



ឯកសារព្រឹត្តិបត្រស្តង់ដារ
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ថ្ងៃ ខែ ឆ្នាំ ដែលបញ្ជាក់ (Certified Date/Date de certification):
 11 / 09 / 2009

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
 S.A.N.N. RADA

E1/35

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

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception):
 11 / 09 / 2009

ម៉ោង (Time/heure): 14 : 20

មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé
 du dossier: S.A.N.N. RADA

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

22 June 2009

Substantive Hearing - Day 30

Prepared by: SE Kolvuthy and Natacha WEXELS-RISER

Attendance Record
Before: Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge Jean-Marc LAVERGNE, Judge THOU Mony.
Reserve Judges: Judge YOU Ottara (Reserve) and Judge Claudia FENZ (Reserve)
Greffier/s: Mr. Matteo Crippa, Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser.
OCP: Mr. William Smith, Mr. Yet Chakriya, Mr. Pich Sambath, Mr. Zachery Lampell, Mr. Pak Chanlino, Mr. Christopher Hale.
Accused: Mr. Kaing Guek Eav alias Duch.
Defence for the Accused: Mr. Kar Savuth, Mr. François Roux; Mrs. Héleyn Uñac, Mr. Chan Ravuth, Ms. Lucile Nattiez.
Lawyers for the Civil Parties: Ms. Silke Studzinsky, Mr. Yung Phanit, Mr. Kim Mengkhy, Ms. Moch Sovannary, Ms. Ty Srinna, Mr. Alain Werner, Mr. Hong Kimsuon, Ms. Jessica Finelle.
Courtroom Officer/CMS: Mr. Kouv Keoratanak;
Others: Mr. Scott Bywater, Mr. Pierre Cozette, Mrs. Maryvonne Moussounda Maniacky, Mrs. Julie Massé.



General court times		
Day	Start time: 9:05	Finish time: 16:30
Recess am	Start time: 10:40	Finish time: 11:00
Recess	Start time: 12:10	Finish time: 13:30
Recess pm	Start time: 14:50	Finish time: 15:05
	Total Court Time:	5 hours and 30 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Information concerning the scheduling of the trial	TC	9:05	9:10
Questioning of the Accused on the Functioning of S-21, including Choeng Ek	Co-Prosecutors	9:15	14:09
Request by the Co-Prosecutors for additional time to question the Accused and acceptance of the Chamber	Co-Prosecutors	14:09	14:17
Questioning of the Accused on the Functioning of S-21, including Choeng Ek	Co-Prosecutors	14:17	14:28
Questioning of the Accused on the Functioning of S-21, including Choeng Ek	Civil Parties Group 4	14:31	14:50
Objection concerning the questions raised by the Civil Parties	Defence	15:05	15:26
Questioning of the Accused on the Functioning of S-21, including Choeng Ek	Civil Party Group 4 (15:27 to 15:38), Group 3 (15:38 to 15:50), Group 2 (15:51 to 16:26)	15:27	16:26

Summary of Proceedings:

Information concerning the scheduling of the trial

The Chamber provided information concerning the scheduling of the trial (see decision below)

Questioning of the Accused on the Functioning of S-21, including Choeng Ek

The Co-Prosecutors questioned the Accused on issues relating to the functioning of S-21, including Choeng Ek.

Questioning of the Accused on the Functioning of S-21, including Choeng Ek

Civil Party Groups 4, 3 and 2 questioned the Accused on issues relating to the functioning



of S-21, including Choeng Ek.

Record of Rule 87.3 Proceedings				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E5/2.10	NA	S-21 Confession of PRUM Khoeurn	P	00227230, 00227224, 00294492
E3/366	IS 18.47	Internal Memo by KAING Guek Eav alias DUCH	P	00001898, 00001897, 00250323
E3/367	IS 18.81	"Possible evidence against Duch", in particular "DUCH ordering torture on prisoner MOT Heng" and "S-21 Prisoner list"	P	00001856-00001909, in particular 00001904 and 00001891
E3/234	D58 /II, Annex 13	Interrogation of LY Phel	P	00172738, 00223140, 00296036. Already in E3 folder
E5/2.34	NA	Interrogation of SUAN San	P	00228010, 00284048, 00294514
E3/24	D58 /II, Annex 24	Confession of UM Soen	P	00172792, 00223142, 00296037. Already in E3 folder.
E3/368	D58/II, Annex 02	Confession of DANH Siyan	P	00172772, 00225275, 00250642
E3/369	IS 5.35	Confession of KE Kim Huot	P	00014091, 00242278, 00226226
E5/2.1	NA	Confession of SAR Phon (or SMANN Sless)	P	00227634, 00283973, 00294484
E3/370	16.46	S-21 Prisoner List [Execution]	P	00106315, 00185362-00185363, 00296018
E3/371	D57-Annex 00296	S-21 Prisoner List [Executions]	P	00171139-00171144, 00181789-00181790, 00296035
E3/372	IS 5.65	S-21 Letter from Duch to Ya	P	00009497-00009682, in particular 00009574
E3/373	IS 18.13	S-21 Letter from Pon to Duch	P	00053001
E3/374	IS 10.5	S-21 Letter from Pon to Duch	P	00053000, 00184020, 00290166
E3/375	IS 5.62	S-21 Confession of MEN San alias Ya	P	00009499,
E3/376	IS 18.15	S-21 Letter from DUCH to	P	00008162, 00172213



		PON		00232722
E3/377	IS 5.65	S-21 Letter from Pon to Ya	P	00009538
E3/316	D69- An A- P0017	Photograph: Kaing Guek Eav alias Duch presiding over an evening meal of Office S-21	P	P00005247 Already in E3 folder
E68, Annex 4	NA	Annex 4: Chart showing the number of people arrested and sent to S-21 by month	P	00330132-00330132
E3/378	D71	Written Record of Interview of Duch by CIJ on 30-04- 2008	C	00185497-00185504, in particular 00185499
E5/2.52	NA	S-21 Confession of KIM Sok	C	00226779, 00284080, 00294526
E3/379	D69-An.A- P0031	Photograph	P	P0005319

Oral Orders/Decisions:

- Information concerning the scheduling of the trial
1. The Chamber would like to provide the parties with information pertaining to the scheduling of the trial.
 2. It wishes to announce that it will hold a Trial Management Meeting on Thursday 25 June 2009 at 1.30PM.
 3. The schedule for the next three weeks is as follows:
 - Monday 22 June to Wednesday 24 June in the morning: Questioning of the Accused by the parties on the functioning of S-21 and Choeng Ek
 - Wednesday 24 June in the afternoon to Monday 29 June: Questioning of the Accused by the Chamber and the parties on S-24.
 - Tuesday 30 June to Tuesday 14 July: hearing of the following survivors of S-21, at the pace of one per day:
 - KW-01
 - D25/3
 - D25/1
 - CP1/6
 - E2/61
 - E2/23
 - E2/33
 - E2/80
 - E2/32
 4. The Chamber would like to take this opportunity to draw the parties' attention to the fact that it is using pseudonyms for witnesses who are yet to come to testify, and for Civil Parties who will be heard in court at this stage. It urges all parties to continue to do so when they refer to these individuals in court.
 5. In order to ensure that the trial is conducted expeditiously, the Trial Chamber has re-



examined the witness list and would like to propose to reduce the witness list. The parties will get a printed list of witnesses to be discussed, with notes.

6. The Chamber has calculated that if agreement is reached at the close of the Trial Management Meeting, we could save up to 30 sitting days.

- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 23 June 2009.

Orders for Adjournment of Hearing

Adjournment of Hearing: The hearing will resume on Tuesday, 23 June 2009 at 9:00.

Phnom Penh,
22 June 2009

The seal of the Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) is circular. It features a central emblem with a scale of justice and a sword, surrounded by the text 'TRIAL CHAMBER E.C.C.C.' and Khmer text. The seal is stamped over the signatures of the Greffiers.

SE Kolvuthy
Greffier
SE Kolvuthy

N. Riser
Greffier
Natacha WEXELS-RISER