

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

FILING DETAILS

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ADDENDUM TO IENG SARY'S APPEAL AGAINST THE CLOSING ORDER

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Mr. IENG Sary, through his Co-Lawyers (“the Defence”), hereby submits an addendum to his Appeal against the Closing Order.¹ This Addendum provides further support for the preliminary observation made in the Appeal that the ECCC is a domestic Cambodian court.² This material was unavailable at the time the Defence filed the Appeal.

1. On 27 October 2010, Mr. Ban Ki-moon, the Secretary-General of the United Nations, participated in a townhall meeting at the ECCC. At this meeting, he stated, “The ECCC has a unique structure among the UN-assisted tribunals. It is a Cambodian court, fully within Cambodian jurisdiction. Yet it has international participation and assistance from the United Nations.”³
2. This meeting was attended by Deputy Prime Minister H.E. Dr. Sok An, UN Under-Secretary-General for Legal Affairs and United Nations Legal Counsel Patricia O’Brien, as well as ECCC Judges and other personnel. No one challenged this statement made by Mr. Ban Ki-moon.

Respectfully submitted,


ANG Udom


Michael G. KARNAVAS



Co-Lawyers for Mr. IENG Sary

Signed in Phnom Penh, Kingdom of Cambodia on this 28th day of October, 2010

¹ *Case of IENG Sary*, 002/19-09-2007-ECCC/OCIJ(PTC 75), IENG Sary’s Appeal Against the Closing Order, 25 October 2010, D427/1/6, ERN: 00617486-00617631.

² *Id.*, paras. 8-20.

³ Secretary General Ban Ki-moon, *Remarks at Extraordinary Chambers in the Courts of Cambodia*, 27 October 2010, UN NEWS CENTRE, available at http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=993.