

BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

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**CO-PROSECUTORS' RESPONSE TO NUON CHEA'S "RULE 35 REQUEST
CALLING FOR SUMMARY ACTION AGAINST MINISTER OF FOREIGN
AFFAIRS HOR NAMHONG"**

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ECCC LAW

Core Legal Documents

(Not included – ECCC Legal Compendium)

1. Extraordinary Chambers of the Courts of Cambodia, Internal Rules (Rev. 8), as revised on 12 August 2011, Rules 35(1), 35(1)(a-g), 35(2)(a).

Jurisprudence

(Not included – ECCC Case File)

2. **D314/2/7** Decision on Nuon Chea’s and Ieng Sary’s Appeal Against OCIJ Order on Requests to Summon Witnesses, 8 June 2010, paras. 38, 40.
3. **D314/1/12** Decision on Nuon Chea’s and Ieng Sary’s Appeal Against OCIJ Order on Requests to Summon Witnesses, 8 June 2010, paras. 36, 37.
4. **E176/2** Decision on Rule 35 Applications for Summary Action, 11 May 2012, paras. 8, 9, 18, 20, 21, 22, 26, 29, fn. 28.
5. **E116/1/7** Decision on Immediate Appeal by Nuon Chea Against the Trial Chamber’s Decision on Fairness of Judicial Investigation, 27 April 2012, paras. 36, 38, fn. 87.
6. **E142/3** Decision on Nuon Chea’s Request for a Rule 35 Investigation Regarding Inconsistencies in the Audio and Written Records of OCIJ Witness Interviews, 13 March 2012, paras. 9, 13.
7. **E130/4/3** Decision on Ieng Sary’s Appeal Against Trial Chamber’s Order Requiring His Presence in Court, 13 January 2012, p. 2.

Transcripts

(Not included – ECCC Case File)

8. **E1/105.1** Transcript, 9 August 2012, pp. 77-82.
9. **E1/108.1** Transcript, 15 August 2012, pp. 36-48.

INTERNATIONAL LAW

Jurisprudence

International Criminal Tribunal for the Former Yugoslavia (ICTY)

(Jurisprudence not included – available on ICTY website)

10. *Prosecutor v. Vojislav Šešelj*, IT-03-67-AR77.2, Decision on the Prosecution's Appeal Against the Trial Chamber's Decision of 10 June 2008, 25 July 2008, ICTY, para. 16.
11. *In the Matter of Vojislav Šešelj*, Case No. IT-03-67-R77.4, Public Redacted Version of Judgement Issued on 28 June 2012, ICTY, 28 June 2012, para. 42.
12. *The Prosecutor v. Beqa Beqaj*, IT-03-66-T-R77, Judgement on Contempt Allegations, ICTY, 27 May 2005, para. 22.

European Court of Human Rights (ECtHR)

(Jurisprudence not included – available on ECtHR website)

13. *Case of Allenet de Ribemont v. France*, Application No. 15175/89, Judgement, ECtHR, 10 February 1995, paras. 11, 37, 41.