



**ឯកសារដើម**  
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..... 23 / 11 / 2016 .....

ម៉ោង (Time/Heure) : ..... 11:47 .....

ឈ្មោះ (Name) : ..... SANN RADA .....

E1/457

**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**

**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**  
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

15 August 2016

Hearing on Harm Suffered - Day 438

Prepared by:  
Mrs. SE Kolvuthy and Ms. Evelyn CAMPOS SANCHEZ

<b>Attendance Record</b>
<b>Before:</b> Judge YA Sokhan (President); Judge Jean-Marc LAVERGNE; Judge Claudia FENZ; Judge YOU Ottara; Judge THOU Mony
<b>Reserve Judges:</b> Judge Martin KAROPKIN
<b>Greffier/s:</b> Mrs. SE Kolvuthy; Ms. Evelyn CAMPOS SANCHEZ
<b>OCP:</b> Ms. SONG Chorvoin; 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. Victor KOPPE; Mr. Liv SOVANNA
<b>Defence for the Accused Khieu Samphan:</b> Mr. KONG Sam Onn; Ms. Anta GUISSSE
<b>Standby Counsel for the Accused Khieu Samphan:</b> Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. LOR Chunthy; Ms. Sin Soworn; Mr. Hong Kimsuon; Mr. KIM Mengkhy
<b>Civil Parties:</b> Mr. YUN Bin [2-TCCP-233]; Mr. CHAU Khim [2-TCCP-1050]; Ms. KAUN Sunthara [2-TCCP-1051]
<b>Others:</b> Mr. UCH Arun (Court Officer); Mr. KEO Vath (Support Staff); Ms. Georgina QUINTON SMITH (Trial Chamber Intern); Ms. SOUR Sotheavy (Associate Court Officer); Mr. LAY Nara (Transcriber); Mrs. Pich Chariya (Transcriber); Ms. Yuos Sereiroath (Transcriber); Ms. Sam Makara (Transcriber); Ms. SENG Sothearaksmey

<u>General court times</u>		
Day	Start time: 09.01	Finish time: 16.01
Recess am	Start time: 10.11	Finish time: 10.27
Recess	Start time: 11.34	Finish time: 13.30
Recess pm	Start time: 14.43	Finish time: 15.00
	Total Court Time:	4 hours and 31 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of Hearing on Harm Suffered	Trial Chamber , Greffier	09.01	09.03
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	09.03	09.04
Hearing on Harm Suffered of Civil Party YUN Bin [2-TCCP-233]	Trial Chamber	09.05	09.09
	Civil Parties Lead Co-Lawyers	09.09	10.01
	Co-Prosecutors	10.01	10.35
	NUON Chea Defence	10.36	10.58
	KHIEU Samphan Defence	10.58	11.14
Hearing on Harm Suffered of Civil Party KAUN Sunthara [2-TCCP-1051]	Trial Chamber	11.18	11.21
	Civil Parties Lead Co-Lawyers	11.21	13.48
	Co-Prosecutors	13.48	14.03
Hearing on Harm Suffered of Civil Party CHAU Khim [2-TCCP-1050]	Trial Chamber	14.10	14.13
	Civil Parties Lead Co-Lawyers	14.13	14.43
	Co-Prosecutors	15.00	15.24
	Trial Chamber	15.24	15.30
	NUON Chea Defence	15.30	15.55

### Summary of Proceedings

#### Opening of the Hearing on Harm Suffered

The Trial Chamber declared the opening of the hearing and requested the Greffier to check the attendance of the parties to the hearing. All parties were confirmed to be present. 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 on Harm Suffered of Civil Party YUN Bin [2-TCCP-233]

The Trial Chamber, Civil Parties, Co-Prosecutors, NUON Chea Defence and KHIEU Samphan Defence posed questions to Civil Party YUN Bin [2-TCCP-233].

#### Hearing on Harm Suffered of Civil Party KAUN Sunthara [2-TCCP-1051]

The Trial Chamber, Civil Parties and Co-Prosecutors posed questions to Civil Party KAUN Sunthara [2-TCCP-1051].

National Counsel for KHIEU Samphan showed document D22/18/5 to the Civil Party (2-TCCP-1051). The document is not on the Case File, and has been assigned Document number E3/10711.

**Hearing on Harm Suffered of Civil Party CHAU Khim [2-TCCP-1050]**

The Trial Chamber, Civil Parties, Co-Prosecutors and NUON Chea Defence posed questions to Civil Party CHAU Khim [2-TCCP-1050].

International Counsel for NUON Chea showed document D22/289.5 to the Civil Party (2-TCCP-1050). The document is not on the Case File, and has been assigned Document number E3/10712.

**New E3#**

E3/10711	D22/18/5	00211408- 00211408 00234047- 00234047 00289730- 00289730	Annex 5: Tuol Sleng Prisoner Biography of Ms. AOM Yin Daunny	P	00211408	00234047	00289730
E3/10712	D22/289.5	00481405- 00481432 / /	Annex 5: Interview with CHAU Kim by DCCAM	P	00481409	/	/

**Reclassified**

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/4802	/	00516884- 00516896 00916884- 00916888 00950198- 00950210	Civil Party Application of YUN Bin	P	00516888 00516889	00916885	00950201 00950202
E3/6147 A	/	00581459- 00581460 01069282- 01069283 01139789- 01139790	Supplementary Information of Civil Party Applicant	P	00581460 00581459	01069283	01139790

E3/8607	/	00088716- 00088718 01303367- 01303372 /	Annex 9: S-21 Prisoner List containing names of prisoners taken from the Takhmao Electricity Station	P	00088716	01303367	/
E3/1776	/	01306017- 01306023 01236172- 01236175 /	D42236, Information about the situation in Kampuchea Nov 1978	P	/	/	/
E3/9842	/	01009876- 01009981 / /	Prisoner's List Entry in 1976	P	01009961	/	/
E3/4671	/	00211391- 00211400 00239759- 00239764 00250784- 00250791	Civil Party Petition of Ms. KAUN Sunthara	P	00211395	00239762	00250788
E3/3187	/	00008755- 00008903 00874174- 00874599 /	Name list of prisoner killed in 1976	P	00008844	00874397	/
E3/10609	/	00246843- 00247138 / /	Annex: S-21 Confession of CHEN Suon (CHAO Seng)	P	00246843	/	/

Other documents (No Change)

TC No	OCI J No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/387	/	00379481- 00379518 00350200- 00350231 00441411- 00441453	Transcript of Recorded Interview with OUK Bunchhoeun on 04-08-1990	P	00379509	00350224	00441443
E3/118	/	/	Foreign Broadcast Information Service Collection of Reports for April 1975	P	/	00166946	/
E3/89	/	00062452- 00062509 00417599- 00417643 00332681- 00332725	Interview with Ieng Sary by Steve Heder 1996	P	00062475- 00062476	00417617- 00417618	00332698- 00332699
E1/57.1	/	00800299- 00800387 00797293- 00797396 00797397- 00797501	Transcript of hearing on the substance in Case 002 - 02 April 2012	P	/	/	/
E3/60	/	00195590- 00195598 00195599- 00195607 00195608- 00195617	Written Record of Interview of Duch by CIJ on 03-06-2008	P	00195596	00195604	00195614
E3/1993	/	00796735- 00796755 00064826- 00064843 00795330- 00795342	Name list of important Culprits arrested from 1976 to 9/4/78	P	00796751	00064840	00795339


**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 (09.03).
- Order to take the Accused to the Detention Facility and bring him back to court

for the Hearing on 16 August 2016 (16.01).

**Orders for Adjournment of Hearing**  
The hearing will resume on 16 August 2016 at 9:00am. *JS*

Phnom Penh, 15 August 2016  
Greffier Greffier

*JS*  
Mrs. SE Kolvut  
  
*Ms. Campos*  
Mrs. CAMPOS SANCHEZ