

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

FILING DETAILS

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**INTERNATIONAL CO-PROSECUTOR'S RESPONSE TO YIM TITH'S REQUEST
FOR EXTENSION OF PAGE AND TIME LIMITS FOR HIS APPEAL OF THE
CLOSING ORDERS**

Filed by:

Brenda J. HOLLIS
International Co-Prosecutor

Distributed to:

Pre-Trial Chamber
Judge PRAK Kimsan, President
Judge Olivier BEAUVALLET
Judge NEY Thol
Judge Kang Jin BAIK
Judge HUOT Vuthy

Co-Lawyers for YIM Tith
SO Mosseny
Suzana TOMANOVIĆ

Copied to:



CHEA Leang
National Co-Prosecutor

All Civil Parties in Case 004

RESPONSE

1. The International Co-Prosecutor (“ICP”) responds to Yim Tith’s Request¹ relating to the page and time limits for his appeal of the International Co-Investigating Judge’s Indictment² and the National Co-Investigating Judge’s (“NCIJ”) Dismissal Order³ (“Extension Request”). The Extension Request asks the Pre-Trial Chamber (“PTC” or “Chamber”) to: a) extend the page limit for Yim Tith’s appeal against both Closing Orders by 120 pages (to 150 pages) in English; and b) extend the time limit to file Yim Tith’s appeal in two languages by 15 days (to 45 days), with the deadline to commence upon notification of the translations of both Closing Orders.
2. The ICP does not oppose the requested page and time limit extensions globally. However, she is of the view that, given the differing nature of the Closing Orders, and to enable the Chamber and Parties to distinguish clearly between the arguments raised in Yim Tith’s respective appeals of the Indictment and Dismissal Order, as well as to aid clarity in the Parties’ corresponding responses, Yim Tith should address his two appeals in two separate documents, with neither appeal individually exceeding 100 pages.
3. The ICP is conscious of her earlier Request to file her appeal against the NCIJ’s Dismissal Order no earlier than 4 November 2019.⁴ In order to simplify the scheduling of future briefing in this case, and to minimise the risk of parties being required to work on multiple appeals, responses or replies simultaneously, the ICP further requests that the PTC synchronise the timelines for Parties’ appeal briefs as it has in previous cases.⁵

Respectfully submitted,

Date	Name	Place	Signature
25 September 2019	Brenda J. HOLLIS International Co-Prosecutor	Phnom Penh 	

¹ **D381/8** Yim Tith’s Request for Extension of Page and Time Limits for his Appeal of the Closing Orders, 17 September 2019 (“Extension Request”).

² **D382** Closing Order, 28 June 2019 (“Indictment”).

³ **D381** Order Dismissing the Case against Yim Tith, 28 June 2019 (“Dismissal Order”).

⁴ **D381/10 & D382/12** International Co-Prosecutor’s Request for an Extension of Time and Page Limits for her Appeal Against the Order Dismissing the Case Against Yim Tith (D381), 19 September 2019.

⁵ *See, e.g.* Case 004/2-**D360/7** Decision on Request for Extension of Time and Page Limit for Ao An’s Appeal Against the Closing Order (Indictment), 8 November 2018, para. 6, Disposition.