



ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
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ម៉ោង (Time/Heure) :..... ១៥ : ២០

មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé
du dossier:..... **UCH Arun**

E1/45

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

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

16 February 2012

Substantive Hearing on evidence – Day 33

Prepared by:

Phary DUCH and Natacha WEXELS-RISER

<u>Attendance Record</u>
Before: Judge NIL Nonn (President), Judge Claudia FENZ, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge YOU Ottara.
Reserve Judges: Judge THOU Mony (Reserve)
Greffiers: Mr. DUCH Phary, Ms Natacha WEXELS-RISER.
OCP: Mr. SENG Bunkheang, Mr. Tarik ABDULHAK, Mr. Andrew CAYLEY; Mr. Vincent DE WILDE D'ESTMAEL, Ms. Falguni DEBNATH, Mr. TOCH Vannarith
Accused: Mr. KHIEU Samphan; Mr. NUON Chea; Mr. IENG Sary.
Defence for the Accused: Mr. SON Arun, Mr. Michiel PESTMAN, Mr. Jasper Pauw; Mr. KONG Sam Onn, Ms. Anta Guisse; 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. Olivier Bahougne, Ms. MOCH Sovannary, Mr. Barnabé NEKUIE, Ms. SIN Soworn, Ms. CHET Vanly, Mr. Ven Pov.
Others: Mr Philippe GOUT

General court times		
Day	Start time: 09:00	Finish time: 03:45
Recess am	Start time: 09:55	Finish time: 10:40
Recess	Start time: 12:05	Finish time: 01:30
Recess pm	Start time: 2:25	Finish time: 2:45
	Total Court Time:	4 hours, 15 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Accused response to documents put before the Chamber	NUON Chea	09:10am	09:35am
Objections to documents put before the Chamber pursuant to Internal Rule 87(3) for Trial segment 2 and response	Trial Chamber, all Defence teams, OCP, CPLCL	09:35am	03:42pm
Waivers of IENG Sary and NUON Chea's right to be present in the courtroom and observe the proceedings from the holding cell	IENG Sary's Defence NUON Chea Defence	10:43am 12:05 am	

Summary of Proceedings
<p><u>Accused response on documents put before the Chamber:</u></p> <p>The Accused were provided an opportunity to respond to documents put before the Chamber by the Co-Prosecutors and Civil Party Lead Co-Lawyers. NUON Chea availed himself of this opportunity.</p> <p>The NUON Chea Defence requested an opportunity to speak about the importance of the historical context. The Chamber denied the request but allowed the Defence to make written submissions on the issue.</p>
<p><u>Objections to documents put before the Chamber pursuant to Internal Rule 87(3) for Trial segment 2 and response</u></p> <p>The parties were given an opportunity to rebut the presumption of relevance and reliability of 95 documents cited in the Closing Order for the trial segment on communication and administrative structures (paragraphs 33-112, 869-872, 880-892, 1001-1015, 1131-1144, 1147-1150) not already discussed in connection with Annexes A1 to A5 (in accordance with Memorandum E170).</p> <p>The Defence teams for NUON Chea, IENG Sary and KHIEU Samphan presented their objections.</p> <p>The Co-Prosecutors and the Civil Party Lead Co-Lawyers responded to the Defence objections on the 95 documents under discussion.</p> <p>The NUON Chea Defence made submissions in reply.</p>

Waivers of IENG Sary and NUON Chea's right to be present in the courtroom and observe the proceedings from the holding cell

IENG Sary and NUON Chea waived their right to be present in the courtroom and were allowed to observe the proceedings from the holding cells. The waivers are annexed to this Written Record of Proceedings.

Record of Rule 87(3) Proceedings: No table for this hearing.

Oral Orders/Decisions:

- Order to bring the Accused IENG Sary (10:43) and NUON Chea (12:05) to the holding cell to observe the proceedings via the audio-visual equipment.
- Order to bring the three Accused to the detention facility and to return them to the courtroom for the hearing on 12 March 2012.

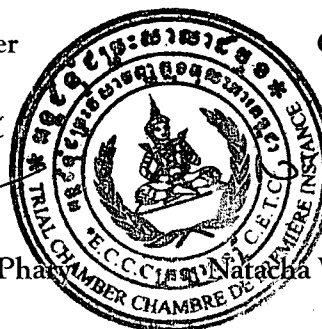
Orders for Adjournment of Hearing

The hearing will resume on 12 March 2012 at 9:00am.

Phnom Penh, 16 February 2012

Greffier

Greffier



DUCH Phas  Natacha WEXELS-RISER 