



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

E238/9/corr-1

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

**Request for Correction**

**Case :** 002/19-09-2007-ECCC/TC

To Document No(s):	ERN(s):	Request Date:	Correction Type:
E238/9	0086331-00863346	03/12/2012	<input checked="" type="checkbox"/> Change to Original <input type="checkbox"/> Change to Translation <input type="checkbox"/> Reclassification

**Reason for changes:**  
incorrect paragraph reference.

**Details:**  
disposition p. 16 - change reference to paras 29 and 30.

**Filed by:** Roger L. Phillips

**Signature:**

**Approved by Greffier (for originals):**

**Signature:**

**Approved by ITU (for translations):**

**Signature:**

<b>ឯកសារដើម</b>
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**DIRECTS** the Medical Unit and Detention Facility, as appropriate, to implement the recommendations of the Expert Geriatrician set out in paragraphs 29 and 30 of this decision;

**REJECTS** the Defence request that the Accused be video-taped in the holding cell or that a hospital bed be provided in the courtroom;

**DETERMINES** that a stay of proceedings, adjournment or severance of the Accused's case to enable further medical testing or treatment is currently unwarranted and would unreasonably infringe upon the right of all Accused in Case 002 to a fair and expeditious trial;

**FURTHER ADVISES** the parties that upon implementation of measures set out in paragraphs ~~30-29~~ and ~~31-30~~ of this decision, the Chamber shall resume proceedings in relation to all witnesses, Civil Parties and experts scheduled to appear in Case 002/01, including those for whom IENG Sary has not waived his right to be present;

**INDICATES** that the Chamber may henceforth order the Accused's participation in proceedings from the holding cell pursuant to Internal Rule 81(5) where it considers that the interests of justice so require, except where

- a) the Accused opts to be physically present in the courtroom, and where the exercise of this right is not inconsistent with measures necessary to ensure the Accused's physical well-being or to ensure the smooth conduct of the trial;
- b) the Accused waives his right to be present during proceedings; or
- c) the Accused's absence from the courtroom or holding cell is occasioned by a change in his medical condition or is otherwise justified.

**NOTES** that in accordance with Internal Rule 104(4), immediate appeal of the present decision does not stay proceedings before the Trial Chamber.

**Phnom Penh, 26 November 2012**  
**President of the Trial Chamber**