



**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

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): ..... 12 ..... / ..... 12 ..... / ..... 2016 .....
ម៉ោង (Time/Heure) : ..... 15 : 15 .....
ឧត្តិករទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé Dossier: <b>SANN ROOP</b>

**WRITTEN RECORD OF PROCEEDINGS**

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

20 October 2016

Substantive Hearing on evidence - Day 468

Prepared by:

Mrs. SE Kolvuthy and Ms. Maddalena GHEZZI

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge YOU Ottara; Judge Claudia FENZ
<b>Reserve Judges:</b> Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve)
<b>Greffiers:</b> Mrs. SE Kolvuthy; Ms. Maddalena GHEZZI
<b>OCP:</b> Ms. SONG Chorvoin; Mr. Nicholas KOUMJIAN; Mr. SENG Leang; Mr. Vincent DE WILDE D'ESTMAEL
<b>Accused:</b> Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
<b>Defence for the Accused Noun Chea:</b> Mr. SON Arun; 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; Mr. HONG Kim-Suon; Ms. Marie GUIRAUD; Mr. LOR Chunthy; Ms. SIN Soworn; Mr. VEN Pov
<b>Witness:</b> Mr. Stephen John MORRIS (2-TCE-98); Ms. PREAP Sokhoeurn (2-TCCP-1064)

**Others:** Mr. UCH Arun (Court Officer); Mrs. SOUR Sotheavy (Associate Court Officer); Ms. YOUS Sereyroth; Mrs. PICH Chariya; Ms. SAM Makara; Mr. VAT Samao (Transcribers); Mr. SOK Sopheak (Intern); Ms. Dhevy Sunantha SIVAPRAKASAM (Intern)

### General court times

Day	Start time: 09:00	Finish time: 16:05
Recess am	Start time: 10:15	Finish time: 10:35
Recess	Start time: 11:30	Finish time: 13:30
Recess pm	Start time: 14:45	Finish time: 15:00
	Total Court Time:	4hours and 30minutes

### Proceedings

Type of Issue	Raised By	Start time	Finish time
Opening of Substantial Hearing and report on attendance of the Parties	Trial Chamber, Greffier	9:01	9:02
NUON Chea Defence Request to follow proceedings from the holding	Trial Chamber	9:02	9:04
Hearing of Witness Stephen John MORRIS (2-TCE-98)	Co-Prosecutors	9:04	9:54
	Lead Co-Lawyers	9:54	11:30
	KHIEU Samphan Defence	13:31	14:04
Hearing of Civil Party PREAP Sokhoeurn (2-TCCP-1064)	Trial Chamber, President	14:08	14:14
	Lead Co-Lawyers	14:14	15:54
	Co-Prosecutors	15:54	16:03

### Summary of Proceedings

#### Opening of the 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 the courtroom and to follow the proceedings from the holding cell.

#### Hearing of Witness Stephen John MORRIS (2-TCE-98)

Questions were put to expert Mr. Stephen John MORRIS (2-TCE-98) by the Co-Prosecutors, the Lead Co-Lawyers and the KHIEU Samphan's Defence.

#### Hearing of Civil Party PREAP Sokhoeurn (2-TCCP-1064)

Questions were put to Civil Party Ms. PREAP Sokhoeurn (2-TCCP-1064) by the Trial Chamber, the Lead Co-Lawyers for Civil Parties and the Co-Prosecutors.

## Reclassified Documents

TC No	OCI J No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/8177		00631175- 00631178/ 00165991- 00165991/ 00597761- 00597762	Annex 118: New York Times 23 December 1977 "Raids from Cambodia are Worrying Thais"	P	00631175- 00631177	00165991	00597761- 00597762
E3/8272		00834835- 00834835/ 00166112- 00166112/ 00822432- 00822432	Annex 90: Los Angeles Times 1977 "Cambodian Border clashes Confirmed"	P	00834835	00166112	00822432
E3/10710		01329192- 01329226/ 01337460- 01337507/ 01337508- 01337538	DC Cam Interview with PREAP Sokhoeurn on 11 October 2003	P	01329226	01337506- 01337507	01337538

## Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9644		01120065- 01120101/ 01085963- 01086001/ 01125296- 01125324	The Khmer Rouge and the Vietnamese Communists: A history of their relations as told in the Soviet archives	P	01120075; 01120084	01085974- 01085975; 01085983	01125304; 00125311
E3/243		00020938- 00020940/ 00532795- 00352796/ 00548911- 00548913	[Corrected 1] DK Military Telegram by Chhon entitled "Telegram 15 - Radio Band 791 - To Respected and Beloved Brother Pol"	P	00020938	00532795	00548911
E3/1076		00052865- 00052865/ 00323164- 00323164/ 00504132- 00504132	DK Telegram entitled "Telegram No 18"	P	00052865	00323164	00504132
E3/2376		00191296- 00191815/ 00192169- 00192666/ 00236900- 00237256/	Book by Nayan CHANDA titled "Brother Enemy: The War after the War"	P	0019140- 00191402; 00191550	00192271; 00192401	00236981; 00237080
E1/386.1		01202209- 01202287/ 01201015- 01201116/ 01201117- 01201234	Transcript of hearing on the substance in Case 002/02 - 02 February 2016 155730	P	01202283	01201111	01201228
E3/7338		/ 01001657- 01001985/ /	Attachment 4: Stephen J. Morris Why Vietnam Invaded Cambodia Political Culture and the Causes of War"	P	/	01001771; 01001706- 01001707; 01001682; 01001912; 01001684; 01001776- 01001777; 01001686; 01001772- 01001773; 01001776; 01001775	/

E3/4604	00064706- 00064753/ 00519829- 00519862/ 00520338- 00520381	CPK Magazine entitled: "The Revolutionary Flag", Issue 4, April 1978 (FULL)	P	00064713	00519833	00520344
E1/237.1	00962676- 00962737/ 00962509- 00962587/ 01054439- 01054524	[Corrected 3] Transcript of hearing on substance on Case 002 - 31 October 2013	P	00962699- 00962700	00962538- 00962539	01054471
E3/9723	01310866- 01310869/ 01186943- 01186945/ /	Australian Diplomatic Cable, Embassy Hanoi, 20 August 1975	P	01310869	01186945	/
E3/2370	00251353- 00251356/ 00187375- 00187397/ 00344726- 00344748	Vietnam- Cambodia Conflict dated 04 October 1978	P	00251353	00187393	00344745
E3/10699	/ 01335024- 01335238/ /	Attachment 1: Stephen J. Morris, 'The origins of the Soviet-Vietnamese alliance'	P	/	01335193; 01335066	/
E3/1773	01320159- 01320183/ 01246918- 01246932/ 00538381- 00538399 [DE]	Report and Information and files of conversations about the relations between Kampuchea and Vietnam 1977 - 1978	P	01320163; 01320165; 01320160	01246920; 01246922; 01246919	/
E3/10703	/ 01335287- 01335289/ /	Attachment 5: David Chandler, 'Book Review of Stephen J. Morris's Why Vietnam Invaded Cambodia: Political Culture and the Causes of War', 3 The Journal of Asian Studies 59 (2000), 803-804	P	/	01335287	/
E3/9820	01029951- 01029968/ 01050558- 01050578/ 01128332- 01128346	Written Record of Interview of PREAP Sokhoeurn	C	01029964	01050574	01128343

**Oral Orders/Decisions:**

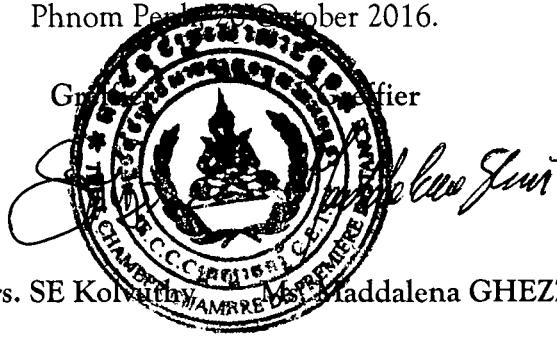
- Order authorising the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceedings (09:02)
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 24 October 2016 (16:05).

**Orders for Adjournment of Hearing**

The hearing will resume on Monday 24 October 2016 at 9:00am. *RS*

Phnom Penh, 20 October 2016.

Grand Chamber Clerk



Mrs. SE KOLYAMREY *Maddalena GHEZZI*