


**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

**អង្គជំនុំជម្រះសាលាដំបូង**

Trial Chamber  
Chambre de Première instance

**ឯកសារដើម**

ORIGINAL DOCUMENT/DOCUMENT ORIGINAL

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

02, OCT, 2009

ម៉ោង (Time/Heure) : 08:00

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

**WRITTEN RECORD OF PROCEEDINGS - "DUCH" TRIAL**
**PUBLIC**

Case File N° 001/18-07-2007-ECCC/TC

20 August 2009

Substantive Hearing - Day 6

**ឯកសារបានថតចម្លងត្រឹមត្រូវតាមច្បាប់ដើម**

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ថ្ងៃ ខែ ឆ្នាំ នៃការបញ្ជាក់ (Certified Date /Date de certification):

02, OCT, 2009

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

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:** Mrs. Se Kolvuthy, Ms. Natacha Wexels-Riser, Mr. Matteo Crippa, Mr. Duch Phary.

**OCP:** Mr. Vincent De Wilde D'estmael, Mr. Seng Bunkheang, Mr. Pak Chanlino, Mrs. Chun Soleak, Mr. Ty Monin, Mr. Huot Vichet, Mr. Mam Chanvannak.

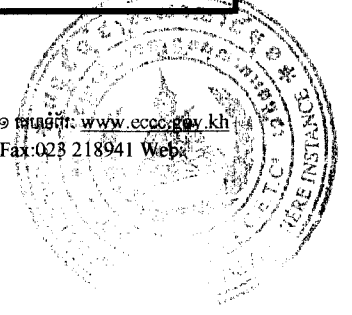
**Accused:** Mr. Kaing Guek Eav alias Duch.

**Defence for the Accused:** Mr. Kar Savuth, Mr. François Roux (absent), Mrs. Marie-Paule Canizarès, Mrs. Héleyn Uñac.

**Lawyers for the Civil Parties:** Ms. Silke Studzinsky, Mrs. Fabienne Trusses-Naprous, Mr. Kim Mengkhy, Mr. Alain Werner, Ms. Ty Srinna, Mr. Hong Kimsuon.

**Courtroom Officer/CMS:** Mr. Uch Arun.

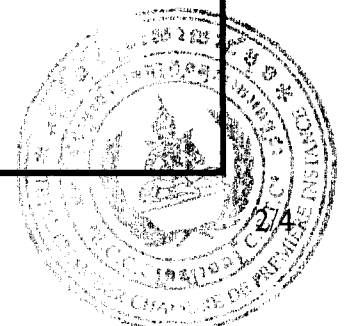
**Others:** Mrs. Maryvonne Maniacky, Mr. Scott Bywater, Mr. Pierre Cozette, Mr. San Kiri.



<b>General court times</b>		
Day	Start time: 9:05	Finish time: 16:15
Recess am	Start time: 10:35	Finish time: 10:55
Recess	Start time: 12:00	Finish time: 13:35
	Total Court Time:	5 hours and 15 minutes

<b>Proceedings</b>			
Type of Issue	Raised By	Start time	Finish time
Withdrawal of request to hear Civil Party Jeffrey James (E2/86) and request to change the order of appearance of Civil Parties	Civil Party Group 1 Civil Party Group 2	9:07	9:13
Hearing of Civil party Chum Sirath (D25/6)	Civil Party Group 2	9:13	11:16
Questions to Civil party Chum Sirath (D25/6)	Co-Prosecutors	11:16	11:24
Observations of the Accused	TC	11:30	11:41
Hearing of Civil party Chum Neou (D25/16)	Civil Party Group 4	11:42	11:59
Hearing of Civil Party Ou Savrith (E2/26)	Civil Party Group 4	13:38	15:16
Questions to Civil Party Ou Savrith (E2/26)	Co-Prosecutors	15:18	15:22
Hearing of Civil party Chum Neou (D25/16)	TC	15:28	16:00

<b>Summary of Proceedings:</b>
<p><b>Withdrawal of request to hear Civil Party Jeffrey James (E2/86)</b> Civil Party Group 1 withdrew its request for Civil Party Jeffrey James to be heard. Civil Party Group 2 requested a change in the order of appearance of Civil Parties.</p> <p><b>Hearing of Civil party Chum Sirath (D25/6)</b> The Chamber heard Civil Party Chum Sirath. The Co-Prosecutors questioned the Civil party. The Defence did not have any questions. The Accused acknowledged the testimony and made some comments.</p> <p><b>Hearing of Civil party Chum Neou (D25/16)</b> The Chamber heard Civil Party Chum Neou. Her testimony was interrupted by a technical malfunction.</p> <p><b>Hearing of Civil Party Ou Savrith (E2/26)</b> The Chamber heard Civil Party Ou Savrith by video-conference.</p>



The Co-Prosecutors questioned the Civil party. The Defence did not have any questions.

<b>Record of Rule 87.3 Proceedings</b>				
TC Ref Number	OCIJ Ref Number	Name/Description	Class. (S, C or P)	Remarks
E132/1	NA	National ID Card Chum Sirath	C	00371325-00371326
E3/502	D25/6	Civil Party Petition of CHUM Sirath, including photo of Chum Sinareth	P redacted	00194506-00194512, in particular 00194512; 00194497-00194505; 00221949-00221961. Redact personal information.
E3/19	D93/III	Observations of the Accused on Chum Sirath's Civil party application	P	00204314-00204322, 00208746-00208758, 00204301-00204313. Already in E3 folder.
E3/503	D25/16	Civil Party Petition of Ms. CHUM Neou	P redacted	00239751-00239758, 00211367-00211378, 00249995-00250011. Redact personal information
E3/503/1	D25/16/1	Annex 1: National ID Card Chum Neou	C	00234043-00234043, 00211379-00211379
E3/503/2	D25/16/2	Annex 2: Prisoner Biography of Chum Neou	P	00233371-00233371, 00211380-00211380, 00289729-00289729
E3/38-Annex A	D55-Annex A	S-21 Prisoner List (1975-1978)	P	00171429-00171798, in particular 00171629 and 00171639. Already in E3 folder.
E3/504	D57, Annex 059	Annex 59: Name list of prisoners from Headquarters	P	00181653-00181661, in particular 00181657; 00021162-00021177
E68.9	NA	Annex 9: S-21 Prisoners from the RAK	P	00331262-00331472, in particular 00331375.
E68.14	NA	Annex 14: S-21 Prisoners from RAK Center Units	P	00331730-00331865, in particular 00331803
E68.5	NA	Annex 5: S-21 Prisoners Identified as Men	P	00330944-00331191, in particular 00331076
E2/26/5.3	NA	Annex 3: Photo de Ou Vindy	P	00364944-00364946, 00364094-00364095
E2/26/5.2	NA	Annex 2: National ID card Ou Savrith	C	00364092-00364093, 00364941-00364943
E2/26/5.1	NA	Annex 1: Birth Certificate Ou Savrith	C	00364089-00364091.

E2/31.4	NA	Annex 4: Confession of Mr. Ou Vindy	P	00274265-00274314, in particular 00274308, 00274282 and 00274288; 00274216-00274264, in particular 00274241.
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**Oral Orders/Decisions:**

- **Decision to amend the schedule**

The Chamber would like to inform the parties that due to the progress of the proceedings and the withdrawal of the request to hear a number of Civil Parties in the last few days, the Chamber has re-scheduled the hearings for next week.

On Monday, the Chamber will continue to hear Chum Neou and will hear Chhin Navy, Touch Monin and Ros Men. After hearing these Civil Parties, the Chamber will break for the day.

On Tuesday morning, the Chamber will hear expert CP2/5 on issues relating to the suffering of Civil parties.

On Tuesday afternoon, the Chamber will start hearing the challenges of Civil Party applications by the Defence, and responses of Civil Parties thereto. The Chamber will hear such challenges and responses for approximately 2 days.

The Chamber will then start questioning the Accused on his character.

The following week, the Chamber will start hearing experts and witnesses on the character of the Accused.

The Chamber reserves the right to change the schedule and will keep the parties updated if further amendments are required.

- Order to take the Accused to the Detention Facility and bring him back to court for the Hearing on 24 August 2009.

**Orders for Adjournment of Hearing**

The hearing will resume on Monday 24 August 2009 at 9:00. *SAV Nuvz*

Phnom Penh,  
20 August 2009

*[Signature]*  
Greffier  
SE Kolvuthy

*[Signature]*  
Greffier  
Natacha WEXELS-RISER

