



ឯកសារបញ្ជាក់ថា គ្រឹះស្ថានសម្រេចបាននូវលទ្ធផលដ៏ត្រឹមត្រូវ
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ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date/Date de certification):
 06 / 10 / 2009

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent charge
 du dossier: Uch Arun

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
 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/TC

15 September 2009

Substantive Hearing - Day 70

Prepared by: DUCH Phary and Natacha WEXELS-RISER

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGIN.

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
 06 / 10 / 2009

ម៉ោង (Time/Heure): 11 : 00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent charge
 du dossier: Uch Arun

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: Mrs. Chea Leang (morning), Mr. William Smith, Mr. Tan Senarong, Mr. Seng Bunkeang, Mr. Vincent De Wilde D'Esmael, Mr. Phann Sochea (morning).
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: Mr. Alain Werner, Mrs. Christine Martineau, Ms. Ty Srinna, Mr. Kim Mengkhy, Mr. Hong Kimsuon.
Courtroom Officer/CMS: Mr. Kauv Keoratanak
Others: Mr. Scott Bywater, Mrs. Julie Massé, Mr. Meach Sovanna, Mr. San Kiri.

General court times		
Day	Start time: 9:05	Finish time: 16:20
Recess am	Start time: 10:40	Finish time: 11:05
Recess	Start time: 12:10	Finish time: 13:35
Recess pm	Start time: 15:10	Finish time: 15:30
	Total Court Time:	5 hours and 5 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Questioning of Witness Christopher Lapel	TC	9:07	9:44
Questioning of Witness Christopher Lapel	Co-Prosecutors	9:44	10:09
Questioning of Witness Christopher Lapel	Defence	10:09	10:26
Observations of the Accused on the testimony of Christopher Lapel	TC	10:27	10:27
Withdrawal of the request to hear Robert Piché and other issues	Defence Co-Prosecutors TC	10:28	11:13
Questioning of the Accused on issues relating to his character	TC	11:14	12:08
Questioning of Expert Stéphane Hessel	TC	13:37	13:53
Questioning of Expert Stéphane Hessel	Co-Prosecutors	13:54	14:07
Questioning of Expert Stéphane Hessel	Civil Party Group 3 (14:08 to 14:19), Group 2 (14:19 to 14:28)	14:08	14:28
Questioning of Expert Stéphane Hessel	Defence	14:35	15:07
Observations of the Accused	TC	15:09	15:10
Questioning of the Accused on his character	TC	15:30	16:18

Summary of Proceedings:
<p>Questioning of Witness Christopher Lapel Witness Christopher Lapel took the oath according to the Christian religion. The Chamber questioned the witness on the character of the Accused. The Co-Prosecutors and the Defence questioned the witness on the character of the Accused.</p>

Withdrawal of the request to hear Robert Piché and other issues

The Defence withdrew its request to hear Robert Piché and requested that a letter written by Henry King be read in court. He also requested that a book ("God has a dream: A Vision of Hope for our Time" by Desmond Tutu) which was listed in Document E5/9 be put before the Chamber. The Co-Prosecutors requested that the specific pages the Defence intends to use in its closing statement be translated. The Chamber recalled the contents of Rule 87 and indicated that it would rule on all requests to put documents before the Chamber at the same time. The Chamber informed the parties that it did not intend to read the letter from Henry King in court.

Questioning of the Accused on issues relating to his character

The Chamber continued questioning the Accused on issues relating to his character (continuation from 2 September 2009).

Questioning of Expert Stéphane Hessel

The expert took the expert oath. The Chamber questioned the Expert on issues relating to reconciliation and forgiveness. The Co-Prosecutors, Civil Party Groups 3 and 2, as well as the Defence questioned the expert on issues relating to reconciliation and forgiveness. The Accused made a few observations on the testimony.

Questioning of the Accused on his character

The Chamber continued questioning the Accused on this character (continuation from morning session and 2 September).

Record of Rule 87.3 Proceedings				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E3/509	B1/IV	Report of Experts Françoise Sironi-Guilbaud and Ka Sunbaunat	Public	00210946-00211081, in particular 00177548; 00211082-00211151, 00177506-00177576. Already in E3 folder.
E3/244	D48/2	Report of Crime Scene Reenactment at TUOL Sleng on 27 February 2008	P reclassified	00181328-00181346, 00197998-00198008, 00181347-00181356. Already in E3 folder. Reclassify as public.

Oral Orders/Decisions:

- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 16 September 2009.

Orders for Adjournment of Hearing


The hearing will resume on Wednesday 16 September 2009 at 9:00. *W. R.*

Phnom Penh,
15 September 2009

 *W. R.*
Greffier DUCH Phary Greffier *W. R.*
CHAMBRE DE PREMIERE INSTANCE M. WEXELS-RISER