



**ឯកសារដើម**

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):  
 ..... 04 ..... 05 ..... 2012 .....

ម៉ោង (Time/Heure) : ..... 11:50 .....

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

E1/64

**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

19 April 2012

Substantive Hearing on evidence – Day 52

Prepared by:

DAV Ansan and Natacha WEXELS-RISER

|                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Attendance Record</b>                                                                                                                                                             |
| <b>Before:</b> Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge Jean-Marc LAVERGNE, Judge YA Sokhan, Judge YOU Ottara.                                                     |
| <b>Reserve Judges:</b> Judge THOU Mony, Judge Claudia FENZ.                                                                                                                          |
| <b>Greffiers:</b> Ms. SE Kolvuthy, Ms. Natacha WEXELS-RISER, Mr. DAV Ansan.                                                                                                          |
| <b>OCP:</b> Mr. SENG Bunkheang, Mr. Tarik ABDULHAK, Mr. DALE Lysak.                                                                                                                  |
| <b>Accused:</b> Mr. KHIEU Samphan, Mr. NUON Chea, Mr. IENG Sary.                                                                                                                     |
| <b>Defence for the Accused:</b> Mr. SON Arun, Mr. Jasper PAUW, Mr. Andrew IANUZZI, Mr. KONG Sam Onn, Ms. Anta GUISE, Mr. ANG Udom, Mr. Michael G. KARNAVAS.                          |
| <b>Civil Parties:</b> Ms. Elisabeth SIMONNEAU-FORT, Mr. MOCH Sovannary Mr. HONG Kimsuon, Mr. VEN Pov, Ms. TY Srinna, Ms. Elisabeth RABESANDRATANA, Ms. SIN Soworn, Mr. PHANG Vichet. |
| <b>Witness:</b> SAUT Toeung                                                                                                                                                          |
| <b>Others:</b> Mr. UCH Arun; Ms. Alexandra PRASSOLOFF; Mr. SAN Kiri; Mr. LAY Nara; Mr. Sheriffo JAMMEH, Mr. LIM Binheng (counsel for the witness).                                   |

| <u>General court times</u> |                   |                     |
|----------------------------|-------------------|---------------------|
| Day                        | Start time: 09:00 | Finish time: 15:55  |
| Recess am                  | Start time: 10:35 | Finish time: 11:00  |
| Recess                     | Start time: 12:00 | Finish time: 13:30  |
| Recess pm                  | Start time: 14:30 | Finish time: 14:50  |
|                            | Total Court Time: | 4 hours, 40 minutes |

| <u>Proceedings</u>                                                         |                         |            |             |
|----------------------------------------------------------------------------|-------------------------|------------|-------------|
| Type of Issue                                                              | Raised By               | Start time | Finish time |
| Questioning of witness SAUT Toeung                                         | OCP                     | 09:00      | 11:15       |
|                                                                            | CPLC                    | 11:15      | 15:10       |
|                                                                            | NUON Chea Defence       | 15:10      | 15:55       |
| Waiver of the Accused's right to be present in the courtroom               | IENG Sary Defence       | 10:30      | 10:30       |
|                                                                            | NUON Chea Defence       | 12:00      | 12:00       |
| Reminder concerning the procedure of putting a document before the Witness | NUON Chea Defence<br>TC | 14:55      | 15:00       |

### Summary of Proceedings

#### Questioning of witness SOUTR Toeung

The Co-Prosecutors completed their questioning of the Witness.  
The Civil Party Lawyers put questions to the Witness.  
The Defence for NUON Chea questioned the witness.

#### Reminder concerning the procedure of putting a document before the Witness

At the NUON Chea Defence's request, the TC reminded the parties to ask the witness whether he is familiar with the document and if not, to remove the document and to proceed with the questioning without putting the document to the witness.

| Record of Rule 87(3) Proceedings |             |                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |                       |                                                                                                                                                   |                       |
|----------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| TC No                            | OCIJ No     | ERN                                                                                                                         | Title                                                                                                                                                                                                                                                                                                                                                                                                                                             | Class | Note in Khmer         | Note in English                                                                                                                                   | Note in French        |
| E3/199                           | 20.27       | 00224451-<br>00224456<br>00065911-<br>00065918<br>00612293-<br>00612300                                                     | សុន្ទរកថារបស់ ស.ម នួន ជា អនុលេខា<br>មជ្ឈឹមបក្សកុម្មុយនិស្តកម្ពុជា<br>ក្នុងឱកាសជប់លៀងនៅ បេកាំង<br>Speech by Camrade Nuon Chea, Deputy<br>Secretary of the Central Committee of the<br>Communist Party of Kampuchea at the<br>Babquet of the Assembly of people in Peking<br>Speech by Camrade Nuon Chea, Deputy<br>Secretary of the Central Committee of the<br>Communist Party of Kampuchea at the<br>Babquet of the Assembly of people in Peking | P     |                       |                                                                                                                                                   |                       |
| E3/423                           | D234<br>/23 | 00408429-<br>00408453<br>00414587-<br>00414611<br>00434806-<br>00434831                                                     | កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី<br>សូត្រ ទឿង SOUTR Toeung<br>Written Record of Interview of SOUTR<br>Toeung សូត្រ ទឿង<br>Procès verbal d'audition de témoin<br>SAUT/SOUTR Toeung សូត្រ ទឿង                                                                                                                                                                                                                                                       | P     |                       | Question<br>and<br>Answer<br>A18, A27,<br>A34, A53,<br>A55, A64,<br>A71,<br>A101,<br>A106,<br>A413,<br>A169,<br>A194,<br>A202, A<br>207,<br>A208. |                       |
| E3/76                            | D262.<br>45 | 00701871-<br>00701889,<br>00728971-<br>00728971<br>00170338-<br>00170455<br>00701861-<br>00701870,<br>00743745-<br>00743745 | [លិខិតបញ្ជាក់ការជំនួសឯកសារ] [Partial<br>T.] ឧបសម្ព័ន្ធ ០០០៤៥៖ អៀង សារី<br>រៀបចំពិធីជប់លៀងអាហារថ្ងៃត្រង់<br>[Surrogate Sheet] Annex 00045: Foreign<br>Broadcast Information Service collection of<br>reports for September 1978<br>[Feuille remplacée] [Partial T.] Annex 00045:<br>Un déjeuner avec IENG Sary                                                                                                                                     | P     | 00701881-<br>00701882 | 00170385-<br>00170386                                                                                                                             | 00701865-<br>00701866 |

|         |           |                                                                                             |                                                                                                                                                                                                                                                                                                                                           |   |             |             |             |
|---------|-----------|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------------|-------------|-------------|
| E3/1593 | 4.25      | 00279007-00279011, 00637356-00638099 00678476-00678740 00638722-00639444, 00291052-00291054 | សៀវភៅនិពន្ធដោយ Ben Kiernan មានចំណងជើងថា៖ "របបប៉ុល ពត ពូជសាសន៍ អំណាច អំពើប្រល័យពូជសាសន៍"<br>[Corrected 1] Book by Ben Kiernan entitled "The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79"<br>Livre écrit par Ben Kiernan intitulé "La Génocide au Cambodge, 1975-1979: Race, Idéologie et Pouvoir" | P |             | 00678630    |             |
| E3/359  | D121 /6.2 | 00408216-00408238 00434334-00434349 00408239-00408249                                       | សេចក្តីអត្ថាធិប្បាយនិងចម្លើយជាលាយលក្ខណ៍អក្សររបស់ខុច ចំពោះសំណួរសរសេរ<br>Duch's written comments and answers to written questions<br>Commentaires écrits de Duch et ses réponses aux questions écrites                                                                                                                                      | P | 00408225    | 00434340    | 00408242    |
| E3/103  | D91/4     | 00204013-00204017 00204018-00204022 00490622-00490626                                       | [លិខិតបញ្ជាក់ការជំនួសឯកសារ]<br>កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី<br>សូត្រ ឡើង ថ្ងៃទី០៤ ១២ ២០០៧<br>[Surrogate Sheet] Written Record of Interview of SAUT Toeung<br>[Feuille remplacée] Procès verbal d'audition de SAUT Toeung                                                                                                              | P | 00204013-17 | 00204018-22 | 00204022-26 |
| E3/1594 | A339      | 00410160-00410160 00423275-00423275 00423552-00423552                                       | កំណត់ហេតុសច្ចាប្រណិធានរបស់សាក្សី<br>សូត្រ ឡើង<br>Written record of the swearing in of Witness Saut Toeung<br>Procès-verbal de prestation de serment du témoin Saut Toeung                                                                                                                                                                 | P | 00410160    | 00423275    | 00423552    |
| E3/431  | D258      | 00410161-00410169 00413939-00413947 00413948-00413955                                       | កំណត់ហេតុនៃការតទល់មុខគ្នាជាមួយ<br>ខុច ចុះ ថ្ងៃទី ០២-១២-២០០៩<br>Written Record of Confrontation with Duch on 02-12-2009<br>Procès verbal de la confrontation avec Duch le 02-12-2009                                                                                                                                                       | P | 00410164    | 00413942    | 00413951    |

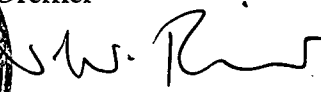
**Oral Orders/Decisions:**

- Order to bring the Accused IENG Sary (10:30) and NUON Chea (12:00) to the holding cell (waivers of the Accused 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 20 April 2012.

**Orders for Adjournment of Hearing**

The hearing will resume on 20 April 2012 at 9:00am.

Phnom Penh, 19 April 2012

Greffier  Greffier  
   
DAV Ansan Natacha WEXELS-RISER