



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គបុរេជំនុំជម្រះ
Pre-Trial Chamber
Chambre Preliminaire

D308/3/1/19

In the name of the Cambodian people and the United Nations and pursuant to the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea

Case File N° 004/1/07-09-2009-ECCC/OCIJ (PTC50)

Before: Judge PRAK Kimsan, President
Judge Olivier BEAUVALLET
Judge NEY Thol
Judge Kang Jin BAIK
Judge HUOT Vuthy

Date: 14 November 2017

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ក្រ រស ធ្នាំ ទទួល (Date of receipt/date de reception):
..... 14 / 11 / 2017
ម៉ោង (Time/Heure) :
..... 11 : 47
មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier:
..... SANN RADA

CONFIDENTIAL

SCHEDULING ORDER FOR THE PRE-TRIAL CHAMBER'S HEARING ON APPEAL AGAINST CLOSING ORDER

Co-Prosecutors

CHEA Leang
Nicholas KOUMJIAN

Co-Lawyers for IM Chaem

BIT Seanglim
Wayne JORDASH

Lawyers for the Former Civil Party Applicants

SAM Sokong
Emmanuel JACOMY
Lyma NGUYEN



THE PRE-TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia,
BEING SEISED OF the Appeal lodged by the International Co-Prosecutor¹ on 9 August 2017¹ against the Closing Order (Reasons) delivered by the Co-Investigating Judges on 10 July 2017 in Case 004/1;²

CONSIDERING that the briefing on appeal in this case is complete;

NOTING the submissions on the Pre-Trial Chamber's hearing filed in response to the Notice of 27 October 2017³ by the Defence for IM Chaem⁴ and the International Co-Prosecutor⁵ on 31 October 2017, as well as the submissions filed by the Defence on 6 November 2017;⁶

PURSUANT to Internal Rules 77(3), 77(5) and 77(6);

HEREBY ORDERS that a hearing shall be held in the main courtroom on Monday, 11 December 2017 and Tuesday, 12 December 2017 and **INFORMS** the parties that the timetable for the hearing shall be as follows:

Monday, 11 December 2017:

- 09:45 – 10:00 Introduction (fifteen minutes)
- 10:00 – 11:00 Submissions by the Lawyers for Former Civil Party Applicants
SAM Sokong, Emmanuel JACOMY and Lyma NGUYEN (one hour)
- 11:00 – 12.00 Submissions by the National Co-Prosecutor (one hour)
- 12:00 – 13:30 *Pause (one hour and a half)*

¹ Case No. 004/1/07-09-2009-ECCC/OCIJ ("Case 004/1"), International Co-Prosecutor's Appeal of Closing Order (Reasons), 9 August 2017, D308/3/1/1. *See also* Case 004/1, IM Chaem's Response to the International Co-Prosecutor's Appeal of Closing Order (Reasons), 22 September 2017, D308/3/1/11; Case 004/1, Civil Party Co-Lawyers' Submission on ECCC Position within Cambodian Legal System, 8 September 2017, D308/3/1/9; Case 004/1, International Co-Prosecutor's Reply regarding Appeal of Closing Order (Reasons), 16 October 2017, D308/3/1/13; Case 004/1, IM Chaem's Response to the CPCL's Submission on the Position of the ECCC Within the Cambodian Legal System (D308/3/1/9), 10 November 2017, D308/3/1/18.

² Case 004/1, Closing Order (Reasons), 10 July 2017, D308/3.

³ Case 004/1, Case File Officer Email Notification to the parties: "Pre-Trial Chamber's Notice to the Parties in Case File N° 004/1/07-09-2009-ECCC/OCIJ (PTC50)", 27 October 2017.

⁴ Case 004/1, Proposed Details of Oral Hearing in Case 004/1, 31 October 2017, D308/3/1/14.

⁵ Case 004/1, International Co-Prosecutor's Submission on the Pre-Trial Chamber Hearing regarding the Appeal of Closing Order (Reasons), 31 October 2017, D308/3/1/15.

⁶ Case 004/1, Response to the International Co-Prosecutor's Submission on the Pre-Trial Chamber Hearing regarding the Appeal of Closing Order (Reasons) (D308/3/1/15), 6 November 2017, D308/3/1/16.



13:30 – 15.30 Appeal by the International Co-Prosecutor (two hours)

Tuesday, 12 December 2017:

10:00 – 12:00 Response by the National / International Defence Counsels (two hours)

12:00 – 13:30 *Pause (one hour and a half)*

13:30 – 15:30 Response by the National / International Defence Counsels (two hours)


INFORMS that, if present, and upon notification through her lawyers, the Charged Person shall be given the right to make a personal statement at the end of the hearing;

INFORMS that no leave to reply will be granted;

DECIDES that the hearing will be held *in camera* after the introduction.

Phnom Penh, 14 November 2017

President of Pre-Trial Chamber



PRAK Kamsan

