



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):
01 / 03 / 2012

ម៉ោង (Time/Heure) : 13:30

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

E1/32

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

24 January 2012

Substantive Hearing on evidence – Day 20

Prepared by:

DUCH Phary and Matteo CRIPPA

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, Mr. Matteo CRIPPA.
OCP: Mr. Tarik ABDULHAK, Ms. Sarah ANDREWS, Mr. SENG Bunkheang, Mr. Chan DARASMEY, Mr. PICH Sambath.
Accused: Mr. NUON Chea, Mr. IENG Sary, Mr KHIEU Samphan.
Defence for the Accused: Mr. SON Arun, 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. HONG Kimsuon, Ms. SIN Soworn, Mr. VEN Pov, Mr. Barnabé NEKUIE, Mr. SAM Sokong.
Witness: Mr. VANTAN Dara Peou (TCW-766).
Others: Mr. Dejan BERBEROVIC (Morning); Mr. Andrew MCINTYRE.

<u>General court times</u>		
Day	Start time: 09:00	Finish time: 16:00
Recess am	Start time: 10:25	Finish time: 10:45
Recess	Start time: 12:05	Finish time: 13:30
Recess pm	Start time: 15:00	Finish time: 15:20
	Total Court Time:	4 hours and 55 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Time Allocations to Question Witness VANTHAN Dara Poeu	NUON Chea Defence	09:01	09:03
Questioning of Witness VANTHAN Dara Poeu (TCW-766)	Office of the Co-Prosecutors, NUON Chea Defence, IENG Sary Defence	09:05	n/a
Request to DC-Cam to Show Chain of Custody	NUON Chea Defence	14:55	15:30

Summary of Proceedings

Time Allocations to Question Witness VANTHAN Dara Poeu

Further to an earlier request from the NUON Chea Defence, the Chamber confirms that each defence team will be allocated 1 and a half hour to question witness VANTHAN Dara Poeu. If necessary, the Chamber will consider whether to allocate more time.

Questioning of Witness VANTHAN Dara Peou (TCW-766) (Cont.)

The Co-Prosecutors continued the questioning of witness VANTHAN Dara Poeu. Thereafter, the Civil Parties Lead Co-lawyers, the NUON Chea Defence and the IENG Sary Defence also questioned the witness. Judge Lavergne also asked some additional questions to the witness.

Request to DC-Cam to Show Chain of Custody

The NUON Chea Defence requests the Chamber to order DC-Cam to provide a full chain of custody for the documents in its possession. The Co-Prosecutors oppose the application as it is not provided by the law.

TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/154	21.3	00008494- 00008495 00185064- 00185065 00386260- 00386260	ទូរលេខ ១៥ សូមគោរពមកជូនសមមិត្ត បងប៉ុល: អំពីប្រជាជនមិនគោរពការណែនាំរបស់អង្គការ Telegram #15 to brother Pol: About The people disrespect Angkar advised. Telegram #15 to brother Pol: About The people disrespect Angkar advised.	P			
E3/155	D175/6 .14	00017027- 00017027 00296220- 00296220 00531910- 00531910	ទូរលេខ ៥៤៖ គោរពជូន បង ជាទីគោរព អំពីសភាពការណ៍ពួកចារកម្មយួន Telegram 54: To respected Brother about the situation of the Youns undercover agent [Corrigé 1] Telegram 54: To respected Brother about the situation of the Youns undercover agent	P			
E3/156	21.113	00017027- 00017027 00296220- 00296220 00531910- 00531910	ទូរលេខ ៥៤៖ គោរពជូន បង ជាទីគោរព អំពីសភាពការណ៍ពួកចារកម្មយួន Telegram 54: To respected Brother about the situation of the Youns undercover agent [Corrigé 1] Telegram 54: To respected Brother about the situation of the Youns undercover agent	P			
E3/157	D175/6 .13	00021011- 00021011 00348086- 00348087 00335196- 00335197	ទូរលេខ ០៨៖ ជូនបងជាទីគោរព អំពីសភាពការណ៍នៅតាមព្រំដែន និងផ្ទៃក្នុងមូលដ្ឋាន [Corrected 1] Telegram 08: To respected Brother about the situation of defending the border and Internal Telegramme 08:	P			
E3/23	D135.1	00289644- 00289722 00082510- 00082560 00284569- 00284658	E-100, Editions du Centenaire “ សៀវភៅខ្មៅ: អង្គហេតុ និងភស្តុតាងនៃការឈ្លានពាននិង ដោយរៀនណាមប្រឆាំងនឹងកម្ពុជា Livre Noir, Faits et preuves des actes d’agression et d’annexion du Vietnam contre le Kampuchea”, ២៧ មករា ១៩៧៩ E-100, Editions du Centenaire “The Black Paper: Facts and Evidence of the Acts of Aggression and Annexation of Vietnam against Kampuchea”, 27 January 1979 E-100, Editions du Centenaire “Livre Noir, Faits et preuves des actes d’agression et d’annexion du Vietnam contre le Kampuchea”, 27 Janvier 1979	P			
E3/158	D155.4	00291445- 00291464	Guide for Historical Interviews	P		00291445	

Oral Orders/Decisions:

- Order to bring the Accused IENG Sary (10:20) and NUON Chea (13:35) 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 25 January 2012.

Orders for Adjournment of Hearing

The hearing will resume on 25 January 2012 at 9:00.

Phnom Penh, 24 January 2012

Greffier

Greffier

DUCH Phary

Matteo CRIPPA

