



ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
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ម៉ោង (Time/Heure): 11:30

មន្ត្រីទទួលបន្ទុកឯកសារ/Case File Officer/L'agent chargé
..... SANN Rada

E1/268

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

24 February 2015

Substantive Hearing on Evidence 002/02 – Day 249

Prepared by:
Sivhoang CHEA 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: Mr. Roger PHILLIPS; Ms. Sivhoang CHEA
OCP: Mr. SENG Bunkheang; Mr, SREA Rattanak; Mr. Dale LYSAK; Mr. Vincent de Wilde d'ESTMAEL
Accused: Mr. NUON Chea; Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr Victor KOPPE; Mr. SON Arun
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: Ms. Marie GUIRAUD; Mr. VEN Pov; Mr. LOR Chunthy; Ms. MOCH Sovannary
Witness: Mr. SREI Than alias Duch (2-TCW-944); Mr. PHANN Chhen (2-TCW-852)
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. SREY Nak, Mr. VAT Somoa; Ms. SAM Makara; Ms. SOK Sopheakmonica

(Transcribers); Ms. Sara ERJAVEC; Mr. Mario d'ALESSANDRO; Mr. Ly SOTOL

Duty Counsel: Mr. DUCH Phary

General court times

Day	Start time: 09:03	Finish time: 16:05
Recess am	Start time: 10:15	Finish time: 10:35
Recess	Start time: 11:51	Finish time: 13:39
Recess pm	Start time: 14:50	Finish time: 15:13
	Total Court Time:	4 hours and 31 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	09:07
Questioning of Witness Srei Than alias Duch (2-TCW-944)	KHIEU Samphan Defence	09:08	11:36
Request for forensic analysis	KHIEU Samphan Defence Trial Chamber	11:37 11:43	11:37 11:43
List of documents and observations on the use interface	Lead Co Lawyer NUON Chea Defence Co-Prosecutors Trial Chamber	11:38 11:40 11:48 11:49	11:40 11:46 11:49 11:51
Trial Chamber ruling on scheduling in light of a new disclosure	Trial Chamber	13:40	13:43
Questioning of Witness PHANN Chhen (2-TCW-852)	Trial Chamber Co-Prosecutors	13:47 13:55	13:54 16:03

Summary of Proceedings

Opening of hearing and report on attendance of Parties

The President opened the proceedings and the Greffier informed the Trial Chamber that all parties were present except for the Accused NUON Chea. NUON Chea was present 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.

Questioning of Witness Srei Than alias Duch (2-TCW-944)

The KHIEU Samphan Defence posed questions to Witness Srei Than alias Duch (2-TCW-944). Duty Counsel for Witness 2-TCW-944 was present in the courtroom. The testimony of the Witness was concluded.

Request for forensic analysis

KHIEU Samphan requested the Trial Chamber to order a forensic analysis of a signature in document E3/2107. The Chamber also instructed the KHIEU Samphan Defence to submit a written request citing legal grounds and the purpose of the forensic analysis.

List of documents and observations on the use of interface

The Lead Co-Lawyers notified the Trial Chamber that they had not received the list of documents intended to use during the questioning of the following witness from NUON Chea Defence and reiterated the need for clarifications on the use of interface. The Trial Chamber notified the parties that guidance in regard to use of the interface is being prepared.

Trial scheduling in light of a new disclosure

The Trial Chamber notified the parties that it will continue the hearing of the following witness during the whole next day, followed by an adjournment of hearings in order to allow the parties to have sufficient time to review the newly disclosed documents. The hearings will resume on the afternoon of the 3 March 2015.

Questioning of Witness PHANN Chhen (2-TCW-852)

The Trial Chamber and the parties commenced with questioning of the witness. Duty Counsel for Witness 2-TCW-944 was present in the courtroom. The questioning will resume on 25 February 2015.

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E319.1.25		00960642- 00960650 00970066- 00970076 00973030- 00973038	Written Record of Interview of SREI Than	S	00960648	00970073	00973036
E3/5852		00224787- 00224792 00231672- 00231677 00234573- 00234578	Written Record of Interview of SREI Than	C	00224789 00224790 00224792	00231674 00231675 00231677	00234575 00234576 00234578
E3/5522		00414481- 00414491 00426280- 00426290 00436899- 00436910	Written Record of Interview of PHAN Chhen, dated 08 December 2009	P	00414484 00414485 00414486 00414487 00414490 00414491	00426283 00426284 00426286 00426289	00436902 00436904 00436905 00436909
E3/4101		00271034- 00271039 00322124- 00322129 00854216- 00854221	Report to the Party on Kim Vanny, a Chinese	P	00270136 (signature)	N/A	N/A
E3/4098		00271030- 00271031 00322114- 00322116 00623837- 00623839	Report to the Party on prisoners	P	00271031 (signature)	N/A	N/A
E3/2421		00271176- 00271180 00322201- 00322205 00623832- 00623836	Report on prisoner's confession to the education office of District 105	P	00271177 (signature)	N/A	N/A
E3/2434		00270766- 00270769 00276598- 00276603 00623842- 00623847	Report on admission of prisoners from Department 106 to Party	P	00270767 (signature)	N/A	N/A

E3/2107	00067046- 00067082 00290204- 00290259 00655722- 00655771	Name list of prisoners of Educating District Office 105 had been sweep up	P	00068049 (signature)	N/A	N/A
E3/72	00483937- 00483950 00490534- 00490546 00503173- 00503185	Written Record of Interview of Witness PHAN Chhen	P	00483941 00483945 00483946 00483947 00483949	00490537 00490538 00490541 00490542 00490545	00503176 00503177 00503180 00503181 00503182 00503184
E3/4626	00373463- 00373472 00380131- 00380139 00426201- 00426211	Written Record of Interview of PECH Chim dated 27-08-2009	P	00373466	00380134	00426204
E319.1.24	00960627- 00960641 00969617- 00969633 00973016- 00973029	Written Record of Interview of SAY Sen	S	00960630 00960631	00973020 00973021	00973019
E3/5524	00414440- 00414449 00426297- 00426305 00434660- 00434669	Written Record of Interview of PHAN Chhen, 09 December 2009	P	00414445 00414446 00414447 00414448	00426302 00426303 00426304	00434665 00434666 00434667 00434668
E319.1.20	00934407- 00934411 00976638- 00976644 00967235- 00967240	Written Record of Witness Interview - PHAN Chhen	S	00934409 00934410 00934411	00976641 00976643	00967237 00967239
E319/8.2.2	01032143- 01032161 01053638- 01053661 N/A	Written Record of Interview of PHANN Chhen, Dated 12-10-2014	S	01032158 01032159 01032160	01053658 01053659 01053660	N/A

Oral Orders/Decisions:

- Order authorizing the Accused NUON Chea to follow the proceedings from the holding cell and instructing the A/V Unit to connect the AV link to the proceedings (09:07).
- Order to the KHIEU Samphan Defence to submit a request for forensic analysis in writing (13:44).
- Order instructing the security personnel to bring the Accused back to the detention facility and to have them return in the courtroom for hearing on 25 February 2015 before 9:00am (16:04).

Orders for Adjournment of Hearing

The hearing will resume on 25 February 2015 at 09:00 am.

Phnom Penh, 24 February 2015

Greffier

Greffier



Sivhoang C. Greffier PHILLIPS

