



**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): 29 / 12 / 2016
ម៉ោង (Time/Heure): 09:30
អ្នកទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: <b>SAMN RAPA</b>

**WRITTEN RECORD OF PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

5 December 2016

Substantive Hearing on evidence - 487

Prepared by:

Sivhoang CHEA and Stavroula PAPADOPOULOS

<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> Ms. Sivhoang CHEA; Ms. Stavroula PAPADOPOULOS
<b>OCP:</b> Mr. Nickolas KOUMJIAN; Mr. SREA Rattanak; Mr. Dale LYSAK; Mr. SENG Leang
<b>Accused:</b> Mr. NUON Chea; Mr. KHIEU Samphan
<b>Defence for the Accused Nuon 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 GUISSÉ
<b>Standby Counsel for the Accused Khieu Samphan:</b> Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
<b>Civil Parties:</b> Ms. Marie GUIRAUD; Mr. PICH Ang; Mr. HONG Kimsuon; Mr. VEN Pov; Mr. LOR Chunthy
<b>Witness:</b> Mr. SIN Oeng (2-TCW-1069) with Duty Counsel Mrs. SOK Socheata; Mr. NUON Trech (2-TCW-1060)

**Others:** Mr. UCH Arun (Court Officer); Mr. LOHN Nget (Transcriber); Ms. SREY Nak (Transcriber); Ms. SAM Makara (Transcriber); Ms. YOUS Sereiroth (Transcriber); Ms. Dhevvy Sunantha SIVAPRAKASAM (Intern).

<b>General court times</b>		
Day	Start time: 9:03	Finish time: 16:03
Recess am	Start time: 10:15	Finish time: 10:30
Recess	Start time: 11:38	Finish time: 13:32
Recess pm	Start time: 14:46	Finish time: 15:03
	Total Court Time: 4'33"	4 hours 33 minutes

<b>Proceedings</b>			
Type of Issue	Raised By	Start time	Finish time
Opening of Substantial Hearing	Trial Chamber, Greffier	9:03	9:04
NUON Chea Defence Request to follow proceedings from the holding	Trial Chamber	9:04	9:06
Hearing of Witness SIN Oeng (2-TCW-1069)	NUON Chea Defence	9:07	9:47
	International Co-Prosecutor	9:48	14:08
	Lead Co-Lawyers for Civil Parties	14:09	14:21
	Trial Chamber	14:21	14:45
Oral Ruling on NUON Chea Defence Request for extension of time to hear Witness 2-TCW-1070	Trial Chamber	15:03	15:05
Hearing of Witness TES Trech (2-TCW-1060)	Trial Chamber	15:06	15:15
	NUON Chea Defence	15:15	16:01

### **Summary of Proceedings**

#### **Opening of the Substantive 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 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 proceedings from the holding cell.

**Hearing of Witness SIN Oeng (2-TCW-1069)**

Questions were put to the witness SIN Oeng (2-TCW-1069) by NUON Chea's Defence, the International Co-Prosecutor, Lead Co-Lawyer for Civil Parties and the Trial Chamber.

**Oral Ruling on NUON Chea Defence Request for extension of time to hear Witness 2-TCW-1070**

The Trial Chamber dismissed NUON Chea Defence's request for an extension of time to question witness 2-TCW-1070 and maintained that the hearing of the testimony of witness 2-TCW-1070 would be for one day.

**Hearing of Witness TES Trech (2-TCW-1060)**

Questions were put to the witness TES Trech (2-TCW-1060) by the Trial Chamber and NUON Chea's Defence.

**Reclassified**

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10665		01168433 - 01168486/ 01156796 - 01156827/ /	Annex 2: Interviews of TOAT Thoeun with THET Sambath and Robert LEMKIN, 21 October 2015	P	01168467	01156815	/
E3/7537		00019638 - 00019658/ 00251247 - 00251264/ 00290995 - 00291017	DC-Cam: Interview with TES Ol aka Pheak or Tes Trich	P	00019646	00251253	00291003

**Other documents (No change)**

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10716		01340531 - 01340600/ 01353301 - 01353412/ 01345468 - 01345537	DC-Cam's interview with Sin Ung	P	01340556; 01340536; 01340575; 01340555; 01340559; 01340585; 01340585; 01340588; 01340597; 01340558; 01340572; 01340578; 01340587	01353341; 01353309; 01353373; 01353339; 01353348; 01353388; 01353389; 01353393; 01353407; 01353345; 01353368; 01353377; 01353391	01345494; 01345473; 01345513; 01345492; 01345498; 01345523; 01345524; 01345525; 01345534; 01345496; 01345510; 01345516; 01345525
E3/10717		01340440 - 01340530/ 01355695 - 01355824/ 01348485 - 01348572	DC-Cam's interview with Norng Nim	P	01340521; 01340494; 01340501	01355812; 01355773; 01355782 - 01355783	01348564; 01348538; 01348544
E3/10699		/ 01335024 - 01335238/ /	Attachment 1: Stephen J. Morris, 'The Origins of the Soviet-Vietnamese Alliance', Doctoral Dissertation, Columbia University, 1987	P	/	01335197	/
E3/3015R		V00422521 - V00422521	DDC VI 001248 Pol Pot visiting a rubber tree plantation and Khmer Rouge soldiers preparing for war	P	V00422521	V00422521	V00422521
E3/4202		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	00858353; 00858355	00757535; 00757536	00849445; 00849446
E3/1593		00637356 - 00638099/ 01149978 - 01150245/ 00638722 - 00639444	Book by Ben Kiernan entitled "The Pol Pot regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975 -79"	P	00637826 - 00637827; 00637947	01150194; 01150203	00639154; 00639172
E3/10604		/ 01222328 - 01222936/ /	Annex 2: OCIJ S-21 Prisoners List 31 March 2016	P	/	01222812	/

E3/10714	01327930 - 01327935/ 01338181 - 01338189/ /	Messenger and Driver of SAO Phim 'I Survived Because of Hiding'	P	01327932	01338184	/
E3/5531	00418500 - 00418516/ 00425883 - 00425896/ 00441593 - 00441610	Written Record of Interview of MEAS Soeun	P	00418512 - 00418514	00425892 - 00425893	00441605 - 00441607
E3/7338	/ 01001657 - 01001985/ /	Attachment 4: Stephen J. Morris, Why Vietnam Invaded Cambodia Political Culture and the Causes of War	P	/	01001773	/
E3/1568	00713919 - 00713993/ 00651862 - 00651907/ 00743328 - 00743384	Retyped from a Handwritten interview of CHEA Sim, Phnom Penh, 3 December 1991, and Heng Samrin, Phnom Penh, 2 December 1991	P	/	00651892	00743367
E3/7877	00342434 - 00342438/ 00346976 - 00346980/ 00411782 - 00411787	Written Record of Interview of TES Trech	P	00342436; 00342437	00346978; 00346979	00411784; 00411785

**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
- Oral ruling dismissing NUON Chea Defence's request for an extension of time to question witness 2-TCW-1070.
- Order to take the Accused to the Detention Facility and bring them back to court for the Hearing on 6 December 2016 (16:03).

**Orders for Adjournment of Hearing**

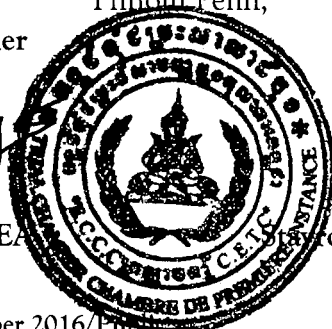
The hearing will resume on Tuesday 6 December 2016 at 9:00am.

Phnom Penh,

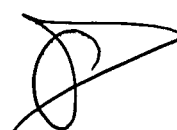
Greffier



Sivhoang CHEA



Greffier



Loula PAPADOPOULOS