

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

Case File N°: 001/18-07-2007-ECCC/OCIJ
Filed to: Co-Investigating Judges
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**DEFENCE'S SUBMISSIONS CONCERNING APPLICATION
OF THE FORM OF RESPONSIBILITY KNOWN AS
JOINT CRIMINAL ENTERPRISE**

Filed by:
**Lawyers for the Charged Person,
KAING Guek Eav alias Duch
KAR Savuth
François ROUX**

Filed to:
**Co-Investigating Judges
Judge YOU Bunleng
Judge Marcel LEMONDE
Co-Prosecutors
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[001/18-07-2007-ECCC/OCIJ (PTC 02)]

1. In the Order on application of the form of responsibility known as joint criminal enterprise, dated 16 September 2008, the Co-Investigating Judges invited the parties to file additional observations relating to this issue before 31 December 2008.
2. The Lawyers for KAING Guek Eav alias Duch wish to inform the Co-Investigating Judges that they will not file any observations in relation to the issue.

WITH ALL PROPER RESERVES

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| 24-12-2008 | Signed for both Co-Lawyers Kar Savuth | Phnom Penh | (Signed) |
| Date | Name | Place | Signature |