

BEFORE THE TRIAL CHAMBER**EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC/TC**Party Filing:** The Defence for IENG Sary**Filed to:** The Trial Chamber**Original language:** ENGLISH**Date of document:** 5 January 2012**CLASSIFICATION****Classification of the document
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**IENG SARY'S OBJECTIONS TO THE ADMISSION OF CERTAIN OCP
DOCUMENTS FOR THE FIRST FOUR TRIAL SEGMENTS**

Filed by:**The Co-Lawyers:**

ANG Udom

Michael G. KARNAVAS

Distribution to:**The Trial Chamber Judges:**

Judge NIL Nonn

Judge YOU Ottara

Judge YA Sokhan

Judge Silvia CARTWRIGHT

Judge Jean-Marc LAVERGNE

Reserve Judge THOU Mony

Reserve Judge Claudia FENZ

Co-Prosecutors:

CHEA Leang

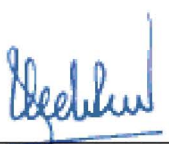
Andrew CAYLEY

All Defence Teams**All Civil Parties**

Mr. IENG Sary, through his Co-Lawyers (“the Defence”), pursuant to Rules 84(1) and 87(3), hereby sets out his objections in the attached Annexes to the admission of certain OCP documents for the first four trial segments, as required by the Trial Chamber in its 25 October 2011 memorandum.¹ The attached Annexes are identical to the annexes listing documents proposed by the OCP with the Defence’s objections added in a column to the right for ease of reference. OCP Annexes 7 and 21 are not included in the Defence’s objections because Annex 7 is composed of documents which the OCP submitted for the first trial segment and the Defence has already objected to the admission of certain documents in this Annex. Annex 21 is a list of new documents, all of which are already included in the other OCP annexes. The Defence’s objections are submitted despite the fact that the Defence has already complied with the Trial Chamber’s directions concerning document objections for the first trial segments, which stated that the parties could object to documents by category.² These objections are submitted in order to assist the Trial Chamber to determine the admissibility of specific documents as evidence before it in Case 002/01 and to add further clarity and certainty regarding the Defence’s position in relation to individual documents. These objections are submitted subject to the proviso that the Defence is not in a position to assess authenticity. The Defence therefore objects to the admission of any document which is not demonstratively authentic or shown to be authentic by the party seeking to introduce it.

WHEREFORE, for all the reasons stated in the attached Annexes, the Defence respectfully requests the Trial Chamber to **REJECT** the documents listed in the attached Annexes.

Respectfully submitted,



 ANG Udom





 Michael G. KARNAVAS

Co-Lawyers for Mr. IENG Sary

Signed in Phnom Penh, Kingdom of Cambodia on this 5th day of **January, 2012**

¹ “The Chamber further requires the parties to indicate no later than 5 January 2012 which, if any, of the remaining documents sought to be admitted by the opposing parties in connection with the first four trial segments are objected to, and the basis for these challenges.” Trial Chamber Memorandum, Witness Lists for Early Trial Segments, Deadline for Filing of Admissibility Challenges to Documents and Exhibits, and Response to Motion E109/5, 25 October 2011, E131/1, p. 2.

² See *id.* See also IENG Sary’s Objections to the Admissibility of Certain Categories of Documents, 21 September 2011, E114; IENG Sary’s Motion Against the use of Torture Tainted Evidence at Trial, 4 February 2011, E33; IENG Sary’s Motion Against the Use of all Material Collected by the Documentation Center of Cambodia, 24 February 2011, E59; IENG Sary’s Response to the Co-Prosecutors’ Rule 92 Submission Regarding the Admission of Written Witness Statements Before the Trial Chamber & Request for Public Hearing, 22 July 2011, E96/3.