



ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
22 / 03 / 2016

ម៉ោង (Time/Heure): 13:00

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

002/19-09-2007-ECCC/TC
E1/382

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/11-01-2016-ECCC/TC

26 January 2016

Hearing on Substance in Case 002/02

Prepared by:
EM Hoy and Niccolo PONS

<u>Attendance Record</u>
Before: Judge NIL Nonn (President); Judge Claudia FENZ; Judge YA Sokhan; Judge Jean-Marc LAVERGNE; Judge THOU Mony
Reserve Judges: Judge Martin KAROPKIN.
Greffiers: Mr. Em HOY; Mr. Niccolo Pons; Mr. Roger PHILLIPS
OCP: Mr. Song Chorvoi; Mr. Vincent De Wilde d' ESTMAEL
Accused: Mr. NUON Chea; Mr. KHIEU Samphan.
Defence for the Accused: Mr. KONG Sam Onn; Ms. Anta GUISSÉ; Mr. SON Arun; Mr. Victor KOPPE; Mr. LIV Sovanna
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang and Ms. Marie GUIRAUD; Ms. VEN Pov; Mr. LOR

Chunthy; Mrs. TY Srinna
Witness: PRUM Sarat (2-TCW-1009)
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. MOUEM Sovann (Duty Counsel); Ms. SOK Sopheakmonika (Transcriber); Ms. NOU Monoroath (Transcriber); Ms. SREY Nak (Transcriber); Mr. VATH Somao (Transcriber); Ms. Hannah KIM (Trial Chamber Intern); Mr.Keo Vath (Support Staff)

<u>General court times</u>		
Day	Start time: 9:22	Finish time: 16:02
Recess am	Start time: 9:24	Finish time: 10:31
Recess	Start time: 11:35	Finish time: 13:32
Recess pm	Start time: 14:44	Finish time: 15:03
	Total Court Time:	3 hr 17 min

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of the Parties	Trial Chamber/ Greffier	9:22	9:24
		10:32	10:33
NUON Chea Defence request to follow the proceedings from the holding cell	NUON Chea Defence	10:33	10:34
Hearing of witness PRUM Sarat (2-TCW-1009)	NUON Chea Defence	10:35	11:35
		13:32	14:07
	International Co-Prosecutor	14:09	14:44
		15:03	16:02
Reference to document E319/23.3.17.1	NUON Chea Defence	11:15	11:26
Request for additional time	NUON Chea Defence	11:27	11:30

<u>Summary of Proceedings</u>
<p>Due to the accused, KHIEU Samphan, having high blood pressure, the Trial Chamber declared that proceedings would resume at 10:30 am once the accused's blood pressure returned to normal levels. The accused NUON Chea waived his right to be present in the courtroom. The Chamber declared the opening of the hearing and the Greffier informed that all parties to the case were present and that the accused NUON Chea was present in the holding cell downstairs.</p> <p><u>NUON Chea Defence request to follow the proceedings from the holding cell</u> The Trial Chamber granted NUON Chea's request to waive his right to be present in the courtroom and to follow the proceedings from the holding cell.</p>

Hearing of witness PRUM Sarat (2-TCW-1009)

The NUON Chea Defence and the International Co-Prosecutor posed questions to the witness PRUM Sarat (2-TCW-1009).

NUON Chea request to admit document E319/23.3.17.1 into evidence

The NUON Chea Defence made an oral request under Internal Rule 87(4) for document E319/23.3.17.1 to be admitted into evidence. The Deputy International Co-Prosecutor and the KHIEU Samphan Defence made submissions in response to the request. The Chamber rejected the request as it failed to comply with Internal Rule 87(4) requirements.

NUON Chea request for additional time

The NUON Chea Defence requested an additional full session to question witness PRUM Sarat (2-TCW-1009). The Trial Chamber granted one additional session for the Defence teams, and one additional session for the Co-Prosecutors and the Lead Co-Lawyers.

Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9699	D54/98	00990382-00990405; 01076839-01076868; 01118077-01118097	Written Record of Interview of HEANG Ret	C	00990394 00990395 00990391	01076844 01076845 01076850	01118088 01118089 01118085
E3/9698	D114/19	01034016-01034028; 01040432-01040444	Written Record of Interview of MAK Chhoeun	C	01034023	01040432	-
E3/13		00183983-00183994; 00052404-00052414; 00334972-00334984	Minutes of the Meeting of Secretaries and Deputy Secretaries of Divisions and	P	00652406	00940342 00940343	00334975 00334976

			Independent Regiments				
E3/2314	D100/28.45	00722466- 00722467; 00165983- 00165983; 00768209- 00768209	Media article entitled "Thais report pact with Cambodians", New York Times	P	00722466- 00722467	00165985	00768209
E3/9697	D54/87	00985309- 009855343; 01055460- 01055491; 00998466- 00998488	Written Record of Interview of PRUM Sarat	C	00985331	01055480	00998480 00998481
E3/4606	D234/18	00407769- 00407772; 00414068- 00414071; 00434779- 00434783	Written Record of Interview of PRUM Sarat	P	00064713 00064717 00064720	00519833 00519836 00519838 00519839	00520344 00520338 00520341

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/9582	D118/209	00983566- 00983590; 00980096- 00980123; 00988934- 00988960;	Written Record of Interview of UL Hoeun	P	00980110 00980111 00980112	00983578 00983579 00983580 00983581	00988948 00988949 00988950
E3/9113		00926341- 00926437; 00974154- 00974260	Statement of PRUM Sarat (DC- Cam)	P	00926384 00926399 00926398 00926403	00974206 00974222 00974221 00974179	-

					00926404	00974190	
					00926405	00974181	
					00926419	00974182	

Oral Orders/Decisions:

- Order authorising the Accused NUON Chea to follow proceedings from the holding cell (10:34).
- Order to take the Accused to the detention facility and bring them back to court for the hearing on 27 January at 9 a.m. (16.04).

Order for Adjournment of Hearing

The hearing will resume on Wednesday 27 January 2016 at 09:00.

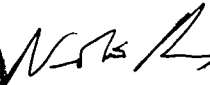
Phnom Penh, 26 January 2016

Greffier

Greffier



EM Hoy

Niccolo PONS