



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

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): 02-Jun-2015, 15:40 |
| CMS/CFO: Sann Rada |

សំណុំរឿងលេខ: ០០២/១៩-កញ្ញា-២០០៧-អ.វ.ត.ក/អ.ជ.ត.ក

Case File/Dossier N°. 002/19-09-2007-ECCC/SC

Before:

Judge KONG Srim, President

Judge Chandra Nihal JAYASINGHE

Judge SOM Sereyvuth

Judge Agnieszka KLONOWIECKA-MILART

Judge MONG Monichariya

Judge Florence Ndepele MWACHANDE-MUMBA

Judge YA Narin

Date:

2 June 2015

Language(s):

Khmer/English

Classification:

PUBLIC

ORDER SCHEDULING A HEARING

Co-Prosecutors

CHEA Leang

Nicholas KOUMJIAN

Co-Lawyers for NUON Chea

SON Arun

Victor KOPPE

Accused

KHIEU Samphân

NUON Chea

Co-Lawyers for KHIEU Samphân

KONG Sam Onn

Anta GUISSÉ

Arthur VERCKEN

Civil Party Lead Co-Lawyers

PICH Ang

Marie GUIRAUD

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” and “ECCC”, respectively):

NOTING the judgment of the Trial Chamber in Case 002/01 against NUON Chea and KHIEU Samphân (“Trial Judgment”) issued on 7 August 2014;¹

BEING SEIZED of appeals against the Trial Judgment lodged by the Co-Prosecutors, NUON Chea, and KHIEU Samphân (collectively “Appellants”);²

RECALLING that the Greffiers of the Supreme Court Chamber notified the Appellants on 19 May 2015 that the Chamber will hold a hearing “of up to four days to hear up to three witnesses [...] in the period between 1 and 10 July (inclusive)”, and that “[t]he scheduling order [...] shall follow in due course”;³

RECALLING that the Supreme Court Chamber decided to summon witnesses SCW-3, SCW-4 and SCW-5 to give testimony before it;⁴

EMPHASISING, that the purpose of the hearing that is ordered below is primarily to examine the above-mentioned witnesses, and that, therefore, the parties are not requested to make oral submissions concerning the issues raised on appeal, which will be heard during a subsequent hearing, to be scheduled in due course;

NOTING that, although the Civil Parties are not Appellants, “their standing as a party to the proceedings implies the entitlement of all rights generically conferred upon a ‘party’ by

¹ Case 002/01 Judgement, E313, 7 August 2014.

² Co-Prosecutors’ Appeal Against the Judgment of the Trial Chamber in Case 002/01, F11, 28 November 2014; NUON Chea’s Appeal Against the Judgment in Case 002/01, F16, 29 December 2014 (“NUON Chea Appeal Brief”); *[Corrigé 1] Mémoire d’appel de la Défense de M. KHIEU Samphân contre le jugement rendu dans le procès 002/01*, F17, 29 December 2014 (corrected version filed on 31 December 2014). See also Co-Prosecutors’ Notice of Appeal of a Decision in Case 002/01, E313/3/1, 29 September 2014; Notice of Appeal Against the Judgment in Case 002/01, E313/1/1, 29 September 2014; *Déclaration d’appel de la Défense de M. KHIEU Samphân contre le jugement rendu dans le procès 002/01*, E313/2/1, 29 September 2014.

³ Electronic mail sent from Legal Officer and Greffier of the Supreme Court Chamber, entitled “Supreme Court Chamber hearing – Courtesy e-mail”, on 19 May 2015 at 11:40AM.

⁴ Decision on Part of NUON Chea’s Requests to Call Witnesses on Appeal, F2/5, 29 May 2015, para. 26.

governing principles and rules”,⁵ provided that this does not undermine the principle of equality of arms and the effective management of the proceedings;⁶

HEREBY:

ORDERS that a hearing in Case File No. 002/19-09-2007-ECCC/SC to examine witnesses SCW-3, SCW-4, and SCW-5 be held, scheduled for Thursday, 2 July 2015 at 09:00 a.m. in the main courtroom of the ECCC, and scheduled to continue on Friday, 3 July 2015, Monday, 6 July 2015, and Tuesday, 7 July 2015, as needed;

ATTACHES the tentative timetable for the hearing as Annex to this Order;⁷

INVITES the parties to file their observations, if any, on the timetable by Friday, 5 June 2015.

Phnom Penh, 2 June 2015

President of the Supreme Court Chamber



⁵ Decision on Civil Party Lead Co-Lawyers' Requests Relating to the Appeals in Case 002/01, F10/2, 26 December 2014 ("Decision on Civil Parties Response"), para. 15.

⁶ Decision on Civil Parties Response, para. 17.

⁷ Annex – Timetable for the Hearing, F24.1, 2 June 2015.