



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 King ជាតិសាសនាព្រះមហាក្សត្រ ORIGINAL DOCUMENT/DOCUMENT ORIGINAL ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 24 / 01 / 2013 ម៉ោង (Time/Heure): 15 : 00 មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: <i>Sam N. Rana</i>

អង្គជំនុំជម្រះសាលាដំបូង
 Trial Chamber
 Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

08 January 2013

Substantive Hearing on evidence - Day 143

Prepared by:

Roger PHILLIPS and DUCH Phary

Attendance Record
Before: Judge NIL Nonn (President), Judge YA Sokhan, Judge YOU Ottara, Judge Silvia CARTWRIGHT, Judge Jean-Marc LAVERGNE.
Reserve Judges: Judge THOU Mony, Judge Claudia FENZ.
Greffiers: Mr. Roger PHILLIPS, Mr. DUCH Phary.
OCP: Mr. Dale LYSAK, Ms. SENG BUNKHEANG, Mr. Vincent DE WILDE D'ESTMAEL, Mr. TOCH Vannarith.
Accused: Mr. KHIEU Samphan, Mr. NUON Chea (present but in his holding cell), Mr. IENG Sary (present but in his holding cell).
Defence for the Accused: Mr. SON Arun, Mr. Victor KOPPE, Mr. KONG Sam Onn, Mr. Arthur VERCKEN, Mr. ANG Udom.
Civil Parties: Ms. Elisabeth SIMONNEAU-FORT, Mr. PICH Ang, Mr. LOR Chunthy, Mr. HONG Kimsuon, Mr. SAM Sokong, Ms. SIN Soworn, Mr. VEN Pov, Ms. Beini YE.
Witness: Mr. SA Vi, alias Song (TCW-620).
Others: Ms. Laura GRETZ, Mr. PRUM Phalla, Ms. Marie CAPOTORTO.

General court times		
Day	Start time: 9:10	Finish time: 16:05
Recess am	Start time: 10:30	Finish time: 10:50
Recess	Start time: 12:00	Finish time: 13:35
Recess pm	Start time: 14:40	Finish time: 16:05
	Total Court Time:	4 hours and 50 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Recognition of International Co-Counsel, Victor Koppe, for NUON Chea	TC	9:13	9:15
Oral Ruling Regarding the Medical Reports of IENG Sary and NUON Chea	TC	9:15	9:16
Testimony of Witness SA Vi, alias Song (TCW-620)	TC	9:18	9:25
	OCP	9:25	9:50
		9:56	10:29
		10:53	12:00
		13:35	14:02
	CPLCL	14:03	14:40
	KS Defence	15:09	15:22
		15:23	16:01
Inquiry Regarding Further Time Necessary for Testimony of TCW-620	TC	16:01	16:01
	KS Defence	16:01	16:02
	NC Defence	16:02	16:02
	IS Defence	16:03	16:03

Summary of Proceedings

Recognition of International Co-Counsel, Victor KOPPE, for NUON Chea

The Chamber recognized once more the presence of Victor KOPPE, international counsel for NUON Chea. The Chamber had already recognized Mr. KOPPE during the initial hearing.

Oral Order Regarding the Medical Reports of IENG Sary and NUON Chea

The Chamber allowed the Accused IENG Sary and NUON Chea to participate from the holding cells during the day's proceedings based on an assessment of their respective medical reports.

Testimony of Witness SA Vi, alias Song (TCW-620)
The Trial Chamber, Co-Prosecutors, Civil Parties and Defence Counsels posed questions to the Witness.

Record of Rule 87(3) Proceedings							
TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/104	D91/9	00204049-00204056-00204057-00204065-00524369-00524378	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ស វិ ថ្ងៃទី០៥ ១២ ២០០៧ Written Record of Interview of Sà Vi Procès verbal d'audition de Sà Vi	P	00204050-00204054,	00204059-00204063	00524371-00524376
E3/858	18.56	00021153-00021161-00391725-00391737-00643480-00643495	បញ្ជីឈ្មោះមនុស្សនៅក-១ និង ក-៣ Name list of people of K-1 and K-3 Liste de noms des personnes dans K-1 et K-3	P	00021153, 00021160	00391725, 00391735	00643480, 00643494
E3/464	D92/8	00204738-00204745-00226106-00226113-00503944-00503952	កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ថា សុតិ [Corrected 1]Written Record of Interview of THA Sot Procès verbal d'audition de THA Sot	P	00204741-00204742	00226110	00503948-00503949
E3/1654	16.101	00039827-00039835-00234234-00234250-00874770-00874782	ឈ្មោះអ្នកទោសសូរ្យប្រចាំថ្ងៃ ៨ មេសា ៧៨ ដោយពួកក្រុងកំពង់ Daily interrogation of prisoner's name on 8/4/78 by cold group Liste des prisonniers de S-21 le 8/4/78	P	00039830	00234239	00874774
E3/342	D288/6.68.1	00329596-00330129	ឧបសម្ព័ន្ធ ១៖ ការពិនិត្យឡើងវិញ បញ្ជីអ្នកទោសនៅមន្ទីរស ២១	P			

Oral Orders/Decisions:

- Oral Order allowing the Accused IENG Sary and NUON Chea to participate from the holding cells during the day's proceedings based on an assessment of their respective medical reports.

Prior to the proceedings, the Chamber received a medical report from IENG Sary's and Nuon Chea's treating physicians.

It appeared that there was no significant change in IENG Sary's condition since the last expert's assessment and that he cannot attend proceedings in the courtroom but

has to participate from the holding cell where the use of the available facilities will avoid frequent interruptions of proceedings and where his ability to follow proceedings will be enhanced. Therefore, in order to avoid substantial delays and because the interest of justice so requires, the Chamber in accordance with the medical report ordered IENG Sary to participate in the day's proceedings from the holding cell.

It also appeared that Nuon Chea's condition similarly prevents him from attending proceedings in the courtroom and that he has to participate from the holding cell.

- Oral Order instructing KHIEU Samphan be brought to the holding cell and returned to the court room for the afternoon proceedings.
- Order to bring SA Vi (TCW-620) back to his accommodations and to return him to the courtroom for the hearing on 12 December 2012.
- Order to bring the Accused NUON Chea, IENG Sary and KHIEU Samphan back to the detention facility and have them returned to the courtroom by 9:00am on 09 January 2013.

Orders for Adjournment of Hearing

The hearing will resume on 09 January 2013 at 9:00 am.

Phnom Penh, 08 January 2013

Greffier  Greffier


Roger PHILLIPS


DUCH Phary