



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**  
Extraordinary Chambers in the Courts of Cambodia  
Chambres extraordinaires au sein des tribunaux cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia  
Nation Religion King  
Royaume du Cambodge  
Nation Religion Roi

**អង្គបុរេជំនុំជម្រះ**  
Pre-Trial Chamber  
Chambre Preliminaire

D308/3/1/19

*In the name of the Cambodian people and the United Nations and pursuant to 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*

Case File N° 004/1/07-09-2009-ECCC/OCIJ (PTC50)

**Before:** Judge PRAK Kimsan, President  
Judge Olivier BEAUVALLET  
Judge NEY Thol  
Judge Kang Jin BAIK  
Judge HUOT Vuthy

**Date:** 14 November 2017

<b>ឯកសារដើម</b>
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**CONFIDENTIAL**

**SCHEDULING ORDER FOR THE PRE-TRIAL CHAMBER'S HEARING ON APPEAL AGAINST CLOSING ORDER**

**Co-Prosecutors**

CHEA Leang  
Nicholas KOUMJIAN

**Co-Lawyers for IM Chaem**

BIT Seanglim  
Wayne JORDASH

**Lawyers for the Former Civil Party Applicants**

SAM Sokong  
Emmanuel JACOMY  
Lyma NGUYEN



**THE PRE-TRIAL CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia,  
**BEING SEISED OF** the Appeal lodged by the International Co-Prosecutor' on  
9 August 2017<sup>1</sup> against the Closing Order (Reasons) delivered by the Co-Investigating  
Judges on 10 July 2017 in Case 004/1;<sup>2</sup>

**CONSIDERING** that the briefing on appeal in this case is complete;

**NOTING** the submissions on the Pre-Trial Chamber's hearing filed in response to the Notice  
of 27 October 2017<sup>3</sup> by the Defence for IM Chaem<sup>4</sup> and the International Co-Prosecutor<sup>5</sup> on  
31 October 2017, as well as the submissions filed by the Defence on 6 November 2017;<sup>6</sup>

**PURSUANT** to Internal Rules 77(3), 77(5) and 77(6);

**HEREBY ORDERS** that a hearing shall be held in the main courtroom on Monday,  
11 December 2017 and Tuesday, 12 December 2017 and **INFORMS** the parties that the  
timetable for the hearing shall be as follows:

**Monday, 11 December 2017:**

- 09:45 – 10:00 Introduction (fifteen minutes)
- 10:00 – 11:00 Submissions by the Lawyers for Former Civil Party Applicants  
SAM Sokong, Emmanuel JACOMY and Lyma NGUYEN (one hour)
- 11:00 – 12.00 Submissions by the National Co-Prosecutor (one hour)
- 12:00 – 13:30 *Pause (one hour and a half)*

<sup>1</sup> Case No. 004/1/07-09-2009-ECCC/OCIJ ("Case 004/1"), International Co-Prosecutor's Appeal of Closing Order (Reasons), 9 August 2017, D308/3/1/1. *See also* Case 004/1, IM Chaem's Response to the International Co-Prosecutor's Appeal of Closing Order (Reasons), 22 September 2017, D308/3/1/11; Case 004/1, Civil Party Co-Lawyers' Submission on ECCC Position within Cambodian Legal System, 8 September 2017, D308/3/1/9; Case 004/1, International Co-Prosecutor's Reply regarding Appeal of Closing Order (Reasons), 16 October 2017, D308/3/1/13; Case 004/1, IM Chaem's Response to the CPCL's Submission on the Position of the ECCC Within the Cambodian Legal System (D308/3/1/9), 10 November 2017, D308/3/1/18.

<sup>2</sup> Case 004/1, Closing Order (Reasons), 10 July 2017, D308/3.

<sup>3</sup> Case 004/1, Case File Officer Email Notification to the parties: "Pre-Trial Chamber's Notice to the Parties in Case File N° 004/1/07-09-2009-ECCC/OCIJ (PTC50)", 27 October 2017.

<sup>4</sup> Case 004/1, Proposed Details of Oral Hearing in Case 004/1, 31 October 2017, D308/3/1/14.

<sup>5</sup> Case 004/1, International Co-Prosecutor's Submission on the Pre-Trial Chamber Hearing regarding the Appeal of Closing Order (Reasons), 31 October 2017, D308/3/1/15.

<sup>6</sup> Case 004/1, Response to the International Co-Prosecutor's Submission on the Pre-Trial Chamber Hearing regarding the Appeal of Closing Order (Reasons) (D308/3/1/15), 6 November 2017, D308/3/1/16.



13:30 – 15:30 Appeal by the International Co-Prosecutor (two hours)

**Tuesday, 12 December 2017:**

10:00 – 12:00 Response by the National / International Defence Counsels (two hours)

12:00 – 13:30 *Pause (one hour and a half)*

13:30 – 15:30 Response by the National / International Defence Counsels (two hours)

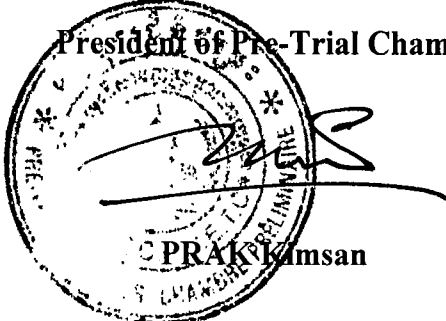
**INFORMS** that, if present, and upon notification through her lawyers, the Charged Person shall be given the right to make a personal statement at the end of the hearing;

**INFORMS** that no leave to reply will be granted;

**DECIDES** that the hearing will be held *in camera* after the introduction.

**Phnom Penh, 14 November 2017**

President of Pre-Trial Chamber



PRAK Kamsan