

**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: 21 June 2019

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' NOTICE OF APPEAL
OF THE TRIAL JUDGEMENT IN CASE 002/02**

Filed by:
Co-Prosecutors
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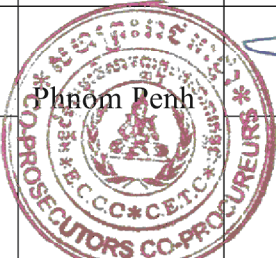


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NOTICE OF APPEAL

1. Pursuant to Articles 17^{new} and 36^{new} of the ECCC Law¹ and Internal Rules² 105 and 106, the Co-Prosecutors file this Notice of Appeal setting forth a single ground of appeal against the Trial Judgement in Case 002/02.³
2. The Co-Prosecutors submit that the Trial Chamber erred in law and/or fact⁴ by finding that male victims of forced marriage who were coerced to have sexual intercourse without their free consent were not victims of the crime against humanity of Other Inhumane Acts. The error resulted from the Trial Chamber's legally and factually erroneous holding that despite finding that men were subjected to sexual violence that was contrary to human dignity, the elements of Other Inhumane Acts were not established as to these victims because it was unable to reach a finding on the seriousness of the mental and physical suffering.⁵

Respectfully submitted,

| Date | Name | Place | Signature |
|--------------|------------------------------------|--|---|
| 21 June 2019 | CHEA Leang Co-Prosecutor |  |  |
| | Nicholas KOUMJIAN Co-Prosecutor | |  |

¹ Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the period of Democratic Kampuchea, NS/RKM/1004/006, 27 October 2004 (“ECCC Law”).

² Extraordinary Chambers in the Courts of Cambodia Internal Rules, Rev. 9, 16 January 2015 (“Internal Rules”).

³ **E465** Case 002/02 Judgement, 16 November 2018 (“Judgement”).

⁴ *See in particular* **E465** Judgement, paras 731, 3701. These errors of law and fact invalidate the Trial Chamber’s conclusions as to whether Other Inhumane Acts were committed against male victims of forced sexual intercourse in the context of forced marriage, and they occasioned a miscarriage of justice in relation to the same. *See* Internal Rule 105(3).

⁵ *See in particular* **E465** Judgement, para. 3701.