

**BEFORE THE TRIAL CHAMBER****EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 002/19-09-2007-ECCC/TC**Party Filing:** The Defence for IENG Sary**Filed to:** The Trial Chamber**Original language:** ENGLISH**Date of document:** 29 August 2012**CLASSIFICATION****Classification of the document  
suggested by the filing party:** PUBLIC**Classification by OCIJ  
or Chamber:** សាធារណៈ/Public**Classification Status:****Review of Interim Classification:****Records Officer Name:****Signature:**


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**IENG SARY'S REQUEST THAT THE TRIAL CHAMBER SEEK CLARIFICATION  
FROM THE OCIJ AS TO THE EXISTENCE OF ANY RECORD RELATING TO  
THE QUESTIONING OF WITNESS OEUN TAN ON 8 OCTOBER 2008  
TABLE OF AUTHORITIES**

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**The Trial Chamber Judges:**  
Judge NIL Nonn  
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Judge Silvia CARTWRIGHT  
Judge Jean-Marc LAVERGNE  
Reserve Judge THOU Mony  
Reserve Judge Claudia FENZ

**Co-Prosecutors:**  
CHEA Leang  
Andrew CAYLEY

**All Defence Teams****All Civil Parties**

**Cambodian Law and Procedure – ECCC Legal Compendium**

1. Constitution, Arts. 31, 128 new.

**ECCC Law and Procedure – ECCC Legal Compendium**

2. Agreement, Arts. 12(2), 13(1).
3. Establishment Law, Arts. 33 new, 35 new.
4. Rules 21, 25, 93.

**ECCC Filings and Jurisprudence – Available on the Case File**

5. Written Record of Interview, 9 October 2008, E3/33.
6. Report of the Execution of Rogatory Letter, 16 October 2008, D107/1.
7. Co-Prosecutors’ Rule 87(4) Request to Admit Three Documents Written by TCW-694, 5 July 2012, E216, paras. 9-12.
8. Letter from IENG Sary Defence Team to Trial Chamber’s Senior Legal Officer titled “Objections to Witness Statement,” 9 July 2012, E96/7/1.
9. Memorandum from Trial Chamber entitled “Request to Co-Investigating Judges for document sought at trial by the Co-Prosecutors” (E216), 23 July 2012, E216/1.
10. Letter from National Co-Investigating Judge to Trial Chamber entitled “Request for the thesis of Mr. SUONG Sikeoun, entitled ‘Itineraire dún intellectual Khmer Rouge,’” 24 July 2012, E216/2.
11. IENG Sary’s Request to Hear Evidence from the Interpreter Concerning Witness Phy Phoun’s Second OCIJ Interview Whereby Irregularities Occurred Amounting to Subterfuge, 23 August 2012, E221.

**ECCC Correspondence – Available upon request**

12. Letter from IENG Sary Defence to Trial Chamber’s Senior Legal Officer entitled “Request for audio/video recordings of certain OCIJ witness interviews,” 9 March 2012.
13. Letter from IENG Sary Defence to Trial Chamber’s Senior Legal Officer entitled “Mixed up / missing audio files on the Case File,” 3 May 2012.
14. Letter from IENG Sary Defence to the Trial Chamber’s Senior Legal Officer entitled “Upcoming Trial Management Meeting,” 10 August 2012.

**Trial Transcripts – Available on the Case File**

15. Transcript, 15 December 2011, E1/23.1, p. 21-24.
16. Transcript, 13 June 2012, E1/86.1, p. 49-52, 60-61.
17. Transcript, 14 June 2012, E1/87.1, p. 46-48, 50-51, 53-54.
18. Transcript, 1 August 2012, E1/100.1, p. 86.
19. Partial Transcript of Oeun Tan Interview, 21 August 2012, D107/2.1, p. 4.

**International Covenants – ECCC Legal Compendium**

20. 1966 International Covenant on Civil and Political Rights, Arts. 14(1), 14(3)(d), 14(3)(e).