

D138/1/4

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

**Case No:** 002/19-09-2007-ECCC/OCIJ (PTC18)  
**Filed to:** Pre-Trial Chamber  
**Date of Document:** 25 March 2009  
**Party Filing:** Unrepresented Civil Party  
**Language:** Khmer and English  
**Type of Document:** PUBLIC

<b>ឯកសារដើម</b>	
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
កាលបរិច្ឆេទ (Date of receipt/Date de reception):	
27, 03, 2009	
ម៉ោង (Time/Heure):	
10:00	
ឈ្មោះមន្ត្រីរៀបចំឯកសារ (Case File Officer/L'agent chargé du dossier):	
CA Jul	

**STATEMENT OF UNREPRESENTED CIVIL PARTY ON IENG SARY'S APPEAL  
AGAINST THE OCIJ ORDER ON BREACH OF CONFIDENTIALITY OF THE  
JUDICIAL INVESTIGATION**

Filed by:  
**Unrepresented Civil Party**  
 Theary Chan SENG

Distribution to:

**Co-Prosecutors**

CHEA Leang  
 Robert PETIT  
 YET Chakriya  
 William SMITH  
 Anees AHMED

**Co-Lawyers of Ieng Sary**

ANG Udom  
 Michael KARNAVAS

**Office of Co-Investigating Judges**

YOU Bunleng  
 Marcel LEMONDE

**Victims' Support Unit**

KEAT Bophal

Filed to:

**Pre-Trial Chamber**

Judge PRAK Kimsan  
 Judge Rowan DOWNING  
 Judge NEY Thol  
 Judge Katinka LAH  
 Judge HUOT Vuthy

**Co-Lawyers for Civil Parties**

HONG Kim Suon  
 KONG Pisey  
 LOR Chunthy  
 NY Chandy  
 Silke STUDZINSKY  
 YUNG Phanit  
 David BLACKMAN  
 MOCH Sovannary  
 KIM Mengkhy  
 Martine JACQUIN  
 Philippe CANONNE  
 Pierre-Olivier SUR  
 Elizabeth RABESANRATANA  
 Annie DELAHAIE  
 Oliver BAHOUAGNE

<b>ឯកសារចម្លងត្រឹមត្រូវតាមប្រព័ន្ធដីកម្ពុជា</b>	
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME	
កាលបរិច្ឆេទ (Certified Date/Date de certification):	
27, 03, 2009	
ឈ្មោះមន្ត្រីរៀបចំឯកសារ (Case File Officer/L'agent chargé du dossier):	
CA Jul	

## I. PROCEDURAL AND FACTUAL BACKGROUND

1. I, Theary C. SENG, am an unrepresented Civil Party to Case File No. 002 recognized by the Extraordinary Chambers in the Courts of Cambodia (herein known as “Unrepresented Civil Party”).
2. The Unrepresented Civil Party is currently forming and seeking to represent the Civil Party of Orphans Class of Cambodian victims who lost their parent(s) between 17 April 1975 to 7 January 1979 with the institutional assistance from the Center for Social Development (a human rights organization headquartered in Phnom Penh) the Cambodian Human Rights Action Committee (a coalition of 21 non-governmental organizations) and other NGOs/associations.
3. The Unrepresented Civil Party herein requests the right to speak in person at the upcoming Pre-Trial Chamber (“PTC”) hearing on *Ieng Sary’s Appeal against the OCIJ Order on Breach of Confidentiality of the Judicial Investigation (“Appeal”)*, pursuant to the PTC’s 29 August 2008 *Public Directions on Unrepresented Civil Parties’ Right to Address the Pre-Trial Chamber in Person* whereby an unrepresented civil party “...may be granted leave to address the Pre-Trial Chamber in person...” and “...shall make a written request explaining the content and the relevance of his or her proposed submissions at least ten (10) days prior to the hearing.”
4. The Unrepresented Civil Party has not been informed of the Appeal hearing by the PTC and generally has only been officially informed of and received documents related other previous hearings only sporadically.

## II. SUMMARY OF ARGUMENT

5. In sum, the Unrepresented Civil Party, hereby attaches the *Joint Statement of NGOs* of 6 March 2009 and herein incorporates its arguments for this Appeal hearing.

Respectfully submitted,

Theary C. SENG, Unrepresented Civil Party

