



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

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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

19 March 2015
 Trial Day 261

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

The Accused: NUON Chea
 KHIEU Samphan

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I N D E X

MR. RIEL SON (2-TCW-860)

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Questioning by Mr. Vercken.....page 15

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MS. GUIRAUD	French
MR. KONG SAM ONN	Khmer
MR. KOPPE	English
MR. LYSAK	English
THE PRESIDENT (NIL NONN, Presiding)	Khmer
MR. RIEL SON (2-TCW-860)	Khmer
MR. VERCKEN	French

1 PROCEEDINGS

2 (Court opens at 0908H)

3 MR. PRESIDENT:

4 Please be seated.

5 The Court is now in session. Today the Trial Chamber will
6 continue to hear the testimony of the witness, Riel Son to
7 conclude and we may start to hear the testimony of 2-TCW-822 and
8 we say may in this case because the witness has high blood
9 pressure, he was admitted to the hospital and this morning he was
10 seen by the doctor to see if he can provide testimony for today
11 this afternoon. Secondly, the Chamber informs all Parties that if
12 we have time we will listen to the oral submission regard the
13 request by the Lead Co-Lawyer to request for testimony of a new
14 civil party, D22/2500 including the request for admission of new
15 document in relation to the request for hearing the testimony of
16 the new civil party.

17 [09.10.55]

18 Greffier, Ms. Sivhoang, could you report the attendance of the
19 Parties and individuals to today's proceedings.

20 THE GREFFIER:

21 Mr. President, for today's proceedings all Parties to this case
22 are present. As for Mr. Nuon Chea, he is present in the holding
23 cell downstairs as he requests to waive his right to be present
24 in the courtroom. His waiver has been delivered to the greffier.
25 The witness who is to testify today to complete his testimony is

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1 Mr. Riel Son, and the witness and his duty counsel are present in
2 the courtroom. We have a reserve witness 2-TCW-822. The witness
3 confirms that to his best knowledge he has no relationship by
4 blood or by law to any of the two Accused, Nuon Chea or Khieu
5 Samphan, nor to any of the civil parties admitted in this case.
6 The witness will take an oath before the ironclab genie this
7 morning.

8 MR. PRESIDENT:

9 Thank you Ms. Greffier. The Chamber now decides on the request by
10 Nuon Chea. The Chamber has received the waiver from Nuon Chea
11 dated 19 March 2015. He confirms that due to his poor health
12 condition that he has headache, back pain and that he cannot sit
13 for long and in order to effectively participate in the future
14 hearings, he requests to waive his right to participate in and be
15 present at the hearing of 19 March 2015, hearing. He has been
16 informed by his counsel about the consequence of this waiver,
17 that in no way it can be construed as a waiver of his rights to
18 be tried fairly and to challenge evidence presented or admitted
19 to the Court at any time during his trial.

20 [09.13.27]

21 Having seen the medical report by the duty doctor for the Accused
22 at Extraordinary Chambers in the Courts of Cambodia, dated 19
23 March 2015, who notes that the health condition of Nuon Chea, is
24 that he has severe back pain when he sits for long and recommends
25 that the Chamber shall grant him his request so that he can

3

1 follow the proceedings remotely from the holding cell downstairs.

2 Based on the above information and pursuant to Rule 81.5 of the
3 ECCC Internal Rules, the Chamber grants Nuon Chea's request to
4 follow proceedings remotely from the holding cell downstairs via
5 an audio visual means for today's proceedings as he waives his
6 right to his direct presence in the courtroom.

7 The AV unit is instructed to link the proceedings to the room
8 downstairs so that Nuon Chea can participate in and follow its
9 proceedings remotely.

10 Before giving the floor to the Khieu Samphan's defence counsel,
11 the Trial Chamber would like to instruct the greffier in
12 cooperation with the Witness and Expert Support Unit to inform
13 the reserve witness, 2-TCW-822, so that he we can obtain the
14 availability or his ability to give testimony and the Chamber
15 wishes to hear that if his health is not well, the Chamber would
16 like to obtain that information before the conclusion of the
17 testimony of Mr. Riel Son.

18 [09.15.10]

19 The Trial Chamber is now giving the floor to the Defence Counsel
20 for Mr. Khieu Samphan to continue his line of questioning for Mr.
21 Riel Son.

22 QUESTIONING BY MR. KONG SAM ONN RESUMES:

23 Thank you, Mr. President. Mr. Witness, good morning and I will
24 continue to put questions to you and yesterday we were talking
25 about your responsibility and also the structure of the district

4

1 hospital where you worked. And now I would like to ask further
2 about the code of conduct for the medical staff.

3 [09.16.12]

4 Q. My question for you is that, were there any meetings to
5 discuss on the respect for discipline in giving treatment for the
6 public during the regime?

7 MR. RIEL SON:

8 A. During that regime, there were meetings of code of conduct.
9 The meetings were conducted every week, even though there was no
10 problem occurred. We had meeting today for example and we set
11 date for the next meeting so that everyone should adhere to the
12 discipline and rules in the hospital. No matter everyone was so
13 happy, a meeting was imperative. So even if we failed to adhere
14 for a day, we might be in trouble.

15 Q. Thank you, can you indicate or elaborate a bit further about
16 the code of conduct or disciplines for your staff at the
17 hospital, what were they?

18 A. The rules and disciplines for our hospital would include
19 instructing the staff to be humble, gentle to the patients and
20 when giving injection, they should avoid any difficulty, any rude
21 word, to avoid problem. In general, the code of conduct for
22 physicians or for medics, were all advised.

23 Q. Can you tell the Court if there is any case one of your staff
24 violated the code of conduct or discipline, was there any action
25 against the person who breached or who violated the code of

1 conduct?

2 A. Yes, there was incident like that at my hospital. It was a
3 moral misconduct. A man and a woman who committed that misconduct
4 and I requested the district chief to remove the husband out of
5 my place and his wife was in my hospital but the husband was sent
6 to another hospital.

7 Q. Are you talking about two women love each other, is it
8 correct?

9 A. Yes. Two women love each other.

10 [09.19.28]

11 Q. My question for you is related to the implementation or the
12 enforcement of the code of conduct. When you say medical
13 practice, if there was any malpractice in that profession, you
14 trained them well on that, was there any malpractice by any
15 medical staff at your hospital?

16 A. There was no incident like that during that time. In fact
17 there was no incident, so if any case happened, they would be a
18 report to me and if it happened with the male or female nurse,
19 there might be -- there would be a report to me.

20 [09.20.42]

21 Q. Thank you. Talking about providing services, including
22 receiving complaint from the patients saying that the nurses used
23 rude word or bad attitude towards the patients, did you receive
24 any complaints like that?

25 A. Yes, I did. Some young staff often made rude word or made

6

1 mistake by using strong words but I immediately called them for
2 reprimand for advice.

3 Q. Could you tell the Court how did you advise or instruct them
4 after they commit that kind of small mistake?

5 A. Yes, I just told them not to do it again. It was a brief
6 advice. There was no sanction for that mistake.

7 Q. As part of your management or control over your staff at the
8 hospital, did you know your staff who were from different places,
9 do you know those kind of details?

10 A. Yes. I knew those staff were all from Takeo province, except
11 Nheary Neang that we were talking yesterday. She was sent from
12 Kampong Chhnang province.

13 [09.22.43]

14 Q. Thank you. My next question is about your witness or your
15 knowledge in relation to Mr. Khieu Samphan. In your testimony
16 before the OCIJ before -- under document E3/5511, it is at
17 question and answer 24. You said that, and I quote; "I saw Mr.
18 Khieu Samphan at his wedding in Chambak Pannoareay village
19 currently Stueng village, Khpob Trabek commune currently Ou Saray
20 commune. However, I did not speak or talk to him." In the same
21 statement, it is at question and answer number 2, you said that,
22 and I quote; "In this area, it was the area where Khmer Rouge was
23 created, and Ta Mok's house is in Prakeab village, Trapeang Thum
24 Khang Tbound, the people said that during 1957 and 1958, Mr.
25 Khieu Samphan went there and saw Ta Mok -- and met Ta Mok." End

7

1 of quote.

2 My question is that was this the only circumstances or were there
3 two different circumstances or occasions when you saw Khieu
4 Samphan?

5 A. There were two different occasions. The first happened before
6 the coup d'etat. I heard from people that Khieu Samphan went
7 there to meet with Ta Mok and in another occasion I saw Mr. Khieu
8 Samphan for a short time, in fact I didn't know him, but Yeay
9 Khoeum the wife of Ta Mok who told me that he was Khieu Samphan.
10 So these are the two occasions.

11 [09.25.46]

12 Q. Thank you. My follow up question for you on the same document
13 at answer 2, and you said that, "People said during 1957 or '58
14 about that."

15 Did you hear a general speaking from one person to another or did
16 you hear from a person by name or any relation with you as friend
17 that he or she told you that Khieu Samphan went there to meet Ta
18 Mok?

19 A. I heard from many villagers in a group, sometimes they talk
20 about that and during that time there was chaos among the people
21 in the commune and people would meet and ask from one and another
22 and I heard this from them.

23 Q. Can you tell the specific date of that incident, was it during
24 1957, 1958? Was it early of the year or middle or at the end of
25 either of the years you have just mentioned?

8

1 A. No, I cannot recall the specific date because it was very long
2 time ago and I did not pay attention to date as well.

3 Q. A while ago you indicated that there was a chaos in the
4 community. In what circumstances that brought Mr. Khieu Samphan
5 to see Ta Mok. Did you hear any accounts of any person as regard
6 that meeting?

7 A. In fact some of the people, at that time I was young, the old
8 people knew about that and people would meet each other and talk
9 about what they heard but I was young, I did not know much, I did
10 not try to search for more.

11 [09.28.41]

12 Q. Thank you. In 1957 or 1958, did you know that Khieu Samphan
13 hold any title or any position that lead to the discussion by
14 those villagers about him?

15 [09.29.05]

16 A. As far as I remember, at that time Mr. Khieu Samphan fled to
17 the jungle but I heard that he fled to the jungle but I don't
18 know where he was living.

19 Q. You said that Mr. Khieu Samphan fled into the forest. So I
20 think you are mistaken about the date. It might be 1967 or 1968,
21 is this correct?

22 A. Yes, that is correct. Because my memory does not serve me
23 well.

24 Q. Thank you. Also regarding the time that you claimed you saw
25 Khieu Samphan, and you also mentioned in your written record of

1 interview -- that is, question and answer 24 as well as during
2 your testimony before this Chamber. I have some questions to put
3 to you on this issue. You stated that Khieu Samphan was there
4 during a wedding ceremony. You also talked about helping Ta Mok's
5 wife to carry the rice cake. Can you tell the Court, how did you
6 know that, that wedding was the wedding of Mr. Khieu Samphan?

7 A. I knew it was the wedding of Mr. Khieu Samphan because I was
8 told about it by Yeay Khoeum. I carried the rice cake, rather she
9 carried the rice cake and I helped her as it was too heavy for
10 her so I put some cake on my bicycle and when I was there before
11 I left, she told me that person was Mr. Khieu Samphan and I was
12 about 50 meters from the person.

13 Q. Thank you. Did you hear any music play during that event or
14 did you observe there were guests attending that wedding ceremony
15 or what was the situation like when you were there?

16 A. No. I did not see any guest because I was a bit far from where
17 it was. I saw only a few people from a distance and the only
18 thing that I recall was that Yeay Khoeum pointed to that man and
19 told me that it was Khieu Samphan and after that I left.

20 [09.33.02]

21 Q. Thank you. From the location where you could see, was it your
22 observation that it was a wedding ceremony?

23 A. I cannot say for sure because I was rather far from that
24 office and the office was surrounded by a fence which was then
25 surrounded by a bamboo grove. I couldn't see it clearly. But I

10

1 saw a thatched roof building there. I only saw part of the roof
2 and that's all I could see. If I were there at the building
3 location then I could tell you for sure whether it was a wedding
4 ceremony or not.

5 [09.34.10]

6 Q. Thank you. Can you tell the Court when you said that you saw
7 Khieu Samphan at Khpob Trabek, what year was it?

8 A. I cannot recall the year, however at that time I was working
9 at the Khpob Trabek dam and at night time I slept together with
10 the workers and that's when I saw her carrying the rice cakes and
11 I helped her to carry some of those cakes on my bicycles but I
12 cannot recall the exact year as I had engaged in building the dam
13 for few times -- that is, for some the dam.

14 Q. Thank you. Can you also tell the Court whether this event took
15 place before or after the Coup d'etat?

16 A. It was after the coup d'etat and the Lon Nol regime was
17 engaged in the aerial bombardment.

18 Q. Thank you. You stated that you did not see Khieu Samphan
19 clearly as you were about 50 meters away from him. Did you ever
20 see the photo of Khieu Samphan previously, for example through
21 media or newspapers?

22 A. Yes, I did see his photo in a magazine. That was when I was
23 young and he was also rather young.

24 Q. Can you specify whether at the time you were young or at that
25 time Khieu Samphan was young?

11

1 MR. PRESIDENT:

2 Witness, please observe the microphone.

3 MR. RIEL SON:

4 A. When I saw his photo, he was young and I myself was even
5 younger than him. I was still single at the time.

6 [09.37.06]

7 BY MR. KONG SAM ONN:

8 Q. Thank you. I would like to ask you some further questions
9 regarding E319.1.21, question and answer 50 -- that is, in
10 relation to the head of the Monk Ta Ich. And let me quote your
11 statement. "Ta Ich, who was head of monks at the pagoda,
12 protested against the Khmer Rouge orders. He beat the drum to
13 call the people to protest against the Khmer Rouge but no one
14 dared come. The Khmer Rouge clique only beat him or two or three
15 times with a club". End of quote.

16 How did you know about the drum beating and about the fact that,
17 that man was beaten?

18 [09.38.47]

19 A. At that time, I was actually there not far from where it
20 happened. There were monks coming from Phnom Penh and there was
21 also head of monks from Langka pagoda who was there. I knew him
22 because I used to offer food to him. Later on, I was chased away
23 to go home so I left the place.

24 Q. What were you doing there at that time?

25 [09.39.44]

1 MR. PRESIDENT:

2 Witness, please observe the microphone.

3 MR. RIEL SON:

4 A. At that time, I stayed at home and on the day the monks were
5 disrobed, it took place not long after the coup d'etat, but I
6 cannot recall the details and I did not pay much attention to
7 that event.

8 BY MR. KONG SAM ONN:

9 Q. Who were there with you?

10 A. I cannot recall it. There were some people standing there
11 including a driver who was transporting cloth, and there was an
12 elderly man who beat the monk with a club. I thought he joked
13 when he beat the monk, but the monk said it hurt.

14 Q. Did you know the person who beat that monk?

15 A. No, I did not. He was an elderly man and his head was bald.

16 And at that time I - it was like the first time in the area where
17 I saw a jeep carrying clothes.

18 Q. Can you recall the year when it happened?

19 [09.41.30]

20 A. No, I cannot recall the year. It's been too long. And also, I
21 did not pay attention to that event. And when I was interviewed
22 by the DC-Cam, I kept thinking about what I knew and I -- this
23 event popped up in my mind.

24 Q. You stated that you were at that pagoda at the time. Can you
25 state to the Court what was the purpose for you to go to that

1 pagoda?

2 A. As I just stated, I went to the pagoda to offer food to my
3 former teacher who was from the Langka pagoda and his residence
4 place at the pagoda was - at Langka pagoda was 24. So, I went
5 there to offer him the food and then I saw this jeep transporting
6 clothes, and later on I left.

7 Q. Were there many people inside the compound of the pagoda
8 besides an elderly man and a driver as you just stated?

9 [09.43.20]

10 A. No. Besides that there was a person or cook who cooked rice
11 for - who cooked like four to five big pots for the monks. And
12 from what I can recall, there were two or three people in the
13 kitchen.

14 Q. Were there many monks staying in that pagoda?

15 A. The monks actually did not stay in that pagoda. The monks had
16 been evacuated from Phnom Penh and from elsewhere, and there were
17 more than 100 monks.

18 Q. Thank you. Now, I'd like to ask you some questions in relation
19 to Ta Mok. In that same document, at question-answer 63, you said
20 that you met Ta Mok in order to get instructions from him on how
21 to produce medicines. And on the 17 March 2015 -- that is, two
22 days ago, you testified at around 2.25 in the afternoon that,
23 when you met Ta Mok you was afraid of him and you tried to avoid
24 him, and other people felt the same. So my question to you is in
25 relation to the meeting between you and Ta Mok when you were to

14

1 receive instructions from him on how to produce medicines. Can
2 you tell the Court what was it like at that time because you said
3 you were afraid of him?

4 [09.46.03]

5 A. Ta Mok was a person whom you could go to see him or go to meet
6 him only when he called you. And it happened to everyone. So if
7 he called you, then you could approach him. Otherwise, you dare
8 not. That is his character.

9 Q. Did you hear or did you see or did you receive any orders or
10 instructions from him?

11 A. One day, I ran out of the main medicine, and when I saw him, I
12 approach him -- that is, while I was on the road, and I told him
13 that I ran out of the main medicine and -- that is, Camphor,
14 because there were some patients who were poisoned or something
15 by food. And then he told us to go and buy it. And then I told
16 him that we couldn't buy it anywhere because the money was no
17 longer used. Then he wrote me an instruction to go to District 55
18 to meet with Chong (phonetic), and that I should get the money
19 from him. So, off I went with the letter to meet with Ta Chong.
20 And Ta Chong (phonetic) gave us three or four pigs. Then I
21 bartered the pigs with the Vietnamese for the medicine, and after
22 that I returned.

23 [09.48.19]

24 Q. Thank you. Did you receive any orders in relation to security
25 matters or in relation to arrest from Ta Mok?

15

1 A. No, none whatever. I did not receive any instruction for
2 arrest from Ta Mok at all.

3 Q. What about other instructions or orders that Ta Mok gave to
4 other people and that you knew about it, were there such orders
5 or instructions?

6 A. Please repeat your question.

7 Q. My question to you is whether you heard that Ta Mok gave
8 orders or instructions to other cadres in relation to the arrest
9 or in relation to torturing, etc.? Did you ever hear such an
10 order?

11 A. No, I never heard anything of that nature. If there was an
12 order from Ta Mok, such an order would not be conveyed in front
13 of me. It would be done secretly. So I never heard about the
14 arrest order or anything like that.

15 [09.50.16]

16 MR. KONG SAM ONN:

17 Thank you. Mr. President, I don't have any further question for
18 this witness.

19 MR. PRESIDENT:

20 Thank you. And Arthur Vercken, you have the floor.

21 QUESTIONING BY MR. VERCKEN:

22 Thank you, Mr. President.

23 Q. Mr. Witness, I'd like to ask you something regarding Mr. Khieu
24 Samphan. A while ago, you said that you saw him twice. I noted
25 that when you were interviewed by an investigator from DC-Cam,

16

1 you also made mention of a third occasion regarding an episode in
2 which Mr. Khieu Samphan was accosted by the police in the market.
3 Do you remember telling the Chamber about that - an occasion at
4 which you were present?

5 [09.51.24]

6 MR. RIEL SON:

7 A. Yes, I did. At that time, I was a student in Phnom Penh, and I
8 went to pick up a food container from Excellency Sarin Chhak. And
9 at that time, I saw a crowd of people including the rickshaw
10 drivers. And I asked the people there what happened. And they
11 said that Khieu Samphan was being mistreated. I heard -- that's
12 all I heard. And then, I continued my trip to pick up my food
13 container. At that time, I was rather far from where it happened.
14 There were hundreds of rickshaw drivers at the time.

15 INTERPRETER:

16 The interpreter wishes to correct that. Counsel for defence
17 actually talked of his being stripped naked.

18 BY MR. VERCKEN:

19 Q. You did not actually observe anything yourself, you only heard
20 about it?

21 MR. RIEL SON:

22 A. I saw it with my own eyes, but from a distance -- that is,
23 like from one wall of this courtroom to another wall. I was that
24 far. At that time, he was stripped naked and the rickshaw
25 drivers, some of them offered him scarf to cover his body. That's

1 all I knew about that incident.

2 [09.53.23]

3 Q. Very well. You mentioned on several occasions, Witness, that a
4 number of people you associated with were not educated, they were
5 sometimes illiterate, inexperienced. In your opinion, what
6 justified the fact that during that period, people who were
7 incompetent were assigned certain duties? How do you explain the
8 fact that you were surrounded by people who did not have the
9 intellectual competence to carry out the tasks that were assigned
10 to them - what explanation would you give in light of the
11 experiences you had during that period?

12 A. In fact, I asked them the same question why the uneducated
13 ones were given the position. Then they replied to me that I
14 should then teach them how to read and write. That was their
15 response.

16 Q. And is that what you yourself tried to do subsequently, to
17 educate those people?

18 A. (No interpretation)

19 INTERPRETER:

20 The interpreter did not hear the response from the witness.

21 Q. Please, Witness, repeat your answer. It was not translated
22 into English and French.

23 [09.55.34]

24 MR. PRESIDENT:

25 Witness, please respond again as you - your response was before

1 the microphone was on.

2 MR. RIEL SON:

3 I cannot recall the question. Please, put it again. Thank you.

4 BY MR. VERCKEN:

5 I was simply asking you whether you indeed tried to train the
6 staff in order that they could remedy their lack of education.

7 Did you yourself try to train the people you associated with as
8 you were instructed or advised?

9 MR. RIEL SON:

10 A. Yes, I tried my best to provide education to the children in
11 terms of studying letters and alphabets, and to the medical staff
12 in the medical field in how to make a better injection. That
13 happened when I worked at the hospital, because many female
14 medical staff there did not know how to inject medicine. And the
15 same thing applied to the male medical staff at the hospital.

16 [09.57.15]

17 Q. So would you say that as time went on, the situation improved
18 from that standpoint -- that is, the standpoint of the training
19 of the people who surrounded you?

20 A. Yes, they actually increased their capability.

21 Q. I would like us to talk about something you also referred to
22 when you were interviewed by DC-Cam investigators. Notably that
23 you did trade with Vietnam by barter. Before this Chamber, you
24 have told the Court that you engage in trade by barter in order
25 to obtain supplies you needed for producing medicines. Can you

19

1 specify where you got the animals and the objects you used for
2 such trade by barter - how did you obtain all that?

3 A. I made a request to Ta Mok and Ta Mok wrote a letter for me to
4 go to District 55 to meet with Ta Chong. And Ta Chong gave me
5 some pigs. For example, I got four pigs. And we were close to the
6 border, so I took the pigs to Angkor Borei and put them on a
7 boat, and then I went to the border for bartering.

8 [09.59.45]

9 Q. And these border exchanges, did they also have been during the
10 Khmer Rouge regime between 1975 and 1979? Were there any such
11 instances of bartering?

12 A. The bartering continued until the relationship between the two
13 countries broke off, because by that time the Vietnamese did not
14 want to have any further relationship with us.

15 Q. And when you were questioned by the DC-Cam investigators, you
16 also spoke about the purchase of watches for cadres -- for cadres
17 in your region. Do you remember -- do you remember this
18 happening?

19 A. Talking about purchasing watches, I don't think I purchase any
20 watches for the cadre, but for myself, I do not wear any watch. I
21 feel shy to wear it, but someone gave me watches, I would give to
22 another person. I never purchase watches for any cadres. But
23 sometime at the economic office at the district, sometimes some
24 dollar notes came with the clothes which were piled up. And
25 sometimes, we found watches, but some watches were collected and

1 we gave to other cadres. But I didn't wear any watch. I don't
2 like it.

3 [10.02.14]

4 Q. Of course. So, I'm going to refresh your memory a little bit,
5 that's how we say things around here, and I'm going to read a
6 little excerpt from document, D313/1.2.409; ERN French, 00808632;
7 Khmer, 00418835; and English, 00729051. And this is your
8 conversation 14 years ago with the DC-Cam investigators and this
9 is what you said:

10 "I knew how to produce some vitamin C because I had been trained
11 to do so. And I would make vitamin C in small quantities
12 depending on what orders I received from the higher level. I had
13 bought the ingredients in Vietnam. This was in 1975, wasn't it?"
14 And then you answered: "Yes."

15 "Question: How were you able to buy ingredients, because
16 according to what you said, you threw away all of your money?"

17 Answer: "I would use gold, gold that had been given to me Ta Mok
18 as well as by the leaders in the area. For each purchase, I would
19 bring four to five kilos of gold to Vietnam. And other people in
20 the village would give me maybe one ounce of gold or two to three
21 ounces of gold in order to buy two, three or four watches, each
22 time they knew that I would go to Vietnam."

23 "Question: And when they would wear these watches, weren't they
24 confiscated?"

25 "Answer: Why would they have done so? They were all cadres."

1 "Question: In which year did you go to Vietnam to exchange this
2 gold?"

3 "Answer: This was in 1975 and 1976." End of quote.

4 That is the excerpt that led me to ask you that kind of question.

5 So does this refresh your memory? Do you remember now being given
6 gold to buy watches in Vietnam?

7 [10.04.45]

8 A. I knew about this, but I do not recall everything nor did I
9 remember the number of watches or quantity of gold.

10 Q. And do you know where this gold came from, this gold that they
11 would give to you to buy watches?

12 A. I don't know where they were from, but when I went to the
13 district office at the economic section, people gave me in a
14 small pack and I took it with my -- travelling by my bicycle to
15 do the barter.

16 Q. And this kind of transaction, was it authorised or was it well
17 looked upon by the regime?

18 A. I was not quite sure at that time, but that bartering which I
19 dealt, I informed the district office and also the district
20 people at the border about that transaction.

21 [10.06.53]

22 Q. So you were taking a risk, weren't you, engaging in that kind
23 of business?

24 A. Yes, I did take some risk. There might be accident especially
25 at the point of bartering because the Vietnamese took their goods

22

1 to exchange with us. They keep hiding, they avoid from their
2 police -- their duty police. But on our side, we did not fear for
3 anything because we were authorised to do so. So, I told them
4 that I brought four pigs for you and can you check your goods to
5 exchange, for example, ten looms of cloth, the string for the
6 hammocks, the quantity of them. And then the other party who did
7 the bartering, sometime he said there will be enough and he will
8 supply later. Sometime he owe us for some -- certain goods.

9 [10.08.21]

10 Q. Thank you for all of these specifications, but what I'd like
11 to know is, were you taking any risks under that regime? Was this
12 something that was possible in your area where as the private
13 property had been abolished, that everything was shared? Was it
14 normal, was it acceptable in such a context to go buy watches
15 with gold? Was that dangerous in relation to the authorities?

16 MR. PRESIDENT:

17 Please wait, Mr. Witness. International Deputy Co-Prosecutor, you
18 may proceed.

19 (Technical problem)

20 (Court recesses from 1011H to 1035H)

21 MR. PRESIDENT:

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

23 And before I hand the floor to Arthur Vercken, the Chamber would
24 like to inform the Parties that the reserve witness, 2-TCW-822,
25 has a serious health condition -- that is, with hypertension, and

1 the doctor recommends that he cannot testify today as he needs
2 urgent treatment. So, due to this critical health condition, the
3 Chamber decides not to hear the testimony of this witness today,
4 as well as next week. And the hearing of this witness's testimony
5 will be rescheduled, and the Parties will be notified in due
6 course.

7 And court officer, in collaboration with WESU, please make
8 necessary arrangements for the transportation of witness
9 2-TCW-822 to his residence or to where he needs to be treated,
10 and please make that arrangement as soon as possible.

11 Now, the Chamber hands the floor to Khieu Samphan's defence --
12 that is, Arthur Vercken to continue putting questions to this
13 witness. You may proceed.

14 BY MR. VERCKEN:

15 Thank you, Mr. President. I wanted to respond to the objection of
16 the Prosecutor, to say that contrary to what he heard, I did not
17 hear what he heard. The Prosecutor said, before the technical
18 problem we had, that the witness stated that it was Ta Mok who
19 gave him the gold which he used to buy the watches. Under the
20 Chamber's control, I did not hear that. What I heard was that Ta
21 Mok gave him pigs which he used to buy medical supplies by trade
22 by barter. So, I would like to have the witness clarify this
23 matter.

24 [10.39.18]

25 Q. Mr. Witness, before the break, did you say that Ta Mok had

24

1 given you gold for the purpose of buying watches?

2 MR. RIEL SON:

3 A. At that time, we ran out of currency, so the district commerce
4 office said it would request to Angkar, and then I went to
5 collect gold from the district commerce office. And I was told
6 that the gold belonged to Ta, and 'Ta' here means Ta Mok. And
7 this happened on two occasions, that I talked about the trade of
8 bartering. First I bartered for medical supplies with pigs, and
9 for the second round I bartered it with gold.

10 [10.40.31]

11 Q. And did you give the watches to Ta Mok subsequently, or to the
12 district officials?

13 A. No. In fact the bartering was not only for watches, it was for
14 all kinds of supplies. And I did not know what the district
15 office gave to Ta Mok. Because for us, we would deliver the
16 supplies to the district office and it was up to the district
17 office to make the necessary distributions.

18 Q. And apart from supplies for the production of medicines, and
19 the watches, do you remember any other goods that you bought as
20 part of the trade by barter with Vietnamese?

21 A. Besides the watches, medical supplies, etc., we also bartered
22 for strings for hammocks, and that would be sent to the army.

23 Q. Very well. Please tell me, in your capacity as a cadre at that
24 hospital, did you receive the same daily food rations as the
25 other staff members and the patients at that hospital? Can you

1 explain this further?

2 A. In my unit, although I was not the chief, and was a deputy
3 there, regardless of our position, we would eat the same food. If
4 we were to eat the gruel, we would eat the same gruel. And
5 sometimes I also joined with the patients for our common eating.
6 Once the bell was rung, then we would go for meal, and we never
7 had any separate meal from the staff.

8 [10.43.37]

9 Q. I have put this question to you because I also noted in your
10 -- in the record of your interview with DC-Cam -- that is,
11 D313.1.2.409, English, 00729049; Khmer, 00419832 and 33. In this
12 interview, which took place 14 years ago, you explained and I
13 quote: "As soon as I heard the bell ring, signalling the time for
14 meals, I immediately rushed to the refectory and three -- I took
15 three plates of water lily soup." Was that the ration that
16 everyone received at the hospital? Did each person receive four
17 plates, a bowl half full of water lily soup, and three bowls of
18 porridge during each meal?

19 A. Yes, we received the same ration. However, the gruel was not
20 thick. It was a watery gruel. And I would usually consume two --
21 two to three bowls of watery gruel, and after that I would have a
22 bowl of water lily soup, and then I'd top it up with water,
23 drinking water. I sometimes had meals with the medical staff, and
24 sometimes I would eat with the patients whose disease or illness
25 condition was not infectious. And sometimes I would go to the

1 hospital beds and have meals together with the patients there.

2 [10.46.11]

3 Q. Thank you for this clarification, sir. I would like to put a
4 very short question to you, precisely regarding a number of your
5 staff members, Uch Han, that was the nursing aide who was sent to
6 Krang Ta Chan. You talked of this person, identified that person
7 as Uch Han. Please tell me, did that person have a nickname, or
8 you knew that person simply by their real name?

9 A. When the person was with me, her -- only one name was referred
10 to.

11 Q. Which one?

12 A. Only one name was referred to, that is Han. And I did not know
13 the surname. We called her Neary Han.

14 Q. Do you recall how you got to know that she became a cook at
15 Krang Ta Chan? How did you get to know that she became a cook? Is
16 it possibly because you ate there?

17 A. When I went to spray DDT, I saw Neary Han was cooking rice.
18 And it was a small pot, and probably, from what I could see, it
19 was a two-rice-can rice pot. And I did not speak to her as I was
20 afraid, because over there I believed she was a prisoner.

21 [10.48.37]

22 Q. And did you happen to eat a meal at Krang Ta Chan?

23 A. No, never.

24 Q. You told this Chamber that you went to that centre only once.
25 But when you were interviewed earlier, I would understand that,

1 apart from the time when you went to spray DDT at Krang Ta Chan,
2 you also went there to give injections, as a health care
3 provider. Do you confirm that second visit to that security
4 centre?

5 A. No, I reject that statement. I never went there to provide any
6 injections.

7 Q. You also explained that you did your best to make sure you
8 were called there, thanks to the intervention of one of your
9 guards at Krang Ta Chan, a person you knew. Do you remember
10 saying that?

11 [10.50.36]

12 A. No, that never happened. I did not know any guards there. What
13 you said is untrue.

14 Q. Mr. Witness, I would like you to make some clarifications
15 regarding the fate, in any case what you knew to be the fate of
16 the Khmer Krom. First of all, in a personal capacity during
17 Democratic Kampuchea, did you receive instructions or hear of any
18 instructions targeting specifically the Khmer Krom? Those
19 instructions had to do with some differential treatment of the
20 Khmer Krom?

21 A. No, I did not receive any instructions aiming specifically at
22 the Khmer Kampuchea Krom.

23 Q. And even if you did not receive instructions, did you witness
24 any ill treatment or any specific treatment of the Khmer Krom
25 during the Democratic Kampuchea regime?

1 A. No.

2 Q. I would like to conclude my questions, Witness, by referring
3 to a conference on purges which you said you attended. You
4 referred to it the day before yesterday, I believe, and it was
5 after 11 hours, 16 minutes and nine seconds. You stated that you
6 attended a conference on purges. May I ask whether you do confirm
7 that you personally attended a conference during which mention
8 was made of purges?

9 A. Yes, I did attend that conference, and the purges were
10 mentioned. That is, the purges of the evacuees from Phnom Penh,
11 or in short, it was in relation to the purges of the New People.
12 [10.54.27]

13 Q. That is precisely the point that caught my eye, because when
14 you were asked to tell the Chamber who attended that conference,
15 you stated that the conference was attended by evacuees from
16 Phnom Penh, so that raised certain questions. That situation you
17 appear to describe raised questions. At the conference, they
18 talked about people who are going to be purged, and you didn't
19 give any further details on that. I would like you to clarify
20 that matter.

21 MR. PRESIDENT:

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

24 MR. LYSAK:

25 If Counsel is going to assert that this witness made that -- I

1 don't recall any such statement by the witness that evacuees were
2 present. So if he has that reference, if he could refer it to the
3 witness and us, so that we can see which testimony he is
4 referencing, I would appreciate it.

5 [10.55.44]

6 MR. PRESIDENT:

7 The objection by the Deputy International Co-Prosecutor is
8 sustained, and Defence Counsel, if you prefer that line of
9 questions, please refer to a specific document.

10 BY MR. VERCKEN:

11 Yes, of course. I will give the reference of the transcript of
12 the 17th of March 2015, from 11 hours, 16 minutes and nine
13 seconds. This was the answer given by the witness, but let me
14 start by asking the question.

15 "Mr. Witness, I would like to know whether there was a meeting
16 during which such instructions were given, or whether several
17 meetings were held, during which that subject was broached."

18 I wanted to backtrack a little in order to be clearer. The
19 witness was reacting to a quotation that had been read out to him
20 regarding the Kampuchea Krom Khmer, who were accused at the
21 meeting of being KGB agents and Vietnamese spies.

22 [10.57.29]

23 And I'll now talk about the answer given immediately after 11
24 hours, 16 minutes and nine seconds:

25 "As to the purges, what I know is that instructions of such a

1 nature were given during the meeting I attended."

2 "Question: 'And can you tell us where that meeting took place?'"

3 "Answer: That meeting was held in the refectory near Angk Roka
4 market, in the refectory -- that is, in the kitchen at that
5 location."

6 "Question: How many district cadres were present at that meeting?
7 And if there were any commune chiefs, how many were present?"

8 "Answer: I do not recall the total number of persons who attended
9 it, but I do recall that there were commune representatives from
10 the neighbouring communes. There were also many people who were
11 evacuees from Phnom Penh and Takeo."

12 [10.58.38]

13 Now I will skip one passage and read a statement from two pages
14 later on, an explanation given by the witness at 11 hours, 18
15 minutes and 32 seconds regarding that meeting. And this is what
16 the witness stated, and I quote: "Mention was made of purges
17 during that meeting. These were members of the army who had to be
18 purged from the rank of warrant officer, and as regards to
19 members of the administration, it was from the first deputy mayor
20 that people had to be purged." After, 11 hours, 21 minutes and
21 eight seconds. This is the passage from your statement of the
22 17th of March, Witness, and I found it very surprising that
23 reference was made to purges in the presence of the persons who
24 had to be interrogated, who had to -- and so I want to know
25 whether that is what you really meant when you made that

1 statement?

2 MR. RIEL SON:

3 A. I didn't mention about the people who were to be purged
4 attending that meeting. I didn't say that. The only people who
5 attended the meetings were the village, commune representatives,
6 and the district committees. And I myself represented the
7 hospital. I also attended the meeting. And all the attendants
8 were purely cadres.

9 Q. And was there a specific reason why you, as the head of the
10 hospital, had to attend the meeting where purges were discussed?

11 A. As far as I know, there was no specific reasons, rather than
12 calling the village chiefs and commune chiefs, and they were told
13 that the enemy would be smashed. That's all.

14 [11.01.04]

15 Q. I understand, but you were neither a village chief, nor a
16 commune chief. So why were you there?

17 A. When the meeting was convened by the district chief, all
18 offices around the district were called to the meeting. In fact,
19 it was a meeting to warn those cadres, or to instruct them to be
20 cautious, especially at the hospital.

21 Q. And how were you supposed to show this caution at the
22 hospital?

23 A. In fact, during that regime, at the hospital at night there
24 were guards on duty very strictly, because there was a thief who
25 stole rice very often. It happened at night, and then we would

1 chase those thieves, many thieves who stole rice from our
2 kitchen. And sometimes we didn't have enough rice for our meals,
3 and then we would go to another place to borrow some rice for our
4 place.

5 [11.03.02]

6 Q. What is the connection with the purges?

7 A. I am talking about the hospital. The purge wasn't forced
8 against the thief who stole rice from our hospital. So at
9 different cooperatives, anyone who stole anything would be
10 arrested. And the rice would be stolen from the hospital by some
11 women, and the thief went away. And as a member from the
12 hospital, I was not instructed to do any purges, but that
13 announcement on purges were meant to those village chiefs,
14 commune chiefs and other people, but not directed to the
15 representative from the hospital.

16 MR. VERCKEN:

17 I have no further questions, Mr. President. Thank you.

18 MR. PRESIDENT:

19 The Chamber thanks you, Mr. Riel Son, who spent your time to give
20 testimony before the Chamber as a witness until today, and your
21 testimony will contribute to the ascertaining of the truth. Your
22 testimony has now come a conclusion, and you will be excused. You
23 can go back to your residence or to any chosen destination, and
24 the Chamber wishes you a good trip. And also thank you for Mr.
25 Duch Phary, duty counsel, who attended in the courtroom to

1 counsel the witness.

2 Court officer, you are instructed to coordinate with the Witness
3 and Expert Support Section to facilitate the trip of the witness
4 home or any place that he would like to go.

5 [11.06.10]

6 MR. PRESIDENT:

7 The Chamber now addresses the request on the 7th of March,
8 document E344 and E344.1 to summon civil party D20/2500 under
9 Internal Rule 87.4, and under Internal Rule 83.4 and 5 of the
10 Internal Rules. The floor is now given to the Lead Co-Lawyer to
11 address the Court if you have anything to add to the request and
12 to the argument you addressed in the written request. You have
13 five minutes to make oral submission now.

14 MS. GUIRAUD:

15 Thank you, Mr. President. I was not expecting to present this
16 submission, because we believed that our written submission was
17 sufficiently comprehensive. I simply wanted to have the Chamber's
18 leave to address possible objections or arguments from the
19 Defence team or from the Co-Prosecutor's office. So, as far as
20 we're concerned, we believe that this submission is relevant,
21 that it addresses the requisites of Rule 87.3 and that it
22 responds to the requisites of Rule 87.4, in so far as that this
23 is a reasoned submission and that this submission is useful to
24 the ascertainment of truth. And also, we explain in detail the
25 reason why we did not have access to this information before

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1 formulating this submission. We also explain the reason we're
2 asking to hear the civil party, because the civil party has
3 information on the acts of the accused persons.

4 [11.08.38]

5 I'll stop here and I'll simply ask you for the leave to respond
6 and to provide complementary information if the Defence -- the
7 Co-Prosecution or the Defence were to solicit clarification on
8 such-and-such a point. Thank you very much.

9 MR. PRESIDENT:

10 Thank you. The Chamber would like to give the floor to the
11 Co-Prosecutor to address the court.

12 [11.09.20]

13 MR. LYSAK:

14 Thank you, Mr. President, Your Honours. I'll be brief. We do
15 support the request. The relevance of the information is
16 self-apparent. The only additional point I would draw to your
17 attention is that under the prior rulings of this Court, evidence
18 relating to acts and conduct of the Accused is only admissible if
19 the witness, or in this case civil party, appear in Court. That's
20 a ruling from before, and I think that's an additional reason why
21 the request should be granted.

22 MR. PRESIDENT:

23 Thank you, Co-Prosecutor. Now the floor is given to Defence
24 Counsel, and Nuon Chea defence counsel will start first if you
25 have any submission to address to the Court.

1 MR. KOPPE:

2 Thank you, Mr. President. Not really, actually. The thing is that
3 we really do not see, well, the relevancy of this testimony. If
4 Nuon Chea had in fact visited Leay Bour, we would happily and
5 readily concede such a thing, such an event. Because, if he
6 visited the worksite, what would that add to his conduct, what
7 would that add to any proof of his alleged criminal
8 responsibility to what happened there?

9 [11.10.57]

10 So, maybe I see things not very clearly, but I don't see the
11 relevance of establishing a visit of Nuon Chea together with Pol
12 Pot to the worksite. So, by all means, call for the witness. We
13 don't really care.

14 MR. VERCKEN:

15 Yes, Mr. President, our position is pretty much the same. We
16 believe that, however, this is a tardy request presented by the
17 civil parties. It's a loss of time.

18 [11.11.39]

19 And even more so, because when the civil party filled out the
20 information requested, she stated that she is suffering from
21 mental disorders. This is index D22/2500. And that this person
22 also has faulty memories. So, she also provides a lot of detail
23 to substantiate this. So, the solution is maybe to have her come,
24 but I think that this will be a waste of time. Of course, the
25 Chamber will decide. I note not only that this person apparently

1 suffers from mental disorders and that completely contradicts the
2 fact that she could remember such important moments. And also
3 since the request is so tardy, I think that it should be
4 dismissed.

5 MR. PRESIDENT:

6 The Chamber would like to give the floor to the Lead Co-Lawyer to
7 make the response to the submission made by the Defence Counsel.

8 MS. GUIRAUD:

9 Thank you, Mr. President. I will address this very briefly point
10 by point. If I understood well what my colleague Koppe said is
11 that the possible presence of Nuon Chea at Leay Bour is not an
12 element that pertains to acts and conducts. It seems that, in
13 view of the jurisprudence, that the presence of the accused
14 persons on such a site pertains to their acts and conduct. And
15 therefore, in view of your jurisprudence, I believe that you
16 should summon this person so that this person may explain in an
17 adversarial way what happened, with the Defence, of course, being
18 afforded the possibility to put the questions that it wishes. So,
19 in view of your jurisprudence, the possible presence of Nuon Chea
20 and Khieu Samphan in Leay Bour commune pertains to what you call
21 the acts and conducts of the Accused.

22 [11.14.14]

23 Now, with regard to the fact that our request is tardy, and here
24 I am responding to the Khieu Samphan defence, well we explain
25 very clearly in our submission why we did not have this

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1 information at hand and why today we would like this information
2 to be presented to the Chambers and to the Parties.

3 So, as far as I'm concerned, I think you should consider that our
4 request is not tardy, because we explain in detail why we did not
5 have access to the necessary information before we presented the
6 submission to the chamber.

7 [11.15.00]

8 Well, loss of time for the Defence, maybe; however, for us,
9 hearing this person would be particularly useful to the
10 ascertainment of the truth, because she, indeed, intends to
11 testify on the presence of the Accused at Leay Bour commune,
12 which falls within the segment of this trial.

13 So, of course, we will rely on the Chamber's discretion with
14 regard to these matters; however, when we consider the criteria
15 of Rule 87.3, as well as criteria of Rule 87.4, as well as in
16 light of jurisprudence, I think you should accept this request
17 and summon this civil party to be heard before this Chamber.

18 Thank you.

19 MR. PRESIDENT:

20 Thank you. Mr. Vercken, you have the floor.

21 MR. VERCKEN:

22 Thank you, Mr. President. Very briefly, I see that the issue of
23 the civil party's mental health has not been addressed. And I'd
24 like to remind you that in this request she says that she's going
25 to testify, testify, testify. This is a civil party and we should

1 be reminded of this.

2 [11.16.31]

3 MS. GUIRAUD:

4 Mr. President, with regard to this person's mental health, I can
5 tell you and assure you that she is perfectly able to testify
6 before this Chamber. And with regard to the fact that I used the
7 word "testify" on many occasions, it's, of course, just a matter
8 of language. Of course, I agree that civil parties do not
9 testify, but they're simply heard. So I have no problem with
10 regard to this linguistic difference.

11 [11.17.08]

12 MR. PRESIDENT:

13 The Trial Chamber thanks for all arguments and submissions in
14 response to the request by the Lead Co-Lawyer for Civil Parties.
15 The Trial Chamber will consider the request and the arguments
16 made by the Parties and will issue the ruling in due course.
17 Now, the Chamber addresses the Defence request for an adjournment
18 to permit them to read and analyze the disclosure of Case 003 and
19 Case 004 statements, so that the Party can read and analyze
20 disclosure of Case 003 and Case 004 statements.
21 The Chamber has considered the Nuon Chea written motion, the
22 Co-Prosecutor's oral response and all the Parties' submissions
23 during the hearing, and particularly those of the 4th and the 5th
24 of March 2015.
25 Disclosure of statements from Case 003 and 004 has been ongoing

1 since October of last year, and the Chamber has accorded the
2 Parties additional time to review these documents where merited.
3 On the 23rd of February 2015, the Nuon Chea defence indicated
4 that it had read the disclosures it had received to-date. Since
5 that time, the Office of the Co-Prosecutor has disclosed an
6 additional 226 statements, constituting about 2,500 pages in
7 English and 2,300 pages in Khmer. The Chamber has taken into
8 consideration the size of the most recent disclosure and the
9 current sitting schedule.

10 [11.19.42]

11 Further, the Chamber notes that the International
12 Co-Investigating Judge disclosed documents which will permit
13 multiple team members to review the documents and perform word
14 searches. It further notes that it intend to change the sequence
15 of worksite by delaying the hearing of Trapeang Thma dam to which
16 a number of the new statements relate, until after the Kampong
17 Chhnang airport topic.

18 Based on these considerations, the Chamber will adjourn the
19 hearing schedule for the 6th through the 9th of April and will
20 reconvene after the Khmer New Year recess on the 21st of April to
21 hear the testimony of the next witness. The Chamber considers
22 this will provide the Defence and civil parties sufficient
23 opportunity to review the disclosed material. This is the ruling.
24 The Chamber informed the Party earlier that we will issue an oral
25 ruling today.

1 [11.21.32]

2 The Trial Chamber would like to inform the Parties there's a
3 change in schedule of hearing witness of the reserve witness for
4 today. He has a severe health problem. We cannot hear his
5 testimony during the next week and we will look at our
6 possibility to call other witnesses to hear on next Monday.

7 With regard to other changes of schedule, the Trial Chamber will
8 notify the Parties, and it will be sent by our senior legal
9 officer by email to you this afternoon. And then we will consider
10 on that and we will rule on that in due course and we will notify
11 the Parties, to notify to the Parties by our senior legal
12 officers, as the reserve witness has a serious health problem.

13 I saw you are on your feet, Mr. International Deputy
14 Co-Prosecutor. You may address the Court.

15 MR. LYSAK:

16 Thank you, Mr. President. I just wanted to bring one, a matter, a
17 further matter to the attention to the Court that may affect your
18 decisions on scheduling and witnesses next week. And this is in
19 regards to, 2-TCW-809. The new statements that we've disclosed,
20 the large group, as I've previously indicated, do not contain
21 information relevant to Tram Kak district, so his testimony
22 wouldn't be affected by that. However, in starting to prepare for
23 him, this is also a person who was transferred to the Central
24 Zone in 1977, and has some significant information relating to
25 the purge of the Central Zone. And, out of interest of fairness,

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1 the 220 statements that were disclosed do include I believe
2 around 20 to 25 interviews related to the purge of the Central
3 Zone. There may be in that group of five to 10 interviews of
4 cadres not from Tram Kak district but from other areas of the
5 Southwest Zone who were transferred up to Kampong Cham around the
6 same time. These aren't interviews that I would expect to use;
7 however, I want to make sure the Court is aware of that, the
8 Defence is aware of that, that there are at least some new
9 interviews of people, cadres who were transferred up to Kampong
10 Cham that may be of interest at least in preparing for this
11 witness. We'll continue to do our best here to give guidance to
12 you where there are disclosures, new disclosures, or where there
13 are matters that we become aware of, that may affect upcoming
14 witnesses.

15 [11.24.48]

16 So, just to repeat, there is to my knowledge, nothing in these
17 220 documents related to Tram Kak, but there are interviews
18 related to the Central Zone and purge. I wanted you to be aware
19 of that.

20 MR. PRESIDENT:

21 Thank you, and Counsel Koppe, you have the floor.

22 MR. KOPPE:

23 Just requesting the Prosecution, how we should read 3,000 pages
24 as of next, as of tomorrow, because I think we get them tomorrow.
25 We have to read them all before Monday, is that the idea? What's

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1 the idea of saying this? There's no way that we are able to read
2 that, let alone analyze it, let alone discuss with our clients.
3 So, it is an irrelevant remark, I would say.

4 MR. LYSAK:

5 There's nothing irrelevant about it. The Trial Chamber is
6 considering which witnesses to call next week. I'm simply
7 alerting the Chamber and the Parties that one of the remaining
8 Tram Kak witnesses has information in addition to Tram Kak, so
9 there is one overlapping area with respect to some of the new
10 witness statements. That may be pertinent, that may be pertinent
11 to the Defence. We've identified in the disclosure which ones do
12 relate to the purge of North Zone, so they're there. It's for the
13 Chamber to decide how to schedule this witness in view of that.

14 [11.27.00]

15 MR. VERCKEN:

16 A little additional question for the Prosecution: Do you expect
17 to tell us what are the 20 or 25 testimonies that may interest us
18 in this whole mass of the 226 you are speaking about?

19 MR. LYSAK:

20 The annex that was provided with the motion has the relevant
21 subjects tagged. And, I actually am perfectly willing to send you
22 an email identifying even from within those 25 which ones were
23 cadres who, to my knowledge, came from the Southwest Zone to the
24 Central Zone. I'm perfectly content to do that. But the, in terms
25 of the issue of the purge of the North Zone, we have the relevant

1 subjects are identified for each interview.

2 [11.28.05]

3 MR. PRESIDENT:

4 Thank you. I think that is sufficient for all Parties. Or, you
5 wish to add some more, Counsel Vercken?

6 MR. VERCKEN:

7 Yes, indeed. We don't have the annex, so can you please provide
8 us with the details? Thank you.

9 MR. PRESIDENT:

10 Thank you. The Chamber is now facing the issue of the
11 rescheduling due to the subsequent disclosure of statements.
12 Also, we have to consider the status of witnesses, as in the case
13 of the elderly age of the witness today. So, in order to
14 reschedule the hearings, we had to take into accounts all these
15 matters. And, up to this hour, the Chamber has yet to inform all
16 Parties as to which witness that the Chamber will call to testify
17 on Monday. That's why the Chamber informs the relevant concerned
18 Parties that the Trial Chamber will hold a meeting, internal
19 meeting, this afternoon as to which witness that we shall
20 reschedule to be heard on Monday next week, and the Parties will
21 be informed either this afternoon or tomorrow morning.

22 [11.29.42]

23 The Chamber now adjourns today's proceeding and it will resume on
24 Monday, next week -- that is, 23 March 2015, commencing from 9
25 o'clock in the morning. This information is all for the Parties.

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1 And the security personnel, you are instructed to take the two
2 Accused back into the ECCC detention facility and have them back
3 into the courtroom on Monday next week before 9 o'clock.

4 The Court is now adjourned.

5 (Court adjourns at 1130H))

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