

Table of Contents

I.	STANDARD OF APPELLATE REVIEW	1
A.	Errors of law and fact	1
B.	General importance to the jurisprudence of the tribunal.....	4
II.	CONSTITUTIONALITY OF THE INTERNAL RULES.....	5
III.	THE JUDICIAL INVESTIGATION.....	6
A.	Political interference	6
B.	Substantive shortcomings of the investigation.....	10
C.	Relevant filings before the Trial Chamber	15
IV.	INDEPENDENCE AND IMPARTIALITY OF THE TRIAL CHAMBER.....	15
A.	Grounds 3 & 4: The Trial Chamber is deeply <u>biased</u> against the Accused and incapable of impartially assessing the evidence	16
B.	Ground 5 & 6: The Trial Chamber <u>failed</u> to respect Nuon Chea’s right to trial by an independent tribunal and erred in law by failing to summons Heng Samrin.....	20
C.	Ground 8: The Trial Chamber <u>erred in law</u> by excluding testimony concerning events after 1979.....	30
V.	RIGHT TO PRESENT A DEFENCE.....	31
A.	General principles.....	31
B.	Ground 7: The Trial Chamber <u>erred in law</u> by failing to summons other key Defence witnesses	32
C.	Grounds 13 & 14: The Trial Chamber <u>erred in law</u> by unduly restricting the admission and use of documents at trial	35
D.	Grounds 18: The Trial Chamber <u>erred in law</u> by imposing rigid and inadequate limits on the Defence’s opportunity to question witnesses, experts and civil parties	40
E.	Grounds 19: The Trial Chamber <u>erred in law</u> by imposing rigid and inadequate limits on the length of closing briefs.....	41
F.	Grounds 20 & 21: The Trial Chamber <u>erred in law</u> in failing to provide reasoned decisions and respond to defence submissions.....	42
VI.	ERRORS CONCERNING THE PROBATIVE VALUE OF THE EVIDENCE.....	43
A.	General principles.....	44
B.	Grounds 9-10: The Trial Chamber <u>erred in law</u> in limiting opportunities for investigations at the trial stage	51
C.	Grounds 15-16: The Trial Chamber <u>erred in law</u> in permitting witnesses to review prior statements before testifying and answer leading questions based on those statements.....	53
D.	Grounds 11-12: The Trial Chamber <u>erred in law</u> in unduly restricting the scope of cross-examination	57
E.	Ground 32: The Trial Chamber <u>erred in law and fact</u> in its assessment of the probative value of out of court statements in the Judgment.....	59
F.	Ground 32: The Trial Chamber <u>erred in law and fact</u> in its assessment of hearsay evidence in the Judgment.....	65
G.	Ground 33: The Trial Chamber <u>erred in law and fact</u> in its assessment of the probative value of fact witnesses in the Judgment.....	68