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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
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ម៉ោង (Time/Heure)..... ១៤ : ០០

អគ្គិសនីសម្របសម្រួលឯកសារ/Case File Officer/L'agent chargé
du dossier: ...SANN RADA.....

E1/357

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

27 October 2015

Substantive Hearing on evidence – Day 338

Prepared by:

Sivhoang CHEA and Robynne CROFT

<u>Attendance Record</u>
Before: Judge NIL Nonn (President); Judge Claudia FENZ; Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge THOU Mony
Reserve Judges: Judge Martin KAROPKIN (Reserve)
Greffiers: Ms. Sivhoang CHEA ; Ms. Robynne CROFT
OCP: Mr. Vincent de WILDE D'ESTMAEL; Ms. SONG Chorvoïn
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr. SON Arun; Mr. Victor KOPPE; Mr. LIV Sovanna
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. HONG Kimsuon
Witness: Witness 2-TCW-996; Witness SEAN Song (2- TCW-868)
Others: Mr. UCH Arun (Court Officer); Mr. LOEUNG Sopheak (Transcriber), Mr. LONH Nget (Transcriber), Ms. SAM Makara (Transcriber), Ms. SIM Sokchea, Ms. Elena

FAVERO VIANA (Intern), Ms. Evelyn CAMPOS SANCHEZ (Legal Officer)

General court times		
Day	Start time: 9:02	Finish time: 16:04
Recess am	Start time: 10:12	Finish time: 10:32
Recess	Start time: 11:32	Finish time: 13:33
Recess pm	Start time: 14:34	Finish time: 14:49
	Total Court Time:	4 hours and 25 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of the Parties (closed session)	Trial Chamber , Greffier	9:04	9:06
NUON Chea Defence request to follow the proceedings from the holding cell (closed session)	NUON Chea Defence	9:06	9:08
Hearing of Witness 2-TCW-996 (closed session)	Co-Prosecutors	9:08	11:22
	Civil Party Lead Co-Lawyer	11:22	11:31
	Trial Chamber	13:33	14:14
	KHIEU Samphan Defence	14:15	14:34
Hearing of Witness SEAN Song (2- TCW-868)	Trial Chamber	14:51	15:58
	Co-Prosecutors	14:58	16:02
NUON Chea Defence request to remove the wife of Witness 2-TCW-868 from the public gallery	NUON Chea Defence	15.41	15.50
	Co-Prosecutors	15.50	15.50
	Civil Party Lead Co-Lawyer	15.50	15.50
	Trial Chamber	15.51	15.52

Summary of Proceedings

Opening of hearing and report on attendance of the Parties (closed session)

The President opened the proceedings and the Greffier informed the Trial Chamber that all Parties were present, except the International Co-Lawyer for KHIEU Samphan who was absent for personal reasons. The Accused NUON Chea present in the holding cell.

NUON Chea Defence request to follow the proceedings from the holding cell (closed session)

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.

Hearing of Witness 2-TCW-996 (closed session)

The Trial Chamber continued hearing Witness 2-TCW-996 in closed session. The Co-

Prosecutors, the Lead Co-Lawyers, the Trial Chamber and the KHIEU Samphan Defence put questions to the Witness.

Hearing of Witness SEAN Song (2-TCW-868)

The Trial Chamber and the Co-Prosecutors put questions to the Witness SEAN Song (2-TCW-868).

NUON Chea Defence request to remove the wife of Witness 2-TCW-868 from the public gallery

The Trial Chamber denied the NUON Chea Defence request for the removal of the wife of Witness 2-TCW-868 from the public gallery, finding that no substantive grounds for the request existed.

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/3989	/	00024650- 00024683; 00780859- 00780891; 00785202- 00785248	S-21 Confession of Muol Oun alias Sambat alias Nhim	P	00024650	00780859	00785202
E3/9335	D125/79	00217488- 00217491; 00274727- 00274731; 00384372- 00384376	Written Record of Interview of SEAN Sung	P	00217489; 00217491	00274728; 00274729; 00274730	00384373; 00384375
E3/7890	D232/68	00411471- 00411474; 00422312- 00422314; 00434598- 00434600	Written Record of Interview of SEAN Sung	P	00411472	00422313	00434599

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9076	/	00728841- 00728896; 00731151- 00731190	DC-Cam Statement	P	00728843; 00728870; 00728866- 00728867; 00728874; 00728863; 00728864; 00728865; 00728868; 00728892	00731153; 00731171; 00731168- 00731169; 00731174; 00731166; 00731167; 00731168; 00731168; 00731178; 00731179	/
E3/9564	/	01003875- 01003890; 01044791- 01044810	Written Record of Interview of [REDACTED]	SC	01003877 01003878	01044795 01044796 01044803	/
E3/342	D288/6.68.1	00329596- 00330129	Revised S-21 Prisoner List	P	00330080	00330080	/
E3/9094	/	00734030- 00734120; 00728641- 00728705; 01123606- 01123663	DC-Cam Statement	P	00734053	00728689	01123622
E3/9483	D119/29	00895155- 00895164; 00937031- 00937038; 00967788- 00967796	Written Record of Interview of [REDACTED]	C	00895157	00937033	00967790

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 (9:05)
- Oral decision denying the NUON Chea Defence request to remove the wife of the Witness SEAN Song (2-TCW-868) from the public gallery (15:51).
- Order to take the Accused to the Detention Facility and bring them back to court for the hearing on 28 October 2015 (16:03).

