



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

០១៧/១៤/២
ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion Roi

អង្គបុរេជំនុំជម្រះ
Pre-Trial Chamber
Chambre Préliminaire

Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTCS5)

Before: Judge PRAK Kimsan, President
Judge Rowan DOWNING
Judge NEY Thol
Judge Katinka LAHUIS
Judge HUOT Vuthy

Date: 22 December 2009

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| ឯកសារដើម | |
| ORIGINAL DOCUMENT/DOCUMENT ORIGINAL | |
| ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): | |
| 22 / 12 / 2009 | |
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| 14:00 | |
| មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé | |
| du dossier:..... C.A. Fey | |

PUBLIC

DECISION ON CO-LAWYERS' APPLICATION FOR EXTENSION OF TIME TO FILE IENG SARY'S APPEAL AGAINST THE OCIJ'S ORDER ON THE APPLICATION AT THE ECCC OF THE FORM OF LIABILITY KNOWN AS JOINT CRIMINAL ENTERPRISE

Co-Prosecutors

CHEA Leang
Andrew CAYLEY

Lawyers for the Civil Parties

HONG Kim Suon
LOR Chunthy
NY Chandy
KONG Pisey
YONG Phanith
KIM Mengkhy
MOCH Sovannary
SIN Soworn
Silke STUDZINSKY
Martine JACQUIN
Philippe CANONNE
Pierre Olivier SUR
Elizabeth RABESANDRATANA
Olivier BAHOUgne
David BLACKMAN
Annie DELAHAIE
Fabienne TRUSSES-NAPROUS
Patrick BEAUDOIN
Marie GUIRAUD
Lyma NGUYEN

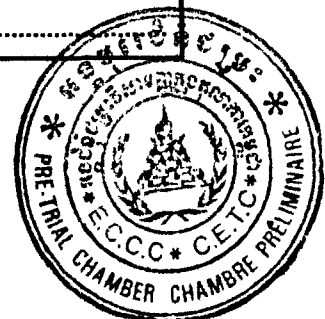
Charged Person

IENG Sary

Co-Lawyers for the Charged Person

ANG Udom
Michael G. KARNAVAS

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| ឯកសារបានផ្តិតចម្លងត្រឹមត្រូវតាមច្បាប់ដើម | |
| CERTIFIED COPY/COPIE CERTIFIÉE CONFORME | |
| ថ្ងៃ ខែ ឆ្នាំ ត្រឹមការបញ្ជាក់ (Certified Date /Date de certification): | |
| 22 / 12 / 2009 | |
| មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé | |
| du dossier:..... C.A. Fey | |



Unrepresented Civil Parties

THE PRE-TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) is seized of an “Application for Extension of Time to file Ieng Sary’s (the “Charged Person”) Appeal against the [Co-Investigating Judges]’ Order on the Application at the ECCC of the Form of Liability known as Joint Criminal Enterprise”, filed pursuant to Internal Rules 39(4)(a) and 75(3) by the Co-Lawyers for the Charged Person on 17 December 2009 (the “Application”).¹

1. On 8 December 2009 the Co-Investigating Judges issued an Order on the Application at the ECCC of the Form of Liability known as Joint Criminal Enterprise (the “Order”).² The Order was notified on 9 December 2009.
2. On 15 December 2009, the Co-Lawyers for the Charged Person filed a Notice of Appeal against the Order.
3. On 17 December 2009, the Co-Lawyers filed an Application for Extension of Time to file an Appeal. In attached Annex to the Application it is shown that the Co-Prosecutors do not oppose to this request. On 18 December, the Lawyers for the Civil Parties also indicated that they have no objection to the request.
4. By their Request, the Co-Lawyers for the Charged Person request an extension of the time to file an appeal until 22 January 2010.
5. The Pre-Trial Chamber observes that the Co-Lawyers’ Request is made for the following reasons: 1) the issues raised in the appeal are expected to be complex; 2) the period leading up to this deadline includes two international holidays during which time staff members and translators will not be fully available.
6. Pursuant to Internal Rule 39(4)(a), the Pre-Trial Chamber may, at the request of the concerned Party, extend time limits.
7. The Pre-Trial Chamber notes that it is in the interest of the Charged Person to have adequate time and facilities to prepare. The Pre-Trial Chamber further notes that the Request was filed before the time limit expired.
8. The Pre-Trial Chamber is satisfied by the reasons given for the Request and notes the fact that there is no objection by the Co-Prosecutors or the Lawyers for the Civil Parties.

¹ Co-Lawyers’ Application for Extension of Time to file Ieng Sary’s Appeal against the OCIJ’s Order on the Application at the ECCC of the Form of Liability known as Joint Criminal Enterprise”, 17 December 2009 (the “Application”), D97/14/1.

² Order on the Application at the ECCC of the Form of Liability known as Joint Criminal Enterprise, 8 December 2009 (the “Order”), D 97/13.



THEREFORE, THE PRE-TRIAL CHAMBER HEREBY:

GRANTS the Request for Extension of Time to file an Appeal.

DIRECTS the Co-Lawyers for the Charged Person to file their Appeal by **22 January 2010 at 12:00 pm.**

Phnom Penh, 22 December 2009

