

Day	Start time: 09:05	Finish time: 16:05
Recess am	Start time: 10:40	Finish time: 11:05
Recess	Start time: 12:25	Finish time: 13:40
Recess pm	Start time: 14:50	Finish time: 15:10
	Total Court Time:	4 h 50 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Request Concerning a statement made by the Prime Minister of Cambodia	NUON Chea Defence	09:09	09:13
Ruling on authenticity of copied documents	Trial Chamber; NUON Chea	09:15	09:27
Hearing of Civil Parties	Co-Prosecutors; Trial Chamber	09:21	09:25
Examination of the Accused NUON Chea	Co-Prosecutor	09:33	12:25
Ruling on the prohibition of offensive language in the courtroom	Trial Chamber	09:43	09:44
Request for IENG Sary to participate in the proceedings from his holding cell	IENG Sary Defence	10:16 10:35 12.23	10:17 10:37 12.24
Authenticity of electronic versions of documents	Trial Chamber; NUON Chea Defence, Co-Prosecutors; IENG Sary Defence; KHIEU Samphan; Co-Lawyers for the Civil Parties	11:59	12:23
Examination of Civil Party ROMAM Yun (TCCP-123)	IENG Sary Defence; Trial Chamber	13:40	15:13
Waiver of NUON Chea's right to be present during the afternoon session	NUON Chea Defence; Trial Chamber; Co-Lawyer for the Civil Parties; Co-Prosecutors	13:41	13:43
Examination of Civil Party KLAN Fit (TCCP-185)	Co-Prosecutors	15:15	16:05

Summary of Proceedings

Request Concerning a statement made by the Prime Minister of Cambodia

The NUON Chea Defence refers to a statement made by the Prime Minister of Cambodia, in which he allegedly declared that the Accused NUON Chea was guilty of genocide and requests the Trial Chamber to indicate that the Prime Minister refrain from such statements in the future.

Ruling on authenticity of the copy of document D243/2.1.12

In relation to the copy of document D243/2.1.12, the Chamber rules that it is not satisfied that the document falls within one of the categories of Rule 87(3). The document is relevant and susceptible to confirmation and, therefore, may be placed before the Chamber, pursuant to Rule 87.

Hearing of Civil Parties

The Trial Chamber clarifies that due to their health conditions, the civil parties scheduled to be heard today cannot be heard during the morning session; instead the examination of Accused NUON Chea will be continued.

Examination of the Accused NUON Chea (cont'd)

The Co-Prosecutor continues his examination of the Accused NUON Chea.

Ruling on the prohibition of offensive language in the courtroom

The Trial Chamber reminds that language in the courtroom shall not be derogatory or offensive, especially when addressing other parties.

Request for IENG Sary to participate in the proceedings from his holding cell

The IENG Sary Defence requests that the Accused IENG Sary be brought to the medical unit. The Trial Chamber orders to bring Accused IENG Sary to the medical unit.

The Trial Chamber also grants IENG Sary's request to waive his right to be present during the hearing in the afternoon session and follow the proceedings from his holding cell. The Chamber orders the Accused to submit a written waiver of his right to be present (the Waiver is attached to this written record).

Authenticity of electronic versions of documents

The Trial Chamber and the Co-Lawyers for the Civil Parties notes that the parties refrained to object to the inclusion of electronic versions of documents into the case file. The Co-Prosecutor objects to any requests to produce original hard copies unless specific and substantiated doubts as to the authenticity of copies of documents are made.

NUON Chea refuses to comment on any non-original hard copies.

The IENG Sary and the KHIEU Samphan Defence claim that the authenticity of copied documents needs to be ensured and that the burden lies on the party submitting the document to the Chamber.

Waiver of NUON Chea's right to be present during the afternoon session

The Trial Chamber grants NUON Chea's request to observe the proceedings from his holding cell. A written waiver of the right to be present during the hearing was provided to the Chamber (the waiver is attached to this written record).

Examination of Civil Party ROMAM Yun (TCCP-123)

The NUON Chea Defence has no questions for the Civil Party.

The IENG Sary Defence continues with the examination of the Civil Party.

The KHIEU Samphan Defence has no questions for the Civil Party.

The Chamber (Judge Lavergne) puts questions to the Civil Party.

Examination of Civil Party KLAN Fit (TCCP-185)

The Co-Prosecutor continues to examine Civil Party KLAN Fit.

The NUON Chea Defence requested 20 minutes for questioning of the Civil Party.

The IENG Sary Defence prepared an examination of no longer than 30 minutes.

The KHIEU Samphan Defence states that it is not certain at this time whether the Civil Party will provide testimony in relation to its client. If this should be the case, it will put questions of no longer than 30 minutes to the Civil Party.

The Trial Chamber demands that the Defence inform it in advance of the intention to question the party on the stand, as the Chamber needs to coordinate and manage a trial.

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/11	D243/2.1.12	00063116- 00063187 00486212- 00486266 00492795- 00492857	ទំព័រដំរីវត្ត លេខ ពិសេស កញ្ញា 1977 CPK Magazine entitled: " The Revolutionary Flag", Special Issue, September 1977 (FULL) CPK Magazine entitled: " The Revolutionary Flag", Special Issue, September 1977 (FULL)	P	00063135- 00063136, 00063139, 00063140, 00063150	00486226, 00486229, 00486230, 00486238	00492811, 00492814, 00492816, 00429826
E3/25	D243/2.1.9	00063000- 00063058 00491394- 00491438 00504014- 00504066	ទំព័រដំរីវត្ត លេខ ពិសេស ធ្នូ-មករា 1976-77 CPK Magazine entitled: " The Revolutionary Flag", Special Issue, December 1976 -January 1977 (FULL) CPK Magazine entitled: " The Revolutionary Flag", Special Issue, December 1976 -January 1977 (FULL)	P	00063058		
E3/136	D313/1.2.237	P 00416593- 00416593	Photograph depicting senior leaders at a Party Congress, possibly in 1971	P			
E3/137	D313/1.2.236	P 00416592- 00416592	Photograph depicting senior leaders at a Party Congress, possibly in 1971	P			

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/138	D366/7.1.56	00442405- 00442477 00743790- 00743813 00721076- 00721105	អារម្មណ៍ជាមូលដ្ឋាន និង ជាយុទ្ធសាស្ត្រដើម្បីសមមិត្តក្នុងបក្ស Fundamental Introductory Document for Party Member Aiguiser l'idéologie de la classe prolétarienne pour qu'elle devienne la plus tranchante et la plus puissante qui soit	P	00442467	00743812	00721105
E3/139	D243/2.1.8	00064958- 00065009 00455278- 00455321 00491914- 00491957	ទង់បដិវត្ត លេខ 11 វិច្ឆិកា 1976 [Corrected 1] CPK Magazine entitled: " The Revolutionary Flag", Issue 11, November 1976 (FULL) CPK Magazine entitled: " The Revolutionary Flag", Issue 11, November 1976 (FULL)	P	00064999	00455312	00491949
E3/140	D208/2	00380954- 00380956 00655270- 00655271 00380957- 00380958	របាយការណ៍បញ្ចប់ការអនុវត្តដីកាចា ត់ឱ្យស៊ើបសួរជំនួស Report of completion of the Execution of Rogatory Letter Rapport de clôture de Commission rogatoire	P	00380956		
E3/141	D22/43	00279546- 00279556 00346099- 00346105 00761066- 00761079	ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេ ណីរបស់លោក ម៉ាម យុន Civil party application of Mr. Romam Yun Demande de constitution de partie civile de Romam Yun	P	00279550		
E3/142	D22/43.2	00279542- 00279543 00279544- 00279545 00755584- 00755585	ឧបសម្ព័ន្ធ ២៖ ព័ត៌មានបន្ថែមពីជនរងគ្រោះ Annex 2: Additional information from the victim Annexe 2: Informations supplémentaires sur la victime	P	00279543		

Oral Orders/Decisions:

- Ruling on authenticity of the copy of document D243/2.1.12.

- Order to bring Accused IENG Sary to the medical unit and to submit a written waiver of IENG Sary's right to be present in the proceedings and follow the proceedings from his holding cell.
- Order to bring the Accused NUON Chea to his holding cell.
- Order to bring the Accused back to court for the hearing on 11 January 2012.

Orders for Adjournment of Hearing

The hearing will resume on Wednesday 11 January 2012 at 9:00am.

Phnom Penh, 10 January 2012

Greffier

Greffier



DUCH Phary



Matteo CRIPPA