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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

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

Case File/Dossier Nº. 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:	**1 July 2015**
Language(s):	**Khmer/English**
Classification:	**PUBLIC**

DECISION ON CIVIL PARTY LEAD CO-LAWYERS' REQUEST PURSUANT TO INTERNAL RULE 39(4)(B)

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	

ផ្លូវជាតិលេខ ៤ សង្កាត់ ចោមចៅ ខ័ណ្ឌ ដង្កោ ក្រុងភ្នំពេញ កម្ពុជា ប្រអប់សំបុត្រ ៧១ ទូរស័ព្ទ: (៨៥៥) -២៣-២១៩-៨១៤ ទូរសារ: (៨៥៥) -២៣-២១៩-៨៤១ គេហទំព័រ: www.eccc.gov.kh
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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);

RECALLING that the Supreme Court Chamber has scheduled a hearing for 2, 3, 6 and 7 July 2015, as necessary, to hear the testimonies of SCW-3, SCW-4 and SCW-5;[1]

RECALLING that the parties were required to file, no later than Wednesday, 24 June 2015, a list of the documents the parties intend to use during the witnesses' questioning, and to file any objections to any of those documents no later than Friday, 26 June 2015;[2]

NOTING that, on 29 June 2015, the Civil Party Lead Co-Lawyers filed their objections to the aforementioned list of documents ("Civil Parties' Objections"),[3] which the Greffiers of the Supreme Court Chamber rejected because they were filed in English only, thereby violating Article 7.1 of the Practice Direction on Filing of Documents before the ECCC;

NOTING the "Civil Party Lead Co-Lawyers' Request Pursuant to Internal Rule 39(4)(b)" filed on 30 June 2015 ("Request"),[4] in which Civil Party Lead Co-Lawyers request the Supreme Court Chamber to condone the aforementioned violation and permit them to file the Civil Parties' Objections, in English and Khmer, by 1 July 2015;

NOTING that the Request submits that "[c]ompeting urgent obligations relating to the ongoing trial in Case 002/02 and the imminent hearings in Case 002/01 caused an oversight which led to the filing of the [Civil Parties' Objections] in one language on 29 June 2015";[5] and that granting them leave to file the Civil Parties' Objections in two languages by 1 July would not cause any prejudice to the other parties and would be in the interests of justice;[6]

CONSIDERING that the Civil Party Lead Co-Lawyers have not advanced convincing reasons as to why the Supreme Court Chamber should retroactively extend the time limit for

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[1] Order Scheduling a Hearing, 2 June 2015, F24 (corrected version filed on 3 June 2015).
[2] Directions on the Conduct of the Hearing, 17 June 2015, F26, pp. 4-5 (third operative paragraph).
[3] Civil Party Lead Co-Lawyers' Objections to the Parties' List of Documents to be Used for the Examination of SCW-3, SCW-4 and SCW-5.
[4] F26/10.
[5] Request, para. 2.
[6] Request, para. 3.

the filing of the Civil Parties' Objections pursuant to Internal Rule 39(4)(a) or condone the violation of the regulation concerning linguistic requirements of filings;

CONSIDERING that, to the contrary, under the circumstances of the case, where the Supreme Court Chamber needs to issue a decision on the objections raised by the parties in advance of the hearing of the three witnesses scheduled to begin the morning of 2 July 2015, granting the Civil Parties' Request is likely to cause unwarranted delay;

<div align="center">HEREBY:</div>

DENIES the Request.

<div align="right">

Phnom Penh, 1 July 2015
President of the Supreme Court Chamber

KONG Srim

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