

ក្រុមការពារក្តីឱ្យអ្នកស្រី អ៊ឹម ចែម នៅ អ.វ.ត.ក
DEFENCE TEAM FOR MS. IM CHAEM AT THE ECCC

BIT Seanglim and Wayne JORDASH, QC
 Phnom Penh/London
 31 October 2017

To: Pre-Trial Chamber
Subject: Proposed details of oral hearings in Case 004/1



Dear Judges,

We, the Co-Lawyers for Ms. IM Chaem, hereby respond to the Pre-Trial Chamber's Notice to the parties by email on 27 October 2017.

We confirm that both the National and International Co-Lawyers for Ms. IM Chaem are available to attend hearings on 11 and / or 12 December 2017.

With respect to the scheduling suggested by the Pre-Trial Chamber, we respectfully request that we be granted a further two hours, in addition to the initial proposal (four hours total), to make oral submissions. Such a time allocation is reasonable in order for us to adequately address the breadth of issues raised in written submissions.

In particular, we will need to present oral arguments in response to all of the International Co-Prosecutor's written submissions made in appellate proceedings relating to the Closing Order (Reasons). Within these submissions, a diverse range of significant and complex legal issues will be the subject of our oral arguments. These include the proper appellate standard of review, the admissibility of certain arguments, the scope of a permissible indictment, and the proper approach to the publication of information contained in such a document. This is not to mention the substantive aspects of the International Co-Prosecutor's Appeal and Reply, both of which concern detailed questions of fact and, as yet, unsettled points of ECCC and international law.

As the Civil Party Co-Lawyers have received an allocation to present oral arguments before the Pre-Trial Chamber, it is logical that their submissions will concern the topic of their involvement in the proceedings - the jurisdiction of ordinary Cambodian court over Khmer Rouge-era crimes. Accordingly, our submissions will need to cover this topic as well.

In order to adequately set out our case, and to provide the greatest assistance possible to the Pre-Trial Chamber when determining all issues on appeal, we believe the requested additional time is both necessary and reasonable in the circumstances. We respectfully ask the Pre-Trial Chamber to grant us the allocated time sought - an additional two hours - when issuing a scheduling order for the oral hearings.

Yours sincerely,



BIT Seanglim



Wayne JORDASH, QC