00754658 E138/1/4.1

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

# **FILING DETAILS**

Case No: 002/19-09-2007-ECCC/SC Party Filing: Co-Prosecutors

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# CO-PROSECUTORS' SUPPLEMENTARY SUBMISSIONS ON APPEAL CONCERNING THE RELEASE OF ACCUSED IENG THIRITH

## TABLE OF AUTHORITIES

Filed by:	<b>Distribute to:</b>	<b>Copied to:</b>
Co-Prosecutors CHEA Leang Andrew CAYLEY	Supreme Court Chamber Judge KONG Srim, President Judge Motoo NOGUCHI Judge SOM Sereyvuth Judge A. KLONOWIECKA- MILART Judge MONG Monichariya Judge C. N. JAYASIINGHE Judge YA Narin	Accused IENG Thirith  Lawyers for the Defence PHAT Pouv Seang Diana ELLIS
	Civil Party Lead Co-Lawyers PICH Ang Elisabeth SIMONNEAU FORT	

### **ECCC DOCUMENTS**

#### **Core Documents**

- 1. The Law on the Establishment of the Extraordinary Chambers as amended, 27 October 2004. (Not included ECCC Legal Compendium)
- 2. Extraordinary Chambers of the Courts of Cambodia, Internal Rules (Rev. 7), as revised on 23 February 2011. (Not included ECCC Legal Compendium)

#### **Pre-Trial Chamber**

3. Decision on Civil Party Participation in Provisional Detention Appeals, 20 March 2008, C11/53. (Not included – already disclosed on case file)

#### **Trial Chamber**

- 4. Decision on Ieng Sary's Appeal against Closing Order, 11 April 2011, D427/1/30. (Not included already disclosed on case file)
- 5. Decision on Ieng Thirith's fitness to stand trial, 17 November 2011, E138. (Not included already disclosed on case file)

#### **Supreme Court Chamber**

- 6. Decision on Immediate Appeal by Khieu Samphan on application for immediate release, 6 June 2011, E50/3/1/4. (*Not included already disclosed on case file*)
- 7. Decision on Co-Prosecutors' request to file supplementary submissions and direction regarding *appeal* filings, 21 November 2011, E138/1/3. (Not included already disclosed on case file)

#### INTERNATIONAL LAW

### **Instruments**

8. Rome Statute of the International Criminal Court, A/CONF.183/9, 17 July 1998, entered into force 1 July 2002. (Not included - ICC official website)

#### Jurisprudence

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- 9. *Prosecutor v Đorđe Đukić*, Case No. IT-96-20-T, Decision Rejecting the Application to Withdraw the Indictment and Order for Provisional Release (ICTY Trial Chamber), 24 April 1996. (Not included ICTY official website)
- 10. *Prosecutor v Pavle Strugar*, Case No. IT -99-36-T, Decision on prosecution's submission of statement of expert witness Ewan Brown (ICTY Trial Chamber), 3 June 2003. (*Not included ICTY official website*)

- Prosecutor v Radolav Brđanin & Momir Talić, Case No. IT-99-36-T, Order 11. Terminating the Proceedings against Momir Talić (ICTY Trial Chamber), 12 June 2003. (Not included – ICTY official website)
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- 14. Prosecutor v Jovica Stanišić, Case No. IT-03-69-T, Decision on Provisional Release (ICTY Trial Chamber), 26 May 2008. (Not included – ICTY official website)

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# European Court of Human Rights

- Witold Litwa v Poland, no. 26629/95 (Sect. 2), ECHR 2000-III, 4 April 2000. (Not 16. included – ECHR official website)
- 17. Hutchinson Reid v United Kingdom, no. 50272/99, [2003] ECHR 94, 20 February 2003. (Not included – ECHR official website)

#### Special Panels for Serious Crimes (Timor-Leste)

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#### **Other Documents**

- Jean Pradel, Procédure Pénal, 13<sup>th</sup> ed. (2007). (Exceeds 10 pages excerpt attached) 19. (Authority 2)
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- 22. United Nations General Assembly Resolution 2840(XXVI) entitled Question of Punishment, U.N. Doc. A/RES/2840(XXVI), 18 December 1971. (Authority 5)

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- 25. Report of the independent expert to update the Set of principles to combat impunity, UN Commission on Human Rights, Diane Orentlicher, E/CN.4/2005/102/Add.1, 8 February 2005. (Authority 8)