



**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 ព្រះរាជាណាចក្រកម្ពុជា Nation Religion Roi ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
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អន្តើមមូលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ..... SANAN P. SIDA .....

**អង្គជំនុំជម្រះសាលាដំបូង**

Trial Chamber  
Chambre de première instance

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

**Case File N° 002/19-09-2007-ECCC/TC**

**12 June 2012**

**Substantive Hearing on evidence – Day 73**

Prepared by:

**Natacha WEXELS-RISER and SE Kolvuthy**

<b><u>Attendance Record</u></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> Ms. Natacha WEXELS-RISER, Mr. DAV Ansan, Ms. SE Kolvuthy.
<b>OCP:</b> Mr. CHAN Dararasmey, Mr. Dale LYSAK, Mr. HUOT Veng.
<b>Accused:</b> Mr. KHIEU Samphan, Mr. NUON Chea, Mr. IENG Sary.
<b>Defence for the Accused:</b> Mr. SON Arun, Mr. Michael PESTMAN, Mr. Jasper PAUW, Mr. KONG Sam Onn, Mr. Arthur VERCKEN, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
<b>Civil Parties:</b> Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. LOR Chunthy, Mr. KIM Mengkhy, Mr. VEN Pov, Mr. SAM Sokong, Ms. TY Srinna, Mr. Barnabé NEKUIE.
<b>Witness:</b> SAO Sarun (TCW-604).
<b>Others:</b> LIM Bunheng (Counsel for SAO Sarun), Ms. Julia LEMETAYER.

<u>General court times</u>		
Day	Start time: 09:10	Finish time: 16:00
Recess am	Start time: 10:40	Finish time: 11:00
Recess	Start time: 12:10	Finish time: 13:30
Recess pm	Start time: 14:40	Finish time: 15:00
	Total Court Time:	4 hours and 50 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	IENG Sary	09:10	09:10
	NUON Chea	12:10	12:10
Testimony of Witness SAO Sarun (TCW-604)	Civil Party Lawyers	09:11	11:32
	Trial Chamber	11:33	12:10
	NUON Chea Defence	13:32	15:36
	KHIEU Samphan Defence	15:39	15:55

### Summary of Proceedings

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

The Accused waived their right to be present in the courtroom (Mr. IENG Sary for the whole day, Mr. NUON Chea for the afternoon).

#### Testimony of Witness SAO Sarun (TCW-604)

The Civil Party lawyers completed their questions to the Witness.

The Trial Chamber questioned the Witness.

The NUON Chea Defence and KHIEU Samphan Defence put questions to the Witness.

<u>Record of Rule 87.3 Proceedings</u>								
TC No	OCIJ No	ERN	Title	C l a s s	Note in Khmer	Note in English	Note in French	
E3/383	D201/5	00345909- 00345915 00350260- 00350266 00361760- 00361766	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី SAO Sarun សៅ សារុន ចុះថ្ងៃទី 29-06-2009 [Corrected 1] Written Record of Interview of SAO Sarun សៅ សារុន dated 29-06-2009 [Corrigé 1] Procès verbal d'audition de témoin SAO Sarun សៅ សារុន en date du 29-06-2009	P	00345915	00350266	00361765	

E3/404	D232/30	00398479- 00398484 00403023- 00403028 00484197- 00484202	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សីសៅ សារុន SAO Sarun Written Record of Interview of SAO Sarun សៅ សារុន Procès verbal d'audition de témoin BUN Buon ប៊ុន ប៊ុន	P	00398483, 00398484	00403027	00484201, p. 5
E3/367	D125/167	00251435- 00251441 00278692- 00278697 00486008- 00486013	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សៅ សារុន SĀO Sarun Written Record of Interview of SĀO Sarun Procès verbal d'audition de IM Aun អ៊ឹម អួន	P	00251440, 00251439	00278697. 00278696	00486013
E3/764	D189.1	00079279- 00079282 00275217- 00275220 00623528- 00623531	ឧបសម្ព័ន្ធ ក៖ សេចក្តីណែនាំរបស់គណៈមជ្ឈិមបក្សកុម្មុយនីស្ត កម្ពុជាអំពីគោលនយោបាយ ខែមិថុនា ឆ្នាំ ១៩៧៨ Annex A: June 1978 CPK Central Committee Policy Directive Annex A: Directive politique du comité central de PCK du juin 1978	P			
E3/1655	D22/2736 a	00579159- 00579160 00813117- 00813117 00811449- 00811449	ឯកសារបន្ថែមរបស់ដើមបណ្តឹងរដ្ឋប្បវេណី Supplementary information of civil party applicant/Document d'information supplémentaire de partie civile Document d'information supplémentaire de partie civile	P			
E3/1656	D22/2760	00556225- 0055623500 813119- 00813133	ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេណីរបស់ ស្រួច ត្រាស SRUOCH Tras 09-VU-01758 Formulaire de renseignements de la partie civile SRUOCH Tras 09-UV-01758	P	00556228		pp. 6, 7
E3/1657	D22/1175	00521304- 0052131500 813500- 00813511	ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេណីរបស់ អ៊ុត សៀន UTH Soeunn 09-VU-00004 Demande de constitution de partie civile de UTH Soeunn 09-VU-00004	P	00521307		pp. 4, 5
E3/1658	D22/1433	00528423- 0052843200 813105- 00813116	ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេណីរបស់ ប៉ាញ ខ៊ិន PHANH Khoen 09-VU-01025 Demande de constitution de partie civile de PHANH Khoen	P	00528426- 00528427		p. 7
E3/1659	D22/1433 a	00585681- 00585681 00813104- 00813104 00811424- 00811424	ឯកសារបន្ថែមរបស់ដើមបណ្តឹងរដ្ឋប្បវេណី Supplementary information of civil party applicant/Document d'information supplémentaire de partie civile Information supplémentaire de partie civile	P			

E3/1660	D22/2796	00556540- 00556550 00814623- 00814631 00813134- 00813149	ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេណីរបស់ ហ្វូ ហ្វូ HO Hour 09-VU-01800 Civil party application of HO Hour 09-VU-01800 Formulaire de renseignements de la partie civile HO Hour 09-VU-01800	P	00556543- 00556544	pp. 6, 7, 8
E3/1661	D22/452a	00580977- 00580977 00813076- 00813076 00811451- 00811451	ឯកសារបន្ថែមរបស់ដើមបណ្តឹងរដ្ឋប្បវេណី Supplementary information of civil party applicant/Document d'information supplementaire de partie civile Document d'information supplementaire de partie civile	P		
E3/342	D288/6.68 .1	00329596- 00330129 00329596- 00330129	ឧបសម្ព័ន្ធ ១៖ ការពិនិត្យឡើងវិញ បញ្ជីអ្នកទោសនៅមន្ទីរស ២១ Annex 1: Revised S-21 Prisoner List	P		
E3/1662	D81- Annex A	00171429- 0017179800 347049- 00347050	បញ្ជីឈ្មោះអ្នកទោស ស-២១ (១៩៧៥-១៩៧៨) S-21 Prisoner list (1975-1978)	P		
E3/1645	D175/3.31	00230386- 00230394 00809627- 00809639 00809998- 00810017	ឈ្មោះអ្នកចូលថ្ងៃ២៣.១១.៧៧ Name who entered on 23.11.77 Nom des prisonniers arrivés le 23 novembre 1977	P		
E3/1189	D366/7.1. 668	00021531- 00021531 00590301- 00590301 00532776- 00532776	ទូរលេខ៣: ជូនបងទី១ និងទី២ ពីឡាំង Telegram No. 3 from Laing to brother No. 1 and 2 Telegram No. 3 from Laing to brother No. 1 and 2	P		
E3/1191	D366/7.1. 778	00021530- 00021530 00539058- 00539058 00531062- 00531062	ជូនមិត្ត ខឿន ជាទីស្នេហានិងរលឹក To beloved and missed Comrade Doeun To beloved and missed Comrade Doeun	P		
E3/1193	D366/7.1. 780	00021532- 00021532 00590302- 00590302 00531061- 00531061	ជូនមិត្ត ខឿន ជាទីស្នេហានិងរលឹក To beloved and missed Brother Doeun To beloved and missed Brother Doeun	P		
E3/1663	D248/5.1. 12	00000872- 00000872 00548893- 00548893 00532707- 00532707	ទូរលេខ ១០ ជូនបង អំពីការបង្កប់ផ្លែធុនស្រូវ Telegram 10: Sent to brother about Rice production Télégramme 10: A l'attention du cher frère bien- aimé à propos de la production du riz	P		

E3/1118	D252.22	00000875- 00000875 00436997- 00436997 00796733- 00796734	ទូរលេខ ៣ និង ៤ ជូនបង នួន អំពីសភាពការណ៍ខ្លាំង និង សុំស្នើរឧបករណ៍មួយចំនួន Third and fourth telegram sent to Nuon about Enemy situation and request some devices Télégrammes No 3 et 4 adressés à Nuon à propos de la situation des ennemies et la demande de quelques matériels	P			
E3/1195	D366/7.1. 785	00057296- 00057296 00519519- 00519519 00531088- 00531088	ជូនមិត្ត Pang ជាទីស្រឡាញ់និងនឹករលឹក To beloved and missed Comrade Pang To beloved and missed Comrade Pang	P			
E3/1196	D366/7.1. 786	00000879- 00000879 00506647- 00506647 00597060- 00597060	ជូន ម. ៨៧០ ជាទីស្នេហា និងរលឹក To beloved and missed Office 870 To beloved and missed Office 870	P			
E3/877	21.17	00021513- 00021513 00185226- 00185226 00283109- 00283109	ទូរលេខលេខ ៥៤ ជូនម.៨៧០ ជាទីគោរពស្នេហានឹករលឹក: មុខព្រៃព្យ ដាក់ដាក់កំទិចយួនស្លាប់ម្នាក់នៅថ្ងៃទី ២៥-០៥- ១៩៧៧ Telegram # 54 to beloved and respected M.870: Our forces killed one Yuon in Dakk Dam on 25-05-1977. Telegramme 54 A l'attention du respecté et bien- aimé 870	P			
E3/805	13.40	00052333- 00052335 00185237- 00185237 00315067- 00315069	កំណត់ហេតុនៃការប្រជុំកងពល ៩២០អំពីសភាពការណ៍ខ្លាំង, សភាពការណ៍អង្គភាព, សភាពការណ៍ស្បៀងនិងសំលៀកបំពាក់, បញ្ហាផ្សេងៗ Report of meeting division 920 about Situation of enemy, Situation of unit, Situation of food and clothes, Other problem. Procès-verbal de la réunion de la division 920 à propos de la situation des ennemis, situation des unités, situation des vivres et des vêtements, autre propositions	P			
E3/1101	D248/5.1. 11	00376671- 00376671 00524192- 00524192 00532706- 00532706	Telegram on September 23, 1976 : To show opinion to 290 Telegram on September 23, 1976 : To show opinion to 290 Telegram on September 23, 1976 : To show opinion to 290	P			

E3/1107	D248/5.1.8	00376661-00376662 00574471-00574472 00532713-00532714	ទូរលេខ ០២ ចុះថ្ងៃទី ២៦-១១-៧៧ ជូនបង ៨៩ របស់កង ៨២០ ផ្នែកនយោបាយ Telegram 02 to brother 89 issued on 26-11-1976 of Division 820, Politics part Telegram 02 to brother 89 issued on 26-11-1976 of Division 820, Politics part	P			
E3/1199	D366/7.1.791	00052312-00052312 00531038-00531038 00623114-00623115	DK-Government Telegram by San 11, Dated 6 April 1977, Division 920, Political Section To Respected and Beloved Brother 98 DK-Government Telegram by San 11, Dated 6 April 1977, Division 920, Political Section To Respected and Beloved Brother 98 DK-Government Telegram by San 11, Dated 6 April 1977, Division 920, Political Section To Respected and Beloved Brother 98	P			
E3/1099	D248/5.1.1	00376546-00376546 00509691-00509691 00519863-00519863	ទូរលេខ លេខ០៥ ចុះថ្ងៃទី ៩ ខែ ៦ ឆ្នាំ ១៩៧៧ ជូនចំពោះបង ៨៩ ជាទីគោរព Telegram 05 on 9/6/77 informed to beloved brother 89 Telegram 05 on 9/6/77 informed to beloved brother 89	P			
E3/506	D125/155	00239941-00239947 00244488-00244493 00289937-00289942	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សៅ ម៉ាំង SÃO Maing Written Record of Interview of SÃO Maing Procès verbal d'audition de SÃO Maing	P			
E3/941	D175/6.14	00017027-00017027 00296220-00296220 00531910-00531910	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខ ៥៤៖ គោរពជូន បង ជាទីគោរព អំពីសភាពការណ៍ពួកចារកម្មយួន [Surrogate Sheet] Telegram 54: To respected Brother about the situation of the Youns undercover agent [Feuille remplacée] [Corrigé 1] Telegram 54: To respected Brother about the situation of the Youns undercover agent	P			
E3/1649	D201/6.1	00003521-00003521 00185059-00185059 00343443-00343443	ទូរលេខ លេខ 55 ចុះថ្ងៃទី 24-04-1978 Telegram 55: To Respected Brother about the situation of the enemy at 1 o'clock at night on 23/4/78 Télégramme 55: À l'attention du respecté Bang, à propos de la situation des ennemis à 01:00 du matin du 23-04-1978	P			
E3/1664	D222/1.19	00742838-00742889 00397566-00397749 00707390-00707411	[Partial T.] ជីវិតក្នុងតំបន់រំដោះខេត្តមណ្ឌលគីរី Book by Sara Colm and Sorya Sim entitled "Khmer Rouge Purges in the Mondul Kiri Highlands - region 105" [Partial T.] La vie dans la province de Mondol Kiri libérée	P		00397610, 00397653- 00397654	

N/A	E1/82.1	00814394- 00814479 00815423- 00815526 00815313- 00815422	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៦ ខែមិថុនា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 06 June 2012 Transcript of hearing on the substance in Case 002 - 06 June 2012	P			
N/A	E1/83.1	00814293- 00814393 00815552- 00815668 00815669- 00815296	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៧ ខែមិថុនា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 07 June 2012 Transcript of hearing on the substance in Case 002 - 07 June 2012	P	pp. 17, 43	pp. 22, 52	
E3/57	D200/4	00287700- 00287709 00290503- 00290511 00353098- 00353108	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី KHAM Phăn ខាំ ជាន់ [Surrogate Sheet] [Corrected 1] Written Record of interview of KHAM Phăn ខាំ ជាន់ [Feuille remplacée] Procès verbal d'audition de témoin KHAM Phăn ខាំ ជាន់	P	00287705	00290508	
E3/58	D125/160	00239934- 00239940 00250086- 00250092 00283912- 00283918	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ជាន់ វ៉ាន់ PHAN Van, Alias KHĂM Phăn [Surrogate Sheet] Written Record of Interview of PHAN Van, Alias KHĂM Phăn [Feuille remplacée] Procès verbal d'audition de PHAN Van, Alias KHĂM Phăn	P	00239936	00250088	
E3/1665	D366/7.1. 828	00776921- 00776924 00531042- 00531045 00751983- 00751987	អត្ថបទសិក្សាអន្តរជាតិមានចំណងជើងថា "ការវាយតម្លៃឡើងវិញពីតួនាទីនៃថ្នាក់ដឹកនាំជាន់ ខ្ពស់ និងមន្ត្រីមូលដ្ឋានចំពោះឧក្រិដ្ឋកម្មនៃកម្ពុជាប្រជា ធិបតេយ្យ" និពន្ធដោយលោក Stephen Heder (មានក្នុងសៀវភៅរបស់ Jaya RaKJI and Beth VAN SCHAAK មានចំណងជើងថា "ការនាំយកមេដឹកនាំខ្មែរក្រហមមកកាត់ទោស...." Book edited by Jaya Ramji and Beth Van Schaack entitled "Bringing the Khmer Rouge to justice" Book edited by Jaya Ramji and Beth Van Schaack entitled "Bringing the Khmer Rouge to justice"	P			

E3/1078	D201/5.3	00020993- 00020993 00361189- 00361189 00623104- 00623104	ទុរលេខ លេខ 46 ចុះថ្ងៃទី 09-04-1978 Telegram No 46 dated 09-04-1978 Telegramme No 46 en date du 09-04-1978	P			
E3/248	D108/28.1 26	00021054- 00021054 00324809- 00324809 00631446- 00631446	ឧបសម្ព័ន្ធទ្រង់: ទុរលេខ ៤៧ គោរពជូន បង មន្ទីរ ៨៧០ ជាទីគោរពស្នេហា អំពីប្រជាជនយួនរត់ចូលមកដីយើង Annex 126: Telegram 47 : To respected and beloved Brother Office 870 about Yuon 's people entry into our territory Annexe 126: Télégramme 47 : A l'attention du Frère de M. 870 bien-respecté et bien-aimé	P			
E3/367. 1	D125/167. 1	00814913- 00814919 00815826- 00815832 00814985- 00814989	[Partial] ប្រតិចារឹកបទសម្ភាសន៍ជាមួយ សៅ សានុន D125/167R [Partial] Transcription de entretien avec m. SAO Sarun D125/167R [Partial] Transcription de entretien avec m. SAO Sarun D125/167R	P			p. 5

**Oral Orders/Decisions:**

- Order to bring the Accused NUON Chea (12:10) to the holding cell (the waiver of the Accused is attached to this written record).
- Order to bring Witness TCW-604 to his home.
- Order to bring Witness TCW-488 to the courtroom for the hearing on 13 June 2012.
- Order to bring the Accused back to the detention facility and to return the Accused NUON Chea and KHIEU Samphan to the courtroom and the Accused IENG Sary to the holding cell for the hearing on 13 June 2012.

**Orders for Adjournment of Hearing**  
The hearing will resume on 13 June 2012 at 9:00 a.m. *[Signature]*

Phnom Penh, 12 June 2012

Greffier *Nh. Riser* Greffier *SE Kolvuthy*  
Natacha WEXELS-RISER SE Kolvuthy

