



**ឯកសារដើម**  
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du dossier: Ratanak

**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**

**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

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

Kingdom of Cambodia  
Nation Religion King  
Royaume du Cambodge  
Nation Religion Roi

**TRIAL CHAMBER**

សាធារណៈ / Public

**TO: All parties, Case 002**

**Date: 17 February 2012**

**FROM: NIL Nonn, President, Trial Chamber**



**CC: All Trial Chamber Judges, Trial Chamber Senior Legal Officer**

**SUBJECT: Next group of witnesses, Civil Parties and Experts to be heard in Case 002/01**

The Chamber will shortly move to the next trial segment, namely administrative and communications structures, and some elements of the role of the Accused (Closing Order paragraphs 33-112, 869-872, 880-892, 1001-10015, 1131-1144 and 1147-1150).

Following the reading out in court of these portions of the Closing Order, the Chamber will commence by discussion, pursuant to Internal Rule 87(3), of all remaining documents proposed to be put before the Chamber by the parties which have not been discussed to date. A more detailed schedule for this hearing and time allocations for all parties will be provided shortly. This hearing will therefore conclude discussion of all documents proposed to be put before the Chamber by all parties in Case 002/01.

At the conclusion of this document hearing, the Chamber will then question the Accused, before proceeding to the witnesses, Civil Parties and experts listed below. Over the course of the next trial segment, the Chamber will usually question the Accused during morning sessions, and in the afternoons, witnesses, Civil Parties or Experts, except where effective trial management requires otherwise.

Administrative and communication structures and some elements of the roles of the Accused (Closing Order paras 33-112, 869-872, 880-892, 1001-10015, 1131-1144 and 1147-1150 (E124/7.2))

KAING Guek Eav, *alias Duch*

- **Communication structures (Closing Order paragraphs 72-112, 1148-1150):**

TCW-480  
 TCW-780  
 TCW-695  
 TCW-307  
 TCW-679  
 TCW-645  
 TCW-398

- **Administrative structures (Centre), including Ministries** (Closing Order paragraphs 33-63, 869-872, 880-892, 1001-1015, 1131-1144, 1147):

- *Administrative structures (Centre)*

TCW-620  
 TCW-617  
 TCW-638  
 TCW-504  
 TCW-354 \*  
 TCW-488

- *Ministries*

- *Office B-1 (Ministry of Foreign Affairs)*

TCW-694  
 TCW-586  
 TCW-724  
 TCW-323  
 TCW-796  
 TCW-487  
 TCW-564  
 TCCP-178

- *Office B-1 (Boeng Trabek)*

TCW-490  
 TCW-707  
 TCW-794  
 TCW-234  
 TCCP-94 (unrelated to Boeng Trabek)

- *Ministry of Commerce*

TCW-583  
 TCW-321

- *Ministry of Propaganda, Political education by the Accused*

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\* Denotes witnesses or Experts additional to those listed in Confidential Annex E131/1.1.

TCW-475  
TCW-609  
TCW-320  
TCW-338  
TCW-91  
TCCP-186  
TCCP-28

- **Administrative structures (National)** (Closing Order paragraphs 64-71)

TCW-604  
TCCP-142  
TCW-797

In addition to the witnesses and Civil Parties listed above, the Chamber will hear (on dates to be announced in due course) the following witness and experts relevant to trial segments 1 and 2 once the Chamber is in receipt of further information regarding their availability:

TCW-482  
TCE-11  
TCE-65 \*  
TCE-41  
TCE-44  
TCE-38

Concerning TCW-482, the Chamber is currently considering a number of practical and legal issues in relation to the summons.

The remainder of the witnesses and Experts, described in E131/1.1 as relevant to the early trial segments in Case 002/01 and listed immediately below, will be heard in an order to be communicated at a later date:

TCW-110  
TCW-326  
TCW-126  
TCW-389  
TCW-425  
TCW-428  
TCE-80  
TCW-536  
TCW- 548

Further information regarding witnesses, Experts or Civil Parties to be called in relation to later trial segments in Case 002/01 will also follow in due course, as will information regarding future hearings regarding the remainder of documents indicated by the parties as relevant to Case 002/01.

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\* Denotes witnesses or Experts additional to those listed in Confidential Annex E131/1.1.

The Chamber is also in receipt of the Co-Prosecutor's request to include additional crime sites within the scope of trial in Case 002/01 (E163) and the responses of the IENG Sary and KHIEU Samphan Defence (E163/1 and E163/4, respectively). As the Chamber has previously indicated in the Severance Order and in other related decisions, it may on its own motion decide in due course to extend the scope of trial in Case 002/01, in the exercise of its trial management discretion. Should this occur, the parties will be informed in a timely manner. This constitutes the Chamber's official response to Motion E163. It follows that the Co-Prosecutor's leave to reply (E163/2) is also in consequence rejected.

The Chamber provides notification to the parties that the below witnesses and Expert listed in E131/1.1 relate most specifically to the role of the Accused IENG Thirith. The Chamber has therefore deferred their hearing until further notice:

TCE-27  
TCW-325  
TCW-778  
TCW-90  
TCW-600  
TCW-18

Pursuant to its memorandum E144/1, the Chamber has recently received information from the Witness and Expert Support Unit (WESU) that TCW-297 is deceased, whereas TCW-601 is medically unfit to testify. Further information will be provided to the parties shortly, via placement of these WESU reports on the confidential portion of the case file.

The Chamber notes the recent NUON Chea Defence filing of a List Additional Witnesses Regarding Historical Context (E155/1.1) in which they sought to have heard before the Chamber 47 additional witnesses in connection with the historical background trial segment. These witnesses were considered by the Chamber in formulating its provisional witness list E131/1.1, and the NUON Chea Defence filing of 31 January 2012 fails to demonstrate why any of these 47 witnesses should be heard immediately. The Chamber therefore declines to hear any of these proposed witnesses at this juncture. It further advises the parties that all proposed witnesses, Experts and Civil Parties contained on the parties' proposed lists (comprising a total of 1054 individuals) remain under consideration by the Chamber unless and until they are either called before the Chamber or rejected, as the case may be. Filing E131/1.1 provided initial guidance to the parties of those individuals likely to be heard before the Chamber. The Chamber envisages rendering its first decision identifying some witnesses, Civil Parties or Experts rejected by it shortly.

The Chamber will shortly request the parties to provide its Senior Legal Officer with an estimation of the time needed to question KAING Guek Eav *alias Duch* by Monday 12 March 2012, and for all above-mentioned remaining witnesses likely to be heard by Monday 26 March 2012.