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## **ECCC judges suppress filings: Ieng Sary team**

**Georgia Wilkins**

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*Lawyers say judges have 'barred' the defence from filing on controversial conspiracy doctrine.*

Defence lawyers for Khmer Rouge foreign minister Ieng Sary have accused judges at Cambodia's war crimes court of barring defence teams from filing on a controversial conspiracy doctrine under which leaders could be charged with crimes they didn't directly commit.

According to lawyers Michael Karnavas and Ang Udom, the Trial Chamber on Friday denied a request by the lawyers to make submissions on Joint Criminal Enterprise (JCE), a legal doctrine that can be used to convict a defendant of crimes committed by other people in furtherance of a common plan or purpose.

"The result of the trial chamber's decision is that a fundamental legal issue facing the [court] will be decided with the majority of defence teams barred from participating," stated a press release posted to the team's Web site Saturday.

"Needless to say, we, the co-lawyers representing Mr Ieng Sary before the ECCC, are extremely disappointed with this decision."

Last month, co-prosecutors filed a request for the application of the doctrine in the case of former Tuol Sleng chief Kaing Guek Eav, who is currently being tried at the court.

Attached to the request were two filings that prosecutors previously submitted in response to the Ieng Sary team's motion against JCE, an act lawyers on Saturday called an attempt to "sneak JCE into case file 002 through the back door".

Karnavas said Sunday that the decision to block the filing "lack[ed] any legal analysis".

UN court spokesman Lars Olsen said, "As a matter of principle, the court doesn't engage in any polemic debate about the decisions that have been issued."