

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

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**ព្រះរាជាណាចក្រកម្ពុជា**

**ជំពូក ១ ភាសា ព្រះមហាក្សត្រ**

4/2020 លេខករណី: ២១/Case File Officer/L'agent chargé du Royaume de Cambodia

du dossier: SANN EXDS Nation Religion King

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

## Extraordinary Chambers in the Courts of Cambodia

Royaume du Cambodge

## Chambres Extraordinaires au sein des Tribunaux Cambodgiens

## Nation Religion Roi

## អង្គជំនុំជម្រះសាលាដំបូង

## Trial Chamber

Chambre de première instance

## WRITTEN RECORD OF PROCEEDINGS

## PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

24 August 2016

## Substantive Hearing on evidence – Day 444

Prepared by:

**Ms. Evelyn CAMPOS SANCHEZ and Mr. EM Hoy**

<b><u>Attendance Record</u></b>
<b>Before:</b> Judge YA Sokhan, presiding; Judge Claudia FENZ; Judge Jean-Marc LAVERGNE; Judge YOU Ottara; Judge THOU Mony
<b>Reserve Judges:</b> Judge Martin KAROPKIN
<b>Greffier(s):</b> Ms. Evelyn CAMPOS SANCHEZ; Mr. EM Hoy
<b>OCP:</b> Mr. Nicholas KOUMJIAN; Mr. SENG Leang; Mr. SREA Rattanak; Ms. Helen WORSNOP
<b>Accused:</b> Mr. KHIEU Samphan; Mr. NUON Chea (from the holding cell)
<b>Defence for the Accused NUON Chea:</b> Ms. Doreen CHEN; Mr. LIV Sovanna
<b>Defence for the Accused KHIEU Samphan:</b> Ms. Anta GUISSÉ; Mr. KONG Sam Onn
<b>Standby Counsel for the Accused KHIEU Samphan:</b> Mr. Calvin SAUNDERS; Ms. TOUCH Voleak
<b>Civil Parties:</b> Ms. Marie GUIRAUD; Mr. PICH Ang; Ms. CHET Vanly; Mr. HONG Kimsuon; Mr. LOR Chunthy; Ms. SIN Soworn
<b>Civil Party:</b> Mr. SOU Sotheavy (2-TCCP-224)
<b>Others:</b> Mr. KEO Vath (Support Staff); Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. NOU Monoroath (Transcriber); Mr. VATH Somao (Transcriber); Mr. YOUS Sereiroth (Transcriber); Mr. Sebastian BATES (Trial Chamber Intern)

<u>General court times</u>		
Day	Start time: 08:59am	Finish time: 14:06pm
Recess am	Start time: 10:11am	Finish time: 10:31am
Recess	Start time: 11:34am	Finish time: 13:29pm
	Total Court Time: 2:50	

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of the Hearing	Trial Chamber Greffier	08:59am	09:01am
NUON Chea's request to follow the proceedings from the holding cell	NUON Chea Defence	09:01am	09:03am
Hearing of civil party SOU Sotheavy (2-TCCP-224)	Co-Prosecutors	09:03am	09:28am
	NUON Chea Defence	09:28am	11:11am
	KHIEU Samphan Defence	11:11am	13:59pm
	Civil party SOU Sotheavy (2-TCCP-224)	13:59pm	14:04pm
Availability of civil party MAO Kroeurn (2-TCCP-264 )	Lead Co-Lawyers	10:32am	10:32am
	Trial Chamber	14:04pm	14:06pm

### Summary of Proceedings

#### Opening of the Hearing

The Trial Chamber declared the opening of the hearing and requested the Greffier to check the attendance of the parties to the hearing. 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 the Accused 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 civil party SOU Sotheavy (2-TCCP-224)

The Co-Prosecutors posed questions to civil party SOU Sotheavy (2-TCCP-224).

The NUON Chea Defence posed questions to civil party SOU Sotheavy (2-TCCP-224).

The KHIEU Samphan Defence posed questions to civil party SOU Sotheavy (2-TCCP-224).

#### Availability of civil party MAO Kroeurn (2-TCCP-264)

The Lead Co-Lawyers indicated that civil party MAO Kroeurn (2-TCCP-264) was unwell.

The Trial Chamber directed that civil party YUOS Phal (2-TCCP-232) be summoned for tomorrow's hearing.

## Reclassified

TC No.	OCIJ No.	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/5729	D22/31	00279722-00279738; 00279708-00279721; 00845977-00845998	Civil Party Application of Mr. Sou Sotheavy	P	00279735	00279718-9	00845996

## Other documents (No Change)


TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/4609	D277/11	00418472-00418481; 00434877-00434885; 00486415-00486425	Written Record of Interview of Civil Party Sou Sotheavy	P	00418479	00434883	00486422-3
E3/765	D248/4.10	00376472-00376507; 00539976-00540007; 00540008-00540037	Revolutionary Youth Number 10 October 1978	P	00376493-4	00539994	00540024-5

**Oral Orders/Decisions:**

- Order authorising the Accused Mr. NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceedings (9:03am).
- Order to summon civil party YUOS Phal (2-TCCP-232) for tomorrow's hearing (14:04pm).
- Order to take the Accused to the Detention Facility and bring them back to court for the hearing on Thursday, 25 August 2016 (14:06pm).

<u>Order for Adjournment of Hearing</u>
The hearing will resume on Thursday, 25 August 2016 at 09:00am.

Phnom Penh, 24 August 2016  
Greffier Greffier



Ms. Evelyn CAMB Mr. EM Hoy