



ឯកសារចុះត្រួតពិនិត្យ
 CERTIFIED COPY/COPIE CERTIFIÉE
 ថ្ងៃ ខែ ឆ្នាំ ទទួលបាន (Date of receipt/date de reception):
 15 / 07 / 2009
 មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé
 du dossier: **SANN RADA**

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា 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

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: **C. J. J.**

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

9 July 2009

Substantive Hearing - Day 41

Prepared by: SE Kolvuthy and Natacha WEXELS-RISER

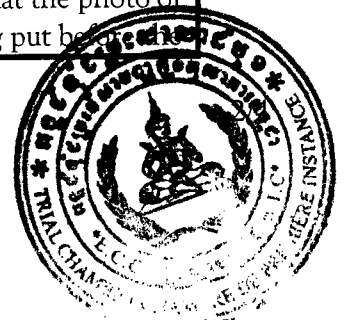
Attendance Record
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge THOU Mony.
Reserve Judges: Judge YOU Ottara (Reserve) and Judge Claudia FENZ (Reserve)
Greffier/s: Mr. Matteo Crippa, Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser, Mr. Lim Suy-Hong.
OCP: Mr. Seng Bunkheang (morning), Mr. Tan Senarong (afternoon), Mr. Anees Ahmed, Mr. Zachery Lampell, Ms. Lindsan Baruffa, Mrs. Chun Soleak (morning), Ms. Welch Kirsty, Mr. Chea Phalla (afternoon).
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, Mrs. Martine Jacquin, Mr. Kim Menghky, Ms. Ty Srinna, Mr. Alain Werner, Mr. Hong Kimsuon.
Courtroom Officer/CMS: Mr. Uch Arun;
Others: Mr. Scott Bywater, Mrs. Maryvonne Maniacky, Mr. Lay Nara, Mr. Khem Lindarita



<u>General court times</u>		
Day	Start time: 9:00	Finish time: 16:00
Recess am	Start time: 10:45	Finish time: 11:05
Recess	Start time: 12:00	Finish time: 13:30
Recess pm	Start time: 14:45	Finish time: 15:05
Additional recess pm	Start time: 15:45	Finish time: 15:55
	Total Court Time:	4 hours and 40 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Request for clarification concerning time allocations for next week, and request for photographs to be put before the Chamber	Co-Prosecutors	9:04	9:40
Questioning of Civil Party Chin Meth (E2/80)	Trial Chamber	9:41	10:03
Questioning of Civil Party Chin Meth (E2/80)	Civil Party Group 3	10:04	10:44
Request for additional time for questioning by Civil Parties	Civil Party Group 3	11:06	11:08
Questioning of Civil Party Chin Meth (E2/80)	Defence	11:09	11:24
Preliminary remarks concerning Civil Party Nam Mon E2/32 and discussion	Civil Party Group 2	11:29	11:39
Questioning of Civil Party Nam Mon (E2/32)	Trial Chamber	11:42	16:00
Announcement of time allocations for questioning of witnesses by parties	Trial Chamber	13:30	13:33

<u>Summary of Proceedings:</u>
<p>Request for clarification concerning time allocations for next week, and request for photographs to be put before the Chamber</p> <p>The Co-prosecutors requested clarification on time allocations for witnesses KW-08 and KW-09, who are to testify for 2 days each. They suggested 1,5 hours each for the prosecution and Civil Parties and 2 hours for Defence. The Defence objected to the request, and in the alternative requested to be granted the same time as the Co-Prosecutors and Civil Parties together.</p> <p>The Co-Prosecutors also requested that the photographs showed yesterday by the Civil party be put on the case file and before the Chamber. The Defence noted that the photo of the Civil Party was taken at S-24, but did not object to the photograph being put before</p>



Chamber.

Questioning of Civil Party Chin Meth (E2/80)

The Chamber questioned Civil Party Chin Meth on the functioning of S-21 and S-24.

Questioning of Civil Party Chin Meth (E2/80)

The Co-Prosecutors, Civil Party Groups 3 and the Defence questioned Civil Party Chin Meth on the functioning of S-21 and S-24.

Questioning of Civil Party Nam Mon (E2/32)

The Chamber questioned Civil Party Nam Mon on the functioning of S-21.

Announcement concerning allocation of time

The Chamber informed the parties of their time allocations for witnesses:

For witnesses called for one day: Co-Prosecutors: 30 min, Civil Party lawyers: 40 min, Defence: 40 min;

For witnesses called for half a day: Co-Prosecutors: 15 min, Civil Party lawyers: 20 min, Defence: 20 min;

For witnesses called for one and a half day: Co-Prosecutors: 45 min, Civil Party lawyers: 60 min, Defence: 60 min;

For witnesses called for two days: Co-Prosecutors: 60 min, Civil Party lawyers: 80 min, Defence: 80 min.

Questioning of Civil Party Nam Mon (E2/32)

The Chamber continued questioning Civil Party Nam Mon on the functioning of S-21.

Record of Rule 87.3 Proceedings				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E2/80.2	NA	Annex 2: Complain Letter by Ms. Chin Meth	P. Redacted	00281156-00281162, 00286726-00286730, 00322282-00322286 Redact personal information
E3/16	D45/1/8	Aerial Photo showing a close-up of the S21 area	P	00189137-00189137. Already in E3 folder.
E2/32.4	NA	Annex 4: Photograph of Yeath Yon, Ken Tos, Yorn Roeun, Yorn Yun, Chuon Yorn, Sok Heng and Vat Khoeun	P	00274367-00274373, in particular 00274367 to 00274369

Oral Orders/Decisions:

- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 13 July 2009.



Orders for Adjournment of Hearing
Adjournment of Hearing: The hearing will resume on Monday, 13 July 2009 at 9:00. *S.H.S.*

aluz

Phnom Penh,
9 July 2009

[Signature]
Greffier SE Kolvuthy

[Signature]
Greffier Stacha WEXELS-RISER