

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

**FILING DETAILS**

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**CO-PROSECUTORS' REQUEST FOR AN EXTENSION OF TIME TO FILE OBJECTIONS TO WITNESSES, CIVIL PARTIES AND EXPERTS PROPOSED BY THE OTHER PARTIES**

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**Trial Chamber:**  
Judge NIL Nonn, President  
Judge Silvia CARTWRIGHT  
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**Charged Persons and Defence Teams:**

**NUON Chea**  
**SON Arun**  
**Michiel PESTMAN**  
**Victor KOPPE**  
  
**IENG Sary**  
**ANG Udom**  
**Michael G. KARNAVAS**  
  
**KHIEU Samphan**  
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## I. INTRODUCTION

1. The Co-Prosecutors respectfully request that the deadline for filing objections to witnesses, civil parties and experts proposed by the other Parties be extended to 21 March 2011.

## II. BACKGROUND AND RELIEF SOUGHT

2. On 28 January 2011, the Co-Prosecutors filed their witness, civil party and expert lists pursuant to Sub-rule 80(1) of the Internal Rules, and in accordance with the *Order to File Material in Preparation for Trial* ("Order").<sup>1</sup> The other Parties received notice of this filing on 31 January 2011. Pursuant to Sub-rule 80(2), they were required to submit their lists of proposed witnesses within 15 days of notification of the Co-Prosecutors' lists, which deadline fell on 15 February 2011.
3. On 14 February 2011, the Co-Prosecutors received a list of experts proposed by Ieng Sary (five experts),<sup>2</sup> and on 15 February, they received: 1) Nuon Chea's list of 13 experts and five (later increased to six) civil parties;<sup>3</sup> 2) Ieng Thirith's witness list (nine witnesses);<sup>4</sup> and 3) the Civil Parties' witness lists (146 Civil Parties, 18 witnesses, 15 experts).<sup>5</sup> Khieu Samphan's witness and expert lists (26 witnesses, 32 experts)<sup>6</sup> and Nuon Chea witness list (527 witnesses)<sup>7</sup> were only made available on 22 February 2011.
4. The total number of witnesses, civil parties and experts proposed by the Parties, not including the Co-Prosecutors, is 797. Under the Order, all the Parties were required to file their witness summaries by 23 February 2011, and these were distributed on 24 February. The Co-Prosecutors note that, on 16 February 2011, Ieng Sary requested additional time to respond to the Co-Prosecutors' witness list.<sup>8</sup> This is despite the fact that, with the Co-Prosecutors' lists being filed ahead of those of the other Parties, the Accused effectively have 15 days more than the Co-Prosecutors to consider and file their objections.

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<sup>1</sup> Order to File Material in Preparation for Trial, 17 January 2011, E9; Co-Prosecutors' Rule 80 Expert, Witness and Civil Party Lists, Including Confidential Annexes 1, 2, 3, 3A, 4, and 5, 28 January 2011, E9/4.1.

<sup>2</sup> IENG Sary's List of Proposed Experts and Notification Concerning his Witness and Civil Party Lists, 14 February 2011, E9/4/2.

<sup>3</sup> List of Proposed Witnesses, Experts, and Civil Parties, 15 February 2011, E9/4/4.

<sup>4</sup> IENG Thirith List of Witnesses and Experts, 15 February 2011, E9/4/5.

<sup>5</sup> Civil Party Lead Co-Lawyers' Rule 80 Witness, Expert and Civil Party Lists, Including Confidential Annexes 1, 2a, 2b, 3a, 3b, and 4, 15 February 2011, E9/4/3.

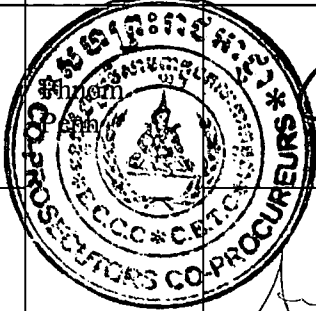
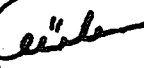
<sup>6</sup> Listes de Témoins et Experts Proposes, 21 February 2011, E9/4/6.

<sup>7</sup> Annex A: Proposed Witness List – NUON Chea defence team, 22 February 2011, E9/4/4.4.

<sup>8</sup> IENG Sary's Expedited Request for Extension of Time to File Objections to OCP Proposed Witnesses, Civil Parties and Experts, 16 February 2011, E9/7.

5. In light of the late distribution of Nuon Chea and Khieu Samphan's lists, and the total number of witnesses, civil parties and experts proposed by the Parties, it is not possible to conduct a meaningful review of the proposed individuals and file objections by 28 February 2011. The Co-Prosecutors respectfully request that the deadline for objections be extended to 21 March 2011.

Respectfully submitted,

Date	Name	Place	Signature
24 February 2011	YET Chakriya Deputy Co-Prosecutor		
	Andrew CAYLEY Co-Prosecutor		