



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

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

ព្រះរាជាណាចក្រកម្ពុជា  
ROYAUME DU CAMBODGE

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Date (Date of receipt/Date de réception):  
30 / 01 / 2017

Case No: 14760

Case File Officer/L'agent chargé  
SAMNAN PANA

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

14 December 2016

Trial Day 493

Prepared by:

Ms. Sivhoang CHEA and Ms. Maddalena GHEZZI

<b>Attendance Record</b>
Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge YOU Ottara; Judge Claudia Fenz.
Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve).
Greffiers: Ms. Sivhoang CHEA; Mr. LIM Suy-Hong; Ms. Maddalena GHEZZI.
OCP: Ms. SONG Chorvoin; Mr. Dale LYSAK; Mr. SREA Rattanak
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan.
Defence for the Accused Nuon Chea: Mr. LIV Sovanna; Mr. Victor KOPPE.
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn; Ms. Anta GUISSÉ.
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS.
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mrs. TY Srinna; Mrs. SIN Soworn; Mr. VEN Pov.
Witness: 2-TCE-1062 (Mr. VOEUN Vuthy).
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. LOHN Nget; Mrs. SAM Makara; Ms. PICH Charkya; Ms. YOUS Sereiroth (Transcribers); Ms. Anne-Catherine STANDAERT (Trial Chamber Intern).

<u>General court times</u>		
Day	Start time: 9:04	Finish time: 16:19
Recess am	Start time: 10:22	Finish time: 10:40
Recess	Start time: 11:45	Finish time: 13:31
Recess pm	Start time: 14:48	Finish time: 15:09
	Total Court Time:	4 h 50 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of Hearing and report on attendance of the Parties	Trial Chamber, Greffier	9:04	9:04
NUON Chea Defence Request to follow the proceedings from the holding cell	Trial Chamber	9:04	9:06
Oral request of Co-Prosecutors to admit into evidence document related to Kraing Ta Chan Security Centre	Co-Prosecutors	9:08	9:09
		9:12	9:14
		9:09	9:12
		9:14	9:14
	Trial Chamber	9:19	9:19
		9:26	9:27
		9:14	9:19
		9:19	9:21
KHIEU Samphan Defence	9:21	9:22	
Hearing of expert 2-TCE-1062 (Mr. VOEUN Vuthy)	NUON Chea Defence	9:27	13:49
	Co-Prosecutors	13:50	16:18
Oral request by the KHIEU Samphan Defence for additional time to question expert 2-TCE-1062	KHIEU Samphan Defence	10:40	10:42
	Co-Prosecutors	10:42	10:43
	Lead Co-Lawyers for the Civil Parties	10:44	10:44
	Trial Chamber	10:45	10:48

<u>Summary of Proceedings</u>
<p><u>Opening of hearing and report on attendance of the Parties</u> The President opened the proceedings and the Greffier informed the Trial Chamber that all Parties were present. The accused NUON Chea was present in the holding cell.</p>
<p><u>NUON Chea Defence request to follow the proceedings from the holding cell</u> The Trial Chamber granted NUON Chea's request to waive his right to be present in courtroom and to follow the proceedings from the holding cell.</p>
<p><u>Oral request of the Co-Prosecutors to admit into evidence a document related to Kraing Ta Chan Security Centre</u> The Trial Chamber declared admissible the pages of the study regarding Kraing Ta Chan which correspond to the pages that have been translated and which are the introduction of the study, two tables and a sample of a crania study will be made accessible to the parties.</p>

Hearing of expert 2-TCE-1062 (Mr. VOEUN Vuthy)

Questions were put to expert 2-TCE-1062 (Mr. VOEUN Vuthy) by the NUON Chea Defence and the Co-Prosecutors.

Oral request of the KHIEU Samphan Defence for additional time to question expert 2-TCE-1062

The Chamber granted the KHIEU Samphan Defence's request for one additional session to be used by both Defence teams for the questioning of expert 2-TCE-1062 (Mr. VOEUN Vuthy).

## New E3s

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10791	/	01380151-01380151	Photo shown by Expert VOEUN Vuthy during the hearing	P			
E3/10792	/	01380152-01380152	Photo shown by Expert VOEUN Vuthy during the hearing	P			
E3/10793	/	01380153-01380153	Photo shown by Expert VOEUN Vuthy during the hearing	P			
E3/10794	/	01380154-01380154	Photo shown by Expert VOEUN Vuthy during the hearing	P			
E3/10795	/	01380155-01380155	Photo shown by Expert VOEUN Vuthy during the hearing	P			
E3/10796	/	01380156-01380156	Photo shown by Expert VOEUN Vuthy during the hearing	P			
E3/10797	/	01380157-01380157	Photo shown by Expert VOEUN Vuthy during the hearing	P			
E3/10798	/	01380160-01380161	Photo shown by Expert VOEUN Vuthy during the hearing	P			

## Reclassified Documents

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10769	/	01359071-01359085-01362849-01362865	Intro and certain pages of study of Kraing Ta Chan - VOEUN Vuthy	P	/	01362856-01362859	/

E3/2763	D204.3.1	01353577- 01353600 00379092- 00379115 00795875- 00795898	List of mass graves/Burial, update by 18-02-2008	P	01363600	00379115	00795897
E3/8063.105	D108/32.2- P0105	00032990- 00033001	Genocidal center at Choeung Ek	P	/	/	/
E3/2160	D108/19/1/4	00231891- 00231892 00189133- 00189133 00404065- 00404066	one Drawing/map of Choeng Ek memorial	P	/	00189133	/
E3/8116	D288/5.232	00360015- 00360100	Photo album containing photos used in presentation	P		00360036 00360042 00360043 00360045 00360046 00360034 00360020	
E3/8063.136	D108/32.2- P0136	P00005304- 00005304	Choeung Ek	P		P00005304	
E3/7991	D86/15- Annex 1	00181357- 00181375 00198009- 00198027 00181376- 00181394	Annex 1: Report of crime Scene Reenactment at Choeung Ek on 26 February 2008	P	00181371	00198023	00181390
E3/8063.103	D108/32.2- P0103	00005315- 00005315	Choeung Ek	P		00005315	
E3/8063.70	D108/32.2- P0070	00005308- 00005308	Choeung Ek	P		00005308	
E3/8144	D313/1.2.145	P00407112- 00407112	Photographs depicting clothing recovered from mass graves at Choeung Ek and the original ossuary display at Choeung Ek	P		P00407112	
E3/8153	D313/1.2.156	P00407196- 00407196	Photograph depicting human skeletal remains in the original memorial at the site of Kraing Ta Chan security office	P		P00407196	

## Other Documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10643	/	01235428- 01235506 01235378- 01235427	Evaluation report of the Choeng Ek conservation of Victims at Killing Field project	P	01235461 01235462	01235398	/
E3/10766	/	01319492- 01319493 01336759- 01336760 01336761- 01336764	The charts titles Exhausted List of Preserved Remains and List of Marks of Torture and Marks of Execution	P	01319492	01336759	01336761
E3/10765	/	01319488- 01319491 01336753- 01336755 01336756- 01336758	The Report on the Preservation of the Remains of the Victims at Choeng Ek Genocidal Center	P	01319488	01336753	01336756
E3/10646	E404/2.1.4	01240564- 01240564 01240562- 01240563	Attachment 4: Cheung Ek Genocidal Center: the Inventory of the Skeletons of the Victims, Volume 32	P	01240564	01240562	/
E3/10643	/	01235428- 01235506 01235378- 01235427	Evaluation report of the Choeng Ek conservation of Victims at Killing Field project	P	01235440 01235461	01235385 01235398	/
E3/10647	E404/1.3	01240474- 01240475	Annex B: Choeng Ek Study identified in E404 Notice, Volume 32, un-paginated	P	01240474 01240475	/	/
E3/10645	E404/2.1.3	01240560- 01240561 01240557- 01240559	Attachment 3: Cheung Ek Genocidal Center: the Inventory of the Skeletons of the Victims, Preface	P	01240560	01240557	/
E3/10767	/	01319494- 01319515 01336765- 01336791 01336792- 01336810	The transcript of the interview of Him Huy conducted on 9 August 2014	P	01319503 01319514	01336776 01336790	01336800 01336809
E3/5837	D25/24	00163455- 00163464 00223450- 00223458 00178089- 00178096	Written Record of Interview of KEO Chandara	P	00163462	00223457	00178095

E3/3095R		Video			42:17- 42:41
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**Oral Orders/Decisions:**

- Order authorizing the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceeding. (9:06)
- Oral ruling admitting portions of the Kraing Ta Chan study. (9:27)
- Oral ruling on the KHIEU Samphan Defence's request for additional time for the questioning of expert 2-TCE-1062. (10:49)
- Order to take the two accused, NUON Chea and KHIEU Samphan, back to the detention facility and have them returned to attend the proceedings on Thursday 15 December 2016 before nine o'clock. (16:19)

**Order for Adjournment of Hearing**

The hearing will resume on Thursday 15 December 2016 at 9:00am

Phnom Penh, 14 December 2016

Greffier



Ms. Sivhoang CHEA



Greffier



Ms. Maddalena GHEZZI