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ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
 26 / 11 / 2012

ម៉ោង (Time/Heure) : 16 : 00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé
 du dossier: NANN NADA

E236/2

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

TO: All Parties, Case 002

Date: 26 November 2012

FROM: Nil Nonn, President, Trial Chamber;

**CC: All Judges of the Trial Chamber; Trial Chamber Senior Legal Officer
 Witness and Expert Support Unit (WESU)**



SUBJECT: Announcement of Upcoming Witnesses

Following the Trial Chamber decision finding the Accused IENG Sary fit to stand trial and ordering him to participate in the proceedings by audio-visual means (E238/9), the Chamber now informs the parties of those witnesses scheduled to testify in December and later trial sessions.

After hearing those witnesses already scheduled to testify of which the parties have been notified, the Chamber shall recommence hearing Administrative and Communication structures witnesses (E172/29) starting with TCW-307 and TCW-695. In addition to those witnesses previously scheduled to testify as to military structures (E233), the Chamber will summon TCW-425 (E172) in due course. Stephen Heder will also be summoned to testify in view of the large number of documents on the Case File and put before the Chamber of which he has personal knowledge and/or was the author.

Furthermore, the Trial Chamber grants the Co-Prosecutors' request (E236/1/2) to hear Witnesses TCW-161 and TCW-565 as they are relevant to Case 002/01 and hearing their testimony is conducive to ascertaining the truth. The Chamber requests that WESU contact these witnesses and inform the Chamber of their availability to testify.

The Defence have proposed the testimony of a number of witnesses and experts (E236). The Trial Chamber has considered these proposals and grants the requests of the KHIEU Samphan and NUON Chea Defence teams to summon TCW-126 and TCW-570. Their testimony will be scheduled in due course. Decisions on the remaining individuals sought by the parties, and listed in E236, will follow in due course.

Finally, the Trial Chamber has decided not to hear the testimony of TCCP-35 in relation to population movement, as it has determined it to be in substance

repetitive of other evidence already provided or soon to be scheduled before the Chamber. The Civil Parties, however, may call TCCP-35 during the time allocated for Civil Parties to present evidence of their suffering (E218, para. 18).