



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion King

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
16 / 08 / 2012
ម៉ោង (Time/Heure): 11:20
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: SAMN RADA

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

1 August 2012

Substantive Hearing on evidence – Day 88

Prepared by:

Natacha WEXELS-RISER and DUCH Phary

Attendance Record
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: Ms. Natacha WEXELS-RISER, Ms. SE Kolvuthy, Mr. DUCH Phary.
OCP: Mr. Tarik ABDULHAK, Mr. Dale LYSAK, Mr. SENG Bunkheang
Accused: Mr. KHIEU Samphan, Mr. NUON Chea, Mr. IENG Sary (from the holding cell)
Defence for the Accused: Mr. SON Arun, Mr. Andrew IANUZZI, Mr. Arthur VERCKEN, Mr. KONG Sam Onn, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
Civil Parties: Mr. PICH Ang, Mr. SAM Sokong Ms. Elisabeth SIMONNEAU-FORT, Mr. VEN Pov, Ms. TY Srinna, Ms SIN Sown.
Witness: ROCHOEM Ton alias PHY Phuon (TCW-564).
Others: Mr. LIM Bunheng (Duty counsel), Mr Jay GALIK, Ms. Anne-Elise JOLICARD

<u>General court times</u>		
Day	Start time: 9:00	Finish time: 16:05
Recess am	Start time: 10:30	Finish time: 10:55

Recess	Start time: 12:05	Finish time: 13:30
Recess pm	Start time: 14:40	Finish time: 15:00
	Total Court Time:	4 hours and 55 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Testimony of Witness ROCHEOM Ton (TCW-564)	IS Defence	9:10	14:40
	KS Defence	15:02	16:03
Waiver of the Accused's right to be present in the courtroom	IS Defence	9:03	9:07
	NC Defence	12:03	12:04

Summary of Proceedings: IENG Sary Defence submission to get an interpreter to present before the Chamber:

IENG Sary Defence requested that the interpreter present during the Witness' OCIJ interview be called and give evidence as to what happened during this interview (E3/372). The Chamber advised the Defence to submit its request in writing.

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

IENG Sary waived his right to be present in the courtroom for the whole day. The Accused NUON Chea waived his right to be present in the court room for the afternoon session.

Testimony of Witness ROCHEOM Ton alias PHY Phuon (TCW-564):

The IENG Sary Defence continued questioning Witness ROCHEOM Ton, then KHIEU Samphan Defence started questioning the Witness.

Record of Rule 87(3) Proceedings

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/63	D107 /3	00228843-00228846	[លិខិតបញ្ជាក់ការជំនួសឯកសារ]	P	00228843, 00228846	00231412	00376053
		00231408-00231412	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ភី ភូនី				
		00376053-00376057	[Surrogate Sheet] Written Record of interview of PHY Phuon				
			[Feuille remplacée] Procès verbal d'audition de PHY Phuon				
E3/1696	D107 /5	00233314-00233315	របាយការណ៍អនុវត្តដីកាចាត់ឱ្យស៊ើបសួរ	P			
		00376065-00376065	ជំនួស ចុះថ្ងៃទី ១៧ ខែតុលា ឆ្នាំ២០០៨				
		00240046-00240047	Report of the execution of the Rogatory Letter, dated 17 October 2008				
			Rapport d' exécution de Commission rogatoire, en date du 17 octobre 2008				

			[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ឡុត និត្យា LOT Nitya /សូ ហុង SO Hong /សាឡុត បាន SALOT Ban ថ្ងៃទី ២២-១០- ២០០៩				
E3/417	D233 /9	00399184- 00399187 00404286- 00404289 00434723- 00434726	[Surrogate Sheet] [Corrected 1] Written Record of Interview of LOT Nitya ឡុត និត្យា/SO Hong សូ ហុង/SALOT Ban សាឡុត បាន Dated 22-10-2009 [Feuille remplacée] [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	00399186	00404288	00434725
E3/461	D91/ 25	00204146- 00204149 00223634- 00223638 00344698- 00344701	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សុង ស៊ីគៀន ថ្ងៃទី១៧ ១២ ២០០៧ [Surrogate Sheet] Written Record of Interview of SUONG Sikoeun [Feuille remplacée] Procès verbal d'audition de SUONG Sikoeun	P	00204148	00223636	00344699- 00344700
E3/371	D143	00288233- 00288239 00290412- 00290417 00288240- 00288245	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សុង ស៊ីគៀន ថ្ងៃទី១២ ខែមីនា ឆ្នាំ២០០៩ [Surrogate Sheet] Written Record of Interview of witness TCW-694 by CIJ on 12 March 2009 [Feuille remplacée] Procès verbal d'audition de témoin TCW-694 par CJI le 12 mars 2009	C			
E3/372	D144	00290418- 00290423 00290424- 00290428 00290429- 00290433	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សុង ស៊ីគៀន ថ្ងៃទី១៣ ខែមីនា ឆ្នាំ២០០៩ [Surrogate Sheet] Written Record of Interview of witness TCW-694 by CIJ on 13 March 2009 [Feuille remplacée] Procès verbal d'audition de témoin TCW-694 par CJI le 13 mars 2009	C			

E3/458	D91/ 13	00204088- 00204092 00231695- 00231699 00524346- 00524351	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សៅ រុន ថ្ងៃទី១១ ១២ ២០០៧ [Surrogate Sheet] [Corrected 1] Written Record of Interview of [REDACTED] [Feuille remplacée] [Corrigé 1] Procès verbal d'audition de [REDACTED]	C	00204090 00231697 00524348
E3/9	D222 /1.15	00755579- 00755583 00396177- 00396757 00639445- 00640068	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] [Partial T.] សៀវភៅនិពន្ធដោយ Philip Short មានចំណងជើងថា៖ "ប៉ុល ពត ប្រវត្តិនៃសុបន្តិអាក្រក់មួយ" [Surrogate Sheet] Book by Philip Short entitled "Pol Pot, The History of a Nightmare" [Feuille remplacée] Livre écrit par Philip Short intitulé "Pol Pot, Anatomie d'un cauchemar"	P	00396185, 00639970 00396602
E3/24	D91/ 10	00204066- 00204075 00223578- 00223588 00503917- 00503929	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ភី ភួន ថ្ងៃទី០៥ ១២ ២០០៧ [Surrogate Sheet] Written Record of Interview of PHY Phuon [Feuille remplacée] [Corrigée 1] Procès verbal d'audition de PHY Phuon	P	00204068 00223580, 00503920, 00223585 00503926

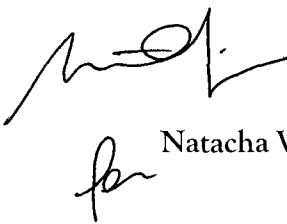
Oral Orders/Decisions:

- Ruling that the request to call the interpreter to testify should be made in writing.
- Order to bring the Accused NUON Chea (12:03) to the holding cell (waivers of the Accused IENG Sary (whole day) and NUON Chea (afternoon) are attached to this written record).
- Order to bring the Accused back to the detention facility and to return them to the courtroom for the hearing on 20 July 2012.
- Order to return Witness ROCHEOM Ton (TCW-564) to the courtroom by 9:00 a.m on 2 August 2012.


Orders for Adjournment of Hearing
The hearing will resume on 2 August 2012 at 9:00 a.m.


Phnom Penh, 1 August 2012

Greffier
Greffier



Natacha WEXELS-RISER





DUCH Phary