



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
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ម៉ោង (Time/Heure) : 15:20

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé
du dossier: UCH A ៧៣

E1/120

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
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

3 September 2012

Substantive Hearing on evidence – Day 107

Prepared by:

Natacha WEXELS-RISER and DUCH Phary

Attendance Record
Before: Judge NIL Nonn (President), Judge Jean-Marc LAVERGNE, Judge YA Sokhan, Judge YOU Ottara, Judge Claudia FENZ
Reserve Judges: Judge THOU Mony.
Greffiers: Ms. Natacha WEXELS-RISER, Mr. DUCH Phary.
OCP: Mr. VENG Huot, Mr. CHAN Dararasmey, Mr Tarik ABDULHAK, Mr. Keith RAYNOR.
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. KONG Sam Onn, Mr. Arthur VERCKEN, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
Civil Parties: Ms. Elisabeth SIMONNEAU-FORT, Mr. PICH Ang, Mr. LOR Chunthy, Ms. SIN Soworn, Ms. TY Srinna, Ms. Philippine SUTZ, Mr. SAM Sokong.
Witness: Mr. NORNG Sophang (TCW-480).
Others: Mr. Jay GALIK.

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: 13:35
Recess pm	Start time: 14:40	Finish time: 15:00
	Total Court Time:	4 hours 50 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Absence of Judge Silvia CARTWRIGHT	TC	9:04	9:05
Waiver of the Accused's right to be present in the courtroom	IENG Sary Defence NUON Chea Defence	9:05 12:01	9:07 12:02
Testimony of Witness NORNG Sophang (TCW-480)	OCP	9:07	16:00
Ruling on objection to use of a document not on the Daily Document Interface	TC	9:20	9:35
Announcement of no hearing in the afternoon of 4 September 2012	TC	15:01	15:02

Summary of Proceedings

Absence of Judge Silvia CARTWRIGHT

Judge Silvia CARTWRIGHT was absent from the court . Pursuant to Internal Rule 79(4), the President, after consultation with the Trial Chamber, designated Judge Claudia FENZ to replace her.

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 (for the whole day and for the afternoon session respectively).

Testimony of Witness NORNG Sophang (TCW-480)

The Co-Prosecutors continued their questioning of the Witness.

Ruling on objection to using a document not listed on the Daily Trial Documents

interface

The Chamber ruled that when a document is before the court based on the assignment of an E number, but where no notice has been given to other parties and where the witness will be present the following day to be questioned by the party seeking to use that document, then the party shall not be allowed to use the document until the following day after notice has been given to all parties.

Announcement of no hearing in the afternoon of 4 September 2012

The Chamber announced that there will be no hearing in the afternoon of 4 September 2012.

Record of Rule 87(3) Proceedings

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/64	D200/3	00328022-00328048 00334042-00334064 00411692-00411715	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី NORNG Sophāng និង សុផង់/ NORNG Sengchim និង សេងធីម ចុះថ្ងៃទី 18-02-2009 [Surrogate Sheet] Written Record of interview of NORNG Sophāng និង សុផង់/ NORNG Sengchim និង សេងធីម dated 18-02-2009 [Feuille remplacée] Procès verbal d'audition de témoin NORNG Sophāng និង សុផង់/ NORNG Sengchim និង សេងធីម en date du 18-02-2009	P	00328035, 00328029, 00328064, 00328041, 00328037, 00328036, 00328040, 00328033, 00328043, 00328042	00334053, 00334047, 00334062, 00334058, 00334055, 00334053, 00334057, 00334060, 00334059	.00411703, 00411698, 00411713, 00411709, 00411705, 00411704, 00411707, 00411701-02, 00411710, 00411709
E3/1732	D200/3.8	00296232-00296232 00771811-00771812 00634421-00634421	តារាង១០០ក្រឡាសប្រាប់បំភ្លឺអក្ខរៈគូសដោយសាក្សី [Corrected 1] Example of the code table and compound words used to encrypt Telegrams-drawing made by witness [Corrigé 1] Exemple du tableau des codes et des mots composés utilisés pour décrire les télégrammes dessinés par le témoin	C			
E3/513	D200/3.2	00017027-00017027 00296220-00296220 00531910-00531910	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខកម្ពុជាប្រជាធិបតេយ្យ មានចំណងជើងថា "ទូរលេខ លេខ 54" [Surrogate Sheet] DK Telegram entitled "Telegram No 54" [Feuille remplacée] [Corrigé 1] DK Telegram entitled "Telegram No 54"	P			

E3/67	D200 /9	00294534- 00294550 00483963- 00483976 00374931- 00374944	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី NORNG Sophâng និង សុផង់/ NORNG Sengchim និង សេងជីម ចុះថ្ងៃទី 28-03-2009 [Surrogate Sheet] Written Record of interview of NORNG Sophâng និង សុផង់/ NORNG Sengchim និង សេងជីម dated 28- 03-2009 [Feuille remplacée] Procès verbal d'audition de témoin NORNG Sophâng និង សុផង់/ NORNG Sengchim និង សេងជីម en date du 28-03-2009</p>	P	00294536, 00483964, 00374933, 00294548, 00483974, 00374942, 00294538, 00483966, 00374935, 00294544, 00483972, 00374939, 00294541, 00483969, 00374937, 00294535 00483964 00374932
E3/1679	D200 /3.1	00008494- 00008494 00766762- 00766763 00766748- 00766749	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខ លេខ១៥ ស្តីពី៖ សូមជំរាបជូន បង ប៉ុល ជាទីគោរព [Surrogate Sheet] Telegram 15 entitled "Respectfully submitted to comrade Brother Pol" [Feuille remplacée] Télégramme 15 intitulé "À l'attention du cher camarade Bang Pol"</p>	P	
E3/1103	D248 /5.1.1 4	00000876- 00000876 00509692- 00509692 00499816- 00499816	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខ ២ ជូនសមមិត្ត ខឿន អំពីការសុំស្នើរគ្រាប់ពូជ [Surrogate Sheet] Second telegram sent to Doeun about the request for seed [Feuille remplacée] Second telegram sent to Doeun about the request for seed</p>	P	
E3/1733	D200 /9.7	00019108- 00019126 00183393- 00183408 00292868- 00292886	<p>ឯកសារកម្ពុជាប្រជាធិបតេយ្យ " ការប្រជុំអចិន្ត្រៃយ៍ ០៩-១០-៧៥" DK Document entitled "Minutes of the meeting 09 October 1975" Le document du KD intitulé "Compte-rendu de réunion du 09 Octobre 1975</p>	P	00019109, 00183393, 00292869, 00019111 00183394 00292872
E3/871	21.11	00052346- 00052346 00185241- 00185241 00324505- 00324506	<p>ទូរលេខ ២១ គោរពជូនសមបង ប៉ុល៖ សេចក្តីរាយការណ៍របស់ស.ម ឈូក តំបន់២៤ ស្តីពីសភាពការណ៍នៅតាម Telegram # 21 to comrade Brother Pol: Report of comrade Chhouk in zone 24 about situation along Telegram # 21 to comrade Brother Pol: Report of comrade Chhouk in zone 24 about situation along</p>	P	

E3/874	21.14	00003703- 00003706 00003703- 00003706, 00185060- 00185060 00623911- 00623913	<p>ទូរលេខ ៥០ គោរពជូនបង ជាទីស្នេហា និងរលឹក៖ អំពីទ័ពតំបន់ការពារប្រាសាទព្រះវិហារយក កាំភ្លើងអាកាសដើម និងបេឡុងចំនួន២ដើមរត់ចូលថៃ Telegram # 50 to beloved and respected Brother about Militant Prasat Preah Vihear zone taked 8 AKAs and 2 B-B guns 40 escaped to Thai land. Telegram # 50 to beloved and respected Brother about Militant Prasat Preah Vihear zone taked 8 AKAs and 2 B-B guns 40 escaped to Thai land.</p>	P	00003704 00003706 00003704
E3/1023	D108 /28.5 0	00021526- 00021526 00305247- 00305247 00643479- 00643479	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខលេខ ១១ គោរពផ្ញើរជូនម.៨៧០ ជាទីស្នេហានឹករលឹក៖ ខ្ញុំសូមរាយការណ៍ពីសភាពការណ៍នៅព្រំដែនតំបន់ ២៣ [Surrogate Sheet] Annex 50: Telegram 11 to beloved and missed M-870 about situation at the boundary of Sector 23 [Feuille remplacée] Annexe 50: Télégramme 11 au Bureau M-870 bien-aimé concernant la situation de la zone 23</p>	P	
E3/882	21.29	00001248- 00001251 00182766- 00182766 00386253- 00386256	<p>គោរពជូន ម.៨១ ជាទីគោរពស្នេហា អំពីហេតុការណ៍មួយចំនួនដែលទាក់ទងដល់បញ្ហាព្រំដែនកម្ពុជា-វៀតណាម To beloved Office 81 about a number of situation concerning Cambodian-Vietnamese border To beloved Office 81 about a number of situation concerning Cambodian-Vietnamese border</p>	P	
E3/1734	D200 /9.5	00381215- 00381222 00707382- 00707389 00754709- 00754715	<p>ឯកសាររដ្ឋាភិបាលកម្ពុជាប្រជាធិបតេយ្យ ដោយ មន្ទីរ ៨៧០ មានចំណងជើងថា "សេចក្តីណែនាំរបស់ ៨៧០ DK Government Document by Office 870 entitled Advice from 870 DK Government Document by Office 870 entitled Advice from 870</p>	P	00381222 00707388 00754715

E3/267	D108 /43/9	S 00680574- 00680586 S 00008724- 00008733 00693825- 00693825	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ឧបសម្ព័ន្ធទី៩: ការកាត់ផ្តាច់ទំនាក់ទំនងជាមួយវៀតណាម ទាំងស្រុងជាបណ្តោះអាសន្នរបស់កម្ពុជា ចុះថ្ងៃទី០៣ ខែមករា ឆ្នាំ១៩៧៨</p> <p>[Surrogate Sheet] Annex 9: Cambodia's Temporary Severance of Relations with Vietnam dated 03 January 1978 [Feuille remplacée] Annexe 9: Rupture temporaire des relations entre le Cambodge et le Vietnam, le 03 janvier 1978</p>	C	00008729
E3/1076	D200 /9.3	00052865- 00052865 00323164- 00323164 00504132- 00504132	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខកម្ពុជាប្រជាធិបតេយ្យ មានចំណងជើងថា "ទូរលេខ លេខ 18" [Surrogate Sheet] DK Telegram entitled "Telegram No 18" [Feuille remplacée] KD Telegramme intitulé "Telegramme No 18"</p>	P	
E3/936	D200 /9.1	00021011- 00021011 00348086- 00348087 00335196- 00335197	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខកម្ពុជាប្រជាធិបតេយ្យ មានចំណងជើងថា "ទូរលេខ លេខ 8" [Surrogate Sheet] [Corrected 1] DK Telegram entitled "Telegram No 8" [Feuille remplacée] KD Telegramme intitulé "Telegramme No 8"</p>	P	
E3/812	D200 /3.4	00296224- 00296225 00340535- 00340536 00623350- 00623351	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ទូរលេខកម្ពុជាប្រជាធិបតេយ្យ មានចំណងជើងថា "ទូរលេខ លេខ 20" [Surrogate Sheet] DK Telegram entitled "Telegram No 20" [Feuille remplacée] [Corrigé 1] KD Telegramme intitulé "Telegramme No 20"</p>	P	
E3/1735	D200 /3.3	00278325- 00278326 00350169- 00350170 00711509- 00711510	<p>[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ឯកសារពាណិជ្ជកម្មរបស់កម្ពុជាប្រជាធិប តេយ្យ មានចំណងជើងថា "086-HK/78" DK Commercial document entitled "086- HK/78" Lettre du KD envoyée à la société REN FUNG en date du 07 juillet 1978</p>	P	

E3/951	D200 /9.6	00021043- 00021045- 00185215- 00185218- 00296221- 00296223	[លិខិតបញ្ជាក់ការជំនួសឯកសារ] ឯកសារកម្ពុជាប្រជាធិបតេយ្យ មានចំណងជើងថា "គោរពជូនអង្គការ ៨៧០" [Surrogate Sheet] DK Document entitled "to Angkar 870" [Feuille remplacée] Le document du KD intitulé "A Angkar 870"	P	00021043	00185215- 16	00296221- 22
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Oral Orders/Decisions:

- Decision to designate Judge Claudia FENZ to sit in place of absent Judge Silvia CARTWRIGHT.
- Order to bring the Accused NUON Chea (12:02) to the holding cell (waivers of the Accused IENG Sary (full day) and NUON Chea (afternoon) are attached to this written record).
- Order to deny a party from putting a document to a witness when no prior notice was given to other parties of the intent to use the document and where the witness will be available for questioning at a later date.
- 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 4 September 2012.
- Order to bring the Witness NORNG Sophang (TCW-480) to his accommodation and to return him to the courtroom for the hearing on 4 September 2012 before 9:00am.

Orders for Adjournment of Hearing
The hearing will resume on 4 September 2012 at 9:00 a.m.

Phnom Penh, 3 September 2012

Greffier

Greffier

N.W. Risen

Duch Phary

Natacha WEXELS-RISEN

DUCH Phary

