



ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé
du dossier: UCH A. Um

E1/118

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

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

30 August 2012

Hearing on Fitness of the Accused to Stand Trial- Day 105

Prepared by:

Roger PHILLIPS and DAV Ansan

<u>Attendance Record</u>
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge Jean-Marc LAVERGNE, Judge YA Sokhan, Judge YOU Ottara.
Reserve Judges: Judge THOU Mony, Judge Claudia FENZ.
Greffiers: Ms. Susan LAMB, Mr. Roger PHILLIPS, Ms. SE Kolvuthy, Mr. DAV Ansan.
OCP: Mr. CHAN Dararasmey, Ms. SONG Chorvoïn, Mr. PICH Sambath, Mr. Keith RAYNOR, Mr Tarik ABDULHAK, Mr. Dale LYSAK, Mr. Salim NAKHJAVANI.
Accused: Ms. IENG Thirith (from the holding cell), Mr. IENG Sary (from the holding cell).
Defence for the Accused: Ms. Diana ELLIS, Mr. PHAT PouV Seang, Mr. ANG Udom.
Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. SAM Sokong, Mr. LOR Chunthy, Mr. HONG Kimsuon, Mr. VEN Pov, Ms. CHET Vanly, Ms. Christine MARTINEAU, Ms. SIN Soworn, Ms. Beini YE, Ms. TY Srinna.
Experts: Dr. Seena FAZEL, Prof. John CAMPBELL, Dr. HUOT Lina.
Witness: Prof. CHAK Tida.
Others: Mr. Simon MEISENBERG, Mr. Michael YIQIANG LIU, Ms. Sonia

MESSAOUDI.

<u>General court times</u>		
Day	Start time: 10:35	Finish time: 16:20
Recess	Start time: 12:05	Finish time: 13:30
Recess pm	Start time: 14:40	Finish time: 15:00
	Total Court Time:	4 hours

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<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Background of the procedures about IENG Thirith unfitness to trial	TC	10:37	10:49
Testimony of medical experts	TC	10:50	11:27
Testimony of the witness Dr CHAK Tida	TC	11:28	14:11
	IT Defence	14:15	15:51
	OCP	15:51	16:07
	CPLCL	16:08	16:16

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<u>Summary of Proceedings</u>
<p><u>Background of the procedures about IENG Thirith's fitness to trial</u> The Trial Chamber set forth the procedures about IENG Thirith's fitness to stand trial issue.</p> <p><u>Testimony of medical experts</u> The Trial Chamber put questions to medical experts, Mr. Seena FAZEL, Mr. John CAMPBELL, and Mr. HUOT Lina.</p> <p><u>Arrival of Ms. Diana ELLIS the Co-International Lawyer for IENG Thirith</u> Due to the delayed arrival of her flight, Ms. Diana ELLIS arrived in the courtroom at 10:52.</p> <p><u>Testimony of the witness Dr. CHAK Tida</u> The Trial Chamber started questioning the witness Dr. CHAK Tida, followed by the IENG Thirith Defence, the Co-Prosecutors, and finally the Civil Party Lead Co-Lawyers.</p>

Background of the procedures about IENG Thirith's fitness to trial

The Trial Chamber set forth the procedures about IENG Thirith's fitness to stand trial issue.

Testimony of medical experts

The Trial Chamber put questions to medical experts, Mr. Seena FAZEL, Mr. John CAMPBELL, and Mr. HUOT Lina.

Arrival of Ms. Diana ELLIS the Co-International Lawyer for IENG Thirith

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Testimony of the witness Dr. CHAK Tida

The Trial Chamber started questioning the witness Dr. CHAK Tida, followed by the IENG Thirith Defence, the Co-Prosecutors, and finally the Civil Party Lead Co-Lawyers.


Record of Rule 87(3) Proceedings							
TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
N/A	E138	00753929- 00753980 00753479- 00753508 00757429- 00757462	<p>[កែតម្រូវ ១] សេចក្តីសម្រេចលើសម្បទារបស់ អៀង ធីរិទ្ធ ក្នុងការចូលរួមសវនាការ [Corrected 2] Decision on IENG Thirith's fitness to stand Trial Décision relative à l'aptitude de IENG Thirith a être jugée</p>	P			
N/A	E138/ 1/7/4	00787292- 00787304- 00786506- 00786513	<p>របាយការណ៍ទាក់ទងនឹងលោកស្រី អៀង ធីរិទ្ធ ដាក់ជូនតាមសំណើ របស់អង្គជំនុំជម្រះសាលាដំបូង ចុះថ្ងៃទី ៦ ខែ មករា ឆ្នាំ ២០១២ Report concerning Mrs. IENG Thirith in response to Trial Chamber request dated 6 January 2012</p>	S			


Oral Orders/Decisions:

- Order to bring the 3 medical experts to their accommodations and return them to the courtroom for the hearing on Friday 31 August 2012 at 9:00.
- Order to bring the accused IENG Thirith and IENG Sary back to the detention facility, and return IENG Sary to the courtroom for the hearing on Friday 31 August 2012 at 9:00. Order to bring accused IENG Thirith to the holding cell on Friday 31 August 2012.

Orders for Adjournment of Hearing
The hearing will resume on 31 August 2012 at 9:00 a.m.

Phnom Penh, 30 August 2012

Greffier  Greffier

Roger PHILLIPS  DAV Ansan