



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
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អគ្គិសនីទូទាត់ឯកសារ/Case File Officer/L'agent chargé
du dossier: Sann Rada

E1/275

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

11 March 2015

Substantive Hearing on Evidence 002/02 – Day 256

Prepared by:
SE Kolvuthy and Robynne CROFT

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: Ms. SE Kolvuthy; Ms. Robynne CROFT
OCP: Mr. Nicholas KOUMJIAN; Mr. SENG Bunkheang; Ms. SONG Chorvoin
Accused: Mr. NUON Chea; Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr Victor KOPPE; Mr. SON Arun; Mr. SOUN Visal
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn; Mr. Arthur VERCKEN
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Ms. Marie GUIRAUD; Mr. LOR Chunthy; Mr. VEN Pov; Mr. TY Srinna
Witness: Mr. NEANG Ouch alias Ta San (2-TCW-803)
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Ms. SOK Sopheakmonica; Ms. PICH Chariya, Mr. NOU Monoroath, Ms. NEY Someta (Transcribers); Ms. Sara ERJAVEC; Mr. HOU Chiseng

Duty Counsel: Mr. MOEURN Sovann

<u>General court times</u>		
Day	Start time: 09:07	Finish time: 16:10
Recess am	Start time: 10:13	Finish time: 10:33
Recess	Start time: 11:36	Finish time: 13:33
Recess pm	Start time: 14:38	Finish time: 15:01
	Total Court Time:	4 hours and 23 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of the Parties	Trial Chamber, Greffier	09:07	09:09
NUON Chea request to follow the proceedings from the holding cell	NUON Chea Defence	09:09	09:11
NUON Chea Defence concern over questioning of witness by Judge Lavergne	NUON Chea Defence	09:13	09:15
Questioning of Witness NEANG Ouch (2-TCW-803)	NUON Chea Defence	09:16	15:52
International Co-Prosecutor's request to hear new witnesses	Trial Chamber (referring to the International Co-Prosecutor's request)	10:33	10:35
	NUON Chea Defence	13:34	13:35
	KHIEU Samphan Defence	15:54	16:02
	Civil Party Lead Co-Lawyers	16:07	16:07

<u>Summary of Proceedings</u>
<u>Opening of hearing and report on attendance of the Parties</u>
The President opened the proceedings and the Greffier informed the Trial Chamber that all Parties were present, except for the Accused NUON Chea who was in the holding cell.
<u>NUON Chea request to follow the hearing from the holding cell</u>
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.
<u>NUON Chea Defence concern over questioning of witness by Judge Lavergne</u>
The NUON Chea Defence raised concern over Judge Lavergne's questioning of 2-TCW-803 the previous day and informed the Chamber of its intention to file an appeal to the Supreme Court Chamber at the later stage.

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Questioning of Witness NEANG Ouch alias Ta San (2-TCW-803)

The NUON Chea Defence questioned the Witness.

Request to hear new witnesses

The Trial Chamber requested the Parties' comments and observations on the International Co-Prosecutor's request to hear an additional trial witness. No Party objected to the request.

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/2785		00079113- 00079121 00322191- 00322200 00753635- 00753640	Report to Tram Kak Police on the sending of three people	P			
E3/2423		00079124- 00079134 00322206- 00322216 00611729- 00611736	Letter to the Party in Tram Kak district for the arrest of Kab, a new youngster from District 109	P	00079128		
E3/2444		00271028- 00271029 00322148- 00322151 00623340- 00623342	Report on the enemy's actions and the collective in the youth unit in Sre Ranong sub-district	P	00271029		
E3/4122		00271080- 00271088 00779246- 00779257 00729665- 00729673	To be used in an interrogation (a prisoner's confession)	P	00271087	00779255 00779256 00779257	
E3/2053		00079122- 00079123 00276578- 00276580 00334996- 00334997	Report on the enemy's actions to the Party in Tram Kak District	P	00079122	00276578	

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E319/12.3.2		00998722- 00998767 01057675- 01057732 N/A	Written Record of Interview of [2-TCW-979]	S	00998730 00998736 00998738 00998742 00998743 00998744 00988751 00988764	01057685 01057693 01057695 01057696 01057700 01057702 01057703 01057711 01057712 01057727 01057728	N/A
E3/4093		00270786- 00270793 00831486- 00831492 00729674- 00729677	Report on smashing of four widows in Takeo	P	00270786 00270790	00831486 00831487 00831488 00831489	00729676
E3/2424		00270751- 00270763 00322217- 00322225 00612215- 00612224	Report on enemy's actions to 109 District Police	P	00270757 00270758 00270761	N/A	N/A

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E319.1.15	00971364- 00971383 00981135- 00981156 00971351- 00971363	Written Record of Interview of NEANG Ouch	S	00971382 00971383	00981154 00981155	00978817 00978818
E319.1.18	00997020- 00997060 01000663- 01000700 01050266- 01050303	Written Record of Interview [redacted]	S	00997030 00997031 00997035 00997039 00997040 00997048 00997054 00997055	01000673 01000674 01000675 01000679 01000682 01000689 01000696	01050276 01050277 01050281 01050284 01050285 01050292 01050298 01050299
E3/294	00702823- 00702844 00170162- 00170337 00700211- 00700223	Foreign Broadcast Information Service collection of reports for October 1978	P		00170173	
E3/2453	00270770- 00270785 00388574- 00388587 00611767- 00611775	Report on admissions made by Region 105	P	00270784	00388586	

Oral Orders/Decisions:

- Order authorising the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceedings (09:11).
- 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 12 March 2015 before 09:00 am (16:09).

Orders for Adjournment of Hearing

The hearing will resume on 12 March 2015 at 09:00 am. *sw*

Phnom Penh, 11 March 2015

Greffier

Greffier

SE Ko

sbyrne CROFT

