



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 Cambodge ព្រះរាជាណាចក្រកម្ពុជា Nation Religion Roi ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 27 / 08 / 2012
ម៉ោង (Time/Heure): 15 : 00
មន្ត្រីបម្រើបន្តករសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANON RAVA

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

14 August 2012

Substantive Hearing on evidence – Day 95

Prepared by:

Matteo CRIPPA and SE Kolvuthy

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. SE Kolvuthy, Mr. Matteo CRIPPA, Mr. DAV Ansan.
OCP: Mr. CHAN Dararasmey, Mr. SENG Bunkheang, Mr. VENG Huot, 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. Jasper PAUW, Mr. KONG Sam Onn, Ms. Anta GUISSSE, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. SAM Sokong, Mr. Ferdinand DJAMMEN NZEPA, Ms SIN Soworn, Mr. LOR Chunthy, Ms. Marie GUIRAUD, Mr. VEN Pov, Mr. HONG Kimsuon, Ms. Beini YE.
Witness: SUONG Sikoen alias Kung alias Thorn (TCW-694), ONG Thong Hoeung (TCW-490).
Others: Mr. UCH Arun, Mr. MAM Rithea (Duty Counsel), 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: 10:50
Recess	Start time: 12:10	Finish time: 13:30
Recess pm	Start time: 14:40	Finish time: 15:00
	Total Court Time:	5 hours and 5 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	9:02	9:05
	NUON Chea Defence	12:05	12:07
Testimony of Witness ONG Thong Hoeung	IENG SARY Defence	9:07	12:03
	KHIEU Samphan Defence	13:32	14:37
Testimony of Witness SUONG Sikoeun	KHIEU Samphan Defence	15:01	15:42
	NUON Chea Defence	15:42	16:02

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).

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

The IENG Sary Defence continued questioning the Witness and then KHIEU Samphan Defence started questioning the Witness.

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

The Witness returned to the court to resume his testimony. The KHIEU Samphan Defence continued questioning the Witness and then the NUON Chea 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
E3/1683	D108/50/1.75	00701668-00701679, 00820987-00820997, 00823678-00823691, 00825418-00825422, 00193067-00193488, 00726657-00726663, 00824485-00824491, 00825423-00825430	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] [Partial T.] ឧបសម្ព័ន្ធ ៧៥៖ សៀវភៅមានចំណងជើងថា សោកនាដកម្មជាប្រវត្តិសាស្ត្រនៃប្រទេសកម្ពុជា [Surrogate Sheet] Annex 75: Book entitled "The Tragedy of Cambodian History" [Feuille remplacée] [Partial T.] Annexe 75: Livre de David P. Chandler "The Tragedy of Cambodian History, Politics, War and Revolution since 1945"- Extraits	P		00193373-00193374	
E3/1715	D141/1.3	00833294-00833305, 00833420-00833430, 00826114-00826124	សម្រង់ប្រតិចារឹកបទសម្ភាសន៍ជាមួយសាក្សីឈ្មោះ អុង ថុងហៀង ថ្ងៃទី២២ ខែវិច្ឆិកា ឆ្នាំ២០០៨ Transcript [partial] of the interview with Ong Thong Hoeung dated 22 November 2008 Transcription [partielle] d'entretien avec Ong Thong Hoeung en date du 22 novembre 2008	P			
E3/1713	D141/1.2	00659077-00659085, 00831062-00831320, 00657418-00657425, 00785742-00785882, 00287879-00288154	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ឧបសម្ព័ន្ធ ២៖ សៀវភៅនិពន្ធដោយលោក អុង ថុងហៀង មានចំណងជើងថា "ត្រលប់មើលក្រោយវិញនៃរឿងដ៏សែនខ្លោចផ្សាមួយ" [Surrogate Sheet] [Partial T.] Annex 2: Book by ONG Thong Hoeung entitled "J'ai cru aux Khmers rouges: Retour sur une illusion" [Feuille remplacée] Annexe 2: Livre écrit par ONG Thong Hoeung intitulé "J'ai cru aux Khmers rouges: Retour sur une illusion"	P	00831078, 00831078,	00785761, 00785869, 00831134, 00831134-00831135, 00831240	00287929, 00287899-00287900, 00287956, 00287957, 00288085

E3/1714	D108 /27.1 9	00324672- 00324798 00170692- 00170773 00648960- 00649033	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ឧបសម្ព័ន្ធទី៖ បទសម្ភាសន៍ជាមួយជនភៀសខ្លួនកម្ពុជា នៅតាមបណ្តោយព្រំដែនកម្ពុជា-ថៃ [Surrogate Sheet] Annex 19: Interviews with Kampuchean Refugees at Thai-Cambodia Border, Prepared for the Ishiyama Committee Annual Report, 1980 [Feuille remplacée] Annex 19: Rapport annuel: Auditions de réfugiés kampuchéens à la frontière thaïlandaise, préparées pour le comité Ishiyama, 1980</p>	P	00324684, 00324687, 00324681, 00324691- 00324692, 00324691- 00324692	00170700, 00170702, 00170699, 00170705, 00170705	00648967- 00648968, 00648969, 00648966- 00648967, 00648871, 00648971
E3/97	D141 /1	00270680- 00270707 00287097- 00287112 00241881- 00241896	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី អុង ថុងហៀង [Surrogate Sheet] Written Record of Interview of ONG Thong Hoeng [Feuille remplacée] Procès verbal d'audition de ONG Thong Hoeng</p>	P	00270687- 00270698, 00270701, 00270702	00287107, 00287109	00241890- 00241891, 00241892
E3/1716	D154. 2	00824620- 00824644 00826569- 00826592 00290701- 00290753	<p>ជីវប្រវត្តិបដិវត្តន៍របស់ សួង ស៊ីគឿន SUONG Sikoeun's biography SUONG Sikoeun's biography</p>	P	00824637- 00824638	00826586	00290739
E3/42	D167	00327200- 00327211 00327212- 00327221 00327222- 00327230	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សួង 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>	P	00327205- 00327206	00327216	00327226
E3/1717	D313 /1.2.2 67	00738357- 00738365 00419033- 00419040 00774451- 00774457	<p>សារផ្ញើតាមហិបទូតស្តីពី៖ ឥស្សរជនថ្មីៗនៃរណសិរ្សប្រមុខជាតិកម្ពុជា/ រាជរដ្ឋាភិបាលប្រមុខជាតិកម្ពុជា Airgram entitled "New FUNK/GRUNK personalities" Airgramme du Département d'Etat</p>	P			

Oral Orders/Decisions:

- Order to bring the Accused NUON Chea (12:05) to the holding cell (waivers of the Accused IENG Sary (full day) and NUON Chea (afternoon) are attached to this written record).
- Order to return the Witness ONG Thong Hoeung (TCW-490) to his residence; his testimony has come to a conclusion.
- Order to bring the Witness SUONG Sikoeun (TCW-694) to his residence and to have him return tomorrow morning before 9 a.m.
- 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 15 August 2012.

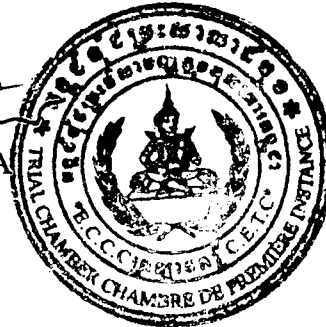
Orders for Adjournment of Hearing

The hearing will resume on 15 August 2012 at 9:00 a.m.

Phnom Penh, 14 August 2012

Greffier

for *N.W. Ripa*
Matteo CRIPPA



Greffier

SE Kolvuthy
SE Kolvuthy