



ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
30 / 06 / 2011

ម៉ោង (Time/Heure) : 15:50

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé
du dossier: **Ratanak**

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

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

29 June 2011

Initial Hearing - Day 3

Prepared by: DUCH Phary and Matteo CRIPPA

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: Mrs. SE Kolvuthy, Ms. Faïza ZOUAKRI, Mr. DUCH Phary, Mr. Matteo CRIPPA.
OCP: Mr. Andrew Cayley, Co-Prosecutor; Mr. Chan Dararasmey, Deputy Co-Prosecutor; VENG Hout, Senior Co-Prosecutor, Mr. Tarik ABDULHAK, Senior Co-Prosecutor, Mr. Chea Phalla, Investigator; Mr. Phann Sochea, Greffier.
Accused: Mr. Nuon Chea (morning); Mr. Ieng Sary (morning); Mrs. Ieng Thirith; Mr. Khieu Samphan.
Defence for the Accused: Mr. Son Arun, Co-Lawyer; Mr. Michiel Pestman, Co-Lawyer; Mr. Phalla Prum, Case Manager; Mr. Sa Sovan, Co-Lawyer; Ms. Seng Socheata, Case Manager; Ms. Marie Capotorto, Legal Consultant, Ms. Shéhérazade Bouarfa, Legal Consultant; Mr. Phat Pouy Seang, Co-lawyer; Ms. Karlijn Van der Voort, Legal Consultant (on behalf of Co-lawyer); Mr. Khan Sereyvuthy, Case manager; Ms. Vera Mannuello, Legal Consultant; Mr. Ang Udom, Co-lawyer; Mr. Michael G. Karnavas, Co-lawyer; Ms. Tanya

Pettay, Legal Consultant; Mr. Neville Sorab, Legal Consultant; Mr. Mosseny So, Case Manager.
Civil Parties: Mr. Pich Ang, Lead Co-lawyer; Ms. Elisabeth Simonneau-Fort, Lead Co-lawyer; Mr. Hong Kimsuon, Civil Party Lawyer; Ms. Silke Stuzinsky, Civil Party Lawyer; Mr. Olivier Bahougne, Civil Party Lawyer; Ms. Fabienne Trusses-Naprous, Civil Party Lawyer; Ms Moch Sovannary, Civil Party Lawyer; Mr. Sam Sokong, Civil Party Lawyer;
Courtroom Officer/CMS: Mr. Mr. Kauv Keo Ratanak
Others: Mr. Nol Dara, Mr. San Kiri, Mr. Romain Clercq-Roques

General court times		
Day	Start time: 9:00	Finish time: 15:47
Recess am	Start time: 10:45	Finish time: 11:10
Recess lunch	Start time: 12:15	Finish time: 13:38
Recess pm	Start time: 14:30	Finish time: 14:55
@	Total Court Time:	4 hours and 19 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Nuon Chea's request to leave the courtroom	Accused Nuon Chea	9:04	9:06
IENG Thirith Defence Request to hear arguments on the witness, civil party and expert lists on 30 July 2011	Ieng Thirith Defence	9:07	9:10
Civil Party reply on Preliminary objection (Statutory Limitations - Grave Breaches)	Civil Party Lawyers	9:11	9:35
Ieng Sary Defence reply on Preliminary objection (Statutory Limitations - Grave Breaches)	Ieng Sary Defence	9:36	9:39
Defence submissions on Preliminary objection (Statutory Limitations - 1956 Cambodian Criminal Code)	Ieng Sary and Khieu Sampan Defence	9:42	10:16
Ieng Sary Defence request for the accused to be allowed to observe the proceedings from the holding cell.	Ieng Sary Defence	10:17	10:20
OCP Response on Preliminary objection (Statutory Limitations - 1956	Office of the Co-Prosecutors	10:20	11:41

Cambodian Criminal Code)			
Civil Parties' Response on Preliminary objection (Statutory Limitations - 1956 Cambodian Criminal Code)	Civil Party Lawyers	11:41	13:56
Defence Reply on Preliminary objection (Statutory Limitations - 1956 Cambodian Criminal Code)	Ieng Sary and Ieng Thirith Defence	13:57	14:30
Civil Parties Submissions on reparations sought pursuant to IR 23 <i>quinquies</i> (3)(b)	Civil Party Lawyers	14:55	15:45

Summary of Proceedings:

Nuon Chea's request to leave the courtroom:

Nuon Chea indicates that he will leave the courtroom when issues are discussed by other Defence teams and shall return when his Defence lawyers present submissions. The Chamber granted the request.

IENG Thirith Defence Request to hear arguments on the tentative witness, civil party and expert lists on 30 July 2011

The Defence requests to hear arguments on the tentative lists on Thursday, 30 June 2011 because its international co-lawyer is scheduled to leave Cambodia immediately thereafter.

Civil Parties' Response on Preliminary Objection (Statutory limitations - Grave breaches of the Geneva Conventions of 1949)

The Civil Party Lawyers make their submissions in response to the Preliminary Objection on the applicability of statutory limitations to Grave breaches of the Geneva Conventions of 1949.

IENG Sary Defence Reply on Preliminary Objection (Statutory limitations - Grave breaches of the Geneva Conventions of 1949)

The IENG Sary Defence makes its submissions in reply to the Preliminary Objection on the applicability of statutory limitations to Grave breaches of the Geneva Conventions of 1949.

Defence submissions on Preliminary objection (Statutory Limitations - 1956 Cambodian Criminal Code)

The IENG Sary and KHIEU Samphan Defence present their submissions concerning the preliminary objections on the applicability of statutory limitations in relation to offences contained in the 1956 Cambodian Criminal Code. The NUON Chea and IENG Thirith Defence indicate that they do not intend to make any oral submissions.

Ieng Sary Defence's request for Ieng Sary to follow proceedings from the holding cell

The Defence for Ieng Sary requests leave for the Accused to follow the remainder of the

proceedings from the holding cell due to back problems. The Chamber grants the request.

Co-Prosecutors' Response on Preliminary objection (Statutory Limitations - 1956 Cambodian Criminal Code)

The Co-Prosecutors make their submissions in response to the preliminary objection on the applicability of statutory limitations in relation to offences contained in the 1956 Cambodian Criminal Code.

Civil Parties' Response on Preliminary objection (Statutory Limitations - 1956 Cambodian Criminal Code)

The Civil Parties Lawyers make their submissions in response to the preliminary objection on the applicability of statutory limitations in relation to offences contained in the 1956 Cambodian Criminal Code.

Defence Reply on Preliminary objection (Statutory Limitations - 1956 Cambodian Criminal Code)

The Defence make their submissions in reply to the preliminary objection on the applicability of statutory limitations in relation to offences contained in the 1956 Cambodian Criminal Code.

Civil Parties Submissions on reparations sought pursuant to IR 23 *quinquies* (3)(b)

The Civil Parties present their initial specifications of the substance of the reparations awards which they intend to seek within their final claim for collective and moral reparation pursuant to Rule 23 *quinquies* (3)(b).

Oral Orders/Decisions:

Order granting leave to the Accused Nuon Chea to leave the courtroom and return when his Defence presents submissions.

Order granting Ieng Sary Defence request to authorize the Accused to follow the proceedings from the holding cell and instructing the AV unit to connect the AV link to the holding cell.

Orders for Adjournment of Hearing

The hearing will resume on Thursday, 30 June 2011 at 9:00.

Phnom Penh, 29 June 2011

Greffier

Greffier

DUCH Phary

Matteo CRIPPA

