



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

TRANSCRIPT OF TRIAL PROCEEDINGS - KAING GUEK EAV "DUCH"

PUBLIC

Case File N° 001/18-07-2007-ECCC/TC

30 June 2009, 0901H

Trial Day 36

Before the Judges:

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INDEX

WITNESSES

MR. CHUM MEY

Questioning by Mr. President commences	page 1
Questioning by Judge Cartwright commences	page 37
Questioning by Judge Lavergne commences	page 43
Questioning by Mr. Tan Senarong commences	page 53
Questioning by Mr. Smith commences	page 58
Questioning by Mr. Hong Kimsuon commences	page 67
Questioning by Ms. Studzinsky commences	page 71
Questioning by Ms. Jacquin commences	page 78
Questioning by Ms. Ty Srinna commences	page 82
Questioning by Mr. Kar Savuth commences	page 86
Questioning by Judge Cartwright commences	page 89

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MS. CANIZARES	French
JUDGE CARTWRIGHT	English
MR. CHUM MEY	Khmer
MR. HONG KIMSUON	Khmer
MS. JACQUIN	French
MR. KAR SAVUTH	Khmer
JUDGE LAVERGNE	French
MR. SMITH	English
MS. STUDZINSKY	English
MR. TAN SENARONG	Khmer
THE ACCUSED	Khmer
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MS. TY SRINNA	Khmer
MR. WERNER	English

1

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

2 [9.01.27]

3 (Judges enter courtroom)

4 MR. PRESIDENT:

5 Please be seated. The Chamber is now in session.

6 The Greffier, can you report on the attendance of the parties?

7 THE GREFFIER:

8 Mr. President, all parties are present. The survivor, who is

9 also a civil party, is also present for today's testimony.

10 [09.02.40]

11 MR. PRESIDENT:

12 Court officer, can you invite the civil party, Chum Mey, into the

13 courtroom.

14 (Witness enters courtroom)

15 QUESTIONING BY THE BENCH

16 BY MR. PRESIDENT:

17 Q.Uncle, what is your name?

18 A.My name is Chum Mey.

19 Q.Do you have any other names besides Chum Mey?

20 So your official name is Manh not Mey. So your official name is

21 Chum Manh and Mey is your alias. Is this correct?

22 A.Mr. President, Your Honours, both national and international

23 judges, and my respect to all the lawyers and the Co-Prosecutors

24 and also the civil parties lawyers. My respect also to the

25 noblemen, as well as national and international audience.

2

1 Q.How old are your this year, Uncle?

2 A.I am 79 years old.

3 [9.06.20]

4 Q.What is your current address?

5 A.I live at Stueng Mean Chey quarter, Stueng Mean Chey district.

6 Q.What is your current occupation?

7 A.I do not work at the moment.

8 Q.Regarding this criminal case file, you lodged your application
9 as a civil party and the question is, do you seek reparation for
10 yourself or you waive your rights to your lawyer to seek for
11 reparation on your behalf?

12 A.I lodged my application, and regarding the reparation, I gave
13 the right to my lawyer to act on my behalf.

14 Q.As a civil party, what is your connection to the facts alleged
15 to the accused?

16 A.I am involved with the facts because the accused alleged that
17 I was part of a CIA or KGB network.

18 Q.So the fact on the accused is related to the S-21 security
19 office or does it relate to the Prey Sar re-education office?

20 A.It is related to S-21 or Tuol Sleng.

21 Q.Is it your direct involvement as a victim there or on your
22 relatives or is it both -- your involvement and your relatives'
23 involvement?

24 A.I and my family decided to make application to be a civil
25 party to this case.

3

1 Q.The question is whether you, yourself, directly suffered from
2 the acts alleged in the facts.

3 Uncle, before the 17th April 1975, where did you live and what
4 was your occupation?

5 A.Before 1975, I was a mechanic fixing tractors, cars, for
6 example.

7 Q.And where were you at the time?

8 A.In Phnom Penh.

9 [09.10.03]

10 Q.And on the 17th April, 1975 when the Khmer Rouge soldiers
11 entered Phnom Penh, where were you and what were you doing?

12 A.In 1974, I was in Phnom Penh.

13 MR. PRESIDENT:

14 Court officer, that is okay.

15 BY MR. PRESIDENT:

16 Q.Uncle, on the 17th April 1975 -- and you already told us your
17 previous response already -- what we want is to know about your
18 connection to the S-21 office, but we want to know about your
19 situation from the 17 April 1975 until the 7 of January 1979.

20 However, there will be stages that we would question you.

21 So, first of all, we want to know, on the 17th April 1975, where
22 were you and what did you do?

23 A.In 1975 on that day, I was with the Prince Chang Raing Sey at
24 Chbar Mon in Kampong Speu province. Actually, in 1974, Chang
25 Raing Sey had me transferred to Phnom Penh so I was taken by a

4

1 helicopter from Chbar Mon to Phnom Penh and he advised me that I
2 should go home for now and if I needed you I would call you back.

3 Q.We want to know the event on the 17 April 1975 when the Khmer
4 Rouge entered Phnom Penh. What did you do and where were you at
5 the time?

6 [09.12.51]

7 A.Let me continue and I will reach that point.

8 When I entered Phnom Penh, the Khmer Rouge were shelling from
9 Vihir Sur into Phnom Penh; also from Ta Khmao into Phnom Penh.
10 So a lot of locations were burned in Toek La-âk for example, so
11 the shelling was from every direction.

12 At that time, the Khmer Rouge entered at eight o'clock in the
13 morning and I was near the vicinity of Phsa Depo at the time.
14 When the Khmer Rouge entered, some female soldiers came into the
15 city with one of the trouser sleeves pulled up and carrying the
16 B-40 rocket launcher.

17 Q.So you were in Phnom Penh on that day, right? And were you
18 evacuated by the Khmer Rouge force on that day or when? And
19 which direction were you evacuated to?

20 A.Mr. President, when they entered, everybody including myself
21 raised a white flag to congratulate them; everybody cheered.
22 However, in the afternoon, at about 5.30 p.m. they walked from
23 house to house and informed us that we had to leave Phnom Penh,
24 five kilometres away from Phnom Penh because the Americans were
25 about to bomb the city.

5

1 Q. So the Khmer Rouge evacuated you to which direction?

2 A. So at that time, some people refused to leave and the Khmer
3 Rouge shot them; two or three of those people fell on the ground.
4 I was scared, so I collected my family and then we moved. We
5 went near toward Pet Louk Sâng Hospital and the road was so full
6 we could hardly walk.

7 [09.15.31]

8 And we reached Toek Thla. It was near dark already, so I rested
9 near the Kop Sroeu area for one night.

10 Later on, I made my journey to Preik Phnoeu and when we reached
11 Preik Phnoeu it was night time, and since I could not find any
12 water in order to cook rice, so I took my children and my wife to
13 stay near the river bank in order to get some water. At that
14 time, because it was dark, I actually stepped on dead bodies
15 around the river bank.

16 So after I cooked a meal, we ate and then we rested, and at 4.00
17 p.m. we were chased again to move on. So we continued our
18 journey.

19 On the left side there was a pond, a fish pond, but because the
20 fish did not have anything to eat, and I saw the bloated dead
21 bodies in the pond and the fish were eating those dead bodies.

22 So along the road from Preik Phnoeu, we saw stacks of dead bodies
23 everywhere.

24 Q. And so you reached a work crew. Where was it?

25 A. It's near Preik Kdam.

6

1 So we continued the journey and we were asked to cross the river
2 to the east side of the river. That night it rained and one of
3 my children got diarrhoea and a high fever, and I did not have
4 any medicine for him. So I went to ask for medicine from Angkar
5 and I walked to find Angkar but I could not find any Angkar, so
6 when I asked to see Angkar I was told to move on, but I could not
7 find who was Angkar.

8 [09.18.09]

9 And as a result, my son died. Where upon then I borrowed a hoe
10 and then I dug the ground and buried my son. He was two years
11 old at the time.

12 Later on, we continued our journey. It was difficult for us
13 because there was no shelter or shade for us to rest, and under
14 each tree, people just gathered around to make a big crowd. So
15 it was so hard, so miserable.

16 And we continued our journey until Cheung Chnok near Thnal Keing
17 and we were stopped there. I didn't know what else to do. And
18 then we were ordered to go behind the Cheung Chnok Pagoda and we
19 were asked to stay there temporarily. We stayed there, and on
20 that night it rained again so we stayed under the house of the
21 local villagers.

22 The next morning, I went to the rice fields to find food, looking
23 for crabs. Then I saw a bus and an announcement was made through
24 a loud speaker looking for any mechanics; that Angkar is looking
25 for mechanic to go and work in Phnom Penh. So I told them that I

7

1 was a mechanic, then I was given a letter of authorization. So
2 with that letter of authorization, I saw the people who were in
3 charge there, and I was told that I should not go during the day
4 but I should go in late afternoon.
5 [9.20.13]
6 So in late afternoon we left, and when we reached Preik Kdam I
7 handed the paper to the chief there, and I was told to wait there
8 until there would be more mechanics coming. So together there
9 were seven mechanics, including Da Jin, Ta Seun, Ta Peng, and the
10 seven of us were asked to come to Phnom Penh.
11 And I asked, "What about my family?" and I was told, "Don't worry
12 about the family. They can stay here and Angkar would look after
13 your family." So I boarded the boat and we travelled on the boat
14 and we got out of the boat in Russei Keo, and I showed the letter
15 to Comrade Sroe who was in charge of boat repair section there.
16 So in the morning, the seven of us were asked to fix the boats.
17 From what I can recall, we fixed more than 10 boats. So after we
18 completed the repair then the soldiers were loaded full on each
19 boat and the boat departed to Kratié Province .
20 And later on, I was asked if I could fix or repair a tractor or a
21 car and I told them, yes, I could fix tractors and cars. And
22 Comrade Sroe asked whether I could drive them as well and I told
23 him "Yes".
24 Then I was asked to drive the bulldozer into the ferry and
25 another vehicle into the ferry and those vehicles were sent to

8

1 Kratié Province. So I was also asked to board the ferry in order
2 to drive the tractor and the trucks on the other side of the
3 river bank, and the next day I returned.

4 [9.22.37]

5 So when I returned to my work location, then I was requested if I
6 knew all the pieces or spare pieces of a tractor, and when they
7 knew I knew, then I was transferred to Orussei. So when we were
8 at Russei Keo there were six of us, but when I was transferred to
9 Orussei I was instructed to collect the tools from the houses in
10 order to put them in the warehouse.

11 Then Comrade Kun asked me whether I could fix the loudspeaker and
12 I told him yes, so I was asked to repair the loudspeakers in the
13 middle of the Orussei market. So I fixed those loudspeakers for
14 about three or four months and, later on, we were told that we no
15 longer needed to collect those tools, instead Angkar required us
16 to collect sewing machines in order to sew black clothes.

17 So we collected sewing machines. All together we collected
18 17,000 sewing machines, and after that we saw female -- we saw
19 women who came to that factory to sew the black clothes. There
20 were about 1,000 women and roughly 200 men to the sewing machine
21 factory.

22 So we started working there from '75 until '77, and in 1978 --
23 this is -- I just briefly summarize the event. I was ordered to
24 repair vehicles in Vietnam, that's what I was told, but before
25 they told me that Comrade Kun, who was my boss, was already

9

1 arrested. And then Choum came to replace him and a few months
2 later Choum was arrested and replaced by Comrade Yung
3 [9.24.56]
4 I was not sure, but according to Duch, Comrade Yung or another
5 Choum (phonetic) was in charge of that location, and after Yung
6 disappeared, another female from Ta Keo named Wan came to replace
7 at that location which was called Ko Nagn, and also another
8 Comrade - Lin, came to work in that location. And that was the
9 time that I was called and instructed to go and repair vehicles
10 because Angkar planned to attack Vietnam.
11 So the three of us did not object and we volunteered to go. And
12 in the morning, we carried the tools to depart from Ko Nagn in a
13 Lambretta. However, we were told that we did not need to bring
14 the tools, we just go by ourselves, so we boarded the Lambretta.
15 And along the way I did not know that because I saw the fence of
16 the -- zinc fence; I could not see what was inside.
17 So we were brought into Tuol Sleng but I did not know that place
18 was called Tuol Sleng at the time. Later on, we were put into
19 the house which was opposite Tuol Sleng. Once we disembarked
20 from Lambretta, we were arrested and handcuffed and our scarf on
21 our neck was used to blindfold us, and then we were walked inside
22 the compound. While I was walking, I told a person, that
23 brother, "Please look after my family". Then the person kicked
24 me and I fell on the ground, and he said, "You motherfucker,
25 Angkar needs to smash you all. You don't need to think about

10

1 your family."

2 Then I was taken into the room and my height was taken and I was
3 photographed. I was so -- the method used was so hot. It was
4 always hot, not cold method or other method as Duch claimed. We
5 were scalded. We were called contemptible this or contemptible
6 that. And they asked me about my biography and I told him I was
7 from Kampong Lvia Commune, Kampong Trabeck District and Prey Veng
8 Province.

9 [09.27.59]

10 Then they took my photograph and they took my shirt off and my
11 pants off. I only had my shorts. And my shoes were also taken
12 away. And my hands were cuffed to the back and I was
13 blindfolded. Then they walked me to the location where I was
14 detained -- and actually I told the Co-Investigating Judges of
15 that location already.

16 So I was placed into that cell. They shackled my legs, then they
17 took off the cuffs and unblindfolded me. Then they used a piece
18 of cloth to use to conceal themselves, and I could see the guards
19 walking up and down the corridor.

20 And at about 1 o'clock then a person came to cuff my hands to the
21 back, blindfolded me, and then they unshackled my legs. Then the
22 person pulled my earlobe to stand up and I was walked to the
23 stairs, and then they pulled my earlobe to go down and instructed
24 me that, "You, you go down". So I went down to the staff
25 building.

11

1 So whenever I had to go up the stair my earlobe was pulled up,
2 and when I reached a room I was ordered to sit. Then my legs
3 were shackled and the handcuffs were taken off. After I was
4 un-blindfolded, I saw the fresh blood nearby. I didn't know
5 which person the blood belonged to.

6 And then later on, they started to interrogate me. They asked me
7 to tell them the truth: how many of us joined the CIA and KGB,
8 and I put my hands together and pleaded them to spare my life,
9 and they told me not to do that to them because they were not
10 monks.

11 [09.30.39]

12 And then I told them I did not know any CIA or KGB, and truly I
13 did not know these terms. I heard of them, but I never knew the
14 roles of those people.

15 And then I asked them again to -- I used the term "Lok" or
16 "Mister" and using the term resulted in the beatings, like 50
17 lashes, and then I did not know how I could ask them for
18 forgiveness, so I called them "Brother". So before I could use
19 the term "Brother", then I were inflicted with 100 lashes
20 already, and then they started to interrogate me further.

21 One day, while I was being interrogated and then they were
22 beating me and then I put my hands up to protect myself, then it
23 broke my fingers. And one day they removed my nails from the
24 toes and I was trembling in pain. And later on, about 10 days
25 later, I was electrocuted. It was the direct electrical wire

12

1 from the wall attached to the very fresh current, not the one
2 like Duch mentioned about electric telephone or something like
3 that.

4 So then I was electrocuted and I could hear some kind of sound in
5 my ears, and the person who beat me up called Contemptible Sieng
6 -- I'm sorry to say Contemptible Sieng -- and Hor. Hor has a
7 scar on his cheek. But after my research I found out that three
8 of them already died.

9 So I would like to tell this to Duch; that Duch did not beat me
10 personally, directly, otherwise he would not have the day to see
11 the sunlight. I just would like to be frank.

12 [09.33.11]

13 Q.Uncle Chum Mey, please be well-behaved and make sure that you
14 be more ethical and try to avoid attacking any individual because
15 it is more about the legal proceedings.

16 And the Trial Chamber appreciates your time to come to testify
17 before us and that you should refrain from being so unkind to
18 those people that we know they're the senior leaders of Khmer
19 Rouge or people during the Khmer Rouge regime.

20 We would like you to try your best to tell us the truth and, of
21 course, the Chamber will use your testimony as evidence in our
22 decision. So let's leave it for the Chamber to make the final
23 judgement.

24 So could you please proceed further with your story, and you can
25 keep talking until -- telling us until the country was liberated

13

1 by the support of the Vietnamese troops. So please tell us more
2 about it, especially the conditions when you were detained at
3 S-21, and also the situation when you left S-21 and returned to
4 Phnom Penh.

5 A.I think if I am not telling the truth, I'm afraid that Your
6 Honours would not be experiencing the real test of such a story
7 because when I was sent inside, there was no cool methods and
8 derogatory remarks were used to me, like "the mother-fucker",
9 like "the contemptible" this and that were used.

10 Hor, Comrade Hor, rolled up his shirtsleeves and then beat me up
11 with several sticks, and then he claimed that I did not confess,
12 that's why I would be beaten more.

13 And I would like to tell Your Honours the real accounts, what I
14 have remembered. If I'm not telling the truth, then it would not
15 be good to be here.

16 [09.36.09]

17 Q.Thank you very much, Mr. Chum Mey, for your testimony but when
18 you stated something that is about -- for example, you referred
19 to Duch, that if Duch beat you during the interrogation then he
20 would not live today, so I think this is not really appropriate
21 to say so in the Court.

22 Of course, the Court really values your testimony and we would
23 like you just to refrain from being abusive, insulting the
24 accused or other individuals, and we only would like you to
25 refrain from using some terms that we view that are not

14

1 appropriate.

2 So you can, please, continue.

3 A.Later on, I was beaten up for a period of 12 nights and 12
4 days, so I would be beaten days and night. At 7 p.m., I would be
5 taken to the south building, to the top floor, and I was walked
6 to the place where there was a generator and then I stepped on
7 the lying lock, and then they hold me by my hand and scolded me
8 for being blinded that I could not see anything and walked like
9 that. So my earlobes hurt so much because they pulled them up
10 and down almost every day.

11 Regarding the food, they gave us a very thin gruel, and at 1 p.m.
12 they would come back and take me to be interrogated and beaten up
13 again, to ask me about the CIA and KGB. Although I kept saying
14 that I did not know anything about them, they kept asking me for
15 them. At 12 p.m. one of the guards came and told me -- to tell
16 me to let them know that I had to ask permission if I would like
17 to change to a side when I was sleeping. Otherwise they would
18 see, they would perceive that I try to break the chain.

19 And then Thy came and asked who was the guy who is from Orusseï
20 and whether he could fix sewing machines. So then I said I
21 could. Then he said, "Okay good. Tomorrow then you could work
22 on fixing the sewing machines but try not to escape. Otherwise
23 you would be shot."

24 Then I said I would not escape and then they gave me a set of
25 clothes and I started to work at the workshop. And then there

15

1 was a stack of clothes and they asked me to help look after the
2 fire that they used to cook the gruel. And then after the gruel
3 was offered to the other people, then I was allowed to eat the
4 remaining.

5 [09.40.22]

6 Then I tried to make use of the remaining of the gruel to
7 complement my hunger. They asked me not to let the brothers know
8 about this; otherwise I would be beaten up.

9 Then I met Mr. Pech, and Pech worked with me in the former regime
10 as a mechanic like I was. We did not talk to one another. We
11 didn't dare talk to one another. And we would work to fix the
12 sewing machines, about 30 sewing machines. Then they asked
13 whether I could fix the typewriter. And then I said I could, so
14 I fixed two typewriters for them and later on I was asked to fix
15 the plumbing machine.

16 So I said I could fix all kinds of machines. So later on they
17 asked me to teach females, the women, to know about this. And
18 one day I heard the sound of the planes and three days later the
19 guards prepared some vests, you know, with ammunition and
20 weapons.

21 At the beginning they were not prepared, but after hearing the
22 sound like the bomb drops from the planes, that's why these
23 people were prepared. And later on we heard the sound of a tank
24 rolling from Chbar Ampov and we heard the bombardments. And then
25 one guy was on a motorbike, who told us that the situation was

16

1 not good and they asked us to go back home but I was very
2 frustrated because I did not know where I would go.
3 Pech went into the workshop where Vann Nath was painting and the
4 rest also entered the room. I was the last person to go to that
5 room and then I was scolded like the matter of fact of why I was
6 so late to arrive there.
7 And there were two young children and I asked a woman who these
8 children belong to. They said they were the sons of Grandfather
9 Cheng On. And then I left.
10 [09.43.24]
11 While we were inside the room we saw four of them with a hand
12 grenade in their hands, and I tried to hide myself, to protect
13 myself from being hurt by the grenade if it exploded. So then
14 when we left the building we noticed that the tanks already left
15 to the east but we were walked at gunpoint and they asked us not
16 to run away. They asked us to walk.
17 Then we went into a villa for a long period of time before they
18 asked us to move to the Chinese Embassy. Then we moved to Wat
19 Sansam Kosal. We still heard the airplanes and aerial
20 bombardments.
21 At dusk we were walked to Chamkar Dong and I think I got lost,
22 probably because we were sitting somewhere like at Boeng Choeung
23 Ek and I could smell something and then we went to Prey Sar. It
24 was so quiet at Prey Sar and at dawn we proceeded further and
25 then we reached Ang Snuol at about 7 a.m. and I saw my family, my

17

1 wife. I did not know how she was sent to Prey Sar and I saw a
2 few other women at that watermelon plantation.
3 Then I asked them if I could carry my child and we walked to the
4 other side of the road and while we were crossing the road
5 Vietnamese CMC trucks with people on the truck shot at us and
6 then we were separated.
7 Pech and Vann Nath returned while we were proceeding ahead with
8 Dy Phon (phonetic), the dentist, to Amleang. They already ran
9 away from us and no one was guarding us. There were only three
10 of us left: Ta Eng from Kampong Cham, and my family. So
11 altogether there were three people who walked far behind the
12 others.
13 [09.46.36]
14 Then we went to Srah Tol Pagoda and we asked the people there if
15 we could have some rice so that we can cook them and eat. Then
16 we saw about 50 Khmer Rouge soldiers at Sra Tol Pagoda and they
17 asked us where we were from and I said we were from the sewing
18 unit, and they asked where we were originally from. We said that
19 we were from the east and then they said, "Okay, stay here for a
20 while," and wait until we got the letters from the Angkar. Then
21 we would proceed further.
22 I think it was about at 12 p.m. at night or maybe 10 p.m., the
23 soldiers left us and one militia was armed and was seen walking
24 around us. And then there were another three people with AK-47s
25 who came and asked where were the three people to be killed, and

18

1 the militia said, well, they were still lying down there. And
2 then I woke up and then they told us that now we've got the
3 letter from Angkar that we could move further and they asked the
4 women to walk ahead first because women tend to walk slower than
5 men.
6 Then we left the pagoda. About one kilometre from the pagoda
7 during our journey, they shot. They opened fire on my family
8 during the night with a full moon, then my wife told me to run
9 away because they opened fire on us. Then Ta Eng was also shot
10 at and Ta Eng collapsed and he told me while being -- collapsing
11 actually -- he asked me to run away because the soldier was
12 shooting at us.
13 Then after a moment of quietness then I hid myself near the
14 termite mound and they could not find us. I could hear some
15 people saying that the guy was hiding near that termite mound but
16 actually I had escaped to a nearby location already. I would
17 have been killed if I wasn't near the mound. Then I ran further
18 and entered a jungle, and at night I started to run again.
19 And then at dawn we would hide ourselves in the jungle, only to
20 proceed further when dark came. Then I met a woman. I asked her
21 whether we reached Thmat Pong. Then I was told that Thmat Pong
22 was far behind us now we reached Amleang. And I knew that
23 Amleang would not be the best location because those people told
24 us that we would be sent to Amleang.
25 [09.50.22]

19

1 So we -- I tried to come back. And I had not had any water. I
2 was so thirsty and we went without water for a few days. And then
3 we reached Phum Thom, or Phum Thom Village near Thmat Pong, and
4 we told -- and we asked other people whether we are reaching
5 Amleang and they told us we are close.

6 So only when I could get to Thmat Pong that we -- I could
7 recognize where I could come back to Phnom Penh. So a lot of
8 other people were evacuated and driven away by the soldiers. So
9 I was carrying a machete, a long knife, and then I tried to cut
10 sugar cane to substitute the water that I had been very thirsty
11 for quite a long time.

12 And then we walked further and then we reached Kdann Roy village.
13 We met about 15 soldiers and we saw that a group of villagers was
14 still under their control. Then I walked toward them and with a
15 machete I knew for sure that whatever happened I would try to
16 defend myself with the weapon. Then I reached a location called
17 Snao.

18 I stated that I came to see my child but actually the child was
19 not there. It was just a pretext. Then later on I met my
20 family. I met the woman who worked at the sewing unit with my
21 wife and then we worked together to collect rice to put them in
22 the barn. And then I hide again in the barn.

23 At that time I was so scared of the Vietnamese and we lived in
24 Baek Chan for some time. I was called to attend a meeting and I
25 went together with other people and then I asked if I could

20

1 become a soldier and they said no. And then I said if I could be
2 recruited as a soldier I would be deployed at Thra Tol but they
3 said no.

4 [09.53.35]

5 Q.When the Khmer Rouge employed you to work in Phnom Penh what
6 happened to your wife? Was she reunited with you in Phnom Penh?

7 A.They allowed her to come to live near Chrang Chamreh to work
8 in the production unit there. Then when I was sent to Orussei I
9 asked them if I could have my family together, work together near
10 me. So my family was sent as requested to live -- to work in
11 Orussei.

12 Q.Do you know who made the decision to arrest you, especially
13 the person who issued such decision? Do you know who he was?

14 A.I guess before I was arrested there was Mr. Kun who was in
15 charge of the sewing unit. Kun was already arrested and his
16 subordinate, Grandfather Chum, was the president. Later on Chum
17 was arrested and then Comrade Yung was promoted to be the chief.
18 Then he told me that in Ratanakiri he was looking after the baby
19 elephants for Pol Pot. At that time he burned down the bridge
20 which links to Bor Keo area and of course I was the one who was
21 part in fixing that burnt down bridge. But I did not tell him
22 about this.

23 Later on, after Comrade Yung was arrested, there was another
24 woman from southwest, Comrade Wan with dark complexion. And then
25 there was Comrade Lin who came to work with Comrade Wan. Wan

21

1 and Lin were the two people who made the decision to arrest me
2 and send to Tuol Sleng.

3 [09.56.30]

4 Q.When you were arrested what charges were you told during the
5 Democratic Kampuchea regime?

6 A.(Microphone not activated)

7 THE INTERPRETER:

8 The interpreter could not hear Mr. Chum Mey.

9 BY MR. PRESIDENT:

10 Q.When you were sent to Security Office S-21 were you sent
11 directly to that office or were you sent to another location when
12 people were waiting to receive you before you were ultimately
13 sent to S-21, now known as Tuol Sleng Prison?

14 A.When I arrived there were no people to receive us because
15 people stormed us and had me handcuffed immediately and I, during
16 midway, asked them to look after my family, only to learn that
17 they kicked me until I collapsed.

18 Q.You said that you were arrested along with other people,
19 altogether three of you, and that later on you were unfolded --
20 no, you were stripped off and then handcuffed and then detained.
21 What about the other three people? Were they treated the same
22 like the way you were treated?

23 A.I didn't know about that. I only knew about myself.

24 Q.We want to know when you were sent and there were three of
25 you, so when you were photographed and when you were asked about

22

1 your biography and when the clothes were taken off and the cuffs
2 were un-cuffed what happened to the other two; were they in the
3 same way?

4 THE INTERPRETER:

5 The interpreter could not hear the witness.

6 MR. PRESIDENT:

7 Q.Uncle, please be mindful with the microphone button. You need
8 to turn on the button so that the interpreter could hear and
9 could interpret for the international audience and the parties.
10 So before you speak, please switch on your microphone first.

11 So when you were put into the centre, you were put into an
12 individual cell where you were by yourself. Is this correct?

13 A.That is correct, Mr. President.

14 [10.00.36]

15 Q.You talked in details regarding the treatment by the S-21
16 staff on you from the time that you entered the detention office
17 of S-21. The interrogation, together with the torture in the
18 form of a hot method, was done on you consecutively for 12 days,
19 12 nights. Is that correct?

20 A.That is correct, Mr. President.

21 Q.You also stated that you were beaten up with a whip or with a
22 stick during the interrogation, and because they wanted you to
23 use the actual proper words that they used but because you did
24 not use the correct words, then you were beaten with 100 lashes.
25 What you meant by you were beaten for 100 lashes? What type of

23

1 stick or whip was it; can you describe?

2 A.Mr. President, there were bamboo sticks, there were like
3 rattan sticks or tree branches the size of a thumb, and at that
4 time at the corner I saw a whole bunch of those sticks for used
5 to whip or hit on the prisoner.

6 Q.When you were beaten during the interrogation were you sitting
7 or were you lying with your face down on the floor?

8 A.I was sitting and my legs were shackled.

9 [10.02.59]

10 Q.So you were asked to sit directly on the floor or on a chair
11 when you were being interrogated?

12 A.I was ordered to sit directly on the floor with my legs
13 straight.

14 Q.Besides the stick -- that's the word you used, because in your
15 previous document you used the word "club", which is different
16 from a stick. Now you talk about a stick. Probably the
17 difference is the size or the types of the material used, so I
18 think that the main difference between the stick and the club is
19 the size.

20 What about the subsequent torture; what types of tools were used
21 on you?

22 A.I was not beaten with a club but I was beaten with a stick.
23 It's about the size of a thumb and when one was broken they used
24 another one.

25 Q.And my question is that type of torture; how many times did it

24

1 happen when you were tortured during your interrogation with the
2 use of the stick and that your nails were also pulled and you
3 were also electrocuted? So I want to know specifically the
4 different types of torture. Regarding the sticks, how many
5 times?

6 A.They used the stick to beat me up every single day during that
7 period. They always had a bunch of the sticks ready at the
8 corner of a table. And on that table they had a typewriter on it
9 and a bunch of sticks just lying nearby, so after I was
10 interrogated and beaten then the person came back to type, and
11 after that the same process continued. So they always had a
12 bunch of sticks ready near the table where they put the
13 typewriter on.

14 [10.05.40]

15 Q.When they interrogated you, what was the main focus of the
16 interrogation? What did they want from you during that
17 interrogation?

18 A.At that time they asked me about the KGB and CIA. That was
19 the main focus; nothing else. And if we answered about other
20 things then I would be beaten, and if I talked about Kampuchea
21 Krom, for example, I was not allowed; they would beat me up.

22 Q.And on which session that during that interrogations that your
23 toenails were pulled; on which day?

24 A.I cannot recall the exact day. However, talking about the
25 nail-pulling, I think it was about one week into the period of

25

1 interrogation.

2 Q.So it means you were beaten and tortured for interrogation and
3 during the process of that torture, about a week later your nails
4 were pulled. Can you describe clearly in details the way or how
5 they pulled your nails during that interrogation?

6 A.Mr. President, the beating with the stick was on a daily
7 basis. They had a bunch of the sticks ready. So I raised my
8 left hand to defend myself and one of my fingers was broken, but
9 because I kept the same response that I did not know anything
10 about the KGB or the CIA, then they used a plier to twist my
11 toenail and because it was not pulled out then the person pulled
12 out my toenail.

13 [10.08.11]

14 Q.So they did not have to use any extra equipment because your
15 legs were already shackled, so they used a pinch or a plier to
16 squeeze on your toenail, and then they pulled it out. Did the
17 nail detach?

18 A.Mr. President, yes, the nail was completely detached from my
19 toe. They twisted the nail with the plier and because the nail
20 did not come out, so they pull out.

21 Q.You mean the entire nail was pulled out or only just part of
22 the nail was pulled out?

23 A.Mr. President, actually, it's the entire nail was detached
24 from the toe.

25 Q.Did the nail grow?

26

1 A.Yes, but it was not in formity (phonetic). It was deformed.

2 It grew back but it was deformed.

3 Q.Can you show us that nail or that toe with the deformed nail?

4 That should be it?

5 A.(Microphone not activated)

6 MR. PRESIDENT:

7 The interpreter can not hear the witness.

8 [10.09.48]

9 BY MR. PRESIDENT:

10 Q.You mean the toes from -- on both feet were pulled out?

11 (Witness approaches the Bench)

12 MR. PRESIDENT:

13 The AV Unit, can you zoom into the toes of the witness?

14 You can now go back to the table. Thank you.

15 BY MR. PRESIDENT:

16 Q.So when they tortured you, they used pliers to squeeze and

17 pull out your nail. They did on both toes of your feet; is that

18 correct?

19 A.Yes, that is correct.

20 Q.The toe pulling -- was it done just in one session or was it

21 done in a subsequent session as well?

22 A.On one day, one side of the nails were pulled and the other

23 side was pulled out the next day.

24 Q.When you were interrogated with torture in the form of

25 electrocution, how many times did they electrocute you?

27

1 A.Mr. President, I was electrocuted twice and I fell unconscious
2 for both times.

3 [10.11.49]

4 Q.You stated that the electrocution was not in the same form as
5 stated by the accused; that is without using the dynamo winding
6 manually, but actually the electricity was a full current, 220
7 volts from the wall outlet. That is the normal voltage used in
8 the office; is that correct? So they used one wire to put into
9 your ear?

10 A.Yes, when one wire was put into my ear, and when I fell
11 unconscious, they pulled the wire out.

12 Q.The accused said the method of electrocution was only in the
13 form of manual winding dynamo but in real practice, the
14 interrogator actually used the current, the voltage from the wall
15 outlet. But from what the accused said, the original plan was to
16 use the manually winding dynamo, but then if the volt outlet was
17 used by the interrogator, probably it was done by the
18 interrogators and without his knowledge.

19 My next question to you is that during the times that you were
20 tortured; for example, when you were beaten up with a lot of
21 lashes or when your nails were pulled out or when you were
22 electrocuted, a moment after the torture, did they have any
23 medics to fix your wound?

24 A.No, there were no medics to come and check up on me. I could
25 even hardly walk.

28

1 Q.You said on the 7th of January 1979 at 11 a.m. the situation
2 was changed so you gathered together with other survivors and
3 left the location under the threat by the armed guards to walk in
4 line.

5 [10.49.49]

6 And the question is -- first, how many survivors or at that time,
7 how many prisoners were there who walked along with you at
8 gunpoint leaving the S-21 office to walk to Tuol Tompong and Prey
9 Sar and other locations as you described? How many of you were
10 all together and were you cuffed?

11 A.Mr. President, I did not count the actual number, but there
12 were more than 10 of us. They did not cuff us. We could walk
13 freely but they pointed the guns at us.

14 Q.How many of you?

15 A.There were about 15 of us, Mr. President.

16 Q.When you left -- from the time that you left and while you
17 were in the forest or while you were lost in the forest or during
18 your journey, did you ever meet the accused?

19 A.I never met him. Even if I met him, I would not recognize
20 him.

21 Q.Can you recall the day that Thy came to look for the sewing
22 machine repairer or mechanic? Do you know the date?

23 A.Mr. President, when he came to ask about that matter I was no
24 longer interrogated so they came to look for me at the detention
25 cells.

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1 [10.17.13]

2 Q.So you were interrogated for 12 days and 12 nights and after
3 that they stopped interrogating you. What was the reason for
4 stopping the interrogation?

5 A.They stopped interrogating me because I confessed that I
6 joined the CIA and the KGB. It was due to my confession.

7 Q.Why did they believe your confession? Did you implicate other
8 people? Because in the form of interrogation on the biography
9 and then your personal activities, and then the activities of
10 your network, or the traitorous network and that was a part of
11 the structure of the confessions.

12 Was the form of the interrogation on you in a similar way,
13 talking about your own activities and the activities of your
14 network?

15 A.Mr. President, I confessed that I did join the CIA or the KGB
16 but actually it was a fabrication because I was beaten so
17 severely, so I just implicated other people.

18 Q.We understand on the truthfulness of the confession but we
19 wanted to know about whether after the confession was extracted
20 then they stopped torturing you. So they interrogated you and
21 then you made a false confession that you acknowledged that you
22 were part of a CIA or KGB network with your own traitorous
23 network and you just used names of various other people in order
24 to avoid being tortured. Is that correct?

25 A.That is very correct, Mr. President.

30

1 Q.You entered S-21. Do you recall the date?

2 A.I entered on the 28th of October 1978.

3 [10.19.54]

4 Q.From the 28 of October 1978, besides the experience of what
5 you encountered regarding the treatment on you by the S-21
6 security staff, did you observe the general situation in this
7 office; for example, the condition of the detention, the torture
8 or any other situation that you might have observed?

9 A.Mr. President, besides myself, the rest -- one day when I was
10 fixing the sewing machine, a person was -- three people were
11 carried behind my back to be buried near the one big tree.

12 Q.Did you ever see any torture being done on other prisoners?

13 A.No, I did not, but I could hear the screaming.

14 Q.Did you ever see the accused committing any torture on any
15 other people during your detention there?

16 A.No, I did not see that.

17 Q.Because you said you did not even know the accused at the
18 time, right?

19 When you were released to go and repair the sewing machines,
20 besides repairing the sewing machines you were also asked to
21 repair a generator, or was it a water pump? So then you were
22 asked to repair a water pump. So during that time at night -- so
23 let's first ask about your working hours.

24 A.Mr. President, the working hours were non-stop. There was no
25 rest.

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1 [10.23.05]

2 Q.What do you mean? If people worked without -- non-stop, they
3 probably died after one week. So how many sessions did you work?
4 day, night, or day afternoon and night shift?

5 A.When I was allowed to work in the back I worked in two
6 sessions. In the morning I worked from morning until 4 p.m. and
7 I only stopped for a meal.

8 Q.And at night where did they allow you to sleep?

9 A.At night I was taken to the upper floor, to the very top
10 floor, and I was put in those long shackles. So I slept in a
11 stack of other people. I slept with Ta Tuon , the dentist.

12 Q.So it meant even if you were allowed to work to fix the sewing
13 machines or the water pumps, at night time after you finished
14 your work, after your evening meal, then you were taken to the
15 second floor in the common room and you were shackled in a long
16 bar as other prisoners, right?

17 A.That is correct, Mr. President. We were shackled during the
18 entire night and in the morning I was unshackled and then I went
19 to work.

20 Q.What about the incidents that you saw to children while you
21 were working there. You said you saw the two children there
22 already or you only saw the two children only on the last day;
23 that is the 7th of January 1979?

24 A.Mr. President, those two children, from what I could say, they
25 went to the location at the back for about one month. In the

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1 morning they went there. So I looked at them and I asked Comrade
2 Sok, who was cooking there, whose children, and I was told they
3 belonged to Ta Cheng On, so I stopped asking questions.

4 [10.26.02]

5 Q.Did you know the fate of what happened to the two children?

6 A.No, I did not. However, when I went inside and when the gate
7 was closed, the two children were there left where they cooked
8 the food.

9 Q.Before you left did you observe that within the compound of
10 S-21 were there any other remaining prisoners?

11 A.Mr. President, from what I could estimate there was no
12 remaining prisoner. Maybe only those two children remained. I
13 later on heard that the two children stayed amongst the pile of
14 clothes.

15 Q.I want to know about the remaining soldiers. Were there any
16 other prisoners remained or the noise from them that led you to
17 conclude that there would be some other prisoners?

18 A.No, I did not, Mr. President, because when I left, I left.

19 [10.27.30]

20 Q.When did you return to Prey Sar Security Office after the
21 liberation day of 7 January 1979?

22 A.Mr. President, could you please ask again?

23 Q.After your trip to Amleang, after you got lost and later on
24 you met your current wife and that you tried to hide from the
25 Vietnamese soldiers, I want to know when did you return to that

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1 location at S-21 or Tuol Sleng?

2 A.Mr. President, at that time I was working with the Transport
3 Section in Oudong.

4 It was several months later when Mr. Oeng Bech called me to make
5 a movie and the photographs, so all together there were only
6 seven of us and I asked why they needed to photograph us. I was
7 told that it was for the purpose of giving to an international
8 organization and that the previous photos taken by the German
9 group was not believed by the United Nations. So the German team
10 came again and found the seven of us, took our photos and later
11 on it was believed by the UN.

12 Q.Thank you, Uncle.

13 MR. PRESIDENT:

14 It is now time to take an adjournment, so we will adjourn for 20
15 minutes and resume at 10 to 11.

16 The Court official, could you please help make sure that the
17 witness is taken to his waiting room?

18 (Judges exit courtroom)

19 (Court recesses from 1030H to 1052H)

20 (Judges enter courtroom)

21 MR. PRESIDENT:

22 Please be seated. The Court is in session.

23 We're going to hear the testimony from Mr. Chum Mey and, before
24 we proceed further, we would like to remind Uncle Chum Mey that
25 you should not press any button on that mike because we have

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1 already discussed with the A/V Unit and that the mike will be
2 activated automatically. So after I put any questions to you or
3 other parties put questions to you, what you have to do is to
4 wait a moment after you see the red light on the mike to indicate
5 that you can start responding.

6 And because your testimony will go through the interpretation and
7 it takes some time before the questions can be interpreted into
8 another language, and then you can also wait before you can
9 respond to any questions.

10 And the Court officer is advised to please make sure that the
11 mike is placed somewhere so that it is convenient enough for him
12 to see the red light, so that he knows when to begin responding.

13 BY MR. PRESIDENT:

14 Q.Uncle Mey, can you tell the Court about the consequences and
15 the sufferings you have been inflicted on by the Khmer Rouge
16 soldiers and the tortures you sustained during the time when you
17 were under captivity at Tuol Sleng? Tell us about the suffering
18 you have suffered physically and mentally.

19 A.Mr. President, I had been tortured and I have a feeling that I
20 was treated more like an animal, and it was so painful because
21 when I entered the cell I saw the ammunition box that they put
22 for us to relieve ourselves, and I told myself that it was
23 horrible because we could not find anything to sleep on except
24 lying directly on the bare floor. And we had to relieve
25 ourselves at the same place where we ate and slept. And twice a

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1 week we would be sprayed the water on.

2 [10.57.37]

3 (Microphone not activated)

4 Q.The Chamber notes that your toes have been severely damaged
5 because they were tortured and they were pulled by pliers, and
6 that you'd also been beaten with sticks and electrocuted.

7 However, we have not seen any scars left over from other torture
8 techniques except the damaged toes, but we want to know mentally
9 how you have suffered from that traumatization.

10 Please do not press the mike. Only wait until you see the red
11 light, then you can start responding to the question because the
12 light only is on when the translation from my question is
13 rendered.

14 A.When I was tortured I was not a human being; I was an animal.
15 And I saw the ammunition box they gave us to relieve ourselves
16 and put us to sleep on the bare floor, and I could smell the
17 excrement and urine, and they sprayed water on us twice a week.

18 Q.Please tell us about your mental fitness after you have
19 encountered such experience. How can you cope with such torture?
20 So has your mental fitness changed after that?

21 A.Mentally I have been paying so much attention to the Court and
22 I really would like the Court to find justice for me. That's
23 what I am concentrating on. So far I have paid a visit to the
24 Court regularly because I would like to know from -- I mean the
25 proceedings of the Court.

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1 [11.01.02]

2 I cry every night. Every time I hear people talk about Khmer
3 Rouge it reminds me of my wife and kids. I am like a mentally
4 ill person now because I could think back about the time when my
5 wife was put at S-24, Prey Sar, and I was placed at S-21. She
6 was pregnant and I did not know how she could deliver the baby.
7 And one day I heard the Judge ask questions about the situation
8 at Prey Sar, and I learned that the eight pregnant women -- and
9 then I could not hold back my tears when having heard about the
10 pregnant women. I could presume that my wife would be among
11 them.

12 And then when I met her and she said that she had delivered the
13 baby already two months back, and then I went -- during my
14 journey I saw a woman delivering a baby under the shade of a palm
15 tree, then I gave her a krama scarf before I went on with my
16 journey. That's why I could not hold back my emotion.

17 MR. PRESIDENT:

18 Is there any Judge of the Bench who would wish to put questions
19 to the witness?

20 The floor is yours, Judge Silvia Cartwright.

21 BY JUDGE CARTWRIGHT:

22 Q.Thank you very much, Mr. Chum Mey, for coming today and for
23 being here all through the proceedings. I have just two or three
24 questions for clarification.

25 Earlier on, the President asked you if you knew what charges you

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1 were charged with when you were arrested and taken to S-21.

2 Unfortunately we didn't hear the translation of that, so I'd like
3 to know what your answer was, please.

4 [11.04.36]

5 A.Your Honour, at that time I was accused of being the CIA and
6 KGB agent, and I did not know anything about the groups, although
7 I heard of them, and I did not know the roles of those people.
8 And even until now I am still longing for the reason why I was
9 accused of being CIA and KGB, because I have never known anything
10 about them.

11 Q.So the first people to mention CIA or KGB to you were those
12 who arrested you. Is that correct?

13 A.That is correct. However, I am not satisfied even until now
14 because my two-month old baby was taken away to be executed and
15 that at the location there were about 2,000 children who were
16 detained, and I saw a very old lady who was detained. I did not
17 know how this old lady and the young children could end up being
18 CIA or KGB agents. So I could presume that what they were doing
19 was to really eliminate a race.

20 Q.When you say that 2,000 children were detained and your
21 two-month old child was taken away, are you talking about Prey
22 Sar or S-21?

23 A.When I left S-21 I met my wife at Prey Sar, further from Prey
24 Sar. It was Ang Snuol area and my wife already gave birth to my
25 son, and we met three women and I asked if I could carry the

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1 baby. Then we crossed the road to the other side -- to the
2 north, of course -- and then there were two Vietnamese trucks,
3 and then people fired from the trucks on us and we were
4 separated, and I went to the north with Grandfather Eng and
5 Grandfather Dy Phon.

6 [11.08.00]

7 Q.Thank you.

8 It's probably a translation problem, but may I just clarify?
9 Were you carrying your two-month old son after you met your wife
10 and the three women, or was this some other person's child?

11 A.Your Honour, I was carrying my own son at the time and when we
12 were crossing to the north side of the road the Vietnamese shot
13 at us so we split; half went to the front and the rest stayed
14 behind. I saw my son from 7 a.m. until 7 p.m. when we were
15 separated.

16 Q.So did your wife and son both get killed at that stage when
17 the Vietnamese fired on you?

18 A.Your Honour, my son did not die at that time. After the
19 Vietnamese soldiers shot at us, I made a journey together with my
20 wife. And when we reached near Srah Thol, I saw a woman
21 delivering a baby under the shade of the palm tree, so my wife
22 gave a scarf to that woman. And then we continued our journey
23 until we reached Srah Thol Pagoda, and at that pagoda we entered
24 the pagoda asking for some rice from the villagers in order to
25 cook our rice or gruel.

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1 [11.10.12]
2 And at that location we saw about 50 soldiers and they asked us
3 where we came from and I told them we came from the sewing
4 factory and that I came from the -- my village was from the east.
5 And we were asked to wait until we get the letter from Angkar
6 then we would be given the food ration. So we stayed there.
7 And from what I can recall it was about 12 o'clock. The soldiers
8 left and there was one militia man who was guarding us, walking
9 around the bed that we were sitting on, and it was about 12 a.m.
10 midnight. There were some armed people coming to ask for us,
11 "Where are those three who are supposed to be killed?" and the
12 militia men told, "They were here sleeping on the bed." So when
13 I heard that I woke up.
14 And then they told me now they already receive a letter from
15 Angkar and we had to travel, and they said the females had to go
16 first because they walked slow. And after we walked past the
17 pagoda, about one kilometre, however, it was a full moon so we
18 could see, and then there was a spray of fires, the bullets
19 flying around, and my wife shouted for me to go, to flee. And
20 then Ta Eng, who was in front of me, he collapsed, and he also
21 told me to run.
22 So I run away and they shot behind me, and then I concealed
23 myself behind a termite mound and then I crawled along the rice
24 dyke and they were looking for me around the termite mound but I
25 already left the termite mound at the time.

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1 [11.12.23]
2 So I fled, however, I did not know which direction I took because
3 I was lost. And it's about dawn. I went back and hide myself in
4 the bush, and then when it was dark I continued running again for
5 three nights in a row. So on the third night, I saw two women
6 carrying a basket of rice on their head and I asked them whether
7 I was almost near Thmat Pong and I was told that "No, it's wrong.
8 You are almost reaching Amleang and Thmat Pong was behind."
9 So I ran back. After I ran back, when it was light then I went
10 and hide myself in the forest and when it's dark I continued
11 running again. And when I almost reach Thmat Pong Mountains --
12 it's called Phum Thom Village -- after I asked them, they told me
13 that it's not far -- that Thmat Pong was not far -- and that was
14 about 4 or 5 a.m. So I made my trip to Thmat Pong Mountain and
15 at the base of the Thmat Pong Mountains -- when I left, there
16 were a lot of people living on the base of the mountain but when
17 I went back nobody was there; all gone.
18 So I went into a hut and I found a long knife and I took the
19 knife and carried the knife and I cut two sugar canes. I ate the
20 sugar canes and I almost swallowed the sugar canes after I sucks
21 at the juice because I was so hungry.
22 So I took the same path that I went in order to go back, and then
23 along the way I met a group of 15 people who were asked to
24 prepare the oxcarts going to Amleang, and I was asked where I
25 went. I told the person that I went to Snao Co-operative to pick

41

1 up my children.

2 And when I went to Snao, I was asked again and I told them that I
3 went to Kreng to pick up my children. And at Kreng, I met my
4 current wife who was there. So we stayed in that house. We
5 collected some rice. And once the Vietnamese truck convoy
6 driving past, I fled and I was warned not to flee otherwise I
7 would be shot, so I concealed myself.

8 [11.15.19]

9 And, later on, near -- I came to Baek Chan when people came to
10 the village of Baek Chan.

11 And at Baek Chan factory, I stayed there for a while and I was
12 still fearful of Vietnamese soldiers, so every time I saw
13 Vietnamese soldiers walking by, I concealed myself in the rice
14 barn. Every time I saw Vietnamese soldiers, I was so scared and
15 I hide.

16 Q.Can I just go back to when the militia men fired guns at your
17 wife? I understand everything that you have told me, but I need
18 to clarify, is that when your wife was killed and was that when
19 your baby was killed? Is that the correct time?

20 A.Your Honour, at that time my son was alive. He was crying.
21 After I fled for quite a long distance, I could not hear his cry
22 anymore.

23 Q.Now, just going back very briefly to the CIA and KGB, you have
24 told me that you had heard those words before but you did not
25 understand what they meant. Is that correct?

42

1 A.Your Honour, that is correct.

2 Q.Thank you. And, finally, you said you saw two children as you
3 left S-21 and you knew whose children they were. Did you know
4 the parents of these children? Were they also detained at S-21
5 or how did you know their names?

6 [11.17.54]

7 A.Your Honour, the children whom I saw I didn't know how they
8 survived, but when I was working at the back, the children came
9 out to look for food or gruel, and at night time I did not know
10 where they slept, however, during the day they went to the
11 kitchen at about 7 or 8 a.m. And when I asked the cook, Comrade
12 Sok, about the children and about their parents and I was told
13 that they belonged to Ta Cheng On.

14 Q.And was Ta Cheng On a member of the staff or someone who was
15 also a prisoner at S-21?

16 A.Your Honour, I did not know who Cheng On was.

17 Q.Thank you very much.

18 JUDGE CARTWRIGHT:

19 Mr. President. I have no further questions.

20 MR. PRESIDENT:

21 Judges of the Bench, do you have any questions?

22 Judge Lavergne, you take the floor.

23 [11.19.22]

24 BY JUDGE LAVERGNE:

25 Q.Good morning, Mr. Chum Mey.

43

1 If I understood correctly your statement, you have said that you
2 did not know the accused at the time when you were detained in
3 S-21. Is this what you really said or did you meet the accused
4 at that time?

5 A.Your Honour, I did not meet the accused or know him. I only
6 heard through Comrade Sok that the children belonged to Ta Cheng
7 On, and after the fall of Phnom Penh then when the gate was
8 closed the children were left behind at the kitchen and later on
9 I learned that the children concealed themselves behind a pile of
10 clothes.

11 Q.I also understood you to say that when you were arrested you
12 were immediately ill treated. You were photographed, you were
13 asked to give your biography, and after that you were led into an
14 individual cell. Is this correct? Is this what you actually
15 said?

16 A.Your Honour, before I was taken to that detention I was
17 stripped of the clothes. I only had shorts on my body. At that
18 time I was taken to the cell. They put the chain on me first,
19 then they removed the cuffs and the blindfolds.

20 Q.Could you for the Court give us a brief description of this
21 cell? How large was it? Could you lie down? Were there other
22 detainees in the cell with you or close to you? Could you give
23 us a description of what it was like?

24 [11.24.09]

25 A.Your Honour, in that cell when I was placed in there I was

44

1 asked to sleep on the floor directly and I was told the cartridge
2 was for me to relieve myself and the plastic container was for me
3 to urinate, and I was ordered not to talk to the neighbours, to
4 the prisoners who were in a separate room. And when they put the
5 chains on my legs I was ordered to ask for permission if I
6 changed my position when I slept. Otherwise, I would receive 200
7 lashes.

8 Q.You remained in that cell throughout the whole duration of
9 your interrogation period and then it is only after the end of
10 your interrogation that you were put in a collective cell. Is
11 this correct?

12 A.Your Honour, at that time when I was placed in the individual
13 cell during the interrogation period, once the interrogation
14 completed I was moved to put in a common room where I was
15 shackled in a long row of bars with other inmates. At that time
16 Dy Phon, the dentist, was also detained in that same room with
17 me.

18 Q.It is at the time when you were in the common room that
19 somebody came up asking whether there were any mechanics
20 available, or was that question put to you before you got to go
21 and stay in the common room?

22 A.Your Honour, before I was placed in the common room I was in
23 the individual cell but once the interrogation was over I was
24 asked whether I came from the sewing factory and I told him yes.
25 Then Comrade Thi (phonetic) told me that tomorrow I would go to

45

1 work and that he would give me the clothes, but he warned me not
2 to flee. Otherwise, I will be shot dead.

3 So the next morning I was given a set of clothes.

4 [11.26.11]

5 Q. Could you please tell us -- no, excuse me -- these common
6 rooms were on the second or third floor of the building. Is this
7 correct? The common rooms were upstairs or where were they?

8 Could you explain to us where they were located in the building?

9 A. Your Honour, it was on the top floor. It was the third floor
10 of that building. The first floor was the individual cells. The
11 second floor was those with the wooden cells and on the top floor
12 it was the common room with the shackles and the long bars.

13 Q. In the common room was there a blackboard with instructions
14 and rules that you had to follow?

15 A. Your Honour, in the common room there was no blackboard.

16 Q. All the detainees in the collective room in the common room,
17 were they all in the same kind of situation as you? Were they
18 going to be working like you for S-21 or were there in that
19 common room people who were detainees on a constant basis?

20 A. Your Honour, I did not know clearly whether they were
21 detainees there on a permanent basis but usually when I entered
22 in the evening all of us were shackled. And when we were all
23 shackled, I quietly asked the person next to me why the truck
24 arrives at that hour, and the person whispered to me that, "Be
25 quiet, the truck came to take us to be killed at Choeung Ek."

46

1 That's what I was told.

2 That was told to me by the person who lied down next to me.

3 Q.You were detained in that common room until the release from
4 S-21, or did you have some other detention arrangement or regime?

5 A.Your Honour, I did not stay in anywhere else besides that one.

6 Q.During the duration of your detention, which was of several
7 months, can you give us an idea of how long you stayed in this
8 common cell or can you tell us if you noticed that prisoners were
9 being taken away by the guards?

10 [11.30.29]

11 Was there a lot of change or were there always the same prisoners
12 staying there?

13 A.At that time there were always new detainees. Sometimes for
14 one night new people, new prisoners were in that room and some
15 old ones left. For the new ones who came in I saw the clothes
16 with the mud on.

17 Q.Do you know what happened to these co-prisoners who were
18 sharing the same cell with you? Do you know, in particular
19 before the end of S-21, if the cell was emptied out in one go or
20 were people leaving successively?

21 Could you tell us a little bit what happened? And can you tell
22 us the amount of people who were detained with you in this cell?

23 A.Your Honour, some people left; some people returned; and some
24 people reached Amleang. What I was knowing for sure, Ta Thuon,
25 the watch repairer, died and Dy Phon, he also died. Dy Phon was

47

1 the dentist whom I refer to.

2 Q.When you say they died, you mean they died at S-21 or did they
3 die afterwards?

4 A.Your Honour, they died at the vicinity near Amleang. From
5 what I know, the accused also said the other day during his
6 hearing that Dy Phon died of illness.

7 [11.33.07]

8 Q.Do you have an idea of the amount of people who were in this
9 cell, the amount of people who were with you who were detained in
10 this common cell?

11 A.In the common room, from what I could estimate, there were
12 about 40 of us.

13 Q.Can you tell us where the workshop was located; the workshop
14 where you were working?

15 A.Your Honour, the workshop where I did the repair, it was to
16 the back. It was outside the fence. At that time there was
17 another fence and the workshop was on the big compound covered
18 with zinc. However, the workshop had no walls and there was a
19 pile of clothes. When the prisoners were taken and killed at
20 Choeung Ek, they brought back the clothes and they piled the
21 clothes there.

22 Next to that location there was a kitchen with a big rice cooking
23 pot. And next to that, that was the workshop where I repaired
24 the machines. At another location nearby at Ta Kong's location,
25 it was a wood workshop. He fixed chairs, tables, etcetera.

48

1 Next to that it was like a rabbit or chicken farm and pig pen.

2 So I usually fixed the sewing machines in the workshop and

3 sometimes I saw dead prisoners were carried to be buried next to

4 the big tree there.

5 They did not have any proper stretchers to carry, but they have a

6 handmade zinc just to carry the dead bodies, and that big tree

7 was just opposite the workshop where I fixed the sewing machines.

8 [11.36.04]

9 Q. So if I understand correctly, the workshop was not in one of
10 the buildings of the main compound, it was behind the buildings

11 and you said that there were no walls. Was there a roof,

12 however?

13 A. That is correct, Your Honour. There were no walls. However,

14 there was a roof on the workshop.

15 Q. When you were in the workshop, was there a guard there on a
16 constant basis to watch over you? Were you chained? Were there

17 measures taken concerning you or did you enjoy a certain amount

18 of freedom -- well, freedom quote unquote, we can say.

19 A. Your Honour, we were not allowed to move freely. Where we

20 worked, we had to stay at that location. Of course, if we just

21 go to relieve ourselves, yes, we could. And there was a person

22 guarding us. His name was Chab.

23 Q. How many people were working with you in this workshop?

24 A. Your Honour, there were Ta Pech, Ta Kong, myself, and Ta Dy

25 Phon. So there were four or five of us altogether. Pech, Dy

49

1 Phon, Ta Kong and myself, so four.

2 Q.Well, what happened to these prisoners? Were they still there
3 when S-21 was liberated, or what happened at the end of S-21?

4 A.At that time two people returned, but Grandfather Thuon and
5 Grandfather Dy Phon did not return, leaving only Mr. Pech and
6 Grandfather Kong who have seen returned. Now Grandfather Kong
7 and Pech already died. They just died recently.

8 Q.When you say that two people did not come back, return, do you
9 mean that they disappeared because they had been taken away by
10 S-21 guards or were they alive and they did not return because,
11 well, you didn't get any news from them?

12 A.I have not heard any news about them, but I heard the accused
13 say that Grandfather Dy Phon died, and I asked people who
14 returned who confirmed that Ta Thuon, or Grandfather Thuon, also
15 died.

16 [11.41.08]

17 Q.You explained to us that you were able to find your wife again
18 at Prey Sar and during your entire stay at S-21 did you receive
19 any news from your wife and from your family? For you, seeing
20 your wife again, was it a real discovery to find her again and to
21 find her alive?

22 A.At that time I had no connection with my family who were
23 detained at Prey Sar. Only after I left Tuol Sleng I met her
24 accidentally at the watermelon plantation while the Vietnamese
25 troops opened fire on us.

50

1 Q.Well, I know that many questions were put to you and it must
2 be very painful for you, but I still need to clarify this. So if
3 I understood well, you met your wife again with your baby and
4 then this attack occurred, an attack coming from soldiers who
5 were in a Vietnamese army truck, and it is as of that moment that
6 you were separated from your wife and that you no longer had any
7 news from your wife and from your baby? Is that what I must
8 understand? Or did you find your wife again after this incident
9 with the Vietnamese soldiers?

10 A.When I left Tuol Sleng, we were walking and we spent a moment
11 at Prey Sar. We only left Prey Sar at dawn and we reached Ang
12 Snuol when I met my wife, who had given birth to my baby two
13 months ago, and then my family was asked to walk to Amleang with
14 other women, and I asked them if I could carry my baby. Then we
15 were walking -- we were crossing the road to the other side,
16 heading to Ang Snuol.

17 [11.44.25]

18 Then we saw two trucks of Vietnamese soldiers who immediately
19 opened fire at the Khmer Rouge soldiers, and during the attack we
20 were separated. I mean the group of people were separated and
21 then people went to the north and I walked with my wife to the
22 north while the attack was still intensified. And then after
23 all, only I, my wife and Grandfather Eng were walking separately
24 to Amleang, though we didn't know where Amleang would be.

25 Q.Can you tell us the number of people from your family who died

51

1 during the Democratic Kampuchea period? You spoke about a child
2 that you lost during the evacuation from Phnom Penh. Did other
3 members of your family die during this period?

4 A.First my child died at Preik Kdam and other two daughters, and
5 later on when I worked at Orusseï my daughters were made to sew,
6 and when Phnom Penh was liberated we were deported and I did not
7 know where the daughters had gone. So I presume that they all
8 died, including -- altogether five members of my family died.
9 And when I got back to my village, all members of the three
10 families, only two returned. The other disappeared. They
11 belonged to my relatives.

12 Q.Thank you very much, Mr. Chum Mey, for your testimony. I no
13 longer have any further questions. Thank you.

14 [11.47.53]

15 MR. PRESIDENT:

16 Is there any other judge who would wish to put further questions
17 to the witness? The floor is yours.

18 There are no further questions from the Bench, and since it is
19 now time to take an adjournment for lunch, so we will take the
20 adjournment and resume at 1.30 p.m.

21 The court official, please make sure that Uncle Chum Mey is
22 offered refreshment and food, and the accused is now advised to
23 be taken back to the detention facility by the guards and
24 returned to the courtroom by 1.30 p.m.

25 (Judges exit courtroom)

52

1 (Court recesses from 1148H to 1331H)

2 (Judges enter courtroom)

3 MR. PRESIDENT:

4 Please be seated.

5 The Court is now in session.

6 Before we proceed further, when the floor is given to the
7 prosecutors, the Chamber would like to inform the parties to the
8 proceeding concerning the schedule for hearing the testimony of
9 the witness raised by the parties.

10 So the Chamber would like to inform that we have our actual plan
11 to hear the witnesses starting from the second week of July.

12 Then, by then we will have the planned schedule, because now we
13 have been waiting to select the witnesses to be heard here,
14 except witness KW-24, because yesterday the Chamber told the
15 parties and has given the opportunity to the prosecutor to give
16 their remarks concerning the removal of witness KW-24.

17 [13.33.50]

18 So after the decision is made regarding that witness, the Chamber
19 will issue the schedule -- the actual schedule to the parties,
20 and we believe that it is not yet too late for issuing such
21 schedule, because during this week we are going to hear only the
22 survivors of the S-21.

23 We would like now to give the floor to the prosecutors to put
24 questions to Uncle Chum Mey. The prosecutors are advised that
25 you have 30 minutes to put such questions.

53

1 The floor is yours.

2 QUESTIONING BY THE CO-PROSECUTORS

3 MR. TAN SENARONG:

4 Thank you, the President, your Honours.

5 Since the time is limited the prosecutor would like to put the
6 questions straight over to the witness.

7 [13.35.06]

8 BY MR. TAN SENARONG:

9 Q.Mr. Chum Mey, during the times when you were detained at S-21
10 have you recognized any cadres clearly?

11 A.Mr. Co-Prosecutor, I have not recognized those people clearly
12 because during the time before I was sent into S-21 I was
13 blindfolded.

14 Q.The next question: When you were being tortured and
15 interrogated, how many people interrogated you during the 12 days
16 and nights, as you said, and were the interrogators the same
17 people or were there new faces also?

18 A.At that time, not only Comrade Sieng interrogated me, Tith
19 also interrogated me too. Hor did not interrogate me, he only
20 beat me up.

21 Q.When you were beaten physically, which parts of your body were
22 you hit?

23 A. I could not defend myself. I was put to sit on the floor
24 while my ankles were shackled. And, when I hurt so much, I used
25 my hands to protect me and this led to the fingers broken.

54

1 Q. So you were beaten on the body. Have any scars left so far,
2 on your body?

3 A. Nothing left. No scars is left except the toes and the
4 fingers.

5 [13.38.00]

6 MR. PRESIDENT:

7 Uncle Mey, could you please be reminded again that wait until you
8 see the red light otherwise your response would not be
9 communicated because interpreter would not be able to get your
10 message across.

11 The Court official, could you please move the mike away from him
12 a little bit so that he can see the red light when it is on?

13 Okay, so please, move ahead with your questions.

14 BY MR. SENARONG TAN:

15 Q. Can I seek your clarification that the three people, Sieng,
16 Tith and Hor, were they all present every time during the 12 days
17 and 12 nights when you were being interrogated?

18 A. Sometimes, I saw Comrade Tith who came to interrogate me for a
19 few days. Then they took turns. Then Tith would come. But Hor
20 only came to torture me with a stick. When the stick was broken,
21 he would take another stick to beat me.

22 Q. Who took a record of your confession? Did you give a
23 thumbprint on the confession?

24 A. At that time, Seng had a typewriter on the table. After
25 interrogation, then if I did not respond, then they would beat me

55

1 up and then they would type something.

2 [13.39.58]

3 Q. So there was only one person who interrogated you and one who
4 did the typing?

5 A. One person took two roles. I mean, he beat me up and after
6 that, he typed. So the same person performed two tasks, beating
7 and working on the typewriter. But Hor only came to beat me once
8 while the other two would come regularly.

9 Q. You said you were electrocuted. During the 12 days and 12
10 nights of interrogation, in which day were you electrocuted?

11 A. I was shocked maybe on the eighth or ninth day.

12 Q. When you were let to work at the workshop to fix the sewing
13 machine, do you remember whether the workshop is close to the
14 place where Vann Nath would paint his paintings?

15 A. It was a bit far from one another. Vann Nath worked on his
16 paintings in the workshop, but I worked outside of the fence to
17 the other part, near the kitchen.

18 Q. Have you ever heard any cries or screams from children or
19 people who would have been detained there.

20 [13.42.2]

21 A. At that time, I didn't think I could hear anything because we
22 heard children cries and we heard female and male who exchanged
23 verbal attacks and then it -- too noisy to hear other things.

24 Q. Thank you.

25 When you were detained, the accused and Vann Nath already stated

56

1 that the trousers or the pants that were given to you or other
2 prisoners did not have the string or a rubber string. So were
3 you given such pants with such string?

4 A.The pants that I was given had an elastic string, but before I
5 went to S-21, I made use of a car inner tube for my elastic
6 string to hold my trousers.

7 Q.Thank you. So when you were put to work at the workshop with
8 Vann Nath, there were 15 people. Is that correct?

9 A.(Microphone not activated)

10 MR. PRESIDENT:

11 The Uncle, could you please wait to listen to the question and
12 then wait a moment until the translation is finished so that you
13 can answer. But please respond only when the light is on.

14 BY MR. SENARONG TAN:

15 Q.When you were guarded and put into a painting room and you say
16 that there were 15 people, is that correct?

17 A.That's correct.

18 [13.44.30]

19 Q.Did you see women also inside that workshop?

20 A.I did not see any women.

21 Q.When you left the prison for Prey Sar, did you notice that the
22 women also left with you, because the accused said that Lach
23 Dara, who was the medic and who was the niece of Nuon Chea, also
24 left on the 7th of January 1979 while the Vietnamese troops were
25 approaching. So did she go with you to Prey Sar at that time?

57

1 A.I did not see any women going with me. While we left Tuol
2 Sleng, we stopped at the corner intersection. I did not see any
3 women. And then when we reached Wat Sam Sal (phonetic) and for
4 the whole night we spent there, I did not see any women.

5 And then we moved further until we reached Prey Sar, and I did
6 not see any women there. At dawn, we left Prey Sar until we got
7 to Ang Snuol, the watermelon plantation; that I saw a few women
8 and I saw my wife.

9 Q.Thank you, Mr. Chum Mey for answering my questions.

10 I would like to give this opportunity to my colleague to put
11 further questions.

12 MR. PRESIDENT:

13 The Co-Prosecutor, the floor is yours.

14 [13.46.40]

15 MR. SMITH:

16 Thank you, counsel. Mr. Chum Mey, good afternoon.

17 BY MR. SMITH:

18 QI just have a few questions in relation to your testimony this
19 morning.

20 The first question is when you left Phnom Penh in 1975, on the
21 17th of April, you said you were forced out by the Khmer Rouge.

22 Is that correct?

23 A.That is correct.

24 Q.And on the way out of Phnom Penh, you said the roads were
25 full; people leaving Phnom Penh, and you said that three people

58

1 were shot. You saw three people shot.

2 Can you tell the Court who those people were; were they soldiers
3 or civilians? And can you also tell the Court who actually shot
4 them? This is on the way out of Phnom Penh.

5 A.I probably cannot catch your question. Could you please
6 repeat because I did not say that three people were shot. I
7 don't remember saying that this morning.

8 Q.I apologize. I may have misheard you. In any event, on the
9 way out of Phnom Penh, you said there were a number of dead
10 bodies. Can you tell the Court whether those dead bodies
11 appeared to be soldiers or civilians?

12 [13.48.34]

13 A.I did not inspect the dead bodies seriously, but I saw the
14 swollen bodies and I stepped on them. And when I fetched the
15 water and after cooking my meal at about 4 a.m. we were forced
16 out and moved further on National Road Number 5, and along the
17 road we could see the fish ponds and we saw the dead bodies lying
18 along the road and in those ponds, and we saw fish feeding on
19 those corpses and we just proceeded further.

20 Q.Thank you.

21 From your experience from leaving Phnom Penh, are you able to say
22 what happened to people that decided that they didn't want to go?
23 From your observations, are you able to say?

24 A.I think I talked already about the situation at Psar Depo.

25 When the Khmer Rouge came, we put up a white cloth to cheer them

59

1 up, along with the other people, and later in the afternoon,
2 about 5 p.m. or 6 p.m., then the Khmer Rouge told us that we had
3 to leave Phnom Penh, five kilometres far from Phnom Penh, to
4 avoid being bombarded by the Americans.

5 So we first did not want to leave, but then they forced us and
6 opened fire, and a few people collapsed. That's why I could not
7 stand any longer, but I came home and brought with me the family
8 to leave Phnom Penh.

9 Q.And I'm sorry to raise this again, but you said that after you
10 were evacuated or forced out of Phnom Penh that your two-year old
11 son died. Can you tell the Court whether your son was sick
12 before he left Phnom Penh or was it through the process of being
13 evacuated that he became ill and died?

14 A.My child had not been sick before. When we spent some time at
15 the location where I saw the corpses, he was falling ill, and
16 then we crossed the river to the other side of the river and then
17 it rained, and my child developed diarrhoea and fever, and I
18 asked for some medicines from Angkar, but I would be referred to
19 another person who would be the Angkar but I could never find the
20 Angkar to get the medicine, and later on the sickness was severe
21 until he died and I buried him before we could travel or move
22 further.

23 Q.Thank you.

24 Perhaps now if we could move to S-21, when you were there from
25 the 28th of October to early January 1979.

60

1 You've testified today that you didn't see the accused, Duch, at
2 S-21. You've also testified that you didn't see him torture.
3 While you were at S-21 did you hear of his name? And the reason
4 why I ask you that is that in your statement to the
5 Co-Prosecutors at D200146779 -- that's the English ERN and we'll
6 supply the Khmer shortly -- you stated, "I only heard from others
7 that Duch was the big chief there."

8 [13.53.32]

9 My question is did you hear from others that Duch was the big
10 chief whilst you were at S 21 back in 1978 and early 1979, or did
11 you only hear that afterwards?

12 A.Regarding the person named Duch, I never saw him. Even if I
13 would have seen him, I would not recognize him. I only heard
14 that he was the big chief of Tuol Sleng because Grandfather Dy
15 Phon who was detained next to me told me about Duch and I never
16 looked into his face, even if I had seen him.

17 Q.Thank you.

18 And that was told to you whilst you were in the large cell. Is
19 that correct?

20 A.That is correct.

21 Q.I just have a couple of questions about the large cell in
22 which you were detained.

23 MR. SMITH:

24 And I would ask, Mr. President, that we show on the screen D69.

25 It's a video clip -- D69/V00172525 and it's at the 42-second

61

1 mark. It's a picture of what we believe to be the large cell,
2 and I would ask that the witness be able to comment on that.

3 JUDGE CARTWRIGHT:

4 Just as a matter of clarification, Mr. Smith, is it a video that
5 is part of the material provided by the expert appointed by the
6 Court? I can't remember his name. It starts with Z.

7 [13.55.55]

8 MR. SMITH:

9 It's Mr. Zoran Lesic.

10 JUDGE CARTWRIGHT:

11 Yes.

12 MR. SMITH:

13 No, it's not. It's separate video material that was provided and
14 placed on the case file last year.

15 JUDGE CARTWRIGHT:

16 But it's not the material that's still under consideration, the
17 Vietnamese film?

18 MR. SMITH:

19 No, Your Honour, it's quite separate.

20 JUDGE CARTWRIGHT:

21 Thank you.

22 [13.56.28]

23 MR. PRESIDENT:

24 The AV Unit is advised to project that document, please, if you
25 can, document D69/00172525.

62

1 [13.56.52]

2 BY MR. SMITH:

3 Q.Mr. Chum Mey, do you see a photograph on your screen? It's a
4 photograph that we believe to be a photograph of a large cell at
5 S-21. Can you look at that photograph and comment on whether or
6 not that was similar to the situation that you were in when you
7 were placed in the large cell in the evening for those two months
8 in 1978?

9 A.I think, looking at the people who were lying down on the
10 floor, it would have been in the large common room, but having
11 seen him sitting up like this, I don't know whether it is taken
12 from that cell because people would not be allowed to sit up.

13 Q.Thank you.

14 MR. SMITH:

15 And perhaps if we can just show a brief video clip which comes
16 from this video, Your Honour. It's from 43 seconds to 59 seconds
17 and this is what is believed to be a reconstruction of what a
18 large cell looked like back in 1978.

19 BY MR. SMITH:

20 Q.Can you look at this film clip and tell the Court whether or
21 not that's a familiar sight to you, bearing in mind where you
22 stayed in the large cell?

23 MR. SMITH:

24 Your Honour, with your permission can we play the video?

25 MR. PRESIDENT:

63

1 Could you please verify the reference number to this video clip;
2 for example, the ERN number or D number like that, please?

3 MR. SMITH:

4 Thank you, Your Honour. It's the same video, D69/V00172525, and
5 it's from 43 seconds to 59 seconds and it's a documentary
6 produced by Bill Brumell in relation to S-21.

7 MR. PRESIDENT:

8 The audio and visual officer, could you arrange to have that
9 video clip displayed?

10 (Video recording played)

11 [14.00.14]

12 BY MR. SMITH:

13 Q.Mr. Chum Mey, that video clip that was on your screen was not
14 a video clip from 1978 but a reconstruction as to what witnesses
15 had said that large room was like. We would like your comment on
16 the accuracy of that video clip, as to whether it accords with
17 your experience being placed in that large room for those two
18 months.

19 A.Mr. Co-Prosecutor, that video clip which I just saw is exactly
20 the same to the condition that I was in at the time. However,
21 the previous photo of a person sitting was not usual because
22 usually if everybody lies down all have to lie down; if you
23 wanted to sit up you had to ask for permission.

24 Q.And perhaps one question about that large room. You testified
25 today that often people were taken out of that large cell and

64

1 never returned. Can you tell the Court how often people were
2 taken out of that room? Was it -- well, how often?

3 A. People were taken out -- previously they were taken out from a
4 different long bar, and in one incident three people from the
5 same long bar were taken from my room.

6 Q. And when they were taken out did the guard come into the room
7 or were they called out from the door?

8 A. People would come and unlock the long bar, but before that our
9 hands would be cuffed to the back before the long bar would be
10 removed, so they first cuffed our hands to the back.

11 Q. And one last question. If you can look at E53 Annex 4-46,
12 it's a photograph taken by the expert Mr. Zoran Lesic. And, Mr.
13 Chum Mey, it's a photograph of you in a small cell at a
14 reconstruction last year, and I just have one brief question
15 about that.

16 [14.03.28]

17 MR. SMITH:

18 If that could be shown on the screen, Your Honour.

19 MR. PRESIDENT:

20 The AV unit, can you display the file E53.4 on the screen.

21 BY MR. SMITH:

22 Q. Mr. Chum Mey, you stated that for the 12 days that you were
23 interrogated and tortured that you were placed in this cell for
24 that period of time. What was the feeling -- what was the
25 feeling you had when you were placed in the, cell day in and day

65

1 out, after being tortured for 12 days?

2 A.Mr. Co-Prosecutor, when I entered that room and cell I could
3 not expect that I would survive. At that time I only lied down
4 on my back waiting just to be killed. It was the first time that
5 I lied down directly on the floor, first time in my life, and it
6 was the first time in my life that I was hosed with water when I
7 was detained there. Even if you raise a pig you have to give
8 food to the pig, but for me I only got a spoonful of very thin
9 gruel.

10 MR. PRESIDENT:

11 Mr. Co-Prosecutor, your time runs out.

12 Uncle Mey, please recompose yourself. This is the time that we
13 are conducting our trial.

14 Next, I would like to give the floor to the civil party lawyers
15 in Group 1. You have 10 minutes.

16 [14.07.12]

17 MS. STUDZINSKY:

18 Thank you, Mr. President.

19 I would like to inform the Chamber, on behalf of all civil party
20 groups, that we suggest and we hope that the Chamber will accept
21 that those lawyers who represent the civil parties have priority
22 and questioning and get most of the time and the other groups
23 will only ask additional questions. And I think this is a
24 reasonable proposal and also the party lawyers would agree upon
25 this proposal.

66

1 And that would mean, concerning Mr. Chum Mey, that mainly Mr.
2 Hong Kimsuon, who was his lawyer from the starting point, and I
3 myself as international lawyer from the beginning, would like to
4 begin today and then the other lawyers would ask additional
5 questions.

6 And I hope the Chamber will -- of course, not exceeding the 40
7 minutes that are provided for questioning. I hope the Chamber
8 will agree upon this. Thank you.

9 MR. PRESIDENT:

10 You can proceed with that arrangement, and I hope the lawyers for
11 group one and group three do not object in this approach.

12 MR. WERNER:

13 We do not, your Honour, and the position is exactly as stated by
14 Ms. Studzinsky.

15 MR. PRESIDENT:

16 Ms. Studzinsky or Mr. Hong Kimsuon, you can now take the floor to
17 ask questions to Uncle Chum Mey. The floor is yours.

18 MR. HONG KIMSUON:

19 Thank you, Mr. President, your Honours.

20 [14.09.34]

21 Good afternoon, Uncle Chum Mey. I am a lawyer, of course your
22 lawyer, and I would like to ask the questions.

23 From the day you received a summons to appear in this Chamber,
24 what was your feeling?

25 A.Mr. Lawyer, my feeling, after I received the summons to appear

67

1 before this Chamber, was so exciting, so happy. I was so clear
2 in my mind that I would testify to shed light before this
3 Chamber, to tell the truth. I felt so relieved. If I were not
4 able to come before this Court to testify before your Honours and
5 Mr. Lawyer, my mind was so disturbed, so bothering, and I wanted
6 to get it out of my chest.

7 Q.Thank you. So it means you want to show the suffering
8 physically and emotionally to this Chamber.

9 And I would like to ask the question: you already stated to the
10 Chamber regarding the torture inflicted upon you at S-21, or
11 commonly known as Tuol Sleng Prison, regarding the toe pulling.
12 And you also informed the number of the people who tortured and
13 interrogated you. Can you recall the name of the person who
14 pulled your toes -- toenails?

15 A.Mr. Lawyer, the first person who tortured me was Sieng after
16 he fed up with beating me up. Then Comrade Hor, he had a scar
17 near his eye, and later on Sieng told Hor that I did not confess,
18 and so Comrade Hor rolled up his sleeves, got a stick and beat me
19 up. After that stick was broken he used another stick to beat me
20 up and he scolded me, "You mother-fucker, how come you still hide
21 the information?" After he scolded me, then he left.

22 [14.12.50]

23 Q.My question is: what was the name amongst the three people;
24 that is, Comrade Tith, Comrade Hor and Comrade Sieng, was the one
25 who used a plier to squeeze and pull out your toenails?

68

1 A.Mr. Lawyer, the person who pulled my toenails was Comrade
2 Sieng. And Comrade Tith did not pull my toenails. He only beat
3 me up.

4 Q.Thank you.

5 A.Comrade Sieng was the person who pulled my toenails, and he
6 also sat on my head and threatened me, "You confess or not."

7 Q.Thank you.

8 My next question. When your toenails, both toenails were pulled
9 out, was there a lot of blood? How painful was it and how long
10 did the pain last?

11 A.Mr. Lawyer, the toenails pulling was done one each day for two
12 days, so it was painful. I could not walk straight. I could
13 walk little by little in smaller steps, and in my mind I knew
14 physically it was so painful, but I emotionally -- I was so
15 painful as well.

16 Q.Thank you. So after the nails were pulled out, it was
17 wounded. When the wounds recovered? In a month's time? In two
18 month's time?

19 A.It took more than one month before it's recovered and I could
20 walk properly.

21 [14.15.22]

22 Q.Thank you. You already stated to the Chamber regarding the
23 allegation made by the interrogators at S-21 that you were a CIA
24 agent. And of course it was not true, so how did you feel,
25 because you were not, and that you were wrongly accused? What

69

1 was your feeling?

2 A.On this matter I could never forget the suffering that I
3 received at S-21, until the day that I die. And once the justice
4 can be done by Your Honours, then I would feel better.

5 Q.Thank you. And after you were free and left S-21 until today,
6 when you heard the name Tuol Sleng Prison, in your mind how do
7 you feel?

8 A.Mr. Lawyer, on this matter it has been more than three months.
9 Whenever the word Tuol Sleng prison comes to my mind I could not
10 hold my tears. It drops automatically. Every single day when I
11 have heard about S-21, about Tuol Sleng, about torture, then my
12 tears just keep flowing. And in my mind I do not know what's
13 going to happen to me in the future, as I could not control my
14 tears when I have heard such words.

15 So then I asked the PBO, the psychological organisation, and I
16 was told that because of the anger of the trauma I suffered
17 during the Khmer Rouge regime that I need to keep my mind free
18 from those feelings. However, how hard I try, my tears still
19 drop.

20 [14.18.18]

21 Q.Uncle, please recompose yourself in order to answer my
22 questions. I do not have much time left.

23 It's still regarding your emotion. So right now you have
24 freedom, you have the right to move around and to speak freely.

25 And when you make frequent trips to Tuol Sleng, how do you feel?

70

1 You feel you have the freedom that you have now or when you were
2 there you feel that you were still in that era, that period of
3 time?

4 A.On this very matter that I have tried my best for about 30
5 years in order to seek assistance from the human rights
6 organizations to find justice for me. At that time I had no
7 right at all. I could not speak, I could not hear, I could not
8 see anything. I was not allowed to see, or hear, or say anything
9 during that three years, eight months, 20 days period. It was
10 the most suffering period in my entire life. I had no rights, no
11 freedom, and I had nobody that I could express the suffering to.
12 [14.19.52]

13 Q.Thank you. I have another question before I hand the floor to
14 the international lawyer.

15 When the people who tortured you and then you were sent back to
16 the individual cell, you had a very suffering; you wept, you
17 cried. Did you have the right to cry so that other people could
18 hear the cry?

19 A.Mr. Lawyer, at that time, not even weeping, even just
20 whispering we were not allowed. We were not allowed to make any
21 noise. When I wept I could not make any noise. I wept a lot and
22 I had no more tears to weep, I was only waiting for the day that
23 I would be killed, at that time.

24 Q.Thank you.

25 MR. HONG KIMSUON:

71

1 Mr. President, I would like now to give the floor to my
2 international lawyer.

3 MR. PRESIDENT:

4 The international lawyer, the floor is yours.

5 MS. STUDZINSKY:

6 Thank you, Mr. President.

7 BY MS. STUDZINSKY:

8 Q.Good afternoon, Mr. Chum Mey. I have only a few questions and
9 would like to start with the cell that we have seen from the
10 re-enactment. Could you describe a little bit more how were the
11 circumstances when you were in this cell? For example, was it
12 dark; had you light; how was the exact size of the cell? Could
13 you elaborate a little bit on this? Thank you.

14 A.Ms. Lawyer, in that individual cell when I entered there was a
15 cartridge case and a plastic container. The cartridge case was
16 for the faeces and the plastic container was for the urine, and
17 when they were full I should tell the guard. The room was about
18 two metres times one metre wide.

19 [14.22.54]

20 Q.Was there a guard in front of your cell, in front of the door
21 outside, if you wanted, for example, something to drink, or did
22 they come to take the boxes or the ammunition box with them?

23 A.Ms. Lawyer, we were guarded constantly. When we were thirsty
24 we asked for water. Whatever was given we just took it. We did
25 not dare to ask for more. If we were given half full of glass we

72

1 just took it, or if we were given a full glass we just took it.

2 Q.Was it your impression that there was a guard outside of the
3 cell, or did you have to shout very loud to reach a guard?

4 A.Ms. Lawyer, when I was thirsty I would ask "Brother, I want
5 some water, I am thirsty," so the guard would fetch a glass of
6 water and walk to the cell and give it to me. After that I
7 drank. Even if I could get rid of my thirst or not I would not
8 ask for more.

9 [14.24.45]

10 Q.Was the cell dark the whole time or did you have light in the
11 cell?

12 A.Ms. Lawyer, that cell was constantly dark. There was no light
13 because all the windows to that room were all closed. So both
14 day and night it was all dark, it was all the same.

15 Q.Could you have -- from nowadays on, if you look back, could
16 you have any orientation about how long you were in the cell or
17 how -- yes, how long you were in the cell; any time orientation?

18 A.I was in that individual cell for only 12 days and 12 nights.
19 After that I was placed in the common room upstairs until Phnom
20 Penh fell.

21 Q.Now, additional questions to the interrogators. You have
22 already named them and said they had different shifts. I would
23 like to know was always only one person in the interrogation cell
24 or were more than one present during the interrogation?

25 A.Ms. Lawyer, there was only one interrogator. For example,

73

1 Comrade Sieng, he interrogated, as well as he typed on the
2 typewriter.

3 Q. In the moment when Hor came in to beat you up, as you have
4 told us, was he alone in the room or was another interrogator in
5 the room?

6 A. Ms. Lawyer, at that time I was with Comrade Sieng, who
7 interrogated me. When Comrade Hor entered then Comrade Sieng
8 reported to him that I did not confess, so after he heard that
9 Comrade Hor rolled up his sleeves, he pulled a stick and beat me
10 up. One stick was broken, then he used another stick. And there
11 were actually a bunch -- quite a large bunch of sticks next to
12 the table.

13 [14.28.30]

14 Q. Thank you.

15 That was like -- I could call it like a control through Hor and
16 then to intervene that you should confess and to beat you up.

17 Can I take it like this that Hor controlled if saying already get
18 a complete confession from you?

19 A. Ms. Lawyer, I cannot understand the question clearly. Can you
20 repeat? Thank you.

21 Q. Yes. Am I right that you said that Hor entered the room and
22 that he controlled if you have already given a complete
23 confession and to intervene then?

24 A. I find it difficult to respond because I did not know whether
25 Hor came to control the confession or not, but at that time only

74

1 after hearing what Sieng told him, Hor immediately grabbed a
2 stick and beat me right in front of Sieng, and Hor was a
3 well-built person. And later on he explained to me and asked me
4 to recognize him as the person named Hor. He told me later on,
5 "I would be easy to be recognized with the scars on my face, so
6 please remember it."

7 [14.30.44]

8 Q.Thank you.

9 Was it the only time that Hor entered the room during the 12 days
10 and nights?

11 A.Yes, it was the only time he came in.

12 Q.My next question concerns the time when you have already left
13 the individual cell and when you started your work in the
14 workshop, and I would like to know, from this moment when you
15 started the work until the end when you could leave Tuol Sleng,
16 if you have been threatened or beaten or insulted by guards or
17 other staff of S-21?

18 A.During the time when I was working I was no longer mistreated.
19 During the day they would let me work in the workshop outside to
20 the other fence and at night they would take me back and put the
21 cuffs and shackles on me, and later on of course I was threatened
22 to be shot.

23 Q.Thank you, Mr. Chum Mey.

24 I have a last question and this is that I would like to know
25 which question would you like to ask the accused? Could you

75

1 please tell the Chamber what is your painful question?

2 A.The question that I would seek the permission from the
3 President to ask Duch would be about the CIA and its
4 organization. So I only have two questions to ask him.

5 [14.34.06]

6 BY MR. PRESIDENT:

7 Q.What questions are you going to ask to the accused?

8 A.My question is: when I was accused of being CIA, have all the
9 CIA agents been smashed, all, or are there still any CIA agents
10 remain?

11 Number two: when you mentioned about Angkar, what kind of Angkar
12 was it? Because when I went to Tuol Sleng I was asked by
13 students about Angkar and I could not answer to them, and they
14 asked me who Pol Pot was and I could not respond to those young
15 students because I myself cannot say that Pol Pot and Khmer Rouge
16 would be the same, so I am ambivalent when it comes to who is who
17 here.

18 Q.Would you want to ask him three questions or two, especially
19 when it comes to the last one about who would be Pol Pot?

20 A.Actually the last question was about the questions the
21 students asked me and that I could not find the answer. That's
22 why I would probably refer it to Duch.

23 MR. PRESIDENT:

24 The accused, have you listened to his questions? And the first
25 question is that he was accused of being a CIA agent, and he went

76

1 on to say that have all the CIA agents already been gotten rid
2 of?

3 THE ACCUSED:

4 Mr. President and Brother Mey, I would like to clarify that the
5 term "CIA" -- I think you have been observing the proceedings
6 long ago and that the CIA is the term used to refer to people who
7 were opposing them. So CIA here were not people who received
8 salaries organized by the Americans. It was meant to refer to
9 those who opposed the CPK and that we still have some of them.

10 [14.37.01]

11 And those who oppose the CPK still remain. That's why they won
12 or have beaten the CPK. So the real CIA and the CIA perceived by
13 the CPK are different. So CPK, for example, implicated you as
14 CIA. They only identified you who were opposing them. That's
15 why you were presumed as being the CIA agent.

16 So the opponents of the CPK have beaten the CPK, so I don't think
17 they have been gotten rid of anyway.

18 MR. PRESIDENT:

19 The second question from Mr. Chum Mey is seeking your explanation
20 about the term "Angkar"; what would it mean?

21 THE ACCUSED:

22 Thank you, Mr. President.

23 I would like to tell Brother Chum Mey that Angkar referred to the
24 Standing Committee. Among them they even called Pol Pot as
25 Angkar. And, for example, like me, I worked at S-21; I called

77

1 Son Sen Angkar because Son Sen represented the Standing
2 Committee; and that's all.

3 [14.38.32]

4 MR. PRESIDENT:

5 Is there any further question the lawyer would like to put to the
6 witness; Ms. Studzinsky?

7 MS. STUDZINSKY:

8 Thank you, Mr. President.

9 From our core group, let's say, in this case, there are no
10 further questions. I would give the floor to my colleagues.

11 Thank you very much.

12 MS. JACQUIN:

13 Good afternoon, Your Honours.

14 BY MS. JACQUIN:

15 Q.Good afternoon, Mr. Chum Mey. I would like to ask you the
16 following questions. They are related to your period of
17 imprisonment at S-21.

18 [14.39.19]

19 First, when you were detained at S-21, did you have the feeling
20 that the guards, the interrogators or other staff of S-21 had
21 feelings of fear or even were terrorized?

22 A.At S-21, for the period of about four months, I never looked
23 at them in the face. I just looked to the ground when I walked
24 past them. And during the times when I was there, I was
25 blindfolded and shackled, and when I was walking upstairs then

78

1 they would pull my ears up and down. I was so scared that I
2 could not look at them into the face.

3 Q.When you were detained in S-21, did you ever hear guards or
4 interrogators laughing or having fun amongst themselves or did
5 you only have a feeling that there was an atmosphere of terror
6 prevailing everywhere?

7 A.At that time, when I worked behind the location actually, I
8 heard when people laughed, when people cried, and I don't know
9 whether they laughed for -- I mean, they had fun, having tortured
10 prisoners or not. And as Duch already mentioned, he did not hear
11 anything, and I don't believe his testimony because even I worked
12 far behind the premises, I could even hear the screams, the
13 cries, and when people stopped to break, then there would be less
14 noisy. Then later on, we would hear some further noises.

15 Q.Thank you. My next question.

16 When you were detained in the common room along with many other
17 prisoners, did you ever see detainees coming back into the room
18 after having been interrogated or after having been tortured?

19 A.Some could be seen coming back. Some had disappeared.

20 [14.43.11]

21 Q.Next question. When you yourself were detained in that common
22 room after having been tortured, did you explain, even very
23 quietly to your neighbours, what had happened to you? Did you
24 explain to them how you had been in the individual cell? Did you
25 explain to them, even in whispers, how you were tortured?

79

1 A.I did not talk to my neighbours, nor explained anything. One
2 day, I heard the noise of a truck at about 11 p.m. and I asked my
3 neighbour why the truck came, but in whisper. But we did not let
4 the guards who were guarding outside know our whispering. The
5 guy told me that the truck would come to collect prisoners to be
6 taken away to be smashed at Choeung Ek.

7 I had to wait until the moment past 12 p.m. (sic) at night that I
8 could sleep because otherwise I would be taken on the truck to be
9 smashed. So another day.

10 Q.Was there a degree of solidarity, mutual help, co-operation,
11 amongst the prisoners?

12 A.No one could help anyone else. Everyone was on his or her own
13 because how could we help one another because we wore shackles
14 and anything could be done upon permission from the guards. Even
15 when we moved and then made some noise, then we would be beaten
16 if we did not let the guards know about our movement.

17 [14.46.10]

18 Q.Next question. Was there always one guard who was awake and
19 with you in the common room?

20 A.Guards would be walking back and forth on the corridor and
21 then we would shout to them to bring some water when we were
22 thirsty. When we would like to sit up, then we would also ask
23 them for permission to do so.

24 Q.My last question. Were you aware that you were all victims or
25 did even you fear that some of the people, perhaps, who were

80

1 detained and shackled next to you possibly were traitors?

2 A.I think everyone who would be shackled there would have been
3 perceived as traitors already, though as Duch already mentioned,
4 everyone who entered Tuol Sleng would never be released and it is
5 obviously true.

6 Q.So, in fact, you yourself, as a detainee in Tuol Sleng, you
7 were never in a position to be able to trust the other detainees
8 shackled next to you? You were never in a position to have any
9 amount of trust in your co-detainees?

10 A.How could we trust them? Of course, I could whisper into the
11 ear of my neighbour about the truck once, but I have never been
12 able to ask them why they were arrested because the guard would
13 be very vigilant and we could be hurt and we could be in trouble.

14 Q.Thank you, Mr. Chum Mey.

15 MR. PRESIDENT:

16 Now, the time allocated for civil party lawyers has already been
17 used and the Chamber would like to take a 20-minute adjournment.

18 We will resume at 10 past 3:00 p.m.

19 The court officials, could you please take Uncle Chum Mey to have
20 a rest before he could be returned to the courtroom?

21 (Judges exit courtroom)

22 (Court recesses from 1450H to 1510H)

23 (Judges enter courtroom)

24 MR. PRESIDENT:

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

81

1 Before the adjournment, we noticed that the national lawyer was
2 on her feet. What would you like to make -- what is your
3 comments?

4 MS. TY SRINNA:

5 Thank you, Mr. President, for giving me the opportunity to make
6 comments.

7 I raised my hand before the adjournment because I was about to
8 ask for permission from the President to put questions, two
9 questions, to the witness. We knew that our time has already run
10 out, but we would like to ask him about the events when he left
11 S-21.

12 My next question links to his statement that he tried to stop
13 people from torturing him. So I think these will be the two main
14 questions I would like to ask.

15 [15.12.36]

16 MR. PRESIDENT:

17 The Chamber has already decided, and we have indicated clearly,
18 that the four groups have 40 minutes; 10 minutes each to put
19 questions to the survivor.

20 Since the Chamber notes that the opportunity for questions to be
21 put before Chum Mey have been granted by the international
22 lawyers and now that the national lawyer would need to ask only
23 two questions, so your request is granted.

24 Please, the floor is yours.

25 MS. TY SRINNA:

82

1 Thank you, Mr. President, for once again giving me the
2 opportunity to put questions to Uncle Chum Mey.

3 BY MS. TY SRINNA:

4 Q. Good afternoon, Uncle Chum Mey. My questions will be brief
5 and I will make them short. We would like to thank you very much
6 for your testimony.

7 Question number one is, during the time when you left S-21, it
8 was the event when the Vietnamese troops approached -- nearly
9 approached S-21 and the situation at that time was chaotic, and
10 the guards of S-21 tried to flee S-21 compound.

11 [15.14.22]

12 May I ask you, before you left the compound, did you check or see
13 any rooms whether you saw dead bodies or other prisoners? Could
14 you please elaborate further on this?

15 A. Thank you, the lawyer. Before I left S-21 for Amleang, I did
16 not inspect any room; I mean the south building. I just left
17 immediately and after I returned I was called to have my photo
18 taken at Tuol Sleng and, at that time, I saw a bed with the dead
19 body, but it's only seen through the photo, not the real event.

20 And I asked Oeng Bech about the photos, and he told me that when
21 the Vietnamese came and those prisoners who could not walk were
22 shot by the Khmer Rouge and they died instantly on those beds.

23 And having listened to Duch, he said that only four prisoners
24 were ultimately killed, but I have counted the dead body -- I
25 mean the people who have died. There were 14 of them.

83

1 Q.Thank you. Why did not you check in the rooms? Did you leave
2 hastily or were you forced to leave the compound?

3 A.When I was leaving, I did not check inside the rooms because
4 we were pointed the guns at us and we had to be walking straight
5 forward into a straight line, and we could not even dare turn
6 back.

7 Q.Thank you, Uncle. My second question is, when you were
8 tortured to extract a confession, the interrogators who
9 interrogated you, did they give you the names or ask you -- or
10 dictate the names to be written in the confession or the name
11 have been written by yourself?

12 A.I'm sorry. I think I may need you to repeat the question.

13 Q.I will try to re-phrase the question.

14 When you were being asked or interrogated in order that you
15 respond with the names of people who were behind your network, or
16 people who ordered you to become CIA agent; such things like
17 that.

18 So were the names given to you to write down in the confession,
19 or were the names spontaneously brought up by you yourself?

20 A.They did not give me with names. They only asked me to think
21 about the people, my network, and how many people of my
22 associates who joined the CIA or KGB. I was limited to only
23 confess to the matter of CIA and/or KGB, not other matters, and I
24 was not given much time to respond. I had to really respond
25 immediately without delay.

84

1 [15.20.11]

2 And at that time, I did not know whether other people implicated
3 me in their confession that led to my arrest, because I did not
4 make any mistake that led to my arrest at all. So I also wanted
5 to know how many KGB or CIA agents still remain, the question
6 that I have already asked to Duch, because the question seemed to
7 be thoroughly inflicted on us to get to answer the network of CIA
8 or KGB so that we could survive, and this matter makes me want to
9 ask Duch once again how many KGB or CIA agents still remain, and
10 when people were accused of being enemies, how many enemies are
11 there? Have they all been smashed or are they still living?
12 So who actually created the mechanism to ask questions or
13 interrogate prisoners to tell them about the CIA and/or KGB
14 networks? I have hear that people were implicated as CIA or KGB
15 agents although they have committed -- or maybe made a mistake by
16 breaking a pen or committed other wrongdoing. Then they would be
17 presumed as CIA or KGB.

18 Q.After having responded and implicated people in the
19 confession, have you realized the fates of those people you have
20 implicated?

21 A.I have not observed whether the people I have implicated in
22 the confession would be arrested because the time for confession
23 was rather short, it was a four-month period, so I did not see
24 them.

25 MS. TY SRINNA:

85

1 Thank you very much, Uncle Chum Mey. I have no further
2 questions.

3 And thank you, Mr. President.

4 [15.22.46]

5 MR. PRESIDENT:

6 I would like to give the floor to the defence counsel to put
7 questions to the witness if they would wish to do so.

8 MR. KAR SAVUTH:

9 Thank you, Mr. President and the Chamber. I would like to ask a
10 question to the witness.

11 QUESTIONING BY DEFENCE COUNSEL

12 BY MR. KAR SAVUTH:

13 Q.You said that two children went to look for gruel. Could you
14 identify whether they were boys or girls?

15 A.Mr. Lawyer, they were boys. The youngest one was about one
16 year or so, the elder brother was about three years old, and they
17 would go there to find gruel for eating.

18 Q.Thank you.

19 You said that after you asked questions to the cook, who told you
20 that the children belonged to Cheng On, and the persons still --
21 one of them still survives among the two.

22 My next question: was the cook, the female cook you called alias
23 Sor (phonetic) -- do you know where she lives now?

24 A.I don't think I know where she lives. I am searching for the
25 information of Comrade Sor (phonetic) because we had worked

86

1 together closely near the kitchen and I would like to know where
2 she is also.

3 [15.24.50]

4 Q.Thank you.

5 The third question: at the workshop where you were working did
6 you have a hammock?

7 A.I did not have a hammock.

8 Q.Thank you.

9 The reason I asked that question, because some people told us
10 that the two children would sleep on that hammock there.

11 The fourth question: did you organize or put the instruments in
12 the workshop in order or were they scattered around everywhere?

13 A.The workshop was not well-organized. It was a mess. The pans
14 used for cooking gruel would be left at one place while the
15 machines, the sewing machines that I got fixed, would be lying
16 disorderly.

17 Q.Thank you.

18 Question number five: when the Khmer Rouge soldiers shot your
19 wife dead and your two-month-old son, did you notice that your
20 son got killed when your wife was dying?

21 A.At that time she was carrying the baby and I think that when
22 the mother died they would also kill the baby because it is the
23 nature of the Khmer Rouge.

24 [15.27.12]

25 Q.Thank you.

87

1 Last question: when you were introduced to the re-enactment at
2 S-21 and when Duch made the statement to apologize to all the
3 victims, I remember that you said you were waiting for this
4 phrase for almost 30 years. Do you still recall having said
5 that?

6 A.Mr. Lawyer, I do remember having said that.

7 Q.Thank you for recalling the statement.

8 Could you please tell us that you have been waiting for 30 years
9 to hear that words, so can you elaborate further on that phrase?

10 A.I have been waiting for many years to hear the words from
11 Duch, who would say that -- because at the beginning he said he
12 was an intellectual, he was a teacher and he said that he would
13 not be easily moved by the other -- the four groups of people and
14 I thought that he realized that and awakened that he had killed
15 people. And I thought that he would not any day say such things
16 like that.

17 That's why having heard that, I was happy, and he shed his tears
18 before me at Tuol Sleng. I told him that I would not use a few
19 teardrops to wash away the suffering of the more than two million
20 Cambodian people who perished during the regime. So the sheds of
21 tears would not be able to wash away those sufferings. Only the
22 Court can help to wash away those suffering.

23 MR. KAR SAVUTH:

24 Thank you, Mr. President. I do not have any more questions.

25 [15.30.08]

88

1 MR. PRESIDENT:

2 Defence counsel, the international defence counsel, do you have
3 any questions to be put to Uncle Chum Mey? If you have, the
4 floor is yours.

5 MS. CANIZARES:

6 Thank you, Your Honour. I have no questions for Mr. Chum Mey.

7 MR. PRESIDENT:

8 Judges of the Bench, do you have any questions to be put to Uncle
9 Chum Mey?

10 JUDGE CARTWRIGHT:

11 Yes, President. I would appreciate locating on the aerial
12 photograph of S-21 precisely where Chum Mey's workshop was during
13 the period that he was working there as a mechanic.

14 I am wondering if the Prosecutors have the reference to that
15 aerial photograph, please?

16 MR. SMITH:

17 Yes, Your Honour, we have called it up now, and we ask that it be
18 switched to our screens.

19 JUDGE CARTWRIGHT:

20 Is it acceptable, President, to ask for it to be switched to the
21 Prosecutor's screen?

22 MR. PRESIDENT:

23 The A/V Unit, can you switch the screen to the Co-Prosecutor's
24 screen?

25 [15.32.11]

89

1 JUDGE CARTWRIGHT:

2 Thank you.

3 BY JUDGE CARTWRIGHT:

4 Q.Chum Mey, you have said that you were working in a workshop as
5 a mechanic and it was near the kitchen or part of the kitchen.

6 Can you tell us exactly where that workshop was by looking at
7 this photograph which has been taken from the air?

8 First of all, do you recognize the buildings the way they are
9 laid out in that photograph?

10 A.Your Honour, all these buildings are the actual reflection of
11 the situation, but there was actually a rear gate. Now there are
12 a lot of flats. Usually at the exit there was a long building
13 with a corrugated metal roof.

14 First, Comrade Sok put all the food supplies into one side and
15 then there was also a sewing machine at that location. And also
16 a pile of a lot of clothes were along that building, and next
17 there was a kitchen with those large cooking pans for gruel.

18 And after that, that was Ta Kong's location. It's a wood
19 workshop for building and fixing chairs and tables. And next
20 there would be a rabbit raising ground and then pigpens to the
21 south.

22 And a little bit to the west there was a big tree and that was
23 the location where dead bodies were carried behind my back to be
24 buried under that big tree.

25 [15.34.38]

90

1 And when I worked in my workshop, I was facing that big tree, and
2 Mr. Bech was working nearby as well. So they dug the pit under
3 the big tree and they buried the dead bodies. I don't know how
4 many dead bodies there, but for the incident that I saw, I saw
5 three dead bodies.

6 They were carried in the corrugated zinc plate. It's like a
7 stretcher, and those dead bodies were buried under that big tree,
8 however, now that big tree was gone.

9 Q.Thank you. Is the building that you have described shown on
10 this photograph?

11 A.Your Honour, from what I can see, it's hard to say anything
12 because at that time that building had no walls. There was only
13 a roof on that building. It was not in the horizontal formation.

14 Q.When you talk about the rear entrance where this roofline was,
15 was that behind Blocks B and C?

16 A.It's hard for me to recognize the building B or C, but if you
17 talk about the east or the west then, yes, I probably can say it
18 better. It was actually behind those two buildings.

19 Q.If you look at the top right of this photograph where the
20 little circle is highlighting, you can see that north's to the
21 right and west to the top of the picture. Can you see that?

22 A.Yes, I saw that direction. The building was to the west of
23 that building.

24 [15.37.33]

25 Q.The building you have described as really just being a roof

91

1 attached to a fence was behind B and C. Is that right; on the
2 western boundary?

3 A.Your Honour, it was not attached to the fence. From that
4 fence, there was a large ground, and after passing that large
5 ground, then there would be the kitchen and my workshop. If we
6 went across further to the top, that would be the other
7 buildings. So that building was not attached to the fence near
8 these two buildings.

9 Q.But the building was behind B and C, to the west of B and C.
10 Is that correct?

11 A.Your Honour, yes, it's clearly that the building was to the
12 west of these two buildings.

13 JUDGE CARTWRIGHT:

14 Thank you. Mr. Prosecutor?

15 MR. SMITH:

16 Thank you, Your Honour. That seems to clarify the matter. There
17 is a -- when you look on the screen -- and this is D45-11 -- you
18 can see the blue dot and at the bottom of the screen, and that
19 shows the photograph from a different angle, but sounds like it's
20 been clarified.

21 [15.39.27]

22 Your Honours, in relation to the Vietnamese video, which your
23 Honours are still determining the admissibility of, that video, I
24 believe, shows this workshop. Shows the pile of clothes, and
25 shows the very things that Mr. Chum Mey is referring to.

92

1 So either that could be shown now or, alternatively, I would just
2 ask that that be remembered when looking at that particular
3 video; the way he's described it.

4 JUDGE CARTWRIGHT:

5 Thank you, Mr. Prosecutor. I think the President made it clear
6 yesterday that we have still to determine that issue.

7 I have no further questions of this witness. Thank you.

8 MR. PRESIDENT:

9 Judge Lavergne?

10 (Microphone not activated)

11 Mr. Kaing Guek Eav, what has been said by Chum Mey regarding the
12 likely location of the workshop and the kitchen within the S-21
13 compound, it was told the upper part of the photo, it means it
14 was to the west of building B and C, and there was a fair
15 distance from those two buildings, so there was a large ground in
16 between those two buildings and the workshop.

17 Does his description reflect the actual location of the kitchen
18 and the workshop?

19 [15.41.50]

20 THE ACCUSED:

21 Mr. President, the description of Brother Mey is correct. The
22 workshop building where Brother Mey worked was the former Tuol
23 Sleng high school. I went into that building for one time for
24 about two minutes to see how people deal the cases for ammunition
25 storage.

93

1 And the Prosecutor, Tan Senarong, also showed me the photo. So
2 actually, formerly, it was a school building, and it is true that
3 it was to the west of these two buildings.

4 MR. PRESIDENT:

5 The international Co-Prosecutor requested -- yesterday by Robert
6 Petit regarding the video clip, and we deferred the decision on
7 that until an appropriate time when a decision can be made after
8 our discussion.

9 So, actually, on last Friday, we discussed the remaining issues
10 and made some decisions on certain issues but that issue and a
11 few other issues are yet to be decided, so we defer the matter
12 until further notice.

13 And now the hearing of the testimony of Chum Mey, the survivor of
14 the S-21 Security Office, has come to an end. Therefore, the
15 Chamber will adjourn today's hearing.

16 The Chamber will resume at 9 a.m. tomorrow morning by hearing the
17 testimony of another survivor as scheduled by the Chamber, and
18 which have been informed to the public and parties already.

19 [15.44.28]

20 Court official, can you arrange for Uncle Chum Mey to return to
21 his residence?

22 And the security officer, take the accused back to the detention
23 facility and bring him back tomorrow morning before 9 a.m.

24 The court is now adjourned.

25 (Judges exit courtroom)

1 (Court is adjourned at 1544H)
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