



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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de réception): 10 / 02 / 2016
ម៉ោង (Time/Heure): 17 : 00
ស្នងការករ/Case File Officer/L'agent chargé du dossier: SANN RADA

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

25 January 2016

Substantive Hearing on evidence - 362

Prepared by:

Ms. Sivhoang CHEA and Mr. Matthew J. McCARTHY

<u>Attendance Record</u>
Before: Judge NIL Nonn (President); Judge Jean-Marc LAVERGNE; Judge YA Sokhan; Judge Claudia FENZ; Judge THOU Mony
Reserve Judges: Judge Martin KAROPKIN (Reserve)
Greffiers: Ms. Sivhoang CHEA; Mr. Matthew J. McCARTHY
OCP: Mrs. Song CHORVOIN; Mr. Joseph Andrew BOYLE; Mr. Vincent DE WILDE D'ESTMAEL
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
Defence for the Accused Noun Chea: Mr. SON Arun; Mr. Victor KOPPE
Defence for the Accused Khieu Samphan: Ms. Anta GUISSÉ
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Ms. VEN Pov; Mr. LOR Chunthy
Witnesses: Civil Party DOUNG Oeurn (2-TCCP-869); Witness PRUM Sarat (2-TCW-1009)
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer);

Mr. LOEUNG Sopheak (Transcriber); Mr. LONH Nget (Transcriber), Mr. Vath Somao (Transcriber); Mr. NOU Monoroath (Transcriber); Elena FAVARO VIANA (Trial Chamber Intern).

<u>General court times</u>		
Day	Start time: 9:03	Finish time: 16:07
Recess am	Start time: 10:10	Finish time: 10:32
Recess	Start time: 11:32	Finish time: 13:33
Recess pm	Start time: 14:35	Finish time: 15:05
	Total Court Time:	4 hours 12 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	9:04	9:07
NUON Chea Defence Requests to follow the proceedings from the holding cell	NUON Chea Defence	9:07	9:09
Hearing of Civil Party DOUNG Oeurn (2-TCCP-869)	Trial Chamber	9:10	9:19
	Civil Party Lead Co-Lawyer	9:19	9:54
	Co-Prosecutor	9:55	11:32
	NUON Chea Defence	13:33	14:16
	KHIEU Samphan Defence	14:16	14:27
	Civil Party Lead Co-Lawyer	14:27	14:30
	Trial Chamber	14:30	14:30
	Civil Party Lead Co-Lawyer	14:30	14:34
Oral ruling on International Co-Prosecutor's motion E382	Trial Chamber	15:05	15:08
	KHIEU Samphan Defence	15:08	15:09
	Trial Chamber	15:09	15:09
Hearing of witness PRUM Sarat (2-TCW-1009)	Trial Chamber	15:10	15:17
	NUON Chea defence	15:17	16:05
	Trial Chamber	16:05	16:05
	NUON Chea defence	16:05	16:05
Trial Chamber Adjournment	Trial Chamber	16:06	16:07

Summary of ProceedingsOpening 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, with the Accused NUON Chea 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 Civil Party DOUNG Oeurn (2-TCCP-869)

The Trial Chamber, Civil Party Lead Co-Lawyers, the Co-Prosecutors and NUON Chea Defence questioned Civil Party DOUNG Oeurn.

Oral ruling on International Co-Prosecutor's motion to admit two documents

The International Co-Prosecutor made a motion (E382) to admit two of 2-TCW-1010's statements, E319/23.3.34 and E319/23.3.36, to be possibly used during its examination of 2-TCW-1009. The Chamber granted the motion pursuant to Internal Rule 87(4) with written reasons to follow.

Hearing of witness PRUM Sarat (2-TCW-1009)

The Trial Chamber and NUON Chea Defence questioned witness PRUM Sarat.

New E3s

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9696	D22/212	00418151- 00418158; 00436790- 00436795	Civil party application of Ms. DAUNG Oeun	C	00418154	00436795	/
E3/9696a	D22/212A	00584568- 00584570; 01166070- 01166072	Supplementary information of civil party applicant	C	00584569	01166071	/
E3/9697	E319/23.3.54	00985309- 00985343; 01055460- 01055491; 00998466- 00998488	Written Record of Interview of Prum Sarat	C	00985314; 00985315; 00985320	01055465; 01055466; 01055470	00998469- 00998470; 00998473

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/7562		00034043-00034102; 01170635-01170706	[Partial T.] DC-Cam Statement of Daung Oeun	P	00034056; 00034100	01170650-01170651; 01170704	/
E3/7809		00271366-00271369; 00282561-00282564; 00486102-00486104	Written Record of Interview of Din Oeun	P	00271368; 00271367	00282563; 00282562	00486103; 00486103
E3/7562		00034043-00034102; 01157778-01157781	[Partial T.] DC-Cam Statement of Daung Oeun	P	00034081	01157781	/
E3/6941		00418323-00418342; 01165889-01165901	[Corrected 1] Annex 7: Interview with DIN Oy	P	00418325	01165890	/
E3/9352	D166/6	00225353-00225357; 00231658-00231661; 00226261-00226265	Attachment 3: OCIJ, Written Record of Interview of Witness, IENG On, dated 16 September 2008, Doc. No. D166/6	P	00225354	00231659	00226262
E3/5244		00224793-00224797; 00233298-00233302; 00231947-00231951	Written Record of Interview of THENG Huy dated 17 September 2008	P	/	/	/
E3/7598		00034103-00034130; 00233331-00233347; 00239400-00239421	Interview of Kimva by DC-Cam staffs on 8 March 2000 (D24443)	P	/	/	/

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9113	E305/13.23.400	00926341-00926437; 00974154-00974260	Statement of PRUM Sarat (DC-Cam)	P	00926353; 00926358	00974170; 00974175	/

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E1/370.1		01193772-01193852; 01192987-01193081; 01193082-01193190	[Redacted] Transcript of hearing on the substance in Case 002/02-05 January 2016	P	/	01193068; 01193072	01193176; 01193180
E3/24		00204066-00204075; 00223578-00223588; 00503917-00503929	Written Record of Interview of PHY Phuong	P	00204069	00223581	00503921

Oral Orders/Decisions:

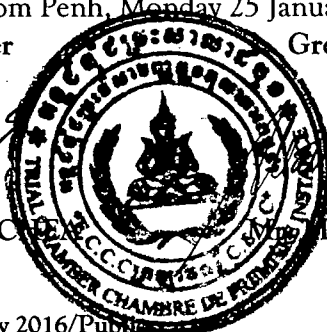
- Order authorising the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceedings (9:09)
- Order to take the Accused to the Detention Facility and bring him back to court for the hearing on Tuesday, 26 January 2016 (16:07).

Orders for Adjournment of Hearing

The hearing will resume on Tuesday 26 January 2016 at 9:00 a.m.

Phnom Penh, Monday 25 January 2016
Greffier Greffier

Ms. Sivhoang C



Matthew J. McCARTHY