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

FILING DETAILS

Case No: 004/2/07-09-2009-ECCC/OCIJ (PTC __) **Party Filing:** Co-Prosecutors

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**CO-PROSECUTORS' REQUEST FOR EXTENSION OF DEADLINES FOR
NOTICES OF APPEAL OF CLOSING ORDERS IN CASE 004/02**

Filed by:

Co-Prosecutors
CHEA Leang
Nicholas KOUMJIAN

Distributed to:



Pre-Trial Chamber
Judge PRAK Kimsan
Judge Olivier BEAUVALLET
Judge NEY Thol
Judge BAIK Kang Jin
Judge HUOT Vuthy

Co-Lawyers for AO An
MOM Luch
Göran SLUITER
Richard ROGERS

**All Civil Party Lawyers
in Case 004/2**

1. On 16 August 2018, two Closing Orders were issued in Case 004/02: a Dismissal Order issued by the National Co-Investigating Judge¹ and an Indictment issued by the International Co-Investigating Judge.² The Dismissal Order was issued in Khmer with no English translation, while the Indictment was issued in English with no Khmer translation.
2. The Co-Prosecutors seek clarification as to when any notice of appeal of one or both Closing Orders would be due given that there are two closing orders for the same case. Both of the Co-Prosecutors believe that in order to make an informed decision on any appeal, they need to review both documents in a language they fully comprehend. Moreover, given that both Closing Orders are lengthy (each over 400 pages), the Co-Prosecutors require some time to evaluate the Closing Orders and the ramifications of any appeal.
3. Accordingly, the Co-Prosecutors respectfully request that the deadline applicable to all parties for any notice of appeal related to either Closing Order be extended to 14 days after translations of both Closing Orders have been notified.
4. This approach will have the additional benefit of putting all parties on an equal procedural footing, as all notices of appeal of either Closing Order will be due on the same date. The Co-Prosecutors submit that length of the Closing Orders and their interrelationship are exceptional circumstances justifying this extension.³

Respectfully submitted,

Date	Name	Place	Signature
23 August 2018	CHEA Leang National Co-Prosecutor	Phnom Penh	
	Nicholas KOUMJIAN International Co-Prosecutor	Phnom Penh	

¹ **D359** ដីកាសម្រេចលើកលែងការចោទប្រកាន់ អោ អាន, 16 August 2018.

² **D360** Closing Order (Indictment), 16 August 2018.

³ Practice Direction on the Filing of Documents before the ECCC, ECCC/01/2007/Rev.8, 7 March 2012 (“Practice Direction”), art. 8.2.