

BEFORE THE TRIAL CHAMBER

EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

FILING DETAILS

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IENG SARY'S EXPEDITED REQUEST FOR EXTENSION OF TIME TO FILE HIS DOCUMENT AND EXHIBIT LIST FOR THE FIRST FOUR TRIAL TOPICS

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All Civil Parties

Mr. IENG Sary, through his Co-Lawyers (“the Defence”), hereby requests an extension of time to file his document and exhibit list for the first four trial topics. At the Initial Hearing, the Trial Chamber ordered this list to be provided by 22 July 2011.¹ This Request is made necessary because the Defence has four responses which also have a deadline of 22 July 2011.² These responses are vitally important, because they address requests by the OCP to alter the applicable law and procedure at the ECCC. The Defence has requested an extension of time to file three of these four responses, but has not yet received a decision from the Trial Chamber.³ The Defence estimates that it must review approximately 2,500 – 3,000 more pages of material before it will be able to complete its document and exhibit list. The Defence therefore respectfully requests an extension of time to file its document and exhibit list until 8 August 2011. The Defence submits that this requested extension will not delay the proceedings as the OCP’s four requests must be determined prior to the start of the proceedings.

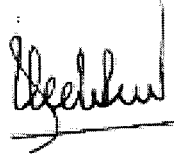
WHEREFORE, for all the reasons stated herein, the Defence respectfully requests the Trial Chamber to EXTEND the deadline for the Defence to file its document and exhibit list for the first four trial topics until 8 August 2011.

¹ Transcript of Initial Hearing, 27 June 2011, E1/4.1, p. 25. “The Chamber requests the parties to indicate which documents and exhibits from their earlier document and exhibits list are considered to be relevant to these early trial segments no later than Friday, 22nd July, 2011.” See also email from Trial Chamber Senior Legal Officer to all Parties, Trial Chamber’s proposed modification of deadlines in relation to three recent Prosecution findings; advance notice of deadline for supplementary document/exhibit lists (for first phases of trial), 20 June 2011. The Senior Legal Officer stated, “The Chamber gives advance notice to the parties that it will at the Initial Hearing require all parties to indicate, no later than Friday 22 July 2011, which documents and exhibits (from their earlier document and exhibit lists) are considered by them to be relevant to these first trial segments. These early indications are essential so as to allow the Interpretation and Translation Pool to ascertain the translation status of documents considered key by the parties, and for the Chamber to identify pending difficulties as soon as possible.”

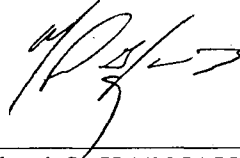
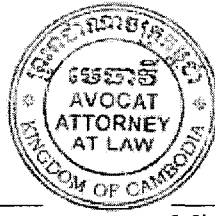
² The OCP has filed four important motions which each require a response: 1. Co-Prosecutors’ Request for the Trial Chamber to Exclude the Armed Conflict Nexus Requirement from the Definition of Crimes Against Humanity, 15 June 2011, E95; 2. Co-Prosecutors’ Rule 92 Submission Regarding the Admission of Written Witness Statements before the Trial Chamber, 15 June 2011, E96; 3. Co-Prosecutors’ Request for the Trial Chamber to Recharacterize the Facts Establishing the Conduct of Rape as the Crime against Humanity of Rape Rather than the Crime against Humanity of Other Inhumane Acts, 16 June 2011, E99; and 4. Co-Prosecutors’ Request for the Trial Chamber to Consider JCE III as an Alternative Mode of Liability, 17 June 2011, E100. The Trial Chamber has set a deadline of 22 July 2011 for responses to each of these motions. Decision on Extension of Time, 7 July 2011, E107.

³ See IENG Sary’s Request for an Expedited Decision as to whether the OCP may Raise Requests for Re-Characterization at this Stage in the Proceedings & Request for an Extension of Time to Respond to Such Requests, Should Responses be Necessary, 24 June 2011, E103.

Respectfully submitted,



ANG Udom



Michael G. KARNAVAS

Co-Lawyers for Mr. IENG Sary

Signed in Phnom Penh, Kingdom of Cambodia on this 15th day of July, 2011

