

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

FILING DETAILS

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TABLE OF AUTHORITIES

**RESPONSE BY DEFENCE FOR MADAME IENG THIRITH TO CO-PROSECUTORS' APPEAL
AGAINST THE TRIAL CHAMBER'S DECISION OF 17 NOVEMBER 2011**

Defence for Ieng Thirith:

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Supreme Court Chamber Judges:

KONG Srim, President
Motoo NOGUCHI
Agnieszka KLONOWIECKA-MILART
Chandra Nihal JAYASINGHE
SOM Sereyvuth
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Civil Party Co-Lead Lawyers:

PICH Ang
Elisabeth SIMONNEAU FORT

Co-Prosecutors:

CHEA Leang
Andrew CAYLEY

I CAMBODIAN LAW

1.1 Legal Documents – *not attached*

- Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea.
- Agreement between the United Nations and the Royal Government of Cambodia concerning the Prosecution under Cambodian Law of Crimes committed during the Period of Democratic Kampuchea.
- Internal Rules of the ECCC.

1.2 ECCC Court Documents – *not attached*

Trial Chamber

- Decision on IENG Thirith's Fitness to Stand Trial, 17 November 2011, Document No. E138.
- Case No. 001/18-07-2007/ECCC/TC, TC, Decision on the defence preliminary objection concerning the statute of Limitations of Domestic Crimes, 26 July 2010, Document No. E187, para. 56.

Supreme Court Chamber

- Decision on Co-Prosecutors' Request to file Supplementary Submissions and Direction regarding Appeal Filings, 21 November 2011, Document No. E138/1/3.

Experts Reports

- Report Prepared in Response to the Trial Chamber's Order Assigning Expert – E62/3, Geriatric Expert Report – Mrs IENG Thirith, 23 June 2011, Document No. E62/3/6.
- Follow Up Report Concerning Mrs. Ieng Thirith in accordance to Trial Chamber's Expertise Order E62/3, Dated 4 April 2011, 26 August 2011, Document No. E62/3/12.

- Expertise Report prepared in Response to the Trial Chamber's Expertise Order Document Number E111, dated 23 August 2011, 9 October 2011, Document No. E111/8.

II INTERNATIONAL DOCUMENTS

2.1 International Texts – *not attached*

- European Convention on Human Rights.
- International Covenant on Civil and Political Rights.
- International Criminal Court Rules of Procedure and Evidence.

2.2 Case Law – *not attached*

International Criminal Tribunal for former Yugoslavia

- *Prosecutor v. Djukić*, Case No. IT-96-20-T, Decision rejecting the Application to withdraw the Indictment and Order for Provisional Release, 24 April 1996, p. 4.
- *Prosecutor v. Talić*, Case No. IT-99-36-T, Decision on the Motion for Provisional Release of the Accused Momir Talić, 20 September 2002, paras. 13, 21, 23.
- *Prosecutor v. Kovacević*, Case No. IT-01-42/2-1, Public Version of the Decision on Accused's Fitness to Enter a Plea and Stand Trial, 12 April 2006, para. 10.
- *Prosecutor v. Jokić*, Case No. IT-02-53-PT, Decision on Request for Provisional Release of Accused Jokić, 28 March 2002, para. 18.

Special Panel for Serious Crime, Dili District Court, East Timor

- *Prosecutor v. Nahak*, Case No. 01A/2004, Findings and Order on Defendant Nahak's Competence to Stand Trial, 1 March 2005, para. 120 (**authority 1**).

III LITERATURE

- Blacks' Law Dictionary, 8th Edition, pp. 1453 and 1511 (**authority 2**).