



**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

**អង្គជំនុំជម្រះសាលាដំបូង**  
 Trial Chamber  
 Chambre de première instance

Nation Religion Roi <b>ឯកសារដើម</b> ORIGINAL DOCUMENT/DOCUMENT ORIGINAL ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ..... 07 / 06 / 2013 ..... ម៉ោង (Time/Heure): ..... 09 : 00 ..... អ្នកទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ..... <i>[Signature]</i> .....
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**WRITTEN REORD OF PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

20 February 2013

Substantive Hearing on evidence - Day 159

Prepared by:

Matteo CRIPPA and SE Kolvuthy

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President), Judge YA Sokhan, Judge YOU Ottara, Judge Claudia FENZ, Judge Jean-Marc LAVERGNE.
<b>Reserve Judges:</b> Judge THOU Mony.
<b>Greffiers:</b> Mr. DUCH Phary, Mr. SE Kolvuthy, Ms. Faiza ZOUAKRI, Mr. Matteo CRIPPA.
<b>OCP:</b> Mr. Andrew CAYLEY, Mr. VENG Huot, Mr. Dale LYSAK.
<b>Accused:</b> Mr. KHIEU Samphan, Mr. IENG Sary (present in the holding cell).
<b>Defence for the Accused:</b> Mr. SON Arun, Mr. Victor KOPPE, Mr. KONG Sam Onn, Mr. Arthur VERCKEN, Mr. ANG Udom, Mr. Michael G. KARNAVAS.
<b>Civil Parties:</b> Ms. Elisabeth SIMONNEAU-FORT, Mr. PICH Ang, Mr. VEN Pov, Ms. Lyma NGUYEN, Ms. SIN Soworn, Ms. Beini YE, Mr. SAM Sokong.
<b>Witness:</b> N/A
<b>Others:</b> Ms. Susan LAMB, Mr. UCH Arun, Ms. SOUR Sotheary, Mr. Elburg VAN BOETZELAER

*[Handwritten mark]*

<u>General court times</u>		
Day	Start time: 09.05	Finish time: 16.10
Recess am	Start time: 10.35	Finish time: 11.05
Recess	Start time: 12.05	Finish time: 13.35
Recess pm	Start time: 14:40	Finish time: 15.00
	Total Court Time:	4 hours and 45 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Submissions by the NUON	NC Defence	09.10	10.00
Chea Defence, IENG Sary	IS Defence	10.00	10.35
Defence and KHIEU		11.07	11.40
Samphan Defence	KS Defence	11.40	12.08
	TC	13.35	14.25
OCP and LCLCP Response to submissions of the Defence	OCP	14.26	14.41
		15.03	15.23
	LCLCP	15.23	15.48
Response to submissions of the Co-Prosecutors and Lead Co-Lawyers for the Civil Parties	NC Defence	15:49	15.55
	IS Defence	15.55	16.04
	KS Defence	16.04	16.12

### Summary of Proceedings

#### Temporary replacement of Judge Cartwright by Judge Fenz

Due to personal reasons, Judge Cartwright will not be present for this week's hearings, ex Internal Rule 79.4 she will be replaced by Judge Claudia Fenz (see ruling of Monday 18 February 2013 as noted in the Written Record of the Proceedings 18 February 2013).

#### Submissions by the NUON Chea Defence, IENG Sary Defence and KHIEU Samphan Defence

The NUON Chea Defence, IENG Sary Defence and KHIEU Samphan Defence subsequently make submissions regarding the 9 issues as outlined in the Trial Chamber memo of 12 February 2013.

#### Response to submissions of the NUON Chea Defence, IENG Sary Defence and KHIEU Samphan Defence

The Co-Prosecutors and Lead Co-Lawyers for the Civil Parties respond to the submissions made by the NUON Chea Defence, IENG Sary Defence and KHIEU Samphan Defence.

#### Response to submissions of the Co-Prosecutors and Lead Co-Lawyers for the Civil Parties

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The NUON Chea Defence, IENG Sary Defence and KHIEU Samphan Defence respond to the submissions of the Co-Prosecutors and Lead Co-Lawyers.

Record of Rule 87(3) Proceedings

TC Ref Number	OCIJ Ref Number	Name/Description	Party/TC	Remarks (ERN)

Oral Orders/Decisions:

- Judge Fenz continued to temporarily replace Judge Cartwright pursuant to the order of 19 February 2013.
- Order to bring the Accused KHIEU Samphan and IENG Sary back to the ECCC detention facility and return the Accused KHIEU Samphan to the courtroom on 21 February 2013 at 9 am and IENG Sary to the holding cell.

Orders for Adjournment of Hearing

The hearing will resume on Thursday 21 February 2013 at 09.00 a.m. *sc*

Phnom Penh, 20 February 2013

Greffier

Greffier

*for* *M. Crippa*  
for Matteo CRIPPA



*SE Kolvuthy*  
SE Kolvuthy