



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

E9/7/1/1/1/4

អង្គជំនុំជម្រះតុលាការកំពូល

Supreme Court Chamber
Chambre de la Cour suprême

សំណុំរឿងលេខ: ០០២/១៩-០៩-២០០៧-អ.វ.ត.ក-អ.ជ.ស.ដ/អ.ជ.ត.ក(០៣ និង ០៥)

Case File/Dossier N°. 002/19-09-2007-ECCC-TC/SC(03 and 05)

Before: Judge KONG Srim, President
Judge Motoo NOGUCHI
Judge SOM Sereyvuth
Judge Agnieszka KLONOWIECKA-MILART
Judge SIN Rith
Judge Chandra Nihal JAYASINGHE
Judge YA Narin

Date: 8 April 2011
Original Language(s): Khmer/English
Classification: PUBLIC

DECISION ON TWO NOTICES OF APPEAL FILED BY IENG SARY

Co-Lawyers for the Accused, IENG Sary
ANG Udom
Michael G. KARNAVAS

Civil Parties Lead Co-Lawyers
PICH Ang
Elisabeth SIMONNEAU FORT

Co-Prosecutors
CHEA Leang
Andrew CAYLEY

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ០៧ / ០៤ / ២០១១
ម៉ោង (Time/Heure): ១៤ : ៣០
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RADA



THE SUPREME COURT CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”):

BEING SEISED of two notices of appeal filed by the Co-Lawyers for the Accused (“Co-Lawyers”), IENG Sary (“Notices of Appeal”);¹

NOTING the combined response filed by the Co-Prosecutors to the Notices of Appeal, in which the Co-Prosecutors request the Chamber to find that the Notices of Appeal are inadmissible and to order that no further submissions be filed by the Co-Lawyers in relation to the Notices of Appeal;²

CONSIDERING that the decisions by the Trial Chamber³ against which the Co-Lawyers are attempting to appeal in the Notices of Appeal do not fall within the Chamber’s limited jurisdiction for immediate appeals under Internal Rule 104(4) (Rev. 7);⁴

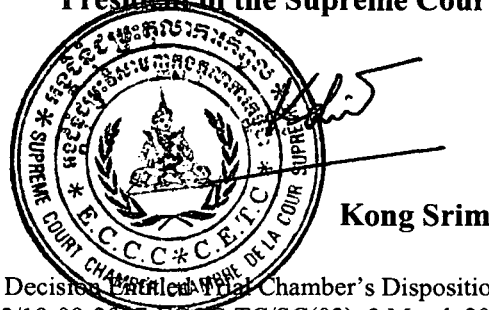
FOR THE FOREGOING REASONS, the Supreme Court Chamber:

DECIDES to reject the Notices of Appeal as inadmissible; and

DECIDES it is unnecessary to consider the further appeal submissions filed by the Co-Lawyers.⁵

[Handwritten signatures]

Phnom Penh, 8 April 2011
President of the Supreme Court Chamber



Kong Srim

¹ IENG Sary’s Notice of Appeal Against Trial Chamber’s Decision on Trial Chamber’s Disposition of Requests for Extension of Deadline (E9/7 and E9/4/9), Case No. 002/19-09-2007-ECCC-TC/SC(03), 2 March 2011, E9/7/1/1; IENG Sary’s Notice of Appeal Against Order to IENG Sary Defence on Filing of Preliminary Objections, Case No. 002/19-09-2007-ECCC-TC/SC(05), 9 March 2011, E51/5/5.

² Co-Prosecutors’ Response to IENG Sary’s Two Notices of Appeal Against the Trial Chamber’s Decisions Refusing the Extension of Time and Page Limits for the Filing of Preliminary Objections, 18 March 2011, E9/7/1/1/1/1, para. 13.

³ Trial Chamber’s Disposition of Requests for Extension of Deadline (E9/7 and E9/4/9), 1 March 2011, E9/7/1; Order to IENG Sary Defence on Filing of Preliminary Objections, 28 February 2011, E51/6.

⁴ Decision on the Appeals Filed by Lawyers for Civil Parties (Groups 2 and 3) Against the Trial Chamber’s Oral Decisions of 27 August 2009, 28 December 2009, E169/1/2, paras. 8-12.

⁵ IENG Sary’s Reply to Co-Prosecutors’ Response to IENG Sary’s Two Notices of Appeal Against the Trial Chamber’s Decisions Refusing the Extension of Time and Page Limits for the Filing of Preliminary Objections, 22 March 2011, E9/7/1/1/1/2; IENG Sary’s Appeal Against the Trial Chamber’s Disposition of Requests for Extension of Deadlines (E9/7 and E9/4/9), 21 March 2011, E9/7/1/1/1/3; IENG Sary’s Appeal Against the Trial Chamber’s Order to IENG Sary Defence on Filing of Preliminary Objections, 22 March 2011, E51/6/1/1/1.