



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

E1/349

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
25 / 09 / 2015
ម៉ោង (Time/Heure) : 15:20
មន្ត្រីទទួលបន្ទុកសំណុំរឿង : Case File Officer/L'agent chargé
Le dossier: CAM RADA

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

17 September 2015

Substantive Hearing on Evidence 002/02 – Day 330

Prepared by:
Sivhoang CHEA and Maddalena GHEZZI

Attendance Record
Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge YOU Ottara; Judge Claudia FENZ
Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN(Reserve)
Greffiers: Ms. Sivhoang CHEA; Ms. Maddalena GHEZZI
OCP: Mr. Nicholas KOUMJIAN; Mr. SENG Leang; 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. LIV Sovanna; 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. PICH Ang; Mr. LOR Chunthy; Mr. VEN Pov
Witness: Civil Party HIM Man (2-TCCP-252)
Others: Mr. UCH Arun (Court Officer); Ms. SOK Sopheakmonica; Ms. Kerri MILES; Mr. LONH Nget (transcribers); Ms. Clementine PLAGNOL; Ms. Sokchea SIM (interns)

<u>General court times</u>		
Day	Start time: 09:03	Finish time: 15:06
Recess am	Start time: 10:04	Finish time: 10:33
Recess	Start time: 11:32	Finish time: 13:31
	Total Court Time:	3 hours and 35 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	09:03	09:05
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	09:05	09:06
NUON Chea Defence's submissions regarding the International Co-Prosecutor's request for additional witnesses (E366)	NUON Chea Defence	09:07	09:25
		09:32	09:33
		09:58	10:02
	KHIEU Samphan Defence	09:25	09:28
		09:35	09:40
	Trial Chamber	09:28	09:32
		09:33	09:34
		10:33	10:35
	Co-Prosecutors	09:41	09:52
		10:02	10:03
	Civil Party Lead Co-Lawyers	09:52	09:58
Hearing of Civil Party HIM Man (2-TCCP-252)	Trial Chamber	10:38	10:42
	Lead Co-Lawyers for Civil Parties	10:42	14:21
	Co-Prosecutors	14:21	15:03

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. The Accused NUON Chea was present in the holding cell.

NUON Chea Defence request to follow the proceedings 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.

NUON Chea Defence's submissions regarding the International Co-Prosecutor's request for additional witnesses (E366)

The NUON Chea Defence requested clarification from the International Co-Prosecutor and National Co-Prosecutor as to why the request for additional witnesses (E366) was signed only by the International Co-Prosecutor. The NUON Chea Defence also submitted

that it cannot properly read and process all the documents disclosed from Cases 003 and 004. It therefore asked to be given either additional “resources immediately” or an adjournment of the hearings on the treatment of the Cham. The KHIEU Samphan Defence also raised the issue of time and resources necessary to process such documents, and recalled its submissions on the Co-Prosecutors’ disclosure obligations. The International Co-Prosecutors responded that investigations are on-going and that therefore they will continue to disclose documents. They however have no objection to the Defence teams to be given more time where reasonable requests are made.

The Trial Chamber ruled that following the questioning of the Civil Party HIM Man (2-TCCP-252) by the Civil Party Lead Co-Lawyers and the Co-Prosecutors, it would adjourn the hearings for the week of 21-25 September 2015. The hearings would resume on 28 September 2015 with the questioning by the Defence teams of Civil Party HIM Man (2-TCCP-252).

Hearing of Civil Party HIM Man (2-TCCP-252)

The Trial Chamber, the Civil Party Lead Co-Lawyers and the Co-Prosecutors posed questions to the Civil Party HIM Man (2-TCCP-252).

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/4706	D22/164	00369046- 00369058; 00417857- 00417868; 00898349- 00898349	Civil Party Application of Mr. HIM Man	P	00369050 00369051	00417861 00417868	00898349
E3/5203	D125/97	00218490- 00218494; 00242089- 00242092; 00321724- 00321730	Written Record of Interview of HIM Man	P	00218492	00242091	00321726
E3/9336	D125/97.1	00218495- 00218499; 00218500- 00218504; 00286655- 00286657	Annex 1: Interview of HIM Man in "The Cham Rebellion, Survivors' Stories from the Villages", Ysa Osman, Documentation series No. 9, DC-Cam, 2006	P	00218496 00218497	00218503	00286655 00286656
E3/5302	D196.7	00635171- 00635180; 00210484- 00210490; 00623189- 00623193	Interview of Witness SENG Srun	P	00635176	00210488	00623191

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/5257	D166/42	00243099- 00243109; 00251012- 00251022; 00342661- 00342675	Written Record of Interview of TAY Kimhuon	P	00243107 00243108	00251021	00342673

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 (09:05).
- Order adjourning the hearings for the week of 21-25 September 2015 following the questioning of the Civil Party HIM Man (2-TCCP-252) by the Civil Party Lead Co-Lawyers and the Co-Prosecutors, and directing the questioning of Civil Party HIM Man (2-TCCP-252) by the Defence teams to take place on 28 September 2015 (13:31).
- 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 September 2015 (15:06).

Orders for Adjournment of Hearing

The hearing will resume on 28 September 2015 at 9:00 am.

Phnom Penh, 17 September 2015

Greffier

Greffier

Sivhoang CHH

Chandana GHEZZI

