



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

ជាតិសាសនាព្រះមហាក្សត្រ

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): 09 / 02 / 2015
ម៉ោង (Time/Heure) : 15:00
បុគ្គលិកទទួលបន្ទុកកំណត់រឿង / Case File Officer/L'agent chargé SANN RAON

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

23 February 2015

Substantive Hearing on Evidence 002/02 – Day 248

Prepared by:

SE Kolvuthy and Robynne CROFT

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President), Judge Claudia FENZ, Judge YA Sokhan, Judge Jean-Marc LAVERGNE; Judge YOU Ottara
<b>Reserve Judges:</b> Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve)
<b>Greffiers:</b> Mrs. SE Kolvuthy; Ms. Robynne CROFT
<b>OCP:</b> Mr. SENG Bunkheang; Mr. Vincent de Wilde d'Estmael; Mr. SENG Leang; Ms. SONG Chorvoin; Mr. Dale Lysak
<b>Accused:</b> Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
<b>Defence for the Accused Nuon Chea:</b> Mr. Victor KOPPE; Mr. SOUN Visal; Mr. SON Arun
<b>Defence for the Accused Khieu Samphan:</b> Mr. KONG Sam Onn; Anta GUISSÉ
<b>Standby Counsel for the Accused Khieu Samphan:</b> Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Ms. Marie GUIRAUD; Mr. LOR Chunty; Mr. VEN Pov; Ms. TY Srinna
<b>Witness:</b> SREI Thân alias Duch (2-TCW-944)
<b>Others:</b> Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer);

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Ms. SOK Sopheakmonica (Transcriber); Ms. CHHOUK Kimmoa (Transcriber); Ms. PICH Chariya (Transcriber); Ms. SREY Nak (Transcriber); Mr. Mario D'ALESSANDRO; Mr. HOU Chiseng

**Duty Counsel:** Mr. MOEURN Sovann (morning); Mr. DUCH Phary (afternoon)

#### General court times

Day	Start time: 09:02	Finish time: 16:08
Recess am	Start time: 10:15	Finish time: 10:33
Recess	Start time: 11:41	Finish time: 13:32
Recess pm	Start time: 14:32	Finish time: 14:53
	Total Court Time:	4 hours 34 minutes

#### Proceedings

Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of the Parties	Trial Chamber, Greffier	09:03	09:05
NUON Chea request to follow the proceedings from the holding cell	Trial Chamber (NUON Chea Defence)	09:05	09:08
Questioning of Witness SREI Thân alias Duch (2-TCW-944)	Co-Prosecutors	09:09	11:20
	Civil Party Lead Co-Lawyer	11:20	13:47
	Trial Chamber	13:47	14:21
	NUON Chea Defence	14:21	16:04
Request for oral ruling on objections	NUON Chea Defence	10:37	10:38
		11:00	11:01
	Trial Chamber	10:38	10:48
	Co-Prosecutor	11:01	11:02
Remarks and guidance on the use of the Daily Trial Documents Interface	Co-Prosecutor	10:46	10:47
	Co-Prosecutor	14:54	15:08
	NUON Chea Defence	14:56	15:08
	Civil Party Lead Co-Lawyer	14:57	14:59
	Trial Chamber	14:59	15:08

#### 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 NUON Chea who was in the 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.

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**Questioning of Witness SREI Thân alias Duch (2-TCW-944)**

The Parties continued the questioning of the Witness, with his testimony to continue on 24 February 2015.

**Request for oral ruling on objection**

The NUON Chea Defence objected to the Co-Prosecutor's use of E3/4083 on the basis that the document may not be authentic. The Trial Chamber rejected the objection and allowed the Co-Prosecutor to continue to use the document during the questioning of the Witness.

**Remarks and guidance on the use of the Daily Trial Documents Interface**

The Co-Prosecutor raised concerns about the high number of documents uploaded to the Daily Trial Documents Interface by the NUON Chea Defence. The Civil Party Lead Co-Lawyer made observations on the use of the Interface before the NUON Chea Defence responded. The Trial Chamber announced that it would issue guidelines on the use of the Daily Trial Documents Interface in due course.

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TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/5852		00224787- 00224792 00231672- 00231677 00234573- 00234578	Written Record of Interview of SREI Than	P	00224790	00231675	00234576
E319.1.25		00960642- 00960650 00970066- 00970076 00973030- 00973038	Written Record of Interview of [redacted] Answ 23	SC	00960646 00960647	00970071 00970072	00973034 00973035
E3/5834		00427971- 00427981 00434687- 00434697 00434698- 00434708	Written Record of Interview of SREI Than Answ 30 32 33 26	P	00427973 00427975 00427976 00427978 00427979 00427980	00434689 00434691 00434692 00434694 00434695 00434696	00434694 00434700 00434702 00434703 00434705 00434706
E3/5853		00165328- 00165336 00433567- 00433575 00524316- 00524324	Written Record of Interview of [redacted]	C	00224792	00231677	00234578
E3/2120		N/A 00416302- 00416468 N/A	[Official Published Version] Book by MENG-TRY Ea entitled "The Chain of Terror: The Khmer Rouge Southwest Zone Security System"	P	N/A	00416393 00416394	N/A
E3/4092		00271132- 00271170 00834792- 00834834 00721273- 00721314	Prisoner's confession in March 1978	P	00271132 00271156 00271157	00834792 00834818 00834819	00721273 00721298 00721299
E3/2421		00271176- 00271180 00322201- 00322205 00623832- 00623836	Report on a prisoner's confession to the education office of District 105	P	00271176 00271177 00271180	00322201 00322202 00322205	00623832 00623833 00623836

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E3/2425		00270926- 00270926 00322226- 00322226 00858040- 00858040	Report on the sending of people to District 105 Police	P	00270926	00322226	00322226
E3/4083		00068024- 00068037 00323943- 00323978 00778851- 00778879	Number of prisoners	P	00068024 00068026 00068027 00068028 00068036	00323943 00323948 00323949 00323970	00778851 00778855 00778856 00778873
E3/5854	D157.39	00270996- 00270996 00322134- 00322134 00597778- 00597778	Report on Meas Phoeun	P	00270996	00322134	00597778
E3/5827		00270855- 00270897 00866424- 00866463 00872799- 00872835	[Partial.T] Victim's background	P	00270861	00866430	00872805
E3/4145		00068730- 00068738 00762837- 00762847 00761093- 00761103	List of prisoner suggeste to Party to kill	P	00068730 00068736 00068737	00762837 00762845 00762846	00761093 00761101 00761102
E3/5853	D40/20	00165328- 00165336 00433567- 00433575 00524316- 00524324	Written Record of Interview of SAING Sim	P	00165330 00165334 00165335	0043356900433570 00433573	00524318 00524323



E319.1.24	00960627- 00960641 00969617- 00969633 00973016- 00973029	Written Record of Interview of [redacted]	SC	00960640	00969632	00973028
E319.1.23	00964478- 00964492 00970112- 00970130 00973084- 00973099	Written Record of Interview of [redacted]	SC	00964488	00970125	00973094
E127/7.1.8	00893274- 00893278 00901567- 00901571 00978646- 00978650	Written record of witness interview SAO Van		00893277	00901569	00978646
E3/2107	00068046- 00068082 00290204- 00290259 00655722- 00655771	Name list of prisoners of Educating District Office 105 had been sweep up	P	00068049		
E3/2454	00271054- 00271054 00364288- 00364288 00632494- 00632495	Report about Khieu Chhen	P	00271054	00364288	00612215
E3/2424	00270751- 00270763 00322217- 00322225 00612215- 00612224	Report on enemy's actions to 109 District Police	P	00270751	00322217	00612215

E3/4093	00270786- 00270793 00831486- 00831492 00729674- 00729677	Report on smashing of four widows in Takeo	P	00270790	00831481	00729676
E3/2453	00270770- 00270785 00388574- 00388587 00611767- 00611775	Report on admissions made by Region 105	P	00270775	00388578	00611770
E3/2048	00079087- 00079099 00276562- 00276570 00611658- 00611667	Report on enemy's actions for Tram Kak District Police	P	00079094 00079095	00276566	00611663
E3/4846	00527717- 00527770 00527771- 00527796 00943267- 00943276	DC-CAM Document "Interview with Soy Sen"	P	00527724	00527774	00943272 00943273

**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 (09:08).
- Order to the security personnel to bring the two Accused back to detention facilities and to return them back in the courtroom for the hearing on 24 February 2015 at 09:00 am (16:08).

**Orders for Adjournment of Hearing**  
The hearing will resume on 24 February 2015 at 09:00 am. *[Signature]*

Phnom Penh, 23 February 2015

Greffier  Greffier  
*[Signature]* *[Signature]*  
SE Kolvut *[Signature]* ynne CROFT