



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

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

អង្គជំនុំជម្រះតុលាការកំពូល

Supreme Court Chamber
Chambre de la Cour suprême

ឯកសារដើម
ORIGINAL/ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ (Date): 22-Mar-2013, 09:38
CMS/CFO:..... Uch Arun

សំណុំរឿងលេខ: ០០២/១៩-០៩-២០០៧-អ.វ.ត.ក-អ.ជ.ស.ដ/អ.ជ.ត.ក(១៩)
Case File/Dossier N°. 002/19-09-2007-ECCC-TC/SC(19)

Before:
Judge KONG Srim, President
Judge Chandra Nihal JAYASINGHE
Judge Agnieszka KLONOWIECKA-MILART
Judge MONG Monichariya
Judge Florence Ndepele Mwachande MUMBA
Judge SOM Sereyvuth
Judge YA Narin

Date: 21 March 2013
Language(s): Khmer/English
Classification: PUBLIC

POST MORTEM DISMISSAL OF IENG SARY'S IMMEDIATE APPEALS

Co-Prosecutors
CHEA Leang
Andrew CAYLEY

Co-Lawyers for IENG Sary
ANG Udom
Michael KARNAVAS

Civil Party Lead Co-Lawyers
PICH Ang
Elisabeth SIMONNEAU-FORT

Co-Lawyers for NUON Chea
SON Arun
Victor KOPPE

Accused
IENG Sary
KHIEU Samphan
NUON Chea

Co-Lawyers for KHIEU Samphan
KONG Sam Onn
Anta GUISSÉ
Arthur VERCKEN
Jacques VERGÈS

1. **THE SUPREME COURT CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea between 17 April 1975 and 6 January 1979 (“Supreme Court Chamber”) is seized of four immediate appeals filed by IENG Sary on 18 December 2012, 3 January 2013, 8 January 2013, and 5 February 2013, respectively (“Immediate Appeals”).¹
2. On 14 March 2013, IENG Sary passed away in Phnom Penh, Cambodia.² The Trial Chamber consequently terminated the proceedings against him pursuant to Article 7(1) of the Code of Criminal Procedure of the Kingdom of Cambodia.³ In these circumstances, the Supreme Court Chamber no longer has jurisdiction to decide on the Immediate Appeals.
3. For the foregoing reasons, the Supreme Court Chamber **DISMISSES** the Immediate Appeals without deciding on the merits.

Phnom Penh, 21 March 2013

President of the Supreme Court Chamber



KONG Srim

¹ 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, E238/9/1/1, 18 December 2012; 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 Assess Fitness, E238/9/2/1, 3 January 2013; IENG Sary’s Appeal against the Trial Chamber’s Decision on Defence Requests Concerning Irregularities Alleged to Have Occurred During the Judicial Investigation (E221, E223, E224, E224/2, E234, E234/2, E241 and E241/1), E251/1/1, 8 January 2013; IENG Sary’s Appeal against the Trial Chamber’s 16 January 2013 Decision to Deny His Request to be Audio and/or Video Recorded in the Holding Cell, E254/3/1/1, 5 February 2013.

² Certificate of Death of IENG Sary, E270, 14 March 2013.

³ Termination of the Proceedings against the Accused IENG Sary, E270/1, 14 March 2013.