

BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

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**CO-PROSECUTORS' RESPONSE TO IENG SARY'S REQUEST TO HEAR
EVIDENCE FROM THE INTERPRETER CONCERNING WITNESS
PHY PHUON'S SECOND OCIJ INTERVIEW**

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Core Legal Documents

(Not included – ECCC Legal Compendium)

1. Extraordinary Chambers of the Courts of Cambodia, Internal Rules (Rev. 8), as revised on 12 August 2011, Rules 50, 53, 55, 60, & 93.
2. 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, with inclusion of amendments as promulgated on 27 October 2004, Article 23*new*.

Jurisprudence

(Not included – ECCC Case File)

3. **E221** Ieng Sary's Request to Hear Evidence from the Interpreter Concerning Witness Phy Phuon's Second OCIJ Interview Whereby Irregularities Occurred Amounting to Subterfuge, 23 August 2012, paras. 2, 6, 8, 15, 16, 17, 18 & fn. 52.
4. **E116** Decision on Nuon Chea Motions Regarding Fairness of Judicial Investigation (E51/3, E82, E88 and E92), 9 September 2011, paras. 15, 17, 18, & 19.
5. **E71/1** Decision on Ieng Sary's Motion for a Hearing on the Conduct of the Judicial Investigations, 8 April 2011, p. 2.
6. **E142/3** Decision on Nuon Chea's Request for a Rule 35 Investigation Regarding Inconsistencies in the Audio and Written Records of OCIJ Witness Interviews, 13 March 2012, paras. 6, 7, 8, 11, 14 & fn. 13.
7. **E3/24** Written Record of Interview of Witness Phy Phuon, 5 December 2007, at ENG 00223585, FRE 00503926, KHM 00204072.
8. **D164/2** Order on the Request for Investigative Action to Seek Exculpatory Evidence in the SMD, 19 June 2009, para. 14.
9. **A110/II** OCIJ Response to Letter from the lawyers for NUON Chea on the conduct of the judicial investigation, 10 January 2008, para. 3.
10. **E211/2** Trial Chamber Memorandum re Nuon Chea Defence Notice to the Trial Chamber Regarding Research at DC-Cam, 13 August 2012, para. 2.

Transcripts

(Not included – ECCC Case File)

11. **E1/98.1** Transcript of Trial Proceedings, 30 July 2012, at ENG 00831010-12 & ENG 00831013-15.
12. **E1/56.1** Transcript of Trial Proceedings, 29 March 2012, at ENG 00796924-26, 00796957 & ENG 00796948-53.
13. **E1/67.1** Transcript of Trial Proceedings, 24 April 2012, at ENG 00804051-52.

14. **E1/102.1** Transcript of Trial Proceedings, 6 August 2012, at ENG 00833279-81, 00833289-90.
15. **E1/105.1** Transcript of Trial Proceedings, 9 August 2012, at ENG 00835375-76.
16. **E1/83.1** Transcript of Trial Proceedings, 7 June 2012, at ENG 00815607-09.
17. **E1/113.1** Transcript of Trial Proceedings, 23 August 2012, at ENG 00841889-93.

Confessions

(Not included – ECCC Case File)

18. **D43/IV-Annex 41** S-21 Confession of Meak Touch, at KHM 00174100, ENG 00771346.
19. **D43/IV-Annex 47** S-21 Confession of San Pau, at KHM 00174132, ENG 00767463.