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ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 25 / 03 / 2016	
ម៉ោង (Time/Heure): 13 = 30	
អ្នកទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RADA ជាតិ សាសនា ព្រះមហាក្សត្រ	

E305/10/1

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

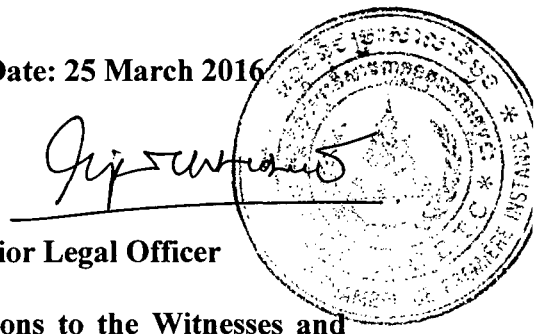
Nation Religion Roi

TRIAL CHAMBER

TO: All Parties, Case 002

Date: 25 March 2016

FROM: NIL Nonn, President of the Trial Chamber



CC: All Trial Chamber Judges; Trial Chamber Senior Legal Officer

SUBJECT: Decision on National Co-Prosecutor's Objections to the Witnesses and Experts Proposed by the Other Parties

1. The Trial Chamber is seised of the National Co-Prosecutor's Objections to the Witnesses and Experts Proposed by the Other Parties (E305/10). The National Co-Prosecutor objects to witnesses 2-TCW-831, 2-TCW-951 and CHEA Sim (2-TCW-878) proposed by the NUON Chea Defence Team on the grounds that the latter has failed to justify the need to call these proposed witnesses and the witness's testimony would be repetitious and unnecessarily prolong the proceedings. The National Co-Prosecutor further submits that, should the Trial Chamber consider that the evidence from these three witnesses is indispensable, the submission of written testimonies in lieu of their personal appearance could be requested (E305/10, para. 3).

2. The Trial Chamber recalls that it has deferred a decision on the request to hear witnesses 2-TWC-831 and 2-TCW-951 to the appropriate later stages of the proceedings (See E370/3).

3. With regard to witness CHEA Sim (2-TCW-878), the Chamber notes that he passed away on 8 June 2015 (Saing Soenthrith, "CPP President Chea Sim dead", *Cambodia Daily*, 8 June 2015, at <https://www.cambodiadaily.com/archives/cpp-president-chea-sim-dead-85182/>). The National Co-Prosecutor's objections and submissions with respect to this witness are therefore moot.

4. This constitutes the Chamber's official response to E305/10.