



<b>ឯកសារដើម</b>	
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):	
.....20...../.....02...../.....2016.....	
ម៉ោង (Time/Heure) :.....12:00.....	
មន្ត្រីទទួលបន្ទុកសំណុំរឿង .Case File Officer/L'agent chargé	
សំណុំរឿង :.....SANN RADA.....	

002/19-09-2007-ECCC/TC  
E1/453

**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/CLOSED**

Case File N° 002/19-09-2007-ECCC/TC

2 August 2016

Substantive Hearing on evidence 002/02 - Day 434

Prepared by:  
Mrs. SE Kolvuthy and Ms. Maddalena GHEZZI

<u>Attendance Record</u>
Before: Judge YA Sokhan (Presiding); Judge YOU Ottara; Judge Jean-Marc LAVERGNE; Judge Claudia FENZ; Judge THOU Mony
Reserve Judges: Judge Martin KAROPKIN.
Greffiers: Mrs. SE Kolvuthy; Ms. Maddalena GHEZZI.
OCP: Mr. Joseph Andrew BOYLE; Mr. Vincent DE WILDE D'ESTMAEL; Mr. Nicholas KOUMJIAN; 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.
Defence for the Accused KHIEU Samphan: Ms. Anta GUISSÉ; Mr. KONG Sam Onn
Appointed Standby Counsel for KHIEU Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS.
Civil Parties: Mr. LOR Chunthy; Ms. Marie GUIRAUD; Mr. VEN Pov; Mr. HONG Kimsuon; Mr. SAM Sokong; Ms. SIN Soworn; Ms. CHET Vanly.
Witnesses/Experts: Mr. Henri Locard (2-TCE-90); 2-TCW-976; Mr. CHIN Sareoun (2-TCW-1028); Mr. CHAN Sambour (Duty Counsel for 2-TCW-976)
Others: Mr. UCH Arun (Court Officer); Ms. SOUR Sotheavy (Associate Court Officer); Mr. MEACH Sovanna; Ms. SREY Nak; Ms. SAM Makara; Mr. LONH Nget (Transcribers), Ms. McRae Alison DUNBAR (Trial Chamber Intern); Ms. SENG

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**General court times**

Day	Start time: 08:58	Finish time: 15:20
Recess am	Start time: 10:15	Finish time: 10:38
Recess	Start time: 11:29	Finish time: 13:32
Recess pm	Start time: 14:50	Finish time: 15:10
	Total Court Time:	3 hours and 36 minutes

**Proceedings**

Type of Issue	Raised By	Start time	Finish time
Opening of hearing and report on attendance of the Parties	Trial Chamber, Greffier	08:58	09:00
NUON Chea Defence Requests to follow the proceedings from the holding cell	NUON Chea Defence	09:00	09:03
Hearing of expert Henri Locard (2-TCE-90)	KHIEU Samphan Defence Trial Chamber	09:03 09:44	09:43 09:57
Discussion regarding Request for Documents from Henri Locard (2-TCE-90)	NUON CHEA Defence KHIEU Samphan Defence Trial Chamber  OCP	09:48 09:52 09:56 09:48 09:36 09:52 09:54	09:49 09:52 09:56 09:49 09:36 09:52 09:54
Hearing of Witness 2-TCW-976	Trial Chamber  OCP	09:57 14:43 10:38 13:49	10:15 14:47 11:27 14:43
Hearing of Witness 2-TCW-976 (Closed Session)	Trial Chamber	13:32	13:48
Hearing of Witness CHIN Sareoun (2-TCW-1028)	Trial Chamber	15:10	15:20

**Summary of Proceedings****Opening of hearing and report on attendance of the Parties**

The President opened the proceedings and indicated that President NIL Nonn was absent and that following deliberation of the Judges, Judge YA Sokhan would lead the bench and reserve Judge THOU Mony would sit in the place of Judge YA Sokhan, pursuant to Internal Rule 79(5). 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 NUON Chea to waive his right to be present in the courtroom and to follow the proceedings from the holding cell.

**Hearing of expert Henri LOCARD (2-TCE-90)**

The KIEU Samphan Defence questioned expert Henri LOCARD (2-TCE-90).

**KHIEU Samphan Defence and NUON Chea Defence request for documentation from expert Henri LOCARD (2-TCE-90)**

The KHIEU Samphan Defence requested expert Henri LOCARD (2-TCE-90) for transcripts and audio recordings of his interviews with Phi Phuon and So Hong. The NUON Chea Defence made a similar request in relation to transcripts and/or audio-recording of the expert’s interview with PEN Sovan. The NUON Chea Defence confirmed that their Rule 93 Request (E415/2) was now covered by this request relating to PEN Sovan.

**Hearing of Witness (2-TCW-976)**

The President noted that confidentiality provisions applied to 2-TCW-976 (E319/35 and E319/48.5) and the Witness would be referred to by pseudonym only. The Co-Prosecutors questioned Witness 2-TCW-976. The hearing was held in closed session between 13:35 to 13:48.

**Hearing of Witness CHIN Saroeun (2-TCW-1028)**

The Chamber questioned Witness CHIN Saroeun (2-TCW-1028).

**NUON CHEA Defence request to postpone the hearing of CHIN Saroeun (2-TCW-1028) to the next day**

The Trial Chamber granted the NUON Chea Defence’s request to postpone the start of questioning of CHIN Saroeun (2-TCW-1028) the following day.

New E3s

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/10673	E319/53.2.9	00968102- 00968104; 00980603- 00980605	Written Record of Investigation Action	C	/	/	/

Reclassified

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
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E3/442	D288/6.159/10	00404785- 00404817; 00412091- 00412119; 00480685- 00480707	Accused's Final Written Submission	P	00404803	00412106	00480696
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## Other documents (No Change)

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/2812	D222/1.12	00815962- 00815965 & 00810743- 00810756; 00394616- 00394967; 00394968- 00395253	LOCARD Henri, Le Petit Livre Rouge de Pol Pot (Pol Pot's Little Red Book)	P	/	00394645	00394991
E1/103.1	/	00832506- 00832603; 00833498- 00833611; 00833612- 00833741	Transcript of hearing on the substance in Case 002- 7 August 2012	P	/	/	00833728
E3/182	/	00019108- 00019126; 00183393- 00183408; 00292868- 00292886	Permanent's meeting of committee on 9 October 1975	P	00019108	00183393	00292868- 00292869
E3/9474	00967993- 00968007; 00975004- 00975018; 00976332- 00976346	D118/150	Written Record of Interview of 2- TCW-976	C	00967995 00967996 00967997 00967998 00968000 00968002	00975005 00975006 00975007 00975010 00975013 00975012 00975009 00975015	00976334 00976335 00976337 00976340 00976341 00976342
E3/9029	/	00930401- 00930440; 01060632- 01060679	Statement of 2- TCW-976 (DC- Cam)	C	00930403 00930405 00930404 00930407 00930422 00930408	01060635 01060636 01060637 01060640- 01060641 01060657	/


Written Record of Proceedings - 2 August 2016/Public and Closed session


					00930409 00930412 00930413- 00930414	01060642 01060645 01060647	
E3/9485	/	00983230- 00983238; 00988128- 00988139; 00998321- 00998328	Written Record of Interview of 2-TCW-976 dated 03-04-2014	C	00983235 00983236	00988134 00988135 00988136	00998325 00998326 00998327
E3/10640	/	/	Pourquoi les Khmers Rouges?	P	/	/	01303587; 01303590


<b>Oral Orders/Decisions:</b>
<ul style="list-style-type: none"><li>• Order authorizing 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 (9:03).</li><li>• Order that part of questioning of witness 2-TCW-976 occur in closed session (13:34).</li><li>• Decision granting the NUON Chea Defence Request to postpone the start of questioning of CHIN Saroeun (2-TCW-1028) the following day (15:18).</li><li>• Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on Wednesday, 3 August 2016 (15:20).</li></ul>

<b>Order for Adjournment of Hearing</b>
The hearing will resume on Wednesday, 3 August 2016 at 9:00am. 

Phnom Penh, 2 August 2016

Greffier  Greffier



SE Kolv  ena GHEZZI