

E9/1/1



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

INTEROFFICE MEMORANDUM – TRIAL CHAMBER

TO: All parties, Case 002

Date: 2 February 2011

3/nd

CC: President and Judges of the Trial Chamber

FROM: Susan LAMB, Senior Legal Officer, Trial Chamber

SUBJECT: Reference to witness information, protective measures and type of oath (Annexes 2a and 2b, Order to File Materials in Preparation for Trial (E9.2))

Reference is made to the 'Ieng Thirith Defence Motion Regarding Order to File Materials in Preparation for Trial' (E9/1). In its Motion, the Ieng Thirith Defence notes its inability to provide, as sought by the Chamber's Order to File Materials (E9), current addresses and contact details of proposed witnesses, information regarding applicable existing protective measures and form of oath. This is in part because much of this information concerning witnesses already interviewed by the Co-Investigating Judges (OCIJ) are contained in a part of the Case File that is uniquely accessible by the OCIJ, and to which the parties do not have access.

The Chamber has received similar information from other parties and has since verified these constraints. In collaboration with the Witness and Expert Support Unit (WESU), the Trial Chamber will in due course obtain this information in relation to witnesses already interviewed by the OCIJ.

The Chamber accordingly clarifies that Annex 2 of the Chamber's Order to File Materials should be understood as requiring the parties to provide all relevant information which is available to the parties. This will be relevant mainly to witnesses proposed to the Trial Chamber for the first time by the parties themselves.

This memorandum is the Chamber's official response to Motion E9/1. As the information it contains is of general relevance, it has been distributed to all parties.

Best regards.

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ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):	03 / 02 / 2011
ម៉ោង (Time/Heure):	14:30
មន្ត្រីទទួលបន្ទុកឯកសារ/Case File Officer/L'agent chargé du dossier:	Ratanak