

BEFORE THE TRIAL CHAMBER**EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC/TC**Party Filing:** The Defence for IENG Sary**Filed to:** The Trial Chamber**Original language:** ENGLISH**Date of document:** 6 December 2012**CLASSIFICATION****Classification of the document
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**IENG SARY'S NOTICE OF WITHDRAWAL OF WAIVERS OF RIGHT TO BE
PRESENT DURING THE TESTIMONY OF CERTAIN WITNESSES AND CIVIL
PARTIES
TABLE OF AUTHORITIES**

Filed by:

The Co-Lawyers:
ANG Udom
Michael G. KARNAVAS

Distribution to:

The Trial Chamber Judges:
Judge NIL Nonn
Judge YOU Ottara
Judge YA Sokhan
Judge Silvia CARTWRIGHT
Judge Jean-Marc LAVERGNE
Reserve Judge THOU Mony
Reserve Judge Claudia FENZ

Co-Prosecutors:
CHEA Leang
Andrew CAYLEY

All Defence Teams**All Civil Parties**

Cambodian Law – ECCC Legal Compendium

1. Cambodian Constitution, Art. 31.

ECCC Law – ECCC Legal Compendium

2. Establishment Law, Art. 35 new.
3. ECCC Internal Rules, Rule 81.

ECCC Jurisprudence, Filings, and Transcripts – Already Disclosed on the Case File

4. IENG Sary's Limited Waiver of Right to be Present During Court Proceedings, 18 September 2012, E229.
5. IENG Sary's Limited Waiver of Right to be Present During Court Proceedings, 1 October 2012, E237.
6. IENG Sary's Limited Waiver of Right to be Present During Court Proceedings, 30 October 2012, E237/1.
7. Transcript, 21 September 2012, E1/125.1, p. 12.
8. Transfer of IENG Sary to ECCC Detention Facility for 8 November 2012 Hearing, 7 November 2012, E239/2.
9. Co-Prosecutors' Response to Notice Concerning Upcoming Witnesses and Mr. IENG Sary's Waiver of his Right to be Present and Request to Consider Calling Further First Phase and Crime Base Witnesses During October and November Period, 19 September 2012, E229/1.
10. Notice of Mr. IENG Sary's Non-Waiver of Right to be Present During the Proceedings When Philip Short Testifies, 19 September 2012, E229/2.
11. Transcript, 21 September 2012, E1/125.1.
12. Directions to the Parties Following Hearing of 21 September 2012, 24 September 2012, E233, para. 2.

13. Preliminary Indication of Individuals to be Heard During Population Movement Trial Segments in Case 002/01, 2 October 2012, E236/1.
14. Expert Report Relating to Mr. IENG Sary Prepared in Response to Trial Chamber Request (E238), 6 November 2012, E238/4.
15. Transcript, 8 November 2012, E1/142.1.
16. Transcript, 12 November 2012, E1/143.1, p. 7-12, 25-30, 36-37, 39-42.
17. Decision on Accused IENG Sary's Fitness to Stand Trial, 26 November 2012, E238/9.
18. Transcript, 27 June 2011, E1/4.1, p. 62.
19. Transcript, 21 November 2011, E1/13.1, p. 36.
20. Transcript, 22 November 2011, E1/14.1, p. 8.
21. IENG Sary's Appeal against the Trial Chamber's Decision Denying his Right to Waive his Presence in the Courtroom During Trial and Denying his Constitutional Right to Assist in his own Defence, 5 January 2012, E30/4/1.
22. Decision on IENG Sary's Appeal Against Trial Chamber's Order Requiring his Presence in Court, 13 January 2012, E130/4/3.
23. Decision on NUON Chea's Fitness to Stand Trial and Defense Motion for Additional Medical Expertise, 15 November 2011, E115/3, para. 18.

Inter-Office Communications – Available upon Request

24. Email from Senior Detention Liaison Officer Claude Bouchard, 7 September 2012.
25. Letter from Defence to Trial Chamber Senior Legal Officer, "Notice Concerning Upcoming Witnesses and Mr. IENG Sary's Waiver of his Right to be Present", 17 September 2012.
26. Email from Trial Chamber Greffier to Defence, "Implementation of Expert Medical Report/Re 'Reclining Chair' for IENG Sary", 10 August 2011.

International Conventions – *ECCC Legal Compendium*

27. International Covenant on Civil and Political Rights, Art. 14(3)(d).