



**ឯកសារដើម**  
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):  
..... 20 / 10 / 2016 .....

ម៉ោង (Time/Heure) :..... 13 : 30 .....

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

E1/490

**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

26 October 2016

Substantive Hearing on evidence – 471

Prepared by:  
EM Hoy and Roger PHILLIPS

<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>Greffier/s:</b> Mr. EM Hoy; Mr. Roger PHILLIPS
<b>OCP:</b> Ms. SREA Rattanak; Mr. Dale LYSAK
<b>Accused:</b> Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan
<b>Defence for the Accused Noun Chea:</b> Mr. SONN 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> Ms. Marie GUIRAUD; Mr. VEN Pov; Ms. CHET Vanly
<b>Witness:</b> Mr. CHUON Thy (2-TCW-859) with Duty Counsel Ms. SOK Socheata
<b>Others:</b> Mr. UCH Arun (Court Officer); Mrs. SOUR Sotheavy (Associate Court Officer); Mr. NOU Monoroath (Transcriber); Mr. LAY Nara (Transcriber); Mr. LONH Nget (Transcriber); Ms. PICH Charkya (Transcriber); Ms. Dhevy Sunantha SIVAPRAKASAM (Intern)

**General court times**

Day	Start time: 9:01	Finish time: 10:16
Recess am	Start time: 10:17	Finish time: 10:33
Recess	Start time: 11:41	Finish time: 13:31
Recess pm	Start time: 14:42	Finish time: 14:57
	Total Court Time: 4'34''	4 hours 34 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	9:01	9:03
NUON Chea Defence Request to follow proceedings from the holding	NUON Chea Defence	9:03	9:04
Hearing of Witness CHUON Thy (2-TCW-859)	KHIEU Samphan Defence	9:04	9:42
		9:42	10:16
	International Co-Prosecutor	10:33	11:39
		13:32	14:42
NUON Chea Defence	14:58	15:46	
NUON Chea Defence request to admit two articles into evidence and to summon two new witnesses	NUON Chea Defence	15:48	15:51
	International Co-Prosecutor	15:51	15:53
	Lead Co-Lawyers for Civil Parties	15:53	15:53
	KHIEU Samphan Defence	15:54	15:54

### 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 Mr. CHUON Thy (2-TCW-859)

Questions were put to the witness Mr. CHUON Thy (2-TCW-859) by KHIEU Samphan Defence, the International Co-Prosecutor and NUON Chea Defence.

#### NUON Chea Defence request to admit two articles into evidence and to summon two new witnesses

The Chamber heard submissions from the NUON Chea Defence on its request to admit

two articles and to summon two additional witnesses reiterating a request to be filed as E448.

The Chamber informed parties that it would take all submissions and responses into consideration and issue its ruling in due course.

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10713		01146342 - 01146354/ 01168338 - 01168352/ /	Written Record of Interview of witness CHUON Thy	P	01146350 - 01146351; 01146348 - 01146349; 01146351; 01146348; 01146346 - 01146347; 01146350; 01146353; 01146352 - 01146353; 01146349 - 01146350; 01146348	01168348 - 01168349; 01168346; 01168349; 01168345; 01168344; 01168347; 01168351; 01168351; 01168347; 01168345	/
E3/9738		00970615 - 00970625/ 00978405 - 00978414/ 01059852 - 01059859	Written Record of Interview of MEAS Voeun dated 15-01-2014	P	00970621	00978410	01059856
E3/862		00021019 - 00021029/ 00185207 - 00185214/ 00814597 - 00814604	The report of the supervision situation in the entire Ploch region for the first week in May 1978	P	00021019 - 00021020; 00021027; 00021020	00185207 - 00185208; 00185212; 00185208	00814597 - 00814598; 00814603; 00814598
E3/426		00357490 - 00357495/ 00364069 - 00364073/ 00403066 - 00403070	[Corrected 1] Written Record of Interview of LONH Dos	P	00357492	00364071	00403068
E3/376		00270171 - 00270175/ 00278688 - 00278691/	Written Record of Interview of LAY Ean	P	00270173 - 00270174	00278690 - 00278691	00486093 - 00486094

		00486091 - 00486094					
E3/8403		00744489 - 00744561/ 00749678 - 00749760/ 00419634 - 00419664	Accounts of Vietnam's Aggression Against Democratic Kampuchea	P	00744492	00749682	00419636

**Reclassified**

E3/1322		00221701 - 00221705/ 00170400 - 00170401/ 00219452 - 00219454	Confessions of captured Vietnamese Private NGUYEN Van Son	P	00221701 - 00221705	00170400 - 00170401	00219452 - 00219454
E3/3751		00801542 - 00801543/ 00114351 - 00114351/ 00725744 - 00725745	Media article entitled "Russians back aggression by Hanoi, Cambodia says"	P	00801542 - 00801543	00114351	00725744 - 00725745
E3/421		00407735 - 00407740/ 00414056 - 00414061/ 00426353 - 00426357	[Corrected] Written Record of Interview of CHHOUK Rin	P	00407737 - 00407738	00414058 - 00414059	00426355
E3/428		00373479 - 00373489/ 00374945 - 00374953/ 00485471 - 00485481	Written Record of Interview of SOKH Chhien	P	00373488	00374952	00485479
E3/749		00399100 - 00399165/ 00532681 - 00532703/ 00593936 - 00593961	CPK Magazine entitled "Revolutionary Youth" Issue 8, August 1975	P	00399114	00532686	00593942

**Other documents (No Change)**

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/765		00376472 - 00376507/	Revolutionary Youth Number 10 October 1978	P	00376493 -	00539994	00540024

		00539976 - 00540007/ 00540008 - 00540037			00376494		
E3/4593		00485620 - 00485629/ 00513311 - 00513319/ 00520454 - 00520462	Written Record of Interview of Witness CHUON Thi	P	00485623; 00485626	00513314; 00513316 - 00513317	00520457; 00520459 - 00520460
E3/419		00407745 - 00407752/ 00411002 - 00411009/ 00434784 - 00434790	Written Record of Interview of IENG Phan	P	00407745; 00407750; 00407751	00411002; 00411006; 00411007 - 00411008	00434784; 00434788; 00434789
E3/361		00194462 - 00194473/ 00766447 - 00766459/ 00268878 - 00268892	[Corrected 1] Written Record of Interview of CHHOUK Rin	P	00194471; 00194469	00766457; 00766454 - 00766455	00268889; 00268887
E3/216		00008485 - 00008493/ 00850973 - 00850978/ 00343374 - 00343380	[Corrected 2] Note about permanent visited and the report about overall situation at the basic	P	00008489	00850977	00343377
E3/3960		00054815 - 00054873/ 00633857 - 00633907/ 00403335 - 00403382	DC-Cam Statement of LENG Kim alias Kung Kim	P	00054862 - 00054863	00633897 - 00633898	00403373 - 00403374
E3/1608		S 00810113 - S 00810138/ S00013179 - S00013194/ S 00793492 - S 00793509	"Far Eastern Relations"	P	S 00810114 - S 00810115	S 00013179 - S 00013180	S 00793493 - S 00793494

E3/75		/ 00168895 - 00169022/ /	Foreign Broadcast Information Service collection of reports for August 1978	P	/	00168931 - 00168932	/
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E3/294		/ 00170162 - 00170337/ /	Foreign Broadcast Information Service collection of reports for October 1978	P	/	00170239	/
E3/10604		/ 01222328 - 01222936/ /	Annex 2: OCIJ S-21 Prisoners List 31 March 2016	P	/	01222373; 01222490; 01222533; 01222558; 01222647; 01222663; 01222721; 01222824; 01222844; 01222855; 01222905; 01222909	/
E3/10205		01016472 - 01016480/ / /	Name list of prisoner entry in October 1978	P	01016474 - 01016475	/	/
E3/80		00486468 - 00486473/ 00491653 - 00491658/ 00509783 - 00509789	[Corrected 1] Written Record of Interview of Witness MEAS Vooun dated 03-03-2010	P	00486471 - 00486472	00491656	00509787
E3/1094		00143603 - 00143617/ 00315368 - 00315383/ 00593523 - 00593538	To Respected Angkar from M401	P	00143611 - 00143612; 00143611; 00143604;  00143610	00315376; 00315383; 00315368; 00315374 - 00315375	00593532; 00593538; 00593523;  00593530
	E1/183.1	00904016 - 00904105/ 00905337 - 00905439/ 00905230 - 00905336	[Corrected 2] Transcript of hearing on the substance in Case 002 - 24 April 2013	P	00904056; 00904054 - 00904055; 00904041	00905380 - 00905381; 00905378 - 00905379; 00905364	00905274 - 00905275; 00905272 - 00905273; 00905257 - 00905258

E3/9	/ 00396177 - 00396757/ 00639445 - 00640068	Book by Philip Short entitled "Pol Pot, The History of a Nightmare"	P	/	00396585	00639949
E3/2376	00191296 - 00191815/ 00192169 - 00192666/ 00236900 - 00237256	Book by NAYAN Chanda entitled "Brother Enemy: The War after the War"	P	00191660; 00191553; 00191597; 00191596; 00191525	00192503; 00192403; 00192440; 00192439; 00192378	00237154; 00237082; 00237111; 00237111; 00237061
E3/7338	/ 01001657 - 01001985/ /	Attachment 4: Stephen J. Morris Why Vietnam Invaded Cambodia Political Culture and the Causes of War"	P	/	01001722	/
E3/799	00083157 - 00083160/ 00184777 - 00184781/ 00323914 - 00323917	Note of Committee Division 920 Meeting: Report about enemy situation and our situation	P	00083160	00184781	00323917
E3/8752	00733312 - 00733352/ 00849486 - 00849523/ 01309267 - 01309304	Annex: DCCAM Interview of TCW-428 dated 11 December 2010	P	00733339	00849510 - 00849511	01309292 - 01309293


**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 (9:04)
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 27 October 2016 (15:57).

**Orders for Adjournment of Hearing**

The hearing will resume on Thursday 27 October 2016 at 9:00am.

Phnom Penh, 26 October 2016  
Greffier Greffier

  
EM Hoy

  
Roger PHILLIPS

