

**តារាងពេលវេលានៃការសង្កេតស្ថានភាពរបស់លោក អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
ការការពារក្តីរបស់គាត់ ថ្ងៃ ៥ ខែ ធ្នូ ឆ្នាំ ២០១២)**

**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
5 December 2012**

ថ្ងៃខែឆ្នាំ និង ពេលវេលា Date & Time	បញ្ហាដែលបានសង្កេត Problem observed	រយៈពេលប៉ុន្មាន? How long?	ពេទ្យមកពិនិត្យទេ? Was Mr. Ieng Sary checked by the doctor/nurse?
Five tape recordings were made during the morning session.			
8:45	<ul style="list-style-type: none"> • Mr. Karnavas and Mr. So Mosseny asked Mr. Ieng Sary how he felt and he responded that felt tired and felt like he might need to vomit. 	About 3 minutes	No
8:50 – 8:55	<ul style="list-style-type: none"> • Mr. Karnavas and Mr. So Mosseny met with the treating doctor Lim Sivutha at the medical unit to seek his medical opinion as to whether Mr. Ieng Sary could follow the proceedings for the entire day. • Dr. Lim Sivutha said he could not say how long Mr. Ieng Sary could follow the proceedings since it depends on his condition and he would need to be monitored from time to time. This meeting was not audio recorded. 	About 5 minutes	-
8:55 – 9:10	<ul style="list-style-type: none"> • At the medical unit, Mr. So Mosseny asked Dr. Lim Sivutha whether he could audio record Dr. Lim Sivutha giving his medical opinion as to 	About 15 minutes	-

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	<p>Mr. Ieng Sary's health. Dr. Lim Sivutha agreed.</p> <ul style="list-style-type: none"> • Dr. Lim Sivutha said he could not make an assessment as to Mr. Ieng Sary's mental ability to follow the proceedings since he is not a psychiatrist, but he could take note of Mr. Ieng Sary's physical health. 		
9:15	<ul style="list-style-type: none"> • The guard tried to prevent Mr. So Mosseny from audio recording a discussion Mr. So Mosseny had with Mr. Ieng Sary, even after Mr. So Mosseny explained it was a necessary part of his work. A few moments later, the deputy detention chief arrived and told the guard that the lawyers may make audio recordings of their meetings with their client, but they cannot ask others to make recordings for them. 		-
9:58	<ul style="list-style-type: none"> • The caretaker turned Mr. Ieng Sary on his side, removed his hat and changed his pillow. 	10 second	-

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	<ul style="list-style-type: none"> Note: Mr. Ieng Sary could not view the video monitor while in this position. 		
10:02 – 10:07	<ul style="list-style-type: none"> Mr. Ieng Sary relieved himself with the help of his caretaker. **Note that it is likely Mr. Ieng Sary relieved himself on other occasions that were not recorded, such as during court breaks or the lunch period when Mr. So Mosseny was not monitoring him. Mr. Ieng Sary closed his eyes approximately 6 times while he relieved himself. Note: Mr. Ieng Sary could not view the video monitor at the time. 	<ul style="list-style-type: none"> Each time Mr. Ieng Sary closed his eyes, they remained closed for 5 to 52 seconds. About 5 minutes. 	-
10:08	<ul style="list-style-type: none"> Mr. Ieng Sary closed his eyes approximately three times while he was moved to a higher position on his bed by his caretaker, who also helped him to drink some water. 	10 second each	-
10:10	<ul style="list-style-type: none"> Mr. Ieng Sary felt the need to vomit, so Mr. So 		Yes

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	<p>Mosseny asked his caretaker to inform the doctor.</p> <ul style="list-style-type: none"> • Mr. Ieng Sary said he could not follow the proceedings and wanted to rest and then he closed his eyes. • 40 seconds later a nurse arrived. 		
10:11	<ul style="list-style-type: none"> • The nurse checked Mr. Ieng Sary • Mr. Ieng Sary closed his eyes twice. 	About 1 minute and later 30 seconds	Yes
10:13	<ul style="list-style-type: none"> • Mr. Ieng Sary said that he could not watch the hearing anymore and he wanted to rest. Mr. Ieng Sary then closed his eyes most of the time while the nurse checked on him. 		Yes
10:16	<ul style="list-style-type: none"> • Dr. Lim Sivutha arrived and asked how Mr. Ieng Sary felt. He said he felt want to vomit and had difficulty to concentrate on watching the hearing. He said this problem was different 		Yes

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	from early in the morning.		
10:19	<ul style="list-style-type: none"> Mr. So Mosseny asked Dr. Lim Sivutha how Mr. Ieng Sary was doing. Dr. Lim Sivutha said his general health was fine. Dr. Lim Sivutha made a report while Mr. Ieng Sary's eyes were closed. 		Yes
10:32	<ul style="list-style-type: none"> Mr. Ieng Sary's eyes remained closed. Mr. so Mosseny asked Dr. Lim Sivutha whether Mr. Ieng Sary could follow the proceedings with his eyes closed. Dr. Lim Sivutha said the Trial Chamber would decide after receiving his report. 		Yes
10:33	<ul style="list-style-type: none"> Mr. Ieng Sary said that he wanted to sleep and felt like he might vomit. He mostly kept his eyes closed. 		No
10:55	<ul style="list-style-type: none"> Mr. Ieng Sary's eyes were opened 		-
10:56	<ul style="list-style-type: none"> Mr. Ieng Sary said that he felt stressed, dizzy 		No

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	and that he might need to vomit. His caretaker helped him drink some hot water. After this, Mr. Ieng Sary closed his eyes.		
10:58	<ul style="list-style-type: none"> The caretaker helped Mr. Ieng Sary drink a soft drink and then Mr. Ieng Sary closed his eyes again. 		-
11:04	<ul style="list-style-type: none"> Mr. Ieng Sary's eyes remained closed. 		-
11:08	<ul style="list-style-type: none"> Mr. Ieng Sary's eyes still remained closed. 		-
11:13	<ul style="list-style-type: none"> Mr. So Mosseny awakened Mr. Ieng Sary following the Trial Chamber's decision that Mr. Ieng Sary should be awakened. He awoke for approximately 1 minute and then closed his eyes again. 		-
11:14	<ul style="list-style-type: none"> Mr. So Mosseny requested the nurse to check Mr. Ieng Sary. 		-
11:15	<ul style="list-style-type: none"> The nurse arrived to check on Mr. Ieng Sary. 		Yes

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	<ul style="list-style-type: none"> • Note: The nurse was present from this time until the lunch break, except for when he left briefly to speak to the doctor. 		
11:16	<ul style="list-style-type: none"> • The nurse said Mr. Ieng Sary felt dizzy when he opened his eyes. Mr. Ieng Sary's eyes remained closed. 		Yes
11:22 – 11:23	<ul style="list-style-type: none"> • Mr. Ieng Sary said that he could no longer listen to the hearing. • The nurse was informed of this problem and said that he would inform the doctor. • The nurse finished checking on Mr. Ieng Sary and left to talk to the doctor. 		Yes
11:35	<ul style="list-style-type: none"> • After coming back from talking with the doctor, the nurse said that the doctor told him that Mr. Ieng Sary should open his eyes as long as he could, but if he needed to close them he could 		Yes

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	just listen to the hearing through the monitor.		
11:44	<ul style="list-style-type: none"> Mr. So Mosseny asked Mr. Ieng Sary whether he knew who was speaking. Mr. Ieng Sary said he knew that Presiding Judge Nil Nonn was speaking. Mr. So Mosseny kept talking to Mr. Ieng Sary to make sure he was still awake. Mr. Ieng Sary closes his eyes whenever no one is speaking to him. 		-
11:46	<ul style="list-style-type: none"> Mr. Ieng Sary said that his hands felt numb. The nurse asked the caretaker to massage him and she did. 		Yes
11:49 – 11:50	<ul style="list-style-type: none"> Mr. So Mosseny asked Mr. Ieng Sary the name of the Civil Party currently testifying. Mr. Ieng Sary said he could not follow the proceedings. Mr. Ieng Sary talked with the nurse about his numbness. 		-
11:51	<ul style="list-style-type: none"> Mr. So Mosseny asked Mr. Ieng Sary whether he could recall what the Civil Party testifying 		-

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	<p>said earlier, but Mr. Ieng Sary said he forgot what she said.</p> <ul style="list-style-type: none"> • Note: the nurse was present. 		
11:54	<ul style="list-style-type: none"> • Mr. So Mosseny asked Mr. Ieng Sary whether he could tell him what the Civil Party said earlier, but Mr. Ieng Sary said he forgot what she said. • Note: the nurse was present. 		-
11:55	<ul style="list-style-type: none"> • The nurse was informed that Mr. Ieng Sary said he could not recall what the Civil Party said earlier. 		-
11:57	<ul style="list-style-type: none"> • Mr. Ieng Sary said that he needed to raise his legs up because he felt muscle pain, so the caretaker raised his legs. • Note: the nurse was present. 		-

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11:58	<ul style="list-style-type: none"> Mr. Ieng Sary said that his legs were in pain and he closed his eyes for a while. The caretaker massaged Mr. Ieng Sary's legs. While his legs were being massaged, Mr. Ieng Sary said that his chest hurt. The nurse checked on him. 	<ul style="list-style-type: none"> About 30 seconds 	Yes
12:00	<ul style="list-style-type: none"> While the nurse checked Mr. Ieng Sary, Mr. Ieng Sary closed his eyes. 	About 20 seconds	Yes
12:02	<ul style="list-style-type: none"> Mr. So Mosseny asked Mr. Ieng Sary whether he could follow the Civil Party's testimony. Mr. Ieng Sary said he could not follow what she said earlier. Note: the nurse was present. 		
12:04	<ul style="list-style-type: none"> Mr. Ieng Sary relieved himself with the help of the caretaker. While doing this he closed his eyes at least 3 times. 	He closed his eyes about 30 seconds each time	No

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	<ul style="list-style-type: none"> Note: Mr. Ieng Sary could not view the video monitor at the time. 		
12:06	<ul style="list-style-type: none"> Mr. Ieng Sary said that his chest hurt. Dr. Lim Sivutha arrived to examine Mr. Ieng Sary and asked him how he was feeling. Mr. Ieng Sary said that he felt tired. Dr. Lim Sivutha asked the caretaker how many times Mr. Ieng Sary relieved himself this morning, but her answer was not recorded. Note: The conversion was tape recorded, since Dr. Lim Sivutha had previously agreed to be recorded. 		Yes
12:08	<ul style="list-style-type: none"> Mr. Ieng Sary's eyes were closed. When Mr. So Mosseny asked how Mr. Ieng Sary's health was, Dr. Lim Sivutha said his health was normal. 	<ul style="list-style-type: none"> About 20 seconds 	Yes

**តារាងពេលវេលានៃការសង្កេតលើបទដ្ឋានការបស់លោក អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
ការការពារក្តីរបស់គាត់ ថ្ងៃ ៥ ខែ ធ្នូ ឆ្នាំ ២០១២)**

**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
5 December 2012**

ថ្ងៃខែឆ្នាំ និង ពេលវេលា Date & Time	បញ្ហាដែលបានសង្កេត Problem observed	រយៈពេលប៉ុន្មាន? How long?	ពេទ្យមកពិនិត្យទេ? Was Mr. Ieng Sary checked by the doctor/nurse?
	<ul style="list-style-type: none"> • Note: The conversion was tape recorded, since Dr. Lim Sivutha had previously agreed to be recorded. 		
12:10	<ul style="list-style-type: none"> • When Mr. So Mosseny asked how Mr. Ieng Sary could follow the proceedings when he feels dizzy, Dr. Lim Sivutha said that when Mr. Ieng Sary feels dizzy he should close his eyes and just listen to the proceedings from the monitor. • Note: The conversion was tape recorded, since Dr. Lim Sivutha had previously agreed to be recorded. 		-
12:11	<ul style="list-style-type: none"> • When Mr. So Mosseny asked Mr. Ieng Sary saying that he could not listen to the proceedings and he forgot what was said, Dr. Lim Sivutha did not say anything. • Note: The conversion was tape recorded, since Dr. Lim Sivutha had previously agreed to be 		-

**តារាងពេលវេលានៃការសង្កេតស្រងូតការបដិសេធនៃការស្រងូត អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
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**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
5 December 2012**

ថ្ងៃខែឆ្នាំ និង ពេលវេលា Date & Time	បញ្ហាដែលបានសង្កេត Problem observed	រយៈពេលប៉ុន្មាន? How long?	ពេទ្យមកពិនិត្យទេ? Was Mr. Ieng Sary checked by the doctor/nurse?
	recorded.		
12:12 – 12:13	<ul style="list-style-type: none"> • When Mr. So Mosseny asked who the international prosecutor who did the questioning in court that morning was, Mr. Ieng Sary said that he forgot his name, even though he had been told by Mr. So Mosseny a few minutes earlier who the prosecutor was and where he was from. • Note: Dr. Lim Sivutha was present. • When Mr. So Mosseny asked Mr. Ieng Sary the name of the Civil Party testifying, Mr. Ieng Sary said that he could not recall her name, even though Mr. So Mosseny had told Mr. Ieng Sary her name twice earlier in the day. Mr. So Mosseny asked Dr. Lim Sivutha what was wrong with Mr. Ieng Sary's memory but Dr. Lim Sivutha did not answer. • Note: The conversion was tape recorded, since 		-

**តារាងពេលវេលានៃការសង្កេតលើបទដ្ឋានរបស់លោក អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
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**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
5 December 2012**

ថ្ងៃខែឆ្នាំ និង ពេលវេលា Date & Time	បញ្ហាដែលបានសង្កេត Problem observed	រយៈពេលប៉ុន្មាន? How long?	ពេទ្យមកពិនិត្យទេ? Was Mr. Ieng Sary checked by the doctor/nurse?
	Dr. Lim Sivutha had previously agreed to be recorded.		
12:16	<ul style="list-style-type: none"> • Dr. Lim Sivutha was still in the holding cell and made a report while the nurse checked on Mr. Ieng Sary. 		Yes
12:18	<ul style="list-style-type: none"> • Dr. Lim Sivutha left the holding cell, but the nurse remained. 		-
Lunch Break			
Four tape recordings were made during the afternoon session			
13:41	<ul style="list-style-type: none"> • Mr. Ieng Sary watched the hearing. • When Mr. So Mosseny asked Mr. Ieng Sary asking whether he could recall the name of the Civil Party testifying, he said no. Mr. So Mosseny reminded Mr. Ieng Sary for the fourth time that the Civil Party's name was Pech Srey Phal. 		

**តារាងពេលវេលានៃការសង្កេតឃើញស្ថានភាពរបស់លោក អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
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**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
5 December 2012**

ថ្ងៃខែឆ្នាំ និង ពេលវេលា Date & Time	បញ្ហាដែលបានសង្កេត Problem observed	រយៈពេលប៉ុន្មាន? How long?	ពេទ្យមកពិនិត្យទេ? Was Mr. Ieng Sary checked by the doctor/nurse?
	<ul style="list-style-type: none"> The nurse and doctor are not present. 		
13:48	<ul style="list-style-type: none"> When Mr. So Mosseny asked Mr. Ieng Sary whether he could recall the name of the person questioning the Civil Party, Mr. Ieng Sary said he knew that it was the lawyer for Mr. Nuon Chea, Mr. Son Arun. 		-
13:52	<ul style="list-style-type: none"> When Mr. So Mosseny asked Mr. Ieng Sary what the witness said earlier, Mr. Ieng Sary said that he could not recall, but he remembered that her name was Ms. Pech Srey Phal. 		-
13:57	<ul style="list-style-type: none"> After Mr. Ang Udom asked the Civil Party some questions in court, Mr. So Mosseny asked Mr. Ieng Sary what Mr. Ang Udom had asked and Mr. Ieng Sary said he could not recall even a single point. 		-
14:02	<ul style="list-style-type: none"> When Mr. so Mosseny asked Mr. Ieng Sary what request(s) the Civil Party made, Mr. Ieng Sary recalled that she requested a memorial. 		-

**តារាងពេលវេលានៃការសង្កេតលើបទដ្ឋានការបស់លោក អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
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**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
5 December 2012**

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	Mr. Ieng Sary also remembered her name.		
14:07	<ul style="list-style-type: none"> Mr. Ieng Sary asked who the new Civil Party testifying was and Mr. So Mosseny told him that was Mr. Kim Vandy. 		-
14:08	<ul style="list-style-type: none"> Mr. Ieng Sary asked again who this Civil Party was and was again told the Civil Party's name. 		-
14:44	<ul style="list-style-type: none"> When Mr. So Mosseny asked Mr. Ieng Sary what Mr. Kim Vandy said, Mr. Ieng Sary recalled only that he talked about the evacuation but Mr. Ieng Sary could not recall the details the Civil Party gave about how the evacuation took place. When Mr. So Mosseny asked who questioned Mr. Kim Vandy, Mr. Ieng Sary said that it was the Civil Party lawyer. 		
14:46	<ul style="list-style-type: none"> When asked [by Mosseny] how long the afternoon break was when judge Nil Nonn just 		

**តារាងពេលវេលានៃការសង្កេតស្ថានភាពរបស់លោក អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
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**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
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	announced, Mr. Ieng Sary cannot recall.		
14:48	<ul style="list-style-type: none"> • Mr. Karnavas visited Mr. Ieng Sary at his holding cell and asked how he was doing. Mr. Ieng Sary said that he felt fine now. Mr. Ieng Sary claimed that he remained awake for the entire day. Mr. Karnavas (after having been informed by Mr. So Mosseny) told him that he had slept for almost half of the morning. Mr. Ieng Sary denied this and maintained that he had remained awake and with his eyes open the whole day. 		
15:08 – 15:11	<ul style="list-style-type: none"> • Mr. Ieng Sary said that his hands felt numb so the caretaker massaged him. • While receiving the massage, Mr. Ieng Sary made facial expressions indicating that he was in pain and he was distracted from watching the monitor. 	About 3 minutes	

**តារាងពេលវេលានៃការសង្កេតលើបទដ្ឋានការបស់លោក អៀង សារី ក្នុងការតាមដានកិច្ចដំណើរការនីតិវិធី និងចូលរួមក្នុង
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**Observation Log concerning Mr. Ieng Sary's ability to follow the proceedings and participate in his defence
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15:24	<ul style="list-style-type: none"> Mr. Ieng Sary said that his backside was in pain and felt hot. The caretaker put a pillow under him. While she did this, Mr. Ieng Sary could not watch the monitor. 	About 20 seconds	
15:30	<ul style="list-style-type: none"> Mr. Ieng Sary was given some drinking water by the caretaker and could not watch the monitor. 	About 10 seconds	
15:40 – 15:44	<ul style="list-style-type: none"> Mr. Ieng Sary said that his hands felt numb. Sometimes he was given a massage and other times he did some movements with his hands by himself. While doing this he could still watch the monitor. 	About 4 minutes	
15:53 – 15:54	<ul style="list-style-type: none"> Mr. Ieng Sary relieved himself with the help of his caretaker. This time he did not close his eyes and was able to watch the monitor. 	About 1 minute	