



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de réception):
21 / 06 / 2018

ម៉ោង (Time/Heure): 15:45

អង្គបុគ្គលិកទទួលខុសត្រូវ/Case File Officer/L'agent chargé
du dossier: SANN RADA

E460/6

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

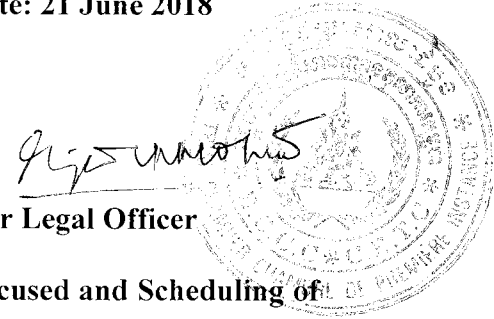
Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

TRIAL CHAMBER

TO: Medical Unit; Witness and Expert Support Unit (WESU); All Parties, Case 002

Date: 21 June 2018

FROM: NIL Nonn, President of the Trial Chamber



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

SUBJECT: Order for Quarterly Cognitive Testing of the Accused and Scheduling of the Tests

1. On 7 July 2017, the Trial Chamber issued an order scheduling the continuation of quarterly cognitive testing of each Accused through an Abbreviated Mental Test (“AMT”) for the period from September 2017 to June 2018 (E389/5/2).
2. On 27 February 2018, the Trial Chamber issued decisions on the fitness of each Accused to stand trial (E460/4 for NUON Chea; E460/5 for KHIEU Samphan). The decisions were based on the reports of Dr. CHAN Kin Ming and Dr. HUOT Lina (“Experts”), who were appointed pursuant to Internal Rule 32 to perform an expert medical and psychiatric evaluation of each Accused (E460). In the decisions, the Chamber found the Accused fit to stand trial and ordered that their cognitive function continue to be tested at least quarterly, with the results to be reported to the Chamber (E460/4, disposition; E460/5, disposition).
3. With respect to the AMT previously scheduled to take place between 1 and 15 June 2018, the Chamber contacted the Witness and Expert Support Unit (“WESU”) on 28 May 2018. The Chamber was informed by WESU that the Khmer-Soviet Friendship Hospital (“Hospital”), which provides contracted services to the Medical Unit, had elected to undertake the cognitive testing in May, due to its busy schedule in June. The AMT was administered to both Accused by Prof. CHAK Thida and Dr. CHHOUR Channara on 7 May 2018. The Chamber received the results of the AMT of each of the Accused on 8 June 2018 (E10/390.1 for NUON Chea; E13/387.1 for KHIEU Samphan). The results of the AMT in relation to each Accused did not indicate cognitive impairment (*see*, E460, para. 3).

4. Recalling its orders for continued cognitive testing and in order to ensure the regular assessment of both Accused until the delivery of the Judgement in Case 002/02, the Chamber directs WESU to coordinate and schedule the next quarterly tests during the following timeframes:

- between 1 – 15 August 2018;
- between 1 – 15 November 2018;
- between 1 – 15 February 2019; and
- between 1 – 15 May 2019.

5. The Chamber considers it appropriate that future cognitive testing continue to be carried out jointly by Prof. CHAK Thida and Dr. CHHOUR Channara. In line with the advice of Dr. CHAN Kin Ming, the Chamber orders that the tests be changed regularly to avoid results tainted with familiarity (T. 23 January 2015, pp. 47-48). The Chamber further orders the Medical Unit to ensure that the AMT are administered in keeping with the schedule set out in the present order and to submit to the Trial Chamber the AMT results for each Accused as soon as possible after every respective test.