



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

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ជាតិ សាសនា ព្រះមហាក្សត្រ

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Nation Religion King
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Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

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TRANSCRIPT OF TRIAL PROCEEDINGS

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Case File N° 002/19-09-2007-ECCC/TC

18 February 2015

Trial Day 246

Before the Judges: NIL Nonn, Presiding
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Jean-Marc LAVERGNE
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YOU Ottara
Martin KAROPKIN (Reserve)
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I N D E X

Mr. SAO Han (2-TCW-807)

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Questioning by Mr. KOPPE.....page 44

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Mr. FARR	English
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUIRAUD	French
Ms. GUISSÉ	French
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
Judge LAVERGNE	French
The President (NIL Nonn)	Khmer
Mr. SAO Han (2-TCW-807)	Khmer
Ms. SONG Chorvoin	Khmer
Ms. TY Srinna	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0904H)

3 MR. PRESIDENT:

4 Please be seated. The Court is now in session.

5 Today the Chamber will continue to hear the testimony of the

6 witness, Sao Han.

7 And Ms. Se Kolvuthy, could you report the attendance of the

8 Parties and individuals to today's proceedings?

9 [09.05.18]

10 THE GREFFIER:

11 Mr. President, for today's proceedings, all parties to this case

12 are present. As for Nuon Chea, he's present in the holding cell

13 downstairs as he <requests to waive his right> to be present in

14 the courtroom. His waiver has been delivered to the greffier.

15 The witness who is to testify today -- that is, Mr. Sao Han -- is

16 present in the courtroom; and the reserve witness is 2-TCW-944,

17 confirms that to his best knowledge he has no relationship by

18 blood or by law to any of the two Accused, Nuon Chea or Khieu

19 Samphan, nor to any of the civil parties admitted in this case.

20 This Witness will take an oath before the Iron Statue at 10

21 o'clock this morning before his testimony. He has a duty -- he

22 has an assisting counsel, Duch Phary, with him.

23 [09.06.29]

24 MR. PRESIDENT:

25 Thank you, Ms. Se Kolvuthy. The Chamber now decides on the

1 request by Nuon Chea.

2 The Chamber has received a waiver from Nuon Chea dated 18th
3 February 2015. He confirms that due to his poor health conditions
4 -- that is, back pain and that he cannot sit for long -- and in
5 order to effectively participate in the future hearings, he
6 requests to waive his right to participate in and be present at
7 the 18th February 2015 hearing.

8 He has been informed by his counsel about the consequence of this
9 waiver -- that in no way it can be construed as a waiver of his
10 rights to be tried fairly or to challenge evidence presented or
11 admitted to this Court at any time during this trial.

12 Having seen the medical report by the duty doctor for the Accused
13 at the ECCC, dated 18th February 2015, the doctor notes that the
14 health condition of Nuon Chea is that he has backache when he
15 sits for long and recommends that the Chamber shall grant him his
16 request so that he can follow the proceedings remotely from a
17 holding cell downstairs.

18 Based on the above information, and pursuant to Rule 81.5 of the
19 ECCC Internal Rules, the Chamber grants Nuon Chea's request to
20 follow the proceedings remotely from a holding cell downstairs
21 via an audio-visual means, and that applies for today's
22 proceedings.

23 And as Nuon Chea waives his direct presence in the courtroom, AV
24 Unit you're instructed to link the proceedings to the room
25 downstairs so that Nuon Chea can follow it.

1 The Chamber now gives the floor to the Co-Prosecutors to put
2 question to this witness. You have the floor.

3 [09.08.52]

4 QUESTIONING BY MR. FARR RESUMES:

5 Thank you, Mr. President. Good morning, Mr. President, Your
6 Honours and everyone in and around the courtroom, and good
7 morning to you also, Mr. Sao Han.

8 Q. At the end of the session yesterday, we were discussing your
9 brother's arrest. Can you tell us how long after the fall of
10 Phnom Penh your brother arrived in your village?

11 MR. SAO HAN:

12 A. It was a few days after the fall of Phnom Penh he arrived.
13 Then the village chief and his group came to invite him for
14 re-education.

15 Q. So how long was it after he arrived in your village that he
16 was arrested?

17 A. I didn't know when he was arrested. I think three days after
18 he was taken away for re-education. That's what was told to his
19 wife and his family. <He disappeared since then.>

20 Q. And can you tell us how you learned about his arrest? Did you
21 learn from his wife and his family or did you witness it
22 personally?

23 A. When the village chief and group chief came to arrest him, my
24 family members were there, including my mother and the wife and
25 the family of my brother.

1 [09.11.15]

2 Q. And you mentioned yesterday that he was arrested by a
3 militiaman. From whom did you learn that he had been arrested by
4 that militiaman?

5 A. I learnt of that information via my <older> sister-in-law<,
6 the wife of my brother, Luon Ham>.

7 Q. In answer 46 of your interview, you say the following --
8 quote: "I knew that there was a killing site at Krang Ta Chan. My
9 older brother, Luon Ham, was arrested and taken to Krang Ta
10 Chan". End quote. Can you tell us how you know your brother was
11 taken to Krang Ta Chan?

12 A. He was taken away in a horse cart; they did not tie him up.
13 And only later on, I learnt from the neighbours that he was taken
14 and killed at Krang Ta Chan<, which was a big killing site>.

15 [09.12.40]

16 Q. And when did you learn that?

17 A. It was during the day time. I cannot recall the date that I
18 heard of the information as we didn't know which day of the week
19 it was. Our main focus was to work in the rice fields.

20 Q. In answer 35 of your OCIJ interview, you described your
21 brother as a Lon Nol soldier. Can you tell us what rank he had
22 and where he had served?

23 A. He was a former Lon Nol soldier and I did not meet him then
24 until the time that he was arrested and taken away and I
25 personally did not know which rank he held.

5

1 Q. I'd like to ask you about three other people from your area.
2 Their names are Nuon Chen (phonetic), Pech Chan (phonetic) and
3 Uok Narun (phonetic). Did you know any of these people, and if
4 so, can you tell us what happened to them during the Khmer Rouge
5 period?

6 A. I am not familiar with the three names that you just
7 mentioned.

8 [09.14.37]

9 Q. Okay, thank you. I'd like to ask you about another arrest now.
10 In answer 41 of your OCIJ interview, you said the following --
11 quote:

12 "One night I saw them call a person away with them but I do not
13 remember the name. That person was sent to carry leaves on
14 shoulder poles but never reappeared. The militia chairman used
15 his subordinates in the militia to call that person away. <Siem>
16 was the militia chairman, whether he is dead or alive is unknown.
17 Many others disappeared besides that one but I do not remember
18 their names". End quote.

19 Can you tell us more about the militia chairman, <Siem>? Who he
20 was and what his involvement was in arrests?

21 A. <Siem> was the militia chairman in Tram Kak district. He
22 usually deployed his subordinates in the militia to go and get
23 any person that he needed.

24 MR. FARR:

25 Mr. President, with the Chamber's leave, I would now like to show

6

1 the witness document E3/2437, ERN 00366707, in English; 00271003,
2 in Khmer; and 00623848, in French. This is a document signed by a
3 person named <Siem>, dated 29 April 1977, at Tram Kak and
4 addressed to the Chief of Education, office of District 105.

5 [09.16.48]

6 MR. PRESIDENT:

7 And Counsel, you may proceed.

8 MS. GUISSÉ:

9 Good morning, Mr. President. <>

10 Prior to showing the witness the document, I would like the
11 Co-Prosecutor to explain to us how this document is related to
12 <this> witness <in particular>. I understand that there is a name
13 on the document but <he must > explain to us why it would be
14 worthwhile to show the document to the witness when he has
15 already stated that he had no prior knowledge of the subject
16 matter.

17 MR. PRESIDENT:

18 And the International Co-Prosecutor, could you enlighten the
19 Chamber on the relevancy of that document to this witness'
20 testimony?

21 MR. FARR:

22 Yes, Your Honour. First of all, this is a document that is signed
23 by the person that we believe the witness has just spoken about
24 -- that is, the militia chairman, <Siem>. It relates to another
25 arrest. The witness, in his OCIJ statement, said: "many others

7

1 disappeared besides that one, but I do not remember their names."

2 In this context, this is a document that the witness clearly may
3 be able to help us contextualise if he is allowed to look at it.

4 [09.18.25]

5 MR. PRESIDENT:

6 Yes, in that case you can proceed.

7 BY MR. FARR:

8 And could I also ask that the document be broadcast, please?

9 Q. Mr. Sao Han, I'll give you a moment to look at this document.

10 As I mentioned, it's signed by a person named <Siem>. It's dated
11 29 April 1977 at Tram Kak and I'm just going to read a short
12 portion of the document. It says -- quote:

13 "Comrade Chief of Education Office of District 105: For your
14 information, as the following, I would like to send Samrit Mat
15 and report about his activities to Comrade as follows". End

16 quote. The document then goes on to say that he was a soldier
17 with the rank of sergeant and describes him criticising Angkar.

18 Now my question is: Did you know this person, Samrit Mat, and do
19 you know anything about his arrest?

20 MR. SAO HAN:

21 A. I do not know this person.

22 [09.20.03]

23 Q. Okay, thank you for that.

24 I'd now like to turn to the topic of cooperatives. In answer 24

25 of your OCIJ interview, you were asked whether you remember when

8

1 private property rights were eliminated and this is what you said

2 -- quote:

3 "After Phnom Penh fell in 1975, all property, such as livestock,

4 paddy fields and houses were placed under collective ownership.

5 The people reacted to property being placed under collective

6 ownership but they did not dare say anything for fear that they

7 would be taken away and killed". End quote.

8 Can you tell us a little bit more about this process of property

9 being placed under collective ownership? How did it happen and

10 who caused it to happen?

11 A. That happened in 1976. The village chief convened a meeting

12 and all the villagers had to attend that meeting. He announced

13 that all private properties had to be gathered and placed under

14 collective ownership, including cattle, cooking utilities, et

15 cetera. So, from that day onwards, the private ownership was

16 abolished.

17 [09.21.57]

18 Q. And can you tell us the name of that village chief if you

19 remember it?

20 A. The first village chief was Thim and the second person in the

21 village was Achar Neang, and the third person within the village

22 committee was Ta Ek. However, they all died.

23 Q. You said that people reacted to property being placed under

24 collective ownership but that they did not dare say anything for

25 fear they would be taken away and killed. Can you tell us who the

1 people feared would take them away and kill them?

2 A. The people feared <> the village chief and his militia <the
3 most>.

4 Q. Answer 25 of your OCIJ interview indicates that after 17 April
5 1975, you were assigned to work in the rice fields. Who was it
6 that assigned you to work there?

7 A. <I repeat this,> when I was assigned to work in the rice
8 fields, it was <already> assigned by the unit chief <for each
9 group>. The unit chief would assign to us to work in designated
10 locations or areas.

11 [09.24.02]

12 Q. And do you recall the name of that unit chief?

13 A. It was Ta Mam. He was in charge of a unit.

14 Q. In answer 27 of your OCIJ interview, you said -- quote: "They
15 had us put up checkerboards straight paddy dykes, either single
16 or twin, and we dug both large and small feeder canals." End
17 quote.

18 Can you tell us what specific work you were required to do? Were
19 you digging? Were you carrying dirt? Lifting things? What were
20 your actual physical tasks?

21 A. I was assigned to build dykes or to plough the rice fields, or
22 to plant vegetables or to engage in the dry season farming. I
23 engage in all sorts of work in the field <of agriculture>.

24 Q. What hours were you required to work?

25 A. For agricultural work, it started from 4 o'clock in the

10

1 morning and it concluded <at> 12.00 or 1 <p.m. to finish
2 ploughing one hectare with four ploughs>. Usually, when it was
3 time to conclude the work, a bell was rang, and that's when we
4 knew that it was the noon time that we had to conclude the
5 assigned quota.

6 [09.26.00]

7 Q. And what would you then do in the afternoon?

8 A. During the transplanting season, I tended cows and make sure
9 that they fed -- they were fed properly, and at night-time after
10 we had our meals, then we had to pull the rice seedlings.

11 Q. So what time would your work conclude for the day?

12 A. Usually, a day's work ended around 7.00 or 8 p.m. <after we
13 had a communal dinner in the cooperative.>

14 Q. Were there ever occasions when you were required to work past
15 7.00 or 8 p.m.?

16 A. No.

17 Q. During the time you were working in the rice fields, were you
18 free to leave your work unit if you wished to?

19 A. No, absolutely not.

20 Q. And why not? What would have happened to you or what did you
21 believe would have happened to you?

22 A. Since the time that I lived <during the period of> 3 years 8
23 months 20 days <>, I never ask for a permission to go anywhere. I
24 usually would just finish the work that I was assigned to do.

25 [09.28.15]

11

1 Q. And why didn't you ever ask for permission to go anywhere?

2 A. Because I was really very afraid, very afraid of the unit's
3 chief. I never dared to speak to him and usually, I tried my best
4 to complete the work quota as soon as possible, and usually, it
5 was the unit's chief who spoke to me when he assigned me to work
6 at a specific location.

7 Q. And why were you afraid of your unit chief?

8 A. I was very, very afraid of him because I saw people taken
9 away. So, for one full day work, usually I never spoke a word to
10 my unit's chief and I spoke only a very few words to people who
11 were working with me or close to me.

12 Q. And when you saw people taken away, did you know why they had
13 been taken away?

14 A. I did not know the reason for them being taken away. They were
15 taken away and simply disappeared.

16 Q. I think you mentioned a little bit earlier something about
17 quotas. Were workers in your unit punished if they failed to
18 reach their quotas?

19 MR. PRESIDENT:

20 Mr. Witness, please wait. And counsel Kong Sam Onn, you have the
21 floor.

22 [09.30.35]

23 MR. KONG SAM ONN:

24 Thank you, Mr. President. I'd like to object to this question
25 addressed by the Co-Prosecutor. He made an unclear question, and

12

1 it was a kind of hypothetical question, and that what would
2 happen, would there be a punishment if the production was not
3 reached, so it was a hypothetical kind of a question and I object
4 to it.

5 MR. FARR:

6 Your Honour, I don't feel that that was a hypothetical question.
7 I am asking him about concrete cases in which workers failed to
8 reach their quotas and what then happened.

9 (Judges deliberate)

10 [09.31.57]

11 MR. PRESIDENT:

12 The objection is overruled.

13 And Mr. Witness, please respond to the last question posed to you
14 by the International Co-Prosecutor if you can recall it.

15 BY MR. FARR:

16 Perhaps I should repeat my question, Mr. President.

17 Q. Sir, can you tell us what happened to workers in your unit who
18 failed to reach their quotas?

19 MR. SAO HAN:

20 A. The quota assigned by Angkar to produce <rice was>, for
21 example, <> to produce three <to four tons> of rice per hectare.

22 And during the harvesting season, I don't know whether they
23 measured or they <did> the weighing of the product, so there was
24 no punishment <that happened> in my unit.

25 [09.33.08]

13

1 Q. You just mentioned the number of three tonnes per hectare, and
2 in answer 30 of your OCIJ interview, you say you attended
3 meetings where you were told to strive to get three to four
4 tonnes per hectare. As a lifelong rice farmer, did you feel that
5 that was a reasonable or realistic production goal based on
6 conditions in your area?

7 MR. PRESIDENT:

8 Please wait, Mr. Witness. Mr. Koppe, you may proceed.

9 MR. KOPPE:

10 Mr. President, good morning. This is a question that goes far
11 beyond the capabilities of this witness. There is -- I can
12 guarantee you -- tonnes of literature about how -- what is
13 reasonable, what can you expect of how many tonnes per hectare.
14 It depends on all kinds of biological circumstances. Right now,
15 we are having 16 tonnes per hectare, if I understand correctly,
16 so there is much more to it than just asking a farmer as to what
17 the realistic goals are or three tonnes per hectare. So it's an
18 expert question, not a question for this witness.

19 (Judges deliberate)

20 [09.37.07]

21 MR. PRESIDENT:

22 Judge Fenz, you may take the floor to respond to the objection by
23 the defence counsel to the last question put by the
24 Co-Prosecutor. You may proceed.

25 JUDGE FENZ:

14

1 For the reasons mentioned by the Defence, obviously the Chamber
2 wouldn't base any factual findings exclusively on the answer
3 whatever it will be of this witness. But that doesn't mean that
4 the witness is not in a position to answer the question, and the
5 Chamber wants to hear the answer.

6 BY MR. FARR:

7 So I will just repeat the question for you.

8 Q. Mr Sao Han, as someone who had been farming rice in the period
9 before 1975, did you think that the goal of three to four tonnes
10 per hectare was an achievable goal, was a possible goal?

11 A. As far as I know, I am a farmer, we could not produce that
12 three <tons> per hectare. We could not achieve that.

13 [09.38.31]

14 Q. I'd now like to ask you a few questions about the food you
15 received while you are working in the cooperatives. And can you
16 tell us first where did you go for your meals?

17 A. When I need meals, we would tell -- we would be told to go to
18 the kitchen, and we get a plate of rice and large bowl of soup
19 for 10 people around the table.

20 Q. And how many other people ate their meals in this place where
21 you ate?

22 A. Every day all the Base People and 17 April People would go to
23 the communal kitchen for meals.

24 Q. At answer 33 of your OCIJ interview, you said - quote: "The
25 rations were gruel and sometimes a little rice, but it did not

15

1 satisfy our hunger. There was a large bowl of soup that we shared
2 eating 10 persons per table." End quote.

3 Can you tell us what effect these rations had on the health of
4 the workers at the cooperatives?

5 [09.40.10]

6 MR. KOPPE:

7 He is again not an expert. He can say something about what
8 happened to him. Why he didn't have enough soup, but he cannot
9 possibly say anything on the health effects of his fellow
10 cooperative members.

11 BY MR. FARR:

12 Yeah. I'm - I'm happy to rephrase to limit it to the witness and
13 people he had personal contact with.

14 Q. Mr. Sao Han, can you tell us what effect these rations had on
15 your own health and the health of anyone that you had direct
16 contact with?

17 MR. SAO HAN:

18 A. We did not receive enough food and meals and then our health
19 become -- became weak. Some get swollen body, and they go to the
20 hospital and some disappear. I don't know what happened to them.
21 Sometime a nurse came to distribute medicine at the unit and also
22 in the group. The medicine was produced locally in the area.

23 [09.41.46]

24 Q. Did people ever complained to the cooperative chief or to any
25 other leader when they felt there was not enough food?

16

1 A. Absolutely not. No one there complain anything. We just
2 complain by ourselves among one or two people, and if it is
3 overheard by the Khmer Rouge, the person will be disappeared.

4 Q. In answer 42 of your OCIJ interview, you said - quote: "Even
5 people who had conflicts about not getting enough food or who had
6 broken a spoon or a plough were considered to be enemies." End
7 quote.

8 Do you know why these people who had conflicts about not having
9 enough food were considered to be enemies?

10 A. In practice, the unit chief, they keep saying like that. They
11 kept threatening people in these terms.

12 MR. FARR:

13 Mr. President, with the Chambers leave, I would now like to show
14 the witness document E3/4127. The ERN in Khmer is 00270806; in
15 English, it's 00362229; and in French, it's 00632505. And this is
16 a document from Tram Kak district, dated 17 January 1978, and
17 it's about someone who was arrested for complaining about rice
18 rations.

19 [09.44.10]

20 MR. PRESIDENT:

21 Counsel, you may proceed.

22 MS. GUISSÉ:

23 Mr. President, here again I would like the Co-Prosecutor to tell
24 us what the link is between this document and this witness. I
25 understand that he wants to speak about <a similar detail>. But

17

1 as was done with the previous document, it was not necessary to
2 show the document to the witness to put the question to him. So
3 if he needs to put a question regarding one person in particular,
4 he should first ask the witness if he knows this particular
5 person, and then possibly give him the document <but> he does not
6 need to see the document to answer this question, if these are
7 questions that are similar to the questions that were put to him
8 previously. So I object to this process because it is <becoming
9 somewhat> recurrent, where without there being a link between a
10 witness and a document, a document is systematically read out to
11 a witness. And I don't think it's useful and I don't think it is
12 a good way of proceeding with regard to the ascertainment of the
13 truth.

14 [09.45.03]

15 MR. FARR:

16 Your Honour, in my submission, there's certainly been adequate
17 foundation laid for the use of this document. The witness has
18 just said that people overheard complaining about food would
19 disappear. This is a document from his area; it's from Tram Kak.
20 The document contains a degree of detail in addition to the name
21 of a person. These are details that we submit could very
22 reasonably be expected to jog the memory of the witness. Of
23 course with the distance of time that we're dealing with, merely
24 reciting a name may not be as helpful to a witness who could
25 potentially help the Chamber to contextualise the document.

18

1 [09.45.50]

2 MR. KOPPE:

3 Mr. President if you will allow me to react, if you have a closer
4 look at the Krang Ta Chan documents, as I call them commonly, if
5 they are authentic, you will be able to read that nobody was
6 actually arrested only because he was complaining about food.
7 Sometimes it was mentioned that somebody was complaining about
8 food, but there's always a larger context. There's always
9 accusations of working closer with Vietnamese or other issues
10 like structurally stealing from the community. So just taking out
11 this one passage from the document that the witness doesn't even
12 know doesn't make any sense. Something wrong or --

13 MR. PRESIDENT:

14 Please finish your exchange of objection and response. Defence
15 Counsel, do you have anything to address the Court? Please do so,
16 yes.

17 [09.47.01]

18 MS. GUISSÉ:

19 Yes, Mr. President. Given the reply provided to us by the
20 Co-Prosecutor, I have even further reasons to object, because he
21 is explaining to us that he did not have the intention of
22 providing the name of the person <whom> he wants the witness to
23 <read about in the document> and he was intending to refresh his
24 memory. But you cannot refresh a witness's memory if we do not
25 know at the start if it was his intention to speak about <the

19

1 person in question>. So in this case, <it is not a question of
2 refreshing his memory but rather a question of> providing him
3 with <certain> information that he did not have before.
4 I'm speaking maybe a bit fast, <I can see that Madame Judge Fenz
5 is squinting her eyes> so maybe I will <repeat> a bit slower for
6 the interpretation. Let me repeat. That is to say that first of
7 all, and this has always been <a matter of course> here before
8 the Chamber, if we wish to refresh the memory of the witness we
9 have to know first of all if it was his intent <to speak about>
10 or if he knew the person <being referred to in the material being
11 brought into discussion>. Here the witness can only speak,
12 generally speaking, about people who were <allegedly> arrested,
13 but we do not have the proof that the witness knew this person
14 who is the object of the document that the Prosecution wants to
15 submit to him, and therefore, <as far as I'm concerned,> it's not
16 possible to use this document to refresh the witness's memory if
17 we do not know if the person who is mentioned in this document is
18 someone the witness knew. So therefore, as of the start, there is
19 at least one step that has been cast aside which we shouldn't.

20 [09.48.53]

21 MR. PRESIDENT:

22 Co-Prosecutor, do you have anything to respond to this remark?

23 MR. FARR:

24 Well, certainly, I am intending to provide the name of the
25 person; the name of the person is in the document. But there are

20

1 also additional details about the incident that will present a
2 fuller picture that I think will be more useful in allowing the
3 witness to say accurately whether he remembers this or not. This
4 is a question more about an incident than it is about a
5 particular person.

6 (Judges deliberate.)

7 [09.52.50]

8 MR. PRESIDENT:

9 Judge Lavergne, you may proceed.

10 JUDGE LAVERGNE:

11 Thank you, Mr. President. The Chamber wishes to say that when a
12 document is relevant to examine the witness on a topic he is
13 familiar with, the document may be used. This practice also has
14 another benefit, is that when an International Counsel or the
15 International Co-Prosecutor <asks a> question, there might be
16 problems with the pronunciation of Khmer names, so the fact of
17 reading the document in the original language of the witness may
18 help in avoiding this kind of <translation> problem. Also the
19 Chamber is sometimes concerned by the fact that in certain
20 questions, the reality of a situation might be poorly
21 represented, so by providing the original document to the witness
22 we avoid this kind of -- or this risk of confusion <in a given
23 situation>. So the Chamber therefore authorises the use of the
24 document in question.

25 [09.54.07]

1 MR. FARR:

2 And could I ask that the document be broadcast as well, please?

3 MR. PRESIDENT:

4 Your request is granted.

5 BY MR. FARR:

6 Q. Mr. Sao Han, as you can see this document is addressed to
7 Comrade Brother, Committee of the Education Office in District
8 105. It's dated 17th January 1978, and it's signed by a person
9 named Nun. My first question is: Do you remember a Khmer Rouge
10 leader or cadre named Nun in Tram Kak?

11 MR. SAO HAN:

12 A. I'm not clear on this name. I don't know this name.

13 [09.55.32]

14 Q. Okay. I'd now like to read a little bit of the document to
15 you. It says: "We have arrested a new resident named Sok Se in
16 Tram Kak village, Tram Kak sub-district. This person argued that
17 on 14th January, he was instructed to work like an animal and
18 that the store was full of rice while the food ration was very
19 little." End quote. It then goes on to talk about him complaining
20 about planting cassavas in this month and saying why do we need
21 to follow those enemies who know nothing about it. And then it
22 continues -- quote: "Therefore the District Committee decided to
23 instruct us to arrest and send him to your place." End quote. And
24 what I want to ask you is: Are you familiar with this incident
25 when this person named Sok Se was arrested for these complaints?

1 A. I refrain to answer this question because I don't know Sok Se
2 and who he was. I don't know him.

3 Q. Okay, thank you.

4 Can you tell us when cooperatives were established in Tram Kak
5 district? Were people free to farm and grow what they wanted? For
6 example, could you have grown your own vegetables or fruit to eat
7 when you were hungry?

8 A. People could grow vegetables, but the people from the economic
9 section would collect the crops. People were not allowed to
10 collect them for food.

11 [09.57.48]

12 Q. In answer 36 of your OCIJ statement, you said that many people
13 were sick with things like fever and diarrhoea. Was there
14 adequate medical care for these people?

15 A. No.

16 Q. Can you tell us what happened to people who had fevers and
17 diarrhoea in your experience?

18 MR. KOPPE:

19 Mr. President, is the witness a doctor now or a medical person?

20 "Adequate medical care", how would he know?

21 (Judges deliberate)

22 [09.59.07]

23 MR. PRESIDENT:

24 The objection by the defence counsel does not sustain.

25 Witness, please answer to the last question put by the

1 Co-Prosecutor if you still remember the question.

2 MR. SAO HAN:

3 A. Anyone who got diarrhoea -- there was no medicine for them at
4 the group or at the unit. A round rabbit pellet-like medicine was
5 given to those people who fell sick, but the medicine was not
6 efficient for treatment. I didn't see any modern medicine for any
7 treatment.

8 [09.59.58]

9 BY MR. FARR:

10 Q. I'd now like to ask you a few questions about the topic of
11 internal enemies.

12 In your interview at answer 42 you were asked this question --
13 quote: "During meetings, did they talk about sweeping clean
14 internal enemies?" End quote. Your answer was: "They did, even
15 people who had conflicts about not getting enough food, or who
16 had broken a spoon or a plough, were considered to be enemies. I
17 never saw them arrest anyone during meetings." End quote.

18 I asked you earlier about people who had conflicts about not
19 getting enough food. Can you tell us why people who had broken a
20 plough or a spoon were considered to be internal enemies?

21 MR. SAO HAN:

22 A. In each meeting that we attended, the unit chief reiterated
23 the same points to all the attendants.

24 Q. And can you tell us what he told you as best you can remember?

25 A. I can recall that if a plough or spoon was broken, then the

24

1 person who did it would be considered as an internal enemy within
2 the cooperative, and that's the language that was used by the
3 unit chief.

4 [10.01.55]

5 Q. You've mentioned people who complained about food or who broke
6 ploughs being considered internal enemies. Do you remember any
7 other group being identified as internal enemies at these
8 meetings?

9 A. From what I recall, during the meetings they reiterated the
10 points that I just said. It means if you broke a spoon or a
11 plough or if you were to steal something you would be considered
12 an internal enemy.

13 Q. You have mentioned the unit chief speaking at the meetings. Do
14 you recall anyone else speaking at the meetings?

15 A. We did not dare to raise any issues <in> protest and it was
16 the unit chief who spoke during the meeting.

17 [10.03.07]

18 Q. You also said that you never saw anyone arrested in these
19 meetings at which internal enemies were discussed. Do you know of
20 any situation of a person being arrested for having a conflict
21 about food or for having broken a spoon or a plough?

22 A. No, I did not. Of course they would have other reasons for the
23 arrest of other people, but personally I did not witness that
24 arrest.

25 Q. I'd now like to ask you a few questions about the status of

1 Buddhism and Buddhist practice during the period of 1975 to 1979.
2 And could you start by telling the Court, as best you remember,
3 what happened to Buddhist pagodas and Buddhist statues in your
4 area during the period from 1975 to 1979?

5 A. What I saw in regard to the Buddhist statues, I didn't see
6 them in the pagoda anymore as they were all taken away. So did
7 were the Buddhist books and disciplines. And some of the Buddhist
8 books were used to wrap tobacco as a smoke.

9 [10.05.05]

10 Q. In answer 45 of your OCIJ statement, you said that pagodas
11 were used as hospitals and workshops. Can you tell us about any
12 specific examples you remember of particular pagodas being used
13 as hospitals and workshops?

14 A. There was one Ayadom (phonetic) Pagoda in Tram Kak commune. It
15 was turned into a workshop. And here I refer specifically to the
16 monks' dining hall in that pagoda. And also in Thma Kaev Pagoda,
17 it was turned into a place where they worked. .

18 Q. Do you know what happened to Buddhist monks in your area
19 during that period?

20 A. Buddhist monks in my area -- to my knowledge, I did not know
21 actually what happened to them. But I knew they were defrocked,
22 all of them were defrocked <in 1975 and '76>.

23 Q. And how did you know that?

24 A. I saw monks being walked to be defrocked. They walked them
25 along the road towards the northern direction.

1 Q. Were you familiar with a pagoda called Wat Angk Roka or Wat
2 Champa? And if so, can you tell us what they were used for in
3 that period?

4 A. I know Angk Roka Pagoda. I also know Champa Pagoda, but I did
5 not know what they were used for during the regime.

6 [10.07.26]

7 Q. Do you remember ever being told anything about whether you
8 were allowed to practice Buddhism in that period? And if so, what
9 were you told?

10 A. During the regime, they did not say anything at all about the
11 religion because all kinds of religions were prohibited and we
12 were not allowed to practice any religion. And we were told also
13 not to believe in any superstition.

14 Q. And who was it who told you not to believe in any
15 superstition?

16 A. At each meeting the group chief or the unit chief repeated the
17 same message that we should not believe in superstition and that
18 we should not pray to the statues -- the <spiritual objects>.

19 Q. I now have a few questions for you about weddings during the
20 period 1975 to 1979. And at answer 43 of your OCIJ statement, you
21 mention weddings of 10 to 20 couples at a time. And you say --
22 quote: "They had them make resolutions."

23 Can you tell us what a resolution was in your understanding, and
24 how and why they were made?

25 A. Based on the information I received when I asked those people

1 who made resolutions, it means that those people were asked
2 whether they would accept his or her partner to be for life. And
3 if they said yes, it means they made the resolution. And as for
4 the parents or the relatives of those couples, they were not
5 allowed to attend such a ceremony. <Each time, there were 10 to
6 20 couples.>

7 [10.10.05]

8 Q. You just said that these people were asked whether they would
9 accept someone as a partner. Who was it that was asking them
10 whether they would accept someone as a partner?

11 A. I did not know whether any of them refused, but I knew about
12 them making resolutions because at that time the people who
13 attended the ceremony included the commune chief, the village
14 chief and the unit chiefs.

15 Q. You also said that parents and other relatives weren't
16 permitted to attend those ceremonies. Did anyone ever explain to
17 you why parents and other relatives weren't permitted to attend?

18 A. I did not know the details nor understand why they did that.

19 Q. Can you tell us now whether you recall a unit referred to as a
20 widows unit in your cooperative?

21 A. Yes.

22 [10.11.55]

23 Q. Can you tell us what that unit was?

24 A. A widow unit, based on what I saw in my village, it referred
25 to a group of women whose husbands were taken away or whose

1 husbands died. So the women without husbands were placed into
2 this widows group. <The strong ones were selected among them and
3 were put into a special unit.> As for women with younger
4 children, they would be put into another group. So regardless of
5 their status, this widows group would engage in the same kind of
6 work that we engaged in the rice fields.

7 MR. PRESIDENT:

8 The time is now appropriate for a short break. We will take a
9 break now and return at half past 10.00. And Court officer,
10 please assist the witness during the break and have him returned
11 to the courtroom at 10.30.

12 The Court is now in recess.

13 (Court recesses from 1013H to 1036H)

14 MR. PRESIDENT:

15 Please be seated.

16 The Court is now in session and the Chamber would like to give
17 the floor to the Co-Prosecutor and Lead Co-Lawyers to proceed
18 with the questioning for this witness. You may have the floor.

19 MR. FARR:

20 Thank you, Mr. President. With the Chamber's leave, I would like
21 to show the witness another document. This is E3/2057, and I'm
22 interested specifically in ERN pages 00079142 to 43, in Khmer;
23 00276586 to 87 in English; and <00848201> to 02 in French. This
24 is a document from Tram Kak district dated 4th February 1978, and
25 it's related to the widow's unit that the witness has just been

1 discussing.

2 MR. PRESIDENT:

3 Your request is granted.

4 [10.38.09]

5 MR. FARR:

6 And I would ask that the document be broadcast as well.

7 MR. PRESIDENT:

8 Your request is granted.

9 BY MR. FARR:

10 Q. Mr. Sao Han, as I've just mentioned, this is a document dated

11 4th February 1978, from Tram Kak district. And I'd like you to

12 just focus on the portion that has been circled or boxed on the

13 copy I gave you. And I'll just read a quote. It says:

14 "The enemy situation in the Tram Kak sub-district base is as

15 follows:

16 We have grasped inside the Widow Concentration Unit that they

17 have a plan to gather forces: One, Khiev Touch, the leader; two,

18 Dim Van Ny; three, I Van; and four, Bich Sok.

19 All four of them are new women whose husbands Angkar has

20 smashed." End quote. And the document then continues with a

21 variety of allegations against these women, including plans to

22 assassinate team and unit chairman and possibly poisoning people.

23 My question doesn't relate to those allegations. My question is

24 simply: Do you know any of the four women whose names I've just

25 read?

30

1 [10.40.00]

2 MR. SAO HAN:

3 A. I don't know anyone of the four women you have just read their
4 names.

5 MR. FARR:

6 Thank you, Mr. Sao Han.

7 Mr. President, with the Chamber's leave, I'll now pass the floor
8 to the National Deputy Prosecutor.

9 MR. PRESIDENT:

10 Yes, National Co-Prosecutor, you may proceed.

11 [10.40.34]

12 QUESTIONING BY MS. SONG CHORVOIN:

13 Good morning, Your Honours, Mr. President, Parties and the public
14 in and around the courtroom. Good morning, Mr. Witness. My name
15 is Chorvoin. I have a few questions to put to you today.

16 Q. Mr. Witness, you <testified> and you responded to the OCIJ,
17 <E3/5518>. On question and answer 29, you <responded> to the
18 following question: "What were the name of the district and
19 sector office?" Your response was<, "That> district chief wasTa
20 San, who is still alive but I'm not sure whether he is in
21 Samlout, Pailin or Anlong Veng. And the sector secretary, I don't
22 remember his name. I remember that Ta Mok <> was from Trapeang
23 Thum <commune>, Tram Kak district, Takeo province, and I don't
24 remember anyone else." And you said that Ta San was the district
25 secretary. And when <did> he <> work as the district secretary at

1 that time, do you remember?

2 MR. SAO HAN :

3 A. I don't remember when he was becoming the district, but I
4 heard later that he was a district chief.

5 [10.42.13]

6 Q. Who were the deputies of Ta San?

7 A. I don't know.

8 Q. Who was the district chief before Ta San and do you remember
9 his name?

10 A. No, I don't know him.

11 MS. SONG CHORVOIN:

12 Thank you, witness. And Mr. President, I don't have any further
13 question to put to this witness.

14 MR. PRESIDENT:

15 The floor is now given to the Lead Co-Lawyers to put question to
16 the witness.

17 QUESTIONING BY MS. TY SRINNA:

18 Thank you, Mr. President. To begin, I would like to say good
19 morning to Mr. President and Your Honours, Parties. Good morning,
20 Mr. Witness. My name is Ty Srinna. I am the civil party lawyer. I
21 have a number of questions to put to you and I may need
22 clarification to your testimony yesterday and today.

23 [10.43.31]

24 Q. My first question for you is that, do you know the chief of
25 the Tram Kak cooperative? What is his name?

1 MR. SAO HAN:

2 A. The cooperative chief, I know him.

3 MR. PRESIDENT:

4 Counsel, could you please continue your line of questioning.

5 BY MS. TY SRINNA:

6 In the cooperative, was there any change of the chief of the
7 cooperative? Was he the one who always -- who was always there
8 from 1975 to 1979? Was there any change or replacement of the
9 chief?

10 MR. SAO HAN:

11 A. No.

12 [10.44.54]

13 Q. I would like to continue my questions. Yesterday, you told the
14 Court on the category of people, you said that there were New
15 People. My question for you is as follows: For the New People,
16 did they have any freedom of movement within your Tram Kak
17 cooperative or in your commune?

18 A. During the three years regime, both the Base People and the
19 New People had no rights of movement.

20 Q. If the people wanted to move from one <cooperative> to another
21 or from one district to another district, could they travel on
22 their own volition or was there any authorisation for them to
23 move from one place to another as I indicated earlier? <How could
24 they move?>

25 A. For anyone -- for any permission needed for that kind of

1 travelling or moving, I don't know what happened to that.

2 [10.46.46]

3 Q. During that regime, the people in Tram Kak cooperative, did
4 people contact or visit their family members? Could they maintain
5 their relationship between their parents, son and father and so
6 on?

7 MR. PRESIDENT:

8 Please respond to the question again, because you responded while
9 the microphone was not activated.

10 MR. SAO HAN:

11 A. The relationship from a person or people in one cooperative
12 with another people in another cooperative or district, there was
13 none of that kind of relationship. <There was no rights.>

14 [10.47.52]

15 Q. You said yesterday that when the people were evacuated from
16 Phnom Penh and they arrived in Tram Kak, those who had relatives
17 there, they can live with other relative and those who had no
18 relative would build their huts and stay there <since that place
19 was not their native village>. My question is as follows: For
20 those evacuee who arrived in your area and they had no relatives
21 over there, can they return to their home village to see their --
22 to live with their family in a different destination or places?

23 A. After the evacuation of Phnom Penh, people arrived in my area
24 and those who had no relatives. But during the first step <when
25 the situation was in shambles>, some people could request to go

1 -- to return to their home village but after the unit was formed,
2 they could not do that.

3 Q. I would like to move on to the farming. Were the Old People
4 and the New People assigned to do the same work in a paddy field
5 or different kind of work?

6 A. After cooperative was created, doing rice farming were
7 communally and people would work together. The Base People would
8 do the ploughing and the women unit would do the transplanting
9 for the farming.

10 [10.50.06]

11 Q. Thank you. While they were ploughing and transplanting rice
12 paddy, was there anyone who supervised or watched them while they
13 are working, for example, the militiamen or the commune chief who
14 watch them?

15 A. No. There were only the unit chief and the group chief who
16 supervised and watched the people while they are working.

17 Q. Do you know the reason why only the unit chief and the group
18 chief who would supervise and watch the people at the work site?

19 A. In principle of that regime, the supervision of <worksites>
20 was done only by the unit chief and the group chief. <This was
21 done on a daily basis.>

22 Q. Could you state again for the Court, why was it necessary that
23 they need to supervise and watch people at their work site?

24 A. The strategy of that regime -- it was their common practice
25 every day, every week and month, so the unit chief and the group

1 chief would always supervise and watch their members <to see if>
2 work <was progressing or not>.

3 [10.52.00]

4 Q. Have you ever heard or known during the farming, people fall
5 sick or become very weak they could not do the job? What happened
6 to this kind of people?

7 A. I was belonging to the ploughing unit. I did not witness
8 anything or any incidence like that.

9 Q. Do you mean that you never witnessed anything or you witnessed
10 but you don't want to know anything further?

11 MR. PRESIDENT:

12 Witness, please wait.

13 MR. SAO HAN:

14 A. I heard people disappear from the unit or the group.

15 BY MS. TY SRINNA:

16 Q. Do you know the reason why they disappeared from the unit or
17 from the group?

18 MR. SAO HAN:

19 A. When I returned and meet with other members, I asked what
20 happened to everyone and someone said that they were very weak,
21 they had diarrhoea.

22 [10.53.33]

23 Q. Was it a complete disappearance or was there anyone just
24 disappeared from your group a while and then he or she returned
25 to your group and continues to work? Could you please shed light

1 for the Court?

2 A. People who had diarrhoea or fever and <> they <returned> to
3 work <when they got better>.

4 Q. Thank you. Now I would like to move on to the topics on food
5 rations. You told the Court already about the ration, but I would
6 like to know the food ration for the teachers or the militiamen
7 or the <unit chief> in a cooperative where you were working. Was
8 there any difference in their ration than other villagers?

9 A. Food ration for militiamen, for teachers, I had no idea as
10 regards their food ration. I know only the food ration for people
11 in my group -- in my unit.

12 [10.55.06]

13 Q. Thank you. What did you have for food? Was it cooked rice or
14 <gruel> when you eat communally with your members?

15 A. In my cooperative, we would receive cooked rice -- steamed
16 rice <every day>, but in a small amount of rice and we would eat
17 around the table of 10 people at a time.

18 Q. You said that you received rice for food every day, was it
19 sufficient for you and all the members in your group? I mean the
20 10 people in your group.

21 A. No, it was not enough.

22 Q. I would like to know, the harvested rice, when you worked
23 during the regime, what happened to the harvested rice? <Do you
24 know where was> the rice distributed <to> or stored for
25 consumption for the people in the commune or in the unit?

1 A. After the harvesting, those paddies were stored in a long
2 building. It was not distributed to other people.

3 [10.56.53]

4 Q. As per your observation, can you tell the Court the quantity
5 of the harvest each year when you collected <big or small in that
6 time>?

7 A. After the harvesting season, I saw paddies were stored in the
8 20 by -- 20 metre by 10 metre building -- there were a large
9 quantity of rice paddies stored.

10 Q. Do you have any idea if the rice was taken to any place
11 anywhere else?

12 A. No, I don't know.

13 Q. Thank you. Now I would like to move on to another topic,
14 especially on the meetings you were attending. In the commune
15 meeting, were all people in the commune invited or called to the
16 meeting or was it a meeting for each group of people who were at
17 that worksite?

18 A. Very often, we would have a meeting at each unit and groups.

19 [10.58.45]

20 Q. Was the meeting held every day or every month?

21 A. <Every time> we moved our worksite from place to another,
22 there was a meeting to inform everyone for that movement, that
23 where we would be moved to another place, to another worksite.

24 Q. Was it a daily meeting or a monthly meeting? Please, indicate
25 more specific.

1 A. It was not every day. When there was a plan decided by Angkar,
2 and then there was a meeting for that.

3 Q. You said that unless there's a plan from Angkar for people to
4 do, and then a meeting was convened. Is this correct?

5 A. Yes, correct.

6 Q. Thank you. (Microphone not activated)

7 MR. PRESIDENT:

8 Please, activate your microphone.

9 [11.00.08]

10 BY MS. TY SRINNA:

11 Q. I would like to ask you further about the meeting attendees.

12 Who were the attendees to those meetings?

13 MR. SAO HAN:

14 A. For major meetings, it would be the unit chief who chaired;
15 but for smaller meetings, it was the group chiefs. The group
16 chiefs received the work plan from the unit chief.

17 Q. Did you attend another kind of mass meeting or major meeting
18 at a commune level, for instance?

19 A. I seldom attended such a major meeting. However, regularly I
20 attended the unit meeting held at the village level.

21 Q. During the time that you lived in Tram Kak district, did you
22 ever see any leaders go to visit your place or to visit the
23 people there?

24 A. No, I did not.

25 [11.01.50]

1 Q. You have stated before this Court about the food regime, and
2 that people did not dare to complain about the insufficient food,
3 because they were afraid they would disappear if they spoke about
4 it and were overheard. Regarding the disappearance, were you the
5 only person who knew about the possible disappearance or other
6 people who worked in your unit also knew about the disappearance?

7 A. On the issue of <complete> disappearance, we knew that people
8 disappeared from a group or from a unit and that made us very,
9 very afraid. We did not even dare to say anything about it.

10 Q. When someone disappeared, the person who knew of the
11 disappeared, for example, the person who worked in your team or
12 worked across from you, knew about it or were other people in the
13 village knew about such a disappearance?

14 A. <> I did not know.

15 [11.03.45]

16 Q. On the issue of fear, as you stated that you were afraid
17 regarding -- regardless of the issues that you had, for example,
18 the insufficient food, what about other people? Were other people
19 also afraid or were they fearful as in the case of your fear that
20 you mentioned?

21 A. For each disappearance of a person within the group,
22 personally, I was very, very fearful and I did not dare say
23 anything about it. As for other people, I believe they were-- <>

24 Q. Could you please repeat your last part, as when you were
25 speaking the microphone was off?

1 A. When there was a disappearance of someone within the group, I
2 became even more fearful and didn't dare say anything about it
3 because I was afraid that, one day, it would be my turn.

4 Q. What about others? The people who worked across you, were they
5 afraid of disappearance too?

6 A. As for those who worked in <same> the group, they were
7 wondering and we were talking quietly amongst ourselves about why
8 that person disappeared.

9 [11.05.37]

10 Q. When you were talking about the disappearance, what did you
11 think of how they felt about the disappearance? <Were they
12 fearful like you?>

13 A. I believed they also felt the same. It means they were also
14 fearful.

15 Q. My next one is in relation to the security office. Did you
16 know if there was any security office or centre in your
17 cooperative?

18 A. No, I was not aware of any security office in my area, as it
19 was a very secret issue.

20 Q. Did you know about the existence of a Krang Ta Chan Security
21 Office?

22 A. I knew about it only at a later stage and after 1979, I mean,
23 and I also went to visit that location.

24 Q. During the period of the regime that you lived at the Tram Kak
25 cooperative, did you see any mass graves <close to where you were

1 residing>?

2 A. No, I did not.

3 [11.07.30]

4 Q. Now my question is in relation to the houses of the villagers.

5 In your cooperative, were people given houses to live in? And

6 that those houses later became the properties of those people or

7 only the houses were given to them as a temporary accommodation?

8 A. It was only for temporary accommodation, it was not meant for

9 private ownership.

10 MS. TY SRINNA:

11 Thank you, Mr. Witness; and Mr. President, I don't have any

12 further questions for this witness and I'd like to pass the floor

13 to my colleague, Ms. Marie <Guiraud>, to put further questions to

14 this witness.

15 MR. PRESIDENT:

16 Thank you, and, yes, International Lead Co-Lawyer for the civil

17 parties, you have the floor.

18 [11.08.30]

19 QUESTIONING BY MS. GUIRAUD:

20 Thank you, President. Good morning, Mr. Witness.

21 Q. I have some very brief questions to put to you. I would like

22 to know if there were any militiamen in your cooperative.

23 MR. SAO HAN:

24 A. There was a group of militiamen at the commune.

25 Q. Can you please tell us what their role was?

1 A. The role of the militiamen, as I experienced, was to monitor
2 the activity of the people at their houses.

3 Q. If I understand correctly, the main activity of the militiamen
4 was <limited> to <the> <monitoring of> houses and not to monitor
5 activities in the fields. Is that correct?

6 A. Yes.

7 [11.10.02]

8 Q. Do you know what they were monitoring? When you state that
9 they were monitoring houses, what exactly were they surveying?

10 A. While they were watching the houses, they were waiting to see
11 whether anyone would steal any food or anything <at night>.

12 Q. Thank you. You talked about a group of militiamen, how many
13 militiamen comprised the groups and what ages were they?

14 A. I did not know how many militiamen were in the group as I was
15 afraid to ask such a question, and I also did not know about
16 their age range.

17 Q. Can you please tell us if you saw them regularly or did you
18 see the militiamen only on an exceptional basis?

19 A. I saw them only occasionally, as I mostly engaged in worksites
20 outside the village.

21 Q. Thank you. Were the militiamen armed?

22 A. When I saw them, yes, they did carry weapons.

23 [11.11.59]

24 Q. What kind of weapons?

25 A. I did not know the kind of weapons that they carried.

1 Q. But to be more specific, are you talking about a firearm?

2 A. <Firearms.>

3 MS. GUIRAUD:

4 I'm sorry; I did not hear the response. Mr. President, I'm

5 awaiting the response <I don't know if you received

6 interpretation in English or not but it isn't working in French>.

7 Shall I repeat my question?

8 MR. PRESIDENT:

9 Mr. Witness, please respond to the last question and please wait

10 for the microphone to be activated first, before you respond.

11 MR. SAO HAN:

12 A. Occasionally, when I saw the militiamen, they carried weapons

13 in their arms.

14 [11.13.32]

15 BY MS. GUIRAUD:

16 Q. And my final question, in light of the fact that I didn't

17 fully understand your answer <we did not receive any

18 interpretation>, I'd like to <ask you> what kind of weapon they

19 bore. <To be very specific,> was it a firearm?

20 MR. SAO HAN:

21 A. Yes, they were rifles. But I didn't recognize the kinds or the

22 model of those rifles.

23 Q. Thank you. And one last question.

24 At the time, did you know how these <militiamen, these> "chlops"

25 <> were recruited?

44

1 A. No, I didn't know how they were recruited.

2 Q. Thank you. And, <I have> another question, this will be my
3 final one.

4 Yesterday we heard a testimony from a witness who stated that the
5 militiamen were <in charge of monitoring> newly married couples
6 in order to verify if they consummated their marriages. Did you
7 yourself ever witness this sort of practice?

8 A. I did not see such event.

9 [11.15.03]

10 MS. GUIRAUD:

11 Thank you, Mr. Witness. Thank you, Mr. President. I have no
12 further questions.

13 MR. PRESIDENT:

14 Thank you. Now the Chamber would like to hand the floor to the
15 defence teams. First, it is given to Nuon Chea's defence team.

16 QUESTIONING BY MR. KOPPE:

17 Thank you, Mr. President. Good morning, Mr. Witness. I have not
18 very many questions, just a few.

19 Q. One question that I have is about what you just said 20
20 minutes ago.

21 Did I understand correctly that you only heard about Krang Ta
22 Chan after 1979?

23 MR. SAO HAN:

24 A. Yes, that is correct.

25 [11.16.08]

45

1 Q. Earlier, you were also asked about your brother being taken
2 away by militiamen. Would it be correct if I say that you only
3 knew after 1979 where he had been taken or were you able to tell
4 before 1979 what had happened to him?

5 A. Before 1979, nothing happened. He worked for the former Lon
6 Nol government.

7 I'd rather like you to put the question to me again.

8 MR. PRESIDENT:

9 Please lower the microphone.

10 Counsel Koppe, please rephrase your question as the witness seems
11 not to get it fully. Thank you.

12 Q. I will try to phrase it in a different way.

13 Mr. Witness, you said earlier this morning that you had only
14 heard about Krang Ta Chan, the security centre, Krang Ta Chan,
15 after 1979. Having said that, I would like now to ask you about
16 your brother. When did you learn exactly where your brother was
17 taken to?

18 A. After the arrest of my brother, I learned from our family
19 members.

20 [11.18.46]

21 Q. What is it exactly, Mr. Witness, that you learned about where
22 they took your brother?

23 A. I did not know.

24 Q. So your answer now is that you did not know between 1975 and
25 1979 where they took your brother; is that correct?

1 A. Yes, that is correct.

2 Q. Who told you or how do you know that your brother was possibly
3 taken to Krang Ta Chan? You said that maybe you heard that after
4 1979, if I'm not mistaken. Do you know how you got that knowledge
5 or you don't know also?

6 A. During that regime, I learned from someone who tended the cows
7 near that vicinity, and at that time I was tending the cows too,
8 so he told me that I should not go near Krang Ta Chan area. And
9 that happened during the regime. And after 1979, we all went to
10 see Krang Ta Chan, I mean those people who lost their family
11 members. And later on, we held a <religious> ritual <dedicated
12 to> the lost souls at Krang Ta Chan.

13 [11.21.02]

14 Q. Did you maybe see the name of your brother on documents that
15 were found after 1979 or you didn't?

16 A. No, I did not see his name.

17 Q. So, to conclude, would it then be fair to say that you don't
18 know for sure that your brother ended up in Krang Ta Chan?

19 A. Yes.

20 Q. Thank you, Mr. Witness. Another question, and that's a
21 question about the word "disappearance". That is a word that you
22 have often used this morning. What exactly do you mean with the
23 word "disappearance"?

24 A. I used the word "disappearance" because when someone
25 disappeared and never returned, then I use it for such event.

1 [11.22.24]

2 Q. I understand that answer, Mr. Witness, but would it be
3 possible if somebody went away from the cooperative, didn't come
4 back, that maybe he was transferred to another zone or another
5 cooperative but that you didn't know?

6 A. I would not know about that. The only thing I knew is when
7 somebody disappeared from a group or from a unit.

8 Q. So, just to be sure, your word "disappearance" simply means
9 that somebody went away and didn't come back; correct?

10 A. Yes, that is correct.

11 Q. Thank you, Mr. Witness. You had spoken earlier about your unit
12 chief, your group chief and sometimes about other leading cadres.
13 Now, when I understand your answers correctly, it seems that
14 particularly your unit chief was not a very nice man. Would that
15 be correct if I say that?

16 A. Yes, that is correct.

17 [11.23.55]

18 Q. I would like to put some words to you and ask you if any of
19 these words would describe his attitude toward you and other
20 members of your unit, characteristics as you will, as you
21 describe the behaviour of the unit chief. So, I'm going to give
22 you six or seven words and I would like to ask you if any of
23 these words apply to his behaviour and his attitude to you. Do
24 you understand my question to follow?

25 A. No, I don't.

1 Q. I will rephrase.

2 MR. KOPPE:

3 Mr. President, I would like to use a document which I did not put
4 on the interface, but it is a document well known with all
5 parties. It is a page from a "Revolutionary Flag" from July 1978.
6 It is <E3/746>, and the English ERN is 00428305; the Khmer ERN is
7 <00064504>; and the French, ERN <00611886>. Now, the English page
8 of this "Revolutionary Flag" is 17, and specifically, I would
9 like to go to the paragraph just before paragraph 5. There are
10 some attitudes and words being described and I would like to use
11 these words and ask the witness if he recognizes the behaviour of
12 his unit chief in any of those words.

13 [11.26.10]

14 MR. PRESIDENT:

15 International Lead Co-Lawyer for civil parties, you may proceed.

16 MS. GUIRAUD:

17 Thank you, Mr. President. As a matter of principle, I object to
18 the use of this document. We have attempted to make sure that all
19 parties follow the same procedure and place all of the documents
20 to be referred to on the interface. Yesterday, we exercised an
21 exception, perhaps it was the day before <I can't remember
22 exactly>, if we are to allow exceptions every day, the <rule will
23 no longer make any sense>. Therefore, <as a matter of principle I
24 object to the use of this document and I leave it to the
25 discretion of the> Chamber <>.

1 [11.27.03]

2 MR. KOPPE:

3 Mr. President, sometimes when you listen to a witness, when he
4 talks about certain things, you think of a possible line of
5 questioning, and it just came up during the questioning of this
6 witness. I have no intention to surprise anybody. I'd be happy to
7 stop now and continue after the break. But besides this, it's a
8 highly debated document, everybody knows about it. It's not
9 something that is unknown to the parties. I know it's a difficult
10 question. I know that there might be problems with the question
11 itself. I understand that. But what I'm trying to achieve is to
12 see or to be able to determine whether the behaviour of the unit
13 chief or the group chief was bad individual behaviour or possibly
14 within the lines of the Party. So, what is interesting of this
15 document, there are some styles and attitudes of carrying out
16 work and maybe the witness recognizes himself, or recognizes the
17 unit chief or the group chief in any of those words. I don't
18 think there should be a problem with the line of questioning.

19 [11.28.30]

20 MR. PRESIDENT:

21 The Deputy Co-Prosecutor, you have the floor.

22 MR. FARR:

23 Thank you, Mr. President. At the very least, I think it will be
24 difficult to determine whether we would have an objection to the
25 document or the line of questioning without having at least a few

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1 minutes to look at it. That's, of course, the purpose of
2 providing notice of documents. If Mr. Koppe is happy to move on
3 to another line of questioning, repeat the document number, which
4 I didn't catch, and come back to this after the break, then we
5 would be able to indicate whether we have an objection or not.

6 [11.29.14]

7 MR. PRESIDENT:

8 Counsel Koppe, please repeat the document number, as the Parties
9 did not get it. Please do it slowly or do it twice, as we
10 previously instructed all parties to do so. If you have other
11 questions, please proceed with other questions first and leave
12 these questions aside and let other parties review this
13 particular document first and then when we return from our lunch
14 break, then we can discuss this document and the questions you
15 intend to ask.

16 MR. KOPPE:

17 Yes, Mr. President, again, it is a "Revolutionary Flag" from July
18 1978. It is E3/746, and English, ERN 00428305; French, ERN
19 00611886; and Khmer, ERN 0064504. And the words I was intending
20 to use, the reason I'm using this document, because I would like
21 to have the exact Khmer word, is the --

22 [11.30.43]

23 MR. PRESIDENT:

24 Do you have other questions to put to the witness? Leave aside
25 the question related to this document, because we let other

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1 parties to review the document during the lunch break and we will
2 discuss it when we return from our break.

3 We also have the International Lead Co-Lawyer for civil parties
4 who opposed your question in relation to this document. And you
5 may ask other questions after we gather the comments, observation
6 from the Prosecution, and then the Chamber will rule on this
7 document and the question that you intend to put to this witness.

8 MR. KOPPE:

9 Thank you, Mr. President. One very small --

10 MR. PRESIDENT:

11 Judge Fenz, you have the floor.

12 [11.31.50]

13 JUDGE FENZ:

14 Just one question to the previous issue -- to the issue of the
15 document. If I understood that correctly, the questions would go
16 to the personality of a person, so why don't you ask an open
17 question as to how he would describe the person? Why do we need
18 to feed him from a document?

19 MR. KOPPE:

20 Well, it has a legal background, my question, because if there's
21 a difference in how -- let's say the top of the CPK thought that
22 certain positions should be taken and how it was implemented or
23 executed on the lower level, and there is a discrepancy between
24 that. That is an interesting possible legal argument.

25 The other reason is that the words that are used here are very

1 typical for those days and I was hoping by using this document
2 that we have the exact Khmer words being presented to the witness
3 so that we can get as close as possible to a possible description
4 of the attitude of the unit chief and the group chief, who
5 apparently were, well, not very nice people. So that's why I
6 wanted to stay as close to the description of - the attitude of
7 the group chief and the unit chief by using the words described
8 of - the words used to describe the behaviour of lower-ranking
9 cadres.

10 [11.33.20]

11 In other words, to finish my argument, apparently higher-level
12 cadres or the top of the CPK didn't want lower cadres to behave a
13 certain way. And they had explicitly formulated how lower cadres
14 shouldn't behave. And I would like to be able to determine
15 whether these characteristics of attitudes of lower cadres toward
16 people may bring back memories with this witness. So there's a
17 legal and a fact rationale behind the question.

18 MR. PRESIDENT:

19 The International Lead Co-Lawyer for civil parties, you may
20 proceed.

21 [11.34.20]

22 MS. GUIRAUD:

23 Thank you, Mr. President, for giving me the floor again. Just a
24 brief observation so that you may, if necessary, take it into
25 account when you deliberate. I understand the need of all parties

1 <to, at times,> call upon documents that have not been placed on
2 the interface the day before. This is not something that for me
3 is really an issue <in itself>, especially since we will have the
4 possibility of going over the document over the lunch break. But
5 the Chamber has to be clear, because if the Chamber makes an
6 exception for our colleague, Koppe, <today>, they should also be
7 given to the other parties for the rest of the trial and it
8 should be clear for everyone, that is to say that we <could> also
9 <have> the possibility when we believe that it is necessary to
10 use a document that has not been placed on the interface the day
11 before <for other parties' use>, well the Chamber has to also
12 give us the same opportunities, and this for all parties. Thank
13 you, Mr. President.

14 [11.35.29]

15 MR. PRESIDENT:

16 The time is appropriate for a lunch break. We will take a break
17 now and return at 1.30 this afternoon.

18 Court officer, please assist the witness during the break and
19 have him returned to the courtroom at 1.30 this afternoon.

20 Security guards, you are instructed to take Khieu Samphan to the
21 waiting room downstairs and have him returned to the courtroom
22 this afternoon before 1.30.

23 The Court is now adjourned.

24 [Court recesses from 1136H to 1343H]

25 MR. PRESIDENT:

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1 Please be seated. The Court is now back in session.
2 Before handing over the floor to the Co-Prosecutor to make his
3 observation in relation to the request to present a document to
4 the witness, the Chamber wishes to make a notice that Judge
5 Karopkin is -- has a health issue this afternoon, so he will not
6 be present in the courtroom during this afternoon's session.
7 Now, the Chamber gives the floor to the International Deputy
8 Co-Prosecutors, who make observations on the document requested
9 to present to the witness this morning.

10 [13.44.45]

11 MR. FARR:

12 Thank you, Mr. President. We don't object to the specific use of
13 this document under these circumstances, but I want to make it
14 very clear why that is. It's because this is a one-page document,
15 because counsel explained in very clear terms what he intends to
16 do with the document, and we've had a two-hour break to review
17 it. If any of those things were different, we would object. If it
18 were a longer document, if counsel had not explained how he
19 intends to use it, or if we had had less time to review, and the
20 reason we would object is because the lack of notice does cause
21 us real prejudice. When a document is not noticed, by the time
22 we've opened it and taken a look at it, counsel may be on their
23 second or third question, and we still wouldn't have had a chance
24 to figure out how it relates to the witness's testimony, and to
25 put it in context.

1 [13.45.56]

2 And I should specifically note in that regard that we don't
3 accept the idea that this document is so well-known that everyone
4 in the courtroom will immediately be familiar with it. In a case
5 file with as many documents as this one, no one can be expected
6 to be familiar with the nuance of every page of every document.
7 And that's one of the reasons that we have these notice rules.
8 This, in particular, is a "Revolutionary Flag" magazine. There
9 are quite a number of those on the case file, and they're fairly
10 lengthy documents.

11 So, we understand that a degree of flexibility is required in the
12 implementation of procedural rules, and we also realize that at
13 some point we may be asking Your Honours for flexibility. But
14 nevertheless, the rules need to remain the rules, and the
15 exceptions need to remain the exceptions. So, while in this
16 particular case we don't object, we don't wish this to be
17 understood as agreeing to any derogation of the basic rules that
18 Your Honours have set out for noticing documents.

19 [13.47.11]

20 MR. KOPPE:

21 If I may react, Mr. President. It's an interesting answer,
22 especially in the light of the fact that the International
23 Co-Prosecutor himself last week, when examining the expert, came
24 with documents which were not on the interface, and of course we
25 didn't object to them. But I suppose the question touches on a

1 larger issue, and that is, I understand that it is not the
2 purpose of examination to surprise Parties, or to surprise the
3 Trial Chamber. However, things come sometimes up during the
4 examination-in-chief that weren't anticipated in preparing the
5 witness. So, I think we should not stick to a very difficult
6 rule, which as a rule is understandable as such. But if we stick
7 to the fact that something has to be on the interface, and we
8 have no flexibility as to putting documents in front of a
9 witness, which in theory should all be known to the Parties, then
10 I think we're manoeuvring into an area which we really -- or in a
11 sphere -- we really do not want to come.

12 [13.48.36]

13 So, I think, as a general rule -- and maybe you should make a
14 general finding on this, or a general ruling on this -- if it is
15 a document well known to all the parties, well discussed, at
16 length sometimes, in 002/01, then of course parties should avoid
17 the element of surprise, and we should all be able to -- if it's
18 not on the interface -- to find it and to look for it, but we
19 should still be able to use it. So, I think maybe at this point
20 in time, it would be good if the Trial Chamber, if you, Trial
21 Chamber, make a sort of general ruling as to what should be done
22 in respect of this.

23 MR. FARR:

24 Your Honour, I apologise for rising again. There's just one more
25 thing that I'd meant to say, that Mr. Koppe reminded me of. As I

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1 understand it, his intended use of this document is to make the
2 argument that the behaviour of cadres on the ground did not match
3 what he would say was a higher standard, set out in
4 "Revolutionary Flag" magazine. That, in our submission, is not an
5 issue that arose during the evidence of this witness. It was
6 foreseeable that that issue -- it was foreseeable before the
7 testimony of this witness, that that issue is one that he might
8 like to have explored.

9 [13.50.27]

10 MR. PRESIDENT:

11 What about the Lead Co-Lawyers? Do you have anything to address
12 the Court? Have you read the document? Is your position the same
13 concerning the matter of putting documents into the interface?

14 MS. GUIRAUD:

15 Thank you, Mr. President. I will stand by what I said before the
16 lunch break. My position <is ultimately somewhat> similar to
17 <that of> my colleague Victor Koppe. I think there should be a
18 rule, a <general rule>, with regard to this issue. We should
19 notify the day before the documents that we want to use during
20 the examination. <This rule is simple>. It's based on the
21 principle of adversarial <proceedings>. It is <very clearly>
22 enshrined in the Internal Rules <of this Chamber>. The Parties
23 have the duty to notify to the other parties the documents that
24 they're going to use when examining witnesses.

25 [13.51.40]

1 So, I think it's hard to <go against or to> transgress this
2 general principle, <this principle which gives way to organised
3 debate. Now>, everything is subject to interpretation. I can
4 understand that there might be an <> exceptional circumstance, <a
5 question may arise> and <> it might be necessary to call upon a
6 document that was not placed on the interface, <that can happen
7 to the prosecutors, the defence or the civil parties; that in
8 itself is not a problem for me>. However, the rule should be the
9 same for everyone, as I said before the lunch break, and we
10 should, of course, be informed <when there> are exceptional
11 situations <to the rule>.

12 [13.52.19]

13 So, <this is our position:> we would like that the principle of
14 adversarial <proceedings> be confirmed <in this Chamber>, and
15 that we <have confirmation regarding the use of documents,> that
16 <such use of> documents be notified the day before <a hearing>.
17 But on an exceptional basis during a hearing, we do not object to
18 the fact that documents be presented, if the other parties have
19 the possibility of reading these documents, <and, I would also go
20 that bit further and say to be able> to ask questions <relating>
21 to these documents. <Such conduct remains within the realms of
22 the principle of adversarial proceedings.> So, as soon as a new
23 document is presented, the parties should be in a position to
24 <pose> new questions <on> the <use> of this document.
25 So <ultimately> I agree with my colleague <on this point>. I

1 think that the Chamber should <lay out a general rule that we
2 could then adhere> to <> for the remainder of the hearings.

3 MR. PRESIDENT:

4 Concerning document E3/746, after your perusal, after your
5 reading, what is your position on this document?

6 MS. GUIRAUD:

7 I would have liked the Chamber <to have made a> decision on <the
8 general rule> before I say what I think with regard to the use of
9 this document. If the Chamber <opts to authorise the use of>
10 this document <> on an exceptional basis, <I have no problem with
11 it being used by our colleague during the hearing this
12 afternoon>,. .

13 [13.54.03]

14 MR. KOPPE:

15 Mr. President, sorry to reply. Just to be clear, the purpose of
16 my questioning was not necessarily to put the document before the
17 witness. What was my concern is to be able to use those very
18 specific contemporaneous words, and those revolutionary words
19 which, as I understand, are hardly used in Khmer anymore. So,
20 it's not that he has to recognise the document, because he
21 cannot. It's just about those words that, as you can see, which
22 are not typical Khmer anymore. That's all.

23 MR. PRESIDENT:

24 Judge Fenz, you have the floor.

25 [13.54.44]

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1 JUDGE FENZ:

2 Just to avoid further debate, do I understand the parties'
3 submissions correctly? They don't object today to the use of this
4 document for the reasons given. However, everybody would
5 appreciate direction -- a directive by the Chamber on how we will
6 go about the use of the interface in a more general manner. Do I
7 understand it correctly? I look at all the parties and see heads
8 nodding. Because then we can go ahead.

9 MR. KOPPE:

10 Yes, with the difference, of course, that we are hardly ever
11 examining in-chief, and we're always reacting. So things come up
12 during examination, and then we are in a different position.

13 JUDGE FENZ:

14 And we will give thought to that when we develop the general
15 directive. But are we okay with this? So, we can go ahead. There
16 is agreement of all the parties that this document can now be
17 used by the defence counsel in this manner, on an exceptional
18 basis, and with the understanding that there will be general
19 guidelines forthcoming. Yes?

20 [13.55.54]

21 MR. FARR:

22 That's correct, Your Honour. Yes.

23 JUDGE FENZ:

24 Yes. Okay.

25 MS. GUIRAUD:

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1 Indeed.

2 MR. KOPPE:

3 Thank you, Judge Fenz.

4 [13.56.03]

5 BY MR. KOPPE:

6 Mr. Witness, we had a long discussion about things that really do
7 not concern you.

8 Q. Before the break, you might remember, we were speaking about
9 your unit chief, very briefly about your unit chief and your
10 group chief. I want to ask you if you'll be able to describe, if
11 you remember well, the attitudes and the way of operating of the
12 unit chief and the group chief. How did they interact with you?
13 How did they interact with the other members of your unit? What
14 kind of person was this unit chief?

15 I would like to use or to give you a few words, and ask you if
16 these words possibly describe the behaviour of your unit chief
17 and group chief. So, my first -- the first word I would like to
18 use in order to ask you if that word describes the attitude and
19 behaviour of your unit chief would be "authoritarian".

20 MR. SAO HAN:

21 A. Concerning the word "authoritarian", <it was> actually
22 <defined that absolute> labour <was imposed on workers and
23 peasants> every day.

24 [13.58.05]

25 Q. In his behaviour, was he -- another word I would like to use

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1 -- behaving like a Mandarin?

2 A. The position of the unit committee, they absolutely used the
3 workers to meet the quotas of Angkar.

4 Q. Would you use the word "militaristic" to describe the attitude
5 of your unit chief or your group chief?

6 A. Yes, I can describe him as "<militaristic>".

7 Q. I heard something different back in the translation. I used
8 the word "militaristic", but I heard something --

9 THE INTERPRETER:

10 Correction from the Interpreter: "I could describe him as
11 'materialistic'."

12 MR. KOPPE:

13 Well, that's -- I said "militaristic", not "materialistic".

14 THE INTERPRETER:

15 I'm sorry. "Militaristic".

16 [13.59.58]

17 MR. KOPPE:

18 I did give the interpreters the actual passage from the
19 "Revolutionary Flag", so they have it in front of them.

20 BY MR. KOPPE:

21 Q. Mr. Witness, would you describe your group chief or your unit
22 chief as "single-minded" - <"aekachet"> (phonetic)?

23 MR. SAO HAN:

24 A. I <do> not <dare> describe him <like that>.

25 Q. I think I have one more left -- two more left.

1 Would you describe either of them as "bureaucratic" or "liberal"?

2 A. I could not say they are -- or he is bureaucratic or liberal.

3 [14.01.08]

4 Q. I've given you some words in order to be able to understand
5 how you would describe the behaviour of your unit chief and group
6 chief. Now in a more general sense, could you -- using your own
7 words -- describe his behaviour toward you, and toward the group
8 or the unit?

9 A. I <do> not <dare> say anything about this.

10 Q. The reason I'm asking all of this is because, before the lunch
11 break, you were telling that you were fearful of him when you
12 would complain. People would be fearful of him because if a spoon
13 would break, he would threaten people to send them away. So I'm
14 trying to understand how things went in those years, what the
15 interaction was between you and your unit members, and the unit
16 chief. So, again, and this is my last question on the subject,
17 please describe the attitude or stance, if you will, of this
18 person.

19 A. When there was an issue, for example of a broken spoon, nobody
20 dared to go and have any discussion with the unit chief <or the
21 group chief>.

22 [14.02.58]

23 Q. And this is exactly my question, exactly the problem that I
24 want to discover. Why is it exactly that you were fearful of him?
25 What made you fearful of him?

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1 A. We were fearful of him because of what we saw <before> the
2 disappearances of people from the group and from the unit. And of
3 course, we presumed those people who disappeared, died.

4 Q. But before the lunch break, we had also established that
5 disappearance is going away from the cooperative or the unit, and
6 not coming back, not necessarily anything harmful to the person.
7 Do you understand what I mean, Mr. Witness?

8 A. No, I don't.

9 [14.04.16]

10 Q. Let me try it another way. I understand fear of something to
11 happen is a personal thing, but I'm trying to find out whether
12 you had, or your group members had, real reasons to be fearful of
13 your unit chief or your group chief. So, I'm trying to figure out
14 exactly what he said, and how he behaved toward you, et cetera.
15 So, would you be able to shed some more light about how he
16 interacted with you, and what made you fearful?

17 A. I was fearful of my unit chief. Those people whom I work with
18 disappeared and never returned. And that made me very fearful of
19 him.

20 Q. Okay, thank you. Thank you, Mr. Witness. I'll have one last
21 small subject, and that's the following: that's the situation of
22 the food and the communal eating. Yesterday we had a witness
23 testifying, coming from another commune. And he told us that on a
24 regular basis people were also eating fish with rice and soup,
25 and sometimes beef, sometimes vegetables. Was that the same in

1 your cooperative, your commune?

2 A. It was slightly different to my cooperative. We had our own
3 vegetables for our own unit, including the local vegetables,
4 cucumbers or pumpkin, et cetera. But we didn't -- we seldom had
5 pork or beef. It's very, very rare to have this meat.

6 [14.06.32]

7 Q. And how about fish? Did you have in your commune a unit -- a
8 fishing unit that would go out trying to catch fresh fish?

9 A. In my cooperative, we did have a fishermen unit. But there was
10 no big pond or river in my area. We only have some small ponds,
11 and the group office men would go and find fish for us. Let me
12 give an example; as for the fresh fish we had: for a bowl of
13 soup, we would have one or two pieces of fresh fish.

14 MR. KOPPE:

15 Okay. Thank you very much, Mr. Witness.

16 Mr. President, this ends my questioning. I would like to take the
17 opportunity, however, to correct myself. Earlier this morning, I
18 said something about what is a record of hectares rice per tonne.
19 I used 16. It is in fact 14. 8. I apologize. It's a Chinese
20 record, by the way.

21 [14.07.55]

22 MS. GUISSSE:

23 Yes, Mr. President, I <merely> wish to inform you that the Khieu
24 Samphan team has no questions for this witness.

25 (Judges deliberate)

1 [14.11.22]

2 MR. PRESIDENT:

3 Mr. Sao Han, the Chamber is grateful for your testimony for today
4 <and yesterday,> and hearing of your testimony has come to a
5 conclusion and you may be excused from the Court and return to
6 your residence or wherever place you wish to go to.

7 Court officer, please make an arrangement for the transportation
8 of this witness to his residence or wherever he wishes to go to,
9 and that is to do it in cooperation with WESU.

10 And we have an issue to deal with -- that is, there has been a
11 request of a protective measure to the Trial Chamber for the next
12 witness. For that reason, we will take a 20-minute break and
13 resume at 2.30, in order to deliberate and decide on the request
14 for protective measure for the upcoming witnesses.

15 The Court is now in recess.

16 (Court recesses from 1412H to 1439H)

17 MR. PRESIDENT:

18 Please be seated.

19 The Chamber would like to inform the Parties and the general
20 public that the Chamber has received some requests from witnesses
21 on protective measure and WESU unit is currently making an
22 assessment on those request and then produce a report pursuant to
23 the procedures that we have before us, and in order to comply
24 with the procedures at ECCC, that the three official languages
25 needs to be made of those documents and so far we haven't

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1 received those documents in three languages. For that reason, we
2 cannot proceed with the assessment of those requests. And Parties
3 will be sent the translation and the request tomorrow. For that
4 reason, we will adjourn and we will hear the testimony of the
5 witness 2-TCW-944 tomorrow morning, and before we proceed with
6 the testimony we will be likely holding a non-public hearing on
7 the request for protective measures by certain witnesses. For
8 that reason, we will adjourn the hearing now, for today's
9 proceedings.

10 [14.41.17]

11 Court officer, please, in co-operation with WESU, make necessary
12 arrangement for 2-TCW-944 to his place of residence and have him
13 returned tomorrow morning to the courtroom before 9 o'clock in
14 the morning.

15 Security guards, you are instructed to take the two Accused back
16 to the detention facility of the ECCC and have them returned to
17 attend the proceedings tomorrow morning before 9 o'clock.

18 The Court is now adjourned.

19 (Court adjourned at 1441H)

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