



# អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

## អង្គមុនជំនុំជម្រះ

PRE-TRIAL CHAMBER

CHAMBRE PRELIMINAIRE

Criminal Case File

N° 002/19-09-2007-ECCC-OCIJ (PTC04)

### CONDUCT OF CRIMINAL PROCEEDINGS

(For Hearing on 23 April 2008)

- The public is present in the courtroom.
- The Civil Parties and their lawyers and the Charged Person and his Co-Lawyers are present in the courtroom.
- The National Greffier announces the Regulations governing the hearing.
- *First sound of the bell*: The Co-Prosecutors enter the courtroom.
- 8 PHOTOGRAPHERS enter.
- *Second sound of the bell*: Greffier invites all persons to stand by announcing “The Court”. The judges enter the courtroom
- President invites all persons to be seated.
- PHOTOGRAPHERS leave.

#### Declaration of President

In the name of the Cambodian people and the United Nations, today the Pre-Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia declares the hearing of the criminal case N° 002/19-09-2007-ECCC-OCIJ (PTC04), dated 14 December 2007 in which :

- 1- The Charged Person KHIEU Samphan, alias HEM, Cambodian nationality, male, born on 27 July 1931, in Rom Chek commune, Rom Duol district, Svay Rieng province, pre-arrest address Kon Khtong village, O Tavao Quarter, Pailin district, Pailin town, Cambodia, father’s name Khieu Long, mother’s name Por Kong.
- Is charged with Crimes Against Humanity and Grave Breaches of the Geneva Conventions of 12 August 1949, being crimes set out and punishable under articles 5, 6, 29(new) and 39(new) of the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia dated 27 October 2004.

Defence Lawyers: Mr. SAY Bory  
Mr. Jacques VERGES

2- Four Civil Parties represented by:

- Mr.HONG Kim Suon
- Mr.LOR Chunthy
- Mr. NY Chandy
- Ms. Silke STUDZINSKY

**President asks greffier:**

Are all the participants present at the hearing?

**Declaration of President**

Present at today's hearing are:

1. Mr. PRAK Kimsan Judge
  2. Mr. Rowan DOWNING Judge
  3. Mr. NEY Thol Judge
  4. Mrs. Katinka LAHUIS Judge
  5. Mr. HUOT Vuthy Judge
- Mr. PEN Pichsaly Reserve Judge
- Greffiers: Mr. CHUON Sopagna  
Mrs Anne Marie BURNS
- Co-Prosecutors: Mrs. CHEA Leang  
Mr. Alexander BATES

**President invites the Charged Person to stand before Judges**

Name ? Alias? Age ? Nationality ? Place of birth:? Occupation? Pre-arrest address ?  
Father's name ? Mother's name ? Wife's name? How many children? Defence lawyers?  
Names?

**President reads out the rights of the Charged Person ( Rule 21(1) (D) )**

Pursuant to Rule 21(1)(d) of the Internal Rules, the Charged Person is hereby informed that he:

- is presumed innocent as long as his guilt has not been established
- has the right to be informed of any charges brought against him
- has the right to be defended by a lawyer of his choice; and
- has the right to remain silent.

**President invites Co-Rapporteur to read the Report of the Co-Rapporteurs**

- o National Judge reads out the report
- o President asks the public and anyone not directly involved in the proceedings to leave the courtroom

**IN CAMERA SESSION**

**President invites the Charged Person to stand before Judges**

President asks if the Charged Person would like to make a statement related to his appeal or if he would like his lawyers to speak on his behalf.

**Judges may question the Charged Person**

**President invites Co-Lawyers for the Charged Person to make brief observations on the appeal**

( duration: maximum 1h 30mn divided between Co-Lawyers as appropriate)

**President invites Co-Prosecutors to make brief observations on the appeal**

( duration: maximum 1h 30mn divided between Co-Prosecutors as appropriate)

**President invites Lawyers for Civil Parties to make brief observations on the appeal**

( duration: maximum 1h divided between Lawyers for Civil Parties as appropriate)

**President allows replies**

**Judges may ask questions**

**President asks the Charged Person if he has anything to add**

**President Declares the Hearing Concluded**

**President provides information concerning announcement of decision**

**President orders Security Guard to take the Charged Person back to the Detention Facility**