

BEFORE THE TRIAL CHAMBER  
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

**FILING DETAILS**

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**CO-PROSECUTORS' REQUEST FOR CLARIFICATION REGARDING THE USE  
OF DOCUMENTS DURING WITNESS TESTIMONY**

**TABLE OF AUTHORITIES**

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## ECCC LAW

### Jurisprudence

*(Not included – Already in ECCC Case File Legal Compendium)*

1. **E199** Memorandum to the parties, Directions regarding documents sought for impeachment purposes, 24 May 2012.

## INTERNATIONAL LAW

### Jurisprudence

#### *International Criminal Court (ICC)*

2. *Prosecutor v Thomas Lubanga Dyilo*, Case No. ICC-01/04-01/06, Transcript, 16 January 2009 at pp. 16-29. (**Authority 1** - Note: this authority exceeds 10 pages in English.)
3. *Prosecutor v. Lubanga Dyilo*, Case No. ICC-01/04-01/06-T-125, Transcript, 12 February 2009 at p. 27-29. (**Authority 2** - Note: this authority exceeds 10 pages in English.)
4. *Prosecutor v Thomas Lubanga Dyilo*, Case No. ICC-01/04-01/06, Transcript, 7 July 2009 at p. 7. (**Authority 3** - Note: this authority exceeds 10 pages in English.)
5. *Prosecutor v. Lubanga Dyilo*, Case No. ICC-01/04-01/06-T-343, Transcript, 4 April 2011 at p. 14-16. (**Authority 4** - Note: this authority exceeds 10 pages in English.)
6. *Prosecutor v. Lubanga Dyilo*, Case No. ICC-01/04-01/06, Transcript, 8 April 2011 at p. 15-16, 18-21, 25. (**Authority 5** - Note: this authority exceeds 10 pages in English.)

#### *International Criminal Tribunal for the Former Yugoslavia (ICTY)*

*(Jurisprudence not included – available on ICTY website)*

7. *Prosecutor v. Zejnil Delalić, et al.*, Case No. IT-96-21, Decision on the Motion of the Prosecution for the Admissibility of Evidence, 19 Jan. 1998, para. 11, 25.
8. *Prosecutor v Blagoje Simić et al.*, Case No. IT-95-9-AR73.6 & IT-95-9-AR73.7, Decision on Prosecution Interlocutory appeals on the Use of Statements not Admitted into Evidence Pursuant to Rule 92bis as a Basis to Challenge Credibility and to Refresh Memory, Appeals Chamber, 23 May 2003, at para. 16, 18.
9. *Prosecutor v Enver Hadžihasanović and Amir Kubura*, Case. No IT-01-47-AR73.2, Decision on Interlocutory Appeal Relating to the Refreshment of the Memory of a Witness, App. Ch., 2 April 2004, p. 3
10. *Prosecutor v. Momcilo Krajišnik*, Case No. IT-00-39-T, Transcript, ICTY Trial Chamber, 24 June 2004 at p. 4292 – 4293. (**Authority 6** - Note: this authority exceeds 10 pages in English.)
11. *Prosecutor v. Slobodan Milosevic*, Case No. IT-02-54-T, Decision on Prosecution Motion for Reconsideration Regarding Evidence of Defence Witnesses Mitar Balevic, Vladislav

Jovanovic, Vukasin Andric, and Dobre Aleksovski and Decision *Proprio Motu* Reconsidering Admission of Exhibits 837 and 838 Regarding Evidence of Defence Witness Barry Lituchy, 18 May 2005 at para. 9.

12. *Prosecutor v. Halilovic*, Case No IT-01/48-T, Decision on Admission into Evidence of Prior Statement of a Witness, ICTY Trial Chamber, 5 July 2005 at p. 3
13. *Prosecutor v. Popović et al.*, Case No. IT-05-88, Transcript, ICTY Trial Chamber, 7 September 2007 at p. 15459 ln. 7-15. (**Authority 7** - Note: this authority exceeds 10 pages in English.)
14. *Prosecutor v. Simba*, Case No. ICTR-01-76-A, Judgment (ICTR Appeals Chamber), 28 November 2007 at para. 20.
15. *Prosecutor v. Vojislav Seselj*, Case No. IT-03-67-T, Transcript, ICTY Trial Chamber, 2 February 2010 at pp. 15332-34. (**Authority 8** - Note: this authority exceeds 10 pages in English.)
16. *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5118, ICTY Transcript, 6 May 2010 at para. 1952. (**Authority 9** - Note: this authority exceeds 10 pages in English.)
17. *Prosecutor v Radovan Karadžić*, Case No. IT-95-5118-T, Decision on Guidelines for the Admission of Evidence through Witnesses, ICTY Trial Chamber, 19 May 2010 at para. 10-11.
18. *Prosecutor v. Vojislav Seselj*, Case No. IT-03-67-T, Decision on Request to Admit into Evidence Documents Tendered Through Witnesses Visnja Bilic, VS-1067 and Vojislav Dabic, ICTY Trial Chamber, 13 December 2010 at para. 27-28.
19. *Prosecutor v Radovan Karadžić*, Decision on Guidelines for the Admission of Evidence through Witnesses IT-95-5118-T, ICTY Trial Chamber, 19 May 2010 at para. 10-11, 25.
20. *Prosecutor v. Mićo Stanišić and Stojan Zupljanin*, Case No. IT-08-91-T, Transcript, ICTY Trial Chamber, 2 March 2012, at pp. 26992-95. (**Authority 10** - Note: this authority exceeds 10 pages in English.)

## NATIONAL LAW

### *Law*

#### *Cambodia*

*(Not included – Already in Case File)*

21. Criminal Procedure Code of the Kingdom of Cambodia, Annex.

#### *United Kingdom*

22. Criminal Justice Act 2003 (c.44), section 139. (**Authority 11** – Note: this authority exceeds 10 pages in English.)

***Jurisprudence******Australia***

23. *R. v Singh* [1976] 15 SASR 591 (Supreme Court of South Australia). pp. 593-594.  
(**Authority 12**)

***Canada***

24. *R v B (KG)* 1998 CanLII 7125 (Ontario Court of Appeal, Canada) at para. 18. (**Authority 13**) citing with approval *Henry v Lee* (1814), 2 Chitty 124.
25. *R v VanEindhoven*, 2006 NUCJ 12 (Nunavut Court of Justice, Canada), at para. 67.  
(**Authority 14** – Note: This authority exceeds 10 pages in English.)