

**BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

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**CO-PROSECUTORS' RESPONSE TO KHIEU SAMPHAN'S REQUEST
FOR STAY OF PROCEEDINGS OR DISQUALIFICATION OF JUDGES**

TABLE OF AUTHORITIES

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ECCC LAW

(Not included - ECCC Legal Compendium)

Core Legal Documents

1. Extraordinary Chambers of the Courts of Cambodia, Internal Rules (Rev. 8), as revised on 12 August 2011, Rules 34(2), 34(3) and 34(5).

Jurisprudence

2. E5/3 Decision on Ieng Sary's Application to Disqualify Judge Nil Nonn and Related requests, 28 January 2011.
3. E55/4 Decision on Ieng Thirith, Nuon Chea and Ieng Sary's Applications for Disqualification of Judges Nil Nonn, Silvia Cartwright, Ya Sokhan, Jean-Marc Lavergne and Thou Mony, 23 March 2011.
4. E124/7 Decision on Co-Prosecutors' Request for Reconsideration of the Terms of the Trial Chamber's Severance Order (E124/2) and Related Motions and Annexes, 8 October 2011.
5. E284/4/7 Decision on Immediate Appeals against Trial Chamber's Second Decision on Severance of Case 002: Summary of Reasons, 23 July 2013.
6. E301/5/5/1 Decision on Khieu Samphan Request to Postpone Commencement of Case 002/02 until a Final Judgment is Handed Down in Case 002/01, 21 March 2014.
7. E301/9/1/1/3 Decision on Khieu Samphan's Immediate Appeal against the Trial Chamber's Decision on Additional Severance of Case 002 and Scope Of Case 002/02, 29 July 2014.
8. E313 Case 002/01 Judgement, 7 August 2014.

INTERNATIONAL LAW

Jurisprudence

International Criminal Court (ICC)

9. *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*, Case No. ICC-02/05-03/09-344-Anx, Decision of the plenary of the judges on the "Defence Request for the Disqualification of a Judge of 2 April 2012" (Plenary of ICC judges), 5 June 2012, para. 14. *(Not included – available on ICC website)*

International Criminal Tribunal for the Former Yugoslavia (ICTY)

10. *Prosecutor v. Radoslav Brđanin and Momir Talić*, Case No. IT-99-36-PT, Decision on Application by Momir Talic for the Disqualification and Withdrawal of a Judge, (ICTY Trial Chamber II), 18 May 2000, para. 15. (*Not included – available on ICTY website*)
11. *Prosecutor v. Anto Furundžija*, Case No. IT -95-17/I-A, Judgment (ICTY Appeals Chamber), 21 July 2000, para. 189. (*Not included – available on ICTY website*)
12. *Prosecutor v Vojislav Šešelj*, Case No. IT-03-67-R77.3, Decision on Motion by Professor Vojislav Šešelj for the Disqualification of Judges O-Gon Kwon and Kevin Parker, 19 November 2010, para. 28. (*Not included – available on ICTY website*)

REGIONAL AND FOREIGN DOMESTIC LAW

Jurisprudence

13. *Poppe v. The Netherlands*, Application no. 32271/04, Judgment of the European Court of Human Rights, 24 March 2009, para. 26. (***Authority 1***)
14. *Schwarzenberger v. Germany*, Application no. 75737/01, Judgment of the European Court of Human Rights, 10 August 2006 para 43. (***Authority 2***)
15. *Liteky et al. v. United States*, 510 U.S. 540 at 551 (United States of America). (***Authority 3***)
16. *State of Connecticut v. Daniel Webb*, 238 Conn. 389 at 461 (1996) (United States of America). (***Authority 4***)
17. *Poland v Stewart*, [1997] 117 F.3d 1094, 97 Cal. Daily Op. Serv. 4854, 97, D.A.R. 7958. at para. 65 (United States of America). (***Authority 5***)
18. *Re JRL; Ex parte CJL* (1986) 161 CLR 342 at 352 (Australia). (***Authority 6***)