



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 - "Dossier" (ឯកសារសរុបសវនាការ)

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

27 April 2009

Substantive Hearing - Day 12

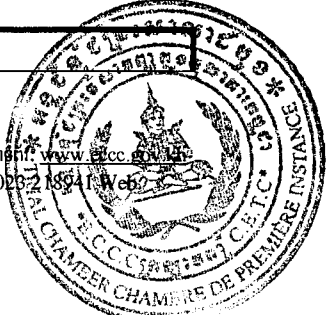
Prepared by: SE Kolvuthy and Natacha WEXELS-RISER

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួលបាន (Date of receipt/Date de réception): 30/04/2009
ម៉ោង (Time/Heure): 10:00
មន្ត្រីទទួលបន្ទុកសវនាការ/Case File Officer/L'agent chargé du dossier: C.A.M

ឯកសារច្បាប់តាមប្រព័ន្ធសវនាការស្របគ្នា
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
ថ្ងៃ ខែ ឆ្នាំ បញ្ជាក់ (Certified Date/Date de certification): 30/04/2009
មន្ត្រីទទួលបន្ទុកសវនាការ/Case File Officer/L'agent chargé du dossier:

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, Ms. Natacha Wexels-Riser, 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. Kong Pisey, Mr. Hong Kimsuon, Mr. Kim Mengkhy, Mr. Philippe Canonne, Ms. TY Srinna, Mr. Alain Werner.
Courtroom Officer/CMS: Keoratanak Kauv
Others: Mrs. Julie Massé, Mr. Lay Nara, Mr. Khem Lindarita, Mr. Pierre Cozette.

General court times



Day	Start time: 09:00	Finish time: 16:25
Recess am	Start time: 10:30	Finish time: 11:05
Recess	Start time: 12:05	Finish time: 13:40
Recess pm	Start time: 15:00	Finish time: 15:25
	Total Court Time:	4 hours and 50 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Rule 92 Submissions Filed by the Co-Prosecutors	Defence, Co-Prosecutors, CP1, 2, 3 and 4	09:05	9:30
Parties' right to discuss with the Accused outside of the hearing	CP1 and the Defence	9:30	9:45
Questioning of the Accused on the Issue of Establishment of S-21 and the Ta Kmao Prison	TC	9:45	10:30
Decision on requests raised during the morning	TC	11:05	11:20
Questioning of the Accused on the Issue of Establishment of S-21 and the Ta Kmao Prison	TC	11:20	16:25
Request for extension of deadline	CP2	15:25	15:30

Summary of Proceedings:

Rule 92 Submissions Filed by the Co-Prosecutors

The Defence objected to the selection of the materials filed on 23 April 2009 by the Co-Prosecutors.

The Co-Prosecutors clarified that the filing was done at the request of the Chamber to give advance notice of documents on which it wished to rely and to assist the Chamber. The Co-Prosecutors requested clarification on how to present documents on which it wishes to rely.

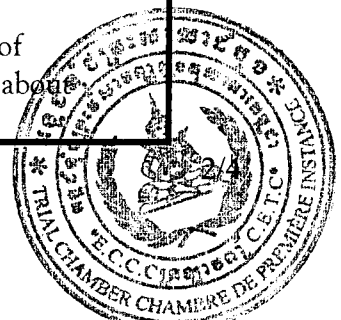
Civil Party Groups 1, 2 and 4 supported the arguments of the Co-Prosecutors.

The Defence responded that it was premature for the Co-Prosecutors to file this selection of documents, because it was the role of the Chamber to do so first.

The Chamber decided that the parties have the right to compile documents and photographs, and to circulate them to the Chamber and the parties. In order to facilitate the proceedings, it would be helpful if parties who wish to put documents before the TC advise the Greffiers. The parties should not make any comments or analyses on these compilations of documents.

Additional request raised by Civil Party Group 1

Civil Party Group 1 referred to Rule 90(1) and requested that during the time of questioning of the Accused, no party, including the Defence, discuss with him about answers given during the hearing.



1. The Chamber decided that the parties have the right to compile documents and photographs, and to circulate them to the Chamber and the parties. In order to facilitate the proceedings, it would be helpful if parties who wish to put documents before the TC advise the Greffiers. The parties should not make any comments or analyses on these compilations of documents.

2 - Order to take the Accused to the Detention Facility and bring him back to court on 28 April 2009.

Orders for Adjournment of Hearing

Adjournment of Hearing: The hearing will resume on Tuesday, 28 April 2009 at 9:00. *N.M.S.*

Phnom Penh,
28 April 2009

[Signature]
Greffier
SE Kolvut



[Signature]
Greffier
Paracha WEXELS-RISER