



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>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): ..... 18 / 02 / 2016 .....
ម៉ោង (Time/Heure) : ..... 15:50 .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: ..... SAMN RANA .....

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

10 February 2016 – Day 370

Prepared by:  
Ms. Sivhoang CHEA and Mr. Roger PHILLIPS

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President); Judge Claudia FENZ; Judge YA Sokhan; Judge Jean-Marc Lavergne; Judge THOU Mony.
<b>Reserve Judges:</b> Judge Martin KAROPKIN (Reserve).
<b>Greffiers:</b> Ms. Sivhoang CHEA; Mr. Roger PHILLIPS.
<b>OCP:</b> Mr. Nicholas KOUMJIAN; Mr. Srea Rattanak; Mr. Song Chorvoin.
<b>Accused:</b> Mr. NUON Chea (from the holding cell) and Mr. KHIEU Samphan.
<b>Defence for the Accused Nuon Chea:</b> Mr. Victor KOPPE; Mr. SON Arun
<b>Defence for the Accused Khieu Samphan:</b> Ms. Anta GUISSSE; Mr. KONG Sam Onn.
<b>Appointed Standby Counsel for KHIEU Samphan:</b> Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Ms. Marie GUIRAUD; Mr. PICH Ang; Mr. LOR Chunthy; Mr. VEN Pov; Ms. TY Srinna.
<b>Witness:</b> Expert 2-TCE-95, Mr. YSA Osman.
<b>Others:</b> Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. KEO Vath; Mr. VAT Somao; Ms. SOK Sopheakmonica; Ms. PICH Chariya; Mr. LAY Nara; Julie BARDECHE (Legal Officer from the OCIJ).

<u>General court times</u>		
Day	Start time: 9.02am	Finish time: 3.56pm
Recess am	Start time: 10.12am	Finish time: 10.33am
Lunch	Start time: 11.32am	Finish time: 1.32pm
Recess pm	Start time: 2.45pm	Finish time: 3.02pm
	Total Court Time:	4 hours and 16 minutes

<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	9.02am	9.03am
NUON Chea Defence Request to follow proceedings from his cell	NUON Chea Defence	9.03am	9.05am
Continuation of Hearing of Expert Witness Mr. YSA Osman (2-TCE-95)	Co-Prosecution	9.05am 10.34am	10.11am 10.57am
	Lead Co-Lawyer	10.57am 1.33pm	11.31am 2.11pm
	Trial Chamber, Judge LAVERGNE	2.11pm 3.02pm	2.45pm 3.53pm

### 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 Accused NUON Chea present in the holding cell.

#### NUON Chea Defence request to follow the proceedings from the holding cell

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.

#### Continuation of Hearing of Witness

The Co-Prosecution; Lead Co-Lawyer and the Trial Chamber, Judge LAVERGNE questioned Expert Witness Mr. YSA Osman (2-TCE-95).

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/511	D175 /6.20	00350762-00350763 00182658-00182660 00350762-00350763	Telegram # 94 to brother Pol: Report to Brother about enemy, people and production situation in north region.	P	/	/	00350762

## Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/1593	/	00637356- 00638099 01149978- 01150245 00638722- 00639444	[Corrected 1] Book by Ben Kiernan entitled "The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79"	P	00637796- 00637797	01150101 01150147	00639054, 00639052- 00639053
E3/2653	D196.2	00904196- 00904430 00219050- 00219245 00943973- 00943985	YSA Osman, "The Cham Rebellion: Survivors' Stories from the Village", DC-Cam, 2006	P	00904363; 00904406;	00219167; 00219179; 00219209; 00219227	00943975; 00943977; / 01125252- 01125253
E3/154	/	00008494- 00008495 00185064- 00185065 01125271- 01125272	[Corrected 1] Telegram #15 to brother Pol: About The people disrespect Angkar advised.	P	00008494- 00008495	00185065	01125271
E3/35	D166/166	00340559- 00340578 00346145- 00346162 00367717- 00367734	[Corrected 1] Written Record of Interview of KĒ Pich Vannak	P	00340567	00346155	00367727
E3/266	D135.1	00289644- 00289722 00082510- 00082560 00284569- 00284658	E-100, Editions du Centenaire "The Black Paper: Facts and Evidence of the Acts of Aggression and Annexation of Vietnam Against Kampuchea" 27 January 1979	P	00289650	00082514	00284574
E3/1822	/	00338995- 00339006 00078437- 00078604 00758327- 00758335	Booked by Ysa Osman entitled: "OUKOUBAH - Justice for the Cham Muslims under the Demoncratic Kampuchea Regime"	P	/	00078567	00758331
E367	/	01146405- 01146414 01146398- 01146404 01146693- 01146700	Decision on designation of 2-TCE-95	P	/	/	/
E3/1679	D232/8.1	00008494-	[Corrected 1] Telegram 15	P	00008494		00766748-

		00008494 00766762- 00766763 00766748- 00766749	entitled: Respectfully submitted to Comrade brother Pol			00766762- 00766763	00766749
E3/952	/	00000766- 00000767 00182658- 00182660 00350762- 00350763	Telegram # 94 to brother Pol: Report to Brother about enemy, people and production situation in north region	P	/	00182658 00182660	/
E3/1757	D222/1.17	00710225- 00710230 00396894- 00397284 00700095- 00700099	Book by VICKERY Michael, Cambodia 1975-1982	P	/	00337271	/
E3/9689	E367/5.1.6	/ 01199961- 01199966 /	Attachment 6: U.S. Diplomatic Cable: Conversation with Lon Non [sic], U.S Secretary of State, 7 October 1973	P	/	01199963	/
E3/259	/	00089841- 00089852 00184833- 00184839 00012644- 00012659	DK Government Legal Documents entitled Constitution of Democratic Kampuchea	P	00089850- 00089851	00184838	00012658

**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 (09:03am).
- 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 23 February 2016 before 9.am.
- Mr Osman was invited to return to continue his testimony on 2 March 2016.

**Order for Adjournment of Hearing**

The hearing will resume on 23 February 2016 at 9.am.

Phnom Penh, 10 February 2016

Greffier

Greffier

Ms. Sivhoang CHH

Mr. Roger PHILLIPS

