



**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

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... 10 / 02 / 2016 .....
ម៉ោង (Time/Heure):..... 12.50 .....
មន្ត្រីមន្ត្រីបច្ចេកទេសឯកសារ/Case File Officer/L'agent chargé du dossier: ..... SAMN RINDA .....

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

21 January 2016

Substantive Hearing on evidence 002/02 – Day 361

Prepared by:

Ms. Sivhoang CHEA and Mr. Matthew J. McCARTHY

<b><u>Attendance Record</u></b>
<b>Before:</b> Judge NIL Nonn (President); Judge Claudia FENZ; Judge YA Sokhan; Judge Martin KAROPKIN; Judge YOU Ottara
<b>Reserve Judges:</b> Judge THOU Mony (Reserve)
<b>Greffiers:</b> Ms. Sivhoang CHEA; Mr. Matthew J. McCARTHY
<b>OCP:</b> Mr. Dale LYSAK; Mr. Joseph Andrew BOYLE; Mr. Nicholas KOUMJIAN; Mr. SREA Rattanak
<b>Accused:</b> Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
<b>Defence for the Accused Nuon Chea:</b> Mr. SON Arun; Mr. Victor KOPPE
<b>Defence for the Accused Khieu Samphan:</b> Mr. KONG Sam Onn; Ms. Anta GUISSÉ
<b>Standby Counsel for the Accused Khieu Samphan:</b> Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. LOR Chunthy; Ms. VEN Pov
<b>Witnesses:</b> Witness 2-TCW-938; Civil Party Mr. LACH Kry (2-TCCP-844)
<b>Others:</b> Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Ms. SOK Sopheakmonika, Mr. VATH Somao, Mr. LONH Nget, Mr. MEACH Sovanna (Transcribers); Mr. Lachlan SLATTERY (Trial Chamber Intern)

<u>General court times</u>		
Day	Start time: 9:03	Finish time: 16:11
Recess am	Start time: 10:12	Finish time: 10:31
Recess	Start time: 11:34	Finish time: 13:31
Recess pm	Start time: 14:28	Finish time: 14:40
	Total Court Time:	3 hours and 43 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of substantial hearing and report on attendance of the Parties	Trial Chamber , Greffier	9:03	9:05
NUON Chea Defence requests to follow the proceedings from the holding cell	NUON Chea Defence	9:05	9:07
Hearing of 2-TCW-938	NUON Chea Defence	9:08	9:08
	Trial Chamber	9:08	9:42
	NUON Chea Defence	9:42	10:12
	Trial Chamber	10:31	10:33
	NUON Chea Defence	10:33	11:15
	KHIEU Samphan Defence	11:15	11:31
	Trial Chamber	11:32	11:33
	KHIEU Samphan Defence	13:32	14:06
	NUON Chea Defence	14:06	14:16
Hearing of Civil Party LACH Kry (2-TCCP-844)	Trial Chamber	14:16	14:26
	KHIEU Samphan Defence	14:42	15:33
	Civil Party	15:52	16:04
	Co-Lawyer for Civil Parties	16:04	16:04
	Trial Chamber	16:05	16:06
	Co-Lawyer for Civil Parties	16:06	16:06
	Trial Chamber	16:06	16:06
	Civil Party	16:07	16:07
Co-Lawyer for Civil Parties	16:07	16:09	

### 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 NUON Chea's request to waive his right to be present in the courtroom and to follow the proceedings from the holding cell.

#### Hearing of witness 2-TCW-938

The Trial Chamber, NUON Chea Defence and KHIEU Samphan Defence questioned witness 2-TCW-938 in closed session.

#### Hearing of Civil Party LACH Kry (2-TCCP-844)

The KHIEU Samphan Defence questioned Civil Party LACH Kry (2-TCCP-844) in open

session. The Civil Party LACH Kry (2-TCCP-844) gave a statement of suffering. The Co-Lawyer for Civil Parties requested the Trial Chamber to put questions to the accused. Civil Party LACH Kry (2-TCCP-844) put two questions to the accused.

### Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/400	D232/14	00373454-00373462, 00379166-00379174, 00426173-00426182	Written Record of Interview of PECH Chim	P	/	/	/
E3/9587	/	00997020-00997060, 01000663-01000700, 01050266-01050303	Written Record of Interview of PECH Chim dated 19 June 2014	C	/	/	/
E3/2782	/	00095544-00095558, 00089707-00089716,	Ke Pauk's Autobiography From 1949-1985	P	/	0089712	00596209
E3/1593	/	00637356-00638099, 01149978-01150245, 00638722-00639444	Book by Ben Kiernan entitled "The Pol Pot Regime: Race, Power and Genocide in Cambodia under the Khmer Rouge, [sic] 1975-79"	P	00637877	01150176	00639117
E3/2956	D267/5/1.1.20	00214716-00214724, 00222965-00222968, 00758242-00758252	Name list of people from North zone from 1-2-77 to 27-3-77	P	00214723	00222967	00758250
E3/9449	/	00784979-00784983, 00787211-00787216, 00919567-00919572	[REDACTED] Written Record of Witness Interview, Dated 19-02-2012	C	00784981	00787213	00919569
E3/7535	/	00087800-00087845, 00324155-00324190, 00324191-000324234	DC-Cam Statement of SUOY Sav	C	00087817, 00087822	00324168, 00324172	00324206, 00324210

E3/163	D234/4	00357505-00357516, 00364077-00364086, 00403121-00403129	Written Record of Interview of PRAK YUT dated 21 July 2009	P	00357513	00364083	00403127
E3/7516	/	00020563-00020604, 00876477-00876527, 00892633-00892669	DC-Cam Statement of SAEM Heuan alias Kim	P	00020598	00876520	00892664
E3/7583	/	00053802-00053811, 00876528-00876580, 00407974-00408014	Biography of Khoeum Sam Huon aka Aun, soldier's big-unit, company 1, battalion 316, division 310	C	00053790	00876559	00407996
E341/1	/	01148399-01148400, 01148398-01148398, 01148451-01148451	Trial Chamber Memorandum entitled: New modalities on use of daily trial documents Interface	P	/	/	/
E3/7809	D166/78	00271366-00271369, 00282561-00282564, 00486102-00486104	Written Record of Interview of DIN Oeun	C	0271368	00282563	00486104
E3/7562	/	00034043-00034102, 01157778-01157781	DC-Cam Statement of Daung Oeun	C	00034081	01157781	/
E3/5640	/	00034380-00034409, 00645382-00645407, 00657797-000657823	DC-Cam interview with Lach Kri (Prey Veng district, Prey Veng)	C	00034400	00645400	00657815
E3/5360	D230/1.1.552a	00895419-00895423, 00678289-00678291, 00891890-00891893	Supplementary statement of LACH Kri (LACH Kry)	C	00895421	00678290	00891891

**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. (9:07)
- 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 25 January 2016 before 9:00 a.m.

**Order for Adjournment of Hearing**

The hearing will resume on Monday 25 January 2016 at 9:00 a.m.

Phnom Penh, 21 January 2016

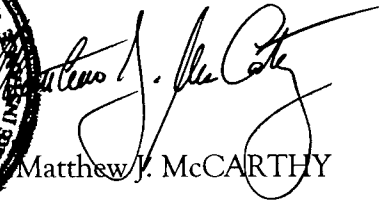
Greffier



Ms. Sivhoang CHEA



Greffier



Matthew J. McCARTHY