

Re: Letter from Ieng Sary Defence requesting clarification
Sheila PAYLAN

to:

Tanya Rene PETTAY

01/23/2013 04:24 PM

Cc:

a.vercken.cetc, antaguisse, CHAN.Dararasmey, Chea.Leang, CHIFFERT.Mathilde, Andrew CAYLEY, Arun Son, Dale Lysak, Keith RAYNOR, Marie CAPOTORTO, Mosseny So, Phalla Prum, Sam Onn KONG, Sheherazade BOUARFA, Socheata Seng, Susan Lamb, Tarik Abdulhak, Udom Ang, Victor Koppe, Vincent De Wilde d'Estmael, William Smith, diablenoir, FERNANDEZ.Eleonor, "Helen Sullivan", "Michael G. Karnavas", Natale.KatrinaMarie, PICH.Ang, ROSENSWEIG.Joshua, Sea.Mao, Seng.Bunkheang, SIMONNEAU-FORT.Elisabeth, SONG.Chorvoin, suzanatomanovic60, Theoun.Phan, tpettay

Hide Details

From: Sheila PAYLAN/UNAKRT Sort List...

To: Tanya Rene PETTAY/UNAKRT@UNAKRT

Cc:

[Redacted recipient list]

Dear Ms. Pettay,

Thank you for your letter. After a review of the Internal Rules and Practice Directions, the most appropriate course of action would seem to be for your team to file a new appeal. Any possible repetition may be avoided by simply referring back to your arguments in the pending appeal on overlapping issues (and for responding parties to refer back to their responses), and no confusion would conceivably be caused by filing a new appeal which wouldn't similarly be created by filing supplementary submissions.

To the extent that your team may be concerned that the Supreme Court Chamber might dispose of your pending appeal before being seized of your upcoming appeal and the arguments contained therein, I would

00883860

E254/3/1.1.1.2

advise that you file a notice of appeal or some formal indication of your intention to appeal the Trial Chamber's written decision due to novel justification (as you state in your letter) and requesting the Supreme Court Chamber to wait until that appeal is fully briefed and so that it may consider addressing both appeals in consolidated form.

I hope this assists your team in structuring its work. Please do not hesitate to contact me again should you require any further clarification.

With my very best regards,

Sheila Paylan

Legal Officer and Greffier, Supreme Court Chamber
United Nations Assistance to the Khmer Rouge Trials
Extraordinary Chambers in the Courts of Cambodia
National Road 4, Office 427-B
Phnom Penh, Cambodia
UN: 165-6320

[Redacted]

-----Tanya Rene PETTAY/UNAKRT wrote: -----

To: Sea.Mao@eccc.gov.kh, Sheila PAYLAN/UNAKRT@UNAKRT, Theoun.Phan@eccc.gov.kh

From: Tanya Rene PETTAY/UNAKRT

Date: 01/23/2013 10:00AM

Cc: [Redacted]

Subject: Letter from leng Sary Defence requesting clarification

Dear Supreme Court Chamber Greffiers,

Attached please find a letter from the leng Sary Defence requesting clarification concerning a recent Trial Chamber decision on an appeal we have filed.

Sincerely,

Tanya Pettay
Legal Consultant
leng Sary Defence Team
(See attached file: Letter from leng Sary Defence re Clarification on Decision on Audio-Video Recording - 23 January 2013.pdf)

[attachment "Letter from leng Sary Defence re Clarification on Decision on Audio-Video Recording - 23 January 2013.pdf" removed by Sheila PAYLAN/UNAKRT]