



ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
..... 29 / 09 / 2009

ម៉ោង (Time/Heure): 16 : 00

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

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

ច្បាប់បញ្ជាក់ថា ចម្លងនៃឯកសារនេះត្រឹមត្រូវតាមច្បាប់ដើម
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អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de Première instance

ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
..... 30 / 09 / 2009

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
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WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

12 August 2009

Substantive Hearing - Day 57

Prepared by: DUCH Phary 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: Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser, Mr. Matteo Crippa, Mr. Duch Phary, Ms. Aida Keshavarzi.
OCP: Mr. Vincent De Wilde D'estmael, Mr. Seng Bunkheang, Mr. Pak Chanlino.
Accused: Mr. Kaing Guek Eav alias Duch.
Defence for the Accused: Mr. Kar Savuth, Mr. François Roux (absent), Mrs. Marie-Paule Canizarès, Mrs. Héleyn Uñac, Mr. Chan Ravuth.
Lawyers for the Civil Parties: Ms. Silke Studzinsky, Mr. Hong Kimsuon, Mrs. Fabienne Trusses-Naprous, Mr. Alain Werner, Ms. Ty Srinna, Mr. Kong Pisey.
Courtroom Officer/CMS: Mr. Uch Arun.
Others: Mr. Scott Bywater, Mr. Khem Lindarita, Mrs. Maryvonne Maniacky.



<u>General court times</u>		
Day	Start time: 9:00	Finish time: 14:50
Recess am	Start time: 10:30	Finish time: 10:50
Recess	Start time: 11:50	Finish time: 13:30
	Total Court Time:	3 hours and 50 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Questioning of Witness Bou Thon (KW-29)	TC	9:02	10:28
Questioning of Witness Bou Thon (KW-29)	Co-Prosecutors	10:53	11:10
Questioning of Witness Bou Thon (KW-29)	Civil Party Group 1	11:10	11:33
Questioning of Witness Bou Thon (KW-29)	Defence	11:33	11:37
Observations of the Accused	TC	11:37	11:47
Request to provide additional information concerning Civil Party Nam Mon	Civil Party group 2	13:34	13:39
Withdrawal of the request to hear Civil party E2/81	Civil Party Group 3	13:40	13:42
Reading of Written Records of Phach Siek and Kaing Pan and observations by the parties	TC	13:43	14:47

Summary of Proceedings:

Questioning of Witness Bou Thon (KW-29)

The Chamber, the Co-Prosecutors, Civil Party Group 1 and the Defence questioned witness Bou Thon on the functioning of S-24.

The Accused acknowledged the veracity of the testimony.

Reading of Written Records of Interview of Phach Siek and Kaing Pan

The Greffier read the Written Record of Interview of Phach Siek (D78/5).

The Co-Prosecutors made some observations on the nature of S-24 (was it really a re-education camp?).

The Civil Parties made no comments.

The Defence notes contradictions between Phach Siek's statement and the testimony of Bou Thon.

The Accused acknowledged the truthfulness of the statement.

The Greffier read the Written Record of Interview of Kaing Pan (D78/3).

The Co-Prosecutors noted a few corrections to the statement.



Civil Party Group 2 referred to Document D59 (DC-Cam interview) and noted that group weddings took place in Stoeng Baku under the order of the Accused.

The Defence made no comments.

The Accused acknowledged that Kaing Pan was a member of S-21 dispatched to S-24. He acknowledged that the statement was true.

Record of Rule 87.3 Proceedings				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E3/492	IS 19.12	Biography of Bou Thon	P	00053796-00053796, 00184111-00184111. Note that there are two documents with ref 19.12. Please use ERN.
E3/493	D28/10	Written Record of Interview Bou Thon	P redacted.	00163760-00163763, 00163756-00163759, 00165083-00165086. Redact personal information
E3/494	IS 19.12	DC-Cam interview with Bou Thon	P redacted.	00283837-00283883, in particular 00283851; 00054505-00054571, in particular 0054525; 00332120-00332165. Same ref number as above. This is a different document, please use ERN. Redact place of interview.
E3/495	D78/5	Written Record of Interview of Phach Siek	P redacted.	00186765-00186771, 00195387-00195394, 00191031-00191039. Redact personal information
E3/496	D78/3	Written Record of Interview Kaing Pan	P redacted.	00186752-00186759, 00195378-00195386, 00191024-00191030. Redact personal information
E3/497	D59, Annex	DC-Cam interview with Kaing Pan	P redacted.	00052417-00052440, 00178327-00178328,



	09		in particular 00178327; 00333264-00333277. Redact place of interview.
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Oral Orders/Decisions:

- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 17 August 2009.

Orders for Adjournment of Hearing

The hearing will resume on Monday 17 August 2009 at 9:00. *NWC*

Phnom Penh, 12 August 2009
Greffier Greffier

[Signature]
DUCH Phary  *[Signature]*
Maha WEXELS-RISER