



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens



**ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

Nation Religion Roi

**អង្គជំនុំជម្រះសាលាដំបូង**

Trial Chamber

Chambre de première instance

**TRANSCRIPT OF TRIAL PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

6 February 2015

Trial Day 239

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

The Accused: NUON Chea  
KHIEU Samphan

Lawyers for the Accused:  
Victor KOPPE  
SUON Visal  
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:  
CHEA Sivhoang  
Roger PHILLIPS

Lawyers for the Civil Parties:  
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UCH Arun  
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**List of Speakers:**

Language used unless specified otherwise in the transcript

Speaker	Language
MR. DE WILDE D'ESTMAEL	French
JUDGE FENZ	English
MS. GUIRAUD	French
MS. JACQUIN	French
MR. KONG SAM ONN	Khmer
MR. KOPPE	English
JUDGE LAVERGNE	French
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. SAY SEN (2-TCCP-271)	Khmer
MS. SONG CHORVOIN	Khmer

1 PROCEEDINGS

2 (Court opens at 0904H)

3 MR. PRESIDENT:

4 Please be seated.

5 The Court is now in session.

6 Today the Chamber will continue to hear the testimony of the  
7 civil party, Say Sen, who will be questioned by the defence teams  
8 and if time permits we will hear the testimony of a reserve civil  
9 party – that is, 2-TCCP-303. The Greffier, could you report the  
10 attendance of Parties and individuals to today's proceedings.

11 [09.05.20]

12 THE GREFFIER:

13 Mr. President, for today's proceedings all Parties to this case  
14 are present, except Counsel Arthur Vercken, the Defence Counsel  
15 for Khieu Samphan, who is absent due to his health, and Pich Ang,  
16 the National Lead Co-Lawyer for Civil Parties is absent due to a  
17 personal commitment. As for Nuon Chea, he is present in the  
18 holding cell downstairs as he waives his right to be present in  
19 the Court. The waiver by the Accused, Nuon Chea, has been  
20 delivered to the Greffier. The civil party, Say Sen, is ready and  
21 present in the courtroom. Today we also have a reserve civil  
22 party – that is, 2-TCCP-303. Thank you.

23 [09.06.45]

24 MR. PRESIDENT:

25 Thank you. Before I hand the floor to the defence team, we decide

2

1 on the request by Nuon Chea. The Chamber received a waiver from  
2 Nuon Chea to be present in the courtroom, dated 6 February 2015,  
3 who states that he has health problems, namely headache, backache  
4 and cannot concentrate for long, and for effective future  
5 participations in the trial he waives his right to be present  
6 directly in the courtroom. Today -- that is, the 6 February 2015,  
7 and he also confirms that his counsel informs him of the -- of the  
8 waiver which does not mean that he waives his right to a fair  
9 trial or rights to oppose any evidence to be put before this  
10 Court. The Chamber also received a medical report by duty doctor  
11 at the ECCC, dated 6 February 2015, who notes that the health  
12 situation of Nuon Chea remains unchanged. He still has headache  
13 and dizziness and he has pain when he sits for long and  
14 recommends that the Chamber shall allow Nuon Chea to follow the  
15 proceedings from the holding cell downstairs.

16 [09.08.31]

17 As aforementioned, and pursuant to Rule 81.5 of the ECCC Internal  
18 Rules, the Chamber grants Nuon Chea's request to follow the  
19 proceedings remotely from a holding cell downstairs via audio  
20 visual means. And as he waives his right to be present in the  
21 courtroom, the Chamber instructs the AV unit to link the  
22 proceedings to the holding cell downstairs so that the Accused  
23 can follow the proceedings remotely and that applies for today's  
24 proceedings.

25 And the Chamber would like now to hand the floor, once again, to

3

1 Nuon Chea's defence to continue putting questions to this civil  
2 party.

3 And the Chamber would also like to remind the Parties that  
4 questions shall be in accordance to the instructions from the  
5 Chamber yesterday, in pursuant to the request by this civil party  
6 and the Lead Co-Lawyers. You have the floor now, Defence Counsel.

7 [09.09.23]

8 QUESTIONING BY MR. KOPPE RESUMES:

9 Thank you, Mr. President. Good morning, Your Honours. Good  
10 morning, counsel.

11 Mr. Say Sen, I will continue my questioning which I started late  
12 last afternoon with you. Yesterday I asked you some questions  
13 relating to five different people. I asked you questions about  
14 Grandma Nha, also known as Hun Kimseng, and her husband, Meas Kun  
15 and about their two children, Meas Sarat and her brother Meas  
16 Sokha and about their son-in-law, the husband of Meas Sarat, a  
17 man called Mom Boeun. I asked you whether you know the reasons  
18 for their arrest and your answer was that you didn't know. Maybe,  
19 between my questions yesterday and now you have been able to  
20 think a little bit about it some more. Would you be able to tell  
21 us now if you know the reasons for their arrest?

22 [09.10.54]

23 MR. PRESIDENT:

24 The Deputy International Co-Prosecutor, you have the floor.

25 MR. DE WILDE D'ESTMAEL:

4

1 Thank you and good morning, Mr. President, Your Honours. Good  
2 morning to all Parties. That question was already asked at least  
3 three or four times yesterday. The civil party was very clear.  
4 This is a repetitive question which aims to compel the civil  
5 party to speculate. The civil party said that he was unable to  
6 remember in response to a question put by the President. I think  
7 it's time to move on to another subject.

8 MR. PRESIDENT:

9 The objection raised by the Deputy Co-Prosecutor is sustained as  
10 the question is repetitive and the question intends to draw  
11 speculation from the civil party. And of course, if you really  
12 want to know the real reasons, you have to ask those people who  
13 did the arrest. And Counsel Koppe, please move on and civil  
14 party, you do not need to respond to the last question put to  
15 you.

16 [09.12.24]

17 BY MR. KOPPE:

18 Very well, Mr. President. Mr. Say Sen, I was referring just now  
19 to Grandmother Nha, Hun Kimseng, did you have some special  
20 relationship with her?

21 MR. SAY SEN:

22 I didn't have any special relationship with her. It was just a  
23 normal, casual relationship.

24 Q. What do you mean with that?

25 A. There was no special relationship. It was a normal

5

1 relationship as I treated her as a mother and she treated me as a  
2 son.

3 [09.13.30]

4 Q. Did that relationship continue after 1979; her treating you  
5 like a son and you treating her like a mother?

6 A. Yes, and that relationship continues till today and if we have  
7 any religious ceremony to celebrate, for example, we would invite  
8 one another to attend.

9 Q. When was the last time you saw Grandmother Nha?

10 [09.14.16]

11 A. I haven't gone to visit her at her house for about a year now,  
12 due to the fact that I'm busy doing my own living as well.

13 Q. Do you know if she knows about the rape of her daughter?

14 A. I cannot say for certain whether she knew about it or not.

15 Q. Have you ever spoken to her, after 1979, about the rape of her  
16 daughter, Meas Sarat?

17 [09.15.12]

18 A. From the time the regime fell until today, I have never spoken  
19 to her about that. It was lucky enough for us to survive and we  
20 only talked about that and I didn't want to talk about the misery  
21 that we went through during the regime.

22 Q. So would I be correct if I would tell you that you wouldn't be  
23 able to tell why she, in her statement to the investigators,  
24 never said anything about the rape of her daughter. Would that be  
25 correct? You don't know that?

6

1 [09.16.00]

2 MR. PRESIDENT:

3 Civil Party, please wait and the Deputy Co-Prosecutor, you have  
4 the floor.

5 MR. D'ESTMAEL:

6 I believe this question is twice as speculative which would  
7 invite the civil party to speculate even further and I believe  
8 that it is inappropriate.

9 BY MR. KOPPE:

10 Fine, I'll move on. Mr. Witness, do you know whether Meas Sokha,  
11 the brother of Meas Sarat, knows about the rape of his sister?

12 MR. SAY SEN:

13 I don't know whether he knew about that or not because we never  
14 talked about it.

15 Q. Mr. Say Sen, yesterday you said that Meas Sarat is still  
16 alive, living in the United States. Was she still in Cambodia in  
17 2004, the year that you gave a statement to DC-Cam?

18 [09.17.40]

19 A. I did not know whether she was here at that time as Sokha and  
20 their parents have met each other frequently at Angk Ta Saom  
21 market. As for Sarat, I have not seen her for a long time and I  
22 only know about her situation through her brother and her mother.

23 Q. Would you be able to tell us if, through whichever source,  
24 Meas Sarat considered herself to be a victim of rape, considered  
25 herself to be a civil party, wanting to file for compensations

7

1 for being raped at Krang Ta Chan? Do you know anything about  
2 that?

3 MR. PRESIDENT:

4 Civil party, please wait and the International Lead Co-Lawyer for  
5 civil parties, you have the floor.

6 [09.18.54]

7 MS. GUIRAUD:

8 Thank you Mr. President. Once again, counsel for Nuon Chea is  
9 asking a civil party to speculate. We are not to rise  
10 systematically each time to make such an objection and I would  
11 hope that the Chamber will grant our objection and indicate as  
12 such to the counsel.

13 BY MR. KOPPE:

14 Mr. President, I wouldn't dare ask the witness to speculate. I'm  
15 just asking if he has knowledge. If he doesn't, that's fine as  
16 well. Does he have any knowledge from other sources, somebody who  
17 told him, maybe he has heard something as to whether or not Meas  
18 Sarat intended to file any claim for compensation or wanted to be  
19 a civil party as to the rape that she allegedly experienced?

20 MR. SAY SEN:

21 No, I do not know anything about that. It was her mother who said  
22 that thing, but as for her I did not know. And personally, I knew  
23 that they play around with her – fool her around but I did not  
24 know for sure whether she was raped, sexually raped at the time.

25 [09.20.38]

1 Q. Are you now saying you're not sure?

2 A. I was not sure about sexual rape but the facts that she – they  
3 played around with her physically or sexually, then I saw that,  
4 but not the rape.

5 BY THE PRESIDENT:

6 I think there is a misunderstanding in answering and question at  
7 this moment. We want to get it clear from you. You stated that  
8 two women were sexually raped by the security guards and also  
9 they used M79 bullet head to insert into their vagina. And that  
10 is a separate event from the events dealing -- or involving Meas  
11 Sarat or is it the same event? To me, in the Khmer channel the  
12 two women who were sexually raped were those from the mobile unit  
13 and they were not Meas Sarat and that two women died. Is my  
14 understanding correct, Mr. Say Sen?

15 MR. SAY SEN:

16 Yes that is correct, Your Honour. The women from the mobile unit  
17 were sexually raped and also they used M79 bullet heads to insert  
18 into their vagina and after they were killed I was ordered to  
19 drag their bodies into the pit and buried. And as for Meas Sarat,  
20 what I saw was only the physical playing around by those people  
21 with her, not a sexual act.

22 [09.22.48]

23 BY MR. KOPPE:

24 But, Mr. Civil Party, yesterday I read an excerpt from your  
25 statement from DC-Cam to you and there, literally, in that

1 statement, you said that an unknown person – a guard raped her.  
2 That is, ERN 00527774; Khmer ERN 00527724. So again, my question  
3 is about Meas Sarat. You testified – or you gave a statement to  
4 DC-Cam saying that you saw her – or that she was raped. But now  
5 you're saying – well my question is what are you saying now?

6 MR. PRESIDENT:

7 Counsel, could you repeat the ERN number again and as well as the  
8 quote from that, you said about an unknown person involving in  
9 your extract. Please make it very precise but you mentioned Meas  
10 Sarat and an unknown person – whom you refer to when you refer to  
11 an unknown person?

12 MR. KOPPE:

13 Well I'm not allowed to tell that name anymore, so I'm happy to  
14 call him Mr. X but all of a sudden I'm not allowed to mention  
15 that name although – well, OK.

16 (Judges deliberate)

17 [09.25.21]

18 MR. PRESIDENT:

19 If that is the case, it is permissible but in the previous  
20 question you just read, I heard through the Khmer channel that  
21 she was raped by a security guard whose identity was unknown. But  
22 in this case, that a group of security guards raped her and that  
23 is different. And of course, the instruction from the Chamber  
24 yesterday is first not to reveal the identity of some  
25 individuals. And please, whenever you follow such a pattern of

10

1 questions, maybe it's better to use the word 'X', something  
2 rather than unknown, because when you say 'unknown' in the Khmer  
3 translation it means the person was not identified and that leads  
4 to a misunderstanding. And I notice the International Lead  
5 Co-Lawyer for Civil Parties on her feet and you may proceed.

6 [09.26.35]

7 MS. GIRAUD:

8 Thank you, President. I have a concern. I don't necessarily have  
9 a response to this concern but since yesterday afternoon, and  
10 more particularly this morning, we are talking about the identity  
11 of a person who allegedly was the victim of sexual violence. This  
12 morning we were told that the person likely never spoke. We don't  
13 know if the person launched a proper complaint. We don't know if  
14 this person is even known. I'm rather concerned of this. I wonder  
15 if the Chamber understands what the potential repercussions are  
16 on the life of this person. This person has been referenced  
17 several times this morning. I don't know if an in camera session  
18 is merited, however, how can we cite people who may have been  
19 victims during the period and yet these people have never  
20 revealed themselves, publically. Is it useful to identify by  
21 their names or not? I don't know. I'm putting that question to,  
22 Your Honours, and I would respectfully request a clear  
23 indication.

24 [09.27.19]

25 MR. KOPPE:

11

1 Mr. President, I cannot even begin to comprehend this objection.

2 I'm asking a question about --

3 JUDGE FENZ:

4 My understanding is it wasn't an objection. Counsel was raising

5 an issue of privacy when it comes to mentioning potential victims

6 of sexual violence, if I understood that correctly.

7 MS. GUIRAUD:

8 Yes, absolutely, Judge Fenz.

9 (Judges deliberate)

10 [09.33.51]

11 MR. PRESIDENT:

12 Judge Fenz, you have the floor.

13 JUDGE FENZ:

14 Regarding the issue raised by the Co-Lead Lawyers, the Chamber

15 acknowledges that there is an issue with the privacy of victims

16 of sexual violence in a public trial.

17 As to the case at hand the person has been identified, so nothing

18 much can be done here. For future cases the Chamber advises as

19 follows. If a Party wishes to publically identify, or have the

20 witness to publically identify, a victim of sexual violence he

21 should pass the name on a piece of paper to the person who is on

22 the stand for identification. If this leads to more questions,

23 meaning if it goes beyond identification, the Chamber will

24 envisage closed sessions, which are possible for these cases

25 under Cambodian procedural law.

12

1 BY MR. KOPPE:

2 Mr. Witness, did you watch, observe the rape of Meas Sarat or you  
3 didn't?

4 [09.35.43]

5 MR. SAY SEN:

6 A. No, I did not.

7 Q. My follow up question would be, how did you know that she was  
8 raped?

9 MR. PRESIDENT:

10 Witness, you do not need to provide your answer because you have  
11 already given your answer.

12 BY MR. KOPPE:

13 Whatever, Mr. President. Mr. Witness I'll move on to the  
14 execution of Meas Kun and Mom Boeun. I'm not quite clear on your  
15 answer about these events from yesterday. Did you or did you not  
16 observe, witness the execution of Meas Kun and Mom Boeun?

17 [09.36.36]

18 MR. SAY SEN:

19 A. For Ta Kun, I observed that he was interrogated and tortured.

20 A month later Kun passed away. So, Kun had passed away before  
21 Boeun.

22 Q. Although I was forbidden to ask you that question because it  
23 was a repetitive question, it seems that you now remember the  
24 interrogation and possibly even the torture of Meas Kun. Would  
25 you be able to tell us now what the interrogation was about and

13

1 what the accusations were against Meas Kun?

2 [09.37.23]

3 A. He was taken to be interrogated and I could not go there to  
4 listen to the interrogation. After interrogation and torture I  
5 was asked to carry him back to the detention cells and I did not  
6 know about the content of interrogation.

7 Q. And you didn't ask him afterwards? Maybe, the next day or the  
8 day after?

9 A. He was in prison in the west side of the building and I was at  
10 the east. So we were in different cells. So I could not have any,  
11 you know, relations or I did not discuss with him the content of  
12 interrogation.

13 Q. And has the memory come back as to the reasons for the arrest  
14 of Mom Boeun? I know Judges that you don't want to hear it, but  
15 I'm allowed to ask that question.

16 MR. PRESIDENT:

17 Mr. Civil Party, the question is repetitious. You do not need to  
18 give your answer because you might have been asked to speculate,  
19 so you do not need to respond to the question.

20 BY MR. KOPPE:

21 Mr. Witness, do you know two people called Sok Soth and Sok San?

22 [09.39.39]

23 MR. SAY SEN:

24 A. I did not know them.

25 Q. Mr. Witness, do you have the names, do you know the names of

14

1 any of the prisoners in Krang Ta Chan?

2 A. Prisoners at Krang Ta Chan, I know some of the names. And  
3 almost all of them passed away. Only children of Yeay Nha and I  
4 survived the period.

5 Q. But could you give us even one name, any name, of prisoners  
6 that you knew in Krang Ta Chan?

7 A. Yes, I could. Ta Chin was one of the prisoners. And he passed  
8 away.

9 Q. I mean other than the ones that you discussed already, others  
10 than Ta Chin or the ones that I mentioned this morning and  
11 yesterday. Can you give me any name of any prisoner in the period  
12 that you were detained?

13 A. As for others, they are deceased and it was a long time ago  
14 and I forgot all those names. And Ta Norn was one prisoner in  
15 Krang Ta Chan.

16 [09.41.26]

17 Q. Mr. Witness, in answer to a question by a DC-Cam investigator  
18 you said that you know most of the prisoners. What does that  
19 mean? Do you know them by face? Or because you grew up with them?  
20 Do you know their names? What is exactly your knowledge when it  
21 comes to prisoners that were detained in Krang Ta Chan?

22 MR. PRESIDENT:

23 Please hold on, Mr. Civil Party. International Co-Prosecutor, I  
24 notice you are on your feet.

25 MS. SONG CHORVOIN:

15

1 Mr. President, Counsel refers to the statement from DC-Cam. I  
2 would like to request Counsel to refer exactly to which page and  
3 which ERN number.

4 MR. PRESIDENT:

5 The observation is correct, so please Counsel, specify the  
6 identity of the document during the period you put questions to  
7 this civil party. Please specify the ERN number and also the  
8 document number.

9 [09.42.50]

10 BY MR. KOPPE:

11 Fine, Mr. President. I refer to E3/4846, English ERN 00527775. It  
12 is actually the fifth page of the interview. The investigator  
13 asks the witness: "Where did the prisoners come from?" Answer:  
14 "Most came after the defeat of the Lon Nol army and I know most  
15 of them".

16 Q. My question, Mr. Witness, would be, what do you mean, you know  
17 most of them? Do you know them by name? Do you know them because  
18 you grew up with them? Could you explain what you meant?

19 MR. SAY SEN:

20 A. I knew that they were in prison together with me. That's what  
21 I knew.

22 [09.44.34]

23 Q. Mr. Witness, you said that there were thousands of people,  
24 hundreds of people or prisoners. You said that you know most of  
25 them. The only thing that I'm trying to do, except for Ta Chin

16

1 and the close -- and the five people that I mentioned this  
2 morning, to give me one name of a Lon Nol officer that you know?

3 A. I knew the senior people from the former period who were  
4 killed. Ta Het (phonetic) Pann, he was one of the senior military  
5 officials.

6 Q. I didn't quite get that. What's his name? And when was he  
7 detained?

8 A. His name was Ta Sokreach (phonetic) Pann. He was one of the  
9 senior Lon Nol officers in Takeo.

10 Q. Would you be able to tell us his real name, and his function,  
11 and even better the reason of his arrest?

12 A. I could not tell what his position was. I was too young at  
13 that time. I knew that he was brought into Krang Ta Chan security  
14 office and he was considered a prisoner of war. He was killed  
15 later on.

16 [09.45.59]

17 Q. Maybe, maybe my questions are confusing. I'm trying to find  
18 evidence that would corroborate your statement. I'm trying to  
19 find a name of a prisoner, the reason of his arrest, any  
20 knowledge of you as to that. So that I can maybe, possibly check  
21 whether this person was detained. Some details as to how you know  
22 him, what his name is, possibly what his function was in the Lon  
23 Nol army. Anything.

24 A. I cannot tell you because I was a prisoner as well. I did not  
25 have rights to go to ask as that person. The period lasted for

17

1 three years, eight months and twenty days. So I had no rights to  
2 ask the details from that person. If I was asked to carry - If I  
3 was asked to do something, I had to do it.

4 MR. PRESIDENT:

5 Counsel, please specify clearly your question and from the answer  
6 of civil party he said he did not know about that. So, he said  
7 that he was also the prisoner in that security office. And civil  
8 party also stated that during the period of Democratic Kampuchea  
9 specific pseudonym was used, for example they used the names such  
10 as Grandmother Nha or Ta 105. This civil party was not  
11 responsible for keeping the entry list of prisoners.

12 [09.48.11]

13 MR. KOPPE:

14 Thank you Mr. President. But I have heard the Witness testify  
15 that he had been counting prisoners who were executed; that he  
16 was unshackling prisoners before their execution; advising  
17 prisoners before their execution that they would go back to the  
18 cooperatives. He was playing music, he was digging the burial  
19 pits, unshackling and removing corpses, stripping clothes off  
20 corpses post execution, carrying and burying corpses. In all  
21 respect, Mr. President, a handyman within the prison. So I don't  
22 think it would be too farfetched for me to ask only one name of  
23 any of the alleged victims that he saw either being tortured or  
24 executed. I think that's a very fair question. And if he cannot,  
25 then that's fine and I'll move on.

18

1 [09.49.14]

2 MR. PRESIDENT:

3 You are not allowed to put such confusing and repetitious  
4 questions. I understand that you need to get the answers from the  
5 civil party, particularly concerning the names of prisoners. And  
6 you – the civil party already provided the name of a person  
7 called Ta Chen and you insisted on other names. And I heard from  
8 civil party, he provided two names already. And what he said was  
9 clear enough. And we do not need to get all the names. There are  
10 no documents specifying all the names. And for his task, he was  
11 asked to do some minor things in the prison and he did not need  
12 to get all the names and all the details of prisoners to do his  
13 job. Lead Co-Lawyer, you now have the floor.

14 [09.50.38]

15 MS. GUIRAUD:

16 Thank you, Mr. President. I understand that the defense needs  
17 some latitude, but what I am concerned about are the insinuations  
18 of the defense who is trying to say that the civil party is  
19 testifying to things that are not corroborated by the records.  
20 The civil party has identified a number of persons as prisoners  
21 at Krang Ta Chan. The approach used by the defense to present us  
22 a scenario such as to challenge the evidence given by this civil  
23 party is improper. I find the questions out of place. And may I  
24 point out for the record that my learned friend has badly  
25 interpreted the DC-Cam testimony, E3/4846. Our learned friend,

19

1 Koppe has insinuated that Say Sen had said that the person whose  
2 name we are not going to give was raped is not accurate. That is  
3 not what we find in that DC-Cam record of interview E3/4846. Once  
4 again this is a tactic by the defense to distort the evidence of  
5 the civil party. We have the record of interview and we can read  
6 for ourselves what is written there. It is a lot more difficult  
7 for people outside of this courtroom and journalists included, to  
8 ascertain those facts. So, I understand that the defense needs  
9 the latitude to ask questions, but he should not persistently  
10 insinuate that all the civil parties and the witnesses who appear  
11 here before this Chamber are liars.

12 [09.52.42]

13 MR. PRESIDENT:

14 Thank you very much. You may now proceed International  
15 Co-Prosecutor.

16 MR. D'ESTMAEL:

17 Thank you Mr. President. I would like to clarify something  
18 because Counsel Koppe has mentioned a number of roles that the  
19 civil party played at Krang Ta Chan, and there's at least one he  
20 claims is false. The civil party never said that he was the  
21 person who told the prisoners that they were going to go back to  
22 the cooperative. He said it was always Pen. And I would like this  
23 error to be corrected so that we shouldn't be misled into  
24 believing that it was the prisoners who played that role.

25 [09.53.33]

1 MR. PRESIDENT:

2 Thank you for the observations of Lead Co-Lawyer and  
3 International Co-Prosecutor on the matter. There is one more  
4 thing I would like to clarify. There is a clear rule, Rule 93  
5 (sic) of Internal Rules. Counsel, every Party can pose objection  
6 to the question and if they consider that the answer provided  
7 from the witness and civil party are not truthful. So again, Rule  
8 91.3. And I understand that Parties need to hear the answers, and  
9 they have rights to pose their objection to the questions by  
10 other Parties. And the Chamber has the discretion to decide on  
11 some questions as well.

12 [09.55.05]

13 So please, I understand that each Party has the right and tactics  
14 in putting questions, and as for the assessing of evidence it is  
15 the discretion and duty of the Chamber to decide. The Chamber is  
16 here to expedite the hearing and the process. And I remind you  
17 about this matter again, and I have always repeated what I have  
18 just said. And I could see that the same thing happens. You may  
19 now continue your questioning Mr. Victor Koppe.

20 BY MR. KOPPE:

21 Q. I will phrase my question somehow broader. Mr. Witness, again  
22 would you be able to give, except for the names you already  
23 mentioned, Ta Chin and the family Meas Sokha, can you give me any  
24 details of prisoners? Not necessarily the names, but maybe the  
25 function, birthplace, reasons for their arrest, anything that you

21

1 can help me with so that I can find corroborating evidence?

2 [09.56.40]

3 MR. PRESIDENT:

4 Civil Party, you are, you do not need to provide your answers to

5 the question. You already stated that you did not know. Counsel,

6 please do not insist on the answers from the civil party. And

7 please avoid from asking any question which leads to speculation

8 from civil parties. So, if you've run out of questions, please do

9 not try to delay the time of the proceedings.

10 BY MR. KOPPE:

11 Fine, Mr. President. Mr. Witness, did you witness the execution

12 of your father in Krang Ta Chan?

13 [09.57.38]

14 MR. SAY SEN:

15 A. I did not see, I did not witness.

16 Q. Mr. Witness, to DC-Cam you said that you saw it with your own

17 eyes. Are you now withdrawing that statement?

18 MS. GUIRAUD:

19 This is not an objection. Can we, again, see the reference to

20 that document your using?

21 MR. PRESIDENT:

22 Thank you Lead Co-Lawyer. And Mr. Koppe, I already reminded you

23 that specific page and ERN numbers should be mentioned by you and

24 you should cite correctly from which page and which ERN number in

25 three languages. So, we would like to have the ERN numbers from

22

1 three languages. You should do the same as International and  
2 National Co-Prosecutors. They always mention ERN number and  
3 identity of documents repeatedly so that everyone can follow. I  
4 believe that what we are doing here is to expedite our  
5 proceedings, so we should avoid such matters again and again. You  
6 may now proceed, Civil Party Lawyer.

7 [09.58.56]

8 MS. JACQUIN:

9 Thank you, Mr. President. I would like to point out that our  
10 learned friend Koppe has asked a purely repetitive question.  
11 Since I had asked that question --

12 MR. PRESIDENT:

13 I already reminded everyone that if the questions are repetitive,  
14 you should have posed your objection.

15 MR. KOPPE:

16 I am not sure if I asked before about the execution of his  
17 father, but I'm happy to read part of the witness statement to  
18 DC-Cam -- that is, E3/4846, English ERN 00527785. The question  
19 is: after you saw him -- that is, his father --

20 MR. PRESIDENT:

21 Please also mention ERN in Khmer and in French.

22 MR. KOPPE:

23 Khmer ERN 00527744. It talks about his father being killed and  
24 then --

25 [10.00.29]

1 MR. PRESIDENT:

2 Do you have any matters to raise? You may now proceed, National  
3 Co-Prosecutor.

4 MS. SONG CHORVOIN:

5 The ERN in Khmer, or in English, I could not find in the  
6 documents. There's one digit missing.

7 MR. PRESIDENT:

8 Again, Mr. Koppe you are required to mention the ERN numbers  
9 twice, and also in three languages.

10 [10.01.12]

11 BY MR. KOPPE:

12 ERN 00527744, and the question of the investigator of DC-Cam  
13 about your father being killed: "After you saw him being killed  
14 you wanted to see more?"

15 "Yes, I climbed a tamarind tree that was on the west side of the  
16 prison to observe it."

17 "How did you see it?"

18 "When they took my father to the east side of the prison, that  
19 was when I climbed the tamarind tree. I saw three people, my  
20 father, Reach Pann (phonetic), and I don't know the name of the  
21 third person. They blindfolded them near the kitchen and then  
22 brought them to the killing fields and butchered their heads with  
23 a grub-hoe axe."

24 "Did you see it?"

25 "I witnessed it. In the evening I went to where they killed my

24

1 father and took his father's sarong and shirt to use as a blanket  
2 to cover him. I saw Ta An took my father's hat. From that day on  
3 he wore it all the time."

4 Q. Now Mr. Witness, the question is, did you see or did you not  
5 see the execution of your father?

6 [10.02.22]

7 MR. SAY SEN:

8 A. I did not see the execution. What I did was to go there to  
9 collect the sarong and the hat. But the hat was taken from me by  
10 the deputy chief of the prison.

11 Q. Fine, Mr. Witness. I have some questions regarding another  
12 person that you've mentioned yesterday, Kev Chandara. You said  
13 that you knew him and that he was detained in Krang Ta Chan  
14 prison. Would you be able to give some detail as to when you  
15 think he was detained?

16 A. Which person, which Kev Chandara? Could you elaborate a bit  
17 further?

18 Q. The question was asked to you yesterday whether you know a  
19 person called Kev Chandara, and you said yes, he was detained.  
20 Now my follow up question is, do you know when he was detained?

21 A. I cannot recall the day or the month. As I stated earlier, I  
22 only focused on my own act.

23 Q. I understand that you wouldn't be able to tell the exact  
24 dates. But was it, for instance, before the liberation in April  
25 '75? Was it after? Was it a year later? Any indication?

25

1 A. I cannot recall it. People were brought in and were taken out  
2 and because I am also illiterate, so I didn't know much about the  
3 date or time.

4 MR. PRESIDENT:

5 Mr. Civil Party, do you know a man by the name of Kev Chandara?

6 [10.04.59]

7 MR. SAY SEN:

8 No, I don't.

9 MR. PRESIDENT:

10 Defence Counsel, could you refer to the transcript yesterday so  
11 that you can use it as a base to put questions to this civil  
12 party. If I am not mistaken I did not hear about any question or  
13 answer in regard to Kev Chandara yesterday. Please refer to  
14 yesterday's transcript.

15 [10.05.33]

16 MR. KOPPE:

17 Mr. President, I am sure Judge Lavergne will confirm that he was  
18 the one who asked that question.

19 MR. PRESIDENT:

20 Judge Lavergne you have the floor.

21 JUDGE LAVERGNE:

22 Perhaps it would be helpful to give the alias of Mr. Kev  
23 Chandara. I believe that Kev Chandara was also known as Sok Yav,  
24 or Krou Yav based on these documents. But I understand why this  
25 can pose a problem. Perhaps the witness could identify Mr. Kev

1 Chandara.

2 MR. PRESIDENT:

3 National Co-Prosecutor, you have the floor.

4 MS. SONG CHORVOIN:

5 For transcript – for a proper transcript in fact the persons is  
6 name Kev Chandara and his alias is Krou Yav.

7 [10.07.13]

8 BY MR. KOPPE:

9 Mr. Witness, again do you know when this person, Kev Chandara,  
10 who you identified yesterday, with the alias, about when he was  
11 detained in Krang Ta Chan?

12 MR. SAY SEN:

13 A. I didn't know Kev Chandara but I knew Krou Yav. In the  
14 previous regime he was not "Krou" or teacher but only after the  
15 liberation. And in fact he was detained prior to the liberation  
16 of Phnom Penh.

17 Q. Maybe we're not talking about the same person. I am referring  
18 to Kev Chandara who was a doctor and who was, according to him,  
19 detained for a short while at Krang Ta Chan. And my question is,  
20 do you remember a doctor with the name Kev Chandara or the  
21 aliases mentioned? You said yesterday that this person was  
22 detained. So my question is a follow up question.

23 MS. GUIRAUD:

24 To assist the Chamber I was just going through my notes and at  
25 3.13 p.m. the alias that you referred to Judge Lavergne was Kev

27

1 Yev (phonetic), which was the alias name of Kev Chandara. You  
2 asked the civil party if Kev Yev (phonetic) was the alias of Kev  
3 Chandara and the witness replied "yes".

4 [10.08.43]

5 JUDGE LAVERGNE:

6 If I could just clarify, I read the record and I had read Krou  
7 Yev. Once again, I am not sure how the name was interpreted. I  
8 simply read aloud what was written in the French version of the  
9 PV, so perhaps that's where and how the problem emerged.

10 BY MR. KOPPE:

11 Mr. President, unless we are all having massive amnesia here,  
12 we're talking about the person at the end of the afternoon  
13 yesterday who was mentioned to you, Mr. Witness. Do you remember,  
14 you said that you saw this person detained? I believe you said 10  
15 days, but I'm not sure about that. My question is Kev Chandara,  
16 or something like that, do you know the time of year -- in the  
17 year when he was detained?

18 MR. SAY SEN:

19 A. I cannot recall the year, but I knew he was there. And as I  
20 said, I was illiterate and could not read. I only remember that  
21 he was there.

22 Q. I will ask a very simple question then to you, Mr. Witness. Do  
23 you remember whether he was detained before the liberation in 17  
24 April '75, or after the liberation?

25 [10.10.22]

1 MR. PRESIDENT:

2 Civil Party, please wait. And the Deputy International  
3 Co-Prosecutor, you have the floor.

4 MR. D'ESTMAEL:

5 Thank you, Mr. President. I believe that everybody in this Court,  
6 with the exception of defence counsel heard the civil party say  
7 that he was placed in detention before the liberation of Phnom  
8 Penh. Perhaps the answer was not satisfactory for defence counsel  
9 and now he feels compelled to ask the question again. Be that as  
10 it may, the question is repetitious.

11 [10.11.22]

12 BY MR. KOPPE:

13 I missed that completely. But if it was before 17 April '75, then  
14 I am sure you will be able to tell how long before 17 April '75?

15 MR. SAY SEN:

16 A. I cannot recall the exact period. I didn't pay much attention  
17 to that. I was also a prisoner at the time.

18 MR. PRESIDENT:

19 Civil Party, if you say that you cannot recall it, please say I  
20 cannot recall it and don't add anything else. Otherwise it will  
21 just keep dragging on and dragging on outside the scope of the  
22 trial. And then you will be bombarded by other questions based on  
23 your unnecessary responses to the questions. Please remember that  
24 in Khmer we have a saying: only answer to what you are asked for  
25 and don't make any prolonged comment, otherwise you just put

1     yourself in a hot seat.

2     [10.12.47]

3     BY MR. KOPPE:

4     Mr. Witness, Kev Chandara testified in this Court and he told the  
5     story about how he witnessed the mutilation and torture of women.

6     Does that ring any bell to you? He was forced -- I will add that  
7     -- he was forced to watch that. Do you remember any such scene?

8     MR. SAY SEN:

9     A. No, I didn't know anything about that.

10    Q. Last question in relation to Mr. Kev Chandara. Do you know a  
11    young woman who was imprisoned with him at the same time? A woman  
12    of whom he says she was the only survivor together with him? A  
13    woman of around 30 years old. A woman named Keo Sam At.

14    A. No, I don't know any woman by the name of Keo Sam At.

15    Q. I'll move on to the next topic, Mr. Witness. Do you remember  
16    anything about a release of around 40 to 50 prisoners at the same  
17    time as the liberation of Phnom Penh, 17 April '75?

18    A. No, I did not see it.

19    [10.14.12]

20    Q. Did you give a statement to investigators of the Investigating  
21    Judges that 50 prisoners were released around that day?

22    A. No, I did not make such a statement about the release of 50  
23    prisoners.

24    Q. Mr. Witness, there is a witness, involved in the  
25    administrative structure, who said that -- who testified that

30

1 around that time there were indeed 40 to 50 prisoners being  
2 released, and that you were actually one of them. Could you react  
3 on that please?

4 A. No, I did not see any such release.

5 Q. So to be clear, you yourself never testified --

6 (Short pause)

7 [10.16.46]

8 MR. PRESIDENT:

9 Counsel Koppe, please mention the reference documents that you  
10 use in your questioning to the civil party as instructed by the  
11 Chamber in order to make your questions clearer so that everybody  
12 knows that your question is based on a certain reference and not  
13 a presumption or something like that.

14 BY MR. KOPPE:

15 Well, we should, anyway, no, never mind. I'm referring to  
16 E3/5214, the English ERN 00225505. That's the written record  
17 interview of this witness. On page six, I am sorry I don't have  
18 the Khmer ERN right now, but on page six it says: "From what I  
19 noted 50 or less than 50 of the prisoners held prior to 17 April  
20 1975 were released". And the other statement that I am referring  
21 to is, well, it's a person that I cannot call by name now. But he  
22 said about the same thing, and then he adds that this witness was  
23 one of the released prisoners. Actually, I'll give the ERN number  
24 for you. It's document E3/5522, English ERN 00426286; Khmer, I  
25 have this time, it's 00414488 to 89.

31

1 [10.18.57]

2 "Question: Who appointed you as function (sic) of Krang Ta Chan  
3 office?"

4 "Answer 41: "The district, but I want to clarify that I was not  
5 the chairman. I was the commune chairman. That's all. I released  
6 40 persons".

7 And then he mentions a few names. Muok, Chhong, Oar and Say Sen."

8 Q. So my question is; did you give testimony to the investigators  
9 that there was a release of 40 to 50 prisoners, and can you react  
10 on the particular statement of this district chairman that you  
11 were one of the released prisoners?

12 [10.19.59]

13 MR. SAY SEN:

14 A. No, I did not see such a big release. I saw a release of about  
15 four or five prisoners.

16 Q. So is it now your testimony that what you said to the  
17 investigators is not correct?

18 A. What you said is incorrect because I never saw a release of 40  
19 prisoners. I only saw a release of four or five prisoners.

20 [10.20.07]

21 Q. Well, Mr. Witness, I didn't -- I just quoted your own  
22 statement. If you are saying now it's four or five that's fine.  
23 But my question is could you react to this other statement saying  
24 -- coming from someone in the hierarchy, using the same amount of  
25 prisoners being released, and that you were one of them. Is that

32

1 a correct statement or an incorrect statement of this witness?

2 A. I didn't see a release of 30 or 40 prisoners, no, not at all.

3 Q. Mr. Witness, I have to establish whether this other witness,  
4 who apparently had a function that he was authorised to release  
5 prisoners, I have to try to verify it, and he's saying you were  
6 released, probably around the day of liberation. Now my question  
7 is simple. Is he incorrect and are you right in your statement?

8 [10.21.17]

9 A. To this point I cannot accept it, because personally I was  
10 freed in 1979.

11 MR. PRESIDENT:

12 Counsel Koppe, please wait. And the Deputy International  
13 Co-Prosecutor, you have the floor.

14 MR. D'ESTMAEL:

15 Thank you Mr. President. I believe there seems to be some  
16 ambiguity in response 41, which was only partially read aloud by  
17 Counsel Koppe. It can be understood by reading the following  
18 answer. The person says, "I recall 3 or 4 names. Muok, Chhong,  
19 Oar and Say Sen. They now live under the pagoda of Ponnareay, Kus  
20 commune. I released Say Sen when I returned from Prey Kduoch and  
21 saw him imprisoned at Krang Ta Chan. At the time he was very  
22 young, and I asked An and Phi to release him to look after the  
23 water buffaloes. They agreed."

24 I believe just that piece of information should be enlightening.

25 [10.22.43]

1 MR. KOPPE:

2 What, the release or the buffaloes? I mean I see the word  
3 release, so I'm just asking was he released, yes or no? And  
4 tending the buffaloes is something else than being detained. Or  
5 maybe not, but he can explain I am sure. A follow up question,  
6 Mr. President, would be relating to -

7 MR. PRESIDENT:

8 Counsel Koppe, please wait. And Judge Lavergne you have the  
9 floor.

10 JUDGE LAVERGNE:

11 Just to clarify what was indeed said to the investigators, at  
12 response number 42 it reads as follows. "At the time Say Sen was  
13 about 12 or 13 years old. I met him in late 1974 when I returned  
14 from Prey Kduoch. He saw me and walked up to me and asked me to  
15 help him. I felt sorry for him and made a request that they have  
16 him tend the water buffaloes."

17 [10.24.20]

18 BY MR. KOPPE:

19 I have seen that answer, but tending the buffaloes and being  
20 released, or tending the buffaloes and being a prisoner is not  
21 necessarily the same thing. So, I'm just asking for  
22 clarification.

23 My follow up question, Mr. President, would be relating to this  
24 person but I'm not allowed to ask that question. So, I would like  
25 to note for the record that I would like to ask these questions,

34

1 but then in camera, and I will move on now to another topic. Is  
2 that fine? Okay.

3 Q. Mr. Witness, did you ever speak to authorities on the events  
4 that took place in Krang Ta Chan after 1979? 1997, excuse me.

5 MR. SAY SEN:

6 A. For the year of the liberation I can talk about those events.

7 Q. My question is, did you give testimony like you are doing now,  
8 or you have done before to investigators of the OCIJ, but then to  
9 authorities here in Cambodia after 1979?

10 A. Of course, I have spoken to my neighbors, to former Krang Ta  
11 Chan survivors, and of course I would probably have spoken to  
12 some of those people who were the local authorities.

13 Q. Let me be more specific, Mr. Witness. Have you talked to  
14 representatives of the governor of Tram Kak district in or around  
15 1995, 1996?

16 A. I think I have done that, because I was asked by the local  
17 authorities of the events and my experience during the time.

18 [10.26.55]

19 Q. Do you remember specifically, the things that you told  
20 investigators of the authorities in 1996?

21 MR. PRESIDENT:

22 Civil Party, please wait. And Deputy International Co-Prosecutor,  
23 you have the floor.

24 MR. D'ESTMAEL:

25 Thank you Mr. President. I think we have some difficulties with

1 the French interpretation because in each question it is prefaced  
2 with: did you tell the authorities in 1976 etc. I don't think  
3 that was the original question. I think there is some confusion  
4 and I'm not following the questions. Perhaps matters could be  
5 reformulated and interpreted accordingly.

6 BY MR. KOPPE:

7 If the prosecutor would know the document that I am referring to.  
8 I am of course referring to a document called E3/2062, an  
9 investigation that apparently took place in March 1996 by the, it  
10 seems to be the Tram Kak district hall, Culture and Fine Arts  
11 office. So, if something went wrong with the translation, I mean  
12 1996.

13 Q. Do you remember speaking to them, and do you remember what you  
14 told them?

15 [10.29.02]

16 MR. SAY SEN:

17 A. I cannot recall the details because I have been interviewed by  
18 many, many sources and I cannot recall any one in detail.

19 Q. Do you remember that you spoke to them about the killing of  
20 your father? The event that we just briefly discussed.

21 A. As I said I cannot recall it because I have been questioned by  
22 several individuals.

23 Q. I would like to read this - a brief passage from this 1996  
24 report. That would be, as I said, E3/2062, English ERN 00301369;  
25 Khmer 00679441, 442. I read and I quote, as follows.

1 [10.30.14]

2 "At the site which they later expanded through questioning a  
3 surviving prisoner they sent out to work the palm trees, the palm  
4 trees, named Say Sen, son of the former sub-district chief, Say.  
5 He clearly saw his father being killed with many other people  
6 while he was climbing a palm tree to collect palm juice."

7 Mr. Witness, does this revive your memory? Did you talk to the  
8 local authorities or the national authorities in 1996 about the  
9 killing of your father?

10 [10.31.02]

11 A. I cannot recall it, as it has been many, many years ago.

12 Q. Did you maybe speak to the authorities about the arrest,  
13 detention, possible execution of two Cambodian movie stars,  
14 actors, film actors?

15 A. Yes, I recall that I spoke about the two film stars.

16 Q. Do you remember what you told them?

17 [10.31.38]

18 A. I recall that I was interviewed, maybe by a journalist, about  
19 Kim Nova and Nop Nem, who were the movie -- the former movie  
20 stars.

21 Q. Sorry, Mr. Witness, do you remember the detention, the arrest,  
22 maybe even the interrogation of these two movie stars? Or these  
23 film actors, I prefer to use the word neutral, actually.

24 A. As for the two film stars, I saw them arriving in one  
25 afternoon and later on they were taken out and executed.

1 Q. Let's take it step by step, Mr. Witness. What do you remember?  
2 When was it -- which year was it around, that they were brought  
3 in?

4 [10.32.53]

5 A. The two film actors were brought in but I cannot recall the  
6 year. However, it was after the liberation of Phnom Penh. They  
7 were not detained. They were brought in and then the husband was  
8 taken out and killed immediately. And then wife was being played  
9 around by the people who were in charge there. And after that,  
10 she was taken out and killed.

11 Q. Let's take it step by step. Do you remember witnessing the  
12 interrogation of the female actor or the actress?

13 MR. PRESIDENT:

14 Civil Party, please wait. And Deputy Co-Prosecutor, you have the  
15 floor.

16 MR. D'ESTMAEL:

17 I do not object to any questions being asked on these events. But  
18 yesterday and today, the civil party said there was never  
19 executed. And that issue didn't come up in the  
20 examination-in-chief. The defence counsel is misleading the  
21 witness and getting him to say that there was an interrogation;  
22 because he never said that.

23 [10.34.49]

24 BY MR. KOPPE:

25 Fine. I'll ask an open question to the witness.

1 Q. Do you remember when this female actor, this actress, came in?

2 She came in, what happened?

3 MR. SAY SEN:

4 A. I didn't know about that.

5 Q. Mr. Witness, I'm not from this country as you can see, but

6 I've been told that the person that you're referring to, that

7 we're speaking about now, was a very famous actress in the

8 beginning of the '70s. So maybe if you think some more, you will

9 be able to remember what happened when she was brought in.

10 A. At that time, I didn't know much about what was happening.

11 [10.36.02]

12 Q. But apparently, you knew she was an actress. Can you explain

13 then to me how you know that the woman that we are speaking about

14 was an actress?

15 A. I knew it because the office of the chief there asked me

16 whether I knew the two people, and I said I did not know. And

17 they told me that they were Nop Nem and Kim Nova.

18 Q. Okay. So we are clear on people that we're speaking. My

19 question is: did you actually see the actress enter Krang Ta

20 Chan? And if yes, was she detained? Was she then maybe

21 subsequently interrogated? What happened with this actress? I

22 would like to have some details.

23 A. As I stated, they were not imprisoned. First, they took the

24 husband out and killed. And the husband was -- the wife was taken

25 to Ta An's office. And after a while, she was taken out and also

1 killed.

2 [10.36.58]

3 Q. But, step by step, Mr. Witness. They came in or she came in.

4 Was she put in detention? Was she shackled; do you know? If yes,

5 how long did she stay in detention before she was interrogated,

6 if at all?

7 MR. PRESIDENT:

8 The International Lead Co-Lawyer for Civil Parties, you have the

9 floor.

10 MS. GUIRAUD:

11 Yes. Thank you, Mr. President. I am following up the objection by

12 the -- of the Co-Prosecutor. He said that the civil party never

13 said that the actor was ever interrogated. And we would agree

14 that these questions are unfounded because the civil party never

15 said she was interrogated. And the defence counsel is continuing

16 to ask these questions for the third time. The civil party said

17 on three occasions that there was no interrogation.

18 [10.38.12]

19 MR. PRESIDENT:

20 Counsel Koppe, the observation by the Lead Co-Lawyer for Civil

21 Party is partly correct. And Counsel Koppe, you should re-arrange

22 your question. I think part of your question has been answered by

23 the civil party, and you should only put question to him

24 regarding the other part. And don't try to put a question in a

25 way that is to intimidate him. Of course, you know that there are

40

1 two parts to your question, and one part is not yet answered by  
2 your civil party. For example, whether she was handcuffed upon  
3 her arrival. But on the issue of detention and torture, this  
4 civil party clearly responded to that.

5 MR. KOPPE:

6 Well, Mr. President, what is interesting about this actress is,  
7 she's not only being described as being detained at Krang Ta  
8 Chan, she apparently was a very famous actress. But on top of  
9 that, it seems that in the documents that you have, the Krang Ta  
10 Chan documents, she's referenced. She's described as being  
11 detained, interrogated, etc. So there is actual possible  
12 confirmation from the Krang Ta Chan document. So I will be happy  
13 to guide you to the relevant document, D157.7. ERN English  
14 00866461. So I'm trying to help this witness a little bit by  
15 talking not about an unknown Lon Nol official, but about a famous  
16 actress. So maybe that would trigger his memory, and that's what  
17 I'm trying to do.

18 [10.40.12]

19 MR. PRESIDENT:

20 You should understand, Counsel, that not everyone is familiar or  
21 is interested in all well-known film actors. As in my case, I'm  
22 not interested in any film actors or know any of the famous film  
23 actors. And that is the reality. So you cannot consider everyone  
24 as you. If you're interested in film actors, not everyone is  
25 interested in film actors. And of course, when you put the

41

1 question to the civil party already, then you are not allowed to  
2 repeat your question. And as I have heard, it is clear that the  
3 civil party responded to part of your question. That's why I  
4 advise you to re-arrange your question, probably to make it into  
5 parts. For the part that he's not yet responded, you should put  
6 that to the civil party. And of course, you cannot put the  
7 question where he already replied.

8 [10.41.23]

9 MR. KOPPE:

10 Mr. President, I fully appreciate it that you are not interested  
11 in movies. I am myself am interested. But it seems that the  
12 witness remembers very well, talks about it as well. That a  
13 witness -- an actress, a famous actress, entered Krang Ta Chan.  
14 He spoke to local authorities. He spoke in his statement about  
15 this. I think he testified to it yesterday or the day before  
16 yesterday. So my question really is: if he's not interested in  
17 film at all, it's not really relevant, I would imagine; my  
18 question to him is what does he remember from this actress being  
19 brought in Krang Ta Chan.

20 MR. PRESIDENT:

21 Deputy Co-Prosecutor, you have the floor.

22 [10.42.20]

23 MR. D'ESTMAEL:

24 Thank you. I must object again, Mr. President. Because we have  
25 cross-checked the contents of this document, ERN 00866561 (sic),

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1 and the D number, D157.7, and in English: "an actress arrived at  
2 Krang Ta Chan. Her name was Nauk Lina. That actress was born in  
3 Kampot". There is no mention of an actress called Kim Nova to our  
4 knowledge. Again, it would appear that the defence is trying to  
5 mislead this Chamber, and that must be corrected.

6 MR. PRESIDENT:

7 Civil Party, you do not need to respond to the last question by  
8 defence counsel for Nuon Chea. The time is appropriate for a  
9 short break. We will take a break now and return at 11.

10 And court officer, please assist the civil party and the TPO  
11 support staff during the break, and have them return to the  
12 courtroom at 11 a.m. The Court is now in recess.

13 (Court recesses from 1044H to 1104H)

14 MR. PRESIDENT:

15 Please be seated. The Court is now in session. I hand over the  
16 floor to counsel for Nuon Chea to resume questioning if you still  
17 have further questions.

18 [11.05.18]

19 BY MR. KOPPE:

20 Thank you, Mr. President. Just responding to the objection to the  
21 Prosecution on this particular actress. The document that I'm  
22 referring to D157.7 refers to an actress; correct. But on the  
23 same page, it says that she acted in two movies entitled one:  
24 "Time to Cry", and the second movie was "Will any Woman Not  
25 Cry?". Now, it turns out that the movie "Crying Time" or "Time to

1 Cry" was a very famous movie in Cambodia. And there were two  
2 actresses starring in that movie: Kim Nova and a woman called  
3 Vichara Dany. Vichara Dany, I hope I pronounce it well. And as  
4 you can see, there's a name, at least Vichara her husband's name.  
5 There are only two actresses or leading actresses in that movie.  
6 So whether we are dealing with Kim Nova or her co-supporting  
7 star, we don't know. But that's something I would like to try to  
8 find out. So the objection saying that I'm talking about some  
9 random actress, that's not correct. She's a leading actress  
10 together with Kim Nova, possibly in that movie. So I think my  
11 questions are no longer irrelevant because of this document, but  
12 also because this witness has testified as to the detention and  
13 execution of a very famous actress starring in that particular  
14 movie. So could I please continue?

15 [11.07.34]

16 Q. Mr. Witness, you --

17 MR. PRESIDENT:

18 Please wait, Counsel. You now proceed, Judge Lavergne.

19 [11.07.25]

20 JUDGE LAVERGNE:

21 I believe that we'll have to read in more detail this document  
22 because if the names of the films in which this actress starred,  
23 one can deduce that in fact it is a Nauk Lina who was referred  
24 to. Her husband is called Prak Vichara. I don't know but Counsel  
25 Koppe, there seems to be no uncertainty over this. And in fact,

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1 it is Kim Nova that is referred to. So if you have any doubts,  
2 perhaps you can express them more explicitly. However, the manner  
3 in which you are asking your questions is highly problematic.

4 MR. KOPPE:

5 Well, I haven't actually seen the movies but it seems there are  
6 two starring actresses in this movie and I'm just trying to  
7 figure out which one of the two actresses he in fact claimed he  
8 saw at Krang Ta Chan. Was it Kim Nova or was it the other  
9 actress, Vichara Dary? I think -- to be honest, I wasn't even  
10 referring to the document. I was asking the witness open  
11 questions as to what happened to that film actress.

12 [11.08.50]

13 MR. PRESIDENT:

14 You have the floor Lead Co-Lawyer.

15 MS. GUIRAUD:

16 Thank you, President. Just before the break, I think the civil  
17 party was very clear. He did not recognise the actress because he  
18 wasn't well versed in cinema. However, somebody told him of the  
19 identities of the actors. I do not know what the relevance of  
20 that line of questioning is because the civil party didn't  
21 recognise the actress. I'm not sure why we need to continue on  
22 this avenue.

23 [11.09.34]

24 MR. PRESIDENT:

25 Please listen to the question posed by counsel. You are required

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1 to raise your objection specifically to the question. Otherwise,  
2 it is a kind of disturbance to the time for counsel.

3 BY MR. KOPPE:

4 Q. So, again I'm not referring to the document but I'm asking a  
5 question again as to the actress -- the female actor that you saw  
6 entering Krang Ta Chan. I would just again like you to describe  
7 what you saw with this female prisoner. What happened to her?  
8 I'm being sabotaged, Mr. President. Enough is enough. Really.

9 [11.10.36]

10 MR. PRESIDENT:

11 Civil Party, please do not respond to the question. I reminded,  
12 before the break already, that you do not need to give your  
13 answers to the questions which have already been asked. Please be  
14 seated, Lead Co-Lawyer. And Mr. Koppe, you may now proceed with  
15 your questioning.

16 MR. KOPPE:

17 Mr. President, it's your ruling that I'm not allowed to ask  
18 questions about the executioner of this actress.

19 MR. PRESIDENT:

20 I decided already that your last question is a repetitious one  
21 because you have already asked before the break. I recall that  
22 question. And I have already reminded you that you should  
23 separate your question into parts. And you are allowed to ask  
24 only the questions which have not provided the answers from the  
25 civil party. And I observe that you insisted on asking the same

1 question from civil party. So, I asked civil party not to respond  
2 to your last question. Your repeated question is not leading to  
3 ascertaining the truth.

4 [11.12.09]

5 MR. KOPPE:

6 I'm not sure which questions I am repeating. I'm asking questions  
7 about the execution of a apparently, very famous actress.  
8 Everybody -- a lot of people in Cambodia would like to know  
9 exactly what happened to this woman. So I'm asking a general  
10 question. I haven't asked that before, what exactly happened when  
11 he saw this actress come in. He hasn't answered that question  
12 yet. So my very simple question is: did you see that actress come  
13 in? Was she detained? How long was she detained? Was she  
14 interrogated? Was she then brought back? Was she executed? Did  
15 you see the execution? All those questions I haven't been able to  
16 ask yet.

17 [11.12.54]

18 MR. PRESIDENT:

19 Civil Party, you do not need to provide your answer to the  
20 question. You have already answered to all the questions I have  
21 been -- which have been just asked. Mr. Koppe, you may put other  
22 questions. Otherwise, I assume that you've run out of question.

23 [11.13.18]

24 BY MR. KOPPE:

25 Fine, Mr. President.

1 Q. Mr. Witness, do you know what the official name was of Krang  
2 Ta Chan?

3 MR. SAY SEN:

4 A. I did not know. I know only the name Krang Ta Chan.

5 Q. Have you ever seen papers, documents, anything on it --  
6 anything with the name of the place that you were detained on it?

7 A. No.

8 Q. Do you agree that the place that you say that you were  
9 detained was a re-education office? Or a re-education centre, or  
10 a re-education site?

11 A. No, I did not know about this. What I knew is that it is named  
12 as Krang Ta Chan security office or prison.

13 [11.14.43]

14 Q. So you never heard anybody, not even one of the guards, speak  
15 about the name of the place that you say you were detained?

16 A. No, I never heard.

17 Q. Do you know if people who were sent to Krang Ta Chan were  
18 re-educated?

19 A. No, I also did not know about this.

20 Q. Just to be sure, you never heard from any of the guards or  
21 from Ta An or from anybody that the purpose of this place was to  
22 re-educate people?

23 A. I never knew about it, and I have also never heard about it.

24 Q. Mr. Witness, you said -- you testified that you know Ta An,  
25 that you spoke to him. I can mention the name because Ta An is

1 dead. Can you say something more about your conversations with Ta  
2 An?

3 [11.16.45]

4 A. I did not say anything with Ta An. Ta An asked me to bring the  
5 sour palm juice and to tend water buffalo. And I talked with him  
6 only the duties I worked in that place.

7 Q. Maybe you can explain something to me, Mr. Witness. This  
8 Chamber has ruled in its judgement that CPK shrouded itself in  
9 secrecy, people were lured into doing things, there was --  
10 everything was being kept secret. Re-education camps were being  
11 kept secret. However, you were allowed to enter this re-education  
12 centre at your free will. You were allowed to tend the cows, the  
13 buffaloes, go outside of the premises and come back. Did that not  
14 surprise you?

15 [11.17.53]

16 MR. PRESIDENT:

17 The question appears to be incorrect. You misrepresented the  
18 testimony of that civil party. Civil party stated already that he  
19 did not hear people refer Krang Ta Chan as re-education office. I  
20 advise counsel to put a proper question, not to confuse the civil  
21 party. So please re-arrange your last question.

22 BY MR. KOPPE:

23 Well, let me then just quote a passage from your judgement, Mr.  
24 President. "It seems that the DK shrouded itself in secrecy,  
25 especially when it comes to the policy of internal and external

1 enemies." However, you were allowed to be in prison, walk out of  
2 prison to tend the cows and the buffaloes, come back.

3 Q. My question to you: did that never surprise you in those days?  
4 [11.18.42]

5 MR. PRESIDENT:

6 International Deputy Co-Prosecutor, you have the floor.

7 MR. D'ESTMAEL:

8 Thank you, President. It goes without saying that not only does  
9 this civil party not have access to the findings of the Chamber  
10 at the time, he certainly didn't understand what was happening  
11 throughout the country from a broader perspective. He didn't  
12 understand what was happening. He's not an expert, he cannot  
13 speculate, he can only rely on what he knows and what he  
14 remembers and what happened at Krang Ta Chan. He cannot be  
15 expected to be confronted with facts that he was simply unaware  
16 of.

17 [11.19.57]

18 MR. PRESIDENT:

19 International Co-Prosecutor, you had a proper basis. The question  
20 seems to ask the civil party to speculate, particularly on any  
21 event that the civil party did not know. So you are not required  
22 to answer to the question, Civil Party.

23 BY MR. KOPPE:

24 Mr. Civil Party, did you observe yourself that the guards, that  
25 the leaders of the prison at Krang Ta Chan security centre,

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1 re-education centre, were being secretive; that they were trying  
2 to hide what was happening in that camp, that they were trying to  
3 hide the fact that people were being executed, that people were  
4 being interrogated and even possibly tortured? Was that the  
5 things that you saw yourself with your own eyes?

6 [11.20.32]

7 MR. SAY SEN:

8 A. I did not see with my own eyes.

9 Q. But you saw barbed wire around the premises, loud music was  
10 being played to prevent people from seeing executions. Was there  
11 anything that you could observe when you were there that  
12 indicated that they were being secretive about what they were  
13 doing?

14 A. I saw barbed wires. Three levels of barbed wires. And as for  
15 other information, I did not know.

16 Q. My question to you is without any reference to anything. Were  
17 you not yourself, those days, surprised that you were allowed to  
18 walk in and out of the prison and tend the cows and buffaloes?

19 [11.22.13]

20 A. I was fearful at the time while I was tending water buffaloes.  
21 So there were three levels of fences and I was tending the water  
22 buffaloes outside the fence.

23 Q. But did Ta An, or any of the guards tell you, you are not  
24 allowed to speak to people outside of the premises of Krang Ta  
25 Chan?

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1 A. There were no people living around the prison. So I could not  
2 see any people living in that area.

3 Q. Is your testimony that nobody lived, in let's say a parameter  
4 of five to ten kilometres around Krang Ta Chan between '75 and  
5 '79?

6 [11.23.02]

7 A. Outside the parameters of Krang Ta Chan security office, I did  
8 not see a resident living outside the parameters -- in the  
9 parameter of five or six kilometres away from the prison. And I  
10 did not see people walk in and out of the prisons.

11 Q. But Mr. Witness, you have testified to the investigators of  
12 the Investigating Judge. You have indicated where you lived in  
13 the years after, very close by to Krang Ta Chan. I've seen a map,  
14 I've been there. There are many little villages around Krang Ta  
15 Chan; is that not correct?

16 MR. PRESIDENT:

17 Counsel, please quote exactly the specific information you have  
18 just raised. And I remind you again, please quote or mention ERN  
19 numbers and document numbers so that we can follow what you have  
20 just asked and whether or not you have the basis for your  
21 question.

22 [11.24.28]

23 MR. KOPPE:

24 Mr. President, I'm asking the witness general knowledge, not  
25 necessarily based on any document; just about the villages that

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1 are surrounding Krang Ta Chan. My question to him is: is he  
2 saying now that there are no villages between '75 and '79 around  
3 Krang Ta Chan? That is --my question is not based on any document  
4 it's just based on his experience and his knowledge.

5 MR. PRESIDENT:

6 You said very clearly that you refer to the statement before  
7 OCIJ. You have referred to the question in -- you have referred  
8 to the document in your question. That is why we observe that you  
9 sometime misrepresented the information in documents. As a  
10 result, there is confusion in questioning.

11 MR. KOPPE:

12 Fine. Mr. President, I will look up for you the site  
13 identification report from the investigators of the OCIJ. That  
14 is, document D125/220, English ERN 00363337. It's a document  
15 extensively citing Mr. Say Sen. And attached to this site  
16 identification report is a map. And on this map, it says that  
17 very close by -- that is, map D125/220.36, ERN 00363332. I'm  
18 sorry I don't have the Khmer number right now. It's a map showing  
19 Krang Ta Chan two kilometres away, three kilometres away what it  
20 appears to be the home of this witness, the home of Say Sen it  
21 says. And around it, even closer by sometimes, there are numerous  
22 villages between Road 3 and Road 33. So my question again is:  
23 isn't it true, Mr. Witness, that there are villages around Krang  
24 Ta Chan? And weren't they afraid that you might talk to people?  
25 [11.27.12]

1 MR. PRESIDENT:

2 International Co-Prosecutor, you have the floor. I once again  
3 remind you to mention specifically the map. I guess the map has  
4 just been drawn. And I understand that the question should be  
5 involved with the period of DK that the civil party had  
6 experienced. You have the floor now, International Co-Prosecutor.  
7 [11.28.19]

8 MR. D'ESTMAEL:

9 Thank you, Mr. President. You are right. Nowhere on the map is  
10 there any specification of the date at which the map was drawn  
11 up. In any event, when Counsel Koppe states that we see Say Sen's  
12 house is about two or three kilometres from Krang Ta Chan. If you  
13 look at the scale which is noted at the bottom of the map, there  
14 seems to be -- one can safely assume that the house was located  
15 much further than five kilometres from there. Counsel Koppe also  
16 says that there were also number of villages surrounding Krang Ta  
17 Chan, and according to this map, I think that Counsel Koppe is  
18 confused and fails to see that there are some phrums, there are  
19 hills, there are at least five or six hills surrounding Krang Ta  
20 Chan. There are not a great number of villages. There is some -  
21 there is perhaps a couple of villages that are located some ten  
22 kilometres away from the security centre. I would ask that the  
23 reality as depicted on this map not be distorted.

24 [11.29.13]

25 MR. PRESIDENT:

1 Counsel, please re-arrange your question. Based on the Document  
2 D125/220, the map was drafted by OCIJ in 2008. So it perhaps does  
3 not reflect the real location at the time of Krang Ta Chan, which  
4 civil party had experienced in the period of 1975 to 1979.

5 BY MR. KOPPE:

6 Mr. President, I surely don't-- I'm not claiming to be an expert  
7 on Cambodian typography. However, I see numerous villages in the  
8 circle of two three kilometres around Krang Ta Chan. I'd be happy  
9 to mention them for you but I find that a rather useless way of  
10 going ahead.

11 Q. My question is: are you now saying there aren't villages in  
12 the direct surroundings of Krang Ta Chan, and if he says yes or  
13 no, then that's fine. But there are in fact, I have been there  
14 myself, numerous villages very close by.

15 [11.30.35]

16 MR. SAY SEN:

17 A. At the present time, there are numerous villages surrounding  
18 that area.

19 MR. PRESIDENT:

20 Q. What about during the period of DK period? Were there any  
21 villages surrounding Krang Ta Chan security office? And how many  
22 villages were there?

23 A. In that period, there were no villages living surrounding the  
24 security office. There was only security office in that place.

25 BY MR. KOPPE:

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1 Thank you for that answer. Then I go back to my question before  
2 that. Were you told by any of the guards or the leaders of the  
3 centre not to speak to anybody in a range of maybe ten kilometres  
4 or 15 kilometres?

5 A. As I said, there were no villages living surrounding that  
6 area. And as for whether or not other people suggested me  
7 anything, like what I said, only some guards there suggested that  
8 I should have talk only, that we were the same prisoners.

9 [11.32.10]

10 Q. Mr. President, I see it's almost 11.30. I will have a last  
11 question to this witness. The question I think I'm entitled to  
12 ask and I should ask this witness. It's mandatory for a defence  
13 lawyer. Having said that Mr. Witness, I put it to you that if you  
14 were detained at Krang Ta Chan centre at all, that was very  
15 briefly before 17 April '75, that you were released and never  
16 were, after the liberation in 1975, in that camp; is that  
17 correct?

18 A. That is not correct. I escape from the security office in  
19 1979.

20 [11.33.35]

21 MR. PRESIDENT:

22 It is now time for lunch break. So the Court will resume at 1.30  
23 p.m. in the afternoon.

24 Court officer, please find a proper place for support staff from  
25 TPO and for this civil party and have them returned before 1.30

1 in the afternoon.

2 Security personnel, you are instructed to bring Mr. Khieu Samphan  
3 to the waiting room downstairs and have him return into the  
4 courtroom before 1.30.

5 The Court is now adjourned.

6 (Court adjourns from 1133H to 1352H)

7 MR. PRESIDENT:

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

9 And the Chamber will give the floor to the Defence Counsel for  
10 Mr. Khieu Samphan to have an opportunity to put question to the  
11 civil party. Now Counsel, you may proceed.

12 [13:52:37]

13 QUESTIONING BY MR. KONG SAM ONN:

14 Thank you, Mr. President, Your Honours. Good afternoon, Civil  
15 Party. I have a number of questions in relation to Krang Ta Chan,  
16 especially your experience and what you have heard, you witnessed  
17 during DK regime and a bit before and a bit after that regime.

18 [13:53:06]

19 Q. My first question will be on your response testifying on the  
20 5th of February 2015, at 9.38 and a bit about this hour. You told  
21 the Chamber that you fled from a military unit and you stay in a  
22 cooperative, and you also said that you do - you did collecting  
23 wood, firewood to earn a living. My question for you, how long  
24 have you been a member in a militiaman before you fled away or  
25 you went away from that unit?

1 MR. SAY SEN:

2 A. It was in the year – it might be in a year where there was a  
3 bomb plane, B-52 bomber flying, and I was assigned to do – to be  
4 on guard duty, and there was a bombardment at the main road, and  
5 then I fled to my house, my village, but I was not assigned as a  
6 militiaman.

7 Q. So you were not one of the members of the militia. You were  
8 simply assigned or allowed to take possession -- did you take any  
9 possession of any rifle or any weapon during that time?

10 A. Yes, we use the wooden bell with other group and if you heard  
11 anything, any incident you ring – you ring the wooden bell to  
12 signal so, and then I left the place where I was assigned to  
13 signal the bad situation, and then I returned to my village.

14 Q. When you say Thdouv (phonetic) in Khmer, was it a wooden bell  
15 kind of thing when you made sound to signal about something? Is  
16 it correct, Civil Party?

17 A. Yes, you are correct. It is -- it's a kind of wooden bell. It's  
18 like a bell when you ring to signal something.

19 [13:56:04]

20 Q. Thank you. Can you indicate for the Chamber the year when you  
21 were there, if you -- if you can recall?

22 A. I'm not quite sure whether it was 1973 or 1974.

23 Q. Thank you, Civil Party. Talking about the transfer of yourself  
24 to Krang Ta Chan, you described the incident in which you were  
25 arrested, and you responded to the Court already, and were there

1 anyone else or other people brought to Krang Ta Chan on the same  
2 trip as yours?

3 A. There was another person who is adult, and he was detained in  
4 the western prison in the western building. And later, after  
5 that, I did not see him any longer because I was also detained.

6 [13:57:39]

7 Q. Thank you. You have already told before the Trial Chamber that  
8 you don't remember the month you were arrested, but you indicated  
9 that it was in 1974. I would like to get a clarification from you  
10 that when you were travelling, was it a rainy season, or a dry  
11 season, and was the ground wet or dry? Can you tell the Court  
12 about that?

13 A. Yes, when I was travelling the paddy field was growing, and I  
14 could see fish jumping on the paddy dike.

15 Q. Thank you. Can you tell the Court that it was a rainy -- rainy  
16 season?

17 A. Yes, it was a rainy - rainy season.

18 Q. Thank you. Mr. President, I would like to hand document,  
19 D125/122.32, to the civil party, and this document has been used  
20 for questioning by the Co-Prosecutor, and we request to have it  
21 shown on the screen.

22 MR. PRESIDENT:

23 Your request is granted. Court officer is instructed to hand over  
24 the document to the civil party for examination, for review.

25 BY MR. KONG SAM ONN:

1 [13:59:34]

2 Q. Before I ask you questions about this map, can you read the  
3 letter or the text on the map?

4 MR. SAY SEN:

5 A. No, I cannot read.

6 Q. Thank you. So I would wish to read for you, and you can look  
7 at the – the image on the map on the top left far – far left in  
8 the box say -- reads 'the west house for light offense  
9 prisoners'. Can you see that image on the map, Civil Party, on  
10 the far left of the page?

11 A. Yes, I do.

12 [14:01:14]

13 Q. Thank you. And next to it, there was a small oval, round  
14 shape. It's called a guard post. And then there's the middle  
15 house for serious offense prisoners. Do you see these three  
16 images on the map?

17 A. Yes, I do.

18 Q. And further to the right there is a box with the title 'house  
19 of prison chief', then 'middle house for serious offence  
20 prisoners', and then there is a 'guard post' and further on to  
21 the right is 'east house for light offence prisoners', and the  
22 last box is a guard post. Can you see all the boxes that are just  
23 described, there are nine total? So, the nine boxes that I just  
24 described, can you see them all?

25 A. Yes.

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1 Q. Also, I described the wording in those boxes, for instance, to  
2 the further left it's a 'west house for light offence prisoners',  
3 and the third box is the 'middle house for serious offence  
4 prisoners'. My question to you is the following; was there a  
5 categorisation of the prisoners?

6 A. No, I did not see any categorisation of prisoners for people -  
7 for prisoners who allowed to work would be housed in the house  
8 east on the dining hall.

9 Q. Have you seen this sketch before or did you provide  
10 information so that this sketch was drawn based on that  
11 information?

12 A. I cannot recall it, and I'm not sure about this sketch or the  
13 nature of it.

14 Q. Can you tell the Court the building that you were initially  
15 detained?

16 A. Yes, initially upon my arrival I was detained in the west  
17 house, and several months later I was sent to the eastern house  
18 of the dining hall.

19 [14:04:57]

20 Q. When you referred to the west house, do you refer to the left  
21 or to the right-hand side of the sketch?

22 A. I referred to the left.

23 Q. You have stated before this Court about the interrogation  
24 house, when you said that there was a lower wall. And the  
25 question is the following. There is a box with the word

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1 'interrogation house', which is almost to the middle of the  
2 sketch, and in fact, there are two boxes, but this interrogation  
3 house is the first box on the left. Can you identify it on the  
4 sketch?

5 A. Yes, I can.

6 [14:06:38]

7 Q. Was the interrogation house remained at this one location  
8 during the entire period that you were at Krang Ta Chan or did it  
9 move at any point in time?

10 A. To my knowledge, it remained at this same location.

11 Q. You were detained and you were shackled in the building. We  
12 read your statements but there are still some things that I need  
13 to verified - get verification from you, and also in the  
14 transcript on the 4th of February 2015, at 11.18.25 in the  
15 morning, you stated the following. That you were detained there  
16 for about 10 days or two weeks. And further down you said you  
17 were detained for up to one month or more than one month. So  
18 during just this brief period of time on your testimony, you gave  
19 two different answers. So, can you tell us what is the actual  
20 period of your initial detention there?

21 A. As I stated, I did not think about counting the time due to  
22 the fact that I was rather young at that time, and I stated that  
23 I could be there for about a week or two weeks.

24 Q. You mentioned one thing that you bent or cracked a coconut  
25 tree leaf in order to mark it as a count for each day of

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1 prisoners who entered the centre. Can you recall that?

2 A. Yes, I do. I counted a bend in the branch of a palm tree leaf  
3 for each day that a prisoner could survive after being tortured,  
4 and a prisoner could survive up to 18 days.

5 [14:09:52]

6 Q. Did you do -- can you tell the Court when did you do that  
7 counting by marking the palm tree leaves?

8 A. After I was let out to work during the day and at night time I  
9 make a bend or crack on the tree leaf to note a day that had  
10 passed.

11 Q. Can you tell the court when, what year you did that?

12 A. I cannot recall the month or the year that I did it, because  
13 it happened so long ago.

14 [14:10:50]

15 Q. Did you do it during the first year that you were there, or  
16 was it towards the middle of the regime or towards the end of the  
17 regime that you were at Krang Ta Chan?

18 A. I had been there for quite some time before I was allowed to  
19 work outside -- that is, to carry urine and faeces. And after  
20 that I started doing this day counting.

21 Q. Let me return to my previous question on the number of days  
22 that you were detained at Krang Ta Chan. And you just said at  
23 that time you could be detained for 10 days or a fortnight or one  
24 month or more than one month, and that you cannot give a concrete  
25 answer to that. Can you tell the Court about the prisoners who

1 were released to work outside as in your case? Could you recall  
2 any names of those prisoners who were allowed to release for the  
3 purpose of working outside and not to be released and to - to go  
4 back to your villager or cooperative?

5 A. I can do that. At that time, there was a group a group of Yeay  
6 Nha that is Yeay Nha and her relatives, and then there was Ta  
7 Chin and I, and then there were others, namely Ta Muok and his  
8 group. I cannot recall all their names, and many of them have  
9 died.

10 Q. I'd like to ask you again to repeat your answer so that I can  
11 get clarification. And you said you were arrested in 1974 and  
12 that you were detained initially there for about a month or so.  
13 And I want to know that is during the period of 1974, how many of  
14 you were released when you were released?

15 A. No one was released. In fact, we were let out to work, and  
16 that happened during 1974. And as I stated, I cannot recall their  
17 names because they were older than me and we were housed in  
18 different buildings, east and west.

19 [14:14:02]

20 Q. I'd like now to talk about the time that you were in that  
21 detention house. You have stated before the Court that you  
22 actually was the one who inserts the metal bar or the iron bar  
23 into the ring of other prisoners and that you will - you would do  
24 that last because you were -- you were the last person in a row.  
25 My question is the following. How long did you continue doing

1 that?

2 A. When the prison was full of prisoners then I was the one who  
3 was the last person who would remove the iron bar.

4 [14:15:02]

5 Q. My question is that, during the time of your detention at  
6 Krang Ta Chan and that you had to shackle other prisoners, and  
7 then shackle yourself, how long did you practice doing that?

8 Could be how many days or months or year?

9 A. I cannot recall the month or the year.

10 Q. What about the amount of time?

11 A. I cannot recall it. I was young at the time.

12 Q. You also stated before this Court about distribution of meals  
13 to prisoners, and you described your role of tending water  
14 buffaloes and cows. My question is the following. Did - were you  
15 assigned to also cook for prisoners at Krang Ta Chan prison?

16 A. No, I was not involved in the cooking. Only Yeay Nha was the  
17 cook, and because she was rather old and then, and as I was young  
18 then two of us were assigned carry rice and soup for the  
19 distribution.

20 [14.17.36]

21 MR. KONG:

22 Q. Was that meal distribution regular work that you had to do or  
23 it was a non-regular work?

24 MR. SAY SEN:

25 A. It happened only occasionally, and it only happened when there

1 were more prisoners in the building.

2 Q. Can you tell the Court the frequency of doing that kind of  
3 work?

4 A. It was rather frequent, but I cannot say the actual numbers of  
5 days.

6 Q. Let's say, in a month, how many days did you distribute rice  
7 or gruel to prisoners?

8 A. I cannot do the calculation per month as I did not ever think  
9 about how many days that I carried food for prisoners per month.

10 Q. You have just stated that in each prison building, two of you  
11 were assigned to carry meals to the prisoners. Can you recall who  
12 was the other young man?

13 A. There was no younger person there, there was I and Ta Chin;  
14 and Yeay Nha would prepare the food there in coconut shells, at  
15 the kitchen hall. Then we were instructed to carry those meals to  
16 the prisoners, and I only did it once or twice.

17 [14.20.02]

18 Q. For the prisoners, like you, who were assigned to carry meals  
19 for the prisoners, how many young men, like you, at the time?

20 A. I cannot say how many young men like myself because there were  
21 different groups.

22 Q. Can you recall any names?

23 A. No, not for the young men there. I only can recall the names  
24 of the children of Yeay Nha.

25 Q. Did you involve in any other work at the Krang Ta Chan prison

1 during your detention throughout the regime that you haven't told  
2 the Court yet?

3 [14.21.35]

4 A. My regular work was to tend to water buffalos, and cows, and  
5 to plough the rice fields. As Ta Chin, he tended the horses, and  
6 another person did a separate thing, it's Kha.

7 Q. What did you plough with?

8 A. I used a plough and I used the water buffalos for the  
9 ploughing.

10 Q. And what did you plant?

11 A. It was for a rice plantation. During the dry season we also  
12 grew different vegetables, like cucumber, etc.

13 Q. Can you recall anyone who worked with you in ploughing the  
14 field?

15 A. Yes. It was Ta Chin. Ta Chin and I were the ones who worked  
16 together there as we had a pair of water buffalos and cows each.

17 Q. Anything else besides ploughing the field?

18 A. The work there varied, after the ploughing work concluded,  
19 then we would be assigned to carry urine and faeces from the  
20 prison buildings. Ta Chin and I did that work together.

21 [14.23.18]

22 Q. I'd like you now to tell us about the administrative structure  
23 at Krang Ta Chan prison. Can you do that?

24 A. As for the leaders, I have already testified before this  
25 Court, there were three of them in a committee of the prison and

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1   there were more than 10 security guards or soldiers.

2   Q. I'd like you also to specify the time period -- that is, prior  
3   to 1975, and after 1975, if there was any changes to the  
4   administrative structure in the Krang Ta Chan prison. For  
5   instance, when you entered Krang Ta Chan in 1974, who were in the  
6   leadership or in the management of the prison at the time?

7   A. Yes, I can do that. When I initially arrived, there was Ta  
8   Chhen, that was prior to 1975; and after 1975, it was Ta An and  
9   Ta Penh (phonetic) and Duch 'Thom' or big Duch.

10   [14.24.52]

11   Q. And after that? You spoke about Ta An just then.

12   MR. PRESIDENT:

13   Counsel, we already gave you instructions as to the identity of  
14   certain individuals working at Krang Ta Chan. If you have  
15   questions dealing with those identities, we would deal with it in  
16   due course. That is, after the Chamber rules on the request and  
17   the report by WESU.

18   BY MR. KONG SAM ONN:

19   Thank you, Mr. President. We would like also to inform the  
20   Chamber that we will have some questions as to the relationship  
21   between the civil party and certain cadres working at the Krang  
22   Ta Chan office. Thank you.

23   Q. I have some more questions for you, Mr. Civil Party. There was  
24   one event that you spoke about, that is on the sexual rape of two  
25   women in a mobile unit. You stated before this Court about the

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1    wording used by a security guard: "When he came to see me, he  
2    told me that he had just done it and asked him to go and see."  
3    Can you tell the Court, when you said that the person had "done  
4    it", what does it mean?

5    [14.27.22]

6    A. Yes, I can do that. He had done it, he had killed the people  
7    already and he used the bullet heads to insert into their vagina  
8    already. Then I -- he asked me to go and see it, and then to bury  
9    the dead bodies of the women.

10   Q. In Khmer version you said "he had done it." What does it mean?  
11   That he had killed the women or that he had concluded a certain  
12   task or it was in relation to the sexual rape?

13   A. He told me that "I had just done it," and that "I just killed  
14   them," and "you could go and see and tell me what else you saw."

15   Q. You just said that you went and told him that you "saw it".  
16   What does it mean? You just added this new thing.

17   [14.29.04]

18   A. He asked me whether I saw something and I said, "Yes, I did."  
19   I think he meant that whether I saw the bullet head in the vagina  
20   of the women, but I didn't want to mention it straight, like  
21   this.

22   Q. I am not really understanding what you said. Did you speak to  
23   the security guard before or after you went to see the dead  
24   bodies?

25   A. Let me say, that area was prohibited, and only when the

1 security guards instruct a prisoner to go and do something, then  
2 the prisoner could be allowed to go. Initially, after he had done  
3 it, then he sent me to bury the dead bodies and after I returned  
4 he asked me whether I saw something. Of course, I did see the  
5 bullet heads that he inserted into the vagina.

6 Q. Can I then say that you met the security guard two times:  
7 first, when he instructed you to go and see; and, upon your  
8 return, he asked me of what you saw? So, you met this security  
9 guard twice. Am I correct in saying that?

10 A. I was ordered once to bury the dead bodies, and only upon my  
11 return that he asked if I saw something and I said, "Yes, I did."  
12 [14.30.49]

13 Q. I'm confused now, Mr. Civil Party. First, of course, you said  
14 you could not go there unless you were ordered to. Was there an  
15 order for you to go there? And, second, when you went there, and  
16 upon your return, did you report or talk to that particular  
17 security guard?

18 A. The thing was that, as a prisoner, I didn't have to speak  
19 about this. I was ordered to bury the dead bodies after he had  
20 killed it, and, after that, I returned and I didn't dare to say  
21 about this to anyone. I would do anything as long as I could  
22 survive.

23 Q. You said that you returned and then you were asked a question  
24 again. So, it means there was a second meeting that took place.  
25 Can you tell the Court whether there was a second meeting?

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1 A. It happened once because when I returned, he laughed and he  
2 opened the prison building to let me in, and if the Court does  
3 not believe me, you can call him to confront with me. That person  
4 is still living today.

5 [14.32.50]

6 Q. I'd like to ask you some more -- for details in regards to the  
7 so-called moral offences. Did you ever hear such a term, "moral  
8 offence", during that period?

9 A. Yes.

10 Q. To your knowledge and experience, in terms of the implication  
11 of the word "moral offence", what did it mean at the time?

12 A. To my understanding at the time, to commit a moral offence  
13 means to play around with a woman or to molest a woman.

14 Q. And what is your understanding on the punishment for a moral  
15 offence?

16 A. For that, I do not know.

17 Q. Among the prisoners who were detained at Krang Ta Chan, have  
18 you heard of any prisoner who were accused of being -- committing  
19 a moral offence?

20 A. I don't know that because I didn't ask any person.

21 [14.34.56]

22 Q. Thank you, Civil Party. In your testimony before the Trial  
23 Chamber on the 4th of February, 2015, at hours 14, 4 minute and  
24 45 seconds, you told the Court that when you responded to a  
25 question related to Ta Mok, you told the Court that you saw him

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1 about once, twice or three times. But when he was there he spent  
2 just a short period of time, about one hour. If the senior  
3 leader, the prisoners were sent to the detention, they were  
4 locked up, everything had to be completed before the arrival. I  
5 would like you to clarify for the Court that; how many times did  
6 you see Ta Mok?

7 A. I did not count his visits. Probably two or three times,  
8 because I did not imagine that I would be called to testify  
9 before a court like I do now.

10 Q. Thank you. Do you recall the year when you saw Ta Mok?

11 [14.37.08]

12 A. It was probably after the liberation of Phnom Penh.

13 Q. How many years after the liberation you saw him there?

14 A. I cannot recall that.

15 Q. I would like to follow up this question. How do you know he  
16 was Ta Mok?

17 A. I heard from the soldiers. The soldiers told me. He told me  
18 that he was Ta 15.

19 Q. How do you know that Ta 15 was Ta Mok?

20 A. The soldiers told me.

21 Q. And, did he tell you both Ta 15 and Ta Mok? Is this correct?

22 A. Yes.

23 Q. When you saw Ta Mok, where were you? Were you inside the  
24 detention building or inside the compound?

25 A. I saw him while I was walking water buffalo to the water. It

1 is next to the second fence.

2 Q. Do you know why or how those soldiers tell you that he was Ta  
3 15? What was the reason that they told you?

4 A. I don't know the reason behind that, because one of the  
5 soldiers walked behind me and he told me about that.

6 [14.39.29]

7 Q. After you heard that, do you remember all the way, was there  
8 any circumstances that triggered you to remember Ta Mok?

9 A. Yes, I remember because at that time we would hear Ta 15, but  
10 I got a chance to see him because people in the mobile unit just  
11 heard his name, but they did not see him.

12 Q. How far were you standing when you saw Ta Mok?

13 A. I was standing in close proximity, about two or three metres  
14 away while I was walking the buffalo.

15 Q. When you saw him, what did he do? I mean Ta Mok.

16 [14.40.58]

17 A. He left his car and he walked toward Ta An, and Ta An came to  
18 receive him and they go together – they went together.

19 Q. Did you see him while he was disembarking from a car or  
20 leaving the car or when he was walking on the road?

21 A. There was no road, there was a small path. He left his car and  
22 walked into the office, and then the chief of the office came to  
23 receive him. So, I was walking water buffalo, I was not expecting  
24 his arrival, but I accidentally saw him.

25 Q. I would like you to indicate the place where the car was

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1 parking; was it inside the compound of Krang Ta Chan or was it at  
2 the gate or the way toward Krang Ta Chan?

3 A. I saw him next to the gate to the prison, it was the east  
4 gate.

5 Q. So, it means that the car was not entering into the compound,  
6 it was parking next to the east gate, is this correct, Civil  
7 Party?

8 A. Yes, it was parking nearby the east gate.

9 MR. PRESIDENT:

10 Now is an appropriate time for a recess. The Court will resume at  
11 3 o'clock.

12 Court officer, please work with the WESU officer and also the TPO  
13 staff to have a break and then bring them back before 3 o'clock.  
14 The Court is adjourned.

15 (Court recesses from 1443H to 1503H)

16 MR. PRESIDENT:

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

18 And again the Chamber will cede the floor to Khieu Samphan's  
19 defence to continue putting further questions to this civil  
20 party. You may proceed.

21 [15.04.35]

22 BY MR. KONG SAM ONN:

23 Thank you, Mr. President. And I'll continue putting more  
24 questions to this civil party.

25 Q. Mr. Civil Party, just then we talked about Ta Mok's visit. And

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1 you talked about a car parked outside the compound of Krang Ta  
2 Chan's office. Could a car parked in the inner part of the  
3 compound? And was there any case that a car was parked in the  
4 inner compound or inner part of the compound?

5 MR. SAY SEN:

6 A. No. Because there was a inner fence and a second fence and a  
7 third or outer fence, and the car could only be parked at the  
8 third or outer fence.

9 [15.05.41]

10 Q. Can you tell the Court why you were tending the cows near the  
11 east gate, and that you were about two metres from the gate?

12 A. No, I did not tender the cows there. Actually, I was walking  
13 the water buffalo to drink water through the second gate. And  
14 that was part of the gate of the outer fence or outer parameter.

15 Q. Does it mean the water buffaloes that you tended could also  
16 enter the vicinity of the second fence -- that is, the first, the  
17 second, but that it could not go beyond in through the inner  
18 fence? Am I correct in saying that?

19 A. Yes, that is correct. It could go up to the second parameter  
20 or the second fence.

21 Q. You also stated that you saw Ta Mok get off the vehicle. How  
22 did you see him? Did you see him when you were facing him or you  
23 were behind him when he was getting off the vehicle?

24 [15.07.20]

25 A. He was getting off the vehicle. And actually the security

1 guards asked me to urgently move the water buffaloes. And in fact

2 I was to his left walking my water buffaloes from the hill.

3 Q. Did you take a look at him?

4 A. No, I did not dare look straight at him.

5 Q. Was there any special figure or special mark or expression

6 that you could recognise him as Ta Mok?

7 A. No. Nothing. But I was told by the security guard that he was

8 Ta 15.

9 Q. That security guard or that soldier, when did he tell you? Was

10 it during the time that Ta Mok was still there or after he had

11 left? And if after he had left, how long after he had left that

12 he told you?

13 [15.08.28]

14 A. Ta Mok actually already left after I brought the water buffalo

15 back from the pond, and he told me.

16 Q. Was that security guard or soldier always -- told you about

17 the events, about the cadres or about any special events that

18 happened in Krang Ta Chan office?

19 A. No. He only told me about this Ta 15.

20 Q. Did he tell you the same day that Ta Mok came to Krang Ta Chan

21 or was it the next day that he told you?

22 A. He told me for one time, and that was it.

23 Q. My question is that: you told us that you were told by him

24 after Ta Mok left; was it on the same day or was it next day that

25 he told you?

1 A. It was the same day after I brought my water buffaloes back  
2 from the pond.

3 Q. I'd like you to look at a document -- that is, a sketch that I  
4 just handed to you. Please look at the left side of the sketch.  
5 There is a long standing rectangular and it reads: "grave pits".

6 [15.11.12]

7 A. Please repeat your question. I did not get it.

8 Q. I'd like you to refer to the sketch that I handed to you  
9 earlier. To the furthest right, there is a long vertical  
10 rectangular - it's not really rectangular but it's a little bit  
11 oval. Can you see it? And it marks as "grave pits" on it.

12 A. Yes, I see it here on the sketch but not at the actual place.

13 Q. Can you tell the Court the location identified on the sketch?  
14 That is, the grave pit; to which direction was it located in  
15 compared to the location of Krang Ta Chan?

16 A. It was to the south.

17 Q. What about the size? The size of the grave pit is indicated on  
18 the sketch. Can you tell us the actual size?

19 [15.13.01]

20 A. No, I cannot do it. I cannot make any estimate of it.

21 Q. What about the number of pits within the compound. How many  
22 pits were all together?

23 A. I could not count all the pits because there were many pits.  
24 There were smaller pits and larger pits. One pit, for example,  
25 contained only two or three bodies.

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1 Q. I'd like you to only specify the number of the pits and not  
2 the dead bodies within each pit. Can you tell the Court how many  
3 pits were all together?

4 MR. PRESIDENT:

5 The civil party already replied that there were many, many pits  
6 and smaller pits contained two or three or four dead bodies. And  
7 I think it is clear enough in the Khmer language. And Civil  
8 Party, you do not need to respond to that question.

9 MR. KONG SAM ONN:

10 The civil party replied that there were several pits and that was  
11 not an exact figure.

12 [15.14.24]

13 MR. PRESIDENT:

14 He said that he did not count the numbers of the pits because  
15 there were several pits and smaller pits contained two, three or  
16 four bodies, and then there were larger pits.

17 BY MR. KONG SAM ONN:

18 Thank you.

19 Q. Within the vicinity of the grave pits, how many large pits  
20 altogether?

21 MR. SAY SEN:

22 A. I did not count it.

23 Q. The -- please refer to the lower part of the sketch and you  
24 see there are several circles. In fact there are a total of ten  
25 circles. And it reads that "it's a line of coconut trees and

1 bodies buried beneath". The coconut trees that were planted and  
2 there were bodies buried beneath. How many coconut trees  
3 altogether?

4 [15.15.38]

5 A. There were several coconut trees. At the beginning, maybe  
6 twenty. There were many, many but some of them died, and maybe  
7 now there are only twenty to thirty coconut trees left standing.

8 Q. Can you tell us the number of the coconut trees at the  
9 beginning, because you said that there were many? Was it like a  
10 hundred coconut trees or a thousand?

11 A. In fact, I did not count them all.

12 Q. I'd like to ask you about your participation in the burial of  
13 the pits. During the time that you were at Krang Ta Chan, how  
14 many pits did you cover personally?

15 A. I cannot recall them all because there were so many.

16 Q. What about the number of larger pits that you participated in,  
17 in the covering?

18 A. I only did with the small pits for those prisoners who died in  
19 the prison building.

20 [15.17.57]

21 Q. Now, I'd like to talk about the period after the liberation in  
22 1979, that you participated in the exhumation of the pits -- that  
23 is, to look for golden teeth of those dead bodies. When you  
24 participate in finding gold or counting skulls in each pit; when  
25 did you actually do that?

1 A. It was the year of the liberation. In fact, I did not engage  
2 in finding gold. It was the nearby villagers.

3 Q. Did you go there and indicate where the dead bodies were  
4 buried to -- that you indicated to the villagers?

5 A. No, I did not. But when I went there, the pits had been dug  
6 out, and there was a strong smell.

7 Q. When people -- my question is: was the digging or the  
8 exhumation happened only one time or there were several  
9 occasions?

10 A. To that I cannot respond.

11 [15.19.07]

12 Q. Did you yourself participate in the digging up or exhumation  
13 of pits?

14 A. No.

15 Q. Did you go there to -- just to observe the exhumation? And if  
16 so, how often was it?

17 A. No. I only went there during religious ceremony to bring food  
18 there, to pray to the dead.

19 Q. Did you participate in the exhumation of the skeleton remains  
20 in order to be counted?

21 A. No, I did not.

22 Q. Were you aware of the exhumation of skulls to be counted in  
23 order to preserve?

24 A. No, I was not aware about that. In fact, there was a committee  
25 of clergymen and monks who involved in this process.

1 Q. Now, I'd like to ask you about the family members of Yeay Nha.  
2 You actually stated before this Court that you had a close  
3 relationship with Yeah Nha, and you treated her as mother and she  
4 treated you as a son. Can you tell us about this co-relationship  
5 between you and Yeay Nha? When did it start?

6 [15.21.20]

7 A. It started when we were in prison together.

8 Q. Had you known Yeay Nha's family before you were detained?

9 A. No.

10 Q. Had you known Yeay Nha's husband before Yeay Nha and her  
11 family were detained?

12 A. Yes, I do. In fact, I had known her husband Ta Kun before  
13 because he was detained before the rest of the family members.

14 Q. Did you get to know Ta Kun only when he was detained at Krang  
15 Ta Chan or you had known him prior to that?

16 A. I knew him only when he was detained.

17 Q. Can you tell the Court, how long was – how long had Ta Kun  
18 been detained before Yeay Nha was brought in for the detention?

19 [15.23.10]

20 A. I cannot recall it.

21 Q. You described about the family members of Yeay Nha, and also  
22 in this Court, you stated the same. Can you tell the Court about  
23 the children of Yeay Nha. Were there any of her children not  
24 detained at Krang Ta Chan? And if so, how many? And did you know  
25 them all?

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1 A. I only knew those who were detained with me. And if there were  
2 any other children outside, I did not know.

3 Q. Did you know all of them?

4 A. No, I did not know all of them. As I stated, I only know those  
5 who were detained with me.

6 Q. Did you know all her children who were detained at Krang Ta  
7 Chan?

8 A. Yes, I did. But I didn't know the actual name of the youngest  
9 girl. She was call Milap (phonetic), that is the smallest girl in  
10 Khmer.

11 [15.24.31]

12 Q. Can you tell the Court all the names of her children?

13 A. Yes, I do. The mother was Yeay Nha, the husband Ta Kun, and  
14 then there was Rat and Boeun, the in-law, Kha, Koun (phonetic),  
15 Kom (phonetic), and finally Milap (phonetic).

16 Q. Can you tell the Court what work they engage in while they  
17 were detained at Krang Ta Chan?

18 A. They engage in the same kind of work that I engage in, for  
19 example, plantation and working rice field. We did what we were  
20 ordered to do.

21 Q. Did you know whether they were interrogated?

22 A. I knew that her husband – that is, the husband of Yeay Nha and  
23 Boeun were interrogated.

24 [15.26.05]

25 Q. Did you see that any family members of Yeay Nha being

1 mistreated? I apologise. When I said about the family members  
2 here, I refer to her children or her children-in-law.

3 A. I only saw Boeun and Yeay Nha's husband who were tortured  
4 during interrogation. And after that, they died from the beating.

5 Q. Can you tell the Court that Yeay Nha was the cook at Krang Ta  
6 Chan's office?

7 A. Yeay Nha was the oldest woman. She was not assigned to engage  
8 in any hard work and she was asked to cook porridge or gruel.

9 (Short pause)

10 [15.27.39]

11 MR. KONG SAM ONN:

12 Thank you, Mr. President. My next line of questioning is to deal  
13 with the identities of individuals at Krang Ta Chan. And as we  
14 are not allowed to put those questions, we will do them whenever  
15 the time is appropriate and when there is a ruling by the  
16 Chamber. Thank you.

17 (Judges deliberate)

18 [15.28.43]

19 MR. PRESIDENT:

20 We only have a little bit of time remaining. And also today is  
21 Friday afternoon, and the buses will leave town at four. For that  
22 reason, the Chamber decides to adjourn the proceedings today  
23 right now, and will resume Monday the 9th February 2015, from 9  
24 a.m.

25 And on – and for Monday, we will hear the testimony of an expert

1 2-TCE-97.

2 The Chamber is grateful for Mr. Say Sen's testimony. And your  
3 testimony has not yet concluded. And you may be called again by  
4 the Chamber to continue your testimony in the near future. You  
5 may now return to your residence.

6 [15.29.58]

7 And the Chamber also would like to thank the TPO support staff,  
8 and you may be excused from the courtroom.

9 And court officer in co-operation with WESU, please make the  
10 arrangement for the transportation of Say Sen. And another  
11 reserve witness 2-TCCP-303 to return to their residence or  
12 wherever they wish to return.

13 And security guards, you're instructed to take the two Accused  
14 back to the detention facility of the ECCC and have them return  
15 to the courtroom on the Monday morning at 9 February 2015, before  
16 9 a.m. The Court is now adjourned.

17 (Court adjourns at 1530H)

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