



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres extraordinaires au sein des tribunaux cambodgiens

D130/9/2
ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion Roi

អង្គបុរេជំនុំជម្រះ
Pre-Trial Chamber
Chambre Préliminaire

Declassified to Public

12 April 2013

Criminal Case File No: 002/19-09-2007-ECCC/OCIJ (PTC26)

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

Date: 18 August 2009

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): 18 / 08 / 2009
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CONFIDENTIAL

DECISION ON THE DEFENCE APPLICATION FOR EXTENSION OF TIME LIMIT FOR APPEAL AGAINST ORDER ON USE OF STATEMENTS WHICH WERE OR MAY HAVE BEEN OBTAINED BY TORTURE

Co-Prosecutors

CHEA Leang
Robert PETIT

Charged Person

IENG Thirith

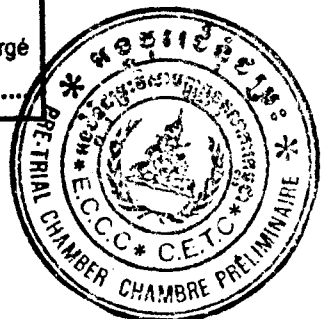
Lawyers for the Civil Parties

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Co-Lawyers for the Charged Person

PHAT Pouv Seang
Diana ELLIS

ឯកសារបានតម្កល់ត្រឹមត្រូវតាមច្បាប់ដើម
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: C.A. Fuy

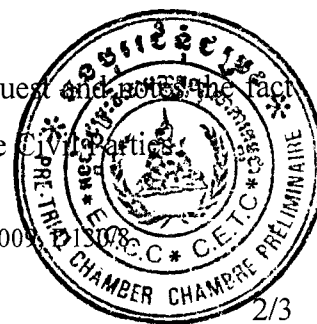


Unrepresented Civil Parties

THE PRE-TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) is seized of an Urgent “Request for Extension of Time Limit for Appeal against ‘Order on Use of Statements Which Were or May Have Been Obtained by Torture’” filed by the Co-Lawyers for the Charged Person on 31 July 2009 (the “Request”).

1. On 28 July 2009 the Co-Investigating Judges issued an Order on Use of Statements Which Were or May have been Obtained by Torture (the “Order”).¹ The Order was notified on 29 July 2009.
2. On 30 July 2009, the Co-Lawyers for the Charged Person filed a Notice of Appeal against the Order.
3. On 31 July 2009, the Co-Lawyers filed a Request for Extension of Time Limit to file an Appeal. No responses to the Request were filed by the other Parties within the deadline provided in Article 8.3 of the Practice Direction on the Filing of Documents before the ECCC (Rev. 4).
4. By their Request, the Co-Lawyers for the Charged Person request an extension of fourteen (14) additional days to file their Appeal against the Order.
5. The Pre-Trial Chamber observes that the Co-Lawyers’ Request is made for the following reasons: 1) the issues raised on appeal are expected to be complex, requiring the assistance of all members of the defence team, and 2) the international co-lawyer and the legal consultant have “pre-arranged personal commitments” which make it “difficult” to deal with the Appeal in August. The Co-Lawyers further indicate that if their Application is granted, they would not object to similar requests by the other parties or the Co-Prosecutors to file a Response to the Appeal.
6. Pursuant to Internal Rule 39(4)(a), the Pre-Trial Chamber may, at the request of the concerned Party, extend time limits.
7. The Pre-Trial Chamber notes that it is in the interest of the Charged Person to have the legal representation of her choice. The Pre-Trial Chamber further notes that the Request was filed before the time limit expired.
8. The Pre-Trial Chamber is satisfied by the reasons given for the Request and notes the fact that there is no objection by the Co-Prosecutors or the Lawyers for the Co-Defendants.

¹ Order on Use of Statements Which Were or May have been Obtained by Torture, 28 July 2009.



THEREFORE, THE PRE-TRIAL CHAMBER HEREBY:

GRANTS the Request for Extension of Time to file an Appeal.

DIRECTS that the Co-Lawyers for the Charged Person shall file their Appeal by **Thursday, 10 September 2009 at 12:00 pm.**

Phnom Penh, 18 August 2009

President of the Pre-Trial Chamber

