



**ឯកសារដើម**  
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អ្នកបញ្ជូនឯកសារ/Case File Officer/L'agent charge  
du dossier: ..... Uch ARUN .....

E1/7

**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

30 June 2011

Initial Hearing - Day 4

Prepared by: SE Kolvuthy and Matteo CRIPPA

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge THOU Mony.
<b>Reserve Judges:</b> Judge YOU Ottara (Reserve) and Judge Claudia FENZ (Reserve)
<b>Greffier/s:</b> Mrs. SE Kolvuthy, Mr. DAV Ansan, Mr. Matteo CRIPPA.
<b>OCP:</b> Mrs. CHEA Leang, National Co-Prosecutor, Mr. William SMITH, Deputy Co-Prosecutor; Mr. YET Chakriya, Deputy Co-Prosecutor; Mr. Seng Bunkheang, Deputy Co-Prosecutor, Mr. Chan Dararasmey, Deputy Co-Prosecutor, Mr. Veng Huot, Deputy Co-Prosecutor, Mr. Tarik Abdulhak, Deputy Co-Prosecutor, Mr. Pak Chanlino, Assistant.
<b>Accused:</b> Mr. Nuon Chea; Mr. Ieng Sary; Mrs. Ieng Thirith; Mr. Khieu Samphan.
<b>Defence for the Accused:</b> Mr. Son Arun, Co-Lawyer; Mr. Victor Koppe, Co-Lawyer; Mr. Andrew Lanuzzi, Legal Consultant; Mr. Jasper Pauw, Legal Consultant; Ms. Annebrecht Vossenberg, Legal Consultant; 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 Pouv Seang, Co-lawyer; Ms. Karlijn Van der Voort, Legal Consultant (on behalf of Co-lawyer); Mr. Khan Sereyvuthy, Case manager; Ms. Vera Manuello, Legal Consultant; Mr. Ang Udom, Co-lawyer; Mr. Michael G.

Karnavas, Co-lawyer; Ms. Tanya Pettay, Legal Consultant; Mr. Neville Sorab, Legal Consultant; Mr. Joshua Kern, Legal Consultant; Mr. Mosseny So, Case Manager.
<b>Civil Parties:</b> Mr. Pich Ang, Lead Co-lawyer , Ms. Elisabeth SIMONNEAU-FORT, Lead Co-lawyer, Ms. Nushin Sakarati, Civil Party Lawyer, Mr. Hong Kimsuon, Civil Party Lawyer, Ms. Martine Jacquin, Civil Party Lawyer, Ms. Silke Stuzinsky, Civil Party Lawyer, Mr. Ven Pov, Civil Party Lawyer, Mr. Lor Chunthy, Civil Party Lawyer
<b>Courtroom Officer/CMS:</b> Mr. UCH Arun
<b>Others:</b> Ms. Nathalie TURCOVIC, Transcriber.

<u>General court times</u>		
Day	Start time: 09:05	Finish time: 14:10
Recess am	Start time: 10:55	Finish time: 11:29
Recess lunch	Start time: 11:55	Finish time: 13.33
	Total Court Time:	2 hours and 53 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Oral argument concerning the Chamber's provisional list of witnesses, Civil Parties and experts	OCP, Defence Nuon Chea, Defence Ieng Sary, Defence Ieng Thirith, Accused Khieu Samphan, Civil Parties Lawyers	09:17	10:30
Ieng Sary Defence's request for Ieng Sary to follow proceedings from the holding cell	Defence Ieng Sary	10:30	10:31
Request to Address other Matters	Defence Ieng Sary, Defence Nuon Chea and Civil Party Lawyer	10.32	10:55
Continuation of Oral arguments concerning the Chamber's provisional list of witnesses, Civil Parties and experts ( <i>closed session – technical difficulties experienced</i> )	OCP, Defence Nuon Chea, Defence Ieng Sary, Defence Ieng Thirith, Accused Khieu Samphan, Civil Parties Lawyers	11:45	11:55

<u>Summary of Proceedings:</u>
<b><u>Oral arguments concerning the Chamber's provisional list of witnesses, Civil Parties and experts</u></b> The Chamber gave the parties an opportunity to comment, including in relation to objections, if any, to its previously circulated tentative lists of witnesses, civil parties and experts for the first phases of the trial. All parties made comments on the tentative lists. In particular, the Accused KHIEU Samphan addressed the court in person. Due to the

current confidential nature of the lists, a portion of the hearing was held in closed session. Technical problems were experienced during the closed session that required the hearing to continue into the afternoon.

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

The Defence for Ieng Sary requested leave for the Accused to follow the proceedings from the holding cell due to back problems. The Chamber granted the request.

**Requests to Address other Matters**


Defence Ieng Sary requested to address other matters which it deems being of a jurisdictional nature before the end of today's hearing: applicability of international law, applicability of command responsibility, and applicability of crimes against humanity. Defence Nuon Chea and Civil Party Lawyers requested clarification on whether another Initial Hearing is to be held to address the remaining proposed witnesses, experts and civil parties other than those in the tentative lists.

**Oral Orders/Decisions:**

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.

Order to bring the Accused back to detention facility.

**Orders for Adjournment of Hearing**

The Initial Hearing is concluded 

Phnom Penh,  
30 June 2011

Greffier  
SE Kolvuth

Greffier  
Matteo CRIPPA