



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
..... 29 / 02 / 2012

ម៉ោង (Time/Heure) : 13:40

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

E1/43

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា

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

14 February 2012

Substantive Hearing on evidence – Day 31

Prepared by:

DAV Ansan and Faiza ZOUAKRI

Attendance Record
Before: Judge NIL Nonn (President), Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge YOU Ottara.
Reserve Judges: Judge THOU Mony (Reserve); Judge Claudia FENZ (Reserve)
Greffiers: Mr. DAV Ansan, Mrs. Faiza ZOUAKRI
OCP: Mr. Dale Lysak, Mr. CHAN Dararasmey, Mr. SENG Bunkheang, Mr. Chanlino Pak, Mr. William SMITH, Mr. HUOT Veng, Mr. Tarik ABDULHAK
Accused: Mr. KHIEU Samphan; Mr. NUON Chea; Mr. IENG Sary.
Defence for the Accused: Mr. SON Arun, Mr. Michiel PESTMAN, Mr. Andrew IANUZZI, Mr. KONG Sam Onn, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. LOR Chunthy, Ms. MOCH Sovannary, Mr. Barnabé NEKUIE, Ms. SIN Soworn, Ms. CHET Vanly, Mr. Ven Pov, Mr. Sam Sokong, Mr. Olivier Bahougne, Ms. SIN Soworn, Mr. Sam Sokong
Others: Ms Alexandra PRASSOLOFF, Mr. Kouv Keoratanak, Mr. San Kiri, Ms. Nathalie TURCOVICH, Mr. Nou Monoroath

General court times		
Day	Start time: 09:05	Finish time: 15:55
Recess am	Start time: 10:30	Finish time: 10:50
Recess	Start time: 11:55	Finish time: 13:35
Recess pm	Start time: 14:55	Finish time: 15:20
	Total Court Time:	4 hours, 25 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Submission of documents considered to be of particular relevance in relation to the Case 002/01	Co-Prosecutors	09:05	15:36
Ruling on the IENG Sary's objections concerning the presentation of documents by the Co-Prosecutors	IENG Sary Defence Trial Chamber	09:39	09:50
Waiver of IENG Sary's right to be present in the courtroom	IENG Sary Defence Trial Chamber	10:27	10:27
Waiver of NUON Chea's right to be present in the courtroom	NUON Chea Defence Trial Chamber	11:57	11:57
Request about translation's issues	IENG Sary Defence	14:10	14:24
Objection regarding new civil party's names	KHIEU Samphan Defence	15:36	15:46

Summary of Proceedings

Submission of documents considered to be of particular relevance in relation to the Case 002/01

The Co-Prosecutors presented its last document relevant to the Case 002/01 concerning KHIEU Samphan, followed by the presentation of documents considered relevant for the historical background regarding IENG Sary and NUON Chea.

IENG Sary's objection concerning the presentation of documents by the Co-Prosecutors

IENG Sary's Defence objected to the Co-Prosecutors statements, arguing that it amounted to an opening statement or a pleading, which was not the purpose of the hearing. The Trial Chamber reminded the parties that the purpose of the hearing was limited to the presentation of documents.

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.

Request concerning the translation of document

IENG Sary Defence submitted that an inaccurate translation of the interview between Steve Heder and IENG Sary was provided. The Trial Chamber instructed the Defence counsel for IENG Sary to submit their request to the Co-prosecutors and arrange for a review of the contested translation.

Objection of new Civil Party's names

Counsel for KHIEU Samphan objected to documents presented by the Civil-Party Co-Lawyer which contain Civil Party's names not admitted yet before the Chamber. The Civil-Party Co-Lawyers responded that all the Civil Party have been accepted by the Co-Investigating judges and the Pre-Trial Chamber.

Oral Orders/Decisions:

- Order to bring the Accused IENG Sary (10:27) and NUON Chea (11:57) to the holding cell (waivers of the Accused are attached to this written record).
- Order to bring the three Accused to the detention facility and to return them to the courtroom for the hearing on 14 February 2012.

Orders for Adjournment of Hearing

The hearing will resume on 15 February 2012 at 9:00am.

Phnom Penh, 14 February 2012

Greffier



DAV Ansan



Greffier



Faiza ZOUAKRI