

BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

**FILING DETAILS**

Case No: 002/19-09-2007-ECCC/TC Party Filing: Co-Prosecutors
 Filed to: Trial Chamber Original Language: English
 Date of document: 19 April 2011

CLASSIFICATION

Classification of the document
suggested by the filing party: PUBLIC

Classification by the Chamber: **សាធារណៈ/Public**

Classification Status:

Review of Interim Classification:

Records Officer Name:

Signature:

**CO-PROSECUTORS' NOTIFICATION OF LEGAL ISSUES IT INTENDS
TO RAISE AT THE INTIAL HEARING**

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Trial Chamber
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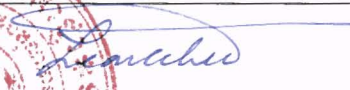
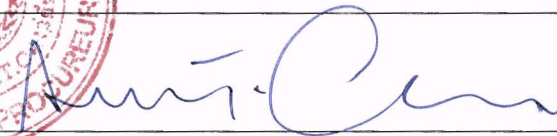
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NOTICE

1. Pursuant to Internal Rule 80(3)(c) and in accordance with the Trial Chamber's "Order to File Material in Preparation for Trial" issued on 17 January 2011,¹ the Co-Prosecutors indicate to the Trial Chamber that they intend to raise the following legal issues at the Initial Hearing:
- (1) *Opening Statements*: length and form (*Rule 89 bis 1*);
 - (2) *Uncontested Facts*: effect on trial presentation (*Rule 80(3)(e)*);
 - (3) *Documentary Evidence*: objections, method of admission, witness statements (*Rule 80(3)(d) and 87*);
 - (4) *Accused Presence During the Hearing*: (*Rule 81*);
 - (5) *Accused Testimony*: order, length, questioning manner and time allocation (*Rule 89 bis 2 and 90*);
 - (6) *Witness Testimony*: number, order, length, questioning manner and time allocation (*Rule 84 and 91*);
 - (7) *Civil Parties Testimony*: order, length, questioning manner and time allocation (*Rule 91*);
 - (8) *Objections*: types and manner;
 - (9) *Notice of Request to Recharacterize Charges in Indictment at Judgment to include*:
 - (a) that an armed conflict is not required to prove a crime against humanity;
 - (b) rape as a crime against humanity;
 - (c) commission of crimes by the third form of joint criminal enterprise (*Rule 98*).
2. The Co-Prosecutors also notify the Trial Chamber that they be given a full opportunity to respond to any legal issues raised by other parties at the Initial Hearing.

Respectfully submitted,

Date	Name	Place	Signature
19 April 2011	CHEA Leang Co-Prosecutor	Phnom Penh	
	Andrew CAYLEY Co-Prosecutor		

¹ Document Number E9, Trial Chamber's "Order to File Material in Preparation for Trial," 17 January 2011, para. 15.
Co-Prosecutors' Rule 80(3)(c) List of Initial Hearing Issues