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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

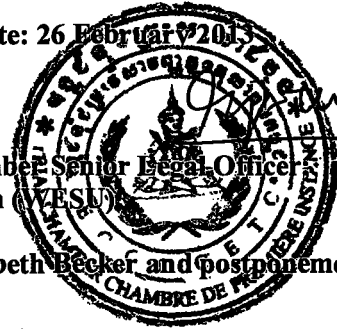
សាធារណៈ / Public

TO: All Parties, Case 002

Date: 26 February 2013

FROM: NIL Nonn, President, Trial Chamber;

**CC: All Judges of the Trial Chamber; Trial Chamber Senior Legal Officer
Coordinator, Witness/Expert Support Section (WESU)**



**SUBJECT: Scheduling of Experts Philip Short and Elizabeth Becker and postponement of
Fact Witnesses until Decision on Severance**

1. Having heard submissions following the recent Supreme Court Chamber Decision on Severance (E163/5/1/13), including on the specific questions posed by the Trial Chamber to the parties (E163/5/1/13/1, E264), the Trial Chamber issues the following directions for the coming weeks.
2. The Chamber shall proceed to hear expert Philip SHORT the week commencing Monday 4 March 2013 and Elizabeth BECKER during the week commencing 11 March 2013, as previously scheduled. In addition, the Chamber reminds the parties of its previous direction that these experts would be questioned “on all issues on which they are able to testify within the scope of the Case 002 Closing Order.” (E174/24). Although the Chamber had encouraged the parties to focus questions on the scope of the trial as it was previously severed (E236/4), questioned remained open on all topics within Case 002. The Chamber therefore considers that hearing the testimony of these two experts prior to a new severance decision does not prejudice the parties as the scope of questioning remains unchanged notwithstanding the Supreme Court Chamber Decision.
3. The Trial Chamber is of the view, however, that hearing the testimony of TCW-100, TCW-110, TCW-724 or TCW-794 prior to a new severance decision would lead to uncertainty as to the scope of questioning. As a result, the Chamber will not hear the testimony of these witnesses prior to the new decision on severance.
4. As the Chamber considers the evidence of the medical experts to be integral to its decision on severance, it shall issue a fully-reasoned decision on severance after the conclusion of the medical experts' testimony. The medical experts are currently scheduled to arrive in Phnom Penh in mid-March and to testify during the week commencing 25 March 2013.
5. The Khieu Samphan motion is moot due to the trial chamber decision postponing the testimony of the Khieu Samphan character witnesses. This is the Chamber’s official response to E263/5/1.