



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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de réception): 30 / 09 / 2016
ម៉ោង (Time/Heures): 13 : 15
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: S.A.N.N R.P.A.A

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

1 August 2016

Substantive Hearing on evidence – Day 433

Prepared by:

Sivhoang CHEA and Roger PHILLIPS

Attendance Record
Before: Judge NIL Nonn (President); Judge Jean-Marc LAVERGNE; Judge Claudia FENZ; Judge YOU Ottara; Judge YA Sokhan
Reserve Judges: Judge THOU Mony; Judge Martin KAROPKIN
Greffier/s: Ms. Sivhoang CHEA, Mr. Roger PHILLIPS, Ms. Stavoroula Papadopoulos
OCP: Mr. Joseph Andrew BOYLE, Mr. Vincent DE WILDE D'ESTMAEL, Mr. Srea Rattanak, Ms. Song Chorvoïn
Accused: Mr. NUON Chea; Mr. KHIEU Samphan
Defence for the Accused Nuon Chea: Mr. Victor KOPPE; Mr. Liv SOVANNA
Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn; Ms. Anta GUISSÉ
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. Lor Chunthy; Mr. Ven Pov
Expert: Mr. Henri LOCARD (2-TCE-90)
Others: Mr. UCH Arun (Court Officer); Mrs. Sour Sotheavy (Associate Court Officer); Mr. Lohn Nget (Transcriber); Mr. Vath Somao (Transcriber); Mr. Lay Nara (Transcriber);

Ms. Yous Sereiroth (Transcriber); Georgina QUINTON SMITH (Trial Chamber Intern)

General court times		
Day	Start time: 09.01	Finish time: 16.05
Recess am	Start time: 10.16	Finish time: 10.41
Recess	Start time: 11.31	Finish time: 13.31
Recess pm	Start time: 14.38	Finish time: 14.59
	Total Court Time: 4h	Minutes: 15

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Opening of Hearing	Trial Chamber , Greffier	09.01	09.02
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	09.02	09.03
Oral ruling on NUON Chea Defence requests under Internal Rules 87(3) and (4) to admit two documents in relation to Henri LOCARD	NUON Chea Defence Trial Chamber	09.04	09.06
Hearing of Expert Henri LOCARD (2-TCE-90)	Lead Co-Lawyers for the Civil Parties	09.06	09.28
	NUON Chea Defence	09.28	13.59
	KHIEU Samphan Defence	13.59	16.03

Summary of Proceedings

Opening of Hearing

The Trial Chamber declared the opening of the hearing and requested the Greffier to check the attendance of the parties to the hearing. The Greffier confirmed that all parties were present. The accused NUON Chea waived his right to be present in the courtroom.

NUON Chea Defence request to follow the proceedings from the holding cell

The Trial Chamber granted NUON Chea's request to waive his right to be present in the courtroom and to follow the proceedings from the holding cell.

Oral ruling on NUON Chea Defence requests under Internal Rules 87(3) and (4) to admit two documents in relation to Henri LOCARD (2-TCE-90)

The Trial Chamber granted the NUON Chea Defence request of 29 July 2016 to admit two documents in relation to Expert Henri LOCARD. The first document, the admission of table of contents of Mr. Locard's PhD entitled "Aspects de l'extermination dans le Kampuchea démocratique et de l'idéologie khmère rouge (1975-1979)" (ERN 01307958-01307961) will be classified as document E3/10641 and the second document, an article entitled "Report by Henri Locard entitled 'Characteristics of Repression in Democratic

Kampuchea” (ERN 01307962-01307971) will be classified as E3/10642.

Hearing of Expert Henri LOCARD [2-TCE-90]

The Lead Co-Lawyers for the Civil Parties, NUON Chea Defence and KHIEU Samphan Defence posed questions to Expert Henri LOCARD.

New E3s

TC No	OCI J No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10641	/	/ 01307958-01307961 /	Aspects de l'extermination dans le Kampuchea démocratique et de l'idéologie khmère rouge (1975-1979)	P	/	/	/
E3/10642	/	/ 01307962-01307971 /	Characteristics of Repression in Democratic Kampuchea	P	/	/	/

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/2071	/	00233382-00233428 00087303-00087332 00292776-00292802	Compilation of Statement Notes Related to Prisons in the Northwest Zone	P	00233398	00087312	00282785

E3/2811	/	00822560- 00822609 00394582- 00394615 00796260- 00796294	LOCARD Henri, The Khmer Rouge Gulag: 17 April 1975 - 7 January 1979	P	00822562 00822600	00394583 00394609	00796261 00796286
E3/2812	/	00815962- 00815965 and 00810743- 00810756 00394616- 00394967 00394968- 00395253	LOCARD Henri, Le Petit Livre Rouge de Pol Pot (Pol Pot's Little Red Book)	P	00810744 / / / /	00394647 00394840 00394791 00395067 00394736	00394994 00395152 00395113 / 00395116

Other documents (No change)

TC No	OCJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/8299	/	00739029- 00739076 00217690- 00217722 00743751- 00743779	Tramkak District in the grip of the Khmer Rouge, by Henri Locard	P	00739069	00217717	00743775

E3/1783	/	00659257- 00659262 00498179- 00498181 00606764- 00606767	China News Agency, Chen Yung-Kuei's Cambodia Visit Reported, 22 December 1977	P	00659261	00498181	00606766
E3/23	/	00289644- 00289722 00082510- 00082560 00284569- 00284658	E-100, Editions du Centenaire "The Black Paper: Facts and Evidence of the Acts of Aggression and Annexation of Vietnam against Kampuchea" 27 January 1979	P	/	/	/
E3/2107	/	00068046- 00068082 00290204- 00290259 00655722- 00655771	Name list of prisoners of Educating District Office 105 had been sweep up	P	00068049 00233387 00233403	00290205 / 00087316	00655725 00292779 00292788
E3/2649	/	00660583- 00660620 00208385- 00208410 00614102- 00614124	Henri LOCARD, "Report: Kampong Cham : West Bank of the Mekong (Old North Region) 2007"	P	006660598	00208395	/
E3/2251	/	00086783- 00086783 00784580- 00784581 00727303- 00727304	List of prisoners from the East zone and the North-East zone	P	/	/	/
E1/107.1	/	00835022- 00835113 00838207- 00838321 00838322- 00838452	Transcript of hearing on the substance in Case 002 - 14 August 2012	P	/	00838288	00838413
E3/10640	/	/ / 01303534- 01303720	LOCARD, Henri, "Pourquoi les Khmers Rouges"	P	/	/	01303580

E3/10616	/	01074012- 01074019 01087418- 01087423 /	Written Record of Interview Witness SIN Khin	C	/	01087422	/
E3/10617	/	01109192- 01108197 01128230- 01128234 /	Written Record of Interview Witness HAK Sophal	C	/	01128233	/
E3/10618	/	01108461- 01108471 01128235- 01128242 /	Written Record of Interview Witness SIN Khin	C	/	01128237	/

Oral Orders/Decisions:

- Order authorising the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceedings (09.04).
- Order admitting two documents into evidence in accordance with Internal Rules 87(3) and (4) in relation to Expert Henri LOCARD [2-TCE-90]; to be classified as E3/10641 and E3/10642 (09.06).
- Order to take the Accused to the Detention Facility and bring them back to court for the Hearing on 2 July 2016 (16.04).

Orders for Adjournment of Hearing

The hearing will resume on 2 August 2016 at 9:00am.

Phnom Penh, 1 August 2016

Greffier

Greffier

  

Sivhoang CHH Roger PHILLIPS