



ឯកសារដើម

E1/503

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):

.....16...../11...../2016.....

ម៉ោង (Time/Heure) :14:07.....

ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

ស្តីទាក់ទងនឹងករណីសំណុំរឿង : Case File Officer/L'agent chargé

Kingdom of Cambodia
Nation Religion King

Extraordinary Chambers in the Courts of Cambodia

SANN RADA

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

29 November 2016

Trial Day 484

Prepared by:

Ms. Sivhoang CHEA and Mr. Harshan ATHURELIYA

<u>Attendance Record</u>
Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Claudia FENZ; Judge Jean-Marc LAVERGNE; Judge YOU Ottara.
Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve).
Greffiers: Ms. Sivhoang CHEA; Mr. Harshan ATHURELIYA.
OCP: Mr. SONG Chorvoin; Mr. Dale LYSAK, Mr. Vincent DE WILDE D'ESTMAEL.
Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan.
Defence for the Accused Nuon Chea: Mr. SON Arun; Mr. Victor KOPPE
Defence for the Accused Khieu Samphan: Ms. Anta GUISSSE; 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.
Witnesses: Mr. SENG Lytheng (2-TCW-897); Mrs. KHEAV Neab (2-TCCP-258).
Others: Mr. MAM Rithea (Duty Counsel); Ms. YOUS Sereyroth (Transcriber); Ms. SREY Nak; Mr. LOHN Nget (Transcriber); Mr. MEACH Sovanna (Transcriber); Mr. UCH Arun (Court Officer); Ms. Anne-Catherine STANDAERT (Trial Chamber Intern).

<u>General court times</u>		
Day	Start time: 9:01	Finish time: 16:01
Recess am	Start time: 10:15	Finish time: 10:31
Recess	Start time: 11:27	Finish time: 13:32
Recess pm	Start time: 14:49	Finish time: 15:07
	Total Court Time: 4'21"	

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of Hearing and report on attendance of the Parties	Trial Chamber, Greffier	9:02	9:03
NUON Chea Defence Request to follow the proceedings from the holding cell	Trial Chamber	9:03	9:04
Oral request KHIEU Samphan Defence regarding 2-TCCP-1063	KHIEU Samphan Defence Co-Prosecutor	9:05	9:08
		9:08	9:09
	Lead Co-Lawyers for the Civil Parties	10:32	10:32
		9:09	9:10
Hearing of witness 2-TCW-897	Trial Chamber Co-Prosecutor	9:12	9:22
		9:22	10:15
	Lead Co-Lawyer for the Civil Parties	10:32	11:10
		11:10	11:27
		Judge Jean-Marc Lavergne	13:33
NUON Chea Defence	13:48	14:49	
		15:07	15:13
Hearing of Civil Party 2-TCCP-258	Trial Chamber	15:18	15:23
	Lead Co-Lawyer for the Civil Parties	15:23	16:00
The use of document E3/858	NUON Chea Defence	14:38	14:42

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. The accused NUON Chea was 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.

Oral request KHIEU Samphan Defence regarding 2-TCCP-1063

The KHIEU Samphan Defence asked for the civil party application document of 2-TCCP-1063 in Case 004. The Co-Prosecutor informed the Chamber and the Parties that the application was identical to that filed in Case 002/02.

Hearing of witness 2-TCW-897

Questions were presented to witness 2-TCW-897 by the Co-Prosecutor followed by the Lead Co-Lawyer for the Civil Parties, Judge Lavergne and the NUON Chea Defence.

Hearing of civil party 2-TCCP-258

Questions were put to 2-TCCP-258 by the Lead Co-Lawyer for the Civil Parties.

The use of document E3/858

Document E3/858 was used by both the Prosecution and the NUON Chea Defence. However, the NUON Chea Defence remarked that it was made at S-21 either by Duch or by Pang and thus could be tainted by torture.

Reclassified Document

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/462	D91/5	00204023- 00204031 00223562- 00223567 00491958- 00491964	Written Record of Interview of SENG Lytheng	P	00204024- 00204026	00223563 00223564 00223566 00223567	00491959- 0049161
E3/3258	D313/1.2.202	P00416558	Photograph depicting senior leaders Pol Pot and Ieng Sary greeting a Chinese delegation at Pochentong airport	P		P00416558	
E3/3250	D313/1.2.195	P00416551	Photograph depicting senior leaders preparing to greet a Chinese delegation at Pochentong airport	P		P00416551	
E3/3259	D313/1.2.203	P00416559	Photograph depicting senior leaders meeting a delegation	P		P00416559	
E3/3479	D366/7.1.415	00442726- 00442841	Printout of 116 Photographs from Phnom Penh Post KR Photo Catalogue with Captions	P	/	00442826	/

E3/3269	D313/1.2.214	P00416570	Photograph depicting senior Pol Pot and Ieng Sary visit Angkor Wat with a foreign delegation	P	P00416570		
E3/3260	D313/1.2.204	P00416560	Photograph depicting senior meeting with high level Chinese delegation	P	P00416560		
E3/3236	D313/1.2.173	P00407223	Photograph depicting senior preparing to greet a delegation at Pochentong airport including Pol Pot, Nuon Chea, Ieng Sary and Son Sen	P	P00407223		
E3/9838	D108/3/15.1	00162872-00162874	Photographs of NHEM En	P	00162872		
E3/6425	D22/2038	00544162-00544176 01114147-01114160 01152689-01152693	Civil party application THEAV Neab 08-VU-00436	P	00544168-00544169	01114153	0115292
E3/10454	/	01018811-01018815	Name of prisoners killed on 2/12/78	P	01018812	/	/
E3/6425A	D22/2038a	00581516-00581522 01069299-01069303 01151393-01151397	Supplementary information of civil party applicant	P	00581517-00581519	01069300	01051394
E3/3015R		V0042251	Video	P	00:00-02:19		

Other Documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10670	E319/57.2.7	01118427-01118432 01190620-01190625	Supplementary Information	C	/	/	/
E1/98.1	/	00829468-00829547 00830963-00831061 00830860-00830962	[Corrected 2] Transcript of hearing on the substance in Case 002 - 30 July 2012	P	/	00831030-00831031	00830930-00830931

E3/37	D47	00156674- 00156678 00156752- 00156757 00156679- 00156685	Written Record of Interview of KHIEU Samphan 14-12-2007 Morning	P	00156676- 00156677	00156755	00156682- 00156683
E3/858	/	00021153- 00021161 00391725- 00391737 00643480- 00643495	Name list of people of K-1 and K-3	P	00021153	00391725	00643480
E1/419.1	/	01247143- 01247239 01252707- 01252822 01252578- 01252706	Transcript of hearing on the substance in Case 002/02 - 20 April 2016	P	/	01252739	01252612
E3/82	D226	00398175- 00398181 00398182- 00398188 00398189- 00398194	Written Record of Confrontation with Duch on 20-10-2009	P	00398179	00398187	00338193
E3/10604	E393.2	01222328- 01222936	Annex 2: OCIJ S-21 Prisoners List 31 March 2016	P	/	01222837	/

Oral Orders/Decisions:

- Order authorizing 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. (9:04)
- Order to take the two accused, NUON Chea and KHIEU Samphan, back to the detention facility and have them returned to attend the proceedings on Wednesday 30 November 2016 before nine o'clock. (16:00)

Order for Adjournment of Hearing

Hearing will Resume on Wednesday 30 November 2016 at 9:00 am.

Phnom Penh, 29 November 2016

Greffier

Greffier


Ms. Sivhoang CHEA


Harshan ATHURELIYA