

BEFORE THE SUPREME COURT CHAMBER**EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC-TC/SC () **Party Filing:** The Defence for IENG Sary**Filed to:** The Supreme Court Chamber**Original language:** ENGLISH**Date of document:** 28 January 2013**CLASSIFICATION****Classification of the document suggested by the filing party:** PUBLIC**Classification by OCIJ or Chamber:** សម្ងាត់/Confidential**Classification Status:****Review of Interim Classification:** សាធារណៈ/Public**Records Officer Name:****Signature:**

IENG SARY'S REPLY TO THE CO-PROSECUTORS' RESPONSE TO HIS APPEAL AGAINST THE TRIAL CHAMBER'S DECISION ON FITNESS TO STAND TRIAL**TABLE OF AUTHORITIES**

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Michael G. KARNAVAS**The Supreme Court Chamber Judges:**
Judge KONG Srim
Judge SOM Sereyvuth
Judge Agnieszka KLONOWIECKA-MILART
Judge MONG Monichariya
Judge Chandra Nihal JAYASINGHE
Judge YA Narin
Judge Florence Ndepele Mwachande MUMBA**Co-Prosecutors:**
CHEA Leang
Andrew CAYLEY**All Defence Teams****All Civil Parties**

ECCC Law – ECCC Legal Compendium

1. Agreement, Art. 12.
2. ECCC Internal Rules, Rules 21, 35, 74(3)(f), 82, 104.

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

3. Co-Prosecutors' Response to IENG Sary's Appeal Against the Trial Chamber's Decision on Fitness to Stand Trial, 18 January 2013, E238/9/2/2.
4. Co-Prosecutors' Response to IENG Sary's Appeal Against the Trial Chamber's Oral Decision Concerning Mode of Participation and Video-Recording of the Holding Cell, 3 January 2013, E238/9/1/2.
5. IENG Sary's Reply to Co-Prosecutors' Response to his Appeal against the Trial Chamber's Oral Decision to Deny his Right to be Present in the Courtroom and to Prohibit him from being Video Recorded in the Holding Cell, 9 January 2013, E238/9/1/3, para. 1.
6. Decision on IENG Thirith's Fitness to Stand Trial, 17 November 2011, E138, paras. 60-82.
7. Decision on Reassessment of Accused IENG Thirith's Fitness to Stand Trial Following Supreme Court Chamber Decision of 13 December 2011, 13 September 2012, E138/1/10, paras. 26-31.
8. Decision on IENG Sary's Appeal against the Co-Investigating Judges' Order Denying Request to Allow Audio/Video Recording of Meetings with IENG Sary at the Detention Facility, 11 June 2010, A371/2/12.
9. Case 003/07-09-2009-ECCC/OCIJ (PTC 02), Considerations of the Pre-Trial Chamber Regarding the Appeal Against Order on the Admissibility of Civil Party Applicant Robert Hamill, Opinion of Judges Lahuis and Downing, 24 October 2011, D11/2/4/4, para. 10.

10. IENG Sary's Appeal against the Trial Chamber's Decision that he is Fit to Stand Trial and its Refusal to Appoint an Additional Expert to Determine Fitness, 3 January 2013, E238/9/2/1.
11. Memorandum to the Doctor Treating IENG Sary at the Detention Centre, 18 December 2012, E238/12.
12. IENG Sary's Request for Modification of the Trial Chamber's Memorandum to his Treating Doctor at the Detention Facility, 20 December 2012, E238/12/1.
13. Trial Chamber Memorandum "IENG Sary's Request for Modification of the Trial Chamber's Memorandum to his Treating Doctor at the Detention Facility (E238/2/1)," 10 January 2013, E238/12/1/1.
14. Draft Transcript, 23 January 2013, p. 31-33.
15. IENG Sary's Appeal against the Trial Chamber's Oral Decision to Deny his Right to be Present in the Courtroom and to Prohibit him from being Video Recorded in the Holding Cell, 18 December 2012, E238/9/1.
16. Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his Defence 5 December 2012, 7 December 2012, E248.1, at 8:55a-9:10a.
17. Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his Defence 6 December 2012, 7 December 2012, E248/1.1, at 10:36a-10:39a.
18. Draft Transcript, 24 January 2013, p. 58-59.
19. Decision on IENG Sary's Application to Disqualify Judge Nil Nonn and Related Requests, 28 January 2011, para. 14.
20. Case 002/14-12-2009-ECCC/PTC (08), document number 3.
21. Decision on IENG Sary's Appeal Against Trial Chamber's Order Requiring his Presence in Court, 13 January 2012, E130/4/3, p. 1.

International Conventions – *ECCC Legal Compendium*

22. International Covenant on Civil and Political Rights, Art. 9(3), 14(3).

Articles – *ECCC Press Clippings*

23. Andrew Cayley, *IENG Sary Defence Team Need Not Apologise for Doing Its Job*, CAMBODIA DAILY, 12 July 2011

24. Kong Sotharith, *Ieng Sary Found Fit To Stand Trial at Tribunal*, VOICE OF AMERICA KHMER, 26 November 2012.