



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

MEMORANDUM – TRIAL CHAMBER

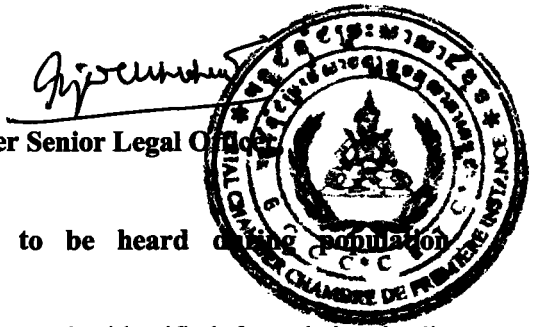
Date: 02 October 2012

TO: All parties, Case 002

FROM: NIL Nonn, President, Trial Chamber

CC: All Trial Chamber Judges, Trial Chamber Senior Legal Officer
Witness/Expert Support Unit

SUBJECT: Preliminary indication of individuals to be heard during population movement trial segments in Case 002/01



1. At the Trial Management Meeting or subsequently, the parties identified, from their prior lists of witnesses, Civil Parties and Experts, those individuals that they sought to call in relation to the population movement trial segments in Case 002/01 (E236). The Trial Chamber has since reviewed all 53 individuals sought cumulatively by the parties. The Chamber considers the below individuals to be those most relevant to these trial segments and therefore as most likely to be heard at trial, on an order to be determined following consultation with the Witness/Expert Support Unit:

- i. TCW-253 (Co-Prosecutors, NUON Chea Defence)
- ii. TCW-356 (Co-Prosecutors, KHIEU Samphan Defence)
- iii. TCW-536 (Co-Prosecutors, KHIEU Samphan Defence)
- iv. TCCP-25 (Co-Prosecutors)*
- v. TCCP-45 (Co-Prosecutors)*
- vi. TCCP-64 (Co-Prosecutors)*
- vii. TCW-247 (Co-Prosecutors)
- viii. TCW-285 (Co-Prosecutors)*
- ix. TCW-362 (Co-Prosecutors)*
- x. TCW-661 (Co-Prosecutors)*
- xi. TCW-690 (Co-Prosecutors)*
- xii. TCW-701 (Co-Prosecutors)*
- xiii. TCCP-1 (Co-Prosecutors, NUON Chea Defence)*
- xiv. TCCP-169 (Co-Prosecutors, Lead Co-Lawyers)*
- xv. TCW-527 (Lead Co-Lawyers)
- xvi. TCCP-9 (Lead Co-Lawyers)
- xvii. TCCP-35 (Lead Co-Lawyers)
- xviii. TCCP-59 (Lead Co-Lawyers)

បទដ្ឋានដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 2 10 2012

លេខ (Number): 136011

ឈ្មោះ (Name): Nil Nonn

ស្ថានភាព (Status): អគ្គនាយក/Case File Officer/Agent chargé

ស្នាក់នៅ (Address): Phnom Penh

- xix. TCCP-82 (Lead Co-Lawyers)
- xx. TCCP-105 (Lead Co-Lawyers)
- xxi. TCCP-108 (Lead Co-Lawyers)
- xxii. TCCP-116 (Lead Co-Lawyers)
- xxiii. TCCP-187 (Lead Co-Lawyers)
- xxiv. TCCP-188 (Lead Co-Lawyers)
- xxv. TCW-624 (NUON Chea Defence)

2. The Chamber considers the above individuals to comprise a priority list from which persons to be heard at trial in relation to population movement is likely to be drawn. It should be stressed, however, that review of these individuals is on-going and, as evidence is presented before the Chamber, it is possible that this list may be further reduced in the interests of an expeditious trial.

3. The Chamber considers the following additional witnesses also to be relevant to these trial segments and are placed on a reserve list, pending further review:

- i. TCW-161 (Co-Prosecutors, NUON Chea Defence)*
- ii. TCW-507 (Co-Prosecutors)*
- iii. TCW-674 (Co-Prosecutors)
- iv. TCCP-89 (Co-Prosecutors)*
- v. TCCP-54 (Lead Co-Lawyers)
- vi. TCCP-62 (Lead Co-Lawyers)
- vii. TCCP-117 (Lead Co-Lawyers)
- viii. TCCP-150 (Lead Co-Lawyers)
- ix. TCCP-170 (Lead Co-Lawyers)
- x. TCW-258 (NUON Chea Defence)
- xi. TCW-643 (NUON Chea Defence)

4. Should the Co-Prosecutors, Lead Co-Lawyers or NUON Chea Defence consider any of the individuals on the reserve list to be preferable to call as an alternative to any individual sought by them on the priority list, they may inform the Trial Chamber Senior Legal Officer of this, providing a brief explanation as to why substitution is requested.

5. Individuals marked with an asterisk (*) denote those for whom IENG Sary has waived his right to be present during their testimonies. This was communicated to the Chamber prior to the issuance of this memorandum. If the IENG Sary Defence considers any further individuals listed in paragraphs 1 and 3 above to be also appropriate to hear before the Chamber following the issuance of a waiver, the Chamber would be grateful to be informed of this as soon as possible.

6. It follows that the Chamber considers the following 18 individuals to be of lesser relevance to these trial segments, and shall therefore not hear them: TCW-458*, TCW-714*, TCCP-138* (Co-Prosecutors), TCW-43*, TCW-565* (Co-Prosecutors and NUON Chea Defence), TCE-74, TCW-62, TCW-92, TCW-139, TCW-204, TCW-213, TCW-223, TCW-230, TCW-342, TCW-497, TCW-509, TCW-539 and TCW-628 (NUON Chea Defence).