



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 ជាតិសាសនាព្រះមហាក្សត្រ ORIGINAL DOCUMENT/DOCUMENT ORIGINAL ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): 21 / 25 / 2015 ម៉ោង (Time/Heure) : 10 : 25 មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: SANN RADA

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

27 April 2015

Substantive Hearing on Evidence 002/02 – Day 274

Prepared by:
SE Kolvuthy and Robynne CROFT

<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. Robynne CROFT; Mr. EM Hoy
OCP: Mr. SENG Bunkheang; Mr. Dale LYSAK
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr Victor KOPPE
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. VEN Pov; Mr. HONG Kimsuon
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. MEACH Sovanna; Ms. SOK Sopheakmonica; Ms. PICH Chariya; Mr. VAT Somoa (Transcribers); Ms. Lena MERTINS; Mr. Yassir AL-KHUDAYRI; Mr. LY Sotol.

General court times		
Day	Start time: 09:07	Finish time: 15:38
Recess am	Start time: 10:14	Finish time: 10:31
Recess	Start time: 11:39	Finish time: 13:33
Recess pm	Start time: 14:45	Finish time: 15:06
	Total Court Time:	4 hours and 30 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of the Parties	Trial Chamber, Greffier	09:08	09:08
NUON Chea request to follow the proceedings from the holding cell	NUON Chea Defence	09:09	9:10
Key document presentation hearing concerning the Tram Kak cooperatives and Kraing Ta Chang Security Centre	Trial Chamber	09:11	09:16
	Co-Prosecutors	09:16	14:23
	Lead Co-Lawyers	14:23	15:37
NUON Chea Defence request to reschedule the comments in response to the key document presentation hearing	NUON Chea Defence	11:34	11:36
	Co-Prosecutors	11:36	11:37
	Lead Co-Lawyers	11:37	11:38
Decision on the NUON Chea Defence request for a site visit to Kraing Ta Chan Security Centre	Trial Chamber	15:07	15:12

Summary of Proceedings

Opening of hearing and report on attendance of the Parties

The President opened the proceedings and the Greffier informed the Trial Chamber that all Parties were present, except for National Co-Counsel for NUON Chea who was absent for health reasons, with the Accused NUON Chea 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.

Key document presentation hearing concerning the Tram Kak cooperatives and Kraing Ta Chang Security Centre

The Co-Prosecutors and Lead Co-Lawyers for the Civil Parties presented their key documents for the trial segment of Tram Kak cooperatives and the Kraing Ta Chang

Security Centre.

NUON Chea Defence request to reschedule the comments in response to the key document presentation hearing

The NUON Chea Defence requested that the hearing of comments in response to the key document presentation, scheduled for 29 April 2015, be rescheduled to the following day. The Chamber granted the request and rescheduled the hearing to 30 April 2015.

Decision on the NUON Chea Defence request for a site visit to Kraing Ta Chan Security Centre

The Trial Chamber rejected the NUON Chea Defence's request for a site visit to Kraing Ta Chan Security Centre, finding that a site visit would be repetitious of the OCIJ site report and would be apparently unsuitable to prove the facts that the NUON Chea Defence seeks to prove.

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/4120	D157.87	00270982- 00270983; 00322174- 00322175; 00623343- 00623344	October 1977 report on the sending of Nget Kun to the Party in District 105	P	00270982 00270983	00322175	00623344
E3/2262	D.108/26.293	00068576; 00742626- 00742628; 00760146- 00760148	List of Kampuchea Krom in Popel Commune	P			
E3/2447	D157.73	00270731- 00270734; 00355473- 00355474; 00632161- 00632163	Report on Hin King and Hy Dy	P	00270731 00270732 00270733 00270734	00355473 00355474	00632161 00632162
E3/4098	D.157.27	00271030- 00271031; 00322114- 00322116; 00623837- 00623839	Report to the party on prisoners	P	00271030 00271031	00322114 00322115	00623837 00623838

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E3/2451	D157.85	00271005- 00271006; 00322172- 00322173; 00612447- 00612448	Report to the Party on Keo Khun	P	00271005 00271006	00322172	00612447
E3/2438	D.157.50	00270811- 00270814; 00366665- 00366675; 00591022- 00591027	List of Kampuchea Krom people from Kus commune	P			
E3/2281	D108/26.71	00068574- 00068575; 00763028- 00763034; 00793396- 00793407	S-21 Prisoner List containing names of prisoners categorized as the Kampuchea Krom people	P			
E3/4126	D157.97	00270927- 00270932; 00366713- 00366714; 00632498- 00632502	Report on prisoners' responses	P	00270931 00270932	00366714	00632501 00632502
E3/4988		00556125- 00556133; 01060614- 01060616; 00896972- 00896987	Civil party application of KHEM Khon 09VU-01714	P	00556131 00556132	01060616	00896982 00896983
E3/2445	D.157.63	00270984- 00270985; 00363653- 00363654; 00612444- 00612445	Report on Phuong to the Party at district level	P	00270984	00363653	00612444
E3/5069	D22/3611	00567633- 00567646; 00950313- 00950317; 00903158- 00903168	Civil Party application of MIECH Ponn 09-VU-04224	P	00567640 00567641 00567642 00567643	00950316 00950317	00950316 00950317
Written Record of Proceedings E3/2435	D.157.46	00271001- 00271002 00322141 00612225	Advisory suggestions about process of making lists of Cambodian in Kampuchea Krom	P			4/11

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E3/4095	D.157.17	00271089- 00271131 00747236- 00747298 00721205- 00721272	5 th confession entitled "Contemptible traitors POL Pot and IENG Sary"	P	00271094 00271095 00271098 00271100 00271103 00271104 00271106 00271113 00271114 00271117 00271123 00271129 00271130 00271131	00747243 00747244 00747245 00747246 00747250 00747253 00747257 00747259 00747263 00747272 00747273 00747274 00747279 00747298 00747287 00747296 00747297 00747298	00721212 00721215 00721216 00721219 00721220 00721223 00721224 00721228 00721229 00721230 00721234 00721244 00721245 00721246 00721251 00721252 00721260 00721261 00721268 00721270 00721271 00721272
E3/5519	D232/67	00408329- 00408338; 00414072- 00414080; 00434588- 00434597	Written record of Interview of SOK Sim	P	00478334 00478335	00414077 00414078 00414079	00434593 00434594 00434595
E3/4123	D.157.91	00271043- 00271044 00322176- 00322179 00623852- 00623855	Report on new people from District 109 who stayed in Sre Ranong sub-district	P	00271044	00322179	00623855
E3/4082		00068019- 00068020; 00290199- 00290201; 00774250- 00774252	Number of prisoners	P			
E3/4164		00079337- 00079338; 00973147- 00973154; 00937104- 00937106	Prisoner List of a Re-education Office of Tram Kak District	P			



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E3/4103	D157.38	00143475- 00143476 00322130- 00322133 00612836- 00612838	Report to local Angkor on a youngster called Lim Song	P	00143476	00322133	00612838
E3/2050		00079111; 00276576- 00276577; 00858041- 00858042	Report on the actions of the new people in Trach village, Tram Kak district	P	00079111	00276576	00858041
E3/2052		00082729- 00082730; 00276590- 00276592; 00866799- 00866801	Report to the Tram Kak branch of the CPK	P			
E3/2448	D157.74	00079102- 00079103; 00322157- 00322158; 00588784- 00588785	Report on two young men: Keo Mony from Tra Peang Thom and Pruonh Nuon from Leay Bau sub-district, Tram Kak district	P	00079102	00322157	00588784
E3/2049		00079100- 00079101; 00290262- 00290263; 00774255- 00774257	Number of people who come from Kampuchea Krom to stay in Ang Ta Saom sub-district, Tram Kak District	P			
E3/4085		00068017; 00276557- 00276558; 00850345- 00850346	Report sent to respected and beloved Comrade Kit, Tram Kak district	P	00068017	00276558	00850346
E3/4166		00001929; 00694355- 00694356; 00708270- 00708271	Report from Ann entitled "Office of Education of District 105 - Report"	P			
E3/2012		00082724- 00082728; 00276593- 00276597; 00797682- 00797687	Educational Office of District 105 Report	P	00082726	00276595	0797685

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E3/853		00052825- 00052828; 00185243- 00185246; 00290267- 00290271	Record about situation of defense and economics at Southwest zone	P			
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Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/2109		00068014- 00068016; 00276555- 00276556; 00290272- 00290274	Report on prisoners by late November 1977	P	00068014	00276555	00290272
E3/3126R		V00172589	Deacon of Death, Looking for Justice in Today's Cambodia	P			
E3/4084		00079083- 00079085; 00290264- 00290266; 00795281- 00795283	Report on But Vin made by Takem sub-district, Tram Kak District	P	00079083	00290264	00795281
E3/2120		00416302- 00416468	Book by MENG-TRY Ea: <i>The Chain of Terror: The Khmer Rouge Southwest Zone Security System</i>	P	N/A	00416322 00416327 00416332 00416381 00416382 00416386 00416399 00416409	N/A
E3/2441	D157.56	00270933- 00270962 00369463- 00369489 00611737- 00611765	Report on enemy's actions	P	00270934 00270936 00270952	00369464 00369466 00369480	00611738 00611740 00611755

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E3/2453	D.157.88	00270770- 00270785; 00388574- 00388587; 00611767- 00611775	Report on admissions made by Region 105	P	00270780 00270781	00388583	00611773
E3/8299	D313/1.2.16	00739029- 00739076; 00217690- 00217722; 00743751- 00743779	Tramkak District in the Grip of the Khmer Rouge, by Henri Locard	P	00739029 00739046 00739047 00739048 00739070	00227590 00217700 00217701 00217718	00743751 00743759 00743760 00743775 00743776
E3/8417	D157.36	00270908- 00270911; 00363649- 00363651; 00607873	Report on young boy called Ra	P			
E3/8424	D157.69	00270967; 00538729; 00858899;	Report on Leay Bau sub-district sending Pom Ien to Ang Ta Saom District	P			
E3/6522	D22/2542	00552288- 00552300; 01076689- 01076693	Civil party application of CHHOENG Phal 10-VU-00112	P	00552296 00552297 00552298	01076692 01076693	N/A
E3/6404	D22/1974	00541104- 00541111; 01069297- 01069298	Civil party application of KEO Horn 09- VU-00608	P	00541106 00541107	01069297 01069298	N/A
E3/2450	D157.70	00270746- 00270748; 00322161- 00322163; 00623747- 00623749	Confirmation note for Comrade Ann to send people	P	00270746	00322616	00623747
E3/4145	D312.1.51	00068732- 00068738; 00762837- 00762847; 00761093- 00761103	List of prisoners detained for months or years	P	00068737	00762845 00762846	00761101 00761102
E3/2428	D.157.19	00270963- 00270965; 00366699- 00366705; 00635037- 00635042	Statistics of Cambodian prisoners in Kampuchea Krom	P			

E3/5827	D157.7	00270855- 00270897; 00866424- 00866463; 00872799- 00872835	Victim's background	P	00270855 00270859	00866424 00866430	00872799 00872804
E3/6672	D22/3076	00560523- 00560525; 00866047- 00866050; 00861018- 00861021	Civil party application SOKH Sangvavan 09-VU-021-61	P	00560523 00560524 00560525	00866048 00866049 00866050	00861019 00861020 00861021
E3/4083	D213	00068024- 00068037; 00323943- 00323978; 00778851- 00778879	Number of prisoners	P	00068033 00068035 00068036	00323966 00323967 00323968 00323969 00323970 00323971 00323972 00323973 00323974 00323975 00323976	00778870 00778871 00778872 00778873 00778874 00778875 00778876 00778877
E3/2048		00079087- 00079099; 00276562- 00276570; 00611658- 00611667	Report on enemy's actions for Tram Kak District Police	P	00079089 00079090 00079091 00079095 00079790	00276562 00276563 00276564 00276566 00276567	00611659 00611660 00611661 00611664
E3/2423	D157.105	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	00079134	00322216	00611736
E3/2107		00068048- 00068082; 00290204- 00290259; 00655722- 00655771	Name of list of prisoners of Educating District Office 105	P	00068048 00068053 00068054 00068062 00068064 00068068	00290204 00290211 00290212 00290226 00290229 00290231 00290232	00655724 00655725 00655730 00655731 00655742 00655744 00655745 00655746

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E3/1593		00637356- 00638099; 00678476- 00678740; 00638722- 00639444	Book by Ben Kierman: <i>The Pol Pot Regime: Race, power and Genocide in Cambodia under the Khmer Rouge, 1975-79</i>	P	00637490 00637629 00637630 00637631 00637632 00637634 00637635 00637639 00637907 00637908 00637909 00637910 00637911 00637912 00637913 00637914 00637915 00638011 00638012 00637995 00637996 00637997 00637998	00678539 00678587 00678588 00678682 00678683 00678685 00678686 00678714 00678715 00678719	00638822 00638930 00638931 00638932 00638933 00638934 00638935 00638936 00638937 00638938 00639140 00639141 00639142 00639146 00639211 00639212 00639213 00639214 00639222 00639223
E3/2432	D157.3	00271013 00366712 00632493	Names of people to be promoted in Nhaeng Nhang commune	P	00271013	00366712	00632493

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 (09:09).
- Order directing the Parties to file written submissions on the KHIEU Samphan request for confrontation between SÂY Sen, SREI Than and SAUT Saing by 1 May 2015 (11:39).
- Decision granting the NUON Chea Defence request to reschedule the comments in response to key documents presented to 30 April 2015 (13:34).
- Decision rejecting the NUON Chea Defence request for a site visit to Kraing Ta Chang Security Centre (15:13).
- Order instructing the security personnel to bring the Accused back to the detention facility and to return them to the courtroom for the hearing on 28 April 2015 (15:37).

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Orders for Adjournment of Hearing

The hearing will resume on 28 April 2015 at 09:00 am. *ST*

Phnom Penh, 27 April 2015

Greffier

Greffier



SE Kolvuthy

Bynne CROFT

