



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

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

ការិយាល័យសហចៅក្រមស៊ើបអង្កេត
Office of the Co-Investigating Judges
Bureau des Co-juges d'instruction

Case File No.: 003/07-09-2009-ECCC-OCIJ

Before: **YOU Bunleng**
Mark B. HARMON
Date: **28 February 2013**
Original: **English**

Classification: **STRICTLY CONFIDENTIAL** **Declassified to Public**

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| មន្ត្រីទទួលបន្ទុកសំណុំរឿង (Case File Officer/Officier en charge du dossier): UOL Artun |

**RE-SCHEDULING ORDER CONCERNING REQUEST FOR
APPOINTMENT OF CO-LAWYERS DESIGNATE**

Distribution to

Copied to

Co-Prosecutors
Mrs. CHEA Leang
Mr. Andrew Cayley

Defence Support Section
Mr. Isaac Endeley

Co-Lawyers-Designate
Mr. ANG Udom
Mr. Michael Karnavas



1. **Noting** Article 21 of the Agreement signed on 6 June 2003 between the United Nations and the Royal Government of Cambodia for the purpose of bringing to trial senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian and international law committed during the period of Democratic Kampuchea from 17 April 1975 to 6 January 1979 (the “ECCC Agreement”);
2. **Noting** the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004 (the “ECCC Law”);
3. **Noting** Rules 21, 22, 55, 71 and 72 of the ECCC Internal Rules (the “Internal Rules”);
4. **Noting** Article 6.2 of the Administrative Regulations of the ECCC Defence Support Section (the “DSS Administrative Regulations”);
5. **Noting** the International Co-Prosecutor’s Second Introductory Submission, dated 20 November 2008, initiating Case File 003 (the “Second Introductory Submission”),¹ which was placed on the case file on 7 September 2009;²
6. **Noting** the judicial investigation relating to alleged violations of the **1956 Penal Code, crimes against humanity and grave breaches of the Geneva Conventions of 12 August 1949**, offences defined and punishable under Articles 3, 5, 6, 29 (new) and 39 (new) of the ECCC Law, and Articles 500, 501, 503, 505, 506, 507 and 508 of the 1956 Penal Code of Cambodia;
7. **Noting** the Decision and Scheduling Order Concerning Request for Appointment of Co-Lawyers Designate, issued on 13 February 2013 (D56/3) (“Decision”);
8. **Noting** the lack of compliance with the Decision by Mr. Ang and Mr. Karnavas (“Co-Lawyers Designate”);

THEREFORE, I HEREBY DECIDE TO:

9. **EXTEND THE DEADLINE** for the Co-Lawyers Designate to comply with the Decision to disclose to the Co-Investigating Judges and to the Co-Prosecutors the waivers they obtained from both Ieng Sary and the Suspect, **until Monday 4 March 2013;**
10. **EXTEND THE DEADLINE** for Co-Lawyers Designate to comply with the Decision to make submissions on the potential conflict of interest between

¹ Case File No. 003/20-11-2008/ECCC/OCIJ-D1, Co-Prosecutor’s Second Introductory Submission Regarding the Revolutionary Army of Kampuchea, 20 November 2008.

² Case File No. 003/20-11-2008/ECCC/OCIJ-D1/1, Acting International Co-Prosecutor’s Notice of Filing of the Second Introductory Submission, 7 September 2009.



their roles as Defence Counsel for Ieng Sary and the Suspect, until Monday 4 March 2013;

Done in Phnom Penh, on 28 February 2013



Mark Brian Harmon

សហចៅក្រមស៊ើបអង្កេតអន្តរជាតិ

International Co- Investigating Judge

Co-juge d'instruction International