



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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 18 / 05 / 2016
ម៉ោង (Time/Heure):..... 15:00
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

30 March 2016

Substantive Hearing on evidence - 392

Prepared by:

Mr. EM Hoy and Ms. Maddalena GHEZZI

Attendance Record
Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge THOU Mony; Judge Claudia FENZ.
Reserve Judges: Judge Martin KAROPKIN (Reserve).
Greffiers: Ms. Maddalena GHEZZI; Mr. EM Hoy.
OCP: Mr. Nicolas KOUMJIAN; Ms. SONG Chorvoin; Mr. SENG Leang; Mr. Dale LYSAK.
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 GUISEE.
Standby Counsel for the Accused Khieu Samphan: ; Mr. Calvin SAUNDERS.
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. HONG Kimsuon; Mr. LOR Chunthy.
Witness/Civil party: Mr. SAO Sarun (2-TCW-1012); Mr. SUN Vuth (2-TCCP-1016)
Others: Mr. UCH Arun (Court Officer), Ms. SOUR Sotheavy (Associate Court Officer), Mrs. SAM Makara (Transcriber), Mrs. PICH Chariya (Transcriber), Mr. LONH Nget (Transcriber), Mr. SOK Sopheakmonica (Transcriber); Mr. Lachlan Slattery (Trial Chamber Intern).

Duty Counsel: Mr. MOEURN Sovann for Mr. SAO Sarun (2-TCW-1012)

General court times

Day	Start time: 9:03	Finish time: 16:11
Recess am	Start time: 10:13	Finish time: 10:31
Recess	Start time: 11:37	Finish time: 13:32
Recess pm	Start time: 14:45	Finish time: 15:05
	Total Court Time:	4 hours 35 minutes

Proceedings

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	9:04
NUON Chea Defence Requests to follow the proceedings from the holding	NUON Chea Defence	9:05	9:06
Hearing of Witness SAO Sarun (2-TCW-1012) via video-link	NUON Chea Defence KHIEU Samphan Defence	9:07 11:00	10:59 11:34
Oral Partial Ruling on the Co-Prosecutors' Internal Rule 87(4) Request for Additional Witnesses (E390)	Trial Chamber	11:34	11:37
Hearing of Civil Party SUN Vuth 2-TCCP-1016	Trial Chamber	13:37	13:45
	Lead Co-Lawyers	13:45	14:45
	Co-Prosecutors	15:10	16:04
Oral Ruling on the NUON Chea Defence Request relating to the start of the S-21 trial topic	Trial Chamber	15:05	15:10

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 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 SAO Sarun (2-TCW-1012) via video-link

The NUON Chea Defence and the KHIEU Samphan Defence posed questions to Witness SAO Sarun (2-TCW-1012).

Oral Partial Ruling on the Co-Prosecutors' Internal Rule 87(4) Request for Additional Witnesses (E390)

The Trial Chamber rejected in part the Co-Prosecutors' request to hear additional witness in relation to Phnom Kraol Security Centre (E309), in relation to 2-TCW-1017. The Chamber noted that no detailed information on the whereabouts of this witness is available and found that this Witness could not be located within a reasonable time.

Hearing of Civil Party SUN Vuth (2-TCCP-1016)

The Trial Chamber, Lead Co-Lawyers and the Co-Prosecutors posed questions to Civil Party SUN Vuth (2-TCCP-10156).

Oral Ruling on the NUON Chea Defence Request relating to the start of the S-21 trial topic

The Chamber granted on an exceptional basis the request made on 24 March 2016 by the NUON Chea Defence, and supported by the KHIEU Samphan Defence, to delay hearing witnesses and Civil Parties on S-21. The Chamber decided not to hear Witnesses or Civil Parties on S-21 until after the Khmer New Year recess.

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/923		00052345- 00052345, 00185238- 00185240, 00623151- 00623152	Letter No NR # 01 to brother 89: On 28-02-1976 our comrades fought 07 Group one more time.	P	/	/	/
E3/8377	D108/28.37	00021458- 00021458, 00305245- 00305245, 00643478- 00643478	Annex 37: To beloved Brother Say	P	/	/	/
E3/1360		00701766- 00701768, 00169870	Annex 00039: Foreign Broadcast Information Service collection of reports for March 1978	P	/	00169884	/

		00169969, 00700192- 00700194					
E3/8648	D159/4.10	00288471- 00288477, 00292816- 00292818, 00303515- 00303521	Annex A9: List of S-21 Prisoners in Division 920 Released 26-11- 1977	P	/	/	/
E3/937		00017027- 00017027, 00296220- 00296220, 00531910- 00531910	DK Telegram Entitled "Telegram No 54"	P	/	/	/
E3/1072	D200/2.10	00284272- 00284272, 00293357- 00293357, 00612226- 00612226	Telegram No 55 dated 24-04-1978 (Colour Scan)	P	/	/	/
E3/6760		00565428- 00565435, 01219592- 01219594, 01219595- 01219597	Civil Party Application of SUN Vuth	P	00565430	01219592	01219595
E3/7705	D125/150	00236722- 00236725, 00239504- 00239507, 00276985- 00276988	Written Record of Interview of NOU Sauy	P	00236724	00239506	00276987

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/221	/	00000810- 00000826, 00182693- 00182705, 00386175- 00386191	Observing the Vietnamese reaction in the 5 th meeting on 14/5/76	P	00000813	00182696	00386178

E3/1101	D248/5.1.11	00376671- 00376671, 00524192- 00524192, 00532706- 00532706	Telegram on September 23, 1976 : To show opinion to 290	P	/	/	/
E3/1118	D252.22	00000875- 00000875, 00436997- 00436997, 00796733- 00796734	Third telegram sent to Nuon about Enemy situation and request some devices	P	00000875	00436997	00796733- 00796734
E3/1664	D222/1.19	00950593, 00397566- 00397749, 00707390- 00707411	Book by Sara Colm and Sorya Sim entitled "Khmer Rouge Purges in the Mondulkiri Highlands - region 105"	P	/	00397664	/
E3/7960	D366/7.1.585	00851611- 00851730, 00450266- 00450329, 00763868- 00763933	DC-Cam interviews in Mondul Kiri province	P	/	/	/
E3/1030	D108/28.76	00033312- 00033312, 00324806- 00324806, 00623150- 00623150	Annex 76: Telegram no 03, reported to Brother Chhan about Group 7's situation	P	/	/	/
E3/404	D232/30	00398479- 00398484, 00403023- 00403028, 00484197- 00484202	Written Record of Interview of SAO Sarun	P	00398480	00403025	00484199
E3/215	D243/2.1.19	00064586- 00064621, 00488614- 00488640, 00524063- 00524096,	CPK Magazine entitled: " The Revolutionary Flag", Issue 9, September 1978 (FULL)	P	00064610 00064595- 00064596	00488626 00488621	00524077 00524072- 00524073
E3/384	D201/6	00345902- 00345908, 00348371- 00348376, 00354235- 00354240	Written Record of Interview of SAO Sarun, dated 30-06- 2009	P	00345904	00348373	00354237

E3/13	/	00052402- 00052416, 00940336- 00940358, 00334972- 00334984	Note of Secretary meeting, vice secretary, and regiment about Situation to defense the coutry and the measure to defense the country	P	00052413- 00052414	00940354	00344983
E3/383	D201/5	00345909- 00345915, 00350260- 00350266, 00361760- 00361766	Written Record of Interview of SAO Sarun, dated 29-06-2009	P	00345915	00350266	00361766
E3/6760A		00586074- 00586075, 01194793- 01194794, 01213545- 01213546	Supplementary information of Civil Party applicant	P	00586074	01194793	01213545
E3/342	D288/6.68.1	00329596- 00330129	Revised S-21 Prisoner List	P	/	/	/
E3/8651	D175/2.9	00042250- 00042273, 01156478- 01156508	DC Cam Interview of SAL Ra	P	00042261	01156493	/
E3/1199		00052312- 00052312, 00531038- 00531038, 00623114- 00623115	DK-Government Telegram by San 11, Dated 6 Apri 11977, Division 920, Political Section to Respected and Beloved Brother 98	P	/	/	/
E3/2285	D108/26.86	00009067- 00009317, 00873122- 00873671,	List of prisoners	P	00009083- 00009085	008731168	/

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).
- Oral Partial Ruling on the Co-Prosecutors' Internal Rule 87(4) Request for Additional Witnesses (E390) (11:37).
- Oral Ruling on the NUON Chea Defence Request relating to the start of the S-21 trial topic (15:10)
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 31 March 2016 (16:10).

Order for Adjournment of Hearing
The hearing will resume on Thursday 31 March 2016 at 9:00am.

Phnom Penh, 30 March 2016

Greffier

Greffier



Mr. EM Hoy

Maddalena GHEZZI

