

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

FILING DETAILS

Case File No: 002/19-09-2007-ECCC/TC

Party Filing: Mr KHIEU Samphan

Before: The Trial Chamber

Original: FRENCH

Date of document: 7 February 2011

CLASSIFICATION

Classification suggested by the Filing Party: PUBLIC

Classification by the Trial Chamber: Public

Classification status:

Review of Interim Classification:

Records Officer's Name:

Signature:



**KHIEU SAMPHAN'S MOTION IN SUPPORT OF CERTAIN POINTS OF IENG
SARY'S MOTION OF 19 JANUARY 2011**

Filed by:

Lawyers for Mr KHIEU Samphan

SA Sovan

Jacques VERGÈS

Philippe GRÉCIANO

Assisted by:

SENG Socheata

Frédéric HIVON

Marie CAPOTORTO

Shéhérazade BOUARFA

Archibald CELEYRON

Before:

The Pre-Trial Chamber

Judge NIL Nonn

Judge Silvia CARTWRIGHT

Judge THOU Mony

Judge Jean-Marc LAVERGNE

Judge YA Sokhan

Co-Prosecutors

CHEA Leang

Andrew CAYLEY

MAY IT PLEASE THE TRIAL CHAMBER**I- INTRODUCTION**

1. On 19 January 2011, Mr IENG Sary requested the Trial Chamber to conduct the trial through half-day sessions.¹
2. As for Mr KHIEU Samphan, he is available to the Court.

II- PURPOSE OF THE REQUEST

3. Mr IENG Sary notified the Trial Chamber that he does not wish to make use of video-link technology and indicated that he intends to exercise his right to appear in person at his trial. Mr KHIEU Samphan supports the arguments raised by Mr IENG Sary, and notes that video-link technology is a right of the Accused and cannot be imposed on him.
4. For his part, Mr KHIEU Samphan insists on his right to be tried without undue delay.² Having already spent more than three years in provisional detention, Mr KHIEU Samphan would like his trial to be held within the shortest possible time, because the Court must record the finding of his innocence.

FOR THESE REASONS

5. It is requested that the Trial Chamber:
 - RECOGNISE Mr KHIEU Samphan's right to appear in person at his own trial
 - NOTE that Mr KHIEU Samphan waives the use of video-link technology
 - NOTE that KHIEU Samphan wishes that his trial be held within a reasonable time

¹ Ieng Sary's Motion to Conduct the Trial Through Half-Day Sessions, E20.

² Article 13 of the 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; Article 35 (new) of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea; Article 14.3 of the International Covenant on Civil and Political Rights.

**WITHOUT PREJUDICE,
AND WILL BE JUSTICE**

	SA Sovan Jacques VERGÈS Philippe GRÉCIANO	Phnom Penh Paris Paris	
Date	Name	Place	Signature