



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
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TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

13 January 2016

Trial Day 356

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

The Accused: NUON Chea
KHIEU Samphan

Lawyers for the Accused:
Victor KOPPE
LIV Sovanna
SON Arun
Anta GUISSSE
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:
CHEA Sivhoang
Niccolo PONS

Lawyers for the Civil Parties:
CHET Vanly
LOR Chunthy
PICH Ang
VEN Pov

For the Office of the Co-Prosecutors:
Nicholas KOUMJIAN
SENG Leang

For Court Management Section:
UCH Arun

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUISSSE	French
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
Mr. KOUMJIAN	English
Judge LAVERGNE	French
Mr. LIV Sovanna	Khmer
Mr. LOR Chunthy	Khmer
Ms. MATH Sor (2-TCW-928)	Khmer
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Mr. SENG Leang	Khmer

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1 P R O C E E D I N G S

2 (Court opens at 0904H)

3 MR. PRESIDENT:

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

5 The Chamber will hear testimony of Witness 2-TCW-928, in relation
6 to the treatment of the Cham people.

7 And before we proceed, the Chamber would like to inform all the
8 Parties that, for today's proceedings, Judge You Ottara, who is
9 the National Judge, is absent for personal reasons. And after
10 Judges of the Bench deliberated the matter, we decide to replace
11 Judge You Ottara by Judge Thou Mony, who is currently a reserve
12 judge. He will sit in Judge You Ottara's place until Judge You
13 Ottara is able to return to the Bench. This is pursuant to Rule
14 79.4 of the ECCC Internal Rules.

15 And the International Reserve Judge Karopkin is absent for health
16 reasons today.

17 Ms. Chea Sivhoang, please report the attendance of the Parties
18 and other individuals at today's proceedings.

19 [09.07.20]

20 THE GREFFIER:

21 Mr. President, for today's proceedings, all Parties to this case
22 are present except Madam Marie Guiraud, the International Lead
23 Co-Lawyer, who is absent for personal reasons.

24 Mr. Nuon Chea is present in the holding cell downstairs. He has
25 waived his right to be present in the courtroom. The waiver has

2

1 been delivered to the greffier.

2 A witness who is to testify today, that is, 2-TCW-928, confirms
3 that, to the best of his knowledge, he has no relationship, by
4 blood or by law, to any of the two Accused, that is, Nuon Chea
5 and Khieu Samphan, or to any of the civil parties admitted in
6 this case.

7 The witness will swear before the Chamber according to his
8 religion.

9 We also have a reserve witness today, that is, 2-TCW-894. And
10 this witness confirms that, to his best knowledge, he has no
11 relationship, by blood or by law, to any of the two Accused, that
12 is, Nuon Chea and Khieu Samphan, or to any other civil parties
13 admitted in this case.

14 The witness will take an oath this morning before the Iron Club
15 Statue.

16 [09.08.47]

17 MR. PRESIDENT:

18 Thank you, Ms. Chea Sivhoang.

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

20 The Chamber has received a waiver from Nuon Chea dated 13 January
21 2016, which states that, due to his health, headache, back pain;
22 he cannot sit or concentrate for long. And in order to
23 effectively participate in future hearings, he requests to waive
24 his right to participate in and be present at the 13 January 2016
25 hearing.

1 Having seen the medical report of Nuon Chea by the duty doctor
2 for the Accused at ECCC, dated 13 January 2016, which notes that
3 Nuon Chea has chronic back pain when he sits for long and he also
4 feels dizziness, and recommends that the Chamber grant him his
5 request so that he can follow the proceedings remotely from the
6 holding cell downstairs. Based on the above information and
7 pursuant to Rule 81.5 of ECCC Internal Rules, the Chamber grants
8 Nuon Chea his request to follow today's proceedings remotely from
9 the holding cell downstairs via audio-visual means.

10 The Chamber instructs the AV Unit personnel to link the
11 proceedings to the room downstairs so that Nuon Chea can follow.

12 This applies to the whole day.

13 Court officer, please usher the witness into the courtroom.

14 (Witness enters the courtroom)

15 [09.12.40]

16 QUESTIONING BY THE PRESIDENT:

17 Q. Good morning, Madam Witness. What is your name?

18 MS. MATH SOR:

19 A. My name is Math Sor.

20 Q. When you are summoned, your full name is Ahmad Sofiyah. Is
21 that your name, or you are another person?

22 A. Because my full name is rather long, so I shorten it to Math
23 Sor.

24 Q. Thank you. And have you ever been interviewed by investigators
25 of the Office of the Co-Investigating Judges of the ECCC?

1 A. Yes, I was interviewed in Kampong Cham.

2 Q. And when you were interviewed, which name that you gave to the
3 investigator?

4 [09.14.08]

5 A. It was Ahmad Sofiyah.

6 Q. And what is the reason for you to shorten your name from Ahmad
7 Sofiyah to Math Sor?

8 A. Because my full name is difficult to pronounce, and that is
9 the reason that I shorten it to Math Sor.

10 Q. Do you have a Khmer identity card? Maybe you obtain this card
11 during the last few years. The government actually provides the
12 Khmer identity card to the residents like Khmer and Cham people
13 in Cambodia. Have you obtained one?

14 A. Yes, I do.

15 Q. And what is your official name on the identity card?

16 A. I use Math Sor as my name.

17 [09.15.34]

18 Q. Thank you, then, Madam Math Sor. And do you recall when you
19 were born?

20 A. I was born in 1961.

21 Q. Is that correct that you said you were born in 1961?

22 A. Yes.

23 Q. And where were you born?

24 A. I was born in Khsach Prachheh Kandal village.

25 Q. And in which commune, district or province?

1 A. I was born in Khsach Prachheh Kandal village, Krouch Chhmar
2 commune, Krouch Chhmar district, Kampong Cham province, which is
3 now Tboung Khmum province.

4 Q. And where is your current address?

5 A. Presently, I live in Khsach Prachheh Kandal village, Krouch
6 Chhmar commune, Krouch Chhmar district, Tboung Khmum province.

7 Q. What is your current occupation?

8 A. I am a rice farmer.

9 Q. What are the names of your parents?

10 [09.17.25]

11 A. My father is Math Sor and my mother is Nob Sor.

12 Q. And what is your husband's name and how many children do you
13 have?

14 A. My husband is Sos Mat, and we have nine children. We have nine
15 children all together.

16 Q. Thank you, Madam Math Sor. The greffier made an oral report
17 that, to your best knowledge, you are not related, by blood or by
18 law, to any of the two Accused, that is, Nuon Chea and Khieu
19 Samphan, or to any of the civil parties admitted in this case. Is
20 this information correct?

21 A. Yes, it is correct.

22 [09.19.00]

23 Q. And Madam Math Sor, what is your religion?

24 A. I am an Islamic believer.

25 Q. Thank you.

6

1 And the greffier, Ms. Chea Sivhoang, you are instructed to lead
2 the witness for swearing. You may proceed with it.

3 THE GREFFIER:

4 Madam Witness, I now proceed with the swearing words. Please
5 place your hand on the holy Koran before you.

6 I will read out the swearing words, and please repeat after me.

7 "I would like to answer only the truth from what I witness,
8 heard, know and remember in the name of an Islamic believer who
9 have only Allah as God and Mohammed as Allah's messenger, and the
10 Holy Koran as the guideline for me to follow.

11 I would like to swear in front of the Holy Koran, wallahi
12 billahi, which verify that all what I am going to say is true."

13 MS. MATH SOR:

14 [Witness repeats the oath]

15 [09.21.10]

16 BY THE PRESIDENT:

17 Thank you, Ms. Chea Sivhoang.

18 The Chamber would now like to inform you, Madam Witness, of your
19 right and obligation. Madam Math Sor, as a witness in the
20 proceedings before the Chamber, you may refuse to respond to any
21 question or to make any comment which may incriminate you. That
22 is your right against self-incrimination.

23 As for your obligations as a witness in the proceedings before
24 the Chamber, you must respond to any questions by the Bench or
25 relevant Parties except where your response or comment to those

7

1 questions may incriminate you as the Chamber has just informed
2 you of your rights as a witness.

3 You must tell the truth that you have known, heard, seen,
4 remembered, experienced, or observed directly about an event or
5 occurrence relevant to the questions that the Bench or Parties
6 pose to you.

7 [09.22.21]

8 And Madam Math Sor, have you been interviewed by investigators of
9 the Office of the Co-Investigating Judges? If so, how many times,
10 when and where?

11 MS. MATH SOR:

12 A. I was requested for an interview for one time in Kampong Cham,
13 and I was interviewed twice in Trea <2> village.

14 Q. Before you appear before the Chamber, have you read, reviewed
15 or have them read out to you -- I refer to the three written
16 records of your interviews that you provided to the investigators
17 -- in order to refresh your memory?

18 A. I have not read them all, but my husband read -- read them
19 aloud to me, and I can recall parts of those statements, as it
20 happened a long time ago.

21 [09.23.43]

22 Q. Your husband read those statements out to you. Do the
23 statements reflect the words that you used when you were
24 interviewed by investigators at Kampong Cham and in Trea village?
25 Are the written records consistent with what you said?

1 A. Some are accurate, and some are not really accurate, but
2 rather, consistent.

3 MR. PRESIDENT:

4 Pursuant to Rule 91 bis of ECCC, the Chamber hands the floor
5 first to the Co-Prosecutors to put the questions before other
6 Parties. And the combined time for the Co-Prosecutors and the
7 Lead Co-Lawyers for civil parties is two sessions.

8 And the Deputy National Co-Prosecutor, you have the floor.

9 [09.24.56]

10 QUESTIONING BY MR. SENG LEANG:

11 Thank you, Mr. President. Good morning, Your Honours. Good
12 morning, everyone in and around the courtroom. My name is Seng
13 Leang. I am a National Deputy Co-Prosecutor.

14 Q. Good morning, Madam Witness. I have some questions to put to
15 you. And again, good morning, Madam Witness. My first line of
16 questions is the following. I'd like to ask you about where you
17 were before the arrival of the Khmer Rouge in your commune. Can
18 you tell the Chamber, where were you living? <And what were you
19 doing? >

20 MS. MATH SOR:

21 A. When the Khmer Rouge entered my area, I was in the
22 cooperative, <in a mobile unit, harvesting rice crops>.

23 Q. Do you recall when the Khmer Rouge came to control your area?

24 A. It was in 1978.

25 Q. I understand that this event happened a long time ago. Can you

1 please try to recall the date or the year again? Was it in 1978,
2 1975 or maybe earlier than that?

3 A. No, they were not there in 1975, but they were in 1978.

4 [09.27.40]

5 Q. I would like you to try to remember again because the Khmer
6 Rouge regime started from the 17 April 1975 and lasted on the 6th
7 of January 1979. So please try to think again as to which year
8 the Khmer Rouge came to control your area.

9 MR. PRESIDENT:

10 Witness, please observe the microphone.

11 (Short pause)

12 [09.29.05]

13 MR. PRESIDENT:

14 National Deputy Co-Prosecutor, please repeat your last question,
15 and please try to simplify your questions. It seems that the
16 witness does not have a great knowledge. Maybe she's not that
17 well educated.

18 You may probably -- probably it's better for you to actually
19 mention a year and, if you ask for her lengthy comment, maybe she
20 doesn't understand that.

21 BY MR. SENG LEANG:

22 Q. Thank you, Mr. President. And Madam Witness, do you know when
23 the Lon Nol regime fell?

24 MS. MATH SOR:

25 A. No, I cannot recall that.

10

1 Q. Can you tell the Chamber where you were when the Khmer Rouge
2 came to take control of your area?

3 A. At that time, I was in Khsach Prachheh Kandal in Krouch Chhmar
4 <commune>, and later on, <when I was in a mobile unit,> I was
5 evacuated <-- I was taken to be smashed there>.

6 Q. Allow me to try again regarding the year. Between 1970 and
7 1975, where did you live?

8 A. I was in Khsach Prachheh Kandal village, Krouch Chhmar
9 commune.

10 [09.31.24]

11 Q. And between '70 to 1975, did the Khmer Rouge come to control
12 -- come to control your area?

13 A. Yes, they did. And we were evacuated to Krouch Chhmar area,
14 and I was relocated to Trea 2 village. Actually, their plan was
15 to kill us <there>.

16 Q. So you mean that between 1970 and '75, the Khmer Rouge already
17 occupy your area. Is that correct?

18 A. Yes, that's correct.

19 Q. Could you tell the Chamber that between 1970 and '75, how many
20 families lived in Khsach Prachheh Kandal village?

21 [09.32.36]

22 A. I did not know how many families lived in the village because,
23 at that time, I was very young.

24 Q. To refresh your memory, I will read from a document. It is
25 E3/5194. The written record of -- from the Office of the

11

1 Co-Investigating Judge, ERN in Khmer is, <00204406> (sic); and in
2 English it is, <00274707> (sic); and in French, <00268838>. In
3 that document, you stated that you were born in Khsach Prachheh
4 Kandal, and at the time you were 14 years old when the Khmer
5 Rouge arrived and you were still studying at that time. And the
6 Khmer Rouge <ordered> you to stop studying.

7 So what I just read to you, can it refresh your recollection?

8 A. Yes, it is -- it was like what you just read.

9 Q. A little bit earlier, you told the Presiding Judge that you
10 were born in 1960. Is that correct?

11 A. No, I said that I was born -- I was not clear about the year I
12 was born, maybe in 1961.

13 Q. If you were born in 1961, so when you turned 14, it means that
14 when the Khmer Rouge arrived in your area, it was in 1973, so is
15 this correct?

16 A. I'm not quite sure about this because I was young at that
17 time.

18 Q. So from my calculation, it should be in 1975 when the Khmer
19 Rouge <arrived> in your area.

20 A. I'm not quite sure about this point.

21 [09.36.42]

22 Q. It is all right, Madam Witness. Now I will ask you about the
23 situation before the arrival of the Khmer Rouge and after the
24 arrival of the Khmer Rouge.

25 Before the arrival of the Khmer Rouge in your village, could you

12

1 tell us about the living conditions of Cham people in your Khsach
2 Prachheh Kandal village?

3 MR. PRESIDENT:

4 Madam Witness, please hold on.

5 The floor now is given to Counsel Victor Koppe. You may now
6 proceed.

7 [09.37.32]

8 MR. KOPPE:

9 Thank you, Mr. President. Good morning, Your Honours. I've been
10 listening for a while now to the questions of the National
11 Co-Prosecutor, but I'm not even sure what it means when he says,
12 "when the Khmer Rouge arrived".

13 It seems to be the case that this particular area came under the
14 control of the National United Front in 1970, and obviously, in
15 1975, the Lon Nol regime fell. So asking this witness when the
16 Khmer Rouge arrived is not only historically completely
17 inaccurate, but it's also confusing. And I think if we're talking
18 about this particular district or area where this witness is
19 living in, the National Co-Prosecutor should be really a little
20 bit more historically accurate.

21 MR. SENG LEANG:

22 Thank you for your comments. Now I will rephrase my questions
23 because the witness found it difficult to remember the exact date
24 when the Lon Nol regime collapsed and when the Khmer Rouge regime
25 started to take control of her area. That's why I faced some

13

1 challenges in asking about the specific date for the facts.

2 [09.39.17]

3 MR. PRESIDENT:

4 Since you face with this kind of challenges, that's why Counsel
5 Victor Koppe asked you to rephrase the questions and be specific
6 on the specific time when the political development in the
7 country took place because if you talk about the Khmer Rouge,
8 it's so broad.

9 The Communist Party started from 1951, so if you talk about the
10 Khmer Rouge regarding the temporal aspect, it's so broad, so you
11 need to refer to -- you need to ask specific question that refer
12 to specific temporal aspects, <for instance, the Front troops or
13 the liberation forces, so that the witness could answer>.
14 So we need to be careful with our questions because we don't have
15 much time in the -- in this proceeding. <And so far the questions
16 and answers have not reached any points that are related to the
17 facts within the scope of this trial yet, nor did they contribute
18 to ascertaining the truth in this matter.>

19 BY MR. SENG LEANG:

20 Thank you, Mr. President. Now I will rephrase my question. I will
21 specify the time frame to the witness.

22 Q. Madam Witness, could you please tell us that, between 1970
23 <and> 1975, how many Cham families lived in the village?

24 [09.40.59]

25 MS. MATH SOR:

14

1 A. At that time, <they> were all evacuated <from Khsach Prachheh
2 Kandal village>. <Only Khmer people lived there.>

3 Q. Madam Witness, I asked you the time period between 1970 and
4 1975. That is before the 17 April 1975. I just want to know how
5 many Cham families living in your village.

6 A. At that time, the Cham families were all evacuated away from
7 the village, and I could not remember what day it took place.

8 Q. You state that the Cham family had already been evacuated away
9 from the village. Could you tell us what year it happened?

10 A. I was too young to remember the time when they were evacuated.

11 Q. I have a number of other questions to pose to you.

12 Between 1970 <and> 1975, villagers in your village, particularly
13 the Cham people, what were their <living conditions>?

14 A. They were evacuated away, and we faced suffering.

15 [09.43.08]

16 Q. At that time, were the Cham people allowed to speak Cham
17 language or wore Cham clothes or practise Cham tradition, between
18 1970 <and> 1975?

19 A. I could not remember the year, but we were ordered to cut our
20 hair short and that our religious practices were abolished.

21 Q. Before the evacuation of people from your village, did they
22 allow the Cham people to speak Cham language, wear Cham clothes
23 or practise Cham religions?

24 A. No, they did not allow us to practise Cham religion. We all
25 were ordered to wear black clothes.

15

1 Q. From the time when the Cham people were evacuated from your
2 village, was the living condition of Cham people better than
3 before or harder?

4 [09.45.03]

5 A. When we were evacuated from the village, we were ordered to
6 grow <sugar> cane, <other vegetation>, and <> we ate only
7 porridge <at communal dining hall.>, Living condition was very
8 difficult.

9 Q. Did they allow the Cham people to speak Cham language or wear
10 Cham clothes?

11 A. No. We were ordered to speak Khmer language. And regarding the
12 clothes, it's also the same like other people.

13 Q. What about religion? Did they allow you to practise your
14 religion?

15 A. No.

16 Q. Were the Cham women allowed to keep their hair long?

17 A. No, we were all ordered to cut our hair short.

18 Q. Now we turn to the -- the time during the Lon Nol regime. Were
19 people in your village allowed to speak Cham language, wear Cham
20 clothes or practise Cham religion or Cham women were allowed to
21 keep their hair long?

22 [09.47.02]

23 A. At the time, I was very young, but as far as I can remember,
24 we were allowed to wear our traditional clothes and keep our hair
25 long.

16

1 Q. So you meant that during the Democratic Kampuchea regime <>
2 between 1975 and 1979, the living condition of the Cham people
3 changed. Is that correct?

4 A. I could not get your question. Could you please repeat your
5 question?

6 MR. PRESIDENT:

7 National Co-Deputy Prosecutor, could you please rephrase your
8 question and be more specific and precise about your question
9 because I think your question is a little bit vague.

10 [09.48.22]

11 BY MR. SENG LEANG:

12 Thank you, Mr. President.

13 Q. Madam Witness, I would like you to compare the living
14 condition of Cham people during the Lon Nol regime and during the
15 Democratic Kampuchea regime, whether the living condition of the
16 Cham people were -- became harder, or what?

17 MS. MATH SOR:

18 A. Yes, sir. During the Khmer Rouge regime, life was difficult.

19 Q. Now I turn to the -- another subject related to the evacuation
20 of people from your village.

21 Do you remember when the people from your village were evacuated
22 away, what month or year it was?

23 A. I'm sorry. I cannot tell you what year or month it was because
24 the situation at that time was so confusing.

25 Q. After people from -- Cham people from your village were

17

1 evacuated away, were Cham people from other villages evacuated
2 into your village?

3 A. No. No, there weren't. <Cham people in village had to leave.>
4 There were only Khmer people brought into my village.

5 Q. After they evacuated -- after the evacuation of people from
6 your village, could you tell us how many Cham family were there
7 at that time?

8 [09.50.45]

9 A. No, I -- I did not know how many families there were at that
10 time<, for I was too young to know that>. And now I become old, I
11 cannot recall this.

12 Q. Are you familiar with a Cham woman who<se named No Sates> also
13 lived in your village during the Khmer Rouge regime<?> Do you --
14 are you familiar with this name?

15 A. Yes, I know No Sates. Now she <is living> in Svay Khleang. <We
16 were taken away together to be killed by the Khmer Rouge.>

17 Q. Did she live in your village? Did she live with you in your
18 village after the evacuation or did she live somewhere else?

19 A. Yes, she was in my mobile unit. And then we were all evacuated
20 to Trea 2. That was the place where they had a plan to kill us.

21 [09.52.12]

22 Q. You said that you were assigned to work in the mobile unit.
23 Could you tell us when it was?

24 A. I could not remember the month or the year. I remember only
25 that when the Khmer Rouge arrive, <> I was separated from my

1 parents, and I was assigned to work in the mobile unit for the
2 whole regime.

3 Q. Thank you for your answer. Now I have another question related
4 to the arrival of the southwest cadres in your village. Do you
5 still remember the event of the arrival?

6 A. No, I cannot remember the month or the year when they came. I
7 knew that the southwest cadres came in and -- but I could not
8 remember the month and the year.

9 Q. You said that you knew the arrival of the southwest cadres in
10 your village, but you could not remember the time when they
11 arrived.

12 Could you tell us <>before the arrival of the southwest cadres
13 and if you compare the situation after their arrival, was the
14 living -- the living condition of Cham people became more
15 difficult or became more oppressed than before their arrival?

16 [09.54.30]

17 A. Yes, it became more difficult. We faced a lot of suffering and
18 hardship.

19 Q. Could you tell us how hard it was?

20 A. It's difficult in all aspects, including eating and other
21 things. And we were separated from our parents.

22 Q. When the southwest cadre arrived, what did they do to identify
23 who were Cham, who were Khmer?

24 MR. PRESIDENT:

25 Madam Witness, please hold on.

1 The Chamber now gives the floor to the defence counsel for Khieu
2 Samphan. You may now proceed.

3 [09.55.55]

4 MS. GUISSÉ:

5 Yes. Good morning, Mr. President. Thank you.

6 I'm obliged now to react because we're facing here a series of
7 leading questions, so I think that the Co-Prosecutor should make
8 an effort to put open questions to the witness. The last question
9 already had the <witness's> answer included in the way it was
10 formulated.

11 MR. SENG LEANG:

12 Mr. President, I only asked the question about the methods that
13 the Khmer Rouge cadres used to identify who were the Cham and who
14 were the Khmer. I did not ask her to give the answer "yes" or
15 "no".

16 MR. PRESIDENT:

17 The objection by the defence counsel for Mr. Khieu Samphan is
18 overruled. <This is not a leading question.>
19 Madam Witness, you can answer this question if you can remember.
20 Otherwise, the National Co-Deputy Prosecutor, you can rephrase
21 your question.

22 [09.57.17]

23 BY MR. SENG LEANG:

24 Q. Madam Witness, could you tell the Chamber what were the
25 methods that the southwest cadres used to identify who were Khmer

1 people and who were Cham people?

2 MS. MATH SOR:

3 A. At that time, we were evacuated to Trea Pir, and they asked us
4 who were Cham, who were Khmer. So we were asked when we were --
5 when we arrived at Trea Pir.

6 [09.58.12]

7 JUDGE FENZ:

8 Perhaps this is a translation issue, because in English this is a
9 perfectly open question. So I don't know what you have -- oh,
10 sorry. Am I on? Can I be heard?

11 Yes. In English, the question's perfect -- the question asked was
12 perfectly open. There was no direction of a leading question, so
13 perhaps there's an interpretation issue.

14 MS. GUISSSE:

15 No, I don't believe that it's a problem of interpretation. It is
16 <just> that, before, -<> the question <was asked> about how the
17 people were separated, I did not hear the witness speak about a
18 separation between the Cham and the <Khmers>, so the question
19 arrived a little bit too quickly, I believe. But I see that this
20 does not pose a problem to anyone, so therefore, I <am obliged
21 to> sit down again.

22 But, however, I <thought> that when <we> put questions to
23 someone, there should be a logical pathway. <That is all.>

24 MR. PRESIDENT:

25 The Chamber <has> already <overruled> the objection <> by the

1 defence counsel for Khieu Samphan. This is the decision that the
2 Chamber already made.

3 BY MR. SENG LEANG:

4 Q. Madam Witness, I would like to read a <court transcript of 28
5 September 2015,> Document E3/530.1 (sic) which came from the
6 hearing of the testimony by a witness named No Sates. At
7 <13.54.46>

8 [10.00.00]

9 MR. PRESIDENT:

10 Counsel Kong Sam Onn.

11 MR. KONG SAM ONN:

12 <I believe that the document must be E1 rather than E3.>

13 MR. PRESIDENT:

14 Thank you.

15 Co-Prosecutor, could you please repeat the document number?

16 <Court transcripts are not E3 documents. Also,> if you use
17 English, please use in English. If you use in Khmer, please read
18 in Khmer. Please do not mix them together.

19 [10.00.44]

20 BY MR. SENG LEANG:

21 Q. There was confusion in this matter. <It is> E1/350.1 <> at
22 15.54.46, ERN in Khmer <01153294>. I do not have its ERN in
23 English, and I would like to quote:

24 "The southwest cadre ordered the local people to gather the
25 people. The village chief came to identify who Cham people were.

1 They ordered the village chief to report to the southwest cadres.
2 <> District chief ordered to make statistic of who Cham <were>
3 and <made a> list and reported <it> to them. <They would not let
4 them stay.>" So -- end of quote.

5 So based on my reading, do you have any reactions?

6 MS. MATH SOR:

7 A. Yes, that is correct.

8 MR. PRESIDENT:

9 Hold on, Co-Prosecutor.

10 And Counsel Anta Guisse, you have the floor.

11 [10.02.51]

12 MS. GUISSSE:

13 Mr. President, I am <again> obliged to object to the
14 Co-Prosecutor's approach in examining this witness. Instead of
15 asking <the witness what happened and> how these events
16 occurred<, correctly,> <by asking how people were gathered,
17 etc.>, the Co-Prosecutor is merely quoting the statement of
18 another witness and asking the witness to react to that. <That is
19 not a good way to proceed.> If that person has come to testify,
20 the witness <can> testify as to what he knows, <but he should be
21 asked open questions> and not <fed statements from> another
22 witness<>.

23 MR. SENG LEANG:

24 Mr. President, in fact, before that, I asked an open question
25 whether the southwest cadres, after their arrival, actually

1 carried out their searches to find who were Khmer and who were
2 Cham, and her response was far from my question. And in order to
3 aid her memory, I put another question, that is, through a
4 portion of the transcript of the 28th <of September>. And that's
5 how I put questions to the witness.

6 [10.04.14]

7 MR. PRESIDENT:

8 Deputy Co-Prosecutor, you may misunderstand. In fact, such a
9 proceeding is allowed. However, the information in a statement of
10 another witness, you cannot put it straight to the current
11 witness. You need first to ask a question on that topic and,
12 after that, you can put a statement of another witness and ask
13 her to react if they are from the same area or they were of the
14 same time period.

15 And as the witness testified, her situation is -- was rather
16 different from the situation of the witness whose statement that
17 you quoted. So for that reason, what you did is a bit far from
18 our current practice.

19 BY MR. SENG LEANG:

20 Thank you, Mr. President. In the interests of time, I now move to
21 another subject.

22 Q. Madam Witness, a while ago, I asked you whether you were
23 assigned to work in a mobile unit, and you said yes. Is my
24 understanding correct?

25 MS. MATH SOR:

1 A. Yes, it is correct.

2 [10.05.57]

3 Q. Can you recall when you returned to Khsach Prachheh Kandal
4 village?

5 A. I did return to the village, but I cannot recall the month or
6 the year. However, by the time I returned, my parents had been
7 collected, <sent by boat> and placed in a <pagoda> to be killed.
8 <My group, on the other hand, were not sent there, we were put in
9 a mobile unit. We were> relocated to Trea <> village for the
10 purpose of being killed.

11 Q. When you returned to your village, what did you observe? What
12 was your observation of the number of the Cham families still
13 remained in your village?

14 A. No, I cannot recall that because I was part of a mobile unit,
15 and when I returned, I could only stay there for a night. Then we
16 were divided into a male group and female group, <the male group
17 were sent to build model houses,> and <on the second day,> my
18 parents were gathered up to be sent away to be killed while I,
19 myself, was sent to Trea village. <They said I was sent to
20 harvest rice crops at Kaoh Samraong.> And they actually planned
21 to kill us all <at Trea>.

22 [10.07.56]

23 Q. How long after your arrival in your village were you called to
24 be relocated to Trea village?

25 A. It was three days after.

1 Q. And did you know the cadre who actually instructed you to
2 relocate in Trea village? Where were you called to before you
3 were sent to Trea village? Was <there> a meeting held where that
4 information was informed?

5 A. No, there was no meeting held. After the parents were sent
6 away, we from the mobile unit were instructed to relocate to Trea
7 village and we were instructed to live in a house where there
8 were armed guards there.

9 Q. Let me backtrack a little bit before you were sent there.
10 Were all the family members in your family sent to Trea village,
11 or how were you divided up, whether you sent to Trea while other
12 members of your family were sent elsewhere?

13 [10.09.37]

14 A. Yes, I can do that. After I returned from the mobile unit, my
15 brothers and my father were called to <build model houses>, and
16 that was the first batch <sent on the first day>. And on the
17 second day, <> women <> were <informed> that the male group <had
18 already built houses thus>, the women <had to move in and live
19 there>. And <> on <the third day>, we, <the> members of the
20 mobile unit, <were told that it was not necessary for us> to go
21 there, but we had to go to Trea village< to harvest rice crops at
22 Kaoh Samraong>. In fact, we were <> sent <> to Trea 2 village, <a
23 detention centre>.

24 Q. When you were sent to Trea village, how many of you were sent
25 at that time?

1 A. There were about 30 people who were placed in the -- that
2 house. And we were all Cham.

3 Q. I don't understand your response. You said "that <>house",
4 <what> house are you referring to?

5 [10.11.16]

6 A. I said that we were placed in a house, that is, we, <the Cham
7 people,> members of the mobile unit -- were placed in a house,
8 and there were about 30 of us. And that house was the kind of a
9 detention house or detention place. Here I refer to 30 members
10 from the mobile unit, not 30 members of my family.

11 Q. And can you recall what time you arrived in Trea village?

12 A. It was around 4 o'clock when we arrived. However, this is
13 approximate only, as we did not have any watch to refer to.

14 Q. If you're not sure about the time, was it dark when you
15 arrived or there was still daylight left?

16 A. No, it was not really dark yet. And when we were there, it was
17 not yet the dark -- the night time. And I saw them sharpen their
18 knives <and chit chat.>

19 Q. Upon your first arrival in Trea village, what were you
20 instructed to do?

21 A. We were told to go up to that house. Then they closed the
22 windows and the door, and we, about 30 of us, were detained on
23 that house. And there were some of them who were staying adjacent
24 -- or next to the house where we were detained, and they were
25 armed.

1 We were not allowed to get out of that house.

2 Q. Can you tell the Chamber what happened next?

3 [10.14.00]

4 A. When the night was about to fall, they stripped some pieces of
5 cloth and they went up the house and they requested <> us to be
6 tied up. The 30 of us did not know how to react. We only looked
7 at each other faces and kept quiet. We could not do anything. And
8 then they simply tied us all up.

9 Q. How many of them who went up to that house? Did they ask you
10 any questions?

11 A. Yes, they did ask us questions. Actually, before they tied us
12 up, they sharpened their knives and then they spoke to each other
13 that, "tonight we have a lot of big pigs, so we have to sharpen
14 our knives". Later on, they -- they made strips from cloth. They
15 went up the house and <requested> us to be tied up. I was pretty
16 small then, <they could not really see me,> and then they asked
17 -- they shouted whether everyone was tied up. And then I said I
18 was not tied up yet. They noticed that, and then they said that I
19 was a good girl. Of course, I did not know where I would flee to
20 because they were all armed. And there was another group of armed
21 people outside.

22 [10.16.08]

23 Q. Did they ask you and other Cham people <any> questions, and if
24 so, what were those questions?

25 MR. PRESIDENT:

28

1 It is now appropriate for a short break. We'll take a break now
2 and return at 10.30 to resume our proceedings.

3 Court officer, please assist the witness at the waiting room
4 reserved for witnesses and civil parties and invite her back into
5 the courtroom at 10.30.

6 (Court recesses from 1017H to 1032H)

7 MR. PRESIDENT:

8 Please be seated. The Court now is back in session.

9 The floor is given to the Deputy Co-Prosecutor to put more
10 questions to the witness.

11 BY MR. SENG LEANG:

12 Q. Thank you, Madam Witness. Before our short break, you told us
13 that the Khmer Rouge cadres came up the house and wanted to tie
14 you up. Is that correct?

15 MS. MATH SOR:

16 A. Yes, that's correct.

17 Q. Beside the intention to tie you up, did they do anything else?

18 A. No, they didn't.

19 [10.33.16]

20 Q. Did they interrogate the -- all the people on the house with
21 you?

22 A. After they had <tied> us up, they <asked> how many <Cham and
23 Khmer> were <>. <In case that we were Khmer, they would kill a
24 pig for us to eat.>

25 Q. At that time, <what did you and others> answer?

1 MR. PRESIDENT:

2 Madam Witness, please observe your microphone.

3 BY MS. MATH SOR:

4 A. After they <had> tied us up, they asked us how many of us were
5 Cham and how many <Khmer, and how many> of us were children of
6 mixed marriage. If <> anyone answered that they were children of
7 mixed marriage, they would <be placed> into one group, <and
8 another group for those who said they were Khmer and a separate
9 group for those who said they were Cham>. <Anyone who said they
10 were mixed, they would be sent away first.> Later on, <> I felt
11 fearful, so I told them that I was a child of Khmer parents.

12 [10.35.22]

13 MR. SENG LEANG:

14 Q. Can you tell the Chamber how many people at that time gave the
15 answer that they were children of Cham, how many gave the answer
16 that they were children of Khmer and mixed marriage?

17 A. Those who gave the answer that they were children of mixed
18 marriage, they were taken away. So about 20 -- of 30 people in
19 the house, 20 were taken away to be killed. <There were about ten
20 of us, who told them that we were children of Khmer parents,
21 remained there.>

22 Q. So can you be more specific as to how many people were there
23 all together in the house?

24 Was it just only your group, or were there any other groups also
25 sent to <> that house <before your group>?

1 A. No, there were no people from any other groups. There were
2 people only from my group who were detained in that house. So my
3 group, we consisted of <over> 30 people when we arrive. We were
4 detained in that house. There were no else in that house.

5 [10.37.02]

6 Q. If time allow, I will come back to revisit this point.

7 So you mentioned that some of the people in your group told the
8 Khmer Rouge cadre that they were children of Khmer, some answered
9 that they were children of Cham. Some said they were children of
10 mixed marriage.

11 So what happened next after they gave the answer to the Khmer
12 Rouge?

13 A. After they gave the answer, the -- those who were taken away
14 were told that they were -- they would be taken to eat somewhere
15 else. And I had no -- I had no knowledge of what happened next to
16 them. <I only know that there were about 10 of us remained.>

17 Q. So among those who gave the answer that they were children of
18 Khmer, <where did they have to stay in that house?> And those who
19 were -- who said that they were <Cham or> children of mixed
20 marriage, so where did these two group of people sent to?

21 A. Those who gave the answer that they were Cham or children of
22 mixed marriage, they were taken away to be killed <two at a time
23 with a pretext that they were taken to eat rice>. And about 10 of
24 us who left, we told them that we were children of Khmer, so they
25 kept us, <but our hands were still in ties>. They took away only

1 <those who said that they were> Cham< or the children of mixed
2 marriage>.

3 [10.39.03]

4 Q. How did you know that those who answered that they were Cham
5 or children of mixed marriage were taken away to be killed?

6 MR. PRESIDENT:

7 Madam Witness, please hold on because the Chamber now give the
8 floor to Counsel Victor Koppe.

9 MR. KOPPE:

10 Thank you, Mr. President. I object to this question. It is,
11 indeed, true that the witness speaks about taken away to be
12 killed. She actually said that a few times. I imagine she uses
13 those words because that's what she thinks happened to them.
14 However, in previous answer, she says literally, quote, "I had no
15 knowledge what happened next to the group that said that they
16 were either Cham or of mixed marriage origin". So although she
17 said it at one point, she also specifically says that she has no
18 knowledge as to what happened next, so I think that should be
19 incorporated in the question that was just asked by the
20 Prosecution.

21 [10.40.28]

22 MR. SENG LEANG:

23 Mr. President, I just asked a question about what happened to
24 those who answered that they were Cham and those who answered
25 that they were Khmer or children of mixed marriage.

1 She gave the answer that those who gave the answer that they were
2 Cham or children of mixed marriage were taken away to be killed.
3 And based on her answer, I asked her how did she know that those
4 who answered that they were Cham or children of mixed marriage
5 were taken away to be killed.

6 MR. PRESIDENT:

7 <The objection by Counsel Koppe is overruled.> Co-Prosecutor can
8 ask this question, so the witness, please give your answer to the
9 question, if you can.

10 (Short pause)

11 [10.41.43]

12 MR. PRESIDENT:

13 National Deputy Co-Prosecutor, please put your question to the
14 witness again, and please make sure that your question is short
15 and precise to be able to finish your question within the time
16 frame that the Court give to you.

17 BY MR. SENG LEANG:

18 Thank you, Mr. President.

19 Q. Madam Witness, you have just mentioned that those who were
20 Cham or children of mixed marriage were taken away to be killed.
21 I would like you to tell the Court how did you know that those
22 people were taken away to be killed.

23 [10.42.37]

24 MS. MATH SOR:

25 A. We were in the same house, and when those people were taken

1 away, we -- we saw them through the holes of the wall. <There was
2 moon light, so I saw them clearly.>

3 Q. <Aside from> the killing, before the killing took place, did
4 the Khmer Rouge cadres do <anything> else to the Cham people or
5 children of mixed marriage?

6 MR. KOPPE:

7 I understand that the Prosecution likes the word "killing", but
8 she didn't say that. She just said that they left and she saw
9 them taken away. She didn't add the word "killing" or "killed"
10 afterwards, so please don't be suggestive, Mr. Prosecutor.

11 BY MR. SENG LEANG:

12 Q. Madam Witness, could you clarify that the Cham people and
13 children of mixed marriage -- you said that those people were
14 taken away to be killed, so is that your answer?

15 MS. MATH SOR:

16 A. Yes, I gave the answer like that.

17 Q. So when you answered like that, it mean that they were taken
18 away to be killed, or what?

19 [10.44.43]

20 MR. PRESIDENT:

21 Madam Witness, you don't have to give your answer to this
22 question.

23 Co-Prosecutor, you need to put your question in a different way,
24 for example, <> how did the witness can see those people taken
25 away, through what way, how far was she <> from those people who

1 were taken away, <how they were killed, to see whether or not the
2 answers that the witness gives are believable regarding the
3 killing. When you ask questions like that, it's rather
4 redundant.> So this should be the ways of putting the questions.

5 MR. SENG LEANG:

6 Mr. President, because the Defence Counsel raised this matter,
7 that's why I would like to be more specific about this -- about
8 the killing.

9 [10.45.45]

10 MR. PRESIDENT:

11 In fact, the witness already responded to your question.

12 BY MR. SENG LEANG:

13 Q. Madam Witness, I have another question to put to you. From the
14 house where you were detained, how far was it from the location
15 where those people were killed, and can you also tell the Chamber
16 whether those people were killed at night time <or day time>?

17 MS. MATH SOR:

18 A. It was at night time. However, I did not have a watch to refer
19 to. When they were taken out of the house, they were taken to a
20 <big> pit about eight metres from the house and <Cham people>
21 were killed in that pit. <And then wooden planks were put on top
22 of the pit.> And there was a big tamarind tree near the pit, and
23 there were a few small tamarind trees also near the pit, <but
24 they were all collapsed>. And I could see clearly the event
25 unfolded.

1 [10.47.11]

2 Q. Madam, this may be my last question to you. After they
3 executed the Cham people, what happened to your group who
4 answered that you were Khmer?

5 A. After they killed those people, our group -- there were about
6 10 of us -- were given a bowl of gruel each.

7 MR. SENG LEANG:

8 Mr. President, I have no further question. I'd like to give the
9 floor to my international counterpart.

10 MR. PRESIDENT:

11 International Co-Prosecutor, you may proceed.

12 [10.47.56]

13 QUESTIONING BY MR. KOUMJIAN:

14 Q. Thank you. Madam Witness, you said you were taken to this
15 house with about 30 people, 30 women or girls. Were all of these
16 people from one area, or from different areas?

17 MS. MATH SOR:

18 A. We came from the same area.

19 Q. And what village or area was that?

20 A. From Khsach Prachheh Kandal village, Krouch Chhmar commune,
21 Krouch Chhmar district, Kampong Cham province. So, only my group,
22 not any other groups.

23 Q. So in that group, did you know -- were you familiar with the
24 other 30 girls, some or all of them?

25 A. I would like you to clarify your question whether you ask me

1 whether I'm -- I am familiar with the Accused or with the
2 victims.

3 Q. I'm asking about the other 30 -- the other 29 or so women and
4 girls that went to you -- with you to that house in Trea 2
5 village in the incident you just talked about.

6 Did you know -- "skoal" (phonetic), in that sense, or did you
7 know them prior to arriving at that house?

8 MR. PRESIDENT:

9 Madam Witness, please hold on.

10 The Chamber gives the floor to Defence Counsel Kong Sam Onn. You
11 may now proceed.

12 [10.50.17]

13 MR. KONG SAM ONN:

14 I'm not quite clear <as to when> the witness said, that there
15 were <29 people aside from her>. I did not hear what -- I did not
16 hear that she said like that, so this figure came from what the
17 Co-Prosecutor said. <The witness said over 30 people.>

18 BY MR. KOUMJIAN:

19 Q. Madam Witness, I'll repeat the question.

20 The question was, the 30 girls or women that you arrived with --
21 you testified you came with 30 girls or women in your group. Did
22 you know them in the sense of being familiar with them, having
23 met them before?

24 [10.51.18]

25 MS. MATH SOR:

1 A. We lived in the same mobile unit, and some of -- 30 of us,
2 some were my relatives. So they were all people who were familiar
3 to me. They were not strangers. They were from my village, that
4 is, Khsach Prachheh Kandal, Krouch Chhmar commune, <Krouch Chhmar
5 district>.

6 Q. Those women and girls that answered that they were Cham or
7 they were of mixed blood that night in that house in Trea 2. Have
8 you ever seen them again alive?

9 A. As I told you that the situation was -- at that time was
10 scary, so I was so fearful and I just tried to give the answer in
11 a way that I can save my life because those who gave the answer
12 that they were Cham or children of mixed marriage were taken
13 away, so I gave the answer that I was Khmer in order to save my
14 life.

15 Q. Okay. Madam Witness, I know -- I understand that. Thank you.
16 But please listen to the question. This is not what I was asking
17 you.

18 All I want to know from you is the girls or women that did say
19 that they were Cham or said that they were mixed blood, have you
20 ever seen them again up to today since that night in Trea 2
21 village?

22 [10.53.30]

23 A. No, I did not see them again because they were killed into the
24 pits.

25 Q. Thank you. Now, you said that you looked out through the

1 walls. Can you explain exactly how you were able to look out and
2 see outside the house when you were inside the house?

3 A. There was a window, and I could see outside through the holes
4 of the window. <I peeped through the holes because I was scared.
5 I wanted to know what they did to those who were taken away. They
6 put wooden planks on top of the pit> and they ordered those
7 people to <bend down> and <then> they <smashed them> down into
8 the pits. That is what I witnessed.

9 Q. Okay. Thank you. Now, I want you to just -- if I could ask you
10 -- I know it's not a good memory. Can you just tell us what you
11 remember about what you actually saw in as much detail as you
12 remember today? That night, when you looked out through the holes
13 in the window, what did you see and what, if anything, did you
14 hear?

15 [10.54.55]

16 A. I heard the screams, <"Don't rape me">, but I did not see the
17 raping incident. But I only heard the scream that, "Please don't
18 rape me".

19 Q. Now, you talked about pits. Did you actually -- could you see
20 the pits in the darkness?

21 A. At that time, it was a full moon night, so I could see
22 <clearly>. And it -- there were no trees blocking my view, so I
23 could see the <big> pit clearly.

24 Q. Now, after that night, did anyone else arrive at the house?

25 A. After that, I spent only 24 hours there and then I left to the

1 area east of it. And I -- I did not return back to that area
2 because I was detained in the house in another area.

3 Q. Thank you. But during the 24 hours when you were still at the
4 house, my question is if you saw any other people, groups of
5 detained persons, arrive at the house. If not, just say so. Did
6 you see anyone else arrive at the house?

7 A. The house where I stayed, they did not put in any other
8 people, but they sent in some people and kept in front of the
9 house, but not in my house. And I did not know where those people
10 who were kept in front of my house sent to next.

11 [10.57.35]

12 Q. This house that -- in Trea 2 village that you were taken to,
13 can you describe it at all? Can you tell us where it was in
14 relation to the river, for example?

15 A. When I was detained there, it was about eight metre from the
16 river, and the pits were about <also 8> metres away. Now that
17 area has already fallen into the river.

18 Q. So that night, just to clarify one thing, when you looked out
19 through the window, you saw people, you saw pits. Did you
20 actually see the people killed, or not? Did you see anyone
21 killed, or not, the actual act of killing?

22 A. Yes, I witnessed the event, but it's -- I was a little bit far
23 from the pit. I saw -- I looked out and saw it through the <>
24 holes <of the wall>. <It was about 8 metres away.>

25 [10.59.08]

1 Q. What do you recall seeing? If you can tell us what you saw.

2 A. There -- I saw them falling into the pit. The pit was big, but
3 it was shallow. And I did not dare <look at it for too long>
4 because I, myself, was still tied up.

5 Q. Who was in charge at that house; do you know?

6 A. Ho was in charge.

7 Q. Can you tell us anything about Ho, who he was?

8 A. I didn't know from which village Ho came. However, I saw him
9 there. He was in charge of that house.

10 Q. How did you know his name was Ho?

11 A. I heard his peer called him by that name. And from my
12 understanding, he was chief of the district.

13 Q. Can you tell us anything about what he looked like back at
14 that time? Can you describe him a little bit?

15 A. He was tall and had a broad, bald forehead and a rather long
16 face.

17 [11.01.24]

18 Q. Now, when you began your testimony, you talked about a plan to
19 kill the Cham. Why did you say there was a plan to kill all the
20 Cham?

21 A. I did not know about that, and I was wondering why they took
22 the Cham people away and killed them. I still have no answer for
23 that.

24 Q. Well, do you know, were any Cham people that you knew killed
25 during the Democratic Kampuchea regime, that is, the Khmer Rouge

1 regime from April 1975 until the Vietnamese came to your area at
2 the end of 1978, do you know of any people that you knew who were
3 killed?

4 A. No, I did not.

5 [11.02.35]

6 Q. Did your father survive the regime?

7 A. They -- all the member of the family were taken away and
8 killed <by the Khmer Rouge>.

9 Q. Well, how many people are that? Can you tell us who they were?
10 Was it your father, any of your brothers or sisters? Can you
11 explain who it was from your family that you lost during the
12 regime?

13 A. There were eight family members. I lost six siblings, then my
14 father and my mother, so there were eight of them. And <among
15 them,> two of my elder <sisters> were pregnant.

16 Q. What happened to your elder daughters? Did they survive the
17 regime?

18 THE INTERPRETER KHMER-ENGLISH:

19 Interpreter correction. Elder sisters.

20 MS. MATH SOR:

21 A. Whom are you referring to?

22 BY MR. KOUMJIAN:

23 Q. All right. That was a small translation problem. Your elder
24 sisters. You said two were pregnant. Did they survive to give
25 birth, or not?

1 A. They were taken away and killed.

2 Q. You said that you had gone to school. What kind of a school
3 was it? Was it Islamic school?

4 A. Which school are you referring to?

5 [11.04.51]

6 Q. When my colleague read out your answer, you said you were in
7 school before the Khmer Rouge came, so let me just ask you, did
8 you have any education in your village?

9 A. I did. <At the time,> I was 14 years old, and my siblings were
10 taken away and killed <a few days before it was my turn>. And I
11 was not allowed to study any more when I was 14 years old. <It
12 was later on that I was taken away.>

13 Q. Can you tell us, if you remember, was your teacher Cham?

14 A. No, my teacher was Khmer, and we studied Khmer.

15 Q. Did you -- did anyone teach you how to pray, teach you Arabic
16 or how to pray in the Cham language?

17 [11.06.24]

18 A. Yes, I was. However, it -- in fact, it was my parents who
19 taught us Islamic religion. And when I went to school, I studied
20 the Khmer language.

21 Q. Thank you. Did you have a Hakim that you knew in your village?

22 A. Yes.

23 Q. Do you know if your Hakim survived the regime?

24 A. However, Hakim was taken away and killed, and his name was
25 San.

1 Q. Now, in that group of girls and women that were brought to the
2 house in Trea 2, to your knowledge, were any of them planning to
3 kill Pol Pot or capture Phnom Penh to overthrow the Khmer Rouge
4 regime?

5 A. No, there wasn't, and I didn't know for what reason they were
6 taken away and killed.

7 Q. How about your parents and your siblings? Do you know if they
8 had plans to kill Pol Pot and the other leaders or to overthrow
9 the Khmer Rouge regime?

10 A. Of course, there wasn't any -- we did not have any such plan,
11 and they were taken away and killed.

12 [11.08.38]

13 MR. KOUMJIAN:

14 Thank you. Your Honours. I believe we owe the rest of the time to
15 the civil parties, so I will stop my questions now.

16 MR. PRESIDENT:

17 Thank you. And the Chamber now hands the floor to the Lead
18 Co-Lawyers for civil parties to put question to this witness. You
19 may proceed.

20 MR. PICH ANG:

21 Mr. President, we would like to designate Counsel Lor Chunthy to
22 put questions to this witness.

23 [11.09.16]

24 MR. PRESIDENT:

25 Yes. Lor Chunthy, you may proceed.

1 QUESTIONING BY MR. LOR CHUNTHY:

2 Thank you, Mr. President. Good morning, everyone in and around
3 the courtroom. My name is Lor Chunthy. I am a lawyer for civil
4 parties, and I have some questions to put to the witness
5 regarding the events that happened between 1975 <and> 1979.

6 Q. And Madam Witness, in 1975, which village were you living in?

7 MS. MATH SOR:

8 A. I was living in Khsach Prachheh Kandal, Krouch Chhmar commune,
9 Krouch Chhmar district. However, my husband was from Trea
10 village.

11 Q. Thank you. In the village that you were living in, were all
12 villagers Cham or it was a mixed Cham and other ethnicities
13 living there?

14 A. <When I was there,> there were not many Cham living in that
15 village. The majority was Khmer people. And in my area, only our
16 family was Cham, and the rest were all Khmer. <The Cham people
17 had been evacuated already.>

18 Q. My question to you is that while you were living in that
19 village, were there many Cham people living there, too?

20 [11.11.38]

21 A. After I came out from the forest, I cannot tell you what year
22 it was, and people who were evacuated to live in the village were
23 all Khmer. <There was only one Cham person.>

24 Q. Allow me to put it another way. When the Khmer Rouge evacuated
25 your family out, to which village and commune you were evacuated

1 to?

2 A. We were evacuated to Krouch Chhmar Krom. I meant my parents
3 and my siblings, we were all evacuated to Krouch Chhmar Krom,
4 <Krouch Chhmar commune, Krouch Chhmar district, Kampong Cham
5 province at that time>.

6 Q. When you were evacuated, did they put men and women in
7 separate groups, or there was no division between male and female
8 <when you reached a place>?

9 [11.13.13]

10 A. When we were evacuated there, we were allowed to live as a
11 family, but I, myself, was assigned to work and live in a mobile
12 unit <digging dirt>. And for older people, they were allowed to
13 live in the house.

14 Q. During the course of the evacuation, were all your family
15 members sent at one time, or were male members sent first?

16 A. We were all sent. However, when we were relocated back to our
17 village, then we were put in separate groups where men were told
18 -- where we were told that men would <go first to> build <model>
19 houses for women. However, during the first evacuation, family
20 members were allowed to stay in the family, while youths like
21 myself were assigned to work in the mobile unit. But for older
22 people like grandparents, they would allow to stay in the family.
23 And only when we were returned to the village when we were told
24 that men <would need to go first to> build model houses for us,
25 then we were divided into male and female groups. <Older people

1 were sent the second day and my group> was sent to Trea village
2 <on the third day>.

3 Q. Thank you. You said men were sent to build model houses. Where
4 were they sent to build those so-called model houses?

5 [11.15.30]

6 A. I did not know about that. We were simply told about it, and
7 men were sent on the first day, and on the second day, the women
8 were sent. And we, our -- the third group was sent on the third
9 day. And I did not know whether men actually built model houses.

10 Q. You stated that, on the first day, men were taken away and, on
11 the second day, women with children were sent away. And for you
12 and the rest were sent away on the third day to Trea village.
13 When the men were sent away, did you know how they were sent
14 away? Were they put on ox carts or were they sent on foot? What
15 was your observation?

16 A. When men were taken away, in fact, they were being walked
17 <eastward> in the direction of Krouch Chhmar. That's all I knew.
18 And of course, I did not follow them.

19 [11.16.56]

20 Q. And for the second day, you stated that women were sent away.
21 Those women with children, where were they sent to?

22 A. They were sent to be -- to gather up in front of the Khsach
23 Prachheh <Kandal> pagoda and, later on, they were put on boats.
24 And I did not know where they were taken to on those boats.

25 Q. In the interests of time, I move to another topic. On the

1 third day, you, yourself, were sent -- were sent away. How many
2 of you were sent at that time? And from which area were you sent,
3 and how long did the trip take, and by what means?

4 A. We were in the mobile unit, and we were asked to line up and
5 to walk to Trea village <from Khsach Prachheh Kandal village>.

6 And it took us a bit more than an hour to reach the village.

7 Q. Thank you. How many of you, and what was their age range? Were
8 they about your age or were they younger or older than you?

9 A. Most of the people in the group were older than me. In fact, I
10 was the youngest member of the group.

11 Q. Thank you. And upon your arrival in Trea village, why did you
12 know or how did you know that the village was called Trea?

13 [11.19.35]

14 A. In fact, I knew Trea village because it was an adjacent
15 village to Khsach Prachheh Kandal, and it was in Krouch Chhmar
16 commune and Krouch Chhmar district.

17 Q. You haven't responded to my question. I asked how many of you
18 were sent at that time.

19 A. There were more than 30 of us who were sent. I cannot recall
20 the exact number, as it happened a long time ago. There were
21 about 35 or 36 of us.

22 Q. And upon your arrival, were you put into one single house or
23 were they divided into different groups and placed in different
24 houses?

25 [11.20.53]

1 A. No, we were not divided up into smaller groups. The whole
2 group was placed into that detention house. And only later on, as
3 I testified, they divided us when those people were taken off the
4 house and killed, while my group remained on the house. <And the
5 next morning, we were sent to another place.>

6 Q. Thank you. When you arrived at that house, what was your
7 observation regarding the house? Was there any particular things
8 there that caught your eyes?

9 A. You said that were there any -- any particular things of the
10 house, or what are you trying to refer to?

11 Q. Allow me to put it this way. When you went up to the house,
12 did you notice anything on the wall of the house? For instance,
13 were there any instruments or tools hanging on the wall?

14 A. At the house where we were detained, there wasn't any.
15 However, next to the house where we were detained, there were a
16 group of soldiers who were sharpening their knives.

17 Q. You said they were sharpening their knives. At that time, were
18 you all -- had you all been tied up?

19 A. We were walked from Khsach Prachheh Kandal to Trea village. We
20 were instructed to go up that house and, in late afternoon, they
21 were sharpening their knives and when the sun was about to set,
22 then they tied us up. So allow me to clarify, they sharpened the
23 knives first and, later on, they tied us up.

24 [11.23.44]

25 Q. Did you hear the sound of knives being sharpened or did you

1 see them sharpening their knives? If that is the case, what kind
2 of knives they were?

3 A. I saw them clearly sharpening their knives. I saw them through
4 the door of the house. They -- the knives were -- was a kind of
5 knife that used for the rubber tree. <It looks like a sword.> I
6 saw them sharpening the knives with my own eyes when I watched
7 them through the door. They were sharpening their knives in
8 another house next to the house where we were.

9 Q. Another important thing that I'd like to put to you regarding
10 the knives. The Khmer Rouge cadres who went up to the house to
11 tied your group, how many of them?

12 [11.25.19]

13 A. They -- in fact, there was a woman who went up the house with
14 strips of cloth and, later on, three men came up the house and
15 there were many more under the house. Of course, I could not see
16 them clearly; however, there were several of them under the house
17 with guns.

18 Q. So it means that there were four of them who went up the house
19 and amongst the four, there was a woman; is that correct?

20 A. Yes.

21 Q. After they tied you up, what did they do next?

22 A. They -- after they tied us up, they -- they shouted whether
23 every one of us was tied up, as I testified a while ago, and, as
24 I said, I was afraid of being tortured so I said that I was not
25 yet tied up and they said I was a good girl. And, of course, I

1 would not dare <go anywhere> because I saw several guns and I was
2 afraid.

3 Q. After they tied you all up and they asked your group who were
4 Cham and who were Khmer, I want to ask whether the person or
5 persons who asked about that, write or take any note?

6 A. I saw them carrying a pen and a notebook, but I did not know
7 whether they wrote it down when they asked us who was Khmer and
8 who was Cham. They actually asked how many Cham were in our group
9 and how many Khmer were or whether there was mixed blood. These
10 were the questions that they asked us and, after that, they took
11 those people, one or two at a time, of the house, as I testified
12 earlier.

13 [11.28.13]

14 Q. Allow me to interrupt, Madam, in the -- in the interest of
15 time. When the Khmer Rouge cadres who went up to the house, did
16 you know any of them?

17 A. I did not know the woman and the only person I know was Ho; he
18 was in charge of the area.

19 Q. Does it mean that Ta Ho actually went up to the house?

20 A. Yes, he -- Ta Ho went up the house.

21 Q. You said that you witnessed the killing. My question to you is
22 the following: How was the killing carried out; can you please
23 describe the act of that killing that you witness?

24 [11.29.44]

25 A. I repeat myself here. So we were detained in the house and

1 <after we were all tied up>, one or two were taken out of the
2 house to go for a meal but, in fact, they were sent to be killed
3 and I saw the killing when I looked through the cracked of the
4 wall.

5 The pit was pretty large and they placed a wooden plank near the
6 pit and the people were asked to bend their head, then they <hit>
7 them and they fell into the pit.

8 There was full moon, at the time, and I saw the event unfolded
9 clearly. <It was about 8 metres away.>

10 Q. Thank you. My question to you is the following: You said you
11 witnessed the killing; did the rest of the group on the house
12 also witness the killing?

13 A. I cannot tell you whether everyone on the house saw the
14 killing; I could only say about myself because I had a look
15 through the crack of the wall.

16 Q. Among the 30 or so people in that group, you said you knew No
17 Sates; was No Sates next to you when you were on the house?

18 A. No Sates was in my group, but I cannot tell you where she was;
19 whether she was in front of me, behind me or to the left or to
20 the side, to the right of my side. I cannot tell you.

21 [11.32.42]

22 Q. And after you witness the event, what happened next morning?

23 A. Next morning, we were taken from off the detention house and
24 placed in another house to the east <for five days>. And that
25 morning, they actually killed a pig and instructed us to eat;

1 however, I could not eat the pork, but I only took the soup and
2 the vegetable.

3 Q. So as you testified, the next morning, they killed a pig for
4 your group to eat; did they say anything to you when they did
5 that?

6 A. I did not hear them say anything.

7 [11.33.57]

8 Q. This is my last question, Mr. President. Madam Witness, you
9 stated that all your family members were killed. Can you tell the
10 Chamber about your feeling, at present time, concerning the loss
11 of your family members?

12 A. I, of course -- of course, feel much pain, but I could not do
13 anything and I had to turn to religion. If <> that was <> their
14 <fate>, <> I could not do anything <about it>.

15 <Whenever I see other people's mothers, I have to get over it. I
16 wanted to take care of my parents, but I could not since they had
17 such short lives.>

18 Of course, I felt much great pain for my parents and for my
19 pregnant elder sisters <who were taken away to be smashed>.

20 MR. LOR CHUNTHY:

21 Thank you, Madam Witness and thank you, Mr. President.

22 MR. PRESIDENT:

23 Thank you. It is now appropriate for our lunch break. We take a
24 break now and resume at 1.30 this afternoon to continue our
25 proceedings.

53

1 Court Officer, please assist the witness at the waiting room
2 reserved for witnesses and civil parties during their lunch break
3 and invite her back into the courtroom at 1.30.

4 Security personnel, you are instructed to take Khieu Samphan to
5 the waiting room downstairs and have him returns to attend the
6 proceedings this afternoon before 1.30.

7 The Court is now in recess.

8 (Court recesses from 1135H to 1333H)

9 MR. PRESIDENT:

10 Please be seated. The Chamber now is back in session.

11 And the Chamber would like to announce to Parties that Judge You
12 Ottara is now present in the Chamber and, therefore, he can
13 attend the proceedings.

14 The Chamber would also like to inform the prosecutors that <the
15 Chamber will not give the floor for> the oral submission <in
16 relation to> two witnesses, 2-TCW- 894 and <2-TCW-938>, <since>
17 the Chamber <has made a decision regarding this issue already>.

18 Now, the Chamber gives the floor to Defence Counsel for Mr. Nuon
19 Chea to put questions to the witness. You may now proceed.

20 [13.35.42]

21 QUESTIONING BY MR. KOPPE:

22 Thank you, Mr., President. Good afternoon, Your Honours.

23 Q. Good afternoon, Madam Witness. I would like to ask you a few
24 questions this afternoon. You were asked this morning a question
25 whether you knew No Sates and you confirmed that you indeed knew

1 her. Can you tell me how well you knew her? For instance, did you
2 work in the same mobile unit for a few years before you went to
3 Trea village in '78?

4 MS. MATH SOR:

5 A. We were in the same mobile unit. <She was in Prek Cham
6 (phonetic)> in Krouch Chhmar commune, Krouch Chhmar district,
7 <but I do not know about her occupation>.

8 [13.37.08]

9 Q. Had you been working with her in the mobile unit all that time
10 before you went to Trea village?

11 A. We were in the same mobile unit. So when we were evacuated
12 away, we went together. And she and I, who survived the regime,
13 we separated from each other. <She is now living in Prek Cham
14 (phonetic).>

15 Q. Did you know her also before you started working in the mobile
16 unit or did you only start to know her when you were working
17 together in the mobile unit?

18 A. I only knew her when we started to work together in the mobile
19 unit.

20 Q. Was she a friend of you or was she just someone who happened
21 to work in your unit as well?

22 A. I knew her when we were in the mobile unit.

23 [13.38.47]

24 Q. Now, I would like to ask you about another girl or woman who,
25 I believe, was in the same mobile unit that you worked in and

1 someone who appears to be also from your own village. Her name is
2 Tam Rahimah, also known as Chouk. Do you know a woman called Tam
3 Rahimah?

4 A. Tam Rahimah alias Chouk, she also lived in the same village
5 with me -- that is, Khsach <Prachheh> Kandal village.

6 Q. And was she indeed also in the same mobile unit as you were
7 working in?

8 A. She was in the same mobile unit with me and also from the same
9 village with me.

10 Q. And was she someone who also went with that group of girls to
11 Trea village and who was also with you in that same house in
12 which you were detained and which you described this morning?

13 A. Tam Chouk <was among those of us who remained>.

14 Q. That is also my understanding, Madam Witness. But my question
15 was whether she, like you, was also in that house at the river,
16 the house in which the girls were asked whether they were Cham or
17 not, and the house that you described this morning? Was she there
18 with you and No Sates as well?

19 A. Yes, she was also in the same house. Yes, she was in the same
20 house that all of us <including Sates> were detained.

21 [13.42.10]

22 Q. Do you remember if Tam Chouk, as you call her, whether the
23 older sister of Tam Chouk was also present in that same room in
24 that house?

25 A. Yes, we were all together, but she was taken away to be

1 killed. She was among the probably 30 people who were taken <>
2 away from the house to be killed.

3 Q. I will come back to Tam Chouk a little bit later, but one last
4 question on her that's -- about her. That's the same question
5 that you were asked earlier in relation to No Sates.

6 Do you know whether Tam Chouk was able to look through that crack
7 in the wall to see the events that took place outside of the
8 house in the dark?

9 A. I could not say on that because it was a scary situation and
10 we just tried our best to save our lives. So I tried to look
11 through the crack in the wall because <my relatives had left and>
12 I did not see those people taken away came back. So I just wanted
13 to know what happened to them. So I, myself, was not sure whether
14 Tam Chouk also looked out through the crack in the wall.

15 [13.44.33]

16 Q. But when you had been looking through the crack in the wall,
17 did you tell the other girls in the room what it was that you
18 were seeing? Did you tell them what you saw? Did the other girls
19 in the room hear what you said you saw?

20 A. I did not tell them because we were all panicked. We just
21 thought about our own lives.

22 Q. So is it your testimony that what you saw that was happening
23 to the other girls that they were executed that was something
24 only you saw or something that you saw and kept to yourself; is
25 that your testimony?

1 [13.45.55]

2 MR. PRESIDENT:

3 Madam Witness, please hold on.

4 The floor is given to the Lead Co-Lawyer for civil party.

5 MR. PICH ANG:

6 Mr. President, I would like to object to this question because

7 this question leads the witness to make assumptions whether the

8 other people have also witnessed the incident. So this is a kind

9 of leading question. Thank you.

10 JUDGE FENZ:

11 May I suggest; just divide the question because I have heard one

12 which I would personally have allowed and another one which I

13 haven't allowed in one sentence. So perhaps we can ask one after

14 the other.

15 BY MR. KOPPE:

16 No problem.

17 Q. Madam Witness, when you were seeing through that hole or that

18 crack in the wall, did you tell the other girls in the room what

19 you saw?

20 MS. MATH SOR:

21 A. No, I did not tell them because I was so scared. I kept it in

22 my mind.

23 [13.47.22]

24 Q. Do you know whether there were other girls other than you that

25 had that same -- who were like you and trying to see through the

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1 crack in the wall what was happening? Was it only you who looked
2 through the wall or did other girls do that too?

3 A. No one else tried to look out through the crack in the wall;
4 only me, alone, who did that.

5 Q. The reason I am asking you this question is that No Sates told
6 the investigators that she hadn't in fact witnessed any
7 executions with her own eyes, although she had -- she said
8 earlier that she did see these execution. And Tam Chouk also
9 doesn't mention at all having actually witnessed any execution.
10 It's a little bit complicated question but do you have an
11 explanation as to--

12 MR. PRESIDENT:

13 The floor is given now to Judge Fenz.

14 [13.49.32]

15 JUDGE FENZ:

16 For the record, the references, please.

17 BY MR. KOPPE:

18 Can I at least finish my question first?

19 Q. Now, I have lost my thread but I will do it again. I am
20 referring to E3/5193; English, ERN 00274704; Khmer, 00204445;
21 French, 00224113. Here, No Sates says the following -- and I will
22 quote literally: "I did not witness the execution but later I was
23 told about the execution by a person who had seen it. I do not
24 remember that person's name. I told Mr. Osman that I saw the
25 execution as I wanted to seek justice against those murderers."

1 That's one.

2 And the statement of or -- rather, the interview that Tam Rahimah
3 or Tam Chouk gave to Ysa Osman is written down in E3/2653 and
4 English ERN -- not page numbers -- 00219202 until 204; French,
5 00943985; and Khmer, 00904396 and 97, she details -- she tells in
6 quite a detailed manner what had happened but she doesn't mention
7 having witnessed any execution.

8 So Madam Witness, these two girls who were in the same room as
9 you haven't witnessed any execution. Could you please give a
10 reaction to that?

11 [13.52.02]

12 MR. PRESIDENT:

13 The Chamber gives the floor to International Co-Prosecutor. You
14 may now proceed.

15 MR. KOUMJIAN:

16 Your Honours, it appears to me, counsel is just asking the
17 witness to speculate. The witness has stated just this afternoon
18 a few moments ago that she believes she was the only one who
19 looked through the cracks in the wall of the window and saw the
20 execution. So, asking her to explain what other people who said
21 they didn't see the executions, how that could be, she has
22 already given the explanation. She said she was the only one who
23 saw.

24 [13.52.44]

25 MR. KOPPE:

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1 I think it's an appropriate question. Maybe she hasn't said it at
2 the time, but apparently she met the other two afterwards, after
3 '79 as well, I presume. So I think it's only fair to the witness
4 to allow her to give a reaction to what seems to be possible
5 contradictory evidence. So I am only asking for a reaction, Mr.
6 President.

7 MR. PRESIDENT:

8 The Chamber gives the floor to Judge Lavergne. You may now
9 proceed.

10 [13.53.30]

11 JUDGE LAVERGNE:

12 Counsel Koppe, <I'm having> a hard time following your line of
13 questioning. I don't see any contradiction between what you
14 <just> read out and the testimony that we have just heard from
15 this witness. So <> explain to <us> where the contradiction lies
16 and what the witness should explain to you, the witness who is
17 <in the courtroom> today<>.

18 MR. KOPPE:

19 It is the position of the Defence that she hasn't actually seen
20 anything through a crack in the wall and I would like to put
21 before her two pieces of evidence of two women who were in the
22 same room who haven't seen anything. Now, the theory the
23 Prosecution is right, that could be explained by the fact that it
24 was only her looking through the crack in the hole. I don't find
25 it very persuasive, but I think the witness is entitled to give a

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1 reaction as to why it is that those two women didn't see
2 anything.

3 JUDGE LAVERGNE:

4 <Listen,> I believe <it is --> unless I am mistaken, <>I did not
5 hear that the testimonies that you just read out<, the statements
6 that you just read out,> contradict what the witness has just
7 said<,> or maybe I didn't follow you properly<, but it's> not
8 because they saw nothing that <they're saying> that this witness
9 did not see anything.

10 [13.55.11]

11 MR. KOPPE:

12 Correct. But that doesn't mean that I cannot ask her -- that
13 doesn't mean that I cannot ask her to give a reaction on these
14 two witness statements indicating that they didn't see anything.
15 If she says "Well, that's because I was the only one", that's
16 fine.

17 JUDGE LAVERGNE:

18 Well, it appears to me that you already have the answer <since>
19 she said that she was, a priori, <in her opinion,> the only <one>
20 watching. So I don't really know what you're looking for.

21 [13.55.50]

22 BY MR. KOPPE:

23 Fine, I will move on.

24 Q. Madam Witness, let me ask you now a few questions about what
25 happened in the room. I am a bit confused as to how many girls

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1 there were in total in the room at the beginning and how many
2 were taken away "to be killed". You talked about 36 women in
3 total and you also said that 20 women were taken to be killed.
4 However, somewhere else in your WRI you seem to suggest that
5 there were only 10 girls who had to leave and who were allegedly
6 killed. Was it 20 or was it, rather, 10?

7 MS. MATH SOR:

8 A. To answer your question, in my answer in the morning it was a
9 little bit unclear. I want to clarify that all of us together
10 were 36, but 20 among the 36 were taken away, so only 16 people
11 survived.

12 Q. In your WRI E3/7772, on the last page of your interview,
13 that's English, ERN 00348090; Khmer, 00345168; and French,
14 00411624; you seem to be saying that it was rather 10 girls who
15 were taken away, which seems to correspond with what No Sates
16 said, because she also seems to speak about 10 girls. So are you
17 sure it was 20 girls and not 10 girls?

18 [13.58.55]

19 MR. PRESIDENT:

20 The Chamber gives the floor to the International Co-Prosecutor.
21 You may now proceed.

22 MR. KOUMJIAN:

23 Your Honours, I believe I see what counsel is referring to, and I
24 don't think that represents -- is properly represented. I think I
25 have a different interpretation than he does.

1 In that particular sentence that he is talking about, let me read
2 exactly what the witness says:

3 "When we first arrived they did not give us anything to eat. But
4 after they had taken about 10 females to be killed already, then
5 they gave the gruel to the rest of us to eat."

6 That does not preclude others being killed after the first 10.

7 And actually if you look at the previous page at the beginning of
8 that interview, the second question from the investigator, "You
9 have indicated a location where 20 Cham women had been killed. Is
10 this true?" And she said, "Yes".

11 So to me as I read the interview, she has said in the interview,
12 consistent with her testimony, that 20 were killed.

13 [14.00.06]

14 BY MR. KOPPE:

15 You might have listened -- heard my question. I was saying it
16 seems to suggest. I wasn't saying it actually says so. I was
17 asking for clarification. That's what I was doing and I was also
18 tying in the fact that No Sates speaks about 30 girls taken away.

19 Q. So I am just asking for her clarification. I am not saying
20 there is any contradiction yet, just asking whether it was 20
21 girls in her recollection rather than 10, if she is sure about
22 that.

23 MS. MATH SOR:

24 A. Regarding No Sates' answer to you, I cannot give any comments
25 on her answer. But as for my own answer, it comes from my own

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1 witnessing. No Sates did not communicate with me. She did not
2 tell me that <20> were taken out to be killed. And I also did not
3 communicate with her <regarding the figure 35>. So what I -- the
4 figure that I just told you came from my own witnessing. <I
5 counted people in the rows, and there were 35 or 36 people.> So I
6 cannot give any of my comments on No Sates' testimony.

7 [14.01.35]

8 MR. PRESIDENT:

9 Madam Witness, could you please give specific answers to the
10 questions? The defence counsel wants to know the specific number
11 of <Cham> girls who were taken away to be killed out of the group
12 of people who were detained in the house with you.

13 MS. MATH SOR:

14 A. Amongst the 36 of us who were detained on the house, 20 were
15 taken out of the house and killed. So there were only 16 left in
16 the house. I hope this is clear for everyone.

17 [14.02.30]

18 BY MR. KOPPE:

19 Q. That's very clear. Thank you. Madam Witness, I was just
20 seeking confirmation.

21 Another line of questioning now in relation to the questions that
22 were asked to all the girls in that room, at one point in time
23 were you also asked by any of the cadres present what your name
24 was?

25 MS. MATH SOR:

1 A. The cadres at the detention house did not ask me about my
2 name. They only recorded the number of Cham people, of the mixed
3 blood, and of the Khmer people, but they did not take note of our
4 full names. They only want to know -- wanted to know the total
5 number of the Cham people, the Khmer people, and of the mixed
6 blood, and that's all they did. They did not ask about the names.

7 Q. So also No Sates and Tam Chouk and her older sister were not
8 asked any names; is that correct?

9 A. I did not know because we were questioned individually so I
10 didn't know what they were asked. And it is their questions for
11 them, so I could not tell you the answer.

12 [14.04.48]

13 Q. No problem. But let me then focus on you and let me read to
14 you an excerpt from your interview to Ysa Osman, E3/7745;
15 English, ERN 00204414; Khmer, 00204410; and French, 00268841; and
16 here is what you said, Madam Witness:

17 "A moment later six cadres come into the house. Some held
18 notebooks and Bic ballpoint pens and they questioned each one of
19 us. Among them were two female cadres. When they got to me the
20 cadre asked, 'What is your name? Where all did you work before
21 you came here?' I answered truthfully. Then the cadre asked,
22 'What race are you?' I lied."

23 Now, Madam Witness, it seems to me that you answered the
24 question, what was your name, truthfully. So this means that the
25 question was asked, "What's your name?" and that you answered,

1 "Ahmad Sofiyah", "Ahmad Sofiyah"; is that correct?

2 [14.06.44]

3 A. Ysa Osman did ask me this question and that was the statement
4 I gave him, and the statement that you quoted may be <a>
5 confusion <because I did not say that>. However, they did take
6 note of my response. However, I did not tell the Pol Pot group of
7 my name but I did tell Ysa Osman of my real name -- that is,
8 Ahmad Sofiyah, yes.

9 Q. I am a bit confused, Madam Witness, with your answer because
10 here you are describing that your name was asked and that you
11 answered truthfully. Is that what happened in '78 or is that not
12 what happened?

13 A. Maybe Ysa Osman made a mistake when he took note of my
14 interview with him. I did not tell the Khmer Rouge about my
15 actual name as Ahmad Sofiyah, <I may have lied to them about my
16 name,> yes, but I told this name, <Ahmad Sofiyah,> to Ysa Osman.

17 Q. Well, let me confront you with the testimony of No Sates in
18 this courtroom on the 28th of September 2015 right after 18
19 minutes past 2.00. She said that she was asked her name and she
20 says, "I told them that my name was No Chea An (phonetic), and
21 not No Sates". So it seems that she says that she is saying she
22 gave a false name. And Tam Chouk said to Ysa Osman, the same ERN
23 as just quoted by me, "Inside they questioned us in detail about
24 our personal histories and recorded the answers in a book. It
25 seems to me a bit odd that they would leave out the name of the

1 persons they asked questions to."

2 So my question again: are you sure that you never gave your name
3 to the cadres?

4 [14.09.49]

5 A. I have a question for you. Are you referring to the Khmer
6 Rouge cadres who asked me about my real name?

7 Q. Yes.

8 A. No, I did not tell them my name.

9 Q. Let me try differently. Did you then give a false name, maybe?

10 A. I used another name, Raen (phonetic). If this name Raen
11 (phonetic) is not used, then it means that I did not tell them my
12 name.

13 Q. Is that because Ahmad Sofiyah is a name that sounds like
14 someone who is a Cham?

15 A. Ahmad Sofiyah is the name that I gave to Ysa Osman, but for
16 the Khmer Rouge group I did not tell them my name. And as I said,
17 if the name Raen (phonetic) was mentioned, it means that I gave
18 that name to them.

19 [14.11.58]

20 Q. Once the initial name asking was -- or identity inquiring --
21 inquiry was done, did the cadres subsequently in the next days go
22 check and verify in the commune or district the details that were
23 given? Were they going out to verify whatever you had been
24 saying?

25 A. I have a question for clarification. Which cadres are you

1 referring to?

2 Q. Well, I wasn't there, Madam Witness, so I wouldn't know.

3 But my question to you is: do you know, after the initial
4 identity inquiry was done, whether the cadres who were involved
5 in this questioning or maybe others subsequently went into the
6 commune or the villages to verify your identities?

7 A. It seems that there was no cadre who went to verify
8 information at the commune or village and, in fact, I was
9 interviewed twice in Trea village and once in Kampong Cham.

10 [14.13.50]

11 Q. I am not sure if I understand your answer. What we have
12 established so far is that the girls who were in that room,
13 either inside or outside, were asked questions about their
14 personal identities. My question is: did cadres involve in this
15 process or other cadres go out in the next nine or 10 days and
16 verify that you were in fact who you told them that you were?

17 A. No. And as I said, I was not asked that question.

18 Q. No Sates is saying that after the questioning was done, the
19 cadres went out for days in order to verify all the details of
20 the biographies that you had been given. Is that correct or is
21 that not correct?

22 A. I did not know about what No Sates said. She lives in a
23 different place. And I stand by my previous statement, including
24 the testimony that I made this morning. And I cannot tell you
25 about No Sates' statement.

1 [14.15.55]

2 Q. You said that you were the only one looking through the crack
3 in the wall. Nobody else did. Were you also the only one that
4 heard things about possible rape of the girls who had just been
5 taken away?

6 MR. PRESIDENT:

7 Witness, please hold on.

8 International Co-Prosecutor, you have the floor.

9 MR. KOUMJIAN:

10 Your Honour, counsel is asking one witness what other people
11 heard. That clearly is calling for speculation. How does she know
12 what other people heard? If he could reformulate the question
13 asking -- well, I don't want to tell him how to ask questions.
14 Hopefully he -- I think he knows how. But asking what other
15 people heard is pure speculation.

16 [14.17.10]

17 BY MR. KOPPE:

18 Let me rephrase it. I have no problem.

19 Q. Madam Witness, you talked about hearing cadres speak about --
20 or, rather, victims, possible victims; girls talking about not
21 being raped by the cadres. Where were you when you heard that?

22 MS. MATH SOR:

23 A. I heard it also through the crack in the wall. I tried to see
24 what happened through the crack of the wall and what they would
25 be doing to them. And through the crack in the window's wall

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1 that's what I saw. I saw them being killed and I heard shouting
2 from <a> woman begging them not to rape <her>. But I did not see
3 any act of raping. I only heard <her> beg them not to rape <her>.
4 [14.18.26]

5 Q. And are you in a position to tell us or explain to us whether
6 it was only possible to hear these voices when you were very
7 close to the crack in the wall or was it so loud that anybody
8 could have heard it in that house?

9 A. I did not know because the house was pretty big and we were
10 pretty scared while we were there, and I could not tell you
11 whether those people did hear the voices. And I could only tell
12 you of my personal experience that I heard it.

13 Q. So you cannot give any explanation as to why neither No Sates
14 nor Tam Chouk never speak about having heard anything about rape;
15 correct?

16 A. I didn't know about them, so I cannot tell you whether they
17 heard it or not.

18 Q. Let me go back now to the questioning of No Sates. You said
19 that you weren't present and that you haven't heard anything, but
20 did No Sates tell you what questions were asked to her?

21 A. I need to have a clarification from you. Please rephrase your
22 question since I don't fully understand it, in relation to your
23 last question concerning No Sates.

24 [14.20.55]

25 Q. I will be very happy to do that, Madam Witness. You said that

1 you didn't observe or didn't hear the actual interrogation of No
2 Sates. Did she speak to you later about the questions that were
3 asked to her?

4 A. I did not know about the questions that were put to No Sates.

5 Q. Well, let me tell you that she was asked whether she was a --
6 so she says, whether she was a Vietnamese girl or not. But she
7 also says something else that I would like to ask your reaction
8 about. And she says in the transcript of 29 September 2015, ERN
9 01152979, she speaks about a difference in treatment of people
10 from the east bank, Cham from the east bank and a difference of
11 treatment of Cham from the other side of the river. Do you know
12 anything about difference in treatment of Cham on the east part
13 of the river and the north part of the river?

14 A. I did not know about this. I did not know about the Cham
15 people living on the different sides of the river if that what
16 was said by No Sates.

17 [14.23.16]

18 Q. Fine. No problem.

19 Let me now turn to the person that you discussed earlier, Ho. Can
20 you explain to me how it was that you knew Ho before you entered
21 that room in this house? How did you know him? How did you know
22 that he was Ho?

23 A. I knew that he was Ho when I was detained in that house. And
24 while I was there for 24 hours I saw him and next day I was moved
25 to another house to the east of that house. And actually, he came

1 to talk to us. Here, I refer to the surviving 16 people,
2 including myself. That's why I said I know his name and his face
3 well.

4 Q. So just to be sure, before that day in the room, in that
5 house, you had never heard of Ho; correct?

6 A. Before I was sent there I did not hear his name or know about
7 him. And I began <> to know him while I was detained there for 24
8 hours and also the next day -- that is, when I was moved to
9 another house and remained in that house for five days.

10 [14.25.20]

11 Q. And what else did you start to know about him other than this
12 man was Ho? What else did you learn about him?

13 A. I only know his name and nothing else much. They mentioned his
14 name and they mentioned him or they referred to him as "Chief
15 <Ho>".

16 Q. Only chief?

17 A. Yes. I knew he was chief because he was there in charge of his
18 subordinates.

19 Q. But how was it that you came to know that he was the district
20 chief? Maybe he was chief of that particular unit involved in
21 guarding you and questioning you. Is that possible?

22 A. I heard those people refer to him as Chief Ho.

23 [14.27.00]

24 Q. I understand but it could be Chief Ho of a militia unit. It
25 could be Chief Ho of the district military. It could be Chief Ho

1 of sector military. It could be all kinds of Chief Ho. Why do you
2 say he was district Chief Ho?

3 A. I did not know about that. The only thing I knew was that
4 while I was detained there, they referred to him as the Chief Ho
5 and that's how I refer to him as the Chief Ho. And I did not know
6 if he was chief over any particular unit or not.

7 Q. Do you know whether Chief Ho today or the time that you were
8 questioned by Ysa Osman, is still alive or whether he is dead?

9 A. Since that event I do not know whether he is still alive or he
10 is dead.

11 Q. No Sates seems to know that he is dead. Do you have a reaction
12 to that?

13 [14.28.44]

14 MR. KOUMJIAN:

15 Again, counsel is, I think, asking the witness to speculate and
16 obviously trying to lead her into speculation that would be
17 contrary to things we know. I don't want to say anything else.

18 BY MR. KOPPE:

19 I will rephrase.

20 Q. Have you ever heard whether Ho is dead?

21 MS. MATH SOR:

22 A. Nowadays, I don't know whether he is alive or dead.

23 Q. Let me now move to my very last subject, Madam Witness. Have
24 you ever heard anything about a rebellion in your village in
25 1975, October 1975, a rebellion of the Cham in various villages

1 alongside the Mekong River in Krouch Chhmar?

2 [14.30.03]

3 A. I did not know about the activities in other villages. I only
4 can tell you about activities that happened in my village
5 although I cannot recall the details since I was only about 14
6 years old.

7 After the Khmer Rouge entered the area, they called all the Cham
8 people to get out of their houses and to line up along the road.
9 I did not know about their plan. So we were rather shocked. We
10 did not know where to flee to, so then we would stay along the
11 road.

12 And after that they allowed us to go to our respective houses and
13 I did not know what their intention was at the time. And
14 actually, at that time I remember <that people, old and young,
15 were> called to get out of <their houses> and to line up along
16 the road.

17 Q. Are you referring to the events in October '75 when various
18 villages, such as Trea village, Svay Khleang, Kaoh Phal, and
19 possibly also your village rebelled against the government?

20 A. At that time I was only 14 years old. I did not know much
21 about the rebellion at other places.

22 14.31.45]

23 Q. Let me read a little bit about it from No Sates' testimony in
24 this courtroom that was her testimony on 29th of September, 30
25 minutes after 9 o'clock. She says the following -- I asked her

1 whether she knows anything about the White Khmer movement and she
2 says -- quote: "I heard something about it that is about the
3 White Khmer group, and it was the issue of the White Khmer that
4 people in the village were accused of being the White Khmer, the
5 American CIA agents. For that reason, they were arrested. People
6 were arrested and put on horse carts, and that usually happened
7 around 7 or 8 o'clock at night. And those who were arrested never
8 returned. And that was the root cause of rebellion that took
9 place in Svay Khleang."

10 She continues, but have you ever heard of an involvement of
11 something called White Khmer in the rebellion in Svay Khleang and
12 other villages in October 1975?

13 A. I did not know about this. As for Sates, she was aware of
14 these matters or knowledge, but for me I have no knowledge of
15 this.

16 [14.33.36]

17 Q. That's no problem. Madam Witness, have you ever heard anything
18 about fighting; armed conflict in 1977 or 1978 between the White
19 Khmer or the Khmer Sar and the Southwest forces?

20 A. No, I did not know about this matter because I was too young
21 to know about this.

22 Q. Have you ever heard any signs of military conflict, fighting,
23 artillery fire, gunfire, anywhere near to where you were working
24 or afterwards or anytime in '77 or '78?

25 A. No, I didn't know.

1 MR. KOPPE:

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

3 My national colleague has a few additional questions.

4 MR. PRESIDENT:

5 The floor is given to the national counsel for the Defence.

6 [14.35.29]

7 QUESTIONING BY MR. LIV SOVANNA:

8 Thank you, Mr. President. Good afternoon, parties. Good

9 afternoon, Bench.

10 Q. Good afternoon, Madam Witness. I am counsel for the defence

11 for -- defence team for Nuon Chea. Can you tell the Chamber in

12 what year you got married?

13 MS. MATH SOR:

14 A. I got married when I was 17 years old. <After the event where

15 we were taken away to be killed, I got married.>

16 Q. How many months after the arrest and taken away to be killed

17 that your marriage took place?

18 A. Three months.

19 Q. Could you tell the Chamber how your marriage took place?

20 A. There were 70 couples in the wedding. They arranged tables for

21 the 70 couple-wedding ceremonies and they put flowers on each

22 table.

23 [14.36.59]

24 Q. What was the name of your husband and what was his ethnicity?

25 A. My husband's name is Mat, Sos Mat. His father's name is Sos

1 and his name is Mat, so his name is Sos Mat. He is Muslim.

2 Q. Among the 70 couples that got married on the same day with
3 you, how many couples were ethnic Cham?

4 A. At that time I did not count how many couples were Cham and
5 how many couples were other ethnicities.

6 Q. Did you and your husband know each other before your marriage?

7 A. We knew each other when we were in the mobile unit. He knew me
8 and he proposed marriage with me. So his relatives also arranged
9 the marriage for us. And our marriage did not take place
10 according to our tradition.

11 Q. So your marriage was as a result of the proposal by your
12 husband; is that correct?

13 A. My in-law came to ask me whether I agreed to get married to my
14 husband and I said yes. So the arranged marriage took place.

15 [14.39.19]

16 Q. Did your husband's parents -- were still alive or already
17 dead, already passed away when your marriage took place?

18 A. My father-in-law was still alive but after the marriage
19 ceremony, <we heard that the 70 couples would be taken away to be
20 smashed, so> my parents in-law, and along with I, fled into the
21 forest in the nighttime.

22 Q. How many siblings were on your husband's side?

23 A. My husband's siblings consisted of four people, including him,
24 one female and three males.

25 Q. So all the four escaped into the forest with your husband or

1 not?

2 A. Yes, all of us, including my parents' in-law fled into the
3 forest. I, my husband and his four siblings and <> my parents
4 in-law all together, <eight of us,> fled into the forest in the
5 middle of the night.

6 Q. So were there any other people besides you and your husband
7 and your in-laws who also fled into the forest?

8 A. There were many people fleeing into the forest at that time. I
9 did not know where they came from, what district or what village
10 they came from. We saw each other in the forest and when we
11 cooked rice in the forest we needed to make sure that we would
12 not let the smoke seen by people outside the forest. <We did
13 whatever to survive the day, we did not think about who was from
14 where at that time.>

15 [14.41.55]

16 Q. Among those who fled into the forest, besides you and your
17 husband's family, were there any other Cham families who also
18 went into the forest?

19 A. Yes, there were also Chams in my area <> but there were also
20 some Khmer people mingling among us.

21 Q. So when you were in the forest, can you tell the Chamber how
22 many Cham people were there at that time?

23 A. I cannot estimate how many Cham people were there in the
24 forest because the forest was pretty big. So I had no idea how
25 many Cham people were there all together.

1 Q. Based on your observations those who were located near you in
2 the forest, were they also Cham people?

3 A. In my place, there were only me and my husband's families. For
4 other places I have no idea. I can talk only about my place.

5 [14.43.50]

6 Q. You testified earlier that three months <after the event,> you
7 got married to your husband and then you fled into the forest. My
8 question is that <whether> your <husband> or your husband's
9 family told you <>why they <had not been arrested> by the Khmer
10 Rouge cadres?

11 A. I did not ask them. <There were in village.> I was in the
12 mobile unit. So when he saw me and then he proposed to marry me
13 and then the marriage took place and I did not know anything
14 besides that.

15 Q. When your marriage happened, did people in the village tell
16 you that your husband's family were also of ethnic Cham?

17 A. The villagers did not tell me. I myself knew that he was Cham.

18 Q. Did he ever tell you that he also <hid> his own Cham identity?

19 A. I did not know about this. He did not tell me.

20 MR. LIV SOVANNA:

21 I have no more questions to put to this witness. Thank you.

22 [14.46.09]

23 MR. PRESIDENT:

24 Thank you. It is now a convenient time for a break. The Chamber
25 will take a short break from now until 3 o'clock.

80

1 Court officer, please find for this witness a proper place in the
2 waiting room, reserve for witness and please bring her back into
3 the courtroom at 3 o'clock.

4 The Court is now in recess.

5 (Court recesses from 1446H to 1502H)

6 MR. PRESIDENT:

7 Please be seated.

8 The Court is now back in session and I would like now to hand the
9 floor to the defence team for Khieu Samphan to put questions to
10 this witness. You may proceed, Counsel.

11 QUESTIONING BY MS. GUISSÉ:

12 Thank you, Mr. President.

13 Q. Good afternoon, Madam Witness.

14 My name is Anta Guisse. I am International Co-Counsel for Mr.
15 Khieu Samphan. And in this capacity I will put a few follow-up
16 questions to you.

17 I would like us to start by talking about a time when you were
18 arrested in Khsach Prachheh Kandal village. If I remember
19 correctly, you said that you were arrested in 1978. Can you tell
20 me who came and arrested you on that day?

21 [15.03.38]

22 MS. MATH SOR:

23 A. No, they did not come to make the arrest. I was in the mobile
24 unit and we were told to go to harvest rice in Kaoh Samraong and
25 later we were sent to Trea village where we were detained. In

1 fact, no one came to arrest me at my house but we were told to
2 harvest rice in Kaoh Samraong. However, instead we were sent to
3 Trea village 2 to be detained there.

4 Q. Who told you that you had to go and harvest rice in that other
5 village?

6 A. It was the cadres from Ho's group. So members of my mobile
7 unit were called and then I went there with the whole group.

8 Q. When you say "cadres from Ho's group", are you referring to
9 the same persons that you <later> saw in <Trea, in> the house
10 where you were detained?

11 A. Yes, I refer to the same person. They came to call me and then
12 later on when we were on the house they went up to the house with
13 Ho.

14 [15.05.35]

15 Q. Can you specify how many people <>were there <>at <that> time
16 in your village of Khsach Prachheh Kandal? <So, in that group,
17 how> many persons were present? How many men and how many women?

18 A. I cannot tell you how many women and how many men there were.
19 I was a pretty young girl back then. I did not pay my attention
20 to the specific or the exact number of men and women.

21 Q. I am putting this question to you because a little earlier you
22 referred to the presence of three persons in the house at Trea<,
23 if I understood correctly. Did> I <correctly understand your
24 testimony? Were there, indeed,> three persons in that house at
25 Trea?

1 A. Are you referring to three persons in the house where we were
2 detained or you refer to another house?

3 [15.07.10]

4 Q. No, I am talking of the house in which you were detained. And
5 I am talking about the persons who stood guard. I am not talking
6 of the number of girls from your village <who were there>. I am
7 talking of the guards. You gave the figure of three <> persons
8 <>. <Did I correctly understand your testimony?>

9 A. We were not guarded; rather, there were no guards at the
10 house. Actually, there were guards and they were armed, and they
11 were under the house. And <there were four of them, one female
12 and three males,> went <up into> the house <> to tie us up.

13 Q. Let me try to clarify the matter in another manner. You
14 talked<, at one point,> of <an interrogation that took place> in
15 which there were three <> men and one woman. Did I properly
16 understand your testimony when you were referring to the
17 situation <when you were> in the house at Trea?

18 A. What I stated that four persons came to the house, three men
19 and one woman. They came with strips of cloth to tie us up. And
20 that's what I stated and I did not say that they were at the
21 house to guard us. <They went up to the house, closed the door
22 and window and tied us up.> At the house, in fact, there was only
23 our group of 36 people. However, there were armed guards under
24 the house.

25 [15.09.05]

1 Q. Very well. My question now has to do with the time when you
2 were in your village at Khsach Prachheh Kandal. My question is
3 whether it was the same persons who came to tie you up who came
4 to fetch you in your village. Was it the same persons or some
5 other persons?

6 A. We were called to go there by people in the village. However,
7 when we were in the house we were arrested by Ho's subordinates.
8 Ho was there watching the event. He did not make the arrest
9 himself.

10 Q. I have, indeed, understood that he was not the one who carried
11 out the arrest. My question is whether the persons who <called
12 you> in your village are the same who <later> <tied> you up <in
13 the house in Trea, apart from Ho>?

14 A. I did not know the person who came to tell us to go. However,
15 it was a different group and when we were in Trea village we were
16 arrested and tied up by another group. Actually, those who went
17 to call us to go to Trea village later returned when we arrived
18 in Trea village.

19 [15.11.00]

20 Q. Very well. And who are the persons who led you to Trea
21 village? Were they <people> from your village?

22 A. They were part of <the> working group but I did not know who
23 they were. It is my understanding that they were working together
24 with the group in Trea village.

25 Q. I would like us to talk <now> about the time when you were in

1 <the house in>Trea<, where> you said that approximately 36 young
2 girls from your village were <gathered>. Did I properly
3 understand from your testimony that there <were never> any other
4 persons from other villages who came to join you in that house?

5 A. As I have testified, my group was those villagers in my
6 village and they were part of the mobile unit. <There were 36 of
7 us.> There were no outsiders.

8 Q. And you stated that you stayed in that house for 24 hours, and
9 <that later,> when there were only 16 of you left, you moved
10 house. Did any other persons join you in the second house you
11 <relocated> to or were <there> only the 16 of you who <remained
12 from the first> house?

13 A. There were only 16 of us and there was no one else.

14 [15.13.22]

15 Q. <And do> you recall for how long you stayed in that second
16 house -- that is, the 16 of you?

17 A. I was in the first house where we were detained for 24 hours
18 and then I was moved to the second house and I was there for five
19 days.

20 Q. And after the five days where did you go to?

21 A. After the five-day period, I was sent to my mobile unit and
22 then to the Krouch Chhmar office. In fact, a house there actually
23 had a pile of clothes and those clothes were from the people who
24 were killed. And the group of 16 of us were sent there to gather
25 and to collect those clothes. <I was actually put in a special

1 mobile unit to collect those clothes.>

2 Q. I conclude<, since you said it was the group of 16,> <> that
3 No Sates also <went with> you <to> that house <where you were
4 tasked with washing the> clothes. Is that correct?

5 A. I cannot recall whether No Sates went there or not. We were
6 placed in a house and I don't know whether every one of us from
7 the 16-people group went to fetch the clothes. Actually, at that
8 time some of us did not feel well, <so they would not go,> and I
9 cannot tell you whether No Sates was one of those who were sent
10 to fetch the clothes.

11 [15.15.57]

12 Q. However, you can at least confirm that she was one of the 16
13 persons who had <left Trea to go> to that house at <Krouch
14 Chhmar>?

15 A. Yes, indeed. And I did not observe whether she was with us or
16 not when we went to fetch the clothes. And please remember that
17 this happened -- this even happened a long time ago. It was about
18 40 years ago. So maybe my memory doesn't serve me well in this
19 regard.

20 Q. No worries, madam. I just wanted you to relay to us the
21 <chain> of events you related. <That's why I was asking you those
22 questions.> Now, let us talk about the time when you were at the
23 house in Trea and <about the time you say> you witnessed
24 <executions>. <First,> I would like you to describe to the
25 Chamber the house at Trea. What did it look like?

1 A. The house where we were detained was pretty large and it was
2 located on wooden poles. And later on when I was asked to take
3 the investigator to go to visit the house, actually the house was
4 removed and a new house was built in its location.

5 [15.18.00]

6 Q. And in that house at Trea, in 1978, can you specify how far
7 the pit was from that house -- that is, the pit <in which you say
8 people were -- well, in front of> which persons were executed? In
9 the French interpretation, I heard <first "8" metres from the
10 house"> and then I heard <"100 metres">. Can you please <clarify
11 the distance>?

12 A. The distance from the house to the pit was 8 metres. It was
13 not <> 100 metres. If it was that far, I would not be able to see
14 it. In fact, it was only about 8 metres from the house. It was a
15 pretty large -- there was one large pit and there were about <a
16 few> smaller pits. And there was a tamarind tree near the main
17 pit.

18 Q. You also <referred> to a river close by. Can you tell us how
19 far that river was from the house?

20 A. The distance between the house where I was detained and the
21 riverbank was about 8 metres. So the house was about 8 metres to
22 the riverbank and 8 metres on the other side through the pit. It
23 was like the house was in the middle of the -- between the
24 riverbank and the pit.

25 [15.19.58]

1 Q. I understand from your testimony that there were soldiers
2 below the house and you lived above; is that correct?

3 A. Yes, that is correct.

4 Q. Do you recall whether you were standing or sitting in that
5 house <when> you were <-- these 16> young <girls in the> house at
6 Trea?

7 A. When we were instructed to line up <on our feet,> they started
8 to tie us up and then <after> some <had been> sent off the house
9 to be killed, <they untied> my group <who> remained <sitting> in
10 the house.

11 Q. But my question was whether you were on your feet or <>
12 sitting while you were inside the house.

13 A. We were on our feet when we were instructed to be tied up and
14 after we had been tied, <> we sat down on the floor in the house.
15 [15.21.36]

16 Q. You talked of a window in that house. Can you tell us where <>
17 that window was<>?

18 A. To my knowledge, it was located on the west side of the house.
19 But in Trea village if we were to pray, we would pray to
20 <direction of the river> and maybe that was not as to the north.
21 When we pray we will pray <> towards the riverbank and the pit
22 was on the opposite of the riverbank. So it was like it was
23 behind us. And the pit was to the west of the house. It was about
24 8 metres away from the house. And after I was tied up my knees
25 shook, so I sat down. <When people were sent out of the house to

1 be smashed, I moved to the window side and watch secretly.>

2 [15.23.00]

3 Q. And from where you were seated, how far were you from the
4 window?

5 A. I was sitting rather far from the window. However, after
6 people were sent out of the house two at a time, then I moved
7 myself closer to the window and that's when I tried to look
8 through the crack of the window and saw what happened.

9 So allow me to clarify. After people had been moved out of the
10 house, I moved myself closer to the window where the crack was
11 there that I could see through. And initially I was sitting
12 rather far from the window but I moved gradually after people had
13 been taken out of the house.

14 Q. When you <say, ">a crack <in> the window<", should> I
15 understand that it wasn't a window with glass panes, but <a
16 window that was shut with wooden planks>? <Is that right?> Was it
17 a window <with wooden shutters>?

18 A. In fact, the windows did not have any open grills. However, a
19 plank, a wooden plank was used to make a window. It was not the
20 normal window with wooden grills. <And there was a crack on the
21 window, that's how I could see through the hole.>

22 [15.25.02]

23 Q. Very well. If I understand correctly, the only opening <this>
24 window <had> was <some cracks>; is that correct? <Did I correctly
25 understand your testimony?>

1 A. In fact, about three fingers' thick of a chunk of the wooden
2 plank actually broke and fell off that window and that's how I
3 could see through <easily>. It was not a small crack. <Otherwise,
4 I could not see through.>

5 Q. You stated that <you were -- that> it was at night< and that
6 there were --> but <that you, you <> were able to see <> because
7 the moon was full. <Do you remember about> what time it was
8 <then,> when you said you witnessed <the> executions?

9 A. It happened around 7 o'clock because it happened a while after
10 the sun <> set. And so when it's dark they took the people off
11 the house.

12 Q. Can you tell me for how long you were next to that window on
13 that day?

14 A. I did not sit there for a long time because people were taken
15 continuously off the house. So my estimation is that I remained
16 sitting near the window for about an hour or a little bit over an
17 hour.

18 Q. <And did you, during the -- you> stated that while you, the
19 young girls, were in the house, the guards were not inside the
20 house but under the house. Were you able to talk to <these other>
21 young girls at any point in time?

22 A. We did not dare to talk. Everybody was so quiet even if when I
23 was thirsty I did not dare ask for water. I was terrified when I
24 saw quite a large number of soldiers.

25 [15.28.20]

1 Q. <> So, if I understood <> correctly, you were silent inside
2 <the> house?

3 A. Yes.

4 Q. A while ago, when my colleague put questions to you to find
5 out whether <what> you heard<, such as> cries coming from
6 outside<,> whether the other young girls had heard such cries,
7 you said you couldn't speak for the others. <Now,> you've just
8 told me that <the house -- in any case,> all was silent inside
9 the house. <Yes or no,> <could the people who were present with
10 you in the house> hear what was happening outside?

11 MR. PRESIDENT:

12 International Co-Prosecutor, you have the floor.

13 [15.29.36]

14 MR. KOUMJIAN:

15 It's the same objection as with the other counsel. She cannot
16 testify to what other people heard.

17 BY MS. GUISSÉ:

18 Q. Let me put the question differently. Is it the fact that the
19 house was quiet that allowed you to hear what was happening
20 outside?

21 MS. MATH SOR:

22 A. I -- you asked me a question that while I was detained there
23 among the 36 people, whether we could talk and I said, "No, we
24 did not dare to talk. We were all in shock". And later on, a
25 woman and three men came up to the house to <tie> us <up> and we

1 were still silent.

2 And later on when they took two of us each time out of the house
3 to be killed, we actually <panicked because the people who were
4 to be killed were already taken out. There were only 16 of us
5 remaining in the house. I am not sure if others watched it
6 through the hole>. <But> I saw those people being killed through
7 that <hole on the> window. And because some of those who were
8 killed were my relatives, that <was the reason> why I tried to
9 see what they did to my relatives. And maybe those other people
10 did not look through the window because they did not have any
11 relatives who were led off the house.

12 [15.31.25]

13 Q. Earlier when you were answering the questions put to you by my
14 colleague, Victor Koppe, he asked you if you <had told the other
15 young girls> <>what <was happening, what you were seeing>
16 outside<, > and you <answered> that you were too afraid and that
17 you <hadn't spoken>. Now, you are telling us that you were
18 whispering<, you whispered,> and that you finally described what
19 you <had seen> through the window. <> <So, yes or no, did> you
20 speak to <the young girls remaining in the house? Did you speak
21 to them> about what you saw or not?

22 MR. SENG LEANG:

23 Mr. President, I did not hear the witness say that when the young
24 Cham girls were taken away to be killed. She said that she -- she
25 did not say that she whispered about what she witnessed. What she

1 said was that the people in the house were in shock. So, this is
2 the point I would like to clarify.

3 [15.32.58]

4 BY MS. GUISSÉ:

5 <> I believe the transcript will show the reality, but in any
6 case that's what I heard in the translation. In any case, I would
7 like to ask the witness again.

8 Q. When the people were taken away to be executed, did you, yes
9 or no, speak about or whisper <> to the other young girls <in the
10 house> to tell them what you had seen through the window?

11 MS. MATH SOR:

12 A. As I told you that I did not whisper to anyone. I saw it and
13 then I kept it to myself. I did not tell anyone else. So that was
14 -- I did not whisper to anyone else.

15 Q. <And, without> having spoken about this to the young girls at
16 Trea that day, <did you later,> when you ended <up in the group
17 of 16, be it in the other house at Trea or later> at Krouch
18 Chhmar, did you then describe the scene <that> you <say you> saw
19 to any of the 15 <other> young girls who were with you<>?

20 A. No, I did not tell them. <At the time, the action was still
21 going on>. I was scared about my own life so I did not tell
22 anyone.

23 [15.34.55]

24 Q. <Must> I understand that until the moment you fled, let's say
25 a little bit before the arrival of the Vietnamese, you never

1 spoke about these scenes with <anyone who> was with you in the
2 house in Trea?

3 A. No, I did not tell anyone.

4 Q. And in particular, No Sates, who was with you at Krouch Chhmar
5 as well, you never spoke to her about that scene<>?

6 A. Yes, that's correct. I did not tell her.

7 Q. <Earlier, my> colleague referred to a discussion you had with
8 Mr. Ysa Osman<. Do> you remember when this interview took
9 place<>?

10 A. No, I cannot recall the year when I was interviewed. I did not
11 recall the date.

12 [15.36.26]

13 Q. If I tell you that <it> took place in 2003, and I am referring
14 to document E3/7745 on the first page, which states that the
15 interview took place on 25 January 2003, does that refresh your
16 memory?

17 A. At that time he interviewed me, the interview really took
18 place. He asked me about my age, my name, but I cannot recall the
19 year that the interview took place. He asked me questions about
20 the years and months referring back to what happened in the Khmer
21 Rouge regime and I told him accordingly.

22 Q. Did you see him once or several times?

23 A. I saw Osman once in Kampong Cham.

24 Q. So the day that he took <these> notes <>is the only time you
25 saw him. And I understand that you did not see him again to

1 <perhaps> provide <further details>. Am I right?

2 A. Yes, only once. I did not meet him again.

3 [15.38.35]

4 Q. <When> you were interviewed by the investigators of the OCIJ,
5 do you remember having provided corrections to the interview you
6 gave to Mr. Ysa Osman in 2003?

7 A. No, they did not ask me to correct.

8 Q. You said that you were with Ms. No Sates in this house and
9 that then later you met again in Krouch Chhmar. I understood your
10 testimony in which you said that you could only <testify to> what
11 you had seen. But since No Sates testified before this Chamber, I
12 would like to submit to you a certain number of her statements
13 and ask you questions in that regard to see if you <> confirm
14 your testimony<>.

15 <At> the hearing of -- <I will find> the reference <in a moment>.

16 Well, in any case, during a hearing here before the Chamber, No
17 Sates said <that> -- oh, here, I have it <-- >at the hearing of
18 29 September 2015, document E1/351.1, a little bit after
19 11.33.21, No Sates confirmed <at the hearing> that there were 300
20 people in the house in Trea. So my question is the following: can
21 you confirm that in this house in Trea you were only 36 young
22 girls?

23 [15.40.58]

24 A. The house that we were all detained consisted of only <35>
25 people. I cannot speak for No Sates who mentioned that the

1 numbers were different.

2 Q. Now, with regard to the interrogation that <was carried out>
3 in Trea by Ho, can you tell us if this interrogation took place
4 in the room where all of the young girls were grouped together?

5 A. Ho sat down and interrogated all of us <who remained>. So we
6 were all sitting together.

7 Q. <When he was interrogating >you<>, did he take you aside <to a
8 corner of the room> or were you interrogated in the same place
9 where you were sitting?

10 A. He interrogated all of us as one group.

11 Q. Earlier, <when answering a question by> my colleague, Victor
12 Koppe, <you said> that you did not know which questions were put
13 to No Sates. So under these conditions, must I understand that
14 you do not remember the questions that were put to her?

15 A. When they interviewed No Sates, I did not know what questions
16 were asked to No Sates. <She was interviewed in many places and
17 many more time than I was. So I do not know about those contents.
18 In that house also, they untied and took one of us at a time, so
19 I do not know if they asked any of us individually.> So I knew
20 only the questions that they asked us when we were assembled as a
21 whole group.

22 [15.43.50]

23 Q. In the interpretation I heard -<">the questions which they put
24 to you<".> <Do> we agree <that> it was only Ho who <asked
25 questions that day> or were the other cadres who were present

1 also questioning you?

2 A. Only Ho alone asked us question; there were no one else.

3 Q. Now, I would like to return to the book by <Mr.> Ysa Osman in
4 which your interview <appears>.

5 Aside from No Sates, do you remember other young girls who were
6 present with you in Trea and who <> followed you to Krouch Chhmar
7 afterwards?

8 A. The remaining people who survived the regime, some of them
9 have already passed away now.

10 When we went to Krouch Chhmar, all of us went there together. But
11 from that time until now, some of them have already passed away.

12 <Only a few are still alive.>

13 [15.45.45]

14 Q. Yes, but my question was: do you remember the names of some of
15 the other people who left Trea to go to Krouch Chhmar<? That> is
16 to say, among the 16 people who were with you at Krouch Chhmar,
17 do you remember the names of some of these people?

18 A. I remember Sates, Chouk, Som (phonetic), Sah (phonetic), Sarah
19 (phonetic), Rayan (phonetic), Na (phonetic), <Sah Ei> (phonetic),
20 <Habsah> (phonetic), Sarah (phonetic), Tae Yum (phonetic); most
21 of them already passed away.

22 Q. The last point of clarification <that I forgot to ask you
23 concerned> the distance between the pit and the house. In a
24 statement<, >document E3/7747; English ERN<, > 00274733; Khmer
25 <ERN>, 00204417; French <ERN>, 00274736; you spoke about a

1 distance of 50 metres between the house and the pit. <Do> you
2 stand by your statement that it was only 8 metres away?

3 A. I stand by my statement that the distance is 8 metres from the
4 house to the pits.

5 [15.47.55]

6 Q. Earlier, when you were answering a question that was put to
7 you by my national colleague from the Nuon Chea team, you spoke
8 about your <wedding> that took place three months after you were
9 detained at Trea<.> I didn't understand <> if you had known your
10 husband before<, before> you left for Trea<,> or if you <only>
11 met him afterwards.

12 A. As I said a while ago that I knew him when we were in the
13 mobile unit and then he proposed for our marriage.

14 Q. Well, I was confused by the fact that before you arrived at
15 Trea, you were already part of a mobile unit and after you left
16 Trea, you joined a mobile unit again. So my question is that: do
17 we agree that it was when you were in Krouch Chhmar that you met
18 your husband?

19 A. Yes, that is correct. After the incident that people were
20 taken away to be killed and then I met him in the mobile unit.

21 [15.49.35]

22 Q. You also said that <>it was your <parents>-in-law <-- in any
23 case, your father-in-law --> who apparently came to see you to
24 see if you would agree to marry his son<.> <Do> you know if your
25 husband's family originally came from Krouch Chhmar?

1 A. No, he did not come from Krouch Chhmar. He was based in Trea
2 Pi.

3 Q. Another question: You said that this <wedding> took place
4 <along> with other <couples>, so it was a collective <wedding>
5 involving 70 couples, if I understood correctly; so can you tell
6 me who conducted that ceremony?

7 A. The 70 couples were <the people from in the mobile unit who
8 remained from the smashing, and the wedding was> organized by
9 <Ho>.

10 Q. "By them"? Who exactly?

11 A. I did not know who they were and where they came from, so I
12 did not know how to answer your question. I just knew <> they
13 asked me whether I was interested in marriage and I -- I said yes
14 and yes; the marriage took place.

15 [15.52.00]

16 Q. Aside from your father-in-law, who asked you if you were
17 interested in getting married<?> <Did> a cadre from the mobile
18 unit or <> another <authority figure> from the commune or from
19 the district <ask> to you<?>

20 A. No, they did -- they did not ask me. The marriage was simply
21 organized and we were all asked to hold our hands to symbolize
22 our agreement to get marriage.

23 Q. <Where> did this <wedding> take place?

24 A. <> The wedding took place in Trea Pi.

25 Q. Was Ho, the district chief, present?

1 A. Regarding the presence of Ho, I do not understand this.

2 MR. PRESIDENT:

3 Whether the chief, Ho, attended your marriage, and the marriage
4 of the 70 couples that took place on the same day with your
5 marriage?

6 [15.53.56]

7 MS. MATH SOR:

8 No, he did not attend the marriage ceremony, but members of his
9 units came to attend the ceremony. <But I do not know their
10 names.>

11 BY MS. GUISSÉ:

12 Q. You then said that you fled; why did you flee?

13 MS. MATH SOR:

14 A. After my marriage, we fled because we heard the rumour that
15 those 70 couple who were just married, would be taken away to be
16 killed and when we heard this news, we were scared and fled into
17 the forest.

18 [15.54.52]

19 Q. I asked you all of these questions, madam, because on the case
20 file we have a statement that <you> made before the investigators
21 of the OCIJ<>, document E3/5194, in which <-- this is what> you
22 say regarding who had married the 70 couples and regarding also
23 why you fled. <This> is what you say: in French, ERN 00268839;
24 <in> Khmer, <ERN> 00204407; <and ERN in> English, 00274708 and 9,
25 I believe, as well. First, you said that you had found, among the

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1 clothes you had washed, your mother's clothes; can you confirm
2 that?

3 A. Yes, I can clarify this point. As I said earlier that when I
4 went to the -- I was sent to the mobile unit; I went to fetch the
5 clothes <> in Krouch Chhmar <and I saw my parents' clothes there.
6 When I saw that, I was weeping there,> and after I came back, I
7 got married. It doesn't mean that after I joined the mobile unit,
8 I got married. I got married after I came back from fetching the
9 clothes in <a warehouse in> Krouch Chhmar and I saw my parents'
10 clothes and their belonging.

11 Q. How did you recognize your parents' clothes?

12 A. I could identify their belongings easily.

13 [15.57.44]

14 Q. I believe I understood that when you answered the
15 Co-Prosecutor, you said that <>after a certain point in time,
16 people were no longer wearing traditional clothes <because it
17 wasn't allowed, that everybody dressed the same>; so did I
18 <misunderstand> your testimony<>?

19 A. Yes, that's correct; we were not allowed to wear the
20 traditional clothes. But when I found the clothes, I kept a few
21 of them to keep as our family heritage. <But I wrapped them up
22 and kept them at the warehouse, I did not bring it to my mobile
23 unit.> I brought with me only two shirts.

24 Q.<So, when -- well, I --> the clothes in question are clothes
25 that had <>remained in your parents' home; is that correct?

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1 A. No, the clothes were not in my house. My parents were
2 assembled with other people in front of the pagoda and they
3 removed the clothes and the clothes were put in the warehouse <at
4 Krouch Chhmar>, and <their clothes> were mingling with clothes
5 from other people <in the warehouse>.

6 [15.59.38]

7 Q. Now, I would like to turn back to the question of the
8 marriage. So this is what is said in <> statement E3/5194. You
9 said<:> "Immediately after having seen <these> clothes, we, my
10 husband and <I>, fled into the forest because Ho stated that he
11 would execute all of the 70 couples whom he had married and I did
12 not know why he took that decision<. We> fled during the night
13 and we remained in the forest until the fall of the regime. I was
14 seven months pregnant and life was very hard." End of quote.
15 So my first question is: Did Ho carry out the <wedding> of the 70
16 couples; yes or no?

17 A. Yes, it was Ho who organized the wedding, although he,
18 himself, did -- was not present at the wedding ceremony; only his
19 deputy was there.

20 Q. And on the day you saw your parents' clothing, in any case,
21 your mother's clothing, as you indicated in the statement, how
22 long was that after the <wedding>?

23 A. Regarding the clothing, in fact, when I went to tidy up and
24 fetch the clothes, I was not yet married. Maybe the document that
25 you refer to is not accurate. The marriage did not take place

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1 before I went to fetch the clothes. I saw the clothes of my
2 parents before I got married.

3 [16.01.53]

4 Q. And in the <excerpt> that I quoted, it is stated that you were
5 seven months pregnant. Can you tell the Chamber how long before
6 the arrival of the Vietnamese on the 7th of January 1979 -- how
7 <>long before the Vietnamese arrived did you get married?

8 A. I got married after I actually was sent to tidy up the clothes
9 and where I saw the clothes of my parents and when I returned
10 from the mobile unit, I was <arranged> to marry my husband in
11 Trea 2 village and later on, we fled to the forest.

12 And, actually, at that time, I had morning sickness -- sickness
13 because I was pregnant and when I left the forest, I was seven
14 months pregnant, so we stayed for quite a long while in the
15 forest.

16 [16.03.11]

17 Q. And this will be my last question. How long before the arrival
18 of the Vietnamese did you get married?

19 A. I cannot recall how many months there were. When the
20 Vietnamese arrived, I had already been married. I was pregnant
21 when the Vietnamese arrived, but I cannot recall the number of
22 month, but now I am getting old and my memory is not that well.

23 MS. GUISSÉ:

24 <I am aware of the time, Mr. President, so> I'll stop <my
25 examination> here<>.

1 MR. PRESIDENT:

2 Judge Fenz, you have the floor.

3 [16.04.21]

4 QUESTIONING BY JUDGE FENZ:

5 Q. I have a few question which unexpected from you and asked by
6 the Defence. It's about this wedding and the marriage.

7 So can we at least agree that the wedding happened in 1978,
8 sometime late in '78; is this correct?

9 MS. MATH SOR:

10 A. Yes.

11 Q. Now, you mentioned that the people who oversaw -- or -- the
12 wedding came from outside, though that -- but that people were
13 present at the wedding who actually knew you; is this correct?

14 To be clear, that officials were present -- Khmer Rouge officials
15 were present who knew you before the wedding; is this correct?

16 A. I did not know if the Khmer Rouge officers actually knew me.

17 <I did not know them.>

18 [16.05.47]

19 Q. Okay, let me put the question another way. Was there anybody
20 from the Khmer Rouge there who knew, at the time of the wedding,
21 that both you and your husband were Cham; do you know that?

22 A. Yes, they knew that we were Cham; the cadres knew that.

23 Q. Was it ever raised as an issue that Cham married among each
24 other, as far as you know, or was this never raised, if you know?

25 A. No, I did not hear them saying anything about this.

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1 Q. Are you aware of any other cases where Cham married Cham
2 during the DK period, perhaps some of your friends?

3 A. No, I was not aware of that.

4 [16.07.22]

5 Q. So the only case where, to your knowledge, the Cham married
6 the Cham with the authorities knowing is your own wedding; is
7 that correct?

8 A. Yes.

9 JUDGE FENZ:

10 Okay, thank you.

11 MR. PRESIDENT:

12 Thank you, Judge Fenz.

13 The hearing of testimony of Madam Math Sor now concludes and the
14 Chamber is grateful of your time, Madam Math Sor, for your
15 one-day testimony. Your testimony may contribute to ascertaining
16 the truth in this matter and you are no longer required to be in
17 the courtroom and you may go wherever you wish to and we wish you
18 all the very best.

19 [16.08.31]

20 Court officer, please cooperate with WESU to make necessary
21 transport arrangement for Madam Math Sor to return to her house
22 or wherever she wishes to go to.

23 The Chamber will adjourn its hearing now and resume tomorrow --
24 that is, Thursday, 14 January 2016, commencing from 9 o'clock in
25 the morning.

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1 Tomorrow, the Chamber will hear testimony of a witness,
2 2-TCW-894, and the Chamber would also like to inform the public
3 that the hearing of 2-TCW-894 tomorrow and the hearing of
4 testimony of witness 2-TCW-938 on Monday, 18 January 2016 and
5 half-day session on the next day will be held in camera.
6 Security personnel, you are instructed to take the two accused,
7 Nuon Chea and Khieu Samphan, back to the detention facility and
8 have them returned to attend the proceedings tomorrow before 9
9 o'clock.

10 The Court is now adjourned.

11 (Court adjourns at 1609H)

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