

**BEFORE THE CO-INVESTIGATING JUDGES
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

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INTERNATIONAL CO-PROSECUTOR'S REQUEST TO RESCHEDULE SUBMISSIONS

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Suspect
MEAS Muth

Co-Lawyers-Designate for Suspect
ANG Udom
Michael KARNAVAS

REQUEST

1. On 4 March 2013, Mr. Ang Udom and Mr. Michael Karnavas (“Co-Lawyers-Designate”) filed their response (“Response”)¹ to the International Co-Prosecutor’s request (“Request”)² to reject their appointment to represent Suspect Meas Muth in Case 003 on grounds of irreconcilable conflicts of interest and irreversible prejudice to the administration of justice. In the Decision and Scheduling Order of 11 February 2013, the International Co-Investigating Judge invited the Co-Lawyers Designate to disclose waivers obtained from the Suspect and Accused Ieng Sary within three working days; to make submissions within 10 working days; and invited the Co-Prosecutors to reply within five working days.³
2. In the Re-Scheduling Order of 28 February 2013, the International Co-Investigating Judge noted the “lack of compliance”⁴ of the Co-Lawyers-Designate with the terms of the Decision and Scheduling Order, and extended their filing deadlines to 4 March 2013. Although the Response was duly filed on 4 March 2013, it was notified to the Co-Prosecutors on 11 March 2013. According to the terms of the Decision and Scheduling any Reply would fall due on 18 March 2013.
3. Ieng Sary, who was represented in Case 002 by the Co-Lawyers-Designate, died on 14 March 2013. This constitutes a change in circumstances that may be relevant to the Co-Investigating Judges’ assessment of the risk that dual representation of Ieng Sary and Suspect Meas Mut could cause conflicts of interest or otherwise irreversibly prejudice the administration of justice. For these reasons, the International Co-Prosecutor respectfully requests the Co-Investigating Judges to issue a new schedule to allow: (i) a reasonable period for the Co-Prosecutors to submit a revised request; (ii) a response from the Co-Lawyers-Designate; and (iii) a reply from the Co-Prosecutors.

Respectfully submitted,

Date	Name	Place	Signature
15 March 2013	William SMITH Deputy Co-Prosecutor	Phnom Penh	

¹ **D56/4/1** Leave to extend page limitation and submissions of the Co-Lawyers on potential conflict of interest in representation of Mr Meas Muth in Case 003, 4 March 2013.

² **D56/1** International Co-Prosecutor’s request that appointment of Co-Lawyers-Designate de rejected on the basis of irreconcilable conflicts of interest, 24 December 2012.

³ **D56/3** Decision and scheduling order concerning request for appointment of Co-Lawyers-Designate, 11 February 2013.

⁴ **D56/4** Re-scheduling order concerning request for appointment of Co-Lawyers-Designate, 28 February 2013.