


MR. IENG SARY'S NOTICE TO THE TRIAL CHAMBER THAT HE WILL NOT TESTIFY

Pursuant to Article 31 of the Cambodian Constitution, Articles 33 new and 35 new of the Establishment Law, Article 12(2) of the Agreement, Internal Rule 21(1)(d), and Article 14(3)(g) of the International Covenant for Civil and Political Rights, I, Mr. IENG Sary, have the right to remain silent at every stage of the proceedings. I hereby certify the following:

1. I am currently represented by counsel;
2. I have been informed of and understand the charges that are pending against me;
3. I have been informed of the place and approximate date of my trial;
4. I am aware of my right to participate in my own defence;
5. I am aware of my right to remain silent at all ECCC hearings;
6. I am aware of my right to be tried in my presence;
7. I am aware of my right to examine, or have examined, the witnesses against me and to obtain the attendance of witnesses on my behalf;
8. I am aware of my right to adequate time and facilities for the preparation of my defence;
9. I am aware of my right to be tried without undue delay.

With full knowledge of the proceedings pending against me and my rights as stated above, I voluntarily, knowingly and unequivocally put the Trial Chamber on notice that I will not testify, including answering any questions put to me, during any trial or mini-trial in Case 002. My Co-Lawyers will be present during trial to ensure the effective exercise of my fair trial rights.

Respectfully submitted,



Mr. IENG Sary
Case 002

24 October 2011