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

OFFICE OF THE CO-INVESTIGATING JUDGES INTEROFFICE MEMORANDUM

The Director of the ECCC Detention

Date: 20 / 11 / 2007

7 by KAING Guek

Centre A:

THROUGH: The Liaison Officer of the EC

PAR:

FROM: Marcel Lemonde

DE: You Bunleng

SUBJECT: Response to the request dated N

OBJET: Eav' lawyers

We would be grateful if you could inform the lawyers for the detainee KAING Guek Eav, alias Duch, of the following responses concerning the request he made on 19 November 2007:

We agree that from now on and until further notice, Mr KAING Guek Eav's children and grandchildren over 18 years old and their spouses, as well as sisters and brothers may visit him. Other persons are not authorised.

The number, organisation and schedule of such visits shall be determined in accordance with the provisions in Annex A, while awaiting the adoption of the official rules of the Detention Centre.

ORIGINAL DOCUMENT RECEIVED ON 21/ 11/2007 AT 19= 10' NUP SOTHUNVICHET ACTING CASE FILE OFFICER

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Annex A

- 1. The Chief of Detention shall keep such letter of admissibility in the detainee's file. Upon being admitted once, the visitor can visit again during regular hours by prior appointment with the Chief of Detention only, unless and until the Chief of Detention receives notice from the Co-Investigating Judges, through the Director and Deputy Director of the Office of Administration, that the visitor is no longer admissible. Visitor(s) will be required to be in possession of a valid picture ID when visiting.
- 2. Persons under the age of 18 years are not permitted to visit a detainee, unless accompanied by an adult.
- 3. The Chief of Detention shall:
 - from Monday to Friday, allow visits on a daily basis between 8.30 a.m. to 11.30 a.m. and between 2.00 p.m. and 4.00 p.m.;
 - Determine the duration and type of visits from family and friends. Generally, each visit shall not exceed 45 minutes, unless otherwise approved by the Chief of Detention Facility;
 - assign Detention guards to supervise visits;
 - determine the number of adults who may visit a detainee at any one time:
 - ensure that only socially accepted physical contact and behaviour occurs during visits;
 - determine what items may be passed from a visitor to a detainee and ensure that such items are searched and, if necessary, recorded in the Property register form of the detainee.
 - determine the circumstances for allowing visits for compassionate reasons, where visitors have travelled long distances or where there has been a crisis in the detainee's family, e.g. death or injury.
- 4. The Chief of Detention may refuse entry to any visitor who is intoxicated or suspected of being intoxicated, or who may be under the influence of an unknown substance, or is abusive or displaying unruly behaviour.
- 5. The Chief of Detention may ban a visitor from visiting a detainee, if the Chief of Detention considers that the visitor is a threat to the security and good order of the Provisional Detention Facility. The length of time that a visitor may be banned is to be determined by the Chief of Detention. If a visitor is banned from visiting a detainee, the Chief of Detention is to submit a report to the co-investigating judges, the Director and Deputy Director of the ECCC as well as to the Head of the General Department of Prisons stating the names of the visitor and detained.

the reason for the ban and the length of the ban. A record of this information is to be kept at the Provisional Detention Facility.

- 6. Items or money brought by a visitor for a detainee are to be recorded
- 7. The Chief of Detention is to determine the circumstances for visits to detainees admitted to hospital. Visits granted to detainees in hospital are to be conducted during the hospital's normal visit hours and recorded as above.
- 8. The Chief of Detention and Detention guards shall under no circumstances collect money or gifts from visitors for the privilege of visiting a detainee.
- 9. During each and every visit, the following procedure will be used:
 - The Chief of Detention shall notify the Chief, Security and Safety Section of any visit with 24 hours notice.
 - Visitors shall access the Provisional Detention Facility through the ECCC Visitors Entrance
 - All visitors will be required to go through security screening in accordance with Security and Safety Section policies.
 - A log entry will be made in the Detention Register of Visits to include first and last names, date, time of arrival/departure and ID expiration date.
 - The visitor will be required to deposit his/her personal ID at the ECCC Security entry post and will be able to retrieve it on exit of the premises.
 - The Detention guard will inform the Chief of Detention of the visitor's arrival.
 - At the end of the visit, the Detention Facility is required to inform ECCC security for an officer to proceed to the DF gate to escort the Visitor(s) back to the visitors' entrance.
 - The escort and responsibility ends only when the visitor(s) has departed the ECCC compound.
 - All documents and items collected from the visitor(s) during screening will be returned when the visitor(s) exits the ECCC compound.
 - At no time will a visitor(s) to the Detention Facility be granted unescorted access.