



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de Première instance

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion Roi

ឯកសារដើម
ORIGINAL DOCUMENT / DOCUMENT ORIGINAL

កាលបរិច្ឆេទ (Date of receipt / Date de réception): 27 04 / 2009

ពេលវេលា (Time / heure): 14:00

មន្ត្រីបម្រើឯកសារ (Case File Officer / L'agent chargé du dossier): C. A. Uy

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

23 April 2009

Substantive Hearing - Day 11

Prepared by: DUCH Phary and Matteo CRIPPA

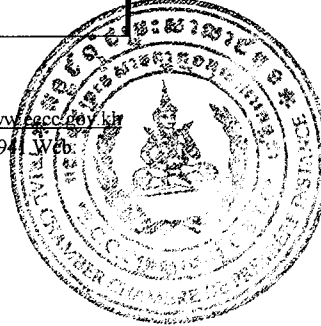
ឯកសារច្បាប់ចម្លងត្រឹមត្រូវតាមបទប្បញ្ញត្តិ
CERTIFIED COPY / COPIE CERTIFIÉE CONFORME

កាលបរិច្ឆេទ (Certified Date / Date de certification): 27 04 / 2009

មន្ត្រីបម្រើឯកសារ (Case File Officer / L'agent chargé du dossier): C. A. Uy

Attendance Record
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge THOU Mony.
Reserve Judges: Judge YOU Ottara (Reserve) and Judge Claudia FENZ (Reserve)
Greffier/s: Mr. Matteo Crippa, Mr. Lim Suy Hong, Mr. Duch Phary, Mrs. Se Kolvuthy.
OCP: Mr. Tan Senarong, Mr. Alexander Bates, Mr. Pich Sambath, Mr. Stuart Ford, Mr. Pak Chanlino.
Accused: Mr. Kaing Guek Eav alias Duch.
Defence for the Accused: Mr. Kar Savuth, Mr. François Roux, Mrs. Héleyn Uñac, Mr. Chan Ravuth, Ms. Virginie Charpentier.
Lawyers for the Civil Parties: Mr. Yung Phanit, Ms. Silke Studzinsky, Mr. Hong Kimsuon, Mr. Philippe Canonne, Ms. TY Srinna, Mr. Alain Werner, Mr. Kong Pisey, Ms. Moch Sovannary.
Courtroom Officer/CMS: Arun Uch
Others: Mrs. Julie Massé, Mrs. Maryvonne Maniacky.

General court times		
Day	Start time: 09:30	Finish time: 12:25



Recess am	Start time: 10:45	Finish time: 11:05
	Total Court Time:	2 hours, 25 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Decision to Extend Time-Limit to Decide on Request for the Release of the Accused	Trial Chamber	09:30	09:35
Questioning of the Accused on the issue of establishment of S-21 and Ta Kmao Prison	Trial Chamber	09:35	12:10
Inaccuracies of Interpretations	Defence	12:10	12:15
Rule 92 Submissions Filed by the Co-Prosecutors	Defence and Co-Prosecutors	12:15	12:25

Summary of Proceedings:

Questioning of the Accused on the Issue of Establishment of S-21 and the Ta Kmao Prison

The Chamber continued the questioning of the Accused on issues relating the establishment of S-21 and the Ta Kmao prison as following:

- Purpose of the establishment of S-21;
- Organization of S-21;
- Location of S-21;
- Role of the Accused;
- Interrogation of detainees

Inaccuracies of Interpretations

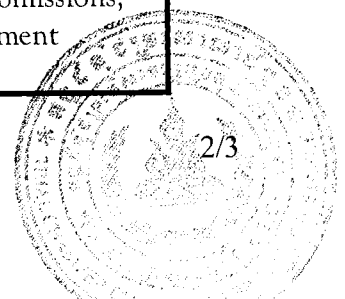
The Defence indicated inaccuracies in the interpretation of the proceedings.

Rule 92 Submissions Filed by the Co-Prosecutors

The Defence requested to be allowed to respond to the Rule 92 submissions field by the Co-Prosecutors.

Record of Rule 87.3 Proceedings

Reference Number	Name/Description	Other
E3/13	Decision of the Central Committee on Various Matters dated 30 March 1976	Introductory Submissions, Annex C, Document Number 6.3
E3/14	Meeting of the Standing Committee dated 9 October 1975	Introductory Submissions, Annex C, Document Number 13.2



E3/15	Written Record of Interview of Duch by the Co-Investigating Judges on 22 November 2007	D29
E3/16	Aerial Photograph of Tuol Sleng Primary School	D45/1/8

Oral Orders/Decisions:

1 - The Chamber decides that circumstances exist justifying an extension of the time-limit for a decision on the request for release of the Accused by an additional 45 days. The Chamber will issue its decision on the request for release by 15 June 2009.

2- Order to take the Accused to the Detention Facility and bring him back to court on 27 April 2009.


Orders for Adjournment of Hearing

Adjournment of Hearing: the hearing is adjourned at the end of the morning sessions. In the afternoon the Chamber will deliberate on urgent outstanding matters. The hearing will resume on Monday, 27 April 2009 at 9:00.

Phnom Penh, 23 April 2009

Greffier

Greffier


DUCH Phary


Matteo CRIPPA