



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
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: <i>SANN PANA</i>

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

2nd August 2012

Substantive Hearing on evidence – Day 89

Prepared by:

Matteo CRIPPA 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: Mr. Matteo CRIPPA, Mr. DUCH Phary, Ms. SE Kolvuthy.
OCP: Mr. SENG Bunkheang, Mr CHAN Dararasmey, Mr. Vincent de WILDE d'ESTMAEL, Mr. Dale LYSAK.
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. Jasper PAUW, Mr. Arthur VERCKEN, Mr. KONG Sam Onn, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. SAM Sokong, Mr. VEN Pov, Ms. TY Srinna, Ms. MOCH Sovannary, Mr. LOR Chuntly.
Witness: ROCHOEM Ton alias PHY Phuon (TCW-564), SUONG Sikoen alias Kung alias Thorn (TCW-694).
Others: Mr. DAV Ansan, Mr. Jay GALIK, Ms. Sonia MESSAOUDI, Mr. LIM Bunheng (Duty counsel), Mr. SENG Rethy (Duty counsel).

General court times		
Day	Start time: 9:00	Finish time: 16:00
Recess am	Start time: 10:35	Finish time: 10:50
Recess	Start time: 12:00	Finish time: 13:30
Recess pm	Start time: 14:40	Finish time: 15:00
	Total Court Time:	4 hours and 50 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Waiver of the Accused's right to be present in the courtroom	IENG Sary	9:05	9:07
	NUON Chea	11:57	11:58
Testimony of Witness ROCHOEM Ton alias PHY Phuon (TCW-564)	KHIEU Samphan	9:07	11:55
Testimony of Witness SUONG Sikoen alias Kung alias Thorn (TCW-694)	TC	13:34	13:42
	OCP	13:44	

Summary of Proceedings

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

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

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

The KHIEU Samphan Defence concluded the questioning of the witness.

Testimony of Witness SUONG Sikoen alias Kung alias Thorn (TCW-694)

The Trial Chamber questioned the witness. The Co-Prosecutors then also questioned the witness.

Record of Rule 87(3) Proceedings

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
		00807523-00807540,	[កោសលប័]				
		00805083-00805146	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី០២ ខែឧសភា				
N/A	E1/71	00806744-00806818,	សំណុំរឿង ០០២ - ថ្ងៃទី០២ ខែឧសភា	P	00805095	00806758	00806680
	.1	00806843-00806864	សំណុំរឿង ០០២ - ថ្ងៃទី០២ ខែឧសភា				
		00806667-00806743,	Transcript of hearing on the substance in Case 002 - 02 May 2012				
		00806819-00806842	Transcript of hearing on the substance in Case 002 - 02 May 2012				

			[លិខិតបញ្ជាក់ការជំនួសឯកសារ] [Partial T.] សៀវភៅនិពន្ធដោយ Philip Short			
		00755579-00755583	មានចំណងជើងថា៖ "ប៉ូល ពត			
E3/9	D222 /1.15	00396177-00396757	ប្រវត្តិនៃសុបន្តិអាភ្នក់មួយ" [Surrogate Sheet] Book by Philip Short entitled "Pol Pot, The History of a Nightmare"	P	00396471	00639794, 00639458
		00639445-00640068	[Feuille remplacée] Livre écrit par Philip Short intitulé "Pol Pot, Anatomie d'un cauchemar"			
		00754366-00754370	ប្រតិចារឹកបទសម្ភាសន៍ជាមួយលោក ភី ភួន ថ្ងៃទី២១ ខែកញ្ញា ឆ្នាំ២០០៨			
E3/63.1	D107 /3.1	00826383-00826387	Transcript of recorded interview with PHY Phuon, dated 21-09-2008	P	00754368	00826385 00825629
		00825627-00825631	Transcription d'audition de M. PHY Phuon, 21-09-2008			

Oral Orders/Decisions:

- Order to bring the Accused NUON Chea (11:57) to the holding cell (waivers of the Accused IENG Sary (remainder of the day) and NUON Chea (afternoon) are attached to this written record).
- Order to bring the Accused back to the detention facility and to return the Accused NUON Chea, KHIEU Samphan and IENG Sary to the courtroom for the hearing on 6 August 2012.
- Order to bring the Witness SUONG Sikoen to his accommodation and to return him to the courtroom for the hearing on 6 August 2012 before 9:00am.

Orders for Adjournment of Hearing
 The hearing will resume on 6 August 2012 at 9:00 a.m.

Phnom Penh, 2 August 2012
 Greffier Greffier

 
 Matteo CRIPPA DUCH Phary