

**BEFORE THE TRIAL CHAMBER****EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC/TC**Party Filing:** Co-Lawyers for IENG Sary and MEAS Muth**Filed to:** The Trial Chamber**Original language:** ENGLISH**Date of document:** 22 June 2016**CLASSIFICATION****Classification of the document suggested by the filing party:** CONFIDENTIAL**Classification by OCIJ or Chamber:** សាធារណៈ/Public**Classification Status:****Review of Interim Classification:****Records Officer Name:****Signature:**


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**URGENT REQUEST FROM CO-LAWYERS FOR MR. IENG SARY AND MR. MEAS MUTH FOR LEAVE TO FILE SUBMISSIONS ON THE TESTIMONY OF EXPERT WITNESS MICHAEL VICKERY**

**TABLE OF AUTHORITIES****Filed by:**

**Co-Lawyers for Mr. IENG Sary and Mr. MEAS Muth:**  
ANG Udom  
Michael G. KARNAVAS

**Distributed to:**

**Trial Chamber Judges:**  
Judge NIL Nonn  
Judge Jean-Marc LAVERGNE  
Judge YA Sokhan  
Judge Claudia FENZ  
Judge YOU Ottara

**Co-Prosecutors:**

CHEA Leang  
Nicholas KOUMJIAN

**All Case 002 Defence Teams****Lead Co-Lawyers for Civil Parties**

**Cambodian Laws, Rules and Jurisprudence – *ECCC Legal Compendium***

1. Code of Ethics for Lawyers Licensed with the Bar Association of the Kingdom of Cambodia, Art. 7.
2. Law on the Bar, Art. 78.
3. Cambodian Criminal Code, Art. 314.

**ECCC Law, Rules, and Practice Directions – *ECCC Legal Compendium***

4. Agreement, Art. 12-13.
5. Establishment Law, Arts. 23 new, 33 new.
6. ECCC Internal Rules, Rules 21, 22(3)-(4), 56(1).

**ECCC Filings and Jurisprudence – *Already on the Case File***

*Case 002*

7. Transcript of Initial Hearing, 27 June 2011, E1/4.1.
8. Severance Order Pursuant to Internal Rule 89<sup>ter</sup>, 22 September 2011, E124.
9. Termination of the Proceedings Against the Accused IENG Sary, 14 March 2013, E270/1.
10. Decisions on Requests to Intervene or Submit *Amici Curiae* Briefs in Case 002/01 Appeal Proceedings, 8 April 2015, F20/1, paras. 11-12.
11. Co-Prosecutors' Response to NUON Chea's Request for Investigative Action in Relation to Alexander Hinton (2-TCE-88), 19 May 2016, E405/1.

*Case 003*

12. *Case of MEAS Muth*, 003/07-09-2009-ECCC-OCIJ, Co-Prosecutors' Second Introductory Submission Regarding the Revolutionary Army of Kampuchea, 20 November 2008, D1.

13. *Case of MEAS Muth*, 003/07-09-2009-ECCC-OCIJ, International Co-Prosecutor's Supplementary Submissions on Conflict of Interest, 3 April 2013, D56/7, paras. 7-18.
14. *Case of MEAS Muth*, 003/07-09-2009-ECCC-OCIJ, Determination of Your Claim of Indigence and Decision on Your Request for Remuneration of Counsel under the ECCC's Legal Assistance Scheme, 30 April 2013, D56/11, para. 4.
15. *Case of MEAS Muth*, 003/07-09-2009-ECCC-OCIJ, Decision on the International Co-Prosecutor's Request to Reject the Appointment of the Co-Lawyers for MEAS Muth on the Basis of Irreconcilable Conflicts of Interest, 10 January 2014, D56/18, para. 142.
16. *Case of MEAS Muth*, 003/07-09-2009-ECCC-OCIJ (PTC11), Public (Redacted Version), Decision on MEAS Muth's Appeal Against the International Co-Investigating Judge's Decision Rejecting the Appointment of ANG Udom and Michael KARNAVAS as his Co-Lawyers, 17 July 2014, D56/19/38.

#### **ECCC Internal Regulations and Press Releases**

17. DSS Administrative Regulations, Regulations 10.5, 17.1, 18.9.
18. ECCC Press Release, 12 November 2007, *available at* [http://www.eccc.gov.kh/sites/default/files/media/Ieng\\_sary\\_and\\_Ieng\\_Thirith\\_select\\_lawyers.pdf](http://www.eccc.gov.kh/sites/default/files/media/Ieng_sary_and_Ieng_Thirith_select_lawyers.pdf).
19. ECCC Press Release, 17 December 2007, *available at* [http://www.eccc.gov.kh/sites/default/files/media/IS-14-DSSPress\\_Release\\_Karnavas\\_Assignment\\_ENG.pdf](http://www.eccc.gov.kh/sites/default/files/media/IS-14-DSSPress_Release_Karnavas_Assignment_ENG.pdf).

#### **International Jurisprudence and Codes**

##### **ICC**

20. Code of Professional Conduct for Counsel (2011), Arts. 7(4), 8(1), 32(2) – *publicly available online at* [https://www.icc-cpi.int/NR/rdonlyres/BD397ECF-8CA8-44EF-92C6-AB4BEBD55BE2/140121/ICCASP432Res1\\_English.pdf](https://www.icc-cpi.int/NR/rdonlyres/BD397ECF-8CA8-44EF-92C6-AB4BEBD55BE2/140121/ICCASP432Res1_English.pdf).

##### **ICTY**

21. *Prosecutor v. Krajišnik*, IT-00-39-A, Decision on Krajišnik Request and on Prosecution Motion, 11 September 2007, paras. 33-34 – *publicly available online at* <http://www.icty.org/x/cases/krajisnik/acdec/en/070911.pdf>.
22. Code of Professional Conduct Appearing Before the International Tribunal (IT/125 Rev.3), Art. 13(A), 34(A) – *publicly available online at* [http://www.icty.org/x/file/Legal%20Library/Defence/defence\\_code\\_of\\_conduct\\_july2009\\_en.pdf](http://www.icty.org/x/file/Legal%20Library/Defence/defence_code_of_conduct_july2009_en.pdf).

### **ICTR**

23. International Criminal Tribunal for Rwanda's Code of Professional Conduct for Defense Counsel (14 March 2008), Art. 8(1), (3) – *publicly available online at* <http://www.ictrcaselaw.org/docs/20080314-defense%20code%20conduct%20ENFR.pdf>.

### **French Jurisprudence and Codes**

24. Reglement Interieur national (RIN) de la Profession d'Avocat, Art. 2.1 – *publicly available online at* [http://cnb.avocat.fr/Reglement-Interieur-National-de-la-profession-d-avocat-RIN\\_a281.html#2](http://cnb.avocat.fr/Reglement-Interieur-National-de-la-profession-d-avocat-RIN_a281.html#2).
25. French Criminal Code, art. 226-13 – *publicly available online at* <https://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006070719&dateTexte=20160531>.

### **American Jurisprudence and Codes**

26. Alaska Rules of Professional Conduct (2015-2016 ed.), Rules 1.6(a), 1.9(c), and Commentary – *publicly available online at* <http://www.courtrecords.alaska.gov/webdocs/rules/docs/prof.pdf>.