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E1/192

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

9 May 2013

Substantive Hearing on evidence - Day 179

Prepared by:

Ms. Faiza ZOUAKRI and Mr. DUCH Phary

Attendance Record
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: Ms. Faiza ZOUAKRI, Mr. DUCH Phary, Ms. SE Kolvuthy
OCP: Mr. Tarik ABDULHAK, Mr. Keith RAYNOR, Mr. VENG Huot, Ms. CHUN Soleak
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, Mr. SAM Sokong, Ms. MOCH Sovannary, Ms. Christine MARTINEAU
Expert Witness: Mr. Philip SHORT (TCE-65)
Others: Mr. Simon MEISENBERG, Ms. Pauline RODOT

<u>General court times</u>		
Day	Start time: 09:05	Finish time: 16:50
Recess am	Start time: 10:35	Finish time: 10:55
Recess	Start time: 12:00	Finish time: 13:30
Recess pm	Start time: 15:00	Finish time: 15:20
	Total Court Time:	5 hours and 35 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Testimony of Expert Philip Short (TCE-65)	NC Defense	9:05	10:35
	KS Defense	10:55	12:00
		1:30	15:00
		15:23	16:47

<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 NUON Chea and the KHIEU Samphan Defense questioned the Expert Philip SHORT (TCE-65).</p>

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

E3/9	D222 /1.15	00755579- 00755583 00396177- 00396757 00639445- 00640068	[Partial T.] សៀវភៅនិពន្ធដោយ Philip Short មានចំណងជើងថា៖ "ប៉ូល ពត ប្រវត្តិនៃសុបន្តិអាក្រក់មួយ" Book by Philip Short entitled "Pol Pot, The History of a Nightmare" Livre écrit par Philip Short intitulé "Pol Pot, Anatomie d'un cauchemar"	P		00396197-98, 00396378, 00396379, 00396398, 00396408, 00396489, 00396490, 00396490-91, 00396491, 00396494, 00396497, 00396498, 00396512, 00396513, 00396521, 00396528, 00396548, 00396564, 00396574, 00396579, 00396581, 0039662, 00396625, 00396626, 00396643	00639455-56, 00639685-86, 00639688, 00639712, 00639725, 00639764, 00639817, 00639820, 00639825, 00639828, 00639829, 00639848, 00639849, 00639867, 00639876, 00639901, 00639922, 00639935, 00639941-42, 00639943, 00639989
N/A	E1/13 2.1	00853757- 00853848 00854778- 00854894 00854648- 00854777	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៩ ខែ តុលា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 09 October 2012 Transcript of hearing on the substance in Case 002 - 09 October 2012	P			
N/A	E1/13 0.1	00851092- 00851176 00853270- 00853375 00853376- 00853489	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៤ ខែ តុលា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 04 October 2012 Transcript of hearing on the substance in Case 002 - 04 October 2012	P	00851151	00853343	00853455

N/A	E1/10 7.1	00835022- 00835113 00838207- 00838321 00838322- 00838452	[កោសលុប] ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំ ណុំរឿង ០០២ - ថ្ងៃទី ១៤ ខែសីហា ឆ្នាំ២០១២ [REDACTED] Transcript of hearing on the substance in Case 002 - 14 August 2012 [REDACTED] Transcript of hearing on the substance in Case 002 - 14 August 2012	P	00835101- 102	00838305- 306	00838433
E3/17	D222 /1.3	00823022- 00823023 00392897- 00393174	[Partial T.] CHANDLER David, Brother Number One បងជំទីមួយ CHANDLER David, Brother Number One	P		00393065, 00393018	
N/A	E1/97 .1	00828327- 00828408 00830417- 00830514 00830515- 00830620	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំ ណុំរឿង ០០២ - ថ្ងៃទី ២៦ ខែកក្កដា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 26 July 2012 Transcript of hearing on the substance in Case 002 - 26 July 2012	P			
E3/182	13.2	00019108- 00019126 00183393- 00183408 00292868- 00292886	ការប្រជុំអចិន្ត្រៃយ៍ថ្ងៃទី ៩ តុលា ៧៥ Permanent 's meeting of committee on 9 October 1975 La réunion du Comité Permanent du 9 octobre 1975	P	00019108	00183393	00292868
E3/37	D47	00156674- 00156678 00156752- 00156757 00156679- 00156685	កំណត់ហេតុនៃការសួរចម្លើយ ខៀវ សំផន(ព្រឹក) Written Record of Interview of KHIEU Samphan 14-12-2007 Morning Procès verbal d'interrogatoire de KHIEU Samphan le 14-12-2007 le matin	P		00156754	00156681
N/A	E1/12 6.1	00850430- 00850521 00849537- 00849640 00849641- 00849755	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំ ណុំរឿង ០០២ - ថ្ងៃទី ២៥ ខែកញ្ញា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 25 September 2012 Transcript of hearing on the substance in Case 002 - 25 September 2012	P	00850477	00849586	00849695

N/A	E1/86 .1	00815967- 00816060 00817923- 00818029 00818030- 00818146	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ១៣ ខែមិថុនា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 13 June 2012 Transcript of hearing on the substance in Case 002 - 13 June 2012	P			
N/A	E1/15 6.1	00877361- 00877443 00877994- 00878089 00878090- 00878189	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៨ ខែ មករា ឆ្នាំ២០១៣ Transcript of hearing on the substance in Case 002 - 08 January 2013 Transcript of hearing on the substance in Case 002 - 08 January 2013	P			
N/A	E1/12 0.1	00844166- 00844245 00845493- 00845594 00845595- 00845701	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៣ ខែកញ្ញា ឆ្នាំ២០១២ Transcript of hearing on the substance in Case 002 - 03 September 2012 Transcript of hearing on the substance in Case 002 - 03 September 2012	P			
N/A	E1/19 2.1	00912089- 00912192 00913155- 00913301 00912993- 00913154	ប្រតិចារឹកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៩ ខែ ឧសភា ឆ្នាំ២០១៣ Transcript of hearing on the substance in Case 002 - 09 May 2013 Transcript of hearing on the substance in Case 002 - 09 May 2013	P			
E3/230	13.6	00000711- 00000712 00182546- 00182547 00301330- 00301331	កំណត់ហេតុអង្គប្រជុំគណៈអចិន្ត្រៃយ៍ ថ្ងៃ ២២ កុម្ភៈ ១៩៧៦ Minutes of permanent committee meeting on 22 February 1976 Procès verbal de la réunion du Comité Permanent du 22 février 1976	P	00000711	00182546	00301330
E3/238	D251 /1	00072458- 00072461 00424112- 00424115 00446630- 00446632	កំណត់ហេតុអង្គប្រជុំគណៈអចិន្ត្រៃយ៍ ថ្ងៃ ២៨ កុម្ភៈ ១៩៧៦ Minute of the Standing Committee Meeting, dated 26-02-1976 Procès verbal de réunion du Comité Permanent en date du 28 février 1976	P	00072458, 00072459, 00072460	00424112, 00424113, 00424114	00446630

N/A	E1/19 .1	00759135- 00759223 00761196- 00761289 00761290- 00761385	ប្រតិចារិកសវនាការលើអង្គសេចក្តីនៃសំណុំរឿង ០០២ - ថ្ងៃទី ០៨ ខែ ធ្នូ ឆ្នាំ ២០១១ Transcript of hearing on the substance in Case 002 - 08 December 2011 Transcript of hearing on the substance in Case 002 - 08 December 2011	P	00759197	00761264	00761359
E3/221	13.18	00000810- 00000826 00182693- 00182705 00386175- 00386191	ពិនិត្យអំពីប្រតិកម្មរៀបចំណាមកក្នុងអង្គប្រជុំលើកទី៥ថ្ងៃទី១៤ ឧសភា ១៩៧៦ Observing the Vietnamese reaction in the 5th meeting on 14/5/76 Observing the Vietnamese reaction in the 5th meeting on 14/5/76	P	00000810, 00000811, 00000826	00182693, 00182694, 00182705	00386175, 00386176, 00386191
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:

- 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 Monday 20 May 2013, for the hearing of TCW253.

Orders for Adjournment of Hearing
Court is adjourned and will resume at 09:00 on Monday, 20 May 2013

Phnom Penh, 9 May 2013

Greffier

Greffier

per. *M. Zouakri*
Faiza ZOUAKRI



[Signature]
DUCH Phary