



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

C0012/13

Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

អង្គបុរេជំនុំជម្រះ

PRE-TRIAL CHAMBER  
CHAMBRE PRELIMINAIRE

Criminal Case File N° 002/19-09-2007-ECCC/OCIJ (PTC02)

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

Date: 01 April 2008

<b>ឯកសារដើម</b>
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 01 / 04 / 2008
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PUBLIC

DECISION ON APPLICATION TO POSTPONE THE HEARING OF THE APPEAL AGAINST THE  
PROVISIONAL DETENTION ORDER

Co-Prosecutors

CHEA Leang  
Robert PETIT

Lawyers for the Civil Parties

HONG Kim Suon  
LOR Chunthy  
NY Chandy  
Silke STUDZINSKY

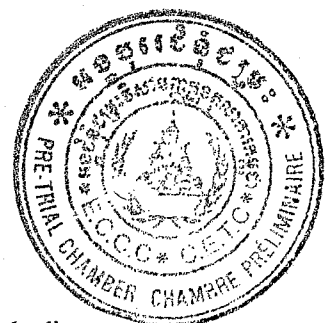
Charged Person

IENG Thirith

Co-Lawyers for the Defence

PHAT Pouv Seang  
Diana ELLIS


<b>ឯកសារបានបញ្ជាក់តាមច្បាប់ដើម</b>
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RADA



CDD 12/13

1. **THE PRE-TRIAL CHAMBER** of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”) is seized of the “Application to Postpone the Hearing of the Appeal against the Provisional Detention Order” filed on behalf of Ieng Thirith on 21 March 2008 (“Application”).
2. The Co-Prosecutors filed a response in accordance with the Pre-Trial Chamber’s directions on 28 March 2008. While they do not oppose the Application, they note that they may have taken a different position if the proposed postponement would have significantly affected the progress of the investigation.
3. The lawyers for the Civil Parties did not file a response by the deadline.
4. On 18 March 2008, the Pre-Trial Chamber scheduled the hearing of the Appeal against the Provisional Detention Order for 21 April 2008. It is submitted in the Application that the proposed international Co-Lawyer for Ieng Thirith, who is awaiting the completion of the formalities for appearing before the ECCC, is not available for the scheduled hearing. The Pre-Trial Chamber is requested to postpone and reschedule the hearing. In the Application two possible alternative dates for the hearing, a month later than scheduled, are put forward.
5. In setting a hearing date, the Pre-Trial Chamber must consider the interest of expeditious proceedings, as well as other interests, including those of the Charged Person. The Charged Person can make a choice to be represented during the hearing only by the national lawyer and to have it held expeditiously. The Pre-Trial Chamber is now informed in the Application that the Charged Person desires a postponement so that she may be represented by both the national and the international lawyers of her choice. In these circumstances, and in view of the fact that there is no interest affected by the delay, the Pre-Trial Chamber grants the Application.

**THEREFORE, THE PRE-TRIAL CHAMBER HEREBY DECIDES**

To postpone the hearing of the Appeal against the Provisional Detention Order to 21 May 2008. 

Phnom Penh, 01 April 2008

**President, Pre-Trial Chamber**



**PRAK KIMSAN**