



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
08 / 02 / 2012

ម៉ោង (Time/Heure) : 15:00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé
du dossier: Ratanak

E1/33

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

25 January 2012

Substantive Hearing on evidence – Day 21

Prepared by:

DUCH Phary and Natacha WEXELS-RISER

| |
|--|
| Attendance Record |
| Before: Judge NIL Nonn (President), Judge YA Sokhan, Judge Silvia CARTWRIGHT, Judge Jean-Marc LAVERGNE, Judge YOU Ottara. |
| Reserve Judges: Judge THOU Mony (Reserve) and Judge Claudia FENZ (Reserve). |
| Greffier/s: Mr. DUCH Phary, Ms. Natacha WEXELS-RISER. |
| OCP: Mr. Chan DARASMEY, Mr. SENG Bunkheang, Mr. Tarik ABDULHAK, Mr. PICH Sambath, Ms. Sarah ANDREWS, Mr. Dale LYSAK. |
| Accused: Mr. NUON Chea, Mr. IENG Sary, Mr KHIEU Samphan. |
| Defence for the Accused: Mr. SON Arun (Afternoon), Mr. Michiel PESTMAN, Mr. Jasper PAUW, Mr. Jacques VERGES, Mr. KONG Sam Onn; Mr. ANG Udom, Mr. Michael G. KARNAVAS. |
| Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. LOR Chunthy, Mr. VEN Pov, Ms. SIN Soworn, Mr. HONG Kimsuon, Mr. SAM Sokong, Ms. Chet Vanly, Ms. Philippine SULT (Afternoon). |
| Witness: Mr. VANTHAN Dara Peou (TCW-766), Mrs. PRAK Yut (TCW-542). |
| Others: Courtroom officer, transcribers, Mr. Andrew MCINTYRE, Ms. Zuzana KOVALOVA. |

| <u>General court times</u> | | |
|----------------------------|-------------------|------------------------|
| Day | Start time: 09:00 | Finish time: 14:50 |
| Recess am | Start time: 10:40 | Finish time: 11:20 |
| Recess | Start time: 12:05 | Finish time: 13:40 |
| Recess pm | Start time: | Finish time: |
| Total Court Time: | | 3 hours and 35 minutes |

| <u>Proceedings</u> | | | |
|--|--|------------|-------------|
| Type of Issue | Raised By | Start time | Finish time |
| Questioning of Witness VANTHAN Dara Poeu (TCW-766) (Cont.) | IENG Sary Defence, KHIEU Samphan Defence | 09:00 | 12:04 |
| Waiver of IENG Sary's right to be present in the courtroom | IENG Sary Defence | 10:40 | 10:40 |
| Waiver of NUON Chea's right to be present in the courtroom | NUON Chea Defence | 12:05 | 12:05 |
| Questioning of Witness PRAK Yut (TCW-542) | Trial Chamber, Co-Prosecutors | 13:45 | 14:49 |




| <u>Summary of Proceedings</u> |
|---|
| <p><u>Questioning of Witness VANTHAN Dara Peou (TCW-766) (Cont.)</u> The IENG Sary Defence continued the questioning of Witness VANTHAN Dara Poeu. Subsequently, the KHIEU Samphan Defence questioned the Witness.</p> |
| <p><u>Waiver of IENG Sary's right to be present in the courtroom</u> The Accused waived his right to be present in the courtroom for the whole day (the written waiver is attached to this written record).</p> |
| <p><u>Waiver of NUON Chea's right to be present in the courtroom</u> The Accused waived his rights to be present in the courtroom in the afternoon session (the written waiver is attached to this written record).</p> |
| <p><u>Questioning of Witness PRAK Yut (TCW-542)</u> The Co-Prosecutors commenced the questioning of the Witness PRAK Yut.</p> |

| TC No | OCIJ No | ERN | Title | Class | Note in Khmer | Note in English | Note in French |
|--------|---------------|---|--|-------|---------------|-----------------|----------------|
| E3/159 | D312.2 .15 | 00714755- 00714759 00000630- 00000632 00722452- 00722454 | សារអេឡិចត្រូនិចរបស់ Peter Maguire ជូនចំពោះលោក យូ ឆាង(YOUK Chhang) មជ្ឈមណ្ឌលឯកសារកម្ពុជា ស្តីពីព័ត៌មានអំពី អៀង ធីរិទ្ធ និងសេចក្តីថ្លែងការណ៍របស់គាត់ក្នុងសន្និសីទ នៅទីក្រុង Stockholm ឆ្នាំ ១៩៧៩ Email by Peter Maguire containing information about IENG Thirith and her statements at the Stockolm Conference in 1979, addressed to Youk Chhang, DC-Cam Message électronique de Peter Maguire contenant les informations concernant IENG Thirith et sa déclaration à la conférence de Stockholm en 1979, envoyé à Youk Chhang, DC-Cam | P | | 00000630 | |
| E3/160 | D2- 15.7 | 00143036- 00143459 | The Khmer Rouge Communication Document 1975-1978 | P | | | |
| E3/161 | D155.3 | 00291504- 00291589 | Documenting the Crimes of Democratic Kampuchea by John D. Ciorciari with Youk Chhang | P | | 00291504 | |
| E3/162 | D234/1 6 | 00404648- 00404654 00407802- 00407808 00436984- 00436990 | កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី ប្រាក់ យុត PRAK Yut ថ្ងៃទី ១៩ វិច្ឆិកា ២០០៩ Written Record of Interview of PRAK Yut ប្រាក់ យុត Dated 19-11-2009 Procès verbal d'audition de témoin PRAK Yut ប្រាក់ យុត en date du 19-11-2009 | P | | | |

Oral Orders/Decisions:

- Order to bring the Accused IENG Sary (10:40) and NUON Chea (12:05) to the holding cell (Accused waivers are attached to this written record).
- Order to bring the three Accused to the detention facility and to return them to the courtroom for the hearing on 26 January 2012.

Orders for Adjournment of Hearing
The hearing will resume on 26 January 2012 at 9:00.

Phnom Penh, 25 January 2012
Greffier  Greffier 
DUCH Phary  Natacha WEXELS-RISER