

E1/74



ឯកសារបញ្ជាក់ថា គ្រឹះស្ថានបញ្ជាក់
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
 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

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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
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 du dossier: SANN RADA

អង្គជំនុំជម្រះសាលាដំបូង
 Trial Chamber
 Chambre de Première instance

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

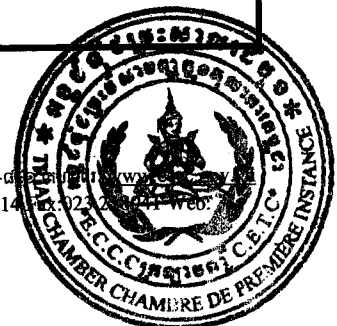
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Case File N° 001/18-07-2007-ECCC/TC

**14 September 2009
 Substantive Hearing – Day 69**

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: Mr. Matteo Crippa, Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser, Mr. Duch Phary.
OCP: Mr. Seng Bunkheang, Mr. Anees Ahmed (morning), Mr. Vincent De Wilde D'Esmael, Mr. Phann Sochea.
Accused: Mr. Kaing Guek Eav alias Duch.
Defence for the Accused: Mr. Kar Savuth, Mr. François Roux, Mr. Chan Ravuth, Mrs. Héleyn Uñac, Ms. Lucile Nattiez.
Lawyers for the Civil Parties: Mrs. Christine Martineau, Ms. Ty Srinna, Mr. Alain Werner, Ms. Moch Sovannary, Mr. Kong Pisey.
Courtroom Officer/CMS: Mr. Kaur Keoratanak
Others: Mr. Scott Bywater, Mrs. Julie Massé, Mr. Nol Dara.



<u>General court times</u>		
Day	Start time: 9:05	Finish time: 16:25
Recess am	Start time: 10:50	Finish time: 11:10
Recess	Start time: 12:15	Finish time: 13:30
Recess pm	Start time: 14:45	Finish time: 15:00
	Total Court Time:	5 hours and 30 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Questioning of Expert Richard Goldstone	TC	9:11	9:42
Questioning of Expert Richard Goldstone	Co-Prosecutors	9:42	10:04
Questioning of Expert Richard Goldstone	Civil Party Group 1 (10:05 to 10:12), Groups 2 and 4 (10:12 to 10:18), Group 3 (10:18 to 10:24)	10:04	10:24
Questioning of Expert Richard Goldstone	Defence	10:25	10:49
Questioning of Expert Raoul Marc Jennar	TC	11:15	14:03
Questioning of Expert Raoul Marc Jennar	Co-Prosecutors	14:04	14:45
Questioning of Expert Raoul Marc Jennar	Civil Party Group 2 (15:07 to 15:15), Group 1 (15:15 to 15:30)	15:07	15:31
Questioning of Expert Raoul Marc Jennar	Defence	15:31	16:20
Observations of the Accused on the testimony of Experts Richard Goldstone and Raoul Marc Jennar	TC	16:20	16:22

<u>Summary of Proceedings:</u>
<p>Questioning of Expert Richard Goldstone Expert Richard Goldstone took the oath for experts. The Chamber established his expertise and questioned him on issues relating to guilty pleas within the international criminal tribunals. The Co-Prosecutors, Civil Party Groups 1, 2 and 4, and 3, as well as the Defence questioned the Experts on issues relating to guilty pleas.</p> <p>Questioning of Expert Raoul Marc Jennar Expert Raoul Marc Jennar took the oath for experts. The Chamber established his expertise and questioned him on issues relating to theoretical and practical foundation and operation of the regime of terror put in place by the Communist Party of Kampuchea.</p>



The Co-Prosecutors, Civil Party Groups 3, 2 and 1 as well as the Defence questioned the Experts on issues relating to his expertise.

Observations of the Accused on the testimony of Experts Richard Goldstone and Raoul Marc Jennar

The Accused did not contest the testimonies of the two experts and made no further observations on their contents.

<u>Record of Rule 87.3 Proceedings</u>				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E3/511	D82	DUCH's lawyers' Request to admit consultation prepared by Mr Raoul M. Jennar in the Investigation Case File	P	00283023-00283037, 00187693-00187709, 00187710-00187720
E3/512	D80/8	"Genocide sites in Cambodia (1975-1979)", Cambodian Genocide Program, Yale University, Editors: SUSAN E. Cook and Matthew Fladeland, June 2001, in English	P	00188708-00188734, 00187783-00187785
E3/513	D80/9	"Composite Landsat Satellite images of Cambodia, 1972-1976, and 1990 with mass grave and prison sites from 1975-1979", Cambodian Genocide Program, Yale University, in English	P	00188735-00188743, 00187783-00187785
E3/514	D80/10	"Mapping the Killing fields of Cambodia 1975-1979", Documentation Center of Cambodia, 2001, en anglais et khmer	P	00188695-00188695, 00187783-00187785
E3/515	D80/5	Book: « Les clés du Cambodge » by Raoul Marc Jennar	P	00385750-00386069

Oral Orders/Decisions:

- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 15 September 2009.

Orders for Adjournment of Hearing

The hearing will resume on Tuesday 15 September 2009 at 9:00. *NWL*

Phnom Penh,
14 September 2009

[Signature]
Greffier
DUCH Phary



N.W. Riser
Greffier
Natacha WEXELS-RISER