



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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Nation Religion King
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Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

18 March 2015
Trial Day 260

ឯកសារដើម
ORIGINAL/ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ (Date): 12-Jun-2017, 10:01
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INDEX

MR. RIEL SON (2-TCW-860)

Questioning by Judge Lavergne.....page 3

Questioning by Mr. Koppe.....page 45

Questioning by Mr. Kong Sam Onn.....page 86

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MR. KONG SAM ONN	Khmer
MR. KOPPE	English
JUDGE LAVERGNE	French
MR. LYSAK	English
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. RIEL SON (2-TCW-860)	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0903H)

3 MR. PRESIDENT:

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

5 Today the Chamber will hear the testimony of <the witness,> Riel

6 Son.

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

8 Parties and individuals to today's proceedings?

9 [09.04.37]

10 THE GREFFIER:

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

12 case are present.

13 <Standby> counsel for Mr. Khieu Samphan, Calvin Saunders,

14 notified us that he will come late for today.

15 As for Mr. Nuon Chea, he is present in the holding cell

16 downstairs as he requests to waive his right to be present in the

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

18 The witness who is to testify and complete his testimony today is

19 Mr. Riel Son, and his duty counsel, Mr. Duch Phary, and the

20 witness are already present in this courtroom. Thank you.

21 [09.05.29]

22 MR. PRESIDENT:

23 Thank you, Ms. Se Kolvuthy. Before giving the floor to the

24 Parties, the Trial Chamber shall rule on the request by Nuon

25 Chea.

2

1 The Chamber has received a waiver from Nuon Chea, dated 18th
2 March 2015. He confirms that due to his poor health condition --
3 that is, headache, back pain and that he cannot sit <and
4 concentrate> for long, and in order to actively participate in
5 the future hearings, he requests to waive his right to
6 participate in and be present at 18th March 2015 hearing. He has
7 been informed by his counsel about the consequence of this
8 waiver, that in no way it can be construed as a waiver of his
9 rights to be tried fairly and to challenge evidence presented or
10 admitted to the Court at any time during his trial.
11 Having seen the medical report by the duty doctor for the Accused
12 at ECCC, dated 18th March 2015, who notes that the health
13 condition of Nuon Chea is that, he has severe back pain <and
14 dizziness> and he <cannot sit> for long and recommends that the
15 Chamber shall grant him his request so that he can follow the
16 proceedings remotely from the holding cell downstairs.

17 [09.07.08]

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 audio-visual means for today's proceedings as he waives his
22 direct presence in the courtroom.

23 The AV Unit is instructed to link the proceedings to the room
24 downstairs so that Nuon Chea can participate in and follow
25 today's proceedings remotely.

1 Before giving the floor to the Parties, I would like to ask
2 Judges in the Bench whether you have any questions to put to the
3 witness. <If so, please go ahead.>

4 Judge Lavergne, you may proceed.

5 QUESTIONING BY JUDGE LAVERGNE:

6 Yes, thank you, Mr. President. Good morning, Mr. Witness. My name
7 is Jean Marc Lavergne <and> I have a number of questions to put
8 to you for purposes of clarifying statements you have made thus
9 far.

10 Q. First of all, I would like you to tell the Chamber about your
11 curriculum studiorum; how far did you go in your studies?

12 [09.08.40]

13 MR. PRESIDENT:

14 Please advise the witness to respond again because the
15 interpreter could not catch his first part of his answer.

16 MR. RIEL SON:

17 A. I finished Grade 3 of the old curriculum.

18 BY JUDGE LAVERGNE:

19 Q. If I understand correctly -- that is, the third year in the
20 former <school> system <and I would like for you to tell me
21 where> you <studied>?

22 MR. RIEL SON:

23 A. I have been study in middle school -- Preah Utei -- in Takeo
24 province.

25 Q. Did you study in Phnom Penh?

4

1 A. I went to Phnom Penh for studies when I was 13 years old and
2 then I passed the examination for the middle school -- <Preah>
3 Utei <in> Takeo <province>. It was Grade <> 6 that I attended.
4 [09.10.26]

5 Q. Where? In which school did you study?

6 MR. PRESIDENT:

7 Witness, please hold on. You should wait until the microphone is
8 activated. You can see the red light on it and then you can
9 respond.

10 A. I studied at Preah Utei middle school in Takeo province.

11 Q. In one of your statements <sir>, you said <that> you studied
12 in <> Kampucheabot College and that you were a student of Hou
13 Youn. Is that an error or that is correct?

14 A. It was not my mistake. At that time I was studying at the
15 middle school in Takeo province, but during my vacation, I went
16 to <study> the private course in Phnom Penh.

17 Q. From the time when you completed your studies, were you
18 introduced in what was referred to as the <progressive sphere>?

19 A. At that time, there was no such classification. I went back
20 home <to do farming>. I was called; I was one of the progressive
21 persons.

22 [09.12.29]

23 Q. What were your professional activities up until <the point>
24 when you joined the Revolution, and when did you join the
25 Revolution?

5

1 A. In fact, I joined the Revolution <since -->I forget the year.
2 But it was <a few months> after the collapse of Lon Nol regime
3 and then I joined the Revolution movement.

4 Q. And prior to that, what was your professional activity? <Were
5 you a farmer?> I noted that you worked <in a knife makers' --
6 that you were a mechanic -- >. What were your professional
7 activities?

8 A. Before that, I was working as a person in a blacksmith
9 producing knife and crosscut saw <and saw>; it's kind of a small
10 professional activity <in a village>.

11 Q. Were you a <mechanic? And> if yes, where did you undergo
12 training to become a mechanic?

13 A. I was working as a minor mechanic; there was a <master
14 mechanic in a village> but I was a just a small staff. I was an
15 apprentice to another person who trained me on that.

16 [09.14.58]

17 Q. When you joined the Revolution, did your professional
18 activities change? Did you engage in propaganda activities? Did
19 you go to communes to try to rally the youth to join the
20 Revolution? Did you engage in such activities?

21 A. Yes, I did it. Soon after I joined the Revolution, I mobilised
22 the youth from villages and communes to join the military unit.

23 Q. Yesterday I heard and read in your <statements> that at a
24 point in time you worked on the site of a dam, Trapeang Bei dam
25 or the Khpob Trabek dam. I do not know whether you're talking of

6

1 the same dam <but can you tell us> when you started working at
2 that dam site and what were your <duties exactly?>. Were you unit
3 head, were you an ordinary worker or were you a supervisor?

4 A. I was one of the workers who build the dam during that time.

5 [09.16.35]

6 Q. Now was that before the 17th April 1975? Was it from the time
7 when there were no longer any American bombings? When was that?

8 A. It was still bombing by the American when I was working at dam
9 worksite.

10 Q. How many people worked at that site? Was it a big worksite?

11 A. That worksite was large and people were gathered from every
12 village and commune in Tram Kak district to work <together> in
13 that worksite.

14 Q. Were there several dozen <people? Several hundred people?> Or
15 several thousand people?

16 A. I didn't know the exact number of people but from each
17 commune, at least 20 people <>from one commune who were sent to
18 that worksite.

19 Q. So at the time there were 12 communes, so there were
20 approximately 250 workers on that worksite. Is that a <safe
21 estimate of the> approximate number of workers at that site?

22 A. Yes. It was probably<> more than 200, as I can tell you.

23 [09.18.57]

24 Q. Do you remember whether a Chinese delegation attended the
25 inauguration of that dam?

1 A. No, I don't know. I didn't see any Chinese delegation
2 <present> at the inauguration but I saw them in cars when those
3 cars are travelling past by the dam worksite and they would
4 travel at night.

5 Q. Unless I am mistaken, I understood from your statement
6 yesterday that you said that you saw Khieu Samphan on that
7 worksite. Did I properly understand your testimony or <am I>
8 wrong?

9 A. As far as I know, <and if I am> not mistaken. I saw him but he
10 was not at the dam worksite, but I saw him at the office next to
11 the bamboo groves nearby, I saw him for a short period of time.

12 Q. That office in the bamboo plantation, was that <the> office of
13 people working at the dam or <was that> office <in a completely
14 different location>?

15 A. I don't know any detail about that office because Yeay Khoem,
16 the spouse of Ta Mok, asked me to transport cake to that office
17 with my bicycle <because she could not carry it> and when we
18 reached to a place nearby to that office, she asked me to drop
19 her and she told me that the person over there is Khieu Samphan.
20 That's what I heard from her.

21 [09.21.30]

22 Q. <But you, did> you yourself see Khieu Samphan or you were told
23 that he was in the office? And where was that office located?

24 A. It was in Chambak Ponnoreay village. It was covered by <very
25 large> bamboo <forest> around. <The office was in the middle of

1 the bamboo forest>. I saw him for a short period of time after
2 she told me about that and Yeay Khoem told me that I should
3 return: "Do not stay around" <>.

4 Q. So you barely caught sight of him and previously, <did you
5 have the opportunity> to meet Khieu Samphan, be it in Phnom Penh
6 or elsewhere?

7 A. In Phnom Penh, I used to see him. I have never met him in
8 person but I saw him.

9 [09.22.46]

10 Q. Did you attend his wedding?

11 A. No. I did not attend his wedding but I was helping to
12 transport cakes and other things with Ta Mok's spouse to that
13 place that I told you earlier.

14 Q. I haven't quite understood what you said-- the cake; was it
15 for Khieu Samphan's wedding or for something else?

16 A. I don't know what those cakes were used for, but Yeay Khoem
17 told me that it was the day when Khieu Samphan was married.

18 Q. <Is> Yeay Khoem the person <that> you described? <That would
19 make her> Ta Mok's daughter, is that the person you described as
20 <being affected with a mental illness, as being mad? Is>that
21 correct <to say>?

22 A. Yeay Khoem was the mother of Khom and Khoem was the wife of Ta
23 Mok and Khom was the daughter of Ta Mok.

24 [09.24.46]

25 Q. So if I sum up your testimony, you caught a glimpse of someone

1 briefly <who> you <subsequently> described as being Khieu
2 Samphan. How far were you from that person <that you saw>? Did
3 you catch a glimpse of <that person> during the day or at night?
4 Did you see <that person's> face?

5 A. It was during the day-time but I was about 50 meters away from
6 him. I could not see his face very well but I know that he was
7 Khieu Samphan because Yeay Khoem told me that but I could not see
8 his face very well on that day.

9 Q. When did you stop working at Trapeang Bei dam or Khpob Trabek
10 dam? When did you stop working there and what did you do after
11 that?

12 A. I do not recall it that when I stopped working there. <But I
13 stopped working when the dam worksite was complete.> After that
14 dam construction, I came back to work as a mechanic in District
15 105.

16 Q. What did your activities consist <of>? Did <your> activities
17 <involve administering> injections, administering medicines? Did
18 you carry out such activities when you were working as a
19 mechanic?

20 A. I was working in the economic sections<. I would look> for
21 rice and other food supplies for the mechanic group. I would do
22 only collecting husk rice and rice for the group.

23 [09.27.38]

24 Q. So you yourself were not a mechanic. Were you the head of that
25 unit? Were you the person in charge of supplies? And did your

10

1 activities include medical services?

2 A. At that time I was working as a mechanic in a group of
3 mechanics but I was in charge of economic section. There were no
4 medicines for giving or for treatment for any patient and my
5 chief was another person.

6 Q. In your statements, you mentioned on several occasions that
7 you were in charge of purchasing various materials either
8 medicines or raw materials needed for producing such medicines.
9 When did you <begin this task>?

10 A. That hospital was in need of medicines. I made a request to
11 the district chief and I would receive some money from the
12 district <committee> and I would purchase certain medicines for
13 the hospital.

14 [09.29.28]

15 Q. Were you in charge of purchasing medicines for the hospital
16 before being appointed director of the hospital or after that?

17 A. When I was to purchase the medicines I already worked at the
18 hospital and I did it because <> there were lack of medicines.

19 Q. So I don't really understand, was this before or after 17th
20 April 1975?

21 A. It was after 17th April 1975.

22 Q. Fine. Yesterday you explained that you underwent <two>
23 training programmes: one of three months and one of six months
24 and you said also that your trainer was called Sei. Can you
25 confirm this?

11

1 A. Sei was chief of the sector hospital and he called us for the
2 medical sessions. I engaged in the first session which lasted for
3 three months and then the second session lasted for six months.
4 However, the total days of the actual training for the first
5 three months sessions was only about two weeks and for the six
6 months training, it <>lasted only for about <half a month or 15
7 days> for the actual training days.

8 [09.31.340]

9 Q. I don't really understand so the three-month and six-month
10 training programmes were only two-week training programmes each
11 time? Or <did> they <alternate every> two weeks? I <admit that>
12 don't really understand.

13 A. We attended the study session but sometime due to the busy
14 nature of work at the hospital <we> didn't go to attend the
15 sessions and that is for both the three months and the six months
16 session. So when there was too much work or too many works at the
17 hospital, then I would write a letter to <inform the chief about
18 our> absence as <we were so busy at the hospital and there were
19 many patients. No one was at the hospital> and later on the
20 sessions ended.

21 Q. <But sir, is it the case that> before you became the hospital
22 director, <that> you underwent <absolutely> no medical training
23 <whatsoever? Is> that the case?

24 A. Yes, that is the case.

25 [09.33.08]

12

1 Q. So you were invited to attend two training programmes: one of
2 three months and one of six months, but in reality <during these
3 three-month and six-month training programmes> you only attended
4 the equivalent of two weeks of training each time, so <overall,>
5 you received one month of training to become the head of the
6 district hospital, is that what I <am to> understand?

7 A. <At that time, I did not join the training before I started my
8 work.> I actually attended the study sessions after I already
9 started working at the hospital.

10 Q. <When> did you administer <your> first vaccination on
11 patients, was it before you were appointed as the head of the
12 hospital or was this afterwards?

13 A. On the vaccination or injection, I actually knew how to do it
14 since I was a young man as I used to do it for <my wife, rather>
15 my mother and my father <when I was single>. So, for the ordinary
16 ailment, <> for example, fever, then I would be able to treat it
17 with injection of the medicine <or giving medicine>.

18 Q. The trainer who was called Sei, who was in charge of the
19 sector hospital, is he the same as the person whom you called
20 Russei, which you spoke about in your statement, in particular,
21 in your DC-Cam interview, index D313/1/2/410, ERN 00752106, and
22 you specified that this Russei, was a former nurse at the Preah
23 Ket Melea Hospital in Phnom Penh and that apparently, he had
24 escaped with Khieu Samphan. So, is Sei <then, Russei>?

25 [09.35.56]

13

1 A. No, it's not Russei. When you say in Khmer "Russei", it refers
2 to the bamboo <forest>. But the Sei that I referred to is <the
3 name of a person and is> the one who was the chief of the sector
4 hospital.

5 Q. Fine. So this chief of the sector hospital, had he been a
6 nurse at the Preah Ket Melea Hospital and did he flee with <Mr.>
7 Khieu Samphan?

8 A. To my knowledge, he used to work <as a medic> at Preah Ket
9 Melea Hospital, although I did not see it personally. I only
10 heard that he was a staff of <Preah Ket Melea> hospital and later
11 on he joined the activities together with Khieu Samphan.

12 [09.37.12]

13 Q. What did he do with Khieu Samphan? I didn't understand; what
14 kind of activities did he <engage in> with Khieu Samphan?

15 A. At that time I only heard of his name -- that is, Khieu
16 Samphan's name and when Sei fled to the forest, he fled together
17 with Khieu Samphan. Of course I did not see this myself but I
18 heard about it -- that is, he fled Phnom Penh to join the
19 activities with Khieu Sampahn.

20 Q. Can you be a bit more specific, can you tell us when he fled?
21 Was this before 1975, was it in 1979, what are you speaking about
22 exactly?

23 A. It was even prior to the year of the coup d'état -- that is,
24 when he fled Phnom Penh.

25 Q. After 17th April 1975, that is to say when Sei was the head of

1 the sector hospital, do you know what <happened to him after
2 that>? Did he return to Phnom Penh?

3 A. After Sei left, his wife took charge of that hospital as he
4 went for study in Phnom Penh and I did not know how long that
5 study lasted. His wife took charge of the sector hospital but she
6 went into problems although I did not know the nature of the
7 problems and later on she disappeared. <I did not know why
8 either>. And after Sei returned from the study session, he was no
9 longer in charge of the sector hospital but he went to work at
10 the Takeo provincial town although he did not hold any specific
11 position at that time. <From what I heard, he did nothing there,
12 and his wife disappeared.>

13 [09.40.11]

14 Q. Do you know if Sei, when he was in Phnom Penh, was at the head
15 of <a> hospital called the <17th> April Hospital?

16 A. No, I was not aware of that. I only knew that he used to work
17 at the Preah Ket Melea Hospital.

18 Q. Well, now let's turn to the <hospitals in> Tram Kak
19 <district>. I would like you to provide me with some
20 clarifications in that regard. How many hospitals were there in
21 that district? I'm not speaking about district hospitals but I'm
22 speaking about hospitals in total in that specific <district>. I
23 understood that there was a District 105 hospital and that this
24 hospital was located close to the village of Trapeang Svay, at
25 Trapeang Kol Pagoda in the commune Trapeang Thum Khang Cheung, is

1 that the case?

2 A. The hospital was located in Trapeang Svay village, in Trapeang
3 Thum <Khang> Cheung commune. What you said is correct but the
4 pronunciation is a little bit off.

5 [09.41.54]

6 Q. I apologise. Hospital 22, you told us that this was a military
7 hospital and that this was a hospital -- if I understood well --
8 that depended on the sector. But was this hospital located in the
9 Tram Kak district or not?

10 A. That hospital was actually located in <Pou Doh> village,
11 Trapeang Thum <Khang> Cheung commune in Tram Kak district.

12 Q. So this is a military hospital and this military hospital
13 depended on the sector, is that the case?

14 A. I did not know about that arrangement whether it was the
15 sector or the zone. But ordinary people were not allowed to go
16 there. It was mainly for the military; even the nearby villagers
17 were not allowed to go to that hospital.

18 Q. So when there were district level meetings, were there
19 representatives of Hospital 22 who would attend these meetings?

20 A. For the district level meeting, there was no representative
21 from Hospital 22 because the district meeting was only for the
22 district level.

23 [09.43.48]

24 Q. I also understood that there was another sector hospital
25 located in Daeum Chambak commune. Was this commune part of Tram

1 Kak district?

2 A. It was not Daeum Chambak commune, in fact it was Daeum Chambak
3 School and it was also located in Tram Kak district. Here I refer
4 to the Sector 13 hospital for Takeo province.

5 Q. So Sector 13 had a hospital located in Tram Kak district. And
6 who had access to the sector hospital?

7 A. The hospital which was located at Daeum Chambak was for the
8 treatment of patients from other districts or <>those patients
9 <were transferred> from the district hospital and they were in
10 serious condition and could not be treated there, then they would
11 be referred to the sector hospital.

12 Q. So in fact, patients <were referred to either> the sector <or>
13 district hospitals <based on> the seriousness of their condition,
14 is that what I <am to> understand?

15 A. Yes, that is correct.

16 [09.46.03]

17 Q. And the 17 April People, were they also liable to be sent to
18 the sector hospital or they would just stay in the district
19 hospital?

20 A. At that time, there was no discrimination between the Base
21 People or the 17 April People, when their illness became severe,
22 then they would be sent to the sector hospital.

23 Q. <Did> the sector hospital and district hospital have the same
24 kind of staff or in the sector hospital were there better trained
25 <and more qualified> doctors than <at> the district hospital?

17

1 A. At the sector hospital, the treatment methods were far better
2 and <more> effective than the ones at the district hospital.

3 Q. And at the sector hospital, was, <for example,> surgery
4 performed?

5 A. There was no surgery at the district hospital, however there
6 was one at the sector hospital. However, there were not many
7 surgeries during the time.

8 [09.48.15]

9 Q. And among the staff of the sector hospital, were there people
10 who had been trained as doctors outside of a training <lasting
11 for> a few months or <a> few weeks? I'm speaking about <an
12 extended> training <for doctors>. Were there people there who had
13 been doctors before 17 April 1975, who practised in this
14 hospital?

15 A. No, there was none except Sei.

16 Q. Who was <Sen> (phonetic)?

17 A. It was Sei, I referred to a person who was also head of
18 another hospital in Trapeang Roneab, which was also in Tram Kak
19 district.

20 Q. Thank you, I did not hear <that> well. Now I would like us to
21 speak about the hospitals at the commune level. Am I right in
22 understanding that in each commune, there were <what we refer to
23 as> hospitals or maybe just health centres, so if this is case,
24 can you tell us who was in charge of these commune hospitals?

25 [09.50.08]

1 A. At the commune level, there were some medics or medical staff
2 in each commune. It varied; there were five to seven medics at
3 each commune and amongst them, if one was considered more
4 skilful, experienced in medical area, then the person would be
5 appointed to be in charge of the group <in that commune>.

6 Q. And these commune hospitals, were they under the
7 responsibility of the district hospital? You therefore as the
8 head or the deputy head of the district hospital, would you
9 supervise <or monitor> the commune hospitals?

10 A. I supervised the 12 commune hospitals and the commune chiefs
11 they were also in charge of those hospitals at the commune level.

12 [09.51.45]

13 Q. So you would supervise the hospitals of all of the communes in
14 the district or simply the hospital of the commune where the
15 district hospital was located?

16 A. I supervised all the hospitals at the communes within the
17 district.

18 Q. So I suppose that you went to visit each one of these commune
19 hospitals. Can you tell us what the situation was like in these
20 hospitals? Was it the same everywhere? Were there differences?
21 Were you the person in charge of <distributing> medicines <among>
22 the different commune hospitals?

23 A. Part of my duties was to distribute medicines to those commune
24 hospitals and once in a while I would go to visit <patients in>
25 those commune hospitals and also to distribute medicines to them

1 <if their> conditions <were> were severe, then I would request
2 them to be sent to the district hospital.

3 [09.53.26]

4 Q. Were there patients who died in the commune hospitals? And was
5 the situation pretty much the same everywhere?

6 A. The condition of the patients in <all> commune hospitals were
7 the same <because commune hospital would not keep the severe
8 patients at the hospital>. However, some patients died at the
9 commune hospitals and the reason was that those people were sick
10 at the worksite and sometimes they were seriously sick when they
11 were admitted to the commune hospitals, as a result some of them
12 died and for others in serious conditions, they would be referred
13 to the district hospital.

14 Q. In order to be admitted to the commune hospital or <> the
15 district hospital, did the patients have to obtain some kind of
16 authorisation; did they need a letter <of introduction> to be
17 admitted to the hospital?

18 A. The district chief authorised them to receive patients from
19 the commune, that's what happened at the district hospital.

20 Q. So they needed authorisation from the district head in order
21 to be admitted to the district hospital, is that what I <am to>
22 understand?

23 A. The patients who were admitted to the commune hospital and if
24 their conditions were severe then the commune hospital had the
25 discretion to refer them to the district hospital without any

1 authorisation <from the district chief>.

2 [09.56.10]

3 Q. And in order to be admitted to the commune hospital, was it
4 necessary to have authorisation<-- > or <was it that> everyone
5 could come at any time to the commune hospital for whatever
6 reasons?

7 A. Patients who were to be admitted to the commune hospitals,
8 they needed the authorisation from their respective unit chief or
9 their village chief.

10 Q. So how would the unit chief or the village chief manage to
11 assess the seriousness of the health condition of a patient?

12 A. In fact the chiefs did not know whether the condition was
13 light or severe but from the look if the patient looked ill, then
14 the patient would be sent to the hospital <right away.> If he or
15 she could walk, if not then other people would be requested to
16 carry that person <using hammock> to the hospital.

17 [09.57.39]

18 Q. So you also said when you were interviewed by DC-Cam, index
19 D313/1.2.410, you also said that some patients were sent to Phnom
20 Penh and that you accompanied some of them. Can you confirm this
21 or not?

22 A. Yes, I stand by my statement. At that time at the hospital,
23 there were about 10 patients who had severe dysentery and who
24 could not be treated with the medicines that we provided to them,
25 so then we transported them in a Volkswagen car to Daeum Chambak

1 Hospital.

2 Q. But Daeum Chambak Hospital is not <the> Phnom Penh Hospital.

3 <Did> you accompany some patients to the hospital in Phnom Penh?

4 A. Yes. After I took those patients with severe symptom of

5 dysentery to the Daeum Chambak Hospital, I was told that <don't

6 keep the patient here and> I should take them further to a Phnom

7 Penh Hospital so then the Daeum Chambak Hospital added three or

8 four more patients with the same severe symptom of dysentery and

9 then I took all of them to the Khmer-Soviet Hospital in Phnom

10 Penh.

11 [10.00.02]

12 Q. In order <to be transferred and sent> to Phnom Penh, <was> a

13 decision from the sector or from the zone level <needed>? Could

14 you yourself take the initiative to send a patient to Phnom Penh?

15 A. I did not have the authority to do that on my own discretion,

16 and as I stated, I took the patients to the sector hospital and

17 then the chief of the sector hospital instructed me to take them

18 further to Phnom Penh Hospital and he wrote a letter of

19 authorisation <with the name of the patients in it> and with that

20 letter I went to the Phnom Penh Hospital.

21 Q. And regarding those people who went to Phnom Penh, were they

22 Base People or 17 April People?

23 A. There were some Old People and New People. There were men and

24 women patients, who were referred to Phnom Penh; I forget the

25 number of men and women patients.

1 Q. Were there more experienced doctors in Phnom Penh than those
2 working in district or sector hospitals? Was the level of care
3 provided different and <what was different about it>?

4 A. I don't know that very well as to the skill and technical
5 treatment at Phnom Penh. But when I sent the patients at the
6 hospital and they were carried for admission at the hospital and
7 then I returned to my place. I didn't meet with any doctors or
8 any physician at the time.

9 [10.02.30]

10 Q. So you never met any doctors in Phnom Penh? When you brought
11 them to the hospital you had to leave them with someone. Who did
12 you leave those patients <with? Did> you have to prepare a report
13 detailing what they were suffering from?

14 A. There was a letter to refer the patients to the sector
15 hospital and then the hospital at the sector added another report
16 to send more patients to Phnom Penh and <there were staff from
17 that hospital coming to receive the patients.> I delivered the
18 patients and those reports to the hospital in Phnom Penh and then
19 I returned to my place.

20 Q. With whom, specifically, did you leave the patients and the
21 reports? Did you leave them with soldiers, did you leave them
22 with doctors, <nurses?> <>

23 A. When I arrived at the hospital, there were staff from that
24 hospital -- came and received the patients. Most of them were
25 female staff <who helped to carry the patients> and I delivered

1 them the patient and the report to those staff <but I did not
2 know who was the chief> because there were many <staff running to
3 take the> patients who suffered from dysentery and <the staff
4 were running in and out>.

5 [10.04.30]

6 Q. In those hospitals, were there any nurses who had been trained
7 in Tram Kak district?

8 A. No, <>there was no <training for> nurses there.

9 Q. Perhaps you did not understand my question. My question was
10 whether in Phnom Penh hospitals <there were nurses working there>
11 who were from hospitals in Tram Kak district. My question was not
12 whether they were well trained or not; I just wanted to know
13 whether there were nurses from Tram Kak district?

14 A. <I did not know whether there was any.> When I transported the
15 patients and when I arrived, the staff who were coming to receive
16 the patients they were not <from> Tram Kak. <There were four,
17 five, six or seven staff but> I don't know where they were from.

18 Q. Did you <personally> sometimes receive reports from commune
19 hospitals and did you <yourself> also have to write reports to
20 the sector hospitals?

21 A. The commune hospital would send the report to me and then I
22 further reported to the sector hospital regarding the type of
23 patients and the category of disease and illness and then I
24 reported directly to the sector hospital.

25 [10.06.46]

1 Q. How frequently did you write such reports; did you write them
2 every week, every month, did you mention the number of patients
3 admitted to the hospital, the number of patients released from
4 the hospitals or the number of patients who had died in the
5 hospitals?

6 A. In fact I was working for <more than> two years at the
7 hospital, I did not report on the admission and the release of
8 the patients <as well as the sick patients and the dead
9 patients>, those reports were not in written most of the time and
10 all I did was oral report only.

11 Q. And did you orally inform your superiors of the number of
12 people who died at the hospital and how often did you provide
13 such information?

14 A. The oral report would be done monthly. I did it once every
15 month.

16 Q. So all information was disclosed to the upper echelon and do
17 you know whether the upper echelon communicated <with> the zone
18 level or the national level?

19 A. No, I don't know the further communication from the sector to
20 the upper level. I had no idea on that.

21 [10.09.05]

22 Q. Did you nevertheless receive instructions from the upper
23 echelon? You stated in one of your statements that during each
24 meeting, you had to discuss <an action plan> and that you
25 received such <action plans>. Who sent you those <action plans>

1 and what <was> the content of those <action plans>? Were they
2 instructions of a purely medical nature or of a political nature
3 <too>?

4 A. Those instructions were not about politics, they were purely
5 on the treatment of the patient, medication and the type of
6 illness and the production of traditional herbal medicines. They
7 <did not talk> about any politics.

8 [10.10.22]

9 Q. Very well, we will return to that shortly. You also mentioned
10 in your statements that at least, initially, you were deputy
11 director of the district hospital and that there <was always one
12 person at the head of the hospital and that that person was
13 always female>. You talked of Met, <then> Ya, and Neary Neang.
14 Can you tell us how the tasks were distributed between you and
15 the women who were officially appointed directors of the district
16 hospital?

17 A. In fact -- and as far as I observed, the female directors who
18 were in charge of general matter above me, <especially the one
19 who was my direct supervisor was the strongest>.

20 Q. Very well. You stated that those women who were directors of
21 those hospitals had no idea of medicine; you also added that Met
22 did not know how to read, can you confirm that?

23 A. Yes, I stand by my statement<>.

24 MR. PRESIDENT:

25 Thank you, Judge Lavergne. Now it is appropriate time for a break

1 so the break shall continue until 10.30.

2 Court officer is instructed to coordinate the witness and his
3 duty counsel during the break and have both of them back in the
4 courtroom at 10.30.

5 The Court is now in recess.

6 (Court recesses from 1012H to 1031H)

7 MR. PRESIDENT:

8 Please be seated. The Court is now back in session, and again,
9 I'd like to hand the floor to Judge Lavergne to continue putting
10 questions to this witness. You may proceed, Judge.

11 BY JUDGE LAVERGNE:

12 Thank you, Mr. President.

13 Q. <Mr.> Witness, is it right to say that the hospital was
14 divided into five departments: general medicine; obstetrics,
15 where women could <give birth>; medicine production department --
16 this department was divided into the production of traditional
17 medicine and the production of modern medicine; a <department>
18 that was in charge of the kitchens; and the department that was
19 in charge of training; does this <format> correspond <with> what
20 was set up at Tram Kak Hospital?

21 MR. RIEL SON:

22 A. Yes, that is correct.

23 [10.32.50]

24 Q. And can we say that you would supervise each one of these
25 departments or were you not in charge of some of these

1 departments?

2 A. For the five departments, I joined in as part of the
3 management team with the chief.

4 Q. And you said that yesterday for example, that caesareans were
5 <carried out at the hospital>; who <carried out these procedures>
6 in the hospital that you were heading?

7 A. The caesarean that I spoke of yesterday was not done in the
8 district hospital. In fact, the operation was done at the sector
9 hospital by a specialist.

10 Q. And would you yourself <perform deliveries>? And what would
11 happen if there was an emergency?

12 A. For baby delivery and if <>my medical staff could not do it
13 <and they called me for help>, then I would lend my hand to
14 assist in the process of the delivery. <I could help them in some
15 parts.>

16 [10.34.55]

17 Q. <You were> in charge of the training of your staff. <Did that
18 involve> medical as well as political training?

19 A. I was in charge only of the medical training. And for
20 political training, it was the responsibility of the female chief
21 of the hospital.

22 Q. Who was in charge of the recruitment of <> staff? Was this
23 done at the hospital level or was this done at the district level
24 or at the sector level or at the zone level? Who was in charge?

25 A. For staff recruitment, I was not involved, and the district

1 hospital did not have the authority to do so. In fact, the staff
2 were sent by the district chief. For instance, the district chief
3 would write a letter recommending or instructing that we take in
4 a female staff and that we had to provide her with training <to
5 be medic. It was the same case for male staff>.

6 [10.36.35]

7 Q. And you told us yesterday that most of the staff was female.
8 And I <also> read that Angkar did not trust people who had
9 <pursued higher education>. Angkar <favoured> peasant women
10 because they had not gone to school like <the> others, because
11 they were too busy working for the Revolution. So is that the
12 line that was followed when staff was recruited <at the
13 hospital>? Would they favour women? And would they favour women
14 who came from the peasant classes -- possibly from the poorest of
15 the peasant classes?

16 A. Yes, indeed that was the case. When a staff was sent in to the
17 hospital, the status of that staff was in a poor peasant class.

18 Q. <You> yourself you said the following: "Angkar did not wish to
19 choose people who were too educated <as they> were more liable to
20 betray it. Intellectuals could have betrayed Angkar because they
21 know how to think. I understood how the regime worked and I
22 <made> sure that I would not make mistakes." So this is at
23 <D313/1.2.409>, French, ERN 00808636 to 37. <Do> you confirm what
24 I just <read out>?

25 A. Yes, that is correct.

1 [10.39.03]

2 Q. How old were the young women or the young children that were
3 sent <to you> as <>staff to work in the hospital? How old were
4 these people?

5 A. The female staff actually was even at 13 years old. It ranged
6 from 13, <15, 17, 18 to 20 years old>, and <even> a widow with
7 two or three children. They were sent <to work as a medic at> the
8 hospital, however some widows <who worked with me>, as I
9 mentioned, they actually all died.

10 Q. These children -- because they were only 13 and we could say
11 that they were still children-- did <they> know how to read?

12 A. No, they did not. However, we provided them with some limited
13 trainings -- one or two hours session trainings. But the fact is
14 those young women did not want to study. They only studied for a
15 day or two then they stopped doing it. So <I also stopped
16 teaching and> they did not really know how to read. And even for
17 the mature women, majority of them did not know how to read.

18 [10.41.03]

19 Q. So what were their functions? Would they perform injections?

20 And <what medicine--> which kind of medicine did they have access
21 <to>?

22 A. For the younger female medical staff, they didn't involve with
23 the injections. Their main role was to clean and <boil> the
24 syringes and the needles. And for the mature female medical
25 staff, they dealt with vaccination or injection. However, usually

1 they would seek my advice. And after I went down to the patient
2 to check the status, then I would let them go ahead with the
3 injection or not.

4 Q. But I imagine that you were not present at every injection,
5 < sir >. They had to < have a certain degree of autonomy >. So
6 sometimes, were there accidents?

7 A. As for the injection, some of the medical staff did not have
8 much experience and sometimes there was reaction from the
9 injection as they pushed the liquid too early and too quickly
10 into the vein.

11 Q. And this would lead to what kind of accident?

12 A. Are you referring to the accident from the injection or from
13 any other treatment?

14 [10.43.40]

15 Q. < Very well, I am going to be a > bit clearer about this. You
16 also spoke about problems regarding the injection of serum. This
17 is in document D313/1.2.409, so again, one of your interviews at
18 DC-Cam, French, ERN 00808662 to 63; and you said the following -
19 < > regarding serum: "We < > feared that they would kill < the
20 patients after injecting-->"

21 MR. PRESIDENT:

22 Judge, please wait, and Counsel Kong Sam Onn, you may proceed.

23 MR. KONG SAM ONN:

24 Mr. President, please < ask Judge Lavergne to > give the reference
25 in Khmer < > and in English languages as well < because I cannot

1 follow the Khmer version>. Thank you.

2 MR. PRESIDENT:

3 Judge Lavergne, could you please provide the reference in English
4 and the Khmer languages, as this is a normal practice in the
5 proceedings and we also <clearly> instruct the Parties to provide
6 the relevant references <with document number and ERN>. And we as
7 Judges <of this Chamber>, I think we also have to adhere to the
8 instructions that we lay down for the Parties. Thank you.

9 [10.45.14]

10 BY JUDGE LAVERGNE:

11 Fine. <Listen,> I think I'll move on to another question because
12 I don't have the Khmer and English ERNs. <Khmer is of particular
13 difficulty for me as I am unable to read Khmer.>

14 Q. Do you remember any incidents regarding patients who died
15 after injections of serum?

16 MR. RIEL SON:

17 A. No, I cannot recall any. In fact, there was no patient died as
18 a result of serum injection <at that time>, or unless I cannot
19 recall it.

20 Q. Do you remember having received orders regarding the
21 production of traditional medicine?

22 A. On the issue of traditional medicine, the district secretary
23 instructed me to gather <>older people who <dealt with> social
24 affairs <in> the village <>to come and assist me in producing
25 traditional medicine. <Some of them knew how to cure a particular

1 disease while some others knew the medicine for other disease
2 treatment. I went to gather them.> And in fact, there were three
3 of them who came to work with me. However, they were rather old
4 and later on they died. And we produced traditional medicine from
5 tree barks and other tree leaves, and things like that. But I,
6 personally, had no experience in producing traditional medicine.
7 [10.47.33]

8 Q. <The man who went by the name of> Ta Poun who was part of the
9 office of social affairs of the district, was he someone who was
10 specialised in traditional medicine?

11 A. Ta Poun was a <master> in the area of social affairs, and he
12 was skilful in providing treatments to certain illnesses. <He
13 was a good man.> However, he died.

14 Q. And was a nurse by the name of Than also in charge of
15 producing traditional medicine?

16 A. I do not understand the questions, Judge.

17 Q. <Did> you know a person by the name of Than and who was in
18 charge of producing traditional medicine, among other things?

19 A. That name Than does not ring a bell to me.

20 [10.49.19]

21 Q. On the case file, we have an article that was published in the
22 "Searching the Truth" magazine, published by DC-Cam. This article
23 was written by Sok Khim Em. Sok Khim Em is the person who
24 interviewed you <sir> for DC-Cam and who apparently interviewed a
25 certain number of people as well. <So> the document <in question>

1 is E3/1919; French, ERN 00780396; English, ERN 00080505; Khmer,
2 ERN 00185398 to 405. I don't know the specific ERN, but I think
3 we're speaking of page 402. And the following is said: "Than, an
4 expert in traditional medicine at a hospital in Tram Kak, stated
5 that Ta Poun, the person in charge of the production of medicine
6 had ordered her to mix human gall bladders with flour and a
7 series of plants, and then to transform this mixture into small
8 pills called rabbit dung." <Does> this correspond to something
9 that you heard about or to your memory <of events>?

10 A. To my knowledge, the old man <who> produced traditional
11 medicine did not use the actual human gall bladders. In fact,
12 there was a traditional medicine tree by the name of "prommak
13 manouk" in Khmer, which literally means human gall bladder. That
14 was the name of the tree which was used for the production of
15 traditional medicine. <Now that tree is so scarce that it is
16 rarely found.>

17 [10.52.15]

18 Q. Fine. Now regarding <> modern medicine, would you receive
19 enough modern <drugs>? And would you make requests to the higher
20 level to receive such medicines? <What was the nature of reply
21 would you receive>?

22 A. As for the modern medicine, at that time, there was a shortage
23 -- a daily shortage of modern medicine at the hospital. <There
24 was so little medicine and a request was made but> we did not
25 receive it. However, sometimes the supply would come <but the

1 supply date was not exact. Some days we received medicine but not
2 much> and it would run out in a few days. And the ones that came
3 in were only for the treatment of a few specific illnesses.

4 Q. Which medicine <were you lacking> the most?

5 A. The shortage mainly was rather non-specific to me in my
6 experience because what I did in practice was that, when a
7 patient's condition became severe and we did not have the
8 medicine for his treatment, then I would refer that person to the
9 sector hospital. <So, I did not know what kind of medicine for
10 the treatment of some patients.>

11 [10.54.15]

12 Q. So the sector hospital had more medicine than you?

13 A. Of course, the sector hospital had more medicine than us at
14 the district hospital.

15 Q. And if there was a shortage of medicine, would you receive
16 orders to give the scarce medicine that you <had> to such and
17 such a person rather than to <someone else>? Was there any kind
18 of discrimination <in terms of> the treatment that was provided
19 to the patients at the hospital?

20 A. No, there was no discrimination amongst the patients. The
21 medicine <would be shared amongst the patients. If there was a
22 particular patient who was far away and could not come to the
23 hospital on time, the medicine would be shared to that person.>

24 Q. Can you tell us which modern medicine <you> produced at the
25 hospital?

1 A. In fact, <I was not better than others in terms of> medicine
2 <production>. However, the only thing that we were good at was to
3 produce the serum and liquid for the mixture of medicine. For
4 example, <I went to buy some medicine such as> B12 or B11 or
5 calcium, <camphor>, then we would produce the kind of liquid
6 specifically for the mixture of these medicines that we have for
7 the treatment of our patients. <Apart from these, there were only
8 a few other types of medicine available, but not many.>

9 [10.55.40]

10 Q. Now I'm going to turn to another subject, and I would like to
11 speak again a little bit about Krang Ta Chan. Yesterday, you said
12 that you had received a letter from the district chief asking you
13 to go to Krang Ta Chan to spread DDT because there were
14 mosquitoes and malaria was rife; is that what you said?

15 A. Yes, that is correct.

16 Q. And you said that you met there the person in charge, <the
17 head> of Krang Ta Chan and you said that his name was Ta An; can
18 you confirm <that>?

19 A. Yes, that is correct.

20 Q. And do you know if Ta An was the relative of other cadres in
21 the district? And in particular, did you hear that he was the
22 younger brother of Yeay <Poeun> (phonetic)?

23 A. I did not know if he was the elder brother of Yeay Boeun
24 (phonetic).

25 [10.58.47]

1 Q. Not Yeay Boeun (phonetic); Yeay Poeun (phonetic). But if you
2 don't know, that's not a problem.

3 You also said -- and this is on your record E319.1.22 at answers
4 125 to 128, you said that you had heard <the cries of the>
5 prisoners; can you confirm <this>?

6 A. Yes, indeed they were moaning. While I went to spray DDT
7 <insecticide near the building of the prisoners>, I heard the
8 prisoners moaning.

9 Q. According to you, how many detainees were there at Krang Ta
10 Chan?

11 A. I did not know for sure how many they were because I only had
12 a quick look at them as I was afraid, and I saw them all lie
13 down.

14 Q. Did you return to the buildings in which detainees were kept?
15 And were you told that there were insects inside those buildings?

16 A. No, I didn't enter into that buildings, and no one told me
17 that there were insects in that building. But I just made a
18 glimpse, <>I was fearful to myself. <I just heard the moaning and
19 I took a quick look at it.> And no one told me to spray inside
20 the building. I was instructed to spray DDT <insecticide outside>
21 in the bush or in the jungle nearby.

22 [11.01.32]

23 Q. Were you told to <bring> other products other than DDT <to>
24 Krang Ta Chan or that was the only product you <brought> there?

25 A. When I was there at Krang Ta Chan, I was very cautious. We

1 <were requested to spray insecticide and we> went with five
2 people <and there were five insecticide sprayers>, and then we
3 had to mix DDT before going there. And we went there and we spent
4 only 30 minutes spraying and then we returned to our place.

5 Q. However, did you take along medicines for the <detainees> or
6 alcohol for <perhaps> cleaning <or disinfecting? Did you bring
7 products? Were there any requests in that regard>?

8 A. No, I didn't bring anything along.

9 Q. You never received from the Krang Ta Chan Security Centre any
10 requests for medicines or other products?

11 A. No, I didn't receive any request from that centre.

12 [11.03.15]

13 Q. Do you remember whether in the buildings or above the
14 buildings or attached to the buildings <there> were loudspeakers?
15 Or did you hear any music <or songs> <> being broadcast on the
16 loudspeakers?

17 A. The loudspeakers were hanging on the tree but I didn't hear
18 any music from the loudspeaker that day.

19 Q. You also made mention of a person called Dan and that person
20 is alleged to have worked in the district office. Do you recall
21 that?

22 A. Dan is currently Deputy Chief of the Royal Gendarmerie at
23 Battambang province.

24 Q. <Could> you repeat your answer please because we did not hear
25 it due to an interpretation problem? <We have not been able to

1 hear your answer, sir.>

2 A. I know Dan who is currently a Deputy Chief of the Royal
3 Gendarmerie in Battambang. It is part of the military police.

4 Q. Was Dan who was a member of the district office sent to Krang
5 Ta Chan at any point in time?

6 A. I didn't know about that.

7 [11.05.50]

8 Q. Regarding the staff at the hospital, who was in charge of
9 staff discipline?

10 A. At the district hospital, there was a woman, Met <who was in
11 charge of staff discipline as I mentioned earlier>. There were
12 other female staff, they rotated from one another, including Met,
13 Neang, and <there were many female coming, so> I <forgot the name
14 of other women>.

15 Q. Were there any disciplinary problems relating to staff at the
16 hospital and what type of problems did they encounter?

17 A. The staff at the hospital did not have any serious problem.
18 The chief would instruct them to adhere to high moral and <> all
19 staff, <both> men and women, would respect well the discipline so
20 there was no problem.

21 Q. <No> disciplinary measures were ever taken against staff at
22 Krang Ta Chan? The staff always had smooth relations with the
23 <patients? Or could it be said that they treated them in a
24 disrespectful manner on occasion?>

25 A. No.

1 [11.08.20]

2 Q. Thank you. Can you tell us whether decisions were taken at the
3 level of the hospital <or> at the level of the district regarding
4 <marriages among members of staff from the> hospital?

5 A. Talking about marriage of staff, it was decided by the
6 district secretary. When I was at the hospital, I didn't know
7 about that but the district chief informed that those people
8 needed to be married and they were called to the district office
9 <>to get married.

10 Q. And according to you, were those who were to be married <aware
11 of what was about to happen>? Did they agree to get married or
12 not?

13 A. The staff at my hospital anticipated the issue and they were
14 matching and they knew each other before going for that marriage.

15 Q. So according to you, no one was forced to marry anybody they
16 did not wish to marry?

17 A. Yes, you are correct, Judge.

18 [11.10.27]

19 Q. Does the name Ing Vuth mean anything to you?

20 A. No, I don't know this name. I don't know a person called Ing
21 Vuth.

22 Q. And yet you made a long statement regarding that person but
23 it's <not a big deal>. I would like you to provide some
24 information regarding your family now. How many children do you
25 have, sir?

1 A. <>I have five children.

2 Q. Did some of your children hold any official functions whether
3 in Tram Kak district or elsewhere during the Democratic Kampuchea
4 regime?

5 A. During DK period, all my children were at Tram Kak district
6 because they were still young. The five of them were living in
7 Tram Kak district.

8 Q. Did one of your sons serve as the head of the youth in Tram
9 Kak district?

10 A. No. No one; none of my children did that.

11 Q. Did one of your daughters go to live with Ta Mok?

12 A. Yes. I have five children and I have only one daughter and she
13 went to live with Ta Mok when she was young, and she continued to
14 live with him until the collapse of Anlong Veng, and then she
15 returned home and she later married had three children now.

16 [11.13.05]

17 Q. How old was she when she lived with Ta Mok?

18 A. She went to live with him since she was 13 years old.

19 Q. Up until what age?

20 A. She lived with Ta Mok until she was 30 years old. And when she
21 returned to me, she could not read nor she can't write any Khmer.

22 Q. Do you have a nephew who was commander of a regiment <that
23 also took off with Ta Mok -- that was a regiment that was
24 answered to -- that was under Ta Mok's command>?

25 A. Yes, I have a nephew called <Sueng> Horn (phonetic), who was

1 working <>in a division which I forget, but yes, he was in the
2 military unit.

3 Q. Does the name Iep Duch remind you of anything?

4 A. No, I don't know this individual by this name.

5 [11.15.02]

6 Q. During the period of Democratic Kampuchea, did you have the
7 opportunity to go to <Leay Bour?> the Leay Bour cooperative?

8 A. Yes, I have been to this cooperative. I went to Leay Bour
9 cooperative to organise a clinic. The district chief told me that
10 the Chinese delegation will visit to the place and I was
11 instructed to organise that <commune> clinic <>to be in a proper
12 manner.

13 Q. Did you receive any medication or assistance from China?

14 A. I received that medication and aid from Cambodian cadre but
15 those medicines were from China.

16 Q. <Were> the staff at the hospital able to read the <labels or
17 the> instructions <on the> medicines <that were written in
18 Chinese>?

19 A. <My> hospital staff could not read any Chinese language or any
20 foreign language. No one could read any foreign language <>at my
21 hospital.

22 Q. But you, <you> could read in French?

23 A. Yes, I can read some French language but not very much. I
24 could read indication on the fluid bottle <>and <ampule of
25 medicine>, but I could not read very much.

1 [11.17.45]

2 Q. Let us return to Leay Bour. Who was the director-- <who was>
3 the secretary of Leay Bour cooperative?

4 A. Leay Bour cooperative chief at the time when I was there was
5 Kei (phonetic). His name is Kei (phonetic). He was called Ta Kei
6 (phonetic). He could not read nor can he write any Khmer, even a
7 consonant or a word.

8 Q. And who was below Ta Kit? Was that the district secretary?

9 A. The supervisor of Ta Kit was the district secretary.

10 JUDGE LAVERGNE:

11 Mr. President, if it is possible, I would like the witness to be
12 shown a photograph. That photograph is from a documentary, a
13 video whose reference is E3/3091R.

14 MR. PRESIDENT:

15 Your request is granted, Judge.

16 BY JUDGE LAVERGNE:

17 Let me point out about this photograph <appears at:> 43 minutes,
18 35 <seconds in the video> - <that's it.>

19 Q. <So, Mr.> Witness, do you know the person on this photograph?

20 I do not know whether that photograph can be <shown> on the
21 screen for the Parties.

22 [11.20.13]

23 MR. PRESIDENT:

24 The AV Unit is instructed to show the photo on the screen.

25 (Video recording played)

1 [11.20.44]

2 BY JUDGE LAVERGNE:

3 <No, that's not-- well anyway-okay so let> me repeat that this
4 <image> was taken <from the video> and the timing is 43 minutes
5 35 seconds.

6 <Q.> Very well, <Mr.> Witness, do you recognise this person on
7 the photograph?

8 MR. RIEL SON:

9 A. No, I don't recognise him.

10 Q. Very well. We will return to the question <that I wanted to
11 ask in relation to the reading of the documents that I-like I had
12 already begun> earlier. I now have the ERN references <in all
13 three languages. To be precise I shall be reading from
14 documents:> D313/1.2.409, the French ERN is 00808663, ERN in
15 English is 00729078, ERN in Khmer is 004118863<- I'm not sure of
16 the Khmer>. And this is what is stated regarding the serum.

17 [11.22.55]

18 "We feared that <patients would be killed by the injection>. In
19 that case, the producer would also be <incurring a mortal> risk.
20 <At first> I tested it on rats after which I could <administer>
21 it <intravenously> to <the> men. A villager who was of the 17
22 April People came to get medicine in my commune and he died on
23 the <spot, even though> the <nurse> hadn't <even withdrawn the
24 syringe yet>. <At this point we only had three vials remaining.>
25 I tested the medicine on a rat <that> immediately died after the

1 injection."

2 "I called the <nurses> and the commune chief to come and see the
3 test <that I carried out on> a dog. The dog died immediately
4 after the injection."

5 "Question: What happened when someone died?

6 Answer: Nothing, because <that person themselves> came to ask for
7 the serum <that> the care provider <administered by> injection.
8 As for the care provider, she was <stupid> and illiterate, <and>
9 especially, when she administered an intravenous injection at <a
10 person's> request, <their> death was <quick>. It <could be
11 assumed> that <the person> wanted to die like everyone else <when
12 faced with the regime's hardships>, except for myself perhaps,
13 since I <lived> quite comfortably, I always thought of my
14 survival."

15 <Has> what I've just read out to you <refresh your memory, sir>?

16 [11.24.53]

17 A. Yes, I can recall some of them, but the nurse did not<> use
18 the medicine to inject. The patient <was the one> who brought
19 with the medicine <and asked the nurse to inject for them, but
20 the nurse did not agree> and the patient told the nurse that he
21 or she <always used> this medicine in Phnom Penh, and <for that
22 reason,> the commune nurse <then agreed to inject that medicine.
23 And> the patient died <instantly> after the injection <, not even
24 after taking a needle out. The nurse was the commune nurse, not
25 district nurse>.

1 JUDGE LAVERGNE:

2 <Very well.>Thank you, Mr. Witness for patiently answering <all>
3 my questions. I do not have any further questions for you.

4 MR. PRESIDENT:

5 Thank you, Judge Lavergne and witness. Now, it is appropriate
6 time for lunch break, and the Trial Chamber will in recess for
7 lunch break and it will resume at 1.30 this afternoon.

8 And Court officer is instructed to coordinate the witness and his
9 duty counsel to take a break during lunch break and have both of
10 them back in the courtroom at 1.30 this afternoon.

11 And security personnel are instructed to bring Mr. Khieu Samphan
12 to the waiting room downstairs during the lunch break and have
13 him back before 1.30.

14 The Court is now in recess.

15 (Court recesses from 1126H to 1332H)

16 MR. PRESIDENT:

17 Please be seated. The Court is now back in session and I now hand
18 over the floor to the defence team for the Accused. You may
19 proceed now, counsel for Mr. Nuon Chea to put questions to this
20 witness.

21 QUESTIONING BY MR. KOPPE:

22 Thank you, Mr. President. Good afternoon.

23 Good afternoon, Mr. Witness. I would like to ask you some
24 questions this afternoon -- some follow-up questions and some
25 other topics. Mr. Witness, first I would like to ask you a

1 general question about District 105.

2 Q. Do you know approximately how many people lived in District
3 105 in 1979?

4 MR. RIEL SON:

5 A. I do not know how many people lived in District 105 after
6 1979. I do not know. Sorry.

7 [13.34.37]

8 Q. Do you know how many people, approximately, lived in District
9 105 in 1975?

10 A. I do not know either.

11 Q. It's difficult, I understand, for you to make an estimate but
12 would it be possible that in 1979, roughly 80,000 people lived in
13 Tram Kak district, District 105?

14 A. I am not sure but perhaps <>it is the number that you
15 mentioned.

16 Q. Mr. Witness, do you know what mortality rate means? Have you
17 ever used that in your time in DK or afterwards? The word
18 "mortality rate", does that mean anything to you?

19 A. The mortality rate refers to the number of people who died.

20 Q. Correct, Mr. Witness. Do you know what the mortality rate was
21 in Tram Kak district in 1975? In other words, do you know how
22 many people died every year in Tram Kak district in 1975, and the
23 years before?

24 A. I do not know.

25 [13.36.55]

1 Q. Mr. Witness, do you know what the mortality rate was -- in
2 other words, how many people died per 100,000 -- in the year '76,
3 '77, '78, '79?

4 A. I do not know either.

5 Q. Would you be able to tell us if, in other words, there was a
6 difference in mortality rate between the years '75 and '79, and
7 the years before? Are you able somehow to tell whether more or
8 less people died in Tram Kak district before 1975?

9 A. I do not know. I <was> not able to do so and I <did> not think
10 of the <life and> deaths of people.

11 Q. Mr. Witness, do you know more concretely how many people died
12 of dysentria -- dysentery before 1975 in Tram Kak district?

13 A. Before 1975, I was not aware of it but later, after 1975, I
14 did not <think of or know> the <exact> number of people who died
15 because of dysentery <either>.

16 Q. Do you know the number of people who died of dysentery after
17 1979?

18 A. I do not know.

19 Q. Do you know, Mr. Witness, how many people died on average
20 before '75 because of malaria?

21 [13.39.50]

22 MR. PRESIDENT:

23 Mr. Witness, you do not need to give your response. The question
24 is repetitious and you are not an expert. <The witness responded
25 to many repetitive questions clearly> already <that he did not

1 know > about the <number of> people who died of the diseases.
2 <So, the questions related to type of disease, the rate of
3 disease or the number of death,> you are instructed not to give
4 your response.

5 MR. KOPPE:

6 I am sure, Mr. President, that it is understandable why I ask
7 these questions because I think what was happening before the
8 lunch break, possibly, maybe I'm wrong, had -- all kinds of
9 inferences were drawn or might possibly be drawn from anecdotal
10 evidence on deaths in Tram Kak district so I'm trying to figure
11 out if this witness -- because he was working in a medical sector
12 -- would know anything about these kinds of general figures. So I
13 think I should be able to ask these very basic questions without
14 really going into detail. So I suppose --

15 MR. PRESIDENT:

16 You are not allowed to put such questions. The responses from the
17 witness are already clear. He does not know. <The question is not
18 just for the question. It needs to gain applicable response.> The
19 Chamber needs to hear the relevant answers to ascertain the
20 truth.

21 [13.41.27]

22 BY MR. KOPPE:

23 Very well. I'll move to another line of questioning but in
24 relation to the same subject by reading a passage from the
25 statement of this -- of you Mr. Witness to DC-Cam -- that is

1 D313/1.2.410; English, ERN 00778947; Khmer, 00418770; and French,
2 00752110. And Mr. Witness, the interviewer of DC-Cam is asking
3 you the following question -- it's on top of the page in English.

4 "Did you speak about the differences between medical
5 professionals in the old society and the developing medical
6 professionals?"

7 And your answer is: "No. Medical skills were the same, not
8 different."

9 Q. My question to you is: Am I to understand your testimony to
10 DC-Cam that according to you, there was no difference in medical
11 skills before April '75 and after April '75?

12 A. Yes, you are right.

13 [13.43.10]

14 Q. What can you tell us about differences in practices, such as
15 giving injections and all kinds of other treatments? Is the same
16 true here -- there were no differences in treatment by medical
17 personnel before 1975 and after 1975?

18 A. As for medics, they had the same <medical> treatments before
19 that time and after that time. If people had headaches, <>aspirin
20 would be administered to the patient. <Aspirin was used> before
21 1975 and <also> after that time.

22 Q. And what is your knowledge -- what is the source of your
23 knowledge when you say that there weren't any differences in
24 practices between -- medical practices -- between -- before '75
25 and after 1975?

1 A. I stated as you said because the medical book or manuals
2 <laid> out <>the same procedures<> but <the difference was>
3 between the levels of <study>.

4 Q. Thank you, Mr. Witness. What can you tell us about the level
5 of education in the sector hospital? What do you know about the
6 training of the nurses and the doctors in the sector hospital?

7 A. In the sector, I was not aware of any training.

8 [13.45.46]

9 Q. Thank you, Mr. Witness. Do you know whether before -- whether
10 the doctors and the nurses used also traditional medicine in the
11 hospitals before 1975?

12 A. Before 1975, they used traditional medicines but they used
13 such medicine very little. Before 1975, there were many modern
14 medicines.

15 Q. And how do you know that?

16 MR. PRESIDENT:

17 Please hold on, Mr. Witness.

18 MR. RIEL SON:

19 A. I myself <and my> relatives around me, when <we> got sick,
20 they would use little traditional medicine and they rather
21 resorted to modern medicine. There were pharmacies <at that time>
22 and <my relatives nearby> could go there and buy.

23 [13.47.17]

24 BY MR. KOPPE:

25 Q. Do you know if there was a difference in treatment before

1 1975, of people who had money and people who didn't have money
2 and couldn't afford modern medicine?

3 MR. RIEL SON:

4 A. From what I knew, the poor before 1975 -- they went to
5 hospital and hospitals did not charge the patient <if> they were
6 <really> poor -- or <as for injection,> they perhaps would charge
7 a very little amount of money <just for medicine>. And as for the
8 rich, the hospital would charge money as well.

9 Q. But how do you know that? Is it because somebody told you or
10 is it your own experience?

11 A. <>I was living <at the base> in the village. When a villager
12 was sick, they went to hospital and <for the poorest,> the
13 hospital would seek the letter certifying <from a village> that
14 they were the <poorest> and if the hospital got the letter, the
15 hospital would not <charge them>. And <for middle class people,
16 the hospital would not seek the letter and they> would pay only
17 little amount of money for<> medicines <but not much>.

18 [13.49.09]

19 Q. Very well, Mr. Witness. I will move on to another subject
20 within the practice of medicine in the DK period. In your
21 statement to DC-Cam -- that is, D313/1.2.409; English, ERN it's
22 page 12, 00729033; and Khmer, 00418817; you testified to the
23 researcher of DC-Cam that, generally speaking, malnutrition and
24 dysentery led to five deaths per day in the last period.

25 Mr. Witness, also in your other statements you talk about

1 dysentery. Would you be able to tell us what the causes of people
2 who are suffering dysentery when you were treating them? How did
3 they get this disease?

4 A. I knew that people did not have enough food to eat. They
5 suffered from malnutrition. They performed too much hard labour
6 and <>after a while, they contracted <the swelling nature of
7 disease and> dysentery and <then> they died. We could not use
8 <effective> medicines to cure them because of such <disease>.

9 [13.51.00]

10 Q. Mr. Witness, why are you saying that the reason the people --
11 dysentery -- get is malnutrition? Are you sure that that is the
12 cause for this disease? Could it be also bacteria or other
13 microbes within the water rather than the result of malnutrition?

14 A. The main reason was relating to the lack of food to eat and
15 too much hard labour <and> they ate <only porridge,> very little
16 of porridge <>for a few months and <a can of rice was used to
17 cook porridge for 10 to 20 people. That was not enough>.

18 Q. Who told you or where did you read that that was the cause of
19 dysentery?

20 A. People died of dysentery. No one told me. I was at the
21 hospital. The patients <who were transferred from villages>, they
22 got swelling <and dysentery> and they died afterwards. <When the
23 regime nearly came to an end -- that was half a month or one
24 month before that.> Not only five people died <per day but> 10 or
25 more than that died and the relatives of the patient would be

1 called to bring the dead back. <When all patients were
2 transferred out of the hospital, it came to the collapse of the
3 regime.>

4 [13.53.10]

5 Q. So it's -- the way I understand correctly -- it's what your
6 patients told you that make you say that malnutrition is in fact
7 the cause of dysentery? Is that what you're saying?

8 I heard you -- Mr. Witness, I heard you say "bat". Did you say
9 yes?

10 A. Yes.

11 Q. Would you be surprised if I tell you malnutrition has nothing
12 to do with dysentery or would you not be surprised?

13 I withdraw the question, Mr. President.

14 Mr. Witness, do you know anything about plans within the DK
15 regime to have proper irrigation canals and to make sure that the
16 water was clean? Do you know anything about that?

17 A. I know about it and I participated in building dams and
18 digging canals, and also digging wells for people.

19 Q. Do you know also about plans to have as much clean water as
20 possible within Tram Kak district?

21 A. Are you asking me about this time period or<> you are
22 referring to the period back in 1975?

23 [13.55.35]

24 Q. I'm referring specifically to the period between '75 and '79.

25 A. In that period, people had <freedom and enough> clean water.

1 There were wells, <canals> and ponds and there were also
2 irrigation systems to keep the water for cattle to drink.

3 Q. And do you know what the aim was to have clean water within
4 the district? Do you know why the DK regime was keen on getting
5 clean water within the district?

6 A. I know about it. They wanted to have clean water so that the
7 water could be used to farm <and could have sufficient economy >.
8 I know about it.

9 Q. Have you also heard anything about the relationship between
10 clean water and the eradication of dysentery or you never heard
11 that?

12 A. I know about it. All people went to work in the canal
13 worksite. They were in the worksites. So they would relieve
14 themselves wherever they <could> on the ground and when there
15 were rains, <people were afraid and dared not go anywhere> and
16 people, particularly workers, they would relieve themselves near
17 <the house,> the ponds and also the irrigation system <and that
18 water was used as drinking water, so it was dirty>. There were no
19 proper toilets. Many people were working in the worksites. There
20 were <hundreds of people> from <each> village and perhaps the
21 dysentery resulted from the <>excrements which were relieved near
22 ponds and lakes. <That could lead to death and we had no
23 effective treatment.>

24 [13.58.36]

25 MR. PRESIDENT:

1 Court officer, please move the microphone a little bit close to
2 the witness.

3 You may proceed now, Mr. Koppe.

4 BY MR. KOPPE:

5 Thank you, Mr. President.

6 Q. Mr. Witness, do you remember where your hospital buried the
7 people who had died in your hospital or did they -- did you
8 cremate them?

9 MR. RIEL SON:

10 A. Some people who died were cremated and some were buried and
11 the relatives <would come to help cremate the body and> would
12 bring back home the ashes. And as for <>the patients who died and
13 their relatives lived far away from the hospital, the bodies
14 would be buried in the compound nearby.

15 [13.59.44]

16 Q. Do you now -- could you be -- could you describe a little bit
17 more the compound where these bodies were buried? How far was
18 that from the hospital?

19 A. The compound for burying <> the dead bodies was about one
20 kilometre away from the hospital itself.

21 Q. And did I understand you correctly that the hospital itself
22 was about six kilometres away from Krang Ta Chan?

23 A. It could be more than six kilometres as it was rather far.

24 Q. Do you know, Mr. Witness, where Hospital 22 buried the
25 physical remains of dead people?

1 A. No, I did not. Even myself, I dared not enter that hospital.

2 Q. Mr. Witness, do you remember something about the treatment of
3 malaria in your hospital?

4 A. Yes, I recall some but not all because it's been so many years
5 already regarding the treatment <and I stopped giving treatment
6 either>.

7 [14.01.52]

8 Q. But in general, were you able to successfully treat people who
9 had entered the hospital for malaria? Were they at one point
10 cured or -- do you remember?

11 A. In fact, the treatment of malaria at my hospital was not fully
12 successful <>as not all patients could be treated. And for those
13 people who <had severe condition and> could not be treated, I
14 would refer them to the sector hospital.

15 Q. But would you be able to give a percentage? Did most people
16 who were sent to your hospital for malaria -- were successfully
17 treated by you?

18 A. For <>those patients who contracted malaria and who were sent
19 to the sector hospital, <none of those patients died. After a
20 while, those patients were seen coming back.>

21 [14.03.22]

22 Q. I would like to ask you a few questions about the spraying of
23 DDT in Krang Ta Chan.

24 Did you ever do the spraying in the hospital or did that never
25 happen?

1 A. I did not spray <the> DDT in the hospital as our hospital was
2 located in the field and not closer to any forest. <I dared not
3 spray there and if I sprayed, I would spray in the house or the
4 patient building. So, insecticide was sprayed only in the forest
5 but there was no forest in the hospital.>

6 Q. Do you remember the exact -- or the wording of the request
7 made by re-education Office 105 to you to spray with DDT the
8 facility? Do you know what An told you? What was his reason for
9 him to ask you to come to Krang Ta Chan?

10 A. On the issue of the request, and let me clarify again -- the
11 request was not made by An but it was made by the district
12 secretary for us to <spray> DDT <>at Krang Ta Chan. From my
13 understanding, An made the request to the district secretary and
14 the district secretary made the request subsequently to us.

15 Q. What was the -- what was the concern of the district? What was
16 their concern that led them to ask you to spray with DDT Krang Ta
17 Chan? What were they afraid of?

18 A. In fact, I was not sure about the concerns by the district
19 secretary but, of course, <when> we received instructions from
20 the district,<> we had to act quickly <and run to do it. I did
21 not know what his purpose was>. However, we were told to use the
22 DDT spray to kill mosquitoes where the bushes or <>the forests
23 were in order to kill the mosquitoes there and to eliminate
24 malaria.

25 [14.06.25]

1 Q. And do you know whether the prisoners profited as well from
2 the spraying of DDT?

3 A. While I was a staff of the hospital, <I thought the prisoners
4 did not profit from> the <spraying of> DDT, because <mosquitos
5 were in the building.> As we could see, we were instructed to
6 spray DDT at the forest or<> the bushes nearby, and not where the
7 prisoners were detained. So the mosquitoes <which were not
8 killed> would flee from the forest or the bushes into the
9 buildings where the prisoners stayed.

10 Q. I am not sure if I understand. Then, those same mosquitoes
11 would also infect the guards or infect the cadres who were
12 working there? I'm not sure if mosquitoes make any distinction
13 between the various people, so could you explain that again?

14 A. From what I learnt -- that is, through a medical lesson,
15 malaria is infected as a result of a mosquito bite. When a female
16 mosquito bites you, then you are infected by that malaria virus.
17 And only the female mosquitoes carry the virus for malaria. <And
18 according to the lesson, the male mosquitoes do not carry the
19 virus.>

20 [14.08.35]

21 Q. Correct, but mosquitoes don't make any distinction between
22 prisoners and guards or cadres, do they?

23 A. Of course. That is true.

24 Q. But you were making the distinction. Can you tell us why you
25 made that distinction?

1 A. No, I did not make any distinction. If mosquitoes bit
2 prisoners, prisoners would get malaria, and if mosquitoes bit
3 <the security guards>, then <they> would also get malaria. <That
4 was no difference.>

5 Q. So spraying of DDT would profit everybody in Krang Ta Chan,
6 including the prisoners; correct?

7 A. Yes, that is correct.

8 [14.09.57]

9 Q. I am asking you this question because in your statement, your
10 testimony to the Investigators, E319.1.21, in Answer 124, you
11 answer as follows. The question is: "Your estimate of the number
12 of prisoners held in Krang Ta Chan prison was based on the number
13 of the buildings; is that correct?" And then you answer: "Yes,
14 that is correct. The Khmer Rouge detained those people and
15 starved them to death." The question is: If it was their
16 intention to starve the prisoners to death, then why ask you to
17 spray DDT?

18 A. In fact, the spray of DDT was not related to the condition of
19 the prisoners. If prisoners were deprived of food, that was a
20 different matter. And from what I could see, maybe at that time
21 <the prisoners were not given enough food> because there was a
22 shortage of <foodstuff and> rice, and while I was there, my
23 observation was I did not see rice at the kitchen, although I was
24 there only for half an hour. And when we emptied a bucket each of
25 DDT spray, then we returned.

1 [14.11.50]

2 Q. Mr. Witness, you told the Investigator, and I just quoted,
3 that prisoners were starved to death at Krang Ta Chan. You also
4 gave testimony that you thought that many people died at Krang Ta
5 Chan. Did you ever yourself send, or have somebody sent, to Krang
6 Ta Chan?

7 A. No, I never did that. However, for the later part of the
8 regime, militia from the district came to the hospital and took
9 away <one of my> female medical staff. And when I went to spray
10 DDT at Krang Ta Chan, I saw her there.

11 Q. Mr. Witness, let me read an excerpt from your DC-Cam statement
12 back to you. That's D313/1.1 -- 1.2.409; English on page 22, ERN
13 00729043; and Khmer, 00418826. I don't have the French one at
14 this moment. You're asked a question by the DC-Cam investigator,
15 Mr. Witness, and the question is: "Was there any punishment for
16 moral misconduct?" And you answer: "There was punishment. I
17 sacked medical staffers, and took a medical staffer to be put in
18 Krang Ta Chan prison, whose name I forget, and who is living in
19 Tuol Roka village today." Question: "Did you know how someone was
20 tortured for such moral misconduct?" "I didn't know. She was
21 taken to cook rice in the prison."

22 [14.14.07]

23 Now maybe there's -- something went wrong with the translation,
24 but here in this document, your statement seems to suggest that
25 it was you yourself who decided to send somebody to Krang Ta

1 Chan. Is that correct or is that false?

2 A. No, that is not correct. I never sent anyone there. I was not
3 aware of her presence there. Because when I returned to the
4 hospital, I was told that Neary Han, that is the female staffer,
5 had been taken away.

6 Q. So, this female staffer, who is living in Tuol Roka village,
7 is that Neary Han?

8 A. Yes, her name is Han, Neary Han.

9 Q. I believe you were asked this question before, but I'm not 100
10 percent sure. Do you know whether she was released before the
11 Vietnamese invaded Kampuchea?

12 A. No, I was not aware of that, and only after 1979, she came to
13 my house, and when I asked her about that, she said she also fled
14 from Krang Ta Chan prison, but later on she returned to <her
15 home. After that I did not know where she was going and I never
16 saw her>. Her house, or her native village, was not in Takeo
17 province, and <>I don't know where <it was>.

18 [14.16.20]

19 Q. So you saw her after 1979, and then she told you she had fled,
20 or she had escaped Krang Ta Chan. Would that mean that she was
21 detained up until the very end of 1978, the beginning of 1979?

22 A. Yes, that is correct.

23 Q. Do you know where she is now, today?

24 A. No, I don't. I haven't seen her, and as you can see, I am very
25 old, with poor health condition. And I don't <know where she is>.

1 And from what I know, her native village is not in Takeo, maybe
2 in Kampong Chhnang province <or Pursat province. I cannot
3 remember>.

4 Q. Do you know any family of her, any relatives who would be able
5 to tell if she's still alive today?

6 A. No, I don't.

7 [14.17.58]

8 Q. Did she ever speak to you about her treatment in Krang Ta
9 Chan?

10 A. No, she did not. When she came to see me, it was for a short
11 period of time, and then she returned on her bicycle. In fact,
12 she came to me to ask for some rice. And after I gave her rice,
13 she took the rice and she left on her bicycle.

14 Q. Coming back to the reason for her arrest, and her sending to
15 Krang Ta Chan. What was the reason for her arrest? Was she
16 allegedly in the network of Kang?

17 A. When she was brought <>to my hospital to work there, I thought
18 she was sent from Hospital 22 to come and to assist us. <I did
19 not know and we just stayed and worked closely together.>
20 However, after her arrest, I was told that Neary Han was
21 implicated, along with Ta Kang from Hospital 22, and <she was
22 taken away.> That's all I know.

23 Q. But implicated for what reason? What did Kang and others, such
24 as Han, do? What was -- what was their crime? Do you know?

25 A. No, I don't.

1 Q. So you never heard anything about her alleged activities?

2 Nothing whatsoever?

3 A. Yes, that is correct.

4 [14.20.45]

5 Q. Mr. Witness, do you know who Seth is and who Duong is?

6 A. No, the names do not ring a bell.

7 Q. You spoke in your statements about a man from Hanoi who you
8 also saw in Krang Ta Chan when you were spraying DDT. You called
9 him Ta Hanoi. Ta Hanoi and Duong, could that be the same person?

10 A. No. Ta Hanoi's name was Chea. As for the later name, I did not
11 recognize.

12 Q. Thank you, Mr. Witness. I will move on to another topic. I
13 might come back after the break, but for now I would like to move
14 to another subject, and that is the following.

15 [14.22.12]

16 MR. KOPPE:

17 Mr. President, I would like to read an excerpt from a statement
18 of a witness -- that is, document E27/7.1.8; English, ERN
19 00901569; Khmer, ERN 00893276 and 77; and French, 00978648 and
20 49. Mr. Witness, this is a statement from a cadre in the
21 Southwest Zone. And he is asking -- he is answering questions,
22 and I would like to read to you the questions and his answers.
23 And then I would like to ask you a reaction. In answer A5, the
24 question is as follows:

25 "As the Kampong Svay commune chief, did you receive an order from

1 the upper echelon to arrest people?"

2 "As part of the Kampong Svay commune committee, I did not wish to
3 harm anyone who did something wrong, but the commune level had
4 the right to report to the upper echelon. I had rights to report
5 to the upper echelon, for example, when people did not have
6 enough rice to eat, and when they produced only two tonnes of
7 rice per hectare. With this regard, Grandfather Mok issued an
8 order that the commune, district and sector levels did not have
9 the authority to make arrests or kill people."

10 [14.23.16]

11 Question: "Grandfather Mok said that the district and sector
12 levels did not have the authority to kill people. Why were many
13 people killed in the district and the sectors?"

14 Answer: "I did not know either about the implementation, but I
15 recall Grandfather Mok's remarks clearly.'" "

16 And the question -- question 9: "When did Grandfather Mok make
17 this announcement?"

18 Now comes the answer that I am very interested in confronting you
19 with. The answer is: "Grandfather Mok made this announcement
20 prior to '75, during a wrap-up meeting held annually in forest,
21 participated by the commune, district and provincial committees
22 and the regiments. After 1975, there was another meeting in the
23 provincial town of Takeo, in the presence of Grandfather Mok, and
24 Soam, who was in the Sector 13 committee. They announced that
25 soldiers with the ranks from second lieutenant to colonel were

1 not to be harmed."

2 Question: "You meant that soldiers from the rank of second
3 lieutenant to colonel were not arrested? I did not know, because
4 the implementation was varied from sector to sector.'"

5 [14.25.39]

6 BY MR. KOPPE:

7 Q. My question, Mr. Witness: Did you participate or attend a
8 meeting in Takeo after 1975, where it was announced that soldiers
9 with the ranks from second lieutenant to colonel were not to be
10 harmed?

11 MR. RIEL SON:

12 A. I did not attend the meeting which was held in Takeo. However,
13 I knew that at the commune and district levels, they held a
14 similar meeting in which they announced <directly> that for the
15 people who were evacuated from Phnom Penh, and as for the rank,
16 in the military from adjutant and up, had to be purged. And as
17 for the people working in the administration, it was from the
18 deputy chief <and higher that had to be purged. I did not know
19 about the meeting in Takeo province>.

20 Q. I know that it was your testimony, and I will come back to
21 that meeting. But did you ever hear in other -- in any other way,
22 within the Southwest Zone, that officers higher than second
23 lieutenant were not to be touched?

24 A. I <only knew that> for the soldiers from the rank of adjutant
25 and up had to be purged. And for the administration, it was from

1 the first deputy chief <and higher>. They all had to be purged
2 <if they were clearly identified>.

3 [14.27.54]

4 Q. Mr. Witness, you gave a statement to the Investigators -- that
5 is, E3/551 in Question 9, and you talk about a meeting where this
6 was announced. Yesterday, you answered a question from the
7 prosecutor, that you believe the meeting was somewhere in 1977.
8 In your answer, A9, you are saying that a meeting where these
9 purges were announced was in fact held before the evacuation. Can
10 you give us some clarification as to the date of the meetings
11 that you attended? Is your testimony that there was also such a
12 meeting before the evacuation in 1975?

13 A. I cannot recall the date, but I recall the content of the
14 meeting, and I already told you about that content.

15 Q. But it is important for me to understand the date of the
16 meeting. Yesterday, you gave testimony that seemed to indicate
17 that such a meeting was held sometime in the spring of '77. Was
18 there also a meeting in which it was announced that people were
19 to be purged, before the evacuation of Phnom Penh in April '75?

20 [14.30.00]

21 MR. LYSAK:

22 Mr. President, just a --

23 MR. PRESIDENT:

24 Mr. Witness, please wait, and the International Deputy
25 Co-Prosecutor, you can proceed.

1 MR. LYSAK:

2 Yes, just an objection. Counsel is, I believe, slightly
3 misstating the testimony. The testimony of the witness, at least
4 as I recall, was that the meeting was before April 1977. He
5 didn't specify the exact month or time. The question I asked was:
6 "Was it before or after April '77?" He said "before". So, I don't
7 think he testified with any certainty as to the month or year.

8 [14.30.37]

9 MR. KOPPE:

10 The way the questions were framed, Mr. President, I understood
11 the witness to basically confirm the question, which I called
12 "leading", that it was indeed just prior to April '77, or May
13 '77. But I will ask the witness a specific question.

14 BY MR. KOPPE:

15 Q. Yesterday, Mr. Witness, you were given testimony as to the
16 meeting to which, for instance, Ta Chim attended, in which
17 instructions were given that former Lon Nol soldiers from
18 adjutant up were to be purged. You said that it was before
19 March-April '77. Can you tell us how long before? Was it weeks
20 before, or months before, or even years before?

21 MR. RIEL SON:

22 A. I cannot recall it. I only knew about the meeting but I did
23 not recall the date.

24 Q. I understand, Mr. Witness, that it is difficult to remember an
25 exact date, or a week, or even a month, but surely you can tell

1 us if it was before the evacuation of Phnom Penh and the
2 liberation of the country, in April '75? Or two years after?

3 A. It was before the evacuation of people from Phnom Penh. In
4 particular, during the time that people were being evacuated.

5 [14.32.40]

6 Q. So to be absolutely clear, you gave testimony yesterday as to
7 the meeting, for instance, to which Ta Chim attended, and you're
8 saying now that this meeting was held before the evacuation;
9 correct?

10 A. Yes, that is correct.

11 Q. Can you tell us what the reason was that you were attending
12 this meeting? What position was it that you had that gave you --
13 would give you the authority to attend such a meeting?

14 A. The meetings were held later on. While I was part of the
15 hospital, I was the representative <of district hospital> in the
16 meeting, with commune chiefs, village chiefs. And I was not
17 advised at that time. Only the commune and village <chief> were
18 warned and advised, because they were the ones who received
19 people. For me, I received only the patients who went to the
20 hospital to fetch medicine and drugs.

21 [14.34.23]

22 Q. Mr. Witness, I understand it's a long time ago, but I would
23 like to ask you, if that is possible, to try to remember this
24 meeting, the date of this meeting, and particularly why it was
25 that you were attending. What was your authority within the

1 structure? The reason why you were attending?

2 MR. PRESIDENT:

3 Please hold on, Mr. Witness. You may now proceed, Deputy
4 International Co-Prosecutor.

5 MR. LYSAK:

6 I think that's the exact same question he just asked, and the
7 witness answered, which is that he was there in his role as
8 representative of the hospital. So, I think the question is
9 repetitive.

10 MR. KOPPE:

11 It might be repetitive, but there's no absolute prohibition to
12 ask the same question in a different way in order to elicit some
13 answer. Because --

14 MR. PRESIDENT:

15 Please do not give your response, Mr. Witness. This is a
16 repetitive question. I have the right to prohibit the witness
17 from giving any response which cannot lead to ascertain the
18 truth.

19 [14.35.55]

20 BY MR. KOPPE:

21 Very well, Mr. President.

22 Q. Mr. Witness, how many people were present at this meeting?

23 MR. RIEL SON:

24 A. There were all village and commune chiefs there in the
25 meeting, and I was the representative of my hospital. And cadres

1 from various offices <in the district> were all there in the
2 meeting. But when it came to the advice concerning the purge,
3 only village, commune chiefs, militia in the commune and villages
4 were warned and advised about that. I was not warned, as for the
5 hospital personnels.

6 [14.37.00]

7 Q. My question was: Do you remember how many? Were there 10
8 people, 20 people, 50 people, 100 people?

9 A. I did not count the numbers at the time. At that meeting there
10 was no list of attendants, and we were asked whether we were all
11 there. And after that, the meeting started. There were no lists
12 of attendants.

13 Q. Who was presiding the meeting?

14 A. Ta Chim presided over the meeting. He was the district
15 secretary at that time.

16 Q. Who was -- were there any people sitting next to him while he
17 was presiding?

18 A. No one was sitting close to the district committee, because we
19 were afraid of the district committee like a tiger.

20 Q. When the meeting was held, was Takeo provincial town already
21 liberated, or not yet?

22 A. During that meeting, I did not recall it. It appears that
23 Takeo provincial town was not yet liberated <because there were
24 no people coming>. There were two meetings <>on two occasions.

25 <The first meeting was held when the people just arrived.> And I

71

1 only knew that <many> people from Takeo came to live in Ta Phem
2 <commune>. There was a meeting for those people at that time. I
3 was<> there in the meeting <because many> people had already
4 arrived at Champa Pagoda <located at the west of Angk Ta Saom
5 market>. And people were selected. For those who were the first
6 deputy would become the first deputy, and those who had the rank
7 of colonel, they would be reinstated. <However, they all
8 disappeared. That was what happened at that time.>

9 [14.40.08]

10 Q. I am not sure if I follow everything, Mr. Witness. Do you
11 remember when exactly Takeo provincial town fell?

12 A. I do not recall it. It is a long time ago.

13 MR. PRESIDENT:

14 Thank you, Mr. Counsel. It is now time for break, and we will
15 take a short break from now until 3 o'clock. <Please be back in
16 the courtroom.>

17 Court officer, please facilitate a proper room for this witness
18 and for the duty counsel <during the break>, and have this
19 witness returned together with the duty counsel into the
20 courtroom at 3 o'clock.

21 The Court is now adjourned.

22 (Court recesses from 1441H to 1502H)

23 MR. PRESIDENT:

24 Please be seated. The Court is now in back in session and again
25 the Chamber hands the floor to the Nuon Chea defence to continue

1 putting questions to the witness Riel Son. You have the floor. BY

2 MR. KOPPE:

3 Thank you, Mr. President.

4 Q. Mr. Witness, before the break we were speaking about this

5 meeting during which you said the purge of Lon Nol officials and

6 soldiers was discussed. Let me revisit this meeting. It was Ta

7 Chim you said who chaired the meeting. Do you remember his exact

8 words? Did he tell the people who attended this meeting how these

9 plans were to be effectuated? How the plans were supposed to take

10 place?

11 MR. RIEL SON:

12 A. I did not know about the arrangement for the implementation of

13 the plan, but that plan was announced. The focus was on the

14 evacuees and they spoke about the first deputy chief as I stated

15 in the administration, and also for the former soldiers <and

16 policemen>. And they had to be purged as well as their cliques.

17 [15.05.03]

18 Q. But do you remember how that was to be established? How was it

19 possible to determine from the evacuees whether they were former

20 Lon Nol officials or soldiers? How was the plan to be

21 effectuated?

22 A. On the issue of the implementation, <it was not about the

23 arrest but> it meant that those <people> would be detained after

24 they revealed that they <held certain rank,> for example, <it was

25 announced that those who were soldiers would be back to be

1 soldiers and> a major <would be reinstated and it would be the
2 same for the first deputy chief. However, they all disappeared>.
3 And even some people who did not hold any rank or were not
4 soldiers, but <in turn> claimed that they were soldiers and as a
5 consequence they also <disappeared>.

6 Q. But what I don't understand, Mr. Witness, you are saying that
7 this meeting was held before the evacuation, there was still
8 fighting going on. Was there any discussion of the role of the
9 military in relation to what should happen with these Lon Nol
10 officials or officers?

11 A. That's what we were told during the meeting. <They talked to
12 the entire meeting. They did not talk to me,> and the main focus
13 from what we could see was for the village chiefs, the commune
14 chiefs to observe about those people whether they were former
15 soldiers or the former heads in the administration. And if that
16 was the case then they had to be purged.

17 [15.07.11]

18 Q. But how was it to be established that people coming within the
19 group of evacuees were in fact officials of the Lon Nol
20 administration or ranking officers? How was it to be effectuated
21 in practice? Can you shed some light please Mr. Witness?

22 A. In fact while people were being evacuated and while they were
23 on route and not yet arrived at the base, there was a policy that
24 those people would be divided into various groups depending on
25 their rank. For example, if they were first or second lieutenants

1 then they would be put aside, and whether they were the chief or
2 deputy chief in the administration, then they would be put aside.
3 <It was announced that those who were lieutenant would be
4 reinstated and it would be the same for major lieutenant.> And
5 later on they were taken away, leaving their family members
6 behind.

7 [15.08.20]

8 Q. But, Mr. Witness, you are describing a very complicated
9 logistical operation. Can you give us some details as to how this
10 was supposed to be done? There were thousands of people coming
11 from Phnom Penh. What were the instructions given by Ta Chim to
12 implement this decision?

13 A. Ta Chim gave us the instructions as I stated. But let me
14 clarify that<> his instructions were only for <>the Tram Kak
15 district. <The instructions were not given to other people who
16 were evacuated in groups.> People would be put in the different
17 pagodas within the village and communes of the Tram Kak district
18 and for that reason all the village and commune chiefs were
19 called to attend that meeting -- that is, to monitor amongst
20 those evacuees whether they were former officials or whether they
21 were ranking soldiers.

22 Q. I will try to simplify my questions, Mr. Witness. Let me limit
23 myself to you.

24 When you left that meeting, what was the instruction to you
25 personally, what did you have to do? Can you remember that?

1 A. Yes, I recall that after I left the meeting, I returned to my
2 place -- that is, to work in the hospital and to look after the
3 patients.

4 [15.10.17]

5 Q. I don't understand, Mr. Witness. I think you said earlier, you
6 testified earlier that you didn't start working in the hospital
7 until 1976, but at the same time you're talking about evacuees,
8 which would be before 17 April '75. Are you confused maybe with
9 the dates, the date about this meeting?

10 A. You asked me about the meeting and I already responded to that
11 question.

12 Q. True, but I asked you what did you do when the meeting was
13 finished and you said you went back to the hospital. However your
14 testimony is that you didn't start working in the hospital until
15 1976. This is one and a half years after the evacuation. And
16 earlier you said that the meeting was before the evacuation. So
17 that would not seem to be possible. So my question again, the
18 meeting was finished, then what did you do?

19 A. I think I am not confused. You asked me about the period
20 before 1975 - or, rather, <before and> after the evacuation of
21 the people. Let me clarify that, in fact, I attended<> a similar
22 meeting before the evacuation of the people, <and the same
23 instructions were given> and later on after the evacuees arrived,
24 <>they spoke about similar instructions <whereby lieutenant, for
25 example, would be reinstated. That was after 1975.>. So we did

1 not actually know about the evacuation process as we were staying
2 at the base.

3 [15.12.48]

4 Q. So now you are speaking about two meetings, Mr. Witness, as it
5 seems. Was Ta Chim, the district chief, also chairing the second
6 meeting?

7 A. Yes, he presided over the two meetings that I mentioned.

8 Q. So let me get back to the first meeting, the meeting that was
9 held before the evacuation. The meeting was finished, Ta Chim had
10 spoken, you left, what was your instruction? What were you
11 supposed to do after the first meeting was finished?

12 A. At that time I was still working in the rice field as well as
13 I worked as a mechanic <before the evacuated people came> - or,
14 rather, just a handyman to build houses and to build bridges
15 along the road.

16 [15.14.15]

17 Q. Then I will repeat my earlier question. Why, as a mechanic or
18 somebody who worked in the rice fields, were you allowed to be
19 present at this meeting? What was your authority to talk about
20 the purge of Lon Nol officials and officers? Why were you there?

21 A. At that time I did not hold any specific position but I
22 received some education from Yeay Boeun (phonetic) and then I
23 <just went to attend> the meeting. <I had some education and I
24 just went to listen to what they said> and nobody said anything.

25 Q. So it is your testimony that, at this meeting before the

1 evacuation during which it was decided that many people were to
2 be executed, you were just there without any authority?

3 A. As I said I did not have any authority, however, there were
4 various groups of people: progressive men, progressive youth,
5 male youth and progressive female youth, and <those who were>
6 part of progressive men <or women could attend the meeting. Those
7 who were not progressive could not do so.>

8 [15.15.58]

9 Q. Let me move on to that second meeting. That was the meeting
10 that you said you were working in the hospital. It is your
11 testimony also that this meeting was chaired by Ta Chim. Do you
12 remember what Ta Chim said at that second meeting?

13 A. For the second meeting, he reiterated the same instructions
14 <as the first meeting> because, by that time, the evacuees were
15 everywhere in the villages and the communes and <>the chiefs of
16 the villages and the communes <were instructed> to research on
17 those evacuees about the fact that whether they were former
18 <soldiers from adjutant up or former policemen> and whether they
19 were civil servants with the position in the administration,
20 starting from the first deputy chief. And if that was the case,
21 then they had to be purged.

22 Q. You left that meeting, that second meeting. What was the
23 instruction to you specifically? What was it that you had to do
24 in the hospital?

25 A. They did not give me any personal instruction <because I was a

1 medic>. The instructions were mainly for the village chiefs, the
2 commune chiefs and the commune militia, and as I worked at the
3 hospital there was no specific instruction for me. However, as I
4 said, it was the commune militia, the commune chiefs and the
5 village chiefs who had to implement that policy.

6 [15.18.10]

7 Q. Fine, Mr. Witness. You're saying that also during that second
8 meeting these, Lon Nol officials and former officers were
9 targeted. How do you know that the people who were targeted were
10 in fact at one point in time executed? How do you know?

11 A. I knew it because <I saw it personally> as I stated earlier
12 about my older brother-in-law, on that day he <arrived at> my
13 house <and he just went up to the house for a while even his wife
14 was not yet there> and around noontime they came to the house and
15 then took him away. <That was what happened at my house>. And in
16 the case of my uncle <whose house was next to me>, he was taken
17 at night, but I did not know <who took him away but it was at
18 night. He was my wife's uncle>. And also I had another uncle <who
19 heard the announcement about reinstatement of a major, so he ran
20 with his children just to become a major but they did not allow
21 children to go along> and <then> he disappeared since. And an
22 elder brother of mine, <named Riel Oem> (phonetic), who was a
23 warrant officer in the police force <wanted to have his rank
24 reinstated>, also disappeared. And these are the examples that
25 led me to my understanding about that instruction.

79

1 Q. I understand, Mr. Witness. Are you trying to say that it was
2 your personal experience with your uncle, your brother-in-law,
3 that led you to the conclusion that the things that were
4 discussed at this meeting chaired by Ta Chim was also about the
5 execution of former Lon Nol officials? Is it only your personal
6 experience that made you give this answer?

7 A. I don't understand your question.

8 [15.20.35]

9 Q. I understand. I will rephrase. You gave me some examples about
10 your brother-in-law and about your uncle. You said that they
11 disappeared. But my question was about a meeting chaired by Ta
12 Chim. Did Ta Chim say during the meeting that Lon Nol officials
13 and officers should be executed?

14 A. Ta Chim did not use the word "execution" or "to be executed".
15 But he used the word "purged", -- that "we had to purge them".

16 Q. Let me ask you another question. Did you ever personally
17 observe any execution of Lon Nol officials or Lon Nol officers?

18 A. No.

19 Q. Are you aware that within District 105, former Lon Nol
20 officials and soldiers were re-educated and not executed?

21 MR. PRESIDENT:

22 Mr. Witness, please wait, and the International Deputy
23 Co-Prosecutor, you have the floor.

24 [15.22.13]

25 BY MR. KOPPE:

1 I'll rephrase my question, Mr. President.

2 Q. Mr. Witness, do you know anything about re-education of former
3 Lon Nol officials and soldiers, and/or officers?

4 MR. RIEL SON:

5 A. No, I did not.

6 Q. Do you know what the official title was of Krang Ta Chan? What
7 was it called?

8 A. It was called Krang Ta Chan.

9 Q. What was the official title of that place, of that centre?
10 What was the official DK title, do you know?

11 A. In fact, I myself, <and people around me were> afraid of Krang
12 Ta Chan. Krang Ta Chan was a prison <>for the detention of people
13 who committed wrongdoings.

14 [15.23.40]

15 Q. That is correct, Mr. Witness, but my question was whether you
16 know the official title of this place called Krang Ta Chan? What
17 was it called in DK terms?

18 A. Before it was turned into a detention centre, the area was
19 called Trapeang Ta Chan. Trapeang, it means a pond, <there was a
20 pond at the west called Trapeang Ta Chan> but however that name
21 was used a long time ago

22 Q. Let me help you a little, Mr. Witness. Does the name
23 Re-education Office 105 mean something to you?

24 A. I did not get it, I did not understand about the word
25 "re-education".

1 Q. Have you ever heard the word "re-education" during the DK
2 regime?

3 A. It's my understanding that I did not hear about the word
4 "re-education" <Maybe I forgot but I did not know what
5 "re-education" was>. If people made minor mistakes, <they would
6 disappear.> I don't even know where those people were sent for
7 re-education, and I did not know whether Krang Ta Chan was a
8 re-education centre.

9 [15.25.48]

10 Q. I'm not sure if I understand, Mr. Witness. One of the nurses
11 working in your hospital was sent to Krang Ta Chan. You saw her
12 when you were visiting Krang Ta Chan. Do you know what she was
13 doing there? Was she a prisoner? Or was she maybe re-educated?

14 A. I did not know. When I saw her, she was cooking rice in a
15 small cooking pot. <I did not know what they asked her to do.>
16 And when we were requested to go and spray DDT, <>that was the
17 only thing we do. We were not allowed to speak to anyone or talk
18 to anyone and we were also afraid of the centre.

19 Q. Let me ask you a question, Mr. Witness about a related topic.
20 In your statement to the Investigators, D1 -- sorry, E3/19.1.21
21 in Question 105, you were speaking about prisoners that were sent
22 to Prison 204 and in relation to that prison you spoke about
23 minor and serious offenders. Can you tell us what exactly the
24 difference was between minor offenders and serious offenders?

25 A. I am not really so sure about the distinction. People who were

1 sent to Prison 204, some of them returned while others did not.

2 But the majority of them <returned and only a few did not.>.

3 [15.28.15]

4 Q. When they returned did they ever use the word "re-educated"?

5 That after having committed this minor offence they were in fact

6 "re-educated"? Or they never said such a word to you?

7 A. No, they did not use the word "re-education". However they

8 used the word "prison".

9 Q. Mr. Witness, I will move to another topic. And that is the

10 question A10 in document E3/5511. And Investigators asked you the

11 following question, Mr. Witness, and I will quote that question

12 to you and then read the answer. We are speaking about the same

13 conference that we were discussing earlier. The question is: "In

14 the conference, were Vietnamese people mentioned?" And then you

15 answer: "Vietnamese people were not mentioned in the conference,

16 but later on all the Vietnamese people who lived in the village

17 long disappeared."

18 Do you remember giving this testimony to the Investigators?

19 A. Yes I recall that.

20 [15.30.01]

21 Q. And did you hear this during the first meeting or did you hear

22 this at the second meeting?

23 A. Which word did I hear? I really don't get your question.

24 MR. PRESIDENT:

25 Counsel Koppe, please rephrase your question, as the witness

1 doesn't understand it.

2 BY MR. KOPPE:

3 Q. I read a question to you about the disappearance of Vietnamese
4 people who lived in the village. Do you remember that this was
5 being discussed at the conference that you attended?

6 MR. RIEL SON:

7 A. After people were evacuated to my area, every meeting spoke
8 about the Vietnamese and about Kampuchea Krom, and also for the
9 meetings held at the village level, the village chiefs also spoke
10 about this issue.

11 [15.31.30]

12 Q. What was meant, or what do you mean by the word "disappear"?

13 A. I did not know; they just "disappeared". As <> for instance,
14 for the first lieutenant, their rank would be reinstated - that's
15 what they were told -- but they disappeared, so I did not know
16 what happened.

17 Q. I apologise, Mr. Witness, maybe my questioning was a little
18 bit confusing, but I was speaking about the Vietnamese, the
19 Vietnamese people who live in the village. In your testimony, you
20 used the word "disappeared". What do you mean with the word
21 "disappear"?

22 A. I used the word "disappear" because they were no longer -
23 lived in their houses; they all disappeared. All the members of
24 the family, including <their children and wife and> their
25 personal belongings all gone <at night> and we did not know.

1 Nobody knew where they went or what happened to them.

2 [15.32.52]

3 Q. Did you hear that they -- no, let me rephrase. Was it possible
4 that they were expelled to Vietnam?

5 A. I have never heard that they were expelled, sir. They were all
6 gone and I never knew that they were expelled.

7 Q. Just to be clear, Mr. Witness, we're speaking about the years
8 1975, 1976. Do you know anything about the expulsion of
9 Vietnamese people who were living in Kampuchea to Vietnam?

10 A. I do not know about this. I do not know that the Vietnamese
11 who had lived in Cambodia were expelled, because I was a medic in
12 the hospital and I was there working.

13 Q. So, is it then fair to say that you don't really know at all
14 what the fate was of the Vietnamese people?

15 A. No, I do not know.

16 [15.34.30]

17 Q. Thank you, Mr. Witness.

18 I have one or two last questions, Mr. President.

19 Mr. Witness, yesterday, at the very beginning of your testimony,
20 you used the word -- the words "cultural revolution". You
21 explained that a little bit. Have you ever read the words
22 "cultural revolution" in the "Revolutionary Flag" or have you
23 ever heard these words at the radio -- on the radio?

24 A. The term "cultural revolution", I knew this term when I was
25 young. I knew this word during the time of Mao Zedong's

1 revolution. I heard this word at that time from China.

2 Q. I understand, Mr. Witness, but did you ever read these words
3 in an official publication of the Khmer Rouge or of Democratic
4 Kampuchea, such as the "Revolutionary Flag"?

5 A. I never read it. I never saw the "Revolutionary Flag" issue, I
6 just saw the "Revolutionary Flag" at these Courts. At that time,
7 I did not see the "Revolutionary Flag", but I would like to
8 inform the Court that I was not member of the Party, that is why
9 I was not allowed to see that document. Ordinary and normal
10 people could not see or read the "Revolutionary Flag".

11 [15.36.53]

12 Q. Did you ever hear the words "cultural revolution" during
13 broadcasts of the radio station of Democratic Kampuchea?

14 A. I never heard the broadcasts of radio station. I did not have
15 a radio to tune in. I only <>have one <radio> at the recent time.

16 Q. So when -- I will read back your answer to a question to the
17 Investigators, Mr. Witness, that is Question 200 in document
18 E319121. Question: "Did you believe in the Revolution?" And you
19 answer: "Initially, I loved the Revolution, but later on, when I
20 heard of the cultural revolution, I stopped liking it right
21 away."

22 Should we now understand this answer differently, that, in fact,
23 you never heard those words uttered by DK or the Khmer Rouge?

24 A. That is correct.

25 Q. My last question, Mr. Witness, in relation to this topic: Have

86

1 you ever heard of the words "leftist" and "rightist", words that
2 were used by the Khmer Rouge or DK either in "Revolutionary
3 Flags" or on the radio? So, the words "leftist" and "rightist".

4 A. I do not know about the rightist or leftist.

5 [15.39.20]

6 Q. Let me read, Mr. President, a small excerpt from the

7 "Revolutionary Flag" of July 1976, that is on the interface,

8 document E3/4; English, ERN 00268924; and Khmer, 0062918.

9 "The conference is designated that in order to build the
10 designated Party branches in the cooperatives, it is imperative

11 to totally eradicate the leftist and rightist viewpoints:

12 Leftist, meaning not believing in the masses, underestimating the
13 mass movement, seeing all the masses as being the enemy.

14 Rightist, meaning just continuing to induct them carelessly, not
15 based on the foundation of the Party statutes."

16 Does that refresh your memory somehow, Mr. Witness?

17 A. I do not recall this. I may forget.

18 MR. KOPPE:

19 Thank you very much, Mr. Witness. Thank you, Mr. President.

20 MR. PRESIDENT:

21 Now, I give the floor to the defence counsel for Mr. Khieu

22 Samphan. You may proceed.

23 [15.41.05]

24 QUESTIONING BY MR. KONG SAM ONN:

25 Thank you, Mr. President. Mr. Witness, I have a few questions for

1 your clarification.

2 Q. In relation to your response that you came to work in a
3 district hospital, could you tell the Court when it was
4 <exactly>?

5 I read the statements and some articles. It said that <it was
6 1976 when> you were assigned by the district committee, but from
7 your testimony in relation to the buy and exchange of materials
8 for making medicines, I would like to know when did that happen
9 and when did you come to work in the hospital? Could you clarify
10 that for the Court, please?

11 [15.42.06]

12 MR. RIEL SON:

13 A. In relation to the exchange of material or buying materials, I
14 was a vendor and I bought things for sales before 1975. <After I
15 became a medic, I still went to buy those materials.> So, I
16 bought materials to make medicines in the hospital.

17 Q. My question is that, did the barter of material or the
18 exchange of material happened <before> 1975 <when> you were in
19 the hospital or did it happen <after> that time?

20 A. I became a medic after 1975. I may confuse what I was saying.
21 My house, before that time, sold medicines. I had <that> small
22 business <long time ago>, so I needed to buy materials to sell
23 for the sick. And after I became a medic, I would go and buy the
24 material to make medicine as well. I was asked to make medicines
25 by the district committee, and I told the district committee that

1 I did not have money. I was given some. And later on, when the
2 money was abolished, we used pigs or some other cattle to
3 exchange <with Vietnam> for materials to make medicine. <I would
4 get some when I went there. Later on, there was not.>

5 Q. You were the one who went to Vietnam to buy materials, do I
6 understand this correctly, or was someone else who went to
7 Vietnam to buy those materials?

8 A. I did not go into Vietnamese territory. I went to Bak Dai with
9 a few of my colleagues, and they were all deceased. <They told me
10 that they> did not have money, so I needed to take cows to go
11 there and exchange for materials. For example, we could exchange
12 <for medicine, hammock or> the string <of hammock> back home.

13 [15.45.07]

14 Q. Where was Bak Dai?

15 A. Bak Dai was the area near the border of Takeo and <Kandal
16 province>. It was in the south of the country.

17 Q. Was Bak Dai close to the border <of Vietnam>?

18 A. There was a stream which was used to demark the border of
19 Vietnam and Cambodia, and <the North of the stream is Cambodia
20 and the South of the stream is Vietnam>.

21 Q. How often did you go there?

22 A. <Only until> we ran out of soap and medicines, I <would ask>
23 the district committee to go there and fetch some. So how could I
24 go there easily <because it was very far>? At the time it was not
25 difficult to go there <because I knew Ta Chong>. Ta Chong was the

1 brother of Ta Mok and he was in the district <committee 55 which
2 was in Prey Kabbas district>. I told him when I needed to get the
3 pig <or cow> to the border to exchange for materials <with
4 Vietnam> and <>Ta Chong would discuss with the Vietnamese that
5 the Vietnamese would come to get the pig <in exchange for
6 medicines>.

7 [15.45.58]

8 Q. How often did you go there? Was it once or twice a month?

9 MR. PRESIDENT:

10 Please wait, Mr. Witness.

11 MR. RIEL SON:

12 A. I went there twice a year, at the beginning of dry season and
13 another occasion at the end of the dry season.

14 BY MR. KONG SAM ONN:

15 Q. How much medicine did you get per time?

16 MR. RIEL SON:

17 A. I did not obtain many medicines <because at last> the money
18 was abolished, at the time, I exchanged two cows with <medicine
19 such as> four <bottles of B12 and penicillin, as well as about
20 half kilogram of calcium> and I could get camphor and also B11.
21 <I cannot recall all. I just got little medicine to mix up just
22 for personal use.>

23 [15.48.43]

24 Q. Thank you very much. I would like to ask you for your

25 clarification concerning your duties. In your testimony, I heard

1 you <sometimes> said you were the deputy chief of the hospital,
2 and on some occasion I heard you said that you were head. Were
3 you promoted to be a head of the hospital?

4 A. No, I was not promoted. I was the deputy hospital until the
5 liberation.

6 Q. Thank you very much. In relation to the structure of the
7 hospital, you stated that there were five sections or
8 departments: general department, and delivery department,
9 medicine production department, kitchen, and also agriculture
10 <and training> section. There are contradictions in some of the
11 statement <in which some documents it was about agriculture while
12 your testimony was about training>. Could you clarify for the
13 Court about the five sections or departments in your hospital?

14 A. Actually, there was one section in charge of the agriculture.

15 Q. I want to know about the general section or department in your
16 hospital. <How many medics or personnel who had expertise or were
17 trained for medical treatment? If there was any, what was their
18 expertise>?

19 A. In each section, actually, we had no professional medics, but
20 <there were people who> could handle injection or they could
21 administer the medicine. <There were three people in each group.
22 For some male groups, I participated in it personally>.

23 [15.51.56]

24 Q. Thank you very much. In relation to the trainings, you state
25 that you underwent two training, one for six months, and another

1 one for three months. What about other personnel in your
2 hospital? I would like to know, the personnel who were in general
3 section, <>did they get their training?

4 A. Upon my return from the training, I convened a meeting for
5 most of the staff in the hospital and the training would be held
6 for a group of staff <for two sessions. It was one week per
7 session>, and at another occasion it would be held for other
8 staff <because I was the one who went to join the training and
9 they were working in the hospital, so when I came back, I had to
10 train them>.

11 Q. How often were the personnel there trained?

12 A. I was in the district hospital. There was one training a
13 month, <at the end of the month>. And in my <district> hospital,
14 I would hold a training once a month <despite a few or many
15 participants>, but when there was a big event, we would not hold
16 the training.

17 Q. You mentioned that you held the training once a month, and did
18 the training only happen for the staff in the hospital?

19 A. Yes, I held the training for my staff.

20 [15.54.08]

21 Q. What about the delivery section? Were the staffers trained?

22 A. For delivery section, I was the trainer as well, because I
23 knew how to help delivering a baby, and I also invited midwives
24 <nearby> to join and address the training. And I brought some
25 experience and example in the training. For example, when a

1 pregnant woman could not deliver the baby, <or there was
2 bleeding, for example, in case of placenta previa,> I would seek
3 help from midwives nearby. And if the pregnant woman had
4 difficulty in delivering a baby because the lady was small <and
5 had narrow hips, honestly we would drill the baby's head and took
6 out the baby in order to save the mother's life.>

7 Q. Where <>did you receive <the knowledge of midwife> from?

8 A. I knew how to help people deliver baby from my wife, because
9 my wife was a midwife <in the villages>. She had been a midwife
10 for long. She was not professional. Later on, I obtained the
11 training; my wife also obtained the training in delivery. <She
12 was more skilful.>

13 [15.56.25]

14 Q. Thank you very much. I have paid attention to your testimony.
15 You stated that you gave injection and also you gave treatment to
16 patients before you become the deputy head of the hospital in the
17 district. I would like to know where did you learn how to inject
18 and treat patients?

19 A. In the former <regime>, when I was single, when I was about
20 <17> or 18 years old, I was studying in Phnom Penh. I stayed in a
21 pagoda, but I would not sleep in the pagoda. I would go and sleep
22 at the hospital, because I had a <few> friends <working> in one
23 of the hospital. My friend taught me about how to give injection
24 <and give medicine to the patients. As time passed, I got the
25 knowledge> and there were midwives in the hospital, <Preah Ket

1 Mealea Hospital>. So, <they could teach me some and I myself also
2 had hand-on experience quite a lot.>

3 Q. So how long did you <practise it informally such as giving
4 injection or giving medicine to the patients> in <the> hospital?

5 A. I do not <recall> how long. I could give treatment to patient.
6 I was in this profession for about three or four years.

7 MR. KONG SAM ONN:

8 Thank you very much. Mr. President, I would like to adjourn my
9 line of questioning now, because the international counsel has a
10 <short> request he would like to put before the Chamber.

11 [15.58.50]

12 MR. PRESIDENT:

13 You may proceed, Mr. Koppe.

14 MR. KOPPE:

15 Yes, thank you, Mr. President. We would like to use this last
16 five minutes of today's hearing to request some clarification,
17 because only 20 minutes ago we were notified of a filing by the
18 Prosecution indicating another 226 statements coming our way. Not
19 saying that I'm getting instantly depressed about this, but maybe
20 I am. Is this something on top of the 190 statements that were
21 coming or? We would like to know what this is about, that's why
22 we'd like to use the last five minutes and thought maybe the
23 international prosecutor could answer the question.

24 MR. PRESIDENT:

25 Thank you, Mr. Koppe. You have the floor now, Deputy

1 International Co-Prosecutor.

2 [15.59.57]

3 MR. LYSAK:

4 I'll be brief, Your Honour. My understanding is that pursuant to
5 the International Co-Investigating Judge's authorized the bulk of
6 the remaining statements that were requested for disclosure and
7 that therefore this is, as we've indicated, there is a
8 significant number of statements still remaining to be disclosed.
9 I can't give you the exact number of how many remain, but it's a
10 small number. My understanding is they've now approved. So,
11 obviously it's a lot of statements. The good news is that they've
12 been approved for disclosure now, rather than waiting till later
13 stages of the case.

14 While I'm on my feet too, I would just note for the record that
15 counsel should perhaps take a look at E3/281, pages 00168050 and
16 168073. These are public statements from Nuon Chea and Khieu
17 Samphan praising the cultural revolution.

18 MR. KOPPE:

19 In China.

20 [16.01.22]

21 MR. PRESIDENT:

22 <Mr. Kong Sam Onn,> I would like to know how much time you will
23 use for putting your question to this witness.

24 MR. KONG SAM ONN:

25 Mr. President, I will need to use much time for this witness.

1 MR. PRESIDENT:

2 It is now convenient time for adjournment. The hearing will
3 resume tomorrow on <Thursday, 19> March 2015, starting at 9 a.m.,
4 and we will resume the hearing of the testimony of this witness,
5 <Mr. Riel Son> and after that the reserve witness <2-TCW-822>.
6 And the Chamber will hear the request of the Civil Party Lead
7 Co-Lawyer to hear the <testimony of Civil Party> D22/2500 <which
8 is requested through the document E344. Please be informed and be
9 on time>.

10 [16.02.34]

11 Thank you, Mr. Riel Son, the hearing of your testimony does not
12 come to an end yet. You are invited to be here to give your
13 testimony tomorrow, starting from 9 a.m. Now, you may be excused
14 to your place.

15 Court officer, please facilitate with WESU to send Mr. Witness,
16 Riel Son, to his destination and have him returned into the
17 courtroom before 9 a.m. tomorrow.

18 Thank you, Mr. Duch Phary, the duty counsel for this witness. You
19 are also invited to participate in the proceedings during the
20 time this witness gives the testimony before the Chamber
21 <tomorrow>. Perhaps it will take only one whole morning in
22 relation to his testimony to be testified.

23 Security personnel, you are instructed to bring <the two accused>
24 Khieu Samphan and Nuon Chea back to the detention facility <of
25 ECCC> and have them returned <before> 9 a.m. tomorrow.

1 The Court is now adjourned.

2 (Court adjourns at 1603H)

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