



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): 22 / 07 / 2016
ម៉ោង (Time/Heure) : 11.54.3
ឈ្មោះមន្ត្រីបញ្ជីឯកសារ (Case File Officer/L'agent chargé) JANN RAON

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

15 June 2016

Substantive Hearing on Evidence 002/02 – Day 419

Prepared by:
EM Hoy and Maddalena GHEZZI

<u>Attendance Record</u>
Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge YOU Ottara; Judge Claudia FENZ.
Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve)
Greffiers: Mr. EM Hoy; Ms. Maddalena GHEZZI
OCP: Ms. SONG Chorvoin; Mr. Dale LYSAK
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; Mrs. Doreen CHEN
Defence for the Accused Khieu Samphan: Ms. Anta GUISSÉ; Mr. KONG Sam Onn
Standby Counsel for the Accused Khieu Samphan: Mrs. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. VEN Pov; Mr. LOR Chunthy
Witness: Mr. KAING Guek Eav <i>alias</i> DUCH (2-TCW-916)
Others: Mr. UCH Arun (Court Officer); Mrs. SOUR Sotheavy (Associate Court Officer), Ms. SAM Makara (Transcriber); Ms. SREY Nak (Transcriber); Ms. YUOS Seriroth (Transcriber), Ms. Hannah KIM (Trial Chamber Intern).

<u>General court times</u>		
Day	Start time: 9:00	Finish time: 16:05
Recess am	Start time: 10:09	Finish time: 10:33
Recess	Start time: 11:35	Finish time: 13:30
Recess pm	Start time: 14:42	Finish time: 14:59
	Total Court Time:	4 hr 29 min

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of substantive hearing and report on attendance of the Parties	Trial Chamber, Greffier	9:00	9:01
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	9:01	9:03
Hearing of Witness Mr. KAING Guek Eav alias DUCH (2-TCW-916)	Trial Chamber, Judge Lavergne	9:03 10:33 13:30 14:59	10:09 11:35 14:42 16:04

<u>Summary of Proceedings</u>
<p><u>Opening of hearing and report on attendance of the Parties</u> 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.</p> <p><u>NUON Chea Defence request to follow the proceedings from the holding cell</u> 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.</p> <p><u>Hearing of Witness Mr. KAING Guek Eav alias DUCH (2-TCW-916)</u> Judge Lavergne posed questions to Witness Mr. KAING Guek Eav <i>alias</i> DUCH (2-TCW-916). During questioning, Judge Lavergne presented the Witness with document E1/438.5, a chart showing the number of prisoners at S-21 from May to December 1977, which is attached to this Written Record of Proceedings.</p>

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/3261	D313/1.2.205	P 00416561	Photograph depicting senior leader NUON Chea	P	P 00416561	P 00416561	P 00416561
E3/9841	-	01009860-01009875; 01252203-01252221	List of prisoners taken in (list of prisoners)	P	01009860-01009875	01252203	-
E3/3597	D369/27.2	00188870-00188875; 00239745-00239750; 00776252-00776261	Name List	P	-	-	-
E3/3180	D312.1.2	00021057-00021058; 00832835-00832836	S-21 List of CPK officers in various ministries provided by enemy	P	-	-	-
E3/961	D108/26.2	00090147-00090150; 00181611-00181616; 00812755-00812761	Annex 2: Name list of traitors have been sent by Thai to Cambodia	P	00090147	-	00812756
E3/2269	D108/26.31	01010578-01010581 00181640-00181642 00869779	Annex 31: S-21 Prisoner List containing names of prisoners sent to Kampuchea from Thailand	P	01010578-01010581	00181640-00181641	00869779
E3/8447	D159/4.24	00288587; 00784632-00784633; 00810091-00810092	Annex A23: S-21 Escaped Prisoners List dated 27-11-1976	P	00288587	00784632-00784633	00810091-00810092
E3/2231	D108/26.22	00088720-00088721;	Annex 22: S-	P	-	00785258-00785259	00727439-

		00785257-00785259; 00727398-00727400	21 Prisoner List containing names of prisoners to be kept 35-56				00727400
E3/3858	D83-Annex- 00005	00009195-00009198; 00837615-00837625; 00848737-00848752	Names of prisoners executed on 12-5-1977	P	-	-	-
E3/1851	-	00079588; 00250783; 00759986-00759994	S-21 Confession of LACH Dara alias Than	P	00079588	00250783	00759986- 00759994
E3/1946	-	00040034; 00184006; 00727424	Name of prisoners of Social Ministry Section	P	-	-	-
E3/2213	D108/26.193	00040035;00187859- 00184006	Annex 193: Name of prisoners of Social Ministry Section	P	00040035	00187859-00184006	-
E3/1557	D366/7.1.96	00076349-00076373; 00768111-00768131; 00782159-00782176	S-21 Confession of LACH Vary alias Nan (Nuon Chea's niece, Thirith's deputy)	P	00076349- 00076373	00768111-00768131	00782159- 00782176
E3/8539	D108/26.25	00087011; 00181636; -	S-21 Prisoner List containing names of prisoners from the MFA	P	00087011	00181636	-
E3/1857	-	00075059-00075560; 00193545-00193555, 00764001;	S-21 Confession of MAEN	P	00075059- 00075560	0076400100193545- 00193555	00733677

		00763677	Tol alias Men Tol alias Sat				
E3/1048	D108/50/1.6	00162476; 00193064; 00229039	[Corrected 2] Annex 6: List statistic of collective- eating forces totaling 45,110 in number	P	00162476	00193064	00229039
E3/8386	D366/7.1.135	00002637-00002640; 00521631-00521634; 00532733-00532736	S-21 (K-8): Circulations	P	0002637- 0002640	00521631-00521634	00532733- 00532736
E3/3181	D366/7.1.146	00088688-00088691; 00728978-00728982; 00784611-00784615	S-21 List of prisoners died on 3,4,7 and 12/10/77	P	-	00728980	-
E3/10077	-	01012991; 01245974	Reported to Brother about two prisoners escaped from prison	P	01012991	01245974	-
E3/10087	-	01159473; 01245975	Name list of prisoners which fatten up	P	01115973	01245975	-
E3/9955	-	01012143; 01249682	Daily controlling list of prisoners on 8/1/77	P	01012123	01249682	
E3/9967	-	01012234	Daily controlling list of prisoners on 5/3/77	P	01012234	-	-
E3/9960	-	01012175	Daily controlling list of prisoners on 23/2/77	P	01012175	-	-

E3/9966	-	01012206	Daily controlling list of prisoners on 29/3/77	P	01012206	-	-
E3/9970	-	01012237	Daily controlling list of prisoners on 8/5/77	P	01012237	-	-
E3/10008	-	01012334	Daily controlling list of prisoners on 14/10/77	P	01012334	-	-
E3/10009	-	01012336	Daily controlling list of prisoners on 23/10/77	P	01012336	-	-
E3/10035	-	01012377	Daily controlling list of prisoners on 30/12/77	P	01012377	-	-
E3/2285	D108/26.86	00873122-00873671	List of prisoners	P	00009094- 00009096	00873193-00873201	-
E3/9985	-	01012278	Daily controlling list of prisoners on 01/7/77	P	01012278	-	-
E3/9984	-	01012277	Daily controlling list of prisoners on 30/6/77	P	01012277	-	-
E3/9763	E319/21.3.34	01068030-01068044; 01079331-01079345;	Written Record of Interview Witness SENG KHEANG	P	-	-	-
E3/8763	-	00008082-00008085;	S-21	P	-	-	-

		00182979-00182985	Prisoner List				
E3/10264	-	00989142-00989149; 01249736-01249747	Name of prisoners of Division 920, Set free on 26/11/77	P	-	01249736-01249741	-
E3/719	-	01244972-01244975; 01248190-01248191; 01245970-01245973	Partial transcript of documentary "The Angkar"	P	-	01248211	-

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E1/54.1	-	00356696- 00356783; 00356588- 00356695; 00357643- 00357759	Transcript of Proceedings - "Duch" Trial - 27 July 2009 11:53	P	-	00356640- 00356641	00795730- 00795731
E3/1581	D43/IV- Annex 18	00172999- 00173034; 00822294- 00822318; 00224083	Annex 18: 181bbkkh Colour copy Excerpt of Confession of Heng Pech alias Chhan	P	00172999- 00173800	00822994- 00822995	00224083
E3/407	D232/53	00401313- 00401320; 00406220- 00406227; 00422277- 00422285	Written Record of Interview of CHAOM Se, dated 08-11-2009 6	P	000401318	00406224	00422281
E3/199	-	00224451- 00224456; 00065911- 00065918; 00612293- 00612300	Speech by Comrade Nuon Chea, Deputy Secretary of the Central Committee of the Communist Party of Kampuchea at the Banquet of the Assembly of people in Peking	P	-	-	-

E1/51.1	-	00354785- 00354858; 00354589- 00354683; 00354684- 00354784	Transcript of Proceedings - "Duch" Trial - 20 July 2009	P	-	-	00354781
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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 (09:01).
- Order instructing the security personnel to bring the Accused back to the detention facility and to return them to the courtroom for the hearing on Thursday, 16 June 2016 (16:05).


Order for Adjournment of Hearing

The hearing will resume on Thursday, 16 June 2016 at 9:00 am.

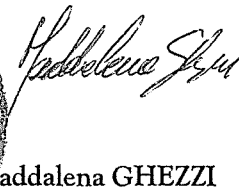
Phnom Penh, 15 June 2016

Greffier

Greffier



EM Hoy

Maddalena GHEZZI