



ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
28 / 11 / 2011

ម៉ោង (Time/Heure): 14:45

មន្ត្រីទទួលបន្ទុកឯកសារ/Case File Officer/L'agent chargé du dossier: Uch Arun

E1/14

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

22 November 2011

Substantive Hearing – Day 2

Prepared by: DUCH Phary and Roger Phillips

Attendance Record
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge YOU Ottara.
Reserve Judges: Judge THOU Mony (Reserve) and Judge Claudia FENZ (Reserve)
Greffier/s: Mr. DUCH Phary, Mr. LIM Suy-Hong, Mr. Roger Phillips.
OCP: Ms. CHEA Leang; Mr. Andrew CAYLEY; Mr. William SMITH; Mr. YET Chakriya; Mr. SENG Bunkheang; Mr. HUOT Veng; Mr. Tarik ABDULHAK; Mr. Vincent de WILDE d'ESTMAEL; Mr. Dale LYSAK; Mr. PAK Chanlino; Mr. BOU Chanthan; Mr. TOCH Vannarith
Accused: Mr NOUN Chea, Mr. IENG Sary, Mr. KHIEU Samphan
Defence for the Accused: Mr. SON Arun, Mr. Michiel PESTMAN, Mr. Victor KOPPE, Mr. Andrew IANUZZI, Mr. PHALLA Prum, Ms. Zara LOCKSHIN, Ms. Mojan SAMADI; Mr. KONG Sam Onn, Mr. Jacques VERGÈS, Mr. Arthur VERCKEN, Ms. SENG Socheata, Ms. Marie CAPOTORTO, Ms. Shéhérazade BOUARFA, Ms. Clémence WITT, Ms. Mathilde CHIFFERT, Mr. OUCH Sreyphat; Mr. ANG Udom, Mr. Michael G. KARNAVAS, Ms. Suzana TOMANOVIC, Mr. Neville SORAB, Ms. Tanya PETTAY, Mr. Joshua KERN, Mr. SO Mosseny, Ms. Helen SULLIVAN, Ms. Katherine LAMPRON

Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-RORT, Mr. LOR Chunthy, Ms. MOCH Sovannary, Mr. HONG Kimsuon, Ms. CHET Vanly, Mr. Barnabé NEKUIE, Mr. Patrick BAUDOIN, Mr. Emmanuel JACOMY, Ms. Nushin SARKARATI.
Courtroom Officer/CMS: Mr. KAUV Keoratanak
Others: Mr. NOU Monoroath; Mr. Laurent SOULARD, Ms. Diana Ellis; Mr. Dejan BERBEROVIC.

<u>General court times</u>		
Day	Start time: 9:00	Finish time: 16:00
Recess am	Start time: 10:27	Finish time: 10:50
Recess	Start time: 12:05	Finish time: 13:30
Recess pm	Start time: 14:28	Finish time: 14:48
	Total Court Time:	4 hours and 12 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Preliminary application by the Defence for IENG Sary	IENG Sary Defence	9:00	9:15
Co-Prosecutors' Opening Statement	Co-Prosecutors	9:15	11:57
Civil Party request to reconsider decision denying opening statement of civil parties	Civil Party Lead Co-Lawyer	11:57	12:00
NUON Chea Defence request and introductory statement, and NUON Chea Statement	NUON Chea Defence and NUON Chea	13:35	15:36
IENG Sary Defence observations	IENG Sary Defence	15:45	15:57

Summary of Proceedings:

The President declares the opening of the hearing.

Applications by the Defence

The IENG Sary Defence team renewed its motion to follow proceedings from his holding cell within the courthouse. The Trial Chamber rejected this request.

Opening Statement by the Co-Prosecutors

The Co-Prosecutors continued and concluded their Opening Statement.

Request by NUON Chea

The NUON Chea Defence requested 2 hours for a statement by NUON Chea and to delay its opening statement until the next day (i.e. 23 November 2011). The Trial Chamber

granted the request for NUON Chea to make a statement. It rejected the NUON Chea Defence request to present opening statement of subsequent day.

IENG Sary Defence

IENG Sary Defence waives its right to present an opening statement. IENG Sary requests to make a statement to the Trial Chamber. The Trial Chamber noted that the statement should be made the following day (i.e. 23 November 2011).

Oral Orders/Decisions:

- The Chamber rejects the IENG Sary Defence request for IENG Sary to participate in the opening statements from his holding cell.
- The Chamber rules that NUON Chea cannot present its opening statement on 23 November 2011.

Orders for Adjournment of Hearing

The hearing will resume on 23 November 2012 at 9:00am.

Phnom Penh, 21 November 2011

Greffier

Greffier

DUCH Phary

Roger PHILLIPS

