



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

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**អង្គជំនុំជម្រះសាលាដំបូង**  
Trial Chamber  
Chambre de première instance

**TRANSCRIPT OF TRIAL PROCEEDINGS**  
**PUBLIC**  
Case File N° 002/19-09-2007-ECCC/TC

10 March 2015  
Trial Day 255

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  
SON Arun  
SUON Visal  
KONG Sam Onn  
Arthur VERCKEN

Trial Chamber Greffiers/Legal Officers:  
SE Kolvuthy  
Matthew MCCARTHY

For the Office of the Co-Prosecutors:  
Nicolas KOUMJIAN  
SENG Bunkheang  
SONG Chorvoin

Lawyers for the Civil Parties:  
Marie GUIRAUD  
LOR Chunthy  
VEN Pov  
HONG Kimsuon

For Court Management Section:  
UCH Arun  
SOUR Sotheavy

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**List of Speakers:**

Language used unless specified otherwise in the transcript

Speaker	Language
JUDGE FENZ	English
MS. GUIRAUD	French
MR. KONG SAM ONN	Khmer
MR. KOPPE	English
MR. KOUMJIAN	English
JUDGE LAVERGNE	French
MR. NEANG OUCH ALIAS TA SAN (2-TCW-803)	Khmer
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MS. SONG CHORVOIN	Khmer

1 PROCEEDINGS

2 (Court opens at 0904H)

3 MR. PRESIDENT:

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

5 Today, the Chamber will continue to hear the testimony of the  
6 witness, Mr. Neang Ouch. And the Greffier, could you report the  
7 attendance of the Parties and individuals to today's proceedings?

8 THE GREFFIER:

9 Mr. President, for today's proceedings, all Parties to this case  
10 are present. As for Nuon Chea, he is present in the holding cell  
11 downstairs, as he requests to waive his right to be present in  
12 the courtroom. His waiver has been delivered to the Greffier. The  
13 witness who is to continue his testimony today -- that is, Mr.  
14 Neang Ouch, is present with Mr. Moeurn Sovann, his duty counsel.  
15 There is a reserve witness, 2-TCW-948. Thank you, Mr. President.

16 MR. PRESIDENT:

17 Thank you, Ms. Chea Sivhoang. And before I hand the floor to the  
18 Parties to put questions to this witness, the Chamber now decides  
19 on the request by Nuon Chea. The Chamber has received a waiver  
20 from Nuon Chea, dated 10 March 2015. He confirms that, due to his  
21 poor health condition -- that is, headache, back pain, and that  
22 he cannot sit for long, and in order to effectively participate  
23 in the future hearings, he requests to waive his right to  
24 participate in and be present at the 10 March 2015, hearing. He  
25 has been informed by his counsel about the consequences of this

2

1 waiver, that in no way it can be construed as a waiver of his  
2 rights to be tried fairly, or to challenge evidence presented or  
3 admitted to this Court at any time during this trial.

4 [09.06.45]

5 Having seen the medical report by the duty doctor for the Accused  
6 Nuon Chea, at the ECCC, dated 10 March 2015, the doctor notes  
7 that the health condition of Nuon Chea is that he has chronic  
8 back pain and that he cannot sit for long, and recommends that  
9 the Chamber shall grant him his request, so that he can follow  
10 the proceedings remotely from a holding cell downstairs. Based on  
11 the above information, and pursuant to Rule 81.5 of the ECCC  
12 Internal Rules, the Chamber grants Nuon Chea's request to follow  
13 the proceedings remotely from a holding cell downstairs by an  
14 audio-visual means for today's proceedings, as he waives his  
15 direct presence in the courtroom.

16 The AV unit is instructed to link the proceedings to the room  
17 downstairs, so that Nuon Chea can participate in and follow  
18 today's proceedings remotely.

19 [09.07.54]

20 I'd like now to hand the floor to the Parties to put the  
21 questions to the witness. Yesterday, the witness did not respond  
22 to the last question posed by the International Co-Prosecutor.  
23 And Mr. Witness, do you recall the question that you were asked  
24 yesterday? Because yesterday, you did not respond, as you  
25 requested to take consultation with your duty counsel. You may

1 speak now, Mr. Witness.

2 MR. NEANG OUCH:

3 Mr. Co-Prosecutor, could you please ask me the last question that  
4 you asked yesterday?

5 QUESTIONING BY MR. KOUMJIAN:

6 Q. Certainly. When you asked to speak to your counsel, I had  
7 asked you about this document we were discussing, document  
8 E3/4093, where it indicates that children that cannot be  
9 separated from their mothers, bring them in and then when  
10 finished, sweep them all clean. And the widows, sweep them all  
11 clean. I'd asked you about that expression, 'sweep them all  
12 clean'. During the DK period, did that mean executions?

13 [09.09.52]

14 MR. NEANG OUCH:

15 A. The document that you referred to is E3/4093. Is that correct,  
16 Mr. Co-Prosecutor?

17 Q. That is correct, Mr. Witness.

18 And again, just so there's no question, I'll read to you again  
19 the two references to 'sweeping them all clean'. In the first  
20 paragraph, it ends: "But if children cannot be separated from  
21 their mothers, bring them in for interrogation, and after  
22 everything is finished, to sweep them all clean." And the next  
23 paragraph: "As for the widows from Trapeang Thum Khang Cheung,  
24 who are currently staying at the place of comrade Meng, request  
25 to sweep them all clean." 'Sweep them all clean' meant 'to

1 execute'. Is that correct?

2 [09.10.50]

3 A. I'd like to clarify that, to clarify the following. First of  
4 all, as an assistant to the district committee, and Ta Ran, who  
5 was at the central level, and who supervised Tram Kak district,  
6 before I carried out any task, I had to seek approval from Ta Ran  
7 first. So, all the decisions were the decisions of Ta Ran, and  
8 what I did was merely to write the decisions made by Ta Ran. And  
9 yes, 'to sweep somebody clean', it means to execute that person.  
10 So, once again, I reiterate that all the decisions were made by  
11 Ta Ran, who was chairman of Sector 13, and Tram Kak district was  
12 one of the districts under the supervision of this sector.

13 Q. Was it the policy during the DK period that any order to  
14 execute had to be approved at the sector level?

15 A. The sector actually made a further request to the zone. But it  
16 was at the zone level. Once there was a decision from the zone  
17 and the sector, then in my capacity as an assistant at the  
18 district level, I wrote down that decision.

19 [09.13.01]

20 Q. Thank you. So, in the DK period, who set the policies that  
21 defined who the enemies were? Who defined enemies?

22 A. In the study sessions at the zone level, the zone would make  
23 presentations about this policy.

24 Q. When you were in Tram Kak, do you remember Chim or Kit or both  
25 of them, attending study sessions in Phnom Penh?

5

1 A. I recall the name Chim. As for Kit, and Keut (phonetic), can  
2 you specify which name you refer to? The name Kit does not ring a  
3 bell. But there was Keut (phonetic). And this person, Keut  
4 (phonetic), actually attended study sessions in Phnom Penh.  
5 [09.14.25]

6 Q. Thank you. That's who I meant, Keut (phonetic), who you had  
7 told us earlier had been on the District 105 committee. Correct?  
8 The same person, Keut (phonetic)? The one who went to study in  
9 Phnom Penh was Keut (phonetic), who was on the District 105  
10 committee? Is that correct? Do I understand you?

11 A. Keut (phonetic), who attended study sessions in Phnom Penh,  
12 was a district secretary of District 105.

13 Q. Now, when you were working in District 105, did anyone ever,  
14 from the Party, from the sector, from the zone, criticize your  
15 work or tell you that you were not following the policies of the  
16 Party?

17 A. There was a criticism rise during meetings held at the zone  
18 level. And that happened during the self-criticism meetings and I  
19 was criticized during that meeting.

20 Q. What were you criticized for? Can you explain that a bit? Were  
21 you criticized for not being tough enough on the enemies? For  
22 being too easy on enemies?

23 A. That is correct. I was criticized for the matter that you just  
24 mentioned.

25 Q. Well, I don't want to use my words. Use your words. Please



6

1 explain. What were you criticized for?

2 A. I cannot recall the details, but in your question whether I  
3 was criticized or not, in fact I was criticized for not being  
4 tough enough with the enemy. However, I must tell you I cannot  
5 recall the details of that criticism.

6 [09.17.19]

7 Q. Thank you. Related to this document that we just looked at,  
8 you also talked about, you were mistrusted, partly because your  
9 family was in Phnom Penh during the Lon Nol period. Have you ever  
10 heard this expression during the DK period, something like 'Weed  
11 out the enemies, roots and all'?

12 A. No, I did not hear that expression.

13 Q. Were people -- sorry--

14 A. I was also a victim of the regime, as my elder brother  
15 disappeared. My brother, my younger sister and my elder brother  
16 and his family only left Phnom Penh on 17 April 1975.

17 [09.18.35]

18 Q. Thank you. That's the point I'm asking you about. Were people  
19 suspected simply because of their family? For example, were  
20 children targeted because their parents were suspected of not  
21 being loyal to the regime?

22 A. I cannot say for certainty about the understanding of the  
23 Party. However, personally, that was my understanding. It's  
24 because of my relatives who lived in Phnom Penh, and who had to  
25 leave Phnom Penh on that day.

7

1 Q. Did you ever hear an expression during the DK period,  
2 something like, 'Better to kill by mistake than release by  
3 mistake'?

4 A. No, I did not.

5 Q. Mr. Witness, my time is almost - is up, but I would like just  
6 to ask you to look at one photograph. It was something that the  
7 Chamber put us on notice of using. It's E3/2415. 00504237. And  
8 perhaps it could be shown on the screen, if that's possible. If I  
9 could, Mr. President, if I could have the witness get a copy of  
10 that photograph. Again, it's ERN 00504237. Mr. President, may I  
11 have the witness be given a hard copy?

12 MR. PRESIDENT:

13 Yes, you can do that. And Mr. Co-Prosecutor, can you tell the  
14 Chamber, the ERN that you just read out, is it for the French,  
15 the English or the Khmer document?

16 [09.21.01]

17 BY MR. KOUMJIAN:

18 It's - I believe it's only in English. This is the book about the  
19 Swedish journalist's visit. Bergstrom book. There's no text. The  
20 only text says, "Leaders of Cooperative".

21 Q. So, I'm just asking. Can you help us? Do you recognize anyone  
22 in the photograph?

23 (Short pause)

24 [09.22.09]

25 MR. NEANG OUCH:

8

1 A. I recognize some people in the photo. The one that was  
2 standing, just in front of - with the house at the background,  
3 that's myself, and the foreigner was the Swedish journalist.

4 [09.22.36]

5 Q. Thank you. Do you recognize the tall man on the left of the  
6 photograph? Is that the former North Korean ambassador? The DK  
7 ambassador to North Korea?

8 MR. KOPPE:

9 Well, that's a very leading question, isn't it? Could you just  
10 ask the question who it is?

11 MR. KOUMJIAN:

12 Your Honour, I'm happy to end right now. Your Honours, I turn the  
13 questioning over to the civil parties. Thank you.

14 MR. PRESIDENT:

15 Thank you. The Co-Lawyers for the civil parties, you have the  
16 floor.

17 QUESTIONING BY MS. GUIRAUD:

18 Thank you, Mr. President. Good morning, everyone. Good morning,  
19 Witness. Ordinarily, Mr. President, we should have an entire  
20 session. I'll try to be brief, but may I request the Chamber to  
21 be flexible in the event of my not being able to complete my  
22 questions in the time allowed. Witness, good morning. I am Marie  
23 Guiraud. I am Counsel for the consolidated group of civil  
24 parties. I have a few questions for you.

25 [09.24.03]

1 Q. I would like to start with your role in Tram Kak cooperative  
2 from the time when you arrived there. Yesterday you told the  
3 Chamber that you played a technical role, and that you were in  
4 the rice fields. You worked on rivers in building canals. I would  
5 like to ask you to explain to us working conditions and living  
6 conditions of workers you encountered, on the rivers and in the  
7 canal construction sites. My first question to you is as follows,  
8 Witness. When you arrived in Tram Kak and you visited those work  
9 sites, what were the living conditions and working conditions of  
10 those workers?

11 [09.25.09]

12 MR. NEANG OUCH:

13 A. As for the working conditions for the mobile units, is that  
14 they started working in the morning, from 8.00 to 11.00, and in  
15 the afternoon it was from 1.00 to 5.00. As for the food, they had  
16 a meal in the morning, and a lunch, that is, cooked rice at lunch  
17 time, and then a dinner. And if they fell ill, we actually had a  
18 medic stationed at the worksite to assist in the treatment.

19 Q. Thank you, Witness. You made mention of mobile units. Tell us  
20 how many mobile units were under your jurisdiction? Can you give  
21 us the number of workers on those sites?

22 A. As to the number of workers in the mobile units, I cannot  
23 recall that. However, each commune under Tram Kak district had a  
24 male youth mobile unit and a female youth mobile unit. And each  
25 unit was headed by a chief, for both, for the male youth unit and

10

1 the female youth mobile unit. As for me, I usually discuss about  
2 the work arrangements with the units of the chief, and also with  
3 the those chiefs at the commune level. We usually held meetings  
4 to discuss the work plan and progress.

5 Q. Thank you. Were workers able to refuse to go to work? Did they  
6 have the possibility of refusing to go to work?

7 A. I never heard that anyone refused to go to work. However, if  
8 one fell ill, that person would be allowed to rest at a shelter  
9 or at a building adjacent to the work site.

10 [09.28.09]

11 Q. Thank you, Witness. When you were on those worksites, did you  
12 see any workers who appeared to be malnourished?

13 A. No, I did not see that. Workers in the mobile units who were  
14 selected from the communes, they received food supplied from  
15 their respective communes. And if they ran out of food, then they  
16 would send people to go and fetch those food supplies from the  
17 communes.

18 Q. Thank you. Last month we heard a witness who appeared before  
19 the Chamber to testify. His name was Sao Han. He worked at Tram  
20 Kak cooperative. And I would like to read out to you what he said  
21 regarding Tram Kak. That testimony was E1/265.1 at about 9.40.26  
22 seconds in the morning. He was being questioned by the  
23 Prosecutor, who asked this question: "Witness, how were people's  
24 health affected by the food rations? What was the situation, the  
25 health situation, of workers?" And he answered by saying: "We did

11

1 not receive enough food and meals, and then our health became  
2 weak. Some - some of their bodies were swollen, and they go to  
3 the hospital, and some disappeared." How would you react to this  
4 testimony, Witness, in which we gather that workers at Tram Kak  
5 cooperative did not have enough to eat?

6 [09.30.45]

7 A. I do not know about the statement that this witness said, or  
8 the period that there was a shortage of food in Tram Kak  
9 district. I could say that, by '77, when I was there, the food  
10 supply or the food ration for people was sufficient.

11 Q. Thank you. We also heard the testimony of another person who  
12 was working on the worksites in Tram Kak cooperative when you  
13 were there as well. This is Ms. Chou Koemlan. She was heard on  
14 the 26th of January, by the Chamber, and I would like to read to  
15 you what she said regarding access to food in Tram Kak  
16 cooperative. I will read an excerpt from the transcript E1/252.  
17 This is at 11.52 in the morning. The question was put to the  
18 civil party with regard to the food, and with regard to the  
19 collective meals. And this is what Chou Koemlan said to the  
20 Chamber. "With regard to common meals, we would work tooth and  
21 nail in the rice paddies. The fields were green, very green.  
22 Sometimes they became kind of golden. We were entitled to a  
23 spoonful of rice, soup and corn soup, but we could say nothing.  
24 If we were still hungry, we could not say so. If, unfortunately,  
25 we said that we were still hungry, we could be executed for that,

12

1 or we could be invited to a study session."

2 [09.32.45]

3 So, I wanted to know, Witness, you who were present at the work  
4 sites and in the rice paddies in Tram Kak cooperative, if you  
5 have seen or heard workers complain about the lack of food. And  
6 if yes, what would happen to them?

7 A. As for food rations, actually the chief of the commune  
8 arranged the food supply, and also food rations in the halls that  
9 we were eating. Actually, the chiefs perhaps, they did not  
10 coordinate well. That is - so for this reason, there was not  
11 enough food for some people to eat.

12 [09.34.03]

13 Q. Thank you. I'm going to rephrase what was said to me in  
14 French. So, you said that the coordination between the chiefs was  
15 not optimal. That is why there wasn't enough food. So, can you  
16 explain to the Chamber what you mean by 'the coordination among  
17 leaders was not optimal'? Can you tell the Chamber how the food  
18 was distributed in the commune, or how the food was distributed  
19 in the district?

20 A. Actually, there was no distribution of food supplies in the  
21 commune or in the districts. In the commune and in the district,  
22 they grew their own rice, they raised their own livestock to  
23 support their respective communes and districts. In some  
24 cooperatives, as I said, the head of the cooperative could have  
25 enough food for workers to eat, but some heads of cooperatives

1 could not cope with the food supply, food rations, so as I  
2 claimed, food ration was not 100 percent provided to workers in  
3 all cooperatives.

4 Q. And when the food rations were not provided to all  
5 cooperatives, was there a system at the higher level to allow the  
6 cooperatives to feed the workers?

7 A. Yes. The district - the district committee could get some food  
8 rations from some cooperatives to help and provide to other  
9 cooperatives which did not have enough food for workers.

10 Q. How did you obtain that information? Did you attend district  
11 meetings during which this issue of distributing food was  
12 discussed?

13 [09.37.06]

14 A. I was an assistant, so I was in the meetings, and there was  
15 such discussion as I said.

16 Q. Thank you. During these meetings, which you attended as an  
17 assistant, as you said, would people discuss the rice production  
18 quotas?

19 A. There was a report on rice production. And the report was  
20 about how many tonnes one village could produce. So, there was a  
21 report on rice production.

22 Q. Was there an objective, an objective that people had to meet?  
23 That is to say, an objective in terms of numbers of tonnes per  
24 hectare and per year?

25 [09.38.20]



14

1 A. There was propaganda for workers, for people to produce three  
2 tonnes per hectare. Some areas could achieve such a quota, and  
3 some area was not able to achieve such a quota.

4 Q. Thank you. You said yesterday that you were a rice farmer, a  
5 dry season rice farmer. So, according to you, and given your  
6 expertise as a farmer, do you believe that this goal was  
7 realistic at Tram Kak cooperative?

8 MR. PRESIDENT:

9 Please hold on, Mr. Witness. You may proceed, Victor Koppe.

10 MR. KOPPE:

11 Thank you, Mr. President. I object again to this line of  
12 questioning. The fact that the witness has said that he has a  
13 background as a rice farmer doesn't necessarily make him an  
14 expert or able to give an opinion as to the possibility that this  
15 is a realistic goal, yes or no. There's many -- there are many  
16 factors to take into consideration whether such a thing --  
17 whether such a quota is in fact reasonable or not. So, asking him  
18 on the basis of him being a rice farmer will not be helpful, and  
19 is basically asking an opinion of expertise which he doesn't  
20 have, despite the fact that he was himself a rice farmer.

21 [09.40.09]

22 MS. GUIRAUD:

23 May I please answer, Mr. President? Since our colleague Koppe  
24 already made this objection a few weeks ago when Sao Han was  
25 present here, and the Prosecutor had put to him a question, and

15

1 our colleague made the same objection. It was overruled, and you  
2 considered that since Sao Han back then had been a farmer, that  
3 that was enough for him to provide an opinion with regard to the  
4 fact that the quota was realistic or not. So, I would simply like  
5 to continue with the - to stand by what you had decided before,  
6 and to allow the witness to answer, based on his experience as a  
7 farmer.

8 MR. PRESIDENT:

9 The objection of the defence team for Mr. Nuon Chea is overruled  
10 in relation to the last question put by International Lead  
11 Co-Lawyer. Mr. Witness, you are instructed to give your response  
12 to the last question put by the International Lead Co-Lawyer. The  
13 Chamber needs to hear your testimony.

14 [09.41.29]

15 MR. NEANG OUCH:

16 A. In Tram Kak district, there was a goal in relation to dry  
17 season rice farming, in Boeng Angkor Borei. And there was also a  
18 plan in relation to rice farming in the upper parts of Tram Kak  
19 district. So, the goal was achieved at Veal Boeng Kampong Ampil,  
20 Angkor Borei (phonetic). And as for the Tram Kak district, some  
21 areas could achieve three tonnes per hectare, for example at  
22 Boeng Srae Ronoung (phonetic) at the intersection of Bai Kus  
23 (phonetic) streets. As for Cheang Tong commune, from Angk Ta Saom  
24 to Trapeang Andaek (phonetic), three tonnes were achieved.  
25 However, in some other areas, the plan or goal was not achieved

16

1 in relation to the three tonnes per hectare. In Leay Bour we  
2 could achieve a three tonnes goal. The area from the west of  
3 Takeo provincial town to Angk Ta Saom -- that is, the irrigation  
4 68 area, could achieve three tonnes per hectare.

5 [09.43.30]

6 BY MS. GUIRAUD:

7 Q. What would happen when the communes or cooperatives would not  
8 reach the goal that was set?

9 A. There was nothing happening.

10 Q. So, why would people set goals, if nothing would happen when  
11 these goals were not met?

12 A. In some areas, goal was reached. The -- but in some  
13 cooperatives or in some commune, because the soil was not so  
14 fertile, we could not achieve the goal. We need to use the  
15 fertilizer. But if the goal was not reached or achieved, there  
16 was not any punishment. If we could not achieve 100% objective,  
17 then there was no punishment.

18 Q. Thank you. And you said earlier on today that at times food  
19 would be lacking, and I wanted to know if you had experienced  
20 this personally when you were at Tram Kak, if you saw people who  
21 stole food in order to feed themselves?

22 [09.45.31]

23 A. I never encountered such incidents.

24 Q. Thank you. I would like you to react to the interview of a  
25 lady you said you knew and with whom you worked at the district,

17

1 Madame Boeun (phonetic). And I would like to read out what she  
2 stated with regard to the theft of food in the interview she gave  
3 to the investigating judge. And this is document E319/12.3.2.

4 MR. PRESIDENT:

5 You may proceed, Counsel for Mr. Khieu Samphan.

6 [09.46.43]

7 MR. KONG SAM ONN:

8 I do not have any objection. However, I would like to draw the  
9 Chamber's attention concerning the reference of names concerning  
10 some witnesses, because some witnesses, the request for  
11 protective measure are granted. We need to be mindful of this.

12 MS. GUIRAUD:

13 Well, it doesn't seem to me that this person made any specific  
14 protection requests. This person's name was brought up in an open  
15 way by the prosecution. So, if the Chamber, of course, would like  
16 me to silence this person's name, that's not a problem. I'm  
17 simply going to refer to the number E319/12.3.2. And I am going  
18 to refer to question and answer 147 to 149.

19 MR. PRESIDENT:

20 You may proceed, Mr. Koppe.

21 MR. KOPPE:

22 Excuse me. Just briefly, Mr. President, now I'm getting confused.  
23 Are we now allowed to use the names of future witnesses or aren't  
24 we? I mean, I'm very happy to do so, but I thought, with my  
25 colleague, that we weren't allowed to do so. Could you please

18

1 give us a clear ruling on this?

2 [09.48.12]

3 MS. GUIRAUD:

4 Well, just to react. Mr. President, may I respond? Apparently  
5 this person had been chosen by the prosecution to testify, but  
6 that the Chamber had not yet given an answer with regard to this  
7 point. So I would like the Chamber to decide on this.

8 (Judges deliberate)

9 [09.51.00]

10 MR. PRESIDENT:

11 To clarify this matter in our proceedings, as for the individuals  
12 to appear before this Chamber to testify, the Chamber would like  
13 to request all Parties to use pseudonyms. And in case such  
14 individuals do not have any pseudonyms, I request all Parties to  
15 refer to specific documents and I also remind parties to comply  
16 with the confidentiality.

17 You may proceed, Judge Lavergne.

18 JUDGE LAVERGNE:

19 There might be a translation issue here, what the Chamber would  
20 like is when a Party is in the list of witnesses and when this  
21 Party has not yet been heard publicly, then we have to refer to  
22 this person's pseudonym. If a witness has already been proposed  
23 as a new witness, which is the case here, then you should say  
24 that I am referring to the person who was heard in document so  
25 and so and then provide the references of that document.

1 BY MS. GUIRAUD:

2 That's very clear. Thank you, Mr. President. Thank you, Your  
3 Honour. So, I will not use any pseudonym, because this person  
4 does not have any and I will simply refer to the document whose  
5 index I already provided -- that is to say, E319/12.3.2, and I am  
6 referring here to question and answers 147 to 149. This person,  
7 Witness, you told us you knew this person and that you would work  
8 with this person at the district level. And this person is  
9 questioned about the crimes committed during the Democratic  
10 Kampuchea period and this person says, and I'm going to have to  
11 quote in English, because this document has not been translated:  
12 "Theft of supplies or small amounts to eat was a minor crime."

13 [09.55.42]

14 Q. So, can you please react to this? Were you aware of the fact  
15 that back then, the fact of stealing food was considered a crime?

16 MR. NEANG OUCH:

17 A. This individual and I were living in different places. She was  
18 living in Cheang Tong and I was living in Leay Bour. And if  
19 there was an incident concerning stealing food, the individual  
20 concerned would be reprimanded in the commune or in their areas  
21 for a few times. I was not fully aware concerning the incident of  
22 stealing food. And as I said, if there was a minor case  
23 concerning stealing food, the person was reprimanded. There was  
24 no serious punishment.

25 [09.55.09]

1 Q. And were these issues -- these issues of stealing food brought  
2 up during the district meetings which you attended as an  
3 assistant, as you've been saying to us since yesterday?

4 A. I heard the discussion of this issue in the meeting of  
5 district committee and commune committees.

6 Q. And what kind of discussions would you have with regard to  
7 this issue at the district level?

8 A. There was a meeting between the district committee and  
9 villages to discuss the issue of stealing food, and they also  
10 discussed about the measure to be taken against those offenders.  
11 And they were reprimanded. There was no serious punishment for  
12 those who stole food.

13 Q. And at the district level, in the meetings you attended, was  
14 this issue of thieving of food tied to the lack of food that you  
15 described to us a little earlier on? To make things clear, do you  
16 think workers stole food because they were hungry?

17 MR. KOPPE:

18 I object Mr.--

19 MR. PRESIDENT:

20 You may proceed, Victor Koppe.

21 [09.57.24]

22 MR. KOPPE:

23 Thank you, Mr. President. I object. This is a very speculative  
24 question. If we're talking about a very concrete case, maybe, but  
25 what the potential thieves were thinking is beyond the realm of

21

1 the capacity of this witness.

2 MS. GUIRAUD:

3 We're not asking the witness what he thinks about what the  
4 thieves thought back then; we're asking him about what he thought  
5 about the situation and if he made a connection between the lack  
6 of food, which he described a bit earlier on, and the fact that  
7 people would steal food. I think that this is a legitimate  
8 question that might shed light.

9 (Judges deliberate)

10 [10.00.43]

11 MR. PRESIDENT:

12 The objection by the defence team to the last question posed by  
13 the International Lead Co-Lawyer for civil parties is sustained,  
14 because this question relates to a presumption by the witness.  
15 And the Lead Co-Lawyer for civil parties, if you wish to ask that  
16 question, please rephrase it or put it in another form. Judge  
17 Lavergne, if you wish to make further comment on this issue, you  
18 have the floor.

19 JUDGE LAVERGNE:

20 It may well be a problem of interpretation. The questions -- the  
21 question asked, at least the way we understand it in French, is  
22 aimed at finding out from the witness whether during meetings he  
23 attended at the level of the district he heard explanations given  
24 regarding reasons for which certain persons stole food, and these  
25 reasons included the fact that some workers were hungry. Counsel



1 Guiraud, have I properly understood your question? Is that the  
2 question you wanted to ask the witness?

3 [10.02.20]

4 BY MS. GUIRAUD:

5 Absolutely, Mr. President. I can rephrase it or repeat it.

6 Q. Witness, during meetings held at the level of the district,  
7 which you attended at the time or during which, as you told us a  
8 while ago, the question of theft of food came up, among the  
9 reasons given to explain such theft, do you have the fact that  
10 the workers were hungry? Was that one of the reasons given?

11 MR. NEANG OUCH:

12 A. There was an explanation to the fact that this event could  
13 rise in the cooperative or the commune where the produce was not  
14 sufficient. They also provided the reasons for stealing. For  
15 instance, some of them stole food because they were hungry.

16 [10.03.47]

17 Q. Thank you. When people attending these district meetings heard  
18 those explanations, notably that some people stole food because  
19 they were hungry, what were the discussions you held and what  
20 solutions did you propose to resolve such issues?

21 A. I already stated that for the area that did not have  
22 sufficient food or produce, then the area with the surplus of  
23 food would share the surplus with those, with the areas that did  
24 not have sufficient food. However, this could not go on forever.

25 Q. So, if I understand what you're saying correctly, to remedy

1 that situation, decisions were taken at the level of the  
2 district, with a view to sharing food in such a manner that some  
3 quotas or rations were respected, whereas others weren't. That  
4 is, some people received proper rations and others didn't.

5 A. Yes, that is correct. However, even with the food given by  
6 other communes to the area with insufficient food, it was not -  
7 it was still not sufficient. But at least it would help those  
8 areas.

9 Q. Thank you. It therefore transpires from your testimony that in  
10 some zones, in any case, in Tram Kak, there were sometimes a  
11 shortage of food. Was such information communicated to foreign  
12 delegations that visited you in Leay Bour commune and over which  
13 you had responsibility?

14 A. I met with the delegations and I did not speak on this matter  
15 with them -- that is, to the Swedish delegation and to the  
16 Chinese delegation. And neither one of the two delegations asked  
17 me about this issue. Mainly they asked me on other issues, and  
18 one issue that I recall is that whether it's Cambodian culture  
19 that women would go to ask for the men to get married. And I said  
20 no, it's the other way around. And that's what happened in  
21 Cambodia.

22 [10.07.29]

23 And I already spoke about the meeting with the Chinese  
24 delegation, and I think I mentioned it rather in details in my  
25 written record of interview with the OCIJ investigator and also

1 in my responses to the International Co-Prosecutor yesterday.

2 [10.08.02]

3 Q. Absolutely, Witness, and we thank you for the clarifications  
4 you made yesterday. You told us that you were in charge of  
5 foreign delegations, including the Swedish and Chinese  
6 delegations that visited your sites. I would also like to know  
7 whether you received delegations of high-ranking personalities  
8 who were members of the Democratic Kampuchea regime.

9 A. As for senior leaders of Democratic Kampuchea, they did not  
10 come to visit Tram Kak district, and I never received them there.

11 Q. I would like you to react to a testimony we heard earlier in  
12 this hearing on the 26th of January, 2015. A civil party  
13 testified. That civil party was at Tram Kak cooperative and  
14 worked at Leay Bour, that is Ms. Chou Koemlan. That civil party  
15 gave a testimony, which I would like to read out to you so that  
16 you may react to it. It is transcript number E1/252.1, and it is  
17 at 11.59. That civil party recounted a visit by Pol Pot, Nuon  
18 Chea, Khieu Samphan and Ta Mok at Leay Bour. And she said at  
19 11.59:

20 "I saw them in 1977. I do not remember the exact month. It is  
21 possible that it was in February, March, April or May, but that  
22 was a long time ago. Those leaders were in a car. They stopped at  
23 Koul Chambak (phonetic) region. They looked at us carrying earth.  
24 The commune committees and head of the unit were with them."  
25 Witness, may I know whether this testimony by Chou Koemlan

1 reminds you of anything?

2 [10.10.45]

3 A. Chou Koemlan stated that this event took place in March or  
4 April, but let me clarify that, as I stated yesterday, I arrived  
5 in Tram Kak district probably in June or July of 1977. So if this  
6 statement was true, it means it happened prior to my arrival in  
7 the district.

8 Q. Thank you. I would like us to talk about another subject now.

9 I would like you to explain the role of the militias.

10 [10.11.32]

11 MR. PRESIDENT:

12 Thank you, Lead Co-Lawyer for civil parties. It is now convenient  
13 to have a short break. We will take a break and return at 10.30.  
14 Court officer, please assist the witness during the break time  
15 and invite him, including his duty counsel, back into the  
16 courtroom at 10.30.

17 The Court is now in recess.

18 (Court recesses from 1012H to 1031H)

19 MR. PRESIDENT:

20 Please be seated.

21 The Court is now back in session. You may proceed, Mr. Koppe.

22 MR. KOPPE:

23 Thank you, Mr. President. I would like to ask for a clarification  
24 in respect of a document that was shown to the witness by the  
25 International Co-Prosecutor yesterday at 9.50, we received a

26

1 notification of a request for correction on document, E3/4093,  
2 that's the document that was extensively shown to the witness and  
3 when I had a look at this request for correction, it says, at  
4 least in the English version that the word "Sang" (phonetic) is  
5 deleted from the English translation, we only see a signature. So  
6 I'm not quite sure whether the witness has been -- obviously the  
7 witness has been shown the Khmer version of the document but I'm  
8 not quite sure how to understand the English translation. Are we  
9 now saying - maybe I should say also the request was made by  
10 certain, Reath Panhean. I don't know who he is and it was done on  
11 Friday 6th March. But the only thing I can say now is that the  
12 English translation of this document now has deleted officially  
13 the name "Sang" (phonetic) and I was just wondering what the  
14 background of this request is.

15 (Short pause)

16 [10.33.24]

17 MR. PRESIDENT:

18 You may proceed, International Co-Prosecutor.

19 MR. KOUMJIAN:

20 Your Honour, obviously I'm not a translator, I am at a  
21 disadvantage, but I understand that Counsel is referring to the  
22 page in English, excuse me, in Khmer ERN 00270787, and on that  
23 page in the box that writing that appears horizontally, in the  
24 middle of the page, the name below it, I understand and perhaps  
25 the Khmer members of the defence teams can verify, is "Sang"

1 (phonetic) and then the date 7/8.

2 MR. KOPPE:

3 Yes, that's my correction but - understanding but in the  
4 correction it now says deleted "Sang" (phonetic) so if you look  
5 at this apparently in the document which is called E3/4093  
6 correction, and it says "signature" but it says literally  
7 "deleted 'Sang'" (phonetic). So it seems that the translators are  
8 now saying that the word "Sang" (phonetic) cannot be recognised  
9 on the original Khmer version. That's how I understand it but if  
10 I'm wrong I stand to be corrected.

11 [10.34.55]

12 MR. PRESIDENT:

13 You may proceed, National -- Deputy National Co-Prosecutor.

14 MS. SONG CHORVOIN:

15 The Defence was referring to E3/4091 sent by Co-Prosecutor and  
16 this is the document with the handwriting with the signature and  
17 this document date is 7 August and the signature look like a name  
18 of a person.

19 MR. KOPPE:

20 No, Mr. President, I have it in front of me and the email  
21 actually says it itself, the notification by the Greffier, it  
22 says E3/4093 that's the document that we've been discussing  
23 extensively. My understanding is that the word "Sang" (phonetic)  
24 from that original Khmer document is now been deleted in the  
25 translation which I don't know seems to imply that whoever

1 translated this document now is of the opinion that the word

2 "Sang" (phonetic) is not recognisable.

3 [10.36.25]

4 (Judges deliberate)

5 [10.38.39]

6 MR. PRESIDENT:

7 You may proceed, Judge Fenz.

8 JUDGE FENZ:

9 Apparently the whole issue has been further complicated because

10 there has been a translation problem in translating the ERN

11 numbers you mentioned. So may I ask you again to give us the ERN

12 number of the document that has been corrected and please,

13 Interpreters, pay specific attention, there was a problem in into

14 French.

15 [10.39.06]

16 MR. KOPPE:

17 Judge Fenz, the ERN number that I have on the left bottom is

18 01072346 and on the right page up it says E3/4093/ -- I believe,

19 correction.

20 JUDGE FENZ:

21 And it was filed on?

22 MR. KOPPE:

23 It was filed this Friday and notified to the Parties at 9.50 in

24 the morning yesterday.

25 JUDGE FENZ:

1 Thank you. We, the Chamber, obviously recognises that that has to  
2 be clarified. We will do that during the lunch break. Should it  
3 be necessary to use this document in the meanwhile please use the  
4 Khmer version, the Khmer original.

5 MR. KOUMJIAN:

6 Can I just clarify because the number that Counsel gave for the  
7 Khmer original is completely different from the number that we  
8 have. I perhaps better leave it for now.

9 JUDGE FENZ:

10 Perhaps easiest could you give a copy to one of our legal  
11 officers, he can make a copy, so know what you are talking about.

12 [10.40.34]

13 (Short pause)

14 [10.41.08]

15 MR. PRESIDENT:

16 I would like to know how much time you need, Lead Co-Lawyer.

17 [10.41.16]

18 MS. GUIRAUD:

19 I think I can be done by 11.00 o'clock if that's necessary but I  
20 will rely on the Chamber's wisdom with regard to that.

21 MR. PRESIDENT:

22 You may proceed.

23 BY MS. GUIRAUD:

24 Thank you, Mr. President.

25 Q. Before the break, Witness, I put a question to you about the



1 militia and I would like you to explain to us how the militia  
2 would operate in Tram Kak cooperative.

3 MR. NEANG OUCH:

4 A. In Tram Kak District, there were militia in communes and in  
5 districts. These two types of militia is to protect the security  
6 for the commune and for the districts.

7 Q. Can you be a bit more specific regarding the different tasks  
8 that were accomplished by the commune militia and the district  
9 militia?

10 A. I mentioned already that commune and district militias were to  
11 provide security to respective communes and districts. That's  
12 all.

13 [10.43.40]

14 Q. What do you mean by "security"?

15 A. As for the term "security", for instance if there was any  
16 issue or if there was any incident, the militia was to be  
17 deployed to provide security.

18 Q. And were the militiamen armed?

19 A. During that time they were lightly armed. For instance in one  
20 commune there would be ten militiamen and they had only two or  
21 three rifles or weapons. So in the platoon, there was a platoon  
22 as well, and one platoon had 13 members. And in Noreay, near  
23 National Road Number 3, there was a unit and in other areas near  
24 the mountain and in that area there was also unit. As I said,  
25 they were not heavily armed.

1 [10.45.57]

2 Q. Thank you. And how were the militiamen recruited, how old were  
3 they?

4 A. Upon my arrival I could see that the structure was already  
5 organised. As for the age of militiamen, the age range was  
6 between 18 to 35 -- rather 30.

7 Q. Thank you. So the commune militia -- were the commune  
8 militiamen in charge of supervising the couples that had just got  
9 married?

10 A. No.

11 Q. Thank you. I would like you to react on a testimony we heard a  
12 little earlier on in this Trial on 17 February 2015 and a witness  
13 came, he was a Base Person, and he came to testify. And I would  
14 like to read out an excerpt from the transcript, E1/264.1. And  
15 this person stated at around 10.55 while he was questioned about  
16 the role of the secret agents and he said, "After the wedding the  
17 unit chief sent chlop spies to listen at night. In reality there  
18 were two chlop spies per house to listen to the couple." A little  
19 bit further on he says, "they wanted to know if the couple would  
20 consummate the wedding and if that was not the case, the couple  
21 was summoned and would be reprimanded. If a couple got along well  
22 and consummated the marriage, there was no problem. The couple  
23 could go work as normal." I wanted to know, Witness, when you  
24 were at Tram Kak, if you saw militiamen listen to couples below  
25 their houses after they had got married.

1 [10.48.56]

2 A. No.

3 Q. Thank you. More generally speaking, how would couples get  
4 married at Tram Kak during the period you were posted there? Can  
5 you tell us how couples would marry at Tram Kak?

6 A. Actually as for marriage, four couples would marry in one time  
7 and the four couples would get married and after that there was  
8 dinner party and first the male would be asked to make a  
9 resolution and after that it was the time for the female. After  
10 making resolutions, these speeches or wishes were expressed by  
11 the head of the commune and there were wishes from the commune  
12 chief for the newly-wed and after that there was dinner time. And  
13 there was no music performed, there were no achar in attendance.  
14 This marriage would last only -- the marriage ceremony would last  
15 only two hours.

16 [10.51.22]

17 Q. Thank you, Witness. Were the men and women free to choose  
18 their partners?

19 A. Yes, there were some. In some places the head of the commune  
20 or the head of the cooperative would decide the partner for those  
21 people.

22 Q. What would happen if the men and women would refuse marrying  
23 the person who was proposed by the commune chief?

24 A. I never encountered such refusal. After they were matched,  
25 they would get married and for some couples they made their own

1 decision and as I said the head of the commune and cooperatives  
2 on some occasions would decide which couples to be matched and  
3 after marriage I could see the newlyweds got along well with each  
4 other.

5 Q. Thank you. Did the district have a role to play in the way the  
6 weddings were organised?

7 A. Actually there was -- I did not see any involvement of the  
8 district. However the request would be made by the commune head  
9 to the district that the commune head would like to arrange a  
10 marriage for certain couples and request was made by the commune  
11 chief to the district for consideration and after that the  
12 marriage would be held. And most of time I did not see any  
13 attendance from the district.

14 Q. Thank you. I would like you to react to the answers that were  
15 provided by the person we spoke about since this morning and this  
16 person whose name we cannot disclose and who was interviewed by  
17 the Co-Investigating Judges. This is PV, E319/12.3.2, and this  
18 lady, whom you knew back then and with whom you attended district  
19 meetings, indicated to the Investigating Judge during her  
20 interview and in her answer 111 in particular, I'm going to read  
21 the excerpt in English because there is no French translation,  
22 "The commune level listed the names of the couples to be married  
23 and sent the names to the sector level to decide how many couples  
24 were to be married each time."

25 Witness, does this description correspond to what you experienced

1 back then -- that is to say, the fact that the commune would send  
2 the names of the couples to the sector level and then the sector  
3 would decide who would marry whom.

4 [10.56.54]

5 MR. PRESIDENT:

6 Please hold on, Mr. Witness. You may proceed, Mr. Koppe.

7 MR. KOPPE:

8 I suppose I object to this question. In itself I understand the  
9 practice of reading only one sentence from an answer. However,  
10 the standing practice now is to read the complete answer so, I  
11 would invite the Lead Co-Lawyer to also read the second part of  
12 the answer 111.

13 MS. GUIRAUD:

14 Mr. President, I do not believe that my colleague should order me  
15 to do so. If you ask me to do so I will do so but my colleague  
16 can do that during his examination, I have no problem with it but  
17 I simply wanted to gain time.

18 MR. KOPPE:

19 Then I request you to instruct Counsel to read the whole answer.

20 JUDGE FENZ:

21 Can I just ask a question, Counsel, are you alleging that only  
22 reading one sentence is misleading and if so, why?

23 MR. KOPPE:

24 No, not necessarily. But the practice is, I'm sometimes reading  
25 one sentence and then I get objected to so the answer is much

1 more - much more detailed than the one sentence that is being  
2 read now. So, because of this practice I'm now objecting and I  
3 think the whole answer should be read to the witness.

4 [10.57.58]

5 MS. GUIRAUD:

6 Mr. President, may I answer? I don't believe that this is an  
7 established practice. I think that's at the Chamber's discretion  
8 to consider if this appropriate or not. All Parties have access  
9 to the documents as well as the Chamber so of course I will rely  
10 on your wisdom regarding this issue.

11 [10.58.27]

12 (Judges deliberate)

13 [10.59.14]

14 MR. PRESIDENT:

15 The objection of the Defence Counsel for Mr. Nuon Chea is  
16 overruled in relation to the last question put by the  
17 International Lead Co-Lawyer. And I inform the Counsel for Mr.  
18 Nuon Chea that you can quote the whole part of the answer during  
19 the time of your questioning.

20 Mr. Witness, you are instructed to provide your answer to the  
21 question.

22 MR. NEANG OUCH:

23 Please repeat your question, I do not recall it.

24 BY MS. GUIRAUD:

25 Q. I will try to sum up my question in French under the

1 supervision of the Chamber and the Parties. Witness, do you agree  
2 with the witness whose testimony I have just cited and who said  
3 that the list of names of couples to be married were sent to the  
4 commune at the level of the sector, who decided how many couples  
5 were to be married on each occasion, was that the practice to the  
6 best of your recollection?

7 MR. NEANG OUCH:

8 A. People who were supposed to get married were sent to the upper  
9 level for approval and sometimes the approval could be made at  
10 the commune or at the district level so the situation varied.  
11 It's a case by case basis.

12 Q. Thank you. Did it sometimes happen that the higher level would  
13 refuse giving the authorisation for such marriages to proceed and  
14 if yes, what happened in that case?

15 A. I would like to clarify this issue again. Some couples,  
16 involved with - or some men or some women who were supposed to  
17 get married were forces from the sector level and if that is case  
18 then there has to be an authorisation from the district up to the  
19 sector level. However for those to be grooms not at the sector  
20 level then the authorisation could be only be made only up to the  
21 district level -- that is, from the commune up to the district.  
22 And to my knowledge, I never saw any disagreement or disapproval  
23 by the sector level in this case.

24 [11.03.14]

25 Q. Thank you. I have one last question, Mr. President, if you

1 would allow me. It's a very short question and it is a follow up  
2 to the last question in the same transcript of that witness's  
3 testimony particularly on this subject, answer 117. I will read  
4 three lines of the witness's entire answer in English in order  
5 that there may not be any difficulty. "Nothing like that happened  
6 at my site, they all had known one another because my site was  
7 not large, we arranged their marriage and the couples agreed but  
8 if the upper level did not approve, they could not marry."

9 Can you express an opinion on this? And this would be my last  
10 question, particularly to the fact that if the higher level did  
11 not approve of the marriage, those persons could not be married.

12 A. I never came across such an issue and if it happened probably  
13 it is out of my recollection. We made a request to the upper  
14 level and most of the time, they approved and I never saw a case  
15 where they disapproved such a request.

16 Q. Thank you, Witness, for answering my questions. Thank you, Mr.  
17 President, for granting me additional time for examining the  
18 witness. I have no further questions for the witness.

19 [11.05.42]

20 MR. PRESIDENT:

21 Judges of the Bench do you questions to be put to this witness if  
22 so, you can proceed. Judge Fenz, you have the floor.

23 QUESTIONING BY JUDGE FENZ:

24 Q. I have couple of general follow up questions. First, Witness,  
25 can you remind us, did you ever in life meet Pol Pot, Nuon Chea



1 or Khieu Samphan and if I say, meet, I also mean, see.

2 MR. NEANG OUCH:

3 A. During the period from 1975 to 6th January 1979, I met Om Nuon  
4 Chea during a yearly study session and I met him once. As for  
5 Khieu Samphan or Pol Pot, I never met them during the three-year  
6 period.

7 Q. And this study session was when? The study session when you  
8 met Nuon Chea.

9 A. I cannot recall the date. However it happened around September  
10 or October.

11 [11.08.00]

12 Q. Thank you. My next question goes to your relation to Ta Mok.

13 Now, I understand you won't be able to give me a number of times  
14 you've had contact with him but give me an idea. In the time  
15 between '75 and end of '78, how often did you have contact of any  
16 kind, private or professional, direct or per phone or message  
17 with Ta Mok? Is this once a year, once a month, once a week,  
18 something in between?

19 A. I met Ta Mok in 1975, after Kampuchea was liberated. I met him  
20 when Ta Mok set a plan to build a historical dam at Angkor Borei  
21 Lake, stretching from Kampong Pou along Canal 99 and it stretched  
22 for four kilometres, then it turned to the north. I met him at  
23 the time that we were at the work site and he came to inspect the  
24 dam work site and while I led the workers to build that dam. That  
25 was the time that I was an assistant to Kaoh Andaet district. And

1 from then on I met him on various other occasions, sometimes I  
2 saw him from a distance or sometimes I met him briefly. And  
3 during the two months that the dam was built, I met him rather  
4 frequently there when he went to inspect the work site. And after  
5 that period, I did not meet him or see him frequently.

6 I again saw him when I was called by him from Kaoh Andaet to  
7 Takeo and that when he assigned me to work as an assistant to  
8 Tram Kak District. And after that he left Takeo and went to the  
9 Northwest Zone -- that is, to Battambang province and that is  
10 the fact.

11 [11.11.16]

12 Q. So can you give us an idea how often you met him in 1976, if  
13 at all?

14 A. I did not meet him that often in 1976.

15 Q. Can you be a bit more precise? That often is very vague,  
16 again, once a week, once a month, once every two months or what  
17 else?

18 A. In 1976, Ta Mok was still at the Southwest Zone and I met him  
19 probably once a month or once every two months when he came to  
20 Takeo.

21 Q. Were these private or professional meetings?

22 A. I met him during study sessions or during meetings -- that is,  
23 when communes or chiefs of communes were called for meetings at  
24 the districts and he also called me to attend those meetings or  
25 sometimes he called me to attend study sessions.

1 [11.13.07]

2 Q. What about 1977?

3 A. I did not meet him that frequently in 1977, because after he  
4 removed me from Kaoh Andeat to be an assistant in Tram Kak  
5 district, I did not meet him that often and subsequently he left  
6 Takeo for Battambang province in the Northwest Zone.

7 Q. Were there any private meetings, family things, weddings,  
8 funerals?

9 A. No.

10 Q. And to finish this, 1978, how often did you meet him then, if  
11 at all?

12 A. I already stated that after he transferred me to work at Tram  
13 Kak district, he went to Battambang district and I did not meet  
14 him since.

15 [11.14.43]

16 Q. Now, I have a couple questions about the wider Ta Mok family  
17 involvement in politics in the DK period. The Prosecutor started  
18 this line of questioning yesterday but used a document which  
19 hasn't been admitted so I'll ask you open questions. The  
20 questions will go to who of the Ta Mok family had which position?  
21 In order to structure this a bit, how many siblings did Ta Mok  
22 have and what positions did they have?

23 A. Ta Mok only had daughters and there were five of them. As for  
24 the positions, only the eldest daughter held a position, her name  
25 was Khom. Initially -- that is, after the 1970 coup, Khom, was

1 the Tram Kak District Chief.

2 Q. What did her husband do, provided she had one?

3 A. Meas Muth was Khom's husband. In 1970, after the coup, he was  
4 in charge of the Sector 13 army -- that is, for Takeo sector. The  
5 sector army's main duty was to fight against the Lon Nol forces  
6 at that time. Later on, I cannot recall the year, but it was  
7 circa 1973 or '74, he was promoted to the zone level and further,  
8 later on he was promoted to the centre and he was in charge of  
9 the Navy of Division 164.

10 [11.18.04]

11 Q. I understand you married the youngest daughter, so we know  
12 about you. What about the husbands of the other daughters? I  
13 think there are three left.

14 A. There are four more. The next daughter after Khom, named Ho,  
15 and her husband was a former soldier who died in the battle field  
16 during 1979.

17 Q. Next one?

18 A. For the next daughter, her husband was named Ren and to my  
19 recollection Ren died after 1979 though I cannot recall the exact  
20 year.

21 [11.19.30]

22 MR. PRESIDENT:

23 Mr. Witness, can you tell the name again of that daughter.

24 MR. NEANG OUCH:

25 A. Her name was Krou.

1 JUDGE FENZ:

2 Q. And what did he do before he died?

3 A. He was a soldier, although I did not know which position or  
4 rank he held and he went to live in Anlong Veang area after  
5 1979.

6 Q. I believe that leaves us with one daughter and her husband?

7 A. The next daughter Heanh and her husband was Boran and the  
8 husband also died after 1979, probably died around 1990s.

9 Q. What did he do between 1975 and '79?

10 A. He was in the logistic transportation unit between the border  
11 to the Southwest Zone in particular to Takeo province.

12 Q. Do you know of any other relatives of Ta Mok, cousins, etc.,  
13 who were in senior positions, positions of authority?

14 A. As for his cousins or other relatives, I do not know many of  
15 them. Originally I am from Kandal province while he was from  
16 Takeo province and as I did not stay much longer in Takeo  
17 province I did not know much about his distant relatives. I mean  
18 I refer to his cousins or his other relatives.

19 [11.22.38]

20 Q. My last question, did you ever hear the words "Brother Number  
21 One or Two" in connection with Democratic Kampuchea?

22 A. I heard the word "Brother Number One".

23 Q. When did you hear it?

24 A. That was during the three year period -- that is, after the  
25 war ended.

1 Q. So you never heard it between '75 and beginning of '79?

2 A. I already stated I heard that word used after the war ended so  
3 I refer to the period of 1975 to 1979.

4 Q. Sorry my mistake. Who was Brother Number One?

5 A. Om Pol Pot or Uncle Pol Pot was Brother Number One.

6 Q. Are you aware of any other brothers with numbers and who they  
7 were?

8 A. That's all I heard about brother with number.

9 Q. Thank you.

10 A. In addition, I also heard Brother Number Two but I did not  
11 know whom it refers to.

12 [11.25.06]

13 MR. PRESIDENT:

14 Judge Lavergne, you have the floor.

15 QUESTIONING BY JUDGE LAVERGNE:

16 Thank you, Mr. President. Mr. Witness, I have a number of  
17 questions for you and it is likely to take more than the five  
18 minutes remaining this morning.

19 Q. I would like to start by asking you to clarify something. In  
20 response to a question put to you by Judge Fenz, you said that  
21 you met Nuon Chea during a meeting that was held in September or  
22 in October. But in any case, in French, I did not hear the year  
23 in which that meeting was held. Can you tell us where and in what  
24 year that meeting took place?

25 MR. NEANG OUCH:

1 A. The meetings were held in September or October. It was one of  
2 these two months although I am not 100 percent sure. It was held  
3 in the year 1977 in Borei Keila compound located to the north of  
4 Preah Puth pagoda in Phnom Penh.

5 [11.26.44]

6 Q. How often did you have the opportunity to go to Phnom Penh to  
7 meet leaders? How many times did you have the opportunity to go  
8 to Phnom Penh to meet leaders or for any other reasons?

9 A. I came to Phnom Penh once a year for a yearly study session  
10 and it happened in 1977 and then in 1978 and in addition when my  
11 knee was injured I came for the treatment at the Soviet hospital  
12 and I was hospitalised for three months at the time.

13 Q. Who could attend those training sessions and who conducted  
14 those training sessions, apart from Nuon Chea?

15 A. The provincial level would select people to attend the study  
16 sessions and I observed that there were people from the District  
17 levels and some assistants also from the district levels and they  
18 were sent to study -- that study session and for the study  
19 sessions that I attended the only trainer was Nuon Chea.

20 Q. So when you say that you met with Nuon Chea only once that is  
21 false because you said that you went to Phnom Penh several times  
22 and that on each occasion, the training was conducted by Nuon  
23 Chea or did I not properly understand your testimony?

24 A. I think you misunderstood my statement. I attended a study  
25 session once in 1977 when I met Nuon Chea and again I attended a

1 study session in 1978 and that was a second occasion that I met  
2 Nuon Chea and besides that I came to the Soviet hospital for my  
3 treatment.

4 [11.29.43]

5 Q. What was the content of this training? What was being  
6 discussed during this training?

7 A. It is very difficult to recall the contents of the study  
8 sessions as the period has passed for more than 30 years. There  
9 were documents -- several documents provided for the study  
10 sessions and I cannot recall the details of the contents of those  
11 documents nor the titles of those documents. Usually at the  
12 conclusion of the study session, they would hold a criticism and  
13 self-criticism meeting to evaluate our study session and what we  
14 learned. And then we would hold a joint meeting and after that a  
15 group meeting for the criticism but let me repeat again, I cannot  
16 recall the contents of the documents provided during the study  
17 sessions.

18 [11.31.19]

19 Q. Was the aim of these meetings to define the political line of  
20 the CPK?

21 A. I already stated that it is very difficult for me to recall  
22 exactly what were taught or discussed during the study sessions  
23 as it has been for almost 40 years now.

24 Q. So you went to Phnom Penh several times. So I suppose that  
25 meeting Nuon Chea is something that did not leave you



1 indifferent. So please make some efforts, please tell us what you  
2 heard during these meetings.

3 A. I will try to recall it but if I force myself not to recall it  
4 I cannot do it. I may need more time to recall the contents of  
5 the study sessions.

6 Q. Fine. Do you have any memory issues? Do you manage to remember  
7 things that happened recently or maybe longer ago?

8 A. I have problems with memory as my recollection is not that  
9 good. Usually for example when I worked in my farm I will write  
10 down what I need to do in my notebook. For example, at what time  
11 I have to water the vegetables. So just to summarise, I do have  
12 problem with my memory.

13 [11.34.02]

14 Q. So regarding these meetings with Nuon Chea, you have no idea  
15 of what was discussed during these meetings, not even in very  
16 broad terms you have no idea, absolutely no idea?

17 A. I can recall some -- that is, on the building of a class,  
18 peasant class and about the class struggle and to get rid of the  
19 capitalist class from within ourselves, for instance. These are  
20 some of the contents of the study sessions that I can recall.

21 [11.35.09]

22 Q. Did Nuon Chea ever speak to you about the enemies, the enemies  
23 of the CPK?

24 A. I do not have anything to hide, Your Honour, but I simply  
25 cannot recall it. Even for my daily work with my family, I have

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1 difficulty with it and I remember about class struggle and we had  
2 to get rid of this capitalist class because it happened to me  
3 personally so I had to train myself or to refresh myself to  
4 become one of the people in the peasant class.

5 MR. PRESIDENT:

6 The time is now convenient for a short break for lunch. We will  
7 take break now and return at 1.30 this afternoon. Court officer,  
8 please assist the witness during the lunch break and invite him  
9 back into the courtroom with his duty council at 1.30.

10 Security guard, please bring Khieu Samphan to the waiting room  
11 downstairs and have him back to the courtroom prior to 1.30.

12 The Court is now in recess.

13 (Court recesses from 1136H to 1336H)

14 MR. PRESIDENT:

15 Please be seated.

16 The Court is now back in session. And Judge Lavergne, you have  
17 the floor.

18 [13.37.43]

19 BY JUDGE LAVERGNE:

20 Yes, thank you, Mr. President. Witness, I would like to get back  
21 to the documents that were provided to you yesterday by the  
22 Co-Prosecutor. You remember, yesterday evening, you were given  
23 document E3/4093, and you asked to speak to your lawyer. And this  
24 morning, you were questioned again regarding this document. So,  
25 I'm going to read again the answer as it was noted down this

1 morning. "I would like to provide the following clarification.  
2 First of all, as a deputy of the committee, I must say that it  
3 was Ta Ran who was in charge of the district. So he was he was  
4 above me. Before I would to complete a task, whatever it was, I  
5 had to ask for Ta Ran's leave. So, all of the decisions were  
6 taken by Ta Ran. And as far as I'm concerned, I would simply  
7 write down the decisions taken by Ta Ran. And I can tell you that  
8 'sweeping everything clean' meant to execute". So Witness, I  
9 would like you to tell us clearly if today you acknowledge being  
10 the person who signed this document E3/4093. Would you like me to  
11 provide this document to you again so that you could have it at  
12 hand and so that you can check that it is really your signature?  
13 [13.40.22]

14 MR. NEANG OUCH:

15 A. As I already stated and Your Honour, already read out my  
16 script, all the tasks had to be decided by Ta Ran who was chief  
17 of Sector 13 and Tram Kak district was one of the districts under  
18 that sector. So I had to have the authorisation or approval from  
19 him, and based on his decision, then I would write down. On the  
20 issue of the signature in document E3/4093 dated the 7 August, I  
21 acknowledge it is my signature. However, in another document,  
22 that is, document D157.101, with the date of 7 of March and with  
23 my - and with the name San, I must say the handwriting in this  
24 particular document is not my handwriting. And that document also  
25 bears an E3 number -- that is, E3/2785. And once again, I'd like

1 to clarify that the handwriting in this particular document is  
2 not mine.

3 [13.42.43]

4 Q. Thank you, Witness, for this clarification. So I must  
5 therefore understand that document E3/4093 is a document in which  
6 you recognise your signature as well as your handwriting. That is  
7 what you're telling us; correct?

8 A. Yes, that is correct. However, as I stated, I only followed  
9 the instructions laid down by Ta Ran.

10 Q. And in document E3/2585, you tell us that this is neither your  
11 handwriting neither your signature, so I would like to specify  
12 that document E3/2785, the relevant ERNs in Khmer are 00079115;  
13 English 00322193; and French 00753636. So, I understood well,  
14 with regard to document E3/2795, this is neither your handwriting  
15 nor your signature? Yes, do you confirm what I just said or?

16 A. Yes, that is correct. The handwriting is not mine and the  
17 signature is also not mine. That's why it is very difficult for  
18 me and that's why it confuse me.

19 [13.45.16]

20 Q. Okay, we will get back to those issues later but now, I would  
21 like to cover all of the documents that were presented yesterday.  
22 So, I would like you to see again document E3/2422 (sic). If you  
23 could -- if the court officer could please provide this document  
24 to the witness. I have it here at hand. I -- the ERNs are; in  
25 Khmer, 00079127; and in French, 00611732; and English, 00322210.

1 And the document reads as follows:

2 "First, correct - interrogate the despicable Hul Muoy who is a  
3 second lieutenant and ask him to disclose the branch he belongs  
4 to. Did he flee to Chruos Chrey mountain and does he have any  
5 networks in Chamkar Sang (phonetic) or not? And who belongs to  
6 his networks? Second, regarding a man named Seak (phonetic) who  
7 was sent to you yesterday, I would like you to interrogate him to  
8 identify his command network. You have to ask him how many people  
9 were appointed by him. What are his activities. Please  
10 interrogate him in-depth".

11 So, Witness, can you tell us if you recognise your signature and  
12 if you recognise your handwriting?

13 A. The handwriting is not my handwriting. Also the signature is  
14 not mine.

15 [13.47.54]

16 Q. Well, fine. I'm also going to show you another document that  
17 was also presented to you yesterday. This is document E3/2453,  
18 Khmer, ERN 00270774; English, ERN 00388577; French, ERN 00611769.

19 And the relevant part reads as follows: "To the attention of  
20 comrade Nit (phonetic). For information purposes, regarding  
21 Phuong Phalla and Pen Aun, I gave the order to comrade Naom  
22 (phonetic) to send them to the police of District 105". This is  
23 18 October, the date. So is this your signature again and your  
24 handwriting?

25 A. Both the handwriting and the signature are mine. And I wrote

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1 that after I got the approval from Ran. I'm -- it is very hard  
2 for me to read here whether it's Brother Kit or Brother Nit  
3 (phonetic).

4 [13.50.23]

5 Q. We'll get back to that later. Now I'd like to present to you a  
6 last document. This is document E3/2444. The Khmer ERN is,  
7 00271029. The copy is very poor and we are going to focus on the  
8 right hand side of this page. And the English ERN that concerns  
9 us is, 00322149; and French, 00623342. So do you recognise this  
10 signature on this document as being yours? And do you recognise  
11 your handwriting?

12 A. I cannot read this document clearly.

13 Q. Well, fine. So, we are going to note down that you were not  
14 able to read it. No problem. So, I would like now to return to  
15 Document E3/2453. This is a document in which you say you  
16 recognise your signature. This document is dated 18 October. So  
17 what you're telling us is that you wrote this document after  
18 having received orders from Ta Ran. So how would you liaise with  
19 Ta Ran who was at the sector level? Would you send messengers?

20 A. My house was located in Leay Bour, and the location from my  
21 house to Ta Ran's place was six kilometres. And in fact, I used a  
22 motorbike to go to his place. I would report to him and then he  
23 would make a decision and then I would write down his decision.

24 [13.54.09]

25 Q. Well this message is addressed to comrade Nit or comrade Kit

1 or Ket (phonetic), I don't really know exactly. So to whom would  
2 you write?

3 A. I wrote this to Brother Kit.

4 Q. Who was comrade Kit?

5 A. In fact, I already responded as to who was Kit. Kit was the  
6 secretary of Tram Kak district. And this information concerns  
7 Angk Ta Saom. And I sent this letter - in fact I reported about  
8 this event to Ta Ran, the sector committee.

9 Q. This answer follows a report that was addressed by a so-named  
10 Saom. Saom, maybe I'm not pronouncing it right but -- but the  
11 signature just above reads as 'Saom' in French. Which signature  
12 can you read right above? And to whom does this signature  
13 correspond? Who wrote to you?

14 [13.56.41]

15 A. The signature and the name is Saom. However, about that it is  
16 a Khmer abbreviation for the area known as Angk Ta Saom. So after  
17 Chhaom, from Angk Ta Saom, brought that information to me, I  
18 reported it to Ta Ran. And after Ta Ran made his decision, then I  
19 wrote down that decision for brother comrade Kit.

20 Q. So in this particular case, do you remember who specifically  
21 wrote to you? Do you remember the person who wrote to you? And do  
22 you remember what his duties were?

23 A. It was Ta Chhaom who brought me that information that he  
24 wanted to send it to the district but because I was closer to  
25 him, that's why I brought that information to Ta Ran so that he

1 could make his decision. And after Ta Ran made that decision, I  
2 wrote it down and then I relayed it to brother comrade Kit.

3 Q. What were Ta Chhaom's duties? Was he heading a cooperative, a  
4 commune? What exactly was his position?

5 [13.58.49]

6 A. Ta Chhaom was commune chief.

7 Q. Commune chief of which commune - which commune?

8 A. It was Angk Ta Saom commune.

9 Q. Fine. In your answer, you say, "I ordered comrade Naom  
10 (phonetic) to complete this". Who is comrade Naom (phonetic)?

11 A. In my - in the documents that I have in my hand, there is no  
12 such name.

13 Q. It is possible that it is 'Nom', 'Nium' or 'Nuon'. Can you  
14 read anything that looks like 'Nom'?

15 A. The name is Chhaom.

16 Q. Very well. Who is that person? Is that the same person who  
17 wrote to you? Is the person called Chhaom, the person who sent  
18 you the report?

19 A. It was the same person. The person named Chhaom who signed  
20 above that information from Angk Ta Saom was the same person that  
21 I wrote in that brief letter.

22 [14.01.27]

23 Q. Very well. I have another question for you. You wrote and  
24 issued orders to comrade Chhaom to send them to the police of  
25 District 105. Who are you referring to when you talk of the



1 police of District 105?

2 A. District 105 Police, it was a place where they examined and  
3 they interrogated people who were sent to that place.

4 Q. Where was that police station situated?

5 A. As far as I know, there was a place where the police stayed.  
6 It was to the west of the district office and also to the west of  
7 Angk Roka. It was in a small house. Two or three, four houses --  
8 small houses which is - which is to the west of Angk Roka at the  
9 current time. And those houses were roofed with sugar palm  
10 leaves.

11 Q. Who was in charge of that police office?

12 A. I don't remember any name until today. It was not that I am  
13 reluctant but I don't remember. I don't recall any name now.

14 [14.04.12]

15 Q. Very well. I will backtrack a little and read out a passage  
16 from the record which appears to be relevant. This is what it  
17 says regarding the situation of the youth attached to the youth  
18 assembly unit. "The head of that unit instigated little children  
19 to steal. He was called Phoung Phalla. When he was in Phnom Penh,  
20 he committed crimes and theft and stole. We arrested him and sent  
21 him to prison. He orchestrated a plan ordering Pen Aun to  
22 continue stealing. There was a plan to punch holes in bags of  
23 rice and plant the rice to eat but he has been arrested and  
24 brought to the re-education site. Request that Angkar be  
25 informed. Whatever Angkar decides, request additional news". Let

1 me point out that in the report you received, Pen Aun, who stole  
2 rice, was sent to the re-education site in the commune. Where was  
3 that re-education site located? Is that centre for re-education  
4 the same thing as the District 105 police station?

5 [14.06.11]

6 A. So, your reference seems to be unclear to me. Were you  
7 referring to Angk Ta Saom? Which place are you talking about?

8 Q. Mr. Witness, I have read out to you the report that was sent  
9 to you. In that report, it is said that Phoung Phalla was sent to  
10 the re-education centre of the commune. That is indeed what I  
11 read in French. In English, it is referred to as a re-education  
12 site. Now, what is this commune re-education site they are  
13 referring to? Where was it situated?

14 A. It is -- it was in Angk Ta Saom. I don't know the place. I  
15 don't know where the Angk Ta Saom re-education centre was but it  
16 was for minor offences, including stealing and theft. And the  
17 matter was discussed with Ta Ran. And Ta Ran decided to send them  
18 to the district police centre which is to -- next to Angk Roka.  
19 It was for re-education of the light offenders. And after  
20 discussion with comrade Ran, I wrote to inform Brother Kit in the  
21 sentences and phrase that you have just read to me.

22 Q. So there was a re-education centre or office at Angk Ta Saom.  
23 There was a police office of District 105 next to the Angk Roka  
24 pagoda. What became of people who were sent to the District 105  
25 police station? Were they detainees or they worked outside of

1 that office?

2 [14.09.10]

3 A. Those light offenders were re-educated while they were made to  
4 do labour every day and they were interrogated. That's all I knew  
5 about the centre.

6 Q. Mr. Witness, what you are telling us therefore is that when  
7 someone was the subject of a report or if that person committed a  
8 light offence, you yourself went and took stock of that fact in  
9 the sector office and then you took instructions from Ta Ran and  
10 the person concerned was sent to the 105 district office for  
11 re-education; is that what you're saying? All offences, even  
12 light offences, had to be the subject of a report. That report  
13 was sent to the sector office and that sector office would then  
14 decide what to do with those persons or where to send them. Have  
15 I properly understood your testimony?

16 [14.10.32]

17 A. Yes, you are correct. I would simply follow Ta Ran's order.

18 Q. Did you often go to report to Ta Ran?

19 A. It didn't happen every day. It was happening from time to  
20 time.

21 Q. And what happened if they found out that the person concerned  
22 hadn't committed a light offence but a serious offence, where  
23 would such a person be sent to?

24 A. I don't know the detail about that. But the place to the west  
25 of Angk Roka market, it was the District 105 police centre. I

1 don't know the decision made by that office to further send the  
2 person to another place. It is beyond my knowledge. I don't know.

3 Q. What was the difference between a light offence and a serious  
4 offence? What was a light offence and what was a serious offence?

5 A. I would like to consult with my duty counsel, Your Honour.

6 [14.13.21]

7 MR. PRESIDENT:

8 You may proceed, Witness.

9 (Short pause)

10 [14.14.48]

11 MR. PRESIDENT:

12 Mr. Witness, you may respond to this question because this is a  
13 kind of question that will not incriminate you when you respond.

14 So you testify to some extent as regards light offence and

15 serious offence; you can give an example before the Chamber to

16 make the distinction between light offender and serious

17 offenders. Your consultation with your duty counsel is only for

18 those question that may lead to incriminate yourself when you

19 respond or you make any assertion, so you may give the answer to

20 this question.

21 MR. NEANG OUCH:

22 A. Light offence including stealing of rice or cassava and moral

23 misconduct or laziness were considered as light offence. And when

24 the person committed an activity in form of CIA agent or KGB

25 agent, they will be considered as serious offenders.

1 [14.16.29]

2 BY JUDGE LAVERGNE:

3 And when someone was accused of a serious offence, where would  
4 that person be sent to and who decided where he would be sent?

5 MR. NEANG OUCH:

6 A. The district security office who would send them at the  
7 request -- and they also request the sector office and then they  
8 send the people to the security or to the re-education centre for  
9 serious offenders but I don't know where it was. So, it fell  
10 under the district security office.

11 Q . You did not know the district - the location of the district  
12 security office but do you at least know the name of that office?

13 [14.18.21]

14 A. I heard people saying that, An.

15 Q. So, An was the person in charge of that centre; correct?

16 A. Yes.

17 Q. Did you hear the name Krang Ta Chan?

18 A. To be honest, Krang Ta Chan -- I did not know where Krang Ta  
19 Chan was when -- during the regime. It was until the warring with  
20 the government and then there was -- there were radio broadcasts  
21 and it later became the museum of Krang Ta Chan. And then I heard  
22 - I heard after that. So -- but during the regime, I don't know  
23 where it was. When I was working at Leay Bour, I would travel  
24 only up to Angk Roka area. That's all I can remember.

25 Q. I'll try to sum up what you have said this afternoon. You have

1 stated that when you received reports from commune chiefs, you  
2 yourself relayed the reports to the sector office and the sector  
3 decided what would be the outcome of such reports. And the  
4 outcome of such a report could have been to send the people  
5 concerned to the re-education centre or to the 105 police station  
6 or to the security centre at Krang Ta Chan. Is that indeed what  
7 you have stated?

8 [14.20.49]

9 A. All answers were decided by Ta Ran who was Sector secretary. I  
10 was the only one - the only person who report to him and I did  
11 everything at his order. This is my short answer for you. So,  
12 when he order me to send anything or anyone to any place, I will  
13 ask the district militia to implement that order.

14 Q. Did it sometimes happen that you were ordered to clean up --  
15 to sweep clean prisoners?

16 A. No, I was not ordered to sweep clean any prisoner.

17 Q. Now sir, I would like you to read document E3/4093. Unless I  
18 am mistaken, you have just acknowledged that you signed that  
19 document and that that document was written in your own hand. I  
20 will therefore read it out to you.

21 "Dear Brother Chhoeun, beloved, regarding prisoners of Cheang  
22 Tong commune, I seek your authorisation to take children who are  
23 still with their mothers. Any bigger children that have already  
24 gone to the mobile units or children's units request that you let  
25 them stay there and take just the mothers. But if those children

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1 cannot be separated from their mothers, bring them in for  
2 interrogation and after everything is finished to sweep them all  
3 clean. As for the widows from Trapeang Thum Khang Cheung, who are  
4 currently staying at the place of comrade Meng, request to sweep  
5 them all clean."

6 That, in my view, contradicts what you have just told us. So tell  
7 us, yes or no, did you receive instructions from the sector to  
8 sweep clean certain prisoners?

9 [14.24.22]

10 A. I receive order from Ta Ran. Ta Ran discussed with Sam Bit and  
11 he ordered me to write -- to write it like this. So I wrote based  
12 on his dictation but I did not do anything like sweep them all  
13 clean in my own discussion or my own decision. No, I never did  
14 that. If I refused to follow the order from Ta Ran and Ta Bit, I  
15 would be in danger. If I did not write following his dictation of  
16 these words, I would be in trouble at the time.

17 [14.25.28]

18 Q. So what you're telling us is that you forwarded the  
19 instructions that mothers be killed, that very young children who  
20 could not be separated from their mothers be killed. You are  
21 saying that you did not kill those children yourself but you  
22 forwarded the instructions in order that those orders be carried  
23 out; is that indeed what you're saying?

24 [14.26.06]

25 A. I was the one who convey the order or I convey the words at

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1 the order Sam Bit and Ta Ran who already made the decisions. So,  
2 I was writing but I wrote as dictated by Ta Ran and Sam Bit. I  
3 did not do it on my own volition or willingness.

4 Q. So all those people committed serious offences. Children and  
5 toddlers who were still in their mothers' arms had committed  
6 serious offences?

7 [14.27.16]

8 A. I had to do -- to follow the order from Ta Ran and Sam Bit.  
9 But to any further details, I don't remember them all now.

10 Q. Did you obey those orders out of loyalty because you were a  
11 good and faithful member of the Kampuchea Communist Party? Or you  
12 obeyed those orders because you were afraid of suffering the  
13 perilous consequences yourself?

14 A. I did this for fear of my life because my brother who  
15 disappeared was my example during the regime.

16 Q. Why did Ta Ran not sign the reports you handed to him,  
17 himself? Why did Ta Ran, to whom you gave reports, not sign them  
18 himself? Why would he ask you to sign his instructions?

19 A. He made an oral order to me and ordered me to dictate his  
20 order because he was not the one who was good at writing.

21 [14.29.47]

22 Q. So, it is because he did not know how to write well that he  
23 would allow you as an intellectual at Tram Kak to write the  
24 instructions to kill the mothers and children? Is that really the  
25 reason; because he did not know how to write well? And because he



1 did not know how to sign?

2 A. Yes, because he did not know how to write that well, that's  
3 why he ordered me to write it.

4 Q. Fine. We will bring up other issues now. I would like you to  
5 tell me, sir, when they began calling you San or Ta San?

6 A. I cannot recall the date or when I was known by that name.  
7 People in Kaoh Andaet also call me San when I was there, and when  
8 I move to Tram Kak, they also call me San.

9 Q. So during the entire period of Democratic Kampuchea, you were  
10 only known as San or Ta San? Or were you also known as someone  
11 else under another name?

12 A. I was only known as San. They did not know my birth name --  
13 that is, Neang Ouch.

14 [14.32.17]

15 Q. And at the Tram Kak district level, were there other cadres  
16 also called San or whom they would call San?

17 A. There were people by that name in other communes, though I  
18 cannot recall the name of the commune.

19 Q. Were they people, cadres, working at the district level and  
20 who might have reported to the sector as you? And people who  
21 would have gone by the name San?

22 A. No. I already stated that there were men by that name at a  
23 commune or communes but I cannot recall the name of that commune.

24 Q. And these other people, would they report to the sector?

25 A. I did not know.

1 Q. Fine. And when you were at the district, did you sometimes  
2 receive written instructions from the sector?

3 A. I never received any written instruction with a signature from  
4 either Ta Ran or Ta Bit. They would come to my place or call me  
5 to go to their place and relay their instructions. The  
6 instructions did not exist in a written form. They never did  
7 that.

8 [14.35.01]

9 Q. This morning you answered a certain number of questions that  
10 were put to you by Judge Fenz regarding the ties that you might  
11 have had with Ta Mok's family. So first of all, I would like to  
12 clarify a few aspects here. What is the name of your wife? And  
13 was your wife Ta Mok's sister or was she one of Ta Mok's  
14 daughters?

15 A. My wife's name is Ung Koeun. She is the young blood sister of  
16 Ta Mok, not his daughter.

17 Q. So, you are Ta Mok's brother-in-law. And aside from this  
18 family tie, were you also a cousin? Did you have common aunts?  
19 Did Ta Mok's mother have any ties with your family?

20 A. I was the younger brother in-law of Ta Mok and I did not have  
21 any further relationship than that. As I was in Kandal province  
22 where Ta Mok was in Takeo province, we were only related in the  
23 name of the in-law because I married his younger sister.

24 [14.37.07]

25 Q. Well now, I would like you to provide me with the names of the

1 other sisters of Ta Mok as well as the names of his brothers. And  
2 I'd like you to tell me which position they held during the  
3 Democratic Kampuchea period. So, first tell me about his sisters  
4 aside from Koeun, your wife.

5 A. The younger sibling of Ta Mok, name Chok (phonetic), he passed  
6 away. And the next one -- that is, the next younger brother --  
7 younger brother of Ta Mok was Cham. Cham also died. And following  
8 Cham was Poun, his sister, and she also died. And after Poun was  
9 Koup (phonetic), another younger sister, she also died. And then  
10 comes my wife, that is, Koeun, and we -- and there is another one  
11 Ung Ken, the youngest sister. And that is all.

12 Q. And does the name Kae Pok (phonetic) ring a bell?

13 A. I heard of the name Kae Pok (phonetic).

14 [14.39.34]

15 Q. And whom did Kae Pok (phonetic) marry?

16 A. I did not know whom Kae Pok (phonetic) married to because I  
17 did not know him.

18 Q. So you told us that there was a brother called Chok (phonetic)  
19 who died. Did he die during the Democratic Kampuchea period or  
20 did he die afterwards? Same thing for Cham (phonetic); did he die  
21 before, during or after the Democratic Kampuchea period? And the  
22 same for the others -- the other brothers and sisters.

23 A. Ta Chok (phonetic) died when Vietnamese soldiers entered  
24 Cambodia in 1979. And Cham (phonetic) also died in the same year  
25 -- that is, 1979. As for Poun, Poun only died few years ago from

1 illness. And Koup (phonetic) died about three years ago from high  
2 blood pressure.

3 Q. And was your wife or one of your sisters-in-law at the head of  
4 the District 105 hospital?

5 A. No.

6 [14.41.56]

7 Q. Can you tell us what kind of positions your brothers and  
8 sisters-in-law had during the Democratic Kampuchea period? Cham,  
9 Chok (phonetic) , Poun, Koup (phonetic); what were their  
10 positions? What were their duties?

11 A. Ta Chok (phonetic) was in charge of Prey Kabbas district.  
12 Although I did not know his real position at -- in Prey Kabbas  
13 district. As for Cham, Cham was in charge of Khpos Trabei  
14 (phonetic) commune in Tram Kak district. As for Poun and Koup  
15 (phonetic) and my wife, these three sisters did not hold any  
16 positions during the DK period. They were simply housewives.

17 Q. So, we know that you said that Ta Mok's daughter, or one of Ta  
18 Mok's daughters Khom - Yeay Khom was at the head of District 105,  
19 and you provided us with a certain number of names of people who  
20 were at the head of District 105. Can you tell us if the  
21 following names correspond to cadres in District 105: Ta Keav,  
22 was Ta Keav at the head of District 105?

23 [14.44.13]

24 A. Ta Keav was within the District 105 committee. And that  
25 happened since 1970 or 1971. And after 1971, I did not know what

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1 happened there because I was transferred to Kaoh Andaet district.

2 MR. PRESIDENT:

3 The time is convenient for short break. We take a break now and  
4 return at 3.30 -- at 3 o'clock rather.

5 Court officer, please assist the witness during the break and  
6 have him return as well as his duty counsel at 3 o'clock.

7 The Court is now in recess.

8 (Court recesses from 1445H to 1501H)

9 MR. PRESIDENT:

10 Please be seated. The Court is now back in session and again I'd  
11 like to hand the floor to Judge Lavergne. You have the floor  
12 Judge.

13 [15.02.02]

14 BY JUDGE LAVERGNE:

15 Thank you, Mr. President. With your leave, I would like to show  
16 the witness a document, and it is document E313.1.18. It is a  
17 record of the witnesses interview, 2-TCW-809.

18 Q. Witness, I would like you to start by looking at the name of  
19 the person who was interviewed according to that record and tell  
20 us whether you know that person?

21 MR. NEANG OUCH:

22 A. I know this person, Pech Chim.

23 Q. I had hoped that the name of that person wouldn't be revealed  
24 but on the other hand it facilitates matters. So you are telling  
25 - have told us that you know Pech Chim. In what capacity did you

1 know him?

2 A. I knew him even earlier than 1970 because his native village  
3 was not far from the village of my wife.

4 [15.04.28]

5 Q. Did Pech Chim, at any point in time, act as your assistant?

6 A. No. When I came to Tram Kak district in 1977, Pech Chim was  
7 not in Tram Kak district.

8 Q. Were both of you part of the front - that is, the United  
9 Resistance Front? You said that you were a member of that front  
10 when you arrived in Tram Kak.

11 [15.05.40]

12 A. I cannot recall that. I recalled that I was a member of the  
13 front. As for him, I am not sure whether he was a member of the  
14 front or not. Initially he worked in Tram Kak, however, after the  
15 war ended, he was - he went to work at a rubber plantation in  
16 Kampong Thom, in Srae Ronoung, or something like that.

17 Q. He says, in answer number 9 in the record of the interview  
18 that you came to Tram Kak district to supervise intelligence  
19 agents of District 105 and he worked as your assistant. That is  
20 what you would find in answer number 9.

21 A. That is not correct. I was not a teacher in Tram Kak district.

22 MR. KOPPE:

23 Excuse me. I am not sure if you were referring to E3 - E313.1.18,  
24 question 9. Is that correct?

25 JUDGE LAVERGNE:

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1 Let me clarify matters because the interpreter didn't hear the  
2 reference you've given me, but I'm referring to document  
3 E313.1.18, answer number 9.

4 MR. KOPPE:

5 I have a different English translation. I read 105 teachers.

6 [15.08.30]

7 BY JUDGE LAVERGNE:

8 In French it says that 105 teachers, perhaps it's an interpreter  
9 -- interpretation, perhaps I'm wrong, but I believe they are  
10 talking of teachers in District 105. Perhaps my other colleagues  
11 who speak Khmer can tell us what the exact situation is?

12 Apparently, what is on that record corresponds to what I'm  
13 saying. In any case, let us look at answer number 19. Witness  
14 TCW-809 is asked to describe the administrative structure of the  
15 Southwest Zone in 1975 and I will read out that answer, Witness,  
16 and you tell me whether this reminds you of anything.

17 "In 1975, Ta Mok was the committee chief of the Southwest Zone.

18 There was several regional committees, but I only knew that of my  
19 region." I believe we can replace the word region by the word

20 sector. "The number of that sector was 13. Then we had Poun

21 (phonetic), nicknamed Poun (phonetic) - he was the secretary, his

22 assistant was called Phen (phonetic). Meas Muth was a member of

23 the committee of my region." At this stage, Witness, does this

24 jog your memory?

25 [15.10.44]

1 MR. NEANG OUCH:

2 A. Yes. What you read out is correct.

3 Q. So, let me press on with the reading. Now we'll talk about the  
4 district. The district committee consisted of a chief, Khom, we  
5 referred to him (sic) earlier, a deputy chief, Keav, one member  
6 Nhev (phonetic). Does this also jog your memory?

7 A. I only knew about Khom and Keav - Keav. And as for Nhev  
8 (phonetic), to my recollection, Nhev was with the army but I did  
9 not have a full grasp as to the administrative structure of that.

10 [15.11.59]

11 Q. Next, Witness 809 gives us a number of names of commune  
12 chiefs. The chief of Trapeang Thum commune was called Pech Nuo  
13 (phonetic) and he points out that that person was his elder  
14 brother, his assistant Kit Chay (phonetic), that that person  
15 died. The chief of Cheang Tong commune was called Boeun, he was  
16 married to Chorn, this person is deceased. The chief of Popel  
17 commune was called Khav (phonetic), deceased. There was also Khun  
18 (phonetic), also deceased, he was one of the general brothers of  
19 Khav (phonetic) and worked as his assistant. The chief of Ta Phem  
20 commune was called Neat (phonetic) deceased and Kit, also  
21 deceased. Kit was his assistant. The chief of Leay Bour commune  
22 was called Oeun (phonetic) - perhaps I'm pronouncing it very  
23 badly. The chief of Samraong commune was called Chun (phonetic).  
24 The chief of Kus commune was called Saing (phonetic). I do not  
25 know whether he is still alive. His assistant was called Phun



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1 (phonetic). The chief of Nhaeng Nhang commune was called Sy  
2 (phonetic). The chief of Srae Ronoung commune was called Kim  
3 (phonetic). Now tell me, do all these names ring a bell? Or do  
4 they correspond to what you remember?

5 [15.14.15]

6 A. I do not know Nuo (phonetic), as for Chay, it's the same  
7 thing, I don't know. I know another Chay - that is, Ta Chay, who  
8 was a district secretary. But I do not know his full name. I only  
9 know him as Ta Chay. As for Boeun, female, I know her and I also  
10 know Chorn, her husband. As for Khav and Khoeun, I know them but  
11 I did not know about their position at Popel commune. And Ta Phem  
12 commune chief, Nith, probably this person Nith was the husband of  
13 Poun -- that is, my elder sister-in-law. And for the other two  
14 names, I do not know. I also do not know Chim. And in fact, when  
15 they established this administrative structure, I was no longer  
16 there.

17 [15.15.43]

18 Q. Very well. When you returned, who were the cadres who were in  
19 place? Can you give us the names of the cadres who were in place  
20 when you were in Tram Kak district?

21 A. I recall that for Popel commune, it was Chorn, the husband of  
22 Boeun. And for Leay Bour commune it was Keth (phonetic), but the  
23 person deceased around 1980 or '81 at Damrei Romeal mountain. The  
24 chief of Kus commune, Saem (phonetic) and I cannot recall the  
25 name of the chief of Nhaeng Nhang commune. For Srae Ronoung

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1 commune it was Khun, the chief. That's all I can recall. And for  
2 Angk Ta Saom commune, it was Ta Saom who was the chief.

3 [15.17.38]

4 Q. Regarding the district committee, the names Ta Chim and Ta Kit  
5 ring a bell?

6 A. I know Ta Kit and Ta Chim.

7 Q. Were they brothers?

8 A. I don't know. They lived in the same village but I did not  
9 know whether they were related. And in fact, they also lived in  
10 the same village that I lived but I did not know about their  
11 relationship as blood brothers or not.

12 Q. What precise functions did they occupy at the level of the  
13 district?

14 A. I know that Ta Kit was a district secretary. As for the  
15 brother Chim, I do not know his real function.

16 [15.19.38]

17 Q. Who replaced Ta Kit when he left?

18 A. The replacement was Ta Chay.

19 Q. Did Ta Chay remain in place up till the end of 1979? Or he  
20 also left at a certain point towards the Northwest region?

21 A. Ta Chay left for the Northwest Zone and, to my knowledge, that  
22 happened around late 1977.

23 [15.20.58]

24 Q. Who replaced Ta Chay?

25 A. Nobody replaced Ta Chay. Ta Ran - that is the - who was at the

1 sector, came to supervise Tram Kak district directly. Yeay Boeun  
2 and I were - Yeay Boeun was assistant there until I arrived in  
3 June 1977.

4 Q. So you were direct assistants to the chief of sector?

5 A. At the beginning, I was an assistant to Tram Kak district,  
6 however, when the sector directly controlled the district, I did  
7 not know for sure of my position, because there was no official  
8 announcement in regards to my position there. I was not an  
9 assistant to the sector because since there was no official  
10 announcement I still considered myself as an assistant to the  
11 Tram Kak district.

12 [15.23.05]

13 Q. Very well. As assistant of Tram Kak district, did you hear the  
14 names of the following cadres: Iep Duch? That name doesn't appear  
15 on the record of the interview because you won't find it in  
16 there. Did you hear of a cadre called Iep Duch who was in charge  
17 of the youth in the district?

18 A. I never heard of a name Iep or a name Duch. Are you referring  
19 to one person - Iep Duch? Or referring to two different  
20 individuals?

21 Q. I'm referring to the same person but I think he was known  
22 rather by the name Duch. Did you know any cadres or a cadre  
23 called Duch who worked at 105 district?

24 [15.24.34]

25 A. No, I don't know any Duch there.

1 Q. Did you hear of a cadre called Kith (phonetic) Phy who was  
2 handicapped? He was lame.

3 A. I heard of a name Phy.

4 Q. What were Phy's functions?

5 A. Phy worked in the same office with An.

6 Q. What functions did he therefore fulfil?

7 A. I did not know of his real function but he worked in the same  
8 office that An worked.

9 Q. Can you tell us what Ta An did? Did you ever receive reports  
10 written by Ta An?

11 [15.26.50]

12 A. I knew that Ta An was chief at Krang Ta Chan but I cannot  
13 recall whether I received any report from him.

14 Q. Did you hear of a cadre called Phan Chhen?

15 [15.27.34]

16 A. No, the name Phan Chhen does not ring a bell.

17 Q. Did you hear of a person called Kev Chandara, alias achar Yav?

18 A. No. That name does not ring a bell.

19 Q. I would like us to talk about the sector. You said you knew a  
20 person called alias Than (phonetic). You said he had an assistant  
21 called Phen and that Huot (phonetic) was also a member of the  
22 sector committee. Did you hear of a person called Ta Prak?

23 A. I heard people talking about Ta Prak. That Ta Prak came to  
24 Sector 13 and he was there before Ta Ran came. So a few months  
25 later, he disappeared, he went somewhere - I did not know and Ta

1 Ran came to work or to be in charge at the sector level.

2 [15.29.30]

3 Q. And have you ever heard that Ta Prak was purged?

4 A. No, I never heard about that. I only knew that Ta Prak worked  
5 there for two or three months and then he was replaced by Ta Ran.

6 Q. And did Ta Ran remain at the head of the sector until 1979 or  
7 was he replaced by someone? And then why was he replaced?

8 A. Ta Ran remained at Sector 13 until the invasion by the  
9 Vietnamese troops.

10 [15.30.52]

11 Q. And does the name Ta Tith ring a bell? Ta Tith?

12 A. Ta Tith is my younger brother-in-law who married to Ung Ken  
13 who is the younger sister of Ung Koeun.

14 Q. And did Ta Ran ever have a car accident?

15 A. Ta Ran had a car accident though I cannot recall the year that  
16 it happened. Ta Mok went to the Northwest Zone and he called some  
17 cadres from the sector and zone levels to go and work at the  
18 Northwest Zone, including Ta Ran, Ta Bit and other cadres whose  
19 names I cannot recall, and when they returned from their trip  
20 they had a traffic accident in Pursat province -- that is, at a  
21 bridge in Pursat province, and as a result Ta Ran had his leg  
22 broke.

23 Q. Fine. I would like to return to the written record of  
24 interview, E319.1.18, and I would like to look at question 235.  
25 And this question is put to the witness: "Who would control the

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1 Krang Ta Chan security centre between 1975 and 1979?" Answer: "It  
2 was Som and Muth. Both belonged to the sector level which would  
3 supervise the centre. An was in charge personally and Khom, the  
4 Tram Kak district secretary was aware of this. Furthermore,  
5 between 1971 and 1972, Cheng also worked as the head of this  
6 centre. In 1972 he was sent elsewhere."

7 So, can you tell us if this corresponds to your own take on the  
8 situation to what you saw?

9 [15.34.43]

10 A. My apology. I did not know about what you just read out as at  
11 the time, I was at Kaoh Andaet and whether this Cheng supervised  
12 the security office or not, it's beyond my knowledge. As for the  
13 other names that is Saom and Muth, here it reads that the - they  
14 took charge at the sector level, and that Saom was the chief or  
15 the secretary and that Phen was his deputy, and Muth was a member  
16 in charge of the Sector 13 Army, and that happened from 1970 to  
17 around 1973, then Meas Muth went to take charge of the Zone Army.

18 [15.36.23]

19 Q. The Witness says -- Witness 809, is that that those in charge  
20 of the sector would have direct control over the Krang Ta Chan  
21 Security Centre. Does that correspond to your take on the  
22 situation? Was the Security Centre at Krang Ta Chan under the  
23 control of the sector?

24 A. During 1970 and '71, I didn't know about that. I knew that  
25 Saom was the sector secretary, Phen was deputy and Muth was a

1 member. As regards their supervision or the security centre from  
2 the sector, I had no idea, but when I had become the assistant, I  
3 would report everything to Ta Ran, Ta Ran.

4 [15.37.57]

5 Q. This is what Witness 809 says. At answers 236 and 237.

6 Question. "Did An control the Krang Ta Chan Security Centre until  
7 the end of the Khmer Rouge regime?" Answer. "Yes, An was in  
8 charge of this security centre until the end of the Khmer Rouge  
9 regime." Question. "As a member of the district committee, did  
10 you have any contact with the Security Centre or with An?"

11 Answer. "No, not at all. When there were problems, I would  
12 directly go to the region sector level."

13 So, does that correspond to the situation that you experienced  
14 when you were a district deputy -- that is to say, that when  
15 there were problems, did you have to contact or go to the sector  
16 level?

17 A. When Pech Chim was there, I don't know the way of his  
18 relationship, but when I was there I made direct contact with the  
19 sector office.

20 [15.39.32]

21 Q. So other questions are put to this Witness, he is asked -- or  
22 he is told:

23 "You are telling us that Krang Ta Chan was under the direct  
24 supervision of the sector. A certain number of written documents  
25 indicate that Tram Kak district was in direct contact with this

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1 centre. So as far as you know, did Tram Kak district liaise with  
2 the - with the Krang Ta Chan Security Centre in writing or not?"

3 Answer. "Yes. The centre would send reports to the district,  
4 which would then forward them to the sector through its  
5 messengers. Sometimes the Krang Ta Chan Security Centre would  
6 send its messengers -- through its messengers reports to the  
7 sector directly."

8 So does this corresponds to what you experienced when you were a  
9 district deputy?

10 A. These answers corresponding to my work as the assistant to the  
11 district office.

12 [15.41.09]

13 Q. What kind of reports would you receive from the Krang Ta Chan  
14 Centre?

15 Mr. NEANG OUCH:

16 Your Honour, could you please repeat your question?

17 JUDGE LAVERGNE:

18 Q. Yes. What kind of reports would you receive from the Krang Ta  
19 Chan Security Centre to be - or maybe, I can be more precise.  
20 Would you sometimes receive reports containing the confessions of  
21 prisoners at Krang Ta Chan? Would you receive prisoner lists,  
22 lists of prisoners who were brought to Krang Ta Chan? Would you  
23 receive list of prisoners who had been executed at Krang Ta Chan?

24 Mr. NEANG OUCH:

25 A. I forget some things, but I understand that I have never



1 received any prisoners list from Krang Ta Chan nor did I receive  
2 any execution list of prisoners from Krang Ta Chan.

3 Q. Fine. Let's turn to another topic. Are you aware of the way  
4 that the District 105 hospital was managed? How was the care  
5 managed? How was healthcare managed in District 105?

6 A. Tram Kak Hospital was at Wat Trapeang Kol as far as I  
7 remember. And the care and treatment based on all responding to  
8 the illness, traditional medicine were used for some cases and  
9 modern medicines were also used during the treatment. That's all  
10 I can tell you.

11 [15.44.27]

12 Q. How many nurses were there? How many sick people were there?  
13 How were the sick people fed? Who managed the hospital?

14 A. The number of patients, number of staff, I don't remember  
15 numbers, and I do not recall the name of the chief of that  
16 hospital. For food and other meals, the supply were given by the  
17 district office.

18 [15.45.24]

19 Q. Did you receive reports? Or were you informed that some  
20 patients at the hospital were suffering from malnutrition,  
21 because they did not have enough to eat?

22 A. I did not receive any information like this, but within the  
23 district, it might be that the district office who solved the  
24 problem, who supplied the food supply to the hospital.

25 Q. Does the name Neary Neang, apparently Ta Kit and Ta Chim's

1 niece, ring a bell?

2 A. I heard the name you said Neary Neang, but I didn't know - did  
3 not know whether she was the niece of Ta Kit or Ta An.

4 Q. Fine. I have a very last question regarding visits, visits  
5 that were done by foreign delegations. This morning, the  
6 Prosecutor showed you a photograph. I can't find it, it seems,  
7 but it's a photograph in which you recognized yourself, and this  
8 photograph comes from a book that was written by Gunnar  
9 Bergstrom. Gunnar Bergstrom was a member of a delegation from the  
10 Marxist Leninist Communist Party of Sweden, and the photograph in  
11 which you recognize yourself carries a caption in this book,  
12 written by Gunnar Bergstrom.

13 And the caption states the leaders of the cooperative, so  
14 Witness, were you the head or the Chief of Leay Bour cooperative?

15 A. I was not the chief or the leader at Leay Bour cooperative.

16 Q. So then who was the leader of Leay Bour cooperative?

17 A. I don't recall the name, but the commune chief was not serving  
18 as the chief of cooperative, but on this photo the one behind me,  
19 I saw on -- on this photo, his name is Ta Khe (phonetic). He was  
20 not the chief of the cooperative. Another person was the chief of  
21 the cooperative, but I don't recall his name now.

22 [15.50.15]

23 Q. I am now going to read out or reread because this document was  
24 already read out by the Prosecutor. It's document E3/1339. My  
25 apologies, because I only have the English ERN. This is, ERN

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1 00168350 to 51; Khmer, 01063905 to 07; and this document is a -  
2 is a FBIS report -- that is to say, a transcription of radio  
3 broadcasts that were broadcast by the Phnom Penh National Radio  
4 -- that is to say, the official radio of Democratic Kampuchea.  
5 And in this broadcast the following is indicated.

6 "On the morning of 14 December 1977, comrade Chen Yonggui and  
7 other Chinese comrades left Takeo for Phnom Penh, and they were  
8 accompanied by comrade party secretary," and unless I am  
9 mistaken, I think, this is Pol Pot, "comrade Ieng Sary, Vorn Vet  
10 and by Thiounn Thioeunn."

11 [15.52.25]

12 And it's also stated that Ta Mok accompanied them to the limits  
13 of the sector and the following is said, and I will read it in  
14 English because there is no French version.

15 "On their way to Phnom Penh, the Chinese comrades stopped to  
16 participate in a mass meeting at the Leay Bour cooperative. On  
17 the arrival, comrade Chen Yonggui and other Chinese guests were  
18 warmly applauded and welcomed by the masses, and many male and  
19 female youth. The representative gave a history of the  
20 cooperative from the period of the war for national and popular  
21 liberation to the present post-liberation phase of National  
22 defence and construction under the CPK correct and clear-sighted  
23 leadership."

24 Witness, are you the representative who is mentioned in this  
25 podcast, which describes the history of the cooperative, to

1 comrade Chen Yonggui?

2 A. I made a presentation to Chen Yonggui about the history of  
3 cooperative at the instruction of Ta Ran to -- to do that on  
4 behalf of the cooperative chief, but in fact I was not the chief  
5 of that cooperative. But in this visit I saw only Chinese guests.  
6 I didn't see Mr. Pol Pot, Ieng Sary or Ta Mok. They might have  
7 been returning to Takeo before they come to Phnom Penh, because  
8 during that event I saw only the Chinese guests. Some other  
9 Cambodian staff, I think they were from the Ministry of Foreign  
10 Affairs who accompany foreign guest to make a visit to that  
11 cooperative.

12 [15.56.08]

13 Q. Or in any case what's sure is that the presentation that was  
14 given of the cooperative, focused on all of the positive aspects,  
15 and on the wonderful results that this cooperative had achieved  
16 which apparently enjoyed a workforce of more than 9,000 people  
17 and 4,000 hectares of harvestable land and 3,000 hectares of rice  
18 paddies, including 600 hectares that would produce two harvests  
19 per year. So does that correspond to your -- what you remember?

20 A. In fact, in that cooperative reflect to what you have just  
21 described. So, as I told the Court earlier, we achieve the plan  
22 of 3 tonne per hectare on both side of the road on the south - to  
23 the south and to the north of the road, reaching to the rail  
24 track.

25 [15.57.49]

1 Q. Witness, were you working at Leay Bour cooperative on 25  
2 September 1978?

3 A. In December 1978, the forces were removed, were withdrawn,  
4 including myself, fled into the jungle. By forces here I referred  
5 to the - the manpower who carry no weapons.

6 Q. Let me interrupt you. I am not speaking about December. I am  
7 speaking about September, September 1978. So, in September 1978,  
8 were you working at Leay Bour cooperative? And did you welcome  
9 the Japanese delegation then that was led by His Excellency, Kozo  
10 Sasaki?

11 A. No, no, I did not greet or receive any Japanese delegation.

12 Q. So, I would like to speak about another FBIS report, E3/974,  
13 that describes his visit, and that says that the head of the Leay  
14 Bour cooperative gave a presentation on the cooperative, ERN  
15 00170173 to 74. Witness, do you remember having received a  
16 delegation of members of the Marxist Leninist Communist Party of  
17 the United States, a delegation led by person called Dan  
18 Burstein?

19 A. Talking about receiving foreign delegation, I have responded  
20 to the Chamber, including -- I received only two delegations,  
21 including the Sweden journalists, and also from China, the  
22 Chinese delegation Chen Yung-kuei. I did not receive any American  
23 delegation.

24 [16.01.34]

25 JUDGE LAVERGNE:

83

1 Very well, for the transcript let me point out that we have to  
2 report of that visit by Mr. Dan Bernstein, and this is document  
3 E3/707 and the ERN is S00049307 to 308.

4 Mr. President, I have no further questions for the Witness.

5 MR. PRESIDENT:

6 Thank you, Judge Lavergne. The proceeding today is appropriate to  
7 adjourn and it will be resumed tomorrow from 9 o'clock in the  
8 morning. In tomorrow's proceedings we will continue to hear the  
9 testimony of Neang Ouch, and all Parties are invited to the  
10 hearing.

11 [16.02.32]

12 Witness, Neang Ouch, your testimony before the Trial Chamber has  
13 not come into a conclusion, and you are invited to continue your  
14 -- your testimony tomorrow, and you can return to your - the  
15 place that you stay.

16 And court officer, you are instructed to coordinate the travel to  
17 his place of stay and have him back into the courtroom before 9  
18 o'clock in the morning.

19 And Mr. Moeurn Sovann, the duty counsel, also -- you are also  
20 invited to accompany and be present in the courtroom tomorrow.

21 Security personnel are instructed to bring both Nuon Chea and  
22 Khieu Samphan to the detention facility of the ECCC and have them  
23 back to attend the hearing tomorrow before 9 o'clock.

24 The Court is adjourned.

25 (Court adjourns at 1603H)