



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

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

ម៉ោង (Time/Heure): 14:45 ព្រះរាជាណាចក្រកម្ពុជា
មន្ត្រីទទួលបន្ទុកឯកសារ (Case File Officer/Agent chargé
du dossier): Uch Arun ជាតិ សាសនា ព្រះមហាក្សត្រ

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

23 November 2011

Substantive 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 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 Sreypath; Mr. ANG Udom, Mr. Michael G. KARNAVAS, Ms. Suzana TOMANOVIC, 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. Lay Nara; Mr. Laurent SOULARD, Ms. Diana Ellis; Mr. Dejan BERBEROVIC, Mr. Xavier FERRAND.

General court times		
Day	Start time: 9:00	Finish time: 12:10
Recess am	Start time: 10:10	Finish time: 10:33
	Total Court Time:	2 hours 47 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Request by the IENG Sary Defence and Statement by IENG Sary	IENG Sary Defence and IENG Sary	09:05	09:20
NUON Chea Defence Request	NUON Chea Defence	09:22	09:25
KHIEU Samphan Opening Statement	KHIEU Samphan, KHIEU Samphan Defence	09:25	11:44
Request for Clarification Concerning the Accused Testimony during the Trial	Co-Prosecutors, IENG Sary, NUON Chea, KHIEU Samphan Defence, Civil Party Lead Co-Lawyers	11:45	12:01

Summary of Proceedings:

Request by the IENG Sary Defence:

The IENG Sary Defence requested the Trial Chamber to be allowed to read IENG Sary's Statement on behalf of the Accused. The Trial Chamber rejected the request.

Statement by IENG Sary:

IENG Sary made a statement to the Trial Chamber.

NUON Chea Defence Request to be Allowed to Continue its Opening Statement:

The NUON Chea Defence renewed its request to continue its response to the Co-Prosecutors' Opening Statement. The Trial Chamber rejected the request.

Opening Statement by KHIEU Samphan and his Defence team:

KHIEU Samphan and his Defence team made an Opening Statement to the Trial Chamber.

Request for Clarification Concerning the Accused Testimony during the Trial:

The Co-Prosecutors requested clarification on whether each Accused will testify during the first Trial. The IENG Sary Defence reiterated that IENG Sary will avail himself of his right to silence, while the NUON Chea Defence and KHIEU Samphan indicated that they will decide at a later date whether to avail themselves of the right to silence.

Oral Orders/Decisions:

- The Chamber rejected the IENG Sary Defence request to be allowed to read IENG Sary's statement on behalf of the Accused.
- The Chamber rejected the NUON Chea Defence request to continue its response to the opening statements by the Co-Prosecutors.

Orders for Adjournment of Hearing

The hearing will resume on 05 December 2011 at 9:00am.

Phnom Penh, 23 November 2011

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DUCH Phary Matteo CRIPPA