



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

A189 / I / 4

**អង្គបុរេជំនុំជម្រះ**

PRE-TRIAL CHAMBER  
CHAMBRE PRELIMINAIRE

**Criminal Case File N° 002/19-09-2007-ECCC/OCIJ (PTC10)**

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

**Date:** 10 July 2008

<b>ឯកសារដើម</b>	
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**PUBLIC**

**DECISION ON CO-LAWYERS' REQUEST FOR EXPEDITED TIMETABLE – APPEAL ON APPOINTMENT OF PSYCHIATRIC EXPERT**

**Co-Prosecutors**

CHEA Leang  
Robert PETIT  
YET Chakriya  
William SMITH  
TAN Senarong  
Anees AHMED

**Charged Person**

IENG Sary

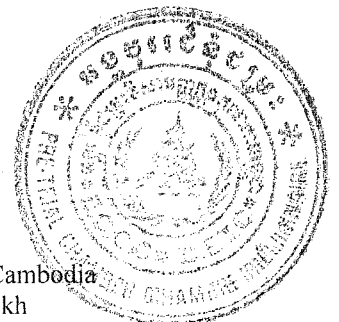
**Lawyers for the Civil Parties**

HONG Kim Suon  
LOR Chunthy  
NY Chandy  
KONG Pisey  
Silke STUDZINSKY  
YONG Phanith

**Co-Lawyers for the Defence**

ANG Udom  
Michael G. KARNAVAS

<b>ឯកសារច្បាប់តាមប្រព័ន្ធគ្រប់គ្រងឯកសារ</b>	
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME	
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11 / 07 / 2008	
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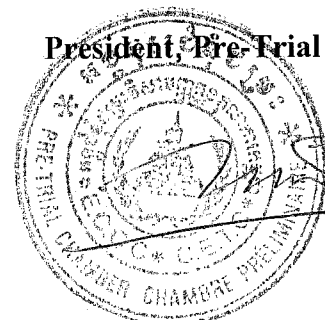
1. **THE PRE-TRIAL CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) notes the “Appeal against the Constructive Dismissal by the OCIJ of the Request for Ieng Sary to be Examined by a Psychiatric Specialist to Determine Fitness to Stand Trial” (“Appeal”) filed on 2 July 2008, in which the Co-Lawyers request that the Pre-Trial Chamber order the Co-Prosecutors to file their response within three days of notification of the Appeal.
2. In accordance with the Pre-Trial Chamber’s Directions of 4 July 2008, the Co-Prosecutors filed a response regarding an expedited timetable for the filing of pleadings on 7 July 2008 (“Response”). No response was received from the Civil Parties.
3. Internal Rule 39(2) provides that the Pre-Trial Chamber may set time limits, taking into account the circumstances of the case.
4. The Co-Lawyers submit in their Appeal that the Co-Prosecutors very recently, in a different case, addressed a substantially similar issue and did not object to the appointment of a psychiatric expert.
5. In their Response, the Co-Prosecutors submit that the facts in this case are different, a new legal issue has been raised, other parties have to respond to the appeal and that the Co-Lawyers have not demonstrated why this matter requires urgency.
6. Taking into account the circumstances of the case, the Pre-Trial Chamber does not find that an expedited timetable is warranted.

**THEREFORE, THE PRE-TRIAL CHAMBER HEREBY DECIDES:**

That any responses by the Co-Prosecutors and the Lawyers for the Civil Parties to the Appeal Brief filed by the Co-Lawyers for the Defence should be filed in accordance with the timetable provided in the Practice Direction on Filing of Documents before the ECCC. mi

Phnom Penh, 10 July 2008

**President, Pre-Trial Chamber**



**PRAK KIMSAN**