



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា  
Extraordinary Chambers in the Courts of Cambodia  
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia  
Nation Religion King  
Royaume du Cambodge  
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង  
Trial Chamber  
Chambre de première instance

**ឯកសារដើម**  
**ORIGINAL/ORIGINAL**  
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TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

3 May 2016  
Trial Day 407

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

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For Court Management Section:  
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I N D E X

Mr. MAK Thim (2-TCW-808)

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**List of Speakers:**

Language used unless specified otherwise in the transcript

Speaker	Language
Ms. Doreen CHEN	English
Mr. FARR	English
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUIRAUD	French
Ms. GUISSE	French
Mr. HIM Huy (2-TCW-906)	Khmer
Mr. KOPPE	English
Judge LAVERGNE	French
Mr. LYSAK	English
Mr. MAK Thim (2-TCW-808)	Khmer
Mr. MAM Rithea	Khmer
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Mr. SON Arun	Khmer

1

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

2 (Court opens at 0900H)

3 MR. PRESIDENT:

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

5 Today, the Chamber continues to hear the remaining testimony of

6 Mak Thim, and begin hearing testimony of another witness, that

7 is, 2-TCW-906.

8 Ms. Chea Sivhoang, please report the attendance of the parties

9 and other individuals to today's proceedings.

10 [09.01.46]

11 THE GREFFIER:

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

13 are present.

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

15 waived his rights to be present in the courtroom. His waiver has

16 been delivered to the greffier.

17 And we also notice the presence of counsel Doreen Chen, counsel

18 for Nuon Chea, who requests recognition so that she can practice

19 before the Chamber.

20 Witness Mak Thim, as well as his duty counsel, Moeurn Sovann, are

21 ready to be called by the Chamber. We also have a reserve witness

22 today, that is, 2-TCW-906, who confirms that, to his best

23 knowledge, he has no relationship by blood or by law, to any of

24 the two accused, that is, Nuon Chea and Khieu Samphan, or to any

25 of the civil parties admitted in this case.

2

1 The witness will take an oath before the Iron Club Statue this  
2 morning, and he has Mr. Mam Rithea as his duty counsel.

3 [09.03.05]

4 MR. PRESIDENT:

5 Thank you, Ms. Chea Sivhaong. The Chamber now decides on the  
6 request by Nuon Chea.

7 The Chamber has received a waiver from Nuon Chea, dated 3rd May  
8 2016, which confirms that, due to his health, headache, back  
9 pain, he cannot sit or concentrate for long and in order to  
10 effectively participate in future hearings, he requests to waive  
11 his presence at the 3rd May 2016 hearing.

12 Having seen the medical report of Nuon Chea, by the duty doctor  
13 for the accused at ECCC, dated 3rd May 2016, which notes that  
14 Nuon Chea has backache and cannot sit for long and recommends  
15 that the Chamber grant him his request so that he can follow the  
16 proceedings remotely from the holding cell downstairs, based on  
17 the above information and pursuant to Rule 81.5 of the ECCC  
18 Internal Rules, the Chamber grants Nuon Chea his request to  
19 follow the proceedings remotely from a holding cell downstairs  
20 via an audio-visual means.

21 [09.04.24]

22 The AV Unit personnel are instructed to link the proceedings to  
23 the room downstairs so that Nuon Chea can follow. That applies  
24 for the whole day.

25 We have another proceeding that we need to do before we hear the

3

1 witness, that is, a request from the defence team for Nuon Chea  
2 via electronic mail, to the senior legal officer of the Trial  
3 Chamber, for the recognition of Ms. Doreen Chen, who is currently  
4 senior legal advisor to Nuon Chea's defence. The request by Nuon  
5 Chea defence as well as relevant documents will be attached to  
6 the proceedings today.

7 [09.05.26]

8 Based on the request and the relevant documents, the Chamber  
9 deems that Ms. Doreen Chen has sufficient qualification to be  
10 recognized by the Chamber as defence counsel for Nuon Chea before  
11 this Chamber. And pursuant to Rule 22.2(a) of the ECCC Internal  
12 Rules, the Chamber grants the floor to Son Arun, the National  
13 Defence Counsel for Nuon Chea, to request for the recognition of  
14 Ms. Doreen Chen as a defence counsel for Nuon Chea.

15 You may proceed.

16 MR. SON ARUN:

17 My name is Son Arun, I am the National Counsel for Nuon Chea. And  
18 good morning, Mr. President, Your Honours, and good morning  
19 everyone.

20 Ms. Doreen Chen begins her work with my team as a senior legal  
21 officer from 17 February 2014. Recently, she has been recognized  
22 by the Bar Association of Cambodia, and she took an oath before  
23 the Court of Appeal of the Kingdom of Cambodia on 19 April 2016.  
24 For that reason, I humbly request the -- her recognition before  
25 this Chamber so that she can represent my client, Nuon Chea.

4

1 Thank you.

2 [09.07.13]

3 MR. PRESIDENT:

4 Thank you.

5 And Ms. Doreen Chen, please be on your feet. Could you please  
6 pronounce your name for me? It's a bit difficult to say it. What  
7 -- is it Chhen (phonetic) or Chen?

8 MS. CHEN:

9 It's Chen.

10 MR. PRESIDENT:

11 Thank you.

12 And Ms. Doreen Chen, you are hereby recognized by the Chamber as  
13 the defence counsel for Nuon Chea in Case 002, for the purposes  
14 of the proceedings before this Chamber. And based on this  
15 recognition, you have the same right and privileges as the  
16 National Counsel for Nuon Chea.

17 You may be seated.

18 Court officer, please usher witness as well as his duty counsel  
19 into the courtroom.

20 (Witness enters courtroom)

21 [09.09.42]

22 MR. PRESIDENT:

23 I'd like now to hand the floor once again to the Co-Prosecutors  
24 to continue putting further questions to the witness. And the  
25 remaining allotted time for the Co-Prosecutor and the Lead

5

1 Co-Lawyers for civil party is one session only.

2 You may proceed.

3 QUESTIONING BY MR. LYSAK:

4 Thank you, Mr. President. Good morning, Your Honours, counsel.

5 Good morning, Mr. Witness. I'm going to pick up where my  
6 colleague left off yesterday.

7 Q. One follow-up to something you testified about yesterday. You  
8 said that you worked at S-21 for a year, maybe a little more than  
9 a year, that you treated hundreds of prisoners and that your  
10 daily task was to clean and bandage the wounds of prisoners.  
11 Did you see prisoners with wounds on their back and nails pulled  
12 out, throughout the one-year period you worked at S-21?

13 [09.11.10]

14 MR. MAK THIM:

15 A. Yes, I did witness that. I witnessed <fingernails> and the  
16 toenails <being> removed as well as the open <back> wounds  
17 <which> I treated.

18 Q. Can you describe for us the wounds that you would see on the  
19 backs of prisoners? What did those wounds look like, if you can  
20 describe them a little bit?

21 A. I treated prisoners who had wounds or marks on their <backs>  
22 and I would wash and clean those wounds with salty water <and  
23 apply the red liquid on the minor wounds>, and I bandaged the  
24 <serious> wounds. And usually, the wounds would dry in <a week  
25 or> three <days> or four days after I cleaned and bandaged them.



6

1 [09.12.20]

2 Q. What I was trying to ask, was there a shape of the wound or  
3 can you give us some description of what the wound -- wounds on  
4 the backs of the prisoners looked like? What the shape of the  
5 wound was; are you able to describe that for us?

6 A. There were small and large elongated sizes of wounds, and the  
7 wounds cut through the outer skin.

8 Q. Thank you, Mr. Witness.

9 Turning to another subject, did prisoners die at the S-21 office  
10 during the year you worked there and, if so, how often did  
11 prisoners die who were detained -- while they were detained at  
12 S-21?

13 A. During my work there and during my treatment of the prisoners,  
14 every three or four days, <or every> week, I would see a prisoner  
15 die.

16 Q. And what was done with the bodies of prisoners who died while  
17 they were at S-21?

18 [09.14.11]

19 A. After a prisoner died, a medical staff <member> would be asked  
20 to carry that dead prisoner on a stretcher and bury that prisoner  
21 outside the compound.

22 Q. And were you ever required to go and bury prisoners who had  
23 died outside the compound?

24 A. I was ordered to bury prisoners outside the compound of the  
25 prison, yes. That is correct.

1 Q. Was there a particular location where you were told to bury  
2 these prisoners that you can describe for us?

3 A. The burial site varied depending on the vacant land. Sometimes  
4 there was vacant land between a block of buildings, so the body  
5 would be buried there. Whenever we could see an open field, we  
6 would bury the prisoners there.

7 [09.15.45]

8 Q. Did the medics unit prepare lists of the prisoners who had  
9 died? Did you prepare reports of prisoners who were seriously  
10 ill?

11 When you -- when you found a prisoner who had died at S-21, who  
12 did you have to report that to?

13 A. I was not a chief, so if that <was> the case, then I would  
14 report to my chief, that is, the chief of the medics, Try. And I  
15 also had Huor as my group chief. But Try was the chief of medics.  
16 So after the report to him, then he would issue instructions what  
17 to do next.

18 Q. Mr. President, with your leave, I'd like to show the witness  
19 some documents, starting with document E3/8461, E3/8461, which is  
20 a report or list of -- on the ill prisoners at S-21.

21 MR. PRESIDENT:

22 Yes, you may proceed.

23 BY MR. LYSAK:

24 Q. Mr. Witness, the document you've been handed, E3/8461, is a  
25 list. The first two pages of this list -- are you able to read,

1 Mr. Witness?

2 [09.17.58]

3 MR. MAK THIM:

4 A. I have difficulty reading. It seems to be not clear to me.

5 Q. Let me read to you the parts that I wanted to ask you about.

6 The first two pages of your document are a list of 46 seriously  
7 ill prisoners, and on the very last page of the document, if you  
8 look at that, there's a chart that lists the numbers of prisoners  
9 with various conditions at S-21.

10 This is a report, and this is what I want to ask you about, that  
11 is sent by Pao on behalf of the S-21 medics to the Office 21  
12 Committee, on 6 of May 1976. And the chart lists a total of 172  
13 prisoners who were ill that day, 46 of whom were seriously ill.  
14 My question to you, who was Pao, the person who signed this  
15 report?

16 [09.19.16]

17 A. I did not know about that. I only provided treatment to  
18 prisoners, and I did not know about the number of prisoners. And  
19 only my <group chief and chief of medics> would know about that.  
20 I did not have list of prisoners. Whenever I was assigned to  
21 treat the prisoners, I would do that, but I did not know the  
22 number of ill <or dead> prisoners.

23 Q. My question, did you know someone named Pao who worked in the  
24 medics unit.

25 A. I do not recall this name.

1 Q. Do you remember a young medic who worked with you named Dan?

2 Do you remember Dan?

3 A. Yes, I know Dan.

4 Q. Let me read to you what Dan said in his OCIJ statement about

5 Pao, the person who signed this report. Mr. President, I'm

6 reading from document E3/7666, E3/7666, Khmer ERN 00163818;

7 English, 00163822; French, 00235797. This is testimony that Dan

8 gave:

9 Question: "When you arrived at S-21 prison, what was your job?

10 What did you do?"

11 Answer: "Probably in early 1978, I came to work as a child

12 medic."

13 [09.21.29]

14 Continuing below:

15 "I had never studied medicine. My team leader, Pao, had given an

16 injection which killed a cadre in the unit and was arrested and

17 charged with being a traitor. The new replacement team leader was

18 Yeun, Pao's former deputy. He hanged himself to death out of fear

19 of being arrested like his chairman. The child medics with me

20 were Thim and Mon. In the end, I saw that only the child medics

21 remained. All the adult medics had been arrested and killed." End

22 of quote.

23 Does that refresh your memory about Pao? Do you remember Pao now?

24 A. I vaguely recall the name Pao. I know for sure about Try and

25 Huor. However, later on, they were arrested and imprisoned in

10

1 S-21. And while I distributed medicine to prisoners, I saw them  
2 being detained in a room. And that was two days before the  
3 arrival of the Vietnamese troops.

4 [09.23.16]

5 Q. Mr. President, for the record, in the new OCIJ S-21 prisoner  
6 list, document E393.2, number 10,143 on that list is Chheng Pao,  
7 chief of a medical staff team at S-21, who is recorded as  
8 entering S-21 on the 8th May 1978.

9 We were talking about prisoners who died at S-21. I want to now  
10 give you a few reports that I've located from a period in October  
11 1977, regarding deaths of prisoners.

12 Mr. President, with your leave, may I provide documents E3/3181,  
13 E3/3181 and E3/8460? May I provide those to the witness?

14 MR. PRESIDENT:

15 Yes, you may.

16 BY MR. LYSAK:

17 Q. Mr. Witness, I've handed you a number of lists. Let me just  
18 read -- identify them for the record.

19 E3/3181 includes -- the first two lists in that document identify  
20 five prisoners who died from disease on the 3rd of October 1977.

21 You'll find three on the first list and two on the next list.

22 And in -- also in E3/3181, there is a list of 10 prisoners who  
23 died of disease on the 12th of October 1977. There is an  
24 annotation on -- in this one for the first two lists says -- that  
25 reads, "Already removed" in handwriting.

11

1 [09.25.44]

2 And the second document I provided to you, E3/8460, this is at  
3 Khmer ERN 00068899, English, 00843443 through 44; French,  
4 00846998; that is a list of another four prisoners who died of  
5 disease on the 5th of October 1977.

6 What I wanted to ask you about in these lists, Mr. Witness, most  
7 of the prisoners who died from disease who are identified here  
8 were relatively young. Eleven of the 19 detainees in these lists  
9 were 30 years old or younger.

10 Can you tell us why prisoners who were so young were dying at  
11 S-21?

12 [09.27.00]

13 MR. PRESIDENT:

14 Witness, please hold on.

15 And Counsel Koppe, you have the floor.

16 MR. KOPPE:

17 Thank you, Mr. President. Good morning.

18 Yes, I object to this question. Considering the medical  
19 background and training of this witness, he is in no position to  
20 give any informed answer as to reasons of death.

21 He was someone who treated wounds and brought around medicine. He  
22 will not able to say something from his own knowledge as to why  
23 people died.

24 We saw on the previous list that was shown by the Prosecution,  
25 apparently many people suffered from beri beri. Maybe there was

12

1 an epidemic. Duch talked about that --

2 JUDGE FENZ:

3 Counsel, you are testifying. We are back to what we have on a  
4 daily basis.

5 We've heard your objection, but I don't think we need your  
6 testimony.

7 [09.27.58]

8 MR. LYSAK:

9 I think we should find out what the witness has to say. We all  
10 recognize there weren't autopsies here, but the witness was a  
11 medic. He was there. And I simply asked for his observations on  
12 why prisoners were dying at S-21 who were that young.

13 MR. PRESIDENT:

14 The question is permissible, and the Chamber also needs to hear  
15 from the witness. For that reason, the objection by Mr. Koppe is  
16 overruled.

17 And Mr. Witness, please respond to the last question, if you  
18 recall it. Otherwise, you may ask the Co-Prosecutor to repeat the  
19 last question to you.

20 [09.28.52]

21 MR. MAK THIM:

22 I did not know about that. I did not know any detail regarding  
23 young prisoners who died.

24 BY MR. LYSAK:

25 Q. What about deaths of prisoners in general, Mr. Witness? Did

13

1 the medics at S-21 have sufficient medicine? Were there enough  
2 properly trained doctors to be able to properly and effectively  
3 treat the prisoners?

4 MR. MAK THIM:

5 A. We, the medics, were assigned to different <rooms>, different  
6 floors of the buildings. And of course, I was not the chief. I  
7 worked based on the assignment, and my main task was to provide  
8 pills to prisoners according to the assigned room and floor of  
9 the building. And when my hours ended, a new medic would take  
10 over.

11 And there were three buildings, so medics were assigned to  
12 different floors of each building. <I could not monitor them  
13 all.>

14 [09.30.09]

15 Q Let me read to you what you told OCIJ on this subject. This is  
16 your OCIJ interview, E3/7673; Khmer ERN 00163713; English,  
17 00401872 through 873; French, 00305214. This is what you told  
18 OCIJ.

19 Question: "Did you think the medication and treatment were  
20 effective?"

21 Answer: "In general, they were ineffective, but if it was  
22 diarrhoea, some of that could be dealt with."

23 Question: "Why do you think the Khmer Rouge did not have you use  
24 French medication?"

25 Answer: "Because most of the French medication that remained had



14

1 expired, and there was never any new medication coming in." End  
2 of quote.

3 Why did you say that, in general, the treatment that the medics  
4 could provide at S-21 was ineffective?

5 [09.31.41]

6 A. As for the medicines, most medicines had expired and the  
7 production team in Takhmau actually produced medicine. It's  
8 herbal medicine for the treatment of dysentery. And so, actually,  
9 those pills were newly produced, <including B12 and B1>.  
10 We produced Vitamin C and we produced pills for the treatment of  
11 dysentery and malaria, and a large percentage of the medicines  
12 produced were for the treatment of prisoners at S-21.

13 Q. Let me move on to another -- within document E3/3181, there is  
14 another list. It's on the third page of E3/3181. It is a list of  
15 three prisoners who died of disease or committed suicide by  
16 hanging on the 3rd of October 1977.

17 My question, do you remember prisoners at S-21 who committed  
18 suicide?

19 A. I do not know about that. I heard of people <talking> about  
20 the committing of suicide. I was outside, so I do not know about  
21 that.

22 Q. And the last subject I'm going to cover with you, Mr. Witness,  
23 during the time you worked at S-21, did you become, at any time,  
24 aware of prisoners whose blood was being extracted or drawn?

25 A. I did not witness that incident, but I could see the bags for

15

1 keeping blood, many of them under the staircase. I did not count  
2 how many bags at the time, but I saw those bags under the  
3 staircase, 20 or 30 bags. However, as I said, I did not know  
4 whether there was blood extraction.

5 [09.34.20]

6 Q. Let me ask about the bags first. You say you saw them under a  
7 staircase. Where was the staircase that you saw these blood bags;  
8 what building?

9 A. That stairs or staircase was located to the east of my office  
10 on my location, and I could see those bags.

11 Q. When you say your office, are you referring to the building  
12 you described yesterday, the wooden building that was just  
13 outside the entrance to S-21 that was used by the medics?

14 A. There was a separate -- that was a separate house, and that  
15 house was not <medics' housing>. The medics were living in a  
16 different and separate house, and <relative> to that house, the  
17 stairs was east <of the medic house. I saw those blood bags under  
18 the stairs, but there was no blood collection at the medic  
19 house>.

20 [09.35.50]

21 Q. Can you just, then, clarify for me, the building with the  
22 staircase, where you saw these bags of blood, where was it? Was  
23 it inside the S-21 compound or outside the compound, and where  
24 was it located in relation to the medics' house?

25 A. It was outside S-21 gate to the east of the medic house, 20 or

16

1 -- 10 or 20 metres away from the medic house, the place where I  
2 walked past and saw the bags of blood.

3 Q. You saw bags of blood. Did you hear from the chief of the  
4 medics, Huor, about blood being taken from prisoners and did you  
5 ever see prisoners whose blood had been drawn?

6 A. I did not witness the incident, and at the time, as I said, I  
7 saw the bags of blood, I was simply a medic, a subordinate of  
8 Huor. And he did not want to talk to me on every occasion. I, at  
9 the time, saw bags of blood and I did not question him further  
10 about the bags of blood.

11 After seeing those bags of blood, I was terrified the <next> day,  
12 <and I did not know when - which day, month or year I would be  
13 killed>.

14 [09.37.46]

15 Q. Let me see if I can refresh your memory a little, again, Mr.  
16 Witness. This is from your OCIJ interview, E3/7673; Khmer,  
17 00163712; English, 00401871; French, 00305213. This is what you  
18 told OCIJ, quote:

19 "There were prisoners whose blood had been drawn because Huor,  
20 the medic, who was with my team, told me. The prisoners whose  
21 blood had been drawn were pale. I saw about 30 to 40 prisoners  
22 whose blood had been drawn." End of quote.

23 You told OCIJ you saw 30 to 40 prisoners. My question is going to  
24 be, where did you see those prisoners.

25 MR. KOPPE:

17

1 I don't objection to the question, Mr. President, but I believe  
2 the Prosecution left out a crucial first sentence of that answer.  
3 It says, "I treated patients whose blood had been drawn."

4 [09.39.15]

5 BY MR. LYSAK:

6 Q. You heard Counsel. You did say in this interview that -- also  
7 that you treated patients whose blood had been drawn.

8 My question to you, you told OCIJ you saw 30 to 40 prisoners  
9 whose blood had been drawn. Where did you see those people?

10 MR. MAK THIM:

11 A. I did not witness the <prisoners> whose blood was being drawn.  
12 As I said, I saw the bags of blood, but not the <actual>  
13 incidents of blood drawing.

14 Q. Mr. President, I'd like to provide two more documents --  
15 sorry, three lists to the witness on this subject, with your  
16 leave. E3/2285 contains at Khmer, 0009212 (sic); English,  
17 00873432; it's a list -- a prisoner list for 21 May 1977. Same  
18 document, E3/2285; Khmer, 00009167; English, 00873332; is a list  
19 dated 8 September 1977. And E3/2164 is a list of prisoners of  
20 blood taking section for 25 October 1977.

21 With your leave, may I provide these three lists to the witness?

22 [09.41.27]

23 MR. PRESIDENT:

24 Yes, please.

25 And duty counsel, please assist the witness in his reading and

18

1 please also refer to the specific page of documents that the  
2 Co-Prosecutor is referring to so that the witness clearly  
3 understands the question.

4 BY MR. LYSAK:

5 Q. So while you're looking at these, let me direct your  
6 attention.

7 The first document from E3/2285, is a list of -- from 21 May  
8 1977. It identifies five prisoners from Division 310 and 450 who  
9 had arrived at S-21 the prior week and were smashed. And on the  
10 very right column, you'll see the note, "Took blood".

11 [09.42.30]

12 The next list, also from E3/2285, the 8th of September 1977, is a  
13 list of seven prisoners who were smashed that day. The seventh on  
14 that list, Lok Lam, is identified as from the blood taking  
15 section.

16 And the last -- the third list provided to you, E3/2164, is a  
17 list of five prisoners from Regiment 152 who had entered S-21  
18 only four days earlier, on the 21st of October, assigned by Hor,  
19 list titled "Prisoners of Blood Taking Section".

20 My question to you is in relation to the blood taking section.

21 Who were the medics -- I understand you weren't responsible for  
22 this. Who were the medics who were responsible for taking blood  
23 from S-21 detainees?

24 MR. MAK THIM:

25 A. The chief of the medics and the group <chief> were perhaps

1 responsible for that blood drawing. And usually, the simple  
2 medics were not assigned to go and draw the blood. Simple medics  
3 were required to treat prisons -- prisoners within the building.  
4 [09.44.32]

5 Q. You've identified before a medic named Try, who was one of the  
6 chiefs of the medics. Did you know a medic named Rin, a medic  
7 named Rin who worked with Try?

8 A. I cannot recall other's name. I can recall another name, Dan,  
9 the medic, and Tha, also a medic. And for <Dan>, he has become  
10 handicap with one of his legs. I cannot the recall other names of  
11 the medics.

12 Q. The reason I ask you, Prak Khan, an interrogator at S-21, who  
13 lived at the house next to the medics house and witnessed blood  
14 being taken, was asked in this courtroom back on 21 July 2009 --  
15 Your Honours, the reference is E3/7463 at 11.53.40. He was asked  
16 who conducted the blood drawing he saw, and he identified Try and  
17 medic Rin as among those who were present.

18 [09.46.04]

19 And also in this courtroom, on the 3rd of August 2009, at E3/7467  
20 at 10.11.20, Duch confirmed that Comrades Rin and Try worked  
21 under his supervision and were tasked to take blood to Hospital  
22 98.

23 Does that refresh you, Witness, about -- refresh your memory, Mr.  
24 Witness, about Try and Rin? Is it correct that they were two of  
25 the medics assigned to take blood at S-21?

20

1 A. I do not know anything else about that. I cannot recall even  
2 the names of the medics. I only recall some names of those  
3 medics, as I mentioned, but not all of them. And at the time, I  
4 was quite young.

5 MR. LYSAK:

6 Thank you for your time, Mr. Witness. That's all our questions.

7 MR. PRESIDENT:

8 And the floor is now given to the Lead Co-Lawyers for civil  
9 parties to put questions to this witness.

10 You can take the floor now.

11 [09.47.48]

12 QUESTIONING BY MS. GUIRAUD:

13 Thank you, Mr. President, and good morning to all of you. Welcome  
14 to <our colleague> Doreen Chen. Good morning, <Witness>. I have a  
15 few questions to put to you today.

16 Q. You explained to us yesterday and this morning your role in  
17 the way that you would treat the prisoners' wounds. And I wanted  
18 to know if you ever treated women prisoners, female prisoners.

19 MR. MAK THIM:

20 A. No, no female prisoners that I treated. Female prisoners did  
21 not sustain any <injuries>, but I delivered pills to those female  
22 prisoners for their illnesses. I did not clean the wounds for  
23 those female prisoners.

24 [09.49.00]

25 Q. So, if I understood you properly, you <were supposed to> give

1 medicine to the female prisoners, but you <were> not <supposed  
2 to> treat wounds on female prisoners. Did I understand your  
3 answer properly?

4 A. That is correct.

5 Q. Were there <female> nurses at S-21?

6 A. At the place, the medical house where I worked and stayed,  
7 there was no warehouse for medicines<>. I do not know where the  
8 medicines were brought from, but those medicines were brought to  
9 us at that house.

10 And when we lacked medicines, the medicines would be brought by  
11 the <group> chief or <the big chief>. And I do not know where the  
12 warehouse was for keeping medicines, <because I did not walk  
13 around freely there>.

14 Q. When you would encounter the <female> prisoners to give them  
15 medicine, did you ever hear them complain about abuse, about  
16 sexual abuse, in fact, from the interrogators, from the guards at  
17 S-21?

18 A. When I was administering the medicines, they complained that  
19 they would die while -- after <their> detention. However, at the  
20 time, I was trying to treat them for their recovery. They did not  
21 say anything else besides that they would die.

22 Q. This is a follow-up question. Regarding the female detainees  
23 to whom you would give medicine, did these female detainees have  
24 any specific complaints other than the complaints that you just  
25 mentioned, that is to say, that you said that they were afraid of



1 dying?

2 [09.52.15]

3 A. <At Tuol Sleng prison,> they were in a large room. Three or  
4 four female prisoners were there in a large room. They said they  
5 had no hope, and there were people responsible for <providing>  
6 meals. And I was responsible for giving medicines.

7 They were detained there, and it was not my responsibility to go  
8 there and question them. I had different duties to perform, that  
9 is, to deliver medicines to prisoners at other rooms and also to  
10 clean wounds for some prisoners. I did not have the liberty to  
11 have a normal dialogue with the prisoners.

12 If I had done that, I would have been criticized by others  
13 working in that S-21, <and I would have been imprisoned>. I did  
14 not have the right to communicate with the prisoners beside my  
15 role that I played.

16 [09.53.29]

17 Q. Thank you.

18 I would like to mention an example and have you react to it.  
19 During the previous case, Duch spoke about an incident which  
20 <appears, for the Chamber's and the Parties' reference,> in  
21 paragraph 457 of the Closing Order. And he mentions an incident  
22 in which an interrogator inserted a stick inside the vagina of a  
23 female detainee.

24 When you were a medic at S-21, did you ever hear from your  
25 colleagues, for example, that such incidents had happened?

1 A. I did not hear of that incident. After I delivered the  
2 medicines, I <would> play around for <a few> minutes with my  
3 colleagues at the medical house and, after that, I <would go>  
4 have <a> meal.

5 I was quite young at the time. I did not have interest in other  
6 matters beside the treatment that I had to do. After performing  
7 the tasks on regular basis, <I got used to it,> I did not have  
8 any fear <anymore> in relation to the treatment tasks. And I was  
9 <saying> to myself that there would be one day that I would end  
10 up there in the centre.

11 <I was never informed of > any kind of news. I do not know about  
12 that.

13 [09.55.39]

14 Q. Do you know a person who was working in the medical unit and  
15 who was called Soeung, and <for the interpreters,> his name is  
16 S-O-E-U-N-G, Soeung?

17 MR. PRESIDENT:

18 No Khmer interpretation for the audience.

19 MR. MAK THIM:

20 I cannot recall the person by the name Soeung. I cannot recall  
21 his physical shape as well, not to mention his name. I did not  
22 pay attention or <have> a great interest at the time since I was  
23 quite young. I knew only a few colleagues as medics and the  
24 chiefs of medics.

25 [09.56.53]

1 BY MS. GUIRAUD:

2 Q. Thank you.

3 Even if you don't remember his name, do you remember an incident  
4 in which an S-21 medic was involved in a sexual attack against a  
5 female detainee? Does this event possibly refresh your memory?  
6 Do you have any kind of recollection of such an event?

7 MR. MAK THIM:

8 A. I do not know about that, about the sexual abuse against  
9 female detainees by the medics. And I may have known about the  
10 medics who were later on detained as a result of sexual abuse,  
11 <but I didn't> and, later on, <right before the Vietnamese  
12 arrived, I saw two of my chiefs being> detained at S-21, <I saw  
13 three of them counting Dam from medicine production>.

14 Q. Can you provide a bit more detail to the Chamber regarding  
15 these sexual offences that apparently involved three of your  
16 colleagues? Who -- where did this happen?

17 What recollections do you have <today> regarding these incidents?

18 A. I do not know, in fact. I <would> tell the Chamber about that  
19 if I <knew>, particularly about the rape against the female  
20 detainees. I cannot recall those incidents.

21 [09.59.14]

22 Q. And when you describe these incidents, which apparently  
23 involve three of your colleagues from Takhmau hospital, where,  
24 exactly, did these incidents happen, in Takhmau or at S-21?

25 I didn't quite understand your answer in the French version, in

1 any case.

2 A. <Now, I would like to clarify that.> I <had> worked <on the  
3 medicine> production team, and I was reassigned to S-21. The  
4 chief <of> my <medicine> production unit <at Takhmau> was  
5 detained later on at S-21, and I had, on one occasion, witnessed  
6 his detention.

7 Q. To sum up what you have stated, the head of your <medical>  
8 production unit was detained at S-21 for having committed acts of  
9 sexual assault against female <patients or> detainees. Did I  
10 properly understand your testimony?

11 [10.00.40]

12 A. I do not know <about that. He produced> the medicine <at a  
13 different place>. He <was> already married. He was <> working at  
14 <the> Takhmau production unit, and <I worked at S-21>. Later on,  
15 he was sent to -- for detention at S-21. <However,> I did not  
16 know <what mistakes he made. I did not dare ask them. I just  
17 distributed medicines>.

18 Q. Do you recall his name?

19 A. His name was Dam. I can recall his name. He was the chief of  
20 medicine production unit.

21 I first thought that he had died already as <> he was in  
22 detention for <four or five days> before the Vietnamese troops  
23 <entered the country>.

24 Q. I have two more questions, Witness.

25 Did you ever hear of an incident involving an interrogator called

26

1 Touch? Does the name Touch ring a bell? And do you have any  
2 particular recollections as to what happened to him <at S-21>?

3 A. No, I did not know Touch. I only <focused> on my work at the  
4 time, and I only -- I could only barely read or write the  
5 language. And I did not know the backgrounds of any other staff  
6 working there. And also, I was a pretty young man at the time.  
7 Usually, I would do what I was asked to, that is, treat the  
8 prisoners and, at the end of my shift, I would go back and I did  
9 not spend time talking to any guard or anyone. So as I said, I  
10 did not know the backgrounds of any individuals there.

11 [10.03.34]

12 MS. GUIRAUD:

13 Thank you. I have no further questions.

14 I don't know whether my colleagues have any questions, in which  
15 case, I will give them the floor, Mr. President.

16 My colleague, Mr. Ang, has some questions for the witness and  
17 will put those questions during the time left.

18 [10.03.58]

19 QUESTIONING BY MR. PICH ANG:

20 Good morning, Mr. President, Your Honours. Good morning, parties.

21 Good morning, everyone in and around the courtroom. I only have  
22 one or two questions to put to the witness.

23 Q. Mr. Witness, you were <part> of the medical staff working at  
24 S-21. And can you tell the Chamber how many staff there were in  
25 the medical unit?

1 MR. MAK THIM:

2 A. There were between 10 <and> 15 staff <members> within the  
3 medical unit, and we were assigned to treat prisoners at those  
4 detention buildings. And there were three <or four standby>  
5 medical staff <members> who treated staff, that is, not prisoners  
6 at S-21.

7 And usually, staff would be treated at the medical house,  
8 although I did not see a lot of medicine. In their <bags>, I only  
9 saw very little medicine as well as a few syringes. <I did not  
10 see the medical warehouse.> So in total, there were about <15>  
11 medical staff <members><>.

12 Q. Can you recall what year did you start working as a medical  
13 staff at S-21?

14 A. I cannot recall the year. However, I worked there for about a  
15 year or <slightly more than a year>, and I knew that S-21 had  
16 been established <before I was assigned to work there. I was part  
17 of the last batch of medics.>

18 [10.05.57]

19 Q. Do you know a -- did you happen to know a young girl who  
20 dressed like a boy and who had short hair, and her name was  
21 Chantha <or Tha>? Did you know her?

22 A. No, I did not <know her>. I did not see her.

23 Q. Among the 10 <> medical staff, as you testified, did you  
24 notice <anyone> who <was> emaciated and whose age was between 13  
25 to 15 years old?

1 A. Are you talking about a prisoner or a medical staff?

2 Q. It's a medical staff <member> who distributed medicines.

3 A. I forget most of them, and I can recall only about two or  
4 three medical staff.

5 Q. Among the 10 or so medical staff who worked with you, can you  
6 tell the Chamber their ages?

7 [10.07.42]

8 A. They were about my age. Usually they were between 16, 17, 18  
9 or up to 19 or 20 years old. But mostly, they were about 17 <>  
10 years old. As in my case, I started working at around <15>, <16>  
11 or <17> years old.

12 Q. This may be my last question.

13 Among those who were around your age, that is, your peers, how  
14 many of you were within the 10 or so staff of the medical unit?

15 A. We, about 10 of us, were of a similar age range, that is, 16 to  
16 around 18 years old.

17 MR. PICH ANG:

18 Thank you, Mr. Witness.

19 I don't have any further question, Mr. President.

20 QUESTIONING BY JUDGE LAVERGNE:

21 Thank you, Mr. President. I have a few follow-up questions for  
22 the witness.

23 Q. Witness, you have spoken at length of the use of saline water  
24 used for cleaning wounds. Can you tell us where the <saline>  
25 water was <manufactured, and with what water>?

1 [10.09.22]

2 MR. MAK THIM:

3 A. They actually boiled water and they put the salt in. After it  
4 was completely <dissolved>, then they would bottle that saline  
5 water. And it was produced there at the centre.

6 Q. And who provided you with the salt? Do you know where the salt  
7 came from?

8 A. There was plenty of salt <in> the kitchen, so we would go and  
9 ask for salt. We boiled the water, we poured the salt in. After  
10 it <was> fully dissolved, then we bottled <it>. And later on, we  
11 used it with cotton to cleanse and bandage the prisoners.  
12 Actually, <the bandages were> not proper <bandages>. We took  
13 <pieces> of mosquito net and <used> it as <bandages>. And we also  
14 had some other material to apply as <bandages> for the prisoners.

15 [10.10.58]

16 Q. Were you provided with cotton? I believe I heard you say that  
17 you used cotton.

18 <Do you know who> provided you with the cotton?

19 A. The chief gave us cotton. Sometimes we used the compress  
20 bandage to soak it in the saline water to clean the wound. And  
21 <we did not have much> cotton.

22 Q. Was the cotton<, were the compresses> produced in Cambodia, or  
23 did you get it from other countries?

24 A. I did not know where the chief actually obtained the compress  
25 bandage. And as I said, when we did not have it, then when we saw



1 some nice clean pieces of mosquito net, we would use it as  
2 compress <bandages>.

3 Q. You stated that you saw prisoners whose nails or <toenails>  
4 had been pulled out.

5 Did you see the kinds of wounds every day, regularly, or that was  
6 exceptional?

7 A. I only occasionally saw it, that is, the nails that had been  
8 removed. And I did not see it on a daily basis.

9 MR. PRESIDENT:

10 Thank you, Judge Lavergne. And thank you, Mr. Witness.

11 It is now convenient for a short break. We'll take a break now  
12 and resume at 10.30.

13 Court officer, please assist the witness during the break time  
14 and invite him as well as his duty counsel back into the  
15 courtroom at 10.30.

16 The Court is now in recess.

17 (Court recesses from 1013H to 1030H)

18 MR. PRESIDENT:

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

20 And I give the floor to Judge Marc Lavergne to put question to  
21 the witness. You may now have the floor.

22 BY JUDGE LAVERGNE:

23 Thank you, Mr. President.

24 Q. Witness, I understood that the medics <were sometimes called  
25 upon to> administer injections. Can you tell us <what kind of

31

1 equipment was> used to perform these injections and what kind of  
2 supplies did you have to possibly sterilize the needles?

3 [10.31.46]

4 MR. MAK THIM:

5 A. Talking about the <injections>, I -- it was not my main  
6 responsibility. What I did often at that time was distributing  
7 medicines. <There was not much injection medicine.>

8 There were some prisoners who were handcuffed <or shackled> for  
9 so long their legs or hands became <numb and> swollen, <and there  
10 was only B12 and B1 to treat them. We produced those medicines.>

11 Q. And what would happen to the prisoners whose hands and arms  
12 were so swollen? What kind of treatment were they given?

13 A. We gave them pills and we also gave them injections to cure  
14 that kind of condition.

15 Q. And do you know what kind of product was injected and where  
16 the needles came from?

17 Were the needles cleaned, were they sterilized? Were there any  
18 procedures in place that had to be applied?

19 [10.33.39]

20 A. We boiled the syringes. We had a pot in which water was boiled  
21 to sterilize the syringes, <but we did not have enough  
22 medicines>. Talking about medicine, we <had> B12 and B1, and  
23 those medicines were produced in Cambodia. <There were no French  
24 or foreign medicines>. And we also had some pills that were  
25 distributed to the <people suffering from numbness or swelling>.

1 Q. Do you know which product was injected to the patients?

2 A. We only used B12 and B1 to cure the prisoners who <had  
3 dysentery or> whose limbs became swollen <and numb>, or who  
4 became too exhausted. <We also cleaned wounds. There were only  
5 these two or three types of medicine>.

6 Q. What does <B1 -- B11 (sic) <or> B12 mean<, I don't know> ?  
7 Where were these products manufactured? On the basis of which  
8 product was this B11 (sic) or B12 manufactured? <Do you know?>  
9 [10.35.45]

10 A. The medicines, B12 and B1, these two types of medicines were  
11 brought in to be used in the S-21 to cure prisoners who had  
12 problems with numbness and swelling.

13 Q. Earlier, you spoke about injections. <Obviously> pills were  
14 not <going to be> injected. So do you know what was being  
15 injected or, more exactly, which products were being injected?

16 A. That was B1 and <B12>. Those were the liquid medicines that  
17 were used to inject into sick prisoners who were sick of numbness  
18 and swelling.

19 Q. And once again, do you know what was used to manufacture this  
20 B1 and B12 medicine?

21 A. I did not know. I only received them from the distributor,  
22 <and they told me that B1 and B12 were used for swollen and numb  
23 treatment>. The place where the medicine was produced was in  
24 Takhmau.

25 Q. You said <earlier>, apparently, that there were accidents and

1 that some people had died following injections. So did I  
2 understand you properly? And if such accidents happened, did this  
3 happen often or, in any case, did this happen on several  
4 occasions?

5 A. Based on my observation, there were <no> cases where prisoners  
6 died <following injections. However, I only saw prisoners who had  
7 abscesses on their hands, upper thighs or hips>.

8 [10.39.08]

9 Q. And did these abscesses occur where the injection was  
10 administered? Is that what we must understand?

11 A. Yes, there were cases which the injection <was done> at the  
12 same spot <for> a lengthy period and it caused <abscesses>. And  
13 there <were> a few cases. <Those abscesses had been treated  
14 successfully.>

15 Q. When you said that there were such cases, does that mean that  
16 this happened often, several times? Can you give us an idea of  
17 how many times you noted this kind of problem?

18 A. I saw it two or three times, <and it was treated  
19 successfully>. The abscess caused the wound <to> swell, but later  
20 on, it <was> healed by <applying the medicine>.

21 [10.40.39]

22 Q. Fine. So I guess this is self-healing. So much was said about  
23 physical injuries. Did you see -- did you note if there were  
24 incidents of mental illness among the detainees? Were there cases  
25 of insanity at S-21?

1 A. I did not see cases of insanity. What I saw was people <who>  
2 were thin, skinny because of the lack of food to eat. <They did  
3 not sleep well. There was no mat. They slept on the floor>.

4 Q. I believe you said that you had met prisoners who were  
5 desperate. Did you meet prisoners who wanted to commit suicide,  
6 who <did> commit suicide?

7 A. I did not witness that. In -- every morning, I -- when I  
8 distributed medicine <in the rooms or big rooms>, I did not  
9 witness such cases of that.

10 Q. And <among the S-21 staff,> did you note <any> people who were  
11 desperate or people who wanted to commit suicide or people who  
12 had actually committed suicide?

13 A. No, I never witnessed such cases. I never witnessed such  
14 cases.

15 Q. I have a last question for you. In your statement, E3/7673,  
16 you spoke about someone by the name of Chan Samreng, Chan  
17 <"Scabies">, <it's ERN 00305211 in French,> 00163710 in Khmer;  
18 00401870 in English. What can you tell us regarding Chan  
19 <"Scabies">, Chan Samreng?

20 [10.44.17]

21 A. Chan Samreng, he selected me from my village in Kampong  
22 Chhnang when I was still 15 years old and we were transported by  
23 six trucks to grow vegetables, <and to raise pigs>. So after we  
24 spent two nights <at Sala Lekh Pram> then he transported us <to  
25 Phnom Penh>, so that was what I knew. And I did not know anything

1 <else> about him.

2 Q. And later on, did you see Chan Samreng again, in particular,  
3 at S-21, and do you know if he had another name?

4 A. <I don't know his name, but> people called him Ta Chan  
5 Samreng. And I saw him only a few times <at S-21>.

6 Q. Does the name Mam Nai ring a bell? And when you say that you  
7 saw him a few times, does this mean that you saw him a few times  
8 at S-21, or did you see him elsewhere?

9 [10.46.11]

10 A. I almost forget the person by the name Mam Nai. I cannot  
11 recall where he was placed at that time. I knew only Ta Chan  
12 Samreng.

13 Q. And do you believe that Chan Samreng is Mam Nai, and did you  
14 see him at S-21?

15 A. My memory does not serve me well. I remember that he  
16 transported us from Kampong Chhnang <province>.

17 JUDGE LAVERGNE:

18 Fine. I have no further questions for the witness. Thank you.

19 MR. PRESIDENT:

20 Thank you, Judge.

21 And the floor is given to Judge Fenz, because you may have  
22 question to put to the witness. You may now proceed, Judge.

23 QUESTIONING BY JUDGE FENZ:

24 Thank you, Mr. President. Not many. Just a couple of follow-up  
25 questions.

1 Q. Witness, the first question is about the injections. Did I  
2 understand it correctly that you didn't know what was in the  
3 injections, meaning what the ingredients were? You just know that  
4 they were labeled B1 and B12. Is this correct?

5 [10.48.11]

6 MR. MAK THIM:

7 A. Yes. I knew only that medicine <>, and I had no idea what  
8 materials were used to produce those medicines. <However, I only  
9 knew the pill medicines such as vitamin C and the dysentery  
10 treatment medicine, and those were produced from areca nuts and  
11 flour. The production place was at Takhmau>. I only knew that  
12 <the chiefs> distributed those medicines for us to be used.

13 Q. Did you get orders on when to use which medicine or did you  
14 make the decision on a case-to-case basis, meaning when to use B1  
15 and when to use B12, or not to use anything? Who made this  
16 decision?

17 A. Huor, <the chief of medics>, was the one who decided for the  
18 medicine to be used, and those medicines were mainly used for  
19 numbness and swelling.

20 [10.49.31]

21 Q. So in each individual case, it was Huor who made the decision,  
22 not you. Is that correct?

23 A. Yes, <it> was Huor and Try who had the authority to decide.

24 Q. And my second question is to another subject.

25 You told us that you treated prisoners with wounds on their back

1 and also prisoners who had their toe or fingernails pulled. And  
2 when you were asked how often you had seen prisoners whose toe or  
3 fingernails had been pulled, you said, I think, occasionally. Not  
4 daily; occasionally.

5 Can you be a bit more specific? Does that mean, I don't know,  
6 once a week, once a month, more often, less often?

7 A. When the prisoners were interrogated and their nails or --  
8 their nails were pulled, such cases did not happen often. <It  
9 happened once a month or once every two weeks>. There were only a  
10 few cases.

11 When I distributed medicine at various holding cells at the  
12 different floor, there <were> three floors. And I witnessed only  
13 a few cases <They were> not frequent encounters.

14 Q. You were there about a year. How often did you see, in this  
15 year, cases of pulled finger and/or toenails, if you can  
16 remember?

17 [10.52.04]

18 A. About half a month or one month.

19 Q. Do you mean one case per half month or month? Is that what you  
20 are saying? One case every two weeks or every one month; is that  
21 correct?

22 A. Yes, I witnessed it once every <two weeks or every> month.

23 Q. And now you also mentioned that you saw or treated prisoners  
24 with open wounds on their backs.

25 How often did that happen? How often, while you were there, did



1 you see prisoners with open wounds on their backs?

2 A. Talking about the healing, it was not <a> frequent task. And  
3 because we were assigned ,to> different <tasks>, for example, <at  
4 the ground floor building,> my task, I -- I cured perhaps two or  
5 three prisoners. <They recovered quickly because they did not  
6 have serious open wounds>.

7 [10.53.39]

8 Q. Let me be clear. Are you saying in one year, you only saw two  
9 or three cases with open back wounds? Is -- this is what you are  
10 saying?

11 A. I saw only three or four prisoners who had <serious> open  
12 wound on their backs, and I was the one who cured them. And they  
13 recovered. None of them died. That was -- <I'm talking> about  
14 what I did and what I was assigned to do.

15 Q. So just to be sure, you saw more cases of pulled nails than of  
16 open back in this year.

17 A. Mostly <back and thigh> wounds. The most serious wounds were  
18 on the back, <and there were only marks on the thighs>.

19 JUDGE FENZ:

20 Okay. Thank you. I have no more questions.

21 MR. PRESIDENT:

22 Thank you, Judge.

23 And now I give the floor to the Defence Counsel to put question  
24 to the witness.

25 And first the Chamber gives the floor to the Defence Counsel for

1 Nuon Chea. You may now proceed.

2 [10.55.27]

3 QUESTIONING BY MR. KOPPE:

4 Thank you, Mr. President.

5 Q. Good morning, Mr. Witness. I have a few follow-up questions  
6 this morning for you.

7 I would like to start by asking you what year you were born.

8 Yesterday, you were answering a question from the President  
9 saying that you were born in 1962. However, in your WRI, E3/7673,  
10 it says that you were born in 1957. Can you tell us which one of  
11 the two it is, 1962 or 1957?

12 MR. MAK THIM:

13 A. I was born in 1962.

14 [10.56.34]

15 Q. So, am I correct when I say that when you started working in  
16 S-21, you were about 15 or 16 years old?

17 A. Yes, that is correct.

18 Q. Mr. Witness, I have in front of me a document, E3/8386, Khmer,  
19 ERN 00002640; English, 00521634; and French, 00532736. It's an  
20 overview of how many people were working in which units in  
21 various units in S-21.

22 Under the paragraph "Guarding Unit", it says, "Inside guards, 127  
23 persons. Medical staff, 14 persons", and then it goes on.

24 However, on the bottom of that same overview, I also see a  
25 category called "15 and 16 year old teens, total number 76

40

1 persons" and 17 out of those 76 are receiving medical training.  
2 Considering your age while at S-21, did you belong to the group  
3 that was still receiving medical training? Were you part of that,  
4 at one point in time, group of 17, 15 and 16 year old teens that  
5 received medical training while on the job?

6 A. No. Only after we completed the training <were> we sent to  
7 practise the medical job.

8 [10.59.18]

9 Q. Do you know whether, within S-21, there were 15 or 16 year  
10 olds who, other than you, were in medical training?

11 A. I did not know about that matter.

12 Q. Earlier this morning, and I believe yesterday as well, you  
13 spoke about Try. I believe you called him the chief of all  
14 medics. Do you know whether there was another medic, very young,  
15 your age, who was also called Try?

16 A. I knew only two persons, named Try and Huor. Try was the  
17 supreme chief, and Huor was my team chief.

18 [11.00.47]

19 Q. Let me read to you what you told the investigators, Mr.  
20 Witness. That is E3/7673, English, ERN 00401870; Khmer, 00163711;  
21 and French, 00305212. You said the following:

22 "There was the medic called Try, a Cham, an ordinary medic like  
23 myself. Now he is still alive and lives in Kampong Tralach  
24 district, west of Thnal Totueng."

25 And in that same sentence, "Medics Huor and Try, who were

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1 chairmen, were imprisoned for two days when the Vietnamese  
2 arrived."

3 So it seems that you are, indeed, talking about two persons  
4 called Try. Is that correct?

5 A. One was Try who was with my group, and another one was Try who  
6 was all in charge of the medical staff. And the Try, <a Cham>,  
7 that was with my group also came from Kampong Tralach district.

8 Q. Was Try his revolutionary name and was he -- was his real name  
9 Pes Math? Do you know that?

10 A. I did not know his other names, as I only knew him by Try.  
11 Actually, I met him a few years back, and I still did not know  
12 his native name.

13 Q. Is it correct that -- that Try, who was your age and who was  
14 also from Kampong Tralach district, that he was a Cham? Was he of  
15 Islamic religion, was he a Cham?

16 [11.03.40]

17 A. Yes, he was Cham, but at that time, he could speak Khmer  
18 clearly without any accent. At first, I thought he was Khmer, but  
19 after the liberation, I met him again and then I learned that he  
20 was a Cham. But during the Pol Pot regime, I <thought> he was  
21 <Khmer>. And as I said, I only know him by the name of Try.

22 Q. Do you know whether the other Try or Huor knew, at the time,  
23 that your friend Try was a Cham?

24 A. Try, who was a Cham, was not my close friend, although he came  
25 from the same district and we worked as medics together there.

1 Q. Let me ask it differently. Did your friend Try, while he was  
2 working as a medic at S-21, get into trouble because he was a  
3 Cham?

4 [11.05.27]

5 A. At that time, he actually ate communally with us. He also ate  
6 pork. He had no difficulty in this respect.

7 Q. Let me read to you an excerpt from Try's WRI, which, I  
8 believe, is the Try that you speak about.

9 Mr. President, I'll be referring to document E3/352; English, ERN  
10 00195708; Khmer, 00186560; French, 00401889.

11 He says -- let me start a little bit before that, actually, in  
12 the very beginning of his statement.

13 "Three children were selected in each sub-district including Mak  
14 Sithim whom I met at School Number 5 where we had been growing  
15 sweet potatoes. In late-'75, I went to study military techniques,  
16 tactics, strategy, and mine clearing at Military Technical School  
17 703, in Boeng Tumpun. In mid-1976, we were selected and divided  
18 into three groups; one group was assigned to defend the border,  
19 one group was assigned to work at Prey Sar, and another one was  
20 assigned to protect the city. I was in the group protecting the  
21 city, so I went to work in Takhmau Prison in the psychiatric  
22 hospital." End of quote.

23 Can you confirm Try's statement that there were three groups and  
24 one group defending the border, one group protecting the city,  
25 and one group assigned to work at Prey Sar?

1 [11.08.16]

2 A. I did not know the detail about that.

3 Q. But -- but were you, yourself, a member of a group assigned to  
4 a special task; do you remember this?

5 A. I cannot recall that. It happened several years ago.

6 Q. That's no problem, Mr. Witness. A bit further down in Try's  
7 statement; Khmer, ERN 00186562; French, 00401822 -- sorry, 821;  
8 and English, 00195710; he says the following:

9 "I was on guard near Mak Sithim. I saw him cleaning wounds.  
10 Sometimes, I helped distribute medicine to the prisoners. I  
11 wasn't selected to join the medical unit because I couldn't write  
12 or read well."

13 Is -- is that statement of Try accurate; did he sometimes help  
14 you distribute medicines?

15 [11.09.58]

16 A. I cannot recall that during my distribution of pills and  
17 whether Try actually asked to help me with the distribution, but  
18 I believe that I asked him to help me distributing the -- the  
19 medicine because we came from the same district.

20 Q. And -- and was it possible that he saw you cleaning wounds?

21 A. I did not know or maybe because I didn't actually pay  
22 attention to what he did, so I cannot say anything else.

23 JUDGE FENZ:

24 Question was if you cleaned rooms.

25 MR. KOPPE:

1 Wounds.

2 JUDGE FENZ:

3 Wounds?

4 MR. KOPPE:

5 Wounds.

6 [11.10.05]

7 JUDGE FENZ:

8 Wounds, yes, if you cleaned wounds.

9 MR. MAK THIM:

10 Yes, I cleaned wounds and I treated prisoners. I cleaned wounds  
11 of prisoners who had been interrogated.

12 BY MR. KOPPE:

13 Q. I understand, but did Try -- do you know whether Try saw you  
14 while you were cleaning wounds of prisoners?

15 [11.11.48]

16 MR. MAK THIM:

17 A. I did not know since I was focusing on cleaning wounds and  
18 whether Try was standing nearby watching me doing it or not. My  
19 main focus was <treating> prisoners, so all my attention was  
20 there. There were also many prisoners, so I did not just look  
21 around; I focused on <the> particular prisoner that I was  
22 treating.

23 Q. Thank you, Mr. Witness. Now, let me follow up some questions  
24 that were asked to you by -- by the Chamber, the B1 and the B12  
25 medicine that you supplied to prisoners.

1 Earlier, you were shown a list, E3/8461; that's a -- a prisoner  
2 list, people who were seriously ill, and almost all of those  
3 prisoners on that list suffered from something called, in  
4 English, beriberi -- beriberi. Is that something that you knew at  
5 the time that prisoners were suffering from something what is, in  
6 English, called beriberi?

7 A. Yes, there were prisoners who had swelling issues and there  
8 were also prisoners who had beriberi and they would be given  
9 <vitamin pills> B1 and B12 <and> we would <also> inject them  
10 with <medicines of> B1 or B12 to reduce the swelling.

11 [11.14.01]

12 Q. Were you able to determine whether the swelling and also the  
13 symptoms of numbness that you described were the result of  
14 prisoners suffering from beriberi?

15 A. Most of prisoners that I treated, they had more of a numbness  
16 disease than swelling, <there were one or two cases of swelling  
17 in each building,> so I would say <more> prisoners had this  
18 problem than the swelling and that's due to the long period of  
19 time of being shackled.

20 Q. Do you know whether numbness or swelling is also a symptom of  
21 beriberi?

22 A. Prisoners who said they had numbness or they had swelling and  
23 <depending on> the -- what I saw or sometimes, I touched that  
24 part, then the medicine would be given accordingly and usually I  
25 would put my thumb to put pressure on that part and whether it



1 <sprang> back.

2 [11.15.46]

3 Q. Mr. Witness, Duch, various occasions, spoke about an epidemic  
4 of diseases that had spread, at one point in time, at S-21. Are  
5 you aware of -- or were you aware of any forms of epidemics of  
6 certain diseases?

7 MR. LYSAK:

8 Mr. President, I'd just like the reference to the testimony that  
9 -- from Duch that Counsel is citing.

10 MR. KOPPE:

11 I believe it's in the Judgment; it's the reason Duch offered for  
12 moving execution sites to Choeung Ek.

13 JUDGE FENZ:

14 Do we have a reference or not at the moment?

15 BY MR. KOPPE:

16 It's in your Judgment, but not now at this moment. I will -- I  
17 will rephrase -- I will rephrase my question more openly.

18 Q. Mr. Witness, are you aware of any epidemics that took place in  
19 S-21?

20 [11.17.08]

21 MR. MAK THIM:

22 A. No, I was not aware of any epidemic or any spread of infection  
23 among the prisoners as I, myself, only treated them.

24 Q. Now, let me move to the matter of prisoners or -- or patients,  
25 as you call them, whose blood had been drawn. Earlier, you were

1 asked a question about this and the Prosecution referred to your  
2 -- your own statement.

3 Mr. President, that is, document E3/7673; Khmer, 00163712;  
4 English, 00401871; and French, 00305213.

5 The question is -- the question asked to you is -- was the  
6 following, "Was there any sign that blood was being drawn?" And  
7 then you answered, "I treated patients whose blood had been  
8 drawn."

9 What exactly did you do to treat the -- the patients whose blood  
10 had been drawn; what was your method of treatment?

11 [11.18.44]

12 A. During the regime, we did not have any other medicines besides  
13 the one that have -- I have already told the Chamber <about>. <I  
14 provided treatment to those prisoners, and none of them died.  
15 However,> those prisoners were in a very weak state and we did  
16 not have any special medicine to -- to give to them; we only had  
17 the types of the medicines that I described earlier.

18 Q. I understand. In that same answer you said, "The prisoners  
19 whose blood had been drawn were pale." Weak -- weakness and  
20 paleness, I understand, could be the result of blood being drawn,  
21 but do you recall anything, specifically, that you or your  
22 colleagues did to make sure that those prisoners whose blood had  
23 been drawn would no longer be any more weak or pale?

24 A. The treatment that we provided was the medicine that was to  
25 boost their energy and namely, Vitamin C<,> and there were no

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1 other modern medicines to give to them. I already described to  
2 the Chamber the medicines that the chief gave to us; that is,  
3 those medicines <were B12, B1 and dysentery treatment> that we --  
4 that were locally produced.

5 [11.20.31]

6 Q. And do you know whether once you had treated those patients  
7 whose blood had been drawn recovered after you gave them  
8 vitamins; did they recover again and if yes, how long did that  
9 usually take?

10 A. It would be between one week to two weeks for -- for the  
11 patients to recover and, of course, they were in a weak state,  
12 but they did not die.

13 Q. Are you aware of any instances -- instances of patients whose  
14 blood had been drawn but subsequently die?

15 [11.21.38]

16 A. No, I did not encounter that because if, during my treatment  
17 of prisoners, if prisoners died then I would be in trouble. I was  
18 never punished or sanctioned for such act from the time that I  
19 started working there until the time of the arrival of the  
20 Vietnamese.

21 Q. Let me ask it a little bit broader. Mr. Witness, are you aware  
22 of examples of prisoners who died after their blood was drawn,  
23 with whom you had nothing to do; prisoners whom you didn't treat  
24 afterwards? Do you know of any examples of such prisoners having  
25 died after their blood was taken?

1 A. Prisoners died from serious illnesses and usually the  
2 illnesses last for -- lasted for <half a month> or <a month> and  
3 in each building, maybe within a week or a fortnight, a prisoner  
4 died from severe sickness and usually if that is the case then  
5 medics<> would carry the -- the dead prisoner to be buried  
6 outside. <However, medics were assigned to work at different  
7 places.>

8 Q. Let me ask it in -- in one more different way. Are you aware  
9 of any example of a prisoner, whose blood was drawn, that had  
10 died because of that?

11 [11.23.52]

12 A. On the issue of blood drawing, I did not know the <details>  
13 and I did not know whether any <prisoners> died after <their>  
14 blood had been drawn. The blood-drawing exercise was done by  
15 other senior medics.

16 As for me, my assignment was to treat the prisoners at their  
17 room, so I did not know any <details> regarding the blood-drawing  
18 exercise.

19 Q. Thank you, Mr. Witness. Have you ever seen at S-21, while you  
20 were a medic or junior medic, an ambulance -- a white car with,  
21 presumably, a red cross on it; an ambulance car that could take  
22 prisoners from S-21 to the hospital?

23 [11.25.05]

24 A. I did not know whether there was such a car. While I was  
25 working there, I saw vehicles that transported prisoners in or

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1 out. But that's all I could say because mostly, I spent time in  
2 the rooms where prisoners were detained and I was there for the  
3 treatment of those prisoners who were sick. <I did not know how  
4 many cars there were, but I only saw those vehicles coming in and  
5 out once a week>.

6 MR. KOPPE:

7 Maybe my last question before the lunch break, Mr. President, and  
8 I would like to show the witness a photo, photo 51, which is  
9 attached to E3/9431. It's a photo of a building; English, ERN  
10 00198080; Khmer, 00181447; French, 00181501.

11 I would like to give the English version because I don't -- I  
12 would like him to read what's -- what it says below. So this is  
13 the photo I would like to show him.

14 MR. PRESIDENT:

15 Yes, you may proceed.

16 BY MR. KOPPE:

17 Q. Mr. Witness, you can see the premises of S-21 on that photo  
18 and behind it, there is a -- a house; do you recognize that  
19 house?

20 MR. MAK THIM:

21 A. Frankly speaking, I did not wander around within the compound  
22 during the regime, so I could not tell you about the house, <the  
23 vehicle> or the buildings in the photo.

24 [11.27.21]

25 Q. Let me be more specific. Could that be the house belonging to

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1 the medical unit where the medical unit was stationed?

2 A. I cannot say. I -- I forget about it. I only knew that the  
3 medical house was located opposite the building of S-21.

4 Q. This is a good moment maybe, Mr. President, to pause.

5 QUESTIONING BY THE PRESIDENT:

6 Thank you.

7 Q. And I have two questions that I'd like to put to the witness  
8 regarding the blood-drawing incident. Can you tell the Chamber  
9 <if the senior medic or chief of medics at S-21 drew blood on>  
10 the prisoners whose <blood was> drawn<?>

11 [11.28.45]

12 MR. MAK THIM:

13 A. It was the chief of the medics who drew blood. The -- and also  
14 the group chief would also engage in the blood-drawing exercise,  
15 but for us junior medics, we were not allowed to do that as we  
16 would be assigned to treat prisoners in the rooms in the  
17 building.

18 Q. You refer to -- you state that the chief of the medics and the  
19 senior medics did not allow junior medics to go near where they  
20 drew blood from prisoners; if that is the case, how did you come  
21 to know that the chief of the medics or the senior medic actually  
22 drew blood from prisoners?

23 A. Because I saw the blood sacs underneath the staircase, so I  
24 did not know where they actually drew blood from prisoners, <and  
25 the chief and deputy chief administered this task>; I only saw

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1 those blood sacs and I was assigned to treat those prisoners  
2 whose blood had been drawn as the -- their health was weak, <and  
3 I provided pills to them>.

4 Q. And you said that you treated prisoners whose blood had been  
5 drawn; what information did you obtain regarding the fact that  
6 prisoners whose blood had been drawn, and <whom> you were  
7 instructed to treat<? Was> their blood drawn by the chief of the  
8 medic or senior medic, <and were those same prisoners brought to  
9 you for treatment afterward; is that correct>?

10 [11.30.52]

11 A. I did not know where the chief of the medic drew blood from  
12 prisoners; what I can say is that I saw blood sacs under the --  
13 the staircase and later on, <those prisoners were brought in the  
14 building, and> I was instructed to treat those prisoners.

15 Q. You said you received instructions from the chief of the  
16 medical unit to take care of prisoners whose blood had been  
17 drawn. I am unsure about your answer. Did you receive such  
18 instructions from the chief of the medics before the prisoners  
19 who were subject to -- to be taken in for the blood drawing or  
20 did you receive instruction later; that is, after those prisoners  
21 had been -- whose blood had been drawn and they were returned to  
22 their room and then you were instructed to go there and treat  
23 them?

24 [11.32.04]

25 A. They were actually taken to the building and then I <was>

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1 instructed to treat them, to take care of them.

2 MR. PRESIDENT:

3 Thank you, Witness, for your response.

4 It's now appropriate for our lunch break. We take a break now and  
5 resume at 1.30 this afternoon.

6 Court officer, please assist the witness at the waiting room  
7 reserved for witnesses and experts during the break time and  
8 invite him as well as the duty counsel back into the courtroom at  
9 1.30 this afternoon.

10 Security personnel you are instructed to take Khieu Samphan to  
11 the waiting room downstairs and have him returned to attend the  
12 proceedings this afternoon before 1.30.

13 The Court is now in recess.

14 (Court recesses from 1132H to 1330H)

15 MR. PRESIDENT:

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

17 Before giving the floor back to the defence team for the Accused  
18 to resume its questioning, the Chamber would like to issue an  
19 oral ruling in relation to the request of the Nuon Chea defence  
20 team on the adjournment of the Court hearings.

21 The Chamber is seized of a request by the Nuon Chea defence team  
22 for an adjournment of four weeks to prepare for the three  
23 remaining witness -- witnesses on <the topic of> S-21, namely,  
24 2-TCW-906, 2-TC -- 2-TCW-816, and 2-TCW-916; primarily to review  
25 the documents underlying the S-21 prisoner list produced by the



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1 Office of the Co-Investigating Judges, E393.2.

2 Alternatively, it requests that only the Co-Prosecutors and Lead  
3 Co-Lawyers question this witnesses prior to an adjournment, E402.  
4 [13.31.58]

5 After hearing -- after having heard the parties' submissions and  
6 noting that none of them oppose the admission of the documents  
7 underlying the new OCIJ prisoners' list, <> document <E393.2>,  
8 the Chambers -- the Chamber: 1) Admits all the documents  
9 underlying this list that were not previously admitted. Considers  
10 that the new S-21 list <does> not require the delay of the  
11 testimony of 2-TCW-906 and, therefore, denies the Defence request  
12 in this respect; 3) Decides to hear the full testimony of  
13 2-TCW-808 and 906 this week as scheduled; 4) Further decides to  
14 adjourn the hearings for one week from 9 through 12 May 2016,  
15 before proceeding to the previously scheduled 13 through 20th May  
16 judicial recess.

17 Upon reconvening on 23rd May 2016, the Chamber will hear the  
18 remaining S-21 witnesses, 2-TCW-816 and 2-TCW-1 --916, before  
19 proceeding to the internal purges witnesses and civil parties.  
20 The full written reasons for this decision will follow in due  
21 course.

22 And now the floor is given to the defence team for Mr. Nuon Chea  
23 to resume its questioning. You may proceed now.

24 [13.34.05]

25 MR. KOPPE:

1 Thank you, Mr. President, and good afternoon, Your Honours, and  
2 counsel.

3 Before I start, Mr. President, I still owe you the reference of  
4 the relocation of the execution sites at S-21 to Choeung Ek  
5 because of fear of epidemics -- risk of epidemics.

6 I told the Chamber before the lunch break I was referring to the  
7 Judgment and I was. It's paragraph 184, which is actually the  
8 same paragraph I used about when that relocation took place. It  
9 is a paragraph from the amending -- amended Closing Order and  
10 Duch agreed to what is in that part of the Closing Order.

11 However, the issue of the epidemics, you can also find in  
12 E3/5766, English ERN 00165437. I will present the Khmer and the  
13 French ERN at a later stage.

14 Q. Mr. Witness --

15 [13.35.27]

16 MR. PRESIDENT:

17 You can take the floor now, Lead Co-Lawyer for civil parties.

18 MS. GUIRAUD:

19 Thank you, Mr. President, a short observation here. What was  
20 presented by my colleague before the break was a beriberi  
21 epidemic, but paragraph 184 does not speak about a beriberi  
22 epidemic<, but about an epidemic,> and as far as what we <know  
23 about> beriberi<, it> is not a contagious illness. <This is what  
24 was contested,> the fact that we're not necessarily speaking  
25 about a beriberi epidemic. <I just wanted that be reflected

1 clearly on the hearing record. Thank you.>

2 MR. PRESIDENT:

3 Thank you. And Mr. Koppe, could you please also repeat the  
4 reference number of the documents; that is, the ERN number and  
5 the E number because there was no full interpretation in relation  
6 to identity of the documents.

7 And Lead Co-Lawyer for civil party also made mention about the  
8 reason why you need to base on the documents.

9 [13.36.50]

10 QUESTIONING BY MR. KOPPE:

11 The issue of the epidemic risk is in paragraph 184, of the Duch  
12 Judgment. It quotes the amended Closing Order and it says, "At  
13 some time between 1976 and mid-1977, partly in order to avoid the  
14 risk of epidemic, Duch decided to relocate the execution site to  
15 Choeung Ek."

16 Paragraph 185, Duch -- it says that Duch agreed with this  
17 statement; however, that actual statement, you can also find in  
18 E3/5766 and the English ERN is 00165437 and the -- the Khmer and  
19 French ERN, I will provide you shortly, Mr. President.

20 And responding to civil party Lead -- Lead Co-Lawyer, I didn't  
21 suggest that beriberi is a contagious disease; actually, it  
22 isn't. Although I'm not a medic, I know that it isn't. It has  
23 something to do with shortage of vitamins, I think. It just led  
24 to a question on epidemics, so I didn't suggest any relation to a  
25 contagious disease whatsoever.

1 [13.38.16]

2 Q. Having said that, Mr. Witness, good afternoon again. I have a  
3 few questions that I would like to pose -- to ask you. Let me  
4 first start with asking you some questions about the so-called  
5 special prison, the prison used or -- or facility, rather, used  
6 to -- to hold important prisoners.

7 Did you know of its existence at the time?

8 MR. MAK THIM:

9 A. I do not know about <that>.

10 Q. Did you know of -- of a location where there was a separate  
11 category of prisoners? Have you heard your medical colleagues  
12 ever speak about a building outside of Tuol Sleng which also held  
13 prisoners?

14 A. I do not know about the prisons outside that compound; I only  
15 knew about the <three> buildings within the compound.

16 [13.39.49]

17 Q. Have you ever heard of prisoners of S-21 or prisoners maybe  
18 from -- from Prey Sar or -- or Takhmau Prison becoming medics  
19 themselves?

20 A. I have never heard of that.

21 Q. Okay, then have you -- do you remember, rather, a -- a female  
22 medic who might have been a -- a widow with one child who was  
23 working as a midwife for S-21 cadres and who -- whose  
24 revolutionary name was Tham (phonetic) -- Tham (phonetic)?

25 A. I cannot recall the name of the female medics; I only, at the

1 time, saw the male medics.

2 [13.41.10]

3 Q. Do you know whether there was a -- a medic who was a midwife,  
4 a medic who was responsible for delivering babies from S-21  
5 cadres?

6 A. I do not know about midwives; I only know about the  
7 composition or members of my medics unit.

8 Q. Thank you, Mr. Witness, and I think I'm now turning to my last  
9 questions.

10 In your WRI, E3/7673; at English, page 00401872; Khmer, 00163713;  
11 and French, 00305214; you were asked the question whether you,  
12 doing treatments, saw children or pregnant women and you  
13 answered, "The prisoners with wives and children were not  
14 shackled, nor were the children and wives. They were placed in a  
15 large cell with the door tightly shut."

16 My question is, did you ever go in there or did you just see that  
17 building from the outside; can you give us some more details as  
18 what -- as what you know about these women and children?

19 A. While I was delivering the medicines, I saw children, but they  
20 were not too young. They were detained together <in the common  
21 room> with <their mothers> and <those children were about 20  
22 years old>. In fact, I <walked passed that room while delivering>  
23 the medicines to the prisoners, <and I gave the medicines to  
24 them. However, I did not enter that room. It was an open room.>

25 Q. But did you -- did you ever go inside that -- that room or

1 that building; did you ever speak to the children or did you ever  
2 speak to those women?

3 A. <No, but> whenever they got specific illnesses, I would go and  
4 give the medicines to them.

5 [13.44.17]

6 Q. And how did you know that they were the wives of -- how did  
7 you know that the women were the wives of other prisoners or that  
8 the children that you saw in that building were the children of  
9 prisoners; how did you know?

10 A. There were mothers and children, no male prisoners <were>  
11 detained together with the female prisoners and those <two or  
12 three> female prisoners together with the children were detained  
13 in <a large> room and they were not shackled or cuffed.

14 Q. I -- I understand that that is what you saw, but how did you  
15 know that they were, in fact, the wives, respectively the  
16 children, of prisoners?

17 [13.45.26]

18 A. I did not ask them if they had husbands detained at that  
19 location, as well. And at the time, I saw <that there were two or  
20 three women> together with the children and they were not  
21 shackled. And I did not know, at the time, whether the husband of  
22 the wife had also been detained at that location.

23 MR. KOPPE:

24 Thank you very much, Mr. Witness.

25 Thank you, Mr. President.

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1 MR. PRESIDENT:

2 Thank you.

3 And now the floor is given to the defence team for Mr. Khieu  
4 Samphan to put questions to this witness. You can take the floor.

5 [13.46.20]

6 QUESTIONING BY MS. GUISSÉ:

7 Thank you, Mr. President, good afternoon. Good afternoon to all  
8 of you. Good afternoon, Witness. My name is Anta Guisse. I am the  
9 Co-International Counsel for Mr. Khieu Samphan and it is in this  
10 capacity that I'm going to be putting a few brief complimentary  
11 questions to you.

12 Q. First, I would like to focus on the period during which you  
13 were in the traditional medicine <production unit>. You spoke  
14 about this during your testimony and you said -- this was at a  
15 little bit after 3 o'clock and 17 seconds yesterday afternoon,  
16 you said that you were involved in manufacturing this medicine  
17 and that there were two <older> men who were in charge of finding  
18 leaves and medicinal herbs, so my first question relates to these  
19 two <older> men.

20 Q. Do you know if these were people who were traditional healers;  
21 do you know that or not?

22 MR. MAK THIM:

23 A. Yes, they were traditional healers and they were around 60  
24 years old and these people were going around <looking for> herbs.

25 [13.47.50]

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1 Q. You also said that the person in charge of the production unit  
2 was a <person called> Dam whom you talked about this morning with  
3 my colleague from the civil parties. Was it, indeed, Dam who was  
4 in charge of the entire production unit and was he the only  
5 leader in that regard?

6 A. Yes, he was in charge of manufacturing the herbal medicines,  
7 at the time, or medicines. <Only he> supervised that production  
8 unit.

9 Q. And where was this production unit located exactly? What kind  
10 of location; was it in a building that was reserved for the  
11 production unit or was this unit inside another building?

12 A. It was located in Takhmau in a two-storey building and on the  
13 ground floor, there was a grinder for grinding the ingredients so  
14 that the medicines could be produced and manufactured. And at  
15 times, we produced the rabbit-drop pellets.

16 Q. You were manufacturing traditional medicine? I don't know if  
17 that's what you said in Khmer. Well, my question, more  
18 specifically, was: Was there only the production unit in this  
19 building, so it wasn't the hospital, <it wasn't in a detention  
20 center,> it was only a production unit in that building; is that  
21 what you said?

22 A. It was located in a building, that is, the building -- that  
23 building house, the production unit. There were no production  
24 units.

25 [13.50.32]



1 Q. If I understood your testimony well this morning, you -- and  
2 yesterday, as well, you said that when you left this production  
3 unit, it was to go <to> S-21; is that correct?

4 A. That is correct. After working at the production unit, I was  
5 transferred to S-21.

6 Q. And when you were transferred to S-21, was Dam still the head  
7 of the production unit of <these> traditional <medicines>?

8 A. Yes, he was still in charge of it -- in charge of the  
9 production unit, producing <> medicines at that location.

10 [13.51.43]

11 Q. Now, I would like to speak about the moment when you saw Dam  
12 again. I understood that you saw him again when he arrived as a  
13 prisoner at S-21; so did I understand your testimony properly?

14 A. He was there for quite a period of time and after my  
15 departure, for three months or four months, he <was detained in a  
16 room at> the centre where he was shackled or cuffed, from my  
17 observation.

18 Q. I understood that you said that he arrived after your  
19 departure, so are you speaking about the departure of your  
20 production unit; is that correct? So, he arrived at S-21 three to  
21 four months after you had left the production unit; is that what  
22 I must understand?

23 A. That is correct. He was detained at S-21.

24 Q. So my question now is <if you knew, and> how did you know  
25 <why> he was detained at S-21?

1 A. I did not know at the time. I didn't know what happened to him  
2 and, as a result, he was sent for detention at that centre. And I  
3 knew him since I was working with him before and he was my chief  
4 of production unit. I was so concerned and afraid to see him in  
5 detention.

6 Q. So if I understood well, you do not know why he was detained  
7 at S-21; correct?

8 A. Correct. I saw his face at the prison.

9 [13.54.11]

10 Q. Another point of clarification I am requesting, you said,  
11 yesterday at around 3:26, to the  
12 national Co-Prosecutor, that at one point in time you were  
13 treating the battalion commanders and regiment commanders. <I did  
14 not understand> when you <treated> these people? Can you please  
15 be specific about that?

16 A. I treated commanders of -- a commander of a battalion or  
17 regiment and, in fact, <I was not the one who provided the  
18 treatment>. I helped another medic to insert the needle.

19 Q. And where did this happen? Was this at S-21?

20 A. It was outside S-21 in front of the gate. That was the house  
21 of that person.

22 Q. So you went to his home; is that what I must understand?

23 [13.55.42]

24 A. Yes, it was in his home. A medic could not insert the needle  
25 into that patient's vein, so I went to assist the medic. I was

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1 not the medic on <a> regular basis for that commander and I had  
2 other duties to perform.

3 Q. You said, specifically speaking, that there <were> two  
4 <infirmaries> at S-21. So if possible, I would like you to <once  
5 again> try to locate these <infirmaries>.

6 And, with the leave of Mr. President, and with the assistance of  
7 the Court officer, I would like to provide to the witness a  
8 photograph, which is the same photograph I gave to the other  
9 witness yesterday. This is part of document E3/9431; French, ERN  
10 00181450; English, 00198029; Khmer, 00181396.

11 MR. PRESIDENT:

12 Yes.

13 BY MS. GUISSSE:

14 Q. I would like you to look at this photograph, witness, and I  
15 would like you to tell us if you recognize the premises and if  
16 you can see the place on this photograph where the <infirmary> in  
17 which you were working back then <was located>?

18 A. There were three buildings -- there are three buildings in  
19 this photograph within the fence and at the front there was an  
20 office.

21 [13.58.37]

22 Q. When you say right in front you're speaking in front of which  
23 building? Normally, it's written in Khmer here.

24 So we see Building A, Building B, Building E; Building C and  
25 Building <D> which are indicated with arrows on this photograph.

1 So can you tell us which building you are speaking about when you  
2 say "right in front of me"?

3 A. There are three buildings located in the south and north and  
4 west. There is an office in this photograph opposite the gates.  
5 [13.59.32]

6 Q. Are you speaking about the building on the bottom left side of  
7 the photograph with a roof in orange shingles? Is that the  
8 building you were referring to?

9 A. Yes, the building with tile roof located close to the  
10 entrance. And <I used> that entrance to go into the compound so  
11 that I could deliver medicines there. That's correct, the  
12 building with the tile roof in front of that tiled building --  
13 tile roof building.

14 Q. And when you say that is a building is that where the  
15 <infirmary> was located?

16 A. The three buildings were the buildings which I went to go and  
17 treat prisoners, inside those buildings. And I used the entrance,  
18 as I said, to go inside the buildings and I delivered the  
19 medicines for the prisoners in those buildings.

20 Q. My specific question was whether the <infirmary> you refer to,  
21 and you talked <about> two <infirmaries> at S-21, is the building  
22 to the left of the photograph with <orange> tiles, the building  
23 that housed the <infirmary>? Or I didn't understand you  
24 correctly?

25 A. No, that is not correct. The <two infirmaries> were located

1 far away <to the south>, so about 400 or 500 metres away. So when  
2 sick -- when <medics> became sick, they were treated in a  
3 separate building which was located further away. <It was a  
4 concrete house where the medics were hospitalized when they got  
5 fever.>

6 [14.02.11]

7 Q. Should I understand from your testimony that you don't <see>  
8 the building in which you treated the detainees on the photograph  
9 you have before you?

10 A. No, there weren't.

11 Q. I would like us, now, to talk about something you said this  
12 morning. I do not know whether it was in answer to a question put  
13 to you by Judge Lavergne.

14 You talked of the existence of a medicine depot to which you  
15 didn't have access but which your boss had access to. Did I  
16 properly understand your testimony this morning, that is to say  
17 that it was a medicine depot somewhere?

18 [14.03.20]

19 A. Ordinary staff were not allowed to go inside that medicine  
20 depot. <A medicine depot must have existed> but, as I said, we  
21 were not allowed to get inside it. <I do not know where it was  
22 located.>

23 Q. When you said that such a depot did exist, is that something  
24 your boss, Try, told you about?

25 A. I did not know. What I knew was that there must have been a

1 medicine depot, but I did not know where it was located. I only  
2 knew that when we ran out of medicine he went out to get  
3 medicine.

4 Q. When you say he went out to get medicines are you talking  
5 <about> your boss or someone else?

6 A. Yes, <it> was my chiefs who went out to bring medicine for us  
7 to be used. <Try and Huor> brought medicine to <the medic house>  
8 so that we could distribute it further.

9 Q. Yesterday slightly <before> 15.46.04 you talked of the  
10 products you used to clean wounds and you talked of some  
11 antibiotics and a red liquid. My question to you is as follows.  
12 Were those antibiotics and the red liquid you used also provided  
13 to you by your chief?

14 A. Yes, I received them from my chief. He is the one who brought  
15 those medicines to us.

16 Q. Do you know where the antibiotics and the red liquid <came  
17 from>?

18 A. I did not know where they came from. I reported to him that we  
19 ran out of medicine to cure <prisoners> and then he went out and  
20 brought the medicine in, but I had no idea where he brought it  
21 from.

22 [14.06.42]

23 Q. Still with regards to medicines, during your interview with  
24 OCIJ investigators you talked of French medicines which were  
25 expired, and I am referring you to your statement, <E3/7673>; ERN

1 in French, <00305214>; ERN in Khmer, 00163713; and ERN in  
2 English, 00401873.

3 And the question that was put to you was as follows, and I quote;  
4 "According to you why did the Khmer Rouge not want to use the  
5 French medication?" And your answer was as follows; "Because most  
6 of the French medication that remained had expired and there was  
7 never any new medication coming in." End of quote.

8 My first question is as follows. How did you know that there were  
9 French medicines and, secondly, how did you know that they were  
10 expired?"

11 [14.08.07]

12 A. My team chief told us <not to use> the medicines <because  
13 they> were expired. He used a kind of Pe (phonetic) medicine  
14 mixing that powdered Pe (phonetic) medicine with <red> liquid to  
15 be used <> to clean the wound.

16 Q. When you say that he mixed powder and salted water, was that  
17 because the medicines had expired that he had to make such a  
18 mixture in order to have other types of medicines? Was it because  
19 those medicines you refer to had expired? Did I properly  
20 understand your testimony?

21 A. I think you got confused. The <saline> water <was> used for  
22 cleaning the wounds but the Pe (phonetic) medicine or antibiotic  
23 medicines were used to cure the wound.

24 Q. I am not sure I understood your answer when you talked of  
25 <"B"> medicines<, are> you <referring> to B1 and B<1>2 <that> you

1 <mentioned> to <this morning>?

2 A. The expired Pe (phonetic) medicine or antibiotic medicine were  
3 intended to be <mixed with the red liquid and> used for curing  
4 the wound. It's not Be (phonetic) -- it's not "B"; it's "P".

5 [14.10.23]

6 MR. PRESIDENT:

7 Do you know a medicine that in the old days they referred to it  
8 as penicillin?

9 MR. MAK SITHAM:

10 Yes, I knew penicillin but at that time they simply referred to  
11 it as Pe (phonetic) medicine.

12 BY MS. GUISSÉ:

13 Q. And was the penicillin a French medicine? Is that what you're  
14 saying?

15 A. Yes, penicillin was a French medicine. It was stored in  
16 bottles.

17 Q. And did you have the right to <make preparations from that>  
18 penicillin?

19 [14.11.30]

20 A. My <chief> ordered us to mix that powder with water and apply  
21 it on the wound so that the wound <would> heal <quickly>.

22 Q. Should I take it that there was a point in time when you no  
23 longer had that type of medicine, or <did you have> it throughout  
24 your stay at the medical production unit?

25 A. We had sufficient medicine for <cleaning the wounds>. We used



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1 it until the Vietnamese arrived, so we had enough. <At the time,  
2 all medics cleaned the wounds with saline water.>

3 Q. Generally speaking, you talked about the things you <had the  
4 right> to do as a simple care provider and acts that more  
5 experienced persons like your <boss> could carry out. I would  
6 like you to tell the Chamber<, since> you made a distinction  
7 between the <infirmary> for prisoners and the <infirmary> for  
8 staff members<,> I would like to know whether you <had contact>  
9 with those who were in charge of the staff.

10 A. I had no contact with them. Even during mealtime we were  
11 separated. We ate differently. We had no contact with each other.  
12 <We had different duties to perform.>

13 Q. Do you know or do you remember someone who was at S-21 who  
14 <may have been> a detainee? The person was a woman and she  
15 practiced acupuncture. Does that remind you of anything?

16 [14.14.02]

17 A. No, I cannot recall it.

18 Q. One last point. As a member of the medical unit did you attend  
19 political training sessions during which the situation at the  
20 battlefield was discussed?

21 A. Since I was based in the medic unit, I had only <group>  
22 meetings with a focus on our tasks, that is, medication. Our main  
23 focus was on treating and taking care of the sick <people>. And  
24 if <we were negligent in treating the patients,> we would face  
25 imprisonment.

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1 So, yes, I focused only on treating and distributing medicines. I  
2 did not participate in any other meetings as the one we just  
3 referred to.

4 [14.15.29]

5 MS. GUISSÉ:

6 Mr. President, I am done with my examination of the witness.

7 MR. KOPPE:

8 Yes, Mr. President, I still owe you the Khmer ERNs and the French  
9 ones of E3/5766, the part that Duch -- in which Duch talks about  
10 the risk of epidemics. Khmer is 0165427 et 28; French, 00165445.  
11 Thank you.

12 MR. PRESIDENT:

13 Thank you.

14 The Chamber would like to thank you, Mr. Mak Sithim. The hearing  
15 of your testimony as a witness is now concluded. Your testimony  
16 may contribute to ascertaining the truth in this case.

17 Your presence in this courtroom is no longer required and you may  
18 be excused. The Chamber wishes you all the best.

19 And the Chamber also would like to thank Moeurn Savann, the duty  
20 counsel. Your presence in this courtroom is also no longer  
21 required and you may also be excused.

22 Court officer, in collaboration with WESU, please make necessary  
23 transport arrangements to send the witness to wherever he wishes  
24 to go.

25 And after the short break the Chamber will hear the testimony of

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1 witness 2-TCW-906.

2 We will take a short break from now until 2.40.

3 The Court is now in recess.

4 (Court recesses from 1417H to 1437H)

5 MR. PRESIDENT:

6 Please be seated. The Court is now back in session. Before  
7 inviting the witness into the courtroom the Chamber would like to  
8 correct the oral ruling of the Chamber.

9 So on point number 3 of the oral ruling, 2-TCW-808 should not  
10 have been mentioned because the request had nothing to do with  
11 witness <2-TCW-808>.

12 The Chamber issued the oral ruling this morning and now the  
13 Chamber would like to have a correction by removing 2-TCW-808,  
14 because that witness was not mentioned in the request of the  
15 Defence.

16 And now the Chamber invites the witness <2-TCW-906 and the duty  
17 counsel> into the courtroom.

18 (Witness enters courtroom)

19 [14.41.18]

20 QUESTIONING BY THE PRESIDENT:

21 Good afternoon, Mr. Witness.

22 Duty counsel, you are instructed to move the microphone a little  
23 bit closer to the witness but not too close to him.

24 Mr. Witness, what is your name?

25 MR. HIM HUY:

1 A. My name is Him Huy.

2 Q. Him Huy or Hem Huy (phonetic)?

3 A. Mr. President, my name is Him Huy; Him Huy.

4 Q. Him Huy. Mr. Him Huy, when were you born?

5 [14.42.10]

6 A. I cannot recall the date and the month. I can only recall the  
7 year that was in 1955, that I was born.

8 Q. And where is your birthplace, place of birth, rather?

9 A. I was born in Kbal Chrouy village, Pouthi Ban subdistrict,  
10 Kaoh Thum district, Kandal province.

11 Q. And what about your current address? Where are you living?

12 A. Currently I am living in Anlong Sant village, Preaek Sdei  
13 subdistrict, Kaoh Thum district, Kandal province.

14 Q. Thank you. What are your parents' names?

15 A. My father's name is You Him and my mother's Seam Cheu.

16 [14.43.10]

17 Q. What about your wife? What is her name and how many children  
18 do you have?

19 A. My wife's name is Puth Peng Aun and I have nine children.

20 Q. Thank you, Mr. Him Huy.

21 Based on the report of the greffier, to the best of your  
22 knowledge you have no relationship by blood or by law to any of  
23 the two Accused or to any of the civil parties admitted in this  
24 case. Is that report correct?

25 My question to you is that this morning you were asked by the

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1 greffier and the greffier made a report to the <Chamber> that, to  
2 the best of your knowledge, you have no relationship, meaning  
3 that you have no relatives or in-laws related to any of the two  
4 Accused, Nuon Chea or Khieu Samphan, or to any of the civil  
5 parties admitted in this case. Is the report correct?

6 A. That is correct, Mr. President.

7 Q. Thank you. Have you already taken an oath before the Iron Club  
8 statue to the east of this courtroom already?

9 A. I already took an oath, Mr. President.

10 [14.44.45]

11 Q. Thank you, Mr. Him Huy. I am now informing you of your rights  
12 and obligations before the Chamber.

13 Your rights as a witness, Mr. Him Huy, in the proceedings before  
14 the Chamber: You may refuse to respond to any question or to make  
15 any comment which may incriminate you; right against  
16 self-incrimination.

17 Your obligations, Mr. Him Huy, as a witness <is to> respond to  
18 any questions by the Bench or relevant parties except where your  
19 response or comments to those questions may incriminate you<,> as  
20 the Chamber has just informed you of your rights as a witness.

21 You as a witness must also tell the truth that you have known,  
22 heard, seen, remembered, experienced or observed directly about  
23 any event or occurrence relevant to the questions that the Bench  
24 or parties pose to you.

25 Mr. Him Huy, have you ever been interviewed or have you ever

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1 provided interviews to the OCIJ of the ECCC so far? And if that  
2 happened, how many times did they take place and where?

3 [14.46.15]

4 A. I provided the statement at the Tribunal and at Sampov Puon  
5 (phonetic) <commune> on one occasion and I gave that interview to  
6 the investigator.

7 Q. How many times did you provide the statements to the  
8 investigators?

9 A. Perhaps three times. I provided three statements, Mr.  
10 President.

11 Q. Thank you. Before your appearance have you reviewed or did  
12 somebody read the written records of the interview that you  
13 provided to investigators of the ECCC OCIJ to refresh your  
14 memory?

15 A. I read some. Now, I am wearing glasses and I cannot spend much  
16 time reading the letters <since I had a head injury>.

17 Q. Can you tell the Chamber if the written records of those  
18 interviews are consistent with what you told the investigators of  
19 the OCIJ that you said you provided three statements to them?

20 A. They are consistent.

21 [14.47.47]

22 Q. Thank you. In accordance with Internal Rule 91 bis of the  
23 ECCC, the floor is first given to the Co-Prosecutors before other  
24 parties to this case. The Co-Prosecutors and civil -- Co Lead  
25 Lawyers for civil parties have four sessions to question this

1 witness.

2 You can now take the floor.

3 QUESTIONING BY MR. FARR:

4 Thank you, Mr. President.

5 Good morning, Your Honours; good morning, counsel. And good  
6 morning to you -- sorry, good afternoon to you. Apologies, Mr.  
7 Him Huy.

8 Q. Can I start by directing your attention to the period after  
9 the fall of Phnom Penh and can you tell us what location you were  
10 assigned to and what you did following the fall of Phnom Penh in  
11 1975?

12 [14.48.51]

13 MR. HIM HUY:

14 A. After the fall of Phnom Penh in 1975, my unit was based in  
15 Takhmau. Later on, I worked the field -- after I worked the field  
16 at that location. <In '76, I was told that I would be transferred  
17 to the> marine forces and I was afraid to be part of the marine  
18 or navy, army -- because I was afraid of crocodiles and I could  
19 not swim.

20 And <at 8 p.m.>, I was <transported to Tuol Sleng, and they said  
21 that I was in trouble>. I did not know <what kind of trouble I  
22 was in,> and they told me that I would have known after I was  
23 there. <During the war time,> I used to <flee> -- I <fled> to my  
24 house on three occasions and <I went to Serei (phonetic) school  
25 on two occasions. Later on, on 16th April, I let a colonel of Lon

1 Nol soldiers of artillery 155 flee with his child at> Preaek

2 Kampis <, Preaek Thloeng> --

3 MR. PRESIDENT:

4 Mr. Witness, please do not answer what you are not asked. Please

5 only answer to the limit of the questions which are going to be

6 put to you. Listen to the question carefully before you provide

7 your answer. You will be bombarded by questions by other parties. As

8 you -- as far as you are concerned in the previous Court

9 proceedings, there were many questions put to you by parties.

10 And, again, please listen carefully to the questions before you

11 give the answers. And if you do not get the question, well, you

12 can ask the questioner to repeat those questions to you and

13 please answer to the limit of the questions to be put to you.

14 Do you understand that, Mr. Witness?

15 [14.50.56]

16 MR. HIM HUY:

17 A. Yes.

18 BY MR. FARR:

19 Q. I would like not to read you something that you said during

20 your testimony in Case 001, the last time you testified at this

21 Court, and this is E3/7461 just after 9.32 in the morning.

22 And you said, quote:

23 "After the fall of 1975, our unit was asked to work to build

24 dikes at the electricity department somewhere near Chak Angrae.

25 Later on we were sent to work as rice farmers at Preaek Chrov and



1 we mainly worked with farming."

2 So do you recall the work that you described, started with the  
3 building of dikes at the electricity department? Do you recall  
4 doing that work and how long -- how many days, weeks or months  
5 did that work last?

6 A. First, I worked at a location behind the electricity  
7 department at Chak Angrae. I built dykes <and there was nothing  
8 but a hoe to work with. At about 7 a.m., I cooked rice, and then>  
9 I went from Phsar Thmei by bike. I worked from the morning until  
10 11.00 and from 2.00 up to 5 p.m., and later on I was sent to  
11 Preaek Chrov at Takhmau. I was there working the field and also  
12 sowing the seeds, the rice seeds.

13 And after the harvest season, during the rainy season, I was  
14 <told that I would be> transferred to the marine unit. And <they  
15 came to> Phsar Thmei, <and at about 8 p.m.,> I was further  
16 transferred to S-21.

17 [14.53.08]

18 Q. Okay. And so now all of the -- all of the work that you have  
19 just described to us, your time at Chak Angrae, then at Preaek  
20 Chrov and then in the marines, do you know how many months that  
21 lasted in total or a year if it was more than a year; just how  
22 long it lasted?

23 A. That lasted from 1975 up to 1976, before I was removed. I at  
24 -- on one occasion was hospitalized in a locality before I was  
25 sent to my unit.

1 I was working the field or harvesting rice between 1975 and 1976  
2 before I was relocated to another location.

3 Q. Thank you. And that was the thrust of my question. So, you  
4 just mentioned that you were working for '75 and '76, and then  
5 that you were transferred to S-21. Do you know what part of the  
6 year in 1976, you were transferred to S-21? Do you know the  
7 month? If not the month was it the beginning, the middle, the end  
8 of the year?

9 [14.54.41]

10 A. I cannot recall it.

11 Q. In your Case 001 testimony, this is, E3/7461, at 9.35 in the  
12 morning, you said, quote, "By late 1976, I think at the time, I  
13 came into Phnom Penh to work at S-21."

14 Does that refresh your memory? Was it in fact late 1976, or are  
15 you unable to say?

16 A. My memory is not good. It happened in 1976, to my  
17 recollection.

18 Q. Can you tell us who was it that told you that you were going  
19 to be transferred to S-21?

20 A. Hor, the stunt guy -- the short guy, commander of my battalion  
21 or regiment, told me about that.

22 Q. There has been evidence in this case that a person named Hor  
23 was the deputy of Duch at S-21. Is this the same Hor or are you  
24 talking about a different person?

25 A. There was only Hor, <a commander of battalion or regiment>.

1 Q. So the person who informed you of your transfer was the same  
2 person who was also Duch's deputy; is that correct?

3 A. That was <Duch's deputy>, Ta Hor <who was blind in one eye>.  
4 [14.56.52]

5 Q. Okay. And I just want to make sure I am understanding you, so  
6 let me ask it this way. Was the person who told you, you were  
7 going to transfer to S-21, the same person who also served as  
8 Duch's deputy?

9 A. That was that Hor; Hor the part of regiment or battalion. At  
10 the time I was so concerned <with> myself about the transfer of  
11 me to S-21, Ta Hor took me to that location.

12 Q. And when he took you to that location did he bring anyone else  
13 along with you or was it just the two of you who travelled there?  
14 [14.57.51]

15 A. He <took> me on a bicycle at the time. There were only two of  
16 us.

17 Q. And I want to make sure that I understand the place you are  
18 talking about when you say S-21. Can you tell us what location  
19 Hor took you to on that bicycle?

20 A. It was the location outside of S-21 compound where I arrived.  
21 It was at nighttime <when I was transported there,> perhaps 8  
22 p.m. at night, at 8 p.m.

23 Q. You were asked about this as well in your Case 001 testimony,  
24 E3/7461, at about 9:35 a.m. and you were asked about the location  
25 of the complex and you said, quote:

1 "Now, the office is named Tuol Sleng".

2 Question: "Is it the Tuol Sleng Museum?"

3 Answer: "Yes, there it is."

4 So is that correct? Are we referring to the location where the  
5 Tuol Sleng Museum is now located?

6 A. Yes, that compound <and> the surrounding areas were called  
7 Tuol Sleng.

8 Q. And do you happen to know the buildings, do you know what they  
9 were used for before and do you know what the name of the  
10 institution was before it became S-21?

11 A. I did not know <about> before but it was once the school  
12 building, the school building of the former regime and after  
13 that, later on, it was turned into the prison building.

14 [15.00.10]

15 Q. I want to -- I want to ask you now about something that Duch  
16 himself said about this location during Case 001. This is  
17 E3/5792, and this is at 11.18 in the morning.

18 So, Duch was talking about the location of S-21 and what he is,  
19 quote; "Therefore, I relocated the office from the corner of 360  
20 and 163 to the Pohnea Yat college compound. It was about in March  
21 or April of 1976."

22 Do you remember ever hearing that name, Pohnea Yat, as the name  
23 of the high school or college that had been in that location?

24 A. No, I do not know. I knew only that particular location.

25 [15.01.25]

1 Q. And after your arrival at S-21 did you ever hear anyone refer  
2 to any former locations of S-21, any previous locations?

3 A. Later on, it was referred to as Tuol Svay Prey High School.

4 Q. Okay. I would like to return now to the day that you arrived  
5 at S-21. You have told us that Hor brought you on a bicycle. I  
6 think you said you arrived in the evening.

7 Can you tell us just in brief terms what happened on your  
8 arrival? Did anyone speak to you? Where did you sleep that night  
9 and what was your -- what was your first assignment?

10 A. Upon my arrival I met guards and I spent a few days there. And  
11 when some more forces were withdrawn from Division 703 then I was  
12 <assigned to be a> guard.

13 Later on, cadres from divisions were arrested and brought to the  
14 prison and some messengers were also brought in and they  
15 established a messenger unit and I was also part of that  
16 messenger unit.

17 Q. You just mentioned the withdrawal of some forces from Division  
18 703. Can you tell us just very briefly about that?

19 [15.03.39]

20 A. Let me clarify. Some combatants were withdrawn from Division  
21 703, under the terms of borrowing <forces> from the division <to  
22 guard there,> and the forces would be returned to the division;  
23 <that's what Ta Nat, who was part of the division, said>.

24 Later on some of the forces were arrested and -- including the  
25 messenger -- and those forces were not returned to their former

1 <unit>. Instead, <> they <were> formed <into groups, units and  
2 others, including the guard unit and> the messenger unit.

3 Q. You said that forces were borrowed from Division 703. Who were  
4 they given to? Who were they reassigned to?

5 A. I was not aware of this. But initially I noticed that there  
6 were so-called <100-member> <Units> and they were formed into  
7 <units or> groups which <were> tasked to guard both inside and  
8 outside the compound.

9 Q. I want to ask you now a little bit about the layout of S-21.  
10 So, other than the buildings of the high school itself where the  
11 museum is now, were any other buildings nearby used by S-21?

12 [15.05.33]

13 A. The areas surrounding the compound were <large>. The <school>  
14 buildings within the compound <were> to hold prisoners.<> The  
15 interrogation <facility was to the east of the prison. The guard  
16 post> was outside the compound, <and they stood guard outside  
17 surrounding the compound>.

18 Q. And in addition to the high school buildings were there any  
19 primary school buildings nearby?

20 A. There was only one location.

21 Q. You have told us that the buildings around the high school  
22 compound were also used by S-21. Can you give us some idea of the  
23 boundary of the area that was controlled by S-21 as far as you  
24 know?

25 A. From the east, it bordered with the big road. From <the>

1 Chinese hospital -- from the north border with the Chinese  
2 hospital and to the west, it bordered with another road. And to  
3 the south, it bordered with the area close to Tuol Tumpung  
4 Pagoda.

5 Q. And where were you personally accommodated? Where did you  
6 sleep? Where did you eat your meals?

7 A. Initially I was based to the south of the -- in the south of  
8 the compound. And later on I was reposted to a place to receive  
9 the prisoners <at the Beehive radio station> close to the sewage  
10 canal <to the east>. I was in charge of raising some ducks there  
11 and also look after some vehicles there.

12 [15.08.04]

13 Q. The place where you were reposted to receive prisoners, in one  
14 of your witness statements, this is, E3/5155; English, 00161588;  
15 French, 00148081; Khmer, 00146636; you said that your house was  
16 located at the present Sambok Khmum radio station. Is that  
17 correct as to the location of your house?

18 A. Yes, that is correct. We were assigned to base there and  
19 <there was> radio communication there. Our <> tasks were to  
20 receive prisoners who were brought in, <to> look after vehicles,  
21 <to guard the radio communication and to transport the prisoners  
22 who were brought in there>.

23 Q. So during the time that you were posted at that location, how  
24 often would you go inside the compound, the high school compound  
25 and for what reasons?

1 [15.09.45]

2 A. <That was> for cadres who transported prisoners to Choeung Ek  
3 or who went out to arrest people, I, myself, went into the  
4 compound only a few times because one of my legs is disabled. So  
5 I could not go up the <stairs> of the building. <Mostly, I was  
6 outside.>

7 Q. You mentioned prisoners being held inside the high school  
8 compound. Do you -- are you aware of any prisoners being held  
9 outside the high school compound?

10 A. Prisoners were initially detained outside the compound <to the  
11 south of that high school>. And later on they were gathered up  
12 and sent inside the compound, <later on, the house was reserved  
13 for the guards and messengers to stay in.>

14 Q. I think you mentioned earlier that interrogations took place  
15 in houses outside the compound, can you tell us how you know  
16 that? How did you know that the interrogations took place in  
17 those houses?

18 A. When prisoners were brought in, they were walked to the east  
19 <until they almost reached the sewage canal and at that location,  
20 there were> the houses where the interrogators lived.

21 Q. And did you personally see that? Did you see prisoners being  
22 walked to the houses where the interrogators lived?

23 [15.11.55]

24 A. When I walked prisoners from my place to that building <inside  
25 the compound, to Bong Thy's place>, I also witnessed prisoners



1 being walked from the prison to the <east> for interrogation.

2 Q. Were you aware of any locations, either inside the high school  
3 compound or in the surrounding neighbourhood, where people were  
4 killed? And if so, can you describe those locations?

5 A. There was <only> the interrogation place. If people were to be  
6 killed, they would be killed to the west of the prison compound.

7 Q. And when you say to the west of the prison compound what kind  
8 of place was that? Was it a house, was it a field; was it a  
9 ditch? What was the killing location there to the west of the  
10 compound?

11 [15.13.19]

12 A. At that time there were no houses there. It <was> an open  
13 space. So, pits were dug to bury the <prisoners who were> killed.

14 Q. And do you know who it was that dug those pits that the killed  
15 prisoners were put into?

16 A. It was Peng, the chief of the guards together with <the inside  
17 guards>. I cannot recall all of them. It was the guard unit and  
18 <Ta Hor assigned those guards to take the prisoners to that place  
19 to be killed, and> Duch was the one who designated that place for  
20 burying the killed prisoners.

21 Q. How do you know that it was Duch who designated that place for  
22 burying the prisoners who were killed?

23 A. Because Duch was the chief of the prison and his orders were  
24 relayed to -- through Hor and Hor relayed it further to Peng,  
25 <and Peng's group dug the pits and killed the prisoners.>.

1 Q. You have mentioned that Peng and his men were the ones who dug  
2 the pits. Who actually killed the prisoners that were killed in  
3 that field to the west of the high school compound?

4 A. It was the unit of 100 men <or the group chiefs of the guard  
5 unit>.

6 Q. And can you tell us, who was the commander of this unit of 100  
7 men?

8 [15.15.34]

9 A. The main chief was Peng and then his deputy was Phal. And Phal  
10 later on was transferred to be the chief of Prey Sar <after Huy  
11 had been arrested>.

12 Q. You just referred to that as the unit of 100 men. Maybe it's  
13 an obvious question but were there in fact 100 men in that unit  
14 under Peng and Phal?

15 A. There were more than 100 men, including messengers and guards  
16 in the unit.

17 Q. Were you and your men part of that 100-man unit?

18 A. Yes, we were part of that unit. The guard section was part of  
19 the unit.

20 [15.16.48]

21 Q. And when these killings took place in the field to the west of  
22 the high school compound, what time of day would they generally  
23 take place, or did it vary?

24 A. Prisoners were normally taken out to be killed at around 8 and  
25 9 p.m.

1 Q. And can you tell us how often prisoners were killed at this  
2 field next to the S-21 compound? Was it every day? Was it once a  
3 week? Was it twice a month? Are you able to estimate the  
4 frequency with which that happened?

5 A. It <was> not frequent. It happened once every one week or two  
6 weeks, only after the prisoners gave their full confessions to  
7 the interrogators.

8 Q. And what makes you say that? Why do you say that the prisoners  
9 were killed after they gave full confessions to the  
10 interrogators? How do you know that?

11 A. I knew it through Thy who was in charge of holding the  
12 prisoners' list.

13 Q. So you have mentioned that this happened perhaps once a week  
14 or once every two weeks. Do you know how many prisoners would be  
15 killed on average on each occasion or is it something that  
16 varied?

17 A. It's more than 50, close to 100 each time.

18 [15.19.12]

19 Q. And for how long did that continue, these killings of 50 to  
20 100 people once every week or once every two weeks at that  
21 location, at the location to the west of the high school  
22 compound?

23 A. As I said earlier, once every two weeks or more than that. It  
24 depended on whether the prisoners had already given full  
25 confessions, <and Duch decided on that>.

1 Q. Do you know whether there was a particular category of  
2 prisoners that was killed in the location or was it just -- could  
3 it be anyone imprisoned at S-21?

4 A. I do not know. It was not my task so I was not <very> aware of  
5 the details.

6 Q. I'll just follow up on that. Did you or anyone under your  
7 command participate in those killings at that location, that is,  
8 the location to the west of the high school compound?

9 [15.20.46]

10 MR. PRESIDENT:

11 I noticed the duty counsel rise on his feet.

12 MR. MAM RITHEA:

13 Mr. President, this is an incrimination question, so I would like  
14 to seek your permission for giving consultation to my client.

15 (Short pause)

16 [15.21.58]

17 MR. PRESIDENT:

18 Mr. Witness, you may proceed to answer this question. And please  
19 adjust the microphone close to him.

20 MR. HIM HUY:

21 A. At that time Peng, who was in charge of the guards inside the  
22 compound, was the unit that was responsible for doing that.

23 As for <the> team <under my supervision>, we were mainly tasked  
24 to -- just to receive the prisoners who were brought into the  
25 <location where I was posted>.

1 [15.22.47]

2 BY MR. FARR:

3 Q. So, other than this field to the west of the high school  
4 compound, are you aware of any other locations in that  
5 neighbourhood, that is, in or near the high school compound that  
6 were used as killing or burial sites?

7 MR. HIM HUY:

8 A. Also to the south of the compound, there was also a burial  
9 site. It was about 100 metres away. It was to the south, yes. It  
10 was also a burial site.

11 [15.23.33]

12 Q. And can you tell us who it was that killed the prisoners who  
13 were killed at that location to the south of the compound?

14 A. Yes, it was the unit in charge of guarding the internal area  
15 of the compound. It was under Peng. Usually they took prisoners  
16 out to be killed at nighttime. I did not have any business to go  
17 and observe at nighttime like that.

18 Q. Do you have any way of knowing whether killings were more  
19 frequent at the compound -- at the field to the west of the  
20 compound or at the site to the south of the compound?

21 A. Yes, they were the same.

22 Q. And do you know why two locations were used? In other words,  
23 why were people killed both to the west and the south rather than  
24 in just one location; if you know?

25 A. I do not know.

1 Q. Okay. So you have mentioned a location to the west of the high  
2 school, a location to the south of the high school. Were there  
3 any other locations in or near the high school compound where  
4 people were killed and buried, to your knowledge?

5 A. There <was> nowhere else. Later on prisoners were sent out to  
6 Choeung Ek.

7 [15.25.39]

8 Q. Okay. And let's actually turn to a discussion of Choeung Ek  
9 now. Can you tell us where it was located and about how long it  
10 would take to get there from the S-21 compound in Tuol Sleng?

11 A. From Tuol Sleng to Choeung Ek, it took about half an hour.

12 Q. And I think you just said that -- I think your words were  
13 later on executions were carried out at Tuol Sleng. Is that what  
14 you just told us?

15 A. Yes, that is correct.

16 Q. And are you able to estimate approximately when executions  
17 started happening at Choeung Ek, either the year or how long it  
18 was after your arrival at S-21?

19 [15.27.09]

20 A. It was in 1977-1978, and it lasted until the Vietnamese  
21 arrived until the fall of the regime in 1979.

22 Q. Do you know what part of the year in 1977 it started?

23 A. It was both rainy season and dry season. It did not happen in  
24 any specific season.

25 Q. My question was actually do you know, in what part of 1977,

1 the first killings started to take place at Choeung Ek; in other  
2 words, at what part of the year was that operation set up, if you  
3 will? Was it at the beginning of 1977? Was it the middle of 1977?  
4 Was it towards the end or are you not able to be more specific?

5 A. I cannot recall that.

6 Q. Okay. Can you tell us whether there were people stationed  
7 permanently at Choeung Ek and if so who their commander was?

8 A. When prisoners were sent out to be executed, <they also  
9 transported wood to build a house> there and then they assigned a  
10 team led by Teng to be based there <to dig the pits and kill the  
11 prisoners>.

12 Q. And can you tell us how many people were in the team under  
13 Teng?

14 A. There were between nine and 10 men.

15 Q. Do you remember the family name of Teng?

16 A. I cannot recall his surname. We only addressed him Brother  
17 Teng.

18 [15.29.42]

19 Q. We had a witness in this case testify to the name Tuy Teng or  
20 Tay Teng. I'm not sure I am pronouncing that right but does that  
21 refresh your memory as to his family name?

22 A. I do not know about his biography. I called him Brother Teng  
23 and that was it.

24 Q. Okay. Can you tell us who appointed Brother Teng and who he  
25 reported to?

1 A. Let me tell you, Ta Hor assigned him to that location. Ta Hor  
2 was <Peng's> superior. He was one of the commanders at Tuol Sleng  
3 and the first man at S-21 was Duch. Duch gathered forces and  
4 those forces were sent to that location.

5 [15.30.56]

6 Q. Did you have any kind of authority over Teng? Did you  
7 supervise him in any way?

8 A. I had authority over a group of mine and that group, the group  
9 you mentioned was under supervision of Teng.

10 However, when I transported the prisoners<,> if one prisoner was  
11 gone, I would ask Hor to go and see Teng about that -- the case.

12 On one occasion, one prisoner <from Division 703> was gone. And  
13 at the time, <my team and> I <were> invited to a meeting to  
14 discuss what was the reason of the disappearance of that  
15 prisoner. That prisoner fled while he was tied to a string and I  
16 was <accused of conspiring to release> that prisoner.

17 Q. I just want to read you something. This is from of a record of  
18 a witness confrontation. This occurred on the 28th of February  
19 2008, and you were present along with Tay Teng, several other  
20 witnesses and Duch. This was two days after you had all made a  
21 visit to Choeng Ek as a crime scene reconstruction.

22 And this is one of the things that you are recorded as saying in  
23 that record of confrontation. So this is you speaking, quote:

24 "Hor ordered me to designate someone to meet and guard the  
25 prisoners at Choeng Ek. Tay Teng's group was in charge of that.



1 It was made up of eight persons and had to dig graves and execute  
2 prisoners."

3 So is that correct? Did you have a role in designating Tay Teng  
4 as being the person in charge at Choeung Ek?

5 [15.33.33]

6 A. No, I had no authority to assign Tay Teng. <Ta Hor assigned me  
7 to be a> provisional <deputy of a 100-men unit> and <I was in  
8 charge of a team> to receive <and transport> the prisoners.  
9 During the time of the killings, <it was either> Duch <or> Hor  
10 <or> Peng or Phal, <who> went <there>.

11 I was in charge of the team and Sry (phonetic) <who was part of>  
12 the 100-men unit <> was also in charge of <a messengers unit>.

13 Q. Okay. And just so we are clear, can you tell us, did you, as  
14 part of your job, go to Choeung Ek and if so for what purpose?  
15 What were you doing when you went to Choeung Ek?

16 A. When I went to Choeung Ek, I was in charge of taking care of  
17 the vehicles and in charge of transporting prisoners. I was to  
18 record the names of the prisoners and after that the report would  
19 be sent back to Suos Thy. And if one prisoner was gone from the  
20 list, I would be responsible for that --for the tasks of  
21 transporting prisoners. And Hor was in charge of the force doing  
22 the job.

23 Q. Okay. I'd like to turn now to the location of Prey Sar. Can  
24 you tell us where that was and approximately how far it was both  
25 from Choeung Ek and from the S-21 compound in Tuol Sleng?

1 A. Prey Sar extended from the location where I worked at Choeung  
2 Ek and it reached the west of Prey Sar prison. And for the east  
3 and the south, perhaps it reached the stream or the river.

4 Q. So just to make sure I understand you correctly, you are  
5 saying that Prey Sar was in fact immediately adjacent to Choeung  
6 Ek. Well, it was a large site but part of it was immediately  
7 adjacent to Choeung Ek; is that correct?

8 A. I was in a location at Choeung Ek and that location <belonged>  
9 to 703. When the 703 left <to fight the Vietnamese>, the cattle  
10 in the field were left under the responsibility of my group.  
11 Later on then the cattle in the field belonged to 703, were  
12 transferred to be under the responsibility of S-21.

13 [15.37.02]

14 Q. Again, let me just make I understood that. You said that Prey  
15 Sar was originally under the authority of 703 and then was  
16 transferred to be under the authority of S-21; is that correct?

17 A. That is correct.

18 Q. And can you tell us what Prey Sar was used for when it was  
19 under the command of S-21? What was the purpose of it?

20 A. It was for producing rice.

21 Q. And can you tell us who was working there at Prey Sar and why  
22 were they working at Prey Sar?

23 A. I do not get your question. Could you repeat it?

24 [15.38.13]

25 Q. I think I will actually just read you something from one of

1 your WRIs and see if this helps. This is E3/5155; English,  
2 00161589; Khmer, 00146673; French, 00148081. And you say, quote,  
3 "There were removals from S-21 to farm --  
4 [15.38.48]

5 MR. PRESIDENT:

6 Please hold on.

7 You have the floor first, Koppe.

8 MR. KOPPE:

9 Yes, thank you, Mr. President. I think that this particular  
10 question should be asked first in an open manner, maybe  
11 rephrasing but not immediately going to the excerpt because the  
12 answer to the open question I find particularly interesting. So I  
13 think he should re-try with this question.

14 BY MR. FARR:

15 I'll try again, Mr. President.

16 Q. Were people ever sent from S-21 to Prey Sar and, if so, why?

17 [15.39.36]

18 MR. HIM HUY:

19 A. They were from their own units and then arrived at S-21.  
20 However, they were not put directly into the compound of the  
21 prison. They were -- they stopped at the main road and I was then  
22 asked to send those prisoners to <Brother Huy at> Prey Sar to  
23 work the field. Those people were accused of having committed  
24 mistakes or <fraud>. That's why they were removed from their  
25 units.

1 Q. So when you say they were removed from their units you are  
2 referring to people who did not work for S-21 at the time they  
3 were sent to Prey Sar; is that correct?

4 [15.40.25]

5 A. Those who had been removed from their units, they were put  
6 temporarily on one main road and then <S-21> staff would  
7 transport them to Prey Sar to work the field <to be refashioned>.  
8 The people who had been just removed at the time were accused of  
9 having committed mistakes.

10 Q. And I think you just said this, but correct me if I'm wrong:  
11 The people who were sent to Prey Sar did not enter the S-21  
12 compound before being sent to Prey Sar. Is that correct?

13 A. Yes, that is correct.

14 Q. Was anyone ever sent from Prey Sar to S-21?

15 A. Yes. S-21 staff members <and as well as members of 100-men  
16 unit> were removed and reassigned to work at the field and those  
17 people at the field were sent back -- were arrested and sent back  
18 to S-21.

19 Q. And what happened to those people after they were arrested and  
20 sent back to S-21, if you know?

21 A. I do not know.

22 Q. Who was in charge of Prey Sar?

23 A. I told you already, Big Huy together with Phal, the 100-member  
24 unit chief.

25 Q. And who did Big Huy report to?

1 MR. PRESIDENT:

2 Please hold on.

3 You can take the floor now, Koppe.

4 [15.42.43]

5 MR. KOPPE:

6 Thank you, Mr. President.

7 I don't object to the question in itself. There were other  
8 questions to that same effect.

9 The problem, and that is actually why I am rising, Mr. President,  
10 the problem I believe with this witness is that he mixes all  
11 kinds of post-'79 knowledge, either acquired by his involvement  
12 in a trial where he was convicted; either by his involvement in  
13 films, either by his involvement in this trial with his knowledge  
14 pre-'79.

15 So I think, particularly with this witness who offers all kinds  
16 of information on all kinds of things, should be questioned very  
17 specifically as to what he knew at the time.

18 He is correct about the chain of command but I am quite convinced  
19 that he doesn't have it from his knowledge then but from his  
20 knowledge post.

21 So I think the Prosecution should be very careful in asking these  
22 questions.

23 [15.43.54]

24 BY MR. FARR:

25 I'll try to rephrase my question, Mr. President.

1 Mr. Witness, at the time you were working at S-21, did you know  
2 who the commander of Big Huy was and if so, how did you know?

3 MR. HIM HUY:

4 A. As I told you, Duch was the principal chief in charge of Huy  
5 at S-21.

6 Q. And how do you -- how do you know that?

7 A. I learned it through the assignment of tasks as Huy was the  
8 member of S-21. Hor was the deputy of S-21 and Duch was the chief  
9 of S-21. I learned it through the hierarchy of that compound.

10 [15.45.08]

11 Q. And just to be clear, is the hierarchy of that compound  
12 something that you knew at the time you worked there?

13 A. I learned back then.

14 Q. Was Nun Huy also sometimes called by another name or by a  
15 nickname and if so what was it?

16 A. I do not know about that. I know only people -- his name Huy.

17 Q. Did you ever hear anyone referred to as Huy Sre?

18 A. That was considered the nickname of people working at a  
19 specific location. For example, Huy working at the field, he was  
20 referring to a Huy Sre and I, Huy at S-21. And since I was small,  
21 I was referred to as "Small Huy".

22 Q. Did you ever learn about Huy Sre or people under his command  
23 killing anyone including specifically children?

24 A. I do not know about that.

25 Q. And can you tell us, did you ever go to Prey Sar and, if so,

100

1 why did you go and what did you do there?

2 A. When I went to Prey Sar my group was reassigned to work at  
3 Prey Sar from Tuol Sleng to carry earth and to build a dam to  
4 prevent floods. I was there with -- working with Huy together  
5 with other groups <for several days and nights>. And <when> the  
6 floods happened at that location, <we were sent back>.

7 And on another occasion <during the dry season>, I went to Prey  
8 Sar to dig dikes and build dams.

9 And one day I was asked to <go> collect the prisoners at Prey Sar  
10 but midway my car turned upside down. <It fell in the water and  
11 it broke down>.

12 Q. When you -- on that occasion when you had been asked to  
13 collect prisoners at Prey Sar where were you supposed to be  
14 taking them, on that day that your car turned upside down?

15 A. I was told to get those prisoners to Choeng Ek, but on the  
16 way to Huy's house, the car turned over.

17 Q. And were those prisoners being brought to Choeng Ek to be  
18 executed?

19 [15.49.05]

20 A. They were sent from that location to Choeng Ek for execution,  
21 but the car <did not reach> Prey Sar <because> it turned over  
22 <halfway there>.

23 Q. Was that the only time you had been sent to Prey Sar to bring  
24 prisoners to Choeng Ek for execution or did that happen on a  
25 regular basis? In other words, did you regularly bring prisoners

101

1 from Prey Sar to Choeung Ek to be executed?

2 A. That was the only occasion when the vehicle turned upside down  
3 and there <were> other occasions when I went there to build the  
4 dams and to dig the dikes with other groups.

5 Q. Did anyone explain to you why on that particular occasion you  
6 were being asked to bring prisoners from Prey Sar to Choeung Ek?  
7 [15.50.20]

8 A. Unless I got the order, I would go there. Hor would issue an  
9 order. I was ordered to go and collect prisoners at Huy's place.

10 Q. And you told us that Huy was eventually replaced by Phal. Can  
11 you tell us why that replacement occurred? Did you know at the  
12 time why Huy was replaced by Phal?

13 A. Could you please repeat your question?

14 Q. You told us that first Big Huy, Huy Sre, was in charge at Prey  
15 Sar and then later Phal was in charge of Prey Sar. Why was that  
16 change made?

17 A. I do not know about that. Ta Hor said that those people were  
18 there to help producing rice.

19 Q. There is one other person I want you -- I wanted to ask you  
20 about by the name -- I don't know if I am pronouncing this  
21 correctly of Pauch, Pauch. Was there a person with that name at  
22 S-21 and if so who was he and what were his responsibilities?

23 A. Brother Pauch was the former chief of <the> 100-men unit.  
24 However, that Pauch was arrested and killed by Duch.

25 Q. Do you know approximately when he was arrested and killed by



1 Duch?

2 A. I cannot recall it when.

3 [15.52.39]

4 Q. Okay. I want to -- I want to turn now to your job of receiving  
5 prisoners. Can you just describe for us in brief terms how that  
6 would work? What would -- first of all, who would bring the  
7 prisoners to you? What would happen once they arrived and who  
8 would you then hand them off to?

9 A. Let me inform the Court, when prisoners were sent to my  
10 location, those prisoners were blindfolded and handcuffed. After  
11 their arrival, they were unloaded from the trucks and I sent  
12 those prisoners into my house. The letters were handed over to  
13 me, and afterwards I forwarded <them> to Thy <or Duch>.  
14 And then, after the car returned, I walked those prisoners into  
15 the prison. I mean, I sent those prisoners to Suos Thy for  
16 registration, that is, taking photographs and <registering> their  
17 names.

18 [15.53.57]

19 Q. And just so the record is clear, the location where this  
20 happened, we're talking about your house near the sewage canal  
21 where the radio station is today; is that correct?

22 A. Yes, it was close to the sewage canal. It was -- in fact it  
23 <where> the current Beehive Radio station <is> to the south of  
24 the road.

25 Q. And when the prisoners would arrive at that location would

1 they be accompanied by any lists?

2 A. There were guards accompanying those prisoners.

3 Q. Did those guards carry a list of the names of the prisoners  
4 that they were bringing?

5 A. I saw letters, letters in envelopes, but I did not open the  
6 envelopes and check the content inside. I would send those  
7 letters to those people on -- named on the envelope.

8 Q. When groups of prisoners would arrive, would you know where  
9 they were coming from? Would you know what zone or district or  
10 military unit or ministry had sent them to S-21?

11 A. Sometimes it was said that they were from the north; some were  
12 from Division 310 and some others were from state ministries.  
13 And the same happened to our soldiers and usually there were  
14 letters saying that -- mentioning the origin of those people.  
15 [15.56.32]

16 Q. What about prisoners who had just returned to Cambodia from  
17 abroad? Do you recall ever receiving those kinds of prisoners  
18 and, if so, can you describe that for us?

19 A. For those who had just <come> from -- who just come from  
20 abroad, they were brought in. Sometimes they were arrested right  
21 at my location; sometimes those people were arrested right at  
22 Duch's location but on other occasions they were <arrested>  
23 somewhere else <and brought in>.

24 Q. And do you know how long it had actually been since they were  
25 -- had returned to the country; in other words, had they been

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1 arrested immediately on arrival in Cambodia or had they been in  
2 the country for some time before they were arrested, if you know?

3 [15.57.37]

4 A. I do not know about that. I only saw those people coming into  
5 the location. I do not know how long they were in the country  
6 before they were sent to S-21.

7 MR. FARR:

8 Mr. President, I am turning to another topic now, so.

9 MR. PRESIDENT:

10 Thank you. It is now time for the adjournment. The Chamber will  
11 resume its hearing on Wednesday, 4th May 2016, at 9 a.m.

12 Tomorrow, the Chamber will continue hearing the witness, Him Huy.  
13 Please be informed and please be on time.

14 Thank you, Mr. Witness. The hearing of your testimony as a  
15 witness has not come to a conclusion yet. You are therefore  
16 invited to come here once again tomorrow to testify.

17 I am grateful to you as well, Mr. Mam Rithea, the duty counsel.

18 You are also invited to come here again to assist the witness  
19 tomorrow.

20 Court officers, please work with the WESU to send Mr. Him Huy  
21 back to the place where he is staying at the moment and please  
22 invite him back into the courtroom tomorrow.

23 Security personnel are instructed to bring Nuon Chea and Khieu  
24 Samphan, the accused, back to the ECCC detention facility and  
25 have them returned into the courtroom tomorrow before 9 a.m.

1 The Court is now adjourned.

2 (Court adjourns at 1559H)

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