

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

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**CO-PROSECUTORS' RESPONSE TO IENG THIRITH'S APPLICATION TO  
POSTPONE THE HEARING OF THE APPEAL AGAINST THE PROVISIONAL  
DETENTION ORDER**

**Filed by:**

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**Distributed to:**

**Pre-Trial Chamber**  
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Judge Katinka LAHUIS  
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**RESPONSE**

1. The Co-Prosecutors take note of the Application to postpone the Hearing of the Appeal against the Provisional Detention Order (“the Application”) filed by IENG Thirith’s Defence Counsel on 21 March 2008 as well as of the Pre-Trial Chamber’s Directions to Co-Prosecutors and Civil parties concerning this Application dated 27 March 2008.
2. Without addressing the merits of each argument given by the Defence in its Application, the Co-Prosecutors consider that there is sufficient basis to make this request and consequently do not oppose it. If granted, the Co-Prosecutors request that the hearing be held at the soonest convenient date to all parties after the 21 April 2008, the date initially set by the Pre-Trial Chamber.
3. If this requested postponement would have significantly affected the progress of the current investigation conducted by the Co-Investigating Judges, the Co-Prosecutors would have taken a different position. However, as this request will not impact on the judicial investigation, balanced against the rights of the Charged Person, as stated, the request is unopposed.

Respectfully submitted,

  
  
YET Chakriva  
Deputy Co-Prosecutor

  
William SMITH  
Deputy Co-Prosecutor

Signed in Phnom Penh, Kingdom of Cambodia on this twenty-eighth day of March 2008