



**ឯកសារដើម**  
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ថ្ងៃខែឆ្នាំ ទទួល (Date of receipt/Data de reception):  
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Ratanak

E1/55

**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 - "DUCH" TRIAL**

PUBLIC

Case File N° 001/18-07-2007-ECCC/TG

28 July 2009

Substantive Hearing - Day 50

**ឯកសារច្បាប់ចម្លងត្រឹមត្រូវតាមច្បាប់ដើម**  
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME

ថ្ងៃខែឆ្នាំ ច្បាប់ចម្លង (Certified Date/Data de certification):  
28 / 07 / 2009

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Ratanak

Prepared by: DUCH Phary and Natacha WEXELS-RISER

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge THOU Mony.
<b>Reserve Judges:</b> Judge YOU Ottara (Reserve) and Judge Claudia FENZ (Reserve)
<b>Greffier/s:</b> Mr. Matteo Crippa, Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser, Mr. Duch Phary
<b>OCP:</b> Mr. Tan Senarong, Mr. Anees Ahmed, Mr. Zachery Lampell, Mr. Pak Chanlino, Mr. Keng Somarith, Ms. Alicja Nilsson, Ms. Welch Kirsty, Mr Chee Virak.
<b>Accused:</b> Mr. Kaing Guek Eav alias Duch.
<b>Defence for the Accused:</b> Mr. Kar Savuth, Mr. François Roux (absent), Mrs. Héleyn Uñac, Mr. Chan Ravuth, Ms. Lucile Nattiez.
<b>Lawyers for the Civil Parties:</b> Ms. Silke Studzinsky, Ms. Moch Sovannary, Mr. Alain Werner, Ms. Ty Srinna, Mr. Hong Kimsuon, Mr. Kong Pisey, Mr. Kim Mengkhy.
<b>Courtroom Officer/CMS:</b> Mr. Uch Arun.
<b>Others:</b> Mrs. Julie Massé, Mr. Nol Dara, Mr. Khem Lindarita, Ms. Pich Chariya, Mr. Kong Sam Onn.



<b>General court times</b>		
Day	Start time: 9:05	Finish time: 16:10
Recess am	Start time: 10:25	Finish time: 10:45
Recess	Start time: 12:00	Finish time: 13:30
Recess pm	Start time: 14:55	Finish time: 15:20
	Total Court Time:	4 hours and 50 minutes

<b>Proceedings</b>			
Type of Issue	Raised By	Start time	Finish time
Request for additional time to ask witness Suos Thy specific questions relating to 2 Civil Parties	Civil Party Group 2	9:08	9:14
Questioning of Witness Suos Thy (KW-07)	Trial Chamber	9:14	11:06
Questioning of Witness Suos Thy (KW-07)	Co-Prosecutors	11:06	11:43
Questioning of Witness Suos Thy (KW-07)	Civil Party Group 4 (11:44 to 11:57), Group 3 (13:34 to 13:51), Group 2 (13:51 to 14:07), Group 1 (14:07 to 14:24)	11:43	14:24
Questioning of Witness Suos Thy (KW-07)	Defence	14:24 15:29	14:50 15:31
Observations of the Accused	Trial Chamber	15:32	15:40
Reading of statements of Meas Pengkry and observations by the parties	TC	15:42	15:56

<b>Summary of Proceedings:</b>
<p><b>Request for 20 minutes additional time to ask witness Suos Thy specific questions relating to 2 Civil Parties</b></p> <p>Civil Party Group 2 requested an additional 20 minutes to question witness Suos Thy with respect to two specific Civil parties.</p> <p>The Chamber reiterated its decision on time allocations and denied the request. However, it indicated that it would extend the hearing of this witness from 1 to 1,5 day, and that proportional additional time would therefore be allocated to each party.</p> <p><b>Questioning of Witness Suos Thy (KW-07) by the Chamber</b></p> <p>The Chamber continued the questioning of witness Suos Thy on the functioning of S-21.</p> <p><b>Questioning of Witness Suos Thy (KW-07) by the parties</b></p>

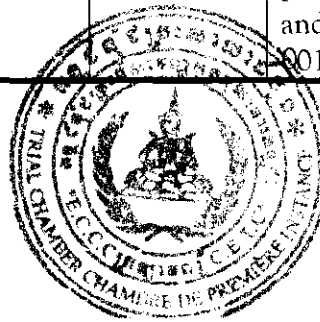


The Co-Prosecutors, Civil Parties and Defence questioned witness Suos Thy on the functioning of S-21.

**Reading of witness statements**

The Greffier read the witness statement of Meas Pengkry before the OCIJ (Document D28/7).

<b>Record of Rule 87.3 Proceedings</b>				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E3/432	IS 16.76	Name list of enemy of Headquarters Office had interrogated and had the document	Public	00021134-00021134, 00183667-00183672
E2/80/4.2	NA	Annex 2: Biography of Khim [Chin] Met	Public	00343200-00343200, 00347466-00347467
E3/433	IS 16.92	List of prisoners from general Staff Office	Public	00021084-00021084, 00185219-00185222
E3/434	IS 16.46	List of designation of North zone in 1963-1977	Public	00106309-00106315, 00185348-00185363
E3/435	D57-Annex 186	Annex 186: S-21 Prisoner List containing names of Vietnamese prisoners entered on 28/4/78	Public	00087036-00087041, in particular 00087036 and 00087037; 00181718-00181718
E3/436	IS 16.136	Name list of people entry on 24/5/78, S-71 Ministry Section	Public	00021270-00021274, 00183685-00183689
E3/405	IS 7.4	The list of prisoner has been killed in brother Huy Sre's section	Public	00242285-00242285, 00006728-00006728, 00250912-00250912
E3/244	D48/2	Report of Crime Scene Reenactment at TUOL Sleng on 27 February 2008	Conf	00197998-00198008, 00181347-00181356, 00181328-00181346, in particular 00181328. Already in the E3 folder.
E3/245	D48/2-Annex 1	Annex 1: Report of Crime Scene Reenactment at TUOL Sleng on 27 February 2008, Photo No. 34 "Body of a prisoner lying on the floor"	Conf	00198028-00198081, 00181395-00181448, in particular 00181430 (KH) and 00198063 (ENG). Already in E3 folder.
E3/437	D42	Written Record of Interview of Duch by CIJ on 24-01-2008	Conf	00159560-00159580, in particular 00159560 and 00159571; 00160719-00160725,



				00159581-00159588
E3/396	D54	Written Record of Confrontation	Conf	00166561-00166570, 00166588-00166599, in particular 00166588; 00166571-00166580
E3/400/9	D25/5/9	Annex 9 to Civil Party Petition of PHUNG Guth Sunthary: Biography of prisoner Phung Ton	Public	00188857-00188859, in particular 00188857 and 00188858; 00239013-00239016, 00188860-00188861
E3/400/8	D25/5/8	Annex 8 to Civil Party Petition of PHUNG Guth Sunthary: List of Prisoners Arrived on 12 December 1976	Public	00188853-00188856, in particular 00188853; 00234961-00234962; 00188852-00188852
E3/308	D69- An A- P0006	36 images of apparently dead bodies, some with evidence of torture	Public	P 00005342-00005342. Already in E3 folder.
E21.1	NA	Annex 1: Trial Witness (Live) Statements Analysis	Public	00288852-00289148, in particular 00288997; 00288665-00288851; 00289149-00289333
E3/440/2	D25/8/2	Annex 2: Biography and confessions of Ms TIOULONG Rainsy	Public	00198659-00198697, in particular 00198659; 00198698-00198698; 00198653-00198656
E2/29.2	NA	Annex 2: Tuol Sleng Prisoner Biography of LIM Kimari	Public	00088813-00088813, 00226076-00226076, 00211858-00211858
E2/85.7	NA	Annex 7: Photograph of Ouk Ket	Public	00281254-00281254
E2/85.13	NA	Annex 13: List of Prisoners destroyed on 09 December 1977	Public	00281230-00281230, 00328268-00328270, 00339169-00339169
E2/84.3	NA	Annex 3: Tuol Sleng Prisoners List	Public	00281210-00281210, 00371553-00371554, 00363489-00363489
E3/400/7	D25/5/7	Annex 7 to Civil Party Petition of PHUNG Guth Sunthary: List of Prisoners from France who have not been questioned	Public	00234957-00234960, 00188847-00188850, 00188851-00188851
E3/400/5	D25/5/5 (ENG) D25/5/12 (KH)	Annex 5 to Civil Party Petition of PHUNG Guth Sunthary: Prisoner list	Public	00234955-00234956 00188832-00188838, 00188817-00188822, 00188877-00188878



E3/400/13	D25/5/13	Annex 13 to Civil Party Petition of PHUNG Guth Sunthary: Report on health Condition of Enemies as of 6 July 1977	Public	00335539-00335542, 00188881-00188882, 00188883-00188884
E3/444	D22/9	Written Record of Interview of SUOS Thy	Public, but redact personal information	00162594-00162607, in particular 00162606; 00162608-00162622; 00164415-00164428
E3/445	D61/I-Annex 08.2	Annex 08: Interview with Suos Thy	Public. Redacted	00051974-00052038, in particular 00052028, 00337967-00337991, in particular 00337987; 00280472-00280536. Redact place of interview on first page.
E3/446	D28/7	Written Record of Interview of MEAS Peng Kry	Public, redacted	00163704-00163708, 00163699-00163703, 00165078-00165082. Redact personal information.
E112	NA	Aerial Photo showing a close-up of the S21 area (D45/1/8) annotated by Suos Thy	P	00356280-00356280. Khmer only.

**Oral Orders/Decisions:**

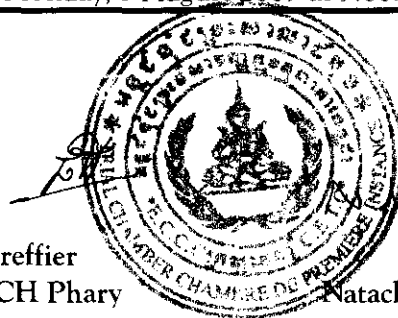
- The Chamber decided to admit the three documents requested to be put before the Chamber by Civil party Group 2.
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 3 August 2009.

**Orders for Adjournment of Hearing**

The hearing will resume on Monday, 3 August 2009 at 9:00. *NLM*

Phnom Penh,  
28 July 2009

Greffier  
DUCH Phary



*Natacha WEXELS-RISER*  
Greffier  
Natacha WEXELS-RISER