



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

ឯកសារដើម

ORIGINAL/ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ (Date): 18-May-2015, 10:22

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

8 May 2015

Trial Day 280

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

The Accused: NUON Chea
KHIEU Samphan

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For the Office of the Co-Prosecutors:
Vincent DE WILDE D'ESTMAEL
SONG Chorvoin

For Court Management Section:
UCH Arun
SOUR Sotheavy

I N D E X

MR. EK HOEUN (2-TCW-822)

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Questioning by Mr. Kong Sam Onn page 37

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
MR. DE WILDE D’ESTMAEL	French
MR. EK HOEUN (2-TCW-822)	Khmer
MR. KONG SAM ONN	Khmer
JUDGE LAVERGNE	French
MR. LIV SOVANNA	Khmer
THE PRESIDENT (NIL NONN Presiding)	Khmer
MS. SONG CHORVOIN	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0902H)

3 MR. PRESIDENT:

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

5 Today the Chamber continues to hear the remaining testimony of Ek

6 Hoeun via a video link.

7 Ms. Chea Sivhoang, please report the attendance of the Parties

8 and other individuals at today's proceedings.

9 THE GREFFIER:

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

11 are present. Mr. Nuon Chea is present in the holding cell

12 downstairs. He has waived his rights to be present in the

13 courtroom. His waiver has been delivered to the greffier. The

14 witness who is to continue his testimony, Mr. Ek Hoeun, via a

15 video link is ready. And the AV Unit informs the Chamber that the

16 link has been established. Thank you.

17 [09.04.06]

18 MR. PRESIDENT:

19 Thank you. The Chamber now decides on the request by Nuon Chea.

20 The Chamber has received a waiver from Nuon Chea, dated 8 May

21 2015, which notes that due to his health -- that is, headache,

22 back pain, he cannot sit or concentrate for long, and in order to

23 effectively participate in future hearings, he requests to waive

24 his rights to participate in and be present at the 8 May 2015,

25 hearing. He advises that his counsel advised him about the

2

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

5 [09.05.03]

6 Having seen the medical report of Nuon Chea, by the duty doctor
7 for the Accused at the ECCC dated 8 May 2015, who notes that Nuon
8 Chea today has dizziness and severe back pain when he sits for
9 long, and recommends that the Chamber so grant him his request so
10 that he can follow the proceedings remotely from the holding cell
11 downstairs.

12 Based on the above information and pursuant to Rule 81.5 for the
13 ECCC Internal Rules, the Chamber grants Nuon Chea his request to
14 follow today's proceedings remotely from the holding cell
15 downstairs via an audio and visual means.

16 AV unit personnel are instructed to link the proceedings to the
17 holding cell downstairs so that he can follow the proceedings
18 remotely. And that applies for the whole day.

19 Good morning, Mr. Ek Hoeun.

20 [09.06.16]

21 MR. EK HOEUN:

22 Good morning, Mr. President.

23 MR. PRESIDENT:

24 Let us resume our session to hear your testimony. Are you ready?

25 MR. EK HOEUN:

3

1 Yes, I am.

2 MR. PRESIDENT:

3 Any fellow Judges of the Bench wish to put questions to the
4 witness? Yes, Judge Lavergne, you have the floor.

5 [09.06.47]

6 QUESTIONING BY JUDGE LAVERGNE:

7 Yes. Thank you, Mr. President. Good morning, Mr. Ek Hoeun. I have
8 a few questions for you. First of all, can you tell us whether
9 when you were working in Tram Kak district, you witnessed or
10 heard of visits conducted by Democratic Kampuchea regime leaders
11 in the district and in particular at Leay Bour, which appears to
12 have been a model cooperative? Did you hear of any such visits
13 conducted by the leaders?

14 MR. EK HOEUN:

15 A. No, I do not know about such a visit. And I myself was not in
16 a leadership role within the district committee. I think such
17 matter would be explained in details by Ta Chim.

18 [09.08.13]

19 Q. Did you hear of an office referred to as Office 870? And if
20 yes, do you know what it was meant for?

21 A. No, I do not know about Office 870. However, while I worked as
22 a worker at Chup and I picked a paper from a basket, and Ta Chim
23 was working there, and on that paper, there was an instruction to
24 purge all the enemies within the cooperatives. And it was signed
25 by Comrade Kheang on behalf of Office 870 committee, and the date

4

1 was in October. And later on, there was greffier of Ta Chim and
2 he also told me that the signature was Kheang's signature -- that
3 is, comrade Kheang's signature. But I did not know if the person
4 or comrade Kheang was a member of staff of Office 870 or it could
5 just anonymous letter that I found in the basket.

6 [09.10.12]

7 Q. Was that letter in the form of a telegram or was it signed in
8 the hand of Comrade Kheang?

9 A. When I asked about the signature and I was told that that was
10 Kheang's signature. But I did not know that person.

11 Q. And what were the contents of that letter? Were there any
12 instructions in it?

13 A. I just told you the content of that letter.

14 Q. Can you please repeat them in order for us to understand
15 clearly? And also tell us whether those instructions were acted
16 upon; were the instructions implemented after that document was
17 received?

18 [09.12.03]

19 A. The content of the letter that I found in the basket --
20 actually I used it in order to roll my tobacco -- it said that,
21 "Comrade, you need to purge all the enemies urgently in the
22 cooperatives and in the units, as there were many enemies."
23 Signature, Kheang, Office 870 Committee and the date was October.
24 And that instruction was not acted upon because on the 12th of
25 that month, at lunchtime, the Vietnamese troops arrived in Chup,

1 and we all fled.

2 Q. I am not sure I have properly understood what you are saying
3 because it appears that you were referring to the month of
4 October. And if I look at the date on which you arrived in Chup,
5 that was in October 1978. And now, you're telling us that on the
6 12th of the same month, Vietnamese troops arrived at Chup. So are
7 you referring to the 12th of October 1978? And is it your
8 testimony that on that date, Vietnamese troops arrived?

9 [09.13.55]

10 A. I saw the letter in October. And I moved to Chup on the 8th of
11 August '78. And then by October, I saw that circular or letter.
12 And in December -- that is, on the 31st of December 1978, at
13 about 5.30 in the afternoon, the Vietnamese troops attacked Chup,
14 and then we fled the office. That's all I can recall. But I know
15 the day that we fled -- that is, on the 31st of December around
16 5.30 in the afternoon.

17 Q. Very well. Let us deal with another topic. During your
18 interview before the Co-Investigating Judges' investigators, you
19 referred to an incident. It is not perhaps very appropriate, but
20 you talked of 90 Khmers who were allegedly executed. These were
21 Khmers from Vietnam and who had been assigned to work at the
22 Khpob Trabek worksite. The task of that worksite was to dig a
23 canal. You stated that you were informed that Ta Mok was angry
24 against Pech Chim because Pech Chim ordered the execution of
25 those 90 Khmers. Can you please provide more details regarding

6

1 those executions and tell us when that happened, if at all that
2 happened?

3 [09.16.29]

4 A. I cannot recall the exact date of the event. However, when the
5 dam was being built, it was before the country was liberated. And
6 that happened around 1974. At that time, all kinds of people from
7 all walks of life were gathered to build that dam, including the
8 Vietnamese and the Chinese. And Ta Mok brought the Vietnamese who
9 were born in Cambodia into the exchange program for the
10 Cambodians living in Vietnam. And then they were taken to dig the
11 canal. And the forces were given to Ta Chim. But Ta Chim was
12 annoyed, as at night time, those people engaged in various
13 activities including stealing. So then he ordered the execution
14 of those 90 people. And later on, Ta Mok asked about the 90
15 people, and Ta Chim said he – they had been killed. And then Ta
16 Mok was angry and asked for the reasons of the execution. And
17 that's all I know around the event of the execution of those 90
18 people.

19 [09.18.03]

20 Q. According to what you know and to the best of your knowledge,
21 can you tell us whether Ta Chim could have decided alone to
22 execute those people or whether he needed the authorisation of
23 the upper echelon in order to do so?

24 A. He did not receive any instruction from above. He made his own
25 decision to kill those people. And that was the reason Ta Mok was

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1 mad at him. Because if people were killed without the approval or
2 the knowledge of Ta Mok, then Ta Mok would get mad.

3 Q. Now you tell us that Ta Mok was angry. Were any sanctions
4 imposed on Ta Chim because it would appear that he did not comply
5 with the instructions of the upper echelon?

6 A. No. No sanction was imposed. But he was angry with Ta Chim
7 openly, but Ta Chim was not punished for that act.

8 [09.20.09]

9 Q. I would also like to properly understand the procedure whereby
10 people considered as the enemy were executed. I have properly
11 understood what you have told us. The communes were not empowered
12 to decide the execution of persons considered as the enemy on
13 their own; did I understand you correctly?

14 A. Yes, that is correct and that's what happened.

15 Q. I would like to quote an answer you gave in document
16 E319/8.2.4. It appears to be answer 134. Previously, you had
17 referred to the Prey Khmaoch Kaun Khmeng execution site. That
18 execution site is translated as the forest of child ghost. And
19 you subsequently spoke generally of execution sites. And this is
20 what you stated. I am quoting in English because the document is
21 only available in English: "Regarding those killing sites, I
22 think the communes must have killed New People in secret on their
23 own." Now, do you recall making that statement? And if yes, what
24 did you mean by that?

25 [09.22.54]

8

1 A. The communes did not kill the New People secretly. Anyone who
2 had a conflict with the commune chief would be killed in secret.
3 But this does not mean New People were to be killed by the
4 commune. No, that was not the case. And only the district level
5 had the authority to kill the people.

6 Q. Should I take it then that apart from the Prey Khmaoch Kaun
7 Khmeng execution site we referred to earlier, were there other
8 execution sites in the commune? And were those execution sites
9 secret? That is what we want to understand.

10 [09.24.31]

11 A. For the Prey Khmaoch Kaun Khmeng, that was a well-known open
12 killing site, and it was far from the village. People were
13 gathered and brought them to the authority at the district level.
14 And then, those people were killed by the district Angkar. But I
15 personally did not know whether those people were killed at Prey
16 Khmaoch Kaun Khmeng. However, in the past, when children died,
17 they would be taken to be buried at the Prey Khmaoch Kaun Khmeng.
18 And that area was previously known as Prey Lang.

19 [09.25.37]

20 Q. I will perhaps simplify my question, sir. Apart from those
21 execution sites, were there other places where the enemies or
22 persons considered as enemies were executed?

23 A. No. Because for all the conflicts, the resolution meant those
24 people would be sent to the district, that is, to Yeay Khom. And
25 if they were killed, then they would be killed in that area --

1 that is, Prey Khmaoch Kaun Khmeng. And to my knowledge, there was
2 no secret killing site elsewhere.

3 Q. Very well. To be sure that I have finally understood you
4 clearly, can you tell us how certain commune chiefs could have
5 proceeded to carry out executions without informing the district
6 officials. How was that possible?

7 A. I did not know anyone who was executed by the commune. Usually
8 bad people would be sent to the district, and that is after a
9 thorough investigation by the commune. The commune would send a
10 report to the district, and the district would send its soldiers
11 to arrest that person, and the person would be brought before
12 Yeay Khom. But Yeay Khom did not kill the person by herself, but
13 she would instruct her soldiers to do the killing.

14 [09.28.18]

15 Q. Did people, who lived in the Tram Kak district before the
16 arrival of the New People, act by way of reprisals against
17 evacuees who had arrived in their villages? Did you hear of any
18 acts of reprisals?

19 A. In fact the Old People were prohibited to call the people who
20 came to the area as New People or 17 April People. And that was
21 very strict policy. And if any Base Person had a conflict or
22 discriminated against New Person, then that Old or Base Person
23 would be sanctioned, maybe to carry earth, and that we had to
24 have a mutual respect for one another. And that's what I saw on
25 the ground, and that's what happened. And people had to good

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1 moral to one another. And if somebody violated that principle,
2 the person would be sanctioned to carry earth during the day time
3 or under the hot sun.

4 JUDGE LAVERGNE:

5 Thank you, Witness. I have no further questions to put to you.

6 [09.30.27]

7 MR. PRESIDENT:

8 The Chamber will now give the floor to the two Defence teams.

9 First to the Nuon Chea defence so that the Nuon Chea defence
10 counsel may put questions to witness Ek Hoeun.

11 QUESTIONING BY MR. LIV SOVANNA:

12 Good morning, Mr. President. Good morning, Your Honours. My name
13 is Liv Sovanna. I'm one of the Nuon Chea's counsels. Hello, Mr.
14 Ek Hoeun. I am Nuon Chea's defence counsel, and I would like to
15 put to you a certain number of questions.

16 Q. Yesterday around 3.45 in the afternoon, you said that meetings
17 were held in which instructions had been issued to build homes
18 and to give -- provide rice to the evacuees. So I would like to
19 know the exact dates when these meetings were held.

20 MR. EK HOEUN:

21 A. No, I did not attend such meetings. So I did not know what was
22 being discussed on those meetings, but I did see rice being given
23 -- rice that had arrived from China.

24 [09.32.02]

25 Q. So you said that the objectives had been set for the base to

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1 build homes and to find rice for the evacuees. So where did you
2 get this information from?

3 A. I did not say that or not all of that. I was -- the village
4 chiefs were simply asked to go greet the evacuees and to place
5 them in homes that were already available because the Old People
6 had gone outside to work. So there were available houses to work
7 on the New People.

8 Q. Based on what you said, document E305, Khmer ERN, 009689
9 (sic); in English, 00050182; you answered to DC-Cam that you
10 would offload supplies and rice, rice that was to be given to the
11 Phnom Penh evacuees. You said there were two of you to offload
12 these bags of rice and that it was very difficult. Another
13 question that was put to you. "Was the rice to be given to the
14 evacuees?" And you answered, "Yes." Yesterday at around 3.50 in
15 the afternoon, you said that you were the person offloading these
16 bags of rice as well as the supplies. And this happened in 1976.
17 So I would like to ask you, what was the exact date when the
18 Chinese aid stopped in 1976?

19 [09.34.40]

20 A. In 1976, it was around November, so the Chinese aid was
21 suspended. It was during the harvest. So when Cambodia had
22 harvested the rice paddies, China stopped providing aid.

23 Q. Thank you. In Tram Kak district, in which year and in which
24 month did common eating start?

25 A. I don't understand your question clearly.

12

1 Q. In which year and in which month was the common eating hall
2 set up?

3 A. In 1973. This already happened in the villages. And in 1974,
4 this started happening at the commune level. So there were two
5 common eating halls. Back then, it was a bit difficult to
6 implement because some people who would return from work would
7 not have enough food. So this led to fights between the cooks and
8 the workers on worksites. So Ta Mok came to the cooperatives to
9 ask why people would eat in the common dining halls. And some
10 answered, "Well, you are the one who told us to do that. You are
11 the one who issued that instruction". And then people -- more and
12 more people came to eat in the cooperatives. And the rice soup
13 was really thin because there were more people than before. And
14 after about three weeks, I had to go pick leaves to add something
15 to my meal.

16 [09.37.40]

17 Q. My question is going to centre on the period from 1975 to
18 1979. So during that period in Tram Kak, would people eat in the
19 common dining halls?

20 A. We started eating in the common eateries in 1973. And in each
21 village, there was a kitchen and a common eatery.

22 Q. Do you know in which year common meals stopped?

23 A. In 1979. And then I fled to the Damrei mountains. And in 1987,
24 Son Sen asked me to continue eating in the common eatery until
25 the year 2000.

13

1 Q. When you would offload supplies and rice at the Tram Kak
2 district office, did you ever hear about instructions asking
3 people to improve the living conditions of the population?
4 [09.39.30]

5 A. I never heard anything of that kind. What I would only do
6 would be to receive supplies and food, and then to distribute all
7 of that during the day, if the supplies arrived during the day,
8 or at night if the supplies arrived at night. And Ta Mok would
9 criticise people when people would not distribute the rice
10 properly. So one day he asked me, "Why didn't you distribute the
11 supplies and the medicine?" And I said, "Yes, yes, I did it." And
12 then he went to see a member of a commune at a warehouse where
13 medicine was stored. Or rather, I went there myself and he
14 answered, "Yes, indeed". Ta Mok asked me not to distribute the
15 medicine.

16 MR. PRESIDENT:

17 Please speak more slowly because you're speaking too fast. And
18 please stop for a little while between the questions and the
19 answers because you're being interpreted into French and into
20 English. And therefore, it is difficult for the interpreters to
21 catch all of the information in English and in French. So
22 Counsel, please also slow down or mark some kind of interruption
23 so what is said can be completely translated.

24 [09.41.37]

25 BY MR. LIV SOVANNA:

14

1 Thank you, Mr. President. I will continue.

2 Q. Did you ever see cooperatives producing in excess and other
3 cooperatives that did not produce enough? And was there any kind
4 of sharing system between the cooperatives?

5 MR. EK HOEUN:

6 A. Yes. The communes would organise this kind of sharing so that
7 supplies could be distributed in the eateries. But the problem
8 occurred when the cooks would steal rice or food. So instead of
9 therefore giving sufficient amount of food to everyone, they
10 would keep food for themselves. So we watched over these people
11 because all of the communes would receive the same share of food.
12 And we discovered that cooks had stolen food supplies. So they
13 were dismissed.

14 [09.43.08]

15 Q. When you were at the comrade's office of the district, did you
16 receive any reports stating that food supplies were missing?

17 A. Yes. Many communes did not have enough food. And even in Leay
18 Bour, 100 people died of hunger. And certain communes had to ask
19 other communes to solve these food shortage issues.

20 Q. So this means that cadres at each level tried to solve these
21 food shortage problems?

22 A. Yes. Because each time that we would receive food supplies,
23 the food supplies were distributed in the same way. But the
24 problem was that the cooks would sometimes steal food for
25 themselves.

15

1 Q. So when you were at the district office, you went to Kampong
2 Cham in October 1978. So where were you living at Tram Kak at
3 that time?

4 [09.45.00]

5 A. I was born in Tram Kak, Takeo province. In 1978, I was at the
6 district office. Mr. Choeun (phonetic) arrested someone. And I
7 was lying on my bed when that happened. He injured me. He shed a
8 lot of blood on my face. This blinded me. I asked him not to do
9 that again. I asked him to stop doing this and he continued
10 pestering me. I saw Cheal (phonetic), and Chea (phonetic) came
11 with me and asked me why or how was it that I had arrived at Kaoh
12 Andaet. We shook hands. He said to me that there were three
13 people. And I said, well, the three people were on trucks. Ta
14 Chim was an office chief. So he took the three people who were
15 then sent to the re-education centre.

16 Q. When people were ill, were they allowed to take off from work?

17 A. When people were ill; they were sent to the hospital. And the
18 unit chief would send them to the hospital without this requiring
19 any kind of authorisation.

20 Q. Now with regard to pregnant women, what were the tasks that
21 were given to them?

22 A. There were midwives back then. After the tenth month of
23 pregnancy, they could stay home -- the pregnant women could stay
24 home and they could deliver normally.

25 [09.48.06]

16

1 Q. How long could these women rest after delivering?

2 A. One month. My wife was also given a month. And after the one
3 month maternity leave, then she went to dig up dirt like everyone
4 else.

5 Q. Yesterday at around 4.02, you said that with regard to
6 marriages, if both parties did not agree to the marriage, the
7 women would be sent to a cemetery so that they would become
8 afraid. And they would then ask the groom to come console her for
9 them to get back together. But even after that, they still didn't
10 manage to get along. What had to be done?

11 A. Well, we were kind and docile. And of course, we cannot force
12 the girls. And if the girls did not agree, we could not force
13 them. Certain women in fact would scratch the men -- the grooms.
14 So the cadres would then ask the couples to no longer stay
15 together.

16 Q. So this means that there were no threats and there was no
17 coercion.

18 A. Yes.

19 [09.50.19]

20 Q. You said yesterday that monks would go and work with lay
21 people, and that they defrocked one after the other. Yesterday,
22 you said that some monks would take part in the building -- took
23 part in the building of the Khpob Trabek dam in 1974. So I would
24 like to ask you if monks started defrocking in 1974 then.

25 A. Yes, it was in 1974 that Angkar asked us to build dams and to

17

1 dig canals. So therefore indeed monks defrocked to come work with
2 the local population. And other monks even went to the battle
3 front. In 1976, a member of Ta Mok's family did not want to
4 defrock, and he went to the forest to stick to his faith. And Ta
5 Mok still tried to prevent him from doing so. And in 1976, he
6 managed to make him defrock. And Ta Mok married him to a girl and
7 he refused to consummate. And then, he was appointed to the
8 logistics committee.

9 [09.52.22]

10 Q. In 1976, he was therefore forced to defrock?

11 A. No. No. In fact, it wasn't something compulsory. He did not
12 force him to do that. It's not -- since nobody could make
13 offerings, he was obliged to defrock.

14 Q. So you spoke about Soeun who was part of the Kaoh Andaet
15 district committee. And you kicked him apparently, and he wanted
16 to kill you following that. So I would like therefore to ask a
17 few questions to you regarding that. This is at document
18 E305/13.23.451, Khmer ERN, 00968893; English ERN, 00050186 - 87.
19 And you said, "When the person was taken away, we went to see the
20 district chief to ask permission to kill him." And in another --
21 in the same document, 009688105, Khmer; English, 00050194: "Soeun
22 wanted to kill me. He asked for permission to do that, but that
23 authorisation was not given. So that morning, my messenger came
24 to tell me that you had kicked the Kaoh Andaet district chief.
25 And thus, I went to see Ta Kit to tell him that Soeun from Kaoh

18

1 Andaet wanted to kill me. And he told me, "Why did Soeun go there
2 without my permission?" And then he sent someone to have Soeun
3 come. And Soeun--

4 THE INTERPRETER:

5 Mr. President, the interpreter cannot follow.

6 [09.56.18]

7 MR. PRESIDENT:

8 Counsel, please put brief questions to the witness because the
9 interpreter has a hard time following you. Deputy Co-Prosecutor,
10 please proceed.

11 MR. DE WILDE D'ESTMAEL:

12 Mr. President, could you please give us the ERNs in the three
13 languages if possible. I know that the lawyer is new to us here,
14 but there is a French ERN. And I really cannot find the excerpts
15 that are read out, especially since they're read out so fast that
16 I have the impression that the interpreter is only translating
17 half of what you are saying. So for me, in any case in French, I
18 can absolutely not find the segment in question. So if you have
19 the French ERN, please provide it to us. This would be very
20 helpful. If not, it may be useful to go a bit slower so that we
21 could locate the segments in question. Thank you.

22 [09.57.42]

23 BY MR. LIV SOVANNA:

24 Thank you. I apologise for this. I did not find the French ERN.
25 It's true. I in fact only found only the English and Khmer ERNs.

19

1 So -- but following this, I will have no longer any passages to
2 quote. So let me get back to the text.

3 Q. "Soeun you threatened people and you wanted to have people
4 killed. This is someone you cannot kill; otherwise you would have
5 had him eliminated." In another document, E319.31 at answer 58,
6 you said, "When Soeun became the district chief of Kaoh Andaet,
7 he arrested three former district chiefs at Kaoh Andaet and had
8 them executed." So I would like to ask you if the district
9 committee had the right or the mandate to arrest and bring people
10 away to kill them.

11 MR. EK HOEUN:

12 A. Yes.

13 [10.00.24]

14 Q. My next question in is reference to document, E319.1.31. At
15 question and answer 29, you make a statement before the
16 Co-Investigating Judge that Ta Mok had a relationship with deputy
17 Cheal (phonetic), a third deputy during the Sangkum Reastr Niyum
18 era, but Yeay Khom took that deputy Cheal (phonetic) to be
19 killed. And yesterday, you said that Ta Mok spoke about Cheal
20 (phonetic) in the three meetings, and that Cheal (phonetic) was a
21 woman and was not a spy nor an enemy and why she was taken and
22 killed. So my question to you is to ask for clarification why Ta
23 Mok placed emphasis on the death of this deputy Cheal (phonetic).
24 Allow me to rephrase my question. Why Ta Mok said that the deputy
25 Cheal (phonetic) was not a spy nor an enemy and why she was taken

1 away and killed?

2 A. Indeed Ta Mok always tried to get the reason for the killing
3 of any individual. And in that instance, the person was a friend.
4 [10.02.44]

5 Q. Does it mean the killing of Cheal (phonetic) was done by Yeay
6 Khom who was the District 105 committee; is that correct?

7 A. Yes, that is correct. Because the district committee made
8 their own decision in this killing.

9 Q. On the issue of killing the 90 people who were part of the
10 exchange programme from Vietnam, was Ta Mok aware of the
11 execution or was he informed only after the killing had taken
12 place?

13 A. No, he was not informed or reported. And only when he went to
14 inspect the worksite and he asked Ta Chim about the 90 people, Ta
15 Chim was a bit agitated. Then said that because those people
16 involved in stealing things, and that he decided to have them all
17 executed. And upon that, Ta Mok became angry.

18 Q. Does it mean that the decision to execute those people was
19 made solely by Ta Chim who was district secretary, and it was not
20 a policy from the upper echelon, that is, Ta Mok?

21 A. Yes, that is correct.

22 [10.04.41]

23 Q. My next question is in reference to document E319.1.32 at
24 question and answer 63. My apology, actually I already asked this
25 question, and I move on. Let me move to another document, -- that

21

1 is, E319/1.1.31 at question and answer 24. You stated before the
2 Co-Investigating Judge that, and let me quote:

3 "Answer 24: Right, the code number --, the report was made to the
4 district. And then the district would circle the names in red ink
5 and forward it to commune. And later on, the people were killed
6 -- were arrested, and sent to Yeay Khom at the district level."

7 My question to you is the following, and as you stated, for those
8 people whose names circled in red were arrested and sent to Yeay
9 Khom, and how did you know about the circle in blue or in red?

10 A. That happened throughout the communes and the district. If the
11 person with his name circled in red ink, the person would be
12 arrested and killed. And if another person with the name circled
13 in blue, the person would be arrested and sent to the district,
14 and the district would send to the re-education office. And this
15 kind of practice was observed on the ground. And I myself
16 observed the process.

17 [10.07.20]

18 Q. Was there a meeting where such instruction on the circling of
19 names in red or blue ink was disseminated?

20 A. From what I observed, the arrest was done according to the
21 code colour of the ink, blue or red.

22 Q. At -- in the same document, you were asked about the role of
23 Yeay Khom. And you said that he was a member of the province of
24 Sector 13, and that her office was about 200 metres from the
25 killing site known as Prey Khmaoch Kaun Khmeng. And a while ago,

22

1 you said people were arrested and sent to Yeay Khom. And in your
2 OCIJ statement, you said that Yeay Khom was a member of Sector
3 13. Can you tell the Court whether the arrest order was initiated
4 by Yeay Khom or by someone else?

5 A. The plan from the above was clearly laid out -- that is, all
6 the capitalists, feudalists, reactionaries, had to be purged and
7 then the decision would rest on Yeay Khom to implement that
8 order. Many people had been arrested, including middle class
9 capitalists and former soldiers or public servants.

10 [10.09.29]

11 Q. So you said capitalists, feudalists or former officers were
12 arrested under the reign of Yeay Khom. Did such arrest continue
13 after Yeay Khom's era?

14 A. Such event took place as early as 1970 -- that is, after the
15 coup d'état to topple Sihanouk, and the Khmer Rouge people came
16 out from the forest to strengthen and reinforce their
17 administrative structure in various communes in Cheang Tong, in
18 Trapeang Thum Tboung, in Samraong, in Kus, and in Nhaeng Nhang.
19 So the Khmer Rouge came to these eight communes to organise their
20 administrative structure. And in the evening, people would be
21 arrested -- that is, those who fell into the class of capitalist
22 or of feudalist, or anyone who owned a rice mill or rice
23 threshing machine, they would be arrested. And even someone who
24 had a barn with rice stock would also be arrested as they were
25 accused of being a middle class capitalist. So everybody was so

1 afraid of being arrested at that time.

2 [10.11.14]

3 Q. Allow me to clarify one matter. Your response was in relation
4 to the arrest prior to 1975; am I correct?

5 A. Please repeat your question.

6 Q. My question is the following. In fact, previously, I asked you
7 whether the arrests were -- follow the orders of Yeay Khom. And
8 after Yeay Khom, were there other arrests? And you said that the
9 arrest actually started since 1970 -- that is, after the coup
10 d'état, and that the Khmer Rouge reinforced their administrative
11 structure in the area. And my question to you is the following --
12 that is, the arrest following the red ink circle, and then those
13 people were sent to Yeay Khom. Did it happen before or after
14 1975?

15 A. It happened around 1975 and '76. And from March 1976, "Yuons"
16 were arrested. And by August '76, then the arrests stopped
17 because those people had already been arrested. And we were kind
18 of living independently.

19 [10.13.01]

20 Q. After Yeay Khom stopped or was no longer the District 105
21 committee, no further arrest was made; am I correct?

22 A. In 1976, Ta Chay purged the "Yuons" in District 105 and that
23 purge plan was initiated by Ta Chay. However, later on no more
24 arrests or killing took place. Commune chiefs were called to a
25 meeting at the district, and I overheard what they said during

24

1 the meeting as I served them refreshment. They spoke about the
2 plan to arrest the "Yuons" and to send the "Yuons" back to
3 Vietnam. And Ta Chay said that there were no longer any "Yuons"
4 because all the people now they were all pure Cambodians.

5 [10.14.21]

6 Q. Thank you. Now I move on to another question. Since you have
7 known Yeay Khom and in your statement, Yeay Khom also wanted to
8 kill you, can you then tell the Court the -- can you describe
9 Yeay Khom?

10 A. Yeay Khom would not be comfortable without killing anyone. She
11 would not sit still until someone was killed. And she really
12 hated those kinds of people as I described -- that is, the
13 capitalists, feudalists, and reactionaries.

14 Q. In the transcript on the 5th May 2015, when Khoem Boeun
15 testified at 10.06.51, Boeun said, "Khom was different from us.
16 She was kind of psychiatric or crazy, but it was on and off. And
17 that's how I know her". In addition, in the statement of Pech
18 Chim who testified on the 24th April 2015, at 13.54.59, he states
19 that, "At that time, we try our best to find a treating
20 physician. And then we could find a Vietnamese physician for the
21 treatment of her psychiatric symptom. She had a mental problem.
22 However, she was very strict, and she would mean what she said.
23 And that was the time that she fell ill". And my question to you:
24 Do you agree to the statements by Yeay Boeun and Ta Chim on the
25 issue that Khom had a psychiatric problem?

25

1 [10.17.42]

2 A. No, I don't agree. She was not crazy or psychiatric. She was
3 normal. And every day, she would go and arrest people. And
4 because these two individuals were subordinates to Yeay Khom,
5 that's why they supported her.

6 MR. PRESIDENT:

7 Thank you, Counsel. It is now appropriate for a short break. We
8 take a break now and return at 10.35.

9 Mr. Ek Hoeun, we rest a little bit. And please return to the room
10 at 10.35.

11 MR. EK HOEUN:

12 Thank you.

13 MR. PRESIDENT:

14 The Court is now in recess.

15 (Court recesses from 1018H to 1037H)

16 MR. PRESIDENT:

17 (No interpretation)

18 Are you ready, Witness?

19 MR. EK HOEUN:

20 Yes, I am ready.

21 MR. PRESIDENT:

22 Thank you. The Chamber is now going to give the floor to the
23 Khieu Samphan defence so that the Khieu Samphan defence counsel
24 may put questions to the witness - or, rather, the Nuon Chea
25 defence counsel is given the floor.

1 [10.39.02]

2 BY MR. LIV SOVANNA:

3 Thank you, Mr. President.

4 Mr. Ek Hoeun, I would like to put questions to you in relation to
5 Yeay Khom. Based on your observations, was Yeay Khom someone who
6 was kind or was she wicked?

7 MR. EK HOEUN:

8 A. She was very wicked. She supervised the harvests and she saw a
9 lady carrying her baby, so she asked the lady to leave her baby
10 aside in order to help her push her cart.

11 Q. Was she someone who would obey the orders from the higher
12 echelon?

13 A. No. She would do everything upon her own decision. She would
14 not obey the orders from the higher echelon. Since she was part
15 of the sector committee, she did not receive orders from the
16 higher echelon. She simply would speak to the members and then
17 she would do as she wished.

18 [10.40.30]

19 Q. I would like to speak about document E319/8.2.4 at question 54
20 – or, rather, question 34. Before the Co-Investigating Judges you
21 put a question -- or they put a question to you:

22 "So those who were arrested were sent to Prey Khmaoch Kaun Khmeng
23 forest. After the fall of the Khmer Rouge regime, many execution
24 sites were discovered. Could you therefore explain or give us
25 clarification in that regard?"

27

1 And you answered then: "Communes would kill members of the New
2 People upon their own decision."

3 So according to your observations, the communes were not entitled
4 to carry out such executions. Is that the case?

5 A. There were no orders of that kind. The commune chiefs would do
6 that upon their own decision because often people were sent to
7 Yeay Khom for issues involving execution.

8 Q. At document E127/7.1.8, this is a document that concerns a
9 witness who was a commune chief, the commune chief of Cheang Tong
10 commune. Do you know Sao Van?

11 A. No, I never heard about him.

12 [10.43.00]

13 Q. Was he the chief of Cheang Tong commune, and he had been
14 transferred to Sector 25, is that the case?

15 A. No, I never heard that name.

16 Q. At question and answer 25, he answered that: "By being part of
17 the commune committee, I am not envious of anyone but I was
18 allowed to report to the higher echelons. That was the only power
19 I had. 'Ta Mok ordered the district and the sector to not carry
20 out arrests or executions'."

21 At question and answer 7 - rather, at question and answer 9, he
22 said that "Before 1975, during an annual assessment meeting in
23 the jungle, to which the commune committees attended as well as
24 the district and battalion and regiments, after 1975, another
25 meeting was held at the Takeo town, at the provincial seat, with

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1 Ta Mok's participation, during which Saom, who was the head of
2 Sector 13 stated that it was forbidden to touch the Lon Nol
3 soldiers from the rank of second lieutenant to colonel."

4 Do you agree with the testimony of this witness who said that the
5 sectors, the districts, and the communes were not allowed to
6 carry out arrests?

7 A. No, I am not aware of all of this. I only was aware of what
8 was happening at the commune and district levels, so I cannot say
9 anything about this issue.

10 [10.46.00]

11 Q. Now I am going to move on to another topic. During yesterday's
12 hearing you said that at Prey Khmaoch Kaun Khmeng forest children
13 had been buried there before 1970 and then after 1970, Lon Nol
14 soldiers were killed there. And you also said that at the
15 beginning of the 1990s – rather, in 1979, people sought refuge in
16 this forest where they were shot. Earlier you said that
17 executions would only happen in that forest. So my question is:
18 If the skulls in that forest were the skulls of the people who
19 had been slaughtered in 1979 – or, before 1975. So was it before
20 1975 or after 1979?

21 A. These skulls -- as I said, the bodies were cremated, so the
22 skulls that we saw after 1970 were the skulls of the people who
23 had been killed after 1970.

24 Q. Yesterday, at around 2.00 p.m., you said that in 2000, skulls
25 found in Prey Khmaoch Kaun Khmeng had been gathered at Krang Ta

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1 Chan. So I would like to know where you got that information
2 from.

3 A. In 2004, I went back to my home village, which is 500 metres
4 away from Krang Ta Chan. In fact, I forgot your question.

5 [10.49.31]

6 Q. Let me repeat my question. You said that the skulls that had
7 been found in that forest were dropped off at Krang Ta Chan. So I
8 would like to ask you, who gave you that information?

9 A. I don't know if the local authorities built that warehouse to
10 store the skulls because the forest is located about 50m away
11 from Krang Ta Chan. The skulls - well, in fact the Khmer Rouge
12 only killed adults. And the people working under the Khmer Rouge
13 regime would go to that forest, and in 1979 we discovered skulls
14 of little children as well, so I don't know if the local people
15 or the authorities built this warehouse to store these skulls. In
16 2004, that's what I was told.

17 Q. So when you were working at the commerce office in Tram Kak,
18 did you ever see or ever hear about Krang Ta Chan?

19 A. The Krang Ta Chan office was created under Democratic
20 Kampuchea.

21 Q. You were working at the district, so did you ever hear about
22 the centre?

23 [10.52.02]

24 MR. PRESIDENT:

25 Please hold on, Mr. Ek Hoeun. Deputy Co-Prosecutor, please

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1 proceed.

2 MR. DE WILDE D'ESTMAEL:

3 Yes, I would like to rectify contradictions. The office was
4 created way before, because Democratic Kampuchea dates back to
5 1976, therefore it's not correct. This question is repetitive; he
6 already answered that question yesterday; he already said he was
7 not aware of that centre during the regime and that he only
8 learned about that centre after the regime.

9 MS. SONG CHORVOIN:

10 Mr. President, yesterday the witness said during the hearing --
11 it was at 10.10.06 -- and the witness said that he learned about
12 the existence of the centre only in the year 2000, so he never
13 made any statements in that regard under the Democratic Kampuchea
14 regime.

15 [10.53.15]

16 BY MR. LIV SOVANNA:

17 Well, now I would like to move on to another topic.

18 Q. Mr. Ek Hoeun, you stated that because your mother was
19 Vietnamese and therefore you were not a desirable person, and
20 because of that, were you ever sent to a re-education centre
21 because of your undesirable origins?

22 MR. PRESIDENT:

23 Mr. Ek Hoeun, did you understand the question? You are not
24 answering the question I see.

25 Counsel, please repeat your question to the witness. Please turn

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1 on the microphone.

2 [10.54.31]

3 BY MR. LIV SOVANNA:

4 So, the question: Given the fact that you had undesirable
5 origins, were you ever summoned or were you ever placed in a
6 re-education centre?

7 MR. EK HOEUN:

8 A. Well with regard to my undesirable origins, I was not the only
9 person concerned. Many other people were concerned by this, and
10 we were never sent to be re-educated because of that. They would
11 only send the CIA agents or KGB agents to be re-educated, but I
12 was afraid.

13 Q. Yesterday you said that a re-education centre was located at
14 Angk Roka and those who had committed moral misconduct were sent
15 there to be re-educated for a period of less than six months.
16 Then they were released. So, did you ever come close to the
17 centre, and how often, if that was the case?

18 A. The centre was located 100 metres away from where I was
19 working. And since my work was very hard, they asked some
20 prisoners to come help me and the lazy ones had to spend six
21 months in the centre, and those who were assiduous could leave
22 the centre after one month.

23 [10.56.30]

24 Q. Thank you. Now I would like to speak to you about the Cham.
25 You said that the Cham and the Vietnamese and the monks would

1 also work on worksites. Were the Cham and the Khmer working
2 separately in compliance with the policies issued by the higher
3 echelon?

4 A. I never said that there were Cham in District 105.

5 Q. Thank you. Now I would like to move on to another topic which
6 pertains to the Lon Nol soldiers and to the Lon Nol officials.
7 You stated that the evacuees had been gathered within the Champa
8 Leu pagoda and then biographies had been drawn up and that the
9 soldiers and the officials of the Khmer Republic had been taken
10 away. So I would like to ask you where they were taken away to.

11 A. Well, we would issue propaganda to convince officers in saying
12 that village and commune deputies had to register in order to
13 take on their duties again. And the second lieutenants and the
14 captains could also go back to their stations, and once these
15 lists were drawn up, they were sent to the south and the
16 remaining ones were scattered into different villages. That's all
17 that I saw.

18 [10.59.08]

19 Q. So you saw them being taken away to the south? That's all you
20 saw, yes?

21 A. Yes, that is the case.

22 Q. Yesterday you said that the biographies of the former Lon Nol
23 servicemen and officials within Champa Leu pagoda were drawn up
24 and you said that these biographies -- or that these lists
25 rather, were sent to the commune and the village. What did you

1 add to that?

2 A. I saw that and I don't know if the villages or the communes
3 sent these lists to the higher echelons.

4 Q. Yesterday you testified that the most senior cadres over there
5 were Saom Darn, who was your cousin; Yeay Khom and Ta Mok were
6 not there; that's what you stated. In addition you said that you
7 were there for an hour only, so you did not know much -- you did
8 not know much about what happened there. And my question to you
9 is the following: Why now you said that the list was drawn up on
10 the biographies of the former officials amongst those people, and
11 that later on, those people were gathered up and sent to the
12 south direction?

13 A. Whatever they did, they never told us, and they would only do
14 it amongst themselves and I did not say about the list being
15 drawn up.

16 [11.01.30]

17 Q. So now you are saying that you did not say that the list of
18 the former Lon Nol officials and officers was drawn up during the
19 Democratic Kampuchea period at the Champa Leu pagoda; is that
20 correct?

21 A. Indeed the list had already been drawn up at the gathering
22 place before the people were sent to various locations in various
23 communes.

24 Q. Now I move on to another topic -- that is, on the treatment of
25 the Vietnamese.

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1 Did you ever see a list of Vietnamese, or former soldiers, or Lon
2 Nol civil servants?

3 A. No, I never saw it, because those people, once they were
4 brought out of the barracks, they were sent to villages, and I
5 saw them there on the ground in the villages. I never saw any
6 list of Vietnamese people. And only when they were trucked to be
7 killed, then I saw them on the truck, including the person by the
8 name of Lon (phonetic), who was the younger in-law of Ta Mok. And
9 the district instructed the village to keep those people in one
10 place, and a week later, they were trucked out. I met Lon
11 (phonetic), and in fact, I called him by another name -- Moeun
12 (phonetic) -- and I asked about those people, as how many, and he
13 said 9000, but I did not know whether he referred to 9000 people
14 or 9000 families. Those people were gathered up from various
15 communes, including Popel, Angk Ta Saom, Leay Bour, totalling six
16 communes. And the total number was 9000, although I don't know
17 whether it referred to the number of people or the number of
18 families.

19 [11.04.36]

20 Q. Did you witness the execution of those Vietnamese people?

21 A. No, I did not. I only saw them being trucked out. At that time
22 I was doing a land survey and I saw them being trucked out along
23 National Road Number 3, and they were taken out in a different
24 direction, opposite the way to the Cambodia/Vietnam border. So
25 they were taken out on another road and they disappeared. That's

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1 all I saw. They were taken on Road Number 31 towards Ta Ny
2 (phonetic) direction.

3 Q. Did you ever see any corpses of Vietnamese people after they
4 had been executed?

5 A. No. They were killed in the forest at the mountain and I did
6 not walk to the mountain area. I only did a land survey nearby
7 the village.

8 [11.06.10]

9 Q. How did you know that the Vietnamese people were executed near
10 that mountain?

11 A. I did not know how, or which method they used to kill those
12 people.

13 Q. So the information that the Vietnamese people were killed was
14 obtained from whom?

15 A. I witnessed it when I was at the office, because at that time,
16 Ta Chay chaired a meeting and next day Lon (phonetic) went to
17 instruct all those commune chiefs to gather up those Vietnamese
18 people. And later on, Lon (phonetic) took a truck to transport
19 them away. And I refer to Lon (phonetic) alias Moeun (phonetic),
20 who is now living in Anlong Veaeng.

21 Q. Did you attend that meeting?

22 A. No, but at that time I was asked to serve refreshments to
23 those attendees. I only overheard what they said.

24 [11.07.35]

25 Q. Does it mean that you simply knew or heard that Lon (phonetic)

1 was instructed to gather up those Vietnamese and put them on
2 truck? Is that correct?

3 A. Yes, that is correct. It was a truck with a long body.

4 Q. But you did not witness or know about the killing of those
5 Vietnamese; is that correct?

6 A. Yes.

7 Q. Yesterday you testified that if a husband had a Vietnamese
8 wife or a Khmer wife had a Vietnamese husband, they and their
9 children would all be sent out. I have one question in relation
10 to this matter. What about your parents? What was the fate of
11 your parents? And you stated your mother was of a Vietnamese
12 origin.

13 A. They said the wheel of history was in full motion and it would
14 crush anyone in its path, but the (inaudible) because my parents
15 were already old so they were spared.

16 [11.09.17]

17 Q. What about the relatives of your Vietnamese mother, were they
18 taken away and killed?

19 A. One of my youngest siblings was detained from '76 to '78 in
20 Kampong Som. He was detained because of my mother's origin as a
21 Vietnamese.

22 Q. So if the mother was a Vietnamese, then the children -- or her
23 children would be detained but not killed; is that true?

24 A. They did not do anything to him nor put him in a re-education
25 centre, however, for those people who spoke Vietnamese, they

1 would be arrested and there was none of them to be smashed
2 anymore after they had been gathered up.

3 Q. Did you have the knowledge about the exchange of the
4 Vietnamese living in Cambodia with the Cambodians living in
5 Vietnam?

6 A. For the initial stage, Ta Mok would gather the Vietnamese
7 people for the exchange. But when those Cambodians arrived into
8 Cambodia, did not find anything to eat, so they resorted to
9 stealing at night. And when Ta Mok found out, he cancelled the
10 exchange programme.

11 [11.11.08]

12 MR. LIV SOVANNA:

13 Thank you, Mr. President. I don't have any further questions for
14 the witness.

15 MR. PRESIDENT:

16 Thank you. The Chamber now hands the floor to the defence team
17 for Khieu Samphan.

18 QUESTIONING BY MR. KONG SAM ONN:

19 Thank you, Mr. President. And good morning, Mr. President, Your
20 Honours. And good morning, Mr. Ek Hoeun. Can you hear me? Again,
21 good morning, Mr. Ek Hoeun.

22 MR. EK HOEUN:

23 A. Good morning.

24 [11.11.38]

25 Q. My name is Kong Sam Onn. I'm a defence counsel for my client,

1 Khieu Samphan, and I have some questions for you. First, I'd like
2 to ask you some questions about your personal background. And you
3 just said that your mother was of a Vietnamese origin. And
4 yesterday, from what I heard, that your grandfather was a pure
5 Vietnamese who could not speak Khmer, and that the grandfather
6 was on your mother's side. Is my understanding correct?

7 A. Yes, that is correct. Because when I was born I saw my
8 grandfather who did not speak Khmer, but my mother spoke Khmer
9 with an accent.

10 Q. Thank you. Can you tell the Court that your mother, Nam Hang,
11 was she born in Cambodia living in Cambodia, or did she live in
12 Vietnam or elsewhere for some time?

13 A. She was born in Cambodia and her grandmother, who was a pure
14 Khmer, also was born in Cambodia and lived in Cambodia until she
15 passed away.

16 [11.13.10]

17 Q. Thank you. Can you tell the place of birth of your – rather,
18 the place where your mother lived?

19 A. Currently, she lives in Trapeang Thum, Tram Kak, Takeo
20 province, and her grandparent's place was in Chau Doc, Mort
21 Chrouk.

22 Q. Thank you. So you said your mother lived in the location where
23 you just described before '75, and until '75; is that correct?

24 A. Yes, that is correct.

25 Q. Did your mother at any time leave her place of residence?

1 A. No, she did not go very far from where she lived. She was poor
2 and mainly she stayed in the village.

3 Q. Thank you. Now in relation to your siblings -- and you already
4 informed the Chamber that your elder brother, Ta Heng, who was
5 commander of a military division and died due to the aerial
6 bombardment in 1973, and then another elder brother, Ta Yaev, who
7 was deputy chief of Kaoh Andaet district; is that correct?

8 A. Yes, that is correct.

9 [11.15.22]

10 Q. Thank you. Can you tell the Court whether Ta Yaev was your
11 elder or younger brother?

12 A. Ta Yaev and Ta Heng, they were all my elder brothers.

13 Q. And Ta Yaev was the deputy chief of Kaoh Andaet district; can
14 you describe the time period?

15 A. I knew that he was in that position when Ta Soeun was promoted
16 as well, so after the three district committee members were
17 arrested, they replaced them, and that was in '73.

18 Q. Can you tell the Court the three people who were arrested, who
19 were they?

20 A. I did not know their names; I only saw them when they were
21 taken off a vehicle.

22 Q. Thank you. Can you tell the Court whether any of your other
23 siblings who were cadres during the period of the Democratic
24 Kampuchea regime. I recall that you had a cousin by the name of
25 Dorn.

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1 A. Yes. Only Ta Yaev and Ta Heng who were my blood brothers, then
2 I had Saom Dorn, who was my cousin and who was chief of the
3 district of -- an office in the district of Tram Kak.

4 Q. Are there -- were there other relatives?

5 A. No.

6 [11.17.29]

7 Q. And you yourself, did you have any close friends who were
8 former cadres during the DK period in Tram Kak district?

9 A. No.

10 Q. Thank you. I'd like now to ask you about your personal
11 background. And you stated that you lived in Tram Kak district
12 and before 1975 you were a group chief. And later on you went to
13 live at a house where Ta Chim lived. And I want to know when did
14 you go and live at that house with Ta Chim?

15 A. In 1973, I was assigned to be group chief, however, after my
16 -- due to my background -- social background -- then I was
17 removed and Yeay Khom wanted to locate me, but Ta Chim hid me in
18 his house and Yeay Khom only found me in 1976.

19 [11.19.24]

20 Q. Thank you. During the time that you were living at Ta Chim's
21 house, and you already stated that Ta Chim was your in-law, what
22 were you doing when you stayed at Ta Chim's house?

23 A. When Yeay Khom wanted to arrest me at the district office,
24 then Ta Chim came to tell me that I was being searched by that
25 group, then Ta Chim learned about that and he hid me at his house

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1 for two days, and later on he assigned me to work for the land
2 survey department.

3 Q. Allow me to reconfirm that. You stayed at Ta Chim's house for
4 two days only in order to hide yourself there; is that correct?

5 A. Yes, that is correct.

6 Q. Do you recall the location of Ta Chim's house?

7 A. There was no one fixed house where Ta Chim lived, he would
8 live here or there for a month or two, and the place that I
9 stayed with him, it was to the west of Kus pagoda. And by March
10 1977, he was transferred to the Northwest Zone.

11 [11.21.40]

12 Q. Regarding the house where you stayed with Ta Chim -- and you
13 said it was near Kus pagoda -- was it in Kus commune?

14 A. Yes.

15 Q. And which village?

16 A. I think I made a mistake. It should be in Nheang Nhang
17 commune, but adjacent to Kus commune.

18 Q. Thank you. And the distance from Kus commune to Yeay Khom's
19 house, what was the distance?

20 A. It was far, it was in excess of 10 kilometres towards the
21 direction of Krang Ta Chan and my village.

22 Q. Thank you. Now I'd like to ask you questions in relation to
23 the nature of your work. You only stayed for two days at Ta
24 Chim's house, then you started working for the land survey
25 department. Was it called so? Was it a land survey department, or

1 was it referred to as a unit or something?

2 A. We were designated as surveyors for canal building, so we were
3 regarded as land surveyors.

4 [11.23.27]

5 Q. Thank you. And who was your superior at the time, if you
6 recall?

7 A. Bun Yen was in charge of the land survey department and he
8 completed his higher education so he was very knowledgeable in
9 this area. But myself, I only engaged in physical work; for
10 example, carrying wooden poles.

11 Q. Thank you. Was that department divided into other, say units
12 or groups, under the supervision of Ta Chim?

13 A. As I said, Bun Yen was in charge and the chief of the
14 department was overall in charge.

15 Q. And how many people in your land survey group?

16 A. In fact one person was selected from each of the 15 communes
17 so there were 15 and Yen and I were at the district office and
18 then there was another teacher, so there were 18 in total.

19 [11.25.15]

20 Q. Thank you. Can you tell the Court from when to when you worked
21 for the land survey group?

22 A. I worked there after the entire country had been liberated and
23 then we were instructed to carry out the land survey in order to
24 build checkered plots for rice fields. And we were still busy
25 doing that and more busier during the period '75 to '76 and that

1 nature of work continued until 1979.

2 Q. So you mean -- when you refer to '79 -- or when you left Tram
3 Kak for Kampong Cham and that work was still on going?

4 A. Yes, that is correct.

5 Q. Can you tell the Court the name of the location where you
6 conducted land survey? Was it part of a canal or dam?

7 A. There were names attached to those locations, for example, at
8 Khpob Trabek, there was a Khpob Trabek dam; another dam was
9 called Yeay Khom dam which was close to her house. And then there
10 were a system of canals throughout which did not have any
11 particular name. And a canal was also dug along National Road
12 Number 3, and it was called 02 and it was branched out to
13 District 108 and that canal was kind of big as it was a 20-metre
14 wide canal.

15 [11.27.50]

16 Q. The names of the dams and canals that you mentioned, were
17 those that your team did the land survey; is that correct?

18 A. In fact, that department started its land survey work since
19 1975, then the report would be sent to the district and the
20 district would maintain such a report. And all the canals, big
21 canals, would have its own report and that report would be sent
22 to the district --

23 Q. Mr. Ek Hoeun, my question is whether you personally
24 participated in the land survey for those canals and dams.

25 A. I attended the land survey for each of the dams and canals I

1 mentioned.

2 Q. Thank you. Was there any canal which had been constructed
3 before your team started working?

4 A. No, there was none. But there were existing ponds and creeks
5 which had been reworked.

6 [11.29.27]

7 Q. Thank you. And when you did the land survey for them and canal
8 construction, did you ever happen to meet with Yeay Khom?

9 A. No, I did not, because by March 1976, she was afraid that Ta
10 Mok would bury her in the ground up to her neck so she fled to
11 Kaoh Kong.

12 Q. Could you tell us why Ta Mok wanted to kill her?

13 A. Ta Mok organised three meetings and each time he would
14 announce this message to everyone, so he wanted to kill the
15 author with a hoe.

16 Q. Thank you. Do you have any other information or any other
17 reasons to explain why Yeay Khom left Tram Kak?

18 A. Because she was afraid of Ta Mok who wanted to kill her. Ta
19 Mok said that it was necessary to find the person who had killed
20 Thea (phonetic).

21 Q. Yes, I understand but I'd like to know if you have -- or know
22 of any other reasons why Yeay Khom left Tram Kak.

23 A. No. I don't have any other information in that regard.

24 [11.31.42]

25 Q. Thank you. With regard to Yeay Khom still, you said that you

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1 were living 100m away from Yeay Khom's house. For how long did
2 you live next to her house?

3 A. She moved there next to where I was living in 1970 and she
4 stayed there until 1976, and after she left, I never saw her
5 again, and she left in March 1976, she left for Kaoh Kong.

6 Q. When you fought with Yeay Khom, can you tell us when this
7 dispute happened?

8 A. I never came close to where she was.

9 Q. You didn't understand my question right. My question was: When
10 Yeay Khom wanted to kill you, you escaped, and I wanted to know
11 when you fled.

12 A. In 1973, it was after the categories were set up. So Yeay Khom
13 started to show her claws and back then there were different
14 classes, there was a lower working class, a middle working class
15 and it's then that she wanted to kill me, to smash me with the
16 wheel of history because of my undesirable origins.

17 [11.33.59]

18 Q. So if I'm not mistaken, this was in 1973. It was in 1973 that
19 Yeay Khom wanted to kill you?

20 A. Yes, I was constantly trying to flee her.

21 Q. Thank you. In 1973 when she tried to kill you, were you still
22 living next to where she was or did you leave your house which
23 was located next to hers?

24 A. I stayed there, but I would sleep elsewhere; for example,
25 where I was working, for example at the Khpob Trabek dam or I

1 would sleep in other villages where I was working in order to
2 avoid Yeay Khom. That's what I have to say. It's since the time
3 she tried to kill me that I left my home and started sleeping all
4 over the place, and then she left for Kaoh Kong.

5 Q. So you had children. Were your children living with you?

6 A. Yes, they still live with me now.

7 [11.35.34]

8 Q. My question is centred on the period when you were working as
9 with photography and up until the moment when you went to Kampong
10 Cham. So during that period, were your children living with you?

11 A. No. My family would carry dirt day and night, so we could not
12 live together.

13 Q. Can you specify the place where they would cart dirt to?

14 A. The daughters had to dig up termite mounds and they had to dig
15 up earth during the dry season, and when you hit the earth with a
16 pick axe in the dry season, it sparks out, so -- and she would
17 cry out, and if she cried out, then you could be brought away to
18 be re-educated.

19 Q. So when you had a problem with Yeay Khom and your house
20 therefore was only 100 metres away from hers, so this means your
21 children did not live with you, right?

22 A. No, that's not true. I would sleep with my children as well
23 when I would return from the worksites. But in 1968, my wife was
24 brought back to where I was staying.

25 MR. PRESIDENT:

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1 It is time for the lunch break. Mr. Ek Hoeun, the Court will
2 resume in an hour and a half or in two hours, at 1.30, so please
3 be ready for 1.30. Do you understand?

4 MR. EK HOEUN:

5 Yes, Mr. President.

6 MR. PRESIDENT:

7 Security officer, please bring the defendants back to the
8 temporary detention cell and then bring them back to the
9 courtroom at 1.30.

10 The Court is adjourned.

11 Please rise.

12 (Court recesses from 1138H to 1331H)

13 MR. PRESIDENT:

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

15 Good afternoon, Mr. Ek Hoeun. Are you ready?

16 MR. EK HOEUN:

17 Yes, I am.

18 MR. PRESIDENT:

19 Thank you. Now the Chamber is going to give the floor to the
20 Khieu Samphan defence so that he may continue with his
21 examination.

22 [13.32.28]

23 MR. KONG SAM ONN:

24 Thank you, Mr. President. Good afternoon, Your Honours. Good
25 afternoon, Mr. Ek Hoeun.

1 Before the break we were speaking about your home village where
2 you were living and we were also speaking about your family and
3 about your relationship with Yeay Khom.

4 Q. Now, I would like to put questions to you -- extra questions
5 concerning your relation with Yeay Khom since you said that your
6 house was located right next to hers but that during certain
7 period of time you were working in dam worksites. You also said
8 that you would go back and forth between your home and the
9 worksite, so I would like to know for how long you would leave
10 when you would go measure the grounds or when you would go work
11 on the worksite before coming home?

12 MR. EK HOEUN:

13 A. After 1975, I was integrated into the survey department.
14 Between 1970 and 1975, I was living with my family at home.
15 [13.34.05]

16 Q. In fact my question was how long would you leave for the work
17 sites before coming home?

18 A. I would leave for a month or six weeks and I would therefore
19 come visit my family for one or two nights every two weeks in
20 fact on average.

21 Q. Thank you. So this happened on a regular basis, so that means
22 that you would leave for a month or a month and half and then you
23 would come home for one or two nights and then you would leave
24 again?

25 A. Yes, that's true.

1 Q. And when you would come home to your village for one or two
2 nights, did you sometimes meet Yeay Khom?

3 A. No. I did not meet her because she would not move about
4 anymore.

5 [13.35.24]

6 Q. You spoke about your wife who had been assigned to digging
7 canals or to cutting termite mount dirt; did this happen 100
8 meters from your home?

9 A. Yes.

10 Q. Thank you. Would your mother stay with you?

11 A. My parents were not with us; they lived about 100 meters away
12 from our home.

13 Q. So they lived in Trapeang Thum village as well?

14 A. Yes, they did, but on the south side of the village close to
15 Trapeang Prei village.

16 Q. Thank you. You spoke about the village of Trapeang Chrey; is
17 it Trapeang Prei or Trapeang Chrey you're speaking about?

18 A. Trapeang Chrey was south of Trapeang Prei. Yeay Khom lived in
19 Trapeang Chrey to the west, next to Ta San's house and close to
20 the Krang Ta Chan centre.

21 [13.37.20]

22 Q. Thank you. Now, regarding your relations with Yeay Khom, you
23 said Yeay Khom was someone who was wicked and cruel and that she
24 liked killing people and you said this morning as well that --
25 and I would like to know, since when you knew her, did you know

1 her ever since you were a child or did you only get to know
2 later?

3 A. I know all of Ta Mok's children. Even before 1970, I knew them
4 because I would saw wood in exchange for small pay. Ta Mok was
5 selling wood so I met all of the members of Ta Mok's family back
6 then.

7 Q. Thank you. And your family and Ta Mok's family or Yeay Khom's
8 family, did they have very good relations or did they have poor
9 relations?

10 A. No. Ta Mok, Yeay Khom did not get along very well. They were
11 not like father and daughter. Ta Mok would yell at her often.

12 [13.38.49]

13 Q. Well, in fact, my question was if the relation between your
14 family -- or between yourself and Ta Mok's family or Yeay Khom's
15 family was good or not because you were neighbours and you knew
16 them for a long time already.

17 A. No, we would not -- since 1970, we did not see each other. I
18 hate her since 1970, and I was afraid of her, I was afraid of her
19 like I am afraid of a snake; I didn't dare come close to her.

20 Q. Thank you. Did you have any personal issues with Yeay Khom?

21 A. No, never, because I never came close to her.

22 Q. Earlier you said that you hated her and you said that you were
23 afraid of her like you were afraid of a female tiger; so, what
24 was the reason?

25 A. Well, I would attend the meetings she would chair, she said

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1 that we had to eliminate the feudalism, the capitalist, the
2 revisionist and that's why I hated her.

3 [13.40.35]

4 Q. Thank you. So, did you attend the meetings she chaired often
5 and since when?

6 A. In 1970, when the power bodies were set up and when she became
7 commune chief and the slogan was passed around pretty much
8 everywhere, three meetings were held in which the slogan was
9 claimed. Kus commune and two other communes, so everyone would
10 hear the slogan and at each one of the three meetings she would
11 claim -- or she would speak out the slogan and everyone heard the
12 same slogan just as I did.

13 Q. Thank you. Can you provide us with the exact -- with the dates
14 of these meetings, in which year were these meetings held.

15 A. The first meeting was held in 1970, I understand, in Trapeang
16 Thum Khang Tboung; and the second meeting at Bei Kus (phonetic),
17 and were therefore in the village of Kus (phonetic) itself; and
18 then the third meeting was held in Samraong, and I attended all
19 three meetings together with the people cutting dirt.

20 [13.42.26]

21 MR. PRESIDENT:

22 Your questions concerning the reliability of the witness's
23 testimony are a bit too numerous, please move ahead and please
24 ask relevant questions because your questions are too far removed
25 from the relevant facts.

1 MR. KONG SAM ONN:

2 I still have two questions to put.

3 Q. Mr. Ek Hoeun, according to what you lived through, you know

4 Yeay Khom and then you just told us a little while ago that Yeay

5 Khom had no relations -- or no close relations with Ta Mok and

6 that Ta Mok even did not consider her as a daughter he should

7 care for and can you tell us Ta Mok had such a difficult relation

8 with her?

9 MR. EK HOEUN:

10 A. Ta Saom organised the power, the different institutions and

11 Yeay Khom was appointed, she held her job until 1976 and she

12 never received any instructions from Ta Mok.

13 [13.44.22]

14 Q. When you're speaking about Ta Saom, whom are you speaking

15 about exactly? Earlier you were speaking about Ta Saom who was

16 behind Yeay Khom and who gave a lot of power to Yeay Khom, so I

17 would like to ask you: Which Khom are you referring to?

18 A. In 1970, after the coup d'état, Ta Saom set up the

19 institutions; so the six communes in Tram Kak district was set up

20 and it was Ta Saom who organised the organisation of these

21 communes.

22 Q. Thank you. Now I would like to put questions to you regarding

23 Ta Soeun. You spoke about your conflict with Ta Soeun, who tried

24 to kill you. Do you remember this issue?

25 A. Yes. It's a very, very long story in fact and he brought

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1 people to Ta Choeun (phonetic), the office chief, and he did not
2 see Ta Choeun (phonetic) so he threatened me to be (inaudible)
3 and I answered him -- I told him, "Don't try to blind me with the
4 light", and then he went to look for Ta Choeun (phonetic) and Ta
5 Choeun (phonetic) was far away.

6 [13.46.25]

7 Q. Please hold on for a little while, Witness, I am going to put
8 a question to you. So, document E305/13.23.451; Khmer, ERN
9 00968905; English, 01050194; French 01053727 -- so I'm going to
10 quote a segment of this document. This is a document that was put
11 together by DC-Cam:

12 "Dany: Saom and Dorn. Hoeun: Soeun wanted to kill me. He asked
13 for me to die but in vain, he wanted to kill me and the next day
14 my messenger ran up to me to inform me that the bodyguards have
15 asked Ta Ouch to punish me because I had kicked him."

16 Do you remember what you said?

17 A. Yes. He left without saying anything to anyone. As of 11
18 o'clock, he insisted upon his request and the messenger informed
19 me of it and as soon as I had washed my face I went to Takeo to
20 see Ta Kit. Ouch did not agree; Ouch said that he did not assign
21 these people -- he saw these people so you cannot take them
22 because Ta Mok had appointed these people so -- and they told a
23 lie so that the message would be accepted.

24 [13.49.36]

25 Q. I would like to ask for some clarification from you regarding

1 a segment in which you say "my messenger ran up to me to inform
2 me". What was the name of this messenger?

3 A. I don't remember. I only remember Roeun (phonetic) who had
4 come from the district.

5 Q. Thank you. When you were working in Tram Kak, did you have a
6 messenger?

7 A. No, it was the district's messenger, Saom's messenger -- Saom
8 Dorn's messenger.

9 Q. Thank you. Now regarding the execution of the 90 people, you
10 spoke about that over the past days. How did you learn about
11 that?

12 A. Well, this goes back a long time. I was transporting
13 vegetables to Ta Chim. I would do that every two to three days
14 and the people who were working at Ta Chim said that Ta Chim had
15 90 people executed. That's why I learnt about that killing.

16 Q. Who told you that?

17 A. The people who were digging canals were aware and Ta Chim's
18 surroundings were aware of that and later this information was
19 revealed.

20 [13.52.12]

21 Q. Thank you. Did you -- had you met these 90 people before they
22 were executed?

23 A. No. I was not aware of the exchange of people. When Ta Mok
24 came to see Ta Chim, that's when I learnt that these exchanges
25 had taken place.

1 Q. Were you aware of the presence of these 90 people?

2 A. They were very far away from each other. After the coup d'état
3 in 1970, these people sought refuge in Vietnam and after the
4 liberation of the country, Ta Mok exchanged the people against
5 these 90 people.

6 Q. Earlier you said that these people were living in Kaoh Andaet.
7 These 80 people were executed at Kaoh Andaet or Tram Kak?

8 A. Ta Mok gave these 90 people to Ta Chim at Khpob Trabek dam. So
9 he gave these people away at the worksite.

10 [13.54.01]

11 Q. Thank you. Can you tell us how you learnt this?

12 A. Because I would transport vegetables to Ta Chim every two to
13 three days -- vegetables and rice -- and when I arrived, everyone
14 was speaking about this and later on, Ta Mok came and that's when
15 the information really started circulating.

16 Q. Can you tell us who else had learnt about the execution of
17 these 90 people?

18 A. No. I know no one else.

19 Q. At the Khpob Trabek dam and where you were living -- that is
20 to say at Trapeang Thum, can you tell us -- or can you tell us
21 how far both of these places were from each other?

22 A. No. I cannot give you an estimate because both places were
23 quite far from each other. From my house it was about four to
24 five kilometres away and the dam to the west which was about 100
25 metres long -- it's hard for me to give an exact estimate.

1 [13.55.42]

2 Q. So, you just said that you were transporting vegetables and
3 rice to Khpob Trabek, and what consisted your work exactly?

4 A. I was a worker. I could do all of kinds of tasks. I had no
5 specific task to do. If there was no ride; I had to transport
6 rice with tractors, rice for everyone.

7 Q. Thank you. Can you specify the year or the month when you
8 would transport vegetables and rice?

9 A. Since the liberation, I started transporting vegetables to
10 Tuol Kruos and where -- everywhere where Ta Chim was building dams
11 or digging canals.

12 Q. So your work consisted in measuring the size of the canals and
13 of the dykes and would you do this work in parallel to your work
14 transporting vegetables and rice?

15 A. I would transport vegetables and rice; I did that from '75 to
16 1976, and as of 1976, I went to Ta Chim's -- and as of 1976, I
17 joined the land survey department.

18 [13.57.37]

19 Q. So, your -- however, there is a contradiction in your
20 statement. Before, you said that you were working in the land
21 survey department in 1973, and now you're telling us that this
22 was in 1976; so what is the right year?

23 A. I never said 1973. In 1973 I was only building canals. In
24 1975, Ta Chim integrated -- sent me to the commerce office to
25 transport vegetables. In March 1976, Ta Chim hid me in his house,

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1 hid me from Yeay Khom and because he knew that she was looking
2 for him, so therefore, he integrated me or had me joined the land
3 survey department.

4 Q. So, you said before the break that you were not happy with
5 Yeay Khom because she said that she was going to slaughter the
6 feudalist and she said in 1973 that she would do that and you
7 fought with Yeay Khom because your father was a village chief, do
8 you remember saying that?

9 A. Yes, because in 1973, the categorisation of the people started
10 and Yeay Khom was speaking about the wheel of history and that it
11 was necessary to eliminate the feudalists, the capitalists and
12 the revisionists and I hated her -- or I have hated her since
13 that time. Thank you.

14 [14.00.17]

15 Q. So you had conflicts with Yeay Khom since 1973, right?

16 A. Yes.

17 Q. Did Yeay Khom try to arrest you since 1973?

18 A. By that time the social class status was already categorised
19 and that I would have been crushed by the wheel of history. She
20 tried to arrest me but she failed, and in '76, she saw me at the
21 commerce office and she asked why I was there and then she was
22 told that Ta Chim put me there. Everybody was afraid of her; I
23 was afraid her too.

24 Q. Mr. Ek Hoeun, I would like to have a full and complete
25 clarification from you on the conflicts between you and Yeay

1 Khom. Please tell us whether it was in '73 or '76?

2 A. In 1973, social class status was categorised and she held
3 meetings on the class status and because I had a complicated
4 background I was afraid of her since.

5 [14.02.02]

6 Q. Thank you. Why there was a need for you to hide at Ta Chim's
7 house until 1976?

8 A. In fact I hid myself there for two days only, then he asked me
9 to help do the land survey for a canal construction land plot,
10 and later on, in '78, I fled again because Ta Soeun wanted to
11 kill me.

12 Q. Can you explain to the Court that you did not flee between '73
13 to '76 and that you only hid yourself for two days in '76?

14 A. I was at Ta Chim's house in '76 and I did not come out of the
15 house and after two days, he instructed me to go and work for the
16 land survey department and I was in that department for three
17 years.

18 [14.03.51]

19 Q. Thank you. I would like to put some questions to you in
20 relation to some figures of people in Sector 13. You have given
21 the Chamber some names in document E305/13.23.451. Allow me to
22 locate the relevant ERN numbers. The Khmer ERN is 00968895; and
23 English, ERN 01050186 to 87; and in French, is 01053716 to 17. I
24 would like to quote the following:

25 "Who else was before Ta Kit?"

1 Answer: "There were Ta Saom, who was a Khmer Rouge warlord, and
2 then there was Ta Nhev, Ta Keav and Ta Muth, who were also part
3 of the provincial governing body in charge of the military.

4 And Dany asked you a question: "Were you mentioning Ta Muth and
5 Hoeun?"

6 "Yes, I was. Ta Nhev and Ta Heng were killed by B-52 bombs at the
7 same time."

8 Question: "Were you saying that Ta Nhev was Ta Saom's immediate
9 successor?"

10 Answer: "There was another person by the name of Ta Keav."

11 "Was Ta Keav also his successor?"

12 Answer: "Ta Keav was deputy secretary who then became the
13 secretary after the previous secretary died."

14 [14.07.21]

15 "Who else?"

16 Answer: "Ta Ouch who was district secretary came after Ta Keav
17 and Ta Nhev and there was another person, he was Ta Prak, who was
18 the provincial governor. They were all taken to attend a study
19 session and disappeared ever since. Ta Kit then came as a
20 replacement." End of quote.

21 And Mr. Ek Hoeun, have you heard the extracts of your statements
22 that I read?

23 A. Yes. Ta Kit rose into the position for several months and in
24 March '77, he was sent to the northwest with Ta Chay, Ta Kit and
25 Yeay Chaem.

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1 Q. Thank you. There is one point that I would like to ask for
2 your clarification. You said Ta Saom was Khmer Rouge leader and
3 was a warlord. Why do you say that he was Khmer Rouge warlord?

4 A. Ta Saom was a Khmer Rouge leader hidden in the forest in '68
5 or '69, and after the war concluded, he came to establish his
6 administrative structure and they built a school at Kulen
7 (phonetic) mountain and there were more than 100 people involved
8 in the building, and after that he killed all those people and as
9 a result he was known as a warlord.

10 [14.09.23]

11 Q. Did you make any observation regarding the influence of Ta
12 Saom?

13 A. That's all I knew -- that is, on the killing of people from
14 Tram Kak after they were sent to build that building.

15 Q. Can you identify the year?

16 A. It was right in 1975 after the war had concluded. People were
17 sent to build a political school at the Kulen (phonetic)
18 mountain.

19 Q. Thank you. In regards to Ta Prak, do you know Ta Prak?

20 A. No, I did not.

21 Q. Thank you. Do you know if Ta Prak -- when Ta Prak held a
22 position in Sector 13?

23 A. It was in 1976, he was there for less than a year, then he was
24 transferred, and after that, Ta Kit replaced him, and later on Ta
25 Kit left when I also left.

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1 [14.11.06]

2 Q. Can you specify the date again when Ta Prak held a position as
3 the sector committee?

4 A. How can I tell you the exact date? I can't. He was there
5 shortly and later on he was transferred elsewhere.

6 Q. You just mentioned that it was in 1976. When Ta Prak came to
7 that position, was it early on during that year or was it later
8 part of that year?

9 A. I am not sure whether it was in the beginning of the year or
10 the end of year but I believe it was toward the end of the year.
11 So then, he was transferred to Takhmau, Sector 25, and Ta Kit was
12 sent to replace him and when Ta Kit was there, I actually asked
13 for a car from him and he gave an old car to me.

14 Q. On what basis that you concluded that it was in late '76 when
15 he came to that position? What sort of circumstances that led you
16 to make that conclusion?

17 A. As I said, I am not certain; it could not be the beginning of
18 the year, but it could be toward the end of the year as it was
19 almost 1977.

20 [14.13.12]

21 Q. Because your answer is not clear, even when I listen to you I
22 get lost. So after Ta Prak left, Ta Kit came to occupy that
23 position; is that correct?

24 A. Yes.

25 Q. What can you tell the Chamber about Ta Kit in that position,

1 when was it?

2 A. Ta Kit came to take that position in Sector 13 in '76 as well,
3 and he was there for less than a year, then he was transferred to
4 the Northwest Zone in March '77. I think I'm getting mixed up
5 with the dates here.

6 Q. Mr. Witness, please compose yourself and try to recall the
7 dates. I think the dates you gave overlapped between Ta Prak and
8 Ta Kit, so please try to think when Ta Prak started working in
9 that position and then you can think of the later date when Ta
10 Kit came to replace him.

11 A. I am unsure and I only knew Ta Prak came to take the position.
12 Later on, he was transferred to Takhmau and Ta Kit came to
13 replace him. I was sent from Tram Kak district to obtain fuel for
14 the vehicle at the sector but I cannot recall the date.

15 [14.15.20]

16 Q. Can you tell the Court how long was Ta Kit was in his position
17 at the sector?

18 A. I cannot recall the month or the year and later on he went to
19 Takhmau.

20 Q. Thank you. I would like to refer to document E319.1.31, which
21 is a written record of your interview and the extract that I
22 would like to quote is at question/answer 44, and allow me to
23 quote:

24 Question: "What position did Ta Kit hold during the regime?"

25 Answer 44: "Ta Kit was once the secretary of Sector 13. Having

1 suffered from tuberculosis, he served as Sector 13 secretary for
2 only one year; later on, he was transferred to Sector 25 at
3 Takhmau. In 1979, he fled into the forest. While preparing his
4 hammock to sleep in the forest, he was shot dead by Vietnamese
5 soldiers."

6 Question: "In what year did Ta Kit serve as Sector 13 secretary?"

7 Answer 45: "Ta Kit was Sector 13 secretary in 1977." End of
8 quote.

9 Mr. Ek Hoeun, do you recall the extracts that I read out?

10 A. It was rather long, I cannot recall it clearly. I think he was
11 the Sector 13 secretary in 1977 and then he was transferred to
12 Takhmau and he fled when the Vietnamese troops arrived.

13 [14.18.47]

14 Q. Thank you. Can you tell the Chamber which part of 1977, was it
15 early, was it later part, what circumstances led to your
16 conclusion that Ta Kit came to take that position in 1977?

17 A. As I said, I cannot recall the exact dates; I only saw him
18 taking that position and I also met him in Takhmau and that was
19 in '77, and as I said, at that time I asked him for a car and he
20 gave one to me and then by 1979 when the Vietnamese troops
21 arrived, we all fled to the forest.

22 Q. I did not get you on this; you spoke about obtaining a vehicle
23 from him, did you meet him at Takhmau or Sector 13?

24 A. He came to Takhmau and I went to see him there and I heard
25 that there were many vehicles there so I went with another man to

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1 ask for a vehicle from him and he was at Takhmau until 1979.

2 Q. Thank you. Can you please make it clear, was it Ta Khmao or
3 Takhmau?

4 A. I myself am not sure as well. Some people say it's Ta Khmao
5 while others say it's Takhmau.

6 [14.21.03]

7 Q. Thank you. In relation to your request for a car from Ta Kit
8 and then Ta Kit gave you one, in what capacity did you come to
9 request for a car?

10 A. I was sent with Cheal by the district secretary to go and get
11 a car from him.

12 Q. Did you come to ask for a vehicle by yourself or was it
13 already assigned to the district and you just came to pick it up?

14 A. The district secretary instructed me and another person -
15 Cheal (phonetic) -- to go and meet Ta Kit to get a vehicle and
16 when I came to meet Ta Kit, then I asked him for a vehicle and he
17 said, "Oh, you only need one car, if you want you can get five or
18 10 cars", and then we picked one car and after we actually fixed
19 it a little bit, it was ready to go, so I told Ta Kit that yes,
20 we could get a car as we fixed the ignition and then he gave us
21 that car.

22 [14.23.00]

23 Q. And when was it when you came to request for a car?

24 A. I believe it was in 1977, but I cannot recall the month.

25 Q. Was it during a rainy season or a dry season?

1 A. It was during a dry season and there were plenty of lobsters
2 at the time; that was the lobster season, from what I can recall.

3 Q. Does it mean it was in late 1977?

4 A. Yes, that is correct because Ta Kit gave us three or four
5 large baskets of lobsters.

6 Q. Thank you. Now I would like to put some questions to you in
7 relation to Ta Soeun. You said you had conflicts with Ta Soeun.
8 In the same document that I just read out the extract -- that is,
9 document E319.1.31, at question/answer 48, you were asked the
10 following question -- and I quote:

11 [14.24.54]

12 Question: "What position did Ta Soeun hold?"

13 Answer 48: "When Ta Soeun became the governor of Kaoh Andaet
14 district, he arrested all three former district committees of
15 Kaoh Andaet district and took them to be killed." End of quote.

16 You already confirmed about the conflicts that you kicked Ta
17 Soeun twice. My question to you is the following: What
18 circumstances led to the arrest of the district committee of Kaoh
19 Andaet district and that Ta Soeun took that position?

20 A. It was clear that the three members of the district committees
21 of Kaoh Andaet were district; Ta Soeun sent the sector police to
22 arrest them and then sent them to Ta Choeun (phonetic), the
23 office chief, and Ta Soeun then replaced them together with Ta
24 Nhev. I did not know the nature of the conflicts between them or
25 whether the former committee members were accused of being KGB

1 agent or not.

2 Q. You stated that you did not know the three members; did you
3 know the fate of the three members?

4 A. No, I did not. I only knew that they were sent away and they
5 never returned. They actually took their positions immediately
6 after they were sent out.

7 [14.27.34]

8 Q. Thank you. In relation to conflicts within the cooperative --
9 and as you testified yesterday at around 1.30 in the afternoon,
10 you said people were killed because of causing conflict in the
11 cooperative. Can you enlighten the Chamber as to what you meant
12 when you said "conflict within the cooperative"?

13 A. I refer to minor conflicts and not the serious ones. In the
14 cooperatives they instructed people to gather all the dishes and
15 potteries but the women did not give up her dishes and then later
16 on she borrowed an ox cart for months, but -- after a month, she
17 did not return the ox cart to Yeay Khom, then the person was
18 arrested, blindfolded and when Ta Mok came across, Ta Mok asked
19 for the reason of the arrest and asked to un-blindfold the person
20 and Ta Mok was angry because Ta Mok saw Cheal (phonetic).

21 [14.29.22]

22 Q. Thank you. Can you tell the Court how did you learn about that
23 event?

24 A. You mean on the arrest of Yeay Cheal (phonetic)?

25 Q. Yes, that is in relation to the arrest of Yeay Cheal

1 (phonetic).

2 A. It was about Yeay Khom coming to collect -- reclaim or collect
3 her ox cart, and then Yeay Cheal (phonetic) was arrested and
4 taken to the forest.

5 Q. My question to you is how did you know about that event?

6 A. The village of Trapeang Chruk and Trapeang Prei were close to
7 each other so it was easy to know everything that was going on.

8 Q. Did you witness this scene?

9 A. No. But I was told that it was thanks to Ta Mok's intervention
10 that her life was saved.

11 Q. When you say that they had been taken away to the forest, what
12 does that mean exactly?

13 A. This means that they were going to be mistreated and that they
14 would never be able to come back, but in fact, it was by chance
15 that Yeay Cheal (phonetic) met Ta Mok.

16 [14.31.08]

17 Q. Do you have anything else to add in relation to her position
18 in the cooperative?

19 A. When the carts and the hoes and the pots would disappear,
20 those who had made that happened were punished. They were forced
21 to cut dirt for one or two months and then they were released.

22 Q. I didn't understand this notion of opposing the cooperative.

23 Well, it was -- we are speaking here about minor offence, but you
24 said in answer to the question that they had been taken away to
25 the forest, so I don't understand exactly.

1 A. Yeay Khom really didn't pay attention at all to all of this.
2 Back then, people could be asked to dig earth, to pick cassava in
3 order to eat, and back then when we were working we were told
4 that we had to sort it out ourselves to eat and all that mattered
5 was working for Angkar.

6 [14.32.45]

7 Q. Thank you. How could you distinguish the offences that
8 consisted in opposing the cooperatives and the offences of moral
9 misconduct, how would make differences between both kinds of
10 offences?

11 A. Misconduct required being corrected and for that people were
12 asked to cut dirt, so as a punishment, people had to cut dirt and
13 if carts would disappear in the process we would then be
14 considered dissidents having committed, however, minor offences,
15 so we had to carry earth as a punishment.

16 Q. You spoke about re-education centres and about types of minor
17 offences that would lead to re-education. But if people were able
18 to correct their conduct properly, they would be released after
19 two weeks or a month, that's what you said, and you told us that
20 re-education centre and your house was close to each other. Did
21 you know methods or lessons that the prisoners had to learn in
22 order to correct their conduct?

23 A. For example, if one broke a shoulder pole, we would have to
24 work more and we had to correct our conduct and if we slept with
25 someone else's wife we would also have to correct our conduct and

1 we would have to go to the battle front in order never to do that
2 again. So, there were no serious forms of punishment against
3 these people.

4 [14.35.41]

5 Q. So you said that you would listen to Ta Chim, you would listen
6 to her educate people who had committed moral misconduct and I
7 wanted to know what was your position at that re-education
8 session.

9 A. It was open, these re-education sessions were not secret; they
10 were open to everyone. They took place at the commerce office and
11 all workers could listen to these lessons, to these re-education
12 lessons and we had to listen to the participant's experiences.

13 Q. When those who had committed more misconduct were re-educated,
14 you say that everyone could attend these lessons or these
15 sessions, so I wanted to know where those receiving these lessons
16 were placed and where those who would just be attending were
17 sitting.

18 A. Well, this took place in a cement house, a concrete house,
19 everyone was on a bed, Ta Chim would educate these people and he
20 wanted them to behave better and he did not speak about
21 executions.

22 [14.37.33]

23 Q. The villagers who were living close-by, did they attend these
24 education sessions?

25 A. No, only workers did.

1 Q. Thank you. The people who had been -- or who were being
2 re-educated, they came from which commune, from which village?

3 A. From Khpob Trabek. Well, it was always the same people, they
4 were told not to repeat their offences and then they would come
5 back a week later and they were then threatened or they were told
6 that they have to stop committing such offences and they were
7 forced not to commit the same offences again.

8 [14.39.08]

9 Q. Over the past days you told us or you mentioned annotations,
10 red ink annotations and blue ink annotations and you said that if
11 someone's name was circled in red ink that meant that these
12 district people would come to the field or they would order
13 commune people to carry out the arrest, so do you remember all of
14 this?

15 A. No. I don't know who made the decisions or where the decisions
16 came from but the district asked the militia men to go listen
17 secretly to people under their houses to listen to what people
18 would talk about and then they would report to the unit chief in
19 the district and which would lead to the arrest.

20 Q. Now regarding the listening in secret, did this happen for
21 everyone or for only the people who were suspected?

22 A. The New People were subjected to this and Base People were
23 subjected to this if there were suspects among them.

24 [14.41.03]

25 Q. My question was if people were listened to under their homes,

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1 it was because they were suspected of being linked up with a
2 certain kind of activity?

3 A. Yes, indeed that's the case.

4 Q. How did you learn about people being listened to in secret?

5 A. People working in the district came to see me at the office
6 and they told me that they were going to listen to people under
7 their houses. They told me that they had received orders from the
8 higher echelon to do that. So they went to listen to people under
9 their homes to see if they'd discussed political issues or
10 discussed matters that might be problematic. That was their way
11 of identifying dissidents.

12 MR. PRESIDENT:

13 Time has come for a short break, we will resume at 3 o'clock.

14 Mr. Ek Hoeun, please be ready for 3 o'clock.

15 Thank you.

16 (Court recesses from 1442H to 1502H)

17 MR. PRESIDENT:

18 Please be seated.

19 The Court is now back in session and before the Chamber hands the
20 floor to Counsel Kong Sam Onn, could Counsel Kong Sam Onn
21 indicate to the Chamber how much time you anticipate to conclude
22 your questioning as we need to make arrangements for the bus and
23 for the transportation as well; it's Friday today.

24 MR. KONG SAM ONN:

25 Thank you, Mr. President. I hope I can conclude before 4.00. I

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1 only need 20 to 25 more minutes.

2 MR. PRESIDENT:

3 Thank you.

4 And again, good afternoon, Mr. Ek Hoeun. Are you ready to
5 continue?

6 MR. EK HOEUN:

7 Yes, I am

8 [15.03.31]

9 MR. PRESIDENT:

10 Counsel Kong Sam Onn, you may proceed.

11 BY MR. KONG SAM ONN:

12 Thank you, Mr. President.

13 Q. And Mr. Ek Hoeun, before the break we discussed the issue of
14 circling the name in blue or in red ink and I would like to read
15 to you an extract from your interview in document E319.1.32,
16 question/answer 44.

17 Question: "When you stayed in Tram Kak district, did you ever see
18 any documents regarding sweeping clean enemies?"

19 Answer 44: "No." End of quote.

20 Mr. Witness, do you confirm that statement?

21 MR. EK HOEUN:

22 A. It is unclear to me, could you please repeat your question.

23 [15.04.47]

24 Q. No problem. Allow me to quote again.

25 Question: "When you stayed in Tram Kak district, did you ever see

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1 any documents regarding sweeping clean enemies?"

2 And your answer 44: "No." End of quote.

3 This is a question which was put to you by the OCIJ investigator
4 during your interview. Do you recall the extracts that I just
5 read out to you?

6 A. Yes, I do, but I did not see any of the documents -- that is,
7 document on the sweeping clean of the enemies. These kinds of
8 documents were considered confidential.

9 [15.05.42]

10 Q. Thank you. In the same document at question/answer 40 -- and
11 allow me to quote:

12 Question: "Did you ever see the plan to kill Vietnamese nationals
13 in written form?"

14 Answer 40: "In October 1978, I saw a document about the plan to
15 kill Vietnamese nationals."

16 Question: "Did the document mention the sweeping clean of the
17 Vietnamese nationals?"

18 Answer 41: "Yes. Initially Ta Chim put me to work in a warehouse.
19 Since the warehouse was empty, I returned to tap rubber instead.
20 One day I wanted to smoke a cigarette and I went to look for a
21 paper in the rubbish bin to roll a cigarette, then I saw that
22 document and Ta Chim said, 'if you want to smoke a cigarette, go
23 ahead and smoke but do not read that'. Having heard that, I
24 sneaked out to read the paper right away. Written in the document
25 was, 'Comrade, sweep the enemies completely clean, urgently,

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1 because there are lots of enemies in the cooperatives. From

2 Comrade Kheang, Office 870 committee'." End of quote.

3 You were asked a question on this matter by Judge Lavergne and

4 I'd like to quote another set of questions to you. First of all,

5 do you recall the statements that you made?

6 [15.07.46]

7 A. I read it, I saw it, it was not a document, a proper document,

8 it was a handwritten letter and there were only a few lines and I

9 did not know who put it in that rubbish bin, it could be an

10 anonymous letter and yes the content was there, that there were

11 instructions to sweep clean the enemy urgently because there were

12 lot of enemies in the cooperatives and in the unions and the

13 person who signed was Comrade Kim from Office 870 committee.

14 Q. Thank you. Can you elaborate a little bit further on the form

15 of the letter, was it handwritten or was it typed?

16 A. It was handwritten and it was a bad handwriting. I found it

17 difficult to read so I asked the greffier to help me to read it

18 and he read out the same thing that I understood.

19 Q. How was it written; for example, on what piece of paper?

20 A. It was a piece of paper about the size of my palm.

21 Q. What kind of paper was it, was it from a notebook or what was

22 it?

23 A. I cannot recall it; I did not spend time to examine what kind

24 of paper it was.

25 [15.09.45]

1 Q. Thank you. I'd like to move to another topic that is the
2 marriage.

3 You have testified quite a lot on this topic and I'd like to
4 touch upon it by quoting a reference from Yeay Boeun's testimony
5 on 4 May 2015. Khoem Boeun testified before this Court and on the
6 transcript it was at 09.52.52, I will read the quote from the
7 transcript and Mr. Ek Hoeun, please listen and I will put
8 question to you after I read the extract from this transcript. Do
9 you understand the process, Mr. Ek Hoeun? Can you hear me?

10 A. It is difficult to hear you.

11 [15.11.31]

12 Q. I just informed you that I will read out the testimony of
13 Boeun who testified before this Court last week and after that I
14 will put questions to you. And allow me to quote.

15 Question; "What kind of re-education, can you elaborate a bit
16 further?"

17 Answer: "Yes, we had to re-educate the New People and the same
18 thing applied to the Old People in order to avoid the conflict
19 between these two people as they did not know each other yet and
20 the New People had just arrived and the Old People had been
21 there", and a few lines later she continued, "The upper echelon
22 did not instruct us to allow the marriage of the New People with
23 the Old People as the New People had just arrived and that they
24 did not know each other yet and that they did not trust each
25 other yet and that is the truth." End of quote. [Free

1 translation]

2 Mr. Ek Hoeun, have you heard the extracts that I have just read
3 out?

4 A. Yes, I did not hear any mentioning about the prohibition of
5 the marriage between Old and New People but in the communes where
6 I was, anyone could marry anyone if it was consented, regardless
7 whether they were Old or New People. And of course, if anyone had
8 conflict, then that person would be sent to carry earth.

9 [15.13.55]

10 Q. Thank you. And in your village and commune, were there any
11 couples that one of them was Old or Base People?

12 A. In my village and commune, there were no New People and one of
13 the village was known as a model village.

14 Q. Can you confirm that there were no New People living in your
15 commune?

16 A. Yes.

17 Q. Can you tell the reason that no New People were sent to settle
18 in your commune?

19 A. Because the village was considered a model village and there
20 were no New People living in that village, they did not come to
21 that village.

22 Q. Did you know about the marriages celebrated under the period
23 of Democratic Kampuchea and it was between the Old People and the
24 Base People, to your knowledge?

25 A. No, I did not know about that and I did not know much about

1 the marriages. If they got married, they got married in their
2 respective villages or commune.

3 [15.15.50]

4 Q. And let me confirm, you just stated that you never attended
5 any marriage ceremony during the period of Democratic Kampuchea,
6 am I correct?

7 A. Yes, that is correct. I came to live in Chup; I saw a marriage
8 celebration of 400 couples and that happened in September 1978.

9 Q. Mr. Ek Hoeun, I would like to ask you about the event in Tram
10 Kak district. Do you have any knowledge of the marriage that took
11 place in Tram Kak district?

12 A. No, I did not. I never attended any marriage ceremony.

13 Q. Did you have any information about any forced marriage at your
14 location?

15 A. The persons who were interested in a partner, the person would
16 have to make a proposal to Angkar at the district level and once
17 there were enough proposals then the Angkar at the district would
18 organise the marriage.

19 [15.17.27]

20 Q. Mr. Ek Hoeun, you do not need mention about any example of
21 marriage or events that happened after 1979, we are interested in
22 the events that took place before 1979. Mr. Ek Hoeun, let me move
23 on to another issue that is in relation to Mr. Pech Chim, who is
24 your elder brother in-law; is that correct?

25 A. Yes, that is correct, but in fact he divorced his wife in July

1 1980 and he remarried another woman, so he and I seem to be
2 distant.

3 Q. Can you tell the Court when did you get to know Pech Chim?

4 A. Please repeat your question.

5 Q. When did you first get to know Pech Chim?

6 A. We were living in the same village and we all knew about the
7 relatives, about the parents, the grandparents or the great
8 grandparents.

9 [15.19.07]

10 Q. Thank you. Do you know when Pech Chim left Tram Kak district
11 for Kampong Cham province?

12 A. It was in March 1977, he went to North Zone to take charge of
13 a rubber plantation and in August 1978, he went to take charge of
14 a factory but the factory was also part of the rubber plantation
15 management.

16 Q. Thank you. When you left Tram Kak to the rubber plantation in
17 Kampong Cham, had Pech Chim arrived before your arrival and did
18 you meet him there?

19 A. I arrived at 5.00 in the morning and I saw him there at the
20 Chup rubber plantation. He was transferred from Chamkar Andoung
21 to the Chup plantation.

22 Q. So when you arrived at the rubber plantation, you met Pech
23 Chim on the first day of your arrival; is that correct?

24 A. Yes, because in the morning there was a meeting to organise
25 the forces that had just arrived and I was not appointed to

1 engage in any specific task.

2 [15.21.02]

3 Q. During the period of Democratic Kampuchea regime, did you have
4 any conflict or argument with Pech Chim?

5 A. No, I did not. I had to please him since he was a teacher and
6 later on he was district secretary, et cetera.

7 Q. Thank you. And later on, do you have any personal conflict
8 with Pech Chim?

9 A. It's a long story. In 1979 when the Vietnamese troops arrived,
10 we fled to the forest together and by 1980 -- that is, in January
11 1980, he called me to a meeting and I was set a plan to clear a
12 forest for a plantation and I said that we could not clear the
13 forest as the Vietnamese would hear the noise from the falling
14 trees and then he shouted at me and he said that that's the
15 reason I didn't want you to call you to come along and he was
16 very angry at me but I didn't notice that and when I returned to
17 my place, the three young men came and they were weeping and I
18 asked why they were weeping and then they said that he instructed
19 them to come and kill me but they did not want to kill me, so
20 then at night time, we fled to the rubber plantation and then Ta
21 Chim sent a unit from the Centre army with grenade launcher to
22 come and locate me. I was asked a question what I did in Kampong
23 Thom, and I said I did not do anything much and we didn't have
24 much food to eat as we only ate leaves and fish as the Vietnamese
25 troops were somewhere around and at that time, those soldiers

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1 they had some AK-47 rifles and a grenade launcher on his shoulder
2 but I was not afraid of them at the time and that's what
3 happened. And later on, we went up to Damrei mountain in July
4 1980 and I was asked to work and I refused and then I was accused
5 of being a deserter and Ta Chim said that we were fighting the
6 enemy and the enemy was everywhere in the country.

7 [15.24.42]

8 Q. Thank you, Mr. Ek Hoeun. Sorry for my interruption, I think I
9 get your point and allow me to ask another question. During the
10 period of Democratic Kampuchea regime that you always respected
11 and followed the instructions of Pech Chim and only after 1979,
12 you had conflicts with him. My question to you is the following:
13 What was the cause of your upset with Pech Chim and that you
14 wanted to kill one another, what was the main point or the main
15 reason for that?

16 A. Yes, I can. First, as I said, he called me to a meeting to
17 clear the forest and I said we could not do it as the noise would
18 be heard over by the Vietnamese troops nearby and then he was
19 angry and he shouted to me in a strong voice, then he sent young
20 men to kill me, but then they didn't dare to do it, then I fled
21 to a rubber plantation and that was the conflict that he sent
22 people to kill me.

23 [15.26.25]

24 Q. You talked about Chamkar Andoung and the rubber plantation,
25 where was the location?

1 A. It was in Stueng Trang in Kampong Cham province.

2 Q. What year was it?

3 A. He threatened me and that happened in January 1980, and then I
4 fled to the Chup plantation in February.

5 Q. Besides your personal conflict between you and Chim when he
6 asked you to clear a forest and later you put that aside, and
7 when you refer to his character during the period of Democratic
8 Kampuchea regime, what can you say in his capacity as Khmer Rouge
9 cadre?

10 A. When he was in the district, he was alright. He didn't get
11 angry with anyone and sufficient food was provided by him, but
12 later on he became angry at me.

13 [15.27.52]

14 Q. Now, are you still upset with him?

15 A. At the time that he sent people to kill me I was very angry
16 but now I don't feel the anger anymore.

17 Q. Do you maintain any relationship with him?

18 A. One day he came to a ceremony at his nephew's house and he
19 came to my house and he spoke to me and asked me whether I would
20 go to Phnom Penh or not and he was accusing me of telling the
21 people in Phnom Penh that he was deputy chief of the district and
22 he asked me what did he do wrong that he was accused of being
23 deputy chief of the district and he spoke about that.

24 Q. I don't really get your answer. When you said "deputy chief of
25 the district", whom did you mean?

1 A. I refer to Ta Chim. When Ta Chim asked me whether I had been
2 to Phnom Penh and I said I went to Phnom Penh with some
3 foreigners and I was told about his position as deputy chief, and
4 I was told -- question was put to me about Ta Chay, about him, et
5 cetera in relation to their position during the Democratic
6 Kampuchea period.

7 [15.29.46]

8 Q. Thank you. Did you have really intense argument when you met
9 him last during that time?

10 A. No, that's what I said and he said that I was his relative and
11 that he did not mention any position that I held during the
12 period of Democratic Kampuchea, that's what he said. And it was
13 kind of casual after that.

14 MR. KONG SAM ONN:

15 Thank you, Mr. Ek Hoeun. Mr. President, I don't have any further
16 questions for this witness.

17 MR. PRESIDENT:

18 Our proceedings today come to a conclusion a bit earlier as there
19 is no reserve witness for today so the Chamber will adjourn it
20 now and resume on Monday, 18 May 2015, commencing from 9 o'clock
21 in the morning. On Monday, 18 May 2015, the Chamber will hear
22 testimony of witness 2-TCW-986. This information is for the
23 Parties and the public.

24 Mr. Ek Hoeun, the Chamber is grateful of your testimony via video
25 link as a witness during the last two days and your testimony may

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1 contribute to ascertaining the truth in this case and your
2 testimony now comes to a conclusion. You may rest and we wish you
3 good health and all the best.

4 Do you hear us, Mr. Hoeun?

5 [15.31.44]

6 MR. EK HOEUN:

7 Yes.

8 MR. PRESIDENT:

9 You may now be excused.

10 MR. EK HOEUN:

11 I wish you, Mr. President, all the happiness and prosperity.

12 MR. PRESIDENT:

13 Thank you.

14 Security personnel, you are instructed to take the two Accused
15 back to the detention facility and have them returned to attend
16 the proceedings on the morning of Monday, 18 May 2015, before 9
17 o'clock.

18 The Court is now adjourned.

19 (Court adjourns at 1532H)

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