



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

ឯកសារដើម

ORIGINAL/ORIGINAL

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TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

20 August 2015

Trial Day 315

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

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KHIEU Samphan

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Mr. BOYLE	English
Mr. FARR	English
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUIRAUD	French
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Mr. SENG Leang	Khmer
Mr. TAK Boy (2-TCW-908)	Khmer
Mr. VERCKEN	French
Mr. YI Laisov (2-TCW-841)	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0900H)

3 MR. PRESIDENT:

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

5 Today the Chamber will continue hearing the testimony of witness

6 Tak Boy, and perhaps we may start to hear a new witness -- that

7 is, 2-TCW-841.

8 <The Greffier,> Ms. Chea Sivhoang, please report the attendance

9 of the Parties and other individuals at today's proceeding.

10 [09.01.58]

11 THE GREFFIER:

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

13 are present.

14 Mr. Nuon Chea is present in the holding cell downstairs. He has

15 waived his right to be present in the courtroom. The waiver has

16 been delivered to the greffier.

17 <The> witness who is <going to conclude his testimony> today <is

18 Mr.> Tak Boy<. He> is already present in this courtroom. And the

19 next witness is 2-TCW-841. To his best knowledge, he has no

20 relationship by blood or by law to any of the two Accused, Nuon

21 Chea and Khieu Samphan, or to any of the civil parties admitted

22 in this case. The witness will take an oath before the Iron Club

23 Statue this morning before he comes to testify.

24 Thank you, Mr. President.

25 [09.03.03]

2

1 MR. PRESIDENT:

2 Thank you, Ms. Chea Sivhoang. The Chamber now decides on the
3 request by Nuon Chea.

4 The Chamber has received a waiver from Nuon Chea, dated 20th of
5 August 2015, which states that due to his health reasons:
6 headache, back pain, and he cannot sit or concentrate for long,
7 and in order to effectively participate in future hearings, he
8 requests to waive his rights to participate and be present at the
9 20th of August 2015 hearing.

10 Having seen the medical report of Nuon Chea by the duty doctor
11 for the Accused at the ECCC, dated 20th of August 2015, who notes
12 that Nuon Chea has a chronic back pain and recommends that the
13 Chamber shall grant him his request and allow him to follow the
14 proceeding remotely from the holding cell downstairs. Based on
15 the above information and pursuant to Rule 81.5 of the ECCC
16 Internal Rules, the Chamber grants Nuon Chea leave to follow
17 today's proceeding remotely from the holding cell downstairs via
18 audio-visual means. The Chamber instructs the AV unit personnel
19 to link the proceeding to the room downstairs so that he can
20 follow the proceedings. That applies for the whole day.

21 The floor is now given to the defence team for Mr. Nuon Chea to
22 resume his line of questioning. You may now proceed, Counsel.

23 [09.04.45]

24 QUESTIONING BY MR. KOPPE RESUMES:

25 Thank you, Mr. President. Good morning, Your Honours. Good

3

1 morning, counsel. And good morning, Mr. Witness.

2 Q. Mr. Witness, I would like to start this morning with
3 revisiting something we discussed yesterday because I'm not quite
4 clear yet as to what you meant in relation to what was happening
5 to people who had been in the Lon Nol army. What I did yesterday
6 was going back to your civil party application in Case 004. And
7 first of all, I would like to ask you if this civil party
8 application which I have here is something that you wrote
9 yourself.

10 And with your leave, Mr. President, I would like to show the
11 witness his civil party application in Khmer and ask him whether
12 this is in fact his handwriting.

13 [09.06.15]

14 MR. PRESIDENT:

15 Your request is granted.

16 (Court officer presents document to witness)

17 [09.07.11]

18 BY MR. KOPPE:

19 Q. Mr. Witness, is this something that you wrote yourself or is
20 it someone else who wrote it for you?

21 MR. TAK BOY:

22 A. I did not write it by myself. Someone wrote it for me.

23 MR. FARR:

24 Mr. President. Mr. President.

25 MR. PRESIDENT:

4

1 You may now proceed.

2 [09.07.55]

3 MR. FARR:

4 Sorry. I just noticed that something has been highlighted on a
5 copy of this civil party application the counsel provided to the
6 witness. And I -- it would be helpful if he could tell us what
7 he's highlighted.

8 BY MR. KOPPE:

9 Well, that was going to be my next question.

10 Q. Mr. Witness, I highlighted in this document a sentence and I
11 would like you to read along with me. I only have an English
12 translation available. Mr. President, for the record, I'm talking
13 about document E319/25.3.48. The English translation and in your
14 marked sentence, I read: "I was a former Lon Nol military
15 officer, that was why they wanted to kill me. Non-commissioned
16 soldiers were allowed to return. Soldiers were then assigned to
17 go and clear a forest and to stay there." Now what you have heard
18 back in the Khmer translation is that -- that reflects the same
19 as you just have in -- is that the same as in the text that you
20 have in front of you?

21 [09.09.39]

22 MR. TAK BOY:

23 A. I did not write it by myself. I did not fill in that
24 information. I was a former private <in Lon Nol army>.

25 Q. I understand that you didn't write it yourself. But I presume

5

1 that you gave a thumbprint in order to agree with the text on
2 that application. But my question is about the distinction that
3 you seem to make between those Lon Nol military who were taken to
4 be killed and those Lon Nol military who were allowed to return
5 and assigned to go and clear a forest. So it seems that you make
6 a distinction between two types of military. Is my understanding
7 correct?

8 A. Back then, <some former soldiers, businessmen and I were>
9 transferred to live in one certain place west of Nam Tau to clear
10 the forest <for seven months> because <we were> linked to the
11 former regime. And after a few months of my work, since we were
12 not lazy; we were hardworking; we were <called for a meeting>
13 then instructed to come back to our home district.
14 [09.11.44]

15 Q. I understand now. So when you were assigned to clear the
16 forest, the ones that assigned you to do this knew that you had
17 been within the Lon Nol army; is that correct?

18 A. Yes, that is correct.

19 Q. Now having said that, I would now like you -- would like to
20 take you to something that you have stated to the DC-Cam
21 investigator. Mr. President, that is document E3/7968: English,
22 ERN 00726121; French, 00743251; and Khmer, 00057741. In this
23 statement, you said -- and I quote: "Sometimes they searched and
24 found that a worker had been a soldier. Thus the person was taken
25 to be killed."

6

1 Having just heard your testimony, this seems to be in
2 contradiction to what you just said if it was just a soldier that
3 they discovered; is that correct?

4 [09.13.42]

5 A. I would like to explain this point. On the 17 April 1975,
6 <ordinary soldiers and military officers> were separated into
7 different places. <Military officers were tied up, while ordinary
8 soldiers like privates were placed separately.> I was a private;
9 I was <re-educated and> sent back to my home district. And at <my
10 hometown, people were put into cooperatives where capitalists and
11 soldiers were separated from ordinary people, and placed in> the
12 forest <to> clear the trees in the forest so that we could grow
13 <crops for consumption>. During that time, we were under
14 surveillance and they wanted to see whether we<, former
15 soldiers,> were strong <or> hardworking in our work.

16 Q. And with how many ex-soldiers from the Lon Nol army were you
17 together working in the forest?

18 A. About 15 of us at that time.

19 Q. And all these 15 people had been normal or the lowest-ranking,
20 let's say, soldiers in the Lon Nol army; is that correct?

21 A. We were all privates. And for <military officers>, they were
22 sent to a different place. <Ordinary soldiers were separated from
23 those military officers.>

24 [09.16.17]

25 Q. Thank you, Mr. Witness. Now I would like to move on to another

7

1 point and that is your exact position within the mobile unit
2 while working at the dam. I might be mistaken or may not have
3 heard it correctly, but I think I heard you say yesterday that
4 you were chief of a platoon within the mobile unit. However, in
5 your written record of interview, document E319/19.3.3: English,
6 ERN 0842064; French, 00842069; and Khmer, 00801007; you've been
7 asked a question: "Did you have any specific rank in your
8 company?" And then you answer: "I was an ordinary member in a
9 company of 100 men." So my question is: Were you a platoon chief
10 within the mobile unit or were you an ordinary member of a unit?
11 A. When I <was> working at the Trapeang Thma Dam worksite, I was
12 a platoon chief.

13 [09.18.18]

14 Q. That's clear. Thank you. Mr. Witness, now something else I
15 would like to ask you. You said yesterday that you were like
16 soldiers. In your written record of interview, you said that we
17 marched like soldiers. Was there a chain of command structure in
18 the mobile unit, the same as there was a command structure -- a
19 chain of command as in the Lon Nol army?

20 A. On this matter, when the commander <> at sector level or chief
21 of battalions gave an instruction, we would stand in line to be
22 ready and move <from one location to another>. So first, the
23 platoon number one chief would lead his or her group to the place
24 assigned by the chief of commander. And then the other chiefs
25 would follow. <It was like the army structure.>

1 Q. Was it the same as your own experience within the army of Lon
2 Nol?

3 A. Compared the time when I was a <> private, <the structure> was
4 <more or less> the same. <When we headed out to work, we> had to
5 go in groups <in a very organized manner>, we had shoulder poles
6 <with two baskets on each side, and one at a time, we headed off
7 to work. We were marching in an organized manner like those
8 soldiers marching to the battlefield until we got to our
9 destination>.

10 [09.21.02]

11 Q. Thank you, Mr. Witness. Now I have another question that I
12 would like to put to you. In your written record of interview,
13 you answered the question as follows and I would like to quote
14 that to you and then ask if you indeed said that. It's question
15 and answer number 12. "Question: While you were travelling, did
16 you witness any corpses or anyone being taken for killing? Were
17 there soldiers accompanying your unit?" And then you answer, Mr.
18 Witness, as follows: "Since our order to work there was from the
19 upper echelon Ta Val, we were not accompanied by any soldier. I
20 did not witness anyone being executed. They did not let us see
21 anyone being arrested and killed."

22 Is that indeed what you told the investigator of the
23 Investigating Judge?

24 A. I did not see such <an> incident with my own eyes. I heard
25 people said about the killings.

9

1 [09.22.35]

2 Q. So when you said in your DC-Cam statement on English, page
3 00726119; Khmer, 00057739; and French, 00743249; when you said a
4 fair number of people died--

5 MR. PRESIDENT:

6 Mr. Koppe, please slow down for the interpreter to get the
7 reference number. Please repeat it.

8 BY MR. KOPPE:

9 Q. Of course, Mr. President: Khmer, 00057739; English, 00726119;
10 French, 00743249. You said there, Mr. Witness, "A fair number of
11 people died from the dam construction, but at least 15 people
12 were taken to be killed every night." Does that mean, taking into
13 consideration your statement to the investigators here, that you
14 didn't actually see the arrest of these people and you didn't
15 actually witness the execution of people; is that correct?

16 MR. TAK BOY:

17 A. I have told <you> earlier that I did not see the actual
18 physical killings. I heard people say that at least <> 15 people
19 were <taken away and> killed on a daily basis at night time.
20 <That's what I was told.>

21 [09.24.45]

22 Q. So you heard someone say that? Did you hear someone say that
23 while you were working at the dam or did you hear someone say
24 that after 1979?

25 A. <I was told of the event while> I was building the dam --

10

1 while I was working at the <Trapeang Thma> Dam construction site.

2 MR. FARR:

3 Mr. President. Just in fairness to the witness and for the
4 completeness of the record, he was asked about the same portion
5 of his DC-Cam interview by the OCIJ. And in answer 26 of his OCIJ
6 written record, he specifies that it was his deputy village chief
7 who told him that 15 people were taken for execution every single
8 night.

9 BY MR. KOPPE:

10 Well that was about -- that was my next question obviously. So I
11 don't know why you'll not wait first for my question, Mr.
12 Prosecution.

13 Q. But, Mr. Witness, who was it that told you that every night
14 about 15 people would die?

15 MR. TAK BOY:

16 A. My deputy told me at that time.

17 [09.26.26]

18 Q. Your deputy within the platoon or another deputy?

19 A. Currently, <he is the deputy chief of> my village<. It was he
20 who> told me.

21 Q. The person who is now today the deputy in your village or at
22 the time in '77?

23 A. At the present time, he <is> the deputy chief of the village
24 and he told me <about the event>. He was working and living in a
25 different mobile unit <during the time and he told me about what

11

1 had happened. Currently>, he is <the deputy chief of my village>.

2 Q. And what was his function in the mobile unit in 1977?

3 A. We were in different mobile units; I have no idea what his
4 position was. We were working in different places and we had no
5 <rights> to walk around freely. <We were fixed at where we were
6 assigned to work.>

7 Q. But did you know at the time or maybe later how he knew that
8 15 people per night were killed -- how did he know?

9 A. I do not know. When the team from DC-Cam went to interview me
10 at my place, he was also there; I mean the deputy <chief of my
11 village> was also there. And he said that <about> 15 people were
12 <taken away and> killed almost every night. And that information
13 was also published in the DC-Cam publication.

14 [09.29.16]

15 Q. So when I read those words in the DC-Cam statement, is it fair
16 to say that these are not actually your words but the words of
17 the deputy chief of your village?

18 A. Yes, you are right. <The> deputy chief <of my village> told me
19 that almost every night about 15 people were taken away and
20 killed. And this information -- this statement was produced in
21 the DC-Cam publication.

22 Q. And when he said this while present during your interview, did
23 he say from where he got the information that every night about
24 15 people were killed? Did he explain to the DC-Cam investigator
25 how he knew?

12

1 A. No. I have no idea about this. <It was him who had direct
2 account of the information.>

3 [09.30.50]

4 Q. Thank you, Mr. Witness. Now let me move on to the place close
5 to the dam where you said you saw or where you said you knew
6 rather, corpses were being buried or had been buried there. Is my
7 understanding correct when I say, based on what you testified to
8 yesterday, that you didn't actually see with your own eyes the
9 corpses, that it was only the odour, the bad odour coming from
10 this site that led you to your testimony that there must have
11 been corpses lying there?

12 A. As I said yesterday, I went to relieve myself to the south of
13 the dam -- of the reservoir and I saw a <cracking> pit <with> a
14 terrible stench. And then I of course concluded that people had
15 been killed over there. <If bodies had not been buried there, the
16 dirt would not have> cracked; <I saw the cracking pit, but> I did
17 not see people being taken away to be killed. <After that, I
18 never got close to that place ever again; I rather relieved
19 myself at the latrine that had been built for us>.

20 Q. I understand why you at the time came to the conclusion that
21 it was a pit with corpses in it. But what I am not sure, if I
22 understand properly, is why you testified yesterday that corpses
23 of mobile unit members were buried there. How did you know or how
24 did you come to this conclusion if you didn't see any executions
25 and if you didn't see the actual corpses?

13

1 [09.33.26]

2 A. Well, because over there, there were only mobile units and
3 <there were no villagers nearby>, and that is what led me to
4 conclude that <the corpses> were members of <> mobile <units>.

5 Q. But do you agree with me that these corpses could have also
6 belonged to people who had died in combat, in the war, or who had
7 been other people than mobile unit members and just happened to
8 be lying in the proximity of the dam; is that possible?

9 A. No, I don't agree with that because during the war <with> the
10 Lon Nol <>, there were no <dead> bodies over there. <I knew it>
11 because I grew up <in that area>, I was living there and there
12 were <only> rice <fields> over there. And on 17 April, there were
13 no <dead> bodies over there. It was a clean field. But after <the
14 7th of January and after> the arrival of the mobile units who
15 positioned themselves <at the dam worksite>, there were pits
16 filled with <dead> bodies. So obviously the <dead> bodies were <>
17 members of the mobile units<, not anyone else>.

18 [09.35.21]

19 Q. Very well, Mr. Witness. Let me now take you back to your civil
20 party application in Case 004 that you still have in front of
21 you. On the first page in English, it says: "In 1976, I witnessed
22 militiamen taking groups of people to be killed at the south of
23 Trapeang Thma Dam in the area called Veal Ta Kuy." Now here you
24 seem to say, first of all, it was in 1976 and also that you
25 actually witnessed militiamen taking groups to be killed. Now

14

1 which one is correct, your civil party application that you said
2 you saw the killing or what you just said now in Court that you
3 didn't see actual killing with your own eyes?

4 A. I stand by my previous answer. I said that I saw pits where
5 there were bodies <when I went to relieve myself in that area;
6 however,> I did not witness <or know of the taking of those
7 people by militiamen>.

8 Q. Thank you, Mr. Witness. Now one or two last subjects I would
9 like to cover with you. In your DC-Cam statement, you not only
10 speak about cadres arriving in the Northwest Zone coming from the
11 Southwest Zone, but also cadres coming from the West Zone, more
12 particularly, from Kampong Chhnang. My question to you is: How
13 did you that there were also cadres coming from the West Zone?
14 [09.37.41]

15 A. I learnt this from the battalion chief who told me that cadres
16 from Kampong Chhnang had arrived <and they supervised the
17 Northwest Zone cadres>.

18 Q. And did he tell you how he knew?

19 A. As I said, the battalion chief summoned us to a meeting during
20 which he told us that cadres from the West Zone had come to the
21 Northwest Zone.

22 Q. Very well. Thank you, Mr. Witness. Now another question as to
23 alleged killing. In your DC-Cam statement, English, ERN 00726121;
24 French, 00743251; and Khmer, 00057741; you not only speak about
25 alleged killing of workers who had been soldiers, you also speak

15

1 about people who were killed who had been "highly educated
2 intellectuals". How did you know that such people were arrested
3 and taken to be killed?

4 [09.39.59]

5 A. The <regiment> chief summoned <the battalion and company>
6 chiefs to a meeting where he ordered us to identify the
7 intellectuals <in each unit>. So that's where I get my
8 information from.

9 Q. And what does that mean, what did you have to do to "identify
10 intellectuals"?

11 A. I told him that in my unit, there were no intellectuals and I
12 could not know whether or not they were really intellectuals. All
13 I could say is that they were working diligently. I am referring
14 to people who came from Phnom Penh back then. Because they asked
15 us to spot intellectuals in our units.

16 Q. Now there are quite some -- quite a number of witnesses who
17 also worked at the dam and who had high positions in the mobile
18 unit, who have qualified both Ta Val and his superior Ta Hoeng as
19 French-speaking intellectuals/teachers from Phnom Penh or Kampong
20 Cham. Have you ever heard or found out at the time how - no, let
21 me first ask you: Did you know anything about Ta Val and his
22 intellectual capacities?

23 A. No, I did not know his level of education. I simply know his
24 name, Ta Val.

25 [09.42.40]

16

1 Q. But have you ever heard anyone questioning this search,
2 questioning the order coming from leaders who apparently
3 themselves were intellectuals?

4 A. No, I do not know.

5 Q. Have you heard of any other units in which people were located
6 or found that had been "intellectuals"?

7 A. I have no idea about this because I was in a separate unit. So
8 I have no idea about this.

9 Q. Two final questions on the conditions at the dam itself, Mr.
10 Witness. In your DC-Cam statement, you spoke about having a
11 mosquito net while you were sleeping. Did all members in your
12 platoon and your company have mosquito nets in which they could
13 sleep?

14 [09.44.17]

15 A. I was given clothes but no mosquito nets; we had no mosquito
16 nets, only clothes as I explained to you yesterday. And we had to
17 sleep in hammocks <made from rice> bags. And sometimes, we would
18 make beds with bamboo slats. Maybe in the written record of
19 interview, there are a few mistakes in that regard.

20 Q. Just to be sure, I will read the particular excerpt that I was
21 referring to, Mr. Witness. English, ERN 00726117; Khmer,
22 00057737; and French, 00743247: "Question: Did you not carry out
23 other tasks?" And then you answer, "No, we did not. We just
24 rested. After we were done, we took a shower and got into our
25 mosquito nets to sleep"; is that something that you didn't say to

17

1 DC-Cam?

2 A. After having bathed, we went to sleep in our own mosquito
3 nets. We in fact brought mosquito nets along with us from where
4 we came from originally. <They did not distribute any mosquito
5 nets to us.>

6 Q. So the DC-Cam statement is in fact correct, right?

7 A. Yes, indeed.

8 Q. And my final question, Mr. Witness, is about whether there
9 were or whether you knew of any Cham in your mobile unit or other
10 mobile units.

11 [09.47.03]

12 A. I heard that there were Chams. Back then, I was still in the
13 mobile unit of the cooperative in the village and when food was
14 being brought in, the Cham could not eat pork. So instead of
15 pork, the Cham would eat salt and other things.

16 Q. But have you heard whether they were ever forced to eat pork
17 or to eat pork sausages against their will?

18 A. No. They were not forced to eat pork. They ate what they could
19 eat. But they did not eat soup in which there was pork.

20 MR. KOPPE:

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

22 [09.48.37]

23 MR. PRESIDENT:

24 Please proceed, Judge Fenz.

25 JUDGE FENZ:

18

1 I have just one question; it's actually a follow-up to Counsel's
2 questioning and I expected him to ask the question, that's why I
3 am doing it now since it didn't happen.

4 Q. You told us today very clearly that you didn't witness any
5 killings; the thing you saw was pits and a bad smell. Then
6 Counsel Koppe told you that at DC-Cam you had actually testified
7 that you had seen a group of people being led away and being
8 killed. You said, "I stand with my statement as made in Court".
9 Now I want to know, did you actually ever say that at DC-Cam? Did
10 you ever say to DC-Cam--

11 MR. KOPPE:

12 Sorry to interrupt. It's his civil party application in Case 004
13 where it says.

14 BY JUDGE FENZ:

15 Q. Sorry. As Counsel has correctly mentioned, did you ever tell
16 the people who did the civil party application that you had seen
17 people led away and being killed? Do you remember having said
18 that or don't you remember? Or do you know that you didn't say
19 it?

20 [09.50.10]

21 MR. TAK BOY:

22 A. No, I did not provide such an answer. <In> fact, I can repeat
23 the same thing over and over again. I went to relieve myself and
24 then I came across a <cracking> pit <with strong stench, and I
25 concluded the bodies in the pit could have been members of mobile

19

1 units>.

2 Q. Sir, sir, sorry for interrupting you. I understand your
3 statement today. Let me just be clear. You never said when you
4 made your civil party application that you saw people being led
5 away and killed, you never said that; is that true?

6 A. No, I never provided such an answer. <It has been many years
7 now, so I am not sure if I have given such an answer.> But I'm
8 simply telling you now that I did not see this happen, I did not
9 see people being taken away to be executed.

10 [09.51.22]

11 Q. Going back to your civil party application, as Counsel has
12 pointed out, it's thumb printed. Before you put your thumbprint
13 on it, did you read it, or was it read back to you or did you
14 just thumbprint?

15 A. Before they asked me to put my finger print, the record was
16 read out to me. But as I said to you earlier, that was many years
17 ago, so it's possible that I do not remember everything clearly.
18 So I'm not sure that I said that or maybe I did.

19 JUDGE FENZ:

20 Okay. Thank you.

21 MR. PRESIDENT:

22 The floor is now given to the Khieu Samphan defence team.

23 QUESTIONING BY MR. KONG SAM ONN:

24 Thank you, Mr. President. Good morning, Mr. Tak Boy. I have a few
25 questions to put to you in order to obtain a little bit of

1 clarification.

2 Q. Under the Democratic Kampuchea regime, you spoke about what
3 you did, that is to say, you worked at Trapeang Thma as well as
4 at the cotton plantation, and you also said that you were working
5 in a mobile unit. So I would like to obtain some clarification
6 regarding the location and the duration of your work there. Can
7 you tell the Chamber when and where you worked and from what
8 moment to what moment?

9 [09.53.40]

10 MR. TAK BOY:

11 A. That was a long time ago. So it's hard for me to give you
12 precise information about that, that is to say, for how long I
13 worked in such and such a place.

14 Q. Thank you. Can you tell us when the first period was, that is
15 to say, the period following the 17th of April <1975>, that is to
16 say when you were in the mobile unit of the cooperative in the
17 village? Can you tell us for how long you worked in that unit?
18 And if you're not able to give us with a precise duration, can
19 you give us an idea?

20 [09.54.31]

21 A. When I was in the mobile unit in the village -- well I can say
22 that I was part of that unit for about a year.

23 Q. When you are speaking about the village mobile unit, are you
24 speaking about the village of Paoy Char, that is to say, your
25 native village? Can you be a bit more clear about this<?>

21

1 A. Yes, it was a mobile unit from my village, from my native
2 village in Paoy Char commune.

3 Q. After Paoy Char, you then went to work at the Trapeang Thma
4 Dam directly or you went to work elsewhere before coming to
5 Trapeang Thma?

6 A. After having left the village, I was sent to a mobile unit in
7 Kouk Rumchek. And from Kouk Rumchek, I was transferred to
8 Trapeang Thma.

9 Q. Thank you. Can you tell the Chamber if the Kouk Rumchek mobile
10 unit was a village mobile unit or was it a commune mobile unit or
11 district mobile unit? And how far was this mobile unit from your
12 native village of Paoy Char?

13 [09.56.36]

14 A. <The> commune mobile unit <was transferred to Kouk Rumchek to
15 help transplant rice seedlings. Based on my estimate> it was
16 about 20 kilometres away.

17 Q. Thank you. Kouk Rumchek was in Phnum Srok district or not?

18 A. Yes, indeed. It was in Phnum Srok district.

19 Q. For how long did you work in Kouk Rumchek?

20 A. For about a month.

21 Q. So this was a short period of time before coming to work at
22 Trapeang Thma; am I right?

23 A. Yes, indeed.

24 Q. Do you remember the exact period when you were sent to
25 Trapeang Thma -- can you tell us when it started and when that

22

1 assignment was finished? And can you also tell us what you were
2 doing over there?

3 [09.58.31]

4 A. Well, that was a very long time ago. I'm not so clear about
5 this now. I believe this was in 1977, <that I was sent to work at
6 Trapeang Thma Dam>, however.

7 Q. Thank you. I'm putting these questions to you because I would
8 like to focus on the duration when you worked there. You said
9 that you were part of the mobile unit in the village for about a
10 year. So this means that if you only spent one month in Kouk
11 Rumchek, this means that you arrived in Trapeang Thma in
12 mid-1976. Is it possible that you worked longer in <your original
13 village of Paoy Char? Is it possible that you worked there for
14 two years?>

15 MR. FARR:

16 That's going to lead to confusion. The witness said, when he was
17 first asked about dates, that it's a long time ago and he's not
18 sure about it. He was then asked to give his best guess, which I
19 think he did. He was then asked when he was in Trapeang Thma and
20 he said that he was there in 1977. To try to cobble together
21 estimates that the witness himself says are not reliable, to put
22 him at the dam at a time when he says he wasn't there, it's not a
23 fair approach to the witness. And I think it's going to lead to
24 bad evidence.

25 [10.00.35]

1 MR. KONG SAM ONN:

2 Mr. President, I think the objection is not appropriate. I am
3 <still> exploring about the work<, location> and the timeline
4 that <the> witness <was> engaged in the dam construction site <in
5 the Democratic Kampuchea regime>. I think that the timeline
6 provided by the witness is not clear to me. He said he worked
7 there for a period of one year. And he also stated that he worked
8 at Trapeang Thma Dam worksite in 1977. From <1975> up to <1977>,
9 it was <a period of over> two years, <and> that is why I need a
10 clarification from the witness <if he could>.

11 (Judges deliberate)

12 [10.01.49]

13 MR. PRESIDENT:

14 The objection put by the <International Deputy> Co-Prosecutor is
15 sustained. <The witness already answered the question.> Whether
16 the objection is appropriate or not, I believe the Chamber has
17 the discretion to consider it. From the period up until now, I
18 think <> it happened <40 years> ago and no one is very sure on
19 the <calculation of the exact date of the event> I believe.
20 Witness, you are instructed not to give your response to the last
21 question put by Counsel Kong Sam Onn.

22 BY MR. KONG SAM ONN:

23 Q. Mr. Witness, can you tell the Court if you -- whether you
24 worked mostly in your home district during the Democratic
25 Kampuchea <regime?>

24

1 MR. TAK BOY:

2 A. Yes. Mostly I work within the home district.

3 Q. My last question for you, Mr. Witness. Did you ever go to work
4 in other places beside your home district? I am referring to the
5 period during the time that you were in Democratic Kampuchea
6 regime.

7 [10.03.27]

8 A. I have never been assigned to work in other places beside
9 Sector 5. However, there was one time that I was relocated <from
10 Trapeang Thma worksite> to work in a cotton plantation at
11 Sisophon.

12 MR. KONG SAM ONN:

13 Thank you, Mr. Witness. Mr. President, I conclude my line of
14 questioning now.

15 MR. PRESIDENT:

16 The hearing of your testimony has come to an end, <Mr. Tak Boy>.
17 Thank you, <Mr.> Tak Boy, for coming here to testify as a
18 witness. Your testimony can contribute to ascertaining the truth.
19 You may now return to wherever you want. The Chamber wishes you
20 good luck and best wishes to you and your family. Court officers,
21 please work with WESU unit to send Tak Boy back to his residence
22 or to any place he wants. And the Chamber will start to hear
23 2-TCW-841. However, it is now convenient time for a short break.
24 The Chamber will take a short break from now up until 10.25.
25 The Court is now in recess.

25

1 (Court recesses from 1005H to 1025H)

2 MR. PRESIDENT:

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

4 Court officer, please usher in witness 2-TCW-841 into the
5 courtroom.

6 (Witness enters the courtroom)

7 [10.27.37]

8 QUESTIONING BY THE PRESIDENT:

9 Q. Good morning, Mrs. Witness. What's your name?

10 MS. YI LAISOV:

11 A. My name is Yi Laisov.

12 Q. In your written record of interview, you said that your name
13 was Ying Laisov (phonetic). <And just now you said that your name
14 is Yi Laisov.> So, can you explain the difference?

15 A. I don't know what happened. I also saw this difference. But in
16 my birth certificate, it is written Yi Laisov, not Ying Laisov
17 (phonetic).

18 [10.28.38]

19 Q. So you're going to therefore stand by your <full> name, Yi
20 Laisov? So your <family> name is Yi and your first name is
21 Laisov; is that correct?

22 A. Yes.

23 Q. <That's fine.> Thank you. What is your date of birth?

24 A. I don't remember.

25 Q. In your family record book, as on your <Khmer> ID card, it is

26

1 stated that you were born in 1958; is that so?

2 A. Yes, indeed.

3 Q. Where were you born?

4 A. In Paoy Snuol village, Paoy Char commune, Phnum Srok district,
5 Battambang province.

6 [10.29.54]

7 Q. Thank you. What is your current address?

8 A. Paoy Snuol village, Paoy Char commune, Phnum Srok district,
9 Banteay Meanchey province.

10 Q. Thank you. What is your occupation?

11 A. I'm a farmer.

12 Q. Thank you. What is your father's name and what is your
13 mother's name?

14 A. My father was called Yi Chhoeung, and my mother, Piv Pi, and
15 they're both dead.

16 Q. What is your husband's name? And how many children do you
17 have?

18 A. My husband is called Lis Lek, and we have four children, all
19 boys.

20 Q. Thank you. Thank you, Ms. Yi Laisov. According to the
21 greffier's report, <to the best of your knowledge, you are not
22 related by blood or by law to the two Accused -- that is Khieu
23 Samphan and Nuon Chea, as well as the parties> who have been
24 admitted as civil parties in <Case 002>; is that so?

25 A. Yes, that's so.

1 [10.31.45]

2 Q. Did you also take an oath before the Iron <Club> Statue, just
3 before the courtroom?

4 A. Yes, I took an oath.

5 Q. Please allow me to spell out your rights and duties as a
6 witness.

7 You are called to testify before the Chamber as a witness, and in
8 this regard, you can refuse to answer any questions that may
9 incriminate you or to make any statement that might also
10 incriminate you. This is your right not to testify against
11 yourself. As a witness, you are required to answer all questions
12 put to you by the Judges or by the Parties, unless the answer to
13 these questions may incriminate you. You must tell us the truth,
14 based on what you know, based on what you experienced or saw, and
15 provide us with all -- everything you can remember connected to
16 the events being discussed. So you must avoid any speculations.
17 When you don't know, you should tell us that you don't know.
18 Witness, have you already testified before the Office of the
19 Co-Investigating Judges? And if that's the case, how many times,
20 where <and when>?

21 [10.33.55]

22 A. No. I was never interviewed by the OCIJ.

23 Q. Have you been questioned or interviewed over the past years?

24 A. I was interviewed once, but I don't remember exactly when.

25 Q. Where were you questioned?

28

1 A. At the house of the <son of the> village chief in Paoy Snuol
2 village.

3 Q. Do you know how to read and write?

4 A. No.

5 Q. Before you came into the courtroom, did <anyone read to you
6 the> written record of the interview that was conducted at the
7 house of the son of the village chief?

8 A. Yes, but I don't remember what was included in this record.

9 MR. PRESIDENT:

10 Thank you. Pursuant to Rule 91bis of the Internal Rules, the
11 floor will be given first to the Prosecution. The Prosecution and
12 the Co-Lead Lawyers will be granted two sessions <to put
13 questions to this witness>. Please proceed.

14 [10.36.11]

15 QUESTIONING BY MR. SENG LEANG:

16 Thank you, Mr. President. Good morning, Your Honours. Good
17 morning to all parties. My name is Seng Leang. I am a <National
18 Deputy Co-Prosecutor>. Witness, I have a certain number of
19 questions to put to you in order to obtain some clarification
20 from you. So, good morning again, Witness.

21 Q. Can you please tell us where you were <and what you did> when
22 the Khmer Rouge seized power on 17 April 1975?

23 MS. YI LAISOV:

24 A. I was in Paoy Snuol village, Paoy Char commune, Phnum Srok
25 district. I was assigned to work at the dam, and to farm, and to

1 transport fertilizer.

2 [10.37.40]

3 Q. Thank you. You said that you were not sure of your date of
4 birth. The President said however that you were born in 1958. Can
5 you tell us how old you were back then?

6 A. I must have been 15 or 16 years old.

7 Q. Thank you. Were you already part of a mobile unit back then?

8 A. At the start, I was assigned to <work the land to make way for
9 growing cassava>.

10 Q. So you were assigned to a specific unit? Can you provide us
11 with some detail in that regard?

12 A. It was a unit with about 100 people. There were <> many of us
13 <working the land and> farming cassava.

14 Q. Can you tell the Chamber how old the people were in your unit?

15 A. <The> people were between the ages of <14, 15> and 16. <Some
16 were big while some others were small.>

17 Q. What was the name of your unit? You said that there were about
18 100 people in your unit, so how was your unit exactly called?

19 A. Well, in this unit, there were hundreds of people.

20 [10.40.45]

21 Q. Thank you. Did you ever work at the Trapeang Thma Dam
22 <worksite>?

23 A. Yes. I carried dirt over there during a full dry season.

24 Q. Which unit were you part of? Were you part of your 100-person
25 unit?

1 A. I was in a unit in which there were hundreds of people, and
2 this unit was attached to Paoy Char commune. People said back
3 then -- or people called it back then the "cooperative mobile
4 unit".

5 Q. So, <are you> referring to the same <commune> unit or <the
6 100-person> unit? <Could you clarify it?>

7 A. The Paoy Char commune unit is the one I was speaking about.

8 Q. So you mean that your unit was the Paoy Char commune unit; is
9 that correct?

10 A. Yes, indeed. It was the Paoy Char commune unit.

11 [10.42.58]

12 Q. How many people were in that unit?

13 A. I don't know exactly how many.

14 Q. Were there other smaller units in Paoy Char commune <unit>?

15 A. Yes. There were units with hundreds of people, and then there
16 were units with about 30 people.

17 Q. So, the 100-person units were divided into how many units? And
18 which unit were you part of?

19 A. The big unit was divided into three smaller units, and I was
20 in the first unit.

21 Q. In your unit number 1, how many people were there?

22 A. In my unit, there were 33 people.

23 Q. Who was the chief of your unit?

24 A. His name was Saom (phonetic).

25 [10.45.10]

1 Q. Thank you. Can you tell us when exactly you started working at
2 the Trapeang Thma Dam?

3 A. I don't remember the exact date.

4 Q. Earlier, you said that you had worked during the dry season;
5 is that true?

6 A. Yes, indeed. It was during the dry season. It was after the
7 harvest.

8 Q. Can you tell us for how long you worked at the Trapeang Thma
9 Dam site after 17 April 1975?

10 A. I can't tell you how many months.

11 Q. Was it right after the Khmer Rouge took power or was it later?

12 A. Well, we started working on the dam, and when the rainy season
13 arrived, we took a break. <We did rice farming.>

14 Q. Thank you. And when you arrived at the worksite, had the
15 construction already started?

16 A. Well, we built our own shelters with coconut leaves or with
17 small trees. We built small shacks.

18 [10.47.54]

19 Q. Maybe my question wasn't clear. Well, what I wanted to know
20 was if the construction of the dam had already started when you
21 arrived?

22 A. No, it had not yet started. Everything was done manually.

23 Q. And during that dry season, after how many months did you stop
24 working at that worksite?

25 A. I don't remember after how many months, but all I can tell you

1 is that, when the rainy season arrived, we stopped working.

2 Q. So, before the construction of that dam, was there any kind of
3 inauguration ceremony before the construction started?

4 A. Well, it was after the construction that an inauguration
5 ceremony was held.

6 Q. You said that the inauguration ceremony was held after the
7 construction. Can you be more specific about this? Is that really
8 the case?

9 A. Yes, it was after. It was after the construction, after the
10 construction in fact of the bridge.

11 Q. Did you partake in this inauguration ceremony?

12 A. Yes, I saw some theatre performances, but I was quite far from
13 the stage.

14 [10.50.55]

15 Q. Can you tell us a little bit about what happened on that day,
16 that is to say, the day when the theatre performances were
17 staged? What happened aside from those performances?

18 A. The chief asked us to be focused and to be determined to
19 finish the building of this dam.

20 Q. When you speak about chief, whom are you referring to?

21 A. I don't know who he was, and I couldn't recognize him.

22 Q. Can you describe to us how the chief urged you to be
23 determined?

24 A. No, I don't remember exactly what he said in order to
25 encourage me to be determined.

1 Q. Were there foreign participants during the inauguration
2 ceremony?

3 A. I don't know, because I was too far. I don't know if there
4 were foreigners there or not.

5 [10.52.55]

6 Q. Well, to jog your memory, I would like to read out to you your
7 written record of <your> interview <with the OCIJ>. This is
8 document <E3/9338>, French, ERN <00339892; English, 00288642>
9 Khmer, 00279135 <>. You said that:

10 "<I knew that there were high-ranking cadres there, but I just
11 did not know their names.> There were Chinese people who took
12 part in this inauguration ceremony. And among the dignitaries,
13 <four> people were fair-skinned, and two were dark-skinned. <Some
14 of them were big and others were skinny. They visited the dam
15 twice -- that is at the beginning of the construction and the
16 inauguration ceremony of the dam.> They were dressed in black. I
17 saw them inspect the construction of the dam." Do you remember
18 what you said in that interview? [That was a free translation].

19 A. Yes, I did say that. Well, I have memory problems, it's true.

20 Q. Thank you. Do you know who was in charge of the construction
21 of that dam?

22 A. I heard that it was Ta Val. That Ta Val was the person in
23 charge of the construction of the dam.

24 Q. Do you know who was above Ta Val?

25 A. No.

34

1 Q. At the Trapeang Thma worksite, did you ever hear about Ta
2 Nhim?

3 A. Yes, I heard his name, but I never saw him.

4 [10.56.01]

5 Q. What did you hear about him?

6 A. I simply heard his name and nothing else.

7 Q. Do you know whom Ta Val would report to if there were any
8 problems?

9 A. No.

10 Q. When you were at the Trapeang Thma Dam, were you ever summoned
11 to a meeting to discuss the work at that worksite?

12 A. Yes, the 30-person and 100-person units were summoned to
13 meetings where we were asked to launch offensives <to finish the
14 dam>.

15 THE ENGLISH INTERPRETER:

16 The Interpreter did not hear.

17 BY MR. SENG LEANG:

18 Q. I still have a few questions to put to you. You said that 30
19 and 100-person units were summoned to meetings. Can you describe
20 these meetings? And did you make any comments during these
21 meetings?

22 [10.58.13]

23 MR. PRESIDENT:

24 Please hold on, Witness. The microphone is not yet working
25 properly.

1 MS. YI LAISOV:

2 A. I just attended these meetings, but I never made any comments.

3 I simply was listening.

4 BY MR. SENG LEANG:

5 Q. Can you tell us what was discussed during these meetings?

6 MS. YI LAISOV:

7 A. We were told to be in solidarity so that we could complete

8 building the dam as soon as possible.

9 MR. SENG LEANG:

10 Thank you, Mr. President. I would like to cede the floor for my

11 international colleague.

12 MR. PRESIDENT:

13 Thank you. You have the floor now, International Deputy

14 Co-Prosecutor.

15 [10.59.22]

16 QUESTIONING BY MR. BOYLE:

17 Thank you, Mr. President, and good morning. Good morning, Judges.

18 Good morning, counsel. Good morning, Ms. Yi. Thank you for being

19 here with us today.

20 Q. I'd like to start off just following up on what my national

21 counterpart was asking you about. You just mentioned that at

22 these meetings, you would be talked to about launching

23 offensives. Can you explain further what was meant when they

24 would talk to you about launching offensives?

25 MS. YI LAISOV:

1 A. By that, it means we were urged to work very hard. We had to
2 finish the work as soon as possible.

3 [11.00.25]

4 Q. Were you ever told a date by which the work had to be
5 completed? Or was it just said that it had to be completed as
6 soon as possible?

7 A. They did not tell us <the exact date>, but we were instructed
8 that we had to complete the work very quickly, <before the rainy
9 season>.

10 Q. And who were the individuals that would speak at these
11 meetings?

12 A. Unit chief <> of <100-person unit>. We were told to be in
13 solidarity and to complete the work as quickly as possible. <Do
14 not fight against one another.>

15 Q. And was the unit chief of the 100-person unit the Saom
16 (phonetic) that you referred to earlier?

17 A. Saom (phonetic) was the 30-person unit chief, and <> Roeun
18 (phonetic), he was the 100-person unit chief.

19 [11.01.59]

20 Q. And did Roeun (phonetic) ever say where he got the information
21 that he was conveying to you at the meetings?

22 A. No, he did not tell us <about the source of the information>.
23 He only told all of us to work hard.

24 Q. And how often would these meetings occur?

25 A. The meeting would happen twice a month.

1 Q. When you were sent with your unit to work at the Trapeang Thma
2 Dam, did you have a choice about whether you were going to go
3 work there or not?

4 A. No. We had to go. If we were to stay at home, we would be
5 considered exploiting other workers' workforce.

6 Q. And if you were to be considered to be exploiting other
7 workers, what was your concern that might happen to you?

8 [11.03.45]

9 MR. PRESIDENT:

10 Please hold on, Madam Witness. You may now proceed, Counsel Kong
11 Sam Onn.

12 MR. KONG SAM ONN:

13 I would like to pose an objection to the last question put by the
14 International Deputy Co-Prosecutor. It invites the witness to
15 give a prediction of assumption.

16 MR. PRESIDENT:

17 Witness, you are instructed not to give your response, because it
18 is correct, what Kong Sam Onn said. The objection is sustained.

19 Please do not use conditional question to invite the witness to
20 give any assumption. Please try to avoid hypothetical question.

21 This kind of question should be avoided. Again, Witness, you are
22 instructed not to respond to such question.

23 You can go on, Mr. <International Deputy> Co-Prosecutor.

24 BY MR. BOYLE:

25 Thank you, Mr. President.

1 Q. Can you estimate how many people were working at the dam site
2 when you were there?

3 MS. YI LAISOV:

4 A. I do not know how many of them. I am not able to give my
5 estimate.

6 [11.05.28]

7 Q. Would you say it was hundreds of people, or thousands of
8 people, or tens of thousands of people? Are you able to give a
9 range like that, or not?

10 A. There were hundred thousand, tens of thousands of workers.
11 Perhaps it reached up to a million workers.

12 Q. And did you see any children working at the dam site?

13 A. Yes, there were some children working at the place where Ta
14 Val was responsible for hundreds of them.

15 Q. And did you know the ages of these children?

16 A. They were between the age of 15 and 16 years old.

17 [11.06.45]

18 Q. Can you tell us what type of work they were doing?

19 A. They were carrying dirt, as we were.

20 Q. Were you given any choice about the type of work you would do
21 at the dam site once you were there?

22 A. The one who was assigned to build the dam, he or she had to do
23 the job.

24 Q. I believe you mentioned this already, but can you tell us what
25 was the job that you were assigned to do?

1 A. Carrying dirt.

2 Q. And was there a quota for how much dirt you had to carry in a
3 given day?

4 A. My 10-member squad received a work quota of 10 to 15 cubic
5 metres of soil to do.

6 Q. Ms. Witness, I'd like to read to you from your written record
7 of interview. This is E3/9338; English, ERN 00288640; Khmer,
8 00279134; and French, 00339890. In that you said: "In the
9 construction of Trapeang Thma Dam, they allocated 30 cubic metres
10 of soil per day for a group of 10 people. There was no allotment
11 in cubic metres for night work. Some groups could not finish, but
12 we helped each other." Does that refresh your memory that your
13 10-person group actually was assigned 30 cubic metres of soil to
14 carry per day?

15 [11.09.29]

16 A. That is true.

17 Q. And was your 10-person unit ever not able to complete its 30
18 cubic metre quota in the day?

19 A. If we were not able to complete the work quota in the day, we
20 had to continue working during the night-time.

21 Q. And did it ever occur that you had to work into the night-time
22 to complete your quota?

23 A. Sometimes I had to work into the night. And the day after, I
24 receive a new work quota.

25 Q. Was there ever any time that, even though you worked into the

1 night, you were not able to complete your quota?

2 A. If we were not able to accomplish the work quota at
3 night-time, we would receive another new work quota that we had
4 to complete altogether with the previous quota. <We had to work
5 hard in order to accomplish the work quota.>

6 [11.11.20]

7 Q. Were you ever told by your unit chief that there would be any
8 type of punishment if you did not complete your quota?

9 A. Yes, we were told. We were advised to do our best to
10 accomplish the work quota. Otherwise, later on, problem will
11 happen to you, Comrade.

12 Q. And it was your unit chief that said this?

13 A. Yes, my unit chief.

14 Q. And did your unit chief give any further detail about the
15 problems that would happen to you if you did not complete your
16 quota?

17 A. He did not elaborate any further.

18 Q. Can you tell us what the work hours were while you were at the
19 dam site?

20 A. We started working from 6 a.m. until 11 a.m. And we had a
21 short break for lunch, and from 1.00 to 5.00, the afternoon
22 shift. And at night-time, we had to work from 6 p.m. until 10
23 p.m.

24 [11.13.23]

25 Q. And was that every day, that schedule that you just told us?

41

1 A. On a daily basis, that is the daily schedule.

2 Q. Was there ever any days that you had to work later than 10
3 p.m.? Or wake up earlier to work earlier in the morning?

4 A. No, we did not work beyond 10 p.m. But we had to work until
5 9.00 or 10 p.m. at night.

6 Q. While you were working at the dam site, did you ever see or
7 hear of any deaths from overwork or starvation?

8 A. I heard of, but I myself did not witness.

9 Q. Can you please tell us what you heard of?

10 A. I heard that people did not have enough cooked rice to eat. As
11 a result, they collapsed at the worksite and died.

12 [11.15.20]

13 Q. Were there ever any days when you felt too sick or too weak to
14 work that day?

15 A. I got malaria for one month and a half. I was deprived of rice
16 at that time. I was afraid to stay in a hospital. I fled home,
17 and my mum shared <half of> her food rations <with> me.

18 Q. Was this while you were at -- did you get malaria while you
19 were at the Trapeang Thma Dam site? Or was this at another
20 period?

21 A. I got malaria at Trapeang Thma worksite, and I was referred to
22 a hospital at Paoy Char <commune>.

23 Q. You mentioned that you were deprived of rice when you received
24 malaria. Can you explain how that came about?

25 A. Because it was said that I fled the worksite and my food

1 ration was deprived of, I was referred to the hospital, but I was
2 so fearful to be alone at the hospital, I then fled home. < I was
3 deprived of food rations at that time.>

4 [11.17.25]

5 Q. Who referred you to the hospital from the dam site?

6 A. The 100-person unit chief.

7 Q. And how long had you had malaria before you were referred to
8 the hospital?

9 A. After I had a fever and after I trembled for one week, I was
10 referred to the hospital. And three days after I was at the
11 hospital, I fled home.

12 Q. And while you had the fever and the trembling at the dam site,
13 were you working during that week that you had fever and
14 trembling?

15 A. It was so serious, and I was not able to walk. I did not have
16 <> three meals on one particular day. I fled home, and upon my
17 arrival at home, my uncle gave me <two tablets>, and I recovered.
18 So, from the time that I got malaria until the time I recovered,
19 it was about <> over one month.

20 [11.19.20]

21 Q. If I could just clarify what I understand you to be saying,
22 and you can tell me if I'm wrong. But for one week you were sick
23 with malaria at the Trapeang Thma Dam worksite before you were
24 sent to the hospital. And I'd like to know whether you worked
25 during that week before you were sent to the hospital.

1 A. <When> I had <one> trembling <per day,> I had to go to work.

2 But later on, I had two tremblings on one particular day, <I
3 stayed at the worksite> and <later on> I was referred to the
4 hospital.

5 Q. Thank you. While you were at the dam site, did you ever hear
6 of any workers being referred to as lazy?

7 A. Yes, they said. They talked about this kind of laziness. And
8 generally, this kind of illness was referred to the imaginary
9 sickness. And we were accused of exploiting other workers'
10 workforce.

11 Q. And what would happen to people who were accused of exploiting
12 other people's workforce?

13 A. I do not really get your question. Could you repeat it?
14 [11.21.31]

15 Q. We just talked about people who were accused of being lazy and
16 exploiting the workforce. And I was wondering if you knew what
17 happened to workers who were accused of being lazy or exploiting
18 the workforce? Would anything happen to them?

19 A. They were criticized <and refashioned> so that they deterred
20 and corrected themselves.

21 Q. Did you ever hear of a unit called the "<>Case Unit"?

22 A. Yes, I have heard of it. <It was said that the people in the>
23 <>Case Unit <exploited> other workers' <work>.

24 Q. And did you know anything about the treatment of workers in
25 the <>Case Unit?

1 A. I do not know what they were thinking of those members in that
2 so-called Case Unit.

3 [11.23.15]

4 Q. Do you know if members of the <>Case Unit were treated the
5 same as workers in your unit in terms of work hours, quotas,
6 food, or anything else?

7 A. The food <rations> were given less than other members in other
8 units. And usually, members of <>Case Units received food ration
9 after members from other units.

10 Q. Did you ever hear of Trapeang Thma Dam site being referred to
11 as a "hot battlefield"?

12 A. Yes.

13 Q. And what did you understand that to mean?

14 A. I understand that we were required to try our best and work
15 hard.

16 Q. And who did you hear refer to the dam site as a hot
17 battlefield?

18 A. The chief of a 100-person unit, who led our unit.

19 Q. Did you see any guards or cadres with weapons at the worksite?

20 A. No, I have never seen them.

21 [11.25.34]

22 Q. Did you ever hear of any workers being beaten or whipped at
23 the worksite? Or see that?

24 A. I was told to stand guard at night-time, and I saw the arrest.

25 At the time, I heard "What wrongdoing I committed? Please,

1 release me." I heard the voice from afar.

2 Q. Thank you. Perhaps my question wasn't clear. I'll certainly
3 ask you about those events a little later on. But I wanted to ask
4 if you had ever seen or heard of anyone being beaten or whipped
5 while you were at the worksite?

6 A. No. I heard of those incidents, but I myself did not see with
7 my own eyes.

8 Q. Can you tell us what you heard about?

9 A. People said if one could not carry the dirt, he or she would
10 be kicked.

11 Q. Were you ever asked to write your biography while you were at
12 the dam site? Or to tell anyone your biography?

13 A. No. I was illiterate.

14 [11.27.53]

15 Q. Were you aware of any other methods to determine your
16 background that were carried out at the dam site, such as
17 questioning you orally?

18 A. No. No one came to ask me.

19 Q. Were you aware of any type of monitoring of the workers at the
20 worksite that was taking place by the leadership there?

21 A. I was quite young at that time. I do not know.

22 MR. BOYLE:

23 Mr. President, this might be an appropriate place to stop.

24 MR. PRESIDENT:

25 Thank you, Witness. Madam Laisov. It is now appropriate time for

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1 lunch break. The Chamber will take lunch break from now until
2 1.30.

3 Court officers, please find a proper room for this witness during
4 the lunch break, and please invite her back into the witness
5 stand at 1.30.

6 Security personnel are instructed to bring Mr. Khieu Samphan back
7 to the holding cell downstairs, and please have him returned in
8 the afternoon before 1.30.

9 The Court is now in recess.

10 (Court recesses from 1129H to 1330H)

11 MR. PRESIDENT:

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

13 The floor is now given to the <Co-Prosecutors> and then to the
14 Lead Co-Lawyers <for> civil parties. You still have one session
15 left.

16 [13.31.08]

17 BY MR. BOYLE:

18 Thank you, Mr. President.

19 Q. Madam Witness, can you tell us was there a time when you were
20 at the Trapeang Thma Dam that you became aware of cadre from the
21 Southwest Zone arriving?

22 MS. YI LAISOV:

23 A. No.

24 Q. Were you aware of a change in leadership at the Trapeang Thma
25 Dam while you were there?

1 A. No.

2 Q. Did you know of anyone who used to work for the Lon Nol
3 government either as a member of the military or as an official
4 who was at the Trapeang Thma Dam?

5 A. No. I know no former Lon Nol serviceman.

6 Q. Did you know of anyone at the dam worksite who had Vietnamese
7 ancestry or who were accused of having Vietnamese ancestry?

8 A. No. I know no one of Vietnamese origin.

9 [13.33.10]

10 Q. Did you know any Cham who worked at the dam site?

11 A. No. I know no one of Cham origin or I knew no one of Cham
12 origin at that dam site. I only knew Khmer people.

13 Q. Did you ever hear anyone at the dam site being referred to as
14 New People or 17 April People?

15 A. I heard this designation: New People and Base People.

16 Q. And what did you understand the difference between New People
17 and Base People to be?

18 A. Well, the New People came from Phnom Penh, that's all I knew
19 about then.

20 Q. Do you know if you were considered a New Person or a Base
21 Person?

22 A. Well, I was a Base Person.

23 Q. Do you know if New People were treated any differently from
24 Base People?

25 A. In my village, well maybe I wasn't aware of all of this, but

1 everyone was treated in the same way.

2 [13.35.38]

3 Q. Were there any New People in your work unit?

4 A. Yes, there were some.

5 Q. Madam Witness, did you ever see any arrests while you were at
6 the Trapeang Thma Dam?

7 A. Yes. One day when I was standing guard, I saw between 15 to 20
8 people being arrested. I <was> far away from them. Well, I wasn't
9 that close in fact.

10 Q. What do you mean when you were standing guard; what were you
11 guarding at the time?

12 A. Well I was assigned to stand guard where I was working. I was
13 asked to say if anybody was coming through there. <I saw people
14 being arrested but> I don't know why they were arrested <and who
15 they were.> They were about 200 metres away from me when they
16 were being taken away.

17 Q. And do you know who the people were who were being arrested?

18 A. No.

19 Q. Do you know who the people were that were arresting those
20 people?

21 A. No.

22 [13.38.08]

23 Q. Could you tell if the persons being arrested had their hands
24 tied at the time?

25 A. Well, as far as I saw, they were tied up one behind the other.

1 Q. And was it men and women, or just men, or just women?

2 A. There were men and women, mixed. And I was able to note that
3 because of their cries.

4 Q. And what were they crying when you heard them?

5 A. They were begging, such as what did I do, what was my offence,
6 please release us.

7 Q. And did you hear anything else during those arrests?

8 A. I heard them being beaten with sticks, then they were silent.

9 Q. Could you also see them being beaten with sticks when you
10 heard them being beaten with sticks?

11 A. No, I only heard them being beaten, and I was so afraid that I
12 did not dare look -- look at this execution scene. So I only
13 listened.

14 [13.40.40]

15 Q. And what sort of sounds were there when you heard them being
16 beaten?

17 A. There were cries of pain and begging such as they were asking
18 what they had done wrong, that kind of thing.

19 Q. And how many people did you see that were tied up and being
20 arrested?

21 A. Between 15 to 20.

22 Q. And how many times did you see between 15 to 20 people being
23 arrested?

24 A. Once only.

25 Q. Madam Witness, I'd like to read to you from your written

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1 record of interview. This is E3/9338 at English, ERN 00288641;
2 Khmer, 00279134; French, 00339891. You said in your written
3 record of interview: "No one from my group was arrested for
4 killing but lines of people from other groups were arrested,
5 tied, and taken for killings. I know that many people from Ta
6 Val's unit died. Sometimes people fell down and died while
7 carrying the soil at the dam. When I guarded at night I saw lines
8 of people were walked with both hands tied to the backs, and in
9 each line there were about 15 to 20 men and women. I saw such
10 events three times." End of quote.

11 [13.43.25]

12 Madam Witness, does that refresh your recollection as to that you
13 saw multiple lines of 15 to 20 men and women being arrested and,
14 or that you saw such events three times as opposed to just one
15 time?

16 A. No, I don't remember that.

17 Q. When you saw such events -- this event of the arrest and the
18 beating of 15 to 20 men and women, did you ask anyone why they
19 were being arrested and beaten?

20 MR. PRESIDENT:

21 Please hold on a little. Counsel Kong Sam Onn, please proceed.

22 [13.44.36]

23 MR. KONG SAM ONN:

24 Mr. President, I would like to make an observation here regarding
25 the Deputy Co-Prosecutor's summary that he read out. He said that

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1 the witness had heard and seen this scene of beating. But she
2 simply said in fact, that she only heard cries, that she did not
3 see people being beaten. And another point, the Deputy
4 Co-Prosecutor also said that these people were tied up, whereas
5 the witness simply said that they were walking one behind the
6 other. And that's all. And that's why she thought that they had
7 been tied up.

8 MR. BOYLE:

9 If I can respond briefly, Mr. President; I apologize if I
10 misconstrued the evidence. I agree that the witness said that she
11 heard them being beaten and did not say that she saw them being
12 beaten. So I'll rephrase the question in that regard.

13 In regards to them being tied up during the arrest, I do believe
14 the witness stated that she saw that they were tied one behind
15 the other. So I believe that my characterization of that evidence
16 is correct. So if possible, I would like to continue the question
17 with the correction that she only heard the individuals being
18 beaten and did not see them.

19 [13.46.25]

20 MR. PRESIDENT:

21 Please proceed.

22 BY MR. BOYLE:

23 Q. Madam Witness, to rephrase, when you saw the arrests of these
24 individuals and you heard them being beaten, did you ask anyone
25 why they were being arrested at that time?

1 MS. YI LAISOV:

2 A. No, I did not dare ask anyone.

3 [13.47.08]

4 Q. And Madam Witness, I would like to read a brief excerpt from
5 your written record of interview. It's the same ERNs that I
6 provided for the previous quotation, and you stated: "Then I
7 asked my unit chief to ask but she replied that", and this is you
8 quoting her, "'don't be curious about other's business. Do you
9 want to die?' I was so frightened and I could not sleep that
10 night."

11 Does that refresh your memory that you asked your unit chief and
12 were warned not to ask questions or be curious, should you
13 possibly want to die?

14 A. Yes, that's true.

15 Q. Madam Witness, did you see any killings while you were at the
16 Trapeang Thma Dam worksite?

17 A. No, never.

18 Q. Madam Witness, I'd like to read you an excerpt from your
19 written record of interview. This is E3/9338 at English,
20 00288641; Khmer, 00279134; and French, 00339891. And this is what
21 you said: "One day at about 5.00 to 6 p.m. in the evening when my
22 friend and I went to have a bath, we saw the Khmer Rouge tied,
23 beaten, and dropped one pregnant woman into the pit of the first
24 bridges edge of the Trapeang Thma Dam. I did not know those
25 killers, I was fearful and I ran back without taking any bath.

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1 The killers were in black uniform. There were three killers and
2 they had only clubs and they did not carry any guns. I saw the
3 Khmer Rouge beating and dropping that woman into the pit with my
4 eyes. That woman was dropped into the pit and the killers dropped
5 the rocks on top."

6 [13.50.01]

7 Madam Witness, does that refresh your recollection about
8 witnessing a killing at the Trapeang Thma Dam worksite?

9 A. Yes, I witnessed this execution scene.

10 Q. Can you please provide us as full a description as possible of
11 what you witnessed that time when you saw someone being killed?

12 A. So they were striking him with a stick and then he fell in a
13 pit. And then they dropped the stone on him to crush him; that's
14 all I saw. And then I left that place.

15 Q. Madam Witness, in the translation--

16 [13.51.33]

17 MR. KOPPE:

18 Sorry, I would like to make an observation. I have no problem --
19 I had no problem with the way the Prosecution was asking the
20 question and then refreshing the witness -- her memory. What I do
21 find a bit unfortunate is that also all kinds of details were
22 already read to the witness. And it is remarkable that she first
23 doesn't remember any killing and now she seems that she did or
24 does. So I would like to make the observation and request the
25 Prosecution to be very -- to be -- not to give too many details

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1 as to what she has saw, not to give too many details in reading
2 the excerpts. So please go step by step.

3 MR. BOYLE:

4 Mr. President, if I could just respond briefly. I think at the
5 point where I've asked open question, I am refreshing the
6 witness's memory, the witness is entitled to know the entirety of
7 the statement that she has previously given in regards to these
8 events. She is testifying here under penalty for perjury. I think
9 it would be not only immoral but unjust to provide only some of
10 the details that she previously provided and to try and catch her
11 out on some of those other details. So I ask if I could proceed
12 with my questioning.

13 [13.53.28]

14 MR. PRESIDENT:

15 Please proceed, Deputy Co-Prosecutor. In fact, Counsel Koppe is
16 not objecting to your question but he would just like you to put
17 open questions and he would like you not to expand excessively on
18 the details from her previous testimony. So you should maybe put
19 open questions to her rather.

20 BY MR. BOYLE:

21 Thank you, Mr. President, I will.

22 Q. Madam Witness, following up on my question, I heard in
23 translation that male pronouns were used. Your statement was
24 referring to a pregnant woman. I was wondering if you could
25 clarify the gender of the individual that you saw being killed on

55

1 that day.

2 [13.54.40]

3 MS. YI LAISOV:

4 A. Yes, it was a pregnant woman in fact.

5 Q. And how far away were you when you saw this killing?

6 A. Maybe 20 to 30 metres away.

7 Q. And you said you saw the individual being beaten with clubs;

8 were all three Khmer Rouge members beating the individual with

9 clubs or only one of them?

10 (Technical problem)

11 [13.58.41]

12 MR. PRESIDENT:

13 <International> Deputy Co-Prosecutor, please proceed. Hold on for
14 a little moment.

15 Counsel Vercken, you have the floor.

16 MR. VERCKEN:

17 Yes, <I am raising a> new objection on the same issue as the

18 previous one, that is to say, the prosecutor keeps on feeding

19 information to the witness. He has just done so in fact <once

20 more> in his question. By putting the question <> in the

21 following way -- I don't remember exactly how the question was

22 phrased but he pointed out <> the three attackers as <being>

23 Khmer Rouge and this information is not even in the written

24 record of interview of the witness. So I find this a little bit

25 excessive, certainly, <that> he <refers to> these people in that

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1 way.

2 MR. PRESIDENT:

3 That's enough. International Deputy Co-Prosecutor, please
4 proceed.

5 [13.59.47]

6 BY MR. BOYLE:

7 Just to note that it is in her written record of interview. She
8 states, "One of my friends and I went to have a bath, we saw the
9 Khmer Rouge tied, beaten and dropped one pregnant woman into the
10 pit of the first bridge." However I will move on.

11 Q. Witness, can you tell us anything else about who the victim
12 was or who the perpetrators of the killing were that you know?

13 MS. YI LAISOV:

14 A. I do not know them.

15 MR. PRESIDENT:

16 What is happening?

17 MR. VERCKEN:

18 <For the record, Mr. President,> this particular detail doesn't
19 appear in the French <version>. I don't have it in the document
20 in French <that> I have before me. And even if it does exist
21 somewhere else, it is part of the precautions that you should
22 <perhaps> take before the witness is fed with such information.

23 [14.00.55]

24 MR. PRESIDENT:

25 The objection by the defence team is overruled. Co-Prosecutor,

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1 you may resume your line of questioning. If you keeps on
2 objecting the other party, there is no time for the opposing
3 party to put questions to the witness.

4 BY MR. BOYLE:

5 Q. Madam Witness, very quickly because my time is short. Were you
6 married during the Khmer Rouge period?

7 MS. YI LAISOV:

8 A. No, it was almost at the end of the regime.

9 [14.02.00]

10 Q. Perhaps there was a translation issue. But is it correct that
11 you were married towards the end of the regime?

12 A. Yes, it happened almost at the end of the regime.

13 Q. And did you choose the person who became your husband, did you
14 choose to marry him?

15 A. I did not know at that time whether I was requested by someone
16 to marry any man. In the evening, the <unit> chief came to me and
17 told me that I was going to be in the marriage.

18 Q. And before the marriage ceremony, did you know the person that
19 became your husband?

20 A. No.

21 Q. Did you want to marry that man when you married him?

22 A. No. I did not want at all. <But> I was too afraid to reject
23 the marriage.

24 MR. BOYLE:

25 Thank you very much, Madam Witness. Mr. President, I believe my

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1 time is up; I cede the rest of the time to the civil parties.

2 Thank you.

3 MR. PRESIDENT:

4 Thank you. The floor is now given to Lead Co-Lawyer for civil

5 parties to put questions to this witness. You may now proceed.

6 [14.04.02]

7 QUESTIONING BY MR. PICH ANG:

8 Good afternoon, Mr. President. Good afternoon, Your Honours,

9 everyone in and around the courtroom. I am grateful for giving me

10 time after the Co-Prosecutor to put questions to this witness.

11 Good afternoon, Madam Witness, I am Pich Ang, National Lead

12 Co-Lawyer for civil parties. I still have almost 30 minutes to

13 put questions to you. <> I have follow-up questions to put to you

14 in relation to marriage.

15 Q. You stated that at the time you did not know there was someone

16 proposing the marriage to you. Could you tell the Court, who

17 proposed the marriage?

18 [14.05.02]

19 MS. YI LAISOV:

20 A. I did not know proposal came from any individual. In the

21 evening, the <unit> chief came to tell me that I had to marry a

22 youth named Rom <tonight>.

23 Q. You stated that the <unit> chief came to your house, are you

24 referring to the house in the village or where was it?

25 A. Actually, I wanted to say that the unit chief of a mobile unit

1 told me to go back to my home in the village. And when I arrived
2 at my house, the chief of children unit came to tell me that I
3 had to go and marry Mr. Rom <at Paoy Char.>

4 Q. Thank you. What time was it at the mobile unit that you were
5 told to go back home?

6 A. <In the morning,> I was told that I had to go back to my
7 village <> to marry a man called Rom. <In the late afternoon, I
8 was told that I would be married that night.> And I told my unit
9 chief that I did not want to get married and he replied, "Please
10 be careful, you would be killed". <I was afraid of being killed.
11 Therefore, I followed the order.>

12 [14.06.57]

13 Q. So what made you afraid of it?

14 A. I was told that if I refused to go back to my village and get
15 married, my family, the whole family would be killed.

16 Q. Did you observe that there was anyone oppose the marriage?

17 A. No.

18 Q. Thank you. In relation to the marriage, where was the marriage
19 held and when did it take place?

20 A. The marriage was held at Paoy Char. I only knew that it was
21 held in the evening, I do not know specifically the time.

22 Q. Regarding Paoy Char, was the hall built for the marriage?

23 A. No hall was installed at that time. The marriage took place at
24 the house of the <chief of the> cooperative.

25 Q. Could you tell the Court -- could you expand a little bit more

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1 on that matter?

2 [14.09.02]

3 MR. PRESIDENT:

4 Madam Witness, please hold on. Please observe microphone before
5 you give your answer.

6 MS. YI LAISOV:

7 A. That place was referred to the house for female chiefs.

8 BY MR. PICH ANG:

9 Thank you, Madam Witness. When did the marriage take place?

10 MS. YI LAISOV:

11 A. I do not know about the time when the marriage started. And
12 the marriage ceremony ended after all children went to sleep. I
13 do not know about the time when it was held.

14 Q. How old were you when you got married at the time?

15 A. I was 17 years old.

16 Q. What about your husband, how old was he?

17 A. I did not know at the time his age.

18 [14.10.18]

19 Q. What about later on, do you know how old he was?

20 A. I do not know; I have no idea at all.

21 Q. Now I want to focus on the marriage and I will ask you about
22 the time after your marriage later on. Could you tell the Court
23 who attended the marriage ceremony at that time, what were their
24 positions?

25 A. I cannot recall it, lawyer.

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1 Q. You made mention that the marriage was held at the house for
2 female chiefs. Could you tell the Court, if you recall, who
3 attended the marriage? Were there only you and your husband at
4 the marriage ceremony? Were there other people at the marriage
5 ceremony?

6 A. I cannot recall it, Mr. Lawyer. There were other people
7 attending my wedding ceremony.

8 [14.12.08]

9 Q. You made mention that there were many other people attending
10 the marriage, what did you mean by that? How many of them were
11 there at the wedding, could you give your estimate?

12 A. Villagers were also attending the marriage at that time.
13 Perhaps there were about 50 to 60 attendees.

14 Q. Thank you. Were there other couples as well in that wedding
15 ceremony? How many couples were there in the wedding?

16 A. There were three couples and the wedding was held for three
17 couples.

18 Q. Do you recall the names of those couples?

19 A. I do not know those couples.

20 Q. Which cadre chaired the wedding ceremony and who led the
21 wedding ceremony at that time?

22 A. Yes. But I do not know that cadre or cadres.

23 Q. I would like to go a little bit into detail regarding the
24 marriage. Do you recall what was going on during the ceremony?
25 Because you were one of the persons in the wedding, do you

1 observe what was going on at the time?

2 A. We were told to make resolution and to be wife and husband
3 forever.

4 [14.14.31]

5 Q. Who asked you to make resolution to become husband and wives?

6 Who instruct you to make the resolution?

7 A. I do not know that person.

8 Q. Did <the> female <commune> chief <> attend the wedding at the
9 time?

10 A. No. <I did not see her.>

11 Q. Can you tell the Court whether members of your family attended
12 the marriage ceremony back then?

13 A. My relatives or siblings did not attend the wedding at the
14 time.

15 Q. How did you feel at the time when you saw no one from your
16 family in the wedding?

17 A. I was really disappointed because my parents were not allowed
18 to attend the occasion at the time.

19 [14.16.03]

20 Q. Did you think of any other choices to refuse the marriage? If
21 you had choice, what did you think you would do at the time?

22 A. I would not get married at the time but I was too afraid to be
23 killed.

24 Q. Were there Buddhist or traditional rituals held during the
25 wedding ceremony?

1 A. No.

2 Q. Now I would like to ask you about the time after you got
3 married. After the marriage, where did you stay after your
4 marriage?

5 A. After the marriage, I was required to go back to the <mobile
6 unit> and do the rice harvesting and my husband was reassigned to
7 his respective unit.

8 Q. Could I know what your husband work at the time?

9 A. He led the children unit.

10 [14.18.04]

11 Q. Did your husband tell you that he agreed to marry you and did
12 he tell you that he was the one who proposed the marriage? Did he
13 know you in advance before the marriage?

14 A. I did not care asking him about this matter, and he did not
15 tell anything about that.

16 Q. How long did you stay together? And have you still been
17 husband and wife after the Khmer Rouge time?

18 A. One month after my marriage, the Vietnamese troops came into
19 the country and we parted each other.

20 Q. I would like to know about the night-time after the marriage.
21 Where did you sleep after the marriage, where did you spend your
22 time after the marriage?

23 A. After the marriage, I went back to my own house and he went
24 back to his.

25 [14.19.42]

1 Q. So, does it mean that you did not spend time with your husband
2 after the marriage?

3 A. That is true.

4 Q. Did you have time to meet your husband later on before the
5 arrival of the Vietnamese troops -- did you have time to meet
6 each other?

7 A. We met each other at my worksite where I was harvesting rice.

8 Q. Was it on any special occasion that you met each other?

9 A. He was there and asked to consummate the marriage.

10 Q. After the marriage, was anyone told you that you had the right
11 to divorce your husband when you could not stay together with
12 your husband?

13 A. Regarding the divorce, it depended on me.

14 Q. I am now referring to the period that is one month before the
15 arrival of Vietnamese troops, did you have the right to divorce
16 your husband before the liberation?

17 A. I was thinking, at the time, that I would divorce him.

18 [14.22.18]

19 Q. So you were not afraid of what happened to you if you divorced
20 your husband; is that true?

21 A. Yes, that is true.

22 Q. I have a few last questions regarding the marriage; these are
23 general questions. Why did they want you to get married at the
24 time, for what purpose?

25 A. I do not understand as well why I was required to get married.

1 Q. After the liberation in 1979, did you still live with your
2 husband?

3 A. No.

4 Q. Can you tell the Court why you did not stay together with your
5 husband?

6 A. Because I did not love him.

7 [14.23.44]

8 Q. Thank you. Now I would like to move to a new topic and I will
9 have follow-up questions. There were some questions put by the
10 Co-Prosecutor already but I would like to seek your clarification
11 on some matters.

12 You were required to carry dirt and your unit chief told you at
13 that time that you had to complete the work, otherwise problem
14 will bestow on you. This is what I heard from your testimony. How
15 did you feel at that time when you heard such words towards you?

16 A. I was so fearful. The chief said that, please be careful, I
17 would be taken away and killed.

18 Q. I would like to ask you about your living conditions. While
19 you were living at Trapeang Thma Dam worksite, could you eat your
20 fill?

21 A. No. I did not have enough food to eat.

22 Q. Could you expand a little bit further, what was your food
23 ration like and <> how many meals did you receive on a daily
24 basis?

25 A. I received one small bowl of rice per meal and two meals per

1 day.

2 [14.26.08]

3 Q. <Was it rice?> Were there dishes or soups for you during your
4 meal time?

5 A. There was rice for me together with soup mixed with fermented
6 fish paste and "sandán" (phonetic).

7 Q. Did you receive the same kind of food ration from the time you
8 started working at Trapeang Thma Dam worksite until the end of
9 the time?

10 A. There was soup mixed with fermented fish paste, and we would
11 be served with fish soup one day per week.

12 Q. What was your unit's name?

13 A. It was referred to as cooperative. I was in a <mobile> unit in
14 cooperative.

15 Q. Were there other mobile units within that cooperative? Were
16 there any other mobile units close by?

17 A. I was not <> allowed to walk freely at the time, so I do not
18 know about that.

19 [14.28.05]

20 Q. Regarding the unit within the cooperative, how old were your
21 members, what was the age range?

22 A. The youngest member was 15 or 16 years old and the oldest was
23 <35 or 40> years old.

24 Q. Were you in a children unit at the time?

25 A. I was in youth unit.

1 Q. I am not asking whether or not you were in the children unit.

2 I would like to know whether your unit was a children unit.

3 A. I was part of female unit.

4 Q. I think the question I'm going to ask is a repetitive one so I

5 would like to move on to ask you another question. I would like

6 to ask you about living conditions. Did you have any necessities,

7 namely blankets and mosquito nets?

8 A. I had one blanket but not mosquito net.

9 [14.29.53]

10 Q. Were you given any necessities?

11 A. I was given a black skirt.

12 Q. What about the blanket you have just mentioned; was it given

13 to you or did you get your blanket from somewhere else? Did you

14 have pillow or bed to sleep on?

15 A. No pillows, no bed for me, I had my own blanket at the time.

16 Q. As a female worker at that time, when you went to relieve

17 yourself, where did you go while you were working at Trapeang

18 Thma Dam worksite?

19 A. We dug a pit and we relieved ourselves by using that pit.

20 Q. Was it appropriate for you to relieve yourself as a human

21 being?

22 A. No, but what else could I do?

23 [14.31.35]

24 MR. PICH ANG:

25 Thank you very much for answering the questions. Mr. President,

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1 my esteemed colleague will need five minutes to put questions. So
2 may you allow Marie Guiraud to put questions in that five
3 minutes?

4 MR. PRESIDENT:

5 You may now proceed.

6 QUESTIONING BY MS. GUIRAUD:

7 Thank you, Mr. President. Good afternoon to all of you. Good
8 afternoon, <Madam> Witness. My name is Marie Guiraud, I am a
9 lawyer representing the <collective of> civil parties and I have
10 a few brief questions to put to you.

11 Q. You <> earlier <told> the <Co-Prosecutors> that you had spent
12 some time in the hospital because you were suffering from
13 malaria. So I want to know if there were other people in your
14 unit who also contracted malaria <while> you were working at
15 Trapeang Thma Dam site.

16 MS. YI LAISOV:

17 A. No, no one else.

18 [14.32.52]

19 Q. You said that you spent time in <the> hospital, do you
20 remember what this hospital was like and can you describe it to
21 the Court?

22 A. No, I don't remember this hospital very well.

23 Q. You said to the Court a little earlier on this morning that
24 you fled this hospital because you were afraid and you wanted to
25 go back to your mother; did I understand <what you said this

1 morning> correctly?

2 A. Yes, I said that this morning indeed.

3 Q. Did you have the <possibility -- did you have the> right back
4 then to go visit your <parents>?

5 A. No, I did not have the right to go visit my family.

6 Q. And was this the same case for the other members of your unit:
7 were they also forbidden from going to visit their family
8 <members>?

9 A. Yes, it was the same for them.

10 [14.34.30]

11 Q. And <back then,> were you told why you were not allowed to be
12 in touch with your family?

13 A. No, nobody told us anything about this.

14 Q. And during the meetings that you described this morning, were
15 you told which role Angkar played in relation to your <parents>,
16 was this something that was explained to you back then?

17 A. No, we weren't told anything.

18 Q. You said a little earlier on to my colleague that you were not
19 allowed to move <about> freely. Were you allowed to move about on
20 the worksite or were you not allowed to go from one unit to the
21 other? So can you tell us more clearly what you meant by saying,
22 <"We> were not allowed to move about freely."

23 A. We were not allowed to go from one unit to the other.

24 Q. And back then did you know what happened to people who moved
25 about without being authorised to do so?

1 A. No, nobody would move about freely; everyone was afraid.

2 Everyone was afraid of being taken away and shot.

3 [14.36.51]

4 Q. I have <just one> last question regarding the medical
5 situation in your unit. You said that you had contracted malaria.

6 Can you tell the Chamber if other members in your unit were also
7 ill? You said that you were the only one who had contracted

8 malaria: but were there other people who were ill in your unit

9 <during the time> you were at the Trapeang Thma Dam site?

10 A. I could not know what was happening in other units. Even if
11 some people were ill, this was something I was not able to know

12 <because we were in different places.>

13 Q. And in your own unit--

14 MR. PRESIDENT:

15 Please hold on. Counsel Kong Sam Onn, please proceed.

16 [14.38.00]

17 MR. KONG SAM ONN:

18 I object to this question because it is repetitive. The witness
19 said that she was the only one who had contracted malaria.

20 BY MS. GUIRAUD:

21 <Precisely> Mr. President, my question was centred on other
22 illnesses <aside from> malaria. So I don't think that my question
23 is repetitive. So please give me leave to put this question to
24 the witness as it is my last question.

25 Q. So <Madam> Witness, within your unit, were there people who

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1 were suffering from other illnesses <aside from> malaria <>?

2 MS.YI LAISOV:

3 A. Yes, <they had> diarrhoea <>, and they <were given rabbit
4 dropping like tablets. Some people> would take traditional
5 medicine, and then they were cured.

6 MS. GUIRAUD:

7 Thank you, <Madam> Witness. I have no further questions. Thank
8 you, Mr. President.

9 [14.39.09]

10 MR. PRESIDENT:

11 The time has come for a short break. The Court will resume at 3
12 o'clock.

13 Court officer, <please find a proper room for the witness during
14 the break and> please bring the witness back to the dock before 3
15 o'clock.

16 (Court recesses from 1439H to 1459H)

17 MR. PRESIDENT:

18 Please be seated.

19 Judge Fenz, you have the floor.

20 QUESTIONING BY JUDGE FENZ:

21 Q. I've just one question for you, Witness. I heard you say this
22 morning at least in the English translation, you had memory
23 problems. Did this just relate to the question that was asked at
24 the time or is it a general issue?

25 MS. YI LAISOV:

1 A. I cannot recall some of the information.

2 [15.00.21]

3 Q. Do you mean I can't recall it because it's such a long time
4 ago or are you saying -- I think you're 57 years old -- are you
5 saying I'm somehow sick and have a general problem with my
6 memory?

7 A. Yes.

8 Q. I've given you two options now and you said yes. Let me try
9 again. Did you say I have memory problems because it is such a
10 long time ago and I don't remember everything? Is this the reason
11 you said you have memory problems?

12 A. I am poor and although I am trying to think of the past
13 experience I am not able to recall it.

14 Q. Do you have a disease or is it just that you can't remember
15 things that -- or some things that have happened long ago? Is
16 your memory the same as other people of your age as far as you
17 know?

18 A. I'm sorry, Your Honour, I am not able to get your question.
19 Could you repeat it?

20 [15.02.18]

21 Q. If you speak to other women that are about 57 years old, do
22 you get the impression that your memory is worse or better or the
23 same as of those people of your age?

24 A. Perhaps I cannot recall as other people can.

25 Q. Does this only pertain to the period from '75 to '79 or

1 generally?

2 A. Generally.

3 MR. PRESIDENT:

4 Thank you, Judge. Now the floor is given to the defence teams for
5 the Accused. First, start from defence team for Mr. Nuon Chea to
6 put questions to this witness. You may now proceed.

7 [15.03.50]

8 QUESTIONING BY MR. KOPPE:

9 Thank you, Mr. President. Good afternoon, Madam Witness. I have a
10 few questions for you and we would try to finish this afternoon,
11 if possible.

12 Q. You remember I think that earlier this afternoon you answered
13 some questions about you getting malaria, going to a hospital,
14 running away from that hospital to your mother. Do you remember
15 giving that testimony?

16 MS. YI LAISOV:

17 A. I recall the time when I ran away from hospital and went to
18 see my mother.

19 Q. And it is my understanding you said that this related to the
20 time that you were working at the Trapeang Thma Dam. However,
21 when I read your statement to the investigators, it seems that
22 you got malaria and went to the hospital and then went to your
23 mother in Kampong Thom and not in the Northwest Zone at the
24 Trapeang Thma Dam worksite. Let me read to you what you said just
25 to be clear on this. In your statement, it's the second

1 paragraph.

2 [15.05.55]

3 "I was 15 to 16 years old, they sent me to farm rice including
4 transplanting and harvesting at Kampong Thom. I got malaria from
5 that place and they sent me to the hospital. At that time, I was
6 so fearful of ghosts haunting and I ran back home with the
7 malaria. When I arrived home, they did not give me rice to eat
8 because I fled the mobile unit."

9 I've checked the Khmer version, the original version, Madam
10 Witness, and it says, indeed that you felt the malaria and ran to
11 the hospital, or went to the hospital and ran away in Kampong
12 Thom; is that correct?

13 A. I went to see my mother at home.

14 Q. I understand that. But in your statement to the investigators,
15 you said they sent me to farm rice at Kampong Thom and you got
16 malaria at that place, meaning, I suppose, in Kampong Thom.

17 A. First, I lived in Kampong Thom. Later on I was working at the
18 dam site and I was seriously sick at one time. Consequently, I
19 was referred to the hospital.

20 [15.07.54]

21 Q. But is it possible that today you are mixing things up, that
22 you in fact got malaria not at the dam site but in Kampong Thom,
23 and that you went to a hospital in Kampong Thom?

24 A. The hospital was at Paoy Char.

25 Q. And that is where exactly?

1 A. It was located to the north of Paoy Snuol and, as I mentioned
2 earlier, the hospital was <in Paoy Char commune and it was> close
3 to Trapeang Thma, south of Trapeang Thma.

4 Q. Am I then to understand that your statement which seems to
5 suggest that you got malaria in Kampong Thom, went to the
6 hospital and then fled is incorrect?

7 A. Yes.

8 Q. Let me now turn to an event that you just described, the event
9 of a woman being killed. Aside from having memory problems in
10 general, do you have an explanation why this particular incident
11 you didn't remember at first, and later you did?

12 A. When I was told of one specific event, I am able to recall it
13 back.

14 [15.10.17]

15 Q. Very well. Let me first ask you, do you know the exact place
16 where this event took place, where was it?

17 A. The incident of killing one pregnant woman happened at the
18 west of Bridge Number 1.

19 Q. Did this bridge have a number?

20 A. No.

21 Q. In your statement, you said it was the first bridge. Does that
22 jog your memory?

23 A. That was the first bridge, it was generally referred to Bridge
24 Number 1, but there was no tag stating it was Bridge Number 1. As
25 I stated, generally, it was referred to as Bridge Number 1.

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1 Q. Can you describe the men who were involved in the killing of
2 this woman?

3 A. No, I do not know.

4 [15.12.05]

5 Q. Can you describe what clothes they were wearing?

6 A. I saw the incident for a brief moment; I could notice that
7 they were wearing black clothes.

8 Q. And how many of them were there?

9 A. Three of them.

10 Q. And what time during the day was this event?

11 A. It was in the late afternoon. I do not know what time it was
12 at that time, it was the time when I went to take a bath with my
13 colleagues. <When I saw the incident, I returned to my place.>

14 Q. And do you know whether your colleague saw this incident as
15 well?

16 A. Yes, all of us saw the incident.

17 Q. Do you recall the name of your friend who saw this incident?

18 A. Yes, but that person is deceased.

19 Q. Maybe I didn't hear it correctly in the translation, but did
20 you just say "we saw it all", "my friends" in plural or did you
21 say "friend"?

22 A. One, only one of my friends.

23 [15.14.35]

24 Q. And you said you saw in a brief moment what happened, did you
25 see how the woman was killed?

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1 A. I saw the beating, she was beaten and she dropped into a pit
2 and <after having a glance, I left that place>.

3 Q. And after she had been dropped into the pit, what happened
4 then?

5 A. I do not know what happened next. I could see that a rock was
6 used to throw in order to crush the body. I ran away after that
7 time.

8 Q. Did you ever see the man again somewhere? I realise that you
9 didn't recognise them properly but have you heard whether they
10 were walking around at the dam, for instance, again sometime or
11 you don't know that.

12 [15.16.31]

13 MR. PRESIDENT:

14 Please repeat your response. <The> microphone was not activated
15 while you were responding, so please repeat your answer.

16 MS. YI LAISOV:

17 A. I did not see.

18 BY MR. KOPPE:

19 Q. Have you ever heard later maybe from your unit chief whether
20 these three men belonged or were working as cadres at the dam?

21 MS. YI LAISOV:

22 A. No.

23 Q. No in the sense that you never heard this?

24 A. I have never heard of it.

25 Q. Have you ever through somebody maybe found out why this woman

1 was beaten and killed?

2 A. No, I have never heard from anyone.

3 [15.18.05]

4 Q. Have you ever heard whether Ta Val was responsible for this?

5 A. I do not know about that.

6 Q. Just going back again to the incident itself, how were you
7 able to determine whether the woman was pregnant?

8 A. I could see with my naked eye while she was walking away, she
9 was pregnant.

10 Q. Did you see any guns with the three men?

11 A. No.

12 Q. Thank you, Madam Witness. Now let me move on now to Ta Val. In
13 your statement, you said "we all did not want to join Ta Val
14 mobile unit because we heard that his mobile unit was the most
15 difficult and hardworking unit". Was this something that you
16 heard before you first went to the dam?

17 A. I had heard it before but I never witnessed it.

18 [15.20.25]

19 Q. I am not sure if I understand it correctly but you ended up
20 working at the dam under the

21 supervision ultimately of Ta Val, I think. But my question is:

22 Who was it that told you beforehand that Ta Val's mobile unit was
23 "the most difficult and hardworking unit"? Who was it that told
24 you before?

25 A. It was a rumour we heard from one another.

1 Q. And did it turn out to be a correct rumour?

2 A. When I was engaged in the actual work, the condition there was
3 really hard as they said.

4 Q. I have a few more last questions, Madam Witness. You said that
5 it was not possible to visit your family if you wanted to. Is it
6 correct that if you asked permission from your unit chief that
7 then you would be able to visit your family?

8 A. If I wanted to visit home, I needed to make a request to unit
9 chief. When I received the permission, I was able to visit home.

10 Q. Do you remember how many times you've asked for permission to
11 visit your family?

12 A. I cannot recall it.

13 [15.23.12]

14 Q. Was it ever refused when you asked?

15 A. Sometimes the permission was rejected.

16 Q. And if that happened sometimes, what was the reason, do you
17 remember?

18 A. We were required to work.

19 Q. I understand. Madam Witness, you were asked earlier today how
20 long, how many months you have been working at the dam site, you
21 said that you didn't know. Witnesses and documents that we have
22 seem to suggest that the dam was built between mid-February and
23 Khmer New Year, maybe a few weeks later in May, so about two to
24 three months. When you started working and when you left was the
25 dam finished, most of it?

1 A. When I stopped working, <> the whole construction was not yet
2 completed.

3 [15.25.09]

4 Q. You said, if I remember correctly, that you stopped working
5 when the dry season finished. Is it fair to say you that you left
6 the dam in May '77?

7 MR. BOYLE:

8 I object to the question. The witness has already said that she
9 doesn't know the date when she left the dam, she only knows that
10 she was there for a dry season.

11 BY MR. KOPPE:

12 I withdraw the question.

13 Q. What I'm trying to get at, Madam Witness, is the time during
14 which you saw the killing of the woman, the pregnant woman. Was
15 that in the beginning of the time that you were working there or
16 was it more toward the end that you were working?

17 MS. YI LAISOV:

18 A. I do not know whether it was almost at the end of the time
19 <when> I stopped <working there>.

20 [15.26.53]

21 MR. KOPPE:

22 Thank you very much, Madam Witness. Thank you, Mr. President.

23 MR. PRESIDENT:

24 The floor is now given to the defence team for Mr. Khieu Samphan.

25 You may now proceed.

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1 QUESTIONING BY MR.VERCKEN:

2 Thank you. Good afternoon, Witness. My name is Arthur Vercken.

3 I'm one of Khieu Samphan's counsels. And I have a few questions

4 to put to you. I will be brief.

5 Q. My first questions are going to revolve on the way malaria was

6 cured. When I read your written record of interview of 2009 and

7 when I listen to you here, I <understand that you> first <>

8 became ill for three days and that after three days, you were

9 sent to the hospital and you spent three days at the hospital.

10 And then you spent a week with your mother before an uncle who

11 was a doctor with the Khmer Rouge came to visit your mother and

12 gave you medicine. <And then> you say <that> after three days you

13 were cured. Does that correspond to what you remember, <this

14 chronology of events>?

15 [15.28.40]

16 MS. YI LAISOV:

17 A. Yes, that is correct.

18 Q. What kind of medicine did your uncle give you? <What

19 medication was it?> Was this a traditional medication or was this

20 modern medication?

21 A. I do not know where the medicine was from. The colour of the

22 medicine was yellow and it was bitter and it was effective for my

23 fever and trembling.

24 Q. So this was not rabbit pellet <medication?> Right, what we

25 call rabbit pellets usually. This was another kind of

1 medication<>?

2 A. No, not the so-called rabbit dropping pellet. It was a
3 different type of medicine.

4 Q. What was your uncle doing back then? What were his duties back
5 then when he prescribed this medication to you?

6 A. He was a medical staff.

7 [15.30.25]

8 Q. And where? Do you <know> where he was working?

9 A. No, I do not know where he was working. He came to see me to
10 give me medication and then when he left he was arrested and he
11 was executed. But I do not know where he was executed. He was
12 being chased.

13 Q. But when he was working as a medic, was he a medic for the
14 Khmer Rouge or was he doing something else? Because in your
15 written record, <I read> and I will quote <>: "My uncle who was a
16 medic for the Khmer Rouge." So my question is the following:
17 well, before <or at the time of> his arrest, was he working for
18 the DK regime?

19 A. Yes, he was working for the Khmer Rouge. I don't know where he
20 was working however.

21 [15.31.40]

22 Q. This might be <just> a detail, but I would like some
23 clarification regarding a sentence in your written record of
24 interview of 2009. You said that you had fled from the hospital
25 because you were afraid of ghosts. Can you explain to us what you

1 meant then?

2 A. I was afraid because I was only taking rabbit pellet medicine
3 and I was afraid of dying like the others.

4 Q. So in fact when you're speaking about ghosts, you're speaking
5 about the spirits that might have come to visit you while you
6 were dying; is that what you're talking about?

7 A. Yes. I was afraid of having spirits rob me of my own spirit as
8 with the others who had died in the hospital.

9 [15.33.14]

10 Q. Okay. I'm going to change topics and I'm going to speak
11 quickly about the <topic> of night work. This morning when you
12 were questioned about the working schedule at the dam, you said
13 and I quote<>: "At times I worked at night." <End of quote.> So
14 at times, therefore, "I worked at night", you said and then about
15 five minutes later, you <added>, "sometimes it was necessary to
16 work until 9.00 at night or 10.00<". End of quote.>

17 So therefore, must we understand that this night work was not <>
18 systematic, <that it was not a daily occurrence>?

19 MR. PRESIDENT:

20 Witness, please hold on. <International> Deputy Co-Prosecutor,
21 please proceed.

22 MR. BOYLE:

23 Thank you, Mr. President. My recollection of the witness's
24 testimony regarding the schedule was that every day they worked
25 from 6 a.m. to 11 a.m., 1 p.m. to 5 p.m., and 6 p.m. to 10 p.m.

1 And so, for it to be characterized as I'm doing it as sometimes
2 would be incorrect.

3 [15.34.56]

4 BY MR. VERCKEN:

5 It's perfectly correct. I noted this, this morning. And please
6 let the witness answer this question and if it's not correct the
7 witness will say <so>.

8 Q. So, <Madam> Witness, may you please answer this question. Was
9 this systematic? Was this night work systematic or was this
10 occasional? Did this happen from time to time as you said this
11 morning? Thank you.

12 MS. LAISOV:

13 A. We had to work every single evening.

14 Q. Okay. Thank you, Deputy Co-Prosecutor, therefore. So the
15 following question with regard to food, in your written record of
16 interview -- well in fact this morning, you said that you would
17 eat rice twice a day and fish soup once a week. And in your
18 written record, you said and I quote you: "I was given rice twice
19 a day with soup and fish paste, and the soup was acid with fish
20 heads and tamarind leaves." And you <also> said: "<We did not eat
21 enough. The rice servings was carefully measured and> we only had
22 a bowl of rice each." <End of quote.>

23 So my question is the following: <> the fish paste soup and the
24 fish head soup with tamarind leaves, was this given to you every
25 day as it seems to <> be indicated in your 2007 written record?

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1 Or was this occasional as you said this morning?

2 A. Every day. This was given to us every day.

3 [15.37.07]

4 MR. VERCKEN:

5 No further questions, Mr. President.

6 MR. PRESIDENT:

7 Please, Counsel Kong Sam Onn, please proceed.

8 QUESTIONING BY MR. KONG SAM ONN:

9 Q. Thank you, Mr. President. Madam Witness, I have a few
10 questions to put to you in order to obtain some clarification
11 regarding the 15 to 20 people who were tied up. When the Deputy
12 Co-Prosecutor said put that question to you, you said that you
13 saw this happen once, and then you said three times when your
14 memory was refreshed. So, I would like to put a few questions to
15 you on the consistency of your memory of this scene. You said
16 that you saw this incident occur when you were standing guard one
17 night and that you were about 100 to 200 meters away from this
18 scene. And you also said that there were <> two other occasions,
19 you also saw this kind of incident occur. So with regard to these
20 two other incidents, did they happen during the day or at night?

21 [15.38.31]

22 MS. YI LAISOV:

23 A. Only at night.

24 Q. Now with regard to the two other times you spoke about, how
25 did you see people being taken away?

1 A. Well, I <was assigned> to stand guard by the kitchen.

2 Q. Maybe I didn't understand your answer properly. You saw people
3 being taken away 15 to 20 people in fact. And this, you only saw
4 once or several times?

5 A. Once.

6 Q. Thank you. And that night when you saw this happening, was
7 there any lighting when you were standing guard?

8 A. No.

9 [15.39.48]

10 Q. So were you in a forest or were you in an open field when you
11 saw this happen?

12 A. <I was in an open field with> a few trees; that's all.

13 Q. Thank you. And when you witnessed this incident, when the 15
14 to 20 people were taken away, how did you know that they were
15 being taken away?

16 A. Well, I heard them cry and scream.

17 Q. How many people were crying and how many people were
18 screaming? And were you able to distinguish the voices of these
19 different people?

20 A. I heard many different voices and deafening cries <when they
21 were walked away.>

22 [15.41.12]

23 Q. Did you clearly see these people? Or you only saw their
24 shadows?

25 A. I clearly saw these people, but it was impossible for me to

1 know how many men or women there were.

2 Q. And what time was it when you saw this happen?

3 A. I did not have a watch. I don't remember also when I was
4 standing guard that evening.

5 Q. So this was before midnight or after midnight? Can you be more
6 specific?

7 A. Rather, after midnight.

8 Q. Thank you. So was there any kind of lighting that made it
9 possible for you to see these people?

10 A. No. Just moonshine.

11 Q. So, the moon was shining, and can you tell us what the
12 position of the moon was when that happened?

13 A. Well, if we would compare the moon's position to the sun, it
14 was like the sun at 3 o'clock.

15 [15.43.40]

16 Q. Thank you. Now with regard to the inauguration, this morning
17 at around 10.50 when you were answering a question that was put
18 to you by the <Co-Prosecutor>, you provided an answer that did
19 not really regard the building of the dyke but rather the digging
20 of the canal. So I would like to know if there were two different
21 inaugurations, that is to say, the first for the dyke and the
22 second for the canal.

23 A. There was only one single inauguration ceremony.

24 MR. KONG SAM ONN:

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

1 [15.44.55]

2 MR. PRESIDENT:

3 Well, <it is now convenient time for the adjournment. The Court
4 will adjourn the hearing today.> The Court will resume on Monday,
5 24 August 2015 at 9 o'clock in the morning and the Chamber will
6 hear witness 2-TCW-915 and a <reserve> civil party as well,
7 2-TCCP-269. Ms. Laisov, <this puts an end to your testimony
8 before the Chamber. The> Chamber thanks you for having spent time
9 to testify before it. You are now free to leave the courtroom.
10 You can go home or where you wish to go. The Chamber wishes you a
11 safe journey. And Court officer with WESU, please take the
12 necessary measures so that the witness may go home.
13 Security officer, please bring the <two Accused -- that is Mr.
14 Khieu Samphan and Mr. Nuon Chea> back to the detention <facility
15 of the ECCC> and make sure that they return to the courtroom <on>
16 Monday, 24 August 2015 before 9 a.m.

17 (Court adjourns at 1546H)

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