

BEFORE THE TRIAL CHAMBER

EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA

FILING DETAILS

Case No: 002/19-09-2007-ECCC/TC

Party Filing: The Defence for IENG Sary

Filed to: The Trial Chamber

Original language: ENGLISH

Date of document: 7 July 2011

CLASSIFICATION

Classification of the document suggested by the filing party:

PUBLIC

Classification by OCIJ or Chamber:

សាធារណៈ / Public

Classification Status:

Review of Interim Classification:

Records Officer Name:

Signature:

ឯកសារដើម	
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):	
07	07 / 2011
ម៉ោង (Time/Heure) : 13:25	
មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: Ratanak	

IENG SARY'S REQUEST TO MAKE PUBLIC PROFESSOR A. JOHN CAMPBELL'S GERIATRIC REPORT

Filed by:

Distribution to:

The Co-Lawyers:

ANG Udom
Michael G. KARNAVAS

The Trial Chamber Judges:

Judge NIL Nonn
Judge THOU Mony
Judge YA Sokhan
Judge Silvia CARTWRIGHT
Judge Jean-Marc LAVERGNE
Reserve Judge YOU Ottara
Reserve Judge Claudia FENZ

Co-Prosecutors:

CHEA Leang
Andrew CAYLEY

All Defence Teams

All Civil Parties



Mr. IENG Sary, through his Co-Lawyers (“the Defence”) hereby requests the Trial Chamber to make public Professor A. John Campbell’s Geriatric Report relating to Mr. IENG Sary (“Geriatric Report”).¹ This Request is made necessary in the interest of transparency. Annexed to the Request is Mr. IENG Sary’s signed waiver of confidentiality and authorization for the Geriatric Report to be made public.

1. On 4 April 2011, the Trial Chamber assigned Professor A. John Campbell to provide an assessment on the fitness of Mr. IENG Sary to stand trial, his ability to sit for lengthy periods during trial proceedings, and an assessment of his physical health.²
2. On 13 June 2011, Professor A. John Campbell submitted the Geriatric Report to the Trial Chamber which was forwarded to the Defence on a Strictly Confidential basis.
3. On 27 June 2011, at the Initial Hearing, Judge Nil Nonn stated that the Geriatric Report will be placed on the Case File on a Confidential basis on 8 July 2011.³
4. Between 27 June 2011 and 30 June 2011, inclusive, the Initial Hearing in Case 002 took place. During the course of the Initial Hearing, Mr. IENG Sary frequently left the courtroom due to his physical health. Mr. IENG Sary continued following the proceedings from his holding cell under the courtroom.
5. Mr. IENG Sary intends to be present in the courtroom in order to attend the trial proceedings to the extent permitted by his physical health. In the interest of transparency to the proceedings and to remove any lingering doubt harbored by the any of the Civil Parties or the public at large, as to why Mr. IENG Sary may retire to his holding cell during the trial proceedings, the Defence respectfully submits that the Geriatric Report should be made public.

WHEREFORE, for all the reasons stated herein, the Defence respectfully REQUESTS the Trial Chamber to make public the Geriatric Report.


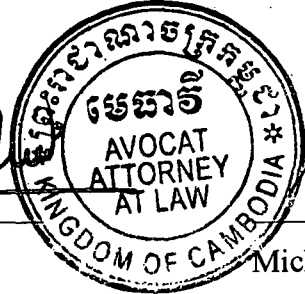

¹ Report Prepared in Response to the Trial Chamber’s Order Assigning Expert – E62/3, Geriatric Expert Report – Mr. IENG Sary, 13 June 2011, E62/3/5 (Strictly Confidential).

² Order Assigning Expert, 4 April 2011, E62/3, para. 2 (Confidential).

³ Draft Transcript of Initial Hearing, Day 1, 27 June 2011, p. 32.



Respectfully submitted,

ANG Udom Michael G. KARNAVAS

Co-Lawyers for Mr. IENG Sary

Signed in Phnom Penh, Kingdom of Cambodia on this 7th day of July, 2011