

**BEFORE THE SUPREME COURT CHAMBER  
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

**FILING DETAILS**

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**YIM TITH'S RESPONSE TO THE INTERNATIONAL CO-PROSECUTOR'S APPEAL OF  
THE PRE-TRIAL CHAMBER'S FAILURE TO SEND CASE 004 TO TRIAL AS REQUIRED  
BY THE ECCC LEGAL FRAMEWORK**

**TABLE OF AUTHORITIES**

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**Civil Parties in Case 004**

*ECCC Legal Files – not included***Case 004**

1. *YIM Tith's Response to the International Co-Prosecutor's Appeal of the National Co-Investigating Judge's Closing Order*, 20 February 2020, D381/26.
2. *YIM Tith's Request for Leave to Intervene in Case 004/02 on the Jurisdiction of the Supreme Court Chamber*, 3 June 2020, E004/2/3.
3. *Considerations on Appeals Against Closing Orders*, 17 September 2021, D381/45 and D382/43.
4. *Decision on International Co-Prosecutor's request for extension of time to file her submission concerning the pre-trial chamber's closing order considerations in Case 004*, 4 October 2021, Doc. No. 2/2.
5. *YIM Tith's Request to the Co-Investigating Judges to Immediately Terminate, Seal and Archive Case 004*, 18 October 2021, D386.
6. *International Co-Prosecutor's Appeal of the Pre-Trial Chamber's Failure to Send Case 004 to Trial as required by the ECCC Legal Framework*, 20 October 2021, Doc No. 2.

**Case 004/02**

7. *Considerations on Appeals Against Closing Order*, 19 December 2019, D359/24 & D360/33.
8. *International Co-Prosecutor's Immediate Appeal of the Trial Chamber's Effective Termination of Case 004/2*, 4 May 2020, E004/2/1.
9. *YIM Tith's Request for Leave to Intervene in Case 004/02 on the Jurisdiction of the Supreme Court Chamber*, 3 June 2020, E004/2/3.
10. *Decision on International Co-Prosecutor's Immediate Appeal of the Trial Chamber's Effective Termination of Case 004/2*, 10 August 2020, E004/2/1/1/2.

**Case 001**

11. *Appeal Judgement*, 3 February 2012, F28.

**Case 002**

12. *Decision on IENG Sary's Appeal Against Trial Chamber's Decision on Co-Prosecutors' Request to Exclude Armed Conflict Nexus Requirement from the Definition of Crimes Against Humanity*, 19 March 2012, E95/8/1/4.
13. *Decision on IENG Sary's Appeal Against Trial Chamber's Decision on IENG Sary's Rule 89 Preliminary Objections (Ne Bis in idem and Amnesty and Pardon)*, 20 March 2012, E51/15/12.
14. *Decision on Co-Prosecutors' Submissions on Proceeding with Appeal Hearing*, 3 December 2015, F30/16/1.
15. *Decision on Khieu Samphân's Application for Review of Decision on Requests for Extensions of Time and Page Limits on Notices of Appeal*, 7 June 2019, F44/1.

**Case 003**

16. *Considerations of the Pre-Trial Chamber regarding the Appeal against Order on the Admissibility of Civil Party Applicant Chum Neou*, 13 February 2013, D11/3/4/2.
17. *Consolidated Decision on the Requests of the International Co-Prosecutor and the Co-Lawyers for MEAS Muth Concerning the Proceedings in Case 003*, 8 September 2021, D271/5 and D272/3.
18. *Considerations on Appeals Against Closing Orders*, 7 April 2021, D266/27 & D267/35.
19. *Decision on International Co-Prosecutor's Request to Forward Case File 003 to the Trial Chamber*, 20 May 2021, D270/7.
20. *International Co-Prosecutor's Response to MEAS Muth's Request to Terminate Case 003*, 25 October 2021, Doc. 3/1/1.

### ***Internal Communications***

21. Email from the International Co-Prosecutor, 'ICP Request for Extension of Time to File Submissions in Case 004,' 23 September 2021, D386.1.1.
22. Email from the Defence, 'RE: ICP Request for Extension of Time to File Submissions in Case 004, 23 September 2021, D386.1.2.

## **INTERNATIONAL LAW**

### ***Jurisprudence of the International Tribunals***

#### ***International Criminal Tribunal for the former Yugoslavia***

23. *Prosecutor v. Aleksovski*, IT-94-14/1-A, 'Appeal Judgement', 24 March 2000. [Document exceeds 10 pages – extract provided] – **Attachment 1**.
24. *Prosecutor v. Šešelj*, IT-03-67-AR72.1, 'Decision on Motion for Reconsideration of the "Decision on the Interlocutory Appeal Concerning Jurisdiction" Dated 31 August 2004', 15 June 2006. [Document exceeds 10 pages – extract provided] – **Attachment 2**.
25. *Prosecutor v. Stanišić and Simatović*, IT-03-69-A, 'Judgement', 9 December 2015. [Document exceeds 10 pages – extract provided] – **Attachment 3**.

#### ***International Criminal Tribunal for Rwanda***

26. *Prosecutor v. Semanza*, ICTR-97-20-A, Decision, 31 May 2000. [Document exceeds 10 pages – extract provided] – **Attachment 4**.

## **NATIONAL LAW**

### ***Jurisprudence***

27. *Mullins Coal Co v. Clark*, 759 F.2d, 1142, 1146 (4th Cir 1985) – **Attachment 5**.