



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion **ព្រះមហាក្សត្រ**

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
..... ០៧ / 12 / 2012

ម៉ោង (Time/Heure):..... 15:50

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: **SANN PAND**

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

25 October 2012

Substantive Hearing on evidence – Day 126

Prepared by:

Matteo CRIPPA and SE Kovulthy

<u>Attendance Record</u>
Before: Judge NIL Nonn (President), Judge Jean-Marc LAVERGNE, Judge YA Sokhan, Judge YOU Ottara, Judge Silvia CARTWRIGHT.
Reserve Judges: Judge THOU Mony, Judge Claudia FENZ.
Greffiers: Ms. SE Kolvuthy, Mr. Matteo CRIPPA, Mr. DUCH Phary.
OCP: Mr. Tarik ABDHULAK, Mr. SENG Bunkheang, Mr. HUOT Veng, Mr. RAYNOR Keith.
Accused: Mr. KHIEU Samphan, Mr. NUON Chea.
Defence for the Accused: Mr. SON Arun, Mr. Jasper PAUW, Mr. KONG Sam Onn, Mr. Michael G. KARNAVAS, Mr. ANG Udom.
Civil Parties: Ms. Elisabeth SIMONNEAU-FORT (afternoon session), Mr. VEN Pov, Ms. TY Srinna, Ms. CHET Vanly, Ms. Beini YE, Ms. Christine MARTINEAU.
Witness: KUNG Kim alias Kae (TCW-362), Mr, LIM Bunheng (Duty Counsel).
Others: Ms. Anne-Elise JOLICARD, Mr. Arun UCH, Ms. Sotheavy SOUR.

<u>General court times</u>		
Day	Start time: 9:00	Finish time: 14:30
Recess am	Start time: 10:35	Finish time: 11:00
Recess	Start time: 12:05	Finish time: 13:30
	Total Court Time:	3 hours 40 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Waiver of the Accused's right to be present in the courtroom	NC Defence	12:04	12:06
Testimony of KUNG Kim alias Kae (TCW-362)	CPLCL	9:03	9:56
	TC	9:56	10:36
	NC Defence	11:02	14:28

Summary of Proceedings

Waiver of the Accused's right to be present in the courtroom

The Accused NUON Chea waived his right to be present in the courtroom for the afternoon session (12:05).

Testimony of KUNG Kim alias Kae (TCW-362)

The Civil Party Lead Co-Lawyers put question to the witness, followed by the Trial Chamber and NUON Chea Defence team, respectively. The witness completed his testimony.

<u>Record of Rule 87(3) Proceedings</u>							
TC No	OCIJ No	ERN	Title	Classes	Note in Khmer	Note in English	Note in French
E3/3959	D166/74	00270162-00270170-00278680-00278687-00486095-00486101	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី គង់ គីម KUNG Kim Written Record of Interview of KUNG Kim Procès verbal d'audition de KUNG Kim	P	00270164	00278682	

E3/1568	D313 /1.2.4 06.1	00713919- 00713993 00651862- 00651907 00743328- 00743384	អត្ថបទដែលបានវាយសារឡើងវិញពីអត្ថបទសរសេរដោយដៃនៃបទសម្ភាសន៍ជាមួយ ជា ស៊ីម ថ្ងៃទី ៣ ខែធ្នូ ឆ្នាំ ១៩៩១ និង ហេង សំរិន ២ ខែធ្នូ ឆ្នាំ ១៩៩១ នៅទីក្រុងភ្នំពេញ RETYPE from a Handwritten interview of CHEA Sim, Phnom Penh, 3 Dec 1991, and Heng Samrin, Phnom Penh, 2 Dec 1991 Transcription dactylographique de notes manuscrites prises durant des entretiens menés avec Heng Samrin et Chea Sim à Phnom, les 2 et 3 décembre 1991 respectivement	P	00713978, 00713968, 00713946	00651886, 00651892, 00651879	
E3/3960	19.96	00054815- 00054873 00184120- 00184124, 00633857- 00633907 00403335- 00403382	បទសម្ភាសន៍របស់មជ្ឈមណ្ឌលឯកសាកម្ពុជា ជាមួយ ឡេង គីម ហៅ គង់ គីម អាយុ ៤៦ឆ្នាំ, សរសេរជាភាសាខ្មែរ សម្ភាសន៍ដោយ អ៊ីសា ឧស្មាន, វ៉ាន់ថាន់ ពៅជាវ៉ិ និង ផាន់ សុជា នៅថ្ងៃទី០៩ ខែកក្កដា ឆ្នាំ២០០២ DC-Cam Statement of LENG Kim alias Kung Kim. DC-Cam Statement of LENG Kim alias Kung Kim.	P	00054835, 00054839	00633875, 00633878	
E3/9	D222 /1.15	00755579- 00755583 00396177- 00396757 00639445- 00640068	[Partial T.] សៀវភៅនិពន្ធដោយ Philip Short មានចំណងជើងថា៖ "ប៉ូល ពត ប្រវត្តិនៃសុបន្តិអាក្រក់មួយ" Book by Philip Short entitled "Pol Pot, The History of a Nightmare" Livre écrit par Philip Short intitulé "Pol Pot, Anatomie d'un cauchemar"	P		00396489	00639818

Oral Orders/Decisions:

- Order allowing the Accused NUON Chea to participate from his holding cell (waiver of the Accused are attached to this written record).
- Order to bring Witness KUNG Kim (TCW-362) to his home.
- Order to bring the Accused NUON Chea and KHIEU Samphan back to the detention facility and to return them to the courtroom for the hearing on 05 November 2012.

Orders for Adjournment of Hearing

The hearing will resume on 05 November 2012 at 9:00 am.

Phnom Penh, 25 October 2012

Greffier



Matteo CRIPPA



Greffier



SE Kouvulthy