



ឯកសារដើម

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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
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ម៉ោង (Time/Heure) : 15:30

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

002/19-09-2007-ECCC/TC
E1/479

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

22 September 2016

Hearing on evidence – Day 460

Prepared by:

Mrs. SE Kolvuthy and Ms. Maddalena GHEZZI

| |
|---|
| Attendance Record |
| Before: Judge YA Sokhan (Presiding); Judge YOU Ottara; Judge Jean-Marc LAVERGNE Judge Claudia FENZ; Judge THOU Mony |
| Reserve Judges: Judge Martin KAROPKIN (Reserve) |
| Greffier(s): Mrs. SE Kolvuthy; Ms. Maddalena GHEZZI |
| OCP: Mr. SENG Leang; Mr. Vincent DE WILDE D'ESTMAEL; Mr. Dale LYSAK |
| Accused: Mr. KHIEU Samphan; Mr. NUON Chea (from the holding cell) |
| Defence for the Accused NUON Chea: Mr. Victor KOPPE; Mr. SON Arun; Ms. Doreen CHEN |
| Defence for the Accused KHIEU Samphan: Ms. Anta GUISSÉ; Mr. KONG Sam Onn |
| Standby Counsel for the Accused KHIEU Samphan: Mr. Calvin SAUNDERS; Ms. TOUCH Voleak |
| Civil Parties: Ms. Marie GUIRAUD; Mr. PICH Ang |
| Witness: 2-TCW-1036 (Category A witness) |
| Others: Mr. KEO Vath (Support Staff); Ms. SOUR Sotheavy (Associate Court Officer); Mr. NOU Monoroath, Ms. YOUS Sereiroth (Transcribers); Mr. Sebastian BATES (Trial Chamber Intern) |

General court times

| | | |
|-----------|-------------------|-----------------------|
| Day | Start time: 09:02 | Finish time: 11:03 |
| Recess am | Start time: 10:22 | Finish time: 10:47 |
| | Total Court Time: | 1 hour and 36 minutes |

| <u>Proceedings</u> | | | |
|---|------------------------|------------|-------------|
| Type of Issue | Raised By | Start time | Finish time |
| Opening of the Hearing | Trial Chamber Greffier | 09:02 | 9:03 |
| NUON Chea's request to follow the proceedings from the holding cell | NUON Chea Defence | 09:03 | 09:05 |
| Oral decision on summoning 2-TCW-1065 | Trial Chamber | 09:05 | 09:07 |
| Hearing of witness 2-TCW-1036 | Co-Prosecutors | 09:07 | 09:29 |
| | Lead Co-Lawyers | 09:29 | 09:29 |
| | Trial Chamber | 09:29 | 09:45 |
| | KHIEU Samphan Defence | 09:45 | 10:21 |
| Submissions on postponing the hearing of civil party 2-TCCP-1064 | Trial Chamber | 10:47 | 10:49 |
| | NUON Chea Defence | 10:49 | 10:52 |
| | Trial Chamber | 10:52 | 10:53 |
| | NUON Chea Defence | 10:53 | 10:53 |
| | KHIEU Samphan Defence | 10:53 | 10:54 |
| | Lead Co-Lawyers | 10:54 | 10:55 |
| | Trial Chamber | 10:55 | 10:57 |
| | Lead Co-Lawyers | 10:57 | 10:57 |
| | Trial Chamber | 10:57 | 10:57 |
| | Co-Prosecutors | 10:57 | 11:00 |
| | NUON Chea Defence | 11:00 | 11:00 |
| Trial Chamber | 11:00 | 11:03 | |

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.

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.

Oral decision summoning 2-TCW-1065

The Trial Chamber summonsed 2-TCW-1065 on its own motion and accordingly admitted into evidence his written records of interview (E3/10667, E3/10668, and E3/10669).

Hearing of witness 2-TCW-1036

The Co-Prosecutor, the Lead Co-Lawyers, the Trial Chamber and the KHIEU Samphan defence put questions to the witness 2-TCW-1036.

Submissions on postponing the hearing of civil party 2-TCCP-1064

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Submissions on postponing the hearing of civil party 2-TCCP-1064

The Trial Chamber granted the NUON Chea Defence request to postpone the hearing of Civil Party 2-TCCP-1064.

Other documents (No Change)

| TC No | OCIJ No | ERN (KH, ENG, FR) | Title | Class | Note in Khmer | Note in English | Note in French |
|----------|---------------|---|---|-------|-----------------------|--------------------|-------------------|
| E3/1208 | / | 00020901; 00539059; 00532777 | Telegram 63 To respected Angkar 870 about picking up the son of a Foreign Affairs staffer | P | 00020901 | 00539059 | 00532777 |
| E3/4202 | E152.2 | 00858214- 00858410; 00757471- 00757568; 00849349- 00849484 | Book by GINA Chon and THET Sambath entitled "Behind the killing fields: a Khmer Rouge leader and one of his victims" | P | 00858392 | 00757552 | 00849470 |
| E3/9581 | E319/19.3.107 | 00960674- 00960685; 00970077- 00970089; 01044641- 01044651 | Written Record of Interview of [Redacted] | C | 00960683- 00960684 | 00970088 | 01044650 |
| E3/10604 | / | 01222328- 01222936 (ENG) | Annex 2: OCIJ S-21 Prisoners List 31 March 2016 | P | / | 01222407 | / |
| E3/863 | / | 00076286- 00076288; 00321961- 00321963; 00623408- 00623410 | To Respected Angkar: about defending the enemy | P | 00076287 | 00321962 | 00623409 |

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 (09:05am).
- Oral decision to summons 2-TCW-1065 and admit E3/10667, E3/10668, and E3/10669 into evidence (9:07am).
- Order to postpone Civil Party 2-TCCP-1064 (11:02am).

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- Order to take the Accused to the Detention Facility and bring them back to court for the hearing on Tuesday, 4 October 2016 (11:03am).

Order for Adjournment of Hearing
 The hearing will resume on Tuesday, 4 October 2016 at 09:00am. *SP*

Phnom Penh, 22 September 2016

Greffier *SE Kolvun* Greffier *Maddalena Ghezzi*

Mrs. SE Kolvun *SE Kolvun* Miss Maddalena GHEZZI *Maddalena Ghezzi*

