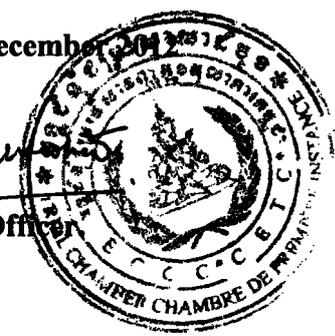
Date: 7 December 2012

TO: All parties, Case 002. សាធារណៈ / Public

FROM: Nil Nonn, President, Trial Chamber. *Nil Nonn*

CC: All Trial Chamber judges; Trial Chamber Senior Legal Officer

SUBJECT: Clarification regarding applicable law briefs



1. The Trial Chamber has recently issued two memoranda to the Parties regarding the filing of the Closing Briefs. In particular, the Chamber has requested that the Parties file the applicable law portions of their Closing Briefs by 21 December 2012 (E163/5) and has provided directions regarding the required content, form and deadline for the filing of the remaining portions of the Closing Briefs (E163/5/4).
2. The NUON Chea Defence Team has filed Observations regarding the Chamber's directions on the filing of the Closing Briefs (E163/5/5). Several of the concerns raised by the NUON Chea Defence have already been addressed by the Chamber in previous memoranda. However, the Chamber now clarifies the status of any separate filings on the applicable law sections of the Closing Briefs.
3. The Chamber does not require the Parties to file the applicable law sections of their Closing Briefs separately from their final submissions. The Chamber has requested that the parties provide final submissions on the applicable law, limited to 20 pages, by 21 December 2012 (E163/5). The Parties may choose not to accede to this request. Moreover, the Parties may address the applicable law in their Closing Briefs, whether or not they provide prior submissions on that topic. However, the Chamber has specified the page limits that will apply to the Closing Briefs (E163/5/4) and it will not increase these page limits to accommodate any Party who does not file separate submissions on the applicable law.
4. Furthermore, the Chamber will rule on the applicable law in its final judgement in Case 002/01. It will not provide a separate or preliminary ruling on this issue. The Chamber only calls for early submissions on applicable law to assist the Chamber in the concluding phases of the trial, and to allow parties to dedicate their Closing Briefs to arguments regarding application of the law to the facts.