



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

សំណុំរឿងលេខ: ០០១/១៨ កក្កដា ២០០៨/អវតក/អជសដ

Case File/Dossier No. 001/18-07-2007/ECCC/TC

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C.A. Fuy

Before:

Judge NIL Nonn, President
Judge Silvia CARTWRIGHT
Judge YA Sokhan
Judge Jean-Marc LAVERGNE
Judge THOU Mony

Date:

30 March 2009

Classification:

STRICTLY CONFIDENTIAL

ឯកសារចម្លងត្រឹមត្រូវតាមច្បាប់
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C.A. Fuy

ORDERS CONCERNING THE DEFENCE REQUEST TO APPOINT A PSYCHOLOGIST FOR THE ACCUSED

Co-Prosecutors

CHEA Leang
Robert PETIT

Accused

KAING Guek Eav alias "DUCH"

Lawyers for the Civil Parties

KONG Pisey
HONG Kimsuon
YUNG Panith
KIM Mengkhy
MOCH Sovannary
Silke STUDZINSKY
Martine JACQUIN
Philippe CANONNE

TY Srinna
Pierre Olivier SUR
Alain WERNER
Brienne McGONIGLE
Annie DELAHAIE
Elizabeth RABESANDRATANA
Karim KHAN

Lawyers for the Defence

KAR Savuth
François ROUX



THE TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”);

BEING SEISED of Case File No. 001/18-07-2007-ECCC/TC pursuant to the “Decision on Appeal Against the Closing Order Indicting Kaing Guek Eav Alias Duch,” rendered orally by the Pre-Trial Chamber on 5 December 2008 and filed in Khmer on 9 December 2008;

HAVING RECEIVED the “Request to Appoint a Psychologist for Kaing Guek Eav Alias Duch” filed as strictly confidential, by which the Defence requests the appointment of a psychologist to assist the Accused throughout the Substantive Hearing (“Request”);¹

NOTING the “Psychological Assessment Report” concerning the Accused prepared during the investigation phase by Doctor Françoise Sironi-Guilbaud and Professor Sunbaunat Ka;²

FINDING that, in order to properly assess the merit of the Request, a specific assessment of the psychological status of the Accused in connection with the holding of the Substantive Hearing is necessary;

HEREBY:

ORDERS Professor Sunbaunat Ka, after having reviewed the medical records available at the ECCC Detention Facility, to examine the Accused in order to:

- a) Establish whether there is a concrete indication that the Accused, as submitted by the Defence, will “suffer severe emotional distress, which, if he were not to receive proper psychological care, could result in severe psychological problems” which will render him unfit to stand trial;
- b) If so, indicate what level of psychological support the Accused might need for the duration of the Substantive Hearing;
- c) Indicate, as necessary, an appropriate and available psychologist to assist the Accused; and
- d) Provide any other relevant observations;



¹ Document E22.

² Document B1/IV.

ORDERS the Court Management Section to notify the Request and the present Order to Professor Sunbaunat Ka and to grant him access to any other non-public documents in the Case File relevant thereto as directed by the Chamber;

ORDERS the Chief of the ECCC Detention Facility to allow access to the Accused by Professor Sunbaunat Ka for the purposes of the present Order;

ORDERS the Office of Administration to assist Professor Sunbaunat Ka as necessary;

ORDERS Professor Sunbaunat Ka to report back to the Chamber by no later than 3 weeks from the date of this Order. *re go.*

Phnom Penh, 30 March 2009

President of the Trial Chamber



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