



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion Roi

អង្គបុរេជំនុំជម្រះ

Pre-Trial Chamber
Chambre Préliminaire

Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTC35)

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

Date: 20 January 2010

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PUBLIC

DECISION ON IENG SARY'S EXPEDITED REQUEST FOR EXTENSION OF PAGE LIMIT FOR IENG SARY'S APPEAL AGAINST THE OCIJ'S ORDER ON THE APPLICATION AT THE ECCC OF THE FORM OF LIABILITY KNOWN AS JOINT CRIMINAL ENTERPRISE

Co-Prosecutors

CHEA Leang
Andrew CAYLEY

Charged Person

IENG Sary

Lawyers for the Civil Parties

KIM Menghky
MOCH Sovannary
Martine JACQUIN
Philippe CANONNE
Fabienne TRUSSES-NAPROUS
Elizabeth-Joelle RABESANDRATANA
Annie DELAHIE
NY Chandy
LOR Chuntly
Silke STUDZINSKY
KONG Pisey
HONG Kim Suon
Pierre-Olivier SUR
YUNG Phanit
SIN Soworn
Mahdev MOHAN

Co-Lawyers for the Charged Person

ANG Udom
Michael G. KARNAVAS

ឯកសារបានចម្លងត្រឹមត្រូវតាមច្បាប់
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
ថ្ងៃ ខែ ឆ្នាំ ធ្វើការបញ្ជាក់ (Certified Date/Date de certification): 20 / 01 / 2010
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RADA



NGUYEN Lyma
Marie GUIRAUD
Patrick BAUDOIN
Olivier BAHUGNE
David BLACKMAN
Julien RIVET
Emmanuel ALTIT
Maria Stefania CATALETA
KONG Heng
SAM Sokong
SOK Sam Ouen
Charlotte PLANTIN
Pascal AUBOIN
Jan Ernest RASSEK
CHET Vanly
ANG Pich

Unrepresented Civil Parties



THE PRE-TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) is seized of “Ieng Sary’s Expedited Request for Extension of Page Limit for Ieng Sary’s Appeal Against the OCIJ’s Order on the Application at the ECCC of the Form of Liability known as Joint Criminal Enterprise” filed by the Co-Lawyers for the Charged Person on 15 January 2010 (the “Request”).

1. On 8 December 2010 the Co-Investigating Judges issued an Order on the Application at the ECCC of the Form of Liability Known as a Joint Criminal Enterprise (the “Order”).¹ The Order was notified to the parties on 9 December 2009.
2. On 15 December 2009, the Co-Lawyers for the Charged Person filed a Notice of Appeal against the Order.
3. On 15 January 2010, the Co-Lawyers filed the Request. The Co-Lawyers indicate and provide evidence which confirms that the Co-Prosecutors and Civil Party Lawyers do not oppose to the Request.²
4. By the Request, the Co-Lawyers for the Charged Person ask for an extension of the page limit for this Appeal to 40 pages.
5. The Pre-Trial Chamber observes that the Co-Lawyers’ in the Request submit that there are exceptional circumstances which require an extension of the applicable page limit for this Appeal because the issues that will be raised are quite complex and it is vital that they be addressed fully, as the application of Joint Criminal Enterprise liability has a major effect on the future course of the proceedings.
6. Pursuant to Article 5.4 of the ECCC Practice Directions (Rev. 4), the Pre-Trial Chamber may, at the request of a participant, extend the page limit in exceptional circumstances.
7. The Pre-Trial Chamber notes that it is in the interest of the Charged Person to have such issues addressed as fully and comprehensively as possible. The Pre-Trial Chamber further notes that the Request was filed before the time limit expired.
8. The Pre-Trial Chamber is satisfied by the reasons given for the Request and notes the fact that there is no objection by the Co-Prosecutors or the Lawyers for the Civil Parties.

¹ Order on the Application at the ECCC of the Form of Liability Known as a Joint Criminal Enterprise, 2009, D97/13, (the “Order”).

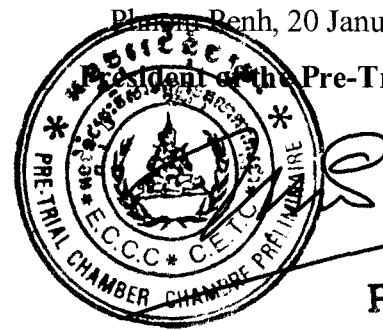
² The Request, footnote 4.



THEREFORE, THE PRE-TRIAL CHAMBER HEREBY:

GRANTS the Request for Extension of Page Limit for this Appeal to 40 pages.

Phnom Penh, 20 January 2010 CR
President of the Pre-Trial Chamber



PRAK KIMSAN