

**BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

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**NUON CHEA'S REPLY TO CO-PROSECUTORS' RESPONSE TO NUON CHEA'S
REQUEST TO RECALL PRAK KHAN**

TABLE OF AUTHORITIES

Filed By

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

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. APPLICABLE LAW

1. ECCC Internal Rules (Rev. 9), revised on 16 January 2015.

II. ECCC DECISIONS AND ORDERS

2. **Case 001, E72/3**, ‘Decision on Civil Party Co-Lawyers’ Joint Request for a Ruling on the Standing of Civil Party Lawyers to Make Submissions on Sentencing and Directions concerning the Questioning of the Accused, Experts and Witnesses Testifying on Character’, Case No. 001/18-07-2007/ECCC/TC, 9 Oct 2009.
3. **D427**, ‘Closing Order’, 15 Sep 2010.
4. **F28/4**, ‘Decision on Nuon Chea’s Request for Investigative Actions Aimed at Assessing the Credibility of Witness Sam Sithy’, 29 Oct 2015.

III. ECCC TRANSCRIPTS

5. T. 9 Jun 2016 (Kaing Guek Eav *alias* Duch, **Draft Transcript**).
6. T. 13 Jun 2016 (Kaing Guek Eav *alias* Duch, **Draft Transcript**).

IV. ECCC DOCUMENTS

7. **E409**, ‘Nuon Chea’s Request to Recall Witness Prak Khan’, 27 May 2016.
8. **E409/1**, ‘Co-Prosecutors’ Response to Nuon Chea’s Request to Recall Witness Prak Khan’, 6 Jun 2016.
9. **E395/2**, ‘Nuon Chea’s Submissions on the Relevance of Evidence of Treasonous Rebellion to His Individual Criminal Responsibility in Case 002/02’, 10 Jun 2016.

V. INTERNATIONAL INSTRUMENTS

10. ICTR Rules of Procedure and Evidence, 10 April 2013.
11. ICTY Rules of Procedure and Evidence, IT/32/Rev. 49, 22 May 2013.

VI. INTERNATIONAL JURISPRUDENCE

12. *Prosecutor v. Milošević*, ‘Decision on Prosecution’s Request to Have Written Statements Admitted under Rule 92 bis’, Case No. IT-02-54-T, 21 Mar 2002.
13. *Prosecutor v. Šešelj*, ‘Decision on Prosecution’s Motion to Add One Exhibit to its Rule 65 ter List and for Admission of Evidence of Witness Matija Bošković pursuant to Rule 92 quarter’, Case No. IT-03-67-T, 9 Mar 2009.
14. *Prosecutor v. Nzabonimana*, ‘Decision on Defence Motion for the Admission of A Written Statement and Accompanying Documents’, Case No. ICTR-98-44D-T, 19 Oct 2011.

VII. ATTACHMENTS

15. Email from Assistant Co-Prosecutor to Trial Chamber Senior Legal Officer, 1 Jun 2016 - Attached as *Attachment 1*.
16. Email from Trial Chamber Senior Legal Officer to the Parties, 2 Jun 2016 - Attached as *Attachment 2*.
17. Email from Defence Legal Consultant to Trial Chamber Senior Legal Officer, 8 Jun 2016 - Attached as *Attachment 3*.
18. Email from Trial Chamber Senior Legal Officer to the Parties, 8 Jun 2016 - Attached as *Attachment 4*.
19. *Case of Al-Khawaja and Tahery v. The United Kingdom*, ECtHR, App. Nos. 26766/05 and 22228/06, 15 Dec 2011 - Attached as *Attachment 5*.
20. *Case of Cudak v. Lithuania*, ECtHR, App. No. 15869/02, 23 Mar 2010 - Attached as *Attachment 6*.