



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

<b>ឯកសារដើម</b>
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): ..... 17 / 08 / 2009 .....
ម៉ោង (Time/Heure) : ..... 16:00 .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé du dossier: ..... C.A. Juy .....

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

16 June 2009

Substantive Hearing - Day 28

Prepared by: DUCH Phary and Natacha WEXELS-RISER

<b>ឯកសារបានផ្តល់ឱ្យបញ្ជាក់តាមច្បាប់ដើម</b>
CERTIFIED COPY/COPIE CERTIFIÉE CONFORME
ថ្ងៃ ខែ ឆ្នាំ ការបញ្ជាក់ (Certified Date /Date de certification): ..... 18 / 08 / 2009 .....
មន្ត្រីទទួលបន្ទុកសំណុំរឿង /Case File Officer/L'agent chargé du dossier: ..... C.A. Juy .....

<b>Attendance Record</b>
<b>Before:</b> Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge THOU Mony.
<b>Reserve Judges:</b> Judge YOU Ottara (Reserve) and Judge Claudia FENZ (Reserve)
<b>Greffier/s:</b> Mr. Matteo Crippa, Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser, Mr. Duch Phary.
<b>OCP:</b> Mr. William Smith, Mr. Yet Chakriya, Mr. Pich Sambath, Mr. Zachery Lampell, Mr. Pak Chanlino.
<b>Accused:</b> Mr. Kaing Guek Eav alias Duch.
<b>Defence for the Accused:</b> Mr. Kar Savuth (from 9:45), Mr. François Roux, Mrs. Marie-Paule Canizares; Mrs. Héleyn Uñac, Mr. Chan Ravuth, Ms. Lucile Nattiez.
<b>Lawyers for the Civil Parties:</b> Ms. Silke Studzinsky, Mr. Kong Pisey, Ms. Moch Sovannary, Mrs. Elisabeth Rabesandratana, Ms. Ty Srinna, Mr. Alain Werner, Mr. Hong Kim Suon, Ms. Jessica Finelle.
<b>Courtroom Officer/CMS:</b> Mr. Kouv Keoratanak;
<b>Others:</b> Mr. Meach Sovanna, Mr. Scott Bywater, Mr. Pierre Cozette, Mrs. Maryvonne Mousounda Maniacky.



<u>General court times</u>		
Day	Start time: 9:05	Finish time: 16:30
Recess am	Start time: 10:45	Finish time: 11:05
Recess	Start time: 12:05	Finish time: 13:35
Recess pm	Start time: 14:45	Finish time: 15:05
	Total Court Time:	5 hours 15 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Issues relating to timing of questioning by Co-Prosecutors	Co-Prosecutors	9:05	9:38
Questioning of the Accused on the Functioning of S-21	TC	9:39	16:30

<u>Summary of Proceedings:</u>
<p><b>Issues relating to timing of questioning by Co-Prosecutors</b>  The Chamber allocated 3 hours for the Co-Prosecutors, 3 hours for the Civil parties, and 4 hours to the Defence to question the Accused on the functioning of S-21.  The Co-Prosecutors requested clarification on the timing and preparation time for the questioning of the Accused.  The Defence expressed concern that it was allocated less time than the Co-Prosecutors and Civil Parties together, and claimed that it constituted inequality of arms.</p> <p><b>Questioning of the Accused on the Functioning of S-21 by the Chamber</b>  The Chamber questioned the Accused on the functioning of S-21, in particular with respect to torture and interrogations at S-21.</p>

<u>Record of Rule 87.3 Proceedings</u>				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E3/234	D58/II-Annex 13	Annex 13: L40 Colour Copy Excerpts from Confession of Li Phel alias Li Phen alias Samrit	P	00172688-701, 00223138-41, 00296036-00296036, in particular 00172738
E68.7	NA	Annex 7: S-21 Prisoners Identified as Children	P	00331257
E68.6	NA	Annex 6: S-21 Prisoners Identified as Women	P	00331192



E3/232	D45/1/2	Photo album containing photos used in presentation, photos 36 to 38	C	00195373-00195377, 00189128-00189130 00360015-00360100. Already in E3 folder.
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**Oral Orders/Decisions:**

- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 17 June 2009.

**Orders for Adjournment of Hearing**

Adjournment of Hearing: The hearing will resume on Wednesday, 17 June 2009 at 9:00.

Phnom Penh, 16 June 2009

Greffier

Greffier





DUCH Phary

WEXELS-RISER