



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 King <b>ជាតិ សាសនា ព្រះមហាក្សត្រ</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... 21 ..... 25 ..... 2012 .....
ម៉ោង (Time/Heure): ..... 10 : 00 .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ..... SAN N. RADA .....

អង្គជំនុំជម្រះសាលាដំបូង  
Trial Chamber  
Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

3 May 2012

Substantive Hearing on evidence - Day 60

Prepared by:  
DAV Ansan and Faiza ZOUAKRI

<u>Attendance Record</u>
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge Jean-Marc LAVERGNE, Judge YA Sokhan, Judge YOU Ottara.
Reserve Judges: Judge THOU Mony, Judge Claudia FENZ.
Greffiers: Mr. DAV Ansan, Ms. SE Kolvuthy, Ms. Faiza ZOUAKRI.
OCP: Mr. VENG Huot, Mr. Vincent DE WILDE D'ESTMAEL, Mr. Tarik ABDULHAK.
Accused: Mr. KHIEU Samphan, Mr. NUON Chea, Mr. IENG Sary.
Defence for the Accused: Mr. SON Arun, Mr. Andrew IANUZZI, Mr. KONG Sam Onn, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
Civil Parties: Ms. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. LOR Chunthy, Ms. SIN Soworn, Mr. Barnabé NEKUIE, Mr. SAM Sokong, Ms. CHET Vanly, Mr. VEN Pov, Mr. HONG Kimsuon.
Witness: Witness PEAN Khean (TCW-504).
Others: Mr. MAM Rithea (Counsel for the Witness), Ms. Zuzana KOVALOVA.

<u>General court times</u>		
Day	Start time: 09:00	Finish time: 11:15
Recess am	Start time: 10:30	Finish time: 11:15
	Total Court Time:	1 hour 30 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Request for additional time to examine the witness	Co-Prosecutors	09:00	09:20
Examination of Witness PEAN Khean (TCW-504)	Co-Prosecutors	09:20	10:30
Waiver of the Accused's right to be present in the courtroom	IENG Sary Defence	10:30	10:30
Postponement of the hearing due to the witness' health condition	Trial Chamber	11:15	11:15

#### Summary of Proceedings

##### Co-Prosecutors' Request for additional time to examine the Witness

After consultation of the parties, the Trial Chamber granted the Co-Prosecutors' request for additional time to complete the examination of the Witness. The Civil Parties were informed that they are granted the first afternoon session for their questioning.

##### Inquiry about the Witness' ability to testify

Following the President's inquiry, the Witness confirmed that despite certain health problems, he was able to testify.

##### Testimony of Witness PEAN Khean (TCW-504)

The Co-Prosecutors resumed their questioning of the Witness.

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

The Accused IENG Sary waived his right to be present in the courtroom.

##### Postponement of the hearing

Due to the Witness' serious health problems, the Chamber decided to postpone the hearing of his testimony until Thursday 17 May 2012.

Record of Rule 87.3 Proceedings							
TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/136	D313/1.2.237	P 00416593-00416593 P 00416593-00416593 P 00416593-00416593	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] Photograph depicting senior leaders at a Party Congress, possibly in 1971 [Surrogate Sheet] Photograph depicting senior leaders at a Party Congress, possibly in 1971 [Surrogate Sheet] Photograph depicting senior leaders at a Party Congress, possibly in 1971	P			
E3/435	D276/6	00373446-00373453 00375885-00375891 00424121-00424127	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ពាន ឃាន PEAN Khean Written Record of Interview of PEAN Khean ពាន ឃាន Procès verbal d'audition de témoin PEAN Khean ពាន ឃាន	P	00373448	00375887	00424123

**Oral Orders/Decisions:**

- Order to bring the Accused IENG Sary (10:30) to the holding cell (waiver of the Accused is attached to this written record).
- Decision to postpone the hearing of the Witness' testimony due to his health condition .
- Order to bring the three Accused back to the detention facility.

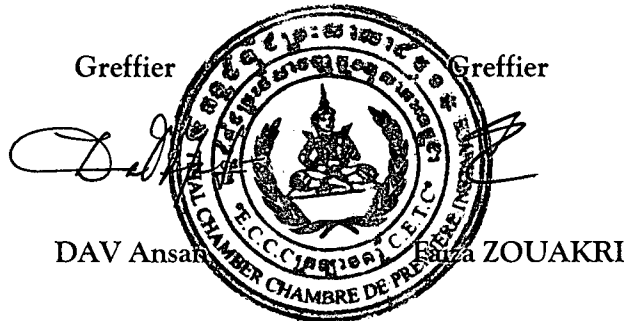
**Orders for Adjournment of Hearing**

The hearing will resume on 17 May 2012 at 9:00am.

Phnom Penh, 3 May 2012

Greffier

Greffier



DAV Ansara

Saiza ZOUAKRI