

BEFORE THE TRIAL CHAMBER

EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

FILING DETAILS

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**CLARIFICATION OF IENG SARY'S REQUEST FOR AN EXPEDITED DECISION
ON CERTAIN ISSUES RAISED AT THE TRIAL MANAGEMENT MEETING**

Filed by:

The Co-Lawyers:
ANG Udom
Michael G. KARNAVAS

Distribution to:

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Reserve Judge Claudia FENZ

Co-Prosecutors:
CHEA Leang
Andrew CAYLEY

All Defence Teams

All Civil Parties


Mr. IENG Sary, through his Co-Lawyers (“the Defence”), hereby submits this clarification of the time requested for an opening statement in his case which was noted in his Request for an Expedited Decision on Certain Issues Raised at the 5 April 2011 Trial Management Meeting.¹ The clarification is made necessary in light of the OCP’s Response to this Request;² it would appear that the OCP has misunderstood or misinterpreted the position advanced by the Defence.

1. The Defence – on behalf of Mr. IENG Sary – requested a total of 10 hours for *its own* opening statement. Any reference to the 2 hours allocated to the parties in *Duch* was merely for comparative and illustrative purposes. The Defence never suggested that it or any of the other parties, including the OCP, be limited to 2 hours in delivering their respective opening statements.
2. The Defence for Mr. IENG Sary does not purport to speak or act for any of the other Accused. This is explicit from the introductory sentence in every submission filed on behalf of Mr. IENG Sary. The four Accused in this case are not acting as, nor should they be considered as, a monolithic group. Thus, when the Defence for Mr. IENG Sary requests 10 hours for “the Defence’s” opening statement, it is axiomatic that it is seeking this time only for Mr. IENG Sary’s opening statement. It is for the other Accused / Defence teams to make submissions as to the amount of time they deem necessary for their opening statements.
3. The Defence noted that in *Duch* the OCP received the same amount of time for its opening statement as the *Duch* Defence received. The Defence recommended that the OCP be allotted the same amount of time requested by Mr. IENG Sary, i.e. 10 hours. Naturally, since in this case there are three other Accused in addition to Mr. IENG Sary, some allowance may be necessary for the OCP to exceed the 10 hours suggested by the Defence.


Respectfully submitted,

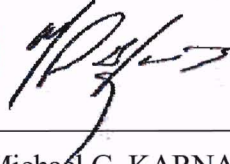
¹ IENG Sary’s Request for an Expedited Decision on Certain Issues Raised at the 5 April 2011 Trial Management Meeting, 11 May 2011, E87.

² Co-Prosecutors’ Response to “IENG Sary’s Request for an Expedited Decision on Certain Issues Raised at the 5 April 2011 Trial Management Meeting”, 24 May 2011, E87/1.



ANG Udom





Michael G. KARNAVAS

Co-Lawyers for Mr. IENG Sary

Signed in Phnom Penh, Kingdom of Cambodia on this 30th day of May, 2011