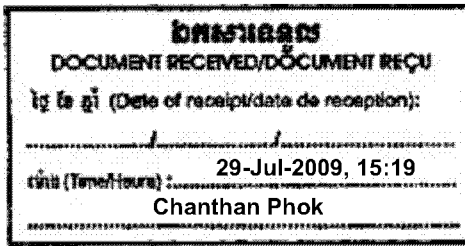
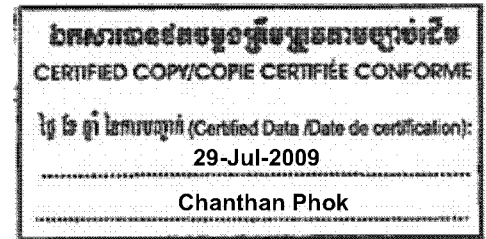


**COUR D'APPEL  
DE DIJON**



**TRIBUNAL DE GRANDE INSTANCE  
DE DIJON**

**CABINET DE  
Mme PARGUEL  
Vice-Président chargé de l'Instruction**



*N° du Parquet : CRI 031008*

*N° de l'instruction : 508/00084*

**WRITTEN RECORD OF WITNESS DEPOSITION**

31 October 2008 at 09:05

Appearing before us, Christine Parguel, Vice-President responsible for Investigations at the *Tribunal de Grande Instance de DIJON*, being in my Office,

Assisted by Marie-Laure Boirot, Registrar,

With the attendance of Judge Marcel Lemonde, pursuant to Article 152 para. 3 of the CCP,

Noting the International Rogatory Letters issued on 3 October 2008 by Judges YOU BUNLENG and Marcel LEMONDE, the Co-Investigating Judges of the Extraordinary Chambers in the Courts of Cambodia concerning the investigation opened against KAING Guek Eav, NUON Chea, IENG Sary, IENG Thirith, KHIEU Samphan for Crimes Against Humanity

Have interviewed Laurence PICQ, separately without the attendance of the Charged Person,

**JUDGE:** May I remind you that you are being heard as a witness under the oath taken on 29 October 2008

**JUDGE:** From 1975 to 1979, Democratic Kampuchea had normal relations with various organs of the United Nations. You indicated yesterday that you were not able to comment on the content of speeches IENG Sary made before the UN or on the content of notes from the Cambodian Ministry of Foreign Affairs. However, are you able to say whether the numerous documents appended to the communication of the UN Secretary General, regarding serious and widespread violations of human rights in Cambodia were received by the Ministry in the spring of 1978?

**ANSWER:** I cannot say whether the documents you are referring to were received by the Ministry of Foreign Affairs. In fact, we had no contact with the outside world.

I only found out about the criticisms leveled at the regime with regard to massive human rights violations while I was abroad, when I arrived in Peking in 1979. Prior to that, I had absolutely no contact with the outside world. We could not listen to foreign radio stations, or, more generally, have access to non-official information. In October or November 1978, SUONG Sikoeun was able to tune in to foreign radio stations. This is because IENG Sary charged him with listening to the news, and his office was fitted with cardboard paper to prevent any leaks. I do not know how he used the

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information thus gathered. Needless to say, I never discussed it with him, as it was out of the question for me to ask him any questions or else I would have been suspected of engaging in actions against Democratic Kampuchea. I know that Sikoeun never paid much attention to what he heard about the actual situation in the country from foreign radio stations. In fact., it was not until 7 January 1979, while in the outskirts of Phnom Penh, that we realised that the Vietnamese were everywhere in the country. Indeed, I read in Sikoeun's unpublished manuscript, that until the very end, he continued to comply with the orders he received because he did not leave Phnom Penh until the next day. He was the only one who survived among the last Cambodians who were present; the other two people who were with him were killed.

**JUDGE:** Can you explain what you know about the decision-making process with respect to documents exchanged between the the DK Government and foreign authorities, and, in particular, whether Ieng Sary consulted with others within the Ministry or with the other leaders in the country, before preparing his responses?

**ANSWER:** I cannot answer that question since I do not know anything about how IENG Sary made his decisions.

**JUDGE:** As far as you know, could the Ambassador to the UN, Thioun Prasith, issue responses without consulting his superiors?

**ANSWER:** I do not know. However, I recall that Sikoeun had some latitude, since, for example, he was the one who prepared the official telegram following DENG Xiao Ping's death. Indeed, he was very worried because he had misjudged the situation in that he sent a message of congratulations for the elimination of the DENG XIAO Ping, which was mistake

**JUDGE:** How did Thioun Prasith communicate with Ieng Sary?

**ANSWER:** The only thing I can say is that while we were in Peking in 1979/1980, communication with New York was by telephone. At the time, IENG Thirith and THIOUN Prasith were at the UN.

**JUDGE:** How long did Ieng Sary stay in New York when he addressed the General Assembly in October 1977?

**ANSWER:** I do not remember. I do not even know whether Sikoeun accompanied him on that trip. I do not remember.

**JUDGE:** In your article in The Phnom Penh Post of October 1996, you stated that IENG Sary drew inspiration from Prison No. 1 in Peking when he introduced a vast system for ideological re-education all over the country. Can you explain?

**ANSWER:** Prison No. 1 was designed for the "diehards" in Peking. Personally I never saw it, but I know that IENG Sary visited it. I watched a documentary on this prison in the screening room at the *Hôtel de L'Amitié*, and I saw how the prisoners were treated: They were required to read ideological materials constantly, attend self criticism sessions, undergo incessant brainwashing, whereas they were locked up in total isolation in conditions that resembled what was subsequently set up in Cambodia. When I said that IENG Sary drew inspiration from Prison N°1 I was making a deduction; he himself has never discussed this matter in my presence.

**JUDGE:** That is not quite what you wrote in October 1996; when you said: "*In Cambodia, he would do better than Prison No. 1, he said. This would be better; this would be all over the country and in*

*all sectors of society*". So, at the time, you were putting words in IENG Sary's mouth.

**ANSWER:** If I wrote that, then it must be true. My memory was fresher in 1996, and he probably made those remarks, but I no longer remember the exact circumstances. Furthermore, although the system was introduced throughout the country, there were differences as to how it was implemented. For example, the system within B-1 was taken to extremes whereas it was more relaxed in the country side.

**JUDGE:** Also in the article, you mention that the Khmers in Peking became more fanatical during ideological re-education seminars for Cambodians living abroad. Could you expand on that point?

**ANSWER:** As I explained earlier, already in 1971, IENG Sary started playing on the national sentiment using this as a means to indoctrinate the Khmers who had joined the FUNK. Gradually, the seminars adopted a harder line. IENG Sary would arrange for Khmers from abroad to come to Peking – mainly intellectuals from Paris – and he subsequently recruited volunteers from Peking to join the Front within Cambodia. These volunteers became increasingly fanatical. As a matter of fact, very few of them survived.

**JUDGE:** In the same article, you talked about IENG Sary's practice, which consisted in convening prominent figures purportedly in order to promote them to prestigious positions whereas, in reality, it all turned out to be self criticism sessions, confessions and accusations of betrayal; and you go on to say that you sometimes "*saw fear in the eyes of people who were mentally and physically exhausted*". Could you elaborate on this?

**ANSWER:** This happened time and time again; I used to see new arrivals who were happy to be back "closer to the sun", but with time, they were less enthusiastic once they got a better sense of the situation or what was in store for them. I remember in particular, the cadres of the North West Zone, a group from Pursat and Kompong Chhnang.

**JUDGE:** You also refer to intellectuals who left everything behind to join the cause. Can you name any of them?

**ANSWER:** There are dozens of them, including TOTH Xy, BAN Yaev, MOK Sovong, SAN and his two brothers, LEANG Sivirouth, TOCH Kam Doeun . All these people died .

With respect to the series of questions about the article which was published in the Phnom Penh Post, I must to say that I am appalled by the way Suong Sikoeun's answer has been used, since this article is nothing more than a sleazy scheme by journalists who were out for sensational material. I would have preferred to hear more about crimes against humanity than about the amount of dollars that I had received for my departure.

**JUDGE:** Whether one likes it or not, the articles are in the public domain and it is inevitable to question you about them. Indeed, this leads me to another question: SUONG Sikoeun claims that when you envisaged returning to France in 1980, you were supposed to work with the Permanent Delegation of Kampuchea to UNESCO. Is that correct?

**ANSWER:** No. That was never considered. In any event, I have never heard it discussed.

**JUDGE:** Let us come back to your relations with the people who worked in the Ministry of Foreign Affairs between 1975 and 1979. Have you kept in touch with some of them?

**ANSWER:** In 1987/1988, I paid a visit to KEAT Chhon, at his home (at the time he lived in the Paris region and was working in the business sector). To be more exact, I went to visit his wife Ri Neary and Bopha, their daughter. We spoke about the Khmer Rouge period, but essentially from the perspective of “*do you know what is happening with this is or that person*” rather than the regime itself. It seems to me, however, that Neary said “*it was crazy*”, but I have no recollection of a more specific conversation

For the most part, I kept in touch with THION Mumm and his partner TOTH Putry. We have met regularly over the past four to five years; but again, it is very difficult to discuss something that happened thirty years ago. All THION Mumm told me was that he had to “save his skin” and when it came to discussing what had happened, especially how things got to that, he tended to refer to Magellan or Rousseau not really to the Khmer Rouge.

I have not kept in touch with the other people who are still alive.

**JUDGE:** Here is an organisational chart of the Ministry of Foreign Affairs (ERN 00223638). Do you have any comments?

**ANSWER:** I am surprised that the General Affairs Division is not featured, because it was quite large, as it was responsible for organising the functioning of the Ministry. This Division was initially headed by Roeun (KOY Thoun’s spouse); the person I describe in my book as the “cruel mother”, because she who took my daughters away from me. Subsequently, that is to say, after her execution, which took place shortly her husband’s and her childrens’, the Division was headed by Thioeun, sister of HONG’s first wife.

I am also surprised not to see MAK Baen, who worked with Suong Sikoeun.

In general, I find this organizational chart questionable, because it is not dated and contains the names of some people who were never at B1, in particular, several GRUNK ambassadors, who were killed back in 1975 or 1976.

**JUDGE:** In your book, you describe the self criticism session you were forced to attend and you seem to suggest that Sau Sae played a key role in this. Can you tell us her exact position? Furthermore, how do you explain the fact that you were not arrested, considering the serious accusations which were made against you?

**ANSWER:** Sau Sae held senior position, but I don’t remember her exact title. I can see from the chart that you are showing me that she is presented as the head of the Political Affairs Department and secretary of the Party Section; I was not aware of this, but it does not surprise me. Subsequently, in 1979, she became ambassador in Bangkok and then consul in Geneva (I do not know whether it was she or her husband Peh Bunreth who was consul). I should add that contrary to what SUONG Sikoeun wrote in his open letter in the Phnom Penh Post in 1996., Sau Sae was not my “good friend”: I would describe my relationship with her as one of political convenience.

As for the second part of the question, I took the criticism/self criticism session as a warning in that: I was being made to realise that I was being watched and that my re-education was to follow. It was not in my interest to avoid committing any errors, but, at the time, I did not feel that I was facing danger of death.

We invited the witness to read her deposition as transcribed and to sign if she certifies the truth thereof.

Having read over the transcription of her deposition, **Laurence PICQ** certifies the truth thereof and signs it along with us and the Registrar.