



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

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... ០៧ / ០៤ / ២០១១ .....
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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”);<sup>1</sup>

**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;<sup>2</sup>

**CONSIDERING** that the decisions by the Trial Chamber<sup>3</sup> 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);<sup>4</sup>

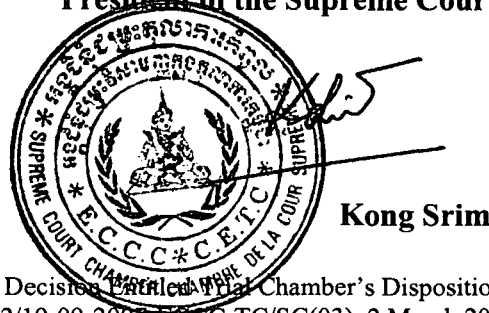
**FOR THE FOREGOING REASONS**, the Supreme Court Chamber:

**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.<sup>5</sup>

*[Handwritten signatures]*

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



Kong Srim

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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.