

**BEFORE THE SUPREME COURT CHAMBER****EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 003/08-10-2021-ECCC/SC(05)**Party Filing:** The Defence for MEAS Muth**Filed to:** The Supreme Court Chamber**Original language:** ENGLISH**Date of document:** 25 October 2021**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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**MEAS MUTH'S RESPONSE TO THE INTERNATIONAL CO-PROSECUTOR'S  
APPEAL OF THE PRE-TRIAL CHAMBER'S FAILURE TO SEND CASE 003 TO  
TRIAL AS REQUIRED BY THE ECCC LEGAL FRAMEWORK**

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**All Civil Parties in Case 003**

**ECCC Laws and Procedures – *ECCC Legal Compendium***

1. ECCC Internal Rules, Rev. 9, 16 January 2015, Rules 1(2), 19, 20, 67(1), 72, 73(13)(b), 79(1).

**ECCC Filings, Jurisprudence, and Memoranda – *Already on the Case File******Case 001***

2. *Case of KAING Guek Eav*, 001/18-07-2007-ECCC/SC, Appeal Judgement, 3 February 2012, F28.

***Case 002***

3. *Case of NUON Chea et al.*, 002/19-09-2007/ECCC/TC, Decision on the Applicability of Joint Criminal Enterprise, 12 September 2021, E100/6.
4. *Case of NUON Chea et al.*, 002/19-09-2007-ECCC/SC, 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.
5. *Case of NUON Chea et al.*, 002/19-09-2007-ECCC/S, Decision on Co-Prosecutors' Submissions on Proceeding with Appeal Hearing, 3 December 2015, F30/16/1.

***Case 003***

6. 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, Opinion of Judges Chung and Downing.
7. Considerations on Appeals Against Closing Orders, 7 April 2021, D266/27 & D267/35.
8. Decision on International Co-Prosecutor's Request to Forward Case File 003 to the Trial Chamber, 20 May 2021, D270/7.
9. 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, D275/1 & D272/3.

10. Order to File Submissions on Residual Jurisdiction to Terminate Case 003, 16 September 2021, D273.
11. International Co-Prosecutor's Appeal of the Pre-Trial Chamber's Failure to Send Case 003 to Trial as Required by the ECCC Legal Framework, 8 October 2021, Doc. No. 3.

**Case 004**

12. *Case of YIM Tith*, 004/07-09-2009-ECCC/OCIJ (PTC61), Considerations on Appeals Against Closing Orders, 17 September 2021.

**Case 004/2**

13. *Case of AO An*, 004/2/07-09-2009-ECCC/OCIJ (PTC60), Considerations on Appeals Against Closing Orders, 19 December 2019, D359/24 & D360/33.
14. *Case of AO An*, 004/2/07-09-2009-ECCC-TC/SC, International Co-Prosecutor's Immediate Appeal of the Trial Chamber's Effective Termination of Case 004/2, 4 May 2020, E004/2/1.
15. *Case of AO An*, 004/2/07-09-2009-ECCC-TC/SC, International Co-Prosecutor's Reply to AO An's Letter Regarding Her Immediate Appeal of the Trial Chamber's Effective Termination of Case 004/2, 26 May 2020, E004/2/1/1/1.
16. *Case of AO An*, 004/2/07-09-2009-ECCC/TC/SC, Decision on International Co-Prosecutors' Immediate Appeal of the Trial Chamber's Effective Termination of Case 004/2, 10 August 2020, E004/2/1/1/2.

**International(ized) Criminal Tribunals and Court Statutes, Rules, and Jurisprudence****ICTR**

17. *Prosecutor v. Semanza*, ICTR-97-20-A, Decision, 31 May 2000 - [Document exceeds 10 pages – extract provided] – Attachment 1.

**ICTY**

18. *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.
19. *Prosecutor v. Stanišić and Simatović*, IT-03-69-A, Judgement, 9 December 2015 - [Document exceeds 10 pages – extract provided] – Attachment 3.