



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

អង្គជំនុំជម្រះសាលាដំបូង
 Trial Chamber
 Chambre de première instance

ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ០៧ / ១១ / ២០១២ ម៉ោង (Time/Heure): ១៥:២២ មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: S. ANN ANSA

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

6 November 2012

Substantive Hearing on evidence – Day 128

Prepared by:

Roger PHILLIPS and DAV Ansan

<u>Attendance Record</u>
Before: Judge NIL Nonn (President), Judge Jean-Marc LAVERGNE, Judge YA Sokhan, Judge YOU Ottara, Judge Silvia CARTWRIGHT.
Reserve Judges: Judge THOU Mony, Judge Claudia FENZ.
Greffiers: Mr. DAV Ansan, Mr. Roger PHILLIPS, Ms. SE Kolvuthy.
OCP: Mr. VENG Huot, Mr. Vincent DE WILDE D'ESTMAEL.
Accused: Mr. KHIEU Samphan, Mr. NUON Chea.
Defence for the Accused: Mr. SON Arun, Mr. Jasper PAUW, Mr. KONG Sam Onn, Mr. Arthur VERCKEN, Mr. Michael G. KARNAVAS, Mr. ANG Udom.
Civil Parties: Mr. PICH Ang, Ms. Elisabeth SIMONNEAU-FORT, Mr. SAM Sokong, Mr. HONG Kimsuon, Ms. Beini YE, Ms. SIN Soworn, Ms. Christine MARTINEAU, Mr. Pascal AUBOIN, Mr. VEN Pov.
Witness: Ms. MOM Sam Oeurn (Civil Party, TCCP-89)
Others: Ms. Eleanor DOYLE-MARKWICK.

<u>General court times</u>		
Day	Start time: 9:04	Finish time: 14:06
Recess am	Start time: 10:32	Finish time: 10:56
Recess	Start time: 12:09	Finish time: 13:32
Recess pm	Start time: N/A	Finish time: N/A
Total Court Time:		3 hours 20 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Testimony of Ms. MOM Sam Oeurn (TCCP-89)	TC	9:09	9:14
	CPLCL	9:16	11:01
	OCP	11:01	12:05
	NC Defence	13:32	13:48
Waiver of the Accused's right to be present in the courtroom	NC Defence	12:07	12:08
Expression of suffering	Ms. MOM Sam Oeurn (TCCP-89)	13:51	14:02

Summary of Proceedings

Testimony of Ms. MOM Sam Oeurn (TCCP-89)

The Civil Party was questioned by the Chamber, the CPLCL, the OCP and the NC Defence. The Civil Party both began and concluded her testimony today.

Waiver of the Accused's right to be present in the courtroom

The Accused NUON Chea waived his right to be present in the courtroom during the afternoon session.

Expression of suffering of Ms. MOM Sam Oeurn (TCCP-89)

The Civil Party made a statement to the Chamber regarding the suffering she endured during the regime of Democratic Kampuchea.

Record of Rule 87(3) Proceedings							
TC No	OCIJ No	ERN	Title	Class	Note in Khmer	Note in English	Note in French
N/A	E237	00850053- 00850054 00850052- 00850052	<p>[កែតម្រូវ ១]</p> <p>ពាក្យសុំលះបង់សិទ្ធិមានវត្តមានដោយមាន ដែនកំណត់ក្នុងកិច្ចដំណើរការសវនាការរបស់ ជនជាប់ចោទ អៀង សារី</p> <p>The accused IENG Sary's limited waiver of rights to be present during court proceedings</p>	P			
E3/3963	D22/ 11/4	00198397- 00198409 00242248- 00242255 00333877- 00333884	<p>ឧបសម្ព័ន្ធនៃការពិពណ៌នារបស់អ្នកស្រី មុម សំអឿន អំពីសកម្មភាពឧក្រិដ្ឋកម្ម</p> <p>Annex4:Description by Mrs MOM Sam Oeurn of the alleged criminal acts</p> <p>Annexee4: la description des actes criminels par Mme MOM Sam Oeurn</p>	P	00198403	00242251	00333881


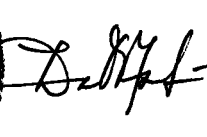
Oral Orders/Decisions:


- Order allowing the Accused NUON Chea to participate from his holding cell (waiver of the Accused is attached to this written record).
- Order to bring the Accused NUON Chea and KHIEU Samphan back to the detention facility and to return them to the courtroom for the hearing on 12 November 2012.

Orders for Adjournment of Hearing

The hearing will resume on 08 November 2012 at 9:00 am.

Phnom Penh, 6 November 2012

Greffier  Greffier 

Roger PHILLIPS  DAV Ansan