

**SBEFORE THE SUPREME COURT CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

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**NUON CHEA'S REQUEST FOR RECONSIDERATION OF THE SUPREME COURT
CHAMBER'S DECISION NOT TO SUMMONS HENG SAMRIN AND ROBERT
LEMKIN AND TO ADMIT EVIDENCE PRODUCED BY ROBERT LEMKIN
ON APPEAL**

TABLE OF AUTHORITIES

Filed By

Nuon Chea Defence Team:
SON Arun
Victor KOPPE
LIV Sovanna
PRUM Phalla
Doreen CHEN
Xiaoyang NIE
Marina HAKKOU
Léa KULINOWSKI

Distribution

Co-Lawyers for Khieu Samphân:
KONG Sam Onn
Anta GUISSÉ

Co-Prosecutors:

CHEA Leang
Nicholas KOUMJIAN

Co-Lawyers for the Civil Parties:

PICH Ang
Marie GUIRAUD

I. CAMBODIAN AND ECCC LAW

1. ECCC Internal Rules (Rev. 9), revised on 16 Jan 2015
2. The Constitution of the Kingdom of Cambodia, 21 September 1993

II. ECCC DECISIONS AND ORDERS**A. Case 001****(i) Trial Chamber**

3. **E188**, ‘Judgement’, 26 Jul 2010

(ii) Pre-Trial Chamber

4. **D99/3/41**, ‘Decision on IENG Sary’s Motion for Reconsideration of Ruling on the Filing of a Motion in the Duch Case File’, 3 Dec 2008

B. Case 002**(i) Supreme Court Chamber**

5. **F2/4/3**, ‘Interim Decision on Part of NUON Chea’s First Request to Obtain and Consider Additional Evidence in Appeal Proceedings of Case 002/01’, 1 Apr 2015
6. **F2/4/3/3**, ‘Decision Requesting Submissions on the Additional Investigation’, 15 Jun 2015
7. **F2/4/3/3/6**, ‘Decision Requesting Submissions’, 2 Oct 2015
8. **F2/5**, ‘Decision on Part of Nuon Chea’s Requests to Call Witnesses on Appeal’, 29 May 2015
9. **F2/9**, ‘Decision on Pending Requests for Additional Evidence on Appeal and Related Matters – Disposition’, 21 Oct 2015
10. **F30/14**, ‘Decision Requesting Submissions From Mr Victor KOPPE Regarding His Failure to Attend the Appeal Hearing’, 19 Nov 2015
11. **F30/17**, ‘Order Scheduling the Resumption of the Appeal Hearing’, 23 Dec 2015

12. **F30/18**, ‘Decision on the Conduct of the Co-Lawyers for NUON Chea During the Appeal Hearing of 17 November 2015’, 27 Jan 2016

(ii) Trial Chamber

13. **E238/11/1**, ‘Decision on IENG Sary’s Request for Reconsideration of the Trial Chamber Decision on the Accused’s Fitness to Stand Trial and Supplemental Request’, 19 Dec 2012
14. **E312**, ‘Final Decision on Witnesses, Experts and Civil Parties to Be Heard in Case 002/01’, 7 Aug 2014
15. **E313**, ‘Case 002/01 Judgement’, 7 Aug 2014
16. **E370/3**, ‘Decision on Nuon Chea Request to Expedite Two Previously Proposed Witnesses and Summons Four Additional Witnesses During the Case 002/02 Trial Topic on Treatment of the Cham – with Written Reasons to Follow’, 18 Dec 2015

(iii) Pre-Trial Chamber

17. **E314/2/7**, ‘Decision on NUON Chea’s and IENG Sary’s Appeal Against OCIJ Order on Requests to Summons Witnesses’, 8 Jun 2010
18. **D314/1/12**, ‘Second Decision on Nuon Chea’s and Ieng Sary’s Appeal against OCIJ Order on Requests to Summons Witnesses’, 9 Sep 2010
19. **D164/4/9**, ‘Decision on Request to Reconsider the Decision for an Oral Hearing on the Appeals PTC 24 and PTC 25’, 20 Oct 2009
20. **C22/I/68**, ‘Decision on Application for Reconsideration of Civil Party’s Right to Address Pre-Trial Chamber in Person’, 28 Aug 2008

(iv) Co-Investigating Judges

21. **A110/I**, ‘Memorandum from the Office of the Co-Investigating Judges entitled ‘Response to your letter dated 20 Dec 2007 concerning the conduct of the judicial investigation’’, 10 Jan 2008

III. TRANSCRIPTS

A. Supreme Court Chamber

- 22. T. 6 Jul 2015 (Toat Thoeun, **F1/3.1**)
- 23. T. 17 Nov 2015 (Appeal Hearings, **F1/4.1**)

B. Trial Chamber

- 24. T. 30 Jul 2014 (Case 002/02 Initial Hearing, **E1/240.1**)

IV. ECCC PARTY FILINGS

A. Supreme Court Chamber

- 25. **F2**, ‘Request to Obtain and Consider Additional Evidence in Connection with the Appeal Against the Trial Judgment in Case 002/01’, 1 Sep 2014
- 26. **F2/1**, ‘Request to Obtain and Consider Additional Evidence in Connection with the Appeal Against the Trial Judgment in Case 002/01’, 2 Sep 2014
- 27. **F2/4**, ‘Third Request to Consider and Obtain Additional Evidence in Connection with the Appeal Against the Trial Judgment in Case 002/01’, 25 Nov 2014
- 28. **F2/4/3/3/1**, ‘Nuon Chea’s Response to Questions on the Supreme Court Chamber’s Additional Investigation into Footage in the Possession of Filmmakers Rob Lemkin and Thet Sambath’, 13 Jul 2015
- 29. **F2/4/3/3/4**, ‘Nuon Chea’s Reply to the Co-Prosecutors’ Response to Nuon Chea’s Questions on the Supreme Court Chamber’s Additional Investigation into Footage in the Possession of Filmmakers Rob Lemkin and Thet Sambath’, 29 Jul 2015
- 30. **F2/4/3/3/6/1**, ‘Nuon Chea’s Submissions on Robert Lemkin’s Transcripts and the Significance of the “Rift” Within the CPK’, 8 Oct 2015
- 31. **F2/6**, ‘Nuon Chea’s Fourth Request to Obtain and Consider Additional Evidence in Connection with the Appeal Against the Trial Judgement in Case 002/01’, 15 Jun 2015
- 32. **F2/6/2**, ‘Co-Prosecutors’ Response to Nuon Chea’s Fourth Request to Consider and Obtain Additional Evidence in Connection with the Appeal Against the Trial Judgment in Case 002/01’, 30 Jun 2015

33. **F2/7**, ‘Nuon Chea’s Fifth Request to Consider and Obtain Additional Evidence in Connection with the Appeal Against the Trial Judgment in Case 002/01’, 25 Jun 2015
 34. **F2/7/1**, ‘Co-Prosecutors’ Response to Nuon Chea’s Fifth Request to Consider and Obtain Additional Evidence in Connection with the Appeal Against the Trial Judgment in Case 002/01’, 13 Jul 2015
 35. **F2/8**, ‘Nuon Chea’s Sixth Request to Consider and Obtain Additional Evidence in Connection with the Appeal Against the Trial Judgment in Case 002/01’, 11 Sep 2015
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 38. **F16**, ‘Nuon Chea’s Appeal Against the Case 002/01 Judgment’, 29 Dec 2014
 39. **F17/1**, ‘Co-Prosecutors’ Response to Case 002/01 Appeals’, 24 Apr 2015
 40. **F28**, ‘Request for Investigative Action Into Events Described During the Testimony of Sâm Sithy’, 7 Sep 2015
 41. **F30/13**, ‘Response of Mr Son Arun to the Oral Decision by the Supreme Court Chamber Regarding the Events of 17 November 2015’, 18 Nov 2015
 42. **F30/14/1**, ‘Victor Koppe’s Response to the Supreme Court Chamber’s Request for Explanations for his Absence from the Appeal Hearing’, 23 Nov 2015
- B. Trial Chamber**
43. **E9/14/1/1/1**, ‘Co-Prosecutors’ Further Objections and Observation to the Witnesses and Experts Proposed by the Other Parties’, 11 Mar 2011
 44. **E9/14/1/1/1.1**, ‘Additional Annex: Contested Witness List’
 45. **E51/3**, ‘Consolidated Preliminary Objections’, 25 Feb 2011

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50. **E305/10**, ‘National Co-Prosecutor’s Objections to the Witnesses and Experts Proposed by the Other Parties’, 30 May 2014
51. **E314/6**, ‘Nuon Chea Application for Disqualification of Judges Nil Nonn, Ya Sokhan, Jean-Marc Lavergne, and You Ottara’, 29 Sep 2014
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57. *Nchamihigo v. Prosecutor*, ‘Judgement’, Case No. ICTR-2001-63-A, 18 Mar 2010
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VI. MISCELLANEOUS ECCC DOCUMENTS

62. **B37/5**, ‘Report on IENG Thirith’s Unusual and Unethical Behaviour Within the Detention Facility’, 27 Jul 2009
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66. **F30/15/1**, ‘First Update on the Supreme Court Chamber’s Instruction to Appoint Standby Counsel for Mr. NUON Chea’, 24 Nov 2015
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IX. ATTACHMENTS

79. E-mail from International Co-Lawyer for Nuon Chea to Supreme Court Chamber Senior Legal Officer, 28 Oct 2015 – Attached as *Attachment 1*
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