



**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

**ពិភពលោក**

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):

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ម៉ោង (Time/Heure): 14:30

មន្ត្រីមជ្ឈមណ្ឌលឯកសារឯករៀង/Case File Officer/L'agent chargé du dossier: **SANIN RADA**

**អង្គជំនុំជម្រះសាលាដំបូង**

Trial Chamber

Chambre de première instance

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

25 April 2012

Substantive Hearing on evidence – Day 56

Prepared by:

**SE Kolvuthy and Andrew McINTYRE**

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge Jean-Marc LAVERGNE, Judge YA Sokhan, Judge YOU Ottara.
<b>Reserve Judges:</b> Judge THOU Mony, Judge Claudia FENZ.
<b>Greffiers:</b> Mr. Andrew McINTYRE, Mr. DUCH Phary, Ms. SE Kolvuthy.
<b>OCP:</b> Mr. CHAN Dararasmey, Mr. Vincent DE WILDE D'ESTMAEL, Mr. Dale LYSAK.
<b>Accused:</b> Mr. KHIEU Samphan, Mr. NUON Chea, Mr. IENG Sary.
<b>Defence for the Accused:</b> Mr. SON Arun, Mr. Michiel PESTMAN, Mr. KONG Sam Onn, Ms. Anta GUISSSE, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
<b>Civil Parties:</b> Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. LOR Chunthy, Ms. MOCH Sovannary, Mr. HONG Kimsuon, Mr. KIM Mengkhy, Ms. CHET Vanly, Mr. Barnabé NEKUIE, Ms. Elisabeth RABESANDRATANA, Ms. SIN Soworn.
<b>Witness:</b> SALOTH Ban (TCW-586).
<b>Others:</b> Mr. LIM Bunheng (Counsel for the Witness), Ms. Zuzana Kovalova.

<b>General court times</b>		
Day	Start time: 09:00	Finish time: 16:15
Recess am	Start time: 10:40	Finish time: 11:00

Recess	Start time: 12:05	Finish time: 13:30
Recess pm	Start time: 14:40	Finish time: 15:00
	Total Court Time:	5 hours 10 minutes

<b>Proceedings</b>			
<b>Type of Issue</b>	<b>Raised By</b>	<b>Start time</b>	<b>Finish time</b>
Testimony of Witness SALOTH Ban (TCW-586)	Co-Prosecutors	09:00	12:05
	Civil Party Lead Co-Lawyers	13:30	16:15
Clarification as to the documents to be put to the Witness	Trial Chamber	09:05	09:55
	Co-Prosecutors		
	IENG Sary Defence Civil Party Lead Co-Lawyers		
Waiver of the Accused's right to be present in the courtroom	IENG Sary Defence	10:40	10:40
	NUON Chea Defence	12:05	12:05

### **Summary of Proceedings**

#### **Testimony of Witness SALOTH Ban (TCW-586)**

The Co-Prosecutors continued questioning the Witness. Subsequently, the Civil Party Lead Co-Lawyers put questions to the Witness.

#### **Clarification as to the documents to be put to the Witness**

Following the Parties' submissions, the President requested clarification as to whether full versions of certain documents had been put to the Witness during the investigation phase. The Witness specified that only a few pages had been shown to him. The President ordered that the Co-Prosecutors were permitted to put general questions to the Witness in relation to these documents.

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

The Accused IENG Sary and NUON Chea waived their right to be present in the courtroom.

Record of Rule 87.3 Proceedings							
TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/446	D369/36	00492957- 00492972 00503160- 00503172 00529506- 00529520	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី LOT Nitya ឡុត និត្យា/SALOT Ban សាឡុត បាន/ SO Hong សួរ ហុង Written Record of Interview of Witness LOT Nitya ឡុត និត្យា/SALOT Ban សាឡុត បាន/ SO Hong សួរ ហុង Procès verbal d'audition de témoin LOT Nitya ឡុត និត្យា/SALOT Ban សាឡុត បាន/ SO Hong សួរ ហុង	P		Questions 52, 53, 54, 55, 61, 62, 63, 65, 67, 68, 70, Answer 30, 00003251- 52, 00003249, 00003251- 72, Question and Answer 106, Answer 114	
E3/522	D267/5/1.1.25	00427814- 00427965 00003237- 00003341	សៀវភៅកំណត់ហេតុរបស់ អៀង សារី Ieng Sary's Diary	P	00427859, 00427826, 00427825, 00427828- 57, 00427844, 00427859, 00427849, 00427949, 00427928, 00427941, 00427907- 27, 00427914	00003251- 52, 00003249, 00003251- 72, 00003262, 00003272- 73, 00003267, 00003436, 00003321, 00004331, 00003304- 20, 00003310	
E3/925	14.1	00003760- 00003913 00003237- 00003341 00657824- 00658005	សៀវភៅកំណត់ហេតុ របស់ក្រុមហ៊ុនសុភាខ្មែរ សរសេរជាភាសាខ្មែរ Notebook entitled "Ministry of Foreign Affairs Branch Committee Notes" Société Khmère des Distilleries	P			00657829, 00657831, 00657991, 00657984, 00657989, 00657891, 00657875, 00657950, 00657881

E3/417	D233/9	00399184- 00399187 00404286- 00404289 00434723- 00434726	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ឡុត និត្យា LOT Nitya /សូ ហុង SO Hong /សាឡុត បាន SALOT Ban ថ្ងៃទី ២២- ១០-២០០៩ [Corrected 1] Written Record of Interview of LOT Nitya ឡុត និត្យា/SO Hong សូ ហុង/SALOT Ban សាឡុត បាន Dated 22-10-2009 [Corrigé 1] Procès verbal d'audition de témoin LOT Nitya ឡុត និត្យា/SO Hong សូ ហុង/SALOT Ban សាឡុត បាន en date du 22-10-2009	P			
E3/413	D233/2	00357525- 00357534 00361008- 00361017 00405451- 00405459	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សាឡុត បាន SALOT Ban /សូ ហុង SO Hong ថ្ងៃទី ២២-០៧-២០០៩ Written Record of Interview of SALOT Ban សាឡុត បាន/SO Hong សូ ហុង Dated 22-07-2009 Procès verbal d'audition de témoin SALOT Ban សាឡុត បាន/SO Hong សូ ហុង en date du 22-07-2009	P	00357528	00361011	00405454
E3/1597		P 00513612- 00513612	រូបថត Souphanouvong, ខៀវ សំផន , នួន ជា, អៀង សារី, សូ ហុង និង Phoune	P			
E3/1598		P 00513592- 00513592	រូបថត Souphanouvong, ខៀវ សំផន , អៀង សារី និងសូ ហុង	P			
E3/1599		P 00513420- 00513420	រូបថតខៀវ សំផន, អៀង សារី, អៀង ធីរិទ្ធ , យុន ឃាត, សូ ហុង និងសម សាន	P			
E3/91	D91/14	00204093- 00204098 00223589- 00223593 00503930- 00503937	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ឡុត និត្យា ហៅសូរ ហុងថ្ងៃទី១១ ១២ ២០០៧ [Surrogate Sheet] Written Record of Interview of Saloth Ban, alias SO Hong [Feuille remplacée] Procès verbal d'audition de Saloth Ban, alias SO Hong	P	00204097	00223597, 00223593	00503936, 00503936- 37
E3/1600	D22/289.12	P 00480708- 00480721	ឧបសម្ព័ន្ធ ១២៖ សំណុំរូបថតរបស់ ចៅ សេង	P			
E3/1601	D288/6.171.3	P 00384759- 00384759	ឧបសម្ព័ន្ធ ក្នុង រូបថតលោក ភីង តុន មុនពេលឃុំខ្លួន	P			

**Oral Orders/Decisions:**

- Order to bring the Accused IENG Sary (10:40) and NUON Chea (12:05) 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 26 April 2012.

**Orders for Adjournment of Hearing**

The hearing will resume on 26 April 2012 at 9:00am. *ER- am*

Phnom Penh, 25 April 2012

Greffier

Greffier

*SE*  
SE Kolvut

*AM*  
Andrew McINTYRE

