

**BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

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**CO-PROSECUTORS' RULE 92 SUBMISSION REGARDING CIVIL PARTY
TESTIMONY**

TABLE OF AUTHORITIES

Filed by:

Co-Prosecutors
CHEA Leang
Andrew CAYLEY

Distributed to:

Trial Chamber
Judge NIL Nonn, President
Judge Silvia CARTWRIGHT
Judge YA Sokhan
Judge Jean-Marc LAVERGNE
Judge YOU Ottara

Civil Party Lead Co-Lawyers
PICH Ang
Elisabeth SIMONNEAU FORT

Copied to:

Accused
NUON Chea
IENG Sary
KHIEU Samphan

Lawyers for the Defence
SON Arun
Michiel PESTMAN
Victor KOPPE
ANG Udom
Michael G. KARNAVAS
KONG Sam Onn
Anta GUISSÉ
Arthur VERCKEN
Jacques VERGÈS

ECCC LAW

Core Legal Documents

1. ECCC Internal Rules 12^{ter}(6), 23(4), 23(1)(B), 23^{quinqies}, 24(2), 91.
2. Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, with inclusion of amendments as promulgated on 27 October 2004, Article 35^{new}(e).

Jurisprudence

3. **E43/4** Decision on Admissibility of Material on the Case File as Evidence, 26 May 2009.
4. **E72/3** Decision on Civil Party Co-Lawyers' Joint Request for a Ruling on the Standing of Civil Parties Lawyers to Make Submission on Sentencing and Directions Concerning the Questioning of the Accused, Experts and Witnesses Testifying on Character, 9 October 2009.
5. **E74** Trial Chamber Response to Motions E67, E57, E56, E58, E23, E59, E20, E33, E71 and E73 Following the Trial Management Meeting of 5 April 2011, 8 April 2011.
6. **E96/7** Decision on the Co-Prosecutors' Rule 92 Submission Regarding the Admission of Witness Statements and Other Documents Before the Trial Chamber, 20 June 2012.
7. **E176** Decision on Parties Requests to Put Certain Materials Before the Chamber Pursuant to Internal Rule 87(2), 28 October 2009.
8. **E188** Judgment, 26 July 2010.
9. **E236/1** Preliminary indication of individuals to be heard during population movement trial segments in Case 002/01, 2 October 2012.

CAMBODIAN LAW

10. Criminal Procedure of The Kingdom of Cambodia (Khmer-English Translation 2007), Articles 13, 156, 312, 326, 327.

INTERNATIONAL LAW

Instruments

11. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, U.N. Doc A/RES/40/34 (29 November 1985) at Art. 6(b).
12. UN General Assembly Resolution 217A(III), *Universal Declaration of Human Rights*, adopted 10 December 1948, art. 11(1).
13. International Covenant on Civil and Political Rights, 16 December 1966, 999 U.N.T.S. 171, art. 14(3)(e).

Jurisprudence

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14. *Prosecutor v. Milan Martić*, Case No. IT-95-11-T, Trial Judgment (ICTY Trial Chamber I), 12 June 2007.
15. *Prosecutor v. Vujadin Popović et al.* Case No. IT-05-88, Decision on Admissibility of Intercepted Communications (ICTY Trial Chamber II), 7 December 2007.
16. *Prosecutor v. Mile Mrkšić et al.*, Case No. IT-95-13/1-T, Judgement (ICTY Appeals Chamber), 5 May 2009.
17. *Prosecutor v. Ramush Haradinaj*, Case No. IT-04-84bis-T Judgement (ICTY Trial Chamber II), 29 November 2012.
18. *Prosecutor v. Zoran Kupreškić et al.*, Case No. IT-95-16-A, Judgement (ICTY Appeals Chamber), 23 October 2001.

International Criminal Tribunal for Rwanda (ICTR)

19. *Prosecutor v. Pauline Nyiramashuko*, Case No. ICTR-98-42-AR73.2, Decision on Pauline Nyiramashuko's Appeal on the Admissibility of Evidence (ICTR Appeals Chamber), 4 October 2004.
20. *Prosecutor v. George Rutaganda*, Case No. ICTR-96-3-A, Judgement (ICTR Appeals Chamber), 26 May 2003
21. *Prosecutor v. Eliézer Niyitegeka*, Case No. ICTR 96-14-A, Judgement (ICTR Appeals Chamber), 9 July 2004.

REGIONAL AND FOREIGN DOMESTIC LAW

Statutes

France

22. French Code of Criminal Procedure (translated in English by LegiFrance) updated 1 January 2006, article 82-1, 335-336, 353, 427, 428 (available at: <http://www.legifrance.gouv.fr/>).

Europe

23. Directive of 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support, and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, Official Journal of the European Union L 315/57 (14 November 2012) at Article 10(1).
24. Convention for the Protection of Human Rights and Fundamental Freedoms ("European Convention on Human Rights") 213 U.N.T.S. 221, 4 November 1950, art.6(3)(d).

The Americas

25. American Convention on Human Rights, 21 November 1969, 1144 U.N.T.S. 143, art.8(2)(f).

Commentaries

26. Jean-Francois, Renucci, *Code de Procédure Pénale* (2007), p. 640. (Attachment 1)

27. Jean Pradel, *Manuel de Procédure Pénale* (2006), p. 364-365, 786. (Attachment 2)

28. Corinne Renault-Brahinskym *Procédure Pénale* (2007), p. 106-108.