



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 recep on): ១៤ / 11 / 2016
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ឧត្តមនាយកសំណុំរឿង . Case File Officer/L'agent chargé dossier: SANN RANA

E1/455

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° 002/11-08-2016-ECCC/TC

11/08/16

Hearing on Harm Suffered by the Civil Parties – 436

Prepared by:
Ms. Sivhoang CHEA and Ms. Evelyn CAMPOS SANCHEZ

Attendance Record
Before: Judge YA Sokhan (President); Judge YOU Ottara; Judge Jean-Marc LAVERGNE; Judge Claudia FENZ; Judge THOU Mony
Reserve Judges: Judge Martin KAROPKIN (Reserve)
Greffiers: Ms. Sivhoang CHEA; Ms. Evelyn CAMPOS SANCHEZ
OCP: Mr. SENG Leang; Mr. Vincent de WILDE D'ESTMAEL
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 GUISSSE; Mr. KONG Sam Onn
Standby Counsel for the Accused Khieu Samphan: Ms. TOUCH Voleak; Mr. Calvin SAUNDERS
Civil Parties: Mr. PICH Ang; Ms. Marie GUIRAUD; Mr. HONG Kimsuon; Mr. VEN Pov; Mrs. SIN Soworn; Mr. LOR Chunthy
Witness: CHE Heap (2-TCCP-275); PHOUNG Yat (2-TCCP- 1047); ROS Chuor Siy (2-TCCP- 1049)
Others: Mr. UCH Arun (Court Officer); Ms. SREY Nak (Transcriber); Mr. LONH Nget (Transcriber); Mr. LONH Nget (Transcriber); Ms. YUOS Sereiroth (Transcriber); Mr. MEACH Sovanna; Ms. Aureliarita Marcellus (Trial Chamber Intern).

<u>General court times</u>		
Day	Start time: 9:01	Finish time: 16:10
Recess am	Start time: 10:04	Finish time: 10:22
Recess	Start time: 11:33	Finish time: 13:29
Recess pm	Start time: 14:29	Finish time: 14:47
	Total Court Time:	4'29"

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Opening of Substantial Hearing and report on attendance of the Parties	Trial Chamber, Greffier	9:00	9:04
NUON Chea Defence Request to follow the proceedings from the holding	NUON Chea Defence	9:04	9:07
Hearing on Harm suffered by Civil Party CHE Heap (2-TCCP-275)	Trial Chamber Civil Party Lead Co-Lawyers Co-Prosecutors NUON Chea Defence CHE Heap's Impact Statement	09:12 09:16 10:22 10:45 11:08	09:16 10:04 10:44 11:06 11:12
Hearing on Harm suffered Civil Party PHOUNG Yat (2-TCCP-1047)	Trial Chamber Civil Party Lead Co-Lawyers Co-Prosecutors NUON Chea Defence KHIEU Samphan Defence PHOUNG Yat's Impact Statement	11:16 11:19 13:45 14:01 14:15 14:22	11:19 14:10 14:01 14:14 14:22 14:26
Lead Co-Lawyers for Civil Parties request to start the hearing of Civil Party ROS Chuor Siy (2- TCCP- 1049) by video-conferencing at 14:45pm	Lead Co-Lawyers for Civil Parties Trial Chamber	14:29 14:30	14:29 14:30
Hearing on Harm suffered by Civil Party Ms. ROS Chuor Siy (2-TCCP-1049) by Video-Conference from Paris, France.	Trial Chamber Civil Party Lead Co-Lawyers Co-Prosecutors NUON Chea Defence KHIEU Samphan Defence ROS Chuor Siy's Impact Statement	14:47 14:52 15:33 15:48 15:58 16:03	14:51 15:32 15:47 15:57 16:03 16:06

<u>Summary of Proceedings</u>
<u>Opening of hearing and report on attendance of the Parties</u> The President opened the proceedings and the Greffier informed the Trial Chamber that

all Parties were present, with the Accused NUON Chea present in the holding cell.

NOUN Chea Defence request to follow the proceedings from the holding cell

The Trial Chamber granted NOUN Chea's request to waive his right to be present in courtroom and to follow the proceedings from the holding cell.

Hearing of Witnesses

1. Hearing on Harm suffered by Civil Party CHE Heap (2-TCCP-275)

Questions were put to the Civil Party Mr. CHE Heap (2-TCCP-275) by the Lead Lawyer of the Civil Parties, Co-Prosecutors, and NOUN Chea's Defence.

2. Hearing on Harm suffered by Civil Party PHOUNG Yat (2-TCCP- 1047)

Questions were put to the Civil Party Ms. PHOUNG Yat (2-TCCP- 1047) by the Lead Lawyer of the Civil Parties, Co-Prosecutors, NOUN Chea and KHIEU Samphan's Defense.

National Counsel for NUON Chea showed document D22/3397a, a photo of Phoung Pen, to the Civil Party (2-TCCP-1047). The document is not on the Case File, and has been assigned Document number E3/6746a.

National Lead Co-Lawyer for the Civil Parties showed document D22/3397B, a photo of Phoung Im, to the Civil Party (2-TCCP-1047). The document is not on the Case File, and has been assigned Document number E3/6746B.

3. Hearing on Harm suffered by Civil Party (2- TCCP- 1049)

Questions were put to the witness Ms. ROS Chuor Siy (2-TCCP- 1049) by the Lead Lawyer of the Civil Parties, Co - prosecutor, NOUN Chea's Defense and KHIEU Samphan's Defense.

Lead Co-Lawyers for Civil Parties request to start the hearing of Civil Party ROS Chuor Siy (2- TCCP- 1049) by video-conferencing at 14:45pm

The International Lead Co-Lawyer requested to start the 4th session at 14:45 in order to have the videoconference from Paris- France in a continuous manner. The request was granted by the Chamber.

New E3#

E3/6746a	D22/ 3397a	00586010- 00586010 00586009- 00586009	Supplementary information of civil party applicant PHOUNG Yat	P	00586010 /	00586010
E3/6746b	D22/ 3397 B	00594299- 00594310	Corrected 1] Supplementary information of civil party applicant	P	00594310 /	/

Reclassified Documents

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/6427		00544237-00544251	Civil party application of CHE Heap 08-VU-01013	P	00544248	/	/
E3/10266		01016882-01016917	Name list of prisoners entry from 1-28/2/77	P	01016893	/	/
E3/8663		00230404-00230404	The Prisoner in section Division 920	P	00230404	/	/
E3/10431		01018535-01018538	Name list of prisoners entry on 1/1/1978	P	01018536 & 01018538	/	/
E3/9441		00804122-00804128-00804116-00804121	Corrected 1] Written Record of Interview of Civil Party CHE Heap ឆែង ហ៊ឹម	P	00804127	00804120	/
E3/8555		00086769-00086769	Annex 277: S-21 Prisoner List containing names of victims interrogated at S-21	P	00086769	/	/
E3/10506		01019293-01019436	Name list of prisoners entry from 17	P	01019316	/	/
E3/9845		01010210-01010291	The list of prisoners entered in March 1977	P	01010228	/	/
E3/5040		00807815-00807825-00793822-00793830-00563639-00563646	Victim Application Form - ROS Chuor Siy 09-VU-03547	P	00807822; 00807825	00793826; 00793829	00563643 00563646
E3/9853		01010571-01010575	List of prisoners France	P	/	/	/

Other Documents

TC No	OCIJ No	ERN (KH, ENG, FR)	Title	Class	Note in Khmer	Note in English	Note in French
E3/3858		00009195-00009198-00837615-00837625-00848737-00848752	Name list of prisoner killed in 1977	P	00009196	008837619	00848743,

E3/342	00329596- 00330129	Revised S-21 Prisoner List	P	00329635	00329635	/
E3/10604	01222328- 01222936	Annex 2: OCIJ S-21 Prisoners List 31 March 2016	P	/	01222418	/
E3/342	00329596- 00330129	Revised S-21 Prisoner List	P	00329929	00329929	/
E3/8463	00015997- 00016269 01302439- 01302442/ 01032507- 01032536	Name list of prisoner killed in 1978	P	/	/	/
E3/1716	00824620- 00824644 00826569- 00826592 00290701- 00290753	SUONG Sikoeun's biography	P	00824620	00826569	00290701
E3/1713	00831062- 00831320 00785742- 00785882 00287879- 00288154	[Partial T.] Book by ONG Thong Hoeung entitled "J'ai cru aux Khmers rouges: Retour sur une illusion"	P	00831182- 83	00785804	00288019

Oral Orders/Decisions:

- 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 proceeding (9:07).
- Decision by the Chamber to start the videoconference of Civil Party Ms. ROS Chuor Siy (2-TCCCP-1049) at 14:45pm (14:29)
- Order take the two accused, NOUN Chea and KHIEU Samphan, back to the detention facility and have them returned to attend the proceedings tomorrow, Friday 12 August 2016 before nine o'clock.(16:09)

Order for Adjournment of Hearing

The hearing will resume on Friday 12 August 2016 at 9:00am.

Phnom Penh, 11 August 2016

Greffier



Ms. Sivhoang CHEA



Greffier



Ms. Evelyn CAMPOS SANCHEZ