

BEFORE THE SUPREME COURT CHAMBER  
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

**FILING DETAILS**

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**IMMEDIATE APPEAL AGAINST DECISION ON REASSESSMENT OF ACCUSED IENG THIRITH'S FITNESS TO STAND TRIAL FOLLOWING THE SUPREME COURT CHAMBER DECISION OF 13 DECEMBER 2011**

**CO-PROSECUTORS' SUPPLEMENTARY SUBMISSIONS**

**TABLE OF AUTHORITIES**

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**ECCC DOCUMENTS****Core Documents**

1. Extraordinary Chambers of the Courts of Cambodia, Internal Rules (Rev. 8), as revised on 3 August 2011. *(Not included – ECCC Legal Compendium)*

**Jurisprudence*****Office of the Co-Investigating Judges***

2. Order on extension of provisional detention, 10 November 2008, C20/4. *(Not included – already on case file)*
3. Provisional Detention Order (Ieng Thirith), 14 November 2007, C20. *(Not included – already on case file)*
4. Provisional Detention Order (Khieu Samphan), 17 December 2007, C26. *(Not included – already on case file)*

***Pre-Trial Chamber***

5. Decision on Appeal against Provisional Detention Order of Ieng Thirith, 9 July 2008, C20/I/27. *(Not included – already on case file)*

***Trial Chamber***

6. Decision on Reassessment of Accused Ieng Thirith's Fitness to Stand Trial following Supreme Court Chamber Decision of 13 December 2011, 13 September 2012, E138/1/10. *(Not included – already on case file)*
7. Transcript, 31 August 2012, E1/119.1. *(Not included – already on case file)*
8. Transcript, 20 October 2011, E1/12.1. *(Not included – already on case file)*

***Supreme Court Chamber***

9. Decision on Immediate Appeal against the Trial Chamber's Order to Release the Accused Ieng Thirith, 13 December 2011, E138/1/7. *(Not included – already on case file)*
10. Decision on Co-Prosecutors' Request to File Supplementary Submissions on the Appeal against the Release Order of Ieng Thirith, 17 September 2012, E138/1/10/1/3/1. *(Not included – already on case file)*

**CAMBODIAN LAW****Instruments**

11. Cambodian Code of Criminal Procedure. *(Not included – ECCC Legal Compendium)*
12. Criminal Code of Cambodia. *(Not included – ECCC Legal Compendium)*

13. Civil Code of Cambodia. (*Not included – ECCC Legal Compendium*)

### **Jurisprudence**

#### ***Phnom Penh Municipal Court***

14. Civil Case File 1638 of 13 September 2012, Decision No. 288, 14 September 2012, E138/1/10/1/2/3.1. (*Not included – already on case file*)

### **INTERNATIONAL LAW**

#### **Instruments**

15. International Covenant on Civil and Political Rights, 999 U.N.T.S. 171 (entered into force: 23 March 1976). (*Not included – UN official website*)
16. United Nations, International Human Rights Instruments, Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, HRI/GEN/1/Rev.6, 12 May 2003. (***Authority 1***)

### **Jurisprudence**

#### **International Criminal Tribunal for the former Yugoslavia**

17. *Prosecutor v. Dragan Jokić*, IT-02-53-PT, Decision on Request for provisional release of Accused Jokić, 28 March 2002. (*Not included – ICTY official website*)
18. *Prosecutor v. Momir Talić*, IT-99-36-T, Decision on the Motion for Provisional Release of the Accused Momir Talić (ICTY Trial Chamber), 20 September 2002. (*Not included – ICTY official website*)
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21. *Prosecutor v. Jovica Stanišić and Franko Simatović*, IT-03-69-PT, Decision on Provisional Release (ICTY Trial Chamber), 26 May 2008. (*Not included – ICTY official website*)

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22. *Prosecutor v. Protais Zigiranyirazo*, ICTR-2001-73-AR73, Decision on Interlocutory Appeal (ICTR Appeals Chamber), 30 October 2006. (*Not included – ICTR official website*)
23. *Prosecutor v. Théoneste Bagosora and Anatole Nsengiyumva*, ICTR-98-41-A, Judgment (ICTR Appeals Chamber), 14 December 2011. (*Not included – ICTR official website*)

European Court of Human Rights

24. *Silver et al. v. United Kingdom*, 23 March 1983, Series A no. 61, [1983] 5 EHRR 347. (Not included – ECtHR official HUDOC database)
25. *Pressos Compania Naviera S.A. and Others v. Belgium*, no. 17849/91, 20 November 1995, [1995] ECHR 47i, [1995] 21 EHHR 301, (1996) 21 EHRR 301. (Not included – ECtHR official HUDOC database)
26. *Nichitaylov v. Ukraine*, no. 36024/03, 15 October 2009. (Not included – ECtHR official HUDOC database)

**DOMESTIC LAW****Instruments**

27. New Zealand Bill of Rights Act 1990. (Not included – already on Case File)
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**Jurisprudence**

29. *Werkfernverkehr*, BVerGE, 16, 147 (181), 22 May 1963 (Federal Constitutional Court of Germany). (Not included – source document not available in any working language of the Court)
30. *Erdölbevorrattung*, BVerGE, 30, 292, (316), 16 March 1971 (Federal Constitutional Court of Germany). (Not included – source document not available in any working language of the Court)
31. *Vethandlungsunfähigkeit des angeklagten*, BVerGE, 51, 324 (345), 19 June 1979 (Federal Constitutional Court of Germany). (Not included – source document not available in any working language of the Court)
32. *R. v. Oakes* [1986] 1 S.C.R. 103 (Supreme Court of Canada). (Not included – already on Case File)
33. *Hansen v. R.*, File No. SC58/2005, Judgment, 20 February 2007, reported as [2007] N.Z.S.C. 7, (2007) 8 H.R.N.Z. 222 (New Zealand Supreme Court). (Not included – already on Case File)

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