



ឯកសារបញ្ជាក់ថាជាកម្រងច្បាប់តាមច្បាប់
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ថ្ងៃ ខែ ឆ្នាំ បញ្ជាក់ (Certified Date/Date de certification):
 15 / 09 / 2009

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé
 du dossier: **SANN BADA**

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
 Chambres Extraordinaires au sein des Tribunaux Cambodgiens

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):
 15 / 09 / 09

ម៉ោង (Time/Heure) : 09:00

មន្ត្រីទទួលបន្ទុកសំណុំរឿង / Case File Officer/L'agent chargé
 du dossier: **CA. Jey**

WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

7 July 2009

Substantive Hearing – Day 39

Prepared by: SE Kolvuthy and Natacha WEXELS-RISER

<u>Attendance Record</u>
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. Yet Chakria (morning), Mr. Seng Bunkheang (afternoon), Mr. Anees Ahmed, Mr. Pich Sambath, Mr. Zachery Lampell, Mrs. Adriana Rojas, Mr. Veng Huot (afternoon), Mrs. Chun Soleak (afternoon).
Accused: Mr. Kaing Guek Eav alias Duch.
Defence for the Accused: Mr. Kar Savuth, Mr. François Roux (absent); Mrs. Marie Paule Canizares, Mrs. Héleyn Uñac, Mr. Chan Ravuth, Ms. Lucile Nattiez.
Lawyers for the Civil Parties: Ms. Silke Studzinsky, Mr. Kong Pisey, Mrs. Martine Jacquin, Mr. Kim Menghky, Ms. Ty Srinna, Mr. Alain Werner, Mr. Hong Kimsuon.
Courtroom Officer/CMS: Mr. Uch Arun.
Others: Mr. Pierre Cozette, Mrs. Julie Massé, Mr. Meach Sovanna.



General court times		
Day	Start time: 9:00	Finish time: 16:20
Recess am	Start time: 10:30	Finish time: 10:50
Recess	Start time: 11:50	Finish time: 13:30
Recess pm	Start time: 14:50	Finish time: 15:05
	Total Court Time:	5 hours and 5 minutes

Proceedings			
Type of Issue	Raised By	Start time	Finish time
Decision on request by Civil Party Group 2 for additional time	TC	9:02	9:05
Questioning of Civil Party Lay Chan (E2/32)	TC	9:05	10:17
Questioning of Civil Party Lay Chan (E2/32)	Co-Prosecutors	10:17	10:27
Questioning of Civil Party Lay Chan (E2/32)	Civil Party Group 3 (10:50 to 11:13), Group 2 (11:13 to 11:25), Group 4 (11:25 to 11:29)	10:50	11:30
Observations of the Accused	Accused	11:31	11:33
Questioning of Civil Party Lay Chan (E2/32)	Defence	11:33	11:50
Request to put an unofficial French translation of Document E5/7/1.3 before the Chamber for the parties' assistance and response by the Chamber	Civil Party Group 3	13:33	13:43
Questioning of Civil Party Phaok Khan (E2/33)	Trial Chamber	13:43	16:15

Summary of Proceedings:

Questioning of Civil Party Lay Chan (E2/32) by the Chamber

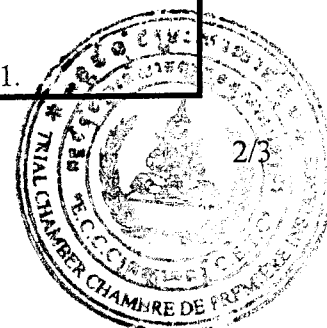
The Defence expressed doubts that Civil Party Lay Chan was detained at S-21.
The Chamber questioned Civil Party Lay Chan on the functioning of S-21.

Questioning of Civil Party Lay Chan (E2/32) by the parties

The Co-Prosecutors, Civil Parties and the Defence questioned Civil Party Lay Chan on the functioning of S-21.

Questioning of Civil Party Phaok Khan (E2/33)

The Chamber questioned Civil Party Phaok Khan on the functioning of S-21.



Record of Rule 87.3 Proceedings				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E5/7/1.3	NA	Annex 3: Biography of Phok Sakhon	P	00282312-00282314, 00345916-00345918.
E3/38-Annex A	D55- Annex A	S-21 Prisoner List (1975-1978)	P	00171429-00171798, in particular 00171475. Already in E3 folder
E68.1	NA	Revised S-21 prisoner list	P	00329596-00330129, in particular 00330119. Already put before the Chamber.

Oral Orders/Decisions:

- **Decision on request by Civil Party Group 2 for additional time**
The Trial Chamber rejected the request by Civil Party Group 2 to hear E2/32 for an additional half day.
- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 8 July 2009.

Orders for Adjournment of Hearing

Adjournment of Hearing: The hearing will resume on Wednesday, 8 July 2009 at 9:00.

Wux *JS*

Phnom Penh,
7 July 2009



Greffier *SE Kolvuthy* Greffier *WEXELS-RISER*