

**BEFORE THE TRIAL CHAMBER  
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

**FILING DETAILS**

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**APPLICATION FOR IMMEDIATE ACTION PURSUANT TO RULE 35  
TABLE OF AUTHORITIES**

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**CAMBODIAN LAW****Constitutions, Statutes, and Rules**

1. ECCC Internal Rules: Rule 35 (*not included—ECCC Legal Compendium*)
2. ECCC Code of Judicial Ethics: Article 1 (*not included—ECCC Legal Compendium*)
3. Code of Ethics for Lawyers Licensed with the BACK: Article 16 (*not included—ECCC Legal Compendium*)

**ECCC Case Law and Pleadings***Case 002*

4. Document No **D-264/2/6**, ‘Decision on Ieng Thirith’s Appeal Against the Co-Investigating Judges’ Order Rejecting the Request for Stay of Proceedings on the Basis of Abuse of Process’, 10 August 2010, ERN 00543794–00543799 (*not included—ECCC Case File*)
5. Document No **D-314/1/12**, ‘Second Decision on Nuon Chea’s and Ieng Sary’s Appeal Against OCIJ Order on Requests to Summons Witnesses’, 9 September 2010, Separate Opinion of Judges Catherine Marchi-Uhel and Rowan Downing (*not included—ECCC Case File*)
6. Document No **E-116/1/6**, ‘Summary of the Reasons for the Decision on Immediate Appeal by Nuon Chea Against the Trial Chamber’s Decision on Fairness of Judicial Investigation’, 30 January 2012, ERN 00772881–00772887 (*not included—ECCC Case File*)
7. Document No **E-116/1/1**, ‘Immediate Appeal Against the Trial Chamber Decision Regarding the Fairness of the Judicial Investigation’, 10 October 2011, ERN 00746636–00746658 (*not included—ECCC Case File*)
8. Document No **E-131/2.1.1**, ‘Criminal Complaint’, 24 October 2011 ERN 00749616–00749624 (*not included—ECCC Case File*)
9. Document No **E-131/2**, ‘Request for Adjournment of Opening Statement and Substantive Hearing’, 26 October 2011, ERN 00749600–00749612 (*not included—ECCC Case File*)
10. Document No **E-176**, ‘Application for Summary Action Against Hun Sen Pursuant to Rule 35’, 22 February 2012, ERN 00782947–00782959 (*not included—ECCC Case File*)
11. Document No **E-171**, ‘Third Application for Disqualification of Judge Cartwright’, 14 February 2012, ERN 00778399–00778412 (*not included—ECCC Case File*)

12. Letter from Nuon Chea Defence Team to Judge You Bunleng re ‘Request for list of tainted material in Case 002 and call for resignation’, 27 October 2011 (*not included—previously submitted*)  
  
*Cases 003 & 004*
13. Document No **D-28**, ‘Order on Resuming the Judicial Investigation’, 2 December 2011 (*not included—ECCC Case File*)
14. Document No **D-38**, 21 March 2012, ERN 00791885–00791898 (*not included—ECCC Case File*)

## INTERNATIONAL LAW

### Case Law

15. *Prosecutor v Thomas Lubanga Dyilo*, Case No ICC-01/04-01/06, ‘Public Redacted Decision on the Prosecution’s Urgent Request for Variation of the Time-Limit to Disclose the Identity of Intermediary 143 or Alternatively to Stay Proceedings Pending’, 8 July 2010 (*not included—previously submitted*)
16. *Prosecutor v Haradinaj et al*, Case No IT-04-84-A, ‘Judgment’, 19 July 2010 (*not included—previously submitted*)
17. *Prosecutor v Radovan Karadzic*, Case No IT-95-5/18-AR73.4, ‘Decision on Karadzic Appeal of Trial Chamber’s Decision on Alleged Holbrooke Agreement’, 12 October 2009 (*not included—previously submitted*)

## OTHER MATERIAL

### Media Reports

18. Julia Wallace, *Cambodia Daily*, ‘KRT Judges List Failings of Blunk, Bunleng’, 26 October 2011 (*not included—ECCC Press Clippings*)
19. Julia Wallace, ‘Swiss judge quits Khmer Rouge Tribunal’, *Cambodia Daily*, 20 March 2012 (*not included—ECCC Press Clippings*)
20. Julia Wallace & Kuch Naren, ‘UN “Concerned” About Judge’s Resignation’, *Cambodia Daily*, 21 March 2012 (*not included—ECCC Press Clippings*)
21. Julia Wallace & Kuch Naren, ‘Judge Details “Dysfunction” At Tribunal’, *Cambodia Daily*, 22 March 2012 (*not included—ECCC Press Clippings*)
22. Julia Wallace, ‘UN reiterates concern over dysfunction KR tribunal’, *Cambodia Daily*, 23 March 2012 (*not included—ECCC Press Clippings*)
23. Julia Wallace, ‘Bunleng Fights Back at Swiss Judge’s Accusations’, *Cambodia Daily*, 27 March 2012 (*not included—ECCC Press Clippings*)

24. Julia Wallace, 'From Phnom Penh with Love', *International Justice Tribune*, 28 March 2012 (*not included—ECCC Press Clippings*)
25. Bridget Di Certo, "'Blocked" judge quits court: UN appointee slams "dysfunctional"', *Phnom Penh Post*, 20 March 2012 (*not included—ECCC Press Clippings*)
26. Bridget Di Certo, 'Judge's exit shakes KR tribunal', *Phnom Penh Post*, 21 March 2012 (*not included—ECCC Press Clippings*)
27. Bridget Di Certo, 'Judge decries 003, 004 "sabotage"', *Phnom Penh Post*, 22 March 2012 (*not included—ECCC Press Clippings*)
28. Bridget Di Certo, 'State says the KRT is a model court', *Phnom Penh Post*, 23 March 2012 (*not included—ECCC Press Clippings*)
29. Bridget Di Certo & Cheang Sokha, "'Security risks" alleged at KRT', *Phnom Penh Post*, 27 March 2012 (*not included—ECCC Press Clippings*)
30. 'Second UN judge quits Cambodia's Khmer Rouge tribunal', *Reuters*, 19 Mar 2012 (*not included—ECCC Press Clippings*)
31. Frédéric Burnand, 'Uncovering the truth in the Killing Fields', *SwissInfo*, 16 March 2012 (*not included—ECCC Press Clippings*)
32. Irwin Loy 'Cambodian War Crimes Tribunal Under Pressure After Judge Resigns', *Voice of America*, 20 March 2012 (*not included—ECCC Press Clippings*)
33. 'Impunity at KRouge court won't be tolerated: UN', *Agence France Presse*, 23 March 2012 (*not included—ECCC Press Clippings*)
34. Peter Maguire, 'UN Has No Right to Sanctimony Over "Dysfunctional KRT' (Op-Ed), *Cambodia Daily*, 27 March 2012 (*not included—ECCC Press Clippings*)
35. Mark McDonald, 'The Tortuous Path to Justice in Cambodia', *International Herald Tribune*, 27 March 2012 (*not included—ECCC Press Clippings*)

#### **Press Releases**

36. Press Release, International Reserve Co-Investigating Judge, 9 February 2012 (*not included—ECCC Press Clippings*)
37. Press Release, International Reserve Co-Investigating Judge, 19 March 2012 (*not included—ECCC Press Clippings*)
38. Statement by Judges Downing and Chung, International Judges of the Pre-Trial Chamber, 20 March 2012 (*not included—ECCC Press Clippings*)
39. Press Statement by National Co-Investigating Judge, 26 March 2012 (*not included—ECCC Press Clippings*)

40. UN Press Statement, 20 January 2012 (*not included—ECCC Press Clippings*)
41. ‘Statement Attributable to the Spokesperson for the Secretary-General on the [ECCC]’, 30 March 2012 (*not included—ECCC Press Clippings*)
42. UN Department of Public Information, Daily Press Briefing by the Office of the Spokesperson for the Secretary-General (*not included—ECCC Press Clippings*)
43. OSJI Press Release, ‘UN Must Reconsider Commitment to Khmer Rouge Court’, 21 March 2012 (*not included—ECCC Press Clippings*)
44. ‘Cambodia: Khmer Rouge Tribunal at risk as second judge resigns’, *Amnesty International*, 20 March 2012 (*not included—ECCC Press Clippings*)

### **Scholarship**

45. Stephen Heder, ‘Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective’, March 2003 (*attached*)