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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):  
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មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé du dossier: ..... UCH ARUN .....

E1/200

**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

04 June 2013

Substantive Hearing on evidence - Day 187

Prepared by:

Ms. Miriam MAFESSANTI and Mr. DAV Ansan

<u><b>Attendance Record</b></u>
<b>Before:</b> Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge THOU Mony
<b>Reserve Judges:</b>
<b>Greffiers:</b> Ms. Miriam MAFESSANTI, Ms. Faiza ZOUAKRI, Mr. DAV Ansan, Mr. DUCH Phary
<b>OCP:</b> Mr. CHAN Dararasmey, Mr. Vincent DE WILDE D'ESTMAEL
<b>Accused:</b> Mr. KHIEU Samphan, Mr. NUON Chea (participating from the holding cell)
<b>Defence for the Accused:</b> Mr. Victor KOPPE, Mr. KONG Sam Onn, Mr. SON Arun, Ms. Anta GUISSSE
<b>Civil Parties:</b> Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. Pascal AUBOIN, Ms. Beini YE, Mr. SAM Sokong, Mr. VEN Pov, Ms. Christine MARTINEAU, Mr. Emmanuel JACOMY, Ms. SIN Soworn, Ms. Nushin SARKARATI
<b>Civil Party:</b> Ms. BAY Sophany (TCCP-4), Mr. SOEUN Sovandy (TCCP-145), Ms. SENG Sivutha (TCCP-141)
<b>Others:</b> Mr. UCH Arun, Ms. SOUR Sotheavy, Ms. Virginia THOMPSON

<b>General court times</b>		
Day	Start time: 9:05	Finish time: 15:50
Recess am	Start time: 10:40	Finish time: 11:00
Recess	Start time: 12:25	Finish time: 13:35
Recess pm	Start time: 15:00	Finish time: 15:20
	Total Court Time:	4 hours 55 minutes

<b>Proceedings</b>			
Type of Issue	Raised By	Start time	Finish time
Waiver of the Accused's right to be present in the courtroom	TC	9:09	9:09
Testimony of Civil Party BAY Sophany (TCCP-4)	TC	9:13	9:16
	LCLCP	9:17	10:02
	KS	10:03	10:07
	NC	10:08	10:10
	OCP	10:10	10:29
	LCLCP	10:30	10:40
	NC Defence	11:01	11:22
	KS Defence	11:22	11:23
Testimony of Civil Party SOEUN Sovandy (TCCP-145)	TC	11:26	11:30
	TCCP-145	11:30	11:40
	LCLCP	11:40	12:11
	KS	12:11	12:18
	NC	12:19	12:22
	OCP	13:34	13:51
	NC Defence	13:51	13:52
	KS Defence	13:52	14:19
Testimony of Civil Party SENG Sivutha (TCCP-141)	TC	14:22	14:27
	LCLCP	14:27	14:58
		15:18	15:28
	KS	15:28	15:31
	NC Defence	15:32	15:33
	OCP	15:33	15:46

### **Summary of Proceedings**

#### **Waiver of the Accused's right to be present in the courtroom**

The Accused NUON Chea was present in the holding cell pursuant to Internal Rule 81(5). See Second Decision on Accused NUON Chea's Fitness to Stand Trial, E256/5, 2 April 2013.

#### **Testimony of Civil Party BAY Sophany (TCCP-4)**

The Civil Party Lead Co-Lawyers, Office of the Co-Prosecutors and the Defence Counsel

for Mr. NUON Chea posed questions to Civil Party BAY Sophany (TCCP-4). Civil Party BAY Sophany (TCCP-4) posed questions to the Accused Mr. KHIEU Samphan and Mr. NUON Chea.

**Testimony of Civil Party SOEUN Sovandy (TCCP-145)**

The Civil Party Lead Co-Lawyers, Office of the Co-Prosecutors, and the Defence Counsel for Mr. KHIEU Samphan questioned Civil Party (TCCP-145). Civil Party SOUEN Sovandy (TCCP-145) posed questions to the Accused Mr. KHIEU Samphan and Mr. NUON Chea.

**Testimony of Civil Party SENG Sivutha (TCCP-141)**

The Civil Party Lead Co-Lawyers and Office of the Co-Prosecutors questioned Civil Party SENG Sivutha (TCCP-141). Civil Party SENG Sivutha (TCCP-141) posed questions to the Accused Mr. KHIEU Samphan.

Record of Rule 87(3) Proceedings							
TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
E3/4619	D22/3850	00865219-00865226, 00571050-00571075, 00867203-00867211, 00860735-00860745, 00846057-00846072	[Partial.T] ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេណីរបស់ BAY Sophany 10-VU-00619 [Partial.T] Civil party application of BAY Sophany 10-VU-00619 Constitution de partie civile de BAY Sophany 10-VU-00619	P	00571064	00867208	00860741-42
N/A	E285.1.1	00910045-00910163	Attachment 1: Beth Van Schaack, Daryn Reicherter and Youk Chhang, eds., Cambodia Hidden Scars. Trauma Psychology in the Wake of the Khmer Rouge, (Phnom Penh: DC-Cam, 2011)	P		00910047	
E3/4620	D22/2745/1	00556030-00556032	Victim Unit's report on the civil party applicant	P		00556030	
E3/4621	D22/2745a	00579163-00579164, 00865120-00865121, 00909167-00909167	ឯកសារបន្ថែមរបស់ដើមបណ្តឹងរដ្ឋប្បវេណី Supplementary information of civil party applicant/Document d'information supplémentaire de partie civile Supplementary information of civil party applicant/Document d'information supplémentaire de partie civile	P	00579163	00865120	00909167

E3/4622	D22/ 3804	00570336- 005703480 0911396- 00911402	ពាក្យសុំតាំងខ្លួនជាដើមបណ្តឹងរដ្ឋប្បវេណីរបស់ សេង ស៊ីវុត្តា SENG Sivutha 10-VU-00382 [Partial T.] Demande de constitution de partie civile de SENG Sivutha 10-VU-00382	P			
N/A	E9/32 .2.16	00678187- 006781890 0916956- 00916958	កំណត់ហេតុបន្ថែមរបស់ សេង ស៊ីវុត្តា Informations complémentaires de SENG Sivutha	P			




**Oral Orders/Decisions:**

- The Chamber appointed Judge THOU Mony as the reserve national judge to sit in place of Judge YOU Ottara pursuant to Internal Rule 79.4 (9:06)
- The Chamber ordered that the sitting time for court sessions from 5 to 7 June 2013 begin at 8:30 am and adjourn for a recess at 11:30 am. The afternoon sessions will remain unchanged. (9:08)
- The Chamber instructed the security guards to return the Accused KHIEU Samphan and the Accused NUON Chea to the detention facility, and further instructs the security guards to return KHIEU Samphan to the courtroom and NUON Chea to the holding cell by 08:30 on Wednesday 05 May 2013 (15:49)

**Orders for Adjournment of Hearing**

Court is adjourned and will resume at 08:30 on Wednesday 5 June 2013

Phnom Penh, June 4, 2013

  
 Greffier  
 Ms. Miriam MAFESSA
 
  
 Greffier  
 Mr. DAV Ansan