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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:
E254/3	00877927-00877934	18/01/2013	☒ Change to Original ☐ Change to Translation ☐ Reclassification

Reason for changes:
to change dates and one citation

Details:
See track changes to para. 5 and footnotes 13 and 14.

Filed by: Roger Phillips **Signature:**

Approved by Greffier (for originals): Roger Phillips **Signature:**

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via appropriate audio-visual means, the Chamber so ordered.[7] The Chamber rejected a further Defence request to video-record the Accused on the basis that it would rely on the medical observations made of the Accused's condition by available medical staff.[8]

4. On 5 December 2012, the Defence notified the Chamber that their Case Manager was in the holding cell "taking notes" and that the Defence would file a daily record of its observations of the Accused's condition.[9] The Defence allege that this was "consistent with what the Trial Chamber ruled yesterday" and purported to give evidence as to the contents of a conversation with one of the Accused's treating physicians.[10] Although the Accused's treating physician issued a report on the morning of 5 December 2012 recommending that the Accused participate in proceedings from the holding cell, the Defence suggested that the treating physician "was of the opinion that it was difficult to tell whether [the Accused] was capable of following the proceedings or not."[11] Later on 5 December 2012 the Defence circulated its Case Manager's observations of the Accused from the previous day.[12]

5. Thereafter, the Defence circulated further written observations of the Accused's medical condition in the holding cell from both ~~6~~5 and ~~7~~6 December 2012. These indicate that the Defence on ~~6~~5 December 2012 made nine and then on ~~7~~6 December 2012 made 1~~2~~1 audio tapes.[13] The Chamber received medical reports from the Accused's treating physicians before proceedings began on each of those days.[14]

6. On 7 December 2012, the Chamber ordered the Defence to cease recording the Accused, including conversations with treating physicians. In the event the Defence sought to argue that recording of the Accused in the holding cell was necessary or appropriate, the Chamber invited written submissions. The Chamber prohibited further recordings or

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7 T. 4 December 2012, p.2, pp. 17-20.
8 T. 4 December 2012, pp. 4-5, 13-14, 21, 27-28.
9 T. 5 December 2012, p. 2.
10 T. 5 December 2012, p. 2.
11 T. 5 December 2012, p. 2; *see* Strictly Confidential Medical Report for IENG Sary before the trial proceedings on 5 December 2012, E1/148.2, 7 December 2012.
12 Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his Defence 4 December 2012, E248/2.1, 5 December 2012.
13 Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his Defence 5 December 2012, E248.1, 7 December 2012; Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his Defence 6 December 2012, E248/1.1, 7 December 2012.
14 Strictly Confidential Medical Report for IENG Sary before the trial proceedings on 6 December 2012, E1/149.2, 7 December 2012; and Strictly Confidential Medical Report for IENG Sary before the trial proceedings on ~~7~~5 December 2012, E1/1~~5~~048.2, ~~13~~7 December 2012.