



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
..... 28 10 2016

ម៉ោង (Time/Heure) : 15:00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង . Case File Officer/L'agent chargé
du dossier: SANN RADA

E1/480

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

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

10 October 2016

Trial Day 461

Prepared by:

Ms. Sivhoang CHEA and Ms. Stavroula PAPADOPOULOS

<u>Attendance Record</u>
Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Claudia FENZ; Judge Jean-Marc LAVERGNE; Judge YOU Ottara
Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve)
Greffiers: Ms. Sivhoang CHEA; Ms Stavroula PAPADOPOULOS
OCP: Mr. Nicholas KOUMJIAN; Mr. SENG Leang.
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan.
Defence for the Accused Nuon Chea: Mr. Victor KOPPE; Mr. LIV Sovanna; Mr. SONN Arun.
Defence for the Accused Khieu Samphan: Ms. Anta GUISSSE; Mr. KONG Sam Onn
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS.
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. VEN Pov.
Witness: Peggy LEVINE (2-TCE-81)
Others: Ms. SOUR Sotheavy (Associate Court Officer); Mr. VAT Samao(Transcriber); Ms. YOUS Sereiroth (Transcriber); Mr. LONH Nget (Transcriber) Mr. UCH Arun(Court Officer); Mr. MEACH Sovanna(Transcriber); Mr. KHEAV Mady, Ms. Aureliarita MARCELLUS (Trial Chamber Interns).

<u>General court times</u>		
Day	Start time: 10:06	Finish time: 16:02
Recess am	Start time: 10:36	Finish time: 11:08
Recess	Start time: 11:35	Finish time: 13:32
Recess pm	Start time: 14:42	Finish time: 15:01
	Total Court Time:	3 hours and 5 minutes

<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	10:07	10:07
NUON Chea Defence Request to follow the proceedings from the holding cell	NUON Chea Defence	10:07	10:09
Oral Submissions on the Lead Co-Lawyers' request to admit excerpts 2-TCE-81's book into evidence	Lead Co-Lawyers	10:10	10:13
	Co-Prosecutors	10:13	10:14
	NUON Chea Defence	10:14	10:15
	KHIEU Samphan Defence	10:15 10:16	10:15 10:17
	Trial Chamber	10:16 11:08	10:16 11:11
Oral Submissions on the request by the KHIEU Samphan Defence to admit two documents related to 2-TCE-81	KHIEU Samphan Defence	10:17 10:21	10:20 10:21
	Co-Prosecutors	10:20	10:20
	Trial Chamber	10:21 11:08	10:21 11:11
Oral Submissions on the Sequence of Questioning of 2-TCW-960	Co - Prosecutor	10:23	10:24
	NUON Chea	10:24	10:28
		10:28	10:29
		10:30	10:30
	Trial Chamber	10:28 10:29	10:28 10:30

		10:30	10:31
Oral Submission to withdraw Witness (2-TCW-960)	Co - Prosecutor	10:31	10:32
	Lead Co - Lawyer	10:32	10:32
	KHIEU Samphan	10:33	10:33
	Trial Chamber	13:32	13:34
Hearing of Expert Peggy LEVINE (2-TCE-81)	Trial Chamber	11:11	11:34
	KHIEU Samphan	13:34	14:41
		15:04	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, with the Accused NUON Chea present in the holding cell.

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 courtroom and to follow the proceedings from the holding cell.

Oral Submissions on the request to admit 2-TCE-81's book into Evidence

The Trial Chamber granted the floor to the Parties to provide oral submissions on the Lead Co-Lawyers' request to admit into evidence excerpts from 2-TCE-81's book entitled "Love and Dread in Cambodia". None of the Parties objected to the request and the Co-Prosecutors submitted that the entire book should be admitted. The KHIEU Samphan Defence responded that it was not necessary to admit the entire book.

The Chamber granted the request to admit the entire book and assigned it Document number is E3/10677.

Oral Submissions on the KHIEU Samphan Defence request to admit documents related to 2-TCE-81

The Trial Chamber granted the floor to the parties to provide oral submissions on the request by the KHIEU Samphan Defence to admit into evidence two documents related to 2-TCE-81. During the hearing, the Defence limited its request to admitting only two pages of comments made by the expert (ERNs 01330847 and 01330848). None of the Parties objected to the request.

The Chamber granted the request to admit the two pages and assigned them Document number E3/10676.

Oral Submissions on the NUON Chea Defence request in relation to the questioning of

2-TCW-960

The Trial Chamber granted the floor to the Parties to provide oral submissions on the request by the NUON Chea Defence on the sequence of questioning of 2-TCW-960. The NUON Chea Defence submitted that it withdraws its request to call 2-TCW-960 as a witness. The Chamber then granted the floor to the Parties to provide oral submissions on the request by the NUON Chea Defence to withdraw 2-TCW-960.

The Chamber issued an oral ruling maintaining its decision to hear 2-TCW-960 as scheduled.

Hearing of Expert 2-TCE-81 Peg LEVINE

Questions were put to the expert by the Trial Chamber, followed by the KHIEU Samphan Defence.

New E3s

<i>TC No</i>	<i>OCIJ No</i>	<i>ERN (KH, ENG, FR)</i>	<i>Title</i>	<i>Class</i>	<i>Note in Khmer</i>	<i>Note in English</i>	<i>Note in French</i>
E3/10676		01330847 01330848	FINAL Submission of Transcripts for Court Review Peg LeVine (23 September 2015)	P	/	/	/
E3/10677		01334888- 01335002	LeVine, Peg (2010). Love and Dread In Cambodia	P	/	/	/

Reclassified Document

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/1794		00894147- 00894148 00806213- 00806229 00834033- 00834042 00806213- 00806219 00482421- 00482714 00809683- 00809686 00821550- 00821553 00822186- 00822189 00950454- 00950457	Peg LeVine, "A Contextual Study into the Wedding and Births under the Khmer Rouge"	P	00894148	00482443 00482430 00482481 00482538	00950456
E29/489/1		01331002- 01331003 01331001- 01331001	Trial Chamber Memorandum Entitled "Response of Rob Lemkin to TC Inquiry".	P	/	/	/

Other Documents

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/4202		00858214- 00858410 00920122- 00920144 00757471- 00757568 00849349- 00849484	Book by GINA Chon and THET Sambath	P	/	/	/

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 proceeding (10:09).
- Order granting the request to admit 2-TCE-81's book and assigning it Document number is E3/10677 (11:08).
- Order granting the request to admit pages with ERNs 01330847 and 01330848 and assigning them Document number E3/10676 (11:08).
- Order to hear witness 2-TCW-960 as scheduled following the request to withdraw the witness (13:33).
- Order to take the two accused, NUON Chea and KHIEU Samphan, back to the detention facility and have them returned to attend the proceedings on Tuesday 11 October 2016 before nine o'clock.(16:01)


Order for Adjournment of Hearing

Hearing will resume on Tuesday 11 October 2016 at 9:00am

Phnom Penh, 10 October 2016

Greffier

Greffier


Ms. Sivhoang CHE




Ms. Stavroula PAPADOPOULOS