

BEFORE THE TRIAL CHAMBER**EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC/TC**Party Filing:** The Defence for IENG Sary**Filed to:** The Trial Chamber**Original language:** ENGLISH**Date of document:** 3 October 2011**CLASSIFICATION****Classification of the document
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**IENG SARY'S CONDITIONAL SUPPORT TO THE CO-PROSECUTORS' NOTICE
OF REQUEST FOR RECONSIDERATION OF THE TERMS OF "SEVERANCE
ORDER PURSUANT TO INTERNAL RULE 98TER"**

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Co-Prosecutors:
CHEA Leang
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**All Defence Teams
All Civil Parties**

Mr. IENG Sary, through his Co-Lawyers (“the Defence”), hereby conditionally support the Co-Prosecutors’ submission, contained in their Notice of Request for Reconsideration of the Terms of “Severance Order Pursuant to Rule 89*ter*,”¹ “that a legitimate basis exists for the Trial Chamber to reconsider the terms of this Order and to allow for an oral hearing.” Should the Trial Chamber grant the Co-Prosecutors’ request for reconsideration, the Defence respectfully request the Trial Chamber to afford sufficient time to the parties to examine and respond to the Co-Prosecutors’ “focused recommendations,”² and that a public oral hearing be granted. No confidential information will be discussed which will prevent the hearing from taking place in public. In light of the significance of the issues to be discussed, a fully transparent, public hearing would assist the Cambodian public to better understand the matters under consideration and will further engender greater appreciation and confidence in the ECCC, and in particular, the Trial Chamber.

WHEREFORE, for all the reasons stated herein, the Defence respectfully requests the Trial Chamber to ALLOW a public oral hearing should it grant the Co-Prosecutors’ request for reconsideration of the terms of the “Severance Order Pursuant to Rule 89*ter*.”

Respectfully submitted,

ANG Udom



Michael G. KARNAVAS

Co-Lawyers for Mr. IENG Sary

Signed in Phnom Penh, Kingdom of Cambodia on this 3rd day of **October**, 2011

¹ Co-Prosecutors’ Notice of Request for Reconsideration of the Terms of “Severance Order Pursuant to Rule 89*ter*,” 23 September 2011, E124/1, para. 4.

² *Id.*, para. 5.