

BEFORE THE TRIAL CHAMBER  
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

**FILING DETAILS**

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**CO-PROSECUTORS' RESPONSE TO "IENG SARY'S SUBMISSIONS ON THE LAW PERMITTING HIM TO BE AUDIO AND/OR VIDEO RECORDED IN THE HOLDING CELL"**

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## **ECCC LAW**

*(Not included – ECCC Legal Compendium)*

### **Core Legal Documents**

1. Extraordinary Chambers in the Courts of Cambodia, Internal Rules (Rev. 8), as revised on 3 August 2011, Rules 35(1), 55(10), 87(3), & 93.

### **Jurisprudence**

2. **E211/2** Trial Chamber Memorandum Re: Nuon Chea Defence Notice to the Trial Chamber Regarding Research at DC-Cam (E211), 13 August 2012.
3. **E238/9** Decision on Accused Ieng Sary's Fitness to Stand Trial, 26 November 2012.
4. **E238/11/1** Decision on Ieng Sary's Request for Reconsideration of the Trial Chamber Decision on the Accused's Fitness to Stand Trial and Supplemental Request, 19 December 2012.
5. **E238/12** Memorandum to the doctor treating Ieng Sary at the Detention Centre, 18 December 2012.
6. **E251** Decision on Defence Requests Concerning Irregularities Alleged to Have Occurred During the Judicial Investigation (E221, E223, E224, E224/2, E234, E234/2, E241 and E241/1), 7 December 2012.
7. **E254** Order for Submissions, 12 December 2012.
8. **A371/2/12** Decision on Ieng Sary's Appeal Against Co-Investigating Judges' Order Denying Request to Allow Audio/Video Recording of Meetings with Ieng Sary at the Detention Facility, 11 June 2010.

## **INTERNATIONAL LAW**

### **Instruments**

9. United Nations, Economic and Social Council, U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities, Siracusa Principles on the Limitation and Derogation of Provisions in the International Covenant on Civil and Political Rights, 1984, para. 70(h).
10. Human Rights Committee, General Comment No. 32, Article 14: Right to equality before courts and tribunals and to a fair trial, 2007.

### **Jurisprudence**

#### ***European Court of Human Rights (ECHR)***

*(Not included – available on ECHR website)*

11. *Case of Mayzit v. Russia*, Application No. 63378/00, Judgment, 20 January 2005.

***International Criminal Tribunal for the Former Yugoslavia (ICTY)***

*(Not included – available on ICTY website)*

12. *Prosecutor v. Duško Tadić*, IT-94-1-A, Judgement (Appeals Chamber), 15 July 1999.
13. *Prosecutor v. Milošević*, IT-02-54-AR73.7, Decision on Interlocutory Appeal of the Trial Chamber's Decision on the Assignment of Defense Counsel, 1 November 2004.
14. *Prosecutor v. Stanišić & Simatović*, IT-03-69-AR73.2, Decision on Defence Appeal of the Decision on Future Course of Proceedings, 16 May 2008, paras. 16-20.

***International Criminal Tribunal for Rwanda***

*(Not included – available on ICTR website)*

15. *Zigiranyirazo v. Prosecutor*, ICTR-2001-73-AR73, Decision on Interlocutory Appeal, 30 October 2006.

***The Human Rights Committee***

16. *B. d. B et al. v. The Netherlands*, Communication No. 273/1989, 30 March 1989, U.N. Doc. A/44/40. *(Included)*