



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

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| ឯកសារដើម |
| ORIGINAL DOCUMENT/DOCUMENT ORIGINAL |
| ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de réception): 17 / 11 / 2015 |
| ម៉ោង (Time/Heure): 09:30 |
| អ្នកទទួលខុសត្រូវសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Sann Rada |

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

29 September 2015

Substantive Hearing on Evidence 002/02 – Day 332

Prepared by:

EM Hoy and Niccolo PONS

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| <u>Attendance Record</u> |
| Before: Judge NIL Nonn (President); Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge YOU Ottara; Judge Claudia FENZ |
| Reserve Judges: Judge THOU Mony (Reserve); Judge Martin KAROPKIN (Reserve) |
| Greffiers: Mr. EM Hoy; Mr. Niccolo PONS |
| OCP: Mr. Travis FARR; Mr. SONG Chorvoin; Mr. Joseph Andrew BOYLE; Mr. SREA Rattanak |
| Accused: Mr. NUON Chea (from the holding cell); Mr. KHIEU Samphan |
| Defence for the Accused Nuon Chea: Mr. Victor KOPPE; Mr. LIV Sovanna; Mr. Xiaoyan NIE |
| Defence for the Accused Khieu Samphan: Mr. KONG Sam Onn, Ms. Anta GUISSÉ |
| Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS |
| Civil Parties: Ms. Marie GUIRAUD; Mr. PICH Ang; Mr. LOR Chunthy; Mr. Ven POV |
| Witness: Civil Party NO Sates (2-TCCP-270); Witness SOT Sophal (2-TCW-845) |
| Others: Mr. UCH Arun (Court Officer); Ms. SOK Sopheakmonica; Mr. VAT Somoa; Mr. LAY Nara; Ms. Srey NAK (transcribers); Ms. Clementine PLAGNOL; Ms. Sokchea SIM (interns) |

| General court times | | |
|----------------------------|-------------------|------------------------|
| Day | Start time: 09:02 | Finish time: 15:42 |
| Recess am | Start time: 10:09 | Finish time: 10:32 |
| Recess | Start time: 11:35 | Finish time: 13:32 |
| Recess pm | Start time: 14:43 | Finish time: 15:01 |
| | Total Court Time: | 4 hours and 02 minutes |

| Proceedings | | | |
|---|--------------------------------|------------|-------------|
| Type of Issue | Raised By | Start time | Finish time |
| Opening of hearing and report on attendance of the Parties | Trial Chamber, Greffier | 09:02 | 09:04 |
| NUON Chea Defence request to follow the proceedings from the holding cell | NUON Chea Defence | 09:04 | 09:06 |
| Continuation of hearing of Civil Party NO Sates (2-TCCP-270) | NUON Chea Defence | 09:06 | 10:09 |
| | | 10:32 | 10:35 |
| | KHIEU Samphan Defence | 10:35 | 11:34 |
| | | 13:33 | 14:00 |
| | Civil Party (impact statement) | 14:01 | 14:18 |
| Hearing of Witness SOT Sophal (2-TCW-845) | Trial Chamber | 14:21 | 14:28 |
| | Co-Prosecutors | 14:29 | 14:43 |
| | | 15:01 | 15:28 |

Summary of Proceedings

Opening of hearing and report on attendance of the Parties

The President opened the proceedings and the Greffier informed the Trial Chamber that all Parties were present. The Accused NUON Chea was present in the holding cell.

NUON Chea Defence request to follow the proceedings from the holding cell

The Trial Chamber granted the request of the NUON Chea Defence for NUON Chea to waive his right to be present in the courtroom and to follow the proceedings from the holding cell.

Continuation of hearing of Civil Party NO Sates (2-TCCP-270)

The NUON Chea Defence and the KHIEU Samphan Defence continued posing questions to the Civil Party NO Sates (2-TCCP-270).

Hearing of Witness SOT Sophal (2-TCW-845)

The Trial Chamber and the Co-Prosecutors posed questions to Witness SOT Sophal (2-TCW-845).

Reclassified

| TC No | OCIJ No | ERN (KH, ENG, FR) | Title | Class | Note in Khmer | Note in English | Note in French |
|---------|----------------|---|---|-------|----------------------------------|----------------------------------|----------------------------------|
| E3/5193 | D125/75 | 00204444- 00204447; 00274702- 00274705; 00224111- 00224114 | Written Record of Interview of NO Satas | P | 00204445 | 00274704 | 00224113 |
| E3/7675 | D125/100.1 | 00221852- 00221855; 00221856- 00221860; 00293924- 00293927 | Annex 1 : Interview of MAN Sen (Zain) in "The Cham Rebellion, Survivors' Stories from the Villages, Ysa OSMAN, Documentation series No.9, DC-Cam, 2006 | P | 00221853 | 00221859 | 00293924 00293925 |
| E3/5205 | D125/100 | 00221847- 00221851; 00275161- 00275164; 00293919; 00293923 | Written Record of Interview of MAN Se (Zain) | P | / | / | / |
| E3/2653 | D196.2 | 00904196- 00904430; 00219050- 00219245; 00943973- 00943985 | YSA Osman, "The Cham Rebellion: Survivors' Stories from the Village", DC-Cam, 2006 | P | 00904326 00904327 | 00219148 00219244 | / |
| E3/9307 | E305/13/1.3.23 | 00045890- 00045913; 01132805- 01132819; 01128389- 01128406 | Statement of NO Satas and MAT Min (DC-Cam) | P | 00045895 00045906 00045910 | 01132808 01132815 01132818 | 01128393 01128401 01128404 |
| E3/1822 | / | 00338995- 00339006; 00078437- 00078604 00758327- 00758335 | Booked by Ysa Osman entitled: "OUKOUBAH - Justice for the Cham Muslims under the Democratic Kampuchea Regime" | P | / | 00078454 | / |

Other documents (No Change)

| TC No | OCIJ No | ERN (KH, ENG, FR) | Title | Class | Note in Khmer | Note in English | Note in French |
|---------|---------|---|---|-------|------------------|--------------------|-------------------|
| E3/8050 | D232/96 | 00464718- 00464724; 00428004- 00428008; 00450433- 00450437 | Report of the Execution of Rogatory Letter, dated 06-01-2010 : Site Identification Report | P | / | / | / |
| E3/4705 | D22/163 | 00369020- 00369032; 00417846- 00417856; 00932672- 00932678 | Civil party application of Ms. NO Sates | P | 00369026 | 00417852 | 00932676 |

Oral Orders/Decisions:

- Order authorising the Accused NUON Chea to follow the proceedings from the holding cell and instructing the AV Unit to connect the AV link to the proceedings (09:04).
- Order to adjourn the hearings of the day earlier because the transcription machine is not working and needs to be repaired. (15:41)
- Order instructing the security personnel to bring the Accused back to the detention facility and to return them to the courtroom for the hearing on 30 September 2015 (15:42).

Orders for Adjournment of Hearing

The hearing will resume on 30 September 2015 at 9:00 am.

Phnom Penh, 29 September 2015

Greffier

Greffier

EM Hoy

collo PONS

