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មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé  
du dossier: ..... SANN RADA.....

E1/25

**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**

**11 January 2012**

**Substantive Hearing on evidence - Day 13**

Prepared by:

**DUCH Phary 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 YOU Ottara.
<b>Reserve Judges:</b> Judge THOU Mony (Reserve) and Judge Claudia FENZ (Reserve).
<b>Greffier/s:</b> Mr. DUCH Phary, Mr. Matteo CRIPPA, Mrs. Faiza ZOUAKRI.
<b>OCP:</b> Ms. Chea Leang, Mr. Tarik Abdulhak, Mr. Vincent de WILDE d'ESTMAEL, Mr. Dale LYSAK, Mr. Chan DARASMEY, Mr. Pak Chanlino, Mr. Huot Veng, Mr. SENG Bunkheang, Mr. CHEA Phalla, Mr. Toch VANNARITH.
<b>Accused:</b> Mr. NUON Chea, Mr. IENG Sary, Mr. KHIEU Samphan.
<b>Defence for the Accused:</b> Mr. Arun SON, Mr. Michiel PESTMAN; Mr. KONG Sam Onn; Mr. ANG Udom, Mr. Michael G. KARNAVAS.
<b>Civil Parties:</b> Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Ms. MOCH Sovannary, Mr. HONG Kimsuon, Mr. Barnabé NEKUIE, Ms. SIN Soworn, Mr. SAM Sokong, Mr. VEN Pov, Lor Chunthy, Mr. Kim Mengkhy.
<b>Civil Party:</b> KLAN Fit (TCCP-185)
<b>Others:</b> Mr. Simon MEISENBERG, Ms. Almaz TEFFERA.

**General court times**

Day	Start time: 09:10	Finish time: 15:35
Recess am	Start time: 10:30	Finish time: 11:05
Recess	Start time: 12:00	Finish time: 13:35
Recess pm	Start time: 15:05	Finish time: 15:25
	Total Court Time:	3 hours 55 minutes

<b><u>Proceedings</u></b>			
<b>Type of Issue</b>	<b>Raised By</b>	<b>Start time</b>	<b>Finish time</b>
Ruling on Requests to Follow the Proceedings from the Holding Cells	Trial Chamber	09:09	09:12
Examination of Accused NUON Chea (cont)	Co-Prosecutor	09:09	12:00
Waiver of NUON Chea and IENG Sary's right to be present during the afternoon session	NUON Chea Defence; IENG Sary Defence	12:02	12:04
Examination of Civil Party KLAN Fit (TCCP-185)	NUON Chea Defence; IENG Sary Defence	13:35	15:30

### **Summary of Proceedings**

#### **Ruling on Requests to Follow the Proceedings from the Holding Cells**

The Chamber rules that in case an Accused would like to be excused from the courtroom, such a request should not be presented in a manner that interrupts the proceedings, unless in exceptional circumstances.

#### **Examination of the Accused NUON Chea (cont)**

The Co-Prosecutor continues the examination of the Accused NUON Chea. The NUON Chea Defence challenges any reference to various documents, including document D243/2.1.12, on the basis that their authenticity has not yet been established.

#### **Waiver of NUON Chea and IENG Sary's right to be present during the afternoon session**

The Chamber allows NUON Chea and IENG Sary to participate to the hearing in the afternoon session from their holding cell. (Written Waivers are attached to this written record).

#### **Examination of Civil Party KLAN Fit (TCCP-185)**

The NUON Chea Defence examines the Civil Party. The IENG Sary Defence examines the Civil Party.

The examination of the Civil Party is concluded.

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/143	D262.34	00658432- 00658452 00168722- 00168779 00687139- 00687150	ឧបសម្ព័ន្ធ ០០០៣៤៖ ប្រព័ន្ធផ្សព្វផ្សាយព័ត៌មានបរទេសការ ប្រមូលរបាយការណ៍សំរាប់ខែ កញ្ញា ១៩៧៧ Annex 00034: Foreign Broadcast Information Service collection of reports for September 1977 [Partial T.] Annexe 00034: IENG Sary organise un dîner en l'honneur de la délégation birmanè	P		00168771- 00168776	
E3/144	4.40	00291057- 00291062 S 00012660- 00012698 S 00012471- 00012528	សេចក្តីថ្លែងការណ៍របស់ ប៉ុល ពត ក្រោមចំណងជើងថា៖ ជ័យយោឌូបលើកទី១៧របស់បក្សកុម្មុ យនីសកម្ពុជា Statement by POL Pot - Speech entitled "Long Live the 17th Anniversary of the Communist Party of Kampuchea" Déclaration de POL Pot intitulée "Les grandioses victoires de la revolution du Kampuchea"	P			
E3/145	D366 /7.1.4 59	00442091- 00442159 00715045- 00715076 00727312- 00727366	បទឧទ្ទេសនាមរបស់តំណាងបក្ស នាថ្ងៃកំណើតរបស់ បក្សកុម្មុនិស្តកម្ពុជា ៣០ កញ្ញា ៦០ ដល់ ៣០ កញ្ញា ៧៧ Speech of Party Representative in 17th anniversary of CPK birthday Discours du représentant du Parti lors du 17e anniversaire de la fondation du PCK	P			
E3/11	D243 /2.1.1 2	00063116- 00063187 00486212- 00486266 00492795- 00492857	ទង់បដិវត្ត លេខ ពិសេស កញ្ញា 1977 CPK Magazine entitled: " The Revolutionary Flag", Special Issue, September 1977 (FULL)	P	00063135, 00063148	00486226, 00486236	00492811, 00492824

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
			CPK Magazine entitled: " The Revolutionary Flag", Special Issue, September 1977 (FULL)				
E3/3	20.28	00078183- 00078207 00184652- 00184679 00596175- 00596202	សម្ភាសន៍លោកនួនជា ស្តីពីសេចក្តីថ្លែងការណ៍មួយមានចំណងជើងថា "ប្រវត្តិនៃការតស៊ូនិងចលនារបស់អ្នកស្រុកស្រែជនជាតិខ្មែររបស់យើងចាប់ពី ១៩៥៤ដល់១៩៧០" ជាភាសាខ្មែរគ្មានចុះកាលបរិច្ឆេទដោយលោកខ្នងខែម National Suspect Statement entitled "History of the Struggle and Movement of Our Cambodian peasants from 1954 to 1970." by NUON Chea National Suspect Statement entitled "History of the Struggle and Movement of Our Cambodian peasants from 1954 to 1970." by NUON Chea	P	0078196	00184667	00596190
E3/146	D175 /6.2	00283389- 00283423 00538732- 00538757 00611795- 00611824	ទស្សនាវដ្តី យុវជន-យុវនារី បដិវត្តន៍ លេខពិសេស ឆ្នាំ ១៩៧៤ Revolutionary Youth Review Number Special year 1974 Revolutionary Youth Review Number Special year 1974	P	00283409	00538746	00611810
E3/138	D366 /7.1.5 6	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	P	00442434-435	00743798-99	00721087-88

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
			plus tranchante et la plus puissante qui soit				
E3/147	D262.26	00679782- 00679802 00168433- 00168478 00757848- 00757848	[Partial T.] ឧបសម្ព័ន្ធ 00026: ឯកសារស្តីពីសកម្មភាពដំណើរទស្សន កិច្ចរបស់គណប្រតិភូគុយបា Annex 00026: Foreign Broadcast Information Service collection of reports for January 1977 [Partial T.] Annexe 00026: Mesures Sanitaires au Srok Damber	P	00679792- 00679802, 00679796	00168465- 00168470, 00168467	00698444- 00698450, 00698446
E3/16	D213.2	00380221- 00380560 00498220- 00498306 00643822- 00643913	ខៀវ សំផន " ពិចារណាអំពីប្រវត្តិសាស្ត្រកម្ពុជាពីដើម រហូតដល់សម័យកម្ពុជាប្រជាធិបតេយ្យ " រាហូ 10-2007 KHIEU Samphan, "Consideration on the history of Cambodia from Early stage to the Period of Democratic Kampuchea", Reahu, 10-2007 "Considerations on the History of Cambodia From Early Stage to the Period of Democratic Kampuchea", extrait du livre de KHIEU Samphan, Éd. Reahu, Octobre 2007	P	00380369	00498232	00643835
E3/25	D243/2.1.9	00063000- 00063058 00491394- 00491438 00504014- 00504066	ទង់បដិវត្ត 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	00063025	00491413	00504035
E3/148	D22/42	00279571- 00279582 00346106	ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេ ណីរបស់លោក ក្លាន ហ៊ូត	P	00279574, 00279575	00346107	

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
		00346112 00290465- 00290470	Civil party application of Mr. Klan Fit Demande de constitution de partie civile de M. Klan Fit				
E3/149	D22/ 42.3	00279569- 00279570 00279567- 00279568 00752091- 00752092	ឧបសម្ព័ន្ធ ៣៖ ព័ត៌មានបន្ថែមពីជនរងគ្រោះ: Annex 3: Additional information from the victim Annexe 3: Renseignements supplémentaires relatifs à la victime	P	00279570	00279568	00702092
E3/125	D247 /1	00403457- 00403464 00404460- 00404467 00434843- 00434850	កំណត់ហេតុនៃការស្តាប់ចម្លើយដើមប ណ្តឹងរដ្ឋប្បវេណី ក្លាន វិត/ហ្វីត KLAN Vet/Fit Written Record of Interview of Civil Party KLAN Vet/Fit ក្លាន វិត/ហ្វីត [Corrigée 1] Procès verbal d'audition de partie civile KLAN Vet/Fit ក្លាន វិត/ហ្វីត	P	00403459	00404462	
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	00279545	00755585

**Oral Orders/Decisions:**

- Order to bring the Accused NUON Chea and IENG Sary to their holding cell.
- Order to bring the Accused to the detention facility and return them to the courtroom for the hearing on 12 January 2012 at 09:00.

**Orders for Adjournment of Hearing**

The hearing will resume on Thursday 12 January 2012 at 9:00am.

Phnom Penh, 11 January 2012

Greffier

Greffier

  
 DUCH Phary

  
 Matteo CRIPPA