



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

**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**  
Kingdom of Cambodia  
Nation Religion King

Royaume du <b>Cambodge</b>
ORIGIN <b>Nation Religion Roi</b> DOCUMENT ORIGINAL
កាលបរិច្ឆេទ (Date of receipt/Date de reception): ..... 17 / 08 / 2012 .....
ម៉ោង (Time/Heure): ..... 15:25 .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent charge du dossier: ..... SA. <b>MM. PADA</b> .....

**អង្គជំនុំជម្រះសាលាដំបូង**  
Trial Chamber  
Chambre de première instance

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

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

**7 August 2012**

**Substantive Hearing on evidence – Day 91**

Prepared by:

**Matteo CRIPPA and SE Kolvuthy**

<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> Ms SE Kolvuthy, Mr. Matteo CRIPPA, Mr. DAV Ansan.
<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 (from the holding cell)
<b>Defence for the Accused:</b> Mr. SON Arun, Mr. Andrew IANUZZI, Mr. Jasper PAUW, 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. SAM Sokong, Mr. Ferdinand DJAMMEN NZEPA, Ms SIN Soworn, Ms. MOCH Sovannary, Mr. LOR Chunthy, Ms. Marie GUIRAUD, Ms TY Srinna.
<b>Witness:</b> SUONG Sikoen alias Kung alias Thorn (TCW-694), ONG Thong Hoeung (TCW-490).
<b>Others:</b> Mr. MAM Rithea (Duty counsel) Ms. Anne-Elise JOLICARD.

<u>General court times</u>		
Day	Start time: 9:00	Finish time: 16:10
Recess am	Start time: 10:15	Finish time: 10:35
Recess	Start time: 12:10	Finish time: 13:30
Recess pm	Start time: 14:30	Finish time: 14:50
	Total Court Time:	5 hours and 10 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 Defence	9:03	9:04
	NUON Chea Defence	12:07	12:08
Testimony of Witness SUONG Sikoeun alias Kung alias Thorn (TCW-694)	OCP	9:10	10:15
	CPLCL	10:43	11:58
Ruling on SUONG Sikoeun Request to not present for the afternoon session	TC	10:37	10:41
Testimony of Witness ONG Thong Hoeung	TC	13:38	13:47
	OCP	13:47	16:06

### 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 and Mr. NUON Chea for the afternoon session).

#### Ruling on SUONG Sikoeun (TCW-694) Request to not present the afternoon:

The Witness is tired and would like to rest in the afternoon but he can come back tomorrow morning to resume his testimony. The Chamber granted the request.

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

The Co-Prosecutors continued questioning the Witness followed by the Civil Party Lead Co-Lawyer.

#### Testimony of Witness ONG Thong Hoeung (TCW-490)

The witness answered preliminary questions regarding his identity. He was then questioned by the Chamber and the Co-Prosecutors.

### Record of Rule 87(3) Proceedings

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French

E3/40	3.9	00583604- 00583636 00528409- 00528410, 00813077- 00813103 00096751- 00096752, 00078986- 00079039	ស្នង ស៊ីគឿន Account of SUONG Sikoeun alias Kung alias Thorn Phnom Malai / Suong Sikoeun	P	00583631, 00583623, 00583622	00813100, 00813093, 00813092	00079031, 00079017- 00079018, 00079016
E3/144	4.40	00291057- 00291062, 00019250- 00019392 S 00012660- 00012698 S 00012471- 00012528	សេចក្តីថ្លែងការណ៍របស់ ប៉ុល ពត ក្រោមចំណងជើងថា៖ ដ៏យាយាខូបលើកទី១៧របស់បក្សកុម្មុយនីស្តកម្ពុជា Statement by POL Pot - Speech entitled "Long Live the 17th Anniversary of the Communist Party of Kampuchea" Déclaration de POL Pot intitulée "Les grandioses victoires de la revolution du Kampuchea"	P			
E3/377	D168	00327231- 00327241 00327242- 00327250 00327251- 00327259	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ស្នង ស៊ីគឿន ថ្ងៃទី០៧ ខែឧសភា ឆ្នាំ២០០៩ [Surrogate Sheet] Written Record of Interview of witness SUONG Sikoeun by CIJ on 07 May 2009 [Feuille remplacée] Procès-verbal d'audition du témoin SUONG Sikoeun	P	00327232- 00327233, 00327234, 00327235- 00327236	00327243- 00327244, 00327244, 00327245- 00327246	00327252- 00327253, 00327253, 00327255
E3/1700	16.47	00019176- 00019191 00183423- 00183425 00716153- 00716173	បញ្ជីឈ្មោះអ្នកទោសមកពីមន្ទីរ និងក្រសួងនានា ដែលចូលពីថ្ងៃទី ១៧ ខែ កុម្ភៈ ដល់ថ្ងៃទី ១២ ខែ មីនា ឆ្នាំ ១៩៧៧ The list of prisoners from Office anf another Ministries entered on 17 February to 12 March 1977 Liste des prisonniers provenant de différent Bureaux et Ministères entrés du 17 février au 12 mars 1977	P			
E3/1701	5.46	00024493- 00024557, 00183736- 00183741 00813982- 00814028 00828006- 00828042	ចម្លើយសារភាពរបស់ លាន សិរីវុធ S-21 Confession of LEAN Sirivut Aveux de LEAN Sirivut à S21	P			

E3/1666	D108 /26.1 47	00088638- 00088643 00224659- 00224659	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] បញ្ជីឈ្មោះខ្មាំងនៅក្រុម (ក) ដែលយកមកសួរ [Surrogate Sheet] Annex 147: S-21 Prisoner List containing names of prisoners interrogated at S-21 on 2 February 1978	P			
E3/1702	D108 /31.2 0	00172982- 00172982	Annex 20: J584 S-21 Confession of HAK Seang Lay Ny alias Lay	P			
E3/1703	5.25	00026319- 00026687, 00008535- 00008754, 00001914- 00001915 00757003- 00757010, 00182788- 00182789 00759967- 00759974, 00324515- 00324516	ចម្លើយសារភាព ដោយ ក្រសួងការបរទេស ជាភាសាខ្មែរ [Partial T.] Detail Confession of Hakk Seang Lay Ny [Partial T.] Aveux de HAK Seang Lay Ni alias LAY alias LORN à S-21	P			
E3/1704	5.40	00081840- 00082495, 00184771- 00184776 00816752- 00816772	ចម្លើយសារភាពនៅ ស២១របស់ គ្រិន លាន [Partial T.] S-21 Confession of Krin Lean	P			
E3/1705	5.35	00013991- 00014202 00242278- 00242284, 00183281- 00183290 00373117- 00373126	ចម្លើយសារភាពរបស់កែ គីមហួតហៅសុទនៅថ្ងៃទី២១កុម្ភៈ១៩៧៧ Ke Kim Huoth's confessions called Soth in Khmer dated February 21, 1977 [Corrigé 1] Bibliographie de Ke Kim Huoth alias Soth, 21 Fevrier 1977	P			
E3/1706	D43/I V- Annex 29	00174021- 00174028 00224632- 00224633 00271453- 00271454, 00785267- 00785273	ឧបសម្ព័ន្ធ ២៩៖ ៣៥៣bbkkh សម្រង់ចម្លើយសារភាពរបស់ ខែក ប៊ិន ហៅ ស៊ូ Annex 29: 353bbkkh Colour copy Excerpt of Confession of Khek Bin alias Sou Annexe 29: 353bbkkh l'extrait en copie couleur de la confession de Khek Bin alias Sou	P			


E3/1707	16.13 9	00040793- 00040793 00183866- 00183866	បញ្ជីឈ្មោះអ្នកទោសផ្នែក សង្គមកិច្ច និងក្រសួងការបរទេស Name list of prisoners of Social Affairs and Foreign Affairs MinistrySection	P			
E3/1708	5.101	00025461- 00025571 00183761- 00183765, 00827992- 00828005	ចម្លើយសារភាពនៅ ស២១ របស់យុទ្ធជនក្រសួងការបរទេស ដោយក្រសួងការបរទេស ជាភាសាខ្មែរ S-21 Confession of SVAY Bory	P			
E3/1709	5.59	00026191- 00026252, 00239685- 00239688, 00004773- 00004827, 00002465- 00002472 00767952- 00768010, 00096814- 00096816 00279012- 00279053	ចម្លើយសារភាពរបស់ ម៉ាក ទូច ហៅ កែម ទូតកម្ពុជាប្រចាំស្រុកលាវ ជាភាសាខ្មែរ S-21 Confession of MEAK Touch alias Keam; Cambodian Ambassador to Laos Aveux de MEAKH Touch alias KEM Touch; Ambassadeur du Kampuchea au Laos	P			
E3/1547	D43/I V- Annex 41	00174100- 00174107 00771346- 00771348 00289865- 00289866	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ឧបសម្ព័ន្ធ ៤១៖ 412bbkkh សម្រង់ចម្លើយសារភាពរបស់ ម៉ាក ទូច ហៅ កែម [Surrogate Sheet] [Partial T.] Annex 41: 412bbkkh Colour copy Excerpt of Confession of Meak Touch alias Kem [Feuille remplacée] Annex 41: 412bbkkh Colour copy Excerpt of Confession of Meak Touch alias Kem	P			
E3/1710	D366 /7.1.7 7	00024298- 00024369 00816552- 00816583, 00195413- 00195417	ស២១ ចម្លើយសារភាពរបស់ អ៊ុន ណាត IN Lon [Partial T.] S-21 Confession of IN Lon	P			
E3/1711	5.100	00025572- 00025620 00183766- 00183774, 00821993- 00822038	ចម្លើយសារភាពរបស់ ស៊ុន ទី ហៅទាញ ជាភាសាខ្មែរ S-21 Confession of SUN Ty alias Teanh	P			

E3/371	D143	00288233- 00288239 00290412- 00290417 00288240- 00288245	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ស្វង់ ស៊ីគឿន ថ្ងៃទី១២ ខែមីនា ឆ្នាំ២០០៩ [Surrogate Sheet] Written Record of Interview of witness SUONG Sikoeun by CIJ on 12 March 2009 [Feuille remplacée] Procès verbal d'audition de témoin SUONG Sikoeun par CJI le 12 mars 2009	P	00288234- 00288235, 00288238	00290413- 00290414, 00290417	00288241- 00288242, 00288245
E3/101	D147	00290434- 00290439 00290440- 00290445 00290446- 00290451	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ស្វង់ ស៊ីគឿន ថ្ងៃទី១៧ ខែមីនា ឆ្នាំ២០០៩ [Surrogate Sheet] Written Record of Interview of witness SUONG Sikoeun by CIJ on 17 March 2009 [Feuille remplacée] Procès verbal d'audition de témoin SUONG Sikoeun par CJI le 17 mars 2009	P	00290437,	00290442- 00290443,	00290448- 00290449,
E3/1699	D91/ 26	00204150- 00204154 00223639- 00223643 00343361- 00343365	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ស្វង់ ស៊ីគឿន ថ្ងៃទី១៩ ខែ ២០០៧ Written Record of Interview of SUONG Sikoeun Procès verbal d'audition de SUONG Sikoeun	P	00204151	00223640- 00223641	00343362
E3/42	D167	00327200- 00327211 00327212- 00327221 00327222- 00327230	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ស្វង់ ស៊ីគឿន ថ្ងៃទី០៦ ខែឧសភា ឆ្នាំ២០០៩ [Surrogate Sheet] Written Record of Interview of witness SUONG Sikoeun by CIJ on 06 May 2009 [Feuille remplacée] Procès verbal d'investigations M. TAN Peng Khun/TAN Jean Pierre	P	00327203	00327214	00327224
E3/1712	D115 /2.5	00251077- 00251082 00189075- 00189075 00323628- 00323631	ឧបសម្ព័ន្ធ ៥: ការឆ្លើយតបរបស់ ស្វង់ ស៊ីគឿន នៅក្នុងអត្ថបទនៃកាសែត ភ្នំពេញ ប៉ុស្ត ចុះថ្ងៃទី ១៥-២៨ វិច្ឆិកា ១៩៩៦ Annex 5: Response of SUONG Sikoeun in the Phnom Penh Post dated 15- 28 November 1996 Annexee 5: La réponse de SUONG Sikoeun dans le Phnom Penh Post du 15- 28 novembre 1996	P	00251078	00189075	00323628

**Oral Orders/Decisions:**

- Order to bring the Accused NUON Chea (12:07) to the holding cell (waivers of the Accused IENG Sary (full day) and NUON Chea (afternoon) are attached to this written record).
- Ruling that, due to the Witness SUONG Sikoeun health conditions, his testimony will proceed until 12:00 this morning. This afternoon, the Chamber will hear Witness (TCW-490). Tomorrow, the Chamber will examine the health status of the Witness as to whether he can proceed for the whole day. Otherwise, the Chamber will alternatively hear the testimony of TWC-490.
- Order to bring the Witness SUONG Sikoen alias Kung alias Thorn (TCW-694) to his accommodation and to return him to the courtroom for the hearing on 08 August 2012 before 9:00 a.m.
- Order to bring the Witness ONG Thong Hoeung (TCW-490) to his accommodation and to return him to the courtroom for the hearing on 08 August 2012.
- 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 08 August 2012. Upon receiving his waiver, the Chamber will decide if IENG Sary may follow the hearing from the detention cell.

**Orders for Adjournment of Hearing**

The hearing will resume on 08 August 2012 at 9:00 a.m. 

Phnom Penh, 07 August 2012

Greffier



Matteo CRIPPA



Greffier



SE Kolvuthy