



**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

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... 22 / 11 / 2016 .....
ម៉ោង (Time/Heure):..... 14:30 .....
សិក្ខាប័ណ្ណបណ្ណសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ..... <b>SANN RAO</b> .....

**WRITTEN RECORD OF PROCEEDINGS**

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

20 June 2016

Substantive Hearing on Evidence 002/02 – Day 421

Prepared by:

EM Hoy and Roger PHILLIPS

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President), Judge YA Sokhan, Judge YOU Ottara, Judge Jean-Marc LAVERGNE, Judge Claudia FENZ.
<b>Reserve Judges:</b> Judge Martin KAROPKIN (Reserve); Judge THOU Mony (Reserve)
<b>Greffiers:</b> Mr. EM Hoy; Mr. Roger PHILLIPS
<b>OCP:</b> Mr. SENG Leang; Mr. Dale LYSAK; Mr. Vincent de Wilde d'ESTMAEL
<b>Accused:</b> Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan.
<b>Defence for the Accused Nuon Chea:</b> Mr. SON Arun; Mr. Victor KOPPE; Mr. Liv SOVANNA; Mrs. Doreen CHEN.
<b>Defence for the Accused Khieu Samphan:</b> Ms. Anta GUISSÉ; Mr. KONG Sam Onn;
<b>Standby Counsel for the Accused Khieu Samphan:</b> Mrs. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. VEN Pov
<b>Witness:</b> Mr. KAING Guek Eav <i>alias</i> DUCH (2-TCW-916)
<b>Others:</b> Mr. UCH Arun (Court Officer); Mrs. SOUR Sotheavy (Associate Court Officer), Mr. LOHN Nget (Transcriber); Ms. SOK Sopheakmonica (Transcriber); Ms. YUOS Sereiroth (Transcriber), Ms. SREY Nak (Transcriber); Ms. Hannah KIM (Trial Chamber Intern).

<u>General court times</u>		
Day	Start time: 9:01	Finish time: 15:58
Recess am	Start time: 10:15	Finish time: 10:34
Recess	Start time: 11:40	Finish time: 13:31
Recess pm	Start time: 14:45	Finish time: 15:05
	Total Court Time:	4 hr 37 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	9:01	9:03
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	9:03	9:04
Hearing of witness Mr. KAING Guek Eav alias DUCH (2-TCW-916)	Trial Chamber, President Judge Lavergne NUON Chea Defence	9:05	9:24
		9:24	9:45
		9:45	10:15
		10:34	11:40
		13:31	14:45
		15:05	15:57
Oral ruling to admit document	Trial Chamber	10:45	10:46

<u>Summary of Proceedings</u>
<p><b><u>Opening of hearing and report on attendance of the Parties</u></b> 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><b><u>NUON Chea Defence request to follow the proceedings from the holding cell</u></b> 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><b><u>Hearing of witness</u></b> The Trial Chamber and NUON Chea Defence posed questions to witness KAING Guek Eav <i>alias</i> DUCH (2-TCW-916).</p> <p><b><u>Oral ruling to admit document</u></b> The Co-Prosecutor asked the Trial Chamber whether it had already provided a ruling on the admission of document E319/42.3.1, which was subject to a Rule 87(4) request by the Prosecution. The Chamber decided to admit the document as evidence and informed the Parties that reasons for this decision would be issued in due course.</p>

## New E3s

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10607	E319/42.3.1	01202326- 01202344; 01213407- 01213417	Written Record of Interview witness KAING Guek Eav alias Duch, dated 01-02- 2016	P	-	01213410	-

## Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/3689	D43/IV-Annex 84	00174874- 00174875; 00221784- 00221784; 00324627- 00324627	Annexe 84: 793bbkkh l'extrait en copie couleur de la confession de Lun In	P	00174874	00221784	00326427
E3/1831	D43/IV- Annex 85	00005463- 00005477; 00831455- 00831471; 00343398- 00343410	S-21 Confession of CHEA Sreng alias Thal; Member Battalion 702, Regiment 601, Division 174	P	00005463	00831455	00343398
E3/1889	-	00001378- 00001384; 00796688- 00796696; 00763394- 00763406	S-21 Confession of SAO Tong Ly; New Villager [of New People] living in Khsaoy village, Kompong Preah Sub- district, Bak Prea District, Region 4, Northwest Zone	P	00001378	00796688	00763394
E3/3665	D43/IV-Annex 42	00174108- 00174114; 00224634-	Annex 42: 415bbkkh Colour copy Excerpt of Confession of	P	00174108	00796688	00763394

		00224634; 00386361- 00386362	Pheng Sun alias Chey				
E3/1839	-	00004351- 00004371; 00835986- 00835989; 00766985- 00766990	S-21 Confession of DI Leng alias Pheap; Vice Chairman of Company 5, Battalion 704, Regiment 601, Division 174.	P	00004351	00835986	00766985
E3/3683	D43/IV-Annex 73	00174734- 00174735; 00221781- 00221781; 00289871- 00289871	Annex 73: 632bkkh Colour copy Excerpt of Confession of Um Chhoeun alias Mai	P	00174734	00221781	00289871
E3/291	D262.36	00657463- 00657494; 00168544- 00168610; 00742892- 00742911	Annex 00036: Foreign Broadcast Information Service collection of reports for November 1977	P	-	00168600 00168605	-
E3/1117	D252.18	00020991; 00434870; 00788363	Telegram 19 : Dear beloved and respected brother: About the overall situation today has not changed	P	-	00434870	-
E3/859	-	00021004; 00185202; 00332558	Telegram 05: Report to beloved committee about the situation of the enemy in the battlefield Road Number 7	P	-	-	-
E3/5725	D86/1	00145430- 00145435; 00145454- 00145457; 00145474- 00145477	Written Record of Adversarial hearing of KAING Guek Eav	P	00145434	00145457	00145476

E3/2028	-	00021084; 00185219; 00710241	List of prisoners from General Staff Office and Ministry S-71	P	00021084	00185219	-
E3/5748	D86/8	00153456- 00153468; 00153565- 00153576; 00153442- 00153455	Written Record of Interview of Duch by CIJ on 22-11-2007	P	0153458	001353567	00153444
E3/10062	-	01012810- 01012819	Name list of prisoners taken from difference region	P	01012815	-	-
E3/10085	-	01013478- 01013478 - -	Name list of prisoners of Division 170	P	01013478	-	-
E3/183	D232/8.3	00019108- 00019124; 00183393- 00183406; 00292868- 00292884	DK Document entitled "Minutes of the meeting 09 October 1975"	P	00019108 00019121	00183393 00183403	00292868 00292881

## Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/527	D288/6.5/2.29	00285361- 00285393; 00069031- 00069057; 00314947- 00314973	Document entitled "The Last Joint Plan"	P	00285387 00285693	00069054 00069057	-
E3/1604	IS 5.39	00773088- 00773135; 00006757- 00006956	[Partial T.] S-21 Confession of KOY Thuon	P	00006757	00773088	-

E3/451	D86/27	00187649- 00187670; 00204338- 00204356; 00186168- 00186191	Written Record of Interview of Duch by CIJ on 05-05- 2008	P	00187650- 00187651	00204339- 00204340	00186170
E3/65	D86/3	00146477- 00146489; 00147517- 00147527; 00147892- 00147901	Written Record of Interview of Duch by CIJ on 07-08- 2007	P	00146483	00147523	00147898
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	00052542 00052405	00940336 0094341	00334972 00334975
E3/356	D119	00242884- 00242894; 00242895- 00242905; 00242906- 00242916	Written Record of Interview of Duch by CIJ on 25-11- 2008	P	00212889	00242900	-
E3/293	D262.43	00701829- 00701847; 00169689- 00169777; 00701817- 00701828	Annex 00043: Foreign Broadcast Information Service collection of reports for July 1978	P	-	00169774	-
E3/1585	-	00095532- 00095543; 00897649- 00897666; 00611636- 00611653	Statistics of trainee to study general staff term	P	0095532	00897649	00611636

E3/1136	D267/5/1.1.5	00160081- 00160081; 00543743- 00543744; 00548764- 00548764	Plan to expend rice in 1976	P	00160081	0054374	00548764
E3/429	D239	00403904- 00403915; 00403916- 00403927; 00403928- 00403939	Written Record of Interview of Duch by CIJ dated 11-11- 2009	P	00403908	00403920	-
E3/849	-	00052319; 00183956; 00334995	Statistics of total force	P	00052319	00183956	00334995
E3/106	D86/23	00177620- 00177630; 00177631- 00177640; 00177641- 00177651	Written Record of Interview of Duch by CIJ on 01-04- 2008	P	00177625	00171635	0177646
E3/1579	D227	00398195- 00398203; 00398204- 00398211; 00398212- 00398219	Written Record of Interview of Duch by CIJ on 21-10- 2009	P	00398197	00398206	00398214
E3/452	D86/4	00146549- 00146561; 00147563- 00147573; 00147926- 00147935	Written Record of Interview of Duch by CIJ on 23-08- 2007	P	00145550 00146557	00140564 00140570	00147927 00147932
E3/453	D86/5	00146567- 00146575; 00147579- 00147585; 00147941- 00147947	Written Record of Interview of Duch by CIJ on 05-09- 2007	P	00146572	00147983	00147944

E3/143	D262.34	00658432- 00658452; 00168722- 00168779; 00687139- 00687150	Annex 00034: Foreign Broadcast Information Service collection of reports for September 1977	P	-	00168769	-
E3/1684	D108/50/1.4.6	00191816- 00192089; 00192667- 00192932; 00357247- 00357451	Entitled "Voices from S-21 - Terror and History in Pol Pot's Secret Prison"	P	00921835	00192685	00357268
E3/4202	E3/4202	00858214- 00858410; 00757471- 00757568; 00849349- 00849484	Annex 2: Book by GINA Chon and THET Sambath entitled "Behind the killing fields: a Khmer Rouge leader and one of his victims"	P	00858361	00757538	00849450
E3/1564	D238	00403873- 00403883; 00403884- 00403893; 00403894- 00403903	Written Record of Interview of Duch by CIJ dated 10-11- 2009	P	00403981	00403892	00403902
E3/9362	-	00787936- 00787977; 00791976- 00792031; 00792695- 00792741	Statement of KAING Guek Eav (Duch)	P	00787956	00792004	-
E3/1339	D196.12	00721336- 00721336; 00168307- 00168399; 00728276- 00728276	Annex B 0011: Foreign Broadcast Information (FBIS) Collection of December 1977, Phnom Penh Domestic Service Broadcast	P	-	00168316	-



E3/347	-	00002494- 00002557; 00160885- 00160888; 00160921- 00160974	UNHCHR Suspect Statement of KANG Keck Iev alias DUCH	P	00002523	-	-
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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 (09:04).
- Oral ruling admitting document E319/42.3.1 as evidence.
- 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 Tuesday, 21 June 2016 (15:58).




**Order for Adjournment of Hearing**

The hearing will resume on Tuesday, 21 June 2016 at 9:00 a.m.

Phnom Penh, 20 June 2016

Greffier

Greffier

EM Hoy

Roger PHILLIPS