



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

13 August 2015
Trial Day 311

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ថ្ងៃ ខែ ឆ្នាំ (Date): 10-Apr-2017, 08:35
CMS/CFO: Sann Rada

Before the Judges: YA Sokhan, Presiding
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Martin KAROPKIN
THOU Mony
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NIL Nonn (Absent)

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I N D E X

Mr. LAT Suoy (2-TCW-889)

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List of Speakers:

Language used unless specified otherwise in the transcript

| Speaker | Language |
|-----------------------------|----------|
| Mr. CHHIT Yoeuk (2-TCW-937) | Khmer |
| The GREFFIER | Khmer |
| Ms. GUISSÉ | French |
| Mr. KONG Sam Onn | Khmer |
| Mr. KOPPE | English |
| Mr. KOUMJIAN | English |
| Mr. LAT Suoy (2-TCW-889) | Khmer |
| Judge LAVERGNE | French |
| Mr. LYSAK | English |
| Mr. PICH Ang | Khmer |
| Ms. TY Srinna | Khmer |
| The President (YA Sokhan) | Khmer |

1

1 PROCEEDINGS

2 (Court opens at 0857H)

3 MR. PRESIDENT:

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

5 Today the Chamber will conclude hearing testimony of Witness Lat

6 Suoy, and then commence hearing testimony of another witness --

7 that is, 2-TCW-937.

8 Ms. Chea Sivhoang, please report the attendance to the Parties

9 and other individuals at today's proceedings.

10 [08.59.08]

11 THE GREFFIER:

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

13 are present.

14 Mr. Nuon Chea is present in the holding cell downstairs as he

15 requests to waive his right to participate in and be present in

16 the courtroom. The waiver has been delivered to the greffier.

17 The witness who is to conclude his testimony today -- that is,

18 Mr. Lat Suoy, is ready and present in the courtroom with his duty

19 counsel. And the reserve witness -- that is, 2-TCW-937, took an

20 oath before the Iron Club Statue yesterday morning, and he has

21 Mr. Moeurn Sovann as his duty counsel.

22 [09.00.01]

23 MR. PRESIDENT:

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

25 The Chamber has received a waiver from Nuon Chea, dated 13 August

2

1 2015, which notes that due to his health -- that is, headache,
2 back ache and that he cannot sit and concentrate for long, and in
3 order to effectively participate in future hearings, he requests
4 to waive his right to participate in and be present at the 13
5 August 2015.

6 Having seen the medical report by Nuon Chea by the duty doctor
7 for the Accused at the ECCC, dated 13 August 2015, who notes that
8 Nuon Chea has moderate back pain and it becomes severe when he
9 moves and recommends that the Chamber grant him his request so
10 that he can follow the proceedings remotely from the holding cell
11 downstairs.

12 Based on the above information and pursuant to Rule 81.5 of the
13 ECCC Internal Rules, the Chamber grants Nuon Chea his request to
14 follow today's proceedings remotely from the holding cell
15 downstairs via an audio-visual means. The AV Unit personnel are
16 instructed to link the proceedings to the room downstairs so that
17 Nuon Chea can follow it remotely. That applies for the whole day.
18 The Chamber now hands the floor to the defence team for Khieu
19 Samphan to continue putting questions to the witness.

20 Counsel, you may proceed.

21 [09.02.15]

22 QUESTIONING BY MS. GUISSÉ RESUMES:

23 Q. Thank you, Mr. President. Good morning to all of you. Good
24 morning, <Mr.> Witness. I am going to continue <and complete my
25 examination>. Yesterday, you spoke about a certain number of

3

1 facts with my colleague Victor Koppe pertaining to the relations
2 between the Northwest Zone and the East Zone. And my first
3 question is: Do you know the links that existed between the heads
4 of both zones?

5 MR. LAT SUOY:

6 A. I did not know about their communication. I only heard from
7 ordinary soldiers like me that these two zones made a mutual
8 friendship.

9 [09.03.18]

10 Q. And aside from communication, do you know what <was> the
11 relationship <> between So Phim and Cheal?

12 A. I did not know about those senior people; I only knew about
13 the lower rank soldiers, like myself, who were working at the
14 Trapeang Thma Dam.

15 Q. You said that you heard about <> friendly relations between
16 the Northwest Zone and the East Zone through soldiers like you.
17 So can you tell us what they said exactly?

18 A. They said the East and the Northwest Zones were considered
19 like brothers. That's all I heard about the zones.

20 Q. And did they say for how long <such friendly relations had
21 existed> between both of these zones?

22 A. I did not have that detailed knowledge. Actually, during the
23 time that we were resting, we talked about this. And that's the
24 information or the limit of information that I gained. <But I did
25 not know where they got the information from.>

1 [09.05.11]

2 Q. In your DC-Cam statement, E3/9060 at French, ERN 01123699;
3 English, 00728747 to 48; and Khmer, 00733053; you spoke about
4 meetings<. Did you hear about plans that existed> between the
5 <West Zone and -- the> Northwest Zone and the East Zone?
6 So my first question is: How did you learn <about that> -- and
7 here I'd like to quote you. <"The East Zone was <about> to flee
8 into the forest in order to <reunite> its forces with the
9 Northwest Zone".

10 How> did you learn about that?

11 A. I heard those sector soldiers speaking about this while they
12 came to live at the Phnum Srok district.

13 Q. Yesterday, a little after 09.27 in the morning, you spoke
14 about meetings between Ta Nak and Ta Val at the Trapeang Thma Dam
15 site. So did you personally participate in these meetings?

16 A. Because I was a low-rank soldier, I was never allowed to
17 attend such a meeting. I was assigned to stand guard outside. And
18 I heard that he was called to that meeting. <He went to the
19 meeting. We stayed in our place.>

20 [09.07.40]

21 Q. <In that case, who> spoke to you about the content of these
22 meetings since <> you did not attend them?

23 A. When he returned from the meeting, he convened a meeting <of>
24 us and he relayed <that> information <in our places>.

25 <Q. When you say that "he relayed --">

5

1 MR. PRESIDENT:

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

3 MR. LYSAK:

4 Thank you, Mr. President. I just want to make sure one thing is
5 clear for the record because counsel -- the questions have been a
6 little vague. The meetings that are discussed in excerpts she's
7 reading here are meetings between Sector 5 and district military,
8 not meetings between the East Zone and Northwest Zone. I'm not
9 sure -- at least in the translation, the questions were a little
10 unclear on that, so I want to make sure the record is clear that
11 the meetings that are being talked about here are not meetings
12 between the East Zone and the Northwest Zone.

13 [09.09.10]

14 BY MS. GUISSÉ:

15 No, <no>, that was not what I was saying. <I believe there> was
16 indeed a problem <> in the interpretation, <because I> spoke
17 <about> the relationship between the East <Zone> and the
18 Northwest Zone first, and then I spoke about the meetings between
19 Ta Nak and Ta Val. So these are two different matters.

20 Q. So I don't remember if you answered my question. Let me put it
21 to you again. Can you confirm to me that Ta Nak, after the
22 meeting he had with Ta Val, came to you and spoke to you about
23 what he discussed at that meeting with the military leaders? Is
24 he the one who related to you the content of that meeting?

25 MR. LAT SUOY:

6

1 A. Yes. After he returned from the meeting with Ta Val, he called
2 <all members of the unit> to attend a meeting and he told us
3 about that.

4 [09.10.23]

5 Q. In your DC-Cam statement -- I think it's at the same pages I
6 mentioned earlier -- you said that Ta Nak <> told you: <"He had
7 told> the troops and had informed the Northwest Zone to be
8 ready." And you specify: "In order to defeat <inhabitants of> the
9 Southwest Zone, we got ready by bringing the weapons into the
10 forest" -- the French translation is <quite> problematic -- "and
11 ,<that> we were <recalled, we were> easily arrested <in the
12 house."> That's what is written later. So my first question is:
13 "We got ready by transporting the weapons into the forest"; who
14 are you speaking about here when you say that "we got ready"? Who
15 are you speaking about exactly, which troops?

16 A. I spoke about sector soldiers who went to station in the
17 <Chhouk Ang (phonetic)> forest near the Trapeang Thma Dam
18 reservoir.

19 Q. You <yourself, Mr.> Witness, did you see these soldiers
20 stationed near Trapeang Thma? And did you see where the weapons
21 were <hidden, with your own eyes? Or where they stored, if they
22 were not hidden?>

23 A. We were not allowed to enter the area that they stationed.
24 <They had many soldiers standing guard there.>

25 Q. And where were they stationed exactly?

7

1 A. They stationed in the <Chhouk Ang (phonetic)> forest near the
2 reservoir<. However,> they did not stay there for long, only
3 about 10 days. Then they returned with weapons back to Svay.

4 [09.13.08]

5 Q. <> I would like to read out an excerpt from the statement of
6 <a> witness whose name I cannot mention. <For the parties,this>
7 is document E319/19.3.18<, and> it is question and answer 49. And
8 then I will put a question to you regarding this. <The> question
9 that is put to this witness is the following -- unfortunately, I
10 don't have the French translation of this document, so I'm going
11 to have to <quote it> in English.

12 "You talked about the preparation of a detailed plan in which,
13 you said, Ta <Hoeng> had a plan to use all the members who worked
14 in the mobile unit as soldiers to fight the Khmer Rouge. Can you
15 explain this event?"

16 And the answer is the following, and I will give it to you in
17 English again:

18 "At that time, they got the materials in the warehouse at the
19 Trapeang Thma worksite ready and there was a meeting at night, at
20 12 p.m. or 1 a.m. And Ta <Hoeng> announced to the mobile unit
21 that all of us would become captains in the future. I thought he
22 was talking about the arrangement for us to become soldiers to
23 fight the Khmer Rouge." End of quote.

24 <My> first question is: Did you hear about or did you see a
25 warehouse in which equipment was stored at the <Trapeang Thma Dam

1 or at the> Trapeang Thma Dam worksite?

2 [09.15.08]

3 A. There was no weapon warehouse at the Trapeang Thma Dam. The
4 sector soldiers transported the weapons to the area and they were
5 preparing themselves in the forest and the weapons were never
6 hidden or buried under the ground.

7 Q. <At the same time, Mr.> Witness, you seem sure about this. <My
8 question is:> since you were not a high-ranking soldier based on
9 what you said, <isn't it possible that> you were not aware of
10 everything. Why are you so sure about what you are saying?

11 A. Because when I saw those soldiers retreating, they took with
12 them all the weapons that they had brought in. <I said they had
13 not hidden any weapons because our mobile unit members could walk
14 in and out of that area.>

15 Q. And what kind of weapons were these, <since> apparently you
16 saw <those> weapons?

17 A. I saw AK-47 rifles that they were carrying and the <80
18 milimetre mortar.>

19 [09.16.51]

20 Q. And can you estimate the number of weapons <> or is this too
21 difficult for you?

22 A. I only saw them with the weapons and I did not pay attention
23 as to how many weapons they had at the time.

24 Q. Now, I also would like to read out an excerpt of another
25 statement by another witness who <, a priori, has not been

1 summoned> to testify, so I <will> mention his name. This is a
2 DC-Cam document, E3/9076, French, ERN 00 -- sorry, not in
3 French<; there is no French version. It is still in> English,
4 00731172; Khmer <ERN> 00728870 to 71; so this is a witness, Mun
5 Mut, who is speaking about <a meeting> with Ta Val. And this is
6 what he says and I'm going to read it out in English again:
7 "[...] Cambodian sandals from the Eastern [Zone] for the mobile
8 units." He continues, "Nice sandals were given to us. At the time
9 there was a plan. I was very afraid of that plan." So the
10 question -- his answer: "When [Ta] Val spoke, at the same time
11 scarves, (cigarette)s lighters, and white shirts were given to
12 the leaders. Then he would say, 'You are all captains'. He
13 repeated, 'You are all captains, colonel'. He pointed at and
14 walked out joking with the cadres after the meeting. He compared
15 this selection of mobile unit the same the military did. The plan
16 was at Phnom Kaun Khlaeng. The plan could not be executed but I
17 just learned about that plan."
18 [09.19.45]
19 And he continues a little further down: "It was a plan to harm
20 the mobile units, but it could be not executed. The supplies had
21 already arrived. The progress of this plan was not known of and
22 we were unable to speak out about it. It was clear, so we did not
23 to speak this out." End of quote.
24 So, my first question, <Mr.> Witness is: Did you hear about or
25 did you see a delivery of sandals coming from the East Zone <and

10

1 --?>

2 MR. PRESIDENT:

3 Deputy Co-Prosecutor, you have the floor.

4 MR. LYSAK:

5 Yes, Mr. President, I don't have an objection to the question.

6 But again, I want to make sure it's clear for the record the
7 witness that she just read from is the same witness as from the
8 prior statement, not a different witness. So the record should be
9 clear that this is the same witness from which counsel read the
10 statement in a prior question.

11 [09.21.08]

12 MR. PRESIDENT:

13 Defence counsel, please be mindful of the time allocation that
14 you should have 20 minutes only this morning. And your time is
15 about to run out. And you may proceed now.

16 BY MS. GUISSÉ:

17 I will hurry up <to conclude and> give the floor to my
18 <colleague>. I was trying, of course, to abide by the
19 confidentiality <guidelines> that were given, but I think <it was
20 pointless, but that's> okay.

21 Q. So my question is: <Mr.> Witness, did you hear about <> a
22 delivery of sandals from the East Zone at <any> point in time?

23 [09.22.20]

24 MR. LAT SUOY:

25 A. I didn't know when that happened. However, I saw those workers

11

1 in a mobile unit wearing those sandals.

2 Q. And did you ever hear about a meeting with Ta Val and some
3 members of the mobile unit in which apparently he said that
4 everyone was going to become a captain?

5 A. They did not let anyone know about it. <In> my case, the
6 meeting was held only amongst us and no outsider was allowed as
7 it was confidential. <We never knew other matters.>

8 MS. GUISSÉ:

9 Well, I'm going to put an end now to my examination because I'm
10 running out of time and I will give the floor to my colleague
11 Kong Sam Onn.

12 [09.23.32]

13 MR. PRESIDENT:

14 Counsel Kong Sam Onn, you have the floor.

15 QUESTIONING BY MR. KONG SAM ONN:

16 Thank you, Mr. President. Good morning, Your Honours. And good
17 morning, Mr. Lat Suoy. I only have a few remaining questions to
18 conclude my time allocation.

19 Q. First allow me to ask you about your age. The day before
20 yesterday when you were asked by the President, you said that you
21 were 55 years old and that you do not recall your date of birth.
22 However, in your written record of interview with DC-Cam, you
23 stated that <> in 2011, you were 55 years old. And now it's about
24 five years after and you still said you are 55 years old. So
25 please, tell the Court what is your real age, if you can recall

12

1 that. Because about five or six years ago, you <told the DC-Cam
2 interviewer that> you were 55 and <in this Chamber,> you said
3 you're still 55 years old; which one is true?

4 [09.25.02]

5 MR. LAT SUOY:

6 A. When I said I was 55 years old, that was true. However, I
7 haven't counted my age thus far and I still recall that I was 55
8 years old.

9 Q. So when you said that you were 55 years old with DC-Cam
10 interviewer and that's correct according to your recollection.
11 And you still maintain that now you are still 55 years old?

12 A. I do not count my age since then. So I still recall that I
13 said that I was 55 years old. And when the President asked me, I
14 gave that answer.

15 Q. Based on my calculation, if in 2011 -- that is in May 2011
16 when you were interviewed by DC-Cam, you were 55 years old -- it
17 means that you were born in 1956 or around that. And it means
18 that in 1975, you were about 19 years old. Is my calculation
19 about right?

20 A. In 1975, my mother told me that I was 15 years old. At that
21 time, I did not even get used to wearing pants, I was wearing
22 only shorts.

23 [09.27.09]

24 Q. I think there are two instances where you may get confused. In
25 1970, that is when the coup d'état took place. And secondly, that

13

1 is the event in 1975 and the Khmer Rouge gained victory. Can you
2 try to recall when actually your mum told you that you were 15
3 years old?

4 MR. PRESIDENT:

5 Deputy Co-Prosecutor, you may proceed.

6 MR. LYSAK:

7 Yes, counsel's leading the witness trying to suggest to him that
8 his mother told this in 1970. So the question is leading. And I'm
9 also not sure why counsel is not referring the witness to the
10 specific date of birth in his official OCIJ record, which is
11 probably based on some official identification. But the question
12 he's asking right now is leading.

13 [09.28.24]

14 MR. KONG SAM ONN:

15 Mr. President, I do not ask any leading question. Actually, I
16 gave the witness two possibilities regarding his response to the
17 event in 1975. And the witness may get confused, that's why I
18 provided him with the two events. And I seek your permission to
19 continue.

20 MR. PRESIDENT:

21 Mr. Witness, please respond to the question by the Defence
22 Counsel.

23 MR. LAT SUOY:

24 A. When my mother told me that I was 15 years old, it was the
25 time that people were selected from the village to go to a mobile

14

1 unit in Prey Moan. <My mother said that her son was only 15 years
2 old.>

3 BY MR. KONG SAM ONN:

4 Do you recall the year of the animal that you were born?

5 MR. LAT SUOY:

6 A. No, I do not know as to which animal sign I was born in, as my
7 parents did not tell me about it.

8 [09.30.00]

9 Q. In relation to your interview with OCIJ and as the
10 Co-Prosecutor stated, you mentioned that your year of birth was
11 1958. And if that is your true year of birth, you could not be 15
12 years old in 1975. So how did you come with 1958 as your year of
13 birth?

14 A. Regarding the year of birth, I was told by my mother that I
15 was born on Monday <in the month of Jes (phonetic) in Khmer
16 calendar or May-June and in> the Year of the Dog.

17 Q. I now would like to move to a different subject. Yesterday, my
18 esteemed colleague from the defence team for Mr. Nuon Chea, he
19 asked you a question concerning <the bank notes of> the
20 Democratic Kampuchea <you already received> in document E3/9060,
21 which is your interview with DC-Cam, ERN Khmer 00733052 to 53;
22 French, 01123698 to 99; English, 00728747. I would like to quote:
23 Question <by Dara>: "How many <bank notes did you see?>
24 Response <by Suoy>: "Three bank notes.">
25 <Dara: "Were they all 10-riel bank notes?>

15

1 <Suoy: "There was one 10-riel note and there were two 20-riel
2 notes. They only told us that our ordinary soldiers got 20
3 riel.>"

4 "So how many should you get during the discussion?"

5 "I got 20."

6 "Dara: 20 riel?"

7 Response Suoy: "Yes." End quote.

8 [09.33.16]

9 I would like to ask for your confirmation whether or not you
10 maintain this testimony that you saw <three> bank notes, <one> 10
11 riel note and two 20 riel notes.

12 A. When they presented the bank notes to us, they said that we as
13 the combatants we would be given 20 riel each. <At that time, we
14 were not given the bank notes but they just told us that we would
15 be given 20 riel each.>

16 Q. Yes, I got that statement already. But I would like to ask for
17 your confirmation whether or not you saw three <bank notes --
18 that is one 10-riel bank> note and <one 20-riel bank note.>.

19 A. Because at that time, my colleague presented <the bank note>
20 to me. They told me that we were given 20 riel each. And at that
21 time, <I touched that note and then my colleagues snatched it>
22 from one <person to> another <in order> to examine <the> bank
23 note.

24 Q. So are you confirming that you did see the 20 riel bank note?

25 A. For the 20 riel bank note, I did not actually get the 20 riel

16

1 bank note. I only <held> the 10 riel bank note. <I touched that
2 note.> I noted that it had rather <red> colours with people
3 harvesting <rice> as a picture on it.

4 Q. Since you also <lived> at the Trapeang Thma Dam, when did you
5 leave Trapeang Thma Dam toward the end of the Democratic
6 Kampuchea -- at which stage of the Democratic Kampuchea era did
7 you leave Trapeang Thma Dam?

8 [09.36.03]

9 A. I left Trapeang Thma Dam when we almost obtained peace. At
10 that time, <we were withdrawn to live with our families in our
11 villages. All of us were> withdrawn at that time.

12 Q. Did you encounter flood during 1978?

13 A. I do not get your question, Counsel.

14 Q. Do you recall that there was flood in your areas in Trapeang
15 Thma Dam in 1978?

16 A. At that time, there was no big flood during 1978. Of course,
17 there were water flowing from the upstream down close to the
18 water reservoir, but I actually, at that time, was withdrawn and
19 I <resettled> in my hometown.

20 Q. During the rainy season of 1978, where did you reside then?

21 A. In 1978, I resided in <Pou Roam Bon village>.

22 Q. Can you tell the Court the commune <and district>?

23 A. <I was in> Pou Roam Bon village, Ponley commune, Phnum Srok
24 district. <It's my family's hometown.>

25 [09.38.15]

17

1 Q. How about the land conditions over there; was it the uphill
2 land or it was the lowland?

3 A. Over there, it was highland full of forest. It was generally
4 called the forest area.

5 MR. KONG SAM ONN:

6 Thank you, Mr. President. I have no further question to this
7 witness.

8 MR. PRESIDENT:

9 Thank you, Counsel.

10 Mr. International Prosecutor, you may proceed.

11 MR. LYSAK:

12 Yes. Thank you, Mr. President. Just so this is on the record and
13 since counsel spent time on this, 1958 was a Year of the Dog. And
14 the specific date given in the OCIJ interview, which I'm assuming
15 came from some official identification is -- of the witness's
16 birth was 10 June 1958, which would make him 16 years old as of
17 17 April 1975.

18 [09.39.38]

19 MR. PRESIDENT:

20 Thank you, Mr. Prosecutor. The hearing of the testimony of Mr.
21 Lat Suoy has come to an end now. Mr. Lat Suoy, the Chamber wishes
22 to thank you for spending your valuable time to testify in your
23 capacity as the witness <in the past three days>. Your testimony
24 will contribute to ascertaining the truth in this case before us.
25 We wish you the best of luck and safe trip back home. The Chamber

18

1 would also like to thank the duty counsel for assisting this
2 witness throughout his testimony.

3 Court officer, please work with the WESU to arrange for the
4 transport of this witness back home.

5 Counsel Koppe, you may proceed.

6 [09.41.13]

7 MR. KOPPE:

8 Thank you, Mr. President. Good morning, Your Honours. I would
9 like to take the opportunity to make two small requests. First
10 request is to the Chamber asking you to have the colour print
11 version of these bank notes that we have been discussing added to
12 the case file as evidence. So I'm doing an oral 87.4 request and
13 asking you to have this colour version added officially to the
14 case file. That's my first request.

15 My second request is to the Prosecution. I heard the
16 International Co-Prosecutor say yesterday that they have located
17 documents that indicate Ta Val having been sent to S-21 and also
18 having found their confession - or, his confession. We haven't
19 been able to localize (sic) either of those two documents in the
20 case file, so I assume they are not part of the case file. My
21 request is to the Prosecution to tell us -- or to give us an
22 update as to when we can expect a copy of Ta Val's confession
23 that he referred to yesterday as well as the document indicating
24 his arrest and his detention in S-21.

25 MR. PRESIDENT:

19

1 Mr. Prosecutor, you have the floor.

2 [09.43.00]

3 MR. LYSAK:

4 Yes. We were waiting till we had all three things before we file.

5 However, in the interest of getting these into the hands of

6 people, I'll ask someone to informally distribute what we have

7 scanned at this time around to the Parties and the Chamber. We're

8 still waiting -- we're still trying to track down the S-21 list

9 that -- the Khmer that corresponds to E31900 (phonetic). But as I

10 mentioned, in looking for that, we found these other two records.

11 But we will have that circulated so that it's available to the

12 Parties informally. And then when we have that last record, we'll

13 file a formal document with the Court.

14 MR. PRESIDENT:

15 Thank you, Mr. Prosecutor.

16 Court officer, please usher in the witness, 2-TCW-937.

17 (Witness enters courtroom)

18 [09.46.51]

19 QUESTIONING BY THE PRESIDENT:

20 Q. Good morning, Mr. Witness. What is your name?

21 MR. CHHIT YOEUK:

22 A. My name is Chhit Yoeuk.

23 Q. When were you born?

24 A. I was born on the 1st of May 1946.

25 Q. What is your current occupation?

1 A. I am a rice farmer and I also work as a private guard to look
2 after other people's house.

3 Q. What are your parents' names?

4 A. My father's name is Chiem.

5 Q. How about your mother, what is her name?

6 A. Lou Tang Voeur.

7 [09.48.10]

8 Q. How about your wife and do you have any children?

9 A. My wife's name is Vong Ry, and we have three children.

10 Q. Thank you, Mr. Chhit Yoeuk. According to the report by the
11 greffier this morning, to the best of your knowledge, you are not
12 related <by blood or by law> to the Co-Accused, Mr. Nuon Chea and
13 Khieu Samphan, or any individuals admitted as the civil parties
14 in Case 002; is that correct?

15 A. Yes.

16 Q. And you have taken an oath before the Iron Club Statue before
17 you are coming to testify before the Chamber; is that correct?

18 A. Yes.

19 [09.49.29]

20 Q. Thank you, Mr. Chhit Yoeuk.

21 Next, I am advising you on your rights and obligation. As the
22 witness before the Chamber, your rights: Mr. Chhit Yoeuk, as a
23 witness in the proceedings before the Chamber, you may refuse to
24 respond to any question or to make any statement which may
25 incriminate you. That is your right against self-incrimination.

21

1 Your obligations: As a witness in the proceedings before the
2 Chamber, you must respond to any question by the Bench or
3 relevant parties, except where your response or comment to those
4 questions may incriminate you as the Chamber has just informed
5 you of your rights as a witness earlier.

6 As a witness, you must tell the truth and nothing but the truth
7 that you have known, heard, seen or <remembered>, experienced or
8 observed directly about an event or occurrences relevant to the
9 questions that the Bench or Parties put to you. Do you
10 understand, Mr. Chhit Yoeuk?

11 A. Yes, I do.

12 Q. Mr. Chhit Yoeuk, have you ever given any interview with the
13 investigator of the Office of the Co-Investigating Judges? And if
14 you have, how many times have you given that interview <when> and
15 where did they take place?

16 A. I have given the interview twice: once at my house and the
17 other time, it was at an organisation <in Poipet>.

18 [09.51.55]

19 Q. Thank you, Mr. Chhit Yoeuk. And before you come to testify
20 before the Chamber, have you reviewed the written record of your
21 interviews with the Office of the Co-Investigating Judges to
22 refresh your memory of what you have told them?

23 A. Yes, I have gone through it briefly.

24 Q. So to the best of your knowledge, can you tell the Court that
25 the record of interviews that you have read to refresh your

1 memory is correct and corroborate with the substance of what you
2 gave to the investigators during your interview with them?

3 A. Yes.

4 MR. PRESIDENT:

5 In examining this witness, pursuant to Rule 91bis, the Chamber
6 would grant the floor to the prosecutor to put the question
7 first. And the prosecutors and the Lead Co-Lawyers for the civil
8 parties have three sessions to put their questions to this
9 witness.

10 Mr. Prosecutor, you have the floor now.

11 [09.53.36]

12 QUESTIONING BY MR. KOUMJIAN:

13 Thank you, Mr. President. Good morning, Your Honours and to
14 everyone in the courtroom. Good morning, sir.

15 Q. A few questions for you. What is your level of education?

16 MR. CHHIT YOEUK:

17 A. I studied <> grade 7 <> in the old education system.

18 Q. Thank you. So will that mean that you had stayed approximately
19 six years in school?

20 A. That's correct. Yes, around six years of schooling.

21 Q. Sir, have you ever worked as a teacher?

22 A. Later I worked as a teacher in the refugee camp. And
23 <previously>, I used to be a teacher too when I was a monk.

24 [09.55.11]

25 Q. Thank you. For how many years were you a monk, sir?

1 A. For three years.

2 Q. What years were those, do you recall approximately?

3 A. For three years from 1975 to <1979 or 1978.>.

4 Q. And so what I heard you say through the translation is that

5 you were a monk from 1975 to '78, those are the years of the

6 Khmer Rouge regime. Is that the time period when you were a monk?

7 A. No. For a monkhood -- I was a monk during the Lon Nol regime;

8 during the three years eight months period, I was not a monk. I

9 did not get the question right earlier on.

10 Q. No problem. We all make mistakes on dates.

11 Do you recall which decade it was when you were a monk; was it

12 the 1960s, 1970s?

13 A. It was during the 1960s.

14 [09.57.10]

15 Q. Sir, are you still a Buddhist, do you practise Buddhism now?

16 A. Yes, I am a Buddhist.

17 Q. How about during the regime -- during the Pol Pot regime, were

18 you able to practise Buddhism then?

19 A. During that era, no we <could not-->

20 MR. PRESIDENT:

21 The Lead Co-Lawyer for the civil party, you may proceed.

22 MR. PICH ANG:

23 Good morning, Mr. President; and good morning, everybody. I am

24 sorry to interrupt. I did not intend to but I heard just now, Mr.

25 Witness said that he was a monk during Lon Nol era. And then the

24

1 subsequent question by the prosecutor whether it was in 1960s and
2 then the witness said that it was in the 1960s, so it seems that
3 this time period was not correct. It may be worth asking for
4 clarification on this.

5 [09.58.42]

6 MR. PRESIDENT:

7 Mr. Prosecutor, you may proceed with your line of questioning.

8 BY MR. KOUMJIAN:

9 Q. Thank you. So sir, during the regime -- the Khmer Rouge regime
10 -- after April 1975 until January 1979, were you able to practise
11 Buddhism?

12 A. No, we could not practise Buddhism at all.

13 Q. Why is that, sir?

14 A. Because all the monks were <defrocked> and they all were
15 forced to leave the monkhood. <They were not allowed to remain in
16 the temple either.>

17 Q. Sir, is it correct you were born in Preah Netr Preah?

18 A. Yes, that's correct. I was born in Preah Netr Preah.

19 [10.00.00]

20 Q. Did you live there all the way up until 1970, at least; were
21 you living there in 1970?

22 A. Yes, I was living in my native village in 1970.

23 Q. At some point, did the Khmer Rouge capture that Preah Netr
24 Preah?

25 A. I lived in Tuck Chour "sangkat" or commune, that is part of

1 the Preah Netr Preah district. And the Khmer Rouge actually
2 entered the area in around 1973.

3 Q. Okay. Is it correct that they had captured different parts of
4 the district, is that what you're saying, at different time? Some
5 was controlled earlier than 1973 and your village was captured in
6 1973?

7 A. Yes.

8 Q. What year did you join the Khmer Rouge?

9 A. Regarding the Khmer Rouge movement, actually they entered my
10 village since 1970, but <they did not control it yet.>.

11 Q. Okay. Thank you for that explanation. And what year did you
12 join the movement?

13 A. I left my house in 1973.

14 [10.02.36]

15 Q. Does that mean -- again my question is: What year did you join
16 the Khmer Rouge. Did you start working for them in 1973 or when?

17 A. Yes, it was in 1973.

18 Q. What was your job for the Khmer Rouge? Before 1975 -- before
19 their victory in 1975, what did you do for the movement?

20 A. I actually was a merchant buying goods from the Lon Nol
21 control area and <sold> them to those in the area under the
22 control of the Khmer Rouge.

23 Q. Were you in the militia at some point?

24 A. When I went to the forest, I was selected to be part of the
25 militia.

1 Q. Did you become a commander in the militia; did you command
2 other men or women?

3 A. I was voted to become chief of the militia but it was the
4 <male> militia group <>, not the female one.

5 [10.04.50]

6 Q. The group that you were voted to head the male militia, was
7 that a group for a particular area, or village or district, or
8 commune?

9 A. They were young people coming from the village. And it's
10 because I was a bit older, I was selected to lead them.

11 Q. Thank you. Were they coming from Preah Netr Preah district?

12 A. Most of them came from my village and the adjacent village.

13 Q. Okay. And your village was Char Leu?

14 A. Yes, the name is Char Leu.

15 Q. Can you tell us the difference between being a member of the
16 militia and being a soldier in the Khmer Rouge, what was the
17 difference?

18 A. A militia role was to assist in the transportation. It did not
19 have anything to do with the military affairs. Usually, militia
20 would deal with <transportation and> logistical issues.

21 [10.06.55]

22 Q. Did the militia play a role in monitoring areas under Khmer
23 Rouge control or persons who could create problems?

24 A. We were tasked to monitor activities of people who <might>
25 cause troubles. And that only happened for a limited time.

1 Q. Who did you report to?

2 A. I reported to the commune chief.

3 Q. You said you were selected because you were older than others.

4 What was the age range in the militia; what was the youngest and
5 the oldest?

6 A. They did not consider the age range but they actually
7 considered the marital status and those were unmarried.

8 [10.08.27]

9 Q. What was the youngest age of the boys that were in the
10 militia?

11 A. At that time, the youngest one was about 19 to 20 years old.

12 Q. Now in the -- at some point, did the Khmer Rouge capture your
13 village Char Leu?

14 A. The Khmer Rouge entered the villages in my area in 1973.

15 MR. PRESIDENT:

16 Thank you, Co-Prosecutor. It is now appropriate for a short
17 break. We take a break now and return at 10.30 a.m. to continue
18 our proceedings.

19 Court officer, please assist the witness in the waiting room for
20 witnesses and <experts>, as well as for his duty counsel during
21 the break. And invite both of them back into the courtroom at

22 <10.30 a.m.>

23 The Court is now in recess.

24 (Court recesses from 1009H to 1028H)

25 MR. PRESIDENT:

1 Please be seated.

2 Mr. Prosecutor, you may resume your questioning.

3 BY MR. KOUMJIAN:

4 Q. Sir, were your parents able to stay in your native village
5 during the Khmer Rouge regime, or what happened to them?

6 MR. CHHIT YOEUK:

7 A. My parents were evacuated by the Khmer Rouge into the jungle.

8 Q. When was that, that your parents were evacuated?

9 A. It was in late 1973.

10 Q. Why were they taken from their homes to the jungle?

11 A. I did not know the reason, and I dared not question that
12 either. <They did not let us stay.>

13 [10.30.30]

14 Q. Was it just your parents, or were others in the village forced
15 to leave their homes?

16 A. All, all the villagers. <All the people in two> or three
17 villages <were> evacuated into the jungle.

18 Q. So, let me go now to after the victory of the Khmer Rouge in
19 April 1975. What was your first job after the Khmer Rouge
20 victory?

21 A. At the beginning, they assigned me as the militiaman, and then
22 later on, they recruited me and sent me to the district office. I
23 did not know <> clearly <what that place was called, because I
24 was not in the district committee>.

25 Q. Okay. When you said you first, after April 1975, were assigned

29

1 to the militia, were you again a commander? And if so, how many
2 militia did you command?

3 A. At that time I was no longer a commander. I was an ordinary
4 militiaman, together with other militiamen. Two or three of us
5 would go in the village and monitor in the <people evacuated from
6 the villages>.

7 Q. Okay. You said you then were sent to the district office. Was
8 that the Preah Netr Preah office?

9 A. Yes, that is correct.

10 [10.33.00]

11 Q. Do you recall when that was? Or whether it was -- what year it
12 was? Whether it was dry season, rainy season?

13 A. It was quite close to the beginning of rainy season in 1975.

14 Q. Who was the head of the district, Preah Netr Preah, when you
15 started your job there?

16 A. Loeum. <At first>, Loeum was in charge of Preah Netr Preah
17 district office.

18 Q. Was Loeum eventually replaced?

19 A. Yes. Later, Ta Maong replaced him <as Preah Netr Preah
20 district committee>.

21 Q. Do you know why Loeum was replaced?

22 A. At that time I did not know <the details>; I only heard from
23 others that he committed moral offences, and he was removed.

24 Q. Did Loeum have a connection with Khieu Samphan that you were
25 aware of?

30

1 A. I only heard from others that he used to work with Khieu
2 Samphan, but I cannot confirm it because I only heard from
3 others.

4 [10.35.02]

5 Q. After Loeum was removed, do you know if he was punished or was
6 given another job?

7 A. To my knowledge, he was sent back to Battambang.

8 Q. In your statement somewhere, you mentioned seeing him in a
9 car. Did you later see him in a car? And tell us what that meant
10 to you?

11 A. At that time, <his car carried the Zone's number plate, but it
12 was a military car>.

13 Q. Okay, I'll move on. I may come back to that later.

14 Sir, the job that you had in the district office, can you explain
15 what your job was? What kind of work did you do?

16 A. When I was in the district office, I did not have a major
17 role. I only received the instruction from the district leaders
18 that I <needed> to send <the evacuated> people <> to different
19 places. And I also had to <tell the truck drivers to deliver
20 rice> supplies and foods for them <according to their rations>.

21 Q. Did you work with a census?

22 A. No, that was not my responsibility. It was somebody else's
23 responsibility for that.

24 [10.37.22]

25 Q. Did you have statistics that you used in the distribution? And

31

1 did you use a census in making the distribution?

2 A. Yes. At that time there was <statistics>, so that <we> could
3 <know how many people went to how many villages>, so that we
4 could distribute <rice> supplies and food accordingly. <But, I
5 can't remember it now.>

6 Q. When you talk about a census, can you just explain what kind
7 of information was available there -- was gathered to the census?
8 Did you have the names of everyone who lived in the district?

9 A. No, we only had the total number of people. We did not have
10 the exact names of people.

11 Q. Do you know how that was determined? Did village chiefs, or
12 someone else, actually list the names? If you don't know, please
13 say so.

14 A. To my understanding, <only> village chief and commune chief
15 <dealt with that matter>.

16 [10.39.05]

17 Q. Did someone actually record your name for a census?

18 A. No. As for the names, <I did not make any record.>

19 Q. What was your next job?

20 A. And later on, I was taken from the district office and I was
21 attached to the district mobile unit.

22 Q. Did you become the head of a youth mobile brigade?

23 A. At that time, I was the chief, but I did not have the overall
24 supervision of the brigade. I got assistance from others, too.

25 Q. Thank you. How many workers were under you?

1 A. Around 600 to 1000 people, but I had to supervise with the
2 assistance from others as well.

3 Q. What was the age range of those in the youth mobile brigade?

4 A. From 13 years of age to about 27-28 years of age, because at
5 that time, I was about <27 or> 28.

6 Q. Now, at some point, were you taken from a district mobile
7 brigade and moved to something else?

8 A. That, I do not recall because I worked at the district office
9 for about six months. And then they took me out.

10 [10.42.04]

11 Q. Okay, thank you. Let me just try to refresh your recollection.

12 In your DC-Cam, when you spoke to--

13 (Recording malfunction)

14 [10.42.10]

15 BY MR. KOUMJIAN:

16 Q. -- to recall, first of all, that one of the interviews that
17 you gave was with someone from DC-Cam, a couple of people from
18 DC-Cam, who met you and talked about the Trapeang Thma Dam in
19 2011. Do you recall speaking to someone named Dany and Dara in
20 2011?

21 MR. CHHIT YOEUK:

22 A. I recall some of the events.

23 Q. Okay. In that interview, on page -- that's Khmer -- it's the
24 ERN 00728790; it's page 14 in English; and in French, it is at
25 01123715; you were asked by Dany: "When did you move from

33

1 district mobile to state region?" And you said, "It was in 1976,
2 approximately in October." So my question is: What did you mean
3 that you moved from the district mobile to the state?

4 A. It means that the youth mobile brigade attached to the
5 district is different from that of the <> sector's <mobile unit
6 which was composed of members from different parts of the sector.
7 It is like gathering of people from the whole province. The
8 district mobile unit was involved with people from the whole
9 district.>

10 [10.44.22]

11 Q. So when you said, at least in my translation, "state region",
12 you were transferred to a sector-level brigade? Is that what you
13 meant?

14 A. Yes, because they recruited <people from the districts to
15 form> the sector's <mobile unit>.

16 Q. Now, you mentioned in that interview that there were some
17 conflicts between the state and cooperative level about food. Can
18 you explain that? About rations?

19 A. Because at that time, the mobile brigades and the cooperatives
20 worked differently. For example, for us at the mobile brigade, we
21 were given two cans of rice. As for the cooperatives, they did
22 not have the same food ration, because they considered the mobile
23 brigades as the <first> force.

24 [10.46.00]

25 Q. Do you know what the ration was for the cooperatives at that

1 time?

2 A. To some of my knowledge -- I did not know much about the
3 cooperatives, but I heard from people who told me. They said that
4 they had access to about half a can of rice per day, and there
5 were certain circumstances when they did not have it at all.

6 Q. Sir, I want to ask you about a document. I'm going to read
7 something from a document. It's E3/1181 -- E3/1181. It's a short
8 document, and I'm reading the paragraph marked number 4, so in
9 all three languages it's easy to follow. This is a document in
10 Khmer, dated 27 June 1977. And sir, what it says is:

11 "Preah Netr Preah: The population of Preah Netr Preah prior to 17
12 April was 150 families. More than 70,000 have come from Phnom
13 Penh. More 30,000 people are in Preah Netr Preah in post-17 April
14 period. Preah Netr Preah and Prasat sub-districts compose of a
15 good number of no-good elements. Peam Kam--" Let me just stop
16 there for a moment.

17 With what I've read so far, is that accurate as far as you
18 recall?

19 [10.48.10]

20 MS. GUISSÉ:

21 Mr. President, I'm sorry for interrupting. <I simply-->

22 MR. PRESIDENT:

23 Counsel, you may proceed.

24 MS. GUISSÉ:

25 Simply an observation; maybe to assist the interpreters, you

35

1 could provide them with the ERNs so that they could follow at the
2 same time, because <I think there is a problem,> at least in
3 French; it's a little bit difficult to follow the excerpts that
4 are being quoted <by the Prosecutor>.

5 MR. PRESIDENT:

6 Mr. Prosecutor, you may proceed.

7 BY MR. KOUMJIAN:

8 I didn't provide the ERN because it's a short document and
9 they're marked by paragraphs, so I was reading paragraph 4, so
10 all three languages have that marked as number 4.

11 Q. Sir, is that accurate, what I read about Preah Netr Preah?

12 MR. CHHIT YOEUK:

13 A. Before 1975, I did not know how many people there were back
14 then. I simply did not know.

15 [10.49.33]

16 Q. Is it correct when it says that -- it said more than 30,000
17 are in Preah Netr Preah in post-17 April period; is that correct?

18 A. Yes. <It's 30,000.>

19 MR. PRESIDENT:

20 Counsel, you may proceed.

21 [10.50.10]

22 MR. KONG SAM ONN:

23 Your Honours, I would like to register my objection for the use
24 of this document. If the Prosecution wishes to use this document,
25 he should explain to the Court first on the nexus of this

1 document with the witness in question. Because the presentation
2 of the document to the witness, of which the witness is not
3 aware, then I am of the view that we do not establish the
4 credibility on the evidence being examined. So, the Prosecution
5 should ask whether or not this witness is aware of this document
6 at all.

7 BY MR. KOUMJIAN:

8 Your Honour, the document speaks about Preah Netr Preah where
9 this witness was born, is from and was working at the time in the
10 district office. So he has knowledge of Preah Netr Preah. What
11 I'm reading is simply to ask him, with his personal knowledge, to
12 either confirm or correct whether this is true or not.

13 Q. So sir, if I can just read and try to finish this quickly,
14 there is another point in this document. It says, "It is the
15 worst place of starvation, which last year alone killed more than
16 20,000 people". So again, this document is dated June '77. In
17 1976, are you aware of people starving in Preah Netr Preah, sir?

18 MR. CHHIT YOEUK:

19 A. In that year, of course people died. Some died <in the
20 hospital while others died> at the site, and as for the number, I
21 did not know the <exact> number.

22 [10.52.35]

23 Q. I'm going to go on to another document, and this is E3/1783.
24 The portion I'm reading: the Khmer, ERN 00659260; in French,
25 00606766; and in English, <00498180>; and over to the next page.

1 I believe it was read to the last witness by defence counsel.

2 Sir, this is a document from the Khmer Rouge period that actually
3 is labelled -- let me go on. It says that:

4 "Standing on the Trapeang Thma reservoir, in the fifth region of
5 the northwest zone, the guests and hosts could see the mountains
6 in the distance and a motorboat sailing in the lake, and enjoyed
7 the wonderful scenery.

8 Comrade Nhim Ros, second vice-president of the Presidium of the
9 State of Democratic Kampuchea, secretary of the northwest zone
10 committee of the KCP, and the chairman of the northwest zone
11 serve-the-people committee, said that the reservoir was built in
12 less than two months this year by the people of the fifth region
13 of the northwest zone in response to the call of the Party
14 Central Committee to build water conservancy projects in a big
15 way."

16 Let me -- before I read this to you, I should go back and ask
17 you, sir: At some point, were you sent to work at the Trapeang
18 Thma Dam site?

19 A. Yes, I was sent to work over there too, in early 1976, maybe
20 in April or May, <after the harvesting season, people were sent
21 to Trapeang Thma Dam site.>

22 [10.55.18]

23 Q. Before I ask you about the year, when you arrived, was the
24 construction underway, or were you the very first group to
25 arrive?

1 A. When I arrived there, I saw people <who arrived before me.
2 Some people were surveying the site.> So I think the project was
3 underway.

4 Q. Sir, in your prior statements, you said -- well, let me just
5 ask you. Do you remember when the project started? What month and
6 year?

7 A. I do not recall it clearly, but to my recollection, <the
8 construction project> started in early 1976, but I cannot
9 recollect it very well.

10 Q. Okay. Sir, can you tell us how long you were at the dam? How
11 long?

12 A. I worked there until late 1977.

13 Q. Do you recall then approximately how long you worked there?
14 How many months?

15 A. Approximately from May 1976 till December 1977 or '78. I
16 cannot recall it well.

17 [10.57.50]

18 Q. Okay. So, you're saying you were there for over a year; is
19 that correct?

20 A. Yes.

21 Q. Ros Nhim went on to say -- the same page -- he said: "Drought
22 set in when we started to build the reservoir, and the 20,000
23 people engaged in construction even had not enough drinking
24 water." Do you recall that to be the case when you were there,
25 that there was insufficient water?

1 A. Yes, I recall it. At that time, we faced the shortage of
2 water, and there were trucks carrying water to supply to us.

3 Q. During the day when you would work there, did you have water
4 to drink or not?

5 A. During the daytime, we had water to drink but it was not
6 sufficient. Those who were stationed close to the lake, they had
7 access to water. But those who were a bit far from the lake, they
8 received the water from the trucks carrying water for them <but
9 the trucks were not on time>.

10 Q. When you worked at the dam, were you leading a group? Were you
11 leading the youth mobile brigade, or another group?

12 A. At the beginning, I was a member. And later on, I was
13 reassigned to carry <> fertiliser <and collect excrement/dung>.
14 [11.00.05]

15 Q. We'll come back to that in a moment. But when you were a
16 member, what do you mean by "a member"? Did you supervise others,
17 or were you just an ordinary worker?

18 A. I was a member, so I was a kind of assistant to the chief.

19 Q. Who was the chief at that time?

20 A. Initially, it was Ta Val who was the overall chief of all the
21 mobile units.

22 Q. How long did you work as Ta Val's assistant?

23 A. I worked as his assistant for about four months, and then I
24 was reassigned to carry fertiliser <and collect excrement/dung>.

25 Q. Why were you assigned to carry fertiliser?

40

1 A. They made a reassignment and I did not know the reason for
2 that. And I did not dare to ask them why I was being reassigned.

3 [11.02.00]

4 Q. I'll come back to that in a moment. When -- before the dam
5 began, are you aware of any meeting that Ta Val had about the
6 work?

7 A. I could not know about that. The meetings at that level would
8 be held at the sector. They would discuss other matters,
9 including <drawing the map and how the dam needed to be built> --
10 that is, to my understanding.

11 Q. Did Ta Val inform you and others about meetings he attended
12 about the dam construction?

13 A. When he returned, the information was disseminated to various
14 units under his subordinates. They spoke about the overall plan
15 of the dam construction, <the capacity of the dam,> the size <and
16 the height> of the reservoir, and the timeline of the project.

17 Q. Did they say who the plan came from? Who the instructions came
18 from?

19 A. It was from the Zone.

20 Q. I'm asking you, sir, do you know if there was a meeting in
21 Svay one or two months before the dam began?

22 A. Yes, there was a meeting held in Svay, and only leaders were
23 requested to attend the meeting.

24 [11.04.28]

25 Q. Did any leaders come from the Centre? Did anyone come from the

1 Centre Party?

2 A. It seemed there was none. Or even if there was, I would not
3 know because I did not know them, nor did they tell me about
4 those people.

5 Q. Sir, let me remind you of something that you said in the
6 interview recorded by DC-Cam. This is, for counsel and Your
7 Honours, in Khmer, ERN 00728803; in English, 00731127; and in
8 French, 01123722. You told Dany: "Because Trapeang Thma was
9 started in February. It was probably in 1977. But they met one or
10 two months earlier. They conducted the study on the site before
11 they made the decision and forming a committee."

12 [11.06.03]

13 Dany asked you who was present at the meeting. You said, "Ta
14 Nhim." He asked, "Were there any people from the Central Party?"
15 And you said, "They came, but I did not know them." He asked you,
16 down a few lines, to tell him more about the meeting place, and
17 you said you did not know anybody from the Central Party in Phnom
18 Penh. You said no, you did not. "But did they come?" you were
19 asked. And you said, "Yes." You also said Ta Nhim came to the
20 meeting. You also said people from the sector, from Ta Hoeng's
21 region. You also said, "All members of the district committee."
22 Going down to the next page in English, you were then -- you then
23 said that "They first met in Svay, and then in Trapeang Thma."
24 Danny asked you if you came to the meeting, and you said, "No."
25 You were asked, "But why did you know about the meeting?" You

1 said, "Well, they told us that tomorrow there will be a meeting
2 with Central Party members, district committee, chief of zone and
3 region."

4 Is what I said correct, that that's what you told the
5 interviewers in 2011?

6 I'm waiting for your response.

7 (Short pause)

8 [11.08.50]

9 BY MR. KOUMJIAN:

10 Q. I'm not sure, sir, if I need to read that all again. Can you
11 tell me if you heard what I read?

12 <A. Yes.

13 Q.> I'm still waiting for you to respond. Did you hear what I
14 read? And did you hear my question? Or do you want me to read it
15 again, or just repeat the question?

16 MR. CHHIT YOEUK:

17 A. No, I couldn't get your question.

18 Q. Sir, I'm going to read again, and try to summarize -- go to
19 the key points only.

20 You said that the Trapeang Thma Dam started in February, probably
21 in 1977, but that one or two months earlier, there was a meeting.

22 That at the meeting, there was Ta Nhim and people from the

23 Central Party. You also said that there were people from Ta

24 Hoeng's region, and all members of the district committee, and

25 you said the chief of the mobile brigade, Ta Val. You were asked,

1 "Where did they meet?" And you said, "First in Svay, and then
2 Trapeang Thma." You said that you did not go to the meeting, but
3 that "They told us that tomorrow there will be a meeting with
4 Central Party members, district committee, chief of zone and
5 region."

6 Is that correct, that you were told about this meeting in Svay
7 and Trapeang Thma about the dam?

8 [11.11.10]

9 A. Yes, that is correct. After the meeting was held in Svay, then
10 another meeting was held at the Trapeang Thma Dam worksite.

11 Q. And were you told that Central Party members, district
12 committee, chief of zone and region, were all present at the
13 meeting?

14 A. No, they did not tell us those details. The information was
15 later disseminated regarding the work plan for the dam
16 construction.

17 Q. Well, sir, in the DC-Cam interview, which was recorded, this
18 is what you said. You said: "Well, they told us that tomorrow
19 there will be a meeting with Central Party members, district
20 committee, chief of zone and region." Did you lie to those
21 interviewers?

22 A. No, that's how they told us, but I did not know details of the
23 names of those people. And indeed, a meeting was convened.

24 [11.12.54]

25 Q. And did they tell you that Central Party members were present?

1 A. From what I heard, yes, but I did not know who actually
2 attended the meeting.

3 Q. When you were working at the dam for the mobile brigade, what
4 was your food ration?

5 A. Regarding the food ration during the busy period, we were
6 given three cans of rice per day each. However, during the normal
7 period, the ration reduced to one and a half cans, and sometimes
8 it reduced further <to such a level that we had no food to eat>.

9 Q. Now, you said that -- by the way, did others in different --
10 different types of workers get different rations? For example,
11 when you were assigned to collect fertiliser, what was the ration
12 you received then?

13 A. For those carrying fertiliser, they received the same rations
14 as we did. And that also applied to other workers <coming from
15 different districts> in other mobile units.

16 [11.14.54]

17 Q. You're saying -- my question is: When you were collecting
18 fertiliser, which did you receive? Did you receive three cans of
19 rice? You said sometimes that was when you were working hard, and
20 when not working hard, it would be a can and a half, I believe
21 you said. What did you get when you collected fertiliser?

22 A. When I carried fertiliser, if other workers received three
23 cans of rice, then I also received three cans of rice. Here, I
24 refer to the busy period.

25 Q. Were you still in the mobile brigade when you were collecting

1 fertiliser?

2 A. Yes, I was still part of the mobile unit, but I was reassigned
3 to carry fertiliser.

4 Q. Did you carry it at the dam, or was it a different location?

5 A. It varied. Sometimes it was near the dam worksite. However,
6 later on, I carried fertiliser as part of a mobile unit <working
7 near> the forest area.

8 [11.16.40]

9 Q. You said you were -- it was fertiliser number 1. Collecting it
10 does not sound like a pleasant job. Sir, why were you taken from
11 being the assistant to Ta Val and sent to collect fertiliser?

12 A. I did not know what mistake I made, and I was reassigned to
13 carry fertiliser, so I did. And I thought maybe somebody made an
14 accusation against me, that's why I was reassigned.

15 Q. Who reassigned you?

16 A. Ta Val held a meeting, and he was the one who reassigned me to
17 carry fertiliser <and excrement/dung>.

18 Q. Why didn't you ask him why you were reassigned?

19 A. During the regime, nobody dared to ask any questions. If you
20 were assigned to carry out a task, you had to carry it out. <No
21 one could question them.> Nobody dared to ask.

22 [11.18.30]

23 Q. Could you have -- well, why didn't you refuse the job?

24 A. I did not dare to refuse it. <I want to mention that during>
25 the regime, you could not refuse it. And I was already fearful

1 when I was being reassigned. So, how could I dare to refuse the
2 reassignment? <I would be finished.>

3 Q. Sir, when you said you were fearful, it may be obvious to you,
4 but can you explain to us what were you afraid of? What were you
5 afraid of happening to you?

6 A. The fear was that I was wondering if someone made an
7 accusation against me. If that is the case, then I would be in a
8 big risky situation, that I might be arrested and sent to be
9 killed. <So, I constantly felt fearful.>

10 Q. Were you aware of that happening to other people?

11 A. I might have heard about it, but personally I did not see it.
12 At that time, we only whispered to one another about
13 disappearance of this worker or that worker, for no reason.

14 Q. Do you recall if many workers disappeared for no reason during
15 the time you were working at the dam?

16 A. People disappeared without any reason. And in fact, during the
17 regime, nobody dared ask any question about this issue. For
18 example, if I was to be taken away, and that's the end of the
19 story. Nobody dared to ask about why I was being taken away.

20 [11.21.12]

21 Q. By the way on this subject, did you ever -- were you ever
22 questioned about -- by officials during the regime, about the
23 fact that you had previously been a teacher and a monk?

24 A. No, they did not ask me any question on this matter. However,
25 we were asked to make our biography, and it is up to individuals

1 to write what is true about ourselves. <They monitored us.>

2 Q. Did you disclose that? Or did you keep that secret at the time
3 to protect yourself?

4 A. I actually did not disclose it, and I wrote that I studied at
5 a pagoda. And in fact, they asked villagers from my village about
6 my education, but they didn't learn anything, since the villagers
7 did not know as to which grade I studied up to. <And, my native
8 village was in rural area.>

9 Q. Thank you. How long were you assigned to collect fertiliser?

10 A. To my recollection, I did that job for <about> five to six
11 months, and only after Ta Val had been arrested that I stopped
12 that work.

13 [11.23.20]

14 Q. Do you know approximately when Ta Val was arrested?

15 A. I can only tell you the estimate time. It happened in 1977,
16 and it could be in late 1977 - or, rather, <I do not have the
17 clear picture of it. It> could be in the early part of the year.

18 Q. Who arrested Ta Val?

19 A. I didn't know that for sure.

20 Q. Do you know where he was taken?

21 A. No, I did not. I only heard that he was called to attend a
22 study session, and he disappeared <at that time>. And I did not
23 know where he was arrested.

24 Q. You said "early 1977". Who was the zone leader, if you recall,
25 at the time that Ta Val was arrested?

1 A. It was Ros Nhim.

2 Q. Do you know if the people that arrested Ta Val were from the
3 Northwest Zone, or originally from another zone?

4 A. I could not possibly know that. The situation was fluid, and
5 remained changing at the time. <It was chaotic.>

6 [11.25.36]

7 Q. After your -- you said you worked collecting fertiliser. I
8 believe you said about five months. What did you do next?

9 A. After that, and after the arrest of Ta Val, there was a change
10 of management -- that is, the Southwest <Zone cadres> came to
11 replace those people, and I was reassigned to distribute rice.

12 Q. Who actually replaced Ta Val in his job?

13 A. After his arrest, Ta Pheng, the former Phnum Srok district
14 committee, replaced him.

15 Q. When you were Ta Val's assistant, how many workers were under
16 him, if you know?

17 A. If you think of the number of workers -- that is, all the
18 workers within the mobile unit <during Ta Val's time>, there were
19 about 8,000 of them.

20 [11.27.25]

21 Q. Can you tell us anything about Pheng, who replaced Ta Val?
22 Where he came from?

23 A. He was from -- he was a former Phnum Srok deputy committee.

24 Q. So he was also from the northwest? Is that correct? Northwest
25 Zone?

1 A. Yes, yes. That is correct.

2 Q. In the job that you had distributing rice, who did you report
3 to?

4 A. At that time, I reported to Brother Yoan, who was actually in
5 charge of the mobile unit, under the supervision of Ta Pheng.

6 Q. And this was -- would it be correct that this mobile unit was
7 the mobile unit for Sector 5? Is that correct or no?

8 A. Yes, that is correct. It was the Sector 5 mobile unit.

9 MR. KOUMJIAN:

10 Does Your Honour wish to break now?

11 [11.29.10]

12 MR. PRESIDENT:

13 Thank you, Mr. Co-Prosecutor. It is appropriate time for us to
14 take our lunch break. We'll take a break now and resume at 1.30
15 this afternoon to continue our proceedings.

16 Court officer, please assist the witness in the waiting room for
17 witnesses and civil parties during this lunch break, and invite
18 him back into the courtroom at 1.30 this afternoon.

19 Security personnel, you are instructed to take Khieu Samphan to
20 the waiting room downstairs, and have him returned to attend the
21 proceedings this afternoon before 1.30.

22 The Court is now in recess.

23 (Court recesses from 1130H to 1328H)

24 MR. PRESIDENT:

25 Please be seated. The Chamber announces the resumption of the

1 proceedings.

2 Now the Chamber announces <an oral> ruling on Nuon Chea's request
3 pursuant to Internal Rule 87.4 to admit new evidence.

4 Concerning the Nuon Chea's defence request to admit as new
5 evidence a colour copy of various Cambodian bank notes, the
6 Chamber notes that this document was used in Court yesterday on
7 12 August 2015, without any objections. The document is
8 colourised version of a black and white document already on the
9 case file, document E3/4535, at ERN 00685868-69, 00685827 and
10 00685772. The Chamber therefore, grants the Nuon Chea <defence>
11 request. However, the Chamber reminds the Parties that, if they
12 intend to use in Court a document that is not on the case file,
13 they must file a request in advance and not at the last minute in
14 Court.

15 Now Mr. Prosecutor, you may resume your examination.

16 [13.31.25]

17 BY MR. KOUMJIAN:

18 Thank you, Mr. President, Good afternoon to all.

19 Q. Sir, when you worked at the Trapeang Thma Dam, were you aware
20 of any visits of people from Phnom Penh?

21 MR. CHHIT YOEUK:

22 A. No. That, I did not know because at that time I was engaged
23 with my assigned task, so whenever there were visits from other
24 people, I was not aware.

25 Q. Thank you. Now when we ended this morning you explained that

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1 after you were removed from the assignment of collecting
2 fertiliser and given a job distributing rice, who did you
3 distribute rice to, was it to a mobile brigade, was it to a
4 district sector?

5 A. For the rice, it was distributed within the sector's <mobile
6 units>.

7 [13.32.51]

8 Q. When you say it was distributed within the sector's committee,
9 I'm a bit confused; does that mean you distributed rice
10 throughout this sector, Sector 5, or do you mean only to the
11 committee members, can you explain?

12 A. So it was on mobile brigade of the sectors, we did not
13 distribute to the people directly, we distributed to the mobile
14 brigade subordinate to the sector.

15 Q. How many people received the rice you distributed, how many
16 workers were there at the time?

17 A. To my recollection, for the people at the time, there were
18 <more than> 20,000 people; they were on mobile work force.

19 Q. Where did you receive the rice from?

20 A. At that time when I was assigned to the distribution task, I
21 had to collect the <husked> rice from the cooperatives of the
22 district and then we had to unhusk the rice and then we
23 distributed it <to the mobile units>.

24 [13.34.48]

25 Q. Okay, so you took the rice from the cooperatives that were

1 growing rice and then distributed it, took it to a warehouse, if
2 I understand correctly, and then distributed it to the workers --
3 to approximately to 20,000 workers; is that correct? Did I
4 understand correctly? I don't want to put -- I'm just trying to
5 see if I understand you.

6 A. Yes, that is correct.

7 Q. Sir, these numbers, I know that you are making estimates, but
8 in your written interview with DC-Cam, at page -- the Khmer -
9 00728822; the French, 01123731; and English, 00731139; you said
10 you distributed to 32,000 workers. Can you just explain, do you
11 think it was 20,000 or 32,000, can you explain the difference?

12 A. When they convened a meeting to put forth the plan, they told
13 us that the mobile brigade members accounted for more than 20,000
14 people and they were subject to be given the rice.

15 [13.36.24]

16 Q. Thank you. When you distributed the rice, who did you give it
17 to, did you give it individual workers or did you give it to
18 leaders, who did you take the rice to?

19 A. The mobile brigades were all from the district so there were
20 their representatives; we distributed the rice to their
21 representative in each mobile brigade.

22 Q. Do you recall now how the rice was kept, was it in bags or how
23 did you actually give it to them?

24 A. Yes, we put the rice in the bag and then we stored them and on
25 the distribution days, we would distribute the rice in bags.

1 Q. Did you distribute rice every day or every week, how often
2 would it be distributed?

3 A. When we were on the offensive at that time, we distributed
4 sometimes once every three days.

5 Q. A word, by the way, you used "offensive"; I'm familiar with
6 that as a military term but what did you mean by the word
7 "offensive", what did it mean at that time when you used that
8 word?

9 A. The word "offensive" in this means that at that time we had to
10 make our -- we had to do our level best to accomplish plan or a
11 target set and then we tried to accomplish that, that was called
12 the offensive.

13 [13.38.50]

14 Q. So about how many bags would you distribute per day?

15 A. We distributed it accordingly, to the representative coming to
16 receive the distribution. For example, there are 400 cans of rice
17 per bag. For example, if they <received> three cans per day then
18 it had to be divided accordingly. <Sometimes, we could figure out
19 only after we finished distributing nearly 30 bags of rice.>

20 Q. Thank you. But I'm just asking, if you can, if you recall now,
21 do you recall how many bags you distributed in a day or in a
22 month, do you recall what that statistics was?

23 A. To my estimation, three cans per person and sometimes we
24 distributed up to 30 bags per day <in one> location of the mobile
25 brigades where we distributed it.

1 Q. Sir, do you mean 30 bags per day were distributed from your
2 warehouse to different -- in total to different districts, do I
3 understand correctly? So some bags maybe three district each got
4 10 for a total of 30, is that what you mean?

5 A. Yes, it depended on the labour force of the district. <The
6 amount of rice distribution depended on the number of labour>
7 force <of the district>. So on one day we would distribute it to
8 the mobile brigade of one district and another day with another
9 mobile brigade in another district.

10 [13.41.15]

11 Q. A can of rice, do you recall approximately how many kilos that
12 was, what part of a kilo was in one can of rice?

13 A. Four cans of rice <make> one <kilogramme> and then we can do
14 the calculation, it is divided by four, we can do the calculation
15 altogether how much it weighs.

16 Q. So it's quarter of a kilo per can, just so we understand, the
17 cans that you're talking about that were used, were these the
18 condensed milk cans?

19 A. Yes, that is correct; it was by condensed milk can.

20 Q. So that would mean that in a 100 kilos you would have 400 cans
21 of rice, that we previously said that one bag equals (inaudible)
22 so the bags then, did they weigh a 100 kilos each?

23 A. Yes one bag weighs 100 kilogrammes.

24 Q. Thank you. Now, what happened if people were not able to meet
25 their quota, did they receive the full ration of three cans per

1 day or whatever the ration was for that day?

2 MR. PRESIDENT:

3 Witness, please hold on. Counsel for Mr. Khieu Samphan, you may
4 proceed.

5 [13.43.41]

6 MR. KONG SAM ONN:

7 Thank you, Mr. President. I would like to object to this question
8 because this question invites speculation from the part of the
9 witness.

10 BY MR. KOUMJIAN:

11 Q. This witness worked at the dam and the question was based on
12 his experience of course.

13 When someone did not meet their quota, did they receive the full
14 ration or not? I'm not asking you to speculate, I'm asking you
15 what you saw when you were working there.

16 MR. CHHIT YOEUK:

17 A. On this issue whether or not they achieved the quota or not,
18 it depended on the decision of their respective unit chief. As
19 for us, we were only assigned to distribute the rice. So it all
20 depended on the unit chief to <say whether or not they met the
21 work quotas or could get the rations. We, the rice distributors,
22 had nothing to do with their matters.>

23 [13.45.08]

24 Q. When you were working in that sector mobile brigade, did you
25 have contact -- when you distributing rice, working distributing

1 rice for the sector mobile brigade, did you have contact with the
2 secretary of Sector 5?

3 A. At the time sometimes the sector committee <personally> came
4 down to inspect the quantity of rice <in the warehouse> and the
5 distribution and sometimes he <sent> his delegate. For example,
6 <3,000 bags were consumed a month> and then if <we had brought
7 in> 6,000 bags, how many bags <were> left after the distribution,
8 so they came over to inspect the distribution and quantity of
9 rice available.

10 Q. Who was the sector leader or sector leaders when you were in
11 that position distributing rice?

12 A. Bong Rin, Brother Rin.

13 Q. Can you tell us something about Rin, where was he from?

14 A. Brother Rin was from the Southwest Zone.

15 [13.46.55]

16 Q. Do you recall the town that he was from or the province?

17 A. That I do not know; I only know that he came from the
18 <Southwest> Zone. At the time, it was not easy to ask people
19 about their personal details.

20 Q. Thank you. We don't want you to guess, thank you for telling
21 us that. Now tell us a little about Rin's -- what he was like as
22 a leader of the sector. How was he as a sector leader, can you
23 give us any details about that?

24 A. It was based on my personal experience. Personality-wise,
25 whenever he got there, he would go straight to take the hoe or

1 the earth carrying basket and <the earth-carrying yoke. He would
2 right away> go down with the workers and he <dug the earth>
3 together with others.

4 Q. You mean he worked together with others, is that what you
5 mean?

6 A. Yes, he helped the mobile brigade at that time. Sometimes even
7 the members did not know that he was there because the way he
8 dressed, the way he behaved was more ordinary than the members
9 there.

10 [13.48.53]

11 Q. What happened to Rin, do you know his fate?

12 A. Later on, he was removed and I did not know where he had gone
13 to, he disappeared.

14 MR. KOUMJIAN:

15 Thank you, Mr. Witness.

16 Just for Your Honours, there are two documents relevant to the
17 fate of Rin: one is E3/2254, in Khmer, the page -- the relevant
18 page with the ERN is 0086766; in French, it is 00834853; and in
19 English, 00789707. It is indicated on that list from S-21 that
20 Rin was "finished" in 1978.

21 We also have a document E3/7403, which is reportedly the
22 confession of Rin.

23 MR. PRESIDENT:

24 Mr. Prosecutor, could you please slow down when it comes to
25 reading the ERN numbers so that <the interpreter can follow you>.

1 [13.50.38]

2 BY MR. KOUMJIAN:

3 Certainly; should I repeat any of them? Okay. Again, E3/2254, the
4 relevant ERNs are 00 -- in Khmer, <00086766>; in French,
5 00834853; and in English, 00789707. The other document I
6 mentioned which is the confession of Rin is document E3/7403.

7 Q. Mr. Witness, have you ever heard that Rin was arrested and
8 taken to S-21?

9 MR. CHHIT YOEUK:

10 A. To my knowledge, I did not know whether or not he was replaced
11 or he was removed or they did something to him, I did not know.

12 Q. Do you know who it was that replaced Rin?

13 A. Later I heard that Yeay Chaem was the provisional sector
14 committee chair <replacing Rin>.

15 [13.52.45]

16 Q. Just so we are clear, Yeay Chaem, is that the same person as
17 Im Chaem, a woman from the Southwest Zone?

18 A. Yes, she was from the Southwest Zone.

19 Q. Do you know who it was that was the sector chief immediately
20 before Rin, who Rin replaced as the chief of Sector 5?

21 A. The immediate <> predecessor of Rin was Cheal. Cheal was on
22 provisional appointment after Ta Hoeng.

23 Q. And is Cheal the son of Ros Nhim?

24 A. That I heard from others; I did not know it myself that he was
25 the son of Ros Nhim.

1 Q. Do you recall when it was that Rin became the sector chief and
2 when he disappeared, can you give us an approximate month and
3 year for those two events?

4 A. It was sometime in early 1977 or toward the middle of the
5 year; I did not recall the exact date.

6 [13.55.00]

7 Q. I'm not clear on which of the two dates I asked about you're
8 answering but maybe it's my fault for asking for two things at
9 once. Let's go to the issue of when Rin disappeared, was no
10 longer the sector chief; do you remember how long that was before
11 the Vietnamese came, was it a few months or more than a year?

12 A. <Now,> I can <> recall it. It was in early 1978.

13 Q. Okay, thank you. Do you recall for about how long Rin was the
14 chief of the sector?

15 A. He was the chief of Sector 5 not for long. It was a little
16 over one year -- or one year, I did not calculate it at the time
17 but it was about one year.

18 Q. Sir, I believe you talked about Maong as being the person who
19 replaced Loeum as a district chief in Preah Netr Preah, do you
20 know what happened to Maong?

21 A. Maong was arrested and he disappeared since then.

22 [13.57.05]

23 Q. Do you recall what year he was arrested?

24 A. It is a bit difficult. It could have been in early 1977, I do
25 not recall it well.

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1 Q. Thank you. What about his deputy, do you recall his name, and
2 can you tell us whether he was arrested?

3 A. As for his deputy, he was arrested as well. Ta At.

4 Q. Is that Sam At?

5 A. Yes, At.

6 Q. Did you know a -- before Cheal was the sector chief, who was
7 the sector chief?

8 A. Ta Hoeng.

9 Q. What happened to Ta Hoeng?

10 A. I did not know the situation at that time and it was not my
11 business either but I heard from others that he was arrested and
12 he disappeared.

13 MR. PRESIDENT:

14 Counsel for Khieu Samphan, you may proceed.

15 [13.59.09]

16 MR. KONG SAM ONN:

17 Thank you, Mr. President. I would like to ask Mr. Prosecutor to
18 verify on document E3/2254 concerning a man by the name of Rin. I
19 looked at this document, I did not find his name in this
20 document. Can you please clarify this?

21 MR. KOUMJIAN:

22 Yes, it's on the page in Khmer, it's at the very top of the page
23 and I think I read out before the ERN number, 0086766. It's the
24 very first name on the top of the page.

25 MR. KONG SAM ONN:

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1 Mr. President, I actually tried to locate the exact page, the
2 name was either Von (phonetic) or Ron (phonetic) but not the name
3 that the prosecutor spelled.

4 [14.00.33]

5 MR. KOUMJIAN:

6 Your Honours, we read it as Rin and it says "secretary, Sector
7 5", I believe, in the next column. But Your Honours can read it
8 and determine yourself what it says.

9 MR. PICH ANG:

10 Mr. President, in the document quoted by the Co-Prosecutor --
11 that is, on page 4, the full name is Heng Rin -- that is, on the
12 first line of that page<, which is marked out>. Thank you.

13 BY MR. KOUMJIAN:

14 Thank you.

15 Q. So sir, can you describe what happened in Preah Netr Preah in
16 Sector 5 with these various arrests? Without going through the
17 many names with you, can you tell us -- you talked about a number
18 of individuals disappearing -- was there some pattern that you
19 can explain about what happened?

20 MR. CHHIT YOEUK:

21 A. What I may know is that for those who disappeared -- and here
22 I cannot speak about other villages but I speak about the Preah
23 Netr Preah district, including the names of Ta Val, Ta Maong, Ta
24 Sam At and Ta Chhang -- I knew that they disappeared.

25 [14.02.48]

1 Q. Was -- did people come in from outside the zone into Sector 5
2 when you were there during the regime?

3 A. There was this Southwest <Zone cadres> that came.

4 Q. What happened regarding arrests and disappearances when the
5 Southwest group arrived, did they stop, did they increase,
6 explain what happened?

7 A. From my understanding, disappearance had happened before the
8 arrival of the Southwest <Zone cadres> and the disappearance
9 continued after the arrival of the Southwest group.

10 Q. Okay. Thank you. Couple other names quickly to run by you; Ta
11 Hat from Thma Puok, do you know someone by that name?

12 A. Ta Hat, from what I understand was not from Thma Pouk but from
13 Phnum Srok. He was a former Phnum Srok district chief. I don't
14 know; maybe I <made> a mistake.

15 [14.04.40]

16 Q. I'm sure the error is mine. Can you explain what happened to
17 him?

18 A. Concerning his arrest or disappearance, I cannot tell you the
19 details. However, when people disappeared, we all presumed that
20 they had been arrested.

21 Q. And then I have another name Ta Pheng, which I had listed as
22 Phnum Srok, but maybe I misunderstood a previous answer you gave
23 in another interview. Do you know of Ta Pheng from Phum Srok?

24 A. Yes, I knew Ta Pheng. Ta Pheng was also arrested and he was
25 from Phnum Srok district.

1 [14.05.53]

2 Q. There is another -- I want to read something else to you; it's
3 from a book, it's E3/1593, the Kiernan book, the ERN in Khmer is
4 00637738; in French, the ERN is 00639009; and in English,
5 00678616. And in this book the author wrote -- sir, please listen
6 carefully:

7 "In Preah Netr Preah, the Base People also suffered from the
8 Southwest's domination. Horl says that they had been on good
9 terms with the Northwest Zone cadres 'who were the children and
10 relatives'. But the Southwesterners killed these local cadres,
11 alienating the peasantry -- and producing a new solidarity
12 between New and Base People. Local peasants concur, Sarun,
13 working in the district chalat, recalls the arrival of male and
14 female cadres from the Southwest in early 1977. They were very
15 tough and began a largescale series of arrests and execution.
16 Anyone in any way connected with the Lon Nol government
17 disappeared, including former village chiefs and school teachers,
18 and people 'who had been Lon Nol soldiers even just for one day'.
19 Sarun's boyhood friend from his village was arrested and killed."
20 Did you, sir, ever had any experience along these lines when the
21 Southwest cadres came, did you see them? Was there any new effort
22 to look for Lon Nol persons with the background in the Lon Nol
23 army or government?

24 [14.08.56]

25 MR. PRESIDENT:

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1 Mr. Witness, please hold on, and Counsel Koppe, you have the
2 floor.

3 MR. KOPPE:

4 I have an objection to this question I think for various reasons;
5 first of all, it's a leading question in the sense that this
6 witness has not been asked any question so far to this witness as
7 the alleged fate of Lon Nol officials, so I think it would be now
8 a standard practice to first ask an open question whether this
9 witness knows anything about this, then possibly confront him
10 with this excerpt from Kiernan.

11 I also have an objection to this particular excerpt because we
12 have no idea who the sources are that Kiernan is basing himself
13 upon; plus the excerpt looks -- or seems to look at the treatment
14 of Base People and has nothing to do with the arrest that we were
15 just talking about; plus, in addition, this witness has said that
16 Rin, who had replaced Hoeng, was a Southwest Zone cadre, who was
17 a very mild and a very fair person so I'm not quite sure where
18 this is all coming from. So, I have an objection on various
19 grounds, notable grounds.

20 [14.10.27]

21 MR. KOUMJIAN:

22 Thank you. First of all, Your Honour, when counsel said that the
23 witness said that Rin was a mild-mannered and fair person, I
24 don't recall him saying that, I recall him saying Rin worked --
25 would come to the worksite and would work himself, that's a

1 different quality.

2 Secondly, regarding the sources, in fact there are named, the
3 names are given in Kiernan's book of the people that he has
4 interviewed both in the text and in footnotes and of course that
5 would go to the weight in any event.

6 In regards to the issue of whether or not this is relevant, in my
7 understanding of the Defence, particularly the Nuon Chea defence,
8 is, it's their position that the Southwest Zone had an order from
9 Ta Mok not to touch Lon Nol officers, that the policy of the
10 Southwest was not to touch them, so it's directly relevant to
11 that defence contention unless they have abandoned it. And I did
12 ask the witness about the pattern of arrests, an open question,
13 once the Southwest Zone came and now I'm asking him to comment on
14 this more specific discussion of the pattern. May I proceed?

15 [14.11.51]

16 MR. KOPPE:

17 But we - sorry--

18 MR. PRESIDENT:

19 The objection by the defence counsel is overruled; however, the
20 Co-Prosecutor, please rephrase your question.

21 BY MR. KOUMJIAN:

22 Q. Sir, when the Southwest Zone came into your area, were there
23 any particular kinds of people that they were looking for as far
24 as you could determine by who they arrested or what questions
25 they asked?

1 MR. CHHIT YOEUK:

2 A. At that time, I was at the mobile unit so I was not quite
3 familiar <with> what happened at the cooperative. I worked at a
4 far distance from the cooperative and I did not know what was
5 actually happening at the cooperative itself.

6 [14.13.20]

7 Q. Did you ever hear any announcements on the radio after the
8 Southwest came about traitors in various parts of the region?

9 A. Generally speaking, communication was very limited during the
10 regime. There was no radio to listen to, for instance.

11 Q. And, sir, wasn't there Phnom Penh radio wouldn't that be
12 broadcast at meetings?

13 A. To my understanding, no, because I did not have any radio to
14 listen to. For senior cadres, they might have their own radios to
15 listen to but not for us.

16 [14.14.40]

17 Q. Let me read you another extract from the same book, the ERN
18 numbers are in Khmer, 00637984; French, 00639202 at the bottom
19 and on to the next page; and in English, 00678710; says:

20 "In Region 5: In mid-1977, Ros Nhim's son Diel was briefly taken
21 over from <Hoeng> as secretary of Region 5. He was now replaced
22 by a Southwest Zone cadre Heng Rin. In late 1978, Western Zone
23 officials had already begun to take over the Sisophon district or
24 Region 5. Refugees reported that 'under the old leaders a lot
25 were allowed to slip by. But the new leaders punished every

1 infraction. They were unbearable.' On 26 June, Western units took
2 over the Thma Puok district headquarters, also in Region 5. They
3 'arrested the five men ruling committee and disarmed the 100-man
4 civil district militia. From there the operation fanned out to
5 the district's 15 cooperatives'. Then, on 5 July, the newcomers
6 'officially announced that of the 70,000 citizens in the
7 district, 40,000 were traitors who had collaborated with the US
8 Central Intelligence Agency and concealed the names of former Lon
9 Nol soldiers and agents of Thailand and Vietnam."

10 Sir, do you recall any announcement that people from this
11 district, from Thma Puok, were traitors who had collaborated with
12 the CIA, Vietnam and Thailand?

13 [14.17.38]

14 A. I did not know this matter that well. When the Vietnamese
15 arrived, we all fled and I did not know about this announcement,
16 Thma Puok was far from the mobile unit location so I was not
17 aware of that matter.

18 Q. Okay. Thank you. Sir, did you know the name of Rin's wife?

19 A. No, I don't, I don't know her name.

20 Q. Did you know if Rin had a 13-year old niece?

21 A. No, I am not aware of that.

22 [14.18.44]

23 Q. Your Honours, the previous document that I had mentioned
24 E3/2254, also lists a woman on the same page and a 13-year old
25 girl on the same page, below Heng Rin's name.

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1 Sir, I'm almost finished with my questions for you. I would like
2 to end by asking you for reaction to something Khieu Samphan has
3 written, and this is document E3/18, in Khmer, it is 00103878; in
4 French it is 00595492; and in English it is 001037823 (phonetic).

5 Khieu Samphan wrote:

6 "Maybe it was naive for me to allow myself to become obsessed
7 about the dam reservoir complexes. The sea walls and the canals
8 that began to appear and which raised the prospects of the modern
9 Cambodian countryside for which I had longed hoped. Maybe it was
10 naïveté that finally brought me to trust Pol Pot to submit to the
11 general discipline and to cloister myself in his headquarters
12 without the slightest idea of his ultra-radical policy and his
13 brutal methods were bleeding the nation dry and making it a weak
14 defendant against Vietnam."

15 First of all, sir, did you notice among the leadership an
16 obsession with building dams?

17 A. It is difficult for me to respond to this question. I think
18 the force was simply a tool to be used by them but when you talk
19 about obsessiveness, I do not know what to say.

20 [14.21.40]

21 Q. Would you agree with Khieu Samphan that Pol Pot's
22 ultra-radical policy and brutal methods bled Kampuchea dry and
23 made it weak against Vietnam?

24 MR. PRESIDENT:

25 Witness, please hold on, and defence counsel for Khieu Samphan,

1 you have the floor.

2 MS. GUISSÉ:

3 Mr. President. <I believe> I am obliged to object here. The
4 previous answer of the witness is very clear, we're not dealing
5 with an expert <witness> here so let's ask questions on what he
6 went through and what he can testify about. <But> asking general
7 questions after a general reading of a document by Khieu Samphan
8 that he does not know, I don't think that <it is within the
9 witness' capacity to answer such a question.>

10 BY MR. KOUMJIAN:

11 Q. I'm happy to rephrase the question. Sir, based upon your own
12 experience, what you saw in Preah Netr Preah, Trapeang Thma Dam,
13 did you see ultra-radical policies inflicted upon the ordinary
14 people, based upon the arrests and disappearances that you
15 witnessed, did you believe that this ended up making the country
16 weaker, did you observe that?

17 [14.23.20]

18 MR. CHHIT YOEUK:

19 A. It is difficult for me to respond to your question. I was at a
20 very low rank level, I never thought about this matter. I was
21 trying to survive and try to earn my living. I never paid
22 attention to that; that would be the matters to be dealt with by
23 the upper level.

24 MR. KOUMJIAN:

25 Thank you, Mr. President, I don't have any further questions I

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1 turn it over to my colleagues from the civil party.

2 MR. PRESIDENT:

3 The Lead Co-Lawyer for civil parties, you have the floor.

4 MR. PICH ANG:

5 Good afternoon, Mr. President, Your Honours. We seek your leave
6 to allow the lawyer for civil parties, Ty Srinna, to put
7 questions to this witness and after that the International Lead
8 Co-Lawyer will take the floor. Thank you.

9 [14.24.40]

10 MR. PRESIDENT:

11 Yes, you may proceed.

12 QUESTIONING BY MS. TY SRINNA:

13 Thank you, Mr. President. Good afternoon, Mr. President, Your
14 Honours, and everyone in and around the courtroom; and good
15 afternoon, Mr. Witness. My name is Ty Srinna, I am a lawyer
16 representing civil parties.

17 Q. Before I put some questions to you, I would like to get your
18 clarifications on some responses that you provided to the
19 International Co-Prosecutor this morning, as well as for this
20 afternoon session. You were asked about the reassignment, your
21 reassignment, and you stated that at that time you <dared not to>
22 refuse the reassignment although you were reassigned to carry
23 number one fertiliser and that you were afraid. My question to
24 you is the following: Was your superior aware of all the nature
25 of tasks that were assigned to you <every day>?

1 [14.26.10]

2 MR. CHHIT YOEUK:

3 A. At that time someone was assigned to be responsible for
4 monitoring the activities of us carrying fertiliser and that the
5 kind of chain of command put in place at the time.

6 Q. So for people who did the same kind of work like you, you were
7 constantly under a monitoring system by someone; is my
8 understanding correct?

9 A. Yes. From my observation the monitoring was constant; they
10 would monitor us and see how much work we produced; for example,
11 on a weekly basis.

12 Q. What kind of people were those that came to monitor your
13 activities and what kind of clothes they were wearing? <Where did
14 they come from?>

15 A. The clothing was black in colour and we knew some of them but
16 not all and they were tasked to monitor our activities and we did
17 not dare to ask them any questions.

18 [14.27.37]

19 Q. And do you know from which level the assignment was made to
20 those people to monitor your activities?

21 A. To my understanding, they were assigned by persons who were in
22 charge of the <sector's mobile unit and as for the people who had
23 overall charge,> they would occasionally come and monitor our
24 activities.

25 Q. Was only your group under monitoring or were all workers <in

1 the worksite> under this kind of monitoring system?

2 A. They would monitor all workers who were assigned to work with
3 fertilisers, they would see how much we had produced or if there
4 was any shortage, what was the reason for such shortage.

5 Q. Let me go back a little bit to the time when you worked as an
6 assistant to Ta Val, were you also under this monitoring system
7 when you worked there?

8 [14.29.48]

9 A. Because I was one of the six or seven assistants and usually I
10 was assigned to a specific location in order to lend my hand and
11 I tried my best to educate and advise those youths to work harder
12 <according to the plan,> that's when I worked as an assistant.

13 Q. Allow me to rephrase my question; it seems that you don't
14 understand it fully. My question to you is that, while you were
15 working as Ta Val's assistant, and yes Ta Val might have several
16 other assistants besides you, while you worked for him, were you
17 or all assistants being monitored -- that is, for the activities
18 that you did, or you could just carry out the tasks freely
19 without being monitored?

20 A. Of course we could not make any decision on our own,
21 instructions had to come from the above; for example, a worker
22 had to work a two cubic metre plot of <soil> each day, then
23 instruction had to be relayed to all the workers to complete the
24 work quota and <we did not do anything as we wished>.

25 [14.31.48]

1 Q. And while you were working for Ta Val, what were the kinds of
2 work that Ta Val gave you?

3 A. In my capacity as an assistant and one of those six or seven
4 assistants, I was probably the last on the queue of the
5 assistants to Ta Val and the work that was given to me was of a
6 minor nature. So usually it had to deal with reinforcing the
7 daily quota and after I relayed those instructions to the
8 workers, then I would report to him that at a particular location
9 of the worksite, the work quota was completed.

10 Q. I have another question concerning Ta Val. So the task
11 assigned to you and you delegated further down the line, was the
12 instruction from Ta Val or it was the decision of the collective
13 meeting and then the work -- or the task assigned to you?

14 A. There was a meeting; they convened a meeting of the members
15 before they assigned the task to us.

16 [14.33.40]

17 Q. Then it was not the discretion of Ta Val alone to assign the
18 work or task to you but actually it was the decision of the
19 collective committee meeting for the delegation of tasks to you
20 and your subordinates; is that correct?

21 A. Yes, that is correct and then they delegated it further down
22 the line.

23 Q. Now I turn to the issue of the rice distribution. This morning
24 you answered to questions by the prosecutor concerning this
25 topic. You said that one person was given three cans of rice per

1 day and you said that the rice was distributed to the mobile
2 brigade; is that correct?

3 A. To my knowledge, only the mobile unit forces were distributed
4 with the rice and they were given three cans of rice per person
5 <when they wanted to achieve something in a short time>. As for
6 those who worked in the cooperatives, I did not have the
7 knowledge as to how many cans of rice they received.

8 Q. So the distribution of three cans of rice per day, when did it
9 start, did it start when the construction of Trapeang Thma Dam
10 commenced or it was only distributed at the beginning of the
11 construction dates?

12 A. To my recollection, it was not regular distribution at that
13 time. Because whenever they had to <intensify> the construction,
14 then they had to provide more rice for them. There was rice
15 reserve for them and <when the construction work was less
16 intensive, workers> would have one can and a half per day and at
17 other times they had only one can of rice or even half a can of
18 rice or nothing at all.

19 [14.36.43]

20 Q. So you are saying that there were times when you were not
21 given <> even a can of rice per day; is that correct?

22 A. Yes, I myself also did not receive the rice in certain days.
23 Even the rice bran, we had to have the rice bran at that time.
24 <Sometimes, the rice bran was not available.>

25 Q. You used to live at the construction site even though you were

1 in the mobile brigade you may have heard or you may have seen the
2 scene at the construction site. I would like you to tell the
3 Court about the overall working conditions of people at the
4 worksite.

5 A. The working conditions overall for the people over there, at
6 the early days of the construction, some had to work even at
7 night and then later on they did not do at night, but at the
8 beginning, they started working during night time, starting from
9 7 p.m. <till 10 p.m.> in the evening.

10 [14.38.29]

11 Q. Thank you. Do you know why they were required to work at
12 night?

13 A. It was my personal understanding, if they had the target to
14 accomplish, for example, the construction of the dam of one
15 kilometre of length and they wanted to complete it within <five
16 or ten> days and they had to try to complete it within the time
17 frame.

18 Q. Thank you. I am interested in one point that you mentioned.
19 You said that if they set the target <of one kilometre> to
20 accomplish, they had to do everything to accomplish it, so in the
21 construction of this dam, what was the plan? Do you have any idea
22 as to how long the project had to be completed?

23 A. Actually, I distributed rice to them. Generally, when they had
24 to <intensify the work they told us to give three cans of rice>;
25 for example, if they set the target <of one kilometre, they would

1 figure out how many cubic meters of soil was needed to fill that
2 length> that they had to complete. We <also checked how many
3 mobile workers were needed to complete the work within five days
4 or whether we had to> reinforce the force and then we distributed
5 the rice accordingly and they had to make effort to complete that
6 project.

7 [14.40.32]

8 MR. PRESIDENT:

9 Thank you, Lawyer. The time is now appropriate for short recess
10 and we shall adjourn now and resume at <3.00>, this afternoon.
11 Court officer, please <facilitate to provide a place for> the
12 witness and his duty counsel <to rest in a room reserved for
13 witnesses and experts> during the recess <and have them -->
14 Counsel, if you have any questions, you may proceed.

15 MS. GUISSSE:

16 Thank you. Mr. President, very briefly. <This is simply to allow>
17 the prosecutor to look at the document <during the break> and
18 answer <the question I will ask. Regarding> Heng Rin, he referred
19 to <two documents: E3/7403 in English:> that document has to do
20 with <a list drawn up by> Heng Rin. In the Khmer version<, we
21 have also E3/7403, there is a difference. A priori, it> is not
22 the same <> Heng Rin; in the Khmer version E3/7403, we see Heng
23 Rin<, but he is not from> Sector 5 <and who is part of a> fire
24 fighters company. If it is possible<, it would indeed be proper>
25 to crosscheck and tell us whether there <isn't> an error<. It

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1 could perhaps be a referencing problem.> In any case, <that is
2 the difference and error we have spotted> in the two
3 versions<.So, if it is possible,> the Co-Prosecutor can
4 crosscheck that <during the break and enlighten us. Thank you.>
5 [14.42.17]

6 MR. PRESIDENT:

7 Court officer please help the witness during the break and then
8 have him back in this courtroom before 3 p.m.

9 The Court is now in recess.

10 (Court recesses from 1442H to 1459H)

11 MR. PRESIDENT:

12 Please be seated.

13 Now the lawyer for the civil parties, you may resume your
14 examination.

15 MS. TY SRINNA:

16 Thank you, Mr. President. Before I continue, I would like to ask
17 for your advice as for the time <left> for the Lead Co-Lawyers
18 for the civil parties. <Since the Co-Prosecutor began his
19 examination at 9.55 a.m. this morning> I would like to know how
20 much time we have left for us to put the questions to the
21 witness.

22 (Judges deliberate)

23 [15.01.18]

24 MR. PRESIDENT:

25 Madam Lawyer for the civil party, please be advised that you have

1 30 more minutes left.

2 BY MS. TY SRINNA:

3 Thank you, Mr. President.

4 Q. Mr. Witness, before we broke off this afternoon, <I had asked
5 you about the working conditions.> I now want to turn a little
6 bit back to the <planning for the> construction of the Trapeang
7 Thma Dam because it is relevant. I do not want to go back and
8 forth but I would like to ask you further on the people who
9 actually decided on the construction of the Trapeang Thma Dam.
10 Who made that decision for the construction?

11 MR. CHHIT YOEUK:

12 A. I did not attend the meeting, but I heard from others that <>
13 the construction of the dam was not the decision at the sector
14 level. It was the decision from the Zone and the higher level. So
15 that was not actually the decision of the sector. This is to my
16 knowledge.

17 [15.02.49]

18 Q. So at the time, <was the plan announced --that is, when> was
19 the construction supposed to commence and when was it supposed to
20 be completed?

21 A. As far as we knew at the time, the project had to be completed
22 within the year. But <I did not know> whether <or not> there
23 would be any obstacles <>. But in the actual construction, it was
24 begun from Ta Val's <time> until <Ta> Rin. And it was not fully
25 completed, but the majority of the construction was complete. But

1 then <they were broken up>. It was not totally completed.

2 Q. So when the plan was handed down, who received the direct
3 instruction to <carry out> the construction of the dam?

4 A. The instruction was from the upper echelon and then Ta Val was
5 the commander who supervised the construction. And generally
6 there were people from the <Sector> coming to <support, consult
7 and discuss the issues related to the dam> construction <>.

8 Q. Just now you said that there were people <coming to hold
9 consultation and discussion> on the construction. How often did
10 they come to the worksite?

11 A. For the sector level, they came rather often. When we were
12 building the dam, we saw them two or three times per month. <At
13 the beginning, they came two or three times a month.>

14 [15.05.05]

15 Q. And subsequently, did they come regularly until the time when
16 Vietnamese troops came in? <I am referring to the people who came
17 down to check and provide supports from the sector level.>

18 A. According to my observation, earlier on they came to inspect
19 and toward the later date, they also came. And they actually went
20 to work with the labourers and workers together <at Trapeang Thma
21 reservoir>.

22 Q. Thank you. Now I would like to talk about the implementation
23 of the plan of the dam construction. People who were brought to
24 build the dam, where were they from? Were they from the villages
25 or they were only those who were in the rank of the armies who

1 were sent to build this dam?

2 A. As for the workers, they were recruited from the districts.

3 The <male and female> youths from <all districts were placed in

4 the sector's mobile unit> and <> there was no soldiers mixed up

5 with the workers in the construction, but they recruited <>

6 people from <all districts> to work at the site.

7 [15.06.52]

8 Q. Were there any evacuees from Phnom Penh working there?

9 A. To my observations, there were many evacuees from Phnom Penh
10 too. There were more people from Phnom Penh than the Base People.

11 Q. Thank you. About the Phnom Penh evacuees who were sent to work
12 at the dam, <> were they required to work together with the Base
13 People or they had to work within a different work station?

14 A. They were mixed up with the Base People and they worked all
15 together. There was no segregation, separation of them.

16 Q. In relation to the work, when they first arrived at the
17 worksite, how many kinds of work were they supposed to do, how
18 did they divide the work over there?

19 MR. PRESIDENT:

20 Witness, please hold on until the microphone is activated before
21 you respond to the question.

22 [15.08.23]

23 MR. CHHIT YOEUK:

24 A. When the workers arrived, first people who had to prepare the
25 hoes and others were in charge of preparing the <soil-carrying>

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1 basket as well as <strings> and other tools. So if we, for
2 example, the hoe or basket were broken <>, people <would> have to
3 mend it.

4 BY MS. TY SRINNA:

5 Q. So what was the overall condition of work at the time, for
6 example, <how many days did they have to work per month and how
7 many> working hours <did they have to work per day? How was> the
8 scope of work <divided>?

9 MR. CHHIT YOEUK:

10 A. They had to start work at 7.00 in the morning until sometimes
11 11.30 and then at noontime, it is from 1.00 until 5 p.m.

12 [15.09.45]

13 Q. How about the task assigned to workers, how did they assign
14 the task to workers?

15 A. They actually divided by quotas like two cubic metres of soil
16 <for one person per day> to carry. And if they work in <a group
17 of 30 people>, that is multiplied by the numbers of group
18 members. And sometimes, those who could not complete the quota
19 for the day, they would ask other people to help as well.

20 Q. So you are saying that there are 30 members in the unit or
21 group and then each person is supposed to complete two cubic
22 metres of <soil> per day. So within these two cubic metres of
23 <soil> according to your observation, do you know that they could
24 do it without the assistance from others? Did you observe in
25 general if they could complete it within the day?

1 A. Earlier on, they could not do it and they had to continue
2 until the <late> evening. Those who could not complete it, they
3 had to continue working until they completed it. But as they got
4 used to it, then they could accomplish the task.

5 [15.11.45]

6 Q. How about those who could not do it as per the quota imposed,
7 was there any sanction or punishment imposed against those who
8 did not complete the task assigned?

9 A. For the first, second times, they would be invited to <attend
10 education sessions>. And then they <had to> make effort to
11 complete it. But those who could not complete it <had to complete
12 it anyway>, and then after lunch, they had to continue to
13 complete it. As for the punishment, I did not know because I was
14 <in charge of distributing rice. So, I did not know much about>
15 the workers back then.

16 Q. Probably I do not understand the point very well. Of course
17 you have a quota to complete within the day. Those who could not
18 complete it, they would continue until in the <late> evening. Was
19 that considered a punishment for tardiness in the work because
20 they could not complete it for the day, was that constituted a
21 punishment for them?

22 A. Yes, it was a sanction or punishment if they could not
23 complete it as set. Then they would have to continue to complete
24 it. <Because, the majority of workers already finished their
25 work.> But those <few people> who were weak <and unable to

1 complete it were asked to continue working>. So generally, it was
2 that punishment that they had to complete this quota.

3 [15.13.45]

4 Q. Did you ever hear or see people working there and they could
5 not cope with the work, and then they <collapsed> or they <died>
6 because of the hard labour over there? Did you ever witness that
7 instance?

8 A. I never saw anybody die while working over there, but I saw
9 some people who fell down <and convulsed>. I actually saw that by
10 my own eyes that some just fell down when they were working.

11 Q. Thank you. Did you ever hear from the people that if they for
12 example broke the hoe or the <soil-carrying> basket, they were
13 alleged of being a traitor, did you ever hear that? Did you ever
14 hear people talk about that?

15 A. I heard it from some people who came to receive the rice when
16 it was distributed, but I did not pay that much attention to
17 that. I got some acquaintance at the time who actually talked
18 about that. I only heard that actually from some of them <who
19 said that when the soil-carrying baskets broke they were going to
20 accuse us of being enemies>.

21 Q. Thank you. So when people were working in the construction
22 site, <> did <they take the> biographies of workers <> at the
23 time?

24 A. To my knowledge, as for the biography for example, if they had
25 to recruit people or any person had any problems, they would take

1 their biography. They did not have all the <workers make their>
2 biographies <> in the <mobile> units because there were tens of
3 thousands of workers.

4 [15.16.43]

5 Q. I have a question. Can you explain us a little more on why
6 they needed biography from the workers?

7 A. It is my understanding, the biography was to get the
8 information from individual person, particularly the background
9 of that person, whether or not that person received any education
10 or they were from <the rich> family or <poor> family. So they
11 prepared this biography because they wanted to know the
12 backgrounds of all workers.

13 Q. Why did they <want to know the birthplace of the people and
14 their families' background? In general, for what purpose did they
15 take the biographies of people at that time?>

16 A. That I do not know. It was very difficult to comment on the
17 motive of this because in any society <>, when they <need to
18 recruit> anybody they would have to conduct some research on the
19 background of the person<, their district or commune. It is like
20 what we are doing at present. But,> I did not know what they
21 <really> wanted or what intention they had. <I dare not make any
22 guess.> But I think that they wanted to know whether or not they
23 were from wealthy family or <poor> family backgrounds and
24 education background. <That's probably what they wanted to know.>

25 [15.18.40]

1 Q. Thank you. Did you ever hear or notice that some workers
2 working in the construction site disappeared?

3 A. Yes. There were cases of disappearance of workers. But as to
4 where they took them to and how they <treated them>, that I did
5 not know. <There were disappearances of people.>

6 Q. Thank you. Were there many disappearances among the people
7 there?

8 A. It was rather difficult to answer because at that time, if it
9 was within my unit, I would know it. But since I worked
10 separately, I was responsible for distributing rice for them, so
11 I only knew some information and not complete story.

12 Q. Thank you. Now I would like to turn to you yourself, Mr.
13 Witness. If you were assigned the task and you could not
14 accomplish that task, so what do you think would happen to you
15 based on your experience at the time?

16 [15.20.18]

17 A. Yes, I had come across that. <I also made an offense and> was
18 required to carry <soil> up to eight cubic metres and I had to do
19 it day and night. And at the time, I kept the <soil> that I <had>
20 just dug up and carried. And so at that time, I manipulated it a
21 bit so that when they came to measure the quantity of work I did,
22 then <they found that> I met the requirement. <We didn't have to
23 talk and they said nothing either.> So actually, if we were
24 required to complete eight cubic metres, even if we had to start
25 as early as 3 o'clock in the morning until <12> o'clock at night,

1 we could not accomplish it. So I had to learn how to do that
2 <thoughtfully and smartly> in order to meet the quota
3 requirement. <Otherwise, we would have to sleep in the pit where
4 we dug the earth. After dinner, we had to work again. I was once
5 punished. That's why I learnt it.>

6 Q. Thank you. This is important to us. So I would like to ask you
7 a little more about your superior, Ta Val. Earlier the prosecutor
8 asked you about Ta Maong, <Ta> Sam At, Ta Cheal, and the
9 construction of the dam and other supervisors, <including Ta Rin
10 and still, the construction was not even completed as planned.>
11 So if they could not complete the task that was assigned by their
12 superiors, would there be anything <happening> to them if they
13 could not accomplish the task?

14 [15.22.25]

15 A. To my knowledge, during the rainy season, we encountered some
16 difficulties. For example, when we had to <dig> the earth, it was
17 not that easy. <It did not work well because of the rain.> And
18 they had to postpone the work sometimes. <So, they needed to
19 reassign mobile units.> For example, <several units were>
20 redeployed to work on <> repairing the damaged dam. <Then, they
21 resumed the construction work in the dry season.> So there were
22 some impediments to the construction of this worksite. One reason
23 was because of the rain and the other reason was the <mobile>
24 workforce actually was <weakened and many of them were
25 hospitalized because, as the rice distributor, I could tell when

1 the number of mobile workers shrank at the worksite. When more
2 people got hospitalized, it meant more rice had to be distributed
3 to the hospital. When more people were working at the
4 construction site, less rice would go to the hospital.> That is
5 my observation.

6 Q. Thank you. So let me try to get your points. Ta Val and other
7 leaders including Ta Rin and they could not complete the
8 construction site. So was this the reason for their disappearance
9 or not, to your knowledge?

10 A. I was not sure of the reason for their disappearance. I don't
11 know whether or not it was because of the failure to accomplish
12 the project or not. I cannot comment on it. And I only knew that
13 those people who <failed to complete> the construction <as
14 planned> all disappeared. <And, I do not know why they had
15 disappeared because I suffered great difficulty as well.>

16 [15.24.38]

17 Q. I just want to ask you so that I am clear with your testimony.
18 So you <were> saying that the work carried out by Ta Val, <Ta
19 Maong, Ta Sam At or> Ta Rin, and others <was controlled> by the
20 upper echelon. In other words, they received the instruction from
21 the upper echelon and <> the upper echelon <knew everything about
22 their work, meaning the upper echelon knew> whatever they did, <>
23 is that correct?

24 A. Yes, that is it to my knowledge. There was no such information
25 disseminated clearly at the time to the people down below the

1 line. <But from my point of view, they could know about that
2 because whatever the low-level officials did came to the
3 attention of the upper echelon. If they did not receive 100
4 percent information they would know about 30% or 40% of the work.
5 This is what I thought.>

6 Q. Thank you. In relation to this Trapeang Thma Dam worksite,
7 were there any children working there?

8 A. There were children because I was in charge of distributing
9 rice at that time and children ration was <different from> that
10 of adult. So as for the work quota for them, I did not know. But
11 of course, there were children over there. And as for the
12 distribution of rice, the adult would get three cans of rice, as
13 for children, they would get only two cans of rice.

14 [15.26.43]

15 Q. How about the work allocation for the small children, how did
16 they divide?

17 A. It was difficult. I do not have the exact answer. I could not
18 say that they had one cubic metre or 1.5 cubic metres of <soil>
19 to be carried. That I did not know. <Other witness who worked in
20 the mobile unit> will be in a better position to explain that.
21 Because I was mainly in charge of distributing rice, <but, I saw
22 the children coming up earlier for rice.>

23 Q. How about the children who were working in the worksite, can
24 you tell the Court as to their age range, how old were they and
25 how many of them altogether, to your knowledge?

1 A. To my estimation -- actually it happened long time ago, I may
2 not recall it perfectly well -- but in my estimation, there could
3 have been around 600 to 1,000 children in that mobile brigade.
4 And as for the age range, <some children> were seven years old,
5 there were <fewer> from seven to 11. But from 11 to 15 or 16,
6 there were a lot more.

7 [15.28.47]

8 Q. How about the pregnant women? Were there any pregnant women at
9 the Trapeang Thma construction worksite?

10 A. In the sector's mobile brigade, there were no pregnant women.
11 Even those who were married, the ladies who were married, were
12 not actually instructed to work at the worksite<. The women who
13 were married in the mobile unit were> assigned to grow vegetables
14 and foodstuffs to supply to <the mobile unit instead. From my
15 observation, they all were single young men and women in the
16 mobile unit.>

17 Q. Thank you. So, just a point of clarification for you so that
18 we are clear, there were no pregnant women at the dam site. But
19 were there any <> women <working> at all over there?

20 A. To my knowledge when we talk about women, we refer to those
21 who were married and if there were women, there were only a
22 minority of them, but I did not know that very well because I was
23 not responsible for that. I was responsible for distributing rice
24 to them. There were some who sometimes <went> from the <mobile
25 unit to the> cooperative<, but, there were no people with

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1 husbands or wives together.>

2 [15.30.50]

3 Q. So you say that there were only a minority numbers of women
4 over there. So what was the task allocation for women <and
5 children?> Did they have to carry soil as well, like men too?

6 A. You had to make a distinction between the female workers and
7 women. When you refer to women, you refer to married women. <I
8 think that female workers were single and women were married.>

9 And the majority of the women there were female workers<, female
10 youth> and of course they received the same work quota, for
11 instance two and a half cubic metres each per day. But I do not
12 have a figure <of work quota for children there.>

13 Q. Still on the Trapeang Thma Dam, have you heard of a slogan
14 that in order to make the bridge strong, <pregnant> females had
15 to be killed at the sluice of the bridge, so that the bridge can
16 sustain? Did you hear such a saying during the regime?

17 A. I can tell you only what I heard; however, what you have said
18 is not something that I heard of at the time, <I don't know
19 whether someone made it up or perhaps that was true. I am not
20 sure. It's difficult for me to say. I can tell you only what I
21 know> and for that reason I cannot tell you whether this thing
22 happened.

23 [15.32.47]

24 MR. PRESIDENT:

25 Counsel Koppe, you have the floor.

1 MR. KOPPE:

2 Thank you, Mr. President. Not necessarily an objection, but I
3 didn't quite hear it well in the translation, but I would like to
4 ask Counsel, if that's alright, where this is coming from, this
5 saying, because I don't think I've heard it before.

6 MS. TY SRINNA:

7 Thank you, Counsel. The saying that I quoted was from the Closing
8 Order and that's why I put it to the witness whether he knows
9 about this. <I am going to clarify the question with the witness.
10 This is only the beginning of the clarification.> And I actually
11 have some more questions and they are based on paragraphs in the
12 Closing Order, <so I am going to throw more questions shortly
13 after the witness responds.> Thank you.

14 [15.33.51]

15 MR. PRESIDENT:

16 Lawyer for civil parties, how many more questions do you have?
17 Actually your 30-minute time allocation runs out.

18 MS. TY SRINNA:

19 I have two more questions, Mr. President.

20 MR. PRESIDENT:

21 You may proceed then.

22 BY MS. TY SRINNA:

23 Q. Mr. Witness, have you heard or <known> about pregnant women
24 who were killed and dropped into the Trapeang Thma reservoir? And
25 second, were people <other than pregnant women> killed and

1 dropped into the Trapeang Thma reservoir in order to support the
2 belief that the bridges would be firm?

3 MR. PRESIDENT:

4 Counsel Kong Sam Onn, you have the floor.

5 [15.35.02]

6 MR. KONG SAM ONN:

7 Thank you. I do not object to this question; however, the lawyer
8 for the civil parties, please provide the actual paragraph
9 numbers of the Closing Order that you refer to?

10 MR. KOPPE:

11 I can actually assist because we found this saying, but it's not
12 a saying, it's coming from a witness cited in the Closing Order,
13 footnote 1452, paragraph 349, and it's a witness who says that, I
14 think, he or she heard something from a CPK cadre, so I'm not
15 sure it's a saying as suggested by Counsel.

16 MS. TY SRINNA:

17 Mr. President, the relevant paragraph in the Closing Order is
18 paragraph 349 in the Khmer language. And Mr. President, I'd like
19 Mr. President to direct the witness to respond to my question.

20 [15.36.27]

21 MR. PRESIDENT:

22 Mr. Witness, please respond <> to that question.

23 MR. CHHIT YOEUK:

24 A. You asked me whether I have <known or> heard or seen the event
25 you described, but personally I don't <know that story at all>. I

1 never heard about pregnant women being killed and dropped into
2 the reservoir. And of course I knew about some deaths on site,
3 but not what you described. Or maybe it happened but I was not
4 told.

5 BY MS. TY SRINNA:

6 Q. Here comes my last question to you that is in relation to what
7 happened at the Trapeang Thma Dam worksite. Since you lived and
8 worked there, <I think you might have known or witnessed what had
9 happened through your personal experience,> what was the physical
10 condition of workers at the dam worksite? Were they emaciated?
11 Were they healthy looking?

12 MR. PRESIDENT:

13 Defence Counsel Koppe, you have the floor.

14 [15.38.01]

15 MR. KOPPE:

16 I object to the way the question is phrased. I don't think this
17 witness would be able to say something intelligently about the
18 physical conditions of 10,000 or 15,000 workers. If the question
19 is limited to people that he knew or saw then I wouldn't have any
20 problem with it, but asking of the physical conditions of all
21 workers is something beyond the realm of knowledge of this
22 witness, that's why I object.

23 BY MS. TY SRINNA:

24 Allow me to rephrase my question.

25 Q. Mr. Witness, <I would like you to clarify regarding> the

1 workers that you saw at the worksite, those workers at the sites
2 that you actually went to, what was their physical condition? Was
3 the physical condition the same for a particular site, or <was
4 their> physical condition the same across the sites that you went
5 to? <I would like you to elaborate on how those people physically
6 looked at the worksite from one area to another where you went.>
7 [15.39.24]

8 MR. CHHIT YOEUK:

9 A. For mobile unit workers, and this is from my personal
10 observation, some of them were emaciated, and usually they became
11 emaciated during the rainy season as during such season food
12 ration was reduced and they did not have adequate sleep at night
13 as a result of rain, <sometimes, they got wet because of the rain
14 at night,> this is my personal understanding <and observation>.
15 For that reason, they became skinnier.

16 Q. Were many of them emaciated during such a period? <Can you
17 make a rough estimation?

18 A. They became emaciated during the time that food ration was
19 reduced and I can say that about half of them - that is, 50 per
20 cent of them became emaciated for the reasons that I mentioned,
21 namely, reduction of food ration <in the rainy season> and lack
22 of sleep <because some shelters had a lot of leaks.>

23 MS. TY SRINNA:

24 Thank you, Mr. Witness, and Mr. President, I am done with this
25 witness and I'd like to cede the floor to <Mr. President>.

1 MR. PRESIDENT:

2 Thank you. Counsel Kong Sam Onn, you have the floor.

3 [15.41.13]

4 MR. KONG SAM ONN:

5 Thank you, Mr. President. I'd like to respond to the reference
6 she made to paragraph 349 of the Closing Order. From my reading,
7 the Closing Order doesn't say that that is a saying or a slogan
8 of <the Communist Party of Kampuchea>, that in order to reinforce
9 the bridge, <pregnant women> had to be killed; no, it was just a
10 statement from a witness. Thank you.

11 MR. PRESIDENT:

12 The Chamber would now like to hand the floor to the defence team
13 for Nuon Chea. And I notice that Judge Lavergne wants to have the
14 floor. You may proceed, Judge.

15 [15.42.15]

16 QUESTIONING BY JUDGE LAVERGNE:

17 <Yes.> Thank you, Mr. President. I have a few questions to put to
18 this witness.

19 Q. Mr. Witness, I understood that after the 17th April 1975, you
20 were sent to villages as a militiaman. Can you please specify the
21 <exact> role you played as a militiaman?

22 MR. CHHIT YOEUK:

23 A. As a militiaman <I was> instructed to watch over the people
24 because after Lon Nol regime was defeated, they were concerned
25 that some people would not agree with the regime's policies.

1 <But, militiamen were not armed. And>, we were instructed to
2 monitor their activities <in case someone had any problem we had
3 to inform them;> that's the first point. And secondly, we were
4 asked to be on patrol up and down for no particular reason, as
5 people had been gathered up in certain locations.

6 Q. What were the methods employed to monitor people? How did you
7 go about monitoring people?

8 A. I'd like to say that, at that time the militia did not receive
9 any specific instruction as to eavesdrop on those people. <The>
10 instruction was that we had to be vigilant for those people who
11 just had been liberated as a result of the defeat of the Lon Nol
12 regime. <That was because they were afraid that people would
13 rebel against them at any place. If we noticed something like
14 that we had to inform them. But, we were not told to spy on or
15 listen to what people said at that time.> And as I said, later on
16 I was no longer a militiaman.

17 [15.44.50]

18 Q. So if I understand you correctly, you monitored them without
19 listening to them?

20 A. No, we did not eavesdrop on them; we tried to observe whether
21 anyone wanted to engage in any rebellious activity. If there that
22 was the case, then we had to report to the <commune chief. But,
23 we did not secretly listen to what people said.> And as I said,
24 people had been segregated and placed at certain fixed locations.

25 Q. And were the people you were asked to monitor, targeted

1 persons<? Were they rather> 17 April People or <were they> Base
2 People?

3 A. Upon the end of the war, there was no distinction between the
4 Old and the New People. Anyone who opposed the new regime would
5 be brought to the attention of the regime. However, in the area
6 that I lived, there was no apparent rebellious activity at all.
7 We were instructed to observe if there was any such activity, and
8 if there was, then we had to report to them.

9 [15.46.40]

10 Q. Did you receive any particular instructions regarding the
11 Vietnamese -- that is, people of Vietnamese origin?

12 A. No, I did not have anything to do with the Vietnamese. As I
13 said I was a low-ranking person; I did not know any policy or
14 anything to do with the Vietnamese. That would be the matter to
15 be dealt with by the upper level. I was just a low-rank
16 militiaman and I did not give or receive any instruction
17 regarding the Vietnamese.

18 Q. And you have no idea as to what was the policy vis-à-vis the
19 Vietnamese <>?

20 A. Yes, that is the case. During the regime, I did not know
21 anything about that. I was never called to attend any meeting on
22 this matter.

23 Q. If someone objected to the actions of the Revolution, was that
24 considered as a fault? Was such a person arrested, and if so, who
25 <decided that> such persons <> be arrested<?>

1 A. It is my understanding that, at that time, the administrative
2 structure of the commune or the district was not yet put in
3 place, and for that reason certain cadres would control certain
4 areas, and if someone opposed, or was alleged to oppose the
5 regime, that person would be handed over to the military.

6 [15.49.18]

7 Q. Who, in concrete terms, carried out the arrests of such
8 persons and handed them to the soldiers?

9 A. Where such an issue occurred, the soldiers would go to the
10 area, to that location. At that time nobody had any weapon
11 besides the soldiers.

12 Q. <Very well.> We have heard many witnesses who were soldiers
13 who said that it was the militiamen who arrested those persons,
14 and <now, we are hearing a militiaman telling us> that it was the
15 soldiers, who arrested persons. <Well, I think the evidence will
16 be assessed.> Let us move on to another subject. <As regards>
17 persons empowered to carry out arrests<,> were there any changes?
18 Was it <always> the same persons<,> or were there any changes in
19 the policies regarding the <decision-making powers to arrest <>
20 persons who committed offences>?

21 A. On the issue of arrests, and or killing, only in 1978 I heard
22 from the meeting at - by the chiefs of the mobile units who said
23 that lower cadres did not have the authority to kill anyone. And
24 only the decision to kill someone could only be made by the
25 Centre, and I heard about this in 1978.

1 [15.51.47]

2 Q. So up until 1978, who in concrete terms was empowered to
3 decide to arrest anyone and eventually to execute any person
4 considered as having committed offences? Was it at the level of
5 the village, the commune, the district, the sector? Who <> was in
6 charge <>?

7 A. The message that was delivered during the meeting was that it
8 was only the Centre who had the authority on the decision to kill
9 anyone, and authority at the village or commune levels did not
10 have the right to make that decision.

11 Q. So before 1978, authorities in the village or the commune
12 could decide to carry out executions; is that what I should
13 understand from your testimony?

14 A. We have to think about this altogether. It might be possible
15 that those cadres made their own decision to kill people <without
16 reporting to the upper level> and that's why <there could be a
17 plan coming out after> 1978.

18 [15.53.52]

19 Q. So when you talk of "the Centre", from 1978, <> who exactly
20 <do you refer to as "the Centre"?> Are you talking of the
21 district authorities<? The> authorities <> at the level of the
22 sector? Who exactly? If you can give us a name, that would be
23 even better.

24 A. It is difficult to define the Centre, or a level below the
25 Centre. It is my understanding the word "Centre" referred to

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1 those who were at the top level, but personally I did not know
2 who they were. <I don't know what you think about it. But, this
3 is what I think.>

4 Q. For instance, was Yeay Chaem someone who could be considered
5 as operating at the level of the Centre?

6 A. No, Yeay Chaem was district committee; she was not at the
7 level of the Centre. The level of the Centre was at the top
8 hierarchy, and it is not possible for Yeay Chaem to operate at
9 the level of the Centre, as she worked only at the district
10 level. <She only assisted the sector.>

11 Q. I would like you to explain what you wanted to say in your
12 statement, <with the reference E127/7.1.6> and it is <question
13 and> answer <> 24. <You were testifying. You indeed explained>
14 that as of 1978, there was a change in the practice, <but you
15 state the following>: "However<,> in practice the instruction
16 given in 1978 <was> not implemented since some persons were
17 executed without a report having been issued at the regional
18 level." What did you mean by that, and are you referring to
19 incidents that you witnessed yourself?

20 [15.56.34]

21 A. The thing is this; and allow me to give you an example. One
22 was the chief of <a village. Another was the group chief.> That
23 group chief could not make any decision without going through the
24 village chief, and whether such adherence to the principle of
25 chain of command was carried out, I cannot tell you. So I cannot

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1 tell you whether, despite the directive from the upper echelon,
2 the lower levels would adhere to it, implement it, or <keep on>
3 killing <people>, I cannot tell you that. <It is hard for me to
4 tell you as that depended on places or areas where people lived.>

5 Q. Mr. Witness, when I read your statement you stated that <"some
6 persons were executed without a report having been issued at the
7 regional level">. Is this something that you were aware of? Is
8 this something you witnessed with your own eyes, or you <simply>
9 heard <someone> talk about it?

10 A. I did not witness it personally, however, <> people <would
11 whisper to one another, so I could know something during that
12 time>.

13 [15.58.10]

14 Q. Very well. When you were in charge of the distribution of
15 rice, did your duties also include the distribution of clothing?
16 Were you in charge of logistics? <And> did such logistics only
17 include the distribution of rice, or they went beyond that?

18 A. I did not distribute clothes, however, when there was a need
19 for clothes for various units, they would make such a request in
20 writing to me, then I would forward it to the sector commerce and
21 then <when it's time for distribution> the clothes would be
22 brought in for distribution.

23 Q. And how many times per year were clothes distributed?

24 A. It's not that regular, depending on the demand. For instance,
25 for a five-month period, some workers had their clothes torn, for

1 instance, then they had to replace with new clothes. There was no
2 set period that new clothes had to be given to workers. So a
3 request had to be made then, it would be forwarded to the sector
4 commerce.

5 [16.00.10]

6 Q. Fine. I understood that you were in charge of distributing
7 rice to the mobile units. Were you also in charge of distributing
8 rice to people who were detained in the security centres? And did
9 this happen at the same time? And if that was the case, under
10 whose orders were you?

11 A. I was under the supervision of Ta Rin.

12 Q. So when you distributed rice to the mobile units, <did> you
13 also <distribute> rice to the security centres. So what were
14 these security centres?

15 A. While I was in charge of rice distribution, the security
16 centre <> I referred to the one at the Phnom Trayong -- or,
17 Trayong mountain security centre <and Phnom Leap (phonetic)>, the
18 rice had to be distributed to those people who were breaking
19 rocks at that centre <>.

20 Q. Phnom Trayong, was this simply a place where people broke
21 rocks, or was that also a place where people were executed?

22 A. There were security people working there and I cannot tell you
23 about any execution as I personally did not witness it. What I
24 can tell you is that a security force was there, and <youth>
25 workers from mobile unit were there to break rocks.

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1 [16.02.40]

2 Q. How many people were working or were detained at Phnom
3 Trayong, and up until when did you supply rice to Phnom Trayong?

4 <A. The rice distribution-->

5 MR. PRESIDENT:

6 Defence Counsel, you have the floor.

7 MS. GUISSÉ:

8 Thank you, Mr. President. I am a little bit <perturbed> because I
9 don't have the impression that the security centre we are
10 referring to now, which Judge Lavergne is asking questions about,
11 <is> part of the scope of this Trial. <So, I am requesting> some
12 clarification on this<. Since I cannot object, I at least would
13 like the matter to be clarified.>

14 [16.03.30]

15 BY JUDGE LAVERGNE:

16 I believe that the witness told us that back then <rice was
17 distributed> to the mobile units<. It appears that mobile units
18 went to work on the Trapeang Thma dam worksite.> I'm simply
19 trying to understand how his work was organised when he was in
20 charge of supplying rice to all the mobile units<>.

21 Q. So <Mr.> Witness, I believe you <had> started answering, so
22 could you please finish your answer?

23 MR. CHHIT YOEUK:

24 A. It was from the time that I distributed rice to them and that
25 continued until the arrival of the Vietnamese, and if my

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1 recollection is right, there were <not more than> 600 of them.

2 JUDGE LAVERGNE:

3 Thank you. I have no further questions, I think I have used up my
4 time.

5 [16.04.45]

6 MR. PRESIDENT:

7 Thank you, Judge Lavergne. It is now appropriate for today's
8 adjournment. We will adjourn the proceedings now and resume on
9 Monday, 17 August 2015, commencing from 9 o'clock in the morning.
10 And on next Monday, we will continue to hear testimony of the
11 current witness, Chhit Yoeuk, and then commence hearing testimony
12 of another witness -- that is, 2-TCW-828. <So, all parties should
13 note this and attend that hearing as scheduled.>

14 And Mr. Chhit Yoeuk, the Chamber is thankful of your testimony;
15 however, it is not yet concluded. For that reason, you are
16 invited to return to this Court again on Monday, 17 August 2015,
17 starting at 9 o'clock in the morning.

18 And Court officer, please collaborate with WESU to make necessary
19 arrangement to transport this witness to where he stays and have
20 him returned to attend the proceedings on Monday next week.

21 Security personnel, you are instructed to take the two Accused --
22 that is, Nuon Chea and Khieu Samphan, back to the detention
23 facility <of the ECCC> and have them returned to attend the
24 proceedings on Monday, 17 August 2015, before 9 o'clock in the
25 morning.

1 The Court is now adjourned.

2 (Court adjourns at 1606H)

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