



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

ឯកសារដើម
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TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

4 June 2015
Trial Day 291

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

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Ms. CHET Vanly	Khmer
Judge FENZ	English
Ms. GUIRAUD	French
Mr. KOPPE	English
Mr. LYSAK	English
Judge LAVERGNE	French
The President (NIL Nonn)	Khmer
Mr. SENG Leang	Khmer
Ms. SOU Soeurn (2-TCW-887)	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0901H)

3 MR. PRESIDENT:

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

5 Today the Chamber hears the testimony of a witness, 2-TCW-887. We
6 also wish to inform the Parties that this witness requires the
7 support of a TPO staff during the testimony, and the Chamber
8 agrees to the request. And WESU is responsible for coordinating
9 the TPO staff.

10 Ms. Chea Sivhoang, please report the attendance of the Parties
11 and other individuals at today's proceedings.

12 [09.03.01]

13 THE GREFFIER:

14 Mr. President, for today's proceedings, all Parties to this case
15 are present.

16 Nuon Chea is present in the holding cell -- in the waiting room
17 downstairs as he waives to -- waives his direct presence in the
18 courtroom. His waiver has been delivered to the greffier.

19 The witness who is to testify today -- that is, 2-TCW-887,
20 confirms that to his (sic) knowledge he (sic) has no relationship
21 by blood or by law to any of the two Accused, that is Nuon Chea
22 and Khieu Samphan, or to any of the civil parties admitted in
23 this case. The witness took an oath before the Iron-Club statue
24 this morning, and there is no reserve witness today.

25 [09.04.02]

1 MR. PRESIDENT:

2 Thank you. And the Chamber now decides on the request by Nuon
3 Chea.

4 The Chamber has received a waiver from Nuon Chea, dated 4 June
5 2015, which states that due to his health -- that is headache,
6 back pain, he cannot sit or concentrate for long, and in order to
7 effectively participate in future hearings, he requests to waive
8 his rights to participate in and be present at the 4 June 2015
9 hearing. Having seen the medical report of Nuon Chea by the duty
10 doctor for the Accused at the ECCC, dated 4 June 2015, who notes
11 that Nuon Chea has a chronic back pain when he sits for long and
12 dizziness when he moves, and recommends that the Chamber so grant
13 him his request so that he can follow the proceedings remotely
14 from the holding cell downstairs.

15 Based on the above information and pursuant to Rule 81.5 of the
16 ECCC Internal Rules, the Chamber grants Nuon Chea his request to
17 follow the proceedings remotely from the holding cell downstairs
18 via an audio-visual means.

19 The AV unit personnel are instructed to link the proceedings to
20 the room downstairs so that Nuon Chea can follow the proceedings
21 remotely. That applies for the whole day.

22 Court officer, please usher the witness as well as the TPO staff
23 into the courtroom.

24 (Witness enters courtroom)

25 [09.07.54]

1 QUESTIONING BY THE PRESIDENT:

2 Good morning, Madam Witness. What is your name?

3 MS. SOU SOEURN:

4 A. My name is Sou Soeurn.

5 Q. Thank you, Madam Sou Soeurn. When were you born?

6 A. I cannot recall it.

7 Q. How old are you this year?

8 A. I am 79 years old.

9 Q. When (sic) were you born?

10 [09.08.50]

11 A. I was born in Chhuk Khsach village, Chhuk Khsach commune,

12 Baray district, Kampong Thom province.

13 Q. Where is your current address?

14 A. Currently, I live in Anlong Veang commune, Anlong Veang

15 district.

16 Q. What is your current occupation?

17 A. I don't have any job at the moment.

18 [09.09.33]

19 Q. What are the names of your parents?

20 A. My father is Lim Seb and my mother is Duch Thou.

21 Q. What is your husband's name and how many children do you have?

22 A. My husband is Ke Pauk. We have six children.

23 Q. Thank you, Madam Sou Soeurn. The greffier made an oral report

24 that to your best knowledge, you are not related by blood or by

25 law to any of the two Accused -- that is, Nuon Chea and Khieu

4

1 Samphan, or any of the civil parties admitted in this case; is
2 the information accurate?

3 A. I am not related to any of them.

4 Q. The greffier also said that you already took an oath before
5 your appearance this morning; is that true?

6 A. Yes.

7 [09.11.02]

8 Q. The Chamber now would like to inform you of your rights and
9 obligations as a witness. Madam Sou Soeur, as a witness in the
10 proceedings before the Chamber, you may refuse to respond to any
11 question or to make any comment which may incriminate you. And
12 that is your right against self-incrimination. And this means
13 that you may refuse to provide your response or make any comments
14 that could lead you to being prosecuted. And Madam Sou Soeur,
15 now on your obligations. As a witness in the proceedings before
16 the Chamber, you may respond to any questions by the Bench or
17 relevant Parties except where your response or comments to those
18 questions may incriminate you as the Chamber has just informed
19 you of your rights as a witness. Also as a witness, you must tell
20 the truth that you have known, heard, seen, remembered,
21 experienced or observed directly in relation to any event or
22 circumstance relevant to the question that the Bench or Parties
23 pose to you. And Madam Sou Soeur, have you been interviewed by
24 investigators of the Office of the Co-Investigating Judges? If
25 so, how many times, when and where?

1 [09.12.41]

2 A. I was interviewed once at Anlong Veang.

3 Q. And before you entered the courtroom, have you reviewed your
4 written records of your statement or you have it read out aloud
5 to you in order to refresh your memory?

6 A. I asked my younger sibling to read it aloud to me.

7 Q. And to your best knowledge, does the written record of your
8 interview reflect the statements you made before the OCIJ
9 investigators at Anlong Veang?

10 A. Now I tend to forget a lot. And in the past I can recall a lot
11 of things.

12 Q. This is not what I meant. After you have your written record
13 of interview read aloud to you by your younger sibling -- that
14 is, regarding your interview at Anlong Veang, does that written
15 record reflect what you spoke to the investigators at the time?

16 A. Yes, it reflects what I said, but now I tend to forget a lot.

17 [09.14.48]

18 MR. PRESIDENT:

19 Pursuant to Rule 91bis of the ECCC Internal Rules, the Chamber
20 gives the floor to the Co-Prosecutors first to put question to
21 this witness. And the combined time for the Co-Prosecutors and
22 the Lead Co-Lawyers for civil party is three sessions. And the
23 Co-Prosecutor, you have the floor.

24 QUESTIONING BY MR. LYSAK:

25 Thank you, Mr. President. Good morning, Your Honours, Counsel,

6

1 Madam Witness. I'll be putting questions to you this morning. My
2 name is Dale Lysak. I'm one of the prosecutors at the Court. I
3 want to start with some questions about your and your husband's
4 background. You stated in your OCIJ interview, document E3/5294,
5 that you were married to your husband, Ke Pauk, when you were 22
6 years old. By my calculation, if you are 79 today, you were born
7 around 1936, which would mean that you were married to your
8 husband around 1958; is that correct? Do you remember the year
9 when you and Ke Pauk were married?

10 [09.16.36]

11 MS. SOU SOEURN:

12 A. Allow me to respond. I had a child in 1962, and that was three
13 years after our marriage.

14 Q. Thank you. Can you tell us where you and Ke Pauk lived after
15 you were married? And also, can you tell us whether he was
16 already part of the revolution at the time you were married?

17 A. No, he did not at the time as he was still engaged in rice
18 farming.

19 Q. And where was it that you and your husband lived after you
20 were married in 1959?

21 A. I live in Chhuk Khsach that is in Baray district, Kampong Thom
22 province.

23 [09.18.15]

24 Q. Madam Witness, your husband gave an interview before his death
25 which I'm going to read to you from time to time today to see if

7

1 that helps refresh your recollection on some matters. That
2 interview is document E3/2782, also E3/2783, just so the Parties
3 are aware that the same interview is in two different documents
4 and the French translation is only in the second document. That's
5 why I'll be referring to both E3 numbers.

6 The ERN reference I would like to read to you is at English,
7 00089708; Khmer, 00095547; and French, 00596203. In this
8 interview, Ke Pauk your husband starts by describing his
9 background as follows: "I joined the struggle since 1949 in the
10 Khmer Issarak period. After the Geneva Convention, I abandoned
11 the struggle and returned home. In 1957, Sieu Heng, the secretary
12 of the Party, contacted me and told me to rejoin the struggle. I
13 did so and enlisted into the Party in Svay Teab sub-district,
14 Chamkar Leu district." Continuing in the next paragraph: "In
15 1958, after I became a member of the Party, they assigned me to
16 conduct some activities in Chamkar Leu district, my birth place."
17 Let me ask you just a couple of things here. First of all, is it
18 correct that your husband came from Chamkar Leu district?

19 [09.20.36]

20 A. I am not sure on this point and I did not know when he joined
21 the Revolution.

22 Q. Do you remember whether you moved to Chamkar Leu district at
23 some point after you and Ke Pauk were married?

24 A. After our marriage, we went to live in Praeus Meas village,
25 Chamkar Leu, Chamkar Andoung district.

1 [09.21.28]

2 Q. The next page of your husband's interview, he describes some
3 events from the 1960s relating to the Communist Party of
4 Kampuchea. And he states: "In mid-1967, the Zone Committee was
5 composed of Koy Thuon as secretary and I the deputy secretary,
6 and Doeun, Sreng, Bra, Thaong, and (sic) Sam-At as members. At
7 that time, Brother Nuon was away to Prey Chhor to assign horses.
8 In 1968, I began working in the jungle."

9 First question; did you go with your husband to the jungle in
10 1968 or did you and your children live somewhere else at that
11 time?

12 A. At that time, I did not stay with him. We lived separately
13 since 1967.

14 Q. The statement from your husband that I just read refers to
15 Brother Nuon organising or assigning horses in Prey Chhor
16 district. Did you know Nuon Chea during this time period? And do
17 you remember the first time that you met Nuon Chea?

18 [09.23.22]

19 A. At that time, I did not know him yet. And I got to know him
20 only when I was in Phnom Penh.

21 Q. And when was it that you lived in Phnom Penh? And could you
22 tell us about how you got to know Nuon Chea when you were living
23 in Phnom Penh?

24 A. That was the time that I came to earn a living in Phnom Penh.
25 And I was called to be a cook. And I apologise if I cannot recall

1 the details of the event.

2 Q. You stated in the first answer of your OCIJ interview,
3 E3/5294, that you joined the Revolution in 1969, while you were
4 living in Phnom Penh. Can you tell us whether it was in
5 connection with joining the Revolution in Phnom Penh that you
6 first met Nuon Chea?

7 [09.25.03]

8 A. At that time, I was called to be a cook and that was the time
9 I got to know him. I met him and of course, they discussed about
10 the work. But I did not understand about the nature of the work,
11 so I resorted to become a cook for them.

12 Q. And could you tell us, you were cooking for Nuon Chea and
13 other people -- can you tell us who it was that you were cooking
14 for at that time?

15 A. I did not see him. I cooked in the kitchen and it was someone
16 else who took the food to him.

17 Q. In the same answer, your first answer of your OCIJ interview,
18 you describe how you left Phnom Penh with your daughter to join
19 the marquis in October 1970, and how you were taken to a location
20 in the deep forest near the Stueng Chinit River, where you met
21 your husband. The location where you met your husband near the
22 Chinit River, was this a location where a number of Party leaders
23 were located? Was this a headquarters or base of the Party?

24 A. It was a military headquarters, and I did not see any senior
25 leaders there. I only saw military commander.

10

1 [09.27.28]

2 Q. Who were the military commanders who were at that location?

3 A. It related to the work of my husband.

4 Q. Can you tell us a little bit about what your role -- what the
5 role or work of your husband was at the time you joined him in
6 the marquis?

7 A. At that time, his position was simply a cadre.

8 Q. When you went to live in the forest in 1970, did your son Ke
9 Pich Vannak, did he live in the same location as you?

10 A. Yes. Initially, my son lived in Kampong Cham, and I went to
11 that location along with my daughter.

12 Q. I want to read to you an excerpt from the interview of your
13 son. It's document E3/35, at Khmer, 00340560 - 61; English,
14 00346147; French, 00367718 - 719. And this is part of his first
15 answer in his OCIJ interview. He testified that between 1970 and
16 1973, he lived at a site in Stueng Trang district, Kampong Cham,
17 that was the Party centre headquarters; that during the day, he
18 was taught by Pol Pot's wife Khieu Ponnary, who he called
19 grandaunt Ry; and that at night, he would give massages to Pol
20 Pot, who he referred to as granduncle Sar alias granduncle Pol.
21 My question for you, Madam Witness, did you have regular contact
22 with Pol Pot and his wife, like your son, during the 1970 - '73
23 time period?

24 [09.31.04]

25 A. Personally, I was not close to them. Although I -- we stayed

11

1 in the forest together, I was not close to him. And I did not
2 know how close my son was to them.

3 Q. Did you see Pol Pot and his wife from time to time during
4 those years?

5 A. I met them when I was living in the forest. I met them
6 sometimes, and they were referred to as "bong". When I was
7 allowed to go and meet them, I could go to see them, although we
8 lived in the same forest.

9 Q. In his OCIJ interview, again at Khmer, 00340561; English,
10 00346148; French, 00367719; your son testified that he also saw
11 Khieu Samphan at the Party headquarters in the forest when he
12 lived there between 1970 and 1973. He referred to Khieu Samphan
13 as granduncle Hem. My question for you; did you also see Khieu
14 Samphan at that location during those years?

15 [09.33.17]

16 A. I -- it appears that I did not meet him. As I stated, my son
17 was living in a separate place. So if he met, I did not know
18 about that. I may have met him or those people once in a while.

19 Q. Do you remember, Madam Witness, the first time that you met
20 Khieu Samphan?

21 A. I do not recall it. I do not recall when I met him and where I
22 met him.

23 Q. I want to move now to the period beginning in 17 April 1975.

24 And I first want to ask you about what your husband's -- read you
25 an excerpt from your husband's interview. And this is again

1 E3/2782 and 2783, ERN references, Khmer, 00095550 - 51; English,
2 00089711 - 712; and French, 00596208. And in this document, your
3 husband states that after 17 April 1975, he became the secretary
4 of what was then the North Zone and what would later become the
5 Central Zone. And he also states that Koy Thuon who had been the
6 secretary of the zone was transferred to Phnom Penh, to the
7 Ministry of Commerce. My question for you; did your husband ever
8 tell you why he was promoted to zone secretary, and Koy Thuon was
9 sent to the Ministry of Commerce after the 17th of April 1975?

10 [09.36.35]

11 A. What I knew is that my husband became the zone secretary, and
12 I did not know about the arrangement of his position. As I
13 stated, as a female, I was not allowed to know the affairs in
14 detail.

15 Q. Do you remember how you first learned that your husband had
16 been appointed the North Zone secretary?

17 A. I do not know. From that time onwards, I heard people address
18 him as such. I asked him about that, and my husband told me that
19 I had to mind my own business. And others, they cared their own
20 business already.

21 [09.37.51]

22 Q. I now want to go through the positions that you held in the
23 Party through the Democratic Kampuchea regime. In your OCIJ
24 interview, E3/5294, at Khmer, 00348827; English, 00360111;
25 French, 00367803; you state that you were initially a village

13

1 chief during the 1970 - 75 period, and that at the start of the
2 Khmer Rouge regime; "When Phnom Penh was liberated, I stayed at
3 Preaek Prasab district of Kampong Cham. At that time, they made
4 me a member of the Preaek Prasab district committee. And I was
5 put in charge of receiving evacuees from Phnom Penh."

6 Madam Witness, during that time period, was Preaek Prasab
7 district part of a Sector 42 of the North Zone?

8 A. I do not -- I could not have the grasp of the information.
9 Perhaps, it was under that -- perhaps, it was the same as what
10 you stated, but I do not remember it.

11 MR. PRESIDENT:

12 Deputy Co-Prosecutor of the national side, please verify the
13 name. I heard that the name was mentioned as Preaek Prasab, but
14 actually there was no Preaek Prasab, there was only Preaek
15 Prasab.

16 [09.40.20]

17 BY MR. LYSAK:

18 Thank you, Mr. President. Let me clarify. Perhaps, I mispronounce
19 it. Was the name of the district that you were appointed to in --
20 after April 1975 Preaek Prasab?

21 MS. SOU SOEURN:

22 A. Yes, it was Preaek Prasab.

23 Q. Let me see if I can refresh your recollection on this. This is
24 another excerpt from your husband's interview E3/2782 and 2783 at
25 Khmer, 0095551; English, 0089713; French, 00596210. Your husband

14

1 gave a description here of the structure of the Central or old
2 North Zone. He stated it was divided into three regions; Regions
3 41, 42, and 43. And in regards to Region 42, he said it consisted
4 of Tang Kok (phonetic), Baray, Stueng Trang, Chamkar Leu and
5 Preaek Prasab districts. Does that refresh your recollection,
6 Madam Witness, that there were five districts that formed Sector
7 42 including both Preaek Prasab and Chamkar Leu?

8 [09.42.27]

9 A. I do not recall it. I remembered that Preaek Prasab and
10 Chamkar Leu were within that sector. I may have remembered that
11 before but I do not recall it now.

12 Q. Fair enough. Going back to the history of your positions, in
13 your interview -- OCIJ interview E3/5294, you say that you lived
14 in Preaek Prasab district for approximately half a year, at which
15 time you were sent to Chamkar Leu district and nominated on the
16 Chamkar Leu district committee in charge of women. Do I
17 understand correctly that it would have been in the latter part
18 of 1975, half a year after 17 April 1975, that you moved to
19 Chamkar Leu district and became a member of that district
20 committee?

21 A. It is correct. I stayed in Preaek Prasab district for half a
22 year and I was transferred to Chamkar Leu district after that
23 time. I worked in Chamkar Leu for one year. At that time, I was a
24 member of the district committee. There was only one female; that
25 was me at that time.

1 [09.44.34]

2 Q. And in regards to your assignment to Chamkar Leu district, you
3 stated, "I was appointed by the sector secretary. Tol was the
4 sector secretary." My question, Madam Witness, the person you
5 identify as the sector secretary, Tol, was he a cousin of your
6 husband?

7 A. No. He was not related to my husband. He was living in the
8 same province of my husband's. He and my husband were not
9 related.

10 Q. How long had you known the sector secretary Tol? How long had
11 you and your husband known him?

12 A. I only came to know him when he became the chief of the
13 sector. And as for my husband, I did not know when my husband
14 knew this individual.

15 [09.46.23]

16 Q. Thank you. You identify in your interview another person who
17 was also on the Chamkar Leu district committee, by the name of
18 Ban. Can you tell us who Ban was?

19 A. Ban was a villager. He lived close to a river area. And he was
20 put in the committee. It was that time that I came to know this
21 person.

22 Q. There is a person named Ban who has testified that he was on
23 the Chamkar Leu District Committee and that he was an in-law of
24 yours, the husband of one of your cousins. Was this the same Ban
25 who you were referring to; the person who is an in-law of yours

1 and who married one of your cousins?

2 A. No. He was a villager and he was living close to a river area
3 and he was not related by blood or by law with my family.

4 MR. LYSAK:

5 And Mr. President, with your leave, at this time, I'd like to
6 provide the witness statement of the individual I'm referring to.
7 It's document, E319/19.3.86. Let me repeat E319/19.3.86. I will
8 not say the full name of this person because he is a proposed
9 trial witness, 2-TCW-950. He's someone who indicates in his
10 statement that he is an in-law of the witness and that who served
11 on the Chamkar Leu district committee. I'd like to show the
12 statement to the witness.

13 [09.49.34]

14 MR. PRESIDENT:

15 I have been informed that the witness is illiterate. She could
16 not read and write.

17 MR. LYSAK:

18 May I ask whether if she's unable to read the names that the --
19 perhaps, the TPO person could assist her in order to see if she
20 can identify this person.

21 MR. PRESIDENT:

22 Yes, you may do so. Court officer, please work on that matter.
23 You could whisper to the witness, Court officer.

24 [09.50.49]

25 BY MR. LYSAK:

1 Madam Witness, I don't want you to read the name of this person
2 -- the full name of this person out loud. I can tell you that
3 this person also used a number of aliases, revolutionary aliases,
4 one of which was Phos and another Ho. Do you remember a person
5 named Phos or Ho who served with you on the Chamkar Leu district
6 committee and who was an in-law of yours, someone who married one
7 of your cousins?

8 MS. SOU SOEURN:

9 A. First I heard the question about Ta Ban, but now the name Phos
10 was mentioned to me. I knew this individual's name and we were
11 related.

12 Q. And is Phos someone who at some point served with you on the
13 Chamkar Leu district committee?

14 A. I do not remember it. I remembered that Ban was working with
15 me. And for the remainder of my colleagues, I do not recall them.

16 [09.52.54]

17 Q. Let me ask you a general question about Chamkar Leu district.
18 Do you remember approximately how many people lived in that
19 district during the Democratic Kampuchea period?

20 A. You mean the population or you mean members of the committee?

21 Q. I mean the population. What was the population of Chamkar Leu
22 district?

23 A. I could not have the full grasp of the information because I
24 was not literate at that time. Everything depended on the
25 district secretary. I did not take note of the population of that

1 district.

2 Q. Well, let's talk about your position. You've testified that in
3 late 1975, you became a member of the Chamkar Leu district
4 committee. Did you later become the secretary of that district,
5 Chamkar Leu?

6 A. I remained a member of that committee. As I stated earlier, I
7 was the member of that committee for one year. Later on, I
8 delivered a baby and I was sick. I was in charge of female
9 workers who worked at the dam site, but I was not with my workers
10 constantly.

11 [09.55.18]

12 Q. Madam Witness, I must tell you that a number of cadres close
13 to you have testified that in late 1977, you became the secretary
14 of Chamkar Leu district. Let me read to you one of those
15 references and it comes from the document I just provided you,
16 the testimony of your in-law, Ban or Phos. In answer 10 of his
17 OCIJ interview, E319/19.3.86, he testified as follows: "Sou
18 Soeurn was appointed Chamkar Leu district secretary later,
19 perhaps in late 1977. At that time, Oeun removed me from my
20 position as the Sector 42 commerce chairman and appointed me as
21 deputy to Sou Soeurn." He has said the same thing in a number of
22 interviews. Madam Witness, does this refresh your memory that you
23 became the secretary of Chamkar Leu district in late 1977, and
24 that Phos served as your deputy at that time?

25 A. I do not recall it well because I was not working with them. I

1 may have forgotten it because it has been long time ago and my
2 memory is being weak from day to day.

3 [09.57.32]

4 Q. In the quote I just read, your in-law Ban or Phos referred to
5 Oeun -- a person named Oeun, who was the Sector 42 secretary
6 after Tol. Was Oeun your biological brother? And is it correct
7 that he became sector secretary in 1977 after Tol?

8 A. Oeun was my younger sibling. He was my biological brother. He
9 was appointed the secretary of that sector that year. As I
10 stated, I was working in that district for a brief period of
11 time. And because of my memory, I could not recall it all.

12 Q. Madam Witness, do you remember a cadre named Chim (phonetic)
13 who came from Takeo in the Southwest Zone and who was brought to
14 the North Zone in 1977 and appointed chairman of the Chamkar
15 Andoung rubber plantation that was located in your district
16 Chamkar Leu? Do you remember Chim (phonetic), this person who was
17 brought in to be the head of the rubber plantation that was
18 located in your district?

19 [09.59.37]

20 A. I do not recall it. I do not remember all, even my relatives
21 and cousin. And how could I remember other people. And I did not
22 know about the arrangement of the position for that particular
23 individual.

24 Q. Let me turn to some questions relating to the 1st January Dam,
25 Madam Witness. And I'm going to start with your son, Ke Pich

1 Vannak's OCIJ interview, E3/35, at Khmer, 00340563; English,
2 00346149; French, 00367721. He describes how in 1976, he was sent
3 to study in Phnom Penh with a person named Pich Sokha and another
4 person he called Uncle Chhy alias Chham. Did you know these two
5 people that your son studied with in Phnom Penh named Chham and
6 Pich Sokha?

7 A. I know the two individuals but they all deceased.

8 Q. Who was Chham?

9 A. Chham was the guy who worked with my husband.

10 Q. Is Chham someone who worked for your husband during the entire
11 Democratic Kampuchea regime?

12 A. He is deceased.

13 [10.02.27]

14 Q. I understand that he is deceased. My question to you is; is he
15 someone who was close to your husband and worked with him
16 throughout the entire Khmer Rouge regime?

17 A. Yes.

18 Q. And did Chham have a role in supervising the construction of
19 the 1st January Dam?

20 A. For this matter, I do not know. Chham was working for my
21 husband, he was with my husband all the time. So I did not know
22 about their business. I am stating the truth. I will not tell
23 anything that I do not know.

24 [10.03.36]

25 Q. Continuing in your son's OCIJ interview on the same pages of

1 E3/35, this is what he testified that he did after he returned
2 from his studies in Phnom Penh.

3 Question: "After you finished your study, what did they have you
4 do?"

5 Answer: "I returned to Kampong Cham and accompanied my father to
6 prepare a plan to build the 1st January Dam."

7 Question: "In what year did they begin building the 1st January
8 Dam?"

9 Answer: "The plan was developed since mid-1976."

10 My question for you, Madam Witness, do you know whether your
11 husband had communications with and needed to obtain the approval
12 of the Party leaders in Phnom Penh in regards to the plan to
13 build the 1st January Dam?

14 A. I do not know about when the construction of the dams started
15 and how long the construction lasted, as I was a female cadre. As
16 I stated earlier, I was not with my workers constantly at that
17 time. That is why I stated I do not know about this matter.

18 Q. Let me ask you a general question about your husband. How
19 often would he go to Phnom Penh for meetings?

20 A. I sometimes knew about his trips. And as I said, I lived in
21 Chamkar Leu and he was in Kampong Cham. When I went to see him, I
22 wouldn't know about his business. I would note when he went to
23 the meeting sometimes. And as I told the Court already, I
24 sometimes did not meet him for a period of three months.

25 [10.06.40]

1 Q. Did you ever accompany your husband on any of his trips to
2 Phnom Penh?

3 A. I never accompanied him to Phnom Penh. I went with other
4 female cadres and as I stated, I never went with him to Phnom
5 Penh.

6 Q. I just want to clarify that last response. I'm not sure
7 whether this was translation. Are you saying that you went to
8 Phnom Penh once with a group of female cadres? Did I understand
9 you correctly?

10 A. I went with female cadres and we went to meet Nuon Chea. And
11 as I told you already, I never went to Phnom Penh with my husband
12 but with other cadres.

13 Q. Could you please tell us about this time that you went to
14 Phnom Penh with female cadres to meet with Nuon Chea? Tell us
15 what you remember about that.

16 [10.08.31]

17 A. I do not recall it well now because it happened between 1970
18 and 1975. I do not remember the month that I was there to see
19 Nuon Chea. And I do not recall the date and the year exactly.

20 Q. What was the reason that you went with this group of female
21 cadres to meet Nuon Chea?

22 A. We went with a large group of cadres, hundreds of us. We were
23 there to attend the political study sessions. And we were there
24 to listen to the discussion about the arrangement of workers in
25 the cooperatives. And we were instructed to arrange properly the

1 workers so that we could achieve certain tons of rice per year. I
2 was mentioning about the cadres -- female cadres who were there
3 with me and listened to the instruction at that time.

4 Q. Thank you, Madam Witness. I may come back to this later. I was
5 going to turn to another subject now, Mr. President. Do you wish
6 me to continue or this is the time for our morning break?

7 MR. PRESIDENT:

8 Thank you. It is now the convenient time for a short break. And
9 the Chamber will take short break from now until 10.30.

10 Court officers, please assist the witness during the break time
11 and please invite this witness and the TPO staff back to the
12 courtroom at 10.30.

13 The Court is now in recess.

14 (Court recesses from 1011H to 1031H)

15 MR. PRESIDENT:

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

17 And the floor is given to the International Deputy Co-Prosecutor
18 to resume his line of questioning to this witness.

19 [10.31.53]

20 BY MR. LYSAK:

21 Thank you, Mr. President. Madam Witness, I'd like to turn now to
22 a few questions about the assignment of workers to the 1st
23 January Dam. In your OCIJ statement, E3/5294, at Khmer, 00348834;
24 English, 00360117; French, 00367810; you gave the following
25 testimony.

24

1 Question: "Were people from your district sent to participate in
2 the construction of the 1st January Dam?"

3 Answer: "Yes, they were. Every district was requested to send its
4 people there."

5 Madam Witness, can you tell us in total how many workers from
6 Chamkar Leu district were sent to work at the 1st January Dam?

7 [10.33.07]

8 MS. SOU SOEURN:

9 A. I do not know about workers sent to the 1st January Dam
10 worksite and I do not know either how many people were selected
11 from those various cooperatives and sent to the dam site. I was
12 not holding the list. The secretary of the district held that
13 list of people.

14 Q. You have stated in your OCIJ interview though, that one of
15 your responsibilities in Chamkar Leu district was overseeing
16 workers who were constructing the dams; is that correct, Madam
17 Witness?

18 A. I have already given my response.

19 MR. PRESIDENT:

20 International Deputy Co-Prosecutor, please rephrase your question
21 because I heard Witness say that she already gave the statement
22 to you.

23 [10.35.01]

24 BY MR. LYSAK:

25 Let me refer you specifically to what you said. Again, this is

1 your OCIJ interview, E3/5294, the reference is at Khmer,
2 00348830; English, 00360113; and French, 00367806. You were
3 discussing your responsibilities and you said: "As for me, I only
4 led the cooperative to build dams and canals." So let me ask you
5 again. Is it not true that part of your responsibilities in
6 Chamkar Leu was leading people in relation to building dams and
7 canals?

8 MS. SOU SOEURN:

9 A. I already told the Court that I did not know about the numbers
10 of people in the dam site. I selected and chose people from
11 cooperatives and I did not know how many people at the dam site,
12 because I was not the one who held the list.

13 [10.36.45]

14 Q. Madam Witness, do you know who it was who supervised the
15 workers from Chamkar Leu district who were sent to work at the
16 1st January Dam?

17 A. Each sangkat had its own chief, and the chief would bring
18 people to the dam site. And I do not know the names of those
19 sangkat chiefs. Some of them passed away and some may have
20 survived the period, but they perhaps are living in a different
21 distance -- in a far distance from my place.

22 Q. Thank you. Also in your interview E3/5294 at Khmer, 00348835;
23 English, 00360117; French, 00367811; you gave the following
24 testimony about the people who were sent from your district to
25 the 1st January Dam.

1 Question: "Did any of your people sent to construct the dam
2 disappear?"

3 Answer: "Yes, they did. And not only the 17 April People
4 disappeared but also the Base People." How did you become aware,
5 Madam Witness, that people from your district Chamkar Leu who had
6 been sent to work at the 1st January Dam had disappeared? How did
7 you become aware of that?

8 A. As for disappearance, what I knew when I was at the 1st
9 January Dam site, people were taken away for study sessions. That
10 is what I knew at that time.

11 [10.39.35]

12 Q. How is it that you knew that people were taken away for study
13 sessions?

14 A. Each sangkat chief told me certain people were taken away for
15 study session. But I did not know where they were sent to the
16 study sessions.

17 Q. And how did you know -- you said in your interview that it was
18 both 17 April People and Base People who disappeared. How did you
19 know that both 17 April and Base People from your district had
20 disappeared?

21 A. I knew this from sangkat chiefs. They told me. I was told that
22 certain people were taken away for study session and for work.

23 Q. Were there any people whose relatives had gone to work at the
24 1st January Dam who came to tell you that their relatives had not
25 returned from the worksite, and to try to find out what had

1 happened to you -- what had happened to them? Excuse me.

2 [10.41.55]

3 A. I do not know because no one came to ask me about the
4 disappearance. And if one came to ask me about their relatives, I
5 would tell them that they were taken for study session as I was
6 told by the sangkat chiefs.

7 Q. I want to now ask you some questions about your visits to the
8 1st January Dam worksite. First of all, can you tell us how many
9 times you went to visit the 1st January Dam?

10 A. I went to the 1st January Dam site many times, but I did not
11 know about the figures or numbers of workers.

12 Q. What was the reason that you went to the 1st January Dam site
13 many times?

14 A. The reason I went to the worksite many times, because my
15 husband was there working. And on some occasion, my colleagues,
16 the cadres working with me, told me and wanted me to go and see
17 the work there.

18 Q. When you would visit the 1st January Dam site, how long would
19 you normally stay when you went there?

20 [10.44.39]

21 A. Sometimes, I would stay there for two nights. It depended.
22 Sometimes, I would stay there for a few days and sometimes, I
23 would return back to my place right away. I do not remember when
24 I was there.

25 Q. When you would stay there for a couple of nights or days,

1 where would you stay at night time, where did you sleep?

2 A. There was a camp at that place -- the camp for female cadres.

3 And the cadres could go and share the sleeping quarter with

4 workers. And wherever the workers were I could be there with

5 them.

6 Q. Could you describe for us what the sleeping quarters were like

7 that you stayed at on the occasions where you stayed there

8 overnight?

9 A. The sleeping quarters for workers at the site were proper. And

10 they had proper living condition. Their sleeping condition, their

11 eating conditions were proper.

12 [10.46.57]

13 Q. Can you be a little more specific what do you mean by proper?

14 What did you sleep on at the quarters that you stayed in?

15 A. I wanted to say that I could live my life as other workers

16 did. And workers could have decent food and meal. Their

17 livelihood was fine. Angkar supported workers, provided rice and

18 food to workers. So they had decent food to eat.

19 Q. Let me ask you again. When you slept overnight in these

20 quarters, did you have a blanket or something to sleep on, or did

21 you sleep on the ground?

22 A. There were halls for workers who were working at the worksite.

23 Workers were not allowed to sleep on the ground.

24 Q. If they didn't sleep on the ground, Madam Witness, what did

25 they sleep on?

1 A. Labourers, they slept in a long hall built for them. There
2 were many workers, so they had to squeeze while sleeping. Some
3 workers had a blanket and some not. So I believe that they had
4 proper living condition because Angkar provided a blanket and
5 provided food and meal for worker.

6 [10.49.45]

7 Q. Were there beds in these halls or did the workers sleep on the
8 ground?

9 A. I gave my response already. There was a long hall and there
10 were bamboo mats for workers to sleep on. And the roof was
11 covered with tent, or the roof was made out of leaves, tree
12 leaves. There were no beds at that time. There were only mats
13 made out of small trees. And as I stated earlier, workers did not
14 sleep on the ground but they slept on the bamboo mats. During the
15 day time, workers could come to that hall and take shelter. I
16 stated many times already.

17 Q. You said -- you also said that the workers received decent
18 food. Can you tell us how many meals the workers received each
19 day and what rations of food were given to them in each meal?

20 A. As for food ration, workers had a two-time meal per day.
21 Sometimes, they had gruel and on other occasions, they had cooked
22 rice. It depended on the situation or on the reality.

23 [10.52.01]

24 Q. And where did people get water to drink at the 1st January Dam
25 site?

1 A. When they needed water, they could drink from the river or the
2 canals. In that time, there was only water from the streams,
3 river or from the wells. So they could wash themselves with that
4 water, and the water was also used to cook rice and to drink.

5 Q. Where did workers at the site go to the bathroom when they had
6 to relieve themselves?

7 A. There were no toilets. We had to relieve ourselves in the
8 forest because the worksite itself was located in the forest, so
9 the toilets were not built.

10 Q. Were there a lot of flies at the worksite?

11 A. Yes, there were flies but not many of them. When we were clean
12 and when there was hygiene, there were not many flies.

13 [10.54.10]

14 Q. Madam Witness, I'd like to read to you an excerpt from your
15 son's OCIJ interview, E3/35, at Khmer, 00340563 - 564; English,
16 00346150; French, 00367721 - 722. This is what your son testified
17 in regards to his visit to the 1st January Dam worksite.

18 "I visited the long halls in which the mobile unit was staying.
19 And I never saw or heard any people had been arrested and killed.
20 But there were complaints about food shortages. There was an
21 order from the committee to organise one group for cooking and
22 another group for gathering food. Obviously, there were food
23 shortages. I saw sick persons in each shelter and asked about
24 their condition. They said that they did not have any medicines
25 to take. I told those facts to my father who then ordered the

1 sectors to assign medics to help with the treatment of patients
2 in each shelter. But the sectors said they did not have
3 medicines. During the dam construction, I knew that there were
4 patients dying because of the lack of medicines."

5 Is it correct, Madam Witness, as a result of your visits to the
6 1st January Dam and the visits of your husband and son that you
7 were aware of food and medicine shortages at the worksite?

8 [10.56.39]

9 A. Sometimes I was aware of that. I was at the worksite once in a
10 while, so I did not have all the information. Sometimes, I could
11 see there was a decent living condition and on other occasions,
12 perhaps there were shortages of the kinds that you mentioned. But
13 I did not have that information at that time.

14 Q. Do you know whether anyone from the Party, either from the
15 zone, sectors, or the centre in Phnom Penh, was ever able to
16 supply medicine to that worksite other than a traditional
17 medicine that people have referred to as black pills or rabbit
18 drop medicine? Do you know whether sufficient medicine was ever
19 supplied to that worksite?

20 A. I do not remember it on this point. Sometimes, I did not know
21 whether medicines were sent to the worksite. I have no idea.

22 Q. I want to ask you now about another person who worked for your
23 husband. Again, I'm not going to identify him by his name as he
24 is a potential trial witness. Your Honours, this is pseudonym,
25 2-TCW-896. This is an individual who states that he was your

1 husband's nephew and driver, and that Ke Pauk was his father's
2 younger brother. With your leave, Mr. President, I'd like to do
3 the same as with the prior statement, which is provide it to the
4 witness so that -- and with the assistance of the TPO, to see if
5 she can identify and knows this person. The document is, E3/5264.
6 E3/5264.

7 [10.59.41]

8 MR. PRESIDENT:

9 You can do so.

10 BY MR. LYSAK:

11 Madam Witness, if you could either look at the name or it will be
12 read to you, please make sure to not state the name of this
13 person out loud. Do you know this person who indicates that he
14 was your and your husband's nephew and someone who worked as a
15 driver for your husband?

16 MS. SOU SOEURN:

17 A. I do not recall the name. Actually, I knew that perhaps this
18 individual may have been working with me at that time. And I do
19 not know whether he was a driver for my husband.

20 [11.01.13]

21 Q. Let me read to you one excerpt from this interview, E3/5264,
22 the ERN reference is Khmer 00271382 - 383; English, 00283343; and
23 French, 00333976 - 977. This witness indicates that he drove your
24 husband to the 1st January Dam worksite, in his words, "regularly
25 almost every day". And this is the description that he provided

1 of what he observed at the worksite.

2 "At that time, there were tens of thousands of people working
3 there. They were working hard in harsh conditions. Especially the
4 women, when they were having a menstrual period, they didn't have
5 any water to clean up themselves. So their buttocks were followed
6 and surrounded by flies. At the worksite, there were too many
7 flies which looked like bees."

8 Madam Witness, does this refresh your memories about this
9 worksite? Did you observe difficult conditions faced by the
10 female workers at the site? And did you ever talk to your husband
11 about those conditions?

12 [11.03.15]

13 A. There were many workers. And of course, I couldn't go
14 everywhere to see the workers. In some locations, there was
15 sanitation and of course, there was plenty of water. And for some
16 people who didn't do their relief properly, there were flies. And
17 as I said, I usually only visited limited locations at the dam
18 and not every worksite at the work construction site -- at the
19 dam construction site.

20 MR. PRESIDENT:

21 And Mr. Deputy Co-Prosecutor, please hold. Judge Lavergne, you
22 have the floor.

23 JUDGE LAVERGNE:

24 I would like the Prosecutor to clarify something. It appears that
25 you are referring to the testimony of someone and you say that

1 person will perhaps be heard as a witness. It has not been
2 ascertained and we propose that this person may be dead and the
3 name of the person may be on the list of persons who are
4 scheduled to appear before this Chamber. If that is the case,
5 that could change the situation slightly, probably. Let me
6 specify that this information is in document E303/3/2. Or rather,
7 E307/3/2.

8 MR. LYSAK:

9 Judge Lavergne, I'm not sure whether there is a translation
10 issue, are you saying that there is information that this person
11 may be deceased?

12 JUDGE LAVERGNE:

13 That is what I have noted. There is information to the effect
14 that, that person is deceased for which reason that person
15 wouldn't be proposed to appear before this Chamber as a witness.
16 So this raises questions as to the conditions under which that
17 statement can be used.

18 [11.06.23]

19 MR. LYSAK:

20 I haven't seen. We did a research to see if there is any
21 information like that on the case file, we didn't see that, for
22 that reason I have been using his pseudonym out of caution. Until
23 it's confirmed whether this person is deceased, may I proceed
24 continuing not using by his name?

25 Q. Madam Witness, a second part of this person's interview,

1 E3/5264, that I would like to ask you about and this is at Khmer,
2 00271381; English, 00283342; French, 00333975-976. In describing
3 the period in which he was driving your husband to the 1st
4 January Dam worksite almost every day, he says that your husband
5 was staying at a personal work place called Office 71, which was
6 located in your district, which he described as follows, Office
7 71 was in Ta Prok sub-district, Chamkar Leu district, Kampong
8 Cham province. There were two or three persons only working there
9 to prepare meals for Ke Pauk and his guests. Sometimes there were
10 foreigners such as Japanese, Europeans and Africans, visiting
11 that place." End of quote.

12 He also testified that it was only a short drive, about six to
13 seven kilometres, from that office, office 71, to the 1st January
14 Dam. Madam Witness, do you remember this work place of your
15 husband that was located in Ta Prok commune, Chamkar Leu?

16 [11.08.57]

17 MS. SOU SOEURN:

18 A. The place which was called 71, I never go there and I was not
19 sure of its location either. It's a working office and as I was a
20 wife of my husband I was not entitled to go there.

21 Q. While we were talking about the offices in Chamkar Leu
22 district, can you tell us where the district office was located,
23 where you worked?

24 A. The Chamkar Leu district office was at Thnal Baek in an area
25 called Tuol Leu (phonetic) it was located near a pagoda.

1 Q. And where was the sector office located, was it close to the
2 district office?

3 A. The sector office located near the national road but the
4 district office was far, it was on the way to -- from Chamkar Leu
5 to Stueng Trang and from my estimation the distances between the
6 two offices was about two kilometres.

7 [11.11.03]

8 Q. I want to read on the same subject, a statement from the
9 person whom you identified earlier who was an in-law of yours,
10 Ban also used the alias Phos, and in his interview, E319/19.3.73
11 again E319/19.3.73, ERN Khmer, 00800955; English, 00841966;
12 French, 00841971 - 72. This is what he said about the district
13 office.

14 "Soeurn's office was approximately 500 metres northeast of Oeun's
15 office. She lived with her five-year-old daughter named Neat,
16 security guards and about 10 servants. Soeurn was in charge of
17 the districts political affairs, and I, as her deputy, was in
18 charge of the military and another member in charge of the
19 economy. Those in charge of the district's security were Hap and
20 Chuon. The district office was situated in Bos Khnaor. Soeurn
21 always held a meeting at her house with commune chiefs to give
22 them orders and instructions for implementation." Question: "Did
23 Ke Pauk live there with Soeurn?"
24 Answer: "No, he came here only occasionally, he only spent the
25 night when he came." End of quote.

1 Madam Witness, this testimony from your in-law, is this is an
2 accurate description of the sector office and the organisation
3 set up in Chamkar Leu district?

4 [11.13.45]

5 A. The description from the statement you read out is partially
6 incorrect. For instances, I did not have any meeting with the
7 chief of the security. I know where the security office was but I
8 did not attend any meeting with the chief. There are also other
9 parts which are incorrect. For instance that I was in charge of
10 political affairs at the district, I was not. As I said, after I
11 delivered my baby I did not attend the office regularly or went
12 to worksite that often anymore.

13 Q. There may have been a translation issue, the statement I read
14 did not state that you met with the security chief. It only
15 indicated that you participated in meetings with the commune
16 chiefs. Is it correct, that you did participate in meeting with
17 the commune chiefs in Chamkar Leu district?

18 A. Yes, with the commune chiefs when they made report from that
19 level on the building of the dam, or canals or rice production, I
20 did meet with those chiefs of the communes on the production
21 matters and on agriculture and on the work plan of three harvest
22 per season and that we should achieve three tonnes rice yield per
23 hectare.

24 [11.16.06]

25 Q. I want to ask you now some questions about another event you

1 mentioned in your OCIJ interview, this is at E3/5294, Khmer,
2 00348833 - 34; English, 00360116; French, 00367809 - 810. You
3 were asked about a visit of a female delegation from Laos and
4 this is what you said.

5 "A delegation of Laotian women -- Laotian ladies came to Chamkar
6 Leu district. At that time Mrs. Ieng Thirith and I, took the
7 delegation on a tour." End of quote. My first question, did the
8 tour on which you and Ieng Thirith took the female delegation
9 from Laos, did that tour include a visit to the 1st January Dam?
10 [11.17.15]

11 A. They came to visit Chamkar Leu and their tour was limited to
12 the visit to the dams and the canals to see how people worked at
13 the worksite and how much yields of rice produce that we achieved
14 per month and the area they visited was limited to Chamkar Leu.
15 As for the visit to the 1st January Dam worksite, it was
16 organised by the other individuals and I did not know how far
17 they went with the tour to that site.

18 Q. Just so I am clear, do I understand that you were only with
19 the delegation and Ieng Thirith when they were visiting places
20 within Chamkar Leu and you did not go with them to the 1st
21 January Dam, do I understand you correctly?

22 A. Yes, that is correct as my role was limited to Chamkar Leu
23 area and I did not accompany them to the dam worksite.

24 MR. LYSAK:

25 Mr. President, I would like to provide to the witness a -- two

1 photographs E3/3282 and E3/3283, these are photos that were
2 identified as photographs of the visit of Laotian delegation.
3 With your leave I would like to show them to the witness to see
4 if she can identify either the location or any of the people in
5 the photograph.

6 MR. PRESIDENT:

7 Yes, you may do so.

8 [11.19.57]

9 BY MR. LYSAK:

10 Q. Madam Witness, I have given you -- I have presented to you two
11 photographs, E3/3282, and E3/3283. Can you look at those
12 photographs and tell me whether you recognise the location of the
13 photographs and whether you recognise any of the people in the
14 photos?

15 MS. SOU SOEURN:

16 A. The location in the photo is Tuol Leu (phonetic) in Svay Teab
17 and it was built from Boeng Teab (phonetic) to Boeng Lvea Leu
18 (phonetic). I do not recognise the people in the photo and the
19 photo is not that clear to me. I even find it difficult to
20 identify myself.

21 [11.21.12]

22 Q. The location you just described, can tell us what district
23 that was in?

24 A. It was in Chamkar Leu district and the dam worksite was Tuol
25 Leu (phonetic) along the way to Spueu, that canal straight from

1 Tuol Leu (phonetic) to Spueu and on the left it was running to
2 Lvea Leu village, that's all I know.

3 Q. Can you take a close look at the photo; particularly the
4 second photo and tell us whether you see yourself anywhere in
5 this photograph.

6 A. No, it is not clear to me and I do not recognise anyone in
7 this photo. I refer to the second photo and the same thing I can
8 say for the first photo in terms of people in that photo.

9 Q. In your OCIJ interview, E3/5294, at Khmer, 00348834; English,
10 00360117; French, 00367810; you were asked whether you remembered
11 other senior leaders coming to visit in addition to Ieng Thirith
12 and this is what you stated. "I remember Nuon Chea came to visit
13 the 1st January Dam." End of quote. Can you tell us what you
14 remember about Nuon Chea's visit to the 1st January Dam?

15 A. I cannot remember the details.

16 [11.24.00]

17 Q. Do you remember whether Nuon Chea came by himself or whether
18 he came as part of a group of people?

19 A. I didn't know at that time that he visited the location or how
20 many people actually went along with him.

21 Q. Were you present when Nuon Chea visited the 1st January Dam or
22 did you just hear about the visit from someone?

23 A. I didn't go to the actual location where he visited as I was
24 busy with my young baby and that is from my recollection of the
25 event.

1 [11.25.14]

2 Q. And who was it told you, or how did you know that Nuon Chea
3 had gone to the 1st January Dam worksite?

4 A. From what I know, the commune chief took some people to the
5 worksite and later on when he returned I was told that Nuon Chea
6 visited the worksite on that day.

7 Q. Do you know whether, when Nuon Chea came to Kampong Cham on
8 the 1st January Dam, do you know whether he met with your
9 husband?

10 A. I do not know as I was at Chamkar Leu and my husband was at
11 Kampong Cham and that is the truth.

12 Q. What about Pol Pot, Madam Witness, did Pol Pot come to visit
13 the 1st January Dam?

14 A. I didn't know at all whether Pol Pot made a visit to the
15 worksite. Usually I heard of those visits through the commune
16 chiefs as they would tell me about it.

17 Q. In your OCIJ interview, Madam Witness, you state that you were
18 invited whenever a celebration event was held at the 1st January
19 Dam and you also make reference to a Chinese delegation that was
20 led by Chen Yonggui, who visited the dam during one of those
21 inauguration ceremonies. Were you present at the inauguration
22 ceremony that was attended by Chen Yonggui and the Chinese
23 delegation?

24 A. Yes, I attended that big ceremony. I was together with some
25 female cadres. We also went to greet the Chinese delegation.

1 [11.28.27]

2 Q. I would like to read to you a report that was broadcast on the
3 Democratic Kampuchea radio on 7th December 1977. This report is
4 in document E3/1339, E3/1339, at English, 00168335 - 36; and it
5 is only available in English at this time. The report, Madam
6 Witness, is titled "Chen Yonggui visits central region 6
7 December", and it is dated the next day in 1977. I quote: "On the
8 morning of 6th December, comrade Chen Yonggui, member of the
9 political bureau of the Chinese political party central committee
10 and other Chinese guests visited cotton and rice fields in Veal
11 Spoe in the company of comrades Pol Pot, Vorn Vet, Thiounn
12 Thioeunn, minister of public health, Pauk, secretary of the CPK
13 central committee and An, deputy secretary." Continuing below,
14 "In the afternoon our fraternal Chinese guests visited rice
15 fields in the Baray area and Muoy Makara dam. Thousands of cadres
16 and people filled with profound revolutionary brotherhood were
17 also on hand to warmly welcome the visitors." End of quote.
18 Does this refresh your recollection, Madam Witness, that at the
19 1st January Dam inauguration event attended by Chen Yonggui,
20 which you were at, that Pol Pot, Vorn Vet, your husband and his
21 deputy Ta An, accompanied Chen Yonggui.

22 [11.31.04]

23 A. I cannot remember that. I attended the opening inauguration
24 ceremony but I did not attend the closing ceremony of the
25 worksite and I did not know how many senior people attending the

1 ceremonies. And As I said earlier usually I was informed by the
2 commune chiefs about such event.

3 Q. I just want to make sure that I understand you correctly. Your
4 testimony then is that the inauguration ceremony that you
5 attended was the opening inauguration and not the closing
6 inauguration that would have occurred at the end of 1977, do I
7 understand you correctly?

8 A. Yes, I like to clarify that I attended the opening
9 inauguration ceremony but from my recollection I did not attend
10 the closing ceremony when the Chinese delegation attended that
11 ceremony. At that time I was sick.

12 MR. LYSAK:

13 Mr. President, I'm about to change to a different subject, if
14 this is a convenient breaking time.

15 MR. PRESIDENT:

16 Thank you. It is now time to have a break. We'll take a break now
17 and resume at 1.30.

18 Court officer please arrange the waiting room for the witness and
19 invite her ,as well as the TPO staff, back into the courtroom at
20 1.30 this afternoon.

21 Security personnel you are instructed to take Khieu Samphan to
22 the waiting room downstairs and have him return to attend the
23 proceedings this afternoon before 1.30.

24 The Court is now in recess.

25 (Court recesses from 1133H to 1331H)

1 MR. PRESIDENT:

2 Please be seated.

3 The Court is back in session and the floor is given to the Deputy
4 Co-Prosecutor to put questions to this witness.

5 Please wait, Co-Prosecutor; you may now proceed, Mr. Koppe.

6 MR. KOPPE:

7 Thank you, Mr. President. Good afternoon, Your Honours. We have a
8 request; we would like to make some oral submissions either at
9 the end of this afternoon or tomorrow morning before we continue
10 with this witness or at the end of her testimony in relation to
11 the very recent disclosure of new statements that was notified to
12 us two or three hours ago, and also in relation to the upcoming
13 hearings at Supreme Court Chamber. I leave it to your wisdom as
14 to what would be the appropriate moment, but I just would like to
15 inform you that we have that request.

16 JUDGE FENZ:

17 Can I just ask you a question for clarification; this has nothing
18 to do with this witness? No.

19 (Judges deliberate)

20 [13.33.25]

21 MR. PRESIDENT:

22 The Chamber grants your request and you can make oral submission
23 at the end of today's -- before the end of the day.

24 You may now proceed, Deputy International Co-Prosecutor.

25 BY MR. LYSAK:

1 Thank you, Mr. President. Let me just update you on where we are.
2 I'll finish -- we will finish our questioning at 2 o'clock today.
3 The civil parties -- I hope to finish in 40 minutes -- if it's
4 possible, they tell me that they may need an additional 15
5 minutes. I hope that that won't be a problem since we have today
6 and tomorrow to finish the witness. I'd rather that we just
7 proceed until -- see if we finish by the break rather than
8 deliberate on this now but I wanted to alert you on that.

9 [13.34.20]

10 Q. Madam Witness, I have one follow up regarding what you told us
11 this morning about the 1st January Dam, you told us that there
12 were some occasions where you would spend the night and sleep at
13 the 1st January Dam worksite. My question to you is: On those
14 occasions, did your husband sleep at the same place as you and if
15 not where was it that your husband would stay on those nights?

16 MS. SOU SOEURN:

17 A. At that time my husband did not come to stay with me, we
18 stayed in different places at that time, even at the same work
19 site.

20 Q. The last subject that I want to cover with you today concerns
21 the purge of the Central or North Zone. We talked earlier today
22 about one of the Party cadres who served with your husband on the
23 North Zone committee, Tol, the secretary of Sector 42, who was
24 the one who appointed you to Chamkar Leu -- to the Chamkar Leu
25 district Committee. Can you please tell the Court what happened

1 to Tol during the Khmer Rouge regime?

2 A. I did not know what happened to him at that time.

3 [13.36.25]

4 Q. Did Tol -- was Tol arrested or did he disappear at some point
5 in 1977?

6 A. I did not know whether he was arrested or he disappeared, I
7 did not know when he was arrested and what happened to him.

8 Q. For the record, Your Honours, document E3/2956 is a prisoner
9 list from S-21, titled: "List of Persons from the North Zone";
10 Number 42 on that list is Chan Mol alias Tol, sector 42 chairman,
11 who entered S-21 on 19th February 1977.

12 Madam Witness, were there other cadres from the old North Zone
13 who also disappeared in 1977?

14 A. It seems that I do not recall it. I do not recall the cadres
15 from those Central and North Zones.

16 [13.38.23]

17 Q. Let me see if I can refresh your recollection, Madam Witness.

18 I realise that you are unable to read so I will just describe to
19 you that there are documents from S-21 that record the arrest and
20 execution of hundreds of cadres from your zone in 1977 -- E3/2956
21 -- and the list I just mentioned that includes Tol, identifies a
22 total of 94 North Zone cadres, mostly people from the zone,
23 district and sector level who were arrested and sent to S-21
24 between mid-February and end of March 1977, and document E3/3861
25 is an S-21 execution list, titled: "List of Prisoners Smashed on

1 8th July 1977, North Zone." It identifies 173 prisoners from your
2 zone who were killed at S-21 on a single day, the 8th of July
3 1977.

4 Madam Witness, did you not notice in 1977 that virtually every
5 North Zone cadre at the zone and sector and district level
6 disappeared and was replaced by people from the Southwest Zone?

7 MR. PRESIDENT:

8 Please hold on Witness. You may now proceed, Mr. Koppe.

9 [13.40.18]

10 MR. KOPPE:

11 Thank you, Mr. President. I object to the word "disappeared";
12 that word is being used all the time, sometimes appropriately,
13 sometimes inappropriately. The Prosecution has just read out a
14 list of arrests and alleged list of executions, hence these
15 people didn't disappear, so I would like the Prosecution to
16 rephrase the question and not use the word "disappear".

17 BY MR. LYSAK:

18 I'm happy to rephrase, Mr. President.

19 Madam Witness, were you not aware in 1977 that virtually every
20 single cadre at the zone, sector and district level was taken
21 away, killed, and replaced by people from the Southwest Zone?

22 MS. SOU SOEURN:

23 A. I may not have known; I noticed people were gone but I did not
24 know where they were going to. I knew only Tol, and for the rest,
25 I have no idea.

1 [13.41.42]

2 Q. Let me read to you what a couple of people close to you had to
3 say about this. In OCIJ interview E3/375, English, ERN 00360752;
4 Khmer, 00348791; French, 00369914; the in-law that we talked
5 about of yours -- Ban or Phos -- who served with you on the
6 Chamkar Leu district Committee, testified as follows - quote:
7 "After purges were conducted at the Central Zone, only four main
8 people survived: Ke Pauk, Ieng Chham, Oeun and me; all others
9 were smashed. Sou Soeurn, my older sibling in-law and Ke Pauk's
10 wife, was the committee of Chamkar Leu district." End of quote.

11 And this is what your husband had to say in his interview --
12 E3/2782 and 2783 -- ERN English, 00089713 through 714; Khmer,
13 00095552; French, 00596211; I quote your husband: "In June 1977,
14 the first stage of capturing was over. By that time only me
15 remained and the Central Zone had no cadres left. The upper
16 brothers decided to transfer cadres from the Southwest Zone to
17 fill the unoccupied positions. They sent about 200 cadres from
18 that zone." End of quote.

19 Madam Witness, do you remember the arrival of cadres of Southwest
20 Zone who came to take over and replace the old North Zone cadres?

21 A. I could not recall it.

22 [13.44.30]

23 Q. Do you know how your husband felt about the old North Zone
24 cadres being purged and replaced by cadres from the Southwest?

25 A. I do not really understand about that; as I said, he had

1 different business to do and I had my own.

2 Q. Well, let's talk about someone that was in your district,
3 Madam Witness, Number 6803 on the OCP revised S-21 prisoner list.
4 This is document E3/342 at 00329891, Number 6803 on that list is
5 a person named Nuon Roeun alias Tieng, who was identified as the
6 Chamkar Leu district secretary and Sector 42 deputy secretary who
7 entered S-21 on the 1st October 1977. Do you remember a cadre,
8 Tieng, who served as Chamkar Leu district secretary?

9 A. I heard of the name Tieng, but I have never met him or her
10 personally.

11 Q. Was this person not the secretary of Chamkar Leu district?

12 A. When I was a member in that district committee I never noticed
13 that name, perhaps I may have forgotten. I knew only Ban and
14 three others, but I could not also recall the names of the three
15 individuals.

16 [13.47.31]

17 Q. Let me try few other names from Chamkar Leu district, Madam
18 Witness. The S-21 list I mentioned earlier -- E3/2956, Number 70,
19 71, and 72 on E3/2956 -- are all cadres from Chamkar Leu district
20 who were sent to S-21 in March 1977. The three names I will read
21 for you: Mak Heang, Eng Ho alias Sin, and Sok Phal alias Saem.
22 Did you know any of those people, Madam Witness?

23 A. I only knew the individual by the name Saem; and for the rest,
24 I do not know them.

25 Q. What happened to Saem in--

1 MR. PRESIDENT:

2 Please wait, Co-Prosecutor; you may now proceed, Mr. Koppe.

3 MR. KOPPE:

4 A remark in regard to previous question about Tieng; I cannot
5 reproduce it right now but we have information that he might have
6 been a cadre in Tang Kok (phonetic) district rather than Chamkar
7 Leu district.

8 [13.49.15]

9 BY MR. LYSAK:

10 Mr. President, I'm not going to respond to that, there are other
11 sources we can have this discussion and debate it another time.

12 Q. Saem, you mentioned that you knew Saem; can you tell us what
13 happened to Saem in March 1977?

14 MS. SOU SOEURN:

15 A. I did not know the reason why he parted from the place where I
16 worked with him, that is what I recalled at that time.

17 Q. Madam Witness, do you know whether it was your husband, zone
18 secretary, who decided to arrest the North Zone cadres or whether
19 it was the Party leaders in Phnom Penh who made that decision?
20 Are you able to tell us that, who is responsible for making
21 decisions about the arrests of cadres?

22 A. Allow me to inform the Court that I do not have the full grasp
23 of the information. My husband had different task to perform and
24 I had my own to do. I have no idea about his business and task.
25 What he was doing at that time, it was under his responsibility

1 and for me, I was his wife, I did not know and I was not involved
2 in the arrest or any kind of things.

3 [13.51.35]

4 Q. Let me read to you what your husband had to say on this
5 subject. Again this is from E3/2782 and 2783; ERN references
6 Khmer, 00095552; English, 00089713; and French, 00596211; this is
7 what your husband said in his interview – quote:

8 "When I was conducting an assembly in Region 41, a messenger from
9 Phnom Penh arrived telling me to get prepared for inspection
10 mission in various locations. However, as I arrived in Phnom
11 Penh, I met Pol Pot and Brother Nuon Chea, they showed me
12 documents of all regions and ministries. Furthermore, the answer
13 was too clear to correct." Continuing below: "I said, it is
14 difficult to say because all comrades are life and death friends.
15 However, if Angkar has decided already, I do not have any
16 complaints. Some soldiers served me since 1968, but they were
17 accused of being CIAs. I did not know what to do except telling
18 them, I just put them forward for the higher level upper
19 brothers." End of quote.

20 [13.53.24]

21 Madam Witness, I realise this is a difficult subject to discuss,
22 however you were a member of the district committee, your husband
23 was the zone secretary, your brother was the sector chairman. Did
24 your husband ever talk to you about his meeting with Pol Pot and
25 Nuon Chea and the instructions he received about the arrest and

1 purge of cadres in the North Zone?

2 A. I repeatedly told the Court that my husband would know his
3 business and I minded only my own business so I did not know
4 about his contact or relation with Angkar Leu.

5 MR. LYSAK:

6 Thank you, Madam Witness. My national colleague just has a few
7 questions for you to follow up.

8 [13.55.09]

9 QUESTIONING BY MR. SENG LEANG:

10 Good afternoon, Mr. President, Parties, everyone in and around
11 the courtroom. My name is Seng Leang, I am the Deputy
12 Co-Prosecutor of the National side.

13 Q. Due to the time, I have several questions to put to you, Madam
14 Witness. This morning you stated that you selected and chose
15 people from cooperatives in order to send them to work at the 1st
16 January Dam site. You stated this at around 10.36. I would like
17 to seek your clarification on this matter. Could you elaborate on
18 the selection of people to work at the 1st January Dam site, how
19 did you select people?

20 MS. SOU SOEURN:

21 A. I chose and selected people from cooperatives to work at the
22 1st January Dam site. I was not -- I did not personally selected
23 and chose the people, the "sangkat" chiefs were the ones who
24 selected the people from their "sangkats".

25 [13.57.02]

1 Q. Could you clarify for the Court whether "sangkat" was the same
2 as commune?

3 A. In the previous time it was called "sangkat" and now we call
4 commune. The "sangkats" was the one who was in charge of their
5 own people

6 Q. Could you tell the Court how many "sangkats" were there in
7 Chamkar Leu district?

8 A. I do not remember how many "sangkats" were there in Chamkar
9 Leu district because it has been a long time ago. I was about 40
10 or 50 years old at that time so I could not recall it.

11 Q. Thank you. About selecting the peoples, how many people were
12 selected from each "sangkat"?

13 A. People were selected first from the cooperative and the list
14 was held by the district committee. For example, one "sangkat"
15 may have selected 20 to 30 people from the cooperatives. I was
16 not the one who held the list, and as I stated I was illiterate;
17 I could not read and write, I was not the one who held that list.
18 [13.59.34]

19 Q. You stated also this morning that you were in charge of
20 leading people and bringing them to work to the 1st January Dam
21 site. Could you clarify for the Court on this matter, were you at
22 the 1st January Dam site constantly with the workers?

23 A. I was not there constantly with the people but I went there
24 once in a while to visit my workers. I was not there constantly
25 or always with the workers. Sometimes I would go to visit my

1 workers for one or two days and after that I would return back to
2 my place.

3 Q. If you didn't go to the worksite frequently, did you assign
4 any of your immediate subordinate to regularly stay with the
5 workers at the 1st January Dam worksite?

6 A. For the forces from the cooperative, they will be under the
7 supervision of the cooperative chief. Likewise people -- or
8 workers from the commune would be under the supervision and
9 management of the commune chief. For me, I didn't go there to
10 have a direct supervision over those workers at the worksite.

11 [14.01.33]

12 Q. If you did not go there regularly, what happened if each of
13 the commune chief had to make a report, did they have make a
14 report directly to you or to someone else?

15 A. For the reporting process, they made it to the district chief;
16 for instance on the number of workers at the worksite as they
17 already had a list with them.

18 Q. Did you ever receive any report dealing with the working
19 condition at the 1st January Dam worksite from any of your
20 subordinates?

21 A. They had their own respective chiefs and they would make such
22 a report to the commune chiefs and each commune chief would be
23 responsible to deal with those issues and if I were to receive
24 such a report directly, I would instruct the relevant commune
25 chief to deal with those issues or to give them what they needed

1 in terms of tools or food. However, usually, there was sufficient
2 as Angkar provided them with enough material.

3 Q. In the case that you received a report on the difficulty -- or
4 the difficult situation at the worksite, what did you do with the
5 report; did you have to make a further report to the upper level?

6 A. Once I received such a report, I discussed the matter with the
7 district committee and the district committee then reported to
8 the sector.

9 [14.04.15]

10 Q. And when you received a work plan from the upper level, did
11 you have -- how do you disseminate such information to the
12 cooperative work forces at the 1st January Dam worksite?

13 A. On the issue of work plan from the upper level, the district
14 committee held a meeting and sent relevant work forces to the 1st
15 January Dam worksite. And frankly speaking, the district itself
16 or myself did not remain directly to supervise or to lead the
17 workers at the 1st January Dam worksite as we also had to lead
18 people to work at various other work -- other dams and canals at
19 various other worksites for the district and I usually supervise
20 such work force. So I did not have a detailed knowledge on the
21 condition at the 1st January Dam worksite.

22 [14.05.48]

23 Q. In the interest of time, I have my last question to you. You
24 were the one responsible for sending workers to the 1st January
25 Dam worksite, what kind of tools and equipment you provided to

1 them?

2 A. I didn't send any tools or equipment as there were sufficient
3 tools and equipment, including hoes, axes and earth carrying
4 baskets at the worksite. I only organised the work forces to go
5 there and they had to be self-sufficient with the tools and
6 equipment.

7 Q. So from what you said, those workers only utilised hoes and
8 axes for the construction of the dam, am I correct in saying so
9 and they didn't have any access to other equipment or tools?

10 A. The workers from the 1st January Dam worksite only had their
11 personal strength with axes, with hoes, carrying poles and
12 baskets and knives, and if they had sufficient food, then they
13 had the strength to carry the dirt.

14 MR. SENG LEANG:

15 Thank you, Mr. President, I don't have any more questions, I
16 would like to hand the floor to the Lead Co-Lawyer for civil
17 parties.

18 MR. PRESIDENT:

19 Thank you. The Chamber now hands the floor to the Lead Co-Lawyers
20 for civil parties to put questions to this witness. You may
21 proceed, Counsel.

22 [14.07.54]

23 MS. GUIRAUD:

24 Thank you, Mr. President. Good afternoon everyone. Before giving
25 the floor to my colleague Chet Vanly, may I inform you, Mr.

1 President, that we would like to be given 20 additional minutes
2 in order for us to be able to put all the questions we would like
3 to put to the witness. It's already 2.10 now and that is the
4 motion we're now making and I now give the floor to my colleague.

5 MR. PRESIDENT:

6 Yes, the Chamber allows that and the assigned counsel, you have
7 the floor.

8 [14.08.42]

9 QUESTIONING BY MS. CHET VANLY:

10 Good afternoon, Mr. President, Your Honours, and everyone in the
11 courtroom and good afternoon Madam Sou Soeurn. My name is Chet
12 Vanly, I'm the lawyer for civil parties.

13 Q. This morning you testified and clarified some points before
14 this Court. However, I have some additional points that I seek
15 your clarification. You are the wife of Ke Pauk who was a zone
16 secretary, and besides his role as a zone secretary, did your
17 husband hold any other positions?

18 MS. SOU SOEURN:

19 A. Regarding his duties at the zone, his other main task was to
20 lead workers to work at the 1st January Dam worksite and that's
21 about all.

22 [14.10.12]

23 Q. This morning you testified that sometimes you came to Phnom
24 Penh to visit your husband; did your husband have any specific
25 role or function in Phnom Penh?

1 A. I did not say that I came to visit my husband in Phnom Penh,
2 that is from my recollection and there was no requirement for my
3 husband to stay or to be stationed in Phnom Penh as his work
4 involved mainly at the Central Zone at the time.

5 Q. This morning you said that you came to Phnom Penh and you met
6 Pol Pot. Did you meet him in a personal capacity or was it a
7 formal meeting where you had to meet him to receive instructions?

8 A. I did not come to Phnom Penh for a personal reason, only when
9 I was called by Angkar to come then I came. It was all related to
10 my work and it's not a personal affair.

11 Q. You said that it was all related to work, what kind of work
12 can you tell us?

13 A. For instance, I was called by Angkar to attend the meeting to
14 receive the work plan for various districts and communes and I
15 did not go there alone, there were thousands of similar capacity
16 to attend the meeting to receive instructions regarding work plan
17 and work distribution for each district, commune or cooperative
18 respectively, and what we had to do to resolve the issues with
19 the people. That was the kind of work I referred to.

20 [14.12.49]

21 Q. As a wife of Ke Pauk, were you aware who were his superiors?

22 A. I only knew that Pol Pot, Nuon Chea and Khieu Samphan; besides
23 them, I do not know who else.

24 Q. Did you know how he communicated with the upper level, for
25 example, via his personal messenger or via telegram?

1 A. At that time, telegram was not used to my knowledge and the
2 communication went through his messenger. The messenger would go
3 between Kampong Cham and Phnom Penh to relay messages, and of
4 course at that time, there was no telephone or mobile phone and
5 telegram was -- and telephone -- and landline phone was used only
6 when there was such explicit instruction from the upper Angkar,
7 otherwise messenger was a common form of communication.

8 Q. Besides attending the meetings, what other means of
9 communication that your husband did in order to report to his
10 upper echelon?

11 A. I did not know the details of his work or the process of any
12 other communication.

13 [14.15.10]

14 Q. I'd like now to touch upon the 1st January Dam worksite. Does
15 the name Sao ring a bell to you?

16 A. No, he doesn't ring a bell.

17 Q. What about Chham and Sokha?

18 A. I know Chham as we used to stay together; he was his
19 messenger, and I cannot recall the name of the other person.

20 Q. It's Sokha.

21 A. I cannot recall who Sokha is; I forgot about this name.

22 Q. Can you tell the Court who was responsible for the
23 construction of the dam, was it Chham, was it Sokha, or was it
24 another person?

25 A. For such detail, I did not have a full grasp. I only knew that

1 the 1st January Dam was organised by Angkar.

2 [14.17.25]

3 Q. Please tell us if you can, why the dam was so-called the 1st
4 January Dam and what was the purpose of its construction?

5 A. To my understanding, the 1st January Dam was organised by
6 Angkar for the purpose of blocking the water for the irrigational
7 purposes for the people living in the area, stretching to Baray
8 area. That is all I understand about its purpose.

9 Q. Can you also tell the Chamber whether you were present on the
10 day of its opening inauguration ceremony?

11 A. I was there attending the inauguration ceremony.

12 Q. How was the ceremony organised? For instance, was a speech
13 given and who were the dignitaries in that inauguration ceremony?

14 A. It has been a long time and I cannot recall the details, I
15 cannot recall who made the speeches at the time.

16 [14.19.14]

17 Q. Could you please try to recall at least names of senior
18 leaders who were present there on that day -- that is, attending
19 the inauguration?

20 A. I only recall my husband and I cannot recall the rest since I
21 have bad memory these days. Of course there were senior leaders
22 and there were also cadres at my level, but most of them have
23 died.

24 Q. What was the process of the inauguration -- that is, from your
25 personal observation?

1 A. I was there but I cannot give you any detailed description of
2 the entire process.

3 Q. This morning you testified that you went to the 1st January
4 Dam worksite, and a while ago in response to the Co-Prosecutor
5 question, you said that you also visited the 1st January Dam
6 worksite. My question to you is the following: During your trip
7 or your visit to the work site -- and allow me to say that
8 workers there slept on a proper floor and the food was sufficient
9 and you also made your comment on sanitation that there was no
10 proper latrines and there were flies as people relieved
11 themselves in the open. Can you tell the Chamber the total number
12 of workers at the worksite?

13 [14.21.41]

14 A. As I stated this morning, at the 1st January Dam worksite,
15 workers slept on a floor, it was not a kind of proper floor made
16 from bamboo but the floor was made from small trees or branches
17 of trees and to my estimation, there were between 20 to 30,000
18 workers working in total at the 1st January Dam worksite. And
19 probably that is a very modest estimation, there could be up to
20 40,000 workers. And in terms of sanitation or people relieving
21 themselves, you can make personal imagination, even in your
22 family of three or four members, sometimes sanitation is an issue
23 and you could imagine when there was 30 or 40,000 workers, so
24 people resorted themselves to relieving themselves in the open
25 and that was the issue dealing with the sanitation.

1 Q. Did you make any observation regarding number of workers who
2 fell ill?

3 A. From my observation, there were some people who were ill due
4 to the number -- the excessive number of workers at the worksite
5 and due to the sanitary issues and large number of flies. The
6 medicine at the time was merely enough as we only just came out
7 of the struggle and we only liberated the country not for long.
8 [14.24.05]

9 Q. In term of workers who were seriously ill, were they treated
10 on the spot or were they referred to another hospital?

11 A. For seriously ill workers, they were sent to a hospital for
12 treatment at the Kampong Cham province. There was a state
13 hospital in Kampong Cham.

14 Q. This morning you also testified that in your capacity as a
15 member of the Chamkar Leu district, you sent people or workers to
16 the 1st January Dam worksite. Were those workers composed of both
17 male and female and can you also tell the Court the kind of
18 people you sent, for example were they regular force, or were
19 they old people or younger youth?

20 [14.25.23]

21 A. As for the forces we sent to the worksite, I already said this
22 morning it was the cooperative chief and the commune chiefs who
23 recruited those workers. They were the regular force workers,
24 meaning that they were at the range of age between 20 to 30 years
25 old. However, sometimes there were also younger people around the

1 age of 18. People older than that would remain at the
2 cooperative.

3 Q. Regarding tools and equipment, and you said this morning that
4 Angkar supplied the workers with those tools and equipment. What
5 about food, did Angkar resolve the food issue or did you yourself
6 at the district level made your own decision in terms of food
7 distribution and what about clothing?

8 A. As for clothing, it was the state who distributed it and
9 people had sufficient clothes to wear, they at least had one set
10 or two sets or sometimes three sets of clothes and Angkar had a
11 responsibility to assist with the food supply, but I cannot tell
12 you the details of how it was organised.

13 [14.27.18]

14 Q. As for the workers who were sent to work at the worksite, was
15 there a mechanism for rotation, for example 50 workers were sent
16 there and later on another group of 50 workers would be sent to
17 replace them?

18 A. Yes, there was a rotation process. For example, workers had to
19 work there for a limited number of months, then they were
20 replaced. For instance, workers at the age of around 18 or 20
21 years old would be replaced after certain period of months
22 working there and then they would be transferred to work at
23 another worksite dealing with dam or canal construction at the
24 district level

25 Q. This morning you also testified that at that worksite, people

1 disappeared, including both the Base People and the 17 April
2 People. What about the workers that you sent from your district,
3 was there any disappearance amongst those workers?

4 A. There were disappearances of both Base People and 17 April
5 People and when I asked about their disappearance, I was told
6 that they were sent for re-education.

7 Q. And did those whom you were told that they were sent for
8 re-education ever return?

9 A. They were sent for re-education and some of them returned
10 while others were said to be sent to live in another district.

11 [14.29.43]

12 Q. While you were at the worksite what was your observation
13 regarding the general situation of the workers, for example, were
14 the workers enthusiastic in doing their work, for example were
15 they smiling while they were working and what was their health
16 condition?

17 A. They were neither skinny nor fat as they were provided
18 sometimes with cooked rice or gruel as food supplies was sent
19 from Tonle Sap, but you cannot compare the food condition to the
20 food we are eating these days. They were also given some dessert
21 and there were also dry fish for them and that was my observation
22 when I went to the worksite. Of course I cannot describe every
23 aspect of the food condition at the worksite.

24 Q. And while again you were at the worksite, did you observe any
25 use of heavy machinery to add in the work force?

1 A. As I said I did not stay regularly at the worksite. However,
2 there were no heavy machineries; namely, tractor used; only human
3 strength and work force were used to carry the dirt and only
4 later on heavy machineries were involved.

5 [14.31.50]

6 Q. Can you also tell the Court in terms of the working hours,
7 when did it start and when did it stop, and were there any
8 resting times in between?

9 A. In the morning, sometimes they ate some food; however,
10 sometimes they had to start working early and since we did not
11 have a watch, I could not say exactly what time they started
12 working, and I might say it may be around 7 o'clock in the
13 morning and they stopped at around 5 o'clock in the afternoon.

14 Q. After you completed work, was there any livelihood meeting in
15 the respective units?

16 A. It appears that there was no livelihood meeting. I could not
17 recall it. After they completed the work they went back to their
18 places, I could not recall it, because it has been a long time
19 ago. As I stated, I have had weak memory so far. Perhaps after
20 the meetings, workers went back to their places.

21 [14.33.43]

22 Q. Thank you, Madam Witness. I would like to seek your
23 clarification concerning the plan of work, or work quota. What
24 was the work quota? How many -- what is the work quota and how
25 much land was required for one worker to do?

1 A. I do not have the full grasp of information, I do not know
2 whether the land was measured by cubic meters and then it was
3 assigned to workers. I do not know how much soil was required for
4 workers to do.

5 Q. Thank you, Madam Witness. I would like to move on to another
6 topic. Before I do that I would like to read a statement -- ERN
7 00348832; in French, 00367808; you stated, "At that time I saw
8 that pagoda was turned into a hospital and monks were disrobed
9 and forced to leave the pagoda."

10 Why did Khmer Rouge eliminate the religion and where did monks
11 go?

12 A. I was in the forest at that time. I had not been living in the
13 district yet, I do not recall when it was. When I arrived, I saw
14 that the pagoda had no more monks, monks had already been
15 disrobed and I do not know either where monks were sent to. As I
16 stated, I was living in the forest at that time, I had not been
17 living in the district yet.

18 [14.36.22]

19 MS. CHET VANLY:

20 Thank you very much, Madam Witness. For the interest of the time,
21 I would like now to cede the floor for the international
22 colleague.

23 MR. PRESIDENT:

24 Thank you. You may now proceed, International Lead Co-Lawyer.

25 [14.36.41]

1 QUESTIONING BY MS. GUIRAUD:

2 Thank you, Mr. President. Good afternoon, Witness. My name is
3 Marie Guiraud and I am the lawyer representing the collective of
4 civil parties in this trial. I have a few brief questions, brief
5 follow-up questions to be put to you with regard to the 1st
6 January Dam and then I'll have a few questions with regard to
7 marriages during the Democratic Kampuchea regime.

8 Q. With regard to the workers on the 1st January Dam worksite,
9 you explained to my colleague a little earlier on the rotation
10 system and you said that it was the commune chiefs who would
11 choose the workers who would go to the worksite, then after a few
12 months these workers would come back to be assigned to other
13 tasks. So I wanted to know if at times workers could come back
14 outside of these rotation cycles. Did you see back then workers
15 coming back to the village outside of the rotation cycles that
16 you described a little bit earlier on this afternoon?

17 MS. SOU SOEURN:

18 A. There was replacement and there were candidate or reserve
19 workers to replace those who had been working at the 1st January
20 Dam site and those who were removed from the 1st January Dam site
21 were sent to build the dam at Chamkar Leu district.

22 [14.38.32]

23 Q. So if I understood you well, the people who were taken off the
24 1st January Dam site went to work on another work site, did I
25 understand you clearly?

1 A. Yes, they were sent to Chamkar Leu to build dam, dig canals so
2 that we could have a feeding canal to bring water into the field.

3 Q. Thank you. Would people who would become ill, would they go
4 back to the village or would they be sent to the hospital?

5 A. I do not know about it. For the sick in my district, they were
6 sent to a hospital. I do not know about the sick at the 1st
7 January Dam site, I do not know where they were sent to.

8 Q. And back then, when you were at the district, did you
9 sometimes see sick people who were at the worksite and who would
10 return to the different villages or communes of your district; is
11 this something that you remember?

12 A. What I remember that sick people at the 1st January Dam site
13 were referred to the hospital and after they recovered, they
14 would be sent back to the cooperative or worksites.

15 [14.40.50]

16 Q. Thank you. The reason I am asking you this question is that we
17 heard a little earlier on this week a civil party who had worked
18 for three months on the 1st January Dam and who came from Preaek
19 Prasab district, which is a district that is different from yours
20 and she explained that people who were ill would go back to their
21 villages to rest. In any case, that's what was told to the
22 workers. So if I understand what you're saying today, in your
23 districts, people would not go back to their villages to rest but
24 were sent to the hospital; did I understand you correctly?

25 A. Yes, and for those who were seriously ill, they were referred

1 to Kampong Cham hospital; and after they recovered, they would be
2 back at work in the cooperatives. This is my recollection.

3 MR. PRESIDENT:

4 Thank you. It is now convenient time for the break. But before we
5 take the break I would like to ask Mr. Koppe whether he would
6 like to submit orally in relation to your request and I do not
7 know how much time you would need for making your oral submission. We
8 would like to be informed so that we could arrange a short
9 opportune time for your submission.

10 [14.42.55]

11 MR. KOPPE:

12 I suppose it's only, Mr. President, a few minutes. It's just
13 expressing our concern in respect of the latest disclosures,
14 specifically the upcoming segment -- the Kampong Chhnang Airport
15 -- and I see this particular prosecutor is in the courtroom so
16 I'm sure that he'll be able to answer all kinds of questions. But
17 I think five minutes should be enough.

18 MR. PRESIDENT:

19 Thank you once again. It is now convenient time for a short break
20 and the Chamber will take the break from now until 3.00 p.m.
21 Court officer, please facilitate a proper place for this witness
22 and TPO during the break time and please invite them back to the
23 courtroom at 3.00 p.m.

24 The Court is now in recess

25 (Court recesses from 1443H to 1501H)

1 MR. PRESIDENT:

2 Please be seated.

3 The Court is back in session, and again the floor is given to the
4 Lead Co-Lawyer for civil parties to continue putting questions to
5 this witness. You may proceed.

6 BY MS. GUIRAUD:

7 Thank you, Mr. President.

8 Q. Good afternoon again, Witness. When we broke up a while ago,
9 we were talking of the problem of sick workers and hospitals, and
10 you said workers who were sick on the worksite were not sent back
11 to the village, as we heard earlier in the hearing. They were
12 sent to the hospital, you said. I would like you to react to the
13 testimony of someone we heard earlier. That person was a civil
14 party, a woman from Baray, and who described a hospital. And I
15 would like you to tell us whether that description tallies with
16 what you knew of hospitals in your district. It is the transcript
17 of 27 May 2015, and it is Ms. Hun Sethany, the civil party, and
18 it is 09.59.44.

19 [15.03.02]

20 Ms. Hun Sethany describes a hospital in which her brother was
21 hospitalized and died three days later. And this is what she
22 states: "The hospital was a former school. That hospital was in a
23 poor condition. It had not been built in bricks, and people who
24 were sick were sent from Baray to that hospital. The sick who
25 were sent to that hospital, as well as the patients and sick

1 attendants, were very thin. They were in very poor health." And
2 she says at 10.01.18: "At the time, it was a hospital built in
3 planks and wood. The roof was thatched, as well as the walls. It
4 was in very bad shape. There were only a few beds for several
5 patients and those who did not have any beds had to sleep on the
6 floor."

7 Madam Witness, having listened to my description, did that
8 correspond to the situation of hospitals in the district at the
9 time?

10 [15.04.16]

11 MS. SOU SOEURN:

12 A. For the Baray area, I had no knowledge. However, for my area,
13 people who were sick from the 1st January Dam worksite would be
14 sent to a hospital in Kampong Cham, and the hospital was a
15 two-storey or three-storey concrete construction building. And
16 people were provided with treatment, and due to the war, the
17 medicine for the treatment was merely sufficient.

18 Q. Thank you. Before the Co-Investigating Judge's investigators,
19 you were more specific when you talked about hospitals in your
20 district, and I am referring to document E3/5294. The ERN in
21 Khmer is 00348834; ERN in English, 00360117; ERN in French,
22 00367810; and you explained specifically that there was a
23 hospital in the district, and hospitals in each of the communes.
24 Did the communal hospitals differ from those of the district
25 hospital you have just referred to?

1 A. The district hospital had some medicine for the treatment of
2 patients. Although it was not abundant, it was sufficient. As for
3 other hospitals at the communes or at the cooperatives, we had to
4 assess the condition of the patients. If they could be treated at
5 that level, they would be treated there. If their condition was
6 serious, they would be sent to the district. And if it continued
7 to be serious, then the district would refer them to the hospital
8 in Kampong Cham.

9 [15.06.55]

10 Q. Thank you. You mentioned a little earlier, in answer to a
11 question put by my colleague, you talked of a hospital in a
12 pagoda, and referred to a hospital in schools. Regarding other
13 communal district hospitals, were they all built or housed in
14 buildings that had not been originally designed to be used as
15 hospitals?

16 A. For the hospital in my district, it was not built in the
17 pagoda. It was actually located in the commune under the
18 district, and not in the pagoda. And as I said, hospitals existed
19 at the district and at the commune or "sangkat" level. And we had
20 to resolve the condition of the patients at our level. And if the
21 condition of the patients became serious, they would be referred
22 from the communal hospital to the district hospital. And if it
23 continued to be serious, it would be referred to the provincial
24 hospital from the district hospital.

25 [15.07.50]

1 Q. Thank you. How would you react to what I read out to you
2 earlier, describing the hospital as that civil party had done?
3 And that person said that both the patients and sick attendants
4 were very thin, and in very poor health. Is that what you
5 observed at the time in district or communal hospitals? The ones
6 you've just referred to.

7 A. At my district, I didn't experience such seriousness as we
8 were in Chamkar Leu area, and we had sufficient food. And here I
9 can only testify about the conditions in my district or my
10 cooperative.

11 Q. Thank you. When you were interviewed by the Co-Investigating
12 Judges, you referred to the visit by Ieng Thirith. You referred
13 to that this morning, and it's explained in the same document,
14 E3/5274, same ERNs as those I read out earlier; you stated that
15 you visited hospitals with Ieng Thirith. And the following
16 question was put to you:

17 "Was Mrs. Ieng Thirith aware of the shortage of drugs or
18 medicines in the hospitals?"

19 And you answered, saying: "Yes, she was aware of that. And upon
20 her return, she sent us medicines and other materials."

21 Can you explain to the Chamber what kinds of medicines were in
22 short supply in the hospitals? Can you please be more specific on
23 this point?

24 [15.10.30]

25 A. Regarding the medicines, I do not know all of them. Mainly we

1 stocked medicines for the treatment of fever and malaria, but I
2 am not familiar with the specifications of the medicines we
3 stocked in the hospital.

4 Q. Thank you. To the best of your recollection, did many people
5 die in the district and communal hospitals? Was that a frequent
6 phenomenon?

7 A. In certain cases we could not save the life of the patients.
8 And in other situations, where we could save their lives, we
9 would do our best at our hospital. And if we could not, then we
10 would send them to the provincial hospital.

11 [15.11.52]

12 Q. Thank you. I'll stop this question and move into another line
13 of questioning. I would like to put questions to you regarding
14 marriages celebrated during the Democratic Kampuchea regime in
15 your district. While you held positions in the district
16 committee, did you receive instructions, rules, from the upper
17 echelon regarding the organisation of marriages during that
18 period?

19 A. At that time, marriages were organized, and the chief of the
20 commune or "sangkat" would ask the opinion of the men and women,
21 whether they consented to the proposed marriage. And if they
22 agreed, then the ceremony would be organized. It was not a big
23 ceremony, but it was a modest one. And then the chief of the
24 commune or "sangkat" would give a speech, and then the
25 individuals themselves who were the couples, would also make a

1 speech regarding their commitment to one another.

2 [15.13.11]

3 Q. Was the district involved in that procedure?

4 A. In certain cases, people from the district made the
5 arrangements and, however, if the ceremony was to be organized
6 and held by the commune, then only the commune level would make
7 such an arrangement. And in other cases, the district chief would
8 attend such a ceremony.

9 Q. Thank you. I would like you to react to testimonies we heard
10 earlier in this trial by persons who held similar positions in
11 another district -- that is, Tram Kak district. And those persons
12 were either secretaries or members of the district committee.
13 They made a number of statements before the Chamber regarding the
14 organization of marriages. I would like to quote what was stated,
15 and have you react to what they said, and tell us whether that is
16 how things happened in your own district.

17 MR. PRESIDENT:

18 Witness, please hold on. And Counsel Koppe, you have the floor.

19 [15.15.04]

20 MR. KOPPE:

21 Thank you, Mr. President. I object to this line of questioning.
22 The Civil Party Lead Co-Lawyer is going to present testimony from
23 a completely different zone. This witness can only testify to
24 what happened in her district, possibly what happened in the
25 zone. But she cannot give any relevant testimony as to what

1 happened on the district or commune level in Tram Kak, in the
2 Southwest Zone.

3 MS. GUIRAUD:

4 Mr. President, the idea is not to have the witness react to what
5 happened elsewhere, but what happened in her own district. We are
6 informed of the policy of forced marriages at national level. It
7 is essential for us to ask the witness to help us ascertain
8 whether such marriages were homogenous across districts and
9 communes. So the purpose of such questions is to have the witness
10 tell us whether in her district, the district under her
11 responsibility, was one in which things happened differently in
12 relation to Tram Kak. We've already talked about it. This line of
13 questioning is very relevant and essential, as we consider facts
14 relating to these matters today.

15 (Judges deliberate)

16 [15.17.38]

17 MR. PRESIDENT:

18 The Chamber noticed that the objection by the defence counsel for
19 Nuon Chea to the question by the Lead Co-Lawyer for civil parties
20 is rather too soon, as the Chamber has not heard the question
21 yet. Let us hear the question first, and the Chamber will decide
22 whether it is appropriate or it should be prohibited. Therefore,
23 the Lead Co-Lawyer for civil parties, you may proceed with your
24 question.

25 BY MS. GUIRAUD:

1 Q. This is a question, but I intend to quote a passage from the
2 statement of a witness we heard a few months ago in this
3 courtroom. And that person had responsibilities in Tram Kak
4 district, and I quote the transcript, E1/291.1. It is the record
5 of interview of 3 April 2015. It is 09.08 in the morning, and
6 Pech Chim is the witness I'm referring to, and he is talking of
7 the regulation of marriages in his district. And this is what he
8 stated:

9 [Free translation]: "In fact we discussed at the level of
10 districts, rules regarding marriages, and directives from the
11 zone were taken into account. According to what I was able to
12 observe, there were weaknesses in the practices. People did not
13 all agree to get married. I knew that. We were so occupied at the
14 level of the district that we had to delegate some authority to
15 the unit heads." End of quote.

16 [15.19.34]

17 My question now, Mr. President: Witness, I've read out to you the
18 excerpt of a statement given by someone who had similar functions
19 in another district. In Preaek Prasab district, did things happen
20 in the same way as regards marriages?

21 MS. SOU SOEURN:

22 A. I was not at Preaek Prasab district. I only stayed there
23 initially, then I moved to Chamkar Leu district after I got
24 married. And I lived in Chamkar Leu district for a year. Although
25 marriages were celebrated at the commune and district level, the

1 commune itself had the authority to organize the marriages within
2 its own commune. And that is my understanding, and that's what
3 happened in my district and commune. And I cannot say about what
4 happened in other communes or districts.

5 [15.20.56]

6 Q. Thank you. And when you sat in the district committee, did you
7 sometimes receive lists from communes, lists of persons who had
8 to be married?

9 A. Lists of those who were proposed to get married, and as I
10 said, I am illiterate. I cannot read or write, and it was up to
11 the district chief who decide whether to agree to the proposal of
12 those on the list. And I was told about that during the meetings,
13 the number of people who were proposed on that list. For
14 instance, five couples or three couples. I was told about it,
15 since I could not read, although I did not see the list itself.

16 Q. So, if I understand correctly, they talked about a list but
17 you didn't read the list because you didn't know how to read at
18 that time. Was it authorized at the time to organize marriages
19 between New People and Base People?

20 A. I can say in some cases. And also, it happened in my district.
21 If a commune made such a proposal to the district, and if the
22 district considered that they were good people, then the district
23 would approve the marriage. Although this kind of request or
24 proposal were not many.

25 [15.22.58]

1 Q. Were you aware of instructions from the upper echelon not to
2 favour or authorize marriages between New People and Base People?
3 Did you receive any such instructions?

4 A. No, that's not the case. Regarding the Base People and the New
5 People in the cooperative, if they worked together and they had a
6 relationship, it was up to the chief, their chief, to see whether
7 it was reasonable to organize their marriage. And of course the
8 upper echelon did not know about what actually happened on the
9 ground. It was up to the chief of those workers on the ground,
10 who made his or her observation, and decided to approve or not
11 accordingly.

12 [15.23.58]

13 Q. Thank you. I have one last question, Mr. President. And
14 Witness, I will read out to you again an extract of the record of
15 interview of Pech Chim, as a member of the district committee.
16 And he was asked whether there were rules from the upper echelon.
17 And it is transcript E1/291.1, and it's still 23 April 2015, and
18 it's still the morning, shortly before 09.08. And the question
19 put to Pech Chim at the time was as follows:

20 "Did you know the rules regarding marriages?"

21 And the witness answered as follows: [Free translation]

22 "Regarding marriages, yes. As a matter of fact, I knew that there
23 were rules, and I was aware of them. However, these rules did not
24 exist in the form of laws and articles. It was common practice
25 applied from the upper echelon right down to the base, to the

1 grassroots."

2 At the time, Madam Witness, were you aware of these regulations,
3 rules and practices regarding marriages, which were handed down
4 by the upper echelon?

5 A. Regarding instructions on marriages -- and I refer to the zone
6 as the upper level in this instance -- if we wanted to organize
7 the weddings for our people, or the number of couples that we
8 proposed to get married, yes, this process happened. So the
9 district would refer the matter to the sector. And the chain of
10 command was from the commune to the district, and the district to
11 the sector. Then the instruction, or the decision, would be
12 handed down again in the reverse order -- that is, from the
13 sector to the district and down to the commune. This is according
14 to my recollection.

15 [15.26.33]

16 MS. GUIRAUD:

17 Thank you. Mr. President, I believe I have run out of time. I
18 will stop here.

19 Thank you, Witness, for answering my questions.

20 MR. PRESIDENT:

21 My fellow Judges, do you have any questions you wish to put to
22 the witness? Judge Fenz, you have the floor.

23 QUESTIONING BY JUDGE FENZ:

24 Q. Thank you. Madam Witness, you mentioned that workers at the
25 dam were rotated every three months. Can you tell me why?

1 MS. SOU SOEURN:

2 A. Allow me to tell you that the rotation was organized because
3 the people at the dam worksite began to get tired, so they were
4 rotated. Although they were rotated to return to the cooperative,
5 they would not be sitting idle. They would be engaged in other
6 work, including vegetable plantations or digging another dam or
7 canal within the district.

8 [15.28.18]

9 Q. So, the rotation was between difficult work or heavy work, and
10 easier work?

11 A. Yes, the rotation was meant for those workers who were tired
12 from working at the 1st January Dam worksite, and replaced by new
13 forces. Then the old forces would be returned to the cooperative
14 to engage in a kind of a lighter work, namely working in a rice
15 field, or in the plantation, or digging canals, but in a lighter
16 form of labour. And due to the limited workforce in the
17 cooperatives, the rotation was needed.

18 [15.29.24]

19 Q. Thank you. My next question is to your presence at the dam.
20 You mentioned that you were there -- at the worksite, I mean --
21 you mentioned you were there frequently, sometimes a couple of
22 days in a row. Now, in an average month, how many days did you go
23 to the worksite? Can you give me an idea?

24 A. I didn't go that often to the 1st January Dam worksite. I only
25 went there once every two or three months, as my main duty was

1 involved with the supervision of the workers at the district. And
2 I usually would remain at the dam site for only one night or two,
3 and return to my district.

4 Q. Okay. My next question is to the selection process. You said
5 workers were selected -- workers for the dam were selected. Now,
6 I want to know: Could those who were selected say, "No, I don't
7 want to work there"?

8 A. No one actually refused the selection process. Once the
9 district organized the workforce, the people in the district did
10 not refuse, even if it was for the rotation force. And of course,
11 for those workers who worked at the dam site and were replaced,
12 when they return to the district, they were happier than working
13 there at the dam site.

14 [15.31.43]

15 Q. Given that they were obviously not very happy to work at the
16 dam site, why did nobody refuse to work there when they were
17 selected?

18 A. The thing is that that was the organization by the district,
19 so they did not refuse. If we selected five or six of them to go
20 to replace the old force at the dam site, none of them refused,
21 as we all tried hard to adhere to work discipline and
22 regulations. And we worked, both at the 1st January Dam worksite
23 or at the district.

24 Q. Were people ever told that they would be punished if they
25 refused to work, or to accept the selection?

1 A. We were not told, and we were not warned about this fact. And
2 we were only told that we had to respect the discipline. And
3 there were working times specifically for workers: the time that
4 we had to start work, have meals and resume work in the
5 afternoon. That's what we were instructed.

6 [15.33.50]

7 Q. Once workers were selected, and working at the worksite, were
8 they free to say, "I don't want to work any longer. I'd rather go
9 home now and not come back"?

10 A. No one dared to refuse. Angkar or "sangkat" assigned the work,
11 and everyone had to comply with that assignment. No one dared to
12 say, "I wanted to go back home and did not want to go to work".
13 No one dared to say like this.

14 Q. And why did nobody dare say this?

15 A. Because we were told -- instructed that we had to work hard so
16 that we could solve people's problems, and we were told that we
17 had to work hard to build the country. No one threatened us.
18 Workers voluntarily wanted to go to work.

19 [15.35.28]

20 Q. Now, you have described the situation at the dam, and I think
21 if I sum up your description, one could say these were very
22 difficult working conditions. We have heard even more extreme
23 descriptions. Now my question is, given these very difficult
24 circumstances, do you remember any incident where a worker
25 actually tried to simply run away?

1 A. No one fled from their worksites. Perhaps I could not have the
2 full grasp of the information, but from what I knew, no one fled
3 from their workplace.

4 Q. And why did nobody flee?

5 A. I do not know. I do not know the matter in detail. In reality,
6 no one evaded work. They were at work, even that they were
7 exhausted and tired.

8 Q. Now, you told us at one point you basically supervised the
9 workforce at the dam. That's what I wrote down. So I am asking
10 you, were there any orders or directives from your superiors on
11 what to do if people didn't want to be recruited, or selected, or
12 if people ran away? Was there any directive or any order?

13 A. As for the time that I was in charge of forces -- workforces
14 at the 1st January Dam site, as I stated repeatedly, I was not
15 there constantly and regularly. I was in the district to be in
16 charge of people. I rarely went to the worksites. I was a female
17 member, and I had small children at that time. For this reason, I
18 did not go there quite frequently, or I was not there constantly
19 with workers. But I knew and heard the instructions that we -- I
20 had to organize cooperatives in such a way, et cetera. As I told
21 the Court earlier, I was in charge in the district for a period
22 of only one year.

23 [15.39.27]

24 Q. My last question is to these instructions. You told us earlier
25 that you went to Phnom Penh occasionally, among other things to

1 get these instructions. Now, were these regular trips? I mean,
2 once a month? Or were these random trips, meaning when you were
3 summoned, you came? Or was it a fixed date? Every -- I don't know
4 -- first Monday per month, we go to Phnom Penh and get our
5 instructions?

6 A. I would like to inform the Chamber that when Angkar invited
7 me, asked me to come to Phnom Penh to join the study session, I
8 would come. As I stated, I came with many of my colleagues, my
9 cadres, in many trucks. And we came to receive the assignments to
10 be implemented and enforced in our respective districts.

11 [15.41.04]

12 Q. I didn't hear the translation of quite a long bit. I heard the
13 witness talking and didn't get the translation. Okay.

14 My question to you then is: In the year in which you were in
15 charge, how often did you go to Phnom Penh on such trips? On
16 trips where you got information and instructions on work?

17 Q. Sometimes I would be in Phnom Penh for two or three days, and
18 I would return to my place. At times I was there for one or two
19 nights to receive assignments.

20 Q. And how many trips did you make in this, I think you said,
21 year?

22 A. From my recollection, I do not recall how many times per year
23 I went to Phnom Penh, but I recall that I went to Phnom Penh to
24 receive assignments and tasks from the upper echelon.

25 [15.43.05]

1 Q. Let me try again. Are we talking two or three times, or are we
2 talking 10 or 20 times? I don't expect an exact number, but I
3 would like to have an idea of the frequency.

4 A. I do not remember it. I do not remember I came to Phnom Penh
5 once a month, or how many times per year I came to Phnom Penh. I
6 remembered it in the past, but I forget it all. Perhaps I went to
7 Phnom Penh once in every two or three months, or once a month to
8 receive the assignments and tasks. I, once again, would like to
9 tell the Court that I do not recall it.

10 JUDGE FENZ:

11 Thank you. That concludes my questions.

12 MR. PRESIDENT:

13 You may proceed, Judge Lavergne.

14 [15.44.43]

15 QUESTIONING BY JUDGE LAVERGNE:

16 Yes, thank you, Mr. President.

17 Q. Madam Witness, I have a question to put to you right away.

18 What were you told in Phnom Penh? What were you exactly told in
19 Phnom Penh? And whom would you meet? You said that you had met
20 Nuon Chea, for example. Can you confirm that?

21 MS. SOU SOEURN:

22 A. Yes, I met him. He arranged workforces for the districts. He
23 arranged tasks and he instructed how to dig the canals, how to
24 work in the fields, and he also discussed how the cooperatives
25 were to be arranged. These are the instructions I received from

1 him.

2 Q. Did he speak about the class struggle? Did he speak about the
3 enemies? Did he speak about the CIA and KGB agents?

4 A. No. No such discussion about the class struggle or CIA spy
5 agents. I did not receive any instruction in relation to this
6 matter.

7 [15.46.35]

8 Q. So, what did the instructions consist of with regard to the
9 organization of the labour force? You said that you would go to
10 Phnom Penh once every two or three months. So, each time you went
11 there, would you meet Nuon Chea? Or would you meet other leaders?

12 A. I did not meet any other leaders and I also did not meet Nuon
13 Chea many times. He was in charge of education and propaganda. He
14 instructed about the cooperatives, and he also mentioned that the
15 farming should be conducted in a number of times per year. And he
16 also discussed about the care of people as well.

17 Q. Would Nuon Chea inform himself on the situation on the sites?
18 Did he try to get to know if there was enough food, for example?
19 If people were complaining regarding production that was below
20 what the Party might have expected?

21 A. He asked about it, but most of the time he would ask how the
22 cooperatives were organized, and what was the livelihood of the
23 people, and what about the health situation of people. That's the
24 questions he asked.

25 [15.49.05]

1 Q. Madam Witness, when you were working at the district
2 committee, did you ever receive any complaints from the
3 cooperative leaders stating that the harvest was not plentiful
4 enough, and that there were problems in terms of food? Did you
5 receive any complaints of that kind?

6 A. In Chamkar Leu district, allow me to tell the Court the yield
7 was good, so the living condition was better and good. And there
8 was a question why the people did not have three times meals per
9 day, since there was a good harvest and yield.

10 Q. Madam Witness, I'm going to read your testimony before the
11 Co-Investigating Judges. It's document E3/5294; French, ERN
12 00367805 to 06; English, 00360113 to14; Khmer, 00348831:

13 Question: "Did you receive any complaints or any requests from
14 your subordinates?"

15 Answer: "Yes, I did. The head of the cooperative and the team
16 leader challenged the fact that the rice yield was high, whereas
17 the people did not have enough food. I also forwarded this
18 complaint to the district committee and the district committee
19 forwarded this complaint to their superiors, who never responded.
20 The paddy was also exported abroad." [Free translation]

21 So, can you confirm what I just said?

22 [15.51.52]

23 A. The statement is correct. I made a request to the upper
24 echelon because people in "sangkats" mentioned that there was a
25 high yield and a good yield, and why the people did not have

1 enough food to eat? Why there was food -- some food shortages?
2 There were requests from "sangkats", and the requests were also
3 forwarded to the districts and sectors. After the requests were
4 made to those sectors, "sangkats", and districts, there were no
5 replies.

6 Q. Madam Witness, when the cooperative leader complained of a
7 lack of food, in your opinion was he saying the truth, or was he
8 lying?

9 A. Cooperative chiefs never told lies; they spoke the truth, and
10 made requests to the upper echelons for resolution. But lack of
11 food did not exist in all "sangkats" or districts. Some
12 "sangkats" and districts had a problem with food. In Chamkar Leu
13 district, the food was enough and I did not know about other
14 places.

15 [15.53.55]

16 Q. Why did the higher echelon never respond to these reports that
17 you would forward to it?

18 A. I have no idea. There was no response, so how could I say
19 about this? I have no idea at all.

20 Q. Why was the paddy rice exported if the people did not have
21 enough food to eat?

22 A. I do not really understand either. I was not a senior cadre,
23 so, to speak in short, I did not care to question this. The
24 report was sent, and forwarded to sectors and upward, but there
25 were no responses. I do not understand about this matter.

1 Q. According to you, who decided on the production quotas that
2 had to be sent abroad? Was it the district? Was it the sector? Or
3 was it a higher echelon, even?

4 A. I was not the one who held the list; "sangkats" would tell me
5 that some food, rice, would be kept for cooperatives. And for the
6 surplus, they would be used and sent for soldiers, not for
7 abroad. That's what I was told at that time.

8 [15.56.33]

9 Q. According to you, madam, was the food situation on the 1st
10 January Dam better than in the cooperatives?

11 A. The regime or the government provided perhaps better food at
12 the worksite. I am not mentioning other districts. I am
13 mentioning the situation in my district. The district committee
14 visited cooperatives and we were told by the "sangkat" chiefs
15 that there was no problem with food. And I do not really
16 understand about the fact that there was lack of food.

17 Q. Madam, I don't understand either. You're telling me that the
18 cooperative leaders would not lie when they said that there was a
19 lack of food. And now you're saying the contrary that you don't
20 understand. So, what don't you understand? You don't understand
21 if they're telling the truth or if they're lying?

22 A. I would like to state that why I do not really understand. I
23 don't understand because I knew that the rice yield was good, and
24 there was surplus. And "sangkat" chiefs told me that food was
25 sufficient for villagers and everyone. But the workers at the dam

1 worksite said the food was not enough. From my understanding when
2 I visited cooperatives, rice or grains were there in
3 cooperatives.

4 [15.58.58]

5 Q. So, according to you, the cooperative leaders were lying? If
6 you are saying that you went on site, and you saw that there was
7 rice, when you would receive therefore reports saying that there
8 was a lack of food, there's obviously someone there who's lying?

9 A. Perhaps so. And in some cooperatives, there were many people.
10 So food was not enough. And in some cooperatives, there were not
11 many people, so food was surplus. And as for the reports, whether
12 chiefs of cooperatives were lying, I do not know. I visited only
13 a few cooperatives, and that is what I saw, and I told the Court
14 already.

15 Q. According to you, who provided the rice needed for the feeding
16 of workers on the 1st January Dam worksite? Was it the
17 cooperatives, the upper echelon, the district, the sector, or the
18 national level that had to send rice to those people?

19 [16.00.36]

20 A. I only had certain knowledge on this issue. I did not know
21 about the arrangement at the various levels. However, the zone
22 was responsible for the organisation of the force for managing
23 the living conditions. And the sector also had certain
24 responsibilities, although I do not know the details about that.
25 However, I myself did not supervise or manage the people at the

1 1st January Dam worksite. It was under the supervision mostly at
2 the zone level in terms of food supplies and the health
3 conditions of the workers there, as well as the sick people.

4 Q. This is my last question, madam. From what you were able to
5 see with your own eyes on the 1st January Dam worksite, did
6 people eat to their fill or not?

7 [16.02.02]

8 A. As I said, there were tens of thousands of workers, and I only
9 could say for the smaller portion of those workers from my point
10 of view, as I did not go everywhere to observe the living
11 condition. And for the groups of workers whom I observed, they
12 had sufficient food to eat. There was an abundance of dry fish
13 which was sent from Tonle Sap to those workers. So there was no
14 lack of food for the people whom I observed. And when I was
15 there, they ate boiled rice and I joined them, though I could not
16 go everywhere to observe the living conditions of all the workers
17 at the dam site.

18 JUDGE LAVERGNE:

19 I believe we'll have to stop here because we don't have any time
20 left.

21 [16.03.19]

22 MR. PRESIDENT:

23 Thank you. Today's hearing comes to an adjournment now. We will
24 adjourn for today and resume tomorrow -- that is, Friday, 5 June
25 2015, starting from 9 o'clock in the morning. Tomorrow the

1 Chamber continues to hear the testimony of this witness, Sou
2 Soeurn. This information is for the Parties and the public.
3 And Madam Sou Soeurn, the Chamber is grateful of your presence
4 and testimony as a witness. However, it is not yet concluded, and
5 you are therefore invited to return tomorrow. And Madam Chhay
6 Marideth, the TPO staff, the Chamber is grateful of your support
7 during the testimony of this witness so that she is able to focus
8 on her testimony, and again, you are invited to continue your
9 role here in this Court.

10 And Court officer, in collaboration with WESU, please make the
11 necessary transportation for Madam Sou Soeurn to return to her
12 place of stay, and have her returned to attend the proceedings in
13 this courtroom tomorrow at 9 o'clock.

14 Security personnel, you are instructed to take the two Accused
15 back to the ECCC detention facility, and have them returned to
16 attend the proceedings tomorrow before 9 o'clock in the morning.

17 The Court is now adjourned.

18 (Court adjourns at 1604H)

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