



ឯកសារបានថតចម្លងត្រឹមត្រូវតាមច្បាប់ដើម
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
 ថ្ងៃ ខែ ឆ្នាំ ថ្ងៃការបញ្ជាក់ (Certified Date/Date de certification):
 ០៧ / ០៧ / ២០០៩
 មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SANN RADA

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ
 Kingdom of Cambodia
 Nation Religion King
 Royaume du Cambodge
 Nation Religion Roi

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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អង្គជំនុំជម្រះសាលាដំបូង
 Trial Chamber
 Chambre de Première instance

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

09 June 2009

Substantive Hearing - Day 25

Prepared by: Se Kolvuthy and Matteo CRIPPA

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, Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser, Mr. Duch Phary.
OCP: Mr. William Smith, Mr. Tan Senarong (morning session), Mr. Seng Bunkheang (afternoon session), Mr. Pich Sambath, Mr. Stuart Ford.
Accused: Mr. Kaing Guek Eav alias Duch.
Defence for the Accused: Mr. Kar Savuth, Mr. François Roux (absent), Mrs. Marie-Paule Canizares; Mrs. Héleyn Uñac, Mr. Chan Ravuth, Ms. Lucile Nattiez.
Lawyers for the Civil Parties: Ms. Silke Studzinsky, Mr. Kong Pisey, Mr. Kim Mengkhy, Mrs. Elisabeth Rabesandratana, Ms. Ty Srinna, Mr. Alain Werner, Mr. Hong Kim Suon.
Courtroom Officer/CMS: Mr. KAUV Keoratanak;
Others: Mr. Scott Bywater, Mr. Pierre Cozette, Ms. Maryvonne Mousounda Maniacky, Mr. Meach Sovanna.



<u>General court times</u>		
Day	Start time: 9:05	Finish time: 16:20
Recess am	Start time: 10:40	Finish time: 11:00
Recess	Start time: 12:00	Finish time: 13:45
Recess pm	Start time: 15:10	Finish time: 15:25
	Total Court Time:	4 hours and 55mn

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Questioning of Accused on the Issue of Implementation of CPK Policy	Civil Parties Group 3 and 4	09:10	11:35
Questioning of Accused on the Issue of Implementation of CPK Policy	Defence	11:35	14:25
Filing of Organizational Chart Presented by Expert Etcheson	Defence	13:45	13:50
Questioning of Accused on the Issue of Armed Conflict	Trial Chamber	14:25	

<u>Summary of Proceedings:</u>
<p>Questioning of the Accused on the Issue of Implementation of CPK Policy by the Civil Parties Lawyers for Civil Parties Group 3 and 4 questioned the Accused on the implementation of the CPK Policy.</p>
<p>Questioning of the Accused on the Issue of Implementation of CPK Policy by the Civil Parties Lawyers for the Defence questioned the Accused on the implementation of the CPK Policy.</p>
<p>Filing of Organizational Chart Presented by Expert Etcheson Following request by the Defence, the Chamber filed in the case file an organizational chart prepared by expert Craig Etcheson and discussed during his testimony on 28 May 2009.</p>
<p>Questioning of Accused on the Issue of Armed Conflict The Chamber questioned the Accused on the issue of armed conflict, and the relations between Vietnam and Democratic Kampuchea.</p>



Record of Rule 87.3 Proceedings				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E66	New document	Chart presented by Craig Etcheson during the hearing of 28 May 2009	Public	E document. No action needed
E52/4.42	NA	Annex 42: Written Record of Interview - 7 July 2002	Conf	E document. No action needed.
E3/12	D72	Written Record of Interview of Duch by CIJ on 05-05-2008	Conf	ERN: 00204282-00204300, 00187649-00187670, 00186168-00186191 Already in E3 folder.
E3/225	D65	Written Record of Interview of Duch by CIJ on 28-03-2008	Conf	ERN: 00177585-00177591, in particular 00177587 "Since the beginning of the war..." and "there were also Vitenamese civilians ..."
E3/199	IS 4.9	The "Black Paper"	Public	ERN: 00082510-00082560. Already in E3 folder, no need to notify.
E3/193	D91/I - Annex 74	"Brother Enemy", Book by Nayan Chanda	Public	ERN 00192271. Already in E3 folder, no need to notify.
E3/226	D42/I/13/2	Annex 2: The magazine "Searching for the truth " No 25 of January 2002, page 16-17	Public	ERN: 00218977-00218978, 00218975-00218976, 0239998-0239999
E3/227	D42/I/13	Duch's Note on The magazine "Searching for the truth " No 19 of July 2001, page 25-26; No 25 of January 2002, page 16-17;	Public	ERN: 00197753-00197754
E2/228	IS 20.18	Cambodian Military Court Suspect Statement of Kaing Guek Eav alias Duch	Conf	ERN: 00184829-00184832, 0089673-0089678

Oral Orders/Decisions:

1. The Chamber announced the re-scheduling of the testimony of witness KW-08 to



to be announced. This witness will be called during the discussion on the Functioning of S21.
2. Order to take the Accused to the Detention Facility and bring him back to court on 10 June 2009.

Orders for Adjournment of Hearing

Adjournment of Hearing: The hearing will resume on Wednesday, 10 June 2009 at 9:00.

Phnom Penh,
09 June 2009


Greffier
Se Kolvuthy


Greffier
Maieo CRIPPA

