



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

ឯកសារដើម
ORIGINAL/ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ (Date): 21-Jun-2017, 11:42
CMS/CFO: Sann Rada

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

8 May 2015
Trial Day 280

Before the Judges: NIL Nonn, Presiding
YA Sokhan
Martin KAROPKIN
Jean-Marc LAVERGNE
YOU Ottara
THOU Mony (Reserve)

The Accused: NUON Chea
KHIEU Samphan

Lawyers for the Accused:
SON Arun
LIV Sovanna
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:
CHEA Sivhoang
Maddalena GHEZZI

Lawyers for the Civil Parties:
TY Srinna
VEN Pov

For the Office of the Co-Prosecutors:
Vincent DE WILDE D'ESTMAEL
SONG Chorvoïn

For Court Management Section:
UCH Arun
SOUR Sotheavy

I N D E X

MR. EK HOEUN (2-TCW-822)

Questioning by Judge Lavergne page 3
Questioning by Mr. Liv Sovanna page 11
Questioning by Mr. Kong Sam Onn page 45

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MR. DE WILDE D'ESTMAEL	French
MR. EK HOEUN (2-TCW-822)	Khmer
MR. KONG SAM ONN	Khmer
JUDGE LAVERGNE	French
MR. LIV SOVANNA	Khmer
THE PRESIDENT (NIL NONN Presiding)	Khmer
MS. SONG CHORVOIN	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0902H)

3 MR. PRESIDENT:

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

5 Today the Chamber continues to hear the remaining testimony of Ek

6 Hoeun via a video link.

7 Ms. Chea Sivhoang, please report the attendance of the Parties

8 and other individuals at today's proceedings.

9 THE GREFFIER:

10 Mr. President, for today's proceedings, all Parties to this case

11 are present. Mr. Nuon Chea is present in the holding cell

12 downstairs. He has waived his rights to be present in the

13 courtroom. His waiver has been delivered to the greffier. The

14 witness who is to continue his testimony, Mr. Ek Hoeun, via a

15 video link is ready. And the AV Unit informs the Chamber that the

16 link has been established. Thank you.

17 [09.04.06]

18 MR. PRESIDENT:

19 Thank you. The Chamber now decides on the request by Nuon Chea.

20 The Chamber has received a waiver from Nuon Chea, dated 8 May

21 2015, which notes that due to his health -- that is, headache,

22 back pain, he cannot sit or concentrate for long, and in order to

23 effectively participate in future hearings, he requests to waive

24 his rights to participate in and be present at the 8 May 2015,

25 hearing. He advises that his counsel advised him about the

2

1 consequence of this waiver, that in no way it can be construed as
2 a waiver of his rights to be tried fairly or to challenge
3 evidence presented or admitted to this Court at any time during
4 this trial.

5 [09.05.03]

6 Having seen the medical report of Nuon Chea, by the duty doctor
7 for the Accused at the ECCC dated 8 May 2015, who notes that Nuon
8 Chea today has dizziness and severe back pain when he sits for
9 long, and recommends that the Chamber so grant him his request so
10 that he can follow the proceedings remotely from the holding cell
11 downstairs.

12 Based on the above information and pursuant to Rule 81.5 for the
13 ECCC Internal Rules, the Chamber grants Nuon Chea his request to
14 follow today's proceedings remotely from the holding cell
15 downstairs via an audio and visual means.

16 AV unit personnel are instructed to link the proceedings to the
17 holding cell downstairs so that he can follow the proceedings
18 remotely. And that applies for the whole day.

19 Good morning, Mr. Ek Hoeun.

20 [09.06.16]

21 MR. EK HOEUN:

22 Good morning, Mr. President.

23 MR. PRESIDENT:

24 Let us resume our session to hear your testimony. Are you ready?

25 MR. EK HOEUN:

1 Yes, I am.

2 MR. PRESIDENT:

3 Any fellow Judges of the Bench wish to put questions to the
4 witness? Yes, Judge Lavergne, you have the floor.

5 [09.06.47]

6 QUESTIONING BY JUDGE LAVERGNE:

7 Yes. Thank you, Mr. President. Good morning, Mr. Ek Hoeun. I have
8 a few questions for you. First of all, can you tell us whether
9 when you were working <at your post in> Tram Kak district, you
10 witnessed or heard of visits conducted by Democratic Kampuchea
11 regime leaders in the district and in particular at Leay Bour,
12 which appears to have been a model cooperative? Did you hear of
13 any such visits conducted by the leaders?

14 MR. EK HOEUN:

15 A. No, I do not know about such a visit. And I myself was not in
16 a leadership role within the district committee. <I was one of
17 the workers. If you wish to know as to what specific tasks or
18 roles I had,> I think such matter <could> be explained in details
19 by Ta Chim. <Ta Chim himself was a district deputy secretary.>

20 [09.08.13]

21 Q. Did you hear of an office referred to as Office 870? And if
22 yes, do you know what it was meant for?

23 A. No, I do not know about Office 870. However, while I worked as
24 a worker at Chup and I picked a paper from a basket, and Ta Chim
25 was working there. <He asked me not to look at the content of the

1 paper but I could use it to roll my tobacco for smoking. Having
2 heard that I looked at the paper,> and on that paper, there was
3 an instruction to purge all the enemies <immediately as there
4 were many of them> within the cooperatives <and unions>. And it
5 was signed by Comrade Kheang on behalf of Office 870 committee,
6 and the date was in October. <I did not trust my eyes so, I took
7 the paper to the clerk> of Ta Chim <to help me confirm it,> and
8 he also told me that the signature was Kheang's signature -- that
9 is, comrade Kheang's signature. But I did not know <anyone by the
10 name of Comrade> Kheang <who> was a <staff> member <>of Office
11 870 or it could <be> just <an> anonymous letter that I found in
12 the basket.

13 [09.10.12]

14 Q. Was that letter in the form of a telegram or was it <a letter>
15 signed in the hand of Comrade Kheang?

16 A. When I asked about the signature and I was told that that was
17 <Comrade> Kheang's signature. <I myself also saw the signature of
18 Comrade Kheang.> But I did not know that person. <I never heard
19 the name before.>

20 Q. And what were the contents of that letter? Were there any
21 instructions in it?

22 A. I just told you the content of that letter.

23 Q. Can you please repeat them in order for us to understand
24 clearly? And <> tell us whether those instructions were acted
25 upon; were the instructions implemented after that document was

1 received?

2 [09.12.03]

3 A. The content of the letter that I found in the basket --
4 actually I used it in order to roll my tobacco -- <I was told not
5 to read the content but I did, and> it said that, "Comrade, you
6 need to purge all the enemies urgently in the cooperatives and in
7 the <unions>, as there were many enemies." Signature, <Comrade>
8 Kheang, Office 870 Committee and the date was October. <That's
9 what I saw.> And that instruction was not acted upon because on
10 the 12th of that month, at <5.30 p.m.>, the Vietnamese troops
11 arrived in Chup, and we all fled.

12 Q. I am not sure I have properly understood what you are saying
13 because it appears that you were referring to the month of
14 October. And if I <understood correctly, based on> the date in
15 which you arrived in Chup, that was in October 1978. And now,
16 you're telling us that on the 12th of the same month, Vietnamese
17 troops arrived at Chup. So are you referring to the 12th of
18 October 1978? And is it your testimony that on that date,
19 Vietnamese troops arrived <in Chup, is that correct>?

20 [09.13.55]

21 A. I saw the <circular> in October. And I moved to Chup on the
22 8th of August '78. And then by October, I saw that circular or
23 letter. And in December -- that is, on the 31st of December 1978,
24 at about 5.30 in the afternoon, the Vietnamese troops attacked
25 <our headquarters in> Chup, and then we fled the office. That's

6

1 all I can recall. But I know the day that we fled -- that is, on
2 the 31st of December around 5.30 in the afternoon.

3 Q. Very well. Let us deal with another topic. During your
4 interview before the Co-Investigating Judges' investigators, you
5 referred to an incident. <The term> is not perhaps very
6 appropriate, but you talked of 90 Khmers who were allegedly
7 executed. These were Khmers from Vietnam and who had been
8 assigned to work at the Khpob Trabek worksite <> to dig a canal.
9 You stated that you were informed that Ta Mok was angry <with>
10 Pech Chim because Pech Chim <allegedly> ordered the execution of
11 those 90 Khmers. Can you please provide more details regarding
12 those executions and tell us when that happened, if that happened
13 <at all>?

14 [09.16.29]

15 A. I cannot recall the exact date of the event. However, when the
16 dam was being built, it was before the country was liberated. And
17 that happened around 1974 <that Khpob Trabek dam was built>. At
18 that time, all kinds of people from all walks of life <in the
19 province> were gathered to build that dam, including the <monks,
20 the Cham, the> Vietnamese and the Chinese. And Ta Mok brought the
21 Vietnamese who were in <Tram Kak district of> Cambodia into the
22 exchange program for the Cambodians living in Vietnam. And then
23 they were taken to dig the <Khpob Trabek> canal <toward the
24 south>. And <200 people> were given to Ta Chim. But Ta Chim was
25 annoyed, as at night time, those people engaged in various

1 activities including stealing <plates and pots by throwing them
2 into the water>. So then he ordered the execution of <> 90 <of
3 them at bomb craters located the west of the dam worksite or to
4 the north of Damrei Romeal mountain>. And later on, Ta Mok asked
5 about the 90 people, and Ta Chim said he - they had been killed
6 <for misbehaving>. And then Ta Mok was angry and asked for the
7 reasons of the execution. <After that, Ta Chim did not say
8 anything.> And that's all I know around the event of the
9 execution of those 90 people.

10 [09.18.03]

11 Q. According to what you know and to the best of your knowledge,
12 can you tell us whether Ta Chim could have decided alone to
13 execute those people or whether he needed the authorisation of
14 the upper echelon<>?

15 A. He did not receive any instruction from above. He made his own
16 decision to kill those people. And that was the reason Ta Mok was
17 mad at him. <Ta Mok could even bury his son up to his neck if his
18 son had arbitrarily killed anyone. So he was very mad at Ta
19 Chim.>Ta Mok would get <very> mad <if he happened to have
20 knowledge of any execution>.

21 Q. Now you tell us that Ta Mok was angry. Were <there then> any
22 sanctions imposed on Ta Chim? because it would appear that he did
23 not comply with the instructions of the upper echelon.

24 A. No. No sanction was imposed. But he was angry with Ta Chim
25 openly, but Ta Chim was not punished for that act.

1 [09.20.09]

2 Q. I would also like to properly understand the procedure whereby
3 people considered as the enemy were executed. If <I> have
4 properly understood what you have told us, the communes were not
5 empowered to decide the execution of persons considered as the
6 enemy on their own; did I understand you correctly?

7 A. Yes, that is correct and that's what happened.

8 Q. I would like to quote an answer you gave in document
9 E319/8.2.4. It appears to be answer 134. Previously, you had
10 referred to the Prey Khmaoch Kaun Khmeng execution site. That
11 execution site <that> is translated as "the forest of child
12 ghosts". And <in more general terms,> you subsequently spoke
13 generally of execution sites. And this is what you stated. I am
14 quoting in English because the document is only available in
15 English: "Regarding those killing sites, I think the communes
16 must have killed New People in secret, on their own." Now, do you
17 recall making that statement? And if yes, what did you mean by
18 that?

19 [09.22.54]

20 A. The communes did not kill the New People secretly. <No member
21 of the New People to Trapeang Thum commune disappeared.> Anyone
22 who had a conflict with the commune chief would be killed in
23 secret. <This type of execution took place without the knowledge
24 of the upper level.> But this does not mean <any members of> New
25 People <or Base People could> be killed by the commune. No, that

1 was not the case. And only the district level had the authority
2 to <make such a decision>.

3 Q. Should I take it then that apart from the Prey Khmaoch Kaun
4 Khmeng execution site we referred to earlier, there <were> other
5 execution sites in the commune? And were those execution sites
6 secret? <Is that essentially what we are supposed to take from
7 that?>

8 [09.24.31]

9 A. <People were not taken away from the commune to be killed at
10 Prey Khmaoch Kaun Khmeng.> For the Prey Khmaoch Kaun Khmeng, that
11 was a well-known open killing site, and it was far from <both>
12 the <communes of Samraong and Trapeang Thum Khang Tboundg>. People
13 were gathered and brought them to the authority at the district
14 level. <So I do not know as to how and where those people were
15 killed or dealt with> by the district Angkar. <In fact,> Prey
16 Khmaoch Kaun Khmeng <had been well-known even before 1970 where>
17 children <who had> died <of chicken pox or measles were>
18 buried<>. And that area was previously known as <Prey Samor
19 (phonetic) or> Prey Lang.

20 [09.25.37]

21 Q. I will perhaps simplify my question, sir. Apart from those
22 execution sites, were there other places where the enemies or
23 persons considered as enemies were executed?

24 A. No. Because for all the conflicts, the resolution meant those
25 people would be sent <by> the district, that is, to Yeay Khom <at

10

1 her house located about 200 metres away to the north of Prey
2 Khmaoch Kaun Khmeng. So Yeay Khom took all of them to> that area
3 -- that is, Prey Khmaoch Kaun Khmeng. And to my knowledge, there
4 was no secret killing site elsewhere.

5 Q. Very well. To be sure that I have finally understood you
6 clearly, can you tell <if you were aware of> how certain commune
7 chiefs could have proceeded to carry out executions without
8 informing the district<.>

9 A. I did not know anyone who was executed by the commune. Usually
10 bad people would be <reported> to the district, and that is after
11 a thorough investigation by the <district soldiers>. The commune
12 would send a report to the district, and the district would send
13 its soldiers to arrest that person, and the person would be
14 brought before Yeay Khom. <The commune did not carry out any
15 execution themselves. But there were some secret executions in
16 every commune without the knowledge of the Angkar>.

17 [09.28.18]

18 Q. Did people, who lived in the Tram Kak district before the
19 arrival of the New People, act by way of reprisals against
20 evacuees who had arrived in their villages? Did you hear of any
21 acts of <vengeance>?

22 A. In fact the Old People were prohibited to call the people who
23 came to the area as New People or 17 April People. And that was
24 very strict policy. And <they had to consider them brothers and
25 sisters. The Khmer Rouge members upheld this policy very well.

11

1 They did dare to cause any> conflict or discriminate<> against
2 New Person, <or> that Old or Base Person would be sanctioned,
3 maybe to carry earth <alone>, and that we had to have a mutual
4 respect for one another. <I observed that Base People and New
5 People love each other.> And that's what I saw on the ground, and
6 that's what happened <in Tram Kam district when I went around
7 asking for vegetables in various villages. I observed this
8 respect and attitude throughout the district.> And people <were
9 polite, and> had<> good moral to one another. <They complied with
10 the regulations very well.> And if somebody violated that
11 principle, the person would be sanctioned to carry earth during
12 the day time or under the hot sun.

13 JUDGE LAVERGNE:

14 Thank you, <Mr.> Witness. I have no further questions to put to
15 you.

16 [09.30.27]

17 MR. PRESIDENT:

18 The Chamber will now give the floor to the two Defence teams.
19 First to the Nuon Chea defence so that the Nuon Chea defence
20 counsel may put questions to witness Ek Hoeun.

21 QUESTIONING BY MR. LIV SOVANNA:

22 Good morning, Mr. President. Good morning, Your Honours. My name
23 is Liv Sovanna. I'm one of the Nuon Chea's counsels. Hello, Mr.
24 Ek Hoeun. I am Nuon Chea's defence counsel, and I would like to
25 put to you a certain number of questions.

12

1 Q. Yesterday around 3.45 in the afternoon, you said that meetings
2 were held in which instructions had been issued to <village
3 chiefs to> build homes and to give -- provide rice to <New
4 People>. So I would like to know the exact dates <> these
5 meetings were held.

6 MR. EK HOEUN:

7 A. No, I did not attend such meetings. So I did not know what was
8 being discussed <in> those meetings, but I did see <lots of> rice
9 being given -- rice that had arrived from China. <The rice was to
10 be distributed to workers.>

11 [09.32.02]

12 Q. <But yesterday> you said that the objectives had been set for
13 the <villages> to build homes and to find rice for the evacuees.
14 So where did you get this information from?

15 A. I did not say that or not all of that. I was -- the village
16 <and commune> chiefs were simply asked to go greet the evacuees
17 <at Champa Leu> and to place them in <their respective villages
18 or communes including Samraong, Trapeang Thum, Tram Kak while
19 houses had> already <been made> available <in the liberated
20 zones> because the Old People had gone outside to work <or had
21 been appointed village or commune chiefs elsewhere>. So <those
22 empty> houses <were to be offered to> the New People <to settle
23 in the villages. So they did not need to build new houses>.

24 Q. Based on what you said, document <E305/13.23.451>, Khmer ERN,
25 <0096889>; in English, 00050182; you answered to DC-Cam that you

13

1 would offload supplies and rice, rice that was to be given to the
2 Phnom Penh evacuees. You said there were two of you to offload
3 these <60> bags of rice <off two trucks> and that it was very
4 difficult <as you had to do it day and night>. Another question
5 that was put to you: "Was the rice to be given to the evacuees?"
6 And you answered, "Yes." Yesterday at around 3.50 in the
7 afternoon, you said that you were the person offloading <Chinese
8 aid of> these bags of rice as well as the supplies <to be
9 distributed to the New People>. And this <continued up until>
10 1976 <when the Chinese aid ran out>. So I would like to ask you,
11 what was the exact date <in 1976> when the Chinese aid <ran out>?
12 [09.34.40]

13 A. In 1976, it was around November, so the Chinese aid was
14 suspended. It was during the harvest. So when Cambodia had
15 harvested the rice paddies, China stopped providing aid.

16 Q. Thank you. In Tram Kak district, in which year and in which
17 month did common eating start?

18 A. I don't understand your question clearly.

19 Q. In which year and in which month was the common eating hall
20 set up <in Tram Kak district>?

21 A. In 1973. This already happened in the villages. And in
22 <1974-1975>, this started happening at the commune level. So
23 there were two common eating halls <in a commune>. Back then, it
24 was a bit difficult to implement because some people who would
25 return from work would not have enough food <since other

14

1 travellers would eat there too>. So this led to fights between
2 the cooks and the workers on worksites. <So some workers did not
3 have anything to eat by the time they had lunch break and extra
4 rice had to be prepared for them. So it was already 1.00 or 2
5 p.m. when they had their lunch, and they were late for work.
6 Those workers then were criticized when they were late. And the
7 workers would put the blame on the cook.> So Ta Mok came to the
8 <eating halls and asked> why people would eat in the common
9 dining halls. And some answered, "Well, you are the one who told
10 us to do that. You are the one who issued that instruction". <Ta
11 Mok said he was not aware of that, and he left. The next day,
12 people not from 5-6 villages, but 10 villages came to eat at the
13 eating hall. People from the whole commune ate at only three
14 eating halls. As a result, there were many problems with that
15 regard. People did not have enough to eat>. And the <gruel> was
16 really thin because there were more people than before.
17 <Moreover, we had to work 24 hours a day. I myself had to go
18 around feeding on wild leaves. I almost vomited to death. I
19 became very hungry>.

20 [09.37.40]

21 Q. My question is going to centre on the period from 1975 to
22 1979. So <after the fall of Phnom Penh in 1975, did people> in
23 Tram Kak <district start eating> in the common dining halls?

24 A. We started eating in the common eateries in <March> 1973. And
25 in each village, there was a kitchen and a common eatery.

1 Q. Do you know in which year common meals stopped?

2 A. In 1979 <when the Vietnamese came>. And then I fled to the
3 <Dangrek> mountains<> in <July 1980, and> Son Sen asked <us> to
4 continue eating in the common eatery until the year 2000.

5 Q. When you would offload supplies and rice at the Tram Kak
6 district office, did you ever hear about instructions asking <the
7 district> to improve the living conditions of the population?

8 [09.39.30]

9 A. I never heard anything of that kind. What I would only do
10 would be to receive supplies and food, and then to distribute all
11 of that during the day, if the supplies arrived during the day,
12 or at night if the supplies arrived at night. And Ta Mok
13 <strictly ordered us to distribute supplies and rice to> people
14 <immediately upon receiving them regardless it was day or night,
15 not to store it at the warehouse. On one occasion, the supplies
16 and rice were instead stored at the warehouse of Trapeang Thum
17 commune rather than distributed to the people, and Ta Mok> asked
18 me, "Why didn't you distribute the supplies and the medicine <to
19 Trapeang Thum commune>?" And I said, "Yes, yes, I did it." And
20 then he <said, "Why did people come to me for medicine?" And I
21 said, "I don't know." He then asked me to go and check it. I>
22 went to see a member of a commune <who was in charge of the>
23 warehouse where medicine was stored. <I then asked the man, Chorn
24 (phonetic) as to where the medicine was stored. He told me that
25 on the order of Ta, the medicine was not to be distributed but

1 stored in the warehouse. I told him to go and distribute the
2 medicine immediately as Ta was aware of what was going on. So the
3 medicine was distributed to people on that day. This is the
4 summary of the event>.

5 MR. PRESIDENT:

6 <Thank you, Mr. Witness.> Please speak more slowly because you're
7 speaking too fast. And please stop for a little while between the
8 questions and the answers because you're being interpreted into
9 French and into English. And therefore, it is difficult for the
10 interpreters to catch all of the information in English and in
11 French. So Counsel, please also slow down or mark some kind of
12 interruption so what is said can be completely translated.

13 [09.41.37]

14 BY MR. LIV SOVANNA:

15 Thank you, Mr. President. I will continue.

16 Q. Did you ever see <or know> cooperatives producing in excess
17 and other cooperatives that did not produce enough? And was there
18 any kind of sharing system between the cooperatives?

19 MR. EK HOEUN:

20 A. Yes. The communes would <manage> this kind of sharing <as>
21 supplies <were> distributed <sufficiently by the district.
22 Supplies were distributed to kitchens>. But the problem occurred
23 when the cooks would steal rice or food. <For example, 20 people
24 were to receive 10 milk cans of rice, while in reality, only five
25 milk cans of rice was cooked for them. Workers then started

1 complaining about the watery gruel, and as a result, the commune
2 would also look into the matter. After their research, it was
3 discovered that cooks had stolen food supplies. So they were
4 dismissed.

5 [09.43.08]

6 Q. When you were at the <commerce> office of the district, did
7 you receive <> reports <from any commune> stating that <they were
8 short of> food supplies <and asked the district for help>?

9 A. Yes. Many communes did not have enough food. And even in Leay
10 Bour, <500> people died of hunger. <Trapeang Thum commune was
11 short of food supplies, and it had to ask for food supplies from
12 Nhaeng Nhang commune, but no matter how hard they tried, Nhaeng
13 Nhang commune could not supply enough for the people in Trapeang
14 Thum commune. However, thanks to the cassava that they grew in
15 the bushes for saving their lives.>

16 Q. So this means that cadres at each level tried to solve these
17 food shortage problems?

18 A. Yes. Because each time that we would receive food supplies,
19 the food supplies were distributed in the same way. But the
20 problem was that the cooks would sometimes steal food for
21 themselves.

22 Q. So when you were at the district office <before> you went to
23 Kampong Cham in October 1978. So where were you living at Tram
24 Kak at that time?

25 [09.45.00]

1 A. I was born in <Trapeang Thum Khang Tboundg commune,> Tram Kak
2 <district>, Takeo province. <It was in either June or July of>
3 1978 <when> I was at the district office<, and Ta Soeun was
4 bringing three men from Kaoh Andaet district. The three men, the
5 district secretary, the district deputy secretary and the
6 district member were> arrested<>. And I was lying on my bed <in
7 the house>. He <abruptly opened the curtain and it injured me on
8 my neck. When I turned to look at him, he directed his flashlight
9 right in my eyes. I then asked him what he was looking for. I
10 asked him to direct his flashlight away from my face as I could
11 not see. I was still lying down, so I turned my face to the east.
12 And> he continued pestering me, <but I asked him to stop. He then
13 walked away from me to the west, and was yelling for Ta Chhoeun
14 (phonetic). Cheal (phonetic) was yelling back, and said that Ta
15 Chhoeun (phonetic) had left home, only Ta Hoeun was around.
16 Finally, Cheal (phonetic) took him to Ta Chhoeun (phonetic).
17 Chhoeun (phonetic) then came to me and asked what I had done to
18 those from Kaoh Andaet. I said I did not do anything to them as I
19 could not even recognise them.> We shook hands. He said to me
20 that there were three people <at the car. Ta Chhoeun (phonetic),
21 the> office chief <was actually sleeping at a nearby place, but
22 Cheal (phonetic) said that he had gone home. Ta Chhoeun
23 (phonetic) received> the three people who were then sent to the
24 re-education centre <of Meng (phonetic)>.
25 Q. When people were ill, were they allowed to take off from work?

1 A. When people were ill; they were sent to the hospital. And the
2 unit chief would send them to the hospital without this requiring
3 any kind of authorisation.

4 Q. Now with regard to pregnant women, what were the tasks that
5 were given to them?

6 A. There were midwives back then. <When it was coming to> the
7 tenth month of pregnancy, they could stay home -- the pregnant
8 women could stay home and they could deliver normally <with the
9 assistance of a midwife>.

10 [09.48.06]

11 Q. How long could these women rest after delivering?

12 A. One month. My wife was also given a month. And after the one
13 month maternity leave, then she went to dig up dirt like everyone
14 else.

15 Q. Yesterday at around 4.02, you said that with regard to
16 marriages, if both parties did not agree to the marriage, the
17 women would be sent to a cemetery so that they would become
18 afraid. And they would then ask the groom to come console her for
19 them to get back together. But even after that, they still didn't
20 manage to get along. What had to be done? <Could they get
21 divorced?>

22 A. Well, <Khmer Rouge> were kind and docile. And of course, we
23 cannot force the girls. And if the girls did not agree, we could
24 not force them. Certain women in fact would scratch the men --
25 the grooms. <And the grooms would report to office chief, but the

1 office chief> would then ask the couples to no longer stay
2 together. <Some girls refused to live with their husbands who
3 were suffering from ring worms or leprosy.>

4 Q. So this means that there were no threats and there was no
5 coercion <for them to live together; is that correct?>

6 A. Yes.

7 [09.50.19]

8 Q. You said yesterday that monks would go and work with lay
9 people, and that they <were> defrocked one after the other. <Just
10 a moment ago>, you said that some monks would take part in the
11 building -- took part in the building of the Khpob Trabek dam in
12 1974. So I would like to ask you if <you> started <to be
13 defrocked> in 1974 then.

14 A. Yes, it was in 1974 <when> Angkar asked <all of> us to build
15 dams and to dig canals<, and there was no separate food for
16 monks. We ate collectively>. So therefore indeed monks defrocked
17 to come work with the local population. And other monks even went
18 to the battle front. <So monks were defrocked during the period
19 between 1974 and> 1976. <Abbot Neou (phonetic),> a member of Ta
20 Mok's family <who was the province's deputy abbot,> did not want
21 to defrock, and he went to the forest to stick to his faith. And
22 Ta Mok still tried to prevent him from doing so. <Ta Mok would
23 convert that pagoda into a stable when this relative went to live
24 in that pagoda. Ta Mok did all he could to disturb the monk.> And
25 in 1976, he <left monkhood>. And Ta Mok married him to a girl and

1 he refused to consummate. <It took the man six months to
2 consummate with his wife>. And then, he was appointed <by Ta Mok>
3 to the logistics committee <of the Southwest zone>.

4 [09.52.22]

5 Q. <Did monks defrock voluntarily or forced in 1974>?

6 A. No. No. In fact, it wasn't something compulsory. <They were
7 not forced> to do that. It's not -- since nobody could make
8 offerings<. People had to eat collectively. And if anyone failed
9 to follow the regulation, he or she would not have anything to
10 eat. It was already hard enough to eat one's fill; thus, it was
11 impossible to spare any food for the monks. Moreover, they always
12 ended up building dams and canals. Monks forced themselves to
13 defrock.>

14 Q. So you spoke about Soeun who was part of the Kaoh Andaet
15 district committee. And you kicked him apparently, and he wanted
16 to kill you following that. So I would like therefore to ask a
17 few questions to you regarding that. This is at document
18 E305/13.23.451, Khmer ERN, 00968893; English ERN, 00050186 - 87.
19 And you said, "When the person was taken away, <that man left
20 without bidding me a farewell. With resentment, he> went to see
21 the district chief <for> permission to <get me executed. He had
22 been lobbying him from 10 p.m. of that evening until 6 a.m. of
23 the following morning, trying to convince him to get me killed.>"
24 And in another -- in the same document, 00968805, Khmer; English,
25 <01050194: you said that, "I would have been killed. Soeun also

1 attempted to have me killed. He once spent the whole night
2 convincing the district secretary to give him permission to have
3 me killed. I knew he wanted me dead because the following morning
4 of that same day,> my messenger <rushed to me with some
5 information that I was wanted for an execution because I kicked
6 the brother who was in charge of Kaoh Andaet. He came to me with
7 that information early in the morning when I was about to wash my
8 face. As soon as I heard this I quickly took my motorcycle and
9 off I went to the Provincial Office to meet with Ta Kith. When I
10 met him I told him that I was wanted dead. He asked me who wanted
11 to kill me. I told him that Soeun from Kaoh Andaet did. He said
12 who the heck assigned Soeun to be in charge there in the first
13 place. He said he met him once but the guy was rather arrogant.
14 The guy was too economical with his words. Even though he was
15 trying to make him talk to him during the accident when his car
16 skidded into the ditch he did not want to. He sent his messenger
17 to tell Soeun that he wanted to see him. Since that messenger was
18 from the same village as mine, I told him to keep me informed of
19 Ta Kith's decision regarding my execution. My messenger then went
20 to call Soeun (Kaoh Andaet) and returned at 2 p.m. When Soeun
21 came, Ta Kith challenged him. He asked why he--">

22 THE INTERPRETER:

23 Mr. President, the interpreter cannot follow.

24 [09.56.18]

25 MR. PRESIDENT:

1 Counsel, please put brief questions to the witness because the
2 interpreter has a hard time following you. <The International>
3 Deputy Co-Prosecutor, please proceed.

4 MR. DE WILDE D'ESTMAEL:

5 Mr. President, <it is customary, before this Chamber, to
6 reference> the ERNs in the three languages if possible. I know
7 that the lawyer is new to us here, but there is <also> a French
8 ERN. And I really cannot find the excerpts that are read out,
9 especially since they're read out so fast that I have the
10 impression that the interpreter is only translating half of what
11 you are saying. So for me, in any case in French, I <absolutely
12 cannot> find the segment in question. So if you have the French
13 ERN <that> would be very helpful. If not, it may be useful to go
14 a bit slower so that we could locate the segments in question.
15 Thank you <very much>.

16 [09.57.42]

17 BY MR. LIV SOVANNA:

18 Thank you. I apologise for this. I did not find the French ERN.
19 It's true. I in fact only found only the English and Khmer ERNs.
20 So -- but following this, I will have no longer any passages to
21 quote. So let me get back to the text.

22 Q. "<He asked why he abused his power by threatening to shoot and
23 kill people arbitrarily. He said it was lucky that the person he
24 had threatened to kill was this Comrade. If that happened to
25 another person, he or she would have been smashed already."> In

1 another document, <E319.1.31> at answer <48>, you said, "When
2 Soeun became the district chief of Kaoh Andaet, he arrested three
3 former district <committees> at Kaoh Andaet and had them
4 executed." So I would like to ask you if <a> district <secretary>
5 had the <rights> or the mandate to arrest and bring people away
6 to <be killed as you stated>.

7 MR. EK HOEUN:

8 A. <Yes, that's true.>

9 [10.00.24]

10 Q. My next question in is reference to document, E319.1.31. At
11 question and answer 29, you <made> a statement before the
12 Co-Investigating Judge that Ta Mok had a relationship with deputy
13 Cheal (phonetic), a third deputy during the Sangkum Reastr Niyum
14 era, but Yeay Khom took that deputy Cheal (phonetic) to be
15 killed. And yesterday, you said that Ta Mok spoke about Cheal
16 (phonetic)<> three <times during different> meetings, and that
17 Cheal (phonetic) was a woman and was not a spy nor an enemy and
18 why she was taken and killed. So my question to you is to ask for
19 clarification why Ta Mok placed emphasis on the death of this
20 deputy Cheal (phonetic). Allow me to rephrase my question. Why Ta
21 Mok said that the deputy Cheal (phonetic) was not a spy nor an
22 enemy and why she was taken away and killed?

23 A. Indeed Ta Mok always tried to get the reason for the killing
24 of any individual. <He tried to prevent any type of killing.> And
25 in that instance, the person was a friend. <He was angry.>

1 [10.02.44]

2 Q. Does it mean the killing of Cheal (phonetic)<, the deputy> was
3 done by Yeay Khom who was the District 105 <or Tram Kak>
4 committee; is that correct?

5 A. Yes, that is correct. <Whatever decisions Yeay Khom made, she
6 did it all by herself.>

7 Q. On the issue of killing the 90 people who were part of the
8 exchange programme from Vietnam, was Ta Mok aware of the
9 execution or was he informed only after the killing had taken
10 place?

11 A. No, he was not informed or reported <of the case before or
12 after the execution>. And only when he went to inspect the
13 <canal> worksite and he asked Ta Chim about the 90 people <was he
14 told by> Ta Chim <in a somewhat agitated mood>. Then said that
15 because those people involved in stealing things, and that he
16 decided to have them all executed. And upon that, Ta Mok became
17 angry.

18 Q. Does it mean that the decision to execute those people was
19 made solely by Ta Chim who was district secretary, and it was not
20 a policy from <> Ta Mok?

21 A. Yes, that is correct. <Such an instruction or policy did not
22 come from Ta Mok.>

23 [10.04.41]

24 Q. My next question is in reference to document E319.1.32 at
25 question and answer 63. My <apologies>, actually I already asked

1 this question, and I move on. Let me move to another document, --
2 that is, <E319/8.2.4> at question and answer 24. You stated
3 before the Co-Investigating Judge that, and let me quote:
4 "Answer 24: <Yes, that's right. For instance, the province sent
5 reports with the names of the people to be arrested annotated in
6 red ink to districts, and> then the <districts> would <send the
7 reports to the communes. Then the communes would arrest the
8 people whose names were annotated in red ink. Finally, the
9 arrestees would be> sent to Yeay Khom."
10 My question to you is the following, and as you stated, for those
11 people whose names <annotated> in red <ink> were arrested and
12 sent to Yeay Khom, and how did you know about the <annotation> in
13 blue or in red?
14 A. <It means that the decisions regarding those names annotated
15 in red ink had already been made by> the communes, the district
16 <and the province>. If the <person's> name <was> circled in red
17 ink, the person would be arrested and <taken to Yeay Khom, and
18 the case would not be negotiable.> And if another person <whose>
19 name <was> circled in blue, the person would be arrested and sent
20 to the district <office>, and the district would send <him or
21 her> to the re-education office <as he or she could have
22 committed minor offense>. And this kind of practice was observed
23 on the ground <every day>. And I myself <saw those letters that
24 they had thrown into> the <rubbish bin>.
25 [10.07.20]

1 Q. Was there <any> meeting where such instruction on the
2 <annotation> of names in red or blue ink was <discussed>?

3 A. From what I observed, <any letters from the province regarding
4 arrests were usually with names annotated in either red or blue
5 ink. But I did not know at which level the decision was made with
6 that regard>.

7 Q. At -- in the same document, <E319/8.2.4, at answer 25,> you
8 were asked about the role of Yeay Khom. And you said that <she>
9 was a member of the province <or> Sector 13, and that her office
10 was about 200 metres <to the north of a> killing site <so-called>
11 Prey Khmaoch Kaun Khmeng. And a while ago, you said people were
12 arrested and sent to Yeay Khom. And in your OCIJ statement, <at
13 answer 25,> you said that Yeay Khom was a member of Sector 13.
14 Can you tell the Court whether the arrest order was initiated by
15 Yeay Khom or by someone else?

16 A. The plan from the above was clearly laid out -- that is, all
17 the capitalists, feudalists, reactionaries, had to be purged and
18 then the decision would rest on Yeay Khom to implement that order
19 <or the plan. As a result, many> people <were> arrested,
20 including middle class capitalists, former soldiers, <policemen,
21 teachers, retired soldiers> or public servants. <Eventually,
22 there were very few people in the villages as many of them had
23 been arrested.>

24 [10.09.29]

25 Q. So you said capitalists, feudalists or former officers were

1 arrested under the reign of Yeay Khom. Did such arrest continue
2 after Yeay Khom's era?

3 A. Such event took place as early as 1970 -- that is, after the
4 coup d'état to topple Sihanouk, and the Khmer Rouge people came
5 out from the forest to strengthen and reinforce their
6 administrative structure in various communes in <Khpbob Trabek>,
7 in Trapeang Thum <Khang Cheung, Cheang Tong, Trapeang Thum Khang>
8 Tboung, in Samraong, in Kus, and in Nhaeng Nhang. So the Khmer
9 Rouge came to these eight communes to organise their
10 administrative structure. And <the arrests took place just on the
11 following days. People> would be arrested -- that is, those who
12 fell into the class of capitalist or of feudalist, or anyone who
13 owned <just a small> rice mill or rice threshing machine, they
14 would be arrested. And even someone <with 10-20 mango trees and
15 coconut trees on their property and> who had a barn with rice
16 stock would also be arrested as they were accused of being a
17 middle class capitalist. So everybody <throughout the villages,
18 the communes and the districts> was so afraid of being arrested
19 at that time.

20 [10.11.14]

21 Q. Allow me to clarify one matter. Your response was in relation
22 to the arrest prior to 1975; am I correct?

23 A. Please repeat your question.

24 Q. My question is the following. In fact, previously, I asked you
25 whether the arrests were -- follow the orders of Yeay Khom. And

1 after Yeay Khom, were there other arrests? And you said that the
2 arrest actually started since 1970 -- that is, after the coup
3 d'état, and that the Khmer Rouge reinforced their administrative
4 structure in the area<, and arrests began>. And my question to
5 you is the following -- that is, the arrest following the red ink
6 circle, and then those people were sent to Yeay Khom. Did it
7 happen before or after 1975?

8 A. It happened around 1975 and '76. And from March 1976, "Yuons"
9 were arrested. And by August <'77>, then the arrests stopped
10 because those people had already been arrested. And we were kind
11 of living<and fearlessly. Ouch then became a district secretary
12 as he was a brother-in-law of Ta Mok. Since then, there were no
13 more arrests as the country became independent.>

14 [10.13.01]

15 Q. After Yeay Khom stopped or was no longer the District 105
16 committee, no further arrest was made; am I correct?

17 A. In 1976, Ta Chay purged the "Yuons" in District 105 and that
18 purge plan <from the above> was <carried out> by Ta Chay. <Ta
19 Chay was someone who upheld the 10 Buddhist precepts. He neither
20 killed men nor animals>. Commune chiefs were called <by him> to a
21 meeting at the district, and I overheard what they said during
22 the meeting as I served them refreshment. They spoke about the
23 plan to arrest the "Yuons" and to send the "Yuons" back to
24 Vietnam. And Ta Chay said that there were no longer any "Yuons"
25 because all the people now they were all Cambodian <citizens by

1 then, and that they have lived here for ages, and their children
2 have all grown up. It was impossible for him to arrest those
3 people.>

4 [10.14.21]

5 Q. Thank you. Now I move on to another question. Since you have
6 known Yeay Khom and in your statement, Yeay Khom also wanted to
7 kill you, can you then tell the Court the -- can you describe
8 Yeay Khom?

9 A. Yeay Khom would not be comfortable without killing anyone. She
10 would not sit still until someone was killed. <She would go
11 around and have people arrested in broad daylight. She was not
12 afraid of anyone. She would go around threatening and
13 intimidating people.> And she really hated those kinds of people
14 as I described -- that is, the capitalists, feudalists, and
15 reactionaries. <And everyone hated her.>

16 Q. In the transcript on the 5th May 2015, when Khoem Boeun
17 testified at 10.06.51, Boeun said, "Khom was different from us.
18 She was kind of psychiatric or crazy, but it was on and off. And
19 that's how I know her". In addition, in the statement of Pech
20 Chim who testified on the 24th April 2015, at <13.58.59>, he
21 <stated> that, "At that time, we try our best to find a treating
22 physician. And then we could find a Vietnamese physician for the
23 treatment of her psychiatric symptom. She had a mental problem.
24 However, she was very strict, and she would mean what she said.
25 And that was the time that she fell ill". And my question to you:

31

1 Do you agree <with> the statements by Yeay Boeun and Ta Chim on
2 the issue that Khom had a psychiatric problem?

3 [10.17.42]

4 A. No, I don't agree. <Yeay Khom lived in an office about 100
5 metres away from my house, to the north of Krang Ta Chan>. She
6 was not crazy or psychiatric. She was normal. And every day, she
7 would go and arrest people <arbitrarily>. And <they were saying
8 so> because these two individuals<, Yeay Boeun and Ta Chim> were
9 subordinates to Yeay Khom, that's why they <were trying to hide
10 things about> her. <As a victim myself, I am not in the position
11 to do so. I was mistreated.>

12 MR. PRESIDENT:

13 Thank you, Counsel. It is now appropriate for a short break. We
14 take a break now and return at 10.35.

15 Mr. Ek Hoeun, we rest a little bit. And please return to the room
16 at 10.35.

17 MR. EK HOEUN:

18 Thank you.

19 MR. PRESIDENT:

20 The Court is now in recess.

21 (Court recesses from 1018H to 1037H)

22 MR. PRESIDENT:

23 <Please be seated. The Court is now back in session.

24 Good morning, Mr. Ek Hoeun.> Are you ready, Witness?

25 MR. EK HOEUN:

1 Yes, I am ready.

2 MR. PRESIDENT:

3 Thank you. The Chamber is now going to give the floor to the
4 Khieu Samphan defence so that the Khieu Samphan defence counsel
5 may put questions to the witness - or, rather, the Nuon Chea
6 defence counsel is given the floor.

7 [10.39.02]

8 BY MR. LIV SOVANNA:

9 Thank you, Mr. President.

10 Mr. Ek Hoeun, I would like to put questions to you in relation to
11 Yeay Khom. Based on your observations, was Yeay Khom someone who
12 was kind or was she wicked?

13 MR. EK HOEUN:

14 A. She was very wicked. She supervised the harvests and she saw a
15 lady carrying her baby, so she asked the lady to leave her baby
16 aside in order to help <>push her car <when the lady was
17 reluctant to help her push the car>.

18 Q. Was she someone who would obey the orders from the higher
19 echelon? <Or she just made up decisions herself?>

20 A. No. She would do everything upon her own decision. She <did>
21 not <receive> orders from the higher echelon. Since she was part
22 of the sector committee, <she could have received permission from
23 the sector committee to do certain things. She> did not receive
24 orders from the higher echelon. She simply would speak to the
25 members and then she would do as she wished.

1 [10.40.30]

2 Q. I would like to <ask you another question in relation to>

3 document E319/8.2.4 at question 54 - or, rather, question 34.

4 Before the Co-Investigating Judges you put a question -- or they

5 put a question to you:

6 "So those who were arrested were sent to Prey Khmaoch Kaun Khmeng

7 forest. After the fall of the Khmer Rouge regime, many execution

8 sites were discovered. Could you therefore explain or give us

9 clarification in that regard?"

10 And you answered then: "Communes would kill members of the New

11 People upon their own decision."

12 So according to your observations, the communes were not entitled

13 to carry out such executions. Is that the case?

14 A. There were no orders of that kind. The commune chiefs would

15 <carry out such executions> upon their own decision, because

16 often people were sent to Yeay Khom for issues involving

17 execution.

18 Q. <I have some questions regarding> document E127/7.1.8, this is

19 a document that concerns a witness who was a commune chief, the

20 commune chief of Cheang Tong commune. Do you know Sao Van?

21 A. No, I never heard about him.

22 [10.43.00]

23 Q. Was he the chief of Cheang Tong commune, and he had been

24 transferred to Sector 25, is that the case?

25 A. No, I never heard that name.

1 Q. At question and answer 25, he answered that: "By being part of
2 the commune committee, I am not envious of anyone but I was
3 allowed to report to the higher echelons. That was the only power
4 I had. 'Ta Mok ordered the <commune, the> district and the sector
5 to not carry out arrests or executions'."

6 At question and answer 7 - rather, at question and answer 9, he
7 said that "<Ta Mok made such an announcement before> 1975, during
8 an annual assessment meeting in the jungle, to which the commune
9 committees attended as well as the <districts and provinces> and
10 regiments, <and> after 1975, another meeting was held at the
11 Takeo town, at the provincial <centre>, with Ta Mok's
12 participation, during which Saom, who was the head of Sector 13
13 stated that it was forbidden to touch the Lon Nol soldiers from
14 the rank of second lieutenant to colonel."

15 Do you agree with the testimony of this witness who said that the
16 sectors, the districts, and the communes were not allowed to
17 carry out arrests <and execution of people>?

18 A. No, I am not aware of all of this. I only was aware of what
19 was happening at the commune and district levels <because I
20 resided in the district office, and the communication between the
21 district and the communes> I cannot say anything about this
22 issue.

23 [10.46.00]

24 Q. Now I am going to move on to another topic. During yesterday's
25 hearing you said that at Prey Khmaoch Kaun Khmeng forest,

1 children had been buried there before 1970 and then after 1970,
2 Lon Nol soldiers were killed there. And you also said that at the
3 beginning of the 1990s - rather, in 1979, <when the Vietnamese
4 were invading Cambodia,> people sought refuge in this forest
5 where they were shot. Earlier you said that executions would only
6 happen in that forest. So my question is: If the skulls in that
7 forest were the skulls of the people who had been slaughtered
8 <during the Democratic Kampuchea between 1975 and> 1979 - or,
9 before 1975. So was it before 1975 or after <7 January> 1979?
10 A. These skulls -- as I said, the bodies <had been buried or>
11 cremated <prior to 1970 and there had been no skeleton remains on
12 the ground>, so the skulls that we saw after 1970 were the skulls
13 of the people who had been killed after 1970. <And those
14 executions were likely to be carried out in a secret manner, and
15 this also applied in other places. As for Yeay Khom, she only had
16 people killed there at Prey Khmaoch Kaun Khmeng, not anywhere
17 else.>
18 Q. Yesterday, at around 2 p.m., you said that in 2000, skulls
19 found in Prey Khmaoch Kaun Khmeng had been gathered <and stored>
20 at Krang Ta Chan. So I would like to know where you got that
21 information from.
22 A. In 2004, I went back to my home village, <Trapeang Prei
23 village, Trapeang Thum Khang Tbound commune> which is <400-500>
24 metres away from Krang Ta Chan. In fact, I forgot your question.
25 [10.49.31]

1 Q. Let me repeat my question. You said that the skulls that had
2 been found in <Prey Khmaoch Kaun Khmeng> forest were <stored in a
3 barn> at Krang Ta Chan. So I would like to ask you, who gave you
4 that information?

5 A. I don't know <whether it was> the local authorities <or the
6 local people who> built that warehouse <at Krang Ta Chan> to
7 store the skulls <gathered from the forest> because the forest is
8 located about <50 metres> away from Krang Ta Chan. <The two
9 locations were separated by a road.> The skulls - well, in fact
10 the Khmer Rouge only killed adults. <I also saw small skulls
11 there; thus, I assume that those were the skulls of children died
12 after 1979.> And the people working under the Khmer Rouge regime
13 would <carry their stuff in baskets and> go to that forest, and
14 <when the Vietnamese entered the country> in 1979 <> skulls of
15 little children as well <as adults were discovered in the
16 forest>, so I don't know if the local people or the authorities
17 <who> built this warehouse to store these skulls <in
18 approximately 2000>. In 2004 <when I went to visit my home
19 village>, that's what I <saw and> was told.

20 Q. So when you were working at the commerce office in Tram Kak,
21 did you ever see or ever hear about Krang Ta Chan?

22 A. <The commerce office?>

23 Q. The Krang Ta Chan office was created under Democratic
24 Kampuchea. You were working at the district, so did you ever hear
25 about the centre?

1 [10.52.02]

2 MR. PRESIDENT:

3 Please hold on, Mr. Ek Hoeun. <International> Deputy
4 Co-Prosecutor, please proceed.

5 MR. DE WILDE D'ESTMAEL:

6 Yes, I would like to rectify <the misrepresentations that were
7 uttered>. <First of all,> the office was created way before,
8 because <technically> Democratic Kampuchea dates back to 1976,
9 therefore it's not correct. <Secondly,> this question is
10 repetitive; he already answered that question yesterday; he
11 already said he was not aware of that centre during the regime
12 and that he only learned about that centre <later>.

13 MS. SONG CHORVOIN:

14 Mr. President, <for the record,> yesterday the witness said
15 during the hearing -- it was at 10.10.06 -- and the witness said
16 that he learned about the existence of <Krang Ta Chan> only in
17 the year 2000, so he never made any statements <about his
18 knowledge> in that regard under the Democratic Kampuchea regime.

19 <Thank you.>

20 [10.53.15]

21 BY MR. LIV SOVANNA:

22 Well, now I would like to move on to another topic.

23 Q. Mr. Ek Hoeun, you stated that <your father was a village chief
24 in the Sangkum Reastr Niyum, while> your mother was Vietnamese
25 and therefore you were not a desirable person, and because of

1 that, were you ever sent to a re-education centre because of your
2 undesirable origins?

3 MR. PRESIDENT:

4 Mr. Ek Hoeun, did you understand the question? You are not
5 answering the question I see.

6 Counsel, please repeat your question to the witness. Please turn
7 on the microphone.

8 [10.54.31]

9 BY MR. LIV SOVANNA:

10 So, the question: Given the fact that you had undesirable
11 origins, were you ever summoned <for a study> or were you ever
12 placed in a re-education centre?

13 MR. EK HOEUN:

14 A. Well with regard to my <political tendency>, I was not the
15 only person concerned. Many other people were concerned by this,
16 and we were never sent to be re-educated because of that. They
17 would only <go around and talk about the capitalists, the
18 feudalists,> the CIA agents or KGB agents<, and since I had
19 fallen into the category, I> was afraid. <Personally, I was never
20 sent to be re-educated or refashioned.>

21 Q. Yesterday you said that a re-education centre was located at
22 Angk Roka and those who had committed moral misconduct were sent
23 there to be re-educated for a period of less than six months.
24 Then they were released. So, did you ever come close to the
25 centre, and how often, if that was the case?

1 A. The centre was located 100 metres away from where I was
2 working. <I went in and out of the place every day.> And since my
3 work was very hard, they asked some prisoners to come help me and
4 the lazy ones had to spend six months in the centre, and those
5 who were assiduous could leave the centre <to go back home> after
6 <a month and a half>. <So they were working very hard. Those who
7 were lazy stayed there longer.>

8 [10.56.30]

9 Q. Thank you. Now I would like to speak to you about the Cham.
10 You said that the Cham and the <Khmer> and the monks would also
11 work on worksites. Were the Cham and the Khmer working separately
12 in compliance with the policies issued by the higher echelon?

13 A. I never said that there were Cham in District 105.

14 Q. Thank you. Now I would like to move on to another topic which
15 pertains to the Lon Nol soldiers and to the Lon Nol officials.
16 You stated that the evacuees had been gathered within the Champa
17 Leu pagoda and then biographies had been drawn up and that the
18 soldiers and the officials of the Khmer Republic had been taken
19 away. So I would like to ask you where they were taken away to.

20 A. Well, <there was a> propoganda to convince officers <to reveal
21 themselves by announcing> that village and commune deputies <and
22 chiefs> had to register in order to take on their duties again.
23 And the second lieutenants and the captains could also go back to
24 their stations, and once these lists were drawn up <within a
25 period of one week, those people on the lists> were sent to the

1 south and the remaining ones were scattered into different
2 villages. That's all that I saw.

3 [10.59.08]

4 Q. So you saw them being taken away to the south? That's all you
5 saw, yes?

6 A. Yes, that is the case.

7 Q. Yesterday you said that the biographies of the former Lon Nol
8 servicemen and officials within Champa Leu pagoda were drawn up
9 and you said that these biographies -- or that these lists
10 rather, were sent to the <communes and the villages>. What did
11 you add to that?

12 A. <>I don't <understand as well since I never saw the drawn-up
13 lists being sent to any commune. After lists had been drawn up,
14 the district would thoroughly go over them before having them
15 sent to> the communes. <So I don't know if those lists were sent
16 the other way around>.

17 Q. Yesterday you testified that the most senior cadres over there
18 were Saom Darn, who was your cousin; Yeay Khom and Ta Mok were
19 not there; that's what you stated. In addition you said that you
20 were there for an hour only, so you did not know much -- you did
21 not know much about what happened there. And my question to you
22 is the following: Why now you said that the list was drawn up on
23 the biographies of the former officials amongst those people, and
24 that later on, those people were gathered up and sent to the
25 south direction?

1 A. Whatever they did, they never told us, and they would only do
2 it amongst themselves and I did not say about the list being
3 drawn up.

4 [11.01.30]

5 Q. So now you are saying that you did not say that the list of
6 the former Lon Nol officials and officers was drawn up during the
7 Democratic Kampuchea period at the Champa Leu pagoda; is that
8 correct?

9 A. Indeed the list had already been drawn up at the gathering
10 place before the people were sent to various locations in various
11 communes.

12 Q. Now I move on to another topic -- that is, on the treatment of
13 the Vietnamese.

14 Did you ever see a list of Vietnamese, or former soldiers, or Lon
15 Nol civil servants?

16 A. No, I never saw it, because those people, once they were
17 brought out of the barracks, they were sent to villages, and I
18 saw them there on the ground in the villages. I never saw any
19 list of Vietnamese people. And only when they were trucked to be
20 killed, then I saw them on the truck, <and there was a> person by
21 the name of Lon <or Maunh> (phonetic), <who also worked at the
22 district office> was the younger in-law of Ta Mok, <used a long
23 truck to transport those people>. And the district instructed the
24 <communes> to <gather> those people in one place, and a week
25 later, they were trucked out <under the pretext that they would

1 be taken to the district>. I met Lon (phonetic), and in fact, I
2 called him by another name -- <Maunh> (phonetic) -- and I asked
3 about those people, as how many <he had trucked away>, and he
4 said 9,000, but I did not <ask him> whether he <was referring> to
5 9,000 people or 9,000 families. Those people were gathered up
6 from various communes, including Popel, <Ta Phem,> Angk Ta Saom,
7 <Srae Ronoung,> Leay Bour, totalling six communes. And the total
8 number was 9000, although I don't know whether it referred to the
9 number of people or the number of families.

10 [11.04.36]

11 Q. Did you witness the execution of those Vietnamese people?

12 A. No, I did not. I only saw them being trucked out. At that time
13 I was doing a land survey and I saw them being trucked out along
14 National Road Number 3, and they were taken out <to> different
15 <directions>, opposite the way to the Cambodia/Vietnam border. <I
16 noticed that those Vietnamese on the truck were weeping. It was
17 said that if they were being trucked to Vietnam, the truck would
18 be taking Road Number 31 southwards, but the truck was heading
19 the west; however, it was explained that the truck was taking a
20 shortcut.> So they were taken out <> and they disappeared. That's
21 <what I learned from Lon (phonetic) or Maunh (phonetic). In fact,
22 I witnessed the truck along National Road Number 3 before making
23 a turn towards the west.> Road Number 31 <towards the south led
24 to> Ta Ny (phonetic)<>.

25 Q. Did you ever see any corpses of Vietnamese people after they

1 had been executed?

2 A. No. They were killed in the forest at the mountain and I did
3 not walk to the mountain area. I only did a land survey <in>
4 nearby the village. <I had no reasons to walk to the mountain. I
5 did not see any of them.>

6 [11.06.10]

7 Q. How did you know that the Vietnamese people were executed near
8 that mountain?

9 A. I did not know how, or which method they used to kill those
10 people.

11 Q. So the information that the Vietnamese people were killed was
12 obtained from whom?

13 A. I witnessed it when I was at the office, because at that time,
14 Ta Chay chaired a meeting <at night> and next day Lon (phonetic)
15 went to instruct all those commune chiefs to gather up those
16 Vietnamese people. And <within a week>, Lon (phonetic) took a
17 truck to transport them away. And I <am referring> to Lon
18 (phonetic) alias <Maunh> (phonetic), who is now living in Anlong
19 Veang.

20 Q. Did you attend that meeting?

21 A. No, but at that time I was asked to serve refreshments to
22 those attendees. I only overheard what they said. <I was not in
23 the meeting as I had political tendency.>

24 [11.07.35]

25 Q. Does it mean that you simply knew or heard that Lon (phonetic)

1 was instructed to gather up those Vietnamese and put them on
2 truck? Is that correct?

3 A. Yes, that is correct. It was a truck with a long body.

4 Q. But you did not witness or know about the killing of those
5 Vietnamese; is that correct?

6 A. <That is correct>.

7 Q. Yesterday you testified that if a husband had a Vietnamese
8 wife or a Khmer wife had a Vietnamese husband, they and their
9 children would all be sent out. I have one question in relation
10 to this matter. What about your parents? What was the fate of
11 your parents? And you stated your mother was of a Vietnamese
12 origin.

13 A. They said the wheel of history was in full motion and it would
14 crush anyone in its path, but <since> my parents were already old
15 so they <said they would rather allow them to die naturally
16 instead. These were the words of Yeay Khom. They eventually
17 spared my parents.>

18 [11.09.17]

19 Q. What about <you and your siblings who were children> of your
20 Vietnamese mother<? Were> they taken away and killed?

21 A. One of my youngest siblings was detained from <'73 to '76> in
22 Kampong Som. He was detained because of my mother's origin as a
23 Vietnamese.

24 Q. So if the mother was a Vietnamese, then the children -- or her
25 children would be detained but not killed; is that true?

1 A. They did not do anything to him nor put him in a re-education
2 centre <as he was vaguely alleged>, however, for those people who
3 spoke Vietnamese <on a daily basis>, the <whole family> would be
4 arrested <undoubtedly> and <not a single member from those
5 families was to be spared. All of them were> gathered up.

6 Q. Did you have the knowledge about the exchange of the
7 Vietnamese living in Cambodia with the Cambodians living in
8 Vietnam?

9 A. For the initial stage, Ta Mok would gather the Vietnamese
10 people for the exchange. But when those Cambodians arrived into
11 Cambodia, did not find anything to eat, so they resorted to
12 stealing at night. And when Ta Mok found out, he cancelled the
13 exchange programme.

14 [11.11.08]

15 MR. LIV SOVANNA:

16 Thank you, Mr. President. I don't have any further questions for
17 the witness.

18 MR. PRESIDENT:

19 Thank you. The Chamber now hands the floor to the defence team
20 for Khieu Samphan.

21 QUESTIONING BY MR. KONG SAM ONN:

22 Thank you, Mr. President. And good morning, Mr. President, Your
23 Honours. And good morning, Mr. Ek Hoeun. Can you hear me? Again,
24 good morning, Mr. Ek Hoeun.

25 MR. EK HOEUN:

1 A. Good morning.

2 [11.11.38]

3 Q. My name is Kong Sam Onn. I'm a defence counsel for my client,
4 Khieu Samphan, and I have some questions for you. First, I'd like
5 to ask you some questions about your personal background. And you
6 just said that your mother was of a Vietnamese origin. And
7 yesterday, from what I heard, that your grandfather was a pure
8 Vietnamese who could not speak Khmer, and that the grandfather
9 was on your mother's side. Is my understanding correct?

10 A. Yes, that is correct. Because when I was born I saw my
11 grandfather who did not speak Khmer, but my mother spoke <a few
12 Vietnamese words>.

13 Q. Thank you. Can you tell the Court that your mother, Nam Hang<?
14 Was> she born in Cambodia living in Cambodia, or did she live in
15 Vietnam or elsewhere for some time?

16 A. She was born in Cambodia and her grandmother, who was a pure
17 Khmer, also was born in Cambodia and lived in Cambodia until she
18 passed away. <She never visited her father's home village.>

19 [11.13.10]

20 Q. Thank you. Can you tell the place of birth of your - rather,
21 the place where your mother lived?

22 A. Currently, she lives in Trapeang Thum, Tram Kak, Takeo
23 province, and her grandparent's place was in Chau Doc, Mort
24 Chrouk.

25 Q. Thank you. So you said your mother lived in the location where

1 you just described before '75, and until '75; is that correct?

2 A. Yes, that is correct.

3 Q. Did your mother at any time leave her place of residence?

4 A. No, she did not go very far from where she lived. She was poor
5 and mainly she stayed in the village.

6 Q. Thank you. Now in relation to your siblings -- and you already
7 informed the Chamber that your elder brother, Ta Heng, who was
8 commander of a military division and died due to the aerial
9 bombardment in 1973, and then another elder brother, Ta Yaev, who
10 was deputy chief of Kaoh Andaet district; is that correct?

11 A. Yes, that is correct.

12 [11.15.22]

13 Q. Thank you. Can you tell the Court whether Ta Yaev was your
14 elder or younger brother?

15 A. Ta Yaev and Ta Heng, they were all my elder brothers.

16 Q. And Ta Yaev was the deputy chief of Kaoh Andaet district; can
17 you describe the time period?

18 A. I knew that he was in that position when Ta Soeun was promoted
19 as well, so after the three district committee members were
20 arrested, they replaced them, and that was in <'78>.

21 Q. Can you tell the Court the three people who were arrested, who
22 were they?

23 A. I did not know their names; I only saw them when they were
24 taken off a vehicle.

25 Q. Thank you. Can you tell the Court whether any of your other

1 siblings who were cadres during the period of the Democratic
2 Kampuchea regime. I recall that you had a cousin by the name of
3 Dorn.

4 A. Yes. Only Ta Yaev and Ta Heng who were my blood brothers, then
5 I had Saom Dorn, who was my cousin and who was chief of the
6 district of -- an office in the district of Tram Kak.

7 Q. Are there -- were there other relatives?

8 A. No.

9 [11.17.29]

10 Q. And you yourself, did you have any close friends who were
11 former cadres during the DK period in Tram Kak district?

12 A. No.

13 Q. Thank you. I'd like now to ask you about your personal
14 background. And you stated that you lived in Tram Kak district
15 and before 1975 you were a group chief. And later on you went to
16 live at a house where Ta Chim lived. And I want to know when did
17 you go and live at that house with Ta Chim?

18 A. In 1973, I was assigned to be group chief, however, after my
19 -- due to my background -- social background -- then I was
20 removed and Yeay Khom wanted to locate me, but Ta Chim hid me in
21 his house and Yeay Khom only found me in 1976.

22 [11.19.24]

23 Q. Thank you. During the time that you were living at Ta Chim's
24 house, and you already stated that Ta Chim was your in-law, what
25 were you doing when you stayed at Ta Chim's house?

1 A. When Yeay Khom wanted to arrest me at the district office,
2 then Ta Chim came to tell me that I was being searched by that
3 group, then Ta Chim learned about that and he hid me at his house
4 for two days, and later on he assigned me to work for the land
5 survey department.

6 Q. Allow me to reconfirm that. You stayed at Ta Chim's house for
7 two days only in order to hide yourself there; is that correct?

8 A. Yes, that is correct.

9 Q. Do you recall the location of Ta Chim's house?

10 A. There was no one fixed house where Ta Chim lived, he would
11 live here or there for a month or two, and the place that I
12 stayed with him, it was to the <north> of Kus pagoda, <west of
13 the intersection>. And by March 1977, he was transferred to the
14 Northwest Zone<, while I remained in the land survey department.>

15 [11.21.40]

16 Q. Regarding the house where you stayed with Ta Chim <for two
17 days> -- and you said it was near Kus pagoda -- was it in Kus
18 commune?

19 A. Yes.

20 Q. And which village?

21 A. I think I made a mistake. It should be in Nheang Nhang
22 commune, but adjacent to Kus commune.

23 Q. Thank you. And the distance from Kus commune to Yeay Khom's
24 house, what was the distance?

25 A. It was far, it was in excess of 10 kilometres towards the

1 direction of Krang Ta Chan and my village.

2 Q. Thank you. Now I'd like to ask you questions in relation to
3 the nature of your work. You only stayed for two days at Ta
4 Chim's house, then you started working for the land survey
5 department. Was it called so? Was it a land survey department, or
6 was it referred to as a unit or something?

7 A. We were designated as surveyors for canal building, so we were
8 regarded as land surveyors.

9 [11.23.27]

10 Q. Thank you. And who was your superior at the time, if you
11 recall?

12 A. Bun Yen was in charge of the land survey department and he
13 completed his higher education so he was very knowledgeable in
14 this area. But myself, I only engaged in physical work; for
15 example, carrying wooden poles.

16 Q. Thank you. Was that department divided into other, say units
17 or groups, under the supervision of Ta Chim?

18 A. As I said, Bun Yen was in charge and the chief of the
19 department was overall in charge.

20 Q. And how many people in your land survey group?

21 A. In fact one person was selected from each of the 15 communes
22 so there were 15 and Yen and I were <from> the district office
23 and then there was another teacher, so there were 18 <people> in
24 total.

25 [11.25.15]

1 Q. Thank you. Can you tell the Court from when to when you worked
2 for the land survey group?

3 A. I worked there after the entire country had been liberated and
4 then we were instructed to carry out the land survey in order to
5 build checkered plots for rice fields. And we were still busy
6 doing that and <> busier during the period '75 to '76 and that
7 nature of work continued until 1979.

8 Q. So you mean -- when you refer to '79 -- or when you left Tram
9 Kak for Kampong Cham and that work was still on going?

10 A. Yes, that is correct.

11 Q. Can you tell the Court the name of the location where you
12 conducted land survey? Was it part of a canal or dam?

13 A. There were names attached to those locations, for example, at
14 Khpob Trabek, <they named it> Khpob Trabek dam; another dam was
15 called Yeay Khom dam which was close to her house. <And another
16 dam located near my house was named Ta Ma (phonetic) dam.> And
17 then there were a system of canals <and dams> throughout <the
18 district> which did not have any particular name. And a canal <at
19 Khpob Trabek> was also dug, <and it ran about 20 kilometres all
20 the way through> National Road Number 3, and it was called
21 <Canal> 02 and <from there, another canal ran all the way through
22 Kampong Ampil of> District 108 <was named Canal 01. Those canals
23 were> kind of big as <they were> 20-metre wide <canals>.

24 [11.27.50]

25 Q. The names of the dams and canals that you mentioned, were

1 those that your team did the land survey; is that correct?

2 A. In fact, that department started its land survey work since
3 1975, then the report would be sent to the district and the
4 district would maintain such a report. And all the canals, big
5 canals, would have its own <reports and the reports> would be
6 sent to the district --

7 Q. Mr. Ek Hoeun, my question is whether you personally
8 participated in the land survey for those canals and dams.

9 A. I attended the land survey for each of the dams and canals I
10 mentioned.

11 Q. Thank you. Was there any canal which had been constructed
12 before you<> started working <in that department>?

13 A. No, there was none. But there were existing ponds and creeks
14 which had been reworked.

15 [11.29.27]

16 Q. Thank you. And when you did the land survey for them and canal
17 construction, did you ever happen to meet with Yeay Khom?

18 A. No, I did not, because by March 1976, she was afraid that Ta
19 Mok would bury her in the ground up to her neck so she fled to
20 Kaoh Kong. <From then, I have never seen her again.>

21 Q. Could you tell us why Ta Mok wanted to kill her?

22 A. Ta Mok organised three meetings <at Khpob Trabek and people
23 from the whole province attended the meetings. And> each time he
24 would announce this message to everyone<. Everyone heard of his
25 message clearly.>

1 Q. Thank you. Do you have any other information or any other
2 reasons to explain why Yeay Khom left Tram Kak?

3 A. Because she was afraid of Ta Mok who wanted to kill her <by
4 burying her in the ground up to her neck before being ploughed>.

5 Ta Mok said that it was necessary to find the person who had
6 killed <Cheal (phonetic), the commune deputy>.

7 Q. Yes, I understand but I'd like to know if you have -- or know
8 of any other reasons <as to> why Yeay Khom left Tram Kak.

9 A. No. I don't have any other information in that regard.

10 [11.31.42]

11 Q. Thank you. With regard to Yeay Khom still, you said that you
12 were living 100m away from Yeay Khom's house. For how long did
13 you live next to her house?

14 A. She moved there next to where I was living in 1970 and she
15 stayed there until 1976 <when> she left, I never saw her again,
16 and she left in March 1976, she left for Kaoh Kong.

17 Q. When you <had a dispute> with Yeay Khom, can you tell us when
18 this dispute happened?

19 A. I never came close to where she was.

20 Q. You didn't understand my question right. My question was: When
21 Yeay Khom wanted to kill you, you escaped, and I wanted to know
22 when you fled.

23 A. In 1973, it was after the categories were set up. So Yeay Khom
24 started to show her claws <to me> and back then there were
25 different classes, there was a lower working class, a middle

1 working class and it's then that she wanted to kill me, to smash
2 me with the wheel of history because of my undesirable origins.
3 <I fell in an undesirable category because my mother was
4 Vietnamese while my father had been a village chief during the
5 Sangkum Reastr Niyum. Ta Chim was trying to hide me away from her
6 after he had known that Yeay Khom was after me>.

7 [11.33.59]

8 Q. So if I'm not mistaken, this was in 1973. It was in 1973 that
9 Yeay Khom wanted to kill you?

10 A. Yes, I was constantly trying to <avoid> her.

11 Q. Thank you. In 1973 when she tried to kill you, were you still
12 living next to where she was or did you leave your house which
13 was located next to hers?

14 A. I stayed there, but I would sleep elsewhere; for example,
15 where I was working, for example at the Khpob Trabek dam or I
16 would sleep in other villages where I was working in order to
17 avoid Yeay Khom. <I remained there until 8 August 1978 when I
18 fled from my home village. As for Yeay Khom, she had left for
19 Kaoh Kong in March 1976.> That's what I have to say. <>

20 Q. So you <said you were married with> children. Were <they>
21 living with you?

22 A. Yes, they still live with me now.

23 [11.35.34]

24 Q. My question is centred on the period when you were working <in
25 the land survey department in 1973> and up until the moment when

1 you went to Kampong Cham. So during that period, were your <wife
2 and> children living with you?

3 A. No. My family would carry dirt day and night, so we could not
4 live together.

5 Q. Can you specify the place where they would <carry> dirt<>?

6 A. The daughters had to dig up termite mounds <and spread the
7 dirt in the fields> and they had to dig up earth during the dry
8 season, and when you hit the earth with a pick axe in the dry
9 season, it <sparked> out, so -- and she would cry out, and <just
10 having done so, she was> brought away to be re-educated.

11 <Q. So I would like to return to my previous questions. It was in
12 1973> when you had a problem with Yeay Khom and your house
13 therefore was only 100 metres away from hers, so this means your
14 <wife and> children did not live with you, right?

15 A. No, that's not true. <When I slept at the worksites, my wife
16 and children stayed at home.> I would sleep with my children as
17 well when I would return from the worksites. <We always lived
18 together.> But in <1978, when I was fleeing by a truck,> my wife
19 was brought <to me> where I was staying.

20 MR. PRESIDENT:

21 It is time for the lunch break. Mr. Ek Hoeun, the Court will
22 resume in an hour and a half or in two hours, at 1.30, so please
23 be ready for 1.30. Do you understand?

24 MR. EK HOEUN:

25 Yes, Mr. President.

1 MR. PRESIDENT:

2 Security officer, please bring <Mr. Khieu Samphan> back to the
3 temporary detention cell and then bring <him> back to the
4 courtroom at 1.30.

5 The Court is adjourned.

6 Please rise.

7 (Court recesses from 1138H to 1331H)

8 MR. PRESIDENT:

9 Please be seated. The Court is back in session.

10 Good afternoon, Mr. Ek Hoeun. Are you ready?

11 MR. EK HOEUN:

12 Yes, I am.

13 MR. PRESIDENT:

14 Thank you. Now the Chamber is going to give the floor to the
15 Khieu Samphan defence so that he may continue with his
16 examination.

17 [13.32.28]

18 MR. KONG SAM ONN:

19 Thank you, Mr. President. Good afternoon, Your Honours. Good
20 afternoon, Mr. Ek Hoeun.

21 Before the break we were speaking about your home village where
22 you were living and we were also speaking about your family and
23 about your relationship with Yeay Khom.

24 Q. Now, I would like to put questions to you -- extra questions
25 concerning your relation with Yeay Khom since you said that your

1 house was located right next to hers but that during certain
2 period of time you were working in dam worksites. You also said
3 that you would go back and forth between your home and the
4 <worksites>, so I would like to know for how long you would leave
5 when you would go measure the grounds or when you would go work
6 on the worksite before coming home?

7 MR. EK HOEUN:

8 A. After <the war ended in> 1975, I was integrated into the
9 <land> survey department. Between 1970 and 1975, I was living
10 with my family at home.

11 [13.34.05]

12 Q. In fact my question was how long would you leave for the work
13 sites before coming home?

14 A. I would leave for a month or six weeks and I would therefore
15 come visit my family for one or two nights <> on average.

16 Q. Thank you. So this happened on a regular basis, so that means
17 that you would leave for a month or a month and half and then you
18 would come home for one or two nights and then you would leave
19 again?

20 A. Yes, that's true.

21 Q. And when you would come home to your village for one or two
22 nights, did you sometimes meet Yeay Khom?

23 A. No. I did not meet her because she would not <go anywhere at
24 night and she went around only during the day>.

25 [13.35.24]

1 Q. You spoke about your wife who had been assigned to digging
2 canals or to <breaking> termite mount dirt; did <your wife live
3 in the house you said that it was located some> 100 metres from
4 <Yeay Khom's>?

5 A. Yes<, she did>.

6 Q. Thank you. Would your mother stay with you?

7 A. My parents were not with us; they lived about 100 <metres>
8 away from our home.

9 Q. So they lived in Trapeang Thum <commune> as well?

10 A. Yes, they did, but on the south side of the <commune which was
11 adjacent to Samraong Khang Cheung commune. They lived in>
12 Trapeang Prei village.

13 Q. Thank you. You spoke about the village of Trapeang Chrey; is
14 it Trapeang Prei or Trapeang Chrey you're speaking about?

15 A. Trapeang Chrey was <east> of Trapeang Prei. <The villages were
16 next to each other.> Yeay Khom lived <at the edge of> Trapeang
17 Chrey <village> to the west, next to <Yeay Kou (phonetic) and> Ta
18 San's house and close to the Krang Ta Chan centre.

19 [13.37.20]

20 Q. Thank you. Now, regarding your relations with Yeay Khom, you
21 said Yeay Khom was someone who was wicked and cruel and that she
22 liked killing people and you said this morning as well that --
23 and I would like to know, since when you knew her, did you know
24 her ever since you were a child or did you only get to know
25 later?

1 A. I know all of Ta Mok's children. Even before 1970, I knew them
2 because I would saw wood in exchange for small pay. Ta Mok was
3 selling wood so I met all of the members of Ta Mok's family
4 <including Yeay Khom, Yeay Ho (phonetic)> back then.

5 Q. Thank you. And your family and Ta Mok's family or Yeay Khom's
6 family, did they have very good relations or did they have poor
7 relations?

8 A. No. Ta Mok <and> Yeay Khom did not get along very well. They
9 were not like father and daughter. Ta Mok would yell at her
10 often. <Ta Mok always tried to find her mistakes. And Ta Mok was
11 not aware of most of what Yeay Khom did.>

12 [13.38.49]

13 Q. Well, in fact, my question was if the relation between your
14 family -- or between yourself and Ta Mok's family or Yeay Khom's
15 family was good or not because you were neighbours and you knew
16 them for a long time already.

17 A. No, we would not -- since 1970, we did not <have any
18 relation>. I hate her since 1970, and I was afraid of her, I was
19 afraid of her like I am afraid of a <tiger>; I didn't dare come
20 close to her.

21 Q. Thank you. Did you have any personal issues with Yeay Khom?

22 A. No, never, because I never came close to her.

23 Q. Earlier you said that you hated her and you said that you were
24 afraid of her like you were afraid of a female tiger; so, what
25 was the reason?

1 A. Well, I would attend the meetings she would chair, she said
2 that we had to eliminate the feudalist, the capitalist, the
3 <reactionary> and that's why I hated her.

4 [13.40.35]

5 Q. Thank you. So, did you attend the meetings she chaired often
6 and since when?

7 A. In 1970, when the power bodies were set up and when she
8 <chaired a meeting at Trapeang Thum Khang Cheung commune, I was
9 there> and the slogan was passed <in the meeting. On another
10 occasion, she chaired another meeting in Kus commune. She also
11 chaired another meeting to the south of Angk Neareay pagoda at
12 Kaoh Ka'ek. So the slogan was passed> around pretty much
13 everywhere, three meetings were held in which the slogan was
14 claimed. <She> would speak out the slogan and everyone heard the
15 same slogan just as I did. <I was not the only person who hated
16 her, everyone else also did.>

17 Q. Thank you. Can you provide us with the exact -- with the dates
18 of these meetings, in which year were these meetings held.

19 A. The first meeting was held in 1970 <after their administrative
20 structure was established>, in Trapeang Thum Khang Tbound
21 <commune>; and <in 1973 when communal eating at the cooperative
22 hall was in place,> the second meeting at <Baek> Kus (phonetic),
23 <> in the village of Kus (phonetic) itself; and then the third
24 meeting was held in Samraong <commune>, and I attended all three
25 meetings together with the people <who were on assignment to

1 carry> dirt.

2 [13.42.26]

3 MR. PRESIDENT:

4 <Counsel, your> questions concerning the reliability of the
5 witness's testimony are a bit too numerous, please move ahead and
6 please ask relevant <substantive> questions because your
7 questions are too far removed from the relevant facts.

8 MR. KONG SAM ONN:

9 <Mr. President,> I still have two <more> questions to put <in
10 this regards>.

11 Q. Mr. Ek Hoeun, according to what you lived through, you know
12 Yeay Khom and then you just told us a little while ago that Yeay
13 Khom had no relations -- or no close relations with Ta Mok and
14 that Ta Mok even did not consider her as a daughter he should
15 care for and can you tell us <as to why Yeay Khom had the
16 authority to have people arrested and killed?>

17 MR. EK HOEUN:

18 A. <In 1970, it was> Ta Saom <who> organised the <administrative
19 structure>, the different institutions and Yeay Khom was
20 appointed <by Ta Saom, and> she held her job until 1976 <when she
21 fled the district. She> never received any instructions from Ta
22 Mok.

23 [13.44.22]

24 Q. When you're speaking about Ta Saom, whom are you speaking
25 about exactly? Earlier you were speaking about Ta Saom who was

1 behind Yeay Khom and who gave a lot of power to Yeay Khom, so I
2 would like to ask you: Which <Ta Saom> are you referring to?

3 A. In 1970, after the coup d'état <to topple King Sihanouk>, Ta
4 Saom, <a Khmer Rouge leader, having left the forest,> set up the
5 <administrative structures in the communes of Khpob Trabek,
6 Trapeang Thum Khang Cheung, Trapeang Thum Khang Tbound, Cheang
7 Tong, Samraong, and Nhaeng Nhang; and his fellow cadres were
8 appointed to senior positions. It> was Ta Saom who organised the
9 <organisational structures> of these communes <in the district>.

10 Q. Thank you. Now I would like to put questions to you regarding
11 Ta Soeun. You spoke about your conflict with Ta Soeun, who
12 <wanted> you <dead>. Do you remember this issue?

13 A. Yes. It's a very, very long story in fact and he brought
14 people to Ta Chhoeun (phonetic), the office chief, and he did not
15 see Ta Chhoeun (phonetic) so he threatened me<, and said I was
16 being mean> to him> and I answered him -- I told him, "Don't try
17 to blind me with the light". <I was not being mean to him but it
18 was him who was blinding me with his light, and I simply asked
19 him to stop doing that to me. And> then he went to look for Ta
20 Chhoeun (phonetic) and Ta Chhoeun (phonetic) was far away.

21 [13.46.25]

22 Q. Please hold on for a little while, Witness, I am going to put
23 a question to you. So, document E305/13.23.451; Khmer, ERN
24 00968905; English, 01050194; French 01053727 -- so I'm going to
25 quote a segment of this document. This is a document that was put

1 together by DC-Cam:

2 "Dany: Saom and Dorn. Hoeun: Soeun wanted to kill me. He asked
3 for me to die but in vain, he wanted to kill me and the next day
4 my messenger ran up to me to inform me that <I had kicked Brother
5 Kaoh Andaet, and he has> asked Ta Ouch to <have> me <killed>."

6 Do you remember what you said?

7 A. Yes. <After Ta Chhoeun (phonetic) had received the men that he
8 brought him, he just> left without saying anything to anyone. As
9 of 11 o'clock, he insisted upon his request <to Ta Ouch until 6
10 a.m. the following day,> and the messenger informed me of it and
11 as soon as I had washed my face I went to Takeo to see <the
12 sector chief,> Ta Kit<, the elder brother of Ta Chim>. Ouch did
13 not agree <to the man's request>; Ouch said that <I was not
14 appointed by Ta Chim, Ta Chay or himself; thus, I could not be
15 taken. He told Soeun that it was Ta Mok who> had appointed <me to
16 the position. He was giving Soeun excuses so that I would not be
17 taken away. He added that if I, who had been assigned to the
18 position by Ta Mok, was to be taken, Ta Chim, Ta Chay and Ta Kit
19 themselves would also be in trouble. That's how the issue ended>.

20 [13.49.36]

21 Q. I would like to ask for some clarification from you regarding
22 a segment in which you say "my messenger ran up to me to inform
23 me". What was the name of this messenger?

24 A. I don't remember. I only remember <two of them, that's Rin
25 (phonetic) and Run> (phonetic) who had come from the district. <I

1 do not know their home villages.>

2 Q. Thank you. When you were working in Tram Kak, did you have
3 <any> messenger?

4 A. No, it was the district's <messengers,> Saom Dorn's
5 <messengers. Their task was to deliver letters and messages to
6 the communes.>

7 Q. Thank you. Now regarding the execution of the 90 people, you
8 spoke about that over the past days. How did you learn about
9 that? <Do you remember the detail regarding these 90 people?>

10 A. Well, this goes back a long time. I was <then in charge of>
11 transporting vegetables to Ta Chim <whose office was close to the
12 canal worksite>. I would do that every two to three days and the
13 people who were working <there> said that Ta Chim had <the 90
14 Khmer> people <who had been exchanged from Vietnam> executed.
15 That's why I learnt about that killing.

16 Q. Who told you that?

17 A. The people who were digging canals <> and <those who lived
18 around> Ta Chim's <office> were aware of that and later this
19 information was revealed. <And the information became more
20 widespread when Ta Mok visited the worksite.>

21 [13.52.12]

22 Q. Thank you. Did you -- had you met these 90 people before they
23 were executed?

24 A. No. I was not aware of the exchange of people. <Only after
25 they were all dead, did> I learn <> that these exchanges had

1 taken place.

2 Q. Were you aware of the presence of these 90 people <in either
3 the village or commune that you were working>?

4 A. They were very far away from <us. They were placed in Kaoh
5 Andaet district>. After the coup d'état in 1970, these <90>
6 people sought refuge in Vietnam and after the liberation of the
7 country, Ta Mok exchanged the <Vietnamese> people <who had lived
8 in Cambodia> against these 90 people. <That's all I know.>

9 Q. Earlier you said that these people were living in Kaoh Andaet.
10 These <90> people were executed at Kaoh Andaet or Tram Kak?

11 A. Ta Mok gave these 90 people to Ta Chim at Khpob Trabek dam
12 <worksite. Back then, Ta Chim was supervising the dam worksite,
13 and his office was right next to the dam worksite.> So <Ta Mok>
14 gave these <90> people <to Ta Chim> at the worksite <in order to
15 engage them in digging the canal>.

16 [13.54.01]

17 Q. Thank you. Can you tell us how you learnt this?

18 A. Because I would transport vegetables to Ta Chim every two to
19 three days -- vegetables and rice -- and when I arrived, everyone
20 was speaking about this and later on, Ta Mok came and that's when
21 the information really started circulating.

22 Q. Can you tell us who else had learnt about the execution of
23 these 90 people?

24 A. No. I know no one else.

25 Q. At the Khpob Trabek dam and where you were living -- that is

1 to say at Trapeang Thum, can you tell us -- or can you tell us
2 how far both of these places were from each other?

3 A. No. I cannot give you an estimate because both places were
4 quite far from each other. From my house it was about four to
5 five kilometres away. <But the canal> was about 100 metres <to
6 the east of my house. The canal ran through my area just right in
7 front of my house. It was a big canal with flowing water>.

8 [13.55.42]

9 Q. So, you just said that you were transporting vegetables and
10 rice to Khpob Trabek, and what <was> your work exactly?

11 A. I was <like> a worker <at the office>. I could do all of kinds
12 of tasks <on their orders>. I had no specific task to do. If
13 there was no <rice>; I had to transport rice with tractors, rice
14 for everyone. <I was solely at their disposal.>

15 Q. Thank you. Can you specify the year or the month when you
16 would transport vegetables and rice?

17 A. Since the liberation, I started transporting vegetables to
18 Tuol Kruos and where -- everywhere <where> Ta Chim was building
19 dams or digging canals. <I transported to him food supplies.>

20 Q. So your work consisted in measuring the size of the canals and
21 of the dykes and would you do this work in parallel to your work
22 transporting vegetables and rice?

23 A. I would transport vegetables and rice; I did that from '75 to
24 1976, and as of 1976, I went to Ta Chim's -- and as of 1976, I
25 joined the land survey department.

1 [13.57.37]

2 Q. So, your - however, there is a contradiction in your
3 statement. Before, you said that you were working in the land
4 survey department in 1973, and now you're telling us that this
5 was in 1976; so what is the right year?

6 A. I never said 1973. In 1973 I was only building canals<, and I
7 did not engage in transporting vegetables. And when the war ended
8 in> 1975, Ta Chim integrated -- sent me to the commerce office to
9 transport vegetables. In March 1976, Ta Chim hid me in his house,
10 hid me from Yeay Khom and because he knew that she was looking
11 for <me>, so therefore, he <hid me in his house for two days
12 before having> integrated me or had me joined the land survey
13 department.

14 Q. So, you said before the break that you were not happy with
15 Yeay Khom because she said that she was going to <eliminate> the
16 feudalists and she said in 1973 that she would do that and you
17 <had issue> with Yeay Khom because your father was a village
18 chief, do you remember saying that?

19 A. Yes, because in 1973, the categorisation of the people started
20 and Yeay Khom was speaking about the wheel of history and that it
21 was necessary to eliminate the feudalists, the capitalists and
22 the <reactionary> and I hated her -- or I have hated her since
23 that time. <>

24 [14.00.17]

25 Q. <Thank you.> So you had conflicts with Yeay Khom since 1973,

1 right?

2 A. Yes.

3 Q. Did Yeay Khom try to arrest you since 1973?

4 A. By that time the social class status was already categorised
5 and that <my parents and> I would have been crushed by the wheel
6 of history. <Since Ta Chim had known about this, he tried to hide
7 me from her.> She tried to arrest me but she failed, and in '76,
8 she saw me at the commerce office and she <said that> Ta Chim
9 <could have hidden me at his house. She hated me, my mother and
10 my children, and my parents and I also hated her. We had no
11 relation with her. We dared not get close to her. We were> afraid
12 of her <like we were afraid of a tiger>.

13 Q. Mr. Ek Hoeun, I would like to have a full and complete
14 clarification from you on the conflicts between you and Yeay
15 Khom. Please tell us whether it was in '73 or '76?

16 A. <I would like to confirm that in> 1973, social class status
17 was categorised and <Yeay Khom had the authority to hold>
18 meetings on the class status and because I had <an undesirable>
19 background I was afraid of her since. <As for my mother, she
20 would also be crushed by the wheel of history; however, since she
21 was already aging, she was allowed to die from her old age. I
22 hated her for saying all these things. Once the social classes
23 were categorized in 1973, they started giving us a hard time.>

24 [14.02.02]

25 Q. Thank you. Why there was a need for you to hide at Ta Chim's

1 house until 1976?

2 A. In fact I hid myself there for two days only, then he asked me
3 to help do the land survey for <> canal construction <and I just
4 followed him. I actually worked for the land survey department
5 for three years, that's from '76 until August '78 when I had to
6 flee again like everyone else did> because Ta Soeun wanted to
7 kill me.

8 Q. Can you explain to the Court <as to why> you did not flee
9 between '73 <and> '76 and that you only hid yourself for two days
10 in '76?

11 A. I <went into hiding> at Ta Chim's house in '76 and I did not
12 come out of the house and after two days, he instructed me to go
13 and work for the land survey department and I was in that
14 department for three years.

15 [14.03.51]

16 Q. Thank you. I would like to put some questions to you in
17 relation to some figures of people in Sector 13. You have given
18 the Chamber some names in document E305/13.23.451. Allow me to
19 locate the relevant ERN numbers. The Khmer ERN is 00968895; and
20 English, ERN 01050186 to 87; and in French, is 01053716 to 17. I
21 would like to quote the following:

22 "Who else was before Ta Kit?"

23 Answer: "There were Ta Saom, who was a Khmer Rouge warlord, and
24 then there was Ta Nhev, Ta Keav and Ta Muth, who were also part
25 of the provincial governing body in charge of the military.

1 And Dany asked you a question: "Were you mentioning Ta Muth?"

2 And Hoeun: "Yes, I was. Ta Nhev and Ta Heng were killed by B-52
3 bombs at the same time."

4 Question: "Were you saying that Ta Nhev was Ta Saom's immediate
5 successor?"

6 Answer: "There was another person by the name of Ta Keav."

7 "Was Ta Keav also his successor?"

8 Answer: "Ta Keav was deputy secretary who then became the
9 secretary after the previous secretary died."

10 [14.07.21]

11 "Who else?"

12 Answer: "Ta Ouch who was district secretary came after Ta Keav
13 and Ta Nhev and there was another person, he was Ta Prak, who was
14 the provincial governor. They were all taken to attend a study
15 session and disappeared ever since. Ta Kit then came as a
16 replacement." End of quote.

17 And Mr. Ek Hoeun, have you heard the extracts of your statements
18 that I read?

19 A. Yes. <Ta Prak was made the governor of Sector 25, and Ta Tith
20 (phonetic)> rose into the position for several months and in
21 March '77, he was sent to the Northwest <Zone> with Ta Chay, Ta
22 <Chim> and Yeay Chaem.

23 Q. Thank you. There is one point that I would like to ask for
24 your clarification. You said Ta Saom was <a> Khmer Rouge leader
25 and was a warlord. Why do you say that he was <a> Khmer Rouge

1 warlord?

2 A. Ta Saom was a Khmer Rouge leader hidden in the forest in '68
3 or '69, and after the war concluded, he came to establish his
4 administrative structure. <He was a cruel man, and he took people
5 to build> a school at <Khlaeng> (phonetic) mountain and there
6 were more than 100 people involved in the building, and <the
7 building collapsed as a result of weak structure, and> after that
8 he killed all those people and as a result he was known as a
9 warlord. <Those men or carpenters were taken from Tram Kak
10 district to build that school in Khlaeng (phonetic) mountain.>

11 [14.09.23]

12 Q. Did you make any observation regarding the influence of Ta
13 Saom?

14 A. That's all I knew -- that is, on the killing of people from
15 <my village of> Tram Kak after they were sent to build that
16 building.

17 Q. Can you identify the year?

18 A. It was right in 1975 after the war had concluded. People were
19 <collected and> sent to build a political school at the <Khlaeng>
20 (phonetic) mountain.

21 Q. Thank you. In regards to Ta Prak, do you know Ta Prak?

22 A. No, I did not. <I just heard of his name.>

23 Q. Thank you. Do you know if Ta Prak -- when Ta Prak held a
24 position in <the sector>?

25 A. It was in 1976, he was there for less than a year, then he was

1 transferred <to Takhmau>, and after that, Ta <Tith (phonetic)>
2 replaced him, and later on Ta Kit <replaced Ta Tith (phonetic),
3 and Ta Kit> left when I also left. <I do not know who came after
4 that.>

5 [14.11.06]

6 Q. Can you specify the date again when Ta Prak held a position as
7 the sector committee?

8 A. How can I tell you the exact date? I can't. He was there
9 shortly and later on he was transferred elsewhere.

10 Q. You just mentioned that it was in 1976. When Ta Prak came to
11 that position, was it early on during that year or was it later
12 part of that year?

13 A. I am not sure whether it was in the beginning of the year or
14 the end of year but I believe it was toward the end of the year.
15 So then, he was transferred to Takhmau<>, and Ta Kit was sent to
16 replace him <at Takhmau, Sector 25> and <before> Ta Kit <came>, I
17 actually asked for a car from him and he gave an old car to me.

18 Q. On what basis that you concluded that it was in late '76 <or
19 '77> when he came to that position? What sort of circumstances
20 that led you to make that conclusion <regarding Ta Prak's
21 appointment to Sector 13>?

22 A. As I said, I am not certain; it could not be the beginning of
23 the year, but it could be toward the end of the year as it was
24 almost 1977 <when Ta Kit was removed from Sector 13, and
25 transferred to Sector 25. Again, I am quite sure of the date>.

1 [14.13.12]

2 Q. Because your answer is not clear, even when I listen to you I
3 get lost. So after Ta Prak left, Ta Kit came to occupy that
4 position; is that correct?

5 A. Yes.

6 Q. What can you tell the Chamber about Ta Kit in that position,
7 when was it?

8 A. Ta Kit came to take that position in Sector 13 in '76 as well,
9 and he was there for less than a year, then he was transferred to
10 the Northwest Zone in March '77 <during which Ta Chim, Yeay Chaem
11 and Ta Tith (phonetic) were also being transferred>. I think I'm
12 getting mixed up with the dates here.

13 Q. Mr. Witness, please compose yourself and try to recall the
14 dates. I think the dates you gave overlapped between Ta Prak and
15 Ta Kit, so please try to think when Ta Prak started working in
16 that position and then you can think of the later date when Ta
17 Kit came to replace him.

18 A. I am unsure and I only knew Ta Prak came to take the position.
19 Later on, he was transferred to Takhmau and Ta Kit came to
20 replace him. I was sent from Tram Kak district to obtain fuel for
21 the vehicle at the sector <where I saw them> but I cannot recall
22 the date.

23 [14.15.20]

24 Q. Can you tell the Court how long <> Ta Kit was in his position
25 at the sector?

1 A. I cannot recall the month or the year and later on he went to
2 Takhmau.<to replace Ta Prak>.

3 Q. Thank you. I would like to refer to document E319.1.31, which
4 is a written record of your interview and the extract that I
5 would like to quote is at question/answer 44, and allow me to
6 quote:

7 Question: "What position did Ta Kit hold during the regime?"

8 Answer 44: "Ta Kit was once the secretary of Sector 13. Having
9 suffered from tuberculosis, he served as Sector 13 secretary for
10 only one year; later on, he was transferred to Sector 25 at
11 Takhmau. In 1979, he fled into the forest. While preparing his
12 hammock to sleep in the forest, he was shot dead by Vietnamese
13 soldiers."

14 Question: "In what year did Ta Kit serve as Sector 13 secretary?"

15 Answer 45: "Ta Kit was Sector 13 secretary in 1977." End of
16 quote.

17 Mr. Ek Hoeun, do you recall the extracts that I read out?

18 A. It was rather long, I cannot recall it clearly. I think he was
19 the Sector 13 secretary <for a year> in 1977 and then he was
20 transferred to Takhmau and he fled when the Vietnamese troops
21 arrived.

22 [14.18.47]

23 Q. Thank you. Can you tell the Chamber which part of 1977, was it
24 early, was it later part, what circumstances led to your
25 conclusion that Ta Kit came to take that position in 1977?

1 A. As I said, I cannot recall the exact dates; I only saw him
2 taking that position and I also met him in Takhmau and that was
3 in '77, and as I said, at that time I asked him for a car and he
4 gave one to me and then by 1979 when the Vietnamese troops
5 arrived, we all fled to the forest. <I do not remember dates.>

6 Q. I did not get you on this; you spoke about obtaining a vehicle
7 from him <in '77>, did you meet him at Takhmau or Sector 13?

8 A. He came to Takhmau and I went to see him there and I heard
9 that there were many vehicles there so <Ta Chhoeun (phonetic),
10 the office chief ask me and Ta Cheal (phonetic) to go and> ask
11 for a vehicle from <Ta Kit> and he was at Takhmau until 1979
12 <when he fled>.

13 Q. Thank you. Can you please make it clear, was it Ta Khmao or
14 Takhmau?

15 A. I myself am not sure as well. Some people say it's Ta Khmao
16 while others say it's Takhmau. <That place had an existing
17 provincial hall.>

18 [14.21.03]

19 Q. Thank you. In relation to your request for a car from Ta Kit
20 and then Ta Kit gave you one, in what capacity did you come to
21 request for a car?

22 A. <I went there in my capacity as a worker at District 105.> I
23 was sent with Cheal (phonetic) by <Ta Chhoeun (phonetic),> the
24 <office chief,> to go and get a car from him. <He gave us a car,
25 but we had to clean it up ourselves.>

1 Q. Did you come to ask for a vehicle by yourself or was it
2 already assigned to the district and you just came to pick it up?

3 A. <It was Ta Chhoeun (phonetic), the office chief who>
4 instructed me and another person - Cheal (phonetic) -- to go and
5 meet Ta Kit to get a vehicle <since he knew that I and Ta Kit
6 were neighbours and knew each other well. When> I came to meet Ta
7 Kit, then I asked him for a vehicle <as he had many cars> and he
8 said, "Oh, you only need one car, if you <can start them> you can
9 get five or 10 cars", and then we picked one car and after we
10 actually fixed it a little bit, it was ready to go, so I told Ta
11 Kit that yes, we could <start the> car as we fixed the ignition,
12 <and he was amazed. And> then <he came to see us, and since we
13 could actually start the car,> he gave us that car. <He offered
14 us many cars if we managed to start them, but I took only one.>
15 [14.23.00]

16 Q. And when was it when you came to request for a car?

17 A. I believe it was in 1977, but I cannot recall the month.

18 Q. Was it during a rainy season or a dry season?

19 A. It was during a dry season and there were plenty of lobsters
20 at the time; that was the lobster season, from what I can recall.
21 <It could have been the winter time.>

22 Q. Does it mean it was in late 1977?

23 A. Yes, that is correct because Ta Kit gave us three or four
24 large baskets of lobsters.

25 Q. Thank you. Now I would like to put some questions to you in

1 relation to Ta Soeun. You said you had conflicts with Ta Soeun.

2 In the same document that I just read out the extract -- that is,

3 document E319.1.31, at question/answer 48, you were asked the

4 following question -- and I quote:

5 [14.24.54]

6 Question: "What position did Ta Soeun hold?"

7 Answer 48: "When Ta Soeun became the governor of Kaoh Andaet

8 district, he arrested all three former district committees of

9 Kaoh Andaet district and took them to be killed." End of quote.

10 You already confirmed about the conflicts that you kicked Ta

11 Soeun twice. My question to you is the following: What

12 circumstances led to the arrest of the district committee of Kaoh

13 Andaet district and that Ta Soeun took that position?

14 A. It was clear that the three members of the district committees

15 of Kaoh Andaet were <arrested>; Ta Soeun <who was in charge of>

16 the sector police <went> to arrest them and then sent them to Ta

17 Chhoeun (phonetic), the office chief, and <afterwards, Ta Chhoeun

18 (phonetic) sent them to Yeay Khom.> Ta Soeun then replaced them

19 together with Ta <Yaev>. I did not know the nature of the

20 conflicts between them or whether the former committee members

21 were accused of being KGB agent or <CIA agents>.

22 Q. You stated that you did not know the three members; did you

23 know the fate of the three members?

24 A. No, I did not. I only knew that they were sent away and they

25 never returned. They actually took their positions immediately

1 after they were sent out.

2 [14.27.34]

3 Q. Thank you. In relation to conflicts within the cooperative --
4 and as you testified yesterday at around <1.50> in the afternoon,
5 you said people were killed because of causing conflict in the
6 cooperative. Can you enlighten the Chamber as to what you meant
7 when you said "conflict within the cooperative"?

8 A. I refer to minor conflicts and not the serious ones. In the
9 cooperatives they instructed people to gather all the dishes and
10 potteries but <Yeay Seak (phonetic) who was a cousin of Ta Mok>
11 did not give up her dishes and <her ox-cart. Having learned
12 this,> later on <Yeay Khom went to> borrow <the woman's> cart for
13 <a> month, but -- after a month, she did not return the ox cart,
14 <so> Yeay <Seak (phonetic) went to take back her cart>, then
15 <she> was arrested, blindfolded and when Ta Mok came across, Ta
16 Mok asked for the reason of the arrest and asked to un-blindfold
17 the person and Ta Mok was angry <to find that the person was
18 actually Yeay Seak (phonetic). Ta Mok put her on his car and
19 drove away. He warned those people that they would be in trouble
20 if anything would happen to Yeay Seak (phonetic) ever again>.

21 [14.29.22]

22 Q. Thank you. Can you tell the Court how did you learn about that
23 event?

24 A. You mean on the arrest of Yeay <Seak> (phonetic)?

25 Q. Yes, that is in relation to the arrest of Yeay <Cheak>

1 (phonetic).

2 A. It was about Yeay Khom coming to <take> her ox cart, <and not
3 giving it back to her> and then Yeay <Seak> (phonetic) was
4 arrested <when she came to take it back> and <then she was> taken
5 to the forest.

6 Q. My question to you is how did you know about that event?

7 A. <I was aware of anything that happened in those villages
8 adjacent to mine.> The <villages> of Trapeang <Chhuk> and
9 Trapeang Prei were close to each other so it was easy to know
10 everything that was going on.

11 Q. Did you witness this scene?

12 A. No. <Everyone knew about it.> But I was told that it was
13 thanks to Ta Mok's intervention that her life was saved.

14 Q. When you say that <she> had been taken away to the forest,
15 what does that mean exactly?

16 A. This means that <she was> going to be mistreated and that
17 <she> would never be able to come back, but in fact, it was by
18 chance that Yeay <Seak> (phonetic) met Ta Mok. <From then on, no
19 one dared touch Yeay Seak (phonetic).>

20 [14.31.08]

21 Q. Do you have anything else to add in relation to <conflicts> in
22 the cooperative?

23 A. When the carts and the hoes and the pots would disappear,
24 those who had made that happened were punished <by putting those
25 people to carry> dirt for one or two months and then they were

1 released.

2 Q. <Please explain a bit more.> I didn't understand <when you
3 said that a conflict within a cooperative was a minor issue, and
4 offenders were not mistreated, but people> had been taken away to
5 the forest, so I don't understand exactly. <So what level was it
6 when it comes to a conflict within a cooperative?>

7 A. <Regarding cooperative-related conflicts, it was only the case
8 of Yeay Seak (phonetic) that> Yeay Khom <arbitrarily took her to
9 the forest, but she failed to do that. It was not even a big deal
10 when someone was found to have stolen cassava, and the offender
11 would not be punished to carry dirt. They could eat what they had
12 grown as they had to eat in order to gain energy for working.
13 This is what was said by those commune chiefs when they visited
14 villages>.

15 [14.32.45]

16 Q. Thank you. How could you distinguish the offences that
17 consisted in <> the cooperatives and <other> offences <including>
18 moral misconduct, how would <you> make differences between both
19 kinds of offences?

20 A. <Moral misconducts and other offences within villages were
21 considered minor offences, not major ones. Offenders of moral
22 misconduct were usually taken to correctional centres and they
23 were required to carry dirt during the day, and they slept as
24 usual at night. And those engaged in stealing of ploughs or rakes
25 were also treated like those offenders of moral misconducts. They

1 were not subject to any form of major sanction, but they were
2 only required to carry dirt>.

3 Q. You spoke about re-education centres and about types of minor
4 offences that would lead to re-education. But if people were able
5 to correct their conduct properly, they would be released after
6 <about> two weeks, <and none of them would be taken away and
7 killed,> that's what you said, and you told us that re-education
8 centre and your house was close to each other<, and you went in
9 and out of the centre>. Did you know methods or lessons that the
10 prisoners had to learn in order to correct their conduct?

11 A. <I witnessed the events myself. During the era of Ta Chim,
12 those offenders of moral misconduct would be released after they
13 had corrected themselves and worked hard. Ta Chim would summon
14 them, and said, "Now that you have committed a moral misconduct,
15 so you have to be sent to the front line. In my capacity as a
16 village chief, I would guarantee your security as long as you are
17 willing to correct yourself." Those offenders usually were
18 willing to correct themselves and promised with him not to do it
19 again. Having noticed that, he would say, "If you are willing to
20 correct yourself, and are committed not to repeat it, you can go
21 back, but if you would ever do it again, you would be in a huge
22 trouble." That's what he usually said with that regard, nothing
23 else. Those offenders were brought to his place, and listened to
24 his teaching>.

25 [14.35.41]

1 Q. So you said that you would <sit down and> listen to <the
2 teaching of> Ta Chim, you would listen to <him> educate people
3 who had committed moral misconduct and I wanted to know what was
4 your position at that re-education session.

5 A. It was open, these re-education sessions were not secret; they
6 were open to everyone. They took place at the commerce office and
7 all workers <there> could listen to these lessons, to these
8 re-education lessons and we had to listen to <him sharing his>
9 experiences <and lessons regarding those moral misconduct
10 offences>.

11 Q. <Thank you. Please elaborate a bit more on what Ta Chim
12 actually did or say when> those who had committed more misconduct
13 were re-educated, you say that everyone could attend these
14 lessons or these sessions, so I wanted to know where those
15 receiving these lessons were placed<,> where those who would just
16 be attending were sitting<,> and how many bystanders there were in
17 each session>.

18 A. <There were about 5-6 workers in the commerce office, while
19 there was a sewing group of over 10 members who would listen to
20 those sessions. The sessions> took place in a cement house, a
21 concrete house, <where the offenders would sit with Ta Chim on a
22 bed. Everyone> was on a bed, Ta Chim would educate these people
23 and he wanted them to behave better and he did not speak about
24 executions. <So everyone was free to listen to the sessions.>

25 [14.37.33]

1 Q. <Thank you.> The villagers who were living close-by <also
2 attended> these education sessions?

3 A. No, only workers did.

4 Q. Thank you. The people who had been -- or who were being
5 re-educated, they came from which commune, from which village?

6 A. <Most of them were from> Khpob Trabek <commune>. Well, it was
7 always the same people, they were told not to repeat their
8 offences and <they themselves promised not to repeat it>, then
9 they would come back a week later and they were then threatened
10 or they were told that they <had> to stop committing such
11 offences and they were forced not to commit the same offences
12 again.

13 [14.39.08]

14 Q. <Thank you.> Over the past days you told us or you mentioned
15 annotations, red ink annotations and blue ink annotations and you
16 said that if someone's name was circled in red ink that meant
17 that these district people would come to the field or they would
18 order commune people to carry out the arrest, so do you remember
19 all of this?

20 A. No. I don't know who made the decisions or where the decisions
21 came from <regarding the red ink annotations> but <when> the
22 district <suspected someone, they would ask their> men to go
23 listen secretly to people under their <beds> to listen to what
24 people would talk about <for a few nights to confirm the
25 information about them> and then they would report <about those

1 people in red ink> to the unit chief in the district and <after
2 that the district unit chief> would <deal with those people
3 accordingly after everything was confirmed>.

4 Q. Now regarding the listening in secret, did this happen for
5 everyone or for only the people who were suspected?

6 A. <Not only the> New People<, but also the Base People> were
7 subjected to this <as long as> there were suspects among them.

8 [14.41.03]

9 Q. <Thank you.> My question was if people were listened to under
10 their homes, it was because they were suspected of being linked
11 up with a certain kind of activity?

12 A. Yes, indeed that's the case.

13 Q. How did you learn about people being listened to in secret?

14 A. People working in the district came to see me at the office
15 and they <would bid me a farewell, and said> that they were <on
16 assignment> to listen to <certain> people under their houses.
17 <And I would ask them as to why they had to listen to those
18 people at night.> They told me that they had received orders from
19 the higher echelon to do that <as those people had been suspected
20 of speaking ill about the work, and politics>. So they went to
21 listen to people under their homes to see if they'd discussed
22 political issues or discussed matters that might be problematic.
23 That was their way of identifying dissidents. <So those men came
24 to my office and started talking about that. I learned this from
25 them.>

1 MR. PRESIDENT:

2 Time has come for a short break, we will resume at 3 o'clock.

3 Mr. Ek Hoeun, <you may have a break now, and> please be ready for
4 3 o'clock. <Do you hear me?>

5 <MR. EK HOEUN:>

6 <Yes.>

7 (Court recesses from 1442H to 1502H)

8 MR. PRESIDENT:

9 Please be seated.

10 The Court is now back in session and before the Chamber hands the
11 floor to Counsel Kong Sam Onn, could Counsel Kong Sam Onn
12 indicate to the Chamber how much time you anticipate to conclude
13 your questioning as we need to make arrangements for the bus and
14 for the transportation as well; it's Friday today.

15 MR. KONG SAM ONN:

16 Thank you, Mr. President. I hope I can conclude before 4.00. I
17 only need 20 to <30> more minutes.

18 MR. PRESIDENT:

19 Thank you.

20 And again, good afternoon, Mr. Ek Hoeun. Are you ready to
21 continue?

22 MR. EK HOEUN:

23 Yes, I am

24 [15.03.31]

25 MR. PRESIDENT:

1 Counsel Kong Sam Onn, you may proceed.

2 BY MR. KONG SAM ONN:

3 Thank you, Mr. President.

4 Q. And Mr. Ek Hoeun, before the break we discussed the issue of
5 circling the name in blue or in red ink and I would like to read
6 to you an extract from your interview in document E319.1.32,
7 question/answer 44.

8 Question: "When you stayed in Tram Kak district, did you ever see
9 any documents regarding sweeping clean enemies?"

10 Answer 44: "No." End of quote.

11 Mr. Witness, do you confirm that statement?

12 MR. EK HOEUN:

13 A. It is unclear to me, could you please repeat your question.

14 [15.04.47]

15 Q. No problem. Allow me to quote again.

16 Question: "When you stayed in Tram Kak district, did you ever see
17 any documents regarding sweeping clean enemies?"

18 And your answer 44: "No." End of quote.

19 This is a question which was put to you by the OCIJ investigator
20 during your interview. Do you recall the extracts that I just
21 read out to you?

22 A. Yes, I do, but I did not see any of the documents -- that is,
23 document on the sweeping clean of the enemies. These kinds of
24 documents were considered confidential.

25 [15.05.42]

1 Q. Thank you. In the same document at question/answer 40 -- and
2 allow me to quote:

3 Question: "Did you ever see the plan to kill Vietnamese nationals
4 in written form?"

5 Answer 40: "In October 1978, I saw a document about the plan to
6 kill Vietnamese nationals."

7 Question: "Did the document mention the sweeping clean of the
8 Vietnamese nationals?"

9 Answer 41: "Yes. Initially Ta Chim put me to work in a warehouse.
10 Since the warehouse was empty, I returned to tap rubber instead.
11 One day I wanted to smoke a cigarette and I went to look for a
12 paper in the rubbish bin to roll a cigarette, then I saw that
13 document and Ta Chim said, 'if you want to smoke a cigarette, go
14 ahead and smoke but do not read that'. Having heard that, I
15 sneaked out to read the paper right away. Written in the document
16 was, 'Comrade, sweep the enemies completely clean, urgently,
17 because there are lots of enemies in the cooperatives. From
18 Comrade Kheang, Office 870 committee'." End of quote.

19 You were asked a question on this matter by Judge Lavergne and
20 I'd like to quote another set of questions to you. First of all,
21 do you recall the statements that you made?

22 [15.07.46]

23 A. I read it, I saw it, it was not a document, a proper document,
24 it was a handwritten letter and there were only a few lines and I
25 did not know who put it in that rubbish bin, it could be an

1 anonymous letter and yes the content was there, that there were
2 instructions to sweep clean the enemy urgently because there were
3 lot of enemies in the cooperatives and in the unions<; it was
4 made in October> and the person who signed was Comrade Kheang
5 from Office 870 committee. <It was not in a form of a document,
6 it was just a short note.>

7 Q. Thank you. Can you elaborate a little bit further on the form
8 of the letter, was it handwritten or was it typed?

9 A. It was handwritten and it was a bad handwriting. I found it
10 difficult to read so I asked the <clerk> to help me to read it
11 and he read out the same thing that I understood.

12 Q. How was it written; for example, on what piece of paper?

13 A. It was a piece of paper about the size of my palm. <It was
14 just big enough to roll a cigarette.>

15 Q. What kind of paper was it, was it from a notebook or what was
16 it?

17 A. I cannot recall it; I did not spend time to examine what kind
18 of paper it was. <It was a nice piece of paper with the colour of
19 an egg shell. I then smoked my tobacco with that piece of paper.>

20 [15.09.45]

21 Q. Thank you. I'd like to move to another topic that is the
22 marriage.

23 You have testified quite a lot on this topic and I'd like to
24 touch upon it by quoting a reference from Yeay Boeun's testimony
25 on 4 May 2015. Khoem Boeun testified before this Court and on the

1 transcript it was at 09.52.52, I will read the quote from the
2 transcript and Mr. Ek Hoeun, please listen and I will put
3 question to you after I read the extract from this transcript. Do
4 you understand the process, Mr. Ek Hoeun? Can you hear me?

5 A. It is difficult to hear you.

6 [15.11.31]

7 Q. I just informed you that I will read out the testimony of
8 Boeun who testified before this Court last week and after that I
9 will put questions to you. And allow me to quote.

10 Question: "What kind of re-education, can you elaborate a bit
11 further?"

12 Answer: "<The instruction was that New People had to get married
13 to New People and Old People had to get married to the Old
14 People. New People and Old People did not know each well and they
15 did not get along with each other because New People had just
16 arrived in the area>", and a few lines later she continued, "The
17 upper echelon <instructed> us <not> to allow the marriage of the
18 New People with the Old People as the New People had just arrived
19 and that they did not know each other yet and that they did not
20 trust each other yet and that is the truth." End of quote. [Free
21 translation]

22 Mr. Ek Hoeun, have you heard the extracts that I have just read
23 out?

24 A. Yes, I did not hear any mentioning about the prohibition of
25 the marriage between Old and New People but in the communes where

1 I was, anyone could marry anyone if it was consented, regardless
2 whether they were Old or New People. <They had access to the same
3 ration of food, and clothing. I hardly heard of any conflict
4 among them.> And of course, if anyone had conflict, then that
5 person would be sent to carry earth.

6 [15.13.55]

7 Q. Thank you. And in your village and commune, <was> there any
8 couple that one of them was <New People and the other one was>
9 Base People?

10 A. <There was no such a case in my village.> In my village <>,
11 there were no New People and <it was considered> one of the
12 <model villages. In fact, only empty houses were left behind, and
13 it was considered one of the model villages.>

14 Q. Can you confirm that there were no New People living in your
15 commune? <Is that correct?>

16 A. Yes.

17 Q. Can you tell the reason that no New People were sent to settle
18 in your commune?

19 A. Because the village was considered a model village and there
20 were no New People living in that village, they did not come to
21 that village. <However, New People were sent to settle in other
22 villages and communes, but not in my village.>

23 Q. Did you know about the marriages celebrated under the period
24 of Democratic Kampuchea and it was between the <New> People and
25 the Base People, to your knowledge?

1 A. No, I did not know about that and I did not know much about
2 the marriages. If they got married, they got married in their
3 respective villages or <communes and those wedding ceremonies
4 would be chaired by those respective village or commune chiefs. I
5 was always at the district office so I was not aware of that.>

6 [15.15.50]

7 Q. And let me confirm, you just stated that you never attended
8 any marriage ceremony during the period of Democratic Kampuchea,
9 am I correct?

10 A. Yes, that is correct. I came to live in Chup; I saw a marriage
11 celebration of 400 couples and that happened in September 1978.

12 Q. Mr. Ek Hoeun, I would like to ask you about the event in Tram
13 Kak district. Do you have any knowledge of the marriage that took
14 place in Tram Kak district?

15 A. No, I did not. I never attended any marriage ceremony. <I knew
16 that wedding ceremony was held every day.>

17 Q. Did you have any information about any forced marriage at your
18 location?

19 A. The persons who were interested in a partner, the person would
20 have to make a proposal to Angkar at the district level and once
21 there were enough proposals then the Angkar at the district would
22 organise the marriage <for them. Some of them did not get married
23 to the persons they were proposed to get married to, rather they
24 fled away with other people by 1979, in October or November 1980
25 -->

1 [15.17.27]

2 Q. Mr. Ek Hoeun, you do not need mention about any example of
3 marriage or events that happened after 1979, we are interested in
4 the events that took place before <7 January> 1979. Mr. Ek Hoeun,
5 let me move on to another issue that is in relation to Mr. Pech
6 Chim, who is your elder brother in-law; is that correct?

7 A. Yes, that is correct, but in fact he divorced his wife in July
8 1980 and he remarried another woman, so he and I seem to be
9 distant.

10 Q. Can you tell the Court when did you get to know Pech Chim?

11 A. Please repeat your question.

12 Q. When did you first get to know Pech Chim?

13 A. We were living in the same village and we all knew about the
14 relatives, about the parents, the grandparents or the great
15 grandparents.

16 [15.19.07]

17 Q. Thank you. Do you know when Pech Chim left Tram Kak district
18 for Kampong Cham province?

19 A. It was in March 1977, he went to North Zone to take charge of
20 <the Chamkar Andoung> rubber plantation and in August 1978, he
21 went to take charge of a factory <in Chup> but the factory <and
22 the Chamkar Andoung rubber plantation were under the same> rubber
23 plantation management.

24 Q. Thank you. When you left Tram Kak to the rubber plantation in
25 Kampong Cham, had Pech Chim arrived before your arrival and did

1 you meet him there?

2 A. I arrived at 5.00 in the morning. <I spent the whole night on
3 the trip. And> I saw him there at the Chup rubber plantation. He
4 was transferred from Chamkar Andoung to the Chup plantation.

5 Q. So when you arrived at the rubber plantation, you met Pech
6 Chim on the first day of your arrival; is that correct?

7 A. Yes, because in the morning there was a meeting to organise
8 the forces that had just arrived. <Other people were appointed to
9 various positions,> and I was <the only one who was> not
10 appointed to engage in any specific task.

11 [15.21.02]

12 Q. <Thank you.> During the period of Democratic Kampuchea regime,
13 did you have any conflict or argument with Pech Chim?

14 A. No, I did not. I had to please him since he was a teacher and
15 later on he was district secretary, et cetera. <I always tried to
16 be in good term with him. I never had any issues with him.>

17 Q. Thank you. And later on, do you have any personal conflict
18 with Pech Chim?

19 A. It's a long story. In 1979 when the Vietnamese troops arrived,
20 we fled to the forest together and by 1980 -- that is, in January
21 1980, he called me to a meeting and I was <commissioned> a plan
22 to clear a forest for a plantation and I said that we could not
23 clear the forest as the Vietnamese would hear the noise from the
24 falling trees and then he shouted at me and he said that that's
25 the reason he didn't want <> to call <me> to come along and he

1 was very angry at me but I didn't notice that and when I returned
2 to my place, <> three young men came and they were weeping and I
3 asked why they were weeping and then they said that he instructed
4 them to come and kill me but they did not want to kill me, <they
5 would rather kill him if I told them to,> so then at night time,
6 we fled to the <Chamkar Andoung> rubber plantation and then Ta
7 Chim sent a unit from the Centre army with <two pieces of RPG and
8 10 AK rifles> to come and locate me. <Then, I went to Kampong
9 Thom. Having heard that I had returned from Kampong Thom, Ta Chum
10 (phonetic), the head of a division> asked <whether I had brought
11 along anything from> Kampong Thom, and I said I did not do
12 anything much and we didn't have much food to eat as we only ate
13 leaves and fish as the Vietnamese troops were <on standby there,
14 and we had to withdraw and return. At> that time, those soldiers
15 <sent by Ta Chim spotted me sitting with Ta Chum (phonetic), and
16 the men who were carrying the RPG were getting ready by having
17 those RPG on their shoulders, while those men with> AK <> rifles
18 <were acting normally. I was then thinking to myself that they
19 would not dare do anything as I was sitting with Ta Chum
20 (phonetic), a division commander; and moreover, his men were
21 everywhere in the area. So> I was not afraid of them at the time
22 and that's what happened. And later on, we went up to <Dangrek>
23 mountain, <and> in July 1980, <we managed to get to the top of
24 the mountain where> I was asked to <surrender my rifle under the
25 pretext that I had deserted the army. I told them that, "I shall

1 not surrender my rifle to you unless> Ta Chim <himself comes for
2 it. I told them> that we were fighting the enemy and the <enemies
3 were> everywhere in the country <so how could I fight the enemies
4 without any weapon?" My message was conveyed to Ta Chim, but he
5 did not come for my rifle>.

6 [15.24.42]

7 Q. Thank you, Mr. Ek Hoeun. Sorry for my interruption, I think I
8 get your point and allow me to ask another question. During the
9 period of Democratic Kampuchea regime that you always respected
10 and followed the instructions of Pech Chim and only after 1979,
11 you had conflicts with him. My question to you is the following:
12 What was the cause of your upset with Pech Chim and that <he
13 even> wanted <you dead>, what was the main point or the main
14 reason for that?

15 A. Yes, I can. First, as I said, he called me to a meeting
16 <during which I was assigned> to clear the forest <to make way
17 for a plantation> and I said we could not do it as the noise
18 would be heard over by the Vietnamese troops nearby <as they were
19 already trying to locate us,> and then he was angry and he
20 <trumpeted at me like what an elephant would do>, then he sent
21 young men to kill me, but then they didn't dare to do it. <After
22 I had gone into hiding, he> then <sent a group of men to locate
23 me or kill me at the Chamkar Andoung> rubber plantation and that
24 was the conflict that he sent people to kill me.

25 [15.26.25]

1 Q. You talked about Chamkar Andoung <> rubber plantation, where
2 was the location?

3 A. It was in Stueng Trang in Kampong Cham province.

4 Q. What year was it?

5 A. He threatened me and that happened in January 1980, and then I
6 fled to the <Chamkar Andoung> plantation in February <1980. The
7 trip through the forest took me a month to get there>.

8 Q. Besides your personal conflict between you and Chim when he
9 asked you to clear a forest and later you put that aside, and
10 when you refer to his character during the period of Democratic
11 Kampuchea regime, what can you say <about> his capacity as Khmer
12 Rouge cadre?

13 A. When he was in the district, he was alright. He didn't get
14 angry with anyone and sufficient food was provided by him, but
15 later on <when there was nothing to eat and he couldn't make me
16 do what he asked,> he became angry at me.

17 [15.27.52]

18 Q. Now, are you still upset with him?

19 A. At the time that he sent people to kill me I was very angry
20 but now I don't feel the anger anymore.

21 Q. Do you maintain any relationship with him?

22 A. One day he came to a ceremony at his nephew's house and he
23 came to my house, <he put his bag on my bed> and he spoke to me
24 and asked me whether I would go to Phnom Penh or not and <I said,
25 "Yes.">

1 <"But someone> was accusing me of <being> deputy chief of the
2 district. <Who said that? It was you who was the> deputy chief of
3 the district. <What did I do> wrong that <I> was accused of being
4 deputy chief of the district" <?>.

5 <Then he confessed, "I did not say that. I told them that Hoeun
6 was my relative, my younger brother-in-law and that he did not
7 hold any positions.">

8 <But I was angry at him again.>

9 Q. I don't really get your answer. When you said "<in fact, you
10 were the> deputy chief of the district", whom did you mean?

11 A. I <was referring> to Ta Chim. When Ta Chim asked me whether I
12 had been to Phnom Penh and I said I went to Phnom Penh with some
13 foreigners <since> I was told <that I had been alleged a
14 district> deputy chief, and I <> told <them that I had never been
15 a district deputy chief. I then told them that they were Yeay
16 Khom, Ta Chim,> Ta Chay, <and Saom Dorn who was the office chief.
17 So I had never been a district deputy chief>.

18 [15.29.46]

19 Q. Thank you. Did you have really intense argument when you met
20 him <>during that time?

21 A. No, that's what I said and he said that I was his relative and
22 that he did not mention any position that I held <at the district
23 office> during the period of Democratic Kampuchea, that's what he
24 said. And it was kind of casual after that.

25 MR. KONG SAM ONN:

1 Thank you, Mr. Ek Hoeun. Mr. President, I don't have any further
2 questions for this witness.

3 MR. PRESIDENT:

4 Our proceedings today come to a conclusion a bit earlier as there
5 is no reserve witness for today so the Chamber will adjourn it
6 now and resume on Monday, 18 May 2015, commencing from 9 o'clock
7 in the morning. On Monday, 18 May 2015, the Chamber will hear
8 testimony of witness 2-TCW-986. This information is for the
9 Parties and the public.

10 Mr. Ek Hoeun, the Chamber is grateful of your testimony via video
11 link as a witness during the last two days and your testimony may
12 contribute to ascertaining the truth in this case and your
13 testimony now comes to a conclusion. You may rest and we wish you
14 good health and all the best.

15 Do you hear us, Mr. Hoeun?

16 [15.31.44]

17 MR. EK HOEUN:

18 Yes.

19 MR. PRESIDENT:

20 You may now be excused.

21 MR. EK HOEUN:

22 I wish you, Mr. President, all the happiness and prosperity.

23 MR. PRESIDENT:

24 Thank you.

25 Security personnel, you are instructed to take the two Accused

1 back to the detention facility and have them returned to attend
2 the proceedings on the morning of Monday, 18 May 2015, before 9
3 o'clock.

4 The Court is now adjourned.

5 (Court adjourns at 1532H)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25