



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):
..... 15 / 08 / 2016

ម៉ោង (Time/Heure):..... 15:15

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
du dossier: Sann pada

E1/423

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

27 April 2016

Substantive Hearing on evidence - Day 404

Prepared by:

Mr. EM Hoy and Mr. Matthew J. McCARTHY

<u>Attendance Record</u>
Before: Judge NIL Nonn (President); Judge Jean-Marc LAVERGNE; Judge YA Sokhan; Judge Claudia FENZ; Judge YOU Ottara
Reserve Judges: Judge THOU Mony ; Judge Martin KAROPKIN
Greffiers: Mr. EM Hoy; Mr. Matthew J. McCARTHY
OCP: Mr. SREA Rattanak; Mr. Vincent de WILDE d'ESTMAEL, Mr. Seng Bunkheang
Accused: Mr. NUON Chea (from the holding cell for most of the day's proceedings); Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr. Victor KOPPE; Mr. LIV Sovanna
Defence for the Accused Khieu Samphan: Ms. Anta GUISSÉ
Appointed Standby Counsel for KHIEU Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD, Mr. LOR Chunthy, Mr. HONG Kimsuon, Ms. CHET Vanly, Ms, Ty Srinna, Ms. SIN Soworn
Witness: Mr. PRAK Khan (2-TCW-931) with duty counsel Mr. MAM Rithea
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. LAY Nara (Transcriber); Mr. MEACH Sovanna (Transcriber); Ms. YUOS Sereirot (Transcriber); Ms. SREY Nak (Transcriber); Ms. Nathalie MARTIN (Trial Chamber Intern)

<u>General court times</u>		
Day	Start time: 08:59	Finish time: 16:02
Recess am	Start time: 10:13	Finish time: 10:31
Recess	Start time: 11:30	Finish time: 13:31
Recess pm	Start time: 14:38	Finish time: 14:58
	Total Court Time:	4 hr 4 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	9:00	9:02
NUON Chea addresses the Chamber	NUON Chea Defence	9:02	9:13
NUON Chea request to follow the proceedings from the holding cell	NUON Chea Defence	9:16	9:18
Hearing of witness PRAK Khan (2-TCW-931)	Trial Chamber Co-Prosecutors	9:19	9:25
		9:25	10:13
		10:31	11:29
		13:21	14:38
		14:59	16:01

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 except national counsel for the KHIEU Samphan Defence, KONG Sam Onn, absent due to personal reasons.

NUON Chea addresses the Trial Chamber

The Trial Chamber granted the NUON Chea Defence's request for NUON Chea to address the Chamber in response to the testimony of LACH Mean (2-TCW-898) on 26 April 2016. NUON Chea spoke about the military situation in Democratic Kampuchea between 1975 and 1978, including clashes between Thai and Cambodian forces, Vietnamese and Cambodian forces and an alleged failed coup by VORN Vet. NUON Chea alleged that Vietnam orchestrated this coup.

NUON Chea request to follow remainder of 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 remainder of proceedings from the holding cell.

Hearing of witness PRAK Khan (2-TCW-931)

The Trial Chamber and Co-Prosecutors questioned witness PRAK Khan (2-TCW-931).

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/5156	D108/2/7	00146613- 00146634; 00161568- 00161586; 00705382- 00705409	Written Record of Interview of PRAK Khan Dated 21-09-07	P	00146613; 00146619; 00146623	00161568; 00161573; 00161576	00705389; 00705395
E3/3924R	/	V 00172620- 00172620; V 00172620- 00172620; /	Video excerpt entitled "S-21 The Khmer Rouge Killing Machine"	P	/	/	/
E3/2330R	D108/32.2	V00172620- V00172620; /;/	Video entitled "S-21 - The Khmer Rouge Killing Machine"	P	/	/	/
E3/8650	D159/5.18	00254495- 00254534; 00752848- 00752857; 00763689- 00763696	S-21 Confession of CHAUN Maing alias Yang	P	/	00752850	00763691
E3/2164	D108/26.112	00008076- 00008078; 00181692- 00181695; 00845960- 00845963	S-21 Prisoner List containing names of prisoners	P	00008076- 00008077	00181692 - 00181693	00845960 - 00845961

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/7463	D288/4.52.1	00355288- 00355357; 00355106- 00355192; 00355193- 00355287	Transcript of Proceedings - "Duch" Trial - 21 July 2009	P	/	/	/
E3/833	/	00077661- 00078056; 00242259- 00242263; 00373110- 00373115	S-21 Notebook by MAM Nai alias Chan	P	00077951; 00077925	00242263; 00242259	003731113

E3/79	D108/2/8	00146593- 00146612; 00161552- 00161567; 00164583- 00164607	Written Record of Interview of PRAK Khan	P	00146594 - 00146595	00161553- 00161554	00164585
E3/1549	D43/IV- Annex 58	00174392- 00174434; 00769683- 00769715; 00965737- 00965779	Colour copy Excerpt of Confession of Eng Meng Heang alias Chhon	P	00174394; 00174434	00769685; 00769715	00965739; 00965779

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 (9:18)
- Order to take the Accused to the Detention Facility and bring them back to the courtroom for the hearing on 28 April 2016 (16:02)

Order for Adjournment of Hearing

The hearing will resume on Thursday, 28 April 2016 at 9:00 a.m.

Phnom Penh, 27 April 2016

Greffier

Greffier

Mr. EM Hoy

Matthew J. McCARTHY

