



វិញ្ញាបនបត្រច្បាប់
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ថ្ងៃ ខែ ឆ្នាំ ច្បាប់ (Certified Date/Date de certification):
 15 / 07 / 2009 ព្រះរាជាណាចក្រកម្ពុជា

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: **JANN RADA** ភ្នាក់ងារសវនា ព្រះមហាក្សត្រ

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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
 15 / 07 / 2009

ម៉ោង (Time/Heure) : 09:00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: **CH. Jey**

WRITTEN RECORD OF PROCEEDINGS -

DUCH TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

8 July 2009

Substantive Hearing – Day 40

Prepared by: SE Kolvuthy and Natacha WEXELS-RISER

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. Seng Bunkheang, Mr. Anees Ahmed, Mr. Pich Sambath, Mr. Zachery Lampell, Mr. Veng Huot, Ms. Lindsan Baruffa, Mrs. Chun Soleak
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, Mr. Alexandre Prezanti.
Lawyers for the Civil Parties: Ms. Silke Studzinsky, Mr. Kong Pisey, Mrs. Martine Jacquin, Mr. Kim Menghky, Ms. Ty Srinna, Mr. Alain Werner, Mr. Hong Kimsuon.
Courtroom Officer/CMS: Mr. Uch Arun;
Others: Mr. Pierre Cozette, Mr. Scott Bywater, Mrs. Maryvonne Maniacky, Mr. Lay Nara



<u>General court times</u>		
Day	Start time: 9:00	Finish time: 16:15
Recess am	Start time: 10:50	Finish time: 11:05
Recess	Start time: 11:55	Finish time: 13:30
Recess pm	Start time: 14:45	Finish time: 15:05
	Total Court Time:	5 hours and 5 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Request to put the Biography of MUM Yauv before the Chamber	Co-Prosecutors	9:02	9:20
Questioning of Civil Party Phaok Khan (E2/33)	Co-Prosecutors	9:20	9:39
Questioning of Civil Party Phaok Khan (E2/33)	Civil Party Group 3 (9:39 to 10:15), Group 2 (10:15 to 10:21)	9:39	10:21
Observations by the Accused	Accused	10:22	10:23
Questioning of Civil Party Phaok Khan (E2/33)	Defence	10:24 11:05	10:47 11:10
Questioning of Civil Party Chin Meth (E2/80)	Trial Chamber	11:13	16:13

<u>Summary of Proceedings:</u>
<p>Request by the Co-Prosecutors to put a new document before the Chamber The Co-Prosecutors requested to put the Biography of MUM Yauv on the case file and before the Chamber. The Defence accepted the request, but noted that it was submitted late. Civil Party Group 3 supported the request. The Chamber accepted the request.</p> <p>Questioning of Civil Party Phaok Khan (E2/33) The Co-Prosecutors, Civil Party Groups 3, questioned Civil Party Phaok Khan on the functioning of S-21.</p> <p>Questioning of Civil Party Chin Meth (E2/80) The Chamber questioned Civil Party Chin Meth on the functioning of S-21 and S-24.</p>

<u>Record of Rule 87.3 Proceedings</u>				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E94	NA	Biography of MUM Yauv	P	00346163-003 00346317-0



				00347087-00347087
E5/7/1.3	NA	Annex 3: Biography of Phok Sakhon	P	00282312-00282314, 00345916-00345918.
E2/80/4.1	NA	Annex 1: Photograph of Chin Met	P	00343199-00343199
E2/80/4.2	NA	Biography of Khim Met	P	00347466-00347467, 00343200-00343200
E3/391	D32/V, Annex 03	Annex 03: Letter from Meth to Comrade Brother Duch	P	00173329-00173329, 00226100-00226100, 00233327-00233327

Oral Orders/Decisions:


- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 9 July 2009.

Orders for Adjournment of Hearing

Adjournment of Hearing: The hearing will resume on Thursday, 9 July 2009 at 9:00.

NWR. *[Signature]*

Phnom Penh,
8 July 2009

[Signature]
Greffier SE Kolvuthy

Greffier
Macha WEXELS-RISER