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

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**CO-PROSECUTORS' RESPONSE TO CERTAIN CIVIL PARTIES' REQUEST ON THE  
STANDING OF CIVIL PARTY LAWYERS TO MAKE  
SUBMISSIONS ON SENTENCING**

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## I. INTRODUCTION

1. Civil parties group 1 and group 2 (“Applicants”) have requested a ruling on the standing of civil party lawyers to make submissions on sentencing (“Request”).<sup>1</sup>

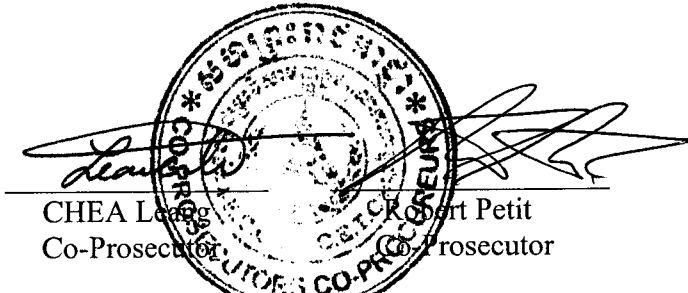
## II. OBSERVATIONS

2. The ECCC Law, the Internal Rules and the Cambodian Code of Criminal Procedure contain no prohibition on the submissions of civil party lawyers on sentencing. On the other hand, it appears that practice in Cambodian courts seems to allow such submissions.

## III. CONCLUSION

3. In view of this, the Co-Prosecutors do not take any position on the civil party lawyers’ right to make submissions on sentencing. Should the Trial Chamber consider granting this Request, the Co-Prosecutors respectfully submit that the Trial Chamber considers this Request in the light of the fact that in Case File Nos. 001 and 002 there may be potentially numerous civil parties and there may be a necessity to regulate their submissions consistent with fair trial standards.

Respectfully submitted,



CHEA Leang  
Co-Prosecutor

Robert Petit  
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Signed in Phnom Penh, Kingdom of Cambodia on the thirtieth day of June 2009.

<sup>1</sup> *Case of Kaing Guek Eav alias Duch, Groups 1 and 2 Civil Parties’ Co-Lawyers’ Joint Request for a Ruling on the Standing of Civil Party Lawyers to Make Submissions on Sentencing, Case File No. 001/18-07-2007-ECCC/TC (PTC E72), 9 June 2009.*