



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

**ឯកសារដើម**  
**ORIGINAL/ORIGINAL**  
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 CMS/CFO: Sann Rada

**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**

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

**អង្គជំនុំជម្រះសាលាដំបូង**  
 Trial Chamber  
 Chambre de première instance

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

17 March 2015  
 Trial Day 259

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

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 KHIEU Samphan

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I N D E X

MR. RIEL SON (2-TCW-860)

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Questioning by Mr. Lor Chunthy.....page 82

**List of Speakers:**

Language used unless specified otherwise in the transcript

<b>Speaker</b>	<b>Language</b>
MR. KONG SAM ONN	Khmer
MR. KOPPE	English
MR. LOR CHUNTHY	Khmer
MR. LYSAK	English
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. RIEL SON (2-TCW-860)	Khmer
MR. SENG LEANG	Khmer

1 PROCEEDINGS

2 (Court opens at 0903H)

3 MR. PRESIDENT:

4 Please be seated.

5 The Court is now in session.

6 Today the Trial Chamber will commence the testimony of the

7 witness, Riel Son and the Co-Prosecutors to be given the floor

8 first. The combined time for the Prosecution and Lead Co-Lawyer

9 for Civil Parties is one full day.

10 Ms. Sivhoang, could you report the attendance to the Parties and

11 the individuals to today's proceedings.

12 THE GREFFIER:

13 Mr. President, for today's proceedings all Parties to this case

14 are present. As for Mr. Nuon Chea, he is present in the holding

15 cell downstairs as he requests to waive his right to be present

16 in the courtroom. His waiver has been delivered to the Greffier.

17 The witness who is to testify today -- that is, Mr. Riel Son and

18 his duty council, Mr. Duch Phary are present in the courtroom.

19 Thank you.

20 MR. PRESIDENT:

21 Thank you. The Chamber now decides on the request by the Accused,

22 Nuon Chea. The Chamber has received the waiver by the Accused,

23 Nuon Chea, dated 17th March 2015. He confirms that due to his ill

24 health -- that is, headache, back pain and that he cannot sit for

25 long and in order to effectively participate in the future

2

1 hearings, he requests to waive his rights to participate in and  
2 be present at 17 March 2015, hearing. He has been informed by his  
3 counsel that -- about the consequence of the waiver, that in no  
4 way it can be construed as a waiver of his rights to be tried  
5 fairly or to challenge evidence presented or admitted to this  
6 Court at any time during his trial.

7 [09.06.20]

8 Having seen the medical report by the duty doctor for the  
9 Accused, Nuon Chea, at ECCC dated 17 March 2015, who notes that  
10 the health condition of Nuon Chea, is that he has constant back  
11 pain and that he cannot sit for long. The doctor also recommends  
12 that the Chamber so grant Nuon Chea his request so that he can  
13 follow the proceedings remotely.

14 Based on the information and pursuant to Internal Rule 81.5 of  
15 the ECCC Internal Rules, the Chamber grants Nuon Chea's request  
16 to follow the proceedings remotely from a holding cell downstairs  
17 via audio visual means for today's proceedings as he waives his  
18 direct presence in the courtroom.

19 [09.07.09]

20 The AV unit is instructed to link the proceedings to the room  
21 downstairs so that Nuon Chea can participate and follow its  
22 proceedings remotely.

23 Now the Chamber will hand the floor to the Co-Prosecutors to put  
24 questions to this witness. You may proceed.

25 QUESTIONING BY MR. SENG LEANG:

3

1 Thank you, Mr. President. Good morning, Your Honours, and good  
2 morning everyone in and around the courtroom.

3 Good morning, Mr. Witness. My name is Seng Leang, I am a National  
4 Deputy Co-Prosecutor. I have some questions for you today in  
5 order to seek your clarification for the benefit of the Chamber  
6 and the Parties.

7 First of all I would like to ask some questions in relation to  
8 your background and after that I'll put some questions in  
9 relation to the cooperative and the subsequent subject is on the  
10 treatment of Buddhists and the fourth subject is related to the  
11 event that you were appointed as chief of the Hospital in Tram  
12 Kak District. And after I conclude my questioning my colleague  
13 will have some further questions for you on other subject  
14 matters.

15 [09.09.09]

16 Q. Let me begin with my first question. In your OCIJ interview --  
17 that is, document E319.1.21, at answer number 3, you stated the  
18 following and let me quote: "After the coup d'etat, against  
19 Samdech Sihanouk, Ta Mok started his movement to assemble forces.  
20 I lived in a village near the one where Ta Mok lived then and  
21 because of that I joined the movement." End of quote. And at  
22 question number 6 and let me quote the question: "Did you have  
23 confidence in the Khmer Rouge revolution?" Answer: "I did have  
24 confidence in it initially because of my communist ideology and  
25 so I joined the revolution without hesitation." End of quote.

4

1 Also, in the same document, in answer number 200, you said and I  
2 quote: "Initially I loved the revolution but later on when I  
3 heard of the cultural revolution, I stopped liking it right  
4 away." Can you tell the Chamber what was it specifically that  
5 caused you to no longer like the revolution?

6 [09.11.15]

7 MR. RIEL SON:

8 A. The reason that I no longer had confidence in the revolution,  
9 because I heard that such a cultural revolution and from what I  
10 read in documents while I was young, that that kind of revolution  
11 was done in China and about 30 people killed as a result. If that  
12 were to happen in Cambodia, it meant I myself would be dead. I  
13 got some education and I would be smashed because in such a  
14 revolution -- that is, the cultural revolution, the educated ones  
15 would be smashed and they would build a new force. And in fact  
16 through my observation, Angkar appointed people in the way that I  
17 understood. That means the educated people at the village commune  
18 were not appointed to any position only the uneducated ones, some  
19 even were illiterate were appointed to be chief, for instance,  
20 group chiefs or chiefs of villages. That was the reason I no  
21 longer had confidence in this so-called cultural revolution. And  
22 that's it, Mr. Prosecutor.

23 Q. Thank you. So, what did you mean by your reference to the  
24 cultural revolution? Can you expand on that?

25 A. It is my understanding that once a cultural revolution is

5

1 initiated, the intellectuals or the educated ones who did not  
2 join the rank or line of the revolution would be smashed and  
3 whoever opposed Angkar would also be smashed.

4 [09.14.06]

5 Q. Thank you. You also stated that your home village was close to  
6 the village where Ta Mok came from. Can you tell the Court what  
7 was Ta Mok's home village and how far was it from your village?

8 A. Ta Mok lived in Prakeab village, Trapeang Thum Khang Tbound  
9 commune while I lived in Prey Ta Lei village in Trapeang Thum  
10 Khang Cheung commune. It means we were living in an adjacent  
11 commune or village.

12 [09.15.09]

13 Q. When was the first time you met Ta Mok and did you know his  
14 family?

15 A. I met him in 1975 -- right in 1975, when he was walking to the  
16 market. As for his family, his wife was Khoeum and I knew her  
17 well. As we were not living far from one another, his house was  
18 one kilometre from my house.

19 Q. Did you have any special relationship with his wife before you  
20 met him?

21 A. No, not at all.

22 Q. You said that you knew his wife clearly; can you tell the  
23 Court how did you become to know her well?

24 A. Because she lived in nearby village. However at that time I  
25 did not know what she did and sometimes we went to get some



6

1 firewood in the forest and we met one and another.

2 Q. Thank you. Let me return to your written record of interview

3 with the Office of the CIJ

4 again. In the document E3/5511, at answer 2, you stated the

5 following, and let me quote: "People said in 1957, or 1958, Khieu

6 Samphan came to meet Ta Mok." End of quote.

7 [09.18.08]

8 I would like clarify with you whether it was 1957,1958, that

9 Khieu Samphan came to meet Ta Mok, or 1967 or '68 which is when

10 Khieu Samphan, Hou Youn and Hu Nim fled Phnom Penh to join the

11 resistance?

12 A. I cannot recall the year clearly. However at that time people

13 throughout the village and the adjacent village knew that Khieu

14 Samphan and Ta Mok met one and another. Though I did not know

15 where they met.

16 Q. Who exactly told you that Khieu Samphan had come to meet Ta

17 Mok?

18 A. I cannot tell you exactly but everybody at that time said the

19 same thing and I did not know who actually was the first one that

20 knew about this matter.

21 Q. Did you the reason why Khieu Samphan came to meet Ta Mok at

22 that time?

23 A. No, not at that time. Neither the villagers nor I knew the

24 reason for the meeting. I did not know which position Ta Mok held

25 or which position Khieu Samphan held at that time.

7

1 [09.20.29]

2 Q. Did you personally ever see Khieu Samphan in Tram Kak district  
3 or in Takeo province and if so, when and where?

4 A. To my knowledge I met him once. However, I did not meet him  
5 face to face, at that time I was building a dam at Khpob Trabek  
6 (phonetic) and Yeay Khoeum -- that is, Ta Mok's wife was carrying  
7 some stuff and I had a bicycle near the dam so I helped her in  
8 carrying the rice cake, while she still carried some other cake  
9 -- rice cake on her head and we reached Noreay (phonetic) village  
10 which is now called Stueng (phonetic) village. There were plenty  
11 of bamboo trees there and when we reached that location, she told  
12 me to drop off me the rice cake and she told me that person was  
13 Khieu Samphan. I had a quick look at him and that was the first  
14 -- that was the only encounter I had with Khieu Samphan and I  
15 knew him because Ta Mok's wife told me so.

16 [09.22.24]

17 Q. Thank you. Let me move to another subject that is in relation  
18 to cooperatives. In your OCIJ interview -- that is, document  
19 E3/5511, at answer number 3, you stated the following and let me  
20 quote: "After 1975, the cooperative was formed and many people  
21 died at that time." And below that, a little bit further you  
22 said, "We did not have enough food to eat and enough clothes to  
23 wear." Can you tell the Court when was the cooperative  
24 implemented in your commune -- that is, in Trapeang Thum Cheung?

25 A. I forget the date. However, cooperatives were established and

8

1 once they were established it was the time that our cooking  
2 utilities, our rice product were asked to be put for common use  
3 at the cooperatives.

4 Q. Were the cooperatives immediately formed after the country  
5 fell in 1975 -- in April 1975, or was it formed in late 1975?

6 A. Cooperatives were established towards the end of 1975 and as  
7 for District 105 in my commune the cooperative was first formed  
8 and then after that other cooperatives were established in other  
9 communes within District 105.

10 [09.24.50]

11 Q. Why did you say that many people died after the cooperatives  
12 were formed?

13 A. After the cooperatives were established, people kept  
14 disappearing. At night time people -- there were people who would  
15 come to call those people to go and they disappeared, including  
16 my uncle. My uncle complained about the cooperative and one night  
17 he disappeared and he never returned.

18 [09.25.35]

19 Q. Thank you for your response in relation to your uncle and I  
20 will have more questions on the issue of your uncle later on. How  
21 did the implementation of cooperatives affect the supply of food  
22 that was available for people to eat?

23 A. Initially when the cooperative was established. I was happy as  
24 we would have a common meal so for those who lacked food would be  
25 able to eat. However, later on, let me give you an example, in my

9

1 family, we grew two rice patch or two plots of land for cucumber  
2 and for the entire village they could only planted rice for only  
3 three lands of plot. So if that happened, the rice yield was not  
4 sufficient for the people in the cooperative and then some people  
5 started to complain about the lack of food so for that reason I  
6 believe that the cooperative was not that good for the people.

7 Q. In regards to the lack of sufficient food, you also made the  
8 following statement in answer 3 of your interview with OCIJ --  
9 that is, the same document, E3/5511, and let me quote: "If  
10 someone complained about the lack of food and the complaint was  
11 overheard, they were invited to go out at night time and never  
12 returned." Do you remember any people who disappeared after  
13 complaining about the lack of food in the cooperatives?

14 A. Most of the people they complained but they did not do it  
15 publicly not like in the case of my uncle who did it openly, he  
16 stated that the cooperative was not good and then he disappeared.

17 [09.28.50]

18 Q. Thank you. Mr. President, for my next line of questions I  
19 would like to seek your leave to provide a document to the  
20 witness. The document is E3/4108, which is a report from Khpob  
21 Trabek commune. I seek your leave, Mr. President.

22 MR. PRESIDENT:

23 Yes, you may proceed.

24 [09.29.40]

25 BY MR. SENG LEANG:

10

1 Q. Mr. Witness, the document that you have in your hand is a  
2 report from Khpob Trabek commune, dated 8 May 1977, and it was  
3 signed by a cadre named Cham. It identified two former Lon Nol  
4 soldiers a corporal and a captain who had criticised the  
5 revolution and complained about the lack of food. One was  
6 reported as saying, let me quote: "What is the use of doing  
7 socialist revolution when there is no food?" End of quote. And  
8 the other had complained that, "the people did not get enough to  
9 eat even while there is plenty of food in the warehouse. They  
10 could eat at their own pleasure in that village but for us we did  
11 not have anything to eat."

12 And my question to you is the following, did you know a Khmer  
13 Rouge leader from Khpob Trabek commune named Cham and was Cham  
14 related to Ta Mok?

15 [09.31.17]

16 MR. RIEL SON:

17 A. Yes, I knew Ta Cham. Ta Cham was chief of Khpob Trabek commune  
18 and he was the blood brother, younger blood brother of Ta Mok.

19 Q. Thank you, Mr. Witness. Now, going back to again to answer 3  
20 of your interview under, E3/5511, you stated that, and I quote:  
21 "My uncle Long Neak was accused of betraying Angkar. He was  
22 called out and disappeared." Mr. Witness, could you elaborate the  
23 reason why he was arrested?

24 A. When he was arrested, as I told you earlier, he complained  
25 about the cooperative and he said that in the future it will

11

1 become communist -- a real communist and he will not willing to  
2 be a part of it.

3 [09.32.57]

4 Q. Thank you. Did you know who came and called him out and who  
5 ordered that person to call him out.

6 A. No, I didn't know about that because I was far away from him  
7 and it happened at night. I've asked his wife and children but  
8 they could not tell me who came to call him out because it  
9 happened at night.

10 Q. Since he was called out until the present time have you ever  
11 met him again?

12 A. Since he was called out, he disappeared and I have never met  
13 him. We celebrated a ritual ceremony for him a few times already.

14 [09.34.05]

15 Q. Mr. Witness, can you indicate for the Court, before and during  
16 the DK regime, what was he doing for a living. I'm talking about  
17 your uncle?

18 A. Before the DK regime, my uncle was a farmer, a rice farmer and  
19 he did some plantation to earn his living.

20 Q. Could you indicate or elaborate a bit further what he did  
21 during DK regime or was he just a simple villager?

22 A. He was a simple villager.

23 [09.35.19]

24 Q. Thank you, Mr. Witness. Now I would like to come 1975, 1976  
25 when you were assigned as a staff at Tram Kak hospital. You said

12

1 the following in answer number 4 of your interview under,  
2 E3/5511, and I quote: "I did not live together with my family, I  
3 was sent to work in a craft unit. My children were sent to other  
4 places to tend cattle. While my wife lived in the cooperative, I  
5 could ask for leave to see my wife but it could not be done  
6 often. Some people asked for leave to visit their family but  
7 leave was refused. If they secretly visited their family and the  
8 visits were discovered, they disappeared." End of quote.

9 My question for you is as the following; when was it, in relation  
10 to 17 April 1975, that your family was separated and you were no  
11 longer allowed to live with your wife and your children?

12 [09.37.16]

13 A. My family members were separated since the creation of the  
14 cooperative and we've always been separated since then.

15 Q. Thank you, Mr. Witness. In relation to this was there any  
16 cadre in your commune or your district who explained the reasons  
17 why Angkar would not allow people to live freely with your  
18 family, your children or they will not allow any visit at your  
19 freedom; was there any explanation or announcement like this?

20 A. No. No one has ever explained to me about this.

21 [09.38.22]

22 Q. Thank you, Mr. Witness, and talking about freedom of meeting  
23 or visiting your family members, you said that you can ask for  
24 leave to visit your family members but you could not do that very  
25 often and some other people asked for permission to visit but his

13

1 request was refused. If they tried secretly to visit and if it  
2 was discovered, he or she will disappear. Can you elaborate a bit  
3 further on this?

4 A. I heard this from the unit chief saying that if anyone who  
5 went to visit family members without any permission, he or she  
6 will be in trouble and the person may disappear.

7 [09.39.40]

8 Q. Who was your unit chief?

9 A. My unit chief was Mon, he is dead now.

10 Q. Was he the one who made an order, was it in general in your  
11 cooperative, was it so strict for family visits like the one that  
12 you just told the Court?

13 A. In fact, I don't know for sure but at the meetings he  
14 announced the same as I have just told you a while ago.

15 Q. Now talking about your wife, she was assigned to a different  
16 cooperative, which cooperative was she sent to?

17 A. She was assigned and sent to Ta Suon cooperative in the same  
18 Trapeang Thum Cheung village.

19 [09.41.19]

20 Q. Thank you, Mr. Witness. At each time when you met with your  
21 wife, did she tell you anything about the living condition and  
22 food ration at her cooperative?

23 A. Yes, she did. Her cooperative -- in her cooperative, she was  
24 assigned to do the cooking at the kitchen and there was very  
25 limited food and vegetables and people complained about food



1 ration.

2 Q. Did she tell you that the villagers in her cooperative have  
3 enough to eat?

4 A. She told me that people did not have enough to eat, people  
5 would eat rice gruel and the soup was very little for everyone.  
6 Everyone would receive only a small bowl of soup per meal.

7 Q. Thank you, Mr. Witness. Did she tell you any difficulty at her  
8 cooperative?

9 MR. PRESIDENT:

10 Hold on, Witness.

11 [09.43.06]

12 A. She told me that it was very difficult at her cooperative but  
13 all she need to do was to try to live better than to die.

14 Q. Thank you, Mr. Witness. Now, I would like to move on to  
15 another topic. This is about the treatment of Buddhists. In your  
16 OCIJ interview under document, E319.1.21, at answer 45 to 48, you  
17 described how, near the beginning of the Khmer Rouge, you  
18 witnessed about 100 monks who were defrocked at Wat Angk Roka  
19 pagoda. First, can you tell us where Angk Roka pagoda was located  
20 in relation to your home village?

21 A. Angk Roka pagoda was about two kilometres away from my village  
22 and I would take a road from Angk Ta Saom to Angk Roka and the  
23 distance was probably eight kilometres away.

24 Q. Thank you, Mr. Witness. After 17 April 1975, how often did you  
25 go to or by the Angk Roka Pagoda?

15

1 A. No. I didn't go there very often.

2 [09.45.39]

3 Q. Thank you, Witness. Can you please tell the Court what you  
4 witnessed at the pagoda in terms of the defrocking of 100 monks  
5 at Angk Roka pagoda?

6 A. On that day, I saw a jeep car transporting black uniforms and  
7 entered into the Pagoda. There were 100 monks or more there and I  
8 took food and alms to offer to the monks but there were a few  
9 people, a few villagers who offer meals and alms to the monks.  
10 And then the car arrived with a load of black uniforms and the  
11 uniforms were unloaded from the car and they started defrocking  
12 the monks.

13 Q. On that day, were all the 100 monks defrocked?

14 A. No, I didn't witness the defrocking because I left the pagoda  
15 but later the former monks who were from the vicinity or nearby  
16 village were all wearing black uniform.

17 [09.47.32]

18 Q. Thank you, Mr. Witness. You also stated in answer 49 of that  
19 same OCIJ interview that, and I quote: "I saw the Khmer Rouge  
20 demolish the sculptures and temples and they removed the smaller  
21 Buddhist statues from the pagoda and throw them into the water  
22 and buried them." End of quote.

23 My question is as follows; who were the Khmer Rouge cadres who  
24 you saw demolishing or throwing away Buddhist sculptures and  
25 statues?

16

1 A. I don't know those Khmer Rouge cadres but there were about 10  
2 or 20 people some of them demolishing the sculpture in the  
3 temple, others would remove Buddha shrine and throw them into the  
4 water and the small Buddha shrine and they buried them in the  
5 ground and then I heard the monks were defrocked.

6 [09.49.10]

7 Q. Thank you, Mr. Witness. In your answer 50 of the same OCIJ  
8 interview under, E319.1.21, you testified as follows, and I  
9 quote: "Ta Ich, who was the head of the monks at the pagoda,  
10 protested against the Khmer Rouge orders. He beat the drum to  
11 call the people to protest against the Khmer Rouge but no one  
12 dare come. The Khmer Rouge clique only beat him two or three  
13 times with a club." End of quote.

14 My question for you is as follows; did you personally witness the  
15 head monk of Angk Roka pagoda be beaten with a club by the Khmer  
16 Rouge forces or is this something you were told?

17 A. Talking about the beating of the head of the monks, I didn't  
18 witness it but I heard from other people and later he was  
19 defrocked. He was beaten for beating the drum to call people to  
20 protest against the Khmer Rouge.

21 Q. Could you tell the Court who told you about this incident?

22 [09.51.17]

23 MR. PRESIDENT:

24 Witness; please hold on until the microphone is activated.

25 MR. RIEL SON:

17

1 A. No, I don't know, I don't remember the person who told me this  
2 story.

3 BY MR. SENG LEANG:

4 Q. Based on what you have just told the Court, on the date that  
5 the head of monk was beaten and the defrocking were the two  
6 incidents happened on the same day or different days.

7 A. Those incidents happened on the same day.

8 Q. Was it at the same time the incident happened, the beating and  
9 the defrocking, was it at the same time or a little different in  
10 time.

11 A. It happened at the same time when the monks were defrocked.

12 [09.52.48]

13 Q. How long have you known Ta Ich? Have you ever been to Angk  
14 Roka pagoda for praying?

15 A. I know him for long time and I went to that pagoda very often  
16 to celebrate ceremonies over there.

17 Q. Thank you, Mr. Witness. Now I would like to move another  
18 topic. In particular your role as the deputy chief of Tram Kak  
19 District hospital and I want to now turn to the period you worked  
20 at the hospital in Tram Kak District.

21 In answer 14 in your OCIJ interview, under E3/5511, you said that  
22 you were, "assigned to be a deputy chief of the hospital in 1976  
23 by Ta Chim and Ta Kit". End of quote.

24 My question for you is as follows; who were Ta Chim and Ta Kit?

25 [09.54.37]

1 A. Ta Chim and Ta Kit were in the district committee, both of  
2 them are siblings.

3 Q. Was the hospital at which you were assigned to work, the  
4 district hospital for Tram Kak district?

5 A. Yes, it was the hospital for District 105 also known as Tram  
6 Kak district.

7 Q. Thank you, Mr. Witness. Do you know why Ta Chim and Ta Kit  
8 assigned you to work at this hospital?

9 A. They assigned to me work at this hospital because I knew how  
10 to do the injection and how to give prescription for people to  
11 use medicine. That's why I was assigned as the deputy chief of  
12 the hospital.

13 Q. In your OCIJ interview, E3/5511, at answer 14, and I quote you  
14 said: "I was sent to work in the hospital by Ta Kit and Ta Chim  
15 because I was able to provide some treatment to my family." Is  
16 this your correct statement to the OCIJ?

17 [09.56.50]

18 A. Yes, this is correct.

19 Q. Thank you, Witness. Had you ever had any medical training  
20 before 1976, before you were assigned as a deputy chief for that  
21 hospital?

22 A. No. I didn't receive any training.

23 Q. Thank you, Witness, but now I would like you to locate the  
24 hospital. Where it was located, in what village, commune; was the  
25 hospital located near a pagoda called Wat Trapeang Kol

19

1 (phonetic)?

2 A. The District 105 hospital located at Wat Trapeang Kol  
3 (phonetic) it was in Trapeang Svay village it was in Trapeang  
4 Thum Cheung commune.

5 [09.58.03]

6 Q. Thank you, Mr. Witness. Was the Tram Kak district hospital  
7 also known as Hospital 22 or M22?

8 A. The hospital of District 105 and Hospital 22 were two  
9 different hospitals. Hospital 22 was for the zone army hospital.

10 Q. Can you tell the Court how many staff were there at your  
11 hospital?

12 A. There were more than 90 staff both male and female, including  
13 those who were doing the cooking and transporting equipment and  
14 material.

15 Q. You were the deputy chief of that hospital and who was the  
16 chief at that time?

17 A. The chief of District 105 hospital, but the first -- the first  
18 chief was female, Met and then female, Ya then Neary Neang was  
19 the last chief and we had three chiefs in a row.

20 Q. Do you have any idea why only women were assigned as the chief  
21 for that hospital?

22 A. To my understanding the women were appointed as chiefs of the  
23 hospital as they were Party members. They were all Party members,  
24 the three of them. But let me stress, they did not come at the  
25 same time. They came -- one came to replace another as one was

20

1 the chief for only four or five months and was replaced.

2 [10.01.07]

3 Q. From what you just stated, only a Party member was appointed  
4 as chief of the hospital, is that correct?

5 A. Yes. Only a Party member would be appointed as chief of a  
6 hospital.

7 Q. Did the hospital chief have medical expertise or skills?

8 A. In fact the three women, who were chief of the hospital, they  
9 did not have any idea at all about the medicines and as for Neary  
10 Met (sic), she did not even know how to read.

11 Q. Thank you. I would like to ask you about the hospital at the  
12 sector level -- that is, for Sector 13 and hospital at the zone  
13 level for the Southwest Zone. Were there such hospitals at the  
14 sector and zone levels?

15 A. There was a sector hospital. It was called Trapeang Roneab and  
16 the zone hospital was at Angk Ta Saom at Daeum Chambak.

17 [10.03.02]

18 Q. Thank you. Did any of Ta Mok's children or siblings have  
19 positions --have positions at the district, sector or zone  
20 hospitals? If so, please provide the details.

21 A. As for hospitals, at the district, at the sector or at the  
22 zone level, there was a younger female -- younger sister of Ta  
23 Mok named Yeay Koeun, who worked at the zone hospital.

24 Q. How did you know about that?

25 A. That hospital was near Angk Ta Saom market and when I referred

21

1 the patients to the hospital I could refer them either to the  
2 Sector hospital or to the zone hospital in case of serious of the  
3 illness. That's why I knew her.

4 Q. Did Ta Mok's younger sister have medical expertise or received  
5 any medical training?

6 MR. PRESIDENT:

7 Mr. Witness, please observe the microphone.

8 [10.04.48]

9 MR. RIEL SON:

10 A. To my knowledge she was not that skilful in the medical field  
11 but there were people dealing with the technical issues in that  
12 hospital.

13 BY MR. SENG LEANG:

14 Q. Thank you. Let me go back to your OCIJ interview -- that is,  
15 document E3/5511, in answer 14, you described receiving some  
16 training after you were appointed to work at the hospital in 1976  
17 and you also stated that your first training lasted three months  
18 and that you trained at the sector or zone hospital by a person  
19 named Sei, and that you were trained with human anatomy. Can you  
20 tell us what months in 1976; you had these three months of  
21 training?

22 MR. PRESIDENT:

23 Witness, please wait. And Counsel Koppe, you have the floor.

24 [10.06.30]

25 MR. VICTOR KOPPE:



22

1 Thank you, Mr. President. I think in this particular case, the  
2 Prosecution should be including the second part of the sentence  
3 which says there is a six months of training. It is within the  
4 same sentence. First training lasted three months and the second  
5 one lasted six months so I don't see why we are limiting  
6 ourselves to this three months training.

7 [10.07.00]

8 MR. SENG LEANG:

9 Mr. President, allow me to respond. I have some more questions on  
10 the issue of the six month training. Let me now focus on the  
11 three months of training and after that I will move on to the six  
12 months of training.

13 MR. PRESIDENT:

14 Mr. Witness, please respond to the last question put by the  
15 Deputy National Co-Prosecutor, if you can recall it. If not, you  
16 can ask to be -- the question to be put again to you.

17 BY MR. SENG LEANG:

18 Q. My question to you is the following. In what months in 1976,  
19 did you receive three months training?

20 [10.08.01]

21 MR. RIEL SON:

22 A. I cannot recall the month or the year of that training.  
23 However I can recall that that was the first training -- medical  
24 training and it lasted for three months.

25 Q. Can you recall when you concluded that training, in what

1 month?

2 A. No, I cannot recall it. In fact the three month training was  
3 not consecutive. It was on and off and if you count the actual  
4 days of training, it was roughly around two weeks only.

5 Q. And then can you tell the Court, when did you start working at  
6 that district hospital?

7 A. I cannot recall the month. However, it was late 1976, I mean  
8 almost the beginning of 1977.

9 Q. I also have another question on this training. You stated that  
10 you were trained with human anatomy. What do you mean by that?

11 [10.09.43]

12 A. As for the training with human anatomy, we would study the  
13 skeletons of a human body, we would study the internal organs  
14 including the liver and other organs. So in short we studied  
15 everything about human anatomy, inside and outside.

16 [10.10.15]

17 Q. You also stated that you later had additional training that  
18 lasted as much as six months. When and where did that second  
19 training session take place?

20 A. For the second training session, it was held at the sector  
21 hospital at Trapeang Roneab.

22 Q. When did you receive that training?

23 A. It was in late in 1977.

24 MR. PRESIDENT:

25 It is now convenient to take a short break. We will take a break

24

1 now and return at 10.30.

2 And court officer, please assist the witness during the break and  
3 have him return with his duty counsel to the courtroom at 10.30.

4 The Court is now in recess.

5 (Court recesses from 1011H to 1032H)

6 MR. PRESIDENT:

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

8 And the floor is now given to the Co-Prosecutor to continue his  
9 line of questioning for this witness.

10 BY MR. SENG LEANG:

11 Thank you, Mr. President.

12 Q. Now I would like to move on to another question. In answer  
13 number 8 of your OCIJ interview, under E3/5511, you made the  
14 following statement and I quote:

15 "Many people fell sick thanks to overwork and lack of food to  
16 eat. People who were sick and could not go to work were sent to  
17 be treated in the hospital. In the hospital, people were  
18 appropriately treated but there were not enough medicines". End  
19 of quote.

20 My question for you is that I would like you to indicate, in  
21 general what was the most common health problem of the sick  
22 people who were sent to the Tram Kak district hospital?

23 [10.33.57]

24 MR. RIEL SON:

25 A. Those patients who were sent to my hospital were suffering

25

1 from diarrhoea, swollen body, and also malaria.

2 Q. Can you tell the Court what are the medicine in desperate need  
3 for your hospital at the time?

4 A. At my hospital at the time, we were lacking of every medicine.  
5 We had very limited medicines for our purpose.

6 Q. And you said many patients were suffering from diarrhoea,  
7 malaria, and did you think at the time that those medicines were  
8 sufficient for that treatment purpose?

9 A. No, they were not sufficient for our treatment purpose at the  
10 time.

11 [10.35.33]

12 Q. Now, I would like to move on to another -- answer 147 of your  
13 interview with the OCIJ, under E319.1.21. You were asked how many  
14 patients your hospital admitted each day, and you provided the  
15 following response and I quote: "We received about 10 men each  
16 day. But some of them died because of their condition were too  
17 serious. There were more than 100 women each day". End of quote.

18 And my question is as follows. Was there a reason that the number  
19 of female patients at your hospital was much higher than the  
20 number of male patients? Why was so many sick in Tram Kak  
21 hospital?

22 [10.36.44]

23 MR. PRESIDENT:

24 Witness, please hold on. Now, Mr. Victor Koppe, you may proceed.

25 MR. KOPPE:

26

1 No objection, Mr President, but I have something different in my  
2 English version of the interview. It says 30 and not 10. But  
3 maybe something went wrong with the translation.

4 [10.36.44]

5 MR. PRESIDENT:

6 Witness, please respond to the question posed by the  
7 Co-Prosecutor.

8 MR. RIEL SON:

9 Could you please repeat your question?

10 MR. PRESIDENT:

11 Please hold on. There's a technical problem with the transcripts  
12 machine.

13 Court officer, please coordinate with the staff so that we can  
14 have the problem fixed for a proper operation.

15 (Short pause)

16 [10.38.22]

17 MR. PRESIDENT:

18 Yes, Co-Prosecutor and Witness. Prosecutor, could you please  
19 repeat your question to the witness so that he can reply.

20 BY MR. SENG LEANG:

21 My question for you is as follows. Why were there more female  
22 patients than the male persons at Tram Kak hospital?

23 MR. RIEL SON:

24 A. There were more female patients at the District 105 hospital  
25 because women were weaker than men and they were exposed to hard

1 labour. They did overwork and there were many women falling sick  
2 and they were sent to the hospital.

3 [10.39.31]

4 Q. I have another question before I conclude my line of  
5 questioning for you. You also stated that some of patients who  
6 were sent to your hospital died, and I quote: "because their  
7 conditions were too serious". Can you explain what do you mean by  
8 this -- that is, what were the condition of people who died?

9 A. Those patients who were serious and sent from various  
10 communes, they were sent from the worksite and their condition  
11 was serious since they were at the worksite. And there was some  
12 time delay at the commune, and then when they arrived at my  
13 hospital, it was too late to rescue so they died.

14 MR. SENG LEANG:

15 Thank you, Mr. Witness for responding to my questions. And Mr.  
16 President, I have no further questions to put to this witness and  
17 my esteemed colleague will continue his line of questioning for  
18 this witness.

19 [10.41.07]

20 MR. PRESIDENT:

21 Please, International Deputy Co-Prosecutor, you may proceed.

22 QUESTIONING BY MR. LYSAK:

23 Thank you, Mr. President. Good morning, Mr. Witness. My name is  
24 Dale Lysak and I'll be asking you some questions this morning and  
25 this afternoon. I want to start by asking you about how the

1 district hospital reported to the leaders of Tram Kak district.  
2 Can you tell us how the hospital reported to the Tram Kak  
3 district committee, and specifically, whether you sent written  
4 reports or whether your reporting was done verbally in person?

5 MR. RIEL SON:

6 A. The way we did reporting from our District 105 hospital, we  
7 did not prepare a written report for the district committee, but  
8 we would appear before the district chief to make oral report.  
9 Because we thought that it is not helpful to prepare a written  
10 report, because there was no medicine, food ration was not  
11 sufficient for the patients, so we keep doing oral report as  
12 usual and there was no problem with that oral report.

13 [10.43.14]

14 Q. Thank you. How often did you attend meetings to report to the  
15 district chief?

16 A. I would go to the district office by myself alone at the end  
17 of each month. Sometimes, at any time before the end of the  
18 month, I can see him to make oral report. But sometimes, I made  
19 oral report but I received no recommendation from him.

20 Q. And can you tell us where it was that you would meet with the  
21 district chief and who else would be present at those meetings?

22 A. I would meet with him - with the district chief at the  
23 district office.

24 Q. Could you tell us where the district office was located?

25 A. The district office was located at Angk Roka market. It was at

1 a concrete house belonging to the former Chinese owner, and the  
2 owner left. And the market was empty. There was the house  
3 standing and the Khmer Rouge use it as an office for them.

4 [10.45.12]

5 Q.You stated that, a couple of minutes ago, that you went to  
6 report to the district chief by yourself. Is there a reason that  
7 the chiefs of the hospital, the three women who you identified  
8 earlier, is there a reason that that person didn't come to the  
9 meetings?

10 A. Talking about reporting, especially reporting of the patients,  
11 I did oral report for that. But reporting about the Party's  
12 activity or work, the three chiefs would go to the district chief  
13 to make report.

14 Q. In your OCIJ interview, E3/5511, and perhaps before I get to  
15 that, Mr. President, maybe at this time I will ask to provide to  
16 the witness and his counsel his two OCIJ interviews, E3/5511 and  
17 E319.1.21. And also I request to provide him his two DC-Cam  
18 interviews as I may ask him questions from those. The two DC-Cam  
19 interviews are, for the record, D313/1.2.409 and D313/1.2.410.

20 And with your leave, Mr. President, can I provide those four  
21 statements to the witness?

22 [10.47.14]

23 MR. PRESIDENT:

24 Co-Prosecutor, your request is granted.

25 BY MR. LYSAK:



30

1 Now, Mr. Witness, I have provided these to you and your counsel  
2 so you have them in case you wish to refer. I'm going to refer  
3 now to answer 15 in your first OCIJ interview, E3/5511. In that  
4 answer, you described a quarterly meeting at which you were asked  
5 by the district committee, why people from the hospital suffered  
6 from diarrhoea and puffiness or swelling. Can you tell the Court  
7 what you told the district committee when they asked you why  
8 there people in the hospital who were sick with diarrhoea and  
9 swelling?

10 MR. SON RIEL:

11 A. When I report to him that people suffer from swelling and  
12 diarrhoea because the lack of nutrition for their health, that is  
13 the reason why they have this kind of illness.

14 [10.48.47]

15 Q. And, you said him. Were -- at this meeting, were you reporting  
16 to the entire district committee or was it just the district  
17 chief?

18 A. I reported to only the district chief.

19 Q. And what was the district chief's response when you told him  
20 that people were sick because they didn't have enough food to eat  
21 and were suffering from malnutrition?

22 A. The district secretary responded to me that I was attacking  
23 the cooperative by my report, by my words.

24 Q. And did you ask the district chief to provide more food to the  
25 hospital? And if so, what was his response?

1 [10.50.17]

2 A. At the time, I dare not request anything because I would often  
3 request but I receive nothing in return.

4 Q. In the next answer -- question and answer in that same  
5 statement E35511, answer 16, you described the ration of rice  
6 that was given to the district -- given by the district to your  
7 hospital as follows. Quote: "I was allowed to have 50 cans of  
8 rice for 250 patients. Four cans of rice were equivalent to one  
9 kilogram". Can you tell us, was that a daily ration? What was the  
10 period for which you would receive 50 cans of rice for 250  
11 patients?

12 A. This is a daily ration.

13 Q. And did the rations remain the same throughout the entire  
14 period that you worked at the district hospital?

15 A. I didn't know what happened in other places but this is --  
16 happened at my place.

17 [10.52.04]

18 Q. Do you remember the year this meeting took place? Or do you  
19 remember who the district chief was at the time of this incident  
20 where you reported that there was malnutrition and you were  
21 accused of attacking the cooperatives?

22 A. I forget the date and year. But at the time, the district  
23 chief was Ta Chay, Ta Chim. And in particular, Ta Chay would  
24 accuse me of attacking seriously the cooperative.

25 Q. While we're talking about the district chiefs, I want to see

1 if I can go through with you the succession of people who were  
2 the district chief of Tram Kak during the Khmer Rouge regime. In  
3 your interview E319.1.21, at answer 213, you identified a woman  
4 named Khom, who was the daughter of Ta Mok and the wife of Meas  
5 Muth, and stated that she was the District 105 secretary early in  
6 the regime but that, in your words, she went insane. Can you  
7 describe for the Court what Yeay Khom was like as the district  
8 chief and what happened to her?

9 [10.54.12]

10 A. At the time, Yeay Khom was the district secretary but later,  
11 she became insane. She kept saying words. Sometimes when I met  
12 her, she order me to cut the big tree and to dig the ground to  
13 pull out the stump of the tree, but actually she was insane.

14 Q. And do you know what happened to her after she became insane?

15 A. After the incident that she became insane, I don't know what  
16 happened to her because I left the area for Kampong Saom.

17 Q. In answer 13 of interview, E3/5511, you identified the  
18 following people as being district committee - District 105  
19 committee. Quote: "Ta Chay, Ta Kit, Ta Chim, and Ta San", and you  
20 noted that Ta Kit and Ta Chim were biological siblings. And in  
21 your DC-Cam interview, D313/1.2.409, at English ERN, 00729041;  
22 Khmer, 00418824; and French, 00808621; you stated, quote:

23 "Question: What was the name of the district's chief?"

24 "Answer: It was Ta Kit who predecessor was Ta Chim. Ta Kit was  
25 followed by Ta San, younger brother-in-law of Ta Mok". End of

1 quote.

2 Do I understand correctly that Ta Chim was the district chief  
3 after Yeay Khom?

4 [10.57.01]

5 A. In fact, Ta Chim was the chief of Tram Kak before Yeay Khom.  
6 And when Ta Chim was sent to the rubber plantation and then Yeay  
7 Khom was assigned to replace him.

8 Q. All right. I'll come back to that in a little while. After Ta  
9 Chim and Yeay Khom, can you tell us your recollection of who the  
10 district chiefs were?

11 A. Before the end of the Khmer Rouge regime, Ta San, the  
12 brother-in-law of Ta Mok who was the district chief.

13 Q. And you've indicated that Ta Chay was district chief for a  
14 period. Can you tell us when he was district chief? Or who it was  
15 that -- where he fell in the succession of district chiefs -- who  
16 he was district chief after and before?

17 A. After Ta Chay, there were two cadre, Ta Kit and Ta Chim. And  
18 later, Yeay Khom and after that, Ta San, who was the  
19 brother-in-law of Ta Mok.

20 [10.59.14]

21 Q. Mr. Witness, I'm going to try to refresh your recollection  
22 about the timing of -- that Chim and Kit were district chiefs. In  
23 interview E319, I'm sorry, interview -- OCIJ interview E3/400, at  
24 pages Khmer, 00373459; English, 00379171; French, 00426179. And  
25 this was an interview of former district chief, Chim. He

34

1 testified that he left Tram Kak to go to Kampong Cham, to the  
2 rubber plantation, in February 1977, and that he was replaced as  
3 district secretary by his brother Kit. Does that refresh your  
4 recollection that Chim was district secretary after Yeay Khom,  
5 and that Chim was then succeeded by his brother Kit?

6 A. No, I could not remember.

7 [11.00.56]

8 Q. Was Kit someone that you knew fairly well?

9 A. I knew Ta Kit really well.

10 Q. Let me ask you before I -- let me ask you about another --  
11 some other people that you referenced in your various interviews.  
12 In a DC-Cam interview, D313/1.2.409, and here I'm referring to  
13 Khmer, 00418876; English, 00729094; and French, 00808678. You  
14 referred to a cadre named Ta Keav, who had been arrested. Can you  
15 tell us what was Ta Keav's position in Tram Kak district?

16 A. From the beginning, Ta Keav was the secretary of Tram Kak  
17 district. However, I only saw him for a few months and then he  
18 disappeared and I did not know where he went.

19 Q. You said that he was arrested. How did you become aware that  
20 Ta Keav had been arrested?

21 A. I only knew that after he left. Ta Kit was ill and he rested  
22 at the house, and I was there as well. And at that time, there  
23 was only him, Ta Kit, and myself. And he told Ta Kit that he  
24 would go away. And from that day onward, he disappeared.

25 [11.03.46]

1 Q. Another person -- two people actually, that I'd like to ask  
2 you about. In answer 13 of your OCIJ statement, E3/5511, you  
3 identified a person named Dan, who held the position of chief or  
4 head of the district office. And in your DC-Cam interview  
5 D313/1.2.409, Khmer, 00418877; English, 00729095 through 96;  
6 French, 00808679; you identified a man named Phy, someone who had  
7 a broken leg and who had preceded Dan as head of the district  
8 office. Can you explain -- my question is, can you explain what  
9 Phy and Dan's roles or responsibilities were as chief of the  
10 district office and how their function differed from the people  
11 who were district secretary?

12 [11.05.22]

13 A. Phy and Dan were chief of the district office, and their main  
14 responsibility was to receive goods or materials sent from the  
15 upper level -- that is, from the sector level. And those  
16 materials included medicine. And in fact, the district office was  
17 a kind of a commerce office. It means that was the location where  
18 they received supplies or materials from the sector, and then  
19 they would make the arrangement for the distribution to the  
20 districts.

21 Q. You said in that same part of your DC-Cam interview that Phy  
22 was a cruel person. What did you mean by that? Why did you say  
23 that?

24 A. I said that Phy was a cruel person. And although I was much  
25 older than him and he was much younger and had a broken leg, but

1 would threaten me. He's really, really very cruel, but he passed  
2 away.

3 [11.07.03]

4 Q. In another part of the same DC-Cam interview, D3131.2.409,  
5 Khmer, 00418815; English, 00729031; French, 00808611; you  
6 provided the following statement about another occasion where you  
7 had tried to discuss the possibility of increasing production of  
8 medicine. And this is what you said in that interview, I quote:  
9 "I also wanted to make more productions but I needed more raw  
10 materials. When I raised this issue, they said it would be  
11 impossible. Raising this issue, I had my conscience assessed. I  
12 was assessed as having the imagination of a bourgeois and an  
13 intellectual rather than a worker." End of quote. Who was it that  
14 criticised you as being a bourgeois and intellectual, when you  
15 raised the idea of trying to produce more medicine?

16 A. At that time, it was the district secretary, that is, Ta Chay  
17 who said that I was a bourgeoisie and intellectual.

18 [11.08.58]

19 Q. Was this the same meeting where you were accused of attacking  
20 the cooperatives for saying people had malnutrition or was this a  
21 different meeting?

22 A. It was two separate matters.

23 Q. And in that same DC-Cam interview at Khmer, 00418817; English,  
24 00729033; French, 00808613; you made -- you gave the following  
25 testimony or statement:

1 "Question: Did patients die at that centre?"

2 "Answer: First, only a few died occasionally. But later, the  
3 death toll increased dramatically due to dysentery and  
4 malnutrition."

5 And continuing below; "Generally speaking, malnutrition and  
6 dysentery led to five deaths per day in the last period." End of  
7 quote.

8 Can you tell us why the number of deaths from malnutrition  
9 increased dramatically in the latter part of the Khmer Rouge  
10 regime?

11 A. Toward the latter part of the regime, it became worse. People  
12 did not have anything to eat. For that reason, their bodies  
13 became swollen.

14 [11.11.05]

15 Q. And I know you weren't trained as a -- as a medical doctor but  
16 you received medical training and you worked at the hospital  
17 where these patients died. Can you explain to the Court how it is  
18 that people died from malnutrition in your hospital?

19 A. I said they died from malnutrition because in general, we need  
20 to have all kinds of nutrition for our body. And with the lack of  
21 nutrition, people got dysentery, but the main concern was that  
22 their bodies became swollen. And that caused by the lack of food  
23 and malnutrition.

24 Q. Were the majority of people who died from malnutrition 17  
25 April People or Base People?



1 A. Both groups. The Base People also died as well as the New  
2 People.

3 Q. And after you were criticised by the district chief for  
4 attacking the cooperatives and for being a bourgeois and  
5 intellectual, did you ever raise again with the leaders of Tram  
6 Kak district the problem of malnutrition and insufficient  
7 medicine in the district?

8 A. No, I did not. I dare not do that again. I was very afraid by  
9 that time.

10 [11.13.37]

11 Q. I'd like now to turn to a different subject, the subject of  
12 purges of enemies. In both of your OCIJ interviews, you described  
13 being present at a Tram Kak district meeting at which  
14 instructions were given on the categories or groups of people to  
15 be purged. Specifically in interview, E319.1.21, at answers 40  
16 through 43, you described how the district committee instructed  
17 that the following people were to be purged, and I quote:

18 [11.14.23]

19 "Former government workers with the rank of first assistant to  
20 the chief of commune and above were to be arrested and sent to be  
21 executed. Former government police and military officials with  
22 the rank of warrant officer and above were also to be arrested  
23 and killed."

24 Continuing in the next question and answer:

25 "Question: Apart from the above categories, were there any other

1 groups also to be purged?"

2 "Answer: Yes, any of the people who went round speaking against  
3 the Khmer Rouge had to be reported and taken away to be killed."

4 "Question: Among the people considered Khmer Rouge opponents,  
5 were they also classified as feudalist, Chinese, CIA, KGB, Khmer  
6 Krom, Cham or Buddhist followers?"

7 "Answer: I did hear that people from Kampuchea Krom had been  
8 accused of being KGB agents, "Yuong" spies. At those meetings, it  
9 was brought up that all the Khmer Krom had to be killed." End of  
10 quote.

11 The first thing I'd like to clarify with you, Mr. Witness, is  
12 whether there was only one meeting at which these instructions  
13 were provided or were there multiple meetings where these issues  
14 were discussed?

15 [11.16.05]

16 A. On the issue of the purges, I only knew about this instruction  
17 only at that particular meeting that I attended.

18 Q. And where did that meeting take place?

19 A. The meeting was held at a kitchen hall near Angk Roka market.  
20 It was held right there in the kitchen hall.

21 Q. How many district cadres were present at this meeting, and  
22 specifically were the commune chiefs in attendance?

23 [11.17.12]

24 A. I cannot recall the total number. However, there were  
25 representatives from the nearby communes attending the meeting.

1 There were many people who were evacuated from Phnom Penh and  
2 from Takeo. So the representatives from the communes attended the  
3 meeting including the Trapeang Thum Khang Cheung commune  
4 representative.

5 Q. In your first OCIJ interview, E3/5511, at answer nine, you  
6 stated and I quote: "The chiefs of the district, the communes,  
7 the villages, and unit members were invited to attend a  
8 conference. The conference participants were informed of what  
9 categories of people to be purged."

10 Continuing below: "The conference was attended by the district  
11 committee. There was a planned purge. People who were targeted to  
12 be purged included; soldiers, from the ranks of corporal,  
13 sergeant and above in the army, and from the first deputy chief  
14 and above in the administration." Now, one thing I just want to  
15 clarify, to be sure about, in the other OCIJ interview I read,  
16 the former military to be purged were described as those with the  
17 rank of warrant officer and above instead of corporal sergeant  
18 and above. However, when I looked at the French translation, the  
19 military rank was described the same in both interviews, that of  
20 adjutant. And your DC-Cam interview also stated that the rank to  
21 be killed was anyone with the rank of warrant officer and above.  
22 At -- who you referred to as commissioned officers, and this was  
23 referenced at D313/1.2.409, Khmer, 00418851; English, 00729068;  
24 French, 00808649. And what I wanted to ask you was just to  
25 explain what you meant by commissioned officers, and to have in

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1 your words in Khmer the rank that the district committee  
2 instructed were to be purged.

3 [11.20.21]

4 A. At the meeting, he told us about the purges of all those  
5 people. And if people who were -- if those who were in the army,  
6 they had to be purged from the adjutant up. And as for the  
7 administration side, it means from the first deputy chief and up  
8 or above.

9 Q. And who was the district representative who provided these  
10 instructions at this meeting?

11 A. There was Ta Chay. However, there were a few other commune  
12 chiefs who attended that meeting.

13 [11.21.39]

14 Q. You have testified that there were commune chiefs present at  
15 the meeting -- at this meeting where the district committee gave  
16 instructions on the former Lon Nol soldiers and officials to be  
17 purged. There are a number of reports from communes relating to  
18 the arrests of former ranking officers or officials. I'd like to  
19 now show you a few of those reports. Mr. President, with your  
20 leave, I'd like to provide these documents together to the  
21 witness. They are; E3/2048; E3/2435; E3/4103; and E3/2917. With  
22 your leave, I'll provide them to the witness together and then I  
23 will go through the documents. And also I would like to show them  
24 on the screen as we question the witness.

25 MR. PRESIDENT:

1 Yes, you may proceed.

2 (Short pause)

3 [11.23.12]

4 BY MR. LYSAK:

5 Mr. Witness, I've handed you a number of documents. I'm going to  
6 take you through them one by one. The first is, E3/2048, and it's  
7 Khmer page, 00079089; English, 00276562 through 63; and French,  
8 00611659. This is the report to Tram Kak district, Angkar from  
9 Cheang Tong commune, signed by someone named Moeun, dated the  
10 30th of April 1977, and it includes the following statement,  
11 quote: "After having received successive instructions from Angkar  
12 about being vigilant about the enemy and purging the enemy  
13 officers, we have tracked, examined, and found the following  
14 persons." End of quote.

15 Do you remember a cadre from Cheang Tong commune named Moeun?

16 MR. RIEL SON:

17 A. No, the name was not Moeun. In fact, it was Boeun.

18 Q. The next report in the collection I gave you is also E3/2048,  
19 at Khmer, 00079091; English, 00276564; and French, 00611661. And  
20 it is a report from Ta Phem commune, signed by someone named Kit,  
21 that was sent almost at the same time as the last document, on  
22 the 28th of April 1977. And it reports that the commune had, and  
23 I quote: "Examined and purged the enemies who held ranks after  
24 having received the instructions of the Party." End of quote.

25 My question for you about this document, was there another cadre

1 in the district named Kit who was a representative of Ta Phem  
2 commune, a different person than the Kit who was the district  
3 chief?

4 [11.26.32]

5 A. No, I do not know a person at the commune by the name of Kit.

6 Q. The next document is E3/2435, and it is a report from Angk Ta  
7 Saom commune to district Angkar, dated the 26th of April 1977,  
8 which confirmed that, and I quote: "For those who have ranks as  
9 first lieutenant or second lieutenant, I am going to contact with  
10 Comrade Yorn, district military in order to take them out this  
11 evening right away." And this note, I believe, appears on the  
12 second page of the report. My question, do you -- did you know a  
13 cadre from the district military named Comrade Yorn?

14 A. No, I did not know a person at that time by that name, Yorn.

15 [11.28.03]

16 Q. And then I have two documents from Popel commune. First,  
17 E3/4103, at Khmer, 00143476; and this is on the right side of  
18 that page, English, 00322133; French, 00612838. And this is the  
19 document dated the 11th of April, from a cadre from Popel commune  
20 named Chorn who reported to the district. Quote: "For those  
21 people who held a ranking position, we will send them to you one  
22 after another." End of quote.

23 And one month later, in early May 1977, in the next document,  
24 E3/2917, the same commune reported to the district that: "106  
25 military families, 393 people had already been smashed by Angkar

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1 or died and the commune was screening more families to find out  
2 whether or not they are of the military personnel." End of quote.

3 First, do you remember a cadre from Popel commune named Chorn?

4 A. No. I did not, because Popel commune was far from where I  
5 lived. I knew where Popel commune was but I did not know who was  
6 in charge of that commune.

7 [11.30.16]

8 Q. You've mentioned a woman named Boeun who was chief of Cheang  
9 Tong commune. Did you know Boeun's husband?

10 A. Chorn was Yay Boeun's husband but I am not sure whether he is  
11 still alive.

12 Q. Do you remember, was Yeay Boeun present at this meeting where  
13 the district chief announced this plan for purges of Lon Nol  
14 officers?

15 A. No, she was not there at the meeting.

16 Q. These documents that I've shown you from four different  
17 communes in Tram Kak district are all from the same time period,  
18 April to early May 1977. Do these documents refresh your  
19 recollection about the timing of the meeting you attended where  
20 instructions were provided on the purge of Lon Nol officers? And  
21 specifically, do you remember when in relation to April 1977 that  
22 meeting took place? Was it before April '77, or was it after  
23 April 1977?

24 [11.32.14]

25 MR. PRESIDENT:

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1 Mr. Witness, please wait and Counsel Koppe, you have the floor.

2 MR. KOPPE:

3 I object to this question. You would look in the dictionary for a  
4 textbook leading question, there we have one. This is not the way  
5 to ask a witness questions by feeding him all kinds of details  
6 around dates and then ask him to confirm. What's the purpose of  
7 this line of questioning?

8 MR. LYSAK:

9 If I may respond, Your Honour, the purpose of documents is they  
10 help witnesses remember dates. The question was not leading. I  
11 asked the witness whether the meeting was before or after April  
12 1977. That is not leading question; that is the exact opposite of  
13 a leading question.

14 MR. PRESIDENT:

15 The objection raised by the Defence Counsel is overruled, as the  
16 Chamber needs to hear the response from the witness to the last  
17 question put to him by the International Deputy Co-Prosecutor.  
18 And Witness, please respond.

19 [11.33.36]

20 MR. RIEL SON:

21 Please, put the question again.

22 BY MR. LYSAK:

23 Do these documents refresh your recollection on the timing of the  
24 meeting you attended where instructions were provided on the  
25 purge of Lon Nol officers? Do you remember was that meeting



1 before or after April 1977?

2 MR. RIEL SON:

3 A. The meeting was held before 1977.

4 Q. And one further question, Mr. President, before I change  
5 subjects. Do you remember - was this meeting during the time  
6 period that you were working at the district hospital?

7 A. The meeting was organised when I was working at the district  
8 hospital.

9 [11.34.56]

10 MR. PRESIDENT:

11 Thank you, International Co-Prosecutor. It is now appropriate  
12 time for lunch break. And the Trial Chamber will take a break  
13 from now until 1.30 this afternoon.

14 Court officer, please coordinate the rest for the witness and his  
15 duty counsel with the WESU, and have both the witness and duty  
16 counsel back in the courtroom at 1.30 this afternoon.

17 And security personnel are instructed to bring Mr. Khieu Samphan  
18 to the waiting room downstairs and have him back before 1.30 this  
19 afternoon.

20 The Court is now in recess.

21 (Court recesses from 1135H to 1331H)

22 MR. PRESIDENT:

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

24 And we'll give the floor to the Co-Prosecutor to put questions to  
25 this Witness. You may proceed.

1 [13.32.15]

2 BY MR. LYSAK:

3 Thank you, Mr. President. Good afternoon.

4 Q. We were talking about the meeting you attended at which the  
5 district chief provided instructions on the types -- categories  
6 of people to be purged and I had asked you about -- for your  
7 recollection as to who the district chief or who -- which  
8 district leaders were present at that meeting. I'd like to read  
9 to you from your interview, E319.1.21, and at answers 35 through  
10 39 you testified that the person who chaired that meeting was  
11 district committee, Chim. At question and answer number 37.

12 "Question: What was the name of the district committee? Answer:  
13 His name was Chim."

14 And at question and answer 39: "Question: Did Chim, the district  
15 committee, tell the participants of those meetings about the  
16 types of people that had to be purged? Answer: Yes he did."

17 Does this refresh your recollection that the district chief who  
18 chaired the meeting identifying the groups to be purged was Chim?

19 MR. RIEL SON:

20 A. Yes. It was Chim who addressed the meeting at that time.

21 Q. And do you remember -- was Chay also present at this meeting?

22 A. Yes. Ta Chay was also in the meeting.

23 [13.34.19]

24 Q. You indicated that at the same meeting, and this is from  
25 E319.1.21, answer 43, you testified that you heard people from

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1 Kampuchea Krom were accused of being "Yuon" spies and that the  
2 Khmer Krom had to be killed. The evidence that has been admitted  
3 by this Chamber includes lists from six different communes  
4 identifying Khmer Krom and prepared in the same time period as  
5 the Lon Nol documents we just looked at -- that is, April to May  
6 1977. I don't want to tire you out looking at too many documents  
7 but, with your leave, Mr. President, I'd like to provide two of  
8 the Khmer Krom lists to the witness starting with E3/2281,  
9 E3/2281, with your leave, Mr. President.

10 MR. PRESIDENT:

11 You may proceed.

12 (Short pause)

13 [13.35.50]

14 BY MR. LYSAK:

15 Q. Mr. Witness, the document that's just been presented to you is  
16 a report signed by a cadre, Mon, dated the 4th of May, 1977,  
17 which is titled "List of Kampuchea Krom people from Trapeang Thum  
18 Cheung commune" -- your commune -- and it identifies 73 Khmer  
19 Krom families living in that commune, including their former  
20 occupation and the ranks of those who were former military.  
21 First, can you tell us who was Mon, the person who signed this  
22 report?

23 MR. RIEL SON:

24 A. Mon was the commune chief of Trapeang Thum Khang Cheung.

25 Q. And was Mon one of the commune representatives who was present

1 at the meeting you've described, where instructions were provided  
2 on groups to be purged?

3 [13.37.05]

4 A. Yes, he was there.

5 Q. Can you take a look at this list and are you able to tell us  
6 whether the Khmer Krom families on this list were people who were  
7 originally from Trapeang Thum Cheung commune or whether they were  
8 people who had been evacuated and relocated to the district from  
9 Phnom Penh, Kampuchea Krom or other areas?

10 A. I have forgotten all these people. I do not know whether the  
11 names here refer to those from Kampuchea Krom. I do not know them  
12 all.

13 Q. I'd like to show you now, Mr. Witness, two documents from  
14 Popel commune. Mr. President, these are E3/2262 and E3/2917, with  
15 your leave, if I may provide these documents to the witness.

16 MR. PRESIDENT:

17 You may proceed.

18 [13.38.52]

19 MR. KOPPE:

20 Mr. President?

21 MR. PRESIDENT:

22 You may proceed, Mr. Koppe.

23 MR. KOPPE:

24 Thank you. Just some clarification from the Prosecution. I  
25 believe the witness was just shown E3/2281 and did I get that

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1 right? And the witness was told that these lists -- or this list  
2 consists of Kampuchea Krom families but to be honest I don't see  
3 that in that document, so if the Prosecution would be so helpful  
4 as to tell me where he sees Kampuchea Krom on this document?

5 MR. LYSAK:

6 Yes, I'd be happy to. This is one of these documents where  
7 there's a difference in translations. In the Khmer original you  
8 can see Kampuchea Krom, the French translation has Kampuchea  
9 Krom, the English translation appears to have missed that so it  
10 is there, it just was something that was missed in the English  
11 translation.

12 [13.40.02]

13 MR. KOPPE:

14 Thank you very much, Mr. Prosecution -- Mr. Prosecutor for the  
15 explanation but this is really getting troubling. Yesterday -- we  
16 still haven't heard back by the way, Mr. President, from the IT  
17 unit on this but there seems to be a big discrepancy between the  
18 French translation of the original Khmer document and the English  
19 translation. Yesterday we talked about the word 'eliminated' and  
20 that word appeared, I think, about 20 or 40 times in the French  
21 text. It didn't appear at all in the English text. Besides the  
22 question, if the abbreviation KT should not just be literally  
23 translated as KT and that the interpretation of what KT means  
24 should be left to the Parties in their closing submissions to  
25 argue. But these are all kinds of questions really to this

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1 document, if now another essential ingredient of this document  
2 seems to be lost in the English translation, which is, after all,  
3 a working language, I think we're having substantial problems. We  
4 are working in English so we must count on the fact that it is a  
5 literal translation and that the French and the English  
6 translations are the same.

7 [13.41.28]

8 MR. LYSAK:

9 Mr. President, if I may, I don't want to dwell on this very long.  
10 This is certainly an issue that can be addressed. There are  
11 procedures for this. There are many, many thousands of pages that  
12 have been translated in the Case file. No one is perfect and when  
13 these discrepancies arise they can be submitted to CMS and  
14 corrected. It's part of the purpose of these Court proceedings so  
15 we've identified one. CMS can look into it and make the necessary  
16 corrections.

17 MR. KOPPE:

18 True as that may be, if I hadn't risen then -- if I hadn't paid  
19 attention then this would have probably gone past us. I don't  
20 think it's a detail problem or a marginal problem, it's a very  
21 fundamental problem. There should be no mistake. There should be  
22 no misunderstanding whatsoever between the -- with the  
23 translations. That is a fundamental issue which possibly directs  
24 -- affects this witness and upcoming witnesses so to stand now  
25 and compare it with all the other thousand documents, I don't

1 think that is fair.

2 (Judges deliberate)

3 [13.47.18]

4 MR. PRESIDENT:

5 In relation to this matter, the first document -- that is, Khmer  
6 document, the Khmer document is the original document so we need  
7 to rely on the original document -- that is, Khmer document --  
8 the Khmer version. And I believe the Co-Prosecutor is aware of  
9 the discrepancy of translation between English and Khmer, and  
10 also the French. And I note that the Co-Prosecutor does not  
11 notify the ITU concerning the matter, and they allow this matter  
12 to arise again and again and the Chamber now instructs to the  
13 Parties, and particularly the Co-Prosecutor, that if they find  
14 any discrepancy in relation to the document, they may notify the  
15 ITU. And as for the Defence Teams, I encourage the National  
16 Counsel to notify -- to inform their colleagues concerning the  
17 words used and also the translation so that the proceeding can  
18 move smoothly. The Chamber has taken action on this matter again  
19 and again and we asked the senior legal officers to coordinate  
20 with the CMS, and particularly ITU to deal with the matter. We  
21 have tried working very hard on the matter and the problem still  
22 occurs. And I hope that after I instruct -- I give my instruction  
23 it is good for our future practice. You may now proceed,  
24 Co-Prosecutor.

25 [13.49.38]

1 BY MR. LYSAK:

2 Thank you, Mr. President. We will certainly do our best to make  
3 sure that all significant discrepancies are brought to the  
4 attention.

5 Q. Mr. Witness, we were -- I just provided you with two documents  
6 from Popel commune -- document E3/2917, is a report that was sent  
7 from Popel commune in early May 1977, that refers to 64 Khmer  
8 Krom families who had been received in an exchange with Vietnam.  
9 And document E3/2262 is a list identifying 64 Khmer Krom families  
10 living in that same commune, Popel commune, including their  
11 former occupation. You have stated in interview E319.1.21, at  
12 answer 97, that a group you called the "New Khmer Krom People"  
13 meaning those, "[...] who had just come to live there, not the ones  
14 who had been living in the villages for a long time." end of  
15 quote, were particularly targeted by the Khmer Rouge.

16 [13.51.15]

17 My question for you is did the New Khmer Krom People, who you  
18 said were targeted, include people who had been obtained in  
19 exchanges or trades with Vietnam?

20 MR. RIEL SON:

21 A. As for the issue of exchanges or trades with Vietnam, I was  
22 not aware of it. I only knew that the wife and the husband,  
23 together with -- with no children came to the place and they were  
24 the targets.

25 Q. Could you explain a little further as to who the people were



1 who you observed were targets?

2 A. The targeted people were the Kampuchea Krom people. Whether  
3 the husband and wife came with the children or with no children,  
4 they were identified as "Yuon" spies -- agents or they were  
5 identified as KGB agents.

6 [13.52.50]

7 Q. And what was the significance of whether they had children or  
8 not?

9 A. For those who came in the place with no children, they came to  
10 work at that place according to the orders from the top.

11 Q. We've seen -- I've shown you two examples of the lists that  
12 were compiled by communes, identifying Khmer Krom. Do you  
13 remember at the meeting you attended or at other occasions,  
14 whether there were instructions given to register or prepare  
15 lists of the Khmer Krom people living in each commune?

16 A. There were meetings instructing commune and village chiefs to  
17 prepare lists and the lists had to be sent upwards.

18 Q. And do you remember who it was that gave the instruction to  
19 the commune chiefs to prepare these lists?

20 [13.54.27]

21 A. The district committee.

22 Q. I want to ask you now about a couple of statements you made in  
23 your OCIJ interviews. First, at interview E3/5511, answer 10, you  
24 made the following statement, quote: "Vietnamese people were not  
25 mentioned in the conference but later on all Vietnamese people

1 who lived in the village disappeared". End of quote. My question  
2 for you is, where were these Vietnamese people living who  
3 disappeared and when was it that they disappeared?

4 [13.55.28]

5 A. Those Vietnamese disappeared at night time or during the time  
6 that they were working in the field or in the canal work sites.  
7 These people were called out and then they were taken away.

8 Q. And in interview E319.1.21, referring you to question and  
9 answer 103, it reads as follows: "Question: How did you know that  
10 Khmer Krom people were sent to Krang Ta Chan prison or prison  
11 204."

12 "Answer: I did not know about Krang Ta Chan prison but I knew they  
13 were imprisoned at prison 204 because my hospital was located  
14 along the roadside. One day, I saw a group of over 20 people  
15 being escorted on foot from Kiri Vong district. They stopped at  
16 my place to ask for medicines. I asked them what was happening to  
17 those people and they said they were all KGB and "Yuon" spies and  
18 they stated that the people were being sent to prison 204".

19 Can you first tell us, where was prison 204 located? How far away  
20 was it from your hospital?

21 [13.57.14]

22 A. It was in Prey Kduoch commune, currently Ou Saray. It was  
23 about 17 or 18 kilometres away from my hospital at that time.

24 Q. Do you remember what year it was when you saw this group of 20  
25 people being arrested and taken towards prison 204?

1 A. I did not recall the year. I never think of it.

2 Q. And I wanted to clarify one thing. Did you believe that this  
3 group of 20 prisoners was Khmer Krom? Were you told that they  
4 were Khmer Krom or was all you were told by the cadres who  
5 arrested them that they were people accused of being KGB or  
6 "Youn" spies? Can you clarify that for us?

7 A. What I knew is that -- I was told that these people were Khmer  
8 Krom and I was not told that these people were KGB or CIA. I was  
9 just told that they were Khmer Krom. There were the people who  
10 escorted those people to the prison and the people who escorted  
11 those Khmer Krom came to me and asked for medicines.

12 [13.59.23]

13 Q. And do you know that the people who were escorting these  
14 prisoners -- were they district cadres from Tram Kak, were they  
15 sector cadres? Who were these people?

16 A. I do not know their names but I was told that they were from  
17 Kiri Vong district -- that is, District 109.

18 Q. And do you know whether Prison 204 was a district prison, a  
19 sector prison or a zone prison?

20 A. I did not know whether Prison 204 was zone, sector or district  
21 prison, but this Prison 204 was in District 105.

22 Q. Did you visit the Prison 204 site after the fall of the Khmer  
23 Rouge regime and if so, can you tell the Court what you saw when  
24 you visited that site?

25 A. Prison 204 -- the building was in bad condition. There were

1 two small buildings, roof with leaves and the buildings were in  
2 bad condition. I went to farm near the place. Some farmers went  
3 to work on their farm in the area and they found some bodies and  
4 also some skulls.

5 [14.01.52]

6 Q. Did you see these remains -- human remains yourself or were  
7 you just told about them?

8 A. After I returned from clearing the forest for plantation, I  
9 saw a few skulls there and some other skeleton remains. However,  
10 they were the skeleton remains of a few people and not many and I  
11 believe they were thrown away by the peasants who got it from the  
12 rice fields that they planted the rice.

13 Q. Thank you. Another group of people that you said the district  
14 leaders instructed were to be purged were, and I quote from your  
15 answer that I've read before, "people who went around speaking  
16 against the Khmer Rouge", end of quote. Mr. President, at this  
17 time I'd like to provide to the witness, with your leave,  
18 document E3/4093, E3/4093.

19 MR. PRESIDENT:

20 Yes, you may proceed.

21 (Short pause)

22 [14.03.46]

23 BY MR. LYSAK:

24 Mr. Witness, I'm giving you two parts, two documents from  
25 E3/4093. The first; Khmer, 00270786 through 87; English,

1 00831486; French, 00729674. This is a letter from Ta San dated  
2 the 7th of August 1978, providing instructions to sweep clean the  
3 widows from Trapeang Thum Khang Cheung who are currently staying  
4 at the place of Comrade Meng. And the other document, Khmer,  
5 00270788 through 89; English, 00831487 through 88; and French,  
6 00729674 through 75; contains a note from Meng, dated the 8th of  
7 August 1978, and appears to attach a report from Trapeang Thum  
8 Cheung regarding five widows who had criticised the revolution  
9 and planned to flee to Vietnam. My first question is did you know  
10 who Comrade Meng was?

11 [14.05.34]

12 MR. RIEL SON:

13 A. No, I did not know this person.

14 Q. Do you know whether there was a unit called a "widows unit" in  
15 Trapeang Thum Cheung commune?

16 A. Yes, there was. There was a widow unit.

17 Q. And can you explain -- what was the widows unit?

18 A. A widows unit comprised of those widows whose husband died or  
19 whose husband -- or that they were no longer with their husbands  
20 and mostly they were women from Phnom Penh.

21 Q. Do you know why these women were put in a separate unit?

22 A. I did not know the reason for this widows unit.

23 [14.06.59]

24 Q. I want to refer now to a statement from your DC-Cam interview,  
25 D313/1.2.409. This reference is at Khmer, 00418846; English,

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1 00729063; and French, 00808645; and you made the following  
2 statement at that part of your DC-Cam interview, quote: "In  
3 political and enemy terms, there were so-called enemies allegedly  
4 infiltrating among patients or following one another. We were  
5 ordered to identify such enemies."

6 My question to you is, who was it that ordered the district  
7 hospital to identify enemies amongst patients?

8 [14.08.08]

9 A. It was the district committee or district secretary.

10 Q. Was there a particular district chief who provided this  
11 instruction or was this something that was instructed by all the  
12 people who served as district chief?

13 A. There was a general instruction for all, including the  
14 hospital regarding this matter.

15 Q. I'd now like to ask you a few questions relating to a couple  
16 of issues of the CPK publication, "Revolutionary Flag". With you  
17 leave, Mr. President, I'd first like to provide to the witness  
18 the April 1977, issue of "Revolutionary Flag" which is document,  
19 E3/742.

20 MR. PRESIDENT:

21 Yes you may proceed.

22 [14.09.48]

23 BY MR. LYSAK:

24 Mr. Witness, this document is the April 1977 issue of

25 "Revolutionary Flag". April 1977, is a time period we have been

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1 discussing in the documents I have been showing you today and if  
2 you'd start by looking at the very end of this issue -- at the  
3 very last page or second to last page. At the end of this issue  
4 the Party cadres were provided the following instruction, quote:  
5 "Number 1: Every base area and every unit must organise the study  
6 of this document. Number 2: It is imperative to organise that  
7 study primarily collectively, then there must be additional study  
8 by group or individually." End of quote. I'd like to read a  
9 couple of passages to you from the April 1977 issue of  
10 "Revolutionary Flag", to see if you recall ever receiving  
11 instruction on these matters by the leaders of Tram Kak district.  
12 The first reference is at Khmer, 00062986; English, 00478496; and  
13 French, 00499754; which contains the following statement, quote:  
14 "As for the enemies that are CIA, KGB and "Yuon" agents, the  
15 cheap running dogs of the enemy that sneakily embed inside our  
16 revolution and our revolutionary ranks[...]", continuing below,  
17 "[...] We must continue to strike them and trample them from our  
18 position of absolute advantage and must constantly be on the  
19 offensive against them during 1977 to smash them even more so  
20 they cannot raise their heads." End of quote.

21 [14.12.14]

22 The second passage I want to refer you to is at Khmer, 00062991;  
23 English, 00478501; and French 00499758; which reads as follows,  
24 quote:

25 "It is imperative to indoctrinate and whip up the masses into a

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1 force to seek out the enemy, assess the enemy, analyse the enemy,  
2 track the enemy, pressure the enemy, capture the enemy, to smash  
3 the enemy and to make the enemy be like a rat surrounded by a  
4 crowd of people beating and smashing it." End of quote.

5 And the last passage I want to refer you to is at Khmer,  
6 00062994; English, 00478502 through 03; and French, 00499760;  
7 which reads as follows, quote:

8 "Each location must take the leadership role to push the mission  
9 profoundly in order to further seize, expand and increase the  
10 power of socialist revolution. So the power of socialist  
11 revolution will trample the enemy and trample the remnants of the  
12 various oppressor classes, trample the remnants of the various  
13 private ownership regimes and smash them to bits to prevent them  
14 from being able to raise their heads no matter where they are,  
15 even if they are at some small location." End of quote.

16 Q. Mr. Witness, do you recall issues like this being discussed at  
17 any of the district meetings you attended?

18 [14.14.28]

19 MR. RIEL SON:

20 A. On the issue of the "Revolutionary Flag" magazine, personally  
21 I never saw it during the regime.

22 Q. Do you remember -- was the "Revolutionary Flag" ever read at  
23 any of the meetings you attended? Read by the district leaders?

24 A. No. I never heard them say anything regarding this matter.

25 Q. Do you remember receiving -- aside from the issue of



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1 "Revolutionary Flag" -- do you remember receiving instructions or  
2 directions along the lines of what I just read -- that is, that  
3 cadres were to be on the lookout for enemies?

4 [14.15.34]

5 A. No.

6 Q. Mr. President, the next two documents I would like to provide  
7 to the witness are E3/135 -- E3/135 and E3/289. E3/135 is the  
8 July 1977, "Revolutionary Flag", E3/289 is a copy of a Democratic  
9 Kampuchea radio broadcast.

10 MR. PRESIDENT:

11 Yes, you may proceed.

12 MR. KOPPE:

13 Mr. President, I have an objection. We have just established that  
14 the witness has never seen a "Revolutionary Flag". I know you  
15 allow witnesses to be shown documents that we haven't established  
16 before that they actually have seen it, but now that we have  
17 established it I don't really see the point in showing him a  
18 "Revolutionary Flag" again, so I object.

19 MR. LYSAK:

20 Mr. President, this is the -- these are the two different  
21 documents that announced the award of the honorary "Red Flag" to  
22 Tram Kak district. It was done both through "Revolutionary Flag"  
23 and on the radio so I've given the witness both documents to see  
24 whether either of them refresh his recollection about this event.

25 [14.17.25]

1 MR. PRESIDENT:

2 The objection raised by the Defence Counsel is denied and the  
3 Chamber allows the documents to be shown to the witness. And Mr.  
4 Witness, please refer to the document and respond to the question  
5 that will be put to you by the Prosecution.

6 BY MR. LYSAK:

7 And for the record, Mr. President, the excerpt from E3/289 --  
8 that is, the particular radio broadcast, is at pages Khmer,  
9 01064303 through 307, English, 00168509 through 511; and French,  
10 01066907 through 910. Mr. Witness, the reason I provided these  
11 documents to you is that on 30th June 1977, approximately two  
12 months after some of the documents and events we've been  
13 discussing, the Central Committee of the Communist Party of  
14 Kampuchea awarded the honorary "Red Flag" to Tram Kak district,  
15 recognising it as one of three model districts in all of  
16 Democratic Kampuchea. That award was both announced in the  
17 "Revolutionary Flag" issue that I gave you and announced in the  
18 radio broadcast that is in the second document I provided to you.

19 [14.19.17]

20 Q. My question; do you remember hearing that Tram Kak had been  
21 recognized by the Khmer Rouge leaders as a model district in  
22 Democratic Kampuchea?

23 MR. SON RIEL:

24 A. No, I did not hear about that, nor was I told about it.

25 Q. This morning, you told my colleague about seeing Khieu Samphan

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1 in Tram Kak district at one point. Other than Khieu Samphan, did  
2 you see any other Khmer Rouge leaders come to Tram Kak district?

3 A. No, I did not.

4 Q. What about Ta Mok? How often did you see him between April  
5 1975 and January 1979?

6 A. I saw him three to four times during the regime.

7 Q. Can you tell the Court where it was that you--

8 MR. PRESIDENT:

9 The Prosecution, please wait. Defence Counsel Kong Sam Onn, you  
10 have the floor.

11 [14.21.02]

12 MR. KONG SAM ONN:

13 Thank you, Mr. President. I'd like to make an observation  
14 regarding the line of questioning by the Prosecution. I think it  
15 leads to misunderstanding. That in his previous response, he  
16 stated he saw Khieu Samphan during the period of 1957 or '58. And  
17 then the National Co-Prosecutor tried to clarify whether it was  
18 in '67 or '68. However, just then the International Co-Prosecutor  
19 tries to link the year -- the year that the witness encountered  
20 or met Ta Mok to the time or the year that this witness saw Mr.  
21 Khieu Samphan. That is, put the time in between '75 to '79. That  
22 is my observation, Mr. President.

23 [14.22.06]

24 MR. LYSAK:

25 I'll respond briefly. First, I wasn't making any link. Second,

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1 Counsel, you've misstated; you've completely misstated the  
2 evidence from this morning. This witness testified to two things.  
3 One, that he heard that Khieu Samphan came to meet with Ta Mok in  
4 '57 to '58, '67 to '68. Second, he testified that during the  
5 period he was working at the Khpob Trabek dam, on one day he went  
6 with the wife of Ta Mok and saw Khieu Samphan. Two separate  
7 testimonies. In any event, there's no link being made here. I'm  
8 asking this witness now about when he saw Ta Mok. That's the  
9 question.

10 [14.22.55]

11 MR. PRESIDENT:

12 The Deputy International Co-Prosecutor, in fact you may proceed.  
13 There is no need to wait for the ruling from the Chamber, as the  
14 Defence Counsel only made an observation, and not an objection.

15 MR. KONG SAM ONN:

16 The Co-Prosecutor just stated that he saw Khieu Samphan at Khpob  
17 Trabek, and I think this is just like to feed the information to  
18 the witness.

19 MR. PRESIDENT:

20 And the Deputy International Co-Prosecutor, please rephrase your  
21 last question to the witness.

22 BY MR. LYSAK:

23 Q. Thank you, Mr. President. Mr. Witness, you said you remember  
24 seeing Ta Mok three or four times during the Khmer Rouge regime.  
25 Can you tell us where it was that you would see Ta Mok?

1 MR. SON RIEL:

2 A. I saw Ta Mok while he was in a vehicle, and I was working  
3 alongside the road. And in fact, there was only one time that he  
4 stopped his car near where I worked, but he didn't get out of the  
5 car.

6 [14.24.22]

7 Q. On any of these occasions, did you talk to Ta Mok when he was  
8 driving, driving on the road near your hospital?

9 A. No, I did not talk to him. I only saw him, and then I just  
10 went away. I didn't want to see him, as I was scared of him.

11 Q. Why were you scared of Ta Mok?

12 A. I did not know why. I just -- I was scared of him, and I was  
13 not the only one. Many other people felt the same thing.

14 [14.25.22]

15 Q. While we're talking about Ta Mok, I wanted to ask you a few  
16 questions about some of his relatives, and in particular, whether  
17 they had positions in the Khmer Rouge regime. This morning you've  
18 already identified for my colleague a brother of Ta Mok named  
19 Cham. Did Ta Mok also have a brother named Chong (phonetic), and  
20 if so, what position did Chong (phonetic) hold during the Khmer  
21 Rouge regime?

22 A. Ta Mok had a younger brother by the name of Cham. He was the  
23 Khpob Trabek commune chief.

24 Q. Perhaps my pronunciation was not very good. I was talking  
25 about the other brother of Ta Mok, a person who, I believe, was

1 named Chong (phonetic). Did you know Chong (phonetic)? Did you  
2 know what position he held during the regime?

3 A. I know that his other younger brother, named Chong (phonetic),  
4 he was the deputy secretary of District 55 -- that is, Kabbas  
5 district.

6 Q. And you discussed this morning a sister of Ta Mok, named  
7 Koeun, who held a position at the zone or sector hospital. Was  
8 this the sister who was married to Ta San?

9 A. Yes, Koeun was the wife of Ta San.

10 [14.27.37]

11 Q. And I just wanted to clarify something about the hospitals,  
12 the sector hospitals. In your DC-Cam interview, D313/1.2.409, at  
13 Khmer, 00418835; English, 00729050; and French, 00808631; you  
14 stated as follows, quote: "Sector health centres were located in  
15 Daeum Chambak school, and Trapeang Roneab." End of quote.

16 I wanted you to clarify two things. One, were there more than one  
17 sector health centre, more than one sector hospital? And second,  
18 can you clarify which hospital it was that Koeun worked at?

19 A. The zone hospital, the general -- that's for the general  
20 treatment, there was one at Chambak. And there was a military  
21 hospital for the treatment of soldiers. It was at -- that is,  
22 Hospital 22, and there was a sector hospital at Trapeang Roneab,  
23 that was for the general treatment of people as well.

24 [14.29.26]

25 Q. And the military hospital, the one called Hospital 22, where

1 was that located?

2 A. Hospital 22 was located at Pou Doh, Trapeang Thum Khang  
3 Cheung.

4 Q. And which of these hospitals was the one that Koeun worked at?

5 A. Koeun worked in -- at the hospital located at Daeum Chambak.

6 Q. I'd like to turn now to a few questions about the daughters of  
7 Ta Mok. We've already talked about one of his daughters, Khom,  
8 who you identified as a Tram Kak district secretary for a period.  
9 Did Ta Mok have another daughter, named Ho or Hoe (phonetic), and  
10 what positions did she hold during the Khmer Rouge regime?

11 A. As for the children of Ta Mok, I only know one. That is, Yeay  
12 Khom, because I did not know the other daughters as they were not  
13 at home while I was there.

14 Q. So, you don't -- Do I understand you correctly, you don't  
15 remember his other daughters well enough to tell us whether they  
16 had positions in any hospitals in the southwest zone?

17 A. Yes.

18 [14.31.45]

19 Q. I want to turn now to a matter you've testified about in your  
20 OCIJ interviews, and that is a trip you made to Krang Ta Chan  
21 prison. In interview E319.1.21, at answer 125, you described this  
22 visit to Krang Ta Chan prison, testifying as follows, quote:

23 "Many prisoners died of malaria at the prison then. Ta Chim, who  
24 was district committee, wrote a letter to my hospital, requesting  
25 us to spray DDT inside the prison to kill mosquitoes. When I got

1 there, I saw many prisoners." And continuing below, at answers  
2 128 to 130:

3 "Question: Were those prisoners shackled when you saw them?"

4 "Answer: I saw all of them lying on the floor. There were about  
5 three or four rows of them."

6 "Question: Did you talk to the chairman of Krang Ta Chan prison?"

7 "Answer: Yes, I talked with him, and he gave instructions on  
8 where to spray the insecticide."

9 "Question: How many times did you spray at Krang Ta Chan prison?"

10 "Answer: Only once."

11 You indicated in this statement that many prisoners had died of  
12 malaria at the prison. How did you know this?

13 A. I was aware of it because if the prisoners did not die of  
14 malaria, I would not be called to spray the insecticide.

15 [14.33.48]

16 Q. Do you remember when it was that you made this trip to spray  
17 insecticide in Krang Ta Chan? Do you remember the year?

18 A. I did not recall it. I did not know when it was.

19 Q. You indicated that, when you were there, you talked to the  
20 chairman of Krang Ta Chan prison, who gave you instructions on  
21 where to spray the insecticide. Who was the prison chairman that  
22 you talked to?

23 A. It was An, the prison chief. He asked me to spray the  
24 insecticides.

25 Q. Do you remember approximately how long you were at Krang Ta



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1 Chan that day, while you were spraying the insecticides?

2 A. I was there for half an hour. And I sprayed five buckets of  
3 the insecticide. I was there for half an hour.

4 Q. In your interview E3/5511, at answer number 18, you made the  
5 following statement, quote: "While spraying I met a man from  
6 Hanoi who was also a prisoner, but he was outside the cell. I  
7 asked him to take care of Han." And I'm going to ask you some  
8 more questions about Han later. First, I want to ask you about  
9 this man from Hanoi. Who was this man who you saw at Krang Ta  
10 Chan? And how did you know he was from Hanoi?

11 [14.36.12]

12 A. I knew that he was from Hanoi because after his arrival from  
13 Hanoi, he worked with the commune chief. He went to various  
14 commune chiefs, to various communes. He was at Hanoi for three  
15 years, and after that, he returned back to Cambodia. He went to  
16 communes with the commune chiefs. I knew him because he was  
17 walking around with the commune chiefs.

18 Q. So this is someone who had been in Hanoi for three years, but  
19 then had returned, and had a position in Tram Kak district? Do I  
20 understand correctly?

21 A. Yes, that is correct.

22 [14.37.16]

23 Q. Do you remember the name of this person?

24 A. His name was Chea (phonetic).

25 Q. And in -- also in regards to your visit to Krang Ta Chan, do

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1 you remember approximately how many prisoners were there on the  
2 day that you visited the prison?

3 A. I looked into one building. There were four rows -- four rows  
4 of prisoners, so it was -- there were about 100 prisoners. And  
5 after I glanced into the building, I walked away.

6 MR. LYSAK:

7 Mr. President, I was going to change to another subject now. I  
8 can either continue or move to the new subject after the break.

9 MR. PRESIDENT:

10 It is now appropriate time for a short break. The Court will take  
11 a short break from now until 3 o'clock.

12 Court officer, please find a proper place for the witness during  
13 the break time, and have him return, together with his duty  
14 counsel, back into the courtroom at 3 o'clock.

15 The Court is now adjourned.

16 (Court recesses from 1439H to 1502H)

17 MR. PRESIDENT:

18 Please be seated. The Court is back in session, and the Chamber  
19 hands over the floor to the Deputy International Co-Prosecutor to  
20 put questions to this witness. You may proceed.

21 BY MR. LYSAK:

22 Q. Thank you, Mr. President. Mr. Witness, I have one more subject  
23 that I want to cover with you today. That concerns the arrests of  
24 some cadres from hospitals in Tram Kak and the Southwest Zone,  
25 and in particular, the arrest of a woman medic from your

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1 hospital, that you've testified about. In interview E319.1.21, at  
2 answer 132, you provided the following testimony regarding the  
3 arrest of a female medic named Han from your hospital. I quote:  
4 "There was a letter from the district ordering her dismissal, and  
5 then they took her out of the hospital and sent her straight to  
6 Krang Ta Chan prison. They told me that the woman had had a  
7 relationship with Ta Kang, who was a senior Khmer Rouge cadre."  
8 End of quote.

9 [15.03.39]

10 And in question and answer 134, quote: "Ta Kang was arrested by  
11 Pol Pot. The woman used to work with Ta Kang, and that was why  
12 she was arrested, because she was considered one of Ta Kang's  
13 operatives." End of quote. Can you first tell the Court who Ta  
14 Kang was?

15 MR. SON RIEL:

16 A. Ta Kang was the chief of the Hospital 22. At the time, the  
17 woman, Han, was with him.

18 Q. Just to make sure I understand, Kang was the chief of the zone  
19 hospital, Hospital 22, and Han was someone who used to work for  
20 Kang at that hospital. Do I understand correctly?

21 A. Yes, that is correct.

22 Q. Did you see Han on the day when you visited Krang Ta Chan to  
23 spray insecticide?

24 A. I met Han. She was cooking rice, a small pot of rice.

25 Q. Mr. President, at this time I'd like to provide to the witness

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1 two documents, E3/4164 and E3/4145. These are two prisoner lists  
2 from Krang Ta Chan that I would like to ask the witness about,  
3 with your leave.

4 [15.05.47]

5 MR. PRESIDENT:

6 You may proceed.

7 (Short pause)

8 [15.06.11]

9 BY MR. LYSAK:

10 Q. Mr. Witness, I've given you two documents. The first, E3/4164,  
11 and the relevant pages here are Khmer, 00079337-38; English,  
12 00973147; and French 00937104. This is a list entitled "Brief  
13 Biographies of Prisoners at Tram Kak District Education Office",  
14 and I want to refer you to the second and third people on the  
15 list. In particular, the third person on this list is a female  
16 named Uch Han, a 26-year-old medic from Trapeang Kol, who was  
17 arrested on the 23rd May 1977, and the comment for Uch Han  
18 indicates that she was implicated in the responses of Hang and  
19 Kang. My first question to you: Is the woman identified in this  
20 record as Uch Han the same person you have described who was  
21 arrested from your hospital and taken to Krang Ta Chan?

22 [15.07.43]

23 MR. RIEL SON:

24 A. That was the woman.

25 Q. And so it's clear, was Han one of the prisoners who survived

1 Krang Ta Chan and was released?

2 A. Yes.

3 Q. Do you remember when she was released from Krang Ta Chan?

4 A. I did not know when she was released.

5 Q. But there is a second female medic referred to in both of the  
6 lists that I've provided to you, who's listed next to Uch Han,  
7 named Vorng Sarun. She was a 27-year-old medic from Hospital 22,  
8 who was arrested on the same date as Han, the 23rd of May 1977,  
9 and the comments for both of these women in both prisoner lists  
10 are the same. They're both described as people who were  
11 implicated in the responses of Hang and Kang. Do you remember  
12 this woman medic, Vorng Sarun?

13 [15.09.37]

14 A. I never knew this person.

15 MR. LYSAK:

16 Mr. President, with your leave I'd like to now provide to the  
17 witness a document, D157.13, D157.13, which is one of the  
18 documents that's been identified as a notebook from Krang Ta  
19 Chan, with your leave.

20 MR. KOPPE:

21 Mr. President.

22 MR. PRESIDENT:

23 You may proceed, Mr. Koppe.

24 MR. KOPPE:

25 Only a request for clarification in relation to the previous

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1 document. Did I hear the Prosecution say Vorng Sarun? Or did I  
2 just mishear that? Because I have Rang Sarun (phonetic).

3 [15.10.40]

4 MR. LYSAK:

5 This is again a situation where we have multiple translations. We  
6 have two different documents. We have a list in which her first  
7 name is Vorng. We have notes of her interrogation in which she's  
8 identified as Vorng. So, there are about four or five different  
9 references to this individual in the various Krang Ta Chan  
10 records. The reference as, Rang (phonetic), is the only one out  
11 of many references. So, we're happy to refer this, again, to the  
12 CMS people, but I'm using the name of -- the most common name of  
13 this person.

14 MR. KOPPE:

15 I am happy to accept this explanation, but I would also be able  
16 to verify, what the Prosecution is saying. So, where exactly is  
17 Rang, Vorng? In which document, so that I can follow what the  
18 International Co-Prosecutor is saying.

19 BY MR. LYSAK:

20 Let me just take two minutes then to put on the record the  
21 various references to this person, so it's clear. First, in this  
22 document E3/4164, she is again, as I've said, identified as a  
23 27-year-old female from Khcheay village, I may not be pronouncing  
24 this correctly, a medic from Hospital 22, who was implicated in  
25 the responses of Hang and Kang. On -- in document E3/4145, the

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1 first page, again there is a person identified with Uch Han. In  
2 this one, the name is translated as Vorng Sanu. Again, a  
3 27-year-old female medic from Khcheay, from Hospital 22, who is  
4 indicated as someone who was implicated by Hang. In document  
5 D157.7, this is a notebook from Krang Ta Chan, at Khmer,  
6 00270874; English, 00866433-34; French, 00872808-09; are  
7 contained the notes of the interrogation of a Vorng Sarun,  
8 26-year-old female from Khcheay village, who worked at Hospital  
9 22.

10 [15.14.09]

11 And there is also a reference to a Ruan (phonetic) in the  
12 document that I was about to question the witness about. So, to  
13 respond to Counsel too, it is very common, particularly with  
14 spellings of names, for there to be differences in translations.  
15 We're -- we will certainly follow your directive with respect to  
16 significant things. I don't think that we would be able to notify  
17 CMS every time there is a difference in how names were translated  
18 or spelt. I hope I can proceed at this point with the next  
19 document, which is D157.13.

20 Mr. President, with your leave, I'd like to submit this document  
21 to the witness.

22 MR. PRESIDENT:

23 You may proceed.

24 (Short pause)

25 [15.15.50]

1 BY MR. LYSAK:

2 Q. Mr. Witness, the document I've just handed you is a notebook,  
3 and it contains notes of the interrogation of a cadre from  
4 Hospital 22, named Hun Hang. You'll find that reference at Khmer,  
5 00270827-29; English, 01064174-76; French, 00971285-288. And the  
6 prisoner lists, that I just showed you, indicated that Ouch Han  
7 had been implicated by two people, Kang, who you've already  
8 identified, but also by someone named Hang. And I'd like you to  
9 look at these pages that relate to this Hun Hang person. First of  
10 all, tell me, do you remember a cadre named Hang who worked at  
11 Hospital 22?

12 [15.17.10]

13 MR. SON RIEL:

14 A. I do not remember. I do not recognize this individual. I never  
15 went to that hospital. I knew that there was the name Kang, and I  
16 never saw this person personally.

17 Q. Now, in Hun Hang's notes, he refers to Kang as achar Kang. Did  
18 you hear the person Kang, who was the head of Hospital 22  
19 referred to as achar Kang?

20 A. I heard there was a person by the name Kang, the chief of  
21 Hospital 22. I do not know whether there were more Kangs.

22 Q. And if you look at the notes on the pages I've provided,  
23 there's a list of 16 cadres -- 16 hospital medics. And I'd just  
24 like you to take a quick look at those 16 names, who are  
25 identified as being medics or people who worked at various



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1 hospitals including Trapeang Kol, and tell me if you remember, or  
2 knew, any of these people?

3 [15.19.11]

4 A. What are the names? I cannot find those names.

5 MR. KOPPE:

6 I'm lost too, Mr. President. Could you, Mr. Prosecutor, please  
7 give us the document number again?

8 BY MR. LYSAK:

9 Yes, it's the same document, D157.13, and if you look at Khmer  
10 page -- it should be 00270828-29, you'll see a list of 16 names.  
11 They're numbered. Same thing in the English translation. It  
12 appears at 1064175-176, a list of 16 people. And the French ERN  
13 range is -- these notes are in 00971285-88, You'll find the same  
14 list of 16 people there.

15 Q. My question is simply for you to look at the names of the 16  
16 hospital medics or cadres, and tell me if you knew any of those  
17 people?

18 MR. SON RIEL:

19 A. I cannot read the names because the document is not clear to  
20 me.

21 Q. Fair enough. In your interview E3/5511, at answer 21, you made  
22 the following statement about Kang: "I think Kang was the chief  
23 of the zone hospital. He was arrested and executed by the Khmer  
24 Rouge, and Neary Han was arrested as she worked with Kang." End  
25 of quote. Do you remember what year it was, when it was, that

1 Kang was arrested?

2 A. I do not remember the year, the day.

3 [15.21.49]

4 Q. Let me read to you an excerpt from a document, E3/2120. This  
5 is E3/2120. This is the book by Meng-Try Ea, "The Chain of  
6 Terror". This is only in English, at 00416443-416444. This is a  
7 report of an interview of a driver of Ta Mok, and the passage  
8 reads as follows, quote:

9 "One day in late 1976, after returning from Phnom Penh, Ta Mok  
10 called a member of the Southwest Zone committee named achar Kang  
11 to his house. After the two men talked for a moment, Ta Mok  
12 ordered his soldiers to arrest achar Kang, place him in shackles  
13 and put him in a car. Achar Kang's S21 confession states that he  
14 had been arrested and sent to S21 for interrogation on 2 October  
15 1976." End of quote.

16 Now, Mr. Witness, you indicated in your OCIJ interviews, at one  
17 point you stated that Kang had been arrested by Pol Pot. And in  
18 the second excerpt I read, you said he was arrested and executed  
19 by the Khmer Rouge. My first question to you is, how did you  
20 learn -- from whom did you learn, that achar Kang had been  
21 arrested by Pol Pot?

22 [15.23.38]

23 A. I heard from a villager, or people, living near the Hospital  
24 22. People living -- people lived around the hospital knew about  
25 that, and they told me.

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1 Q. The last document, and last questions I have for you -- Mr.  
2 President, with your leave I'd like to provide to the witness a  
3 copy of E3/1135, that's E3/1135, which is a document that relates  
4 to achar Kang.

5 MR. PRESIDENT:

6 You may proceed.

7 BY MR. LYSAK:

8 Q. Mr. Witness, the document that I've handed to you is a report  
9 from the 19th of October, 1976, from Muth. It discusses -- it's a  
10 report regarding the wife of achar Kang, who had been  
11 hospitalized in Division 164, but who had disappeared. And there  
12 are a number of people who were identified as her associates: a  
13 man named Chheng and a man named Ban.

14 [15.25.20]

15 And then there is a note on this report dated the 20th of  
16 October, addressed to Bong Nuon, that states, quote: "Now achar  
17 Kang's wife has already left the division hospital. Two: Request  
18 to search for Chheng and Ban, who are related to this matter."  
19 End of quote. My first question for you is did you know the wife  
20 of achar Kang?

21 MR. RIEL SON:

22 A. I do not know. I do not know Kang's face, and I only knew that  
23 he was the head of Hospital 22.

24 Q. Did you know whether there was a hospital in Kampong Saom, and  
25 whether cadres or people from the Southwest Zone sometimes went

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1 to that hospital?

2 [15.26.29]

3 A. I was not aware of it.

4 Q. And my last question is -- simply relates to the two people  
5 associated with achar Kang's wife, who are identified in this  
6 document, that is the men named Chheng and Ban. Do either of  
7 those names ring a bell to you? Did you know who either of they  
8 were?

9 A. For the two individuals, I did not know them.

10 MR. LYSAK:

11 Thank you very much, Mr. Witness, for bearing with me today with  
12 a lot of documents. I appreciate your time. Mr. President, I have  
13 no further questions.

14 MR. KOPPE:

15 Just, Mr. President, a request for clarification on the -- not  
16 the last document, and also not Meng-Try's book, but the document  
17 before. The list of 16 names. We were just not able, all of us  
18 here, to follow the Prosecution. So, if he would again be so kind  
19 and tell us to which page he was referring?

20 MR. LYSAK:

21 I'll assume you're looking at -- want to look at the English  
22 pages. The English pages are 01064175 and 01064176, of document  
23 D157.13. There is a section that starts on one page, continues on  
24 the next. The first -- the list of 16 starts with these words:  
25 "The associates who joined the traitorous activities with the

82

1 contemptible Kang, and whom he always promoted or sent for  
2 technical classes, are as follows". And then there's a list of 16  
3 people.

4 [15.28.57]

5 MR. KOPPE:

6 Just for the record, Mr. President, the reason why we couldn't  
7 follow is that it seems that the old translations said that the  
8 document was intelligible and that the new document was added to  
9 the case file. That's what I'm getting from the back. I don't  
10 know if that's correct, but just for the record. If it's not,  
11 please, I stand corrected.

12 MR. LYSAK:

13 We listed this document on the interface. I just printed it out  
14 from ZyLAB, so I have no idea why you cannot, why you would not  
15 be able to access it. It's on ZyLAB, so.

16 MR. PRESIDENT:

17 Actually, the document is on the case file and the National  
18 Counsel, please try to locate that document, at least in the  
19 Khmer language. I think you need to manage within your own team,  
20 try to locate the relevant documents.

21 The Chamber would like now to hand the floor to the Lead  
22 Co-Lawyers for civil parties to put question to this witness. You  
23 may proceed.

24 [15.30.18]

25 QUESTIONING BY MY. LOR CHUNTHY:

1 Thank you and good afternoon to, Your Honours, and everyone. My  
2 name is Lor Chunthy, the civil lawyer for civil -- the lawyer for  
3 civil parties, and good afternoon, Mr. Witness. I'd like to put  
4 some questions to you, and the first subject is in relation to  
5 your roles and positions.

6 Q. When you attended the two study sessions -- that is, the two  
7 medical trainings, and one of which you engaged in the human  
8 anatomy, did you only study this topic in theory or was there  
9 actually a hand-on practice on live human beings?

10 [15.31.39]

11 MR. SON RIEL:

12 A. Actually, we only studied it in theory, that is, on paper,  
13 with no live subject.

14 Q. In that study session, how many participants for each of the  
15 two sessions that you attended?

16 A. There were medics from the communes; actually there were 12  
17 medic communes and there were 12, rather, two district medics.

18 Q. And the trainer, where did the trainer come from? And please  
19 tell the name if you can recall the name.

20 A. Sei was the trainer and, actually, Sei was chief of the sector  
21 hospital.

22 Q. While you worked at the hospital, you stated that there were  
23 many patients, and on a daily basis, there were almost 100 male  
24 and female patients. How many actual medical staff were there  
25 together in your hospital? I do not want you to refer to the

1 support staff as you stated this morning.

2 A. The medical staff who could engage in treatment, there were  
3 two, two medics, in addition to myself. That's for the male  
4 medics. And there were about five female medics. When I talk  
5 about the number of patients who came for the treatment, they  
6 were actually not in-house patients. They just came to ask for  
7 medicines and then they left. And for the women's section, there  
8 were more than 100 patients a day. However, they would come to  
9 acquire the medicines and then they left, they were not in  
10 patients.

11 [15.34.33]

12 Q. And the medicines for the treatment of those patients, were  
13 the medicines traditional or modern, and who actually supplied  
14 you with the medicines?

15 A. I'd like to talk about the traditional medicines. I had a few  
16 staff who tried to locate herbal medicines for the treatment of  
17 our patients, and we also had a few female medics engaged in  
18 traditional medicine. We tried to actually cook our own medicine  
19 that's for the use within the hospital.

20 [15.35.38]

21 Q. The main point that I'd like to ask you is the following: How  
22 effective was that medicine?

23 A. It varied. The in-house medicines that we produced, sometimes  
24 it produced a good result; for example, for the treatment of  
25 diarrhoea. But in other cases, it didn't work, so we had to

1 supply the patient with the modern medicine. We actually had a  
2 few in-house medicines for the treatment of patients, and beside  
3 that we have some vitamins B1, B12, etc., that were supplied to  
4 us. And, of course, the latter was more effective for the  
5 treatment.

6 Q. What was your observation on the children who might have been  
7 sent for the treatment at your hospital? Were there many  
8 children?

9 A. There were many children who would come to the hospital to ask  
10 for medicine for the treatment of a headache or diarrhoea. And,  
11 in fact, those children, they came from collecting cow dung from  
12 the nearby villages. And usually they would come to ask for  
13 medicine for headache. There were about five to 10 of them every  
14 day.

15 Q. The diseases that you treated, as you stated, include the  
16 dysentery and the swelling nature of the illness. Were the  
17 patients fully treated? Was there a relapse or did some of them  
18 die due to the lack of medicine?

19 [15.38.23]

20 A. For the patients whose body was swelling or who had dysentery,  
21 they came for the treatment, and, of course, not all of them  
22 could be fully treated. While they were there, we would provide  
23 them with cooked rice in addition to the medicine that we  
24 provided. And they would stay for five to 10 days and then they  
25 recovered and left. And if their symptom could not be improved



1 within these five to 10 day periods, I would refer them to the  
2 sector hospital. And in other cases, they died.

3 [15.39.11]

4 Q. Were many patients dead?

5 A. Toward the later regime of the Khmer Rouge -- that is, about  
6 one or two months before the collapse of the regime, many, many  
7 patients died. And every day we had to dig pits to cover those  
8 patients who died, maybe 10 to 20 pits every day.

9 Q. Did you know the real cause of the so many deaths toward the  
10 later part of the regime?

11 A. Yes, because initially we were provided with 25 to 50 cans of  
12 rice for the hospital, but toward the later part of the regime,  
13 we were not given that rice, so we did not have anything to feed  
14 the patients. And sometimes we had to ask the people nearby to go  
15 and get the rice for supplying to our patients, but by the time  
16 we received those supplies, it was the time that we had to flee  
17 already.

18 Q. While you were at that hospital, did you receive any pregnant  
19 women who went there for treatment?

20 A. Yes, we did. They came rather frequently. Sometimes we would  
21 receive them two or three months in a month. Sometimes those  
22 women, they delivered their babies at the base. We also had five  
23 or six midwives who were skillful in delivering the baby and I  
24 myself also have expertise in this area.

25 Q. On the technique of baby delivery and the issue of baby

1 delivery, were any babies died during the delivery?

2 A. No, while they were at the hospital, there was no such case.

3 However, on other instances, the mother survived, but a baby died  
4 during the delivery and sometimes we had to engage in Caesarean  
5 operation to rescue the baby or to use a suction cup.

6 [15.42.41]

7 Q. I'd like to move on to another subject. You talked about the  
8 conference that you attended where you heard instructions  
9 regarding the purges. Who were -- who actually called people to  
10 attend the conference and who actually chaired that conference?

11 A. That conference was chaired by the district committee through  
12 the district office people there. And I did not know how many  
13 participants were called by the district committee, but I  
14 observed that some commune chiefs were called while others were  
15 not.

16 [15.44.07]

17 Q. After you received that instruction, who was responsible for  
18 the implementation of that instruction?

19 A. In fact, it was people in the leadership who had to implement  
20 that instruction; that is group chief, unit chief, village chief,  
21 commune chief, etc.

22 Q. Did you yourself engage in the implementation of that  
23 instruction?

24 A. The only thing that I experienced was that my uncle and my  
25 elder brother-in-law were taken away. In fact, in regards to my

1 elder brother-in-law, I didn't witness it myself, but my wife  
2 came to tell me about it and when I ran home, he had already  
3 left.

4 Q. In response to a question on the letter by the district  
5 committee -- that is, in regards to a former major, and you  
6 stated that the person had already been sent, can you tell the  
7 Court what happened later on to this former major?

8 A. I am afraid that that soldier died that night. He really liked  
9 me, and while he was in my hospital, he told me that he was a  
10 former major and next day, I saw a letter from the district  
11 secretary that he was looking for this major from Romchang  
12 commune and that he had to be sent back to his base. And I knew  
13 that that would be a problem for him. Then I sent a letter in  
14 response and sent it by a messenger that I had sent that patient  
15 back home three days ago. And I told him, the patient, to get a  
16 horse cart, which was being used to transport food supplies in  
17 Romchang village, which was his village. So, he actually got on  
18 that horse cart and went to his village. The reason that I'm  
19 afraid that he died, because since that day I did not receive any  
20 news from him. And he was actually a good person and  
21 unfortunately I did not learn of his name at that time.

22 [15.48.14]

23 Q. So, in your account, that major got on a horse cart and  
24 disappeared. And in your document  
25 E3/5511, in question-answer number 12, you talked about the

1 commune committee and there was three people in that committee.

2 And a little bit further down, you also stated that a member of

3 the committee was a policeman who was in charge of making arrests

4 of people. My question to you is the following. Does it mean one

5 of the three people within the committee was in charge of the

6 military -- that is, was in charge of making arrests of people,

7 is that what you mean?

8 [15.49.39]

9 A. The three members of the committee had different duties. The

10 deputy chief or the deputy chief of the committee was performing

11 a policeman role -- that is, engaging in making arrests.

12 Q. You stated that you were sent to spray insecticide at the

13 Krang Ta Chan prison. How many of you actually went to that

14 prison?

15 A. There were five of us, including myself.

16 Q. How far was the prison from the hospital where you worked?

17 A. The distance was about six to seven kilometres.

18 Q. Upon your arrival, you engaged in spraying the insecticide

19 and, actually, upon your observation, can you tell the Court what

20 kinds or how many types of insects were there at the prison?

21 A. In fact, it was not the prison chief who requested me to go

22 there. It was the district committee or district secretary who

23 sent me to spray insecticide at the forest or bushes near the

24 area in order to prevent malaria.

25 Q. When you were spraying insecticide around the prison compound

1 and upon your observation, how many prison buildings did you see?

2 [15.52.44]

3 A. I saw three big buildings and two small buildings. The big  
4 buildings, they were big in size and long in length.

5 Q. This is my last question to you. When you arrived at the  
6 prison, did you learned of any information about the prisoners  
7 who were detained there or that whether that those prisoners were  
8 tortured?

9 A. No, I was not -- I did not know whether the prisoners were  
10 tortured, because when I was there, I did not see any  
11 interrogation or any torture site. However, we were prohibited  
12 not to go to a certain area -- that is, to the south part of the  
13 compound.

14 [15.54.02]

15 Q. Did you see a building in that prohibited area?

16 A. It was a small building. It was about five metres by six  
17 metres, but that is from my personal estimate, since I was a bit  
18 far from that building.

19 Q. Did you feel any bad smell when you were around in that area?

20 A. No, there was no foul smell, because I think even if there was  
21 any smell, it would be overwhelmed by the smell of the  
22 insecticide, because each of us had to spray a bucket of that  
23 insecticide and after we finished it, we returned.

24 MR. LOR CHUNTHY:

25 Mr. President, I don't have any further questions. And Mr.

1 Witness, thank you.

2 MR. PRESIDENT:

3 Counsel Koppe, you have the floor.

4 [15.55.22]

5 MR. KOPPE:

6 Yes, Mr. President, I do apologize to revisit this document issue  
7 again, because there is something strange going on with this  
8 document. Because, what we have in the paper version is D157.13.  
9 It says here this handwriting document is illegible, so there's  
10 no translation. One would expect there's a corrected document of  
11 157.13, sorry, D157.13. We cannot find such a correction. So,  
12 because we cannot find a correction, we were basing ourselves  
13 upon this D157.13, which says this handwriting document is  
14 illegible.

15 [15.56.11]

16 So, in regard to ZyLAB, we see there is a creation date still at  
17 6 May, 2010. So what it looks like is that this document has been  
18 recently translated without any notification, which seems odd in  
19 the light of the fact that it is, indeed, a very difficult to  
20 read document in the original Khmer.

21 So, my point is to indicate we are not unorganized, but there is  
22 something strange going on with this particular document, so we  
23 need to know what the situation is. We were, indeed, able to  
24 immediately take this off ZyLAB, but this is a new version of  
25 D157.13, apparently recently translated, which, of course, begs

1 the question why the translators were now able to translate and  
2 weren't before.

3 But that's another issue.

4 But I think I'm raising this point now to ask clarification as to  
5 what happened with this specific document.

6 MR. PRESIDENT:

7 The Deputy Co-Prosecutor, you have the floor.

8 MR. LYSAK:

9 I think that's a question he should direct to CMS. This -- I  
10 mean, he wasted I don't know how much time because he had an old  
11 version before the English translation had been posted. I can't  
12 answer why someone from CMS thought this document was illegible.  
13 The French translation has clearly been on the Case file for a  
14 while. You can tell, well, you can tell from the document numbers  
15 when, roughly, when these documents were posted. But this is a  
16 question he can raise with the translators. And sometimes, my  
17 understanding is, translators are sent a copy that is not a good  
18 copy and they're able to go back and get a better copy. But I'm  
19 not the right person to answer this question. You can correspond  
20 with CMS. All I can tell you is that this document has been in  
21 ZyLAB for a long time, since I started preparing for this witness  
22 weeks ago. That's all I can tell you.

23 [15.58.49]

24 MR. KOPPE:

25 I understand what the prosecutor is saying, but if we do not get

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1 notified of an English translation then of course we're working  
2 on the assumption that this document is unintelligible. Maybe  
3 it's translated from the French version, I don't know. But,  
4 again, we're not quite sure what's going on with these documents,  
5 but I think we need clarification.

6 [15.59.16]

7 MR. LYSAK:

8 And just one more point, that's what the interface is for. We  
9 posted this document on the interface. If you looked at the  
10 interface and linked -- clicked on this document, you would have  
11 got it. No, you would not have got it if you looked on the  
12 interface, I guarantee you.

13 (Judges deliberate)

14 [15.59.51]

15 MR. PRESIDENT:

16 Thank you for raising this matter. The Chamber thinks it is  
17 appropriate for Counsel Koppe to make a request to ITU for  
18 clarification since you are the one who initiated this issue, so  
19 that ITU can clarify this matter once and for all.

20 The hearing today comes to its adjournment, and we will resume  
21 tomorrow -- that is, Wednesday, 18 March 2015, commencing from 9  
22 o'clock in the morning.

23 Tomorrow, the Chamber will continue to hear the remainder of the  
24 testimony of this witness, Mr. Riel Son. This information is for  
25 the concerned Parties and for the public.



1 [16.00.59]

2 And Mr. Riel Son, we thank you for your testimony. However, it is  
3 not yet concluded. Thus, you are invited by the Chamber to return  
4 tomorrow starting from 9 o'clock in the morning. You may now  
5 return to your residence.

6 And court officer, in collaboration with WESU, please make  
7 necessary transportation of Mr. Riel Son to his residence and  
8 invite him to return to this courtroom tomorrow morning before 9  
9 o'clock.

10 And the Chamber also is grateful of the duty counsel, Mr. Duch  
11 Phary, and you are again invited to return tomorrow to assist the  
12 witness Riel Son, and it will commence from 9 o'clock in the  
13 morning.

14 Security personnel, you are instructed to take the two Accused,  
15 Nuon Chea and Khieu Samphan back to the detention facility and  
16 have them returned to participate in the proceedings tomorrow  
17 morning prior to 9 o'clock.

18 The Court is now adjourned.

19 (Court adjourns at 1602H))

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