



**ឯកសារដើម**  
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**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**

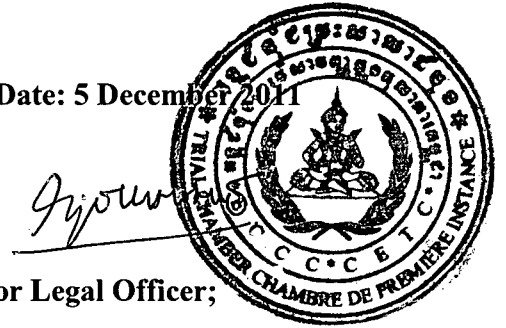
**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**  
Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Kingdom of Cambodia  
Nation Religion King  
Royaume du Cambodge  
Nation Religion Roi

**សាធារណៈ / Public TRIAL CHAMBER**

Date: 5 December 2011

**TO: All parties, Case 002**  
**FROM: Judge NIL Nonn, Trial Chamber President**  
**CC: All Trial Chamber Judges; Trial Chamber Senior Legal Officer;**



**SUBJECT: Exclusive competence of Trial Chamber over all individuals summoned to appear at trial and their care in advance of and during this testimony**

The Trial Chamber wishes to clarify for the benefit of the parties that all witnesses, experts and Civil Parties called to testify before the Trial Chamber are under the exclusive competence of the Chamber in advance of and during this testimony.

Where medical concerns are raised after the Trial Chamber has indicated that an individual will be called to testify in court, the Trial Chamber will be guided by a medical assessment facilitated by the Witness/Expert Support Unit ("WESU"). No party may unilaterally decide whether or not an individual summoned by the Chamber shall appear, as this is exclusively for the Trial Chamber to determine.

To facilitate this assessment, where required, and to ensure that all individuals appearing before the ECCC are assisted and supported to the highest possible standards, the Chamber further clarifies that WESU is responsible for the transportation of all individuals summoned by the Chamber, their care in Phnom Penh in advance of and during their testimony, and all other related logistical and welfare support functions.

This is without prejudice to the Lead Co-Lawyers' or Civil Party Lawyers' right to have access to their clients prior to their testimony whilst they are in Phnom Penh whenever necessary to perform their legal duties. The Lead Co-Lawyers or the Civil Party lawyers should collaborate with WESU to facilitate this when required.