



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ឯកសារដើម**

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):  
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ម៉ោង (Time/Heure) : ..... ១២:៤៥ .....

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé  
 Du dossier: **SANN RADA**

002/19-09-2007-ECCC/TC  
E1/512

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

13 December 2016  
Trial Day 492

Prepared by:  
Mr. EM Hoy and Ms. Stavroula PAPADOPOULOS

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| <b>Attendance Record</b>   |
| Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge YOU Ottara; Judge Claudia FENZ.   |
| Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve).  |
| Greffiers: Mr. EM Hoy; Ms. Stavroula PAPADOPOULOS.   |
| OCP: Mr. Joseph Andrew BOYLE; Mr. Dale LYSAK; Mr. SENG Leang; Ms. SONG Chorvoin.   |
| Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan.   |
| Defence for the Accused Nuon Chea: Mr. Victor KOPPE; Mr. LIV Sovanna.  |
| Defence for the Accused Khieu Samphan: Ms. Anta GUISSSE; Mr. KONG Sam Onn  |
| Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS.  |
| Civil Parties: Ms. Marie GUIRAUD; Mr. PICH Ang; Mr. HONG Kimsuon; Mr. VEN Pov, Ms. SIN Soworn.   |
| Witness: (2-TCW-823) with Duty Counsel Mr. CHAN Sambour; Mr. VOEUN Vulthy (2-TCE-1062).  |
| Others: Mr. UCH Arun (Court Officer); Mrs. SOUR Sotheavy (Associate Court Officer); Mr. VAT Somao (Transcriber); Mr. NOU Monoroath (Transcriber); Mr. MEACH Sovanna; Ms. Tereza TUPA (Trial Chamber Intern). |

| <u>General court times</u> |                   |                        |
|----------------------------|-------------------|------------------------|
| Day                        | Start time: 9:04  | Finish time: 14:36     |
| Recess am                  | Start time: 10:17 | Finish time: 10:39     |
| Recess                     | Start time: 11:19 | Finish time: 13:32     |
| Recess pm                  | Start time: /     | Finish time: /         |
|                            | Total Court Time: | 2 hours and 57 minutes |

| <u>Proceedings</u>  |                                   |                        |                        |
|---|-----------------------------------|------------------------|------------------------|
| Type of Issue   | Raised By                         | Start time             | Finish time            |
| Opening of Substantial Hearing and report on attendance of the Parties  | Trial Chamber, Greffier           | 9:04                   | 9:05                   |
| NUON Chea Defence Request to follow the proceedings from the holding cell                                     | NUON Chea Defence                 | 9:05                   | 9:06                   |
| Clarification by the Lead Co-Lawyers on the status of Civil Party SAO Sarun (2-TCCP-237)                      | Trial Chamber                     | 9:06                   | 9:08                   |
|   | Lead Co-Lawyers for Civil Parties | 9:08                   | 9:08                   |
| Clarification on scheduling hearing of Witness Sotheany HIN (2-TCW-1042) and Expert VOEUN Vulthy (2-TCE-1062) | NUON Chea Defence                 | 9:08                   | 9:13                   |
|   |                                   | 9:17                   | 9:18                   |
|   | KHIEU Samphan Defence             | 9:13                   | 9:15                   |
|   | Trial Chamber                     | 9:15<br>10:40<br>11:17 | 9:17<br>10:41<br>11:18 |
| Hearing of Witness (2-TCW-823)  | NUON Chea Defence                 | 9:18                   | 10:11                  |
|   | Trial Chamber                     | 10:11                  | 10:15                  |
|   | NUON Chea Defence                 | 10:15                  | 10:17                  |
|   | Trial Chamber                     | 10:41                  | 10:53                  |
|   | KHIEU Samphan Defence             | 10:53                  | 11:19                  |
| Hearing of Expert VOEUN Vulthy (2-TCE-1062)   | Trial Chamber                     | 13:33                  | 14:36                  |

### Summary of Proceedings

#### Opening of 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, except Mr. Son Arun, who is absent for the morning sessions for

personal reasons. The Accused NUON Chea was 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.

**Clarification on scheduling hearing of Witness Sotheany HIN (2-TCW-1042) and Expert VOEUN Vulthy (2-TCE-1062)**

At the request of the NUON Chea Defence and the KHIEU Samphan Defence, the Trial Chamber provided clarification in respect of the scheduling of Witness Sotheany HIN (2-TCW-1042) and Expert VOEUN Vulthy (2-TCE-1072).

**Hearing of Witness (2-TCW-823)**

Questions were put to the Witness by the NUON Chea Defence, followed the Trial Chamber and the KHIEU Samphan Defence.

**Hearing of Expert (2-TCE-1062)**

Questions were put to the Expert by the Trial Chamber.

**Other documents (No Change)**

| TC No   | OCIJ No      | ERN (KH, ENG, FR)                                     | Title  | Class | Note in Khmer   | Note in English                              | Note in French |
|---------|--------------|---|--|-------|---|--|----------------|
| E3/9698 | E319/23.3.21 | 01034016-01034028-01040432-01040444                   | Written Record of Interview of [Redacted] Dated 22-10-2014                             | C     | 01034021-01034022-01034022-01034023-01034023-01034024 | 01040438-01040438-01040439-01040439-01040440 | /              |
| E3/9699 | E319/23.3.12 | 00990382-00990405-01076839-01076868-01118077-01118097 | Written Record of Interview of [Redacted]  | C     | 00990395  | 01076856-01076857                            | 01118089       |
| E3/799  | /            | 00083157-00083160-00184777-00184781-00323914-00323917 | Note of Committee Division 920 Meeting: Report about enemy situation and our situation | P     | 00083160  | 00184781                                     | 00323916       |

|          |                |   |   |   |          |          |          |
|----------|----------------|---|---|---|----------|----------|----------|
| E3/8752  | E233/1.1       | 00733312-<br>00733352<br>00849486-<br>00849523<br>01309267-<br>01309304 | Annex: DC-CAM interview of<br>TCW428 da                                 | P | 00733339 | 00849511 | 01309293 |
| E3/749   | D243/2.1.20    | 00399100-<br>00399165<br>00532681-<br>00532703<br>00593936-<br>00593961 | CPK Magazine entitled:<br>"Revolutionary Youth", Issue<br>8 August 1975 | P | 00399114 | 00532686 | 00593942 |
| E3/9817a | E319/23.3.19.1 | 01033983-<br>01033990<br>01313339-<br>01313344<br>01308956-<br>01308964 | DC-Cam Interview of<br>[Redacted]                                       | C | 01033989 | 01313343 | 01308963 |

**Oral Orders/Decisions:**

- Order authorizing the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceeding (9:06).
- Order to take the two Accused to the Detention Facility and bring them back to court for the Hearing on 14 December 2016 (14:36).

**Order for Adjournment of Hearing**

The hearing will resume on Wednesday 14 December 2016 at 9:00 am.

Phnom Penh, 13 December 2016

Greffier

Greffier





Mr. EM Hoy

Roula PAPADOPOULOS