



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

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| ឯកសារដើម |
| ORIGINAL DOCUMENT/DOCUMENT ORIGINAL |
| ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 04 / 11 / 2013 |
| ម៉ោង (Time/Heure): 11 : 25 |
| មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RANA |

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

17 October 2013

Closing Statements Hearing - Day 216

Prepared by:

Faiza ZOUAKRI and SE Kolvuthy

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| <u>Attendance Record</u> |
| Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge YOU Ottara |
| Reserve Judge: Judge THOU Mony, Judge Claudia FENZ |
| Greffiers: Ms. SE Kolvuthy, Ms. Faiza ZOUAKRI, Mr. DAV Ansan |
| OCP: Ms. CHEA Leang, Mr. Nicolas KOUMJIAN, Mr. William SMITH, Mr. SENG Bunkheang, Mr. VENG Huot, Mr. Vincent DE WILDE D'ESTMAEL, Mr. Keith RAYNOR |
| 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 GUISSSE, Mr. Arthur VERCKEN |
| Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. HONG Kimsuon, Mr. VEN Pov, Ms. Beini YE, Ms. CHET Vanly, Ms. SIN Soworn, Mr. LOR Chunthy, Ms. Martine JACQUIN, Mr. Olivier BAHOUGNE, Ms. Lyma NGUYEN, Ms. Christine MARTINEAU |
| Others: Mr. UCH Arun, Ms. SOUR Sotheavy, Ms. Patricia IACOB |

| <u>General court times</u> | | |
|----------------------------|-------------------|--------------------|
| Day | Start time: 09:00 | Finish time: 16:00 |
| Recess am | Start time: 09:05 | Finish time: 09:55 |
| Recess | Start time: 12:00 | Finish time: 13:20 |
| Recess pm | Start time: 14:45 | Finish time: 15:00 |
| | Total Court Time: | 4 hours 35 minutes |

| <u>Proceedings</u> | | | |
|---|----------------|------------|-------------|
| Type of Issue | Raised By | Start time | Finish time |
| Technical problem (recording malfunction) | TC (President) | 09:04 | 09:05 |
| Co-Prosecutors present the closing statements | OCP | 09:53 | 12:01 |
| | | 13:20 | 14:44 |
| | | 15:02 | 15:57 |

| <u>Summary of Proceedings</u> |
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| <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>Co-Prosecutors' Presentation of Closing Statements</u> The Co-Prosecutors announced that they would divide their submissions on the closing statements in 3 parts: (a) evidence relating to the crimes of the first and second forced transfers of population and on the plan that led through their commission; b) criminal policy of killing Khmer Republic military and officials and the crimes committed at Tuol Po Chrey; criminal liability of the Accused for these crimes, and c) sentencing. The Co-Prosecutors used several video clips, text and photo documents throughout the presentation of the closing statements.</p> |

| <u>Oral Orders/Decisions:</u> |
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| <ul style="list-style-type: none"> The Chamber instructed the security guards to return the Accused KHIEU Samphan and the Accused NUON Chea to the detention facility and to return the Accused KHIEU Samphan to the courtroom and the Accused NUON Chea to the holding cell by 09.00 on Friday 18 October 2013 (15:57). |

Orders for Adjournment of Hearing
Court is adjourned and will resume at 09:00 on Friday 18 October 2013 (15:58). *[Signature]*

Phnom Penh, 17 October 2013

Greffier

Greffier



Faiza ZOUAKRI

SE Kolvuthy