



**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 recep. ៗ): ..... ១៧ / ០៣ / ២០១៦ .....
ម៉ោង (Time/Heure) : ..... ១៤ : ៣០ .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: ..... <i>Sann Rade</i> .....

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

Trial Day 384  
16 March 2016

Prepared by:

Mr. EM Hoy and Ms. Evelyn CAMPOS SANCHEZ

<b>Attendance Record</b>
Before: Judge NIL Nonn (President), Judge Claudia FENZ, Judge Jean-Marc LAVERGNE, Judge YA Sokhan, THOU Mony
Reserve Judges: Judge Martin KAROPKIN (Reserve);
Greffiers: Mr. EM Hoy; Ms. Evelyn CAMPOS SANCHEZ
OCP: Mr. William SMITH, Ms. SREA Rattanak
Accused: Mr. NUON Chea; 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, Ms. Anta GUISSÉ
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. VEN Pov; Mrs. SIN Soworn; Mr. LOR Chunthy
Expert: Expert Prof. Alexander HINTON Laban (2-TCE-88)
Others: Mr. UCH Arun (Court Officer), Ms. SOUR Sotheavy (Associate Court Officer), Ms. SOK Sopheakmonica (Transcriber), Mr. LONH Nget (Transcriber), Mrs. PICH Chariya (Transcriber), Mr. VATH Somao (Transcriber) , Mr. LAY Nara (Transcriber), Ms Hannah Kim (Intern).

<b>General court times</b>		
Day	Start time: 9:03	Finish time: 16:07
Recess am	Start time: 10:17	Finish time: 10:39
Recess	Start time: 11:36	Finish time: 13:33

Recess pm	Start time: 14:51	Finish time: 15:12
	Total Court Time:	5hr 37 min

<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	9:05
NUON Chea Defence Requests to follow the proceedings from the holding cell	NUON Chea Defence	9:06	9:07
Hearing of expert witness Alexander HINTON (2-TCE-88)	NUON Chea Defence	9:12	10:17
		10:55	11:36
		13:33	14:51
	KHIEU Samphan Defence	15:12	16:06

Summary of ProceedingsOpening of hearing and report on attendance of the Parties

The President opened the proceedings with the exception of Judge YOU Ottara due to urgent matters that he needed to attend. He was replaced by Judge THOU Mony until the time he was able to return to the bench. The Greffier informed the Trial Chamber that all Parties were present and the Accused NUON Chea was present in the holding cell.

NUON Chea Defence Requests 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.

Hearing of expert witness Alexander HINTON (2-TCE-88)

The NUON Chea Defence and KHIEU Samphan Defence posed questions to expert witness, Alexander HINTON (2-TCE-88).

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/7430	D82/II	00173504-00173506; 00224500-00224500 00287194-00287194	Annex 9: K183 Colour Copy Excerpts from Confession of Keo Khan	P			
E3/2376	D108/50/1.74	00191296-00191815; 00192169-00192666 00236900-00237256	Annex 74: Entitled "Brother Enemy: The War after the War"	P	00191550	00192401-00192402	00230708
E3/215	D243/2.1.19	00064586	CPK Magazine	P	00064599	00488625	00524076

		00064621; 00488614- 00488640; 00524063- 00524096	entitled: " The Revolutionary Flag", Issue 9, September 1978 (FULL)		000646000064601	00488626	00524077- 00524078
E3/4527		00830754- 00830817; 00661455- 00661491; 00792913- 00792950	Analytical Report by Stephen HEDER: "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes: Cambodian Accountability in Comparative Perspective" (see also E3/4533)	P			
E3/7335	E307/5.2.2	01169665- 01169727; 01001635- 01001656	Attachment 2: UN Security Council Official Records 2108th Meeting 11 January 1979	P		01001643 01001644	
E3/3346	D313/1.2.7	00743193- 00743220; 00431419- 00431802; 00707445- 00707462	Book by Alexander HINTON entitled "Why did they kill Cambodia in the Shadow of Genocide"	P		00431710- 00431711 00431606 00431538 00431743	00707453
E3/9703		01211134- 01211136	Attachment 3: Volodymyr Dibrova, 'Mapping the Great Famine: a new project at Harvard', Ukrainian Weekly, 30 June-7 Jul 2013	P	P 2		
E3/901	21.58	00020892- 00020893; 00183623- 00183624; 00324511- 00324513	Telegram 96 : to Beloved and Missed Office-870 about enemy situation in region 24	P	00020598	00876520	00892665
E3/2376	D108/50/1.74	00191296- 00191815; 00192169- 00192666; 00236900- 00237256	Annex 74: Entitled "Brother Enemy: The War after the War"	P	00191550	00192102	00237080
E3/725	11.11	00064512- 00064550; 00184299- 00184323;	Tung Pakdevath No. 7 July, 1978	P	00064545- 00064546	00184320	

		00809239- 00809272					
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## Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/7675	D125/100.1	00221852- 00221855; 00221856- 00221860; 00293924- 00293927	Annex 1: Interview of MAN Sen (Zain) in "The Cham Rebellion, Survivors' Stories from the Villages", Ysa Osman, Documentation series No. 9, DC-Cam, 2006	P	-	00221859	00293926
E3/5205	D125/100	00221847- 00221851; 00275161- 00275164; 00293919- 00293923	Written Record of Interview of MAN Sen (Zain)	P	00221850	00275164	00293922
E3/7340		01113859- 01113867; 01002002- 01002008 /	Attachment 7: William J Duiker China and Vietnam The Roots of Conflict	P	-	-	-
E3/1568	D313/1.2.406	00713919- 00713993; 00419361- 00419457; 00743328- 00743384	Interview with CHEA Sim, Phnom Penh, 3 Dec 1991, and Heng Samrin, Phnom Penh, 2 Dec 1991	P	-	-	-
E3/8	4.41	00075816- 00075926; 00103989- 00104170; 00301195- 00301304	Minutes of the Meeting of the Standing Committee on the Party's Draft of a Four-Year Plan for the Construction of Socialism in all Domains, 1977-1980 dated 21 July to 2 August 1976	P	-	00104100	-
E3/13	13.34	00052402- 00052416; 00183982- 00183994; 00334972- 00334984	Note of Secretary meeting, vice secretary, and regiment about Situation to defense the country and the measure to defense the country	P	-	-	-
E3/2370	D108/43/14	00251353- 00251356; 00187375- 00187397; 00344726- 00344748	Analytical Report	P	00251356	00187397	00344748

E3/9686		01199611- 01199616; 01215481- 01215489	Ben Kiernan, Excerpts from "Genocide and Resistance in Southeast Asia", 2007	P	-	-	-
E3/7325	E307/5.2.1	01063793- 01063818; 01001620- 01001634; /	Attachment 1: Geng Biao Report on the Situation of the Indochinese Peninsula	P	01063797	01001624	-
E3/2370	D108/43/14	00251353- 00251356; 00187375- 00187397; 00344726- 00344748	Analytical Report	P	00251356	00187397	00344748
E3/9699	E319/23.3.12	00990382- 00990405; 01076839- 01076868; 01118077- 01118097	Written Record of Interview of HEANG Ret	C	00990386	01076844	01118080
E3/123	D213.3	00767293- 00767462; 00750527- 00750664; 00236470- 00236667	KHIEU Samphan, "L'Economie du Cambodge et ses problèmes d'industrialisation", Thèse pour le doctorat en sciences économiques, Université de Paris, 05-1959	P	-	-	-
E3/221	13.18	00000810- 00000826; 00182693- 00182705; 00386175- 00386191	Observing the Vietnamese reaction in the 5th meeting on 14/5/76	P	-	-	-
E3/996	D108/28.214, D252.15	00019201- 00019202; 00185583- 00185584; 00597362- 00597363	Annex 214: DK-Military Telegram by Se entitled Telegram 313 - Radio Band 502 - Respectfully presented to beloved Committee 870	P	-	-	-
E3/727	11.14	00064551- 00064585; 00185322- 00185347; 00524447- 00524475	Tung Pakdevath No. 8 August, 1978	P	-	-	-

**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 proceeding (9:05).
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 17 March 2016 (16:05).

**Order for Adjournment of Hearing**

The hearing will resume on Thursday 17 March 2016 at 9:00am.

Phnom Penh, 16 March 2016)

Greffier

Greffier



Mr. EM Hoy



Ms. Evelyn CAMPOS SANCHEZ