



**ឯកសារដើម**  
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):  
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អគ្គិសនីធានាសំណុំរឿង/Case File Officer/Agent chargé du dossier: Sann Rada

**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

**ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ**

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

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

27 July 2016

Substantive Hearing on evidence - Day 430

Prepared by:

Mrs. SE Kolvuthy and Mr. Matteo CRIPPA

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge Claudia FENZ
<b>Reserve Judges:</b> Judge THOU Mony
<b>Greffier/s:</b> Mrs. SE Kolvuthy; Mr. Matteo CRIPPA
<b>OCP:</b> Mr. William SMITH; Ms. Song CHORVOIN
<b>Accused:</b> Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
<b>Defence for the Accused Noun Chea:</b> Mr. Victor KOPPE; Mr. Liv SOVANNA
<b>Defence for the Accused Khieu Samphan:</b> Mr. KONG Sam Onn; Ms. Anta GUISSÉ;
<b>Standby Counsel for the Accused Khieu Samphan:</b> Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Mr. PICH Ang; Mrs. Ty Srinna; Mrs. Chet Vanly; Mr. Lor Chunthy; Mr. Ven Pov
<b>Witness:</b> 2-TCW-1005
<b>Others:</b> Mr. UCH Arun (Court Officer); Mrs. SOUR Sotheavy (Court Officer); Mr. KEO Vath (Support Staff); Mr. LONH Nget (Transcriber); Mrs. Pich Chariya (Transcriber); Ms. Yous Sereiroth (Transcriber); Ms. Sok Sopheakmonica (Transcriber); Mr. Georgina QUINTON SMITH (Trial Chamber Intern)

**General court times**

Day	Start time: 09.04	Finish time: 16.03
Recess am	Start time: 10.18	Finish time: 10.39
Recess	Start time: 11.28	Finish time: 13.31
Recess pm	Start time: 14.40	Finish time: 15.01
	Total Court Time:	4 hours and 14 Minutes

<b><u>Proceedings</u></b>			
Type of Issue	Raised By	Start time	Finish time
Opening of Substantial Hearing	Trial Chamber , Greffier	09.04	09.05
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	09.05	09.07
Hearing of Witness 2-TCW-1005	Co-Prosecutors NUON Chea Defence The Trial Chamber NUON Chea Defence	09.07 10.48 13.31 14.13	10.18 11.28 13.53 16.02
KHIEU Samphan Defence clarification on current status of disclosure of Written Records of Interview from Cases 003 and 004	KHIEU Samphan Defence	10.39	10.48
Oral submissions in response to NUON Chea Defence's request to question Expert witness Henri LOCARD on Monday 1 August 2016	NUON Chea Defence	13.53	14.13

### **Summary of Proceedings**

#### **Opening of the Substantive Hearing**

The Trial Chamber declared the opening of the hearing and requested the Greffier to check the attendance of the parties to the hearing. Marie GUIRAUD, International Lead Co-Lawyer for civil parties was noted absent for personal reasons. The accused NUON Chea waived his right to be present in the courtroom.

#### **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 2-TCW-1005**

The Co-Prosecutors, Trial Chamber and NUON Chea Defence posed questions to witness 2-TCW-1005.

#### **KHIEU Samphan Defence clarification on the current status of Written Records of Interview from Cases 003 and 004**

The KHIEU Samphan Defence sought clarification on the current status of disclosure of Written Records of Interview obtained during the investigation of Cases 003 and 004,

given the urgency of receiving the Written Records of Interview in advance of the testimony of an upcoming witness.

**Oral submissions in response to NUON Chea Defence's request to question Expert Henri Locard on Monday 1 August 2016**

The NUON Chea Defence sought leave to question Expert Henri LOCARD on Monday, 1 August 2016 to allow time to review excerpts of the Expert's book which will be used in questioning by the Co-Prosecutors. The Chamber granted the request and ordered a modified schedule for the testimony of this Expert. The Chamber also requested the Co-Prosecutors to provide advance notice of which excerpts of the Expert's book it intends to rely upon.

## Other documents (No Change)

TC No	OCI J No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10604	/	/ 01222328- 01222936 /	Annex 2: OCIJ S-21 Prisoners List 31 March 2016	P	/	/	/
E3/765	/	00376472- 00376507 00539976- 00540007 00540008- 00540037	Revolutionary Youth Number 10 October 1978	P	/	00539994	/
E3/10628	/	01127703- 01127714 01142598- 01142611 /	Written Record of Interview of [name remains confidential]	C	01127710	01142606	/
E3/10639	/	01089446- 01089489 01098403- 01098427 /	Written Record of Interview of [name remains confidential]	C	01089487	01098426	/
E3/10622	/	01136699- 01136731 01170582- 01170601 /	Written Record of Interview of [Witness 2-TCW-1005]	C	01136714 01136717	01170591 01170593	/
E3/9647	/	00975710- 00975759 00992978- 00993009 and 01212263- 01212339 00996550- 00996599	DC-Cam Interview of [Witness 2-TCW-1005]	C	00975723 00975746 00975742	01212283 01212318 01212312	00996564 00996586 00996581

**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 (09.07).
- Order modifying the scheduling of upcoming Expert Henri LOCARD: The Trial Chamber will proceed with questioning of the Expert on Thursday, 28 July 2016, followed by the Co-Prosecutors and the Lead Co-Lawyers on Friday, 29 July 2016, followed by the NUON Chea Defence and the KHIEU Samphan Defence on Monday, 1 August 2016 (14.11).
- Order requesting the Co-Prosecutors to provide confirmation to the Parties on which admitted excerpts of Expert Henri LOCARD's book will be used during questioning (14.11).
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 28 July 2016 (16.02).

**Orders for Adjournment of Hearing**

The hearing will resume on 28 July 2016 at 9:00am. *SR*

Phnom Penh, 27 July 2016

*SE*  
  
 Mrs. SE Kolvut *CRIPPA*