



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 08 / 11 / 2016
ម៉ោង (Time/Heure):..... 14:55
អ្នកទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé d'affaires: SANN RADA

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

31 October 2016

Substantive Hearing on evidence – Day 473

Prepared by:

Mrs. SE Kolvuthy and Mr. Harshan ATHURELIYA

Attendance Record
Before: Judge NIL Nonn (President), Judge YA Sokhan, Judge YOU Ottara; Judge Jean-Marc LAVERGNE; Judge Claudia FENZ.
Reserve Judges: Judge Martin KAROPKIN (Reserve); Judge THOU Mony (Reserve)
Greffiers: Mrs. SE Kolvuthy; Ms. CHEA Sivhoang; Mr. Harshan ATHURELIYA
OCP: Mr. SREA Rattanak; Mr. Joseph Andrew BOYLE.
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan.
Defence for the Accused Nuon Chea: Mr. Victor KOPPE; Mr. SON Arun; Mr. LIV Sovanna.
Defence for the Accused Khieu Samphan: Ms. Anta GUISSÉ; Mr. KONG Sam Onn.
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. HONG Kimsuon; Mr. VEN Pov; Mrs. SIN Soworn.
Witness: Mr. IENG Phan (2-TCW-1046)
Others: Mr. MAM Rithea (Duty Counsel), Mr. UCH Arun (Court Officer), Ms. SOUR Sotheavy (Associate Court Officer), Mr. LONG Nget (Transcriber); Ms. YUOS Sereyroth (Transcriber); Mr. MEACH Sovanna (transcriber); Aureliarita MARCELLUS(Trial Chamber Intern); Mr. KEO Vath

<u>General court times</u>		
Day	Start time: 09:13	Finish time: 16:02
Recess am	Start time: 10:17	Finish time: 10:34
Recess	Start time: 11:41	Finish time: 13:30
Recess pm	Start time: 14:40	Finish time: 15:01
	Total Court Time:	4 hours and 18 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of Substantial Hearing and report on attendance of the Parties	Trial Chamber, Greffier	09:14	09:15
NUON Chea Defence Request to follow the proceedings from the holding	NUON Chea Defence	09:15	09:17
Hearing of IENG Phan (2-TCW-1064)	Trial Chamber Co-Prosecutor	09:18	09:25
		09:25	10:17
		10:34	11:41
		13:31	14:26
	NUON Chea Defence	14:26	14:40
		15:01	16:02

Summary of Proceedings

Opening of hearing and report on attendance of the Parties

The President opened the proceedings and the Greffier informed the Trial Chamber that all Parties were present, with the Accused NUON Chea present in the holding cell.

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.

Hearing of Witness IENG Phan (2-TCW-1046)

Questions were put to the Witness IENG Phan (2-TCW-1046) by the Trial Chamber, the Co-prosecutors and by the NUON Chea Defence.

Reclassified Documents

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/1257	D29884	00224837- 00224852 00008671- 00008678 00416710- 00416721	Swedish Collection Document 1978	P	00224846	00008675	00416717
E3/5883	D313/1/2.339	00656201- 00656206 00419877- 00419880 00607924- 00607927	Statement of the government of the Socialist Republic of Viet Nam on Viet Nam-Kampuchea border issue	P	00656204- 5	00419879	00607925- 26
E3/428	D234/9	00373479- 00373489 00374945- 00374953 00485471- 00485481	Written Record of Interview of SOKH Chhien	P	00373485 00373484	00374950 00374949	00485476- 00485477
E3/862	18.63	00021019- 00021029 00185207- 00185214 00814597- 00814604	The report of the supervision situation in the entire Ploch region for the first week in May 1978	P	00021019 00021020	00185207 00185208	00814597 00814598
E3/376	/	00270171- 00270175 00278688- 00278691 00486091- 00486094	Written Record of Interview of LAY Ean	P	00270172	00278690	00486094
E3/8403	D313/1.2.374	00744489- 00744561 00749678- 00749760 00419634- 00419664	Accounts of Vietnam's aggression against Democratic Kampuchea	P	00744492	00749682	00419636
E3/8234	D108/28.276	00287231- 00287232 00166210- 00166210 00350330- 00350331	Annex 276: Washington Post, 28 June 1978, "Vietnam Claims Major Victories in Border Fighting with Cambodia"	P	00287231	00166210	00350330

E3/749	D243/2.1.20	00399100- 00399165 00532681- 00532703 00593936- 00593961	CPK Magazine entitled: "Revolutionary Youth" Issue 8, August 1975 (FULL)	P	00399114	00532686	00593942
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Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E1/193.1 /		00914183- 00914277 00912879- 00912993 00912760- 00912878	Transcript of hearing on the substance hearing of case 002 of 20 May 2013	P	/	/	/
E3/419	D234/19	00407745- 00407752 00411002- 00411009 00434784- 00434790	Written Record of Interview of IENG Phan	P	00407746 00407747 00407749	00411003 00411004 00411006	0043478500434786 00434788
E3/7338	E307/5.2.4	01001657- 01001985	Attachment 4: Stephen J Morris Why Vietnam Invaded Cambodia Political Culture and the Causes of War	P	/	01001765	/
E3/1593 /		00637356- 00638099, 01149978- 01150245 00638722- 00639444	Book by Ben Kiernan entitled "The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975- 79"	P	00639136- 37 00637997	01150185- 86 01150219	00637903-04 00639212
E3/4593	D369/6	00485620- 00485629 00513311- 00513319 00520454- 00520462	Written Record of Interview of Witness CHUON Thi	P	0048627- 28	00513318	00520461

E3/75	D262.44	00701848- 00701860 00168895- 00169022 00726641- 00726649	Foreign Broadcast Information Service collection of reports for August 1978	P	/	00168931	/
E3/294	D262.46	00702823- 00702844 00170162- 00170337 00700211- 00700223	Foreign Broadcast Information Service collection of reports for October 1978	P	/	00170239	/
E3/1608	D309.36	00810113- 00810138 00013179- 00013194 00793492- 00793509	"Far Eastern Relations"	P	00810114- 15	00013179- 80	00793493-94
E3/361	D123/2	00194462- 00194473 00766447- 00766459 00268878- 00268892	[Corrected 1] Written Record of Interview of CHHOUK Rin	P	00194466 00194470 00194468	00766452 00766451 00766455 00766453	00268884 00268883 00268887 00268885
E3/362	D123/3	00210208- 00210215 00268893- 00268900 00268901- 00268908	[Corrected 1] Written Record of Interview of CHHOUK Rin	P	00210213	00268898	00268906
E3/2376	D91/1	00191296- 00191815 00192169- 00192666 00236900- 00237256	Book by NAYAN Chanda entitled "Brother Enemy: The War after the War"	P	00191793 00191597	00192626 00192440	/ 00237111
E3/9	D222/1.15	00755579- 00755583 00396177- 00396757 00639445- 00640068	Book by Philip Short entitled "Pol Pot, The History of a Nightmare"	P	00396585	/	/

E3/8752	E233/1.1	00733312- 00733352 00849486- 00849523 01309267- 01309304	Statement of MEAS Voeun (DC-Cam)	P	00733339	00849511	01309292-93
E3/799	/	00083157- 00083160 00184777- 00184781 00323914- 00323917	Note of Committee Division 920 Meeting: Report about enemy situation and our situation.	P	00083160	00184781	00323916

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 proceeding (09:16).
- Order to take the accused, NUON Chea and KHIEU Samphan back to the Detention Facility and bring him back to court for the Hearing on 1 November 2016 (16:02).

Order for Adjournment of Hearing

The hearing will resume on Tuesday 1 November 2016 at 09:00am. *SP*

Phnom Penh, 31 October 2016

Greffier

Greffier

SE Kolvuthy

shah ATHURELIYA

