



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ឯកសារដើម
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception): 01/08/2013
ម៉ោង (Time/Heure): 16:00
មន្ត្រីទទួលបន្ទុកកំណុំរឿង / Case File Officer/L'agent chargé du dossier: UCH ARUN

E1/202

ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

## WRITTEN RECORD OF PROCEEDINGS

### PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

6 June 2013

Substantive Hearing on evidence - Day 189

Prepared by:

Miriam MAFESSANTI and SE Kolvuthy

<u>Attendance Record</u>
<b>Before:</b> Judge NIL Nonn (President), Judge Silvia CARTWRIGHT, Judge YA Sokhan, Judge YOU Ottara, Judge Jean-Marc LAVERGNE
<b>Reserve Judge:</b> Judge THOU Mony
<b>Greffiers:</b> Ms. Faiza ZOUAKRI, Ms. Miriam MAFESSANTI, Ms. SE Kolvuthy, Mr. DUCH Phary
<b>OCP:</b> Mr. CHAN Dararasmey, Mr. VENG Huot, Mr. Tarik ABDULHAK, Mr. Vincent DE WILDE D'ESTMAEL
<b>Accused:</b> Mr. KHIEU Samphan, Mr. NUON Chea (participating from the holding cell)
<b>Defence for the Accused:</b> Mr. SON Arun, Mr. Victor KOPPE, Mr., KONG Sam Onn, Ms. Anta GUISSÉ
<b>Civil Parties:</b> Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. HONG Kimsuon, Ms. Christine MARTINEAU, Ms. SIN Soworn
<b>Witnesses:</b> Mr. Sydney SCHANBERG (TCW-624), Mr. CHHIM Sotheara (TCE-12)
<b>Others:</b> Mr. UCH Arun, Ms. SOUR Sotheavy, Ms. Jamie CRAWFORD

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<u>General court times</u>		
Day	Start time: 08.35	Finish time: 16.00
Recess am	Start time: 10.00	Finish time: 10.20
Recess	Start time: 11.40	Finish time: 13.30
Recess pm	Start time: 14.40	Finish time: 15.00
	Total Court Time:	4 hours and 55 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Testimony of Witness Sydney SCHANBERG (TCW-624)	OCP	08.38	09.30
	LCLCP	09.31	09.58
	NC Defence Team	10.33	11.36
NUON Chea Statement regarding the evacuation of Phnom Penh	Accused NUON Chea	10.23	10.33
Testimony of Expert CHHIM Sotheara (TCE-12)	OCP	13.31	13.55
	NC Defence team	13.56	14.39
		15.01	15.37
	KS Defence Team	15.37	16.00

Summary of ProceedingsWaiver of the Accused's right to be present in the courtroom

The Accused NUON Chea was present in the holding cell pursuant to Internal Rule 81(5). See Second Decision on Accused NUON Chea's Fitness to Stand Trial, E256/5, 2 April 2013.

Testimony of Witness Sydney SCHANBERG (TCW-624) (via videolink)

The Co-Prosecutors, Lead Co-Lawyers and NUON Chea defence team pose questions to the Witness Sydney SCHANBERG (TCW-624). His testimony is adjourned until 7 June 2013 at 08.30.

NUON Chea Statement Regarding the Evacuation of Phnom Penh

During TCW-624's testimony, the Accused NUON Chea makes a statement about the CPK's policy regarding the 17 April 1975 evacuation of Phnom Penh.

Testimony of Expert CHHIM Sotheara (TCE-12)

The Co-Prosecutors, NUON Chea Defence Team, and KHIEU Samphan Defence Team pose questions to the Expert CHHIM Sotheara (TCE-12). The testimony is concluded.

<u>Record of Rule 87(3) Proceedings</u>							
TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French

N/A	E236/ 1/4/3 .1	00898209- 00898330	Booked by Sydney SCHANBERG entitled: "Cambodia Diary 1975 - A journalist's day-by- day notes on the fall of Cambodia to the Khmer Rouge"	S		00898271, 00898276- 77, 00898284, 00898287, 00898312, 00898290, 00898309, 00898273, 00898275, 00898295- 96, 00898317, 00898322, 00898319, 00898215, 00898216, 00898251, 00898244, 00898218- 19, 00898224, 00898235- 36, 00898299	
N/A	E243. 2	00862567- 00862631	Book by Sydney Schanberg entitled: "The Killing Fields"	P		00862602	
N/A	E285. 1.4	00909727- 00909733	Attachment 4: Nadine Stammel et al, "Prolonged Grief Disorder Three Decades Post Loss in Survivors of the Khmer Rouge Regime in Cambodia," Journal of Affective Disorders 144 (2013): 87	P			

**Oral Orders/Decisions:**

- Order to WESU to return expert CHHIM Sotheara (TCE-12) to his accommodation.
- The Chamber instructs the security guards to return the Accused KHIEU Samphan and the Accused NUON Chea to the detention facility, and to return KHIEU Samphan to the courtroom and NUON Chea to the holding cell by 08.30 on Friday 7 June 2013. (16.01)

**Orders for Adjournment of Hearing**

Court is adjourned and will resume tomorrow, 7 June 2013 at 8.30 am (16.01).

Phnom Penh, 6 June 2013  
Greffier  
*M. Mafessanti*  
Miriam MAFESSANTI



Greffier  
*SE Kolvuthy*  
SE Kolvuthy