



**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

**អង្គជំនុំជម្រះសាលាដំបូង**

Trial Chamber  
Chambre de première instance

<b>ឯកសារដើម</b>
<b>ORIGINAL DOCUMENT/DOCUMENT ORIGINAL</b>
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): 04 / 11 / 2015
ម៉ោង (Time/Heure) : 15:50
មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: Uch Arun

**WRITTEN RECORD OF PROCEEDINGS**

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

27 August 2015

Substantive Hearing on Evidence 002/02 – Day 319

Prepared by:

EM Hoy and Maddalena GHEZZI

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President); Judge Claudia FENZ; Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge YOU Ottara
<b>Reserve Judges:</b> Judge Martin KAROPKIN (Reserve); Judge THOU Mony (Reserve)
<b>Greffiers:</b> Mr. EM Hoy; Ms. Maddalena GHEZZI
<b>OCP:</b> Mr. William SMITH; Ms. SONG Chorvoin; Mr. Vincent de WILDE d'ESTMAEL; Mr. Travis FARR
<b>Accused:</b> Mr. NUON Chea; Mr. KHIEU Samphan
<b>Defence for the Accused Nuon Chea:</b> Mr. Victor KOPPE; Mr. SON Arun; Mr. LIV Sovanna
<b>Defence for the Accused Khieu Samphan:</b> Mr. Arthur VERCKEN; Mr. KONG Sam Onn
<b>Standby Counsel for the Accused Khieu Samphan:</b> Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Ms. Marie GUIRAUD; Mr. PICH Ang; Mr. VEN Pov; Ms. CHET Vanly
<b>Witness:</b>
<b>Others:</b> Mr. UCH Arun (Court Officer); Ms. SOK Sopheakmonica, Mrs. PICH Chariya (Transcribers); Mr. Pier Francesco Pompeo (Intern)

<b>General court times</b>		
Day	Start time: 09:18	Finish time: 11:45
Recess am	Start time: 10:51	Finish time: 11:13
	Total Court Time:	2 hours and 05minutes

<b>Proceedings</b>			
<b>Type of Issue</b>	<b>Raised By</b>	<b>Start time</b>	<b>Finish time</b>
Opening of hearing and report on attendance of Parties	Trial Chamber, Greffier	09:19	09:22
NUON Chea request to follow the proceedings from the holding cell	NUON Chea Defence	09:28	09:30
Submissions by the Accused and the Parties on Defense Counsels' withdrawal from the Key Document Presentation Hearings on 26 August 2015	NUON Chea	09:23	09:28
	NUON Chea Defence	09:28	10:03
	KHIEU Samphan	10:04	10:07
	KHIEU Samphan Defence	10:07	10:32
	Co-prosecutors	10:32	10:50
	Leading Co-lawyer	11:14	11:23
	Trial Chamber	11:23	11:26
	KHIEU Samphan Defence	11:26	11:30
	Trial Chamber	11:30	11:45

### **Summary of Proceedings**

#### **Opening of hearing and report on attendance of Parties (09:19)**

The President opened the proceedings and the Greffier informed the Trial Chamber that all Parties were present.

#### **NUON Chea request to follow the proceedings from the holding cell (09:28)**

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.

#### **Submissions by the Accused and Parties on Defense Counsels' withdrawal from the Key Document Presentation Hearings on 26 August 2015 (09:23)**

Accused NUON Chea and KHIEU Samphan both read statements in support of the respective Defence Counsel. International and national Co-Counsel for NUON Chea and KHIEU Samphan made submissions on the reasons for their conduct during the Key Document Presentation Hearing on 26 August 2015. The KHIEU Samphan Defence stated that it objects to the use of all documents generating from the investigations in Cases 003 and 004; the NUON Chea Defence stated they object to the use of all written records, and they do not qualify as "documents" for the purpose of the Key Documents Presentations (referring to E315/1). The Co-Prosecutors and Civil Party Lead Co-Lawyers responded.

The Chamber stated it would deliberate on the issue and it adjourned the hearings and amended the schedule of the following week to sit from Tuesday to Friday.

E1/338

**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 (09:36).
- Ruling adjourning the hearing to deliberate on the issues raised by the Defence teams to Tuesday 01 September 2015 (11:40)
- Order instructing the security personnel to bring the Accused back to the detention facility and to have them return in the courtroom for the hearing on 01 September 2015 (11:45).

**Orders for Adjournment of Hearing**

The hearing will resume on 01 September 2015 at 09:00 am.

Phnom Penh, 4 November 2015

Greffier

Greffier

The seal of the Extraordinary Chambers in the Courts of Cambodia (ECCC) is circular, featuring a central emblem with a tree and a sun, surrounded by text in Khmer and English. The English text includes "CO-INVESTIGATING JUDGES" and "PROSECUTOR GENERAL".

*[Handwritten signature]*  
EM Hoy

*[Handwritten signature]*  
Maddalena GHEZZI