



អង្គបុរេជំនុំជម្រះ

PRE-TRIAL CHAMBER
CHAMBRE PRELIMINAIRE

Criminal Case File N° 002/19-09-2007-ECCC/OCIJ (PTC03)

Before:
Judge PRAK Kimsan, President
Judge Rowan DOWNING
Judge NEY Thol
Judge Katinka LAHUIS
Judge HUOT Vuthy

Date: 30 April 2008

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ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
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du dossier: C.H.E.A. Kosal	

DECISION ON IENG SARY'S REQUEST FOR SEPARATION OF ORAL HEARINGS ON JURISDICTION AND PROVISIONAL DETENTION

Co-Prosecutors

CHEA Leang
Robert PETIT

Charged Person

IENG Sary

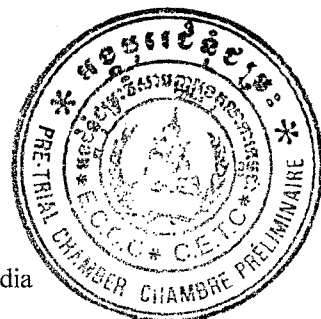
Lawyers for the Civil Parties

HONG Kim Suon
LOR Chunthy
NY Chandy
KONG Pisey
Silke STUDZINSKY

Co-Lawyers for the Defence

ANG Udom
Michael G. KARNAVAS

ឯកសារច្បាប់ចម្លងត្រឹមត្រូវតាមច្បាប់ដើម	
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME	
ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):	
..... 30 / 04 / 2008	
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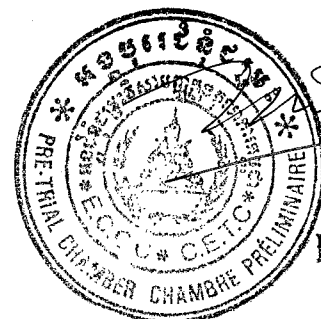
1. **THE PRE-TRIAL CHAMBER** is seized of “Ieng Sary’s Request for separation of oral hearings on jurisdiction and provisional detention”, filed on 13 March 2008 (“Request”).
2. The Co-Prosecutors responded to the request on 02 April 2008.
3. The Lawyers for the Civil Parties did not file any response.
4. The Charged Person replied to the Co-Prosecutors’ response on 08 April 2008.
5. The Co-Lawyers request that the Pre-Trial Chamber separate any oral proceedings and decisions relating to the issues of jurisdiction from those relating to provisional detention.
6. In its decision on the Request for suspension, on 30 April 2008, the Pre-Trial Chamber denied the request for suspension of the consideration of the appeal on provisional detention. The reasons for separation put forward by the Co-Lawyers, are, after this decision, limited to “practical scheduling reasons”. The Co-Lawyers have not explained why practical scheduling reasons would require such separation.
7. The Pre-Trial Chamber does not see any practical scheduling reasons for a separation. As considered in the decision of 03 March 2008, the subject of the jurisdiction is included in the appeal of the Co-Lawyers. The Pre-Trial Chamber will therefore deal with all the matters at the same time as the hearing on the appeal.

THEREFORE THE PRE-TRIAL CHAMBER HEREBY DECIDES:

To deny the Charged Person’s Request for separation. ort

Phnom Penh, 30 April 2008

President of the Pre-Trial Chamber,



PRAK KIMSAN