



**ឯកសារដើម**  
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ទទួល (Date of receipt/date de reception):  
..... 12 / 01 / 2016 .....

ម៉ោង (Time/Heure) : 14:00

អ្នកទទួលបន្ទុកសំណុំរឿង (Case File Officer/L'agent chargé du dossier): **SANN RADA**

E380/1

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

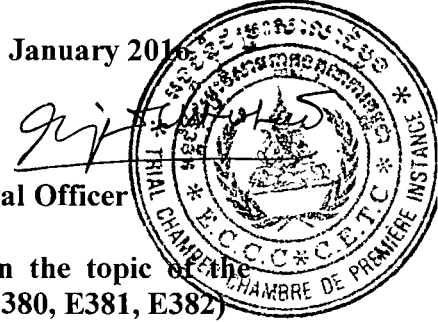
**TO:** All Parties, Case 002

**Date:** 12 January 2016

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

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

**SUBJECT:** Decision on motions to hear additional witnesses on the topic of the treatment of the Vietnamese, with reasons to follow (E380, E381, E382)



1. The Chamber is seized of three motions filed respectively by the NUON Chea Defence, Co-Prosecutors, and International Co-Prosecutor on 22, 23, and 24 December 2015, which seek in part to hear additional witnesses on the topic of the treatment of the Vietnamese (E380, E381, E382). The Chamber heard oral responses to these motions on 6 January 2016.

2. The NUON Chea Defence seeks to hear 2-TCW-1008, 2-TCW-823 and 2-TCW-1009 pursuant to Rule 87(4), submitting they are relevant to the treatment of Vietnamese people at sea by the military forces of Division 164. The Co-Prosecutors renew their prior request to hear five witnesses and one Civil Party (2-TCW-843, 2-TCW-957, 2-TCCP-245, 2-TCW-939, 2-TCW-849, 2-TCW-905) on the Vietnamese topic based on the relevance of their testimony to events in Prey Veng and Svay Rieng Provinces and to the national policy of treatment of the Vietnamese. The International Co-Prosecutor also filed a separate request pursuant to Rule 87(4) to hear 2-TCW-1010 and to support the NUON Chea Defence request to hear 2-TCW-1009 with additional reasons.

3. Having considered the parties' motions and responses, the Chamber decides to hear 2-TCW-1008, 2-TCW-1009 and 2-TCW-849 and has requested the Witness and Expert Support Unit to determine their availability. The parties will be informed as soon as possible when the witnesses will be heard.

4. The Chamber rejects the requests to hear 2-TCW-939, 2-TCW-905 and 2-TCW-1010. It defers its decision on whether to hear 2-TCW-843, 2-TCW-957, and 2-TCCP-245, until after 2-TCCP-844 and 2-TCCP-869 have testified. In addition, the Chamber defers its decision on whether to hear 2-TCW-823 until the topic on the role of the Accused.

5. Full written reasons for this decision will be issued in due course.