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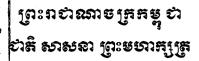
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ថ្ងៃ នៅ 99ជ (Date of receir/Date de reception): 25 / 11 / 2014

THE (Time/Heure): 14 30

ษเลียงถบลกเข้ณให้ใช้/Case File Officer/L'agent charge du dossier: Sann Rada

E1/242



Kingdom of Cambodia Nation Religion King Royaume du Cambodge Nation Religion Roi

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Extraordinary Chambers in the Courts of Cambodia Chambres Extraordinaires au sein des Tribunaux Cambodgiens

អត្ថបិនុំឥម្រះសាលាជិម្ម១

Trial Chamber Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

17 October 2014

Further Opening Hearings Case 002/02 – Day 225

Prepared by:

SE Kolvuthy and Roger PHILLIPS

Attendance Record

Before: Judge NIL Nonn (President), Judge Claudia FENZ, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge YOU Ottara.

Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve)

Greffiers: Mrs. SE Kolvuthy; Mr. Roger PHILLIPS; Ms. Sivhoang CHEA.

OCP: Ms. CHEA Leang; Mr. Nicolas KOUMJIAN; Mr. William SMITH; Mr. SENG Bunkheang; Mr. SENG Leang; Ms. SONG Chorvoin; Mr. SREA Rattanak; Mr. Vincent DE WILDE D'ESTMAEL; Mr. Dale LYSAK; Mr. Salim NAKHJAVANI; Mr. Joseph Andrew BOYLE.

Accused: Mr. NUON Chea; Mr. KHIEU Samphan.

Defence for the Accused Noun Chea: Mr. SON Arun; Mr. Victor KOPPE; Mr. SUON Visal.

Defence for Khieu Samphan: Mr. KONG Sam Onn; Ms. Anta GUISSE

Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. LOR Chunthy; Ms. MOCH Sovannary; Mr. HONG Kimsuon; Mr. VEN Pov; Ms. TY Srinna; Ms. SIN Soworn; Mr. Yiqiang LIU.

Witness: n/a

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Others: Mr. Russell HOPKINS (Legal Advisor); Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. Laurent SOULARD (Transcriber); Ms. Kerri MILES (Transcriber); Mr. Sheriffo JAMMEH (Transcriber), Mr. Mario D'ALESSANDRO.

General court times		
Day	Start time: 09:00	Finish time: 14:55
Recess am	Start time: 10:30	Finish time: 10:55
Recess	Start time: 11:45	Finish time: 13:30
	Total Court Time:	3 hours 45 minutes

Proceedings				
Type of Issue	Raised By	Start time	Finish time	
Opening of the Substantive	Trial Chamber	09:03	09:13	
Hearing				
Reading of Counts against the	Greffier	09:13	09:21	
Accused				
President query regarding	Trial Chamber	09:21	09:21	
Accused Invocation of Right to	NUON Chea	09:22	09:23	
Remain Silent	KHIEU Samphan	09:23	09:25_	
Opening Statement	Co-Prosecutors	09:26	11:45	
Issues of Civil Parties	Trial Chamber	10:27	10:27	
	Lead Co-Lawyers	10:27	10:29	
Response of the Accused	NUON Chea	13:31	14:00	
	NUON Chea Defence	14:01	14:02	
	KHIEU Samphan	14:03	14:17	
	KHIEU Samphan Defence	14:18	14:30	
Defence exit the courtroom	Defence team of NUON	14:38		
	Chea and KHIEU			
	Samphan			
Observation on the Defence	Co-Prosecutor	14:38	14:40	
boycott	Lead Co-Lawyer	14.41	14.44	

Summary of Proceedings

Opening of the Substantive Hearing

The Trial Chamber President declares the opening of the hearing of case 002/02.

Reading of Counts

Greffier read the counts against the Accused.

President asks about right to remain silent

President queried whether the accused intend to exercise their right to remain silent.

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NUON Chea invoked this right. KHIEU Samphan indicated he would respond to the President's question after making his opening statement.

Co-Prosecutors Opening Statements

The Co-Prosecutors made their brief Opening Statements.

Issues of Civil Parties

The President asked the Lead Co-Lawyers to clarify the information regarding the group of civil parties who would like to submit a motion to the Trial Chamber. The Lead Co-Lawyer said he will meet with the civil parties during the break.

Accused Response (NUON Chea)

The Accused NUON Chea responded to the Co-Prosecutors' opening statement. He also asked the bench to step down until the issuance of the decision on the pending Disqualification Applications, stating that otherwise he will instruct his lawyers to leave the Court.

Accused Response (KHIEU Samphan and his lawyers)

The Accused KHIEU Samphan responded to the Co-Prosecutors' Opening Statement. He requested to not take part in the proceedings in case 002/02 until the Appeal has been fully submitted to the Supreme Court Chamber. Defence Counsel responded to the opening statement of the Co-Prosecutors and announced an intention to boycott the proceedings on the instruction of their client.

Defence exit the courtroom

Defence Teams of both accused leave the Courtroom. Accused remain.

Observation on the Defence boycott

The international Co-Prosecutor requests the Court to order Defence Counsel to appear again. Civil Parties Lawyers emphasize that it is also interest of the civil parties to have the defence present and to see the right of the defence respected though balanced with the rights of the civil parties.

Oral Orders/Decisions:

- The Chamber wishes that all parties will attend the trial meeting which is scheduled for Tuesday 21 October 2014 at 9 a.m.
- The president orders the security to bring the accused to the prison facilities (14:54).

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Orders for Adjournment of Hearing

The hearing is adjourned and the Chamber will notify the hearing schedule to the parties.

Phnom Penh, 25 November 2014

Greffier

Greffier

SE Kolvith

Roger PHILLIPS

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