



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 ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de réception): 10 / 04 / 2015
ម៉ោង (Time/Heure) : 14 : 50
មន្ត្រីទទួលបន្ទុកសំណុំរឿង : Case File Officer/L'agent chargé du dossier: Samnang Panna

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

01 April 2015

Substantive Hearing on Evidence 002/02 – Day 267

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: Ms. Sivhoang CHEA; Mr. Roger PHILLIPS
OCP: Mr. Nicholas Koumjian; Mr. SREA Rattanak; Mr. SENG Bunkheang; Mr. Vincent de Wilde d'ESTMAEL; Mr. Dale Lysak
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr Victor KOPPE; Mr. SUON Visal
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn; Ms. Anta GUISSSE
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Ms. Marie GUIRAUD; Mr. LOR Chunthy; Ms. SIN Soworn; Mr. HONG Kimsuon; Mr. VEN Pov; Ms. TY Srinna
Witness: Richard DUDMAN (2-TCW-923); Civil Party TAK Sann (2-TCCP-982); Civil Party EAM Yen (2-TCCP-985)
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. Todd LOWELL (Assistant US Attorney by videolink); Mr. Jason BARRETT (Counsel

for Witness by videolink); Mr. NOU Monoroath; Ms. SREY Nak (Transcribers); Mr. Yassir AL-KHUDAYRI; Mr. HOU Chiseng

<u>General court times</u>		
Day started at	Start time: 08:03	Finish time: 15:31
Recess	Start time: 08:46	Finish time: 13:02
Recess pm	Start time: 14:19	Finish time: 14:40
	Total Court Time:	2 hours and 51 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of Parties	Trial Chamber, Greffier	08:03	08:06
NUON Chea request to follow the proceedings from the holding cell	NUON Chea Defence	08:06	08:08
Questioning of Witness Richard DUDMAN (2-TCW-923) via videoconference	KHIEU Samphan Defence	08:09	08:24
Submissions and observations on the proceedings of Hearings on Harm suffered by Civil Parties	Co-Prosecutors	08:27	08:33
		08:44	08:45
	Trial Chamber	08:33	08:35
		08:46	08:46
	NUON Chea Defence	08:35	08:40
	KHIEU Samphan Defence	08:41	08:44
Hearing on Harm suffered by Civil Party TAK Sann (2-TCCP-982)	Trial Chamber	13:02	13:11
	Lead Co-Lawyers	13:11	13:48
	Co-Prosecutors	13:48	14:06
	NUON Chea Defence	14:06	14:19
	KHIEU Samphan Defence	14:41	14:57
Hearing on Harm suffered by Civil Party EAM Yen (2-TCCP-985)	Trial Chamber	15:00	15:02
	Lead Co-Lawyers	15:02	15:27

Summary of ProceedingsOpening 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. The Accused 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 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 Richard DUDMAN (2-TCW-923) via videoconference

KHIEU Samphan Defence questioned the Witness Richard DUDMAN (2-TCW-923) by videoconference.

Submissions and observations on the proceedings of Hearing of Harm suffered by Civil Parties

The parties discussed the scheduling and possibility for examination of Civil Parties during the hearings for Civil Parties' suffering.

Hearing on Harm suffered by Civil Party TAK Sann (2-TCCP-982)

The Trial Chamber, Lead Co-Lawyers, Co-Prosecutors, NUON Chea Defence and KHIEU Samphan Defence posed questions to the Civil Party TAK Sann (2-TCCP-982) regarding the harm suffered during the Democratic Kampuchea.

Hearing on Harm suffered by Civil Party EAM Yen (2-TCCP-985)

The Trial Chamber and Lead Co-Lawyers posed questions to the Civil Party IEM Yen (2-TCCP-985) regarding the harm suffered during the Democratic Kampuchea.

New E3s

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/5881	D22/3205	00562005-00562014; 01069534-01069535	Civil Party Application of TAK Sann 09-VU-03502	P	00562014	01069535	N/A

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/4092		00271132- 00271170; 00834792- 00834834; 00721273- 00721314	Prisoner's Confession in March 1978	P	00271133	00834793	00721274

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/20		00231987- 00232710; 00237694- 00238316; 00638281- 00638721	Book by Elizabeth Becker entitled "When the war was over"	P		00238115	00638654
E3/3290		01070690- 01070745; 00419201- 00419290	New War in Southeast Asia: Documents on Democratic Kampuchea and the Current Struggle for National Independence	P		00419207	N/A

Oral Orders/Decisions:

- Order authorizing 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 (08:08)
- 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 02 April 2015 before (15:30)



Orders for Adjournment of Hearing
The hearing will resume on 02 April 2015 at 09:00 am.



Phnom Penh, 01 April 2015

Greffier

Greffier



Sivhoang Chea

Roger PHILLIPS