



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

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

15 June 2015
Trial Day 297



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

The Accused: NUON Chea
KHIEU Samphan

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For the Office of the Co-Prosecutors:
William SMITH
SREA Rattanak

For Court Management Section:
UCH Arun

I N D E X

Mr. KEO Loeur (2-TCW-932)

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Questioning by Mr. KOPPE page 40

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Ms. CHET Vanly	Khmer
Judge FENZ	English
Ms. GUIRAUD	French
Ms. GUISSÉ	French
Mr. KEO Loeur (2-TCW-932)	Khmer
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
The President (NIL Nonn)	Khmer
Mr. Smith	English

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 testimony of witness Keo
6 Loeur. And if it's possible, we'll start hearing testimony of a
7 reserve witness -- in fact, there are two: 2-TCW-901, and another
8 one is 2-TCW-830. The latter witness is in relation to the 1st
9 January Dam worksite.

10 Greffier, please report the attendance of the Parties and other
11 individuals to today's proceedings.

12 [09.04.10]

13 THE GREFFIER:

14 Mr. President, for today's proceedings, all parties to this case
15 are present.

16 Mr. Nuon Chea is present in the holding cell downstairs. He has
17 waived his right to be present in the courtroom. His waiver has
18 been delivered to the greffier.

19 The witness who is to conclude his testimony today -- that is,
20 Mr. Keo Loeur, is present and ready in the courtroom.

21 We have two reserve witnesses; namely, 2-TCW-901 and 2-TCW-830.

22 Both witnesses confirm to their best knowledge, they are not
23 related by blood or by law to any of the two Accused -- that is,

24 Nuon Chea and Khieu Samphan, or to any of the civil parties

25 admitted in this case. The two witnesses will take an oath before

1 their testimonies.

2 [09.05.19]

3 MR. PRESIDENT:

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

5 The Chamber has received a waiver from Nuon Chea dated 15 June

6 2015, which notes that due to his health -- that is, headache and

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

8 effectively participate in future hearings, he requests to waive

9 his rights to participate in and be present at the 15 June 2015

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

11 consequence of this waiver, that in no way it can be construed as

12 a waiver of his rights to be tried fairly or to challenge

13 evidence presented or admitted to this Court at any time during

14 this trial.

15 Having seen the medical report of Nuon Chea by the duty doctor

16 for the Accused at the ECCC, dated 15 June 2015, who notes that

17 Nuon Chea has a back pain, headache, and dizziness, and

18 recommends that the Chamber shall grant him his request so that

19 he can follow the proceedings remotely from the holding cell

20 downstairs.

21 [09.06.43]

22 Based on the above information and pursuant to Rule 81.5 of the

23 ECCC Internal Rules, the Chamber grants Nuon Chea his request to

24 follow the proceedings remotely from the holding cell downstairs

25 via an audio-visual means. The AV Unit personnel are instructed

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1 to link the proceedings to the room downstairs, so that Nuon Chea
2 can follow the proceedings remotely. That applies for the whole
3 day.

4 The Chamber now gives the floor to the Co-Prosecutors and the
5 Lead Co-Lawyers for civil parties. And the remaining time for the
6 two parties is one session. You may proceed.

7 QUESTIONING BY MR. SMITH RESUMES:

8 Good morning, Mr. President, Your Honours, counsel. And witness,
9 good morning to you.

10 Q. Witness, last Friday we talked about your experiences at
11 Kampong Chhnang airfield, and we also talked about your
12 experiences at Khmuonh-Kab Srov. I'd like to briefly talk about
13 your experiences after you came into Phnom Penh and you were
14 stationed at the Calmette Hospital or near the Calmette Hospital.
15 In your interview with DC-Cam, you said that you saw some torture
16 near there. Can you please explain who you saw being tortured?

17 MR. KEO LOEUR:

18 A. I did not know that person.

19 [09.09.00]

20 Q. And what type of torturing did you see of that person?

21 A. I saw the person being tied and hanged on a tree branch.

22 Q. And who was doing that?

23 A. I did not know the person who did it.

24 Q. Were they Khmer Rouge troops?

25 A. Yes, they were Khmer Rouge soldiers.

1 Q. And did you see this torture of anyone else in addition to
2 this person near the Calmette Hospital?

3 A. Yes, indeed.

4 Q. About how many times did you see different people being
5 tortured, approximately?

6 A. I witnessed 30 cases of people being tortured.

7 [09.11.12]

8 Q. And do you know why they were being tortured?

9 A. From what I heard, they were accused of being in the enemy
10 network.

11 Q. And you said in your statement, your DC-Cam statement that it
12 was military troops that were being tortured; is that correct?
13 Khmer Rouge troops.

14 A. Yes, indeed, I made that statement.

15 Q. And was this torturing at the Calmette Hospital area? Was that
16 before you went to Khmuonh-Kab Srov for work, then tempering?

17 A. At that time, I was a disabled soldier staying at the
18 divisional office.

19 Q. And was that in 1975 or 1976 or 1977? Can you put a time on
20 it, please?

21 A. I can recall that it was in 1975.

22 [09.13.30]

23 Q. Thank you. Did you ever become aware in your work as a
24 military soldier of a decision of the Central Committee on the
25 30th of March 1976, which gave the authority of certain groups

5

1 the right to smash, the right to kill inside and outside the
2 Khmer Rouge ranks? Did you ever become aware of a decision like
3 that?

4 A. Please repeat your question. I don't fully get it.

5 Q. Did you ever know about the decision from the Central
6 Committee of the Communist Party of Kampuchea giving the
7 authority to different groups within the Khmer Rouge, the right
8 to smash or the right to kill inside or outside the ranks --
9 inside or outside the military? Did you ever know of that
10 decision?

11 A. No, I did not hear anything about that.

12 Q. And those people that you said that you saw being tortured --
13 about 30 cases, 30 different people, were they from Division 310
14 or were they from somewhere else?

15 A. Some of them were soldiers in Division 310, while others were
16 former soldiers.

17 [09.16.15]

18 Q. And you said this was in 1975; at that time, do you know why
19 these men were accused of being traitors?

20 A. I did not know about that at the time as I was a disabled
21 soldier and I did not know about the internal affairs.

22 Q. You testified that in about 1977 before you were tempered or
23 intensively tempered, as you said, that you were brought to a
24 meeting, and this is in your statement at E3/565; English,
25 E00863305; and the Khmer and French is in E3/5658: 00020677, for

6

1 Khmer; and French, 00812791 -- that's actually the wrong passage.

2 I'll get to that in a moment. The passage I am referring to is
3 English, E3/565; ERN 00863304; Khmer, 00020676 to 7; and French,
4 00812790.

5 [09.18.15]

6 To the DC-Cam interviewer, you said that, once Oeun, the division
7 head was arrested, there was a meeting called and there was a
8 tape that was played. And the tape recording, you said, was a
9 description of Oeun and Ta Kim's biographies, starting from the
10 period of their struggle, during the Revolution until the period
11 of their traitorous activities. Do you remember that tape being
12 played to you at a meeting?

13 A. When Oeun and Kim were arrested from the division, they called
14 soldiers and disabled soldiers like myself to attend a study
15 session where the tape was played.

16 Q. And as far as you know, when you heard that tape, were the
17 traitorous activities that were talked about, were they true?

18 A. From what I heard on the tape, he himself confessed that he
19 was a traitor.

20 [09.20.26]

21 Q. As far as you know, at that time or before his arrest, were
22 you aware of Oeun attempting to overthrow the leadership of the
23 Khmer Rouge or not?

24 A. I knew that Division 310 with Oeun and Kim were the commanders
25 were about to overthrow the Khmer Rouge force.

1 Q. And how did you know about that?

2 A. I saw weapons being transported and when I asked why those
3 weapons were being transported, I was told that I should mind my
4 own business.

5 Q. And in your statement -- and I gave the ERN numbers earlier --
6 did you have any involvement in preparing food? You said that you
7 had involvement in preparing food supplies; is that correct or
8 not? Food supplies to assist in the organisation of the troops
9 for this plan takeover.

10 A. At that time, I was asked to assist in packaging the food.

11 Q. Can you tell the Court, was there either -- firstly, was the
12 plan implemented? The plan that was discussed, the plan you
13 prepared for; did it happen? Was there any takeover attempt?

14 [09.23.15]

15 MR. PRESIDENT:

16 Witness, please wait. And defence counsel, Kong Sam Onn, you have
17 the floor.

18 MR. KONG SAM ONN:

19 Thank you, Mr. President. I'd like to make an observation
20 regarding the last question by the Deputy Co-Prosecutor. The
21 question to put to a witness whether the plan was initiated or
22 concluded was difficult for the witness to give a response. The
23 witness already testified that he participated in the packaging
24 of food supply and saw weapons being transported. And that shows
25 the limit of his involvement. And when it's about whether the

1 plan was achieved or not, it would be beyond his capacity. Thank
2 you.

3 BY MR. SMITH:

4 Well, we don't quite know. I need to ask the witness the
5 question. Then if the witness says he doesn't know anymore, then
6 of course, I'll stop and I'll move to another topic.

7 Q. Within your involvement packaging food, do you know whether in
8 fact there was a takeover attempt using weapons? Did that in fact
9 happen or not, as far as you know?

10 MR. KEO LOEUR:

11 A. No. The plan was never realised as main people involved in the
12 attempt were arrested.

13 [09.25.22]

14 Q. Now with all of the arrests you talked about -- the arrest of
15 the divisional head Oeun, deputies, battalion commanders, company
16 commanders, members from your unit, members from Battalion 317,
17 to your knowledge from what you observed, did any of those people
18 resist arrest from the troops that came to take them away? Was
19 there any fighting; was there any resistance to any of these
20 arrests?

21 A. I did not know about that at the time.

22 Q. But from all of the arrests that you saw at the meetings, at
23 Khmuonh-Kab Srov, the tortures that you saw at Calmette, the few
24 arrests that you saw at Kampong Chhnang, from the ones that you
25 saw the arrests and the tortures, did you see any attempt to

1 resist or fight back?

2 A. At that time, I did not see any signs of attempt to resist or
3 to fight back, since they were unarmed.

4 [09.27.17]

5 Q. Thank you. And of all the arrest that you saw, all of the
6 arrest that you heard about in your division, did you ever hear
7 of any one of those people being given a trial, a public trial to
8 be able to challenge any accusation that was made against them?

9 A. No, I did not see any of that.

10 Q. And do you know what the reason was why there was this plan to
11 overthrow the leadership? Do you know why a plan was put in
12 place, the reason why people wanted to overthrow the leadership?

13 A. At that time, I did not know the real reason.

14 Q. The practice of torture that you saw at the Calmette Hospital
15 in 1975, how was that viewed by the troops that you were with?
16 Was that a welcome practice or was that one in which it scared
17 people in your unit?

18 A. At that time, I was a disabled soldier and I kept asking why
19 people were being beaten up. The soldiers threatened me to keep
20 my mouth shut and not to put my -- not to poke my finger into
21 their business. <I then kept silent, for I was a handicapped
22 soldier and living with them.>

23 [09.30.05]

24 Q. When the arrests of people from your unit and Division 310,
25 when they started to occur, when you started to become first

10

1 aware of those arrests, were you also aware of arrests of other
2 CPK troops around the country at that time?

3 A. I knew from what I heard that the arrests were made first in
4 the Southwest Zone, then in the North Zone.

5 Q. Just have to finish on one or two very short topics. And one
6 is your statement that you made to ECCC investigators, that you
7 saw Ieng Sary, Nuon Chea, and Ke Pauk at the Kampong Chhnang
8 airfield. How many times did you see Nuon Chea at the airfield?

9 A. I never saw Nuon Chea and Khieu Samphan.

10 [09.32.06]

11 Q. I understand from your statement that you didn't see Khieu
12 Samphan at the airfield. However, you did say in response to this
13 question at E3/467; English, 00205074; Khmer, 00170620; and
14 French, 00205078; you were asked the question: "Did you see any
15 leaders at the airfield?"

16 And you said: "I saw Ieng Sary, Nuon Chea, and Ke Pauk came to
17 inspect the airfield site." So is that now not your evidence that
18 you didn't see Nuon Chea, or does that refresh your memory that
19 you did?

20 A. I may have forgotten it because it happened long time ago.

21 Q. Thank you. Just one or two last questions. This is about the
22 structure of Division 310. In a document that the Court has
23 received, it's E3/1585 -- and we don't need to show it on the
24 screen. Thank you. And it's dated the 20th of October 1976. And
25 at that time in October '76, it states that comrade Oeun was the

11

1 secretary of the division and comrade Voeung as the deputy chief
2 of division. You mentioned earlier that Ta Kim was the deputy
3 chief of 310. Was Ta Kim replaced at any time and replaced by
4 comrade Voeung? Or do you have another explanation why comrade
5 Voeung appears as the deputy chairman of 310 in October '76?

6 A. I may have forgotten it.

7 MR. SMITH:

8 Thank you. Mr. President, I have no further questions.

9 MR. PRESIDENT:

10 Now the floor is given to the Lead Co-Lawyer for civil parties.

11 [09.35.31]

12 QUESTIONING BY MS. GUIRAUD:

13 Thank you, Mr President. Good morning, everyone. Good morning,
14 witness. My name is Marie Guiraud. <I am> International Counsel
15 for the civil parties. I have a few questions to put to you. And
16 then, I'll give the floor to my colleague Chet Vanly towards the
17 end of <the session>. My questions will focus <solely> on your
18 experience on the Kampong Chhnang Airport construction site. I'd
19 like to start with a question regarding your arrival on the
20 airport construction site.

21 Q. On Friday, you stated that you arrived on the 15th of January
22 1978, and that that date <left an impression on you>. I'd like
23 you to tell us whether you arrived alone with the members of your
24 unit, or you arrived <that day> in the company of other units on
25 that site.

1 MR. KEO LOEUR:

2 A. When I arrived in Kampong Chhnang, I was not only among my
3 group members. There were other members from different units.

4 [09.37.00]

5 Q. When you were interviewed by <the> DC-Cam <investigator> --
6 I'm referring to document E3/5658; <the ERN in English is
7 00863291;> the Khmer is <00020667>; in French, <00812781> -- this
8 is what you stated regarding the date of your arrival on the 15th
9 of January 1978. You stated -- and I quote: "There was a very
10 large number of people from various units. They came in
11 thousands; all adults, without any exception."

12 Is this statement in line with what you remember?

13 A. I could recall that. During that time, <> former <soldiers>
14 who were affiliated with <their former divisions> were taken to
15 work at that place.

16 [09.38.20]

17 Q. At the time, did you know which other divisions arrived on
18 <the> site together with you on the 15th of January 1978?

19 A. I have no idea. I knew that I was at the site on that day.

20 Q. Was any meeting held upon your arrival at that site<, which
21 you attended>?

22 A. There were instructions relayed to us about the construction
23 of the airport, and we were also instructed to uproot and pull
24 out grass.

25 Q. I would like to read out to you a passage from your statement

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1 before the Co-Investigating Judges, <before the investigators,>
2 document E3/467; the ERN in English is 00205074; Khmer, 00170620;
3 French, 00205078. You referred to a meeting, and I'll read out
4 what you stated at the time. And then, I'll put a few questions
5 to you regarding what you had stated then. This is what you
6 stated at the time:

7 "At the meeting, we were <informed> that we had to be tempered
8 because our chiefs <were> traitors. And if we refused to do so,
9 we would be arrested. <Grandfather> Lvey from the Northwest Zone
10 was the person in <charge of> the <airport>."

11 Witness, on the day you arrived or <perhaps during> the days
12 following your arrival, was any meeting held chaired by Lvey and
13 which you attended?

14 [09.40.48]

15 A. Upon my arrival, there was a meeting <during which we were
16 told that we had to be refashioned>. I rarely saw Ta Lvey <>. I
17 noticed that he was in a vehicle for a brief moment, and I had no
18 chance to meet him at all.

19 Q. When you say it was a re-education meeting, can you explain
20 what you were told at that meeting? <In> your interview before
21 the investigators <you referred to the fact that> when you were
22 told that you had to be tempered because your chief was a traitor
23 or your leaders were traitors. Does this ring a bell to you
24 today?

25 A. They said that all comrades were former soldiers who were

14

1 affiliated with the former regime. <So we> needed to be tempered
2 from this time onward. <All assigned tasks must be done without
3 any> complaints. We were told to <be utmost tolerant despite
4 being sick, unless we passed out. We had to be patient, for our
5 former chiefs were traitors. And we were labelled as having
6 affiliated with those commanders>. And we <were> also urged and
7 warned that if anyone did not work hard, <we> would be arrested
8 and tortured.

9 [09.42.45]

10 Q. During that re-education meeting you have just referred to,
11 was it attended solely by members of your unit or it was also
12 attended by soldiers from other units?

13 A. They were from different units working at that place.

14 Q. <Can you give an estimate of how many people attended that
15 meeting? Are we talking about 10, 50, a hundred, more than a
16 hundred people?> Can you give us a ballpark figure as to the
17 number of people <you remember>?

18 A. I could not recall it well how many people were in each
19 meeting. There were hundreds of them in each meeting.

20 Q. When you say "at each meeting", did you subsequently during
21 your <time> on <the> site attend other re-education meetings? And
22 if yes, do you recall <about> how many meetings were held during
23 that period?

24 A. I was called <to attend a few> meetings.

25 [09.44.35]

15

1 Q. Did you know at the time who chaired those meetings?

2 A. I did not know the superior's name because they -- and that
3 they were from the Southwest Zone, I did not dare to look at
4 their faces.

5 Q. During those meetings, did you see any people being arrested
6 and led away?

7 A. I used to see people were taken away.

8 Q. Did you subsequently see those people again on the worksite?

9 A. No, I never saw them <come> back after the arrest.

10 Q. On Friday, you stated that you stayed at Kampong Chhnang on
11 two occasions: the first time with your unit <of> handicapped
12 soldiers, and <the second stay was after a training session in
13 Phnom Penh. I'd like to ask you about your first stay, the first
14 several months you spent digging up earth.> Can you tell <the
15 Chamber> the number of people who were in your unit <during> the
16 first months while you were at Kampong Chhnang? You were not very
17 specific on Friday. Are we talking <about a> dozen workers, <a>
18 hundred, several hundred? Can you please give us an estimate of
19 the number of people?

20 [09.46.42]

21 A. When I was told to dig the grass, I lived in my unit with 30
22 members, and in different units there were thousands of workers
23 or members.

24 Q. So during those first months when you were digging the earth,
25 you were working in a unit of 30 people but you were working

1 alongside thousands of workers; is that what you have just
2 stated?

3 A. The work at the airport worksite, I met many workers. But when
4 it came to sleeping time, we slept in our own <separate>
5 quarters<, so I> did not know <others>.

6 Q. And regarding the thousand <or so> people you <described, and
7 whom you> worked with <digging up grass>, were they also dressed
8 in black as you <described> on Friday?

9 A. Yes, they wore black clothes.

10 Q. You have just stated that you saw a lot of workers during the
11 day and that you worked alongside them, but at night, you would
12 <each> return to separate dormitories at the time. Can you
13 explain to us where you slept during that period?

14 A. I did not know the <name of that village, but the sleeping
15 quarter was located to> west of the airport. <We were assigned to
16 sleep> in respective groups or units.

17 [09.49.00]

18 Q. And you yourself, where did you sleep? Did you sleep on the
19 worksite or outside of the worksite?

20 A. It was outside of the airport worksite, a bit away from that
21 worksite.

22 Q. What was the distance from where you were sleeping and where
23 you worked?

24 A. The distance from one squad or unit to another was about 20 to
25 30 metres.

1 Q. What I'd like you to tell me, Witness, is this: When you got
2 up in the morning and went to work, what was the distance from
3 where you slept to where you worked? And how much time did it
4 take you to cover that distance? Was it far off or close by? Can
5 you please give us some estimate of the time and the distance?

6 A. The <> distance from the sleeping quarter and the worksite was
7 about one kilometre.

8 [09.51.00]

9 Q. Can you very quickly describe to us where you slept? Was there
10 a roof, <walls,> mosquito <nets>, hammocks? Can you please give
11 us a description of where you slept at the time?

12 A. They built a small house <with thatched roof and walls, but
13 there were no mosquito nets, hammocks, or blankets in it>.

14 Q. How many people slept with you in that shelter you have just
15 described to us?

16 A. There were 15 people in <each> house.

17 Q. Thank you. On Friday, you stated that there was a medical unit
18 -- at least, that is what we understood in French. Can you
19 explain to us what you meant by that term "medical unit"?

20 A. There were mobile medical units. And if workers fell
21 unconscious, they would be <given medicines>.

22 [09.53.02]

23 Q. Do you remember what kinds of medicines were administered?

24 A. <They were locally made pellets; they were not imported>.

25 Q. During that period, do you know whether a hospital existed at

1 Kampong Chhnang?

2 A. <There was in town,> but there was none at my place.

3 Q. <Do you recall whether any member of your unit was ever sent
4 to the hospital when he was really ill?>

5 A. I could recall it. When my <> colleagues fell seriously sick,
6 the truck would come to pick them up and send them to the city.

7 Q. And did you see those workers return to the worksite after
8 they were put in a truck and sent to <the city>?

9 A. The sick workers were sent to the city for treatment and they
10 would be back <to work as usual> after two or three days.

11 [09.55.21]

12 MS. GUIRAUD:

13 Thank you, Witness. Mr. President, I will now give the floor to
14 my learned colleague. Thank you.

15 MR. PRESIDENT:

16 Yes, you may now proceed.

17 QUESTIONING BY MS. CHET VANLY:

18 Good morning, Mr. President. Good morning, Your Honours. Good
19 morning, everyone in and around the courtroom. Good morning, Mr.
20 Witness. My name is Chet Vanly. I am <a> civil party lawyer.

21 Q. I have observed since Friday that you have provided certain
22 statements before this Chamber. And now, I would like you to make
23 clarification on some points to enlighten the Court. When you
24 left K-4 at Khmuonh-Kab Srov, you were sent to Kampong Chhnang
25 airfield, as stated by you; that you went to Kampong Chhnang on

1 the 15 of January 1978. What were you told then?

2 MR. KEO LOEUR:

3 A. We were told that we would be sent to construct the airport in
4 Kampong Chhnang.

5 [09.57.17]

6 Q. Thank you. Who told you that?

7 A. I could recall that it was comrade <Deun> (phonetic) who was
8 from the Southwest Zone came to replace the former cadres. And he
9 told me that.

10 Q. Thank you. You stated before this Chamber that you were no
11 longer a soldier by then. And when were you disarmed before you
12 were sent to the airfield?

13 A. I had no rights to hold any weapon after I fell handicapped<.
14 It had been before I was transferred to> K-4.

15 Q. Thank you. Upon your arrival at the airfield, did you go with
16 your group -- with your own group or were there any other members
17 from division going with you as well? And who were there to
18 receive you all?

19 A. Comrade Ton (phonetic) from the Southwest Zone who was there
20 to receive us at Kampong Chhnang.

21 [09.59.28]

22 Q. Upon your immediate arrival, did you meet Ta Lvey?

23 A. Upon our arrival, we did not see Ta Lvey there.

24 Q. How <long> after that you met Ta Lvey? Or did you ever attend
25 <any> meetings which Ta Lvey attended?

1 A. I could recall that two months later, I met Ta Lvey.

2 Q. Was Ta Lvey in charge of that Kampong Chhnang airfield?

3 A. Yes, he was <> in charge of that airfield.

4 Q. Besides Ta Lvey, did you see any other leaders -- that is, Ta
5 Lvey's superiors or his deputies coming to the worksite?

6 A. Besides Ta Lvey, there was Ta Met.

7 [10.01.14]

8 Q. Did Ta Met visit the worksite often?

9 A. Only once in a while -- that is, probably on a weekly basis he
10 visited the worksite.

11 Q. How did he go to the worksite, was he escorted by bodyguards
12 or did he walk to the worksite?

13 A. During his visit, he was always in a jeep with two to three
14 bodyguards.

15 Q. After Ta Met visited the worksite, did he return to Ta Lvey's
16 office or did he leave the worksite?

17 A. I did not know about that. I didn't know whether he left the
18 worksite or he went to the office or he went elsewhere, as I did
19 not even dare to look at his face.

20 Q. Last time, you testified before this Court that leadership
21 level of the North Zone had been <arrested> and replaced by
22 cadres from the Southwest. Did you know any of those Southwest
23 cadres? And did you ever see Ta Mok visit the worksite?

24 A. At that time, Southwest cadres came to replace the previous
25 cadres and I did not know any of those Southwest cadres. As for

1 Ta Mok, I never saw him.

2 Q. Do you recall any name of cadres from the Southwest Zone?

3 A. Those people who were sent to supervise K-4 replacing North
4 Zone cadres included Deun (phonetic).

5 [10.04.11]

6 Q. I'd like now return to the issue of the airfield worksite.

7 While you were working there, did you witness any accident
8 related to work there or <any suicide>?

9 A. While I was working there, I saw some workers who fell and
10 became unconscious from intensive work.

11 Q. Among those workers working at the airfield -- and you already
12 testified that there were a mixture of men and women. And from
13 your observation, were there more men than women? And what were
14 women <mostly> assigned to do?

15 A. There were more men than women. And they were assigned to work
16 separately. I only saw the women group when they left for their
17 work at the worksite.

18 Q. So from what you said, there were many workers from various
19 divisions working at the airfield. What about eating; was there a
20 common eating? Was a bell rang so that you could go to collect
21 your food ration or did you eat on site?

22 A. We ate within our companies. And the food was given in ration
23 to each member of the unit or the respective company.

24 [10.06.50]

25 Q. What was the food ration, or could you eat freely? What kind

1 of rice that was given to you? And what about the soup?

2 A. There was soup and we were given a bowl of rice, but it was
3 not enough.

4 Q. In terms of food ration and the work you did, was the food
5 sufficient -- I mean proportional to the workload?

6 A. No, it was not enough, as we did hard work and the food given
7 to us was little.

8 Q. I'd like to ask you about the work assignment and
9 distribution. Was work classified as heavy work or light work, or
10 whether it was not considered that way but the entire unit was
11 working together?

12 A. For workers working at the airfield, we worked in groups. And
13 we worked separately from other groups or units according to the
14 assignment for our group.

15 [10.08.40]

16 Q. While working there, did you work -- did you usually work only
17 with your hands and light tools or were heavy machinery used?

18 A. We worked according to our assignment; for instance, sometimes
19 we had to have hoes to dig the ground. For others who had to pull
20 grass on the airfield, they also needed hoes. As for workers
21 dealing with rock breaking, they would be given hammers to do
22 that kind of work.

23 Q. Previously, you testified before this Court that you were sent
24 to attend a technical training session for a period of three
25 months. What was the name of the person who made a request for

1 you to go to attend the training? Was it Han (phonetic) or was it
2 Phan (phonetic)? And what was his position?

3 MR. PRESIDENT:

4 Witness, please wait. And defence counsel Anta Guissé, you have
5 the floor.

6 [10.10.25]

7 MS. GUISSÉ:

8 Yes, thank you. It was just to clarify <the record>. In the
9 French <record>, we heard that the witness <allegedly> went to a
10 re-education session for three months. And then, in his
11 statement, <I believe> we heard about training as a surveyor. So
12 I would like <this> to be <clarified, because, it is not clear,
13 at least in French >.

14 BY MS. CHET VANLY:

15 Q. I'd like to ask the witness to clarify the matter that he was
16 sent to attend a training session on land surveying. And I'd like
17 to know whether it was Han (phonetic) or it was Phan (phonetic)
18 who submitted a request for him to attend the training. That is
19 the nature of my question.

20 MR. KEO LOEUR:

21 A. It was Han (phonetic) who made a proposal for me to attend the
22 technical training in land surveying.

23 [10.11.50]

24 Q. What topics were taught for this land surveying course?

25 A. It's going to be a rather detailed response so that the

1 Chamber is clear once and for all. On the issue of land
2 surveying, first, <roller compactors compacted the field
3 thoroughly>. Then we <used> a marker and we <hammered the tool
4 deep into the compacted> ground to get a soil for testing. And
5 when <the sample indicated the compression level reached to> 90
6 per cent, we were sure that the <terrain was well compressed, and
7 it would be ready for heavy load>. And if we only get 70 per cent
8 result <from the sample>, then the soil compactor roller would be
9 used to compress the soil again until we get the 90 per cent
10 result.

11 Q. You said you attended that study session in Phnom Penh. Was
12 your instructor Cambodian or foreigner? And where was the course
13 held?

14 A. The course was held in Phnom Penh. However, I did not know the
15 location where the training was held. I believed it was <to the
16 east of Veal Vong,> Pochentong airport.

17 Q. Was the instructor local or foreign?

18 A. The instructor was Chinese assisted by an interpreter.

19 [10.14.32]

20 Q. Besides the technical training you attended during that
21 training session, were you taught any political issues?

22 A. Besides the technical course, we were told to strive to work
23 hard according to our respective work assignment. For instance,
24 in my case, I was for the land surveying. If I made a mistake
25 that I misunderstood the level of land compress -- land compact,

25

1 then I would be <investigated and sent to detention>.

2 MR. PRESIDENT:

3 <Madam Lawyer, you run out of your time.>

4 The time is appropriate for a short break. The Chamber takes a
5 break now and resume at 10.30.

6 Court officer, please assist the witness during the break at the
7 waiting room for witnesses and experts, and invite him to return
8 to the courtroom at 10.30.

9 The Court is now in recess.

10 (Court recesses from 1015H to 1033H)

11 MR. PRESIDENT:

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

13 Before the Chamber gives the floor to the defence teams for the
14 Accused, I would like to know whether any of Judges have
15 questions for this witness. You may now proceed, Judge Lavergne.

16 QUESTIONING BY JUDGE LAVERGNE:

17 Thank you, Mr. President. Good morning, Witness. I have a few
18 questions for you for purposes of clarification. I would like you
19 to clarify a number of answers you have given thus far.

20 Q. Witness, can you describe to us in more detail what
21 installations, what facilities and equipment were found at
22 Kampong Chhnang Airport. What did you see exactly? Was there a
23 landing <strip>? And can you describe its specifications, <were
24 there> any other facilities on that airfield?

25 [10.35.22]

1 MR. KEO LOEUR:

2 A. Concerning Pochentong airfield where I came to attend a
3 training session, I could not give my estimate how large the
4 airport was. I stayed in a brick house at that time.

5 Q. Perhaps there is a problem of understanding. I'm not talking
6 of Pochentong Airport but Kampong Chhnang Airport. Can you tell
7 us whether there was a landing <strip> at that airport? And can
8 you describe to us the dimensions of that strip?

9 A. At Kampong Chhnang airfield, the runway was 1,800 metres
10 long. There were two runways. And the width was about 50 metres.

11 Q. And if we were to compare it with the runways that existed <at
12 the time at> Pochentong, did <these strips> have the same
13 dimensions <as> the Pochentong runway? <Were they> longer or
14 shorter?

15 A. I have no idea about the runways of Pochentong Airport. As I
16 stated earlier, the width of the runway in Kampong Chhnang
17 airfield was about 50 metres. And there was fence surrounding
18 that airfield.

19 [10.37.55]

20 Q. Can you tell us whether there were caves that were dug in the
21 mountains? And can you describe them to us?

22 A. There were a group to dig the cave for hiding airplanes.

23 Q. And can you tell us what kinds of planes had to be hidden in
24 those caves?

25 A. I have no idea what types of planes hidden at that place. I

1 was told that there were <tunnels> for keeping airplanes out of
2 sight.

3 Q. Was that for the purpose of hiding civilian planes or military
4 planes?

5 A. From what I knew, they were military airplanes.

6 Q. I would like us to backtrack and go back to the period when
7 you joined the Revolution. On Friday when you testified, you
8 stated that you joined the Revolution at the age of 18. Can you
9 tell us whether you joined the Revolution voluntarily or
10 otherwise?

11 A. I was not a voluntary soldier at that time. I was forced to
12 join the army.

13 [10.40.42]

14 Q. Did you do so under pressure? And if yes, what kind of
15 pressure was brought to bear on you?

16 A. Then I -- my father was called to attend a meeting and <he>
17 was told that if <anybody would> not allow the children to go
18 into the battlefield, parents would be mistreated. <So,> children
19 were forced to join the army.

20 Q. So you were forced to join the army because they threatened
21 your father <with <maltreatment> if you did not join the army, is
22 that <correct?>

23 A. Yes, that is true.

24 Q. As from the time when you joined the army, did you attend any
25 indoctrination sessions? Were you taught the revolutionary

1 doctrine and what it <consisted> of?

2 A. We were <taught> about the revolutionary lines. And we were
3 also <informed> about <> feudalism, capitalism, and
4 reactionary<>.

5 Q. Were you told that you had to <hate> members of <those>
6 groups?

7 A. We were indoctrinated to get revenge against the feudalists,
8 capitalists, and reactionaries.

9 [10.43.25]

10 Q. And when you were told that you had to take revenge against
11 them, what did you understand by that? Did it mean that they had
12 to suffer any particular fate; that they had to be killed? What
13 were you told?

14 A. We were told to take revenge against reactionaries and
15 capitalists. We were also told to liberate the poor class.

16 Q. How were you supposed to take revenge? What was the fate
17 reserved for those classes? Did those classes have to be
18 eliminated?

19 A. We were indoctrinated at that time that we had to eliminate
20 the capitalists, reactionary classes in Cambodia.

21 [10.45.02]

22 Q. Before you joined the Revolution, you were a monk and you
23 studied at the pagoda; is that correct?

24 A. I <had stayed> in a pagoda <since I was six years old. I
25 subsequently was ordained to become a monk and enrolled at a>

1 Buddhist <primary> school, and I <completed Buddhist primary
2 education>.

3 Q. Can you tell us what you were taught during indoctrination
4 sessions with regard to religion, Buddhism, or any other
5 religions, be they the Christian or Muslim religions? <Did they
6 speak about these religions?> And if they <did>, what were you
7 told about them?

8 A. In the indoctrination session, we were told to get angry <>.
9 And we were told that <religions, including Buddhism, were
10 exploitative>. And at that time, they mentioned that I was a
11 petty bourgeoisie as a monk <so I had benefited from others'
12 labour>.

13 Q. Did you witness any <maltreatment> of monks or did you witness
14 any damage done to the pagodas?

15 A. From 1970 to 1973, nothing happened. Monks could stay in their
16 monkhood at that time.

17 Q. <And> after <1973 or> 1975, what happened? Did you witness
18 anything in particular?

19 A. After 1973, monks were instructed to work in the field, and
20 they were also to build bridges at various worksites. And all
21 monks were defrocked in 1975.

22 [10.48.40]

23 Q. Is that <something> that you saw with your own eyes or <were
24 you only told about it>?

25 A. I did not witness this situation. My colleagues who joined me

1 later told me about this. I was in the front battlefield at that
2 time.

3 Q. Did you witness the destruction of religious edifices, whether
4 pagodas or churches?

5 [10.49.39]

6 A. Allow me to tell the Court. I would like to a little bit
7 backtrack. I saw the demolition of <a> <Catholic> church when I
8 was a <handicapped soldier staying at my division>. I witnessed
9 this incident.

10 [10.50.10]

11 Q. <Where> was that?

12 A. They destroyed a <Catholic> church west of Wat Phnom.

13 Q. Do you know whether any pagodas were destroyed <or> did you
14 notice that statues were demolished, <for instance>, in pagodas?

15 A. At that time, I did not <know> that pagodas and <Buddha>
16 statues were demolished <yet>.

17 Q. Did you <find out> about that later on? And what exactly did
18 you <find out>?

19 A. Later, I did not witness any other destruction of pagodas. I
20 witnessed only one time -- that is, the destruction of a
21 <Catholic> church.

22 Q. Do you have any friends who were monks with you previously and
23 whom you met subsequently, <and who told you> what their
24 experiences had been and what had happened? <Did that ever
25 happen?>

1 A. I had <> friends who <used to be> monks and I was told that
2 pagodas at the rear battlefield were destroyed and <> turned into
3 handicraft places.

4 [10.53.00]

5 Q. I would like us to broach another subject and I have a few
6 questions on such subjects. To complete the questions put by the
7 Co-Prosecutor this morning regarding the meeting during which an
8 audio recording was broadcast which purportedly contained the
9 confessions of Ta Oeun and Ta Kim, who were your superiors. Do
10 you know where those audio recordings were from? Were you told
11 what those recordings were all about?

12 A. When all soldiers, including the handicapped ones were called
13 into a study session, <> we were asked whether we would like to
14 know about the biographies of our senior <> supervisors.

15 Q. And which cadres exactly <was this in regards to?> This
16 morning mention was made of Ta Oeun and Ta Kim. Were there any
17 other cadres apart from those two?

18 A. They were <referring to> Ta Oeun and Ta Kim, who were accused
19 of being traitors.

20 Q. And did they say where they got those confessions and where
21 they had been recorded?

22 A. We were not told where the confessions were taken from, and we
23 were <only> told that these were the confessions of <our>
24 superiors and we were asked to concentrate and during that time
25 we could hear the sounds from the recording and we realised that

1 it was the voice of our supervisors.

2 [10.56.13]

3 Q. Did you ever hear of S-21?

4 A. After <listening> to the recording, they announced that <our>
5 supervisors had been sent to S-21.

6 Q. So it was on the basis of those confessions obtained at S-21
7 that your superiors were publically accused of being traitors; is
8 that correct?

9 A. Yes, that is correct.

10 Q. We will not discuss the contents of those documents, but you
11 gave some information this morning following questions put to you
12 by the Co-Prosecutor, <and you said that in your opinion there
13 was a plan to> overthrow the Khmer Rouge regime. And you stated,
14 unless I am mistaken, that you noted that weapons and ammunition
15 were transported. What do you have to say, more specifically,
16 regarding what you saw with your own eyes? What exactly was
17 <being> transported? And what made you think there was a plan to
18 overthrow the regime?

19 A. At the time, I saw weapons were transported and I asked why
20 weapons were loaded and kept at that place.

21 [10.59.00]

22 Q. Now, can you be more specific? From what locations to which
23 other location <were those weapons being transported>? Where were
24 those weapons stored and what made you think that they were going
25 to be used to overthrow the regime?

1 A. <> The weapons were transported towards Phnom Penh direction
2 and the senior people had a discussion that <they kept the
3 weapons because> they wanted the soldiers to have a better living
4 conditions and to have a salary as well.

5 Q. Which leaders are you speaking about? Are you speaking about
6 Ta Oeun and Ta Kim or are you speaking about other leaders?

7 A. It was Ta Oeun who mentioned this.

8 [11.00.40]

9 Q. So Ta Oeun spoke to his troops, to his men, and he told them
10 that he wanted them to be better treated and he wanted them to
11 receive a salary. Must I understand that?

12 A. Yes, he stated this.

13 Q. But did he say that it was necessary to overthrow the regime
14 in order to arrive at that result? Did he speak about a coup
15 d'état? Did he speak about seizing power?

16 A. What he said was that in order for soldiers to receive wages
17 and to live comfortably, we had to react and overthrow the DK
18 regime.

19 Q. And is this something that you heard personally or is this
20 what you heard during the broadcast, during the audio broadcasts
21 of the confessions coming from S-21?

22 A. I heard through the confession from S-21.

23 [11.02.41]

24 Q. Fine, Okay. Let's forget about the S21 confessions for the
25 moment. This is an issue that the Chamber will consider later.

1 But beyond what you heard in these confessions, you personally,
2 did you attend a meeting during which Ta Oeun said it was
3 necessary to overthrow the DK regime?

4 A. Yes, I heard that.

5 Q. And can you tell us upon which occasion, and when did this
6 happen?

7 A. I heard it during the meeting. He said that the regular force
8 soldiers would be sent to the front battlefield and for the
9 disabled soldiers, we would lend our hand in packaging food in
10 order for us to overthrow the DK regime by attacking Phnom Penh.

11 Q. And do you remember the date when this meeting was held?

12 A. No, I cannot recall the date.

13 Q. And back then, you were still part of Unit K-4 or were you in
14 Phnom Penh, were you north of Pochentong, where were you exactly?

15 A. At that time, I was in the regiment of K-4, situated at the
16 north of Pochentong Airport.

17 [11.05.30]

18 Q. You described the working conditions over there. <Back> then,
19 had you already undergone poor treatment because you were being
20 re-educated? Were you already being re-educated at that moment or
21 was it before?

22 A. At that time I was not yet sent for re-education. <Disable
23 soldiers, including me, were> still assigned to work in a rice
24 field.

25 Q. So re-education began, <about> how much time before? Did it

1 start after Ta Oeun and Ta Kim's arrest? And if yes, how long
2 after?

3 A. After Ta Oeun and Ta Kim and other leaders had been arrested,
4 Southwest cadres came to take over and manage my unit. Later on,
5 <we were> sent for tempering at Regiment <317> located at
6 Khmuonh-Kab Srov.

7 Q. Were there several meetings in which Ta Oeun spoke about this
8 <plan> of overthrowing the regime, or was there only one meeting
9 when he spoke about that?

10 A. I personally only knew for one meeting.

11 [11.08.05]

12 Q. And how many people attended that meeting?

13 A. The meeting was all -- for all the cadres, the combatants and
14 for disabled soldiers like myself, so it means the meeting was
15 held for the entire division.

16 Q. So how many people <were in the entire division?> If I
17 understood well, your unit of disabled people was made up of 600
18 people. So you are speaking of the entire division -- how many
19 people did this represent?

20 A. I cannot recall how many soldiers in the entire division. I
21 simply knew that all the regular soldiers and the disabled
22 soldiers were instructed to attend that meeting.

23 Q. Where did this meeting take place exactly?

24 A. I recall that I was asked to attend the meeting which was held
25 at a location north of Wat Phnom.

1 [11.10.15]

2 Q. So it was in Phnom Penh, this meeting took place in Phnom
3 Penh; correct?

4 A. Yes.

5 Q. And the weapons had been brought to Phnom Penh; were the
6 weapons already there when the meeting took place?

7 A. While the meeting was held the weapons were already <stored>
8 outside.

9 Q. So the weapons had been brought to the place where the meeting
10 was being held? Or were the weapons taken elsewhere?

11 A. The weapons were being stored at another location.

12 Q. And do you know where these weapons were stored?

13 A. I, as a disabled soldier, was not allowed to see where the
14 weapons were stored.

15 Q. But you saw these weapons in Phnom Penh, correct? Or were you
16 only told that these weapons had been brought to Phnom Penh? And
17 if you were told that these weapons had been brought to Phnom
18 Penh, who told you that?

19 A. I personally did not see the weapons, I only heard the senior
20 cadres speaking among themselves that the weapons had been
21 brought in.

22 [11.12.45]

23 Q. So it is Ta Oeun who said that the weapons had arrived in
24 Phnom Penh, correct?

25 A. Yes.

1 Q. Did he say when the coup d'état was supposed to happen?

2 A. He said that, "You all comrades wait and see and we will do it
3 when time permits".

4 Q. So he did not give a specific date but did he say that this
5 coup d'état was going to happen soon, quickly, or did he give any
6 kind of indications?

7 A. To my knowledge, no precise indication was told. He only
8 emphasised on the fact that soldiers should receive wages and
9 that we should live comfortably and that we should be authorised
10 to visit our parents.

11 [11.14.34]

12 Q. Did anybody protest, any of the people attending this meeting,
13 did any of them protest or did all of the people at the meeting
14 agree with the <plan>?

15 A. During the meeting, I did not see anyone who expressed their
16 opposition or refusal.

17 Q. Can you tell us how long after this meeting Ta Oeun and Ta Kim
18 were arrested and can you -- of course I understand that it's
19 difficult -- but can you provide us with dates? Do you remember
20 the date that all of this happened?

21 A. I cannot recall the date, however the night after the meeting
22 those commanders <were> arrested at the division.

23 Q. So according to you, do you believe that they were betrayed?

24 Do you believe that Ta Oeun and Ta Kim were betrayed?

25 A. It is my personal view that Ta Oeun and Ta Kim betrayed the DK

1 regime.

2 [11.16.50]

3 Q. Fine, but did anyone betray them, denounce them?

4 A. I did not know about that.

5 Q. How did you learn therefore that they had been arrested one
6 day after the meeting? Is this something that you witnessed or is
7 this something that you were told? And do you know who arrested
8 them?

9 A. I did not know those who arrested them. Ta Kim and Ta Oeun
10 were called to go to Phnom Penh <>.

11 Q. So therefore how do you know that they were arrested one day
12 after the meeting?

13 A. One day after the meeting which was chaired by him, he was
14 arrested and later on we were called to attend the study session
15 at the meeting where his confession on tape was being played.

16 Q. How long after did this re-education meeting happen?

17 A. To my best recollection, it was two days after he had been
18 arrested.

19 [11.19.36]

20 Q. So if I summarise all of this: you attended a meeting that was
21 chaired by Ta Oeun and this meeting brought together the soldiers
22 of your unit, your unit of disabled soldiers; there were also
23 soldiers coming from the entire division and this meeting took
24 place in Phnom Penh next to the Wat Phnom.

25 And during this meeting, Ta Oeun said to the people attending

1 that they should be better treated, that they should receive a
2 salary, that they should be able to go and visit their family,
3 and he stated that it was necessary to overthrow the regime. Then
4 following this, he also said that there were weapons that had
5 arrived in Phnom Penh. And then following this meeting, Ta Oeun
6 and Ta Kim were arrested. It was one day after the meeting. And
7 two days after their arrests, there was a re-education meeting
8 during which the sound recording of their confessions was
9 broadcast. Did I correctly summarise what you said?

10 A. Yes, that is correct.

11 [11.21.26]

12 JUDGE LAVERGNE:

13 Thank you. I have no further questions to put to the witness, Mr.
14 President.

15 MR. PRESIDENT:

16 It is now appropriate for our lunch break. We'll take a break now
17 and resume at 1.30 this afternoon.

18 And Court officer, please assist the witness during the break
19 time at the waiting room for witnesses and experts and have him
20 returned to testify this afternoon at 1.30 this afternoon.

21 And the Chamber would like to inform the Parties and the public
22 that this afternoon the Chamber will conduct a swearing-in
23 ceremony of a new investigator by the edict of the Ministry of
24 Justice and the proceedings will commence at 1.00 p.m. this
25 afternoon. Parties who are invited to attend the proceedings are

40

1 the Co-Prosecutors or their representatives; the greffier, and
2 the new investigator. Please be ready in the room before 1.00
3 p.m., and if other parties who wish to attend as visitors, you
4 may do so. Otherwise please make your presence known only after
5 the swearing-in proceedings conclude around 20 past 1.00. Thank
6 you.

7 And security personnel, you are instructed to take Khieu Samphan
8 to the waiting room downstairs and have him returned to attend
9 proceedings in this courtroom before 1.30 this afternoon. And
10 that is after the swearing-in proceeding is concluded.

11 The Court is now in recess.

12 (Court recesses from 1123H to 1332H)

13 MR. PRESIDENT:

14 Please be seated.

15 The Court is back in session and the floor is given to the
16 defence team for the Accused, and first, you may proceed defence
17 counsel for Mr. Nuon Chea.

18 QUESTIONING BY MR. KOPPE:

19 Thank you, Mr. President.

20 Q. Good afternoon, Mr. Witness. I have a few follow questions to
21 you in relation to your military career. I understand that you
22 joined the army or the forces rebelling against -- fighting
23 against Lon Nol in 1970. When you joined was that because of a
24 call of late King Father Sihanouk to fight against the Lon Nol
25 regime?

1 MR. KEO LOEUR:

2 A. In 1970, there was a call by late King Father that all
3 children should go into the <Maquis> forest to fight against the
4 <> American imperialist regime.

5 [13.34.58]

6 Q. And was the reason that you joined these armed forces, the
7 call of late King Father Sihanouk?

8 A. This call -- as for this call -- actually, I did not want to
9 join the army.

10 Q. Did you also then have military training for about two months,
11 and specifically training in counter attacking; is that correct?

12 A. After I became a soldier in the army, I received military
13 training <on> how to attack enemies; it is true what you said.

14 Q. And were you then at one point in time stationed in Camp 10
15 and 11 close to the frontline army base on the battlefield?

16 A. Yes.

17 Q. Do you recall in how many of such counter attacks or attacks
18 on the Lon Nol Army you were involved, how many times were you
19 engaged in active combat?

20 A. When I was assigned to go to battle <against> Lon Nol regime,
21 I knew that I went to many battlefields but I did not recall them
22 all.

23 [13.37.27]

24 Q. Can you give a rough estimate, how many times were you
25 actively fighting Lon Nol military? Was it once, was it five

1 times, was it 10 times?

2 A. Concerning the fighting against Lon Nol military, I could not
3 recall how many times I was actively in those battlefields.

4 Q. Do you remember in '73 when late King Father Sihanouk came to
5 visit the troops that you belonged to in the north of Cambodia,
6 do you recall his visit?

7 A. Yes, I could recall it.

8 Q. Is it correct that he encouraged you and your fellow comrades
9 to work hard to struggle against the American imperialist and Lon
10 Nol?

11 A. I recall his announcement that, "All children, please <strive
12 to> liberate the nation so that we would live in a peaceful
13 country in the future".

14 Q. What else do you remember from his visit, what is it that you
15 recall of that time?

16 A. That is all what I knew and I did not recall anything else.

17 [13.40.05]

18 Q. Do you remember being or feeling inspired by the encouragement
19 of late King Father Sihanouk?

20 A. Later on, everyone was not under surveillance; we were in our
21 battlefields as normal.

22 Q. My question was: do you remember -- and if that's not the
23 case, it's fine as well -- but do you remember being inspired by
24 King Father Sihanouk's encouragement to struggle against the
25 American imperialist and to fight and to work hard?

1 A. After I received the King, <for soldiers, working hard was in
2 their nature, but> if we were not assigned to go into the
3 battlefield, we would rest, but when we were assigned, we had to
4 go.

5 Q. Can you give a description of your promotion in the ranks in
6 the armed forces up until the end of 1974, you started as a
7 combatant, did you then get a rank?

8 [13.42.14]

9 A. Allow me to inform the Chamber: after I returned from Siem
10 Reap, I was promoted to the deputy chief of the squad. I did not
11 recall when I was promoted, I was in that position until early
12 1974 after which I was promoted to the deputy chief of platoon.
13 In <late> 1974<>, I became the deputy chief of a <battalion.>

14 Q. I read in your DC-Cam statement that on the 5th December 1974,
15 you became deputy chairman of a battalion. Let me ask you a
16 different question: How many soldiers, how many combatants are,
17 generally speaking, in a battalion, few hundred, more?

18 A. There were five hundred soldiers in the battalion.

19 Q. So, having said that, can you then tell me how you rose in the
20 ranks between '70 and 5 December 1974, when you became a deputy
21 chairman of the battalion? I'm asking because I presume you
22 didn't get promoted from combatant all of a sudden to the very
23 high rank of battalion deputy chairman. So can you please
24 describe for me how your promotion went?

25 [13.44.30]

44

1 A. The reason that I was promoted so quickly because I was in
2 difficult situation during the battlefield, <including being
3 surrounded many times, but> -- and I could make <> successful
4 escapes<>, and as a result <my commanders trusted and> promoted
5 <me> to be deputy chief of <a battalion>.

6 Q. Maybe there's a translation issue. I don't think so. But
7 there's a difference between battalion and platoon and you said
8 to DC-Cam that you became the deputy chairman of a battalion,
9 which is much larger than platoon. So what is it that you became
10 in December '74, deputy chairman of a battalion or a platoon?

11 A. I could not get your question fully. Could you repeat it
12 again?

13 [13.46.03]

14 Q. Of course. You said to the investigator of DC-Cam that you
15 became a deputy chairman of a battalion on 5 December 1974. Just
16 now you said that you became the deputy chairman of a platoon,
17 which is a much smaller unit. Now my question is: what is it that
18 you became in terms of military ranks on 5 December 1974?

19 A. On that day, I was promoted to be the deputy chief <> of the
20 platoon.

21 Q. Fine. You got a -- if I understand your testimony before
22 DC-Cam correctly -- a subsequent promotion, you then became a
23 chairman of a battalion/regiment; is that correct, in the course
24 of 1975?

25 A. <When> I was in Unit K-4, <> I became <part of> the company.

1 Q. Again Mr. Witness, you told the DC-Cam investigator that you
2 became the chief of a battalion/regime in the course of '75; is
3 that a mistake again?

4 A. In Unit K-4, there was no regiment, and as I stated I rose to
5 company.

6 [13.49.02]

7 Q. You said that when you were hospitalised throughout '75, your
8 position was battalion/regiment chairman -- E3/5658; English,
9 00863285. I would get the Khmer and the French very soon. It
10 seems that you became in '75 the battalion/regiment chairman; is
11 that correct?

12 A. Concerning my rank in K-4 <unit>, I was not actually promoted
13 to <regiment;> as I stated, I rose to company and I was under <>
14 the command of <a> battalion.

15 Q. I'm not sure if K-4 was already founded in '75, but it's not
16 correct that you were battalion/regiment chairman in 1975; is
17 that what you're saying now?

18 A. I would like to inform you, Mr. Counsel, <kindly cross check>,
19 there was no regiment in K-4 <unit>. I was promoted from platoon
20 to company <which> was under the command of the battalion;
21 perhaps the <notes taker confused in the> document <you are
22 referring to>.

23 [13.51.33]

24 Q. I will return to K-4 in a minute, but you also testified -- or
25 you also gave a statement to the investigator of DC-Cam that in

1 mid-1977 you became the deputy chief of a regiment; is that
2 correct?

3 A. No, it's not correct.

4 Q. Do you know which regiments there were in Brigade 310?

5 A. Under Brigade 310, I <only> knew <Battalion> 729 <and Regiment
6 29. Whereas the rest, I did not know>.

7 Q. Do the numbers 11, 12 and 13 ring a bell to you, Regiment 11,
8 Regiment 12 and Regiment 13 in Brigade 310?

9 A. I have no idea.

10 Q. Mr. President, I refer to document E3/1180; English, ERN
11 00655683; French, 00593507; Khmer, 00033313.

12 Mr. Witness, I am referring to a military statistic of Brigade
13 310 dated 13th June 1977, Regiment 11 apparently consisted of 489
14 combatants, Regiment 12 consisted of 722 combatants, and Regiment
15 13 consisted of 1078 combatants. K-4, which is also a separate
16 unit, consisted of 288 combatants and one young boy. Now assuming
17 that you did indeed say to DC-Cam that you were deputy chief of a
18 regiment, were you deputy chief of Regiment 11, 12 or 13?

19 A. The author of the document may have been wrong from what I
20 have told him or her. <> K-4 <> was under <direct> command of the
21 division <or brigade> as I stated earlier. K-4 was not under
22 <any> regiments <>.

23 [13.55.56]

24 Q. In your DC-Cam statement you said that you were promoted to be
25 the deputy chairman of the regiment in order to control the

1 disability unit -- English, ERN 00863288 -- and before that you
2 were the chairman of K-4. So, is it correct in 1977 you were both
3 vice deputy chairman of the division and chairman of K-4.

4 MR. PRESIDENT:

5 Please wait, Mr. Witness. You may now proceed, International
6 Deputy Co-Prosecutor.

7 MR. SMITH:

8 It's not an objection, but I think it's deputy chairman of the
9 regiment, not division as was put to the witness. The witness has
10 never said he was ever deputy chairman of the division, but I
11 think he meant to say deputy chairman of the regiment.

12 [13.57.07]

13 BY MR. KOPPE:

14 Yes, I apologise. Thank you, Mr. Co-Prosecutor.

15 Q. Were you in fact deputy chairman of the regiment while at the
16 same time chairman of K-4 in the middle of 1977?

17 MR. KEO LOEUR:

18 A. In mid-1977, I was never promoted to regiment. <In K-4, of
19 course, there was up to rank of battalion; I was only promoted to
20 company level. Unlike what counsel stated>.

21 Q. Let me ask a different question. Mid-June or mid-1977, were
22 you the commander of around 288 members of K-4?

23 A. I <can> recall that in mid-1977, <I was not in regiment rank
24 as the counsel stated; I was only a commissioner> of a company
25 <>.

1 [13.59.20]

2 Q. Well, this is it exactly that I'm asking, were you in fact the
3 commanding officer of 288 combatants from K-4 in mid-77?

4 A. In mid-1977, what you stated is not correct.

5 Q. I'm not stating it, I've read your DC-Cam statement and I'm
6 trying to figure out exactly what you were in the military,
7 whether you were, as you said yourself, just a disabled soldier
8 or whether in fact you were a high-ranking commanding officer in
9 Division 310, you could still be both maybe, but my question is:
10 Were you a high-ranking military commander in Division 310?

11 A. In K-4 unit, I was one of the commanders in that unit.

12 Q. And is it about correct that you were commanding officer of
13 about 288 combatants and one young boy?

14 A. Yes, that is correct.

15 [14.01.37]

16 Q. Thank you, Mr. Witness. Were you succeeding in command of
17 Battalion K-4 comrade Ty or Teu, were you his successor, was
18 comrade Ty the first secretary of Battalion K-4?

19 A. The previous commander was not Ty but Teu.

20 Q. I am sure it's my pronunciation. Let me refer you to document,
21 Mr. Witness. Mr. President, this is E3/1585; English, ERN
22 00897652; Khmer, 0095534; French, 00611639. What I have in front
23 of me, Mr. Witness, is a list of participants of the first
24 general staff training of the Revolutionary Army of Kampuchea, 20
25 October 1976, members of all divisions, regiments were present

1 and of Division 310; among others were present comrade Oeun and
2 comrade Vong (phonetic), the chiefs, but also the secretary of
3 Battalion K-4 and the deputy secretary of Battalion K-4
4 respectively; comrade Ty and comrade Kin. So again, my question
5 was comrade Ty or Teu, your predecessor, chief of Battalion K-4?
6 A. Please be clear on the name, it's Teu not Tey or Ty.

7 [14.04.28]

8 Q. Let me clear the situation whether the commanding officers of
9 Battalion K-4 who were Teu or Tey or Ty or is it most likely the
10 same person.

11 MR. PRESIDENT:

12 Witness, please hold on, and Deputy International Co-Prosecutor,
13 you have the floor.

14 MR. SMITH:

15 Thank you, Your Honours. It's not an objection, it's just --
16 perhaps in this situation if the naming is quite close, the
17 document perhaps could be given to the -- the copy of the
18 document could be given to the witness because the differences
19 don't seem to be that great.

20 [14.05.14]

21 MR. KOPPE:

22 I have no objection, whatsoever. It's a good idea, but then maybe
23 show this document in collaboration with another document.

24 Mr. President, that's document E3/2592; English, ERN 0087709;

25 French, 00923056; Khmer, 00230380, this is a list of prisoners

1 from Division 310. Number 13 is the chairman of Office K-4 listed
2 as Nim Ti. So maybe both documents could be, at least the Khmer
3 originals could be shown to the witness and the question is
4 whether Ty or Teu was in fact the predecessor and commanding
5 officer of K-4.

6 MR. SMITH:

7 I can assist; I have the two copies here. If I can give these to
8 the Court orderly, Mr. President?

9 MR. PRESIDENT:

10 Yes, you may do that.

11 [14.06.58]

12 BY MR. KOPPE:

13 Q. Mr. Witness, the document which is E3/1585, you have to look
14 at number 45; and the document 2592, you have to look at number
15 13 of the list. So again, for the E3/1585, he has to go to number
16 45; and E3/2592, he has to go to number 13. Mr. Witness, do you
17 see the names comrade Ti (phonetic) and Nim Ti, are they two that
18 you referred to earlier?

19 MR. KEO LOEUR:

20 A. I find it difficult to read the small script on the document.

21 MR. SMITH:

22 Mr. President, we can put the document on the screen enlarged, if
23 you would like that, if counsel would like that.

24 MR. KOPPE:

25 You're most helpful, Mr. Prosecutor, yes that would be a good

1 idea.

2 MR. SMITH:

3 I believe that we could but I looked around but the case manager
4 is no longer here, so we can, at some point, later, but sorry for
5 now.

6 [14.09.33]

7 BY MR. KOPPE:

8 That's alright. Thank you very much, Mr. Prosecutor.

9 Q. Now my question to you is the following: Mr. Witness,
10 commander Ty or Teu seemed to be removed from his office and
11 arrested, according to E3/2592, on the 4th March 1977. At that
12 time he was no longer chairman of K-4. You said that at one point
13 in time you became the chairman of K-4. Was that immediately
14 after his arrest or a few weeks later or a few months later; do
15 you remember?

16 MR. KEO LOEUR:

17 A. After the arrest of Teu, that is about a week after, I was
18 appointed to be chief of K-4 unit but I cannot give you the exact
19 date of the appointment.

20 Q. I understand. And then revisiting my earlier question, after
21 you had become K-4 chairman, did you then at one point in time
22 became the deputy chief of the regiment as well?

23 A. As I have stated earlier, the K-4 unit did not have a regiment
24 body there. We had a battalion at highest level at K-4 and under
25 the direct supervision of the division.

1 [14.11.42]

2 Q. I understand but there's quite some evidence to suggest that
3 the military commander of one battalion could be at the same time
4 deputy chief of the regiment, those two functions can co-exist.

5 Now again my question is: Were you also while being commander of
6 K-4 also promoted to become deputy chief of the regiment?

7 A. In K-4 unit, as I have repeatedly told you, regiment does not
8 exist. There was only battalion at the highest level for the K-4
9 unit and it was under the direct supervision of the division.

10 Q. Fine. Mr. Witness, this document which is a list of prisoners
11 from Division 310, E3/2592, with the same ERN numbers as just
12 mentioned, seems to suggest that in the period between
13 mid-February '77 and the beginning of June 1977, 77 Division 310
14 cadres were arrested. Number 1 on that list somebody from
15 secretary regiment 13 and the last person on the list somebody
16 from squad or Combatant 13; so is it correct that from your
17 division in those four or five months, 77 people were arrested?

18 A. Please repeat your question as I don't fully get it.

19 [14.14.12]

20 Q. Is it correct that between mid-February 1977 and early June
21 1977, around 77 members of Division 310 were arrested?

22 A. I did not know anything about that.

23 Q. Not only the chairman of Office K-4 was arrested but also
24 three other or four other K-4 members arrested. Maybe when I
25 mention these names that will jog your memory; again document

1 E3/2592, number 9 is Sat Soeun alias Voeun; does that name ring a
2 bell to you?

3 A. I cannot recall that name.

4 Q. How about number 10 on that list, Kum Boeun alias Han,
5 disabled combatant from K-4, does that name ring a bell to you?

6 A. The person, yes, came from K-4.

7 [14.16.20]

8 Q. He was arrested 18 April 1977, which is about six weeks after
9 the chairman was arrested. Was he arrested because it was your
10 decision to have him arrested?

11 A. I was not the one who authorised the arrest. The Southwest
12 group had a list of those who had to be arrested, <we were called
13 to line up> and they were the ones who conducted the arrest.

14 Q. Very well. But they were arrested while you were the
15 commanding officer of K-4, wasn't it?

16 A. Those soldiers were arrested and although I was in the
17 leadership level, I had no say in that as they said that the
18 North Zone people were traitors and that we did not have any
19 authority to intervene and it was them who had the list and who
20 would call people to <> line up and arrest them.

21 [14.18.10]

22 Q. Fine. Mr. Witness, how about number 18 on that list, Chuon
23 Phoeun alias Hen, who was in charge of logistics of Battalion
24 K-4? He was arrested on 14 March 1977. Does that name ring a bell
25 to you, Chuon Phoeun alias Hen?

1 A. I know a person by the name of Hen.

2 Q. And was this Hen arrested almost in the week or the week after
3 your appointment as commanding officer?

4 MR. PRESIDENT:

5 Witness, please wait, and the International Deputy Co-Prosecutor,
6 you have the floor.

7 MR. SMITH:

8 Your Honours, I'm just unclear whether the defence counsel is
9 putting information that it is a week after he became the
10 commanding officer, I'm not sure whether the witness has said
11 that.

12 [14.19.57]

13 BY MR. KOPPE:

14 I'm happy to explain. As I understand, he gave testimony to the
15 effect that he became the new chairman about a week after the
16 arrest of the previous chairman -- that was 4 March; 14 March, 10
17 days later, this Hen got arrested; that's why I put the question
18 whether Hen was arrested in the first or the second week, maybe
19 the first week of his command.

20 Q. Was that the case, Mr. Witness, that Hen was arrested when you
21 were only one week commander of K-4?

22 MR. KEO LOEUR:

23 A. I was promoted to that position after Ta Teu and Ta Hen had
24 been arrested and what you stated that I was in that position a
25 week prior to the arrest is inaccurate.

1 Q. Very well. Now exactly how long since March '77, did you stay
2 commander of K-4?

3 A. Please be informed that I was in that position for two weeks,
4 then I was removed to be tempered at Khmuonh-Kab Srov -- that is
5 in Unit 317.

6 [14.22.03]

7 Q. Although you deny it being appointed deputy chief of the
8 regiment but you said that you got this promotion in mid-'77,
9 isn't it true that you were still at K-4 mid-'77?

10 A. I was the chief of Unit K-4 after Ta Teu and Ta Hen had been
11 arrested and I was in that chairmanship for only two weeks before
12 I was removed to be tempered. I hope that is clear.

13 Q. Did they explain to you why they first appointed you chief of
14 K-4 and then two weeks later they removed you again?

15 A. I was not given any reason for that. There was an announcement
16 for my provisional appointment after those commanders had been
17 arrested.

18 Q. But then did you say to whoever was in charge why are you
19 sending me away for tempering because only two weeks ago you
20 appointed me as commander, did you tell them you were surprised?

21 A. Indeed I asked the leadership why I was being removed to be
22 tempered. I did ask that question.

23 [14.24.32]

24 Q. And what was the answer?

25 A. The response from those people was that I was affiliated with

1 previous commanders who were accused of being <traitors> and that
2 was the reason that I was appointed to be in that position
3 provisionally before I was sent for tempering and re-education.

4 Q. I will get back to this topic later, Mr. Witness. I would like
5 to ask you another question. When you became chief of K-4 in
6 March 1977, do you know how many forces or how many soldiers of
7 Division 310 were at that time already working in Kampong Chhnang
8 Airport -- airfield?

9 A. Please repeat your question.

10 Q. You became K-4 commander in March '77; do you know how many
11 soldiers, how many military from Division 310 were in March
12 already working at Kampong Chhnang airfield?

13 A. I did not know about that before I was sent there.

14 [14.26.38]

15 Q. But do you know of any fellow division members who were
16 working at Kampong Chhnang in early '77, do you remember any
17 names of people who were already working?

18 A. I didn't know from which unit those people or soldiers were
19 sent there.

20 MR. KOPPE:

21 Mr. President, E3/849; English, 00183056 (sic); French, 00334995;
22 Khmer, 00052 --

23 MR. PRESIDENT:

24 Counsel Koppe, please repeat your document number and reference
25 number, ERN, I mean; and please be slower than that.

1 BY MR. KOPPE:

2 I will, Mr. President: E3/849; English, ERN 00183956; French,
3 00334995; Khmer, 00052319.

4 Q. This is a joint statistics of the Revolutionary Armed Forces
5 of March or April 1977, and it says - this is believed the
6 document which isn't properly translated in French -- that -- of
7 Division 310 which at that time consisted of 6096 members. There
8 were 1127 military working in Kampong Chhnang. So more than one
9 in every six members of Division 310 were working in Kampong
10 Chhnang when you became commander of K-4; does that jog your
11 memory?

12 MR. KEO LOEUR:

13 A. I didn't know the number of soldiers that were sent to work
14 there; I only knew that I was sent to work alongside those
15 people.

16 [14.29.58]

17 Q. But do you know the reason why so many men of your division
18 were already working in Kampong Chhnang as early as March or
19 April '77?

20 A. In 1977, I did not know about that at the Kampong Chhnang
21 airfield worksite.

22 Q. But those 1127 troops of Division 310, were they working there
23 because it was within the tasks as soldiers or was it because
24 they were tempered or refashioned?

25 MR. SMITH:

58

1 Your Honours, I object to this question because the witness has
2 said he didn't know who was working there from his division other
3 than this particular unit, and now the proposition is being put
4 to him of the people that from Division 310 were working there;
5 was it because of this or was it because of that? It just doesn't
6 seem to follow.

7 [14.31.40]

8 BY MR. KOPPE:

9 It is my understanding that this witness was a commanding officer
10 and within a division of 6000 men it seems not to be unlikely
11 that he would know of at least some fellow comrades working in
12 Kampong Chhnang. So I'll rephrase my question.

13 Q. So Mr. Witness, do you know of anybody within Division 310 was
14 working in March '77 in Kampong Chhnang why he was working there?

15 MR. KEO LOEUR:

16 A. <Please clarify.>

17 MR. PRESIDENT:

18 What do you mean? You want the counsel to repeat the question or
19 what are you saying now?

20 MR. KEO LOEUR:

21 A. Mr. President, I could not <get> the question. Could you
22 repeat the question please, Mr. Counsel?

23 [14.33.17]

24 BY MR. KOPPE:

25 Q. I will. Mr. Witness. The evidence seems to suggest that in

1 March 1977 about 1000 Division 310 members were working at
2 Kampong Chhnang airport airfield. My question is: Did you know
3 any of those? And if yes, did he or she work there because he was
4 instructed to do so or was he sent there because he needed to be
5 tempered or refashioned?

6 MR. KEO LOEUR:

7 A. I would like to inform Your Honours, I have no idea <about
8 those soldiers>. I knew that I was assigned to work in the field
9 when I was in K-4 and later on I was sent to the airport of
10 Kampong Chhnang worksite. And as for other <soldiers who were
11 sent there before me>, I have no idea <about them>.

12 [14.34.36]

13 MR. PRESIDENT:

14 Counsel, please repeat the second part of your question again
15 because I believe this witness cannot remember the last part of
16 your question and I encourage you to put short questions and not
17 complex ones so that the witness can get the whole question and
18 give the response.

19 BY MR. KOPPE:

20 I will break it in pieces, Mr. President.

21 Q. Mr. Witness, the evidence suggests that in March '77 about
22 1000 Division 310 members were working at Kampong Chhnang
23 airfield. My first question: Did you know any of those 1000 plus
24 people who were working at Kampong Chhnang airfield in March
25 1977?

1 MR. KEO LOEUR:

2 A. I would like to inform the Chamber when I arrived at Kampong
3 Chhnang airfield I knew some people.

4 [14.36.12]

5 Q. My question is about an earlier period; my question is about
6 March 1977. Did you know any of those 1000 plus Division 310 men
7 working at Kampong Chhnang airfield?

8 MR. PRESIDENT:

9 Witness already gave the response, but if you have a follow-up
10 question you can ask. But as for the response, I believe it is
11 clear already.

12 MR. KOPPE:

13 The problem seems to be that he goes to January '78 when he
14 himself went to Kampong Chhnang airfield. I am asking about
15 something which is 10 months earlier, nine months earlier.

16 MR. PRESIDENT:

17 He said that he did not know <before he went there; he only knew
18 after he had been there>.

19 [14.37.36]

20 BY MR. KOPPE:

21 Let me try another angle, Mr. President.

22 Q. You became the commanding officer of K-4 in March '77, in that
23 month, that same month about 1000 people of Division 310 were
24 working at Kampong Chhnang airfield. So, in this time that you
25 were commanding officer, did you know any of those 1000 Division

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1 310 members working at Kampong Chhnang airfield?

2 MR. KEO LOEUR:

3 A. I told the Court already about this point. I did not know
4 because during that time I was in the field working and -- while
5 I was in Unit K-4.

6 MR. KOPPE:

7 I have another question but maybe, Mr. President, it's a good
8 moment to break; otherwise I would like to show him the name of
9 an upcoming witness without actually mentioning the name, a
10 fellow member of K-4; it's E3/5274. Without mentioning the name,
11 I would like to see if the witness recognises this K-4 member.
12 Just for the record, it's 2-TCW-911.

13 [14.39.55]

14 MR. PRESIDENT:

15 Could you give the document to the witness so that the witness
16 can get the name. If you give the pseudonym to the witness, the
17 witness may not know who is this person, only the Chamber and
18 Parties understand who is this individual.

19 MR. KOPPE:

20 I understand, Mr. President, it was also for your reference only.
21 It will take 20 or 30 seconds, maybe it's an appropriate time to
22 break, Mr. President. I have it already.

23 BY MR. KOPPE:

24 Q. Were you able to read the name, Mr. Witness?

25 MR. KEO LOEUR:

1 A. I could not read because of the small scripts.

2 [14.42.03]

3 MR. PRESIDENT:

4 Court officer, please go to the witness stand and whisper the
5 name to the witness.

6 And Mr. Witness, please do not mention the name, you just say you
7 know or you don't know this individual.

8 BY MR. KOPPE:

9 Q. Do you recognise the name, Mr. Witness?

10 MR. KEO LOEUR:

11 A. Yes, I could recall this individual's name.

12 Q. Was he also a member of K-4?

13 A. Yes, he was in K-4.

14 Q. On the first page, in English, 00292864; Khmer, 00282959;
15 French, 00483994; this K-4 member gave testimony to investigators
16 and he said that, "In the harvesting season in October 1977, they
17 had me go fight the Vietnamese army at the front battlefield". Is
18 it your recollection that this comrade from K-4 was sent to the
19 battlefield in October '77 to fight the Vietnamese?

20 [14.44.26]

21 A. Yes, I could recall it. During that time in disability unit in
22 K-4, soldiers who recovered from their injuries could be sent
23 back to the battlefield, and as for my case, I could not walk
24 well because I was still suffering from the handicap injury; I
25 was kept in that K-4 unit.

1 Q. But do you know the reason why he went to the battlefield
2 although he was a member of K-4?

3 A. I would like to inform the Chamber, during that time, soldiers
4 were selected and sent to the battlefield. I have no idea about
5 the decision and soldiers were asked, at that time, whether or
6 not they wanted to go to the battlefield and those who decided to
7 go, they raised their hands.

8 Q. Do you recall about how many of the let's say 288 K-4 members
9 raised their hands to go to the battlefield?

10 A. I could not recall them; it was asked at that time who wanted
11 to go to the front battlefield and some certain soldiers who
12 decided to go were asked to sit in one separate place. And as for
13 the numbers, I have no idea how many of them were selected.

14 [14.44.45]

15 Q. Was it about half of those 288 or was it only a small number,
16 could you give a rough estimate about how many K-4 members wanted
17 to fight the Vietnamese?

18 A. I could not recall it. Well, from my estimate, <there were>
19 almost half of them, only the seriously injured soldiers <could>
20 not <go> to the battlefield.

21 Q. It's a bit hypothetical question but I'm asking it anyway: If
22 you had raised your hand they would have selected you to fight
23 the Vietnamese in October '77?

24 MR. PRESIDENT:

25 Witness, you're instructed not to give your response to this

1 so-called hypothetical question. The Chamber will not allow the
2 response from the witness.

3 [14.48.10]

4 BY MR. KOPPE:

5 Q. Were you forbidden to raise your hand in October '77?

6 MR. KEO LOEUR:

7 A. Allow me to tell the Court, how could I <raise> my hand
8 because at that time I could not walk well and I was still
9 injured from the disease or from the wound and until now I could
10 not be able to walk well.

11 Q. I understand. And my final question before the break, but is
12 it then true when I say that in October '77, you were still a
13 soldier within the Revolutionary Army of Kampuchea?

14 A. Allow me to tell the Court, soldiers in the K-4 <unit> were
15 also under the command of Division 310 but these soldiers were
16 considered the handicapped ones.

17 [14.49.46]

18 Q. I understand. But were you still a soldier of the
19 Revolutionary Army of Kampuchea in October 1977 and subsequently?

20 A. I told the Court already about this. In October 1977, I was in
21 the disability unit under the supervision of Division 310.

22 Q. I understand. But were you still a soldier, were you still in
23 principle able to fight at the battlefield?

24 A. I do not know how to give my response to your question.

25 Q. My understanding of your earlier testimony is that you weren't

1 really a soldier anymore but it was unknown what you were, but
2 isn't it true that in October '77 and subsequently you were still
3 a soldier in the Revolutionary Army of Kampuchea?

4 A. From that time, I was a soldier but a handicapped one in a
5 different unit as I told you already.

6 MR. PRESIDENT:

7 The answer is clear. Now it is convenient time for the short
8 break. The Chamber will take a short break from now until 10 past
9 3.00.

10 Court officer, please facilitate a proper room for this witness
11 during the short break and please invite him into the courtroom
12 at 10 past 3.00.

13 The Court is now in recess.

14 (Court recesses from 1452H to 1510H)

15 MR. PRESIDENT:

16 Please be seated.

17 The Court is now back in session, and again, the Chamber
18 continues to hand the floor to the defence team for Nuon Chea to
19 continue putting questions to the witness.

20 You may proceed, Counsel.

21 BY MR. KOPPE:

22 Thank you, Mr. President.

23 Q. Mr. Witness, before the break we were speaking about your
24 fellow K-4 members volunteering to go to the battlefield.

25 Assuming that K-4 in June '77 existed -- consisted of about 288

1 people, and you said that half of K-4 volunteered, would it be
2 correct to say that about, roughly, 150 members of K-4 went in
3 October to the battlefield to fight the Vietnamese?

4 MR. KEO LOEUR:

5 A. Yes.

6 [15.12.50]

7 Q. The Vietnamese withdrew from Kampuchea on 6 January 1978, so
8 the fighting stopped for a while at that day. Do you remember how
9 many of those roughly 150 K-4 members returned from the
10 battlefield?

11 A. I do not understand your question.

12 Q. About 150 members of K-4 went in October '77 to fight the
13 Vietnamese. The Vietnamese withdrew, at the latest, 6 January
14 1978. Did any of those 150 K-4 members who had been fighting
15 return to their unit, away from the battlefield?

16 A. I never saw soldiers who were sent to the battlefield return.

17 Q. So, is it your testimony that about all those -- almost all of
18 those 150 members of K-4 were killed during combat?

19 A. The soldiers who were assigned from K-4 to the front
20 battlefield, I could not say anything about that, whether they
21 were alive or they survived, since they left.

22 [15.15.08]

23 Q. Now, Friday, during your testimony you said that you, and
24 possibly other members of K-4, had no right to have arms, can you
25 explain to me how that corresponds with about half of your unit

1 going to fight at the front?

2 MR. PRESIDENT:

3 Witness, please wait. And the International Deputy Co-Prosecutor,
4 you have the floor.

5 MR. SMITH:

6 Just a clarification, Your Honour. I would ask if counsel could
7 put the time period? Certainly, when the witness was at the
8 airfield, it was clear that he said that there was no right to
9 have arms. But as far as what particular period you are referring
10 to, because the situation changed. So that it's clear to the
11 witness.

12 [15.16.08]

13 BY MR. KOPPE:

14 Q. I will rephrase my question. Mr. Witness, you gave testimony
15 to the effect that you and others within your unit had no right
16 to have arms, no right to wear arms. To which period did you
17 refer?

18 MR. KEO LOEUR:

19 A. At the time the war ended -- that is, 1975, weapons were
20 removed.

21 Q. So the removal of your weapons had nothing to do with you
22 working at Kampong Chhnang airfield, but it was done in '75; is
23 that correct?

24 A. The weapons were removed before I was assigned to work at
25 Kampong Chhnang.

1 Q. I understand, but those 150 members of K-4 who went to the
2 battlefield, surely they had weapons? Or were they going unarmed
3 to fight the Vietnamese?

4 A. When soldiers <> were transferred from K-4 unit to go there on
5 a voluntary basis, I did not know whether they were armed.

6 [15.18.28]

7 Q. Have you ever heard, as a military person, that fellow
8 comrades were sent to fight the enemy without arms?

9 A. As I have just said, those soldiers who were sent to the
10 battlefield, whether they were authorized to carry firearms or
11 not, I did not know, because by that time I had been removed from
12 <K-4> unit.

13 Q. Let me rephrase then my question. In those roughly seven
14 years, including that one or two weeks that you said that you
15 were commanding officer of K-4, have you ever experienced
16 comrades fighting the enemy without guns, rifles, machine guns,
17 et cetera?

18 A. Those soldiers who were sent to fight, of course they would
19 not be sent there with their bare hands.

20 [15.20.06]

21 Q. That's what I thought, Mr. Witness. Let me ask a few
22 additional questions relating to the period that you joined the
23 armed forces in 1970, up until the last day that you were
24 commanding officer of K-4. In those around seven years, did you
25 ever refuse orders that were given to you?

1 A. Since I joined the army, I never received such an order.

2 Q. Maybe something went wrong in translation. My question was:

3 Did you ever refuse orders?

4 A. Soldiers never dare to refuse or protest orders from their
5 commanders.

6 Q. But you were a commander yourself. Did you ever give orders to
7 your soldiers?

8 A. When there were works to be assigned to them, of course orders
9 had to be given.

10 Q. And orders, unless unlawful, had to be followed; is that
11 correct?

12 A. Since I joined the unit, no order was given in terms of any
13 work outside the scope of the military duty.

14 Q. In those few weeks you said that you were commanding officer
15 of K-4, did your men have roofs to sleep under? Did they have
16 mosquito nets? Did they have hammocks in which they could sleep?

17 A. In Unit K-4, a long building was made as a sleeping quarter,
18 although there was no sleeping mat. There was also no mosquito
19 net provided.

20 [15.23.45]

21 Q. So, when you were commanding officer of K-4, would it be fair
22 to say that the situation was roughly the same as when you were
23 with K-4 at Kampong Chhnang airfield?

24 A. In Unit K-4, and I can also say about while I worked in
25 Kampong Chhnang, the condition was the same.

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1 Q. When you were commanding officer of K-4, did you give your men
2 wages? Did you give them salary?

3 A. Soldiers did not receive any wage.

4 Q. So again, there was no difference when you were a commanding
5 officer of K-4 in terms of wages, and when you were working at
6 Kampong Chhnang airfield; is that correct?

7 A. Yes, indeed.

8 [15.25.25]

9 Q. When you were commanding officer of K-4, how was the hygiene
10 situation? Did you provide your men with bathing facilities?

11 A. In Unit K-4, and in terms of sanitation, I can tell you that
12 even I personally did not have a blanket or a mosquito net.

13 Q. Is it fair to say that when you were commanding officer, those
14 -- that situation wasn't much different from when you were at
15 Kampong Chhnang airfield?

16 A. Yes, that is correct.

17 Q. Let me ask the question the other way around. Can you give us
18 one difference in terms of working conditions, material,
19 equipment, et cetera, between the time that you were commanding
20 officer of K-4, and the time that you were working at Kampong
21 Chhnang airfield as member of K-4?

22 MR. PRESIDENT:

23 Witness, please hold on. And the International Deputy
24 Co-Prosecutor, you may proceed.

25 [15.27.21]

1 MR. SMITH:

2 I think the objection, Your Honour, is the relevance of this line
3 of questioning. This witness has talked about being the
4 commanding officer for two weeks in and around March 1977. And
5 then at a later point in time, he's talked about -- he's given
6 evidence that he and his unit were tempered for about a
7 five-month period. And so I'm just wondering how relevant it is
8 doing comparison of the conditions when this witness was a
9 commander for two weeks, a period of time where, I believe, on
10 the evidence, it's not the time that this witness and his unit
11 were being tempered. They were being tempered later on in the
12 year, for about five months, before going to Kampong Chhnang. So,
13 if the idea is that there was no discrimination at Kampong
14 Chhnang, compared to when he was a commander at K-4, I think the
15 comparison is better when they are being tempered at K-4, rather
16 than when he was a commander.

17 [15.28.40]

18 MR. KOPPE:

19 Well, it's our position that his unit wasn't tempered at all.
20 However, leaving that aside, I think it's fair to make a
21 comparison between the work of K-4, of which he was commander in
22 about roughly March '77, possibly longer, and the working
23 conditions in '78, Kampong Chhnang airfield, of which the Closing
24 Order says it was forced labour. We will dispute that, but that's
25 another question. But I think it's fair to try to establish or

1 determine which working conditions were in fact the product of
2 forced labour. And which working conditions were in fact the
3 normal working conditions of soldiers within K-4, within Division
4 310.

5 JUDGE FENZ:

6 Sorry, was there an objection? Or was this an observation on
7 behalf of the prosecutor?

8 MR. SMITH:

9 I think that's correct, Your Honour. I think it was more an
10 observation.

11 [15.29.48]

12 BY MR KOPPE:

13 Then I'll move on. Thank you for your observation, Mr.
14 Prosecutor.

15 Q. Can you give me one clear example of a difference in respect
16 of working conditions, working times, available equipment, in
17 those weeks in March '77, and the period that you were at Kampong
18 Chhnang airfield? What was a striking difference between those
19 two periods?

20 MR. KEO LOEUR:

21 A. At Unit K-4, regarding the living conditions and the
22 necessities, <we were provided> knives, hoes and cattle for rice
23 farming, and that was different from the living condition and
24 working condition in Kampong Chhnang, which we were only
25 <provided> a hoe each in order to dig the ground, or to clear the

1 grass. The work at K-4 unit started at 6 <a.m.> and we rested at
2 11 <a.m.>, and resumed at 1 <p.m.> We continued working until 5
3 <p.m.> Where in Kampong Chhnang, we had to line up at 4.00 in the
4 morning to go to the worksite, and continued working until 11
5 <a.m.> We resumed at 1 <p.m.> again, and continued working
6 <until> 6.00 or sometimes 7 o'clock in the night. Or in some
7 other instances, we continued working until 9.00 or 10.00 in the
8 night.

9 [15.31.57]

10 Q. I understand. However, when you were at Kampong Chhnang
11 airfield, as of 15 January '78, was there ever a sense of urgency
12 communicated to you and others in relation to the war with
13 Vietnam? In the previous months before 15 January '78, tens of
14 thousands of Vietnamese troops had come -- had crossed the
15 borders. Was there some sense that the work at Kampong Chhnang
16 airfield had to be finished soon?

17 A. While I was working in Kampong Chhnang, I never heard anyone
18 talking about the Vietnamese crossing territory. And at that
19 time, I was working like other people in our respective unit.

20 Q. Let me rephrase my question. You started working at Kampong
21 Chhnang airfield at 15 January 1978. What had happened nine days
22 earlier, 6 January 1978? Do you recall, in terms of the end of
23 the war, or the withdrawal of troops? Do you remember anything?

24 A. I do not know about it.

25 [15.33.57]

1 Q. You were from the original North Zone, if I'm correct. There
2 is a 6th January Dam in the North Zone, the old North Zone. Do
3 you know why it's called the 6th January Dam?

4 A. I have no idea because I have never seen <it>.

5 Q. You also gave testimony that a month after you had arrived at
6 Kampong Chhnang airfield, you were sent to Phnom Penh for three
7 months' education to become a surveyor. Did they tell you why
8 they had chosen you to do this three months course?

9 MR. SMITH:

10 Your Honour, it's not an objection. It was two months after he
11 arrived at the airport.

12 [15.35.11]

13 BY MR KOPPE:

14 Q. I -- two months. Did they tell you why it was you? Why you
15 were chosen to be able to do this education in Phnom Penh?

16 MR. KEO LOEUR:

17 A. I believe I gave my response to this question on Friday, so it
18 is a repeated question. However, I would like to give my response
19 again. At the time, there was an individual by the name Han
20 (phonetic). He knew me, and he asked that I was sent to the
21 technical training. I gave my statement already on Friday.

22 Q. I know you did, but Han (phonetic) was from Division 502, you
23 were from Division 310. Did your commanding officer tell you why
24 you were chosen to go to Phnom Penh for three months?

25 A. First, biography was <> made <to see> whether one could be

1 sent for the training. If one had some sort of knowledge, that
2 individual could be sent for the training.

3 [15.36.55]

4 Q. But why was it you? Did your commanding officer tell you why
5 the choice had fallen upon you to become a surveyor at a highly
6 -- at a high security airfield?

7 A. I do not know the reason. I was told that I had to go to Phnom
8 Penh to participate in the training so that I could obtain the
9 training and come back and work.

10 Q. But you said that you had -- have been a commanding officer of
11 K-4, then for a while you said your unit was tempered, but then,
12 all of a sudden it seems, you were asked to go for this three
13 months' education training in Phnom Penh. Did they tell you why
14 all of a sudden you were perceived as a loyal cadre again?

15 A. It is very difficult for me to give my response. However, I
16 would like to give my answer as follows: Your question is, why
17 the loyal -- the trust was withdrawn from me? After superiors
18 were arrested in K-4, I was sent for <refashion> for five months,
19 and afterwards I was transferred to Kampong Chhnang. I stayed in
20 Kampong Chhnang for two months, after which I was sent to study
21 how to survey the land. I gave my response already on Friday.

22 [15.39.23]

23 Q. Let me ask it differently. Was it a promotion for you to
24 become a surveyor, or was it a demotion?

25 A. <Those> who worked to survey the land <were> combatants, not

1 cadres>, and there were superiors responsible for them. And as I
2 stated earlier, people who worked to survey the land were all
3 combatants.

4 Q. I'll move on, Mr. Witness, but not before putting to you that
5 you had been a loyal revolutionary cadre from 1970 all the way up
6 till 1979, and that you were never refashioned. Is that correct?

7 A. This is a repetitive question you asked me again and again.
8 I'm very -- it's very difficult for me to give my response, and
9 this question is put to me in order to confuse me. Mr. President,
10 please help.

11 MR. PRESIDENT:

12 Mr. Witness, in -- before the Chamber, a witness is
13 cross-examined by Parties, or is examined by Parties. And please
14 respond to the question, if you know. And if you don't know, you
15 just say don't know. And as the Chamber has informed Parties
16 already, there's some questions which are prohibited by the
17 Chamber. And as you have seen, parties across the Bench, has the
18 right to put an objection to the question put by another party,
19 and likewise the Chamber has the right to deny the objection or
20 grant the objection. And the last question was not objected by
21 the party across the Bench <as well it is not prohibited by the
22 Chamber>. You are here, and you are being cross-examined by the
23 Defence team. So, if you remember, you can give your response.
24 And if you do not remember the question, you could ask the
25 defence counsel to repeat the question.

1 [15.42.55]

2 BY MR. KOPPE:

3 I'll repeat my question, Mr. President.

4 Q. Mr. Witness, is it true that you have always been a loyal
5 revolutionary cadre from 1970 all the way up to 1979? And that,
6 in fact, you never have been tempered or refashioned?

7 MR. KEO LOEUR:

8 A. I would like to give my response as follows: From 1970 to
9 1975, I was a soldier. Nothing happened on me. But later on after
10 1975, as I stated earlier, in 1977 I was then a <combatant,> I
11 was refashioned and tempered.

12 Q. Fine, Mr. Witness. I will move on. Do you know when the
13 Division 310 chief, Oeun, was arrested? Do you know when he was
14 arrested?

15 [15.44.18]

16 A. I do not know about the arrest. I only knew what I have told
17 you earlier concerning the time that I was invited to a training,
18 and listened to the recording.

19 Q. I understand. But I'm asking because there might be some
20 confusion as to his day of arrest. Was he arrested on 4 March
21 1978 or was he arrested a year earlier?

22 A. I do not know about the exact date that he was arrested.

23 Q. I understand, but was it February-March 1977, or was it
24 February-March 1978?

25 A. I would like to inform the Chamber that I could not get the

1 question.

2 Q. Oeun, the chief of Division 310, of which you were a member
3 for nine years, was he arrested in March-February 1977 or
4 February-March 1978?

5 A. Ta Kim and Ta Oeun were arrested in 1977.

6 [15.46.42]

7 Q. Very well. For the record, Mr. President, there is a document
8 -- E3/1993 -- which would imply that Oeun was arrested on 4 March
9 1978. But I'll move on.

10 You were speaking about Ta Kim. Was that the other name of
11 ex-deputy political commissar Sau Khuon (phonetic)?

12 MR. PRESIDENT:

13 Please, Judge Lavergne, you have the floor.

14 JUDGE LAVERGNE:

15 Counsel Koppe, you <just referred to> a document. I haven't quite
16 understood which document you are referring to. In order for the
17 record to reflect what you're saying, let me point out that on
18 the <revised> list of S-21 prisoners -- document E3/342 -- on
19 page <391>, at the entry <8967>, mention is made of <the arrest
20 of> Sbauv Him alias Oeun, member of Division 310, and the date of
21 arrest is 17 February 1977. Let me also point out that we also
22 have on <the case file> confessions of a person called Sbauv Him
23 alias Oeun. <That is document> E3/1891 -- and the confessions are
24 dated <from> 20 February to 14 March 1977.

25 [15.48.36]

1 MR. KOPPE:

2 I agree, hence the confusion. Because I have a document --
3 E3/1993 -- which is called "List of Important Culprits", which
4 seems to be a 1979 Pol Pot-Ieng Sary trial document, which says
5 that Oeun was arrested on 4 March 1978. That's why I was asking
6 for clarification. But I'll -- thank you, Judge Lavergne.

7 BY MR. KOPPE:

8 Q. But my question was about Ta Kim. Was he the same as Sau Khuon
9 (phonetic)? Do you know?

10 MR.KEO LOEUR:

11 A. There was only one name for Ta Kim.

12 Q. True, but was he -- was his real name Sau Khuon (phonetic)?

13 A. I do not know his family name. I knew only his first name, Ta
14 Kim. <And everyone called him so.>

15 [15.50.05]

16 Q. Do you know, Mr. Witness, what the relation, if any, was
17 between Oeun, Voeung (phonetic), Kim on the one hand, and Koy
18 Thuon on the other hand?

19 A. The relationship between superiors, I have no idea.

20 Q. Have you ever heard that Koy Thuon was arrested because he was
21 preparing a coup d'état in January 1977?

22 A. I have no idea.

23 Q. Have you ever heard that Koy Thuon used forces from Division
24 310 to prepare for this coup d'état?

25 A. I don't know.

1 [15.51.48]

2 Q. Earlier this morning, you spoke about weapons being
3 transported, and when you saw that, you were asked to mind your
4 own business. Were these weapons transported to Phnom Penh in
5 January 1977?

6 A. I could recall it. I asked the one who was transporting the
7 weapons at that time. I asked him <to where the weapons were
8 transported since the war had ended>, and he told me to mind my
9 own business, because I was a handicapped soldier at that time.

10 Q. I understand. But was it shortly before January 1977? The coup
11 d'état was supposed to take place in January '77, and those
12 weapons were shipped or sent just before that?

13 MR. SMITH:

14 Your Honours, the objection is in relation to the question. It's
15 a leading question, and I'm wondering where the information is
16 based to put this question to the witness.

17 [15.53.16]

18 BY MR. KOPPE:

19 I'm not making it up, Mr. President. It's extensively documented
20 by Kiernan in "The Pol Pot Regime", that the attempted coup
21 d'état was supposed to take place on the 17th of January 1977.
22 But I'll move on because of time.

23 Q. Mr. Witness, I think you were also quite familiar with a town
24 in the north of Cambodia, Siem Reap. Were you at one point in
25 time stationed in Siem Reap?

1 MR. KEO LOEUR:

2 A. I did not hold any position in Siem Reap province.

3 Q. But in your DC-Cam statement, I read that you had been in Siem
4 Reap at one point in time as a soldier, between 1970 and '75; is
5 that correct?

6 A. I went to Siem Reap; that is a fact. But it was in early 1973,
7 not 1975 as mentioned by counsel.

8 Q. Fair enough. Do you know what happened in Siem Reap on the
9 25th of February 1976?

10 A. I did not know.

11 Q. Have you heard around that time of reports of military
12 uprising and bombing by jet fighter planes in Siem Reap? Have you
13 heard anything about what happened in Siem Reap in February '76?

14 A. I did not know <> what happened in Siem Reap <in 1976>.

15 [15.56.31]

16 Q. Have you heard of intensive fighting in the remainder period
17 of '76 in the area of Siem Reap, fighting between various
18 factions of the Revolutionary Army?

19 A. I do not know.

20 Q. Then I will return to what you said about the weapons being
21 transported, or weapons being taken. Can you do your best again
22 and try to remember when exactly you were told to mind your own
23 business?

24 A. I do not recall the exact date, month and year. But, as I
25 said, I witnessed that weapons were being transported. The

1 vehicles stopped in front of <the place where I stayed>. I asked
2 the guy where the weapons were sent to, and I was warned at once
3 that I had to mind <only> my own business <since I was just a
4 handicapped person, and that soon all would be transported to the
5 rear>.

6 [15.58.22]

7 Q. Do you know how many months that was before you became the K-4
8 commander?

9 MR. PRESIDENT:

10 Witness, please hold on. International Deputy Co-Prosecutor, you
11 may now proceed.

12 MR. SMITH:

13 Your Honour, perhaps the question should be: how many months it
14 was before or after he became the K-4 commander? So I object to
15 the question.

16 BY MR. KOPPE:

17 I'll be very happy to rephrase.

18 Q. Mr. Witness, how many months before or after you became
19 commander, did you see weapons being transported, and were you
20 told to mind your own business?

21 MR. KEO LOEUR:

22 A. I do not recall the date and the month exactly, because it
23 happened a long time ago.

24 Q. Maybe I'm wrong, but your position as commander seems to have
25 a relation to the arrest of the previous commander. So, the day

1 that you became commander might have something to do with the
2 moment that you saw those weapons being transported. Can you do a
3 little bit your best, and try to remember when you were told to
4 mind your own business?

5 [16.00.53]

6 A. When I was warned that I had to mind <only> my own business,
7 it was long after that I was promoted to the head or chairman of
8 K-4. So it was long after that time.

9 Q. Let me help you a little bit, Mr. Witness. There is evidence
10 that suggests that your predecessor, the commander of K-4, was
11 attending a general staff meeting in October '76. He was arrested
12 in March '77. Were you told to mind your own business between
13 October '76 and March '77?

14 A. I do not recall it.

15 MR. KOPPE:

16 I'm seeing that it is 4 o'clock, Mr. President. Maybe it's time
17 to stop.

18 [16.02.20]

19 MR. PRESIDENT:

20 Thank you, Counsel. The hearing today comes to an end. The
21 hearing will be adjourned now and we will resume tomorrow, on 16
22 June 2015, starting at 9 a.m. tomorrow. The Chamber will resume
23 hearing this witness, Keo Loeur.

24 And the Chamber would like to inform Parties and the public that
25 the next witness is 2-TCW-901. However, because of the

1 arrangement or the scheduling, the Chamber will hear <2-TCW-830>
2 before 2-TCW-901. So please be informed.

3 The Chamber would like to express its sincere thanks to you, Mr.
4 Keo Loeur. The hearing of your testimony has not come to an end
5 yet, so you are invited to be here again at 9 a.m. tomorrow, and
6 it will not last longer than one session or one morning.

7 Court officer, you are instructed to work with WESU to send Mr.
8 Keo Loeur back to the place which he is now residing or staying,
9 and please invite him to be here again tomorrow before 9 a.m.
10 Security personnel are instructed to bring Mr. Nuon Chea and
11 Khieu Samphan back to the detention facility, and have them
12 returned tomorrow before 9 a.m.

13 The Court is now adjourned.

14 (Court adjourns at 1604H)

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