



ប័ណ្ណបញ្ជាក់ថា ឯកសារនេះ ត្រឹមត្រូវតាមការបញ្ជាក់
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ថ្ងៃ ខែ ឆ្នាំ បញ្ជាក់ (Certified Date/Date de certification):

11 / 09 / 2009

អ្នកបញ្ជាក់ឯកសារ/Case File Officer/L'agent chargé

SANN ADA

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

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de réception):

11 / 09 / 2009

ម៉ោង (Time/heure): 14:20

អ្នកទទួលឯកសារ/Case File Officer/L'agent chargé du dossier:

SANN ADA

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de Première instance

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

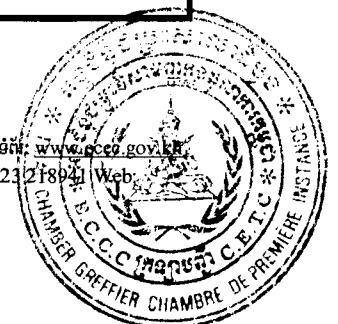
Case File N° 001/18-07-2007-ECCC/TC

23 June 2009

Substantive Hearing - Day 31

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, Mr. Duch Phary.
OCP: Mr. William Smith, Mr. Yet Chakriya, Mr. Pich Sambath, Mr. Zachery Lampell, Mr. Pak Chanlino.
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. Kong Pisey, Mr. Kim Mengkhy, Ms. Moch Sovannary, Ms. Ty Srinna, Mr. Alain Werner, Ms. Jessica Finelle.
Courtroom Officer/CMS: Mr. Kouv Keoratanak;
Others: Mrs. Maryvonne Moussounda Maniacky, Mrs. Julie Massé.



<u>General court times</u>		
Day	Start time: 9:00	Finish time: 12:05
Recess am	Start time: 10:30	Finish time: 10:50
	Total Court Time:	2 hours and 45 minutes

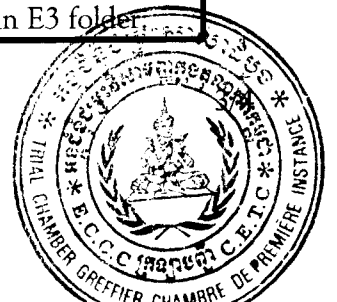
<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Questioning of the Accused on the Functioning of S-21, including Choeng Ek	Civil Party Group 2 (9:05 to 9:24), Group 1 (9:24 to 10:28)	9:05	10:28
Request to hold the Trial Management Meeting in the afternoon, instead of Thursday 25 June	Defence	10:50	10:59
Questioning of the Accused on the Functioning of S-21, including Choeng Ek	Defence	10:59	12:01

<u>Summary of Proceedings:</u>
<p>Questioning of the Accused on the Functioning of S-21, including Choeng Ek Civil Party Groups 2 and 1 questioned the Accused on issues relating to the functioning of S-21, including Choeng Ek.</p> <p>Request to hold the Trial Management Meeting in the afternoon, instead of Thursday 25 June The Defence requested to advance the time of the Trial management Meeting initially scheduled to be held on Thursday 25 June, to this afternoon. After hearing the parties, the Chamber accepted the request.</p> <p>Questioning of the Accused on the Functioning of S-21, including Choeng Ek The Defence questioned the Accused on issues relating to the functioning of S-21, including Choeng Ek.</p>

<u>Record of Rule 87.3 Proceedings</u>				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E3/380	D63	Written Record of Interview of Duch by CIJ on 27-03-2008	C	00194545-00194555, in particular 00178037 (FR)
E3/5	D67	Written Record of Interview of Duch by CIJ on 01-04-2008	C	00177631-00177640. Already in E3 folder



E3/13	IS 6.3	Decisions of the Central Committee on Various Matters dated 30 March 1976	P	00182809- 00182814 Already in E3 folder.
E3/381	D57, Annex 3	Annex 3: Brief Story of people who set free (quoted as "The Prisoners Who Were Released In Division 703.")	P	00316312-00316318
E5/2.10	NA	S-21 Confession of PRUM Khoeurn ("Some spies and some new people who had their histories related to Prum Mi, Nou Thorl, Long Seng")	P	00283993-00283998
E2/56.2	NA	Annex 2: Biography of YON Loeun	P	00366599-00366600
E5/2.9	NA	S-21 Confession of BUNN Narak	P	00283987-00283992, 00226276-00226297, in particular 00226279
E5/2.8	NA	S-21 Confession of CHHEAV Sun Heng	P	00283986-00283986
E5/2.3	NA	S-21 Confession of PRUM Samneang	P	00283975-00283975
E5/2.5	NA	S-21 Confession of ROUN Savy	P	00283977-00283982, 00227462-00227490. Reference made in court to 00206473 is wrong.
E5/2.2	NA	S-21 Confession of SMANN Sless	P	00283974-00283974
E3/382	D32/V-Annex 07	Annex 7: Colour copy Excerpt of Confession of Chan Mon alias Tol	P	00289848-00289862, 00173458-00173465 in particular 00173462, 00173461 (References in English transcript are erroneous)
E3/55	IS 13.14	Decision of permanent committee in the meeting on 19-20-21 April 1976	P	00019142-00019148, in particular 00019145. Already in E3 folder.
E3/14	IS 13.2	Meeting of the Standing Committee dated 9 October 1975	P	00183393-00183408. Already in E3 folder.
E3/367	IS 18.81	Possible evidence against Duch	P	00001856-00001909. Already in E3 folder.



E5/2.34	NA	S-21 Confession of SUAN San	P	00227993-00228082, in particular 00228010
E5/2.52	NA	S-21 Confession of KIM Sok	P	00226778-00226783, in particular 00226779
E3/248	D48/2R	Portion of the film from the reconstruction: DVD Recording of Crime Scene Reenactment at TUOL Sleng (All)	C	VR00210051-VR00210051 Already in E3 folder.

The following documents were mentioned in court but could not be identified because of a lack of ERN references or reference to a document from a case file other than Case 001/18-07-2007-ECCC/TC, and have therefore not been placed in the E3 folder:

- Document "D159/4.10" (List of prisoners released);
- Document E2/55.2 is a compilation of photographs and not a document written by Mam Nai, as indicated in court;
- Document "D159/2.10"

Oral Orders/Decisions:

- The Chamber decided to change the date of the Trial Management Meeting from Thursday 25 June to Tuesday 23 June in the afternoon.
- Order to take the Accused to the Detention Facility and bring him back to court for the Trial Management Meeting on 23 June 2009 in the afternoon.

Orders for Adjournment of Hearing

Adjournment of Hearing: The hearing will resume on Wednesday, 24 June 2009 at 9:00.

Nur Sif

Phnom Penh,
23 June 2009

[Signature]
Greffier
SE Kolvun

[Signature]
Greffier
Natacha WEXELS-RISER

