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du dossier:..... SAN N RADA

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

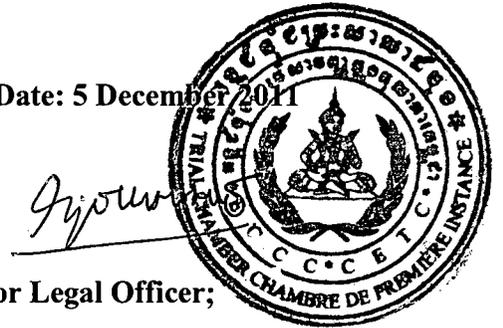
អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

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

សាធារណៈ / Public TRIAL CHAMBER

Date: 5 December 2011

TO: All parties, Case 002
FROM: Judge NIL Nonn, Trial Chamber President
CC: All Trial Chamber Judges; Trial Chamber Senior Legal Officer;



SUBJECT: Exclusive competence of Trial Chamber over all individuals summoned to appear at trial and their care in advance of and during this testimony

The Trial Chamber wishes to clarify for the benefit of the parties that all witnesses, experts and Civil Parties called to testify before the Trial Chamber are under the exclusive competence of the Chamber in advance of and during this testimony.

Where medical concerns are raised after the Trial Chamber has indicated that an individual will be called to testify in court, the Trial Chamber will be guided by a medical assessment facilitated by the Witness/Expert Support Unit ("WESU"). No party may unilaterally decide whether or not an individual summoned by the Chamber shall appear, as this is exclusively for the Trial Chamber to determine.

To facilitate this assessment, where required, and to ensure that all individuals appearing before the ECCC are assisted and supported to the highest possible standards, the Chamber further clarifies that WESU is responsible for the transportation of all individuals summoned by the Chamber, their care in Phnom Penh in advance of and during their testimony, and all other related logistical and welfare support functions.

This is without prejudice to the Lead Co-Lawyers' or Civil Party Lawyers' right to have access to their clients prior to their testimony whilst they are in Phnom Penh whenever necessary to perform their legal duties. The Lead Co-Lawyers or the Civil Party lawyers should collaborate with WESU to facilitate this when required.