



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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
19 / 12 / 2016
ម៉ោង (Time/Heure):
15:35
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: <u>SANN RAO</u>

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

14 September 2016
Substantive Hearing on evidence – Day 454

Prepared by:
EM Hoy and Maddalena GHEZZI

Attendance Record
Before: Judge YA Sokhan (President); Judge Jean-Marc LAVERGNE; Judge Claudia FENZ; Judge YOU Ottara; Judge THOU Mony
Reserve Judges: Judge Martin KAROPKIN (Reserve)
Greffier/s: Mr. EM Hoy; Ms. Maddalena GHEZZI
OCP: Ms. SONG Chorvoine; Mr. William SMITH; Mr. Dale LYSAK
Accused: Mr. NUON Chea; Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr. Victor KOPPE; Mr. Liv SOVANNA; Ms. Doreen CHEN
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn; Ms. Anta GUISSÉ
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. LOR Chunthy; Mr. VEN Pov; Ms. SIN Soworn
Expert: 2-TCE-82 (Kasumi NAKAGAWA)
Others: Mr. UCH Arun (Court Officer); Mrs. SOUR Sotheavy (Associate Court Officer);

Mr. LOHN Nget; Ms. PICH Chariya, Mr. VAT Somao, Mr. MEACH Sovanna (Transcribers), Georgina QUINTON SMITH (Trial Chamber Intern); Mr. KEO Vath (Support staff)

General court times

Day	Start time: 09.09	Finish time: 16.03
Recess am	Start time: 10.09	Finish time: 10.29
Recess	Start time: 11.35	Finish time: 13.29
Recess pm	Start time: 14.39	Finish time: 14.59
	Total Court Time: 4h	Minutes: 23

Proceedings

Type of Issue	Raised By	Start time	Finish time
Opening of Substantial Hearing	Trial Chamber , Greffier	09.09	09.10
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	09.10	09.12
Hearing of <u>expert 2-TCE- 82 (Kasumi NAKAGAWA)</u>	Lead Co-Lawyers for the Civil Parties	09.12	09.27
	Trial Chamber	09.27	09.57
	NUON Chea Defence	10.01	15.16
	KHIEU Samphan Defence	15.16	16.01
Oral ruling on NUON Chea Defence requests under Internal Rules 87(3) and (4) to admit two documents in relation to expert 2-TCE-82 (Kasumi NAKAGAWA)	NUON Chea Defence	10.29	10.31

Summary of Proceedings

Opening of the Substantive Hearing

The Trial Chamber declared the opening of the hearing and requested the Greffier to check the attendance of the parties to the hearing. The Greffier confirmed that all parties were 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 of expert 2-TCE- 82 (Kasumi NAKAGAWA)

The Lead Co-Lawyers for the Civil Parties, Trial Chamber, NUON Chea Defence and KHIEU Samphan Defence posed questions to Expert Kasumi NAKAGAWA.

Oral ruling on NUON Chea Defence requests under Internal Rules 87(3) and (4) to admit two documents in relation to expert 2-TCE- 82 (Kasumi NAKAGAWA)

The Trial Chamber granted the NUON Chea Defence request of 13 September 2016 to admit two documents in relation to Expert Kasumi NAKAGAWA. The first document, the written record of interview of Rochelle Braaf (ERN 01040772-01040776) is assigned document number E3/10663 and the second document, entitled CDP Survey for Ethnic Minorities and Sexual Violence Research 2013 (ERN 01040742-01040754) is assigned document number E3/10664.

New E3s

TC No	OCI J No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10633	/	/	Written record of interview of Rochelle Braaf	P	/	/	/
E3/10664	/	01040755-01040771-01040742-01040754	CDP Survey for Ethnic Minorities and Sexual Violence Research 2013	P	/	/	/

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9614	/	01212340-01212433-01037027-01037085	Annex A: Like ghost changes body "A study on the impact of forced marriage under the Khmer Rouge regime" October 2014	P	01217340	01037039	/
E3/5293	/	00348838-00348847-00351699-00351708-00367745-00367754	Written record of interview of TEP Poch	P	00348844-00348845	00351705	00367751-00367752

E3/2959	/	00738344- 00738356 00421875- 00421928 00701495- 00701501	Nakagawa Kasumi, "Gender-based violence during the Khmer Rouge regime: Stories of survivors from the Democratic Kampuchea (1975-1979)," December 2008	P	00738346- 00738348 00738346- 00738347	00421892 00421892- 00421894 00421893- 00421894	00701496 00738346- 00738348 00731495
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Other documents (No change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/3416	/	00721351- 00721410 00449470- 00449505 00630466- 00630502	Report entitled "'I want to tell you' Stories of sexual violence during Democratic Kampuchea (1975-1979)" by Bridgette Toy-Cronin	P	/	00449502	/
E3/76	/	00701871- 00701889 and 00728971- 00728971 and 01169237- 00169239 and 01327012- 01327012 00170338- 00170455 00743745- 00743745	Foreign Broadcast Information Service collection of reports for September 1978	P	01327012	00170426	/
E1/297.1	/	01097312- 01097373 01095997- 01096077 01096078- 01096171	Transcript of hearing on the substance in Case 002/02 - 5 May 2015	P	/	01096039 01096050 01096020	01096126 01096140 01096104
E1/291.1	/	01090887- 01090958 01089705- 01089803 01089804- 01089915	Transcript of hearing on the substance in Case 002/02 - 23 April 2015	P	/	/	/

E3/10654	/	/ 01322766- 01322839 /	Gender based violence against sexual minorities during the Khmer Rouge regime	P	/	/	/
E3/10655	/	/ 01322840- 01322893 /	Motherhood at war - Pregnancy during the Khmer Rouge regime	P	/	/	/


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 (09.12).
- Order admitting two documents into evidence in accordance with Internal Rules 87(3) and (4) in relation to expert 2-TCE-82 (Kasumi NAKAGAWA) to be classified as E3/10663 and E3/10664 (10.29).
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 15 September 2016 (16.03).

Orders for Adjournment of Hearing

The hearing will resume on 15 September 2016 at 9:00am.

Phnom Penh, 14 September 2016


 EM Hoy


 Maddalena GHEZZI

