



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

Nation Religion King	
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): ០៧ / ១២ / ២០១២	
ម៉ោង (Time/Heure): ១៥:០០	
អគ្គិសនីបញ្ជីឯកសាររឿង/Case File Officer/L'agent chargé du dossier: YANN PAUW	

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

23 October 2012

Substantive Hearing on evidence – Day 124

Prepared by:

Matteo CRIPPA and DAV Ansan

Attendance Record
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. DUCH Phary, Mr. DAV Ansan, Mr. Matteo CRIPPA.
OCP: Mr. CHAN Dararasmey, Mr. VENG Huot, Mr. Tarik ABDULHAK, 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. Michael G. KARNAVAS, Mr. ANG Udom
Civil Parties: Ms. Elisabeth SIMONNEAU-FORT, Mr. PICH Ang, Mr. LOR Chunthty, Ms. MOCH Sovannary, Mr. HONG Kimsuon, Mr. VEN Pov, Mr. KIM Mengkhy.
Witness: SOKH Chhin (TCW-661)
Civil Party: LAY Bony (TCCP-64)
Others: Ms. Eleanor DOYLE-MARKWICK

<u>General court times</u>		
Day	Start time: 9:06	Finish time: 16:02
Recess am	Start time: 10:32	Finish time: 11:00
Recess	Start time: 12:01	Finish time: 13:32
Recess pm	Start time: 14:37	Finish time: 15:02
	Total Court Time:	4 hours 35 minutes

<u>Proceedings</u>			
Type of Issue	Raised By	Start time	Finish time
Waiver of the Accused's right to be present in the courtroom	TC	9:07	9:10
	NC Defence	11:57	11:57
	KS Defence	11:58	12:01
Testimony of Witness SOKH Chhin (TCW-661)	TC	9:12	9:18
	OCP	9:19	11:20
	CPLCL	11:20	11:52
	TC	13:33	13:36
	NC Defence	13:36	15:03
Change of trial scheduling from Monday 5 November	TC	11:52	11:57
Hearing of Civil Party LAY Bony (TCCP-64)	CPLCL	15:05	16:01

<u>Summary of Proceedings</u>
<p><u>Waiver of the Accused's right to be present in the courtroom</u> The Accused persons NUON Chea and KHIEU Samphan waived their right to be present in the courtroom for the afternoon session.</p>
<p><u>Testimony of Witness SOKH Chhin (TCW-661)</u> The Trial Chamber, the Co-Prosecutors, the Lead Co-Lawyers and the NUON Chea Defence put questions this witness.</p>
<p><u>Change of trial scheduling from Monday 5 November 2012</u> The Chamber announced an amendment to sitting times effective from Monday 5 November 2012. The Chamber is unable to replace a significant number of key international staff, due to financial constraints. For these reasons, the Chamber will sit</p>

from Monday to Wednesday only, beginning from the week commencing 5 November 2012.

Hearing of Civil Party LAY Bony (TCCP-64)

The Lead Co-Lawyers began questioning the Civil Party.

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			
E3/3956	D232 /76	00414450- 00414455- 00426291- 00426296- 00455236- 00455242	<p>កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី សុខ ឈិន SOKH Chhin</p> <p>Written Record of Interview of SOKH Chhin សុខ ឈិន</p> <p>Procès verbal d'audition de témoin SOKH Chhin សុខ ឈិន</p>	P			
E3/3957	D232 /74	00414471- 00414480- 00422347- 00422355- 00455226- 00455235	<p>កំណត់ហេតុនៃការស្តាប់ចម្លើយសាក្សី អ៊ុំ ព្រឿង UM Proeung</p> <p>Written Record of Interview of UM Proeung អ៊ុំ ព្រឿង</p> <p>Procès verbal d'audition de témoin UM Proeung អ៊ុំ ព្រឿង</p>	P	00414480	00422355	
E3/3958	D246 /3	00373243- 00373256- 00379154- 00379165- 00422445- 00422458	<p>កំណត់ហេតុនៃការស្តាប់ចម្លើយដើមបណ្តឹង ឯរដ្ឋប្បវេណី LAY Bony ឡាយ បូនី</p> <p>Written Record of Interview of Civil Party LAY Bony ឡាយ បូនី</p> <p>Procès verbal d'audition de partie civile Mme LAY Bony ឡាយ បូនី</p>	P			

Oral Orders/Decisions:

- Order allowing the Accused NUON Chea and KHIEU Samphan to participate from his holding cell (waivers of the Accused are 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 24 October 2012.

Orders for Adjournment of Hearing

The hearing will resume on 24 October 2012 at 9:00 a.m.

Phnom Penh, 23 October 2012

Greffier



Matteo CRIPPA



Greffier



DAV Ansan