

**BEFORE THE TRIAL CHAMBER OF THE
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

Case No: 002/19-09-2007-ECCC/TC

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IENG THIRITH FURTHER INFORMATION ON WITNESSES AND EXPERT

Defence for Ieng Thirith:

PHAT Pouv Seang
Diana ELLIS, QC

Trial Chamber Judges:

NIL Nonn, President
Silvia CARTWRIGHT
THOU Mony
Jean-Marc LAVERGNE
Ya SOKHAN

Civil Party Co-Lead Lawyers:

PICH Ang
Elisabeth SIMONNEAU FORT

Co-Prosecutors:

CHEA Leang
Andrew CAYLEY

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1. On 17 January 2011, the Trial Chamber considered itself seized of Case 002, and indicated in the 'Order to File Material in Preparation for Trial' (**Order**)¹ that the parties have to file their witness lists in accordance with Internal Rule 80.
2. In the same Order, the Chamber specified that the parties must file by 23 February 2011 summaries of their proposed witnesses and identify in respect of each witness to which issue on the indictment they are expected to testify, and provide a summary of the proposed expertise and qualification of each proposed expert.²
3. The defence herewith files the summaries of each witness it proposes to call at trial, and the relevant points to which each proposed witness will testify; as well as the expertise and qualifications of the proposed expert. All the material requested is set out in Annex A attached to this filing.
4. For much of the relevant period between April 1975 and January 1979, the Accused was the Minister of Social Action in Democratic Kampuchea. It is alleged by the Office of the Co-Prosecutors that she had responsibility for a number of hospitals and pharmaceutical factories.³ The preponderance of evidence against the Accused in the Case File, which the Office of the Co-Prosecutors wishes to call at trial, relates to the way in which the hospitals functioned and the manner in which the Accused carried out her responsibilities.⁴ There is considerable focus on the following matters: the qualification and training of doctors; the role and usage of traditional and modern medicine; political education within the hospital; the behavior of the Accused towards staff and patients; knowledge of purges; communication between locations. The defence understands that these matters are raised by the OCP as being relevant to charges of crimes against humanity.

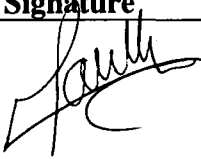
¹ TC, Order to File Material in Preparation for Trial, 17 January 2011, Document No. E9.

² Order, para. 6.

³ See Co-Prosecutors' Rule 66 Final Submission, 16 August 2010, Document No. D390, paras. 1151, 1166, 1172-1173, 1181-1182.

⁴ *Ibid.*, paras. 1183-1184.

5. The defence wishes to ensure that the Trial Chamber is not presented with a one-sided, unbalanced and unfair view and seeks to call witnesses who have personal knowledge in respect of these importance areas and can provide relevant evidence. Annex A contains detailed summaries of the statements made at an earlier stage in the proceedings by each of the proposed witnesses. As can be seen, the statements provide evidence in relation to the manner in which the Accused carried out her functions as Minister for Social Action. The accounts frequently differ from those of witnesses relied upon by the Co-Prosecutors.
6. The defence respectfully files with the Trial Chamber the summaries of the evidence of the proposed witnesses and the expertise and qualifications of the proposed expert as set out in Annex A to this motion in accordance with the direction provided in paragraph 6 of the Trial Chamber's Order.

Party	Date	Name Lawyers	Place	Signature
Co-Lawyers for Ieng Thirith	23 February 2011	PHAT Pouy Seang Diana ELLIS, QC	Phnom Penh	 P.P.