



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 16 / 01 / 2016
ម៉ោង (Time/Heure): 14 : 03
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANU RADA

E1/378

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

19 January 2016

Substantive Hearing on evidence 002/02 – Day 359

Prepared by:

Mr. EM Hoy and Mr. Roger PHILLIPS

<u>Attendance Record</u>
Before: Judge NIL Nonn (President), Judge Claudia FENZ, Judge YOU Ottara, Judge YA Sokhan, Judge Martin KAROPKIN.
Reserve Judges: Judge THOU Mony.
Support Staff: Mr. KEO Vath.
Greffiers: Mr. ROGER Phillips, Mr. Em Hoy, Mr. KEO Vath.
OCP: Mr. Dale LYSAK, Mr. SENG Leang.
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, Ms. Xiaoyang NIE, Mr. PRUM Phalla.
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn; Ms. Anta GUISSÉ; Ms. Soumeya MEDJEBEUR; Ms. SENG Socheata
Appointed Standby Counsel for KHIEU Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. DURAND Isabelle; Mr. KUN Sothy.
Witness: Witness 2-TCW-938 with duty counsel: Mr. Mam Rithea.
Others: Mr. UCH Arun (Court Officer), Ms. SOUR Sotheavy (Associate Court Officer); Mr. NOU Monoroath (Transcriber); Mr. Meach Sovanna (Transcriber); Mr. Loeung

Sopheak (Transcriber); Mr. Lonh Nget (Transcriber) ; Ms Hannah KIM (Legal Intern).

<u>General court times</u>		
Day	Start time: 9:03	Finish time: 16:00
Recess am	Start time: 10:14	Finish time: 10:34
Recess	Start time: 11:33	Finish time: 13:31
Recess pm	Start time: 14:38	Finish time: 15:03
	Total Court Time:	4 hr 14 mins

<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	9:03	9:04
NUON Chea Defence Requests to follow the proceedings from the holding cell	NUON Chea Defence	9:04	9:07
Request for additional time for witness questioning	NUON Chea Defence KHIEU Samphan Defence International Co-Prosecutors National Co-Lawyer for Civil Parties	9:07	9:11
Hearing of witness 2-TCW-938	International Co-Prosecutors Co-Lawyers for Civil Parties Trial Chamber	9:13 15:04 15:34	14:37 15:34 16:00

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, with the exception of the International Lead Co-Lawyer for Civil Parties who was absent for personal reasons. 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 NUON Chea to waive his right to be present in the courtroom and to follow the proceedings from the holding cell.

Request for additional time for witness questioning

The NUON Chea Defence, KHIEU Samphan Defence, International Co-Prosecutor and National Co-Lawyer for Civil Parties requested the Trial Chamber grant additional time for questioning witness 2-TCW-938. The Trial Chamber allocated an additional session for each party.

Hearing of witness 2-TCW- 938

The Trial Chamber, Co-Prosecutor and the National Co-Lawyer for Civil Parties questioned witness 2-TCW-938.

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9522	D117/70	01046790- 01046798; 01056213- 01056220; 01120108- 01120115	Written Record of Interview of [REDACTED]	C	01045797 00357513	01056219 08364083	01120115 00403127
E3/9677	D219/484	01136628- 01136635; 01151266- 01151273	Written Record of Interview of [REDACTED]	C	01136633 01136632	01151271 01151270	/
E3/9499	D219/120	01046827- 01046845; 01063603- 01063626; 01106528- 01106545	Written Record of Interview of [REDACTED]	C	01046831 01046833 01046844 01045840	01063608 01063611 01063625 01063619	01106531 01106534 01106544 01106540
E3/9525	D117/73	01046816- 01046821; 01056236- 01056240; 01116224- 01116228	Written Record of Interview of [REDACTED]	C	01046819 01046821	01056238 01056240	01116226 01116227
E3/9539	D117/72	01046812- 01046815; 01056233- 01056235; 01123867- 01123870	Written Record of Interview of [REDACTED]	C	01046814	01056235	01123869
E3/9496	D117/71	01046800- 01046811; 01056221- 01056232; 01103656- 01103667	Written Record of Interview of [REDACTED]	C	01046810 01046803	01056231 01056223- 01056224	01103666 01103659
E3/9507	D219/138	01056037- 01056066; 01059269- 01059302; 01123901- 01123925	Written Record of Interview of YOU Vann	P	01056064 01056057 01056056 01056046- 01056047	01059299 01059292 01059291 01059280	01123923 01123917 01123918 01123909
E3/9462	D117/18	00892169-	Written Record of Interview of	P	00893170-	00903203	00974980-

		00893173; 00903201- 00903206; 00974979- 00974984	PECH Chim		00893171		00974981
E3/9587	D118/259	00997020- 0097060; 01000663- 01000700; 01050266- 01050303	Written Record of Interview of PECH Chim	P	00777031- 00997032	01000674- 01000675	01050276- 01050277
E3/401	D232/17	00373473- 00373478; 00381023- 00381028; 00426212- 00426218	Written Record of Interview of PECH Chim	P	00373478	00381028	00426217
E3/1822	D4.47	00338995- 00339006; 00078437- 00078604 00758327- 00758335	Book by YSA Osman entitled: 'OUKOUBAH - Justice for the Cham Muslim under the democratic Kampuchea Regime'	P	/	00738568- 00738569	/
E3/2624	D175/8.95	00742788- 00742791; 00032972- 00032989; 00703467- 00703468	Publication by The United Front for the Construction and Defence of the Fatherland entitled: 'The Destruction of Islam in Former Democratic Kampuchea'	P	/	00032978	/
E3/2653	D196.2	00904196- 00904430; 00219050- 00219245; 00219050- 00219245	Book by YSA Osman entitled: 'The Cham Rebellion: Survivors' Stories from the Village', DC-Cam, 2006	P	/	00219210- 00219211	/
E3/9310		00963088- 00963154; 01064224- 01064302; 01157154- 01157218	DC-Cam Statement of PRAK Yut	P	01064271- 01064272	00963128	01157193
E3/163	D234/4	00357505- 00357516; 00364077- 00364086; 00403121- 00403129	Written Record of Interview of PRAK Yut	P	00357513	0036403	00403127

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 (9:04).
- Request for additional time of one session for questioning witness 2-TCW-938 granted for all parties (9:11).

Order for Adjournment of Hearing

The hearing will resume on Wednesday, 20th January 2016 at 9:00am.

Phnom Penh, 19 January 2016

Greffier



Mr. Em Hoy



Greffier



Mr. Roger PHILLIPS