



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
23 / 02 / 2012

ម៉ោង (Time/Heure) : 15:00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: Ratanak

E1/39

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

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

6 February 2012

Substantive Hearing on evidence – Day 27

Prepared by:

DAV Ansan and Matteo CRIPPA

Attendance Record
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge YOU Ottara.
Reserve Judges: Judge THOU Mony (Reserve); Judge Claudia FENZ (Reserve)
Greffiers: Mr. DAV Ansan, Mr. Matteo CRIPPA.
OCP: Ms. Sarah ANDREWS, Mr. Tarik ABDULHAK, Mr. CHAN Dararasmey, Mr. SENG Bunkheang, Mr. HŪŌT Veng, Mr. PICH Sambath, Mr. CHEA Phalla, Mr. BOU Chanthan, Mr. Toch Vannarith, Mr. Phann Sochea
Accused: Mr. KHIEU Samphan; Mr. NUON Chea; Mr. IENG Sary.
Defence for the Accused: Mr. SON Arun, Mr. Michiel PESTMAN, Mr. Andrew IANUZZI, Mr. Jasper POWW; Mr. KONG Sam Onn; Mr. ANG Udom, Mr. Michael G. KARNAVAS.
Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. LOR Chunthy, Mr. HONG Kimsuon, Mr. SAM Sokong, Mr. VEN Pov, Mr. CHET Vanly.
Witness: YOUK Chhang (TCW-793)
Others: Courtroom officer, transcribers, Ms. Alexandra PRASSOLOFF.

<u>General court times</u>		
Day	Start time: 09:00	Finish time: 15:00
Recess am	Start time: 10:35	Finish time: 10:50
Recess	Start time: 12:00	Finish time: 13:35
	Total Court Time:	4 hours, 10 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Time allocation for the questioning of Witness TCW-793	NUON Chea Defence Trial Chamber	09:06 10:50	09:12 10:52
Questioning of Witness YOUK Chang (TWC-793)	NUON Chea Defence	09:12	14:58
Waiver of IENG Sary's right to be present in the courtroom	IENG Sary Defence Trial Chamber	10:32	10:32
Waiver of NUON Chea's right to be present in the courtroom	NUON Chea Defence Trial Chamber	12:03	12:03
Motion to ask the witness to provide information	NUON Chea Defence	13:50	14:05
Scheduling of this week's hearings	Civil Party Lead Co-Lawyer Trial Chamber	15:00	15:05

Summary of Proceedings

Time Allocation for the Questioning of Witness TCW-793

The Nuon Chea Defence requested to be allocated the time allocated for the IENG Sary Defence, which indicated that it does not intend to question the witness. The Trial Chamber granted the NUON Chea Defence to continue with the questioning of the witness until the completion of the afternoon session.

Questioning of Witness YOUK Chhang (Cont.) (TCW-793)

The NUON Chea Defence completed the questioning of the Witness.

Waiver of IENG Sary's right to be present in the courtroom

The Accused waived his right to be present in the courtroom for the whole day.

Waiver of NUON Chea's right to be present in the courtroom

The Accused waived his right to be present in the courtroom in the afternoon.

Motion to ask the Witness to Provide Information

NUON Chea Defence requested the Chamber to request Mr. YOUK Chhang to provide information concerning whether documents at DC-Cam are originals or not as well as their provenance and earlier custodians.

Scheduling of this week's hearings

The Civil Party Co-lawyer requested clarifications about the schedule of this week's hearing. The Chamber stated that on Wednesday and Thursday the hearing will proceed with the questioning of NUON Chea, followed by matters concerning documents to be put before the Chamber. The Chamber also reminded that the subject matters currently under discussion remain the historical background of the Democratic Kampuchea and the structure of the administration and communications system of the Khmer Rouge .

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/48	D222/1.7	00742603- 00742623 00393471- 00393641 00729651- 00729662	[Partial T.] HEDER Stephen, Seven Candidates for Prosecution បេក្ខជនចំនួនប្រាំពីរនាក់ដែលត្រូវកាត់ទោស [Partial T.] Heder, Stephen, Seven Candidates for Prosecution [Partial T.] Heder, Stephen, Sept candidats possibles de poursuites	P			
E3/187	D2-2	00145539- 00145547 00146767- 00146770 00147709- 00147712	កំណត់ហេតុសួរយកចម្លើយ នាំឯង យូក Written Record of Interview of CHHANG Youk Procès verbal d'audition de CHHANG Youk	P			
E3/188	D204/2	00334755- 00334761 00342450- 00342455 00485435- 00485440	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី CHHANG Youk នាំឯង យូក ចុះថ្ងៃទី ២៨ ឧសភា ២០០៩ Written Record of Interview of CHHANG Youk នាំឯង យូក dated 28 May 2009 Procès verbal d'audition de témoin CHHANG Youk នាំឯង យូក en date du 28 mai 2009	P			

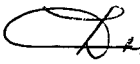
Oral Orders/Decisions:



- Order to bring the Accused IENG Sary (10:32) and NUON Chea (12:03) to the holding cell (waivers of the Accused are attached to this written record).
- Order to bring the three Accused back to the detention facility and to return the three Accused to the courtroom for the hearing on 6 February 2012 at 9:00am.

Orders for Adjournment of Hearing

The hearing will resume on 8 February 2012 at 9:00am.

Phnom Penh, 6 February 2012

Greffier  Greffier

DAV Ansan **Matteo CRIPPA**