



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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): 18 / 1 / 07 / 2013
ម៉ោង (Time/Heure) : 12 : 5 00
ស្រុកទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: <i>SANN RADA</i>

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

7 May 2013

Substantive Hearing on evidence - Day 177

Prepared by:

Matteo CRIPPA and SE Kolvuthy

<u>Attendance Record</u>
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge YOU Ottara, Judge Jean-Marc LAVERGNE
Reserve Judges: Judge THOU Mony, Judge Claudia FENZ
Greffiers: Mr. Matteo CRIPPA, Ms. SE Kolvuthy, Mr. DAV Ansan.
OCP: Mr. VENG Huot, Mr. Tarik Abdulhak, Mr. RAYNOR Keith
Accused: Mr. KHIEU Samphan, Mr. NUON Chea (participating from the holding cell)
Defence for the Accused: Mr. SON Arun, Mr. Victor KOPPE, Mr., KONG Sam Onn, Ms. Anta GUISSÉ
Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Ms. TY Srinna, Mr. LOR Chunthy, Ms. MOCH Sovannary, Mr. HONG Kimsuon, Mr. VEN Pov, Ms. Christine MARTINEAU
Witness: Mr. Philip SHORT (TCE-65)
Others: Mr. UCH Arun, Ms. SOUR Sotheavy, Ms. Elburg van BOETZELAER

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<u>General court times</u>		
Day	Start time: 09.05	Finish time: 16.00
Recess am	Start time: 10.30	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 45 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	TC	09.03	09.03
Testimony of TCE-65	OCP	09.03	10.29
		10.51	12.00
		13.33	14.38
		15.00	16.00

<u>Summary of Proceedings</u>
<p><u>Waiver of the Accused's right to be present in the courtroom</u> The Accused NUON Chea was present in the holding cell pursuant to Internal Rule 81(5). See Second Decision on Accused NUON Chea's Fitness to Stand Trial, E256/5, 2 April 2013.</p> <p><u>Testimony of TCE-65</u> The Co-Prosecutors pose questions to the Expert Philip SHORT (TCE-65).</p>

<u>Record of Rule 87(3) Proceedings</u>							
TC No	OCIJ No	ERN	Title	Classes	Note in Khmer	Note in English	Note in French

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E3/9	D222 /1.15	00755579- 00755583 00396177- 00396757 00639445- 00640068	<p>[Partial T.] សៀវភៅនិពន្ធដោយ Philip Short មានចំណងជើងថា៖ "ប៉ូល ពត ប្រវត្តិនៃសុបន្តិអាក្រក់មួយ"</p> <p>Book by Philip Short entitled "Pol Pot, The History of a Nightmare"</p> <p>Livre écrit par Philip Short intitulé "Pol Pot, Anatomie d'un cauchemar"</p>	P		<p>0063825 - 0063826, 0063870, 00639460, 00639462, 00396200 - 00639465, 00396201, 00639611, 00396203, 00639617, 00396204, 00639630 , 00396332, 00639649, 00396337, 00639669, 00396346, 00639719, 00396364, 00639726 - 00396404, 00639727, 00396423, 00639744, 00396427, 00639748, 00396428, 00639748 - 00396433, 00639749, 00396440, 00639749, 00396442, 00639756, 00396446 - 00639761, 00396447, 00639765, 00396449, 00639768, 00396454, 00639772 - 00396455, 00639773, 00396468, 00639776 - 00396469, 00639777, 00396477 - 00639783 - 00396478, 00639784, 00396479, 00639784 - 00396481, 00639785, 00396483, 00639791, 00396484 - 00639792, 00396485, 00639802 - 00396485, 00639803, 00396488, 00639804 - 00396491, 00639805, 00396495, 00639807, 00396497, 00639810, 00396499, 00639810 - 00396501 - 00639811, 00396502, 00639811 - 00396516 - 00639812, 00396517, 00639812 - 00396524, 00639813, 00396529 - 00639817, 00396530, 00639820, 00396554, 00639831, 00396563, 00639833 - 00396607, 00639835, 00639632, 00639853 - 00396436 00639854, 00639877, 00639909, 00639921, 3/6 00639976</p>
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E3/16	D213.2	00380221-00380560 00498220-00498306 00643822-00643913	ខៀវ សំផន " ពិចារណាអំពីប្រវត្តិសាស្ត្រកម្ពុជាពីដើមរហូតដល់សម័យកម្ពុជាប្រជាធិបតេយ្យ " រាហូ 10-2007 KHIEU Samphan, "Consideration on the history of Cambodia from Early stage to the Period of Democratic Kampuchea", Reahu, 10-2007 "Considerations on the History of Cambodia From Early Stage to the Period of Democratic Kampuchea", extrait du livre de KHIEU Samphan, Éd. Reahu, Octobre 2007	P	00380449, 00380497-500	00498275, 00498302	00643880, 00643909
E3/785	D366 /7.1.5 3	00442019-00442054 00713994-00714000 00741959-00741970	ពង្រឹង និង កែលម្អអែមគោលដំបូងនាំធ្វើការងាររបស់ បក្ស Strenthening and Improving the party's Leadership Stance and Leadership Attitude Consolider et améliorer davantage encore la position dirigeante de l'accomplissement des tâches et le comportement dirigeante de l'accomplissement des tâches du Parti	P	00442047 - 00442048	00713998 - 00713999	00741968
E3/11	D243 /2.1.1 2	00063116-00063187 00486212-00486266 00492795-00492857	ទង់បដិវត្ត លេខ ពិសេស កញ្ញា ១៩៧៧ CPK Magazine entitled: " The Revolutionary Flag", Special Issue, September 1977 (FULL) CPK Magazine entitled: " The Revolutionary Flag", Special Issue, September 1977 (FULL)	P	00063162	00486247	00492836
E3/25	D243 /2.1.9	00063000-00063058 00491394-00491438 00504014-00504066	ទង់បដិវត្ត លេខ ពិសេស ធ្នូ-មករា ១៩៧៦-៧៧ CPK Magazine entitled: " The Revolutionary Flag", Special Issue, December 1976 -January 1977 (FULL) CPK Magazine entitled: " The Revolutionary Flag", Special Issue, December 1976 -January 1977 (FULL)	P	00063039-40	00491424	00504049-00504050

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E3/167	12.7	00596117- 00596152 00280571- 00280593 S 00000107- 00000129	ទីភ្នាក់ងារព័ត៌មានកម្ពុជា ផ្សាយដោយការិយាល័យព័ត៌មាននៃរណ សិប្បបរមជាតិកម្ពុជា National Media Report entitled Nouvelles du Cambodge, Agence Kampuchea d'Information, diffusées par le Bureau d'Information du Front Uni National du Kampuchea, Nr. 698, dated 11 April 1974 National Media Report entitled Nouvelles du Cambodge, Agence Kampuchea d'Information, diffusées par le Bureau d'Information du Front Uni National du Kampuchea, Nr. 698, dated 11 April 1974	P			
E3/117	D108 /43/1	00242308- 00242314 00166772- 00166775 00281432- 00281435	ឧបសម្ព័ន្ធ ១៖ Khieu Samphan Chairs NUFC Congress Session ចុះថ្ងៃទី ២៦ ខែកុម្ភៈ ឆ្នាំ ១៩៧៥ Annex 1: Khieu Samphan Chairs NUFC Congress Session dated 26 February 1975 Annex 1: Khieu Samphan Chairs NUFC Congress Session dated 26 February 1975	P	00242308- 9	00166773	00281432
E3/189	D108 /43/3	00896371- 00896372, 00323157- 00323163 00894297- 00894301 00186604- 00186609	[Partial T.] ឧបសម្ព័ន្ធ ៣៖ លិខិតចុះថ្ងៃទី២០ ខែមីនា ឆ្នាំ១៩៧៥ ព័ត៌មានអចិន្ត្រៃយ៍របស់ចិនប្រចាំអង្គការ សហប្រជាជាតិ ជូនចំពោះអគ្គលេខាធិការ [Corrected 1] Annex 3: Letter dated 20 March 1975 from the Permanent Representative of China to the United Nations addressed to the Secretary-General dated 20 March 1975 Annex 3: Letter dated 20 March 1975 from the Permanent Representative of China to the United Nations addressed to the Secretary-General, en date du 20 mars 1975	P			
E3/5	D243 /2.1.1	00063311- 00063353 00401476- 00401511 00538951- 00538985	ទង់បដិវត្ត លេខ ៨ សីហា ១៩៧៥ CPK Magazine entitled: " The Revolutionary Flag", Issue 8, August 1975 (FULL) CPK Magazine entitled: " The Revolutionary Flag", Issue 8, August 1975 (FULL)	P	00063321	00401486	00538961
E3/4	D123 /3.1	00062905- 00062945 00268913- 00268946 00349970- 00349995	ឧបសម្ព័ន្ធ ១៖ "ទង់បដិវត្ត" លេខ ៧ កក្កដា ១៩៧៦ Annex 1: "Revolutionary Flag ", Issue 7, July 1976 Annexe 1: "Etendard révolutionnaire", Tung Pakdévoat, No7, juillet 1976	P	00062911- 00062912	00268918	00349973

E3/216	13.1	00008485- 00008493 00850973- 00850978 00343374- 00343380	កំណត់ហេតុ អំពីទស្សនកិច្ច អចិន្ត្រៃយ៍ និងសេចក្តីរាយការណ៍អំពីសភាពកាណ្យម នៅមូលដ្ឋាន [Corrected 1] Note about permanent visited and the report about overall situation at the basic Procès-verbal de la visite du Comité Permanent et le compte-rendu de la situation générale sur le terrain	P	00008492	00850978	00343379
E3/748	D243 /2.1.2	00063236- 00063271 00495800- 00495828 00499683- 00499712	ទង់បដិវត្ត លេខ ពិសេស តុលា-វិច្ឆិកា 1975 CPK Magazine entitled: " The Revolutionary Flag", Special Issue, October - November 1975 (FULL) CPK Magazine entitled: " The Revolutionary Flag", Special Issue, October - November 1975 (FULL)	P	00063238	00495802	00499685
E3/232	13.8	00017116- 00017123 00182628- 00182634 00323932- 00323936	កំណត់ហេតុនៃអង្គប្រជុំការងារប្រចាំថ្ងៃ ៨ មីនា ១៩៧៦ Minutes of meeting on local affairs on 8/3/76 Minutes of meeting on local affairs on 8/3/76	P			

Oral Orders/Decisions:

- Order to the court officer to assist Witness Philip SHORT (TCE-65) during the adjournment and be returned by tomorrow.
- The Chamber instructs the security guards to return the Accused KHIEU Samphan and the Accused NUON Chea to the detention facility, and further instructs the security guards to return KHIEU Samphan to court and NUON Chea to the holding cell by 09:00 on Wednesday 8 May 2013.

Orders for Adjournment of Hearing
Court is adjourned and will resume at 09:00 on Wednesday 8 May 2013.


Phnom Penh, 7 May 2013

Greffier


Matteo CRIPPA



Greffier


SE Kolvuthy