



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
26 / 02 / 2015

ម៉ោង (Time/Heure) : 15:35

ស្មុំសំបុត្រសវនាការ/Case File Officer/L'agent chargé
SAM RADA

E1/251

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

23 January 2015

Substantive Hearing on Evidence 002/02 – Day 232

Prepared by:

SE Kolvuthy, Matthew McCARTHY

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| 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. Matthew McCARTHY; Ms. Robynne CROFT; Ms. Sivhoang CHEA |
| OCP: Mr. Nicholas KOUMJIAN; Mr. SENG Bunkheang; Mr. SENG Leang; Ms. SONG Chorvoin; Mr. SREA Rattanak; Mr. Dale LYSAK; Mr. Joseph Andrew BOYLE |
| Accused: Mr. NOUN Chea (from the holding cell); Mr. KHIEU Samphan |
| Defence for the Accused Noun Chea: Mr. SON Arun; Mr. Victor KOPPE; Mr. SUON Visal |
| Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn; Ms. Anta GUISSÉ |
| Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS |
| Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. Yiqiang LIU |
| Witness/Expert: Mr. HOUT Lina (Medical expert); Mr. CHAN Kin Ming (Medical expert); Ms. OM Suphany (2-TCCP-296); |

Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. Sheriffo JAMMEH; Ms. SOK Sopheakmonica; Ms. SREY Nak; Mr. Mario D'ALESSANDRO; Mr. LAY Nara; Mr. HOU Chiseng

General court times

| | | |
|-----------|-------------------|--------------------|
| Day | Start time: 09:10 | Finish time: 16:00 |
| Recess am | Start time:10:35 | Finish time:10:55 |
| Recess | Start time: 11:45 | Finish time: 13:30 |
| Recess pm | Start time: 14:30 | Finish time: 14:55 |
| | Total Court Time: | 4 hours 20 minutes |

Proceedings

| Type of Issue | Raised By | Start time | Finish time |
|--|-------------------------|------------|-------------|
| Opening of hearing and report on attendance of the Parties | Trial Chamber, Greffier | 09:10 | 09:18 |
| Questioning of medical experts | Trial Chamber | 09:18 | 10:36 |
| | Civil Parties Co-Lawyer | 10:56 | 11:05 |
| | Co-Prosecutor | 11:06 | 11:25 |
| | KHIEU Samphan defence | 11:25 | 11:37 |
| | NOUN Chea Defence | 11:37 | 11:40 |
| KHIEU Samphan Defence request to classify certain documents as strictly confidential | KHIEU Samphan Defence | 13:31 | 13:40 |
| Questioning of witness OM Suphany (2-TCCP-296) | Civil Party Co-Lawyer | 13:40 | 14:07 |
| | Co-Prosecutor | 14:08 | 14:56 |
| | NOUN Chea Defence | 14:57 | 15:57 |

Summary of Proceedings

Opening of hearing and report on attendance of the Parties

The President opened the proceedings and the Greffier informed the Chamber that all parties were present except for the accused NOUN Chea. The President announced that the Court will proceed with the hearings of the experts on the fitness of the accused to stand trial before continuing with the questioning of the Civil Party. NOUN Chea waived his right to sit in Court, requesting to follow the proceedings from his holding cell. The Chamber granted the NOUN Chea request.

Questioning and report of medical experts

Medical experts presented a brief summary of the report on the fitness of the accused to stand trial. The Trial Chamber questioned the experts, followed by Civil Parties Co-Lawyer, Co-Prosecutor, KHIEU Samphan defence, NOUN Chea Defence.

KHIEU Samphan Defence request to classify certain documents as strictly confidential

The KHIEU Samphan Defence requested the classification of medical reports and emails concerning KHIEU Samphan as strictly confidential.

Questioning of Civil Party OM Suphany (2-TCCP-296)

The Parties continued to question Witness OM Suphany (2-TCCP-296), followed by Co-Prosecutor, NOUN Chea Defence.

| TC No | OCIJ No | ERN (KH, ENG, FR) | Title | Class | Note in Khmer | Note in English | Note in French |
|----------|----------|---|---|-------|---|--|--|
| E323.1.1 | | 01032943- 01032959 01036454- 01036469 01032943- 01032959 | Attachment 1: Contemporaneous Diary of 2-TCCP-296 | P | 01032950 01032953 | 01036460 01036463 01036464 | 01036478 01036481 01036482 |
| E3/5839 | D22/3248 | 00562744- 00562947 01037335- 01037343 01037344- 01037351 | Civil Party application of OAM Suphany (Book: "When Will We Ever Meet Again") | P | 00562844- 00562845 00562857 00562880 00562881 00562905 | 01037336 01037338 01037341 01037347 | 01037344 01037346 01037349 01037551 |
| E3/3973 | | 00006618- 00006647 00837527- 00837584 00875896- 00875980 | List of prisoners and execution date (if killed) | P | 00006623 | 00837537 | 00875910 |

Oral Orders/Decisions:

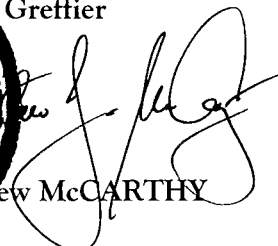
- Order authorising the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV unit to link the proceedings to the holding cell (9:14).
- Order to the security personnel to take the two Accused back to the detention facility and to return them to the courtroom for the hearing on 26 January 2015 before 09:00 am (16:02).

Orders for Adjournment of Hearing
The hearing will resume on 26 January 2015 at 09:00 am *MD*

Phnom Penh, 23 January 2015

Greffier

Greffier



SE Kolvuthy

Andrew McCARTHY