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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

MEMORANDUM – TRIAL CHAMBER

TO: All parties, Case 002

Date: 29 June 2011

FROM: F. NIL Nonn, President, Trial Chamber

CC: All judges, Trial Chamber; Trial Chamber Senior Legal Officer

SUBJECT: Direction to the parties (in advance of discussion at the Initial Hearing of provisional list of witnesses, experts and Civil Parties)



The Chamber wishes to clarify a number of issues arising from the first days of the Initial Hearing, in advance of the scheduled discussion on the provisional list of witnesses, experts and Civil Parties for the first trial segments on Thursday 30 June 2011:

1. The provisional list of witnesses, experts and Civil Parties has been provided to the parties on a confidential basis. Its contents are not to be disclosed to the public or to the press.
2. For the Chamber to agree to discuss the provisional witness list in open session during the final day of the Initial Hearing, the parties must undertake to refer to all witnesses only by the pseudonyms provided by the Chamber in the provisional list. Should any party not agree to this, they should inform the Trial Chamber Senior Legal Officer as soon as possible, and in advance of the final day of the Initial Hearing, setting out the grounds for any objections.
3. The names on the provisional list are arranged in alphabetical order. The Chamber has made no decisions on the order of testimony at this stage.
4. The Trial Chamber clarifies that in the first phase of the trial, it will examine what policies were adopted by Democratic Kampuchea, how they were developed and who among the Accused may have participated in their development or known of them. The implementation of the policies will not be examined in the first phase of the trial.
5. The Chamber grants the Lead Co-Lawyers' request for an extension of time to file additional Civil Party lists in consequence of the Pre-Trial Chamber Civil Party admissibility decision of 24 June 2011. It grants the Lead Co-Lawyers until Thursday 28

July 2011 to indicate which of these Civil Parties admitted in consequence of the Pre-Trial Chamber's Decision of 24 June 2011 may be relevant to the factual issues for determination during the first phase of the trial. They are further permitted until Monday 29 August 2011 to indicate which of these Civil Parties admitted on 24 June 2011 may be relevant instead to later phases of the trial. In order to ensure the expeditiousness of trial, the decision as to which Civil Parties will be heard at trial will be made by the Trial Chamber.

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