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អង្គបុគ្គលបន្តករសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: Sann Rada

E1/256

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

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

4 February 2015

Substantive Hearing on Evidence 002/02 – Day 237

Prepared by:

SE Kolvuthy and Matthew McCarthy

<u>Attendance Record</u>
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; Ms. Sivhoang CHEA; Mr. Matthew McCarthy
OCP: Mr. Nicolas KOUMJIAN; Mr. Travis FARR; Mr. Dale LYSAK; Mr. Vincent de WILDE D'ESTMAEL; Ms. SONG Chorvoin; Mr. BOU Chanthan
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
Defence for the Accused Noun Chea: Mr. SON Arun; Mr. SUON Visal; Mr. Victor KOPPE
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. LOR Chunthy; Mr. VEN Pov; Mr. HONG Kimsuon; Ms. MOCH Sovannary; Ms. Martine JACQUIN
Witness: Mr. KEV Chandara alias (2-TCW-964); Mr. SÂY Sen (2-TCCP-271)
Others: Mr. UCH Arun (Court Officer), Ms. SOUR Sotheavy (Associate Court Officer);

Ms. PICH Chariya, Ms. SREY Nak, Ms. SOK Sopheakmonica, Mr. MEACH Sovanna (Transcribers); Mrs. Sara ERJAVEC; Ms. Tauch Tanneary.

General court times

Day	Start time: 09:03	Finish time: 16:05
Recess am	Start time: 10:17	Finish time: 10:33
Recess	Start time: 11:35	Finish time: 13:31
Recess pm	Start time: 14:43	Finish time: 15:03
	Total Court Time:	4 hours 30 minutes

Proceedings

Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of Parties	Trial Chamber, Greffier	09:03	09:05
NUON Chea request to follow the proceedings from the holding cell	NUON Chea Defence	09:05	09:06
Continuation of questioning of Witness KEV Chandara (2-TCW-964)	Trial Chamber	09:08	09:30
		09:37	09:40
	NUON Chea Defence	09:31	09:48
Questioning of Civil Party SÂY Sen (2-TCCP-271)	KHIEU Samphan Defence	09:48	10:51
	Trial Chamber	10:54	10:58
	Civil Party Lawyers	11:06	14:12
Request regarding access to documents placed on interface	Co-Prosecutors	14:13	16:02
	KHIEU Samphan Defence	11:00	11:01
	Trial Chamber	13:31	13:33

Summary of Proceedings

Opening of hearing and report on attendance of Parties

The President opened the proceedings and the Greffier informed the Chamber that all parties were present except for Arthur VERCKEN, KHIEU Samphan Defence Co-Lawyer, and Accused NUON Chea. NUON Chea followed the proceedings from his holding cell.

NUON Chea request to follow the hearing from the holding cell

The Trial Chamber granted the request of the NUON Chea Defence Team for NUON Chea to waive his right to be present in the courtroom and to follow the proceedings from the holding cell.

Continuation of questioning of Witness KEV Chandara (2-TCW-964)

The Trial Chamber questioned the witness, followed by the NUON Chea Defence, and the KHIEU Samphan Defence. During its questioning, the NUON Chea Defence showed the witness a document with a series of unlabelled photos and asked the witness to identify the persons depicted in the photos. This document, noted below and attached, was not on

an

the Case File.

Questioning of Civil Party SÂY Sen (2-TCCP-271)

The Trial Chamber and Parties commenced the questioning of the Civil Party, with his testimony to continue on 5 February 2015.

Request regarding documents placed on the interface

The KHIEU Samphan requested the Trial Chamber to make arrangements that the Defence Teams will have access to the documents intended to be used at the hearings by the Co-Prosecutors. The Chamber reminded the Parties to follow the procedure as set in E319/7.

or


TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/5153		00172042- 00172045 00205087- 00205091 00205087- 00205091	Written Record of Interview of KEO Chāndara	P		00205089 00205090	00205094
E3/5846	D366/7.1.305	N/A N/A 00012448- 00012470	DK Media Report entitled "Nouvelles diffusées de Phnom Penh par La Voix du KD", DK Embassy in Peking, No. 44; article entitled "Internal News"	P	N/A	N/A	00012468 00012469
E3/5847		01068466- 01068466 01068465- 01068465	Photographic array	P			
E3/5848	D22/1370.2		Annex 2: Former prisoner of Kraing Ta Chang	P	00527797	00527800	00314056
E3/2063		00290925- 00290926 00068182- 00068183 00810641- 00810642	Kus Commune, Tram Kok District, Takeo Province, Takea Province, Site No. 210901 and 210902	P	00290925	0068182	00810641
E3/2063		00096763- 00096778 00095660- 00095672 00836731- 00810642	DC-Cam Report entitled "Mapping Project, 1997"	P		00095660	
E3/5129		00163501- 00163502 00223483- 00223485 00178108- 00178109	Written Record of Interview of SAY Sen	P	00163502	00223484	00178109
E3/5214		00223055- 00223070 00225500- 00225513 00702886- 00702902	[Corrected 1] Written Record of Interview of SĀY Sen	P	00223063 00223069	00225507 00225508 00225512	00702900 00702894

E3/5830		00365692- 00365692 00363333- 00363333 00371259- 00371259	Annex D: Plan of Kraing Ta Chân Security Centre compiled from information provided by witness SÂY Sèn	P	00365692	00363333	00371259
E3/5849	D125/220.24	P 00355388- 00355388	Photo 23	P	00355388	00355388	00355388
E3/5850	D313/1.2.150	P00407123- P00407123	Photograph depicting an investigator indicating iron shackles ("knoah") inside the original memorial at the site of the Kraing Ta Chan security office.	P	00407123	00407123	00407123
E3/5851	D313/1.2.151	P00407125- P00407125	Photograph depicting iron shackles ("knoah") recovered at the site of the Kraing Ta Chan security office.	P	00407125	00407125	00407125

Oral Orders/Decisions:


- Order authorising the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to link the proceedings to the holding cell (09:07).
- Order to the security personnel to bring the two Accused back to detention facilities and to return them to the courtroom for the hearing on 5 February 2015 before 09:00 a.m. (16:04).

Orders for Adjournment of Hearing

The hearing will resume on 5 February 2015 at 09:00 am. 

Phnom Penh, 4 February 2015

Greffier  Greffier

SE Kolvuthy 

Matthew McCARTHY 