



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

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

សំណុំរឿងលេខ: ០០១/១៨ កក្កដា ឆ្នាំ២០០៧-អវតក/អជសដ
Case File/Dossier N° 001/18-07-2007-ECCC/TC

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 19 / 08 / 2009
ម៉ោង (Time/Heure): 13 : 30
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RADA

Before: Judge NIL Nonn, President
Judge Silvia CARTWRIGHT
Judge YA Sokhan
Judge Jean-Marc LAVERGNE
Judge THOU Mony

Date: 13 August 2009

Classification: PUBLIC

ឯកសារបានថតចម្លងត្រឹមត្រូវតាមច្បាប់
CERTIFIED COPY/COPIE CERTIFIÉE CONFORMÉMENT
ថ្ងៃ ខែ ឆ្នាំ ត្រឹមត្រូវ (Certified Date/Date de certification): 19 / 08 / 2009
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**ORDER SCHEDULING THE TRIAL PROCEEDINGS
(TOPICS AND ORDER OF CALL OF WITNESSES)
FOR THE PERIOD OF 17 AUGUST TO 17 SEPTEMBER 2009**

Co-Prosecutors

CHEA Leang
Robert PETIT

Accused

KAING Guek Eav alias "DUCH"

Lawyers for the Civil Parties

KONG Pisey	TY Srinna
HONG Kimsuon	Pierre Olivier SUR
YUNG Panith	Alain WERNER
KIM Mengkhy	Brianne McGONIGLE
MOCH Sovannary	Annie DELAHAIE
Silke STUDZINSKY	Elizabeth RABESANDRATANA
Martine JACQUIN	Karim KHAN
Philippe CANONNE	Fabienne TRUSSES-NAPROUS

Lawyers for the Defence

KAR Savuth
François ROUX
Marie-Paule CANIEN



I, **Judge NIL Nonn**, President of the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”);

BEING SEISED of Case File No. 001/18-07-2007-ECCC/TC pursuant to the “Decision on Appeal against the Closing Order Indicting KAING Guek Eav Alias Duch,” rendered orally by the Pre-Trial Chamber on 5 December 2008 and filed in Khmer on 9 December 2008¹;

NOTING the “Direction on the Scheduling of the Trial” dated 20 March 2009²;

NOTING the “Order Scheduling the Trial Proceedings for the Period of 20 to 30 April 2009”, dated 10 April 2009³;

NOTING the “Order Scheduling the Trial Proceedings for the period of 18 May to 25 June 2009”, dated 30 April 2009⁴;

RECALLING that the Trial Chamber issued an oral decision concerning the scheduling of the trial for the period of 30 June to 14 July during the hearing of 22 June 2009⁵;

NOTING the “Order Scheduling the Trial Proceedings (Topics and Order of Call of Witnesses) for the Period of 13 July to 26 August 2009”, dated 7 July 2009⁶;

NOTING the “Order Scheduling Sitting Days for the Next Three Months (6 July to 1 October 2009)”, dated 12 June 2009⁷;

NOTING the “Decision on Protective Measures for Witnesses and Experts and on Parties’ Requests to Hear Witnesses and Experts”, dated 3 April 2009⁸;

NOTING the “Decision on Protective Measures for Civil Parties”, dated 2 June 2009⁹;

¹ “Decision on Appeal Against the Closing Order Indicting Kaing Guek Eav Alias Duch”, 5 December 2008 (Document D99/3/42).

² “Direction on the Scheduling of the Trial”, 20 March 2009 (Document E26).

³ “Order Scheduling the Trial Proceedings for the Period of 20 to 30 April 2009”, 10 April 2009 (Document E27).

⁴ “Order Scheduling the Trial Proceedings for the period of 18 May to 25 June 2009”, 30 April 2009 (Document E56).

⁵ Written Record, 22 June 2009; T. 22 June 2009, pp. 1-2

⁶ “Order Scheduling the Trial Proceedings (Topics and Order of Call of Witnesses) for the Period of 13 July to 26 August 2009”, 7 July 2009 (Document E92 and annex E92.1)

⁷ “Order Scheduling Sitting Days for the Next Three Months (6 July to 1 October 2009)”, 12 June 2009 (Document E77)

⁸ “Decision on Protective Measures for Witnesses and Experts and on Parties’ Requests to Hear Witnesses and Experts”, 3 April 2009 (Document E40)



NOTING the “Decision on Protective Measures for Civil Parties E2/62 and E2/89 and for Witnesses KW-10 and KW-24”, dated 7 August 2009¹⁰;

MINDFUL of the need to provide the Parties with sufficient notice of the future scheduling of the trial proceedings, including an indication of when witnesses and experts will be called to testify;

HEREBY:

AMEND the previous Order scheduling the trial proceedings¹¹ and **ORDER** that the schedule of the Substantive Hearing for the period of Monday 17 August to Thursday 17 September 2009 will be as follows:

- From 17 to 27 August 2009: Hearing of the following Civil Parties on the reparation claimed: Martine Lefevre (E2/85), Ouk Neary (E2/89), Robert Hamill (E2/87), Tioulong Antonya (D25/27), Hav Sophea (D25/4), Sau Soung (E2/34), Neth Phally (E2/50), Touch Monin (D25/14), Ou Savrith (E2/26)¹², Keang Vannary (E2/77), Im Sunthy (D25/7), Phung Guth Sunthary (D25/5), Ros Men (D25/9), Chum Sirath (D25/6), Chhin Navy (D25/2), Chum Neou (D25/16), Jeffrey James (E2/86)¹³, and Seang Vandy (D25/13); and of expert ██████████ (CP2/5) on issues relating to Civil parties’ claims for reparation;
- From 31 August to 2 September: Hearing of experts ██████████ (KW-34) and Françoise Sironi-Guilbaud¹⁴, as well as witnesses ██████████ (D1), ██████████ (D2), ██████████ (D3) and ██████████ (D4) on issues relating to the Character of the Accused;
- From 14 to 17 September: Hearing of experts and witnesses Richard J.Goldstone¹⁵, ██████████ (D5), ██████████ (D6), ██████████ (D14), Stéphane Hessel¹⁶, Raoul Marc Jennar, ██████████ (D8) and Christopher Lapel.

⁹ “Decision on Protective Measures for Civil Parties”, 2 June 2009 (Document E71)

¹⁰ “Decision on protective measures for Civil Parties E2/62 and E2/89 and for Witnesses KW-10 and KW-24”, 7 August 2009 (Document E135).

¹¹ “Order Scheduling the Trial Proceedings (Topics and Order of Call of Witnesses) for the Period of 17 August 2009”, 7 July 2009 (Document E92 and annex E92.1)

¹² Video Conference on 20 August at 1.30 PM.

¹³ Mr. Jeffrey James will be heard on 26 August.

¹⁴ Expert ██████████ and Françoise Sironi-Guilbaud will be heard together on 31 August and 1 September 2009 for one and a half day.



The Chamber may schedule additional hearings if needed for the contestation of Civil Party applications by the Defence and responses thereto.

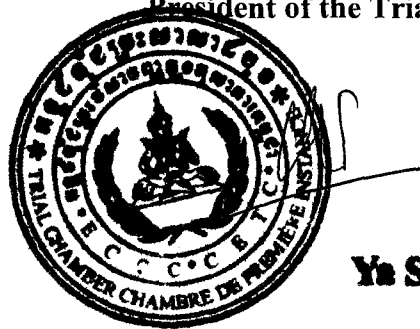
The schedule of the hearing of Closing Statements will be issued in due course.

Time references are only indicative and the Trial Chamber reserves the right to modify them.

Future scheduling of the trial proceedings will be issued in due course. *AS*

Phnom Penh, 13 August 2009

President of the Trial Chamber



Ya Sokhan

¹⁵ Video Conference (14 September at 9:00 AM).

¹⁶ Video Conference (15 September in the afternoon).