



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

ORIGINAL/ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ (Date)..... 15-Jun-2015, 14:04

CMS/CFO:..... Sann Rada

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

9 June 2015

Trial Day 293

Before the Judges: NIL Nonn, Presiding
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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
Mr. CHAN Morn (2-TCW-975)	Khmer
Ms. GUIRAUD	French
Ms. GUISSÉ	French
Mr. KOPPE	English
Judge LAVERGNE	French
The President (NIL Nonn)	Khmer
Mr. SENG Leang	Khmer
Mr. SMITH	English
Ms. TY Srinna	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0903H)

3 MR. PRESIDENT:

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

5 Today the Chamber starts hearing testimonies as part of the facts

6 to be tried in Case 002/02 -- that is, the Kampong Chhnang

7 Airport worksite, and the first witness for the Kampong Chhnang

8 Airport worksite is 2-TCW-975.

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

10 and other individuals at today's proceedings.

11 THE GREFFIER:

12 Mr. President, for today's proceedings, all parties to this case

13 are present.

14 Mr. Nuon Chea is present in the holding cell downstairs. He has

15 waived his right to be present in the courtroom. The waiver has

16 been delivered to the greffier.

17 The witness who is to testify today -- that is, 2-TCW-975,

18 confirms that to his best knowledge he has no relationship by

19 blood or by law to any of the two Accused -- that is, Nuon Chea

20 and Khieu Samphan, nor to any of the civil parties admitted in

21 this case. The witness took an oath before the Iron Club Statute

22 this morning and is waiting to be called by the Chamber. Thank

23 you.

24 [09.05.52]

25 MR. PRESIDENT:

2

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

2 The Chamber has received a waiver from Nuon Chea, dated 9 June

3 2015, which states that due to his health -- that is, headache,

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

5 effectively participate in future hearings, he requests to waive

6 his rights to participate in and be present at the 9th June 2015

7 hearing.

8 He advises that his counsel advised him about the consequence of

9 this waiver, that in no way it can be construed as a waiver of

10 his right to be tried fairly, or to challenge evidence presented

11 or admitted to this Court at any time during this trial.

12 [09.06.49]

13 Having seen the medical report of Nuon Chea by the duty doctor

14 for the Accused at the ECCC, dated 9th June 2015, who notes that

15 Nuon Chea has severe back pain when he sits for long and

16 recommends that the Chamber shall grant him his request so that

17 he can follow the proceedings remotely from the holding cell

18 downstairs.

19 Based on the above information and pursuant to Rule 81.5 for the

20 ECCC Internal Rules, the Chamber grants Nuon Chea his request to

21 follow today's proceedings remotely from the holding cell

22 downstairs via an audio-visual means.

23 The AV Unit personnel are instructed to link the proceedings to

24 the room downstairs so that Nuon Chea can follow it remotely.

25 That applies for the whole day.

3

1 Court officer, please usher the witness into the courtroom.

2 (Witness enters the courtroom)

3 [09.09.35]

4 QUESTIONING BY THE PRESIDENT:

5 Q. Good morning, Mr. Witness. What is your name? And please
6 observe the microphone.

7 MR. CHAN MORN:

8 A. Good morning, Your Honour. My name is Chan Morn.

9 Q. Thank you. And when were you born?

10 A. I was born in 1954.

11 Q. Were you born in 1954? Is that what you said?

12 A. Yes.

13 Q. And where were you born?

14 A. I was born in Trapeang Prei village, Krang Skear commune, Tuek
15 Phos district, Kampong Chhnang province.

16 [09.10.57]

17 Q. And where is your current address?

18 A. Currently I live in Svay Thum village, Ou Dambang Pir commune,
19 Sangkae district, Battambang province.

20 Q. What is your current occupation?

21 A. I have been a civil servant since 1979; however, I have been
22 retired from the service in the last few years.

23 Q. What are the names of your parents?

24 A. My father is Chuop Chhan and my mother is Me Mi.

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

4

1 A. My wife is Suon Yoeut and we have four children -- that is,
2 one daughter and three sons.

3 [09.12.18]

4 Q. Thank you, Mr. Chan Morn. The greffier made an oral report
5 that to your best knowledge you are not related by blood or by
6 law to any of the two Accused -- that is, Nuon Chea and Khieu
7 Samphan, or any of the civil parties admitted in this case. Is
8 that information accurate?

9 A. Yes, that is true.

10 Q. And that you already have taken an oath before your appearance
11 this morning. Is that true?

12 A. Yes, that is true.

13 (Microphone not activated)

14 [09.13.35]

15 Q. Mr. Chan Morn, the Chamber would like to inform you of your
16 rights and obligations as a witness. As a witness in the
17 proceedings before the Chamber, you may refuse to respond to any
18 question or to make any comment which may incriminate you. This
19 is your right against self-incrimination. This means that you may
20 refuse to provide your response or make any comments that could
21 lead you to being prosecuted.

22 As a witness in the proceedings before the Chamber you must
23 respond to any questions by the Bench or relevant Parties, except
24 where your response or comments to those questions may
25 incriminate you as the Chamber has just informed you of your

5

1 right as a witness. You must tell the truth that you have known,
2 heard, seen, remembered, experienced or observed directly in
3 relation to an event or occurrence relevant to the questions that
4 the Bench or Parties pose to you.

5 And Mr. Chan Morn, have you been interviewed by investigators of
6 the Office of the Co-Investigating Judges? And if so, how many
7 times, when and where?

8 A. I was interviewed once at my house.

9 [09.15.06]

10 Q. And can you recall when it took place?

11 A. I cannot recall the year; it was in 2000 and something.

12 Q. And before your appearance today, have you reviewed or read
13 the written record of your statement that you provided to the
14 OCIJ investigators in order to refresh your memory?

15 A. Yes, I read parts of the statement.

16 Q. And to your best recollection, does the written record of your
17 statement reflect the statement you made before the OCIJ
18 investigators?

19 A. I only spoke of the events that I witnessed or experienced.

20 Q. My question is this: After you reviewed the written record of
21 your interview, does the written record reflect the words you
22 gave to the OCIJ investigators during your interview?

23 A. Yes, it is similar in content.

24 [09.17.03]

25 MR. PRESIDENT:

6

1 For questioning this witness pursuant to Rule 91bis of the ECCC
2 Internal Rules, the Chamber grants the floor to the
3 Co-Prosecutors first. And the combined time for the
4 Co-Prosecutors and the Lead Co-Lawyers for the civil parties are
5 three sessions. And you may proceed.

6 QUESTIONING BY MR. SENG LEANG:

7 Good morning, Mr. President, Your Honours. Good morning, Parties
8 and everyone in and around the courtroom, and good morning, Mr.
9 Witness. My name is Seng Leang. I am a National Deputy
10 Co-Prosecutor and I have some questions to put to you for
11 clarification. I have four main topics to cover.
12 Q. First, I'd like to know briefly about your background before
13 and after 1975; the second topic is in relation to your first
14 visit to the airport construction worksite in Kampong Chhnang;
15 and the third topic is in regard to your trip to Kampong Som; and
16 lastly, it is related to your experience at the Kampong Chhnang
17 Airport construction site. After that, my international colleague
18 will put some further questions to you.

19 And to start with, could you please tell the Chamber whether you
20 joined the Revolution led by the Khmer Rouge during the civil war
21 period?

22 A. I was asked to join the Revolution since I was in grade 11 in
23 the old educational system.

24 [09.19.36]

25 Q. And what year was that?

7

1 A. It was in March 1970, it was the 3rd March 1970.

2 Q. And how old were you then?

3 A. I was around 14 years old. Yes, I was 14 years old.

4 Q. So you attended the -- you joined the Revolution while you
5 were still studying; is that correct?

6 A. I was called to join the Revolution while I was still
7 studying.

8 Q. And can you please specify again at what grade and at which
9 school?

10 A. It was in Krang Skear commune.

11 Q. What were you assigned to do when you initially joined the
12 Revolution?

13 A. I accompanied those people, you could say I was their
14 messenger; when they travelled to various villages and communes,
15 I escorted them.

16 [09.21.20]

17 Q. And you worked as a messenger. Could you please specify the
18 villages and communes?

19 A. It was within Krang Skear commune.

20 Q. Do you mean that you worked as a messenger for the commune
21 chief?

22 A. I worked as a messenger for the commune.

23 Q. And who actually assigned you as a commune messenger?

24 A. They all died. I recall one name -- that is, Chantha
25 (phonetic).

1 Q. And who is this Chantha (phonetic)?

2 A. He is from the same village.

3 Q. And what was his position at the time?

4 A. He worked at the commune office; however, allow me to say that
5 I only worked at the commune for one week, then I was assigned to
6 work at the sector.

7 [09.23.03]

8 Q. And besides working as a messenger, were you assigned any
9 other duties?

10 A. I also was assigned to transport food supplies.

11 Q. And to transport food supplies from where to where?

12 A. I transported food supplies to the sector and then I was
13 assigned to work at the sector.

14 Q. You stated that you worked as a commune messenger; did you
15 work as a messenger for the commune committee or for the military
16 section within the commune?

17 A. Initially I worked as a commune messenger and I was the
18 youngest among them all.

19 Q. And in what year were you assigned as a messenger for the
20 military?

21 A. That happened in 1972.

22 Q. And who assigned you as a messenger for the military?

23 A. It was Brother Lvey; and Wun (phonetic) who made that
24 assignment.

25 [09.25.15]

1 Q. And who was this man, Lvey? And who was Win (phonetic)?

2 A. He was a group or unit chief within the army.

3 Q. My apologies; may I ask two questions in one. Please first
4 answer the first part: who was Lvey? And please also specify who
5 Wun (phonetic) was.

6 A. Both of them were unit chiefs.

7 Q. And which unit was that?

8 A. It was -- they were commanders of Regiment 120.

9 Q. Please specify the regiment number again; is it 120 or 130?

10 A. My apologies; it was Regiment 130.

11 Q. At that time - or, by that time, did you get to know a person
12 by the name of Suk?

13 A. Could you please repeat that name?

14 [09.27.30]

15 Q. Sok or Suk?

16 A. I cannot recall all the names.

17 Q. You stated from 1972 you worked as a messenger for Lvey and
18 Wun (phonetic); is that correct?

19 A. I worked with Lvey until 1975.

20 Q. As a messenger, what duties were you assigned to do?

21 A. I was used to convey messages from one unit to another.

22 Q. I'd like to move on to the events that took place after 17
23 April 1975.

24 What were you assigned to do after the Khmer Rouge immediately
25 took control of Phnom Penh city?

10

1 A. Immediately after that, I was assigned to work for the
2 technical section within the transportation unit to carry
3 materials and cargoes.

4 [09.29.40]

5 Q. In your interview -- that is, E3/52.78, at Khmer, ERN
6 00287525; English, 00292821; and French, 00355862; you stated
7 that on the 19th April 1975, you moved the artillery unit from
8 Kab Srov to be stationed at Chaom Chau Barrack, and that at 4.30
9 on the same day a group of 14 youths were stationed to guard the
10 Stueng Mean Chey radio station -- Stueng Mean Chey station. Can
11 you recall that part of your statement?

12 A. That happened immediately after the fall of Phnom Penh. We
13 were gathered to move the artillery unit to be kept at Chaom
14 Chau, then my force was assigned to stand guard at Stueng Mean
15 Chey station.

16 Q. And how long did you station to guard at Stueng Mean Chey and
17 what were you assigned to do next?

18 A. I only stationed at Stueng Mean Chey for two nights and then I
19 was assigned to go to Kampong Som.

20 Q. Do you recall that at one time you were assigned to stand
21 guard at Pochentong Airport?

22 A. It was after my return from Kampong Som I was asked to station
23 and guard materials at Pochentong Airport.

24 [09.32.24]

25 Q. You stated "after your return", was it after the return from

11

1 Stueng Mean Chey radio station? Or was it after the return from
2 Kampong Som?

3 A. After my return from Kampong Som, I was asked to station at
4 Pochentong Airport. I was at that airport for one week, after
5 which I was asked to move materials to Kampong Chhnang province.

6 Q. I would like to refer again document E3/5278, ERN in Khmer is
7 00287525; English, 00292821; French, 00355862; you stated that --
8 quote:

9 "On 19 April 1975, you moved artillery unit through Chaom Chau,
10 and at 4.00 p.m., on the same date, your group of 12 went to
11 station and guard at Stueng Mean Chey area. And the day after,
12 you were assigned to station and guard Pochentong Airport. Half a
13 month later, I saw Chinese cargo planes transporting different
14 cargoes, including food, army equipment and other materials to
15 Pochentong Airport, and after that time I was asked to move those
16 materials and equipment to Kampong Chhnang." Do you recall what I
17 have just read to you?

18 [09.34.58]

19 A. It happened long time ago. I have been sick so far, so I do
20 not recall what you read. And I was injured by the explosion, the
21 scraps of the landmine, and I became a little bit -- I could not
22 hear well, so I cannot recall well, as well.

23 Q. You stated that you went to Kampong Som. What did you do
24 there?

25 A. I was asked to go and collect the trucks shipped from China. I

12

1 was asked to go to the port, Kampong Som port, and collect all
2 those materials, such as trucks.

3 Q. Who did you go with?

4 A. There were a lot of us, many drivers. There were about a
5 hundred of us, because there were around 100 or 200 trucks at the
6 time, which were shipped from China. Those who went with me at
7 that time, some of them passed away, and there were -- there are
8 only a few of us survived. And I could make a contact with one
9 person that I went to Kampong Som together with him at that time.

10 [09.37.05]

11 Q. Who led your group, and where were they from?

12 A. It was Brother Lvey assigned us to go and collect those
13 cargos. After we could take and collect the materials, such as
14 trucks, we came back. Ta Met was the one at the place that he was
15 waiting to receive the materials that we were asked to go and
16 take.

17 Q. You stated that you worked with Lvey. Could you tell the
18 Court, besides you were assigned to go and collect materials and
19 put in at Pochentong Airport; who did -- what else did you do?
20 And did you go to receive Chinese delegation?

21 A. I was asked to go and receive Chinese delegation.

22 Q. You stated that you went to collect the Chinese materials at
23 Kampong Som. Were those materials from China?

24 A. Yes, it was Chinese aid.

25 [09.39.14]

13

1 Q. Beside this aid, did China provide human resources?

2 A. I noticed there were only materials that I went to collect.

3 There were earth-carrying baskets, hoes, trucks, et cetera. These
4 materials were used to do the farming, and to build irrigation
5 systems.

6 Q. I am referring to engineers. Were there any Chinese engineers
7 sent from China?

8 A. Yes, there were Chinese engineers.

9 Q. You stated that those materials were used to build the dam and
10 dig the canals. Could you clarify for the Court, were these
11 materials not used for building Kampong Chhnang Airport?

12 A. I saw bulldozers, trucks, vehicles and earth-carrying baskets.
13 Some of these materials were sent to the dam site, or irrigation
14 work sites and some others were sent to Kampong Chhnang Airport
15 worksite.

16 [09.41.03]

17 Q. I would like you to elaborate on this matter. What kinds of
18 materials were sent to use for building Kampong Chhnang Airport?

19 A. I saw and went to collect some equipment, such as bulldozers,
20 vehicles, generators, saws. There were many kinds of them; I went
21 to collect and bring to the airport. And Chinese technicians came
22 to assemble some of those equipment.

23 Q. Beside this work, did you ever accompany Chinese delegation to
24 various provinces?

25 A. Yes, I accompanied Chinese delegation to Siem Reap, Oddar

14

1 Meanchey provinces, and the place where there were airplanes
2 which could not be used. As I stated, I accompanied them to
3 Banteay Meanchey, Battambang and Kampong Chhnang provinces.

4 Q. What was the main reason that you were asked to accompany
5 those Chinese delegates?

6 A. They went there to repair old planes in various provinces.
7 There were old planes in Siem Reap, so these Chinese technicians
8 went there to repair those planes. I was asked to accompany them.
9 There were two Chinese delegates; I was with them.

10 [09.43.30]

11 Q. After repairing those planes, where were those planes sent to?

12 A. After the -- after repairing those planes, they were put at
13 Pochentong Airport and in Battambang province.

14 Q. I would like to ask about the first visit that you went to
15 Kampong Chhnang Airport. Could you tell the Court, were you ever
16 assigned to go and visit Kampong Chhnang Airport?

17 A. Because I was in the village and that district, I was asked to
18 accompany Chinese delegation to make a measurement in that area
19 because I was familiar with the geography.

20 Q. Could you tell the Court when did this happen? I mean, when
21 did you first visit Kampong Chhnang Airport?

22 A. It was in early 1976, but I do not recall the exact date. I
23 forgot it.

24 [09.45.28]

25 Q. Never mind, Mr. Witness, because this happened long time ago.

15

1 Did you recall who assigned you to visit that site?

2 A. It was Met; he already passed away. He asked me to accompany
3 Chinese delegation there.

4 Q. Who was Met?

5 A. Met was the commander of the army. He was the commander of the
6 air forces in Division 502.

7 Q. Who was the chief, and who was the deputy chief? I mean -- I
8 am referring to Lvey and Sou Met -- Met, rather.

9 A. Met was the chief.

10 Q. What about Lvey?

11 A. There were three of them. They were in one group. Three of
12 them worked together.

13 Q. And who else besides Met and Lvey was in that group?

14 A. It was the person I referred to earlier. Later on, this
15 individual was transferred to infantry.

16 [09.47.47]

17 Q. Never mind, Mr. Witness, if you cannot recall. I would like to
18 move on.

19 What did you do when you were there?

20 A. I was a driver, driving the Chinese delegates, and I sent the
21 delegation to the place where they conducted the measurements.
22 They went to drill the land, and it was the Chinese technician or
23 engineer who did that kind of work. I was there just to observe.

24 Q. Do you recall who made the measurement of the runway?

25 A. It was the engineer. It was the Chinese engineer and Uncle

16

1 Song, and later -- who later passed away.

2 Q. I am referring to the first time you were asked by Met to that
3 airport. Who did the measurement, and how was it done?

4 A. The Chinese delegation, they used the measurement machines,
5 and then they asked Khmer workers to measure the land.

6 [09.49.58]

7 Q. I am referring now to document E3/5278, ERN in Khmer,
8 00287526; English, 00292822; and French, 00355863; you stated
9 that: "I rode a 350cc Honda motorbike to measure the land from
10 the speedometer. As for order and indications from the map, Lvey
11 told me that the airport construction project starts from Krang
12 Leav pagoda and extends to Sap Angkam Bridge and National Road 5.
13 Based on the bike's speedometer, the distance was seven
14 kilometres." Could you recall what I have just read to you?

15 A. Yes, I was on that motorbike, and the one who was riding that
16 motorbike with me is still alive today. And he was also invited
17 by the Court to recount the events. And it is true -- it is true
18 what you have just stated. His name was Pean (phonetic). And
19 another individual has passed away.

20 Q. When you first arrived and made the measurement by the
21 speedometer, did you notice that the construction had already
22 started?

23 A. No, it had not been constructed yet. I mean the airport. And
24 when I was there, I was asked to ride a motorbike from a certain
25 location to another location to make the measurement.

17

1 [09.52.32]

2 Q. Could you tell the Court, from Kampong Chhnang -- how long was
3 that from Kampong Chhnang Airport to your birth village?

4 A. It's about 12 kilometres from that worksite to my birth
5 village. I may have recalled it incorrectly because of my memory.

6 Q. I would like you to specify again for the Court, where was the
7 Kampong Chhnang Airport worksite?

8 A. The area was called the Plou Pum (phonetic) or Plou Ko
9 (phonetic), and that area was also referred to Wat Stueng and Wat
10 Priel (phonetic). And it reached one bridge.

11 Q. Could you tell the Court who decided to select that area to be
12 the worksite?

13 A. I have no idea. I did not know who made the decision. I was an
14 ordinary worker at that time, and when I received the assignment,
15 I would go to do it. I did not know who decided to select that
16 site. I only knew that Met asked me to accompany the Chinese
17 delegation. And I was there with them.

18 [09.55.07]

19 Q. Were you told the reason the airport was constructed?

20 A. I was only told that I had to accompany those people to make
21 measurements in order to build an airport.

22 Q. Could you tell the Court, what was the land condition at that
23 airport worksite?

24 A. As for the land condition, the surface consisted of sand. And
25 beneath it, there was rather stony.

18

1 Q. Was the area mountainous, and was the soil condition hard for
2 digging?

3 A. The worksite was close to the base of the mountain, and
4 beneath the surface there were stones. So the land condition was
5 rather hard.

6 Q. Could you tell the Court once again, what purpose was the
7 airport constructed? Was it for commercial or for military
8 purposes?

9 A. I have no idea of the purpose of building that airport. As I
10 stated, I was asked to accompany the Chinese delegation.

11 [09.57.40]

12 Q. Could you tell the Court how many people worked with you
13 during the time you were asked to help with the measurement?

14 A. There were different sections working together. There were
15 other units working with me -- with my group, and three of us
16 were the drivers. There were many workers from various units. We
17 were from different units and sections.

18 Q. You stated that they were from different units. Were they
19 soldiers or were they civilians?

20 A. All of the workers were soldiers, both male and female. They
21 were all soldiers.

22 Q. What units were they from?

23 A. I could not recall all the units; I only recall there was 502,
24 and later workers were taken from various units. I could not
25 recall them all.

19

1 [09.59.32]

2 Q. Based on your answer, you received advice while doing the
3 measurement; I mean the advice from Chinese experts. Is that
4 true?

5 A. Yes, I received advice from Chinese engineers. They told me
6 how to make the measurements. Chinese delegation were there to
7 start the construction and I was there just to help those Chinese
8 delegates.

9 Q. Could you elaborate on the duties you performed at that time?
10 And what duty did each unit perform?

11 A. Some units were working to break rocks, to operate the machine
12 to break rocks; some were engaged in collecting waste, rubbish.
13 Palm trees were not allowed to have in that place, and some units
14 were asked to uproot the palm trees. So they had different duties
15 in their respective units.

16 [10.01.40]

17 Q. How long did you work at that worksite?

18 A. I was there for three months to accompany the Chinese
19 delegation. The Chinese delegation were there to drill the land
20 and to make a measurement. Later on, I was asked to help with
21 clearing trees.

22 Q. From the time you were asked to help with the measurements and
23 the time you were sent to Kampong Som, what result did you
24 achieve during the time that you worked there?

25 A. During the time I was there, the runway had been completed.

20

1 Nearly half of the runway had been completed. And the water area,
2 which was reserved for the case that the plane was burned, had
3 been completed. And as I stated earlier, halfway of the run --
4 half of the runway was completed. And after that, I was
5 transferred to work in another place.

6 [10.03.36]

7 Q. After the first trip that you were assigned to do a terrain
8 measurement, what else were you assigned to do?

9 A. I was assigned to cut trees in order to build a post for
10 electricity. It was a bit further from the airport worksite.

11 Q. Before you were assigned to cut trees, were you assigned to go
12 to Kampong Som?

13 A. Yes, I did. I went to Kampong Som to make another trip to
14 bring the equipment and materials, and then I was assigned to cut
15 trees.

16 Q. What were those equipment and materials? And how did you
17 transport them to the airport construction site?

18 A. They were transported by train. There were a mixture of
19 various tools, equipment, heavy machineries and electricity
20 cables.

21 Q. And those equipment and material which you were asked to
22 transport to the airport construction site, where did you store
23 them?

24 A. They were stored near an old airfield at a house called Phteas
25 Pram Chorn (phonetic), or a five-storey house.

21

1 [10.06.04]

2 Q. And what were you assigned to do after you returned from
3 Kampong Som?

4 A. As I said, after I returned from Kampong Som, I was assigned
5 to take some force to go and cut trees.

6 Q. And how long did you work -- did you do that work?

7 A. I cannot recall how many months I spent cutting trees with the
8 men there. I simply cannot recall it. It's likely that it was
9 around one and a half months to two months.

10 Q. During that period, were other equipment or machineries
11 brought in to the worksite?

12 A. By that time, I did not have any further knowledge about the
13 activities inside the airport construction worksite as I worked
14 at the outside -- that is, cutting trees.

15 Q. After you returned from Kampong Som, can you tell the Chamber
16 how many workers were working at the airport construction site,
17 if you know it?

18 A. There were no ordinary workers. They were all soldiers.

19 [10.08.10]

20 Q. I have a last question to put to you before I hand the floor
21 to my international colleague.

22 Can you please tell the Court how many people were working there,
23 and where they came from?

24 A. You mean people working at the airport worksite? I didn't know
25 which units they came from. There were mixtures of various

22

1 workers from various units.

2 Q. And how many people all together?

3 A. There were many, many hundreds of people. It could be up to a
4 thousand workers. In the morning you could only see heads of
5 people everywhere, working at the airport construction worksite.

6 [10.09.31]

7 MR. SENG LEANG:

8 Mr. President, I'd like to cede the floor to my international
9 colleague since I'm done with my part.

10 MR. PRESIDENT:

11 Rather, it is convenient to have a break. It is now convenient to
12 have a break. We'll take a break now and resume at 10.30.

13 Court officer, please assist the witness during the break in the
14 waiting room for witnesses and experts, and invite him to return
15 to the courtroom at 10.30.

16 The Court is now in recess.

17 (Court recesses from 1010H to 1032H)

18 MR. PRESIDENT:

19 Please be seated.

20 The Court is back in session and the floor is given to the
21 International Deputy Co-Prosecutor to put questions to this
22 witness. You may now proceed.

23 [10.32.46]

24 QUESTIONING BY MR. SMITH:

25 Good morning, Mr. President, Your Honours, counsel, and Mr. Chan

1 Morn, good morning.

2 Q. I just have a few questions to follow-up from what my
3 colleague has just asked you. Just so that we can get what you
4 did during the Khmer Rouge period clear, let me ask you a couple
5 of questions. The village you went to school in -- Krang Skear --
6 that was about 12 kilometres from Kampong Chhnang airfield; is
7 that correct?

8 MR. CHAN MORN:

9 A. Yes, that is correct.

10 Q. And you said to the President earlier that you'd spoken to an
11 investigator once about this case. But did you also speak to an
12 investigator again, about nine months after he came to your house
13 and take him to the airfield and show him a few locations where
14 you witnessed some events?

15 Did you hear that last question?

16 A. I could not hear your question.

17 [10.35.00]

18 Q. After you gave the statement to the investigator at your house
19 about the events at the airfield, did you, some months later,
20 take an investigator to the airfield and show him some places
21 where you saw some events occur at the airfield?

22 A. I took that individual to the airport worksite and I told him
23 the events that I saw.

24 Q. Thank you. And I'll ask you some questions about those events
25 a little bit later.

24

1 You were about 21 years of age in 1975. Can you tell the Court
2 whether you were a member of the Communist Party of Kampuchea?

3 A. I did not know then, what I knew was that I was working in the
4 army. I was not part of the Party. I was working in the army.

5 Q. Thank you. Did you ever get an opportunity to read the Statute
6 of the Communist Party of Kampuchea?

7 A. No.

8 [10.37.01]

9 Q. Thank you. You testified that the commander of Division 502
10 was a comrade Met, and his deputy was a person called Lvey. Is
11 that correct?

12 A. Yes, that is correct.

13 Q. You said that comrade Met assigned you to work at the
14 airfield, but in your statement, you said that Lvey did. Were
15 they both together when you were assigned? Or who in fact
16 assigned you to the airfield?

17 A. Initially, it was Lvey who told me to bring my group and
18 accompany the Chinese delegation to that airfield. And later, Met
19 was there and I was told to take five or six people to help with
20 my work. Met arrived at the airfield and I did what I was told by
21 him.

22 Q. And how many times had you met comrade Met?

23 A. I would meet him sometimes twice a month, or in every three
24 months. He was staying quite far away from me, so I rarely saw
25 him sometimes.

1 [10.39.12]

2 Q. And when you would meet comrade Met, would you have
3 conversations with him?

4 A. Yes, I had conversation with him. He told and instructed me to
5 perform the assignment or duties, and he asked me what results
6 did I perform. He also asked about the rocks there at the
7 airfield, and I was told about -- I was instructed about the
8 assignment that I had to do.

9 Q. And what was your rank in the army? What was your position?
10 Were you a corporal, a sergeant? Did you have a position, a rank?

11 A. I was a messenger in the army. I had no rank. I had been in
12 that capacity or in that position until 1979. As I stated, I was
13 the messenger conveying messages to units, and I would do my work
14 as told.

15 Q. And comrade Met was the commander of Division 502, the highest
16 position in the division. Is that right?

17 A. Yes, that is right.

18 [10.41.23]

19 Q. Did you form a good relationship with comrade Met by the fact
20 that you spoke to him on a number of occasions?

21 A. The reason that I was close to him is because I met him
22 frequently when I was in the army. He knew me well compared to
23 others, and he assigned me to do many tasks when I was at the
24 airfield.

25 Q. Thank you. I'll ask you about those tasks in a moment. But can

26

1 we talk about the deputy commander, Lvey, for a moment? Did you
2 -- you worked for Lvey before 1975; I think for about three
3 years, you said. And you've also said that you worked for Lvey
4 after 1975, at the airfield. Did you have a good relationship
5 with Lvey?

6 A. Before, he asked me to perform the duties and tasks. And later
7 on, he was not staying close to my place, so the relationship
8 became not like before, and I rarely met him. Later on, I was
9 told the duty that I had to perform by someone else.

10 [10.43.44]

11 Q. Are you talking about now when you were assigned to operate
12 the radar on Phnom Kraing Dey Meas mountain, near the airfield?
13 Is that what you're saying? Are you saying that you were away
14 because you were working in that mountain?

15 A. Later on, I was asked to drive a vehicle and bring material
16 and equipment uphill. No one dared to drive the vehicle, so I was
17 told and assigned to be stationed at that mountain for a while.

18 Q. Thank you. You also mentioned that you were asked to guard the
19 station at Stueng Mean Chey after the Khmer Rouge took control of
20 Phnom Penh, before you went to the airfield. Can you tell us
21 whether Division 502 had a security office at Stueng Mean Chey?

22 A. Initially, I was asked to stand guard. And later I was
23 transferred to the airfield, so I did not know who else were
24 there.

25 [10.45.44]

1 Q. Did you ever hear of Division 502 having its own security
2 office? Say, where people may be arrested and taken there? Did
3 you ever hear of a security office?

4 A. I have no idea about the security office. I did not know about
5 the whereabouts of that security office.

6 Q. Thank you. You also mentioned that, when you went to the
7 airfield, you met a person called Uncle Song. Who is Uncle Song?

8 A. I do not recall it.

9 Q. Can you tell us who the deputy or the subordinate of Lvey was
10 at the airfield?

11 A. There was only chief of office; his name was Yeng. I do not
12 know this individual's full name. What I knew is that Yeng was
13 the chief of an office under the supervision of Lvey, so this
14 individual would supervise our work, would make the assignments
15 at that airfield.

16 [10.47.52]

17 Q. If I can just refer you to your statement and this is
18 D166/116, English at 00292824 and 5; Khmer, 00287529; and French,
19 0035866.

20 Witness, you were asked this question: "Who assigned the work,
21 called the meeting, and set the plan for the workers at the
22 airport construction site?"

23 And you answered: "At the beginning, Lvey and Song. When more
24 people were sent from the East Zone, Yeng and Lvey were in charge
25 of those tasks. Yeng disappeared before the Vietnamese fighting

1 in 1979."

2 Does that statement that you gave refresh your memory as to who
3 Song was?

4 A. Song was from the same village. He was a soldier in 502 as
5 well. He has passed away. He was a technician at that time, and
6 he was engaged in the training by the Chinese delegation.

7 Q. Did you just forget his name the first time that I asked the
8 question or did I not pronounce it correctly?

9 A. I recall an individual by the name Song. He was a villager in
10 the village nearby to mine. And he was in the army.

11 [10.50.25]

12 Q. You mentioned that after you did the measurements at the
13 airfield the first time that you went, you went to Kampong Som to
14 collect some more equipment to send to the airfield and, I think,
15 Siem Reap. And then you said you returned back to the airfield.
16 And my colleague asked you some questions as to how many people
17 were there after you did the measurement and came back. You said
18 there were many hats when you looked across the airfield. Can you
19 explain that a bit more, please? About how many people were there
20 when you came back for the second time?

21 A. I saw many people, totalling roughly 1,000 workers. There were
22 many workers at the worksite, at the various shelters, and at the
23 place where the rock was broken. The first time I was at the
24 airfield, there were not many workers, but later on there were
25 female workers as well. They were there to collect rubbish and

1 waste.

2 Q. When you went there the first time to measure the distance for
3 the airfield, nothing had been built. Is that correct? You were
4 the first people there to start the beginning of the airfield; is
5 that right?

6 [10.52.26]

7 A. Yes, that is correct. As I stated, I was asked to accompany
8 the engineers there and I was one among the first group. And I
9 was there with my members, so my role at that time was to
10 accompany the Chinese delegation so that they could visit and
11 observe the airfield. Because, as I stated earlier, I was
12 familiar with the area location.

13 Q. And after you went there the first time, about how long did
14 you stay at the airfield when you did the measurements?

15 A. After the measurements, as I stated, I was in Chan Sari
16 barracks. I stayed at that barracks at Chan Sari for a period of
17 three months, with the Chinese experts or engineers.

18 Q. And where was that? Was that at Kampong Som?

19 A. It was in Kampong Chhnang, Chan Sari barracks, or it was
20 referred to "the five-storey house" which was located close to
21 the old airfield.

22 [10.54.15]

23 Q. And then would you go back and forth to the airfield every day
24 to work?

25 A. I would leave for the worksite in the morning and I would

30

1 return together with the Chinese delegation during lunchtime, and
2 we would go again in the afternoon at 2 p.m.

3 Q. And that was for about three months; is that correct?

4 A. Yes, perhaps so, and afterwards I was transferred to work in
5 another place.

6 Q. You said in your statement that you were transferred to
7 collect equipment at Kampong Som. How long was that for?

8 A. I do not recall when it was. Upon our arrival, we would come
9 back right away on some occasion, and I do not recall how long I
10 stayed there, you know, in different occasions.

11 [10.56.05]

12 Q. And that's what I'm trying to understand, for the period that
13 -- of the Khmer Rouge period, from April '75 to January 1979,
14 about how much of your time was spent at Kampong Som receiving
15 equipment and sending equipment to the airfield and other places?
16 About how many trips did you make to Kampong Som during the whole
17 period?

18 A. I could not recall the trips because I went to Kampong Som
19 rather quite often. I was there many times, so I could not recall
20 them all.

21 Q. And is it fair to say that they were short trips? You would go
22 down to Kampong Som, receive equipment, vehicles, material, and
23 then go straight back to where you were working, if it was the
24 airfield or another place?

25 A. Upon our return from Kampong Som, I was back in the Chan Sari

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1 barracks in Kampong Chhnang. I stayed there with a Chinese
2 delegation, so I would go to Kampong Som back and forth.

3 Q. The Chan Sari building, or the place that you referred to, did
4 you stay there the whole time that you worked at the airfield?
5 Did you always live in those barracks and then go to the airfield
6 each day? Or did you ever live at the airfield itself?

7 A. I stayed in Chan Sari barracks at the so-called five-storey
8 house or building.

9 [10.58.40]

10 Q. And is that where all of the Chinese technicians and advisors
11 stayed or did they also stay in other places?

12 A. The Chinese technicians stayed at the so-called five-storey
13 building, and the cook stayed in the kitchen in the Chan Sari
14 barracks, and the four Khmer workers, we stayed at Chan Sari
15 barracks.

16 Q. And when you say the Khmer workers, are you meaning the people
17 that worked at the quarry, the people that worked on the airport
18 site, chopping wood, picking up roots, or are you referring to
19 the supervisors, the supervisors of the workers staying at Chan
20 Sari barracks?

21 A. Those who worked at the new airfield, the supervisor who led
22 the force or work groups, stayed in Chan Sari barracks, and as
23 for the newcomers, I mean the new soldiers who were brought into
24 that field, they stayed at the airfield itself.

25 [11.00.43]

1 Q. Thank you. Perhaps if I can summarize a little in relation to
2 what you've testified to and what you have provided in your
3 statement about the Chinese assistance to build the Kampong
4 Chhnang airfield. Is it fair to say that they provided vehicles,
5 jeeps, steamrollers, other equipment, blasting equipment,
6 technicians, advisers, rock drillers, generators, materials like
7 steel, cement, explosives? Throughout the period that the
8 airfield was built, did the Chinese provide that sort of
9 assistance to build it?

10 A. Yes, these materials were from China. Steel, everything was
11 the source of Chinese aid. They were all from China. It was
12 Chinese aid. And as for workers, technicians, they were all from
13 China.

14 Q. In your statement, you say that at one stage there were 120
15 technical advisors, did the number go higher than that in terms
16 of advice -- advisors from China, or did it stay about the same?

17 A. That was the number of the advisors; however, later on, some
18 of them had been transferred to work at other locations at
19 various provinces, and later on I did not know whether there was
20 any increase in the numbers since I was transferred to work -- to
21 cut trees outside the perimeter of the airport construction site.

22 [11.03.18]

23 Q. Thank you. But when you went to cut trees, you took the
24 labourers from the airfield that were living there; is that
25 correct?

1 A. The labourers or the forces for those men from the East Zone
2 whom I took with me to cut trees.

3 Q. And were you told why the East Zone workers, military, were
4 sent to Kampong Chhnang airfield? Why were they selected, the
5 military from the East Zone?

6 A. I do not know the reason. I only knew that those military
7 workers were brought in and some of them were assigned to me to
8 go and cut trees and that's all I know about them. So I was given
9 a certain number of these military workers and some tools and I
10 need -- I needed to lead them to cut trees.

11 [11.04.52]

12 Q. In your statement, you say that some of the East Zone workers
13 told you that they were sent to Kampong Chhnang airfield for
14 refashioning. Do you remember that?

15 A. They were brought in and they were told to come to engage in
16 the airport construction worksite, and some of them were assigned
17 to come with me to go and cut trees, and there were many of them
18 at the worksite.

19 Q. Perhaps if I can mention what you said in your statement at
20 D166/116, 00292823, 00 - English; 00287529, that's Khmer; and
21 French, 00355866; and you were asked this question:

22 "What were the reasons behind the sending and assigning of people
23 from the East Zone for the airport construction?"

24 You answered: "When Lvey assigned me to lead the East Zone
25 workers to clear the forest, they told me that they affiliated to

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1 the enemies. Their chiefs in the East Zone who betrayed Angkar
2 and the Party and those chiefs fled to Vietnam. The workers said
3 that the Khmer Rouge sent them for refashion."

4 Does that refresh your memory as to what the East Zone workers
5 said to you, why they were at the airfield?

6 [11.07.05]

7 A. I recall part of it because we were all Khmer and when I saw
8 their unhappy faces, and while we were having meals in the
9 forest, I asked them about the reasons they were sent to the
10 worksite. And they looked unhappy and they told me about the
11 reason that you just stated and I told them don't have any more
12 worry. Just keep doing the work and we would eat whatever we
13 could afford. And I told them that for the rice and food supply,
14 there should be sufficient for us. And they said half of the
15 force which was originally sent from the zone had disappeared,
16 and mainly they were their supervisors or chief, and only the
17 ordinary soldiers arrived. And that's how I learnt about the
18 reason they were sent.

19 [11.08.30]

20 Q. We don't have a lot of time to cover a long period, so let me
21 put a statement that you gave to the investigators about the
22 conditions at the worksite for the workers and about arrests that
23 occurred at the worksite, and then I'll ask you some questions
24 about that. I'm referring to D166/116, English, 00292824; Khmer,
25 00287528 and 9; and French, 00355865/5. This was the question

1 that you were asked:

2 "Most of the witnesses we interviewed said that many people were
3 sick, died, and taken for killing, and they said that they saw
4 people being tied and trucked away when they worked at the
5 construction site. Please explain your accounts."

6 And you answered: "Those were the true stories. The arrests were
7 made and the people were being tied every day. I personally
8 witnessed those events. When a list of names of workers was
9 forwarded, one person came to the construction site to tell the
10 victims that they have to go to a meeting. Then, the victims were
11 arrested, tied, and transported to the direction of Phnom Penh.
12 There were at least three victims in each arrest, and the arrests
13 occurred every day. As far as I know, the persons who made an
14 arrest were not from the construction site, and those orders were
15 not made by Lvey or Song. The number of deaths from overwork,
16 exhaustion, hard work, also increased from one day to another. As
17 they could not endure the hardest work, the workers committed
18 suicide by running into the roller every week. Most of the
19 suicide victims were female. I did not see any people being
20 killed at the construction site. The corpses of those who died at
21 the construction site were taken to be buried in the forest near
22 Wat Stueng."

23 That is what you have told the investigators as to what was
24 happening to workers at the airfield. Can you comment on that? Is
25 that a true account?

1 [11.11.59]

2 A. I personally saw people being trucked away, and usually they
3 were trucked away at night-time, and I heard the sound of the
4 activity from where I stayed. And mostly they were transported to
5 Phnom Penh. And the people who went to take them to Phnom Penh
6 were those from Phnom Penh. And it was an ongoing activity at the
7 time, and everyone was minding his or her own business.

8 Q. And why were they being taken away?

9 A. I do not know the real reason. What I saw was those trucks
10 leaving Phnom Penh to go to the airport worksite to get those
11 people. And the people at the worksite themselves were not the
12 ones who took them or trucked them out to Phnom Penh.

13 [11.13.40]

14 Q. You were taken away for a time. You were arrested. Isn't that
15 correct?

16 A. I was arrested after I returned from cutting trees. I returned
17 in order to come and get food supplies -- that is, rice, and
18 Yeng, who saw me transporting some large amount of rice because I
19 had men to feed and he accused me of transporting rice to the
20 enemy. And I said, "If you consider my men were the enemy, I
21 myself would be the enemy as well". Then I went to collect some
22 medicines, and next day I was told I had to attend a meeting, and
23 they told me that there was no need for me to get into a vehicle
24 of my team, and that I should get into their vehicle. And I was
25 taken to a hospital, and that hospital still exists today. I was

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1 detained and my hands were tied behind my back, and I was tossed
2 onto a truck and transported away. Those people who made the
3 arrest -- that is, who arrested me, were not the ones on the
4 ground at the airport. They were people from Phnom Penh. After
5 they kicked my ankle to make me fall down, I fell down, but I had
6 a glance at them and I knew that they were not the people at the
7 worksite, but they were people from Phnom Penh, and on the trucks
8 I could hear sounds of other people, so I presumed that they had
9 been arrested before I was arrested, and we were all trucked away
10 on that vehicle.

11 [11.15.57]

12 Q. You mentioned in your statement that people came with lists of
13 names and called people out, and they were taken away. Did you
14 see that occurring? Did you see those names being called out and
15 workers being taken away?

16 A. Before I had been arrested, yes, I did see it. And if we said
17 that we knew the people whose names were on the list, then they
18 would go to take those people away. And sometimes we told the
19 names of the people we knew when we were asked and later in the
20 evening they disappeared. And that included both people who were
21 transferred from the East Zone and some local people as well.

22 Q. And why did staff supervisors from Kampong Chhnang airfield,
23 why did they allow these people coming in from outside to take
24 their workers away? Why did they allow that to happen?

25 MR. PRESIDENT:

1 Witness, please hold on, and Counsel Koppe, you have the floor.

2 [11.17.43]

3 MR. KOPPE:

4 Thank you, Mr. President. I let it pass a few times already,

5 partly also because the witness used this word himself; however,

6 I think it is -- it would have preference to refer to the people

7 from the East Zone as "soldiers", soldiers who had just rebelled,

8 were involved in massive fighting, and to continuously refer to

9 them as workers as if they were normal civilians is, I think, not

10 accurate, and only under certain circumstances the word "workers"

11 would make sense, but in this specific case, I object to the use

12 of the word "workers". They were soldiers, they were military

13 people sent from the East Zone after a rebellion.

14 [11.18.36]

15 BY MR. SMITH:

16 That's a very nice submission on the Defence case. Your Honours,

17 they were soldiers, it's clear they were soldiers, but then they

18 came to work. This is very nuanced, "soldiers".

19 Q. Witness, did the East Zone soldiers that were sent to the

20 worksite, did they have weapons with them? Did they have guns?

21 MR. CHAN MORN:

22 A. No, they did not. When they were transported in, they did not

23 bring along with any weapon as their weapon were confiscated.

24 Although they came from various units from the same zone, but

25 none of them had any weapon with them, and the only thing they

1 had with them was clothes.

2 Q. And for the East Zone soldiers, do you know why their weapons
3 were confiscated?

4 A. I only knew part of the event. I was told by those workers
5 with me in the forest that they were accused of having a
6 connection to the enemies. But as I said, I was simply an
7 ordinary worker, and I didn't know the real details behind that.
8 That's -- and the only reason that I learnt was from those
9 workers while we were cutting trees in the forest. And at a quiet
10 time, I asked them about this and that's what I was told.

11 [11.20.54]

12 Q. Thank you. I would like to talk a bit about some of these
13 arrests, and you said that you heard that these, or you saw that
14 these arrests were occurring, and that trucks were taking people
15 away. In your statement, or in a crime site report, and I'm
16 referring to D32 -- D232/100, English, 00436946; and Khmer,
17 00428465; and English (sic), 00485452. I think there's an
18 objection.

19 MR. KOPPE:

20 No objection, just a request to not refer to D documents numbers,
21 but to E3. That would be much more practical for us to find it
22 quickly.

23 [11.22.20]

24 BY MR. SMITH:

25 We will do that, Your Honours. I don't have the E number right

40

1 now, but I'll obtain it for you.

2 Q. This is what the investigator said that you said to him when
3 you took him to the airfield in 2010. He said that you pointed
4 out a site to the northwest of Kampong Chhnang airfield about 180
5 metres from the location where you formerly lived during the
6 Democratic Kampuchea period, and about three kilometres from the
7 airfield's runway. A large tree is at that site. In 1977, he saw
8 trucks carrying troops leave the airfield at night between 10
9 p.m. and midnight. The troops were brought to that site and about
10 five minutes later, you heard screams and crying emanating from
11 that location. Several days later, you smelt the odour of
12 decomposing bodies coming from that site. The witness still
13 recognises that tree today, which is now in its original state.
14 At that site, the investigator was unable to see the signs of
15 grave pits, but he is suspicious about circular marks at two or
16 three locations near the tree.

17 [11.24.08]

18 If I can put one of those photos that were in that crime site
19 report on the screen, I'll ask you a few questions about that.
20 Just for our technician, that's slide one, but whilst this is
21 happening, you said that you lived in, I think, Chan Sari, in
22 Kampong Chhnang town, whilst you were working at the airfield,
23 and then you would travel there every day, and then from what the
24 investigator has said that you have said, is that you used to
25 live in a building that was called the transportation unit, which

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1 was about three kilometres to the west of the airfield. Can you
2 explain? Did you live in two places, one at the transportation
3 unit and the other in town, in Kampong Chhnang town with the
4 Chinese?

5 A. It happened only after I went to transport wood, and while I
6 was undertaking the terrain measurement, I stayed at the Chan
7 Sari barracks. And only later on, when I transported wood to the
8 saw mill, I stayed at that building you mentioned. And about
9 three to 400 meters behind where I stayed, there was a stream
10 located near Wat Stueng pagoda, and there was a big tree there. I
11 heard screams coming from that direction, and later on when I
12 trespassing the area, I noticed the odour coming from that area.
13 However, I did not see corpses. I only smelt the odour, and that
14 big tree still exists. And I also accompanied the OCIJ
15 investigator to that site, but we only saw the big tree and some
16 bamboo trees, but we did not see any pits.

17 [11.27.05]

18 Q. If we can look at D322/100, ERN 00436952; Khmer, 00428469; and
19 French, 00455457; at picture 4 on the screen, can you just
20 explain what you see in that picture?

21 A. The photos shows the area behind the location where I
22 transported wood.

23 Q. And if we can look at the second slide please, and that's ERN
24 00436952 in the English. Can you explain what you are doing in
25 this photograph, what you are pointing to?

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1 A. I am pointing to the big tree at the far distance. You can see
2 that there is only one big tree at the background of the photo.

3 Q. And if we can show the next slide please, 00436951, it's
4 English photo, and Mr. President, I would ask that the photo stay
5 on the screen if possible, because it's been flashing up and then
6 flashing off.

7 MR. PRESIDENT:

8 Yes, your request is granted.

9 [11.29.48]

10 BY MR. SMITH:

11 Q. Looking at this slide, what are you showing us in this photo?

12 MR. CHAN MORN:

13 A. This is the area where I heard the screams.

14 Q. And if we can show the last slide, which is English, 00436951;
15 if you can tell us what you see in this photo that will come up
16 shortly.

17 A. Near the big tree on the day that I accompanied the
18 investigator, we saw the circular marks, which could be the marks
19 of the former pits from that regime. And as I said, this is the
20 area where I heard the screams emanating from and where I smelt
21 the bad odour. And the screams from this area, I heard it almost
22 every night while I was staying in the area. However, the
23 location is an open field now, but the big tree still stands, and
24 there still are some bamboo trees along the stream.

25 [11.31.43]

1 Q. You said that you heard it almost every night. How often did
2 you stay in the transportation unit, in that building we've just
3 seen?

4 A. On the day that I returned to sleep there, I heard the
5 screams, but allow me to say that I did not sleep at that
6 transportation unit every night. I only slept when I could not
7 make a return trip, so after I dropped the woods off, I would
8 return, but for some days it was too late, so I stayed overnight,
9 and that's when I heard screams coming from this area.

10 Q. And can you give us an amount about how many times you heard
11 these incidents occurring in the evening?

12 A. It varied and I cannot recall it all. As you know, it's been
13 several years. And the situation at that time was rather
14 confusing as well, and I myself had to be mindful of where I was
15 going. And I could not tell you the number of different screams
16 coming from this area when I heard it.

17 [11.33.37]

18 Q. Thank you.

19 Mr. President, I have about two or three more minutes on this
20 topic. I believe you normally break at 11.30. I'll continue,
21 thank you.

22 You said that you heard the screaming, for about how long would
23 you hear the screaming? Was it quick? Was it one minute, five
24 minutes, 10 minutes? Can you tell us how long it was?

25 A. The screaming lasted for about three or four minutes and

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1 sometimes it was shorter than that, maybe two or three minutes,
2 then I could hear the sound of the truck returning.

3 Q. In this report, it says that you told the investigator that
4 you would see the trucks carrying troops come towards that
5 location. Where would you see those trucks come from?

6 A. The trucks came from the other side of the mountain while I
7 was on the opposite side of the mountain. I heard the sounds of
8 the trucks and I heard the sound of its turning at the corner.
9 And, of course, my -- the area that I stayed in was closer to the
10 area that I heard the screaming emanating from.

11 [11.35.42]

12 Q. And was the airfield between the transportation unit and the
13 mountain you referred to?

14 A. The transportation unit was in between the mountain. As I --
15 when I worked for -- while I was cutting trees, I was at the
16 other side of the mountain, and the distance was about three to
17 four kilometres.

18 Q. How did all of this screaming, trucks arriving, the smelling
19 of decomposing bodies, experiencing that on a regular basis, how
20 did that make you feel?

21 MR. PRESIDENT:

22 Witness, please wait, and defence counsel Anta Guissé, you have
23 the floor.

24 MS. GUISS?:

25 Well, if I'm not mistaken, or in any case in the translation, I

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1 did not hear the witness speak about smells of decomposing
2 bodies, he just spoke about smells, so I believe that the
3 Co-Prosecutor here is adding extra elements, so I'm objecting.
4 [11.37.26]

5 BY MR. SMITH:

6 Your Honour, it may be a translation issue, but it's certainly
7 not something that I'm adding. As you know from the report, it
8 says he smelt the odour of decomposing corpses coming from that
9 site.

10 Q. But to clarify, can I ask you that again: I read this passage
11 out to you, you've said to the investigator that you smelt odour
12 of decomposing bodies, is that what you smelt or not?

13 MR. CHAN MORN:

14 A. Yes, that's what I told the investigator because when the wind
15 was blowing to my direction, that was the stench or the strong
16 odour that I smelt.

17 Q. So, Mr. President, if I just finish that last question: How
18 did the smells, the screaming, the trucks arriving every night
19 that you were there, how did that make you feel?

20 A. During the night that I stayed there, I heard the screaming,
21 and personally at the time, I did not feel any good. I did not
22 know which day my turn would come. That's how I felt at the time
23 because, from what I saw, workers there were asking themselves
24 when our day would come, that is the day that we would be killed
25 or died. We were just waiting for the day. That's the bad feeling

1 that we had. Despite the food that we were given, we did not have
2 the happy feeling at all.

3 [11.39.55]

4 MR. SMITH:

5 Thank you, Mr. President.

6 MR. PRESIDENT:

7 Thank you. It is now appropriate for our noon break. We take a
8 break now and resume at 1.30 to continue our proceedings.

9 Court officer, please assist the witness at the waiting room for
10 witnesses and experts during the lunch break, and invite him to
11 the courtroom again at 1.30 this afternoon.

12 Security personnel, you are instructed to take Khieu Samphan back
13 into -- back to the waiting room downstairs and have him returned
14 to attend the proceedings this afternoon before 1.30.

15 The Court is now in recess.

16 (Court recesses from 1140H to 1331H)

17 MR. PRESIDENT:

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

19 And the Chamber gives the floor to the International Deputy
20 Co-Prosecutor to resume his line of questioning. You may now
21 proceed.

22 BY MR. SMITH:

23 Thank you, Mr. President. Good afternoon, Witness. Other than
24 comrade Met coming to the airfield on a number of occasions, were
25 there any other more senior Khmer Rouge leaders that attended the

1 airfield that you saw?

2 [13.33.12]

3 MR. CHAN MORN:

4 A. When they came to visit I could see them got off the vehicle
5 and I do not -- I did not recognise those people because I was
6 staying far from the place where vehicles stopped.

7 Q. You were asked in your interview on E3/5278, whether you saw
8 senior leaders come to the airport and this is at 00292824;
9 Khmer, 002287528; and French, 00355865; you were asked this
10 question, "Did you see any Khmer Rouge leaders come to visit the
11 airport construction site at Kampong Chhnang?" You said, "In
12 early 1977, I saw a convoy entering through the access road to
13 the airport construction site. At that time I saw Khieu Samphan
14 and Ieng Sary visit the airport with armed vehicles and escorting
15 many soldiers. I did not know of purposes of Khieu Samphan and
16 Ieng Sary's visit but I saw Lvey and other chiefs at the airport
17 construction site with them. I saw Met coming to visit the
18 airport construction site once or twice a month."

19 Does that refresh your memory? You said earlier that the
20 statement was correct, did you Khieu Samphan and Ieng Sary come
21 to the airport or the airfield construction site or did you not?

22 [13.35.20]

23 A. As I stated earlier I was staying in a far distance, I could
24 not see them well. They came to visit the airport construction
25 site. The senior people came to visit the worksite in order to

1 try to see the airplanes.

2 Q. Thank you. And when you told the investigator that you saw
3 Khieu Samphan and Ieng Sary did you in fact see them at the
4 construction site or not, those particular people?

5 [13.36.13]

6 A. At that time many people came off from the vehicles and the
7 one who was close to me told me that they are senior -- they were
8 senior people coming to visit the construction worksite. I was
9 staying behind others so I could not see who they were.

10 Q. Did someone tell you that it was Khieu Samphan and Ieng Sary
11 that visited or did you just assume that?

12 A. People who were standing close to me they said they saw them
13 and I was staying in a far distance, I could not see and I was
14 not tall enough to see them and three days later an airplane
15 landed at the worksite for the test.

16 Q. Did those people that told you that they arrived, did they
17 tell that it was Khieu Samphan and Ieng Sary or did they just say
18 it was senior leaders?

19 [13.37.50]

20 A. I was told their names and the two names were mentioned and I
21 was told that these senior people came to visit the worksite and
22 to see the airplanes.

23 Q. And can you provide a time period, was that in 1976, 1977,
24 1978?

25 A. I could not recall it, whether it was in 1977 or 1978. The

1 planes were flied at that time for the test.

2 Q. Thank you. At the worksite a lot of work had to be done to
3 build the airport, how was that information communicated?

4 A. I could not understand, I do not understand your question,
5 please repeat.

6 Q. Thank you. It was a bit -- it was a bit general. So, perhaps
7 if I put to you what you told the investigator as to how
8 information was conveyed from the person in charge at the
9 construction site to others and I'll refer to E3/5278, English,
10 00292825; Khmer, 00287530; and French, 00355867. You were asked
11 this question, "What kinds of meetings were held at Krang Leav
12 airport construction site? Who convened the meeting? What were
13 the contents of the meeting? What were the decisions at those
14 meetings?" You answered, "They held a weekly meeting and chaired
15 either by Lvey or Yeng. The meeting discussed about construction
16 plan and attended by chiefs of different units at the
17 construction site. Then the chiefs disseminated and enforced
18 those decisions in their groups."

19 Does that refresh your memory as to how information was passed
20 down from Lvey the top manager to the different units?

21 [13.41.01]

22 A. They were to send to Ta Yeng and Ta Yeng would divide them
23 into sections. Some people were put in wire connection section
24 and some were put in the section which was in charge of erecting
25 the poles.

1 Q. About how many different units or work groups were they --
2 were there to be able to build the airfield?

3 A. In -- I could see two divisions and were other brigades and I
4 could recall that there were two divisions there, one division
5 from air force and one division from artillery section. So there
6 were two sections from divisions and I recall that there were
7 other units taken from other brigades or divisions but I did not
8 know where they were from.

9 Q. Thank you. You said that you knew comrade Met reasonably well,
10 more so than others of your level in the army, I would like to
11 quote to you what he stated at a meeting on 9th October 1976,
12 with other division secretaries and deputy secretaries and the
13 number is E3/13, and the English is 00940350; Khmer, 00052411;
14 and French, 0033980; and he said at this meeting when he was
15 asked to comment on the enemy situation, he said, "The enemy will
16 not be able to do anything for as long as our military is
17 politically hard and clean. It is imperative to strengthen the
18 party politically, ideologically and organisationally. It is
19 imperative to dare to absolutely to conduct purges." At the
20 airport were unit chiefs and other supervisors there responsible
21 to look out to see if there were enemies in the ranks, in the
22 workers, at the airport, at the airfield site?

23 [13.44.45]

24 A. It's difficult to say if unit chief or office chief hated us,
25 he or she could say anything he or she wanted, he or she could

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1 say, we betrayed Angkar. Everyone was afraid of these people and
2 we were not only afraid of the chief of the office but also other
3 higher officials.

4 Q, I would like to put to you another matter from another
5 divisional meeting between the secretaries and deputy secretaries
6 of the divisions, on 1st March 1977, and this is E3/807, and it's
7 at English, 00933834. I think we have an objection.

8 [13.46.12]

9 MR. PRESIDENT:

10 Please hold on International Deputy Co-Prosecutor. You may now
11 proceed Mr. Koppe.

12 MR. KOPPE:

13 Thank you, Mr. President. Yes, I do have an objection assuming
14 it's the same kind of question to the witness that was just post
15 earlier. I think it's time that we put this witness into
16 perspective. He gave testimony as to his functioning, he was a
17 messenger, he was a soldier in a division of about five to six
18 thousand men, he was in the very lowest levels of this division,
19 he's now being asked about a meeting between division commanders
20 and vice commanders. He is in no position, whatsoever, to give
21 any credible evidence as to what the top of the division is
22 negotiating or talking about to other leaders of divisions. Where
23 the Revolutionary Army of Kampuchea, at one point, had about 60
24 to 70,000 men, he is somebody in the very low level and he cannot
25 possibly say anything intelligent as to meetings of the top

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1 military leaders of these divisions. So I think there's no point
2 in asking this witness these kinds of questions. So I object.

3 [13.47.36]

4 MR. SMITH:

5 Your Honours, I don't propose to ask him questions about what
6 occurred at the meeting, at the divisional meeting, he clearly
7 wasn't there. But what I'm asking him or what I will ask him is
8 whether or not the policy that was discussed at the divisional
9 meeting was passed down through to the commanders through the
10 deputy to Lvey to the worksite meetings. It's to provide evidence
11 of policy at the airfield. Now, I think when we look -- listen to
12 the answer to the previous question, he wasn't asked about the
13 divisional meeting but he was asked about the policy and it was
14 quite clear that this witness is a little reluctant to talk but
15 given some more factual details, he does provide more information
16 about what's happening at the airfield, not at the divisional
17 meeting.

18 [13.48.35]

19 (Judges deliberate)

20 [13.48.58]

21 MR. PRESIDENT:

22 It's too quick to raise your objection, Mr. Koppe, the
23 Co-Prosecutor has not yet put specific question to this witness.
24 Witness, you are instructed to listen to the question clearly and
25 also Counsel Koppe, please wait for the question, whether or not

1 you will have objection. You may now proceed, International
2 Deputy Co-Prosecutor.

3 BY MR. SMITH:

4 Q. Thank you. The French ERN was 00323922; and the Khmer,
5 00052304. At that meeting on 1st March 1977, comrade Met said,
6 "It was said that there was a contradiction because the Chairman
7 of a platoon had made a severe criticism", when referring to a
8 grenade being tied to kill a comrade. He then states, "It's
9 obviously -- obvious that a number of elements whom we had
10 previously arrested really are enemy elements. More than 50
11 no-goods have been sent to S-21." He then states' "There can only
12 be reliability if five more company secretaries are removed."
13 [13.50.32]

14 My question to you is, at the meetings at the airfield, were
15 there similar discussions about the removal of enemies from the
16 military ranks? This one occurred at a higher level but at the
17 airfield were there similar discussions about removal of enemies?

18 MR. CHAN MORN:

19 A. When there were big meetings, the big meetings would relay the
20 message and we also had joined the small meetings. We were
21 instructed to listen well to the instruction and we were warned
22 not to betray the Revolution. In the meeting we were told that
23 upper level told us to well-behave and to follow the lines of the
24 Revolution. That was what were told at the meetings and if we
25 betray the revolution, we were killed.

1 [13.52.20]

2 Q. And how were you asked to follow the Revolution, were you
3 asked to look out for enemies at the worksite?

4 A. No. We were not asked to look out for enemies, we were
5 instructed to be responsible for the task and the assignments.
6 And in the meetings, it was said that the people from the East
7 Zone had some of the tendency and I was told to get all of them
8 to help to chop the trees and in the meetings we were also told
9 to be careful and to work hard to avoid any disappearance. In
10 that period there were disappearances and we were told to help
11 each other in our work.

12 Q. You said that after seeing the -- or hearing the sounds of
13 screaming and the smell of dead bodies and the general atmosphere
14 at the airfield was that the workers were asking themselves when
15 their day would come, that is the day they would be killed or
16 die, was there a real atmosphere of fear at the airfield?

17 [13.54.13]

18 A. Yes, everyone was afraid and terrified. Everyone (inaudible)
19 we were working, were afraid of such occurrence.

20 Q. Had you ever been to -- you referred to S-21 when Met said 50
21 no-goods would be sent to S-21; do you know what S-21 was, when
22 you were at the airfield?

23 A. I did not know. I heard people mention about S-21 but I myself
24 did not know.

25 Q. You said in your statement that you were arrested and sent to

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1 S-21 and then shortly after you escaped. Do you know whether that
2 in fact was S-21 or could it have been another security centre?

3 A. What I knew is that the place was Tuol Sleng and I heard
4 people say, mention about S-21 afterwards. So I did not know S-21
5 but I knew Tuol Sleng, Tuol Sleng School.

6 Q. When you were arrested, were you placed in cells or were you
7 just taken into the grounds of that area? Were you put inside or
8 were just taken into the grounds and then you escaped?

9 [13.56.29]

10 A. Upon arrival at that place I was kicked off -- I was kicked
11 and I fell off the vehicle. I was taken into a toilet, one guy
12 took to me into a toilet near that place and I was warned not to
13 flee. Afterwards this guy showed me a piece of paper of how to
14 flee and he tried to help me flee that place and I had that piece
15 of paper as the direction to run away. And I was given a meal and
16 the meal was put into the container and I could flee the place.
17 It was around 2.00 a.m. at night that I could make an escape.

18 Q. So is the case that you arrived in the dark and you left in
19 the dark the same evening or night, is that correct?

20 A. It was in the dark, we could not see anything and I had cuts
21 on my face and I had a blindfold, I was blindfolded as well. As I
22 said I was kicked and I fell off the vehicle I could see a
23 flagpole and I could see other two poles attached with the string
24 attached. The guy asked me why I was arrested and I was asked to
25 stay in the toilet and after that he gave me rice meal and put in

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1 the container and I could flee with that kind of meal.

2 Q. Thank you. I just had a few more questions and then I'll
3 finish. At the airfield, you witnessed many people dying as a
4 result of the conditions; you witnessed many people being
5 arrested and taken away in trucks; you witnessed trucks arriving
6 up at a tree near where you worked on a number of occasions and
7 heard screaming and then later smelled decomposing bodies. Why
8 didn't you do anything to stop what was going on?

9 MR. KOPPE:

10 Mr. President, that was a nice summary but I never heard the
11 witness say that people were dying at the airfield because of the
12 working conditions. He described hearing of screaming which I
13 think is at a site three kilometres away from the airport close
14 to possible the transportation house. We have not established at
15 all that these screams had anything to do with people working at
16 the airfield, maybe they were people who lived in the West Zone,
17 in Sector 31. So this part of that summary of the Prosecution
18 doesn't reflect, at least in our view, the testimony of this
19 witness this morning.

20 [14.00.29]

21 BY MR. SMITH:

22 Your Honour, as you remember, I read out the summary -- I read
23 out the portion of his statement where he exactly said that, that
24 people did die from conditions, people did die from suicides,
25 people did die from -- because of over-work and he agreed to

1 that. And so I put that to him, and as we know this witness has
2 said that where he saw the killings that was three kilometres
3 from the airfield by the transportation office which related to
4 the airfield. So my summary was accurate, Your Honour, even
5 though it was put to him from his statement, that's what he
6 agreed to.

7 Q. Okay. So we've lost a bit of momentum but if you can tell us
8 why you didn't do anything, you heard and saw these killings and
9 arrests on a frequent basis, why didn't you do anything?

10 [14.01.46]

11 MR. CHAN MORN:

12 A. How could I stop that, even I myself could not stop working. I
13 was awaiting for the days to come for myself. Everyone was afraid
14 and terrified. The regime at that time was not like that in the
15 current situation. During this time, nowadays, we can discuss and
16 talk to each other and negotiate and in that period we would be
17 afraid of being accused of enemies if we were accused of being
18 enemies, we would be arrested. I did not commit any mistake at
19 that time and I was accused that I was the one who transported
20 rice for the enemies and as a result I was arrested. So, I could
21 not stop what was happening at that place.

22 Q. So are you saying that if you told Lvey or told commander Met
23 about these arrests, about these deaths, that you would be
24 accused of being enemy if you raised this problem with them.

25 A. Even I myself, when I sought help from five people whom I knew

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1 at the division none of them dared to give me a safety way out
2 and only Met, actually was willing to help me otherwise I would
3 be dead.

4 MR. SMITH:

5 Thank you. Your Honour. I've finished my questions.

6 [14.04.21]

7 MR. PRESIDENT:

8 Thank you. The Chamber now hands the floor to the Lead Co-Lawyers
9 for Civil Parties to put questions to this witness and you may
10 proceed.

11 MS. GUIRAUD:

12 Thank you, Mr. President. Good afternoon everyone. I give the
13 floor to my colleague, Ty Srinna.

14 MR. PRESIDENT:

15 Yes, the Chamber grants your request.

16 QUESTIONING BY MS. TY SRINNA:

17 Thank you, Mr. President. Good afternoon, Mr President, Your
18 Honours, everyone in and around the courtroom and good afternoon,
19 Mr. Witness. My name is Ty Srinna, I'm a Lawyer for civil parties
20 and I have some questions to put to you to seek your
21 clarification regarding the events took place at the Kampong
22 Chhnang airport worksite.

23 Q. And my first question is the following, when was the Kampong
24 Chhnang airport project started and when was it concluded, if you
25 can recall?

1 [14.05.42]

2 A. I do not remember it. It has been several years. I cannot
3 recall the exact date when the project was initiated. And
4 although I had been transferred elsewhere I believe the project
5 was completed when the Vietnamese troops arrived.

6 Q. And when you started work at the Kampong Chhnang airport
7 worksite was there any announcement that the project would last
8 for a year or two, was there such an announcement at the start of
9 the project?

10 A. No, there was no such an announcement. I was told to lead
11 people to work at the site and there was no such announcement at
12 all and the work was ongoing at the time that I worked there.

13 Q. And did you know at that time who -- whose idea was it to
14 build the airport worksite or did you hear similar account from
15 your superior -- that is, Lvey, that who actually came up with
16 the idea to build an airport at Kampong Chhnang and what its
17 purpose was?

18 [14.07.23]

19 A. I heard Met said that the airport was meant for military
20 operation -- that is, for the air force operation from the
21 parachuting troops.

22 Q. I would like now to ask you questions about the chain of
23 command at the Kampong Chhnang airport worksite and since you
24 were there from the beginning of the project you may be familiar
25 with the chain of command and as well as the labourers there. Can

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1 you tell the Court how many labourers were there at the worksite
2 and what was the chain of command like?

3 A. At the beginning there was Song, Yeng and Lvey and a handful
4 of others who were in the leadership role and I was also there to
5 bring in logistics. And later on we also received some Chinese
6 technical advisors and we were in a group of the first batch to
7 arrive at the worksite.

8 [14.09.23]

9 Q. For Lvey, Song and Met, did they have clear distinctive roles
10 or duties at the airport worksite?

11 A. It was Met to assign task to various other cadres, for example
12 those who were assigned to measure the terrain, or those who were
13 assigned to cut trees, or those who were assigned to uproot trees
14 or to break rocks. So assignments were made to various units and
15 after the assignments were made those units would engage their
16 respective task. I myself was assigned to lead them in doing a
17 terrain measurement and to accompany the Chinese delegation. I
18 did not have any other specific task than that.

19 Q. I'd like now to ask you about the working conditions at the
20 airport project worksite. When soldiers were brought in from two
21 divisions, as you stated this morning, to work at the airport
22 site, how was the working and living conditions like? For
23 example, were adequate shelter provided?

24 A. No. It was dependant on their respective units. They had to
25 build their own sleeping quarter, it was a make shift type of

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1 shelter that they had to build and each unit was responsible for
2 building its own sleeping quarter for their workers.

3 Q. Did they stay day and night at the worksite while they were
4 working there or they had to return to stay elsewhere?

5 [14.12.10]

6 A. At that time there were no houses for those workers. They
7 stayed with their unit. For example, for a unit of 50 workers,
8 they would stay within their respective unit or a group of 10
9 workers would stay within their own -- its own group. And the
10 same thing applied to the 100 men unit and for those -- for
11 example, if they were assigned to break rocks they would stay at
12 the rock breaking worksite and likewise the one who connects the
13 electricity cable would stay within its respective unit. There
14 were no wives or children accompanied them at the worksite.

15 Q. You mentioned about a rock breaking unit and you said the same
16 thing this morning and there was another section for digging the
17 ground or for clearing the terrain or uprooting trees. What --
18 which section that had to endure the hardest working conditions
19 at the worksite?

20 [14.13.35]

21 A. It was the rock breaking unit, the women group and another
22 group which had to locate roots of all kinds of trees including
23 palm trees. They had to locate those roots and had to clear the
24 terrain and there had to be no root or anything left on the
25 ground. That was the hardest section as well as one for the

1 women. However for those who had to dig the soil, that part was
2 not really a -- the hardest one.

3 Q. So the rock breaking unit and women's unit faced the hardest
4 working conditions. And what kind of work force was assigned to
5 these two units. Were they ordinary workers or were they
6 considered to be offenders committing some kind of mistakes,
7 either it was a minor mistake or a serious mistake?

8 A. It was the general work force and it was the unit itself who
9 assigned its own work force to engage in various tasks. At that
10 time everyone was afraid of everyone else and everyone was
11 minding his or her own business and the same thing applied to
12 those who worked at various other sections and not just for the
13 rock breaking unit or for the women unit. Everyone was so afraid
14 that one day, the day of the dead would arrive and every member
15 of every unit felt the same way.

16 [14.15.55]

17 Q. And through your experience working there, did you ever see
18 any worker falling down or died from overwork or exhaustion or
19 from work related incident or whether they were wounded from any
20 other sources?

21 A. It was the most terrible working condition for the two units
22 that I just mentioned. We were given watery gruel and they had
23 endure the hard working condition in particular for those women
24 and as you imagined it would be extremely difficult to uproot all
25 the roots of just a bunch of grass and you could imagine clearing

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1 the whole terrain for the airport field. It was a very difficult
2 situation for them and of course they were work related incidents
3 and it happened every day. Some of them were injured from
4 overwork or exhaustion from malnutrition and as for those who
5 worked at the rock breaking unit, sometimes the rock fell upon
6 them and sometimes, in particular for women, sometimes they were
7 hit by rollers on site. So every day there was always an accident
8 at the worksite.

9 [14.18.11]

10 Q. From what you described in terms of work related accidents,
11 can you confirm whether such an accident occurred every day or
12 every two days?

13 INTERPRETER:

14 There is no response from the witness.

15 BY MS. TY SRINNA:

16 Q. Did such work related accident happen only at the site you
17 worked or was everyone working there familiar about such an
18 accident throughout the worksite?

19 A. I can only say that, for example, if we were sitting together
20 in a group of three, only three of us would know what happened,
21 if were sitting in a group of five, only five would know what
22 happened and we did not dare ask about others. And sometimes we
23 knew that one of -- one member of the unit was taken by an
24 ambulance or died and only us would enquire about that and we did
25 not dare to ask such questions to other workers outside our

1 group.

2 Q. Did anyone die on the site?

3 [14.19.40]

4 A. People, yes, died in their respective unit, in particular
5 those who were worked at the rock breaking -- in the rock
6 breaking unit. When rock fell on them they died and the body
7 would be taken away by a vehicle.

8 Q. In such a case of work related death, for example from rock
9 hitting, did the -- was the supervisor on the ground aware of
10 what happened and was there any measure taken to prevent future
11 happening. And was there any compensation from the management of
12 the worksite to those -- for those who died?

13 A. During the regime forget about compensation. If you died it
14 simply means you died, there's no compensation. And at the time
15 materials and equipment were important than human life, for
16 example, if a car rode off the road and then the people or the
17 driver would be accused of delaying the work and despite some
18 injuries to passengers. So the work and the tools were more
19 important than human life.

20 [14.21.35]

21 Q. You said this morning on the worksites some women were
22 assigned to work, were those women soldiers or were they
23 civilians?

24 A. All the workers on site were soldiers, there was no civilian.

25 Q. This morning you also said, in your response to the

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1 Co-Prosecutor, about workers committing suicide and you also
2 mentioned that in your written record of interview -- that is
3 document E3/5278, and ERN in Khmer, 00287528 - 29; and in
4 English, 00292824; and in French 00355865 - 66. The Co-Prosecutor
5 read you a quote about people committing suicide by running into
6 a roller and most of them were women and do you know the reason
7 why those women committed suicide by running into a roller?

8 [14.23.32]

9 A. It was due to starvation and fatigue and they even had to work
10 while they were sick. So they did not have any hope to hang on to
11 and the women's group was working close to the operation of heavy
12 machineries -- that is, close to rollers and bulldozers or
13 excavators, as they were assigned to clean the terrain by picking
14 all roots, all kinds of roots. They had to clean nicely and
15 carefully and if it was checked that there was still a root or
16 two on the assigned plot then they had to really do -- to redo
17 the ground again. And out of desperation from overwork and
18 starvation sometime they just rolled themselves on the ground to
19 be crushed by a roller.

20 Q. Were such supervisors aware of such incident?

21 A. Of course they were aware of that but no one spoke about it.
22 If you died, you simply died. No one could help another one and
23 that is all, that's what happened.

24 [14.25.20]

25 Q. Were any measure taken against -- to prevent desperation by

1 workers? For example, in terms of lack of food, was food issue
2 resolved, because as you said the airport worksite at Kampong
3 Chhnang was an important project from the point of view of the
4 superiors? Was food issue resolved by the upper echelon?

5 A. There were some sorts of solutions to the food issue.
6 Sometimes when there was enough rice to cook, then the gruel we
7 had was rather thick and the fish was brought in from the river
8 but it was not abundant. It is very difficult for me to describe
9 about the food situation at that time.

10 Q. In your same written record of interview, you said that people
11 who came to arrest were those from outside the worksite. And you
12 were asked that question by the Co-Prosecutor, although I am
13 unclear on your response. Can you please repeat again, why such
14 outsiders permitted to enter the worksite and to arrest workers
15 there, could you elaborate on that?

16 [14.27.24]

17 A. I think that was the decision determined by the chain of
18 command from the chief of office up to the unit chief -- down to
19 the unit chief. They communicated through their radio and maybe
20 through the report and maybe that decision was more powerful than
21 the decision made at the division level. And to my understanding
22 the authority of the chief of office was more authoritative than
23 that of the division and of course they maintained their
24 communication through this chain of command via radio. And at
25 that time even if you use a wrong word, you would be accused of

1 being an enemy.

2 MS. TY SRINNA:

3 And Mr. President, I don't have any further questions for this
4 witness. I would like to cede the floor to my international
5 colleague.

6 [14.28.37]

7 MR. PRESIDENT:

8 You may proceed, Lead Co-Lawyer for Civil Parties.

9 QUESTIONING BY MS. GUIRAUD:

10 Thank you, Mr. President. Good afternoon, Witness. My name is
11 Marie Guiraud and I am one of the civil party lawyers and I have
12 a few very brief questions to put to you given the time that I
13 still have left. I'm simply going to ask you to clarify certain
14 things that I didn't understand quite well in your testimony,
15 this morning in particular. And I would like to get back to what
16 you told us this morning regarding the place where you would
17 sleep when you arrived at the worksite. You spoke about the Chan
18 Sari barracks which you also called the five storey house and you
19 explained to us this morning that you, together with the Chinese
20 technicians and workers, would sleep in this house and that the
21 newcomers, and I'm using the word I heard in the French
22 translation -- that is to say, the "newcomers", the "nouveaux
23 venus", went to sleep on the worksite. So did I understand
24 correctly what you said this morning and if I did, can you
25 explain to us the difference between the workers who would sleep

1 in the five storey house and the workers, soldiers, the newcomers
2 who would sleep on the worksite?

3 [14.30.22]

4 MR. CHAN MORN:

5 A. So the sleeping place was divided for the newcomers and the
6 ones who had been there at the first stage and there were people
7 in different sections, for example, in the electricity section,
8 in clearing trees, chopping trees, so they would sleep in
9 different places. I was with the Chinese delegation and helped
10 those delegates and people who were in charge with the electrical
11 wires they would work in their group. And there were others who
12 were in charge in laying wires and laying the water pipes so
13 these people were sleeping in -- at their work place, they did
14 not come to sleep at the Chan Sari barracks.

15 Q. Thank you. And you explained to us earlier that the soldiers
16 who had arrived in groups, generally speaking, were gathered and
17 tasked with building their own sleeping quarters. So did I
18 understand you correctly and were these places systematically
19 within the airport worksite or sometimes were they outside of the
20 worksite?

21 [14.32.22]

22 A. Those who were in charge of building the roads were sleeping
23 at their worksites and for those who transported rocks would stay
24 at that place and those who were in charge of transporting sand
25 they would sleep at their quarters. So as I stated they slept at

1 their own places. So they would sleep in their respective units
2 sleeping quarters.

3 Q. And at times did you ever visit these sleeping quarters and if
4 yes, can you describe them, were they very different from one
5 unit to the other or in general were they built in the same way
6 from unit to unit?

7 A. There were halls and they would tie the hammocks and sleep in
8 the hammocks and at some sleeping quarters had beds made of wood
9 and there were kitchens, the cooking place close by. In that
10 period there were no proper sleeping places so usually workers
11 slept in hammocks made of fabric.

12 [14.34.29]

13 Q. Thank you. You also told us earlier that all of the workers on
14 the worksite were soldiers, so did they all wear uniforms or were
15 they wearing other kinds of clothes?

16 A. We had two set of clothes and in the morning we wore a set of
17 clothes and if it was raining we got wet and soaked and we had to
18 work with that soaked and wet clothes. So as I stated earlier
19 there were two sets of clothes only for workers. Everyone had the
20 same set of clothes.

21 Q. So were these military uniforms or were these civilian clothes
22 other than uniforms?

23 A. Yes, the military uniform not civilian clothes. They had
24 military uniforms.

25 Q. Thank you. Now I would like you to react to one of your

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1 statements before the Co-Investigating Judges regarding the
2 people who were ill, who fell ill on the worksite. And you spoke
3 about these people this morning as well as this afternoon and I'm
4 going to read to you the question that was put to you back then
5 and the answer you provided and I'm going to ask for
6 clarification with regard to the information you provided back
7 then to the investigators.

8 [14.36.25]

9 So, I'm speaking about the document that we have been referring
10 to since the beginning of the day E3/5278, French, 00355866;
11 English, 00292824; and Khmer, 00287529; and you were asked back
12 then the following question, "Where were the sick soldiers
13 workers brought to, taken to, did many of them fall ill? What
14 kind of illnesses did they suffer from?" And you answered back
15 then and I quote, "The worker soldiers who were ill were brought
16 by car to be treated in Kampong Chhnang. Each day there were
17 about 15 of them who fell ill and most diseases -- most frequent
18 diseases were malaria and exhaustion due to exhaustion. There was
19 always ambulances on the worksite."

20 So do you remember saying this, and if yes, can you be a bit more
21 specific with regard to the kind of illness that prevailed on the
22 worksite and also with regard to the ambulances you spoke about?

23 [14.37.54]

24 A. Most of them suffered from Malaria. For example, my group and
25 I went to Krang Skear to chop trees and we went to Aleak Khang

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1 Cheung (phonetic) and Thma Bang. There were many insects so we
2 mostly got malaria and when we returned to our work place there
3 were ambulances where we were taken to the hospital at the zone
4 level, if we fell sick. So there were ambulances stand by to take
5 us to the hospital when we fell sick. Most of us got malaria, for
6 example, people from the East Zone they were assigned to chop
7 trees in the deep forest and many of them got malaria.

8 Q. Thank you and you told us that some of the worker soldiers
9 were sent to the hospital when they were sick. Back then did you
10 see any of these worker soldiers come back to the worksite once
11 they went to the hospital, did you ever see them come back from
12 the hospital to get back to work on the worksite?

13 A. Yes, those who recovered from illness they would be sent back
14 to the worksite they were not allowed to stay long at the
15 hospital they would be sent back to the worksite. If the sick got
16 recovered and if they were from any certain unit, they would be
17 sent back to those units after they recovered. There were many of
18 them getting malaria.

19 [14.40.20]

20 Q. Thank you. So the worker soldiers on the worksite, on the
21 airport worksite, were they watched over in any way?

22 A. There were military groups who were walking and standing
23 guard. This military were from the centre, I do not know where
24 this military were from. They would leave and they were standing
25 guard in the morning and they were watching workers, they were on

1 the vehicle and watching over us from that vehicle. I did not
2 know them at that time and I heard that they were referred to as
3 military.

4 Q. Thank you. Beyond these patrols, did other foot soldiers watch
5 the workers on the airport worksite?

6 A. These military men were also walking and watching over us in
7 the morning. They were at the worksite for a while. As I stated
8 earlier they were walking sometime and on some other occasions
9 they were on vehicle patrolling the place where people worked.

10 [14.42.29]

11 Q. And when you would go into the forest with the people who were
12 under your responsibility, the men from the East, as you said,
13 were you in charge of watching over these men?

14 A. People from East Zone were there working together. They came
15 in vehicles and many of them passed away and we were the drivers
16 and many of us, as the drivers, were also asked to watch over the
17 people from the East Zone. And workers from the East Zone were
18 sleeping in their own area and they could cook rice to eat. Even
19 we were in the same airfield worksite we could not have time to
20 chit chat or make any conversation. We did not have time to ask
21 where we were from. We only could ask some little information
22 from each other. As I stated earlier we did not have time to
23 discuss, to chit chat, if we happen to make conversation, we
24 would be accused of being insiders.

25 Q. And when you said that many people from the East Zone died,

1 can you be a bit more specific of that? Did you die during the
2 period that you were in charge of watching over them and if yes,
3 how did you know that they died back then?

4 A. It was later. It was later after they went to chop trees and
5 these people were then put to work in the airfields so many of
6 them died during that period. During the time that they were sent
7 to chop trees, not many of them died and I could notice that one
8 person disappeared every month from units -- from their units.
9 And I also noticed that many of my colleagues disappeared as
10 well.

11 [14.45.35]

12 Q. Once the wood cutting work was finished by the worker soldiers
13 from the East Zone, do you know to which other tasks they were
14 then assigned?

15 A. They came back to work in the airfield. Some were put to carry
16 sand and to work in laying foundation of the construction and
17 some others were tasked with building fences after they returned
18 from chopping down trees. And when they returned to work in the
19 airfield, I was not supervising them, I was not with them.

20 Q. And when you would watch over them when they were cutting
21 wood, were you armed because you said as a driver sometimes you
22 would have to watch over these workers?

23 [14.46.52]

24 A. Yes, there was a rifle in each vehicle, so we had one rifle
25 with us in one vehicle. The rifle was given to us in order to

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1 that we could use to find any meat in the forest. And we never
2 used that rifle to kill anyone of the workers but we used it to
3 go and find wild meat. And as I stated earlier, my colleagues
4 with me also had rifles and because I was familiar with the
5 location, I was the one who led the group and again there was a
6 rifle in the one vehicle.

7 MR. PRESIDENT:

8 It is now convenient time for a short break. So we will take the
9 break from now until 3.05.

10 Court officer, please facilitate a proper room for this witness
11 and please invite him back to the courtroom at 3.05.

12 The Court is now in recess.

13 (Court recesses from 1448H to 1506H)

14 MR. PRESIDENT:

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

16 And before I hand the floor to the Defence teams, I'd like to
17 inquire from my fellow Judges if you wish to put questions to the
18 witness. And Judge Lavergne, you have the floor.

19 [15.06.38]

20 QUESTIONING BY JUDGE LAVERGNE:

21 Thank you, Mr. President. Good afternoon, Witness. I'll put a few
22 questions to you to have you clarify some of the answers you gave
23 this morning. This morning, you stated that after the 17 April
24 victory, you went to Kampong Som to seek aid provided by China.
25 Can you tell us or clarify when exactly you went to Kampong Som

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1 for the first time to pick up the aid.

2 MR. CHAN MORN:

3 A. I cannot recall the date. I forget about it. For the first
4 trip, there were 50 of us who went to pick up the aids equipment
5 and tools. And basically, there were vehicles shipped from China
6 for us.

7 Q. But do you remember whether it was several months after the 17
8 April victory or only a few weeks after that or only one month
9 after that? Can you give us an estimate of the time after the
10 victory when you went to Kampong Som?

11 A. It was about three months after the 17 April 1975 period. I
12 could say it is between three to four months after that. I cannot
13 recall the exact months -- the exact number of months.

14 [15.08.56]

15 Q. When you were near Pochentong, did you see Chinese planes land
16 on Pochentong airport?

17 A. Yes, I did. I saw Chinese planes landing at the airport. And a
18 plane would land every two or three days -- that is, when I was
19 there, although I did not stay regularly at the airport site.
20 However, during the period that I was at the Pochentong airport,
21 I saw a Chinese plane land every few days.

22 Q. Were there any planes from other countries -- that is,
23 countries other than China?

24 A. No, there was no other planes except those from China.

25 Q. Did Chinese planes transport passengers or they also

1 transported equipment?

2 A. They were cargo planes transporting materials. And when the
3 plane flew back, it would transport soldiers who were sent for
4 training in China. And each time a group of 50 or 60 soldiers
5 would be sent on a plane back to China for training.

6 [15.11.03]

7 Q. Regarding passengers arriving on the Chinese planes, were
8 these people Chinese advisors or Chinese coming to Cambodia? Do
9 you have any idea as to who the people who were transported on
10 those planes were?

11 A. I saw cargoes or equipment that the plane brought in and I saw
12 some Chinese as well. Because I was not part of the inner circle
13 of the airplane -- that is, to receive passengers, I did not know
14 the full details of the passengers coming off the planes. So I
15 basically knew only about the equipment and tools that were
16 brought in via plane and I saw some Chinese.

17 Q. When you went to Kampong Som, you said this morning that the
18 material or equipment included trucks and machines used for
19 digging canals. You said there were pans, hoes, can you specify
20 whether there were indeed equipment used for digging canals?

21 [15.12.57]

22 A. There were hoes, earth carrying baskets; and for machinery,
23 there were those machineries for the purpose of digging canals;
24 there were bulldozers as well. So, those heavy machineries were
25 meant for canal construction. And those machineries would be

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1 stored at the airport for further distribution. But I was not
2 sure as to which provinces were those machineries distributed to.

3 Q. But this morning, it appears that you said that some of the
4 equipment was to be sent to the site of the Kampong Chhnang
5 airport, and the other equipment was meant for other regions; is
6 that indeed what you stated? Among the equipment sent, was part
7 destined for the airport construction site and part for other
8 regions?

9 A. Yes, indeed, that was the case. We were told the batch of
10 machineries for the airport construction was in a separate batch
11 from those machineries destined for other work-related purposes.
12 And those equipment would be further sent to other provinces,
13 though I did not know the details. And we brought those equipment
14 along in a convoy of vehicles. And there was all kinds of
15 equipment and tools including those hoes and baskets aiming for
16 the construction of dams and canals. There were also saws --
17 automatic saws for cutting wood, etc. But as I said earlier, I
18 did not know to which zones those equipment and tools were later
19 distributed.

20 [15.15.30]

21 Q. Do you remember when for the first time you delivered
22 equipment on the Kampong Chhnang airport construction site? Was
23 that immediately after the reception of the first batch of
24 equipment or at another time?

25 A. As for trucks, we drove them to Phnom Penh. As for other

1 machineries, namely rollers, they would be placed on the train,
2 and the train would depart the port and arrive at Tuek Phos
3 district -- that is, for the -- I refer to those machineries for
4 the airport construction. And the equipment that we brought in on
5 the trucks would be driven to be stored near Udong for the
6 purpose of building the airport. And a lot of equipment were
7 brought in to be stored at the airport warehouse around May or
8 June, if it is according to my best recollection.

9 [15.17.07]

10 Q. When you say May or June, is that May or June 1975 -- that is,
11 shortly after the victory of the Khmer Rouge or May, June in the
12 year 1976?

13 A. That is after the liberation of Phnom Penh in 1975. I refer to
14 the months in 1975.

15 Q. So the equipment was taken as of May or June 1975 to
16 warehouses close to the airport construction site; is that your
17 testimony?

18 A. Yes, that is correct. The machinery including rock breakers
19 would be stored right near the mountain as they would use sheet
20 to cover those rock breakers.

21 Q. If you do remember, can you tell us when you got in touch for
22 the first time with Chinese advisors?

23 A. The first contact I made with the Chinese when I went to pick
24 up the equipment. I went along with him and I was waiting to
25 receive the equipment at the port. But I cannot tell you the date

1 as I cannot recall it. And when I transported the equipment to
2 the airport, they came along in the convoy and there were already
3 Chinese on the ground to receive them.

4 [15.19.46]

5 Q. Can you give us an idea of the number of Chinese advisors who
6 were present during that period? And did that number change with
7 time, did it increase with time, did it decrease, did it vary?
8 Can you enlighten us on that point, please?

9 A. Initially, the first time I saw the Chinese, I saw a group of
10 50 Chinese advisors when I brought them to repair old planes.
11 However, when I was assigned to measure the terrain for the
12 airport projects, I saw many more Chinese who were technical
13 advisors. They were experts in the field of building
14 constructions or in laying electricity cable. But I cannot tell
15 you the exact number of those Chinese technical advisors, that
16 there were quite a large number of them. And they were brought in
17 by three vehicles to the airport construction site.

18 [15.21.22]

19 Q. Were those Chinese advisors speaking Khmer or they spoke
20 through interpreters?

21 A. Of course, there were always interpreters. There were some
22 Chinese interpreters and some Khmer interpreters.

23 Q. Were there working sessions attended by Khmer officials and
24 Chinese advisors?

25 A. I did not know about the meeting as I was not allowed to

1 attend the meeting of those officials. If they were to hold a
2 meeting, they would organise it at their place amongst those
3 Chinese, and I was not part of the meeting. And only after the
4 meeting, if I were assigned to do -- to carry out this task or
5 that task, then I would be told to do so. But I personally did
6 not attend the meeting. And only after the meeting concluded,
7 sometimes the chief of the office would give us a piece of paper
8 with instructions as what we needed to do or to pick up.

9 [15.23.11]

10 Q. I would like us to talk about working conditions on the
11 airport construction site specifically. You have told us that you
12 received instructions. May I know whether there were work quotas
13 imposed as per each worker? Were there any quantifiable
14 objectives imposed on workers?

15 A. No, there was no instruction on such quota. However, a unit
16 would be assigned a specific overall quota for the unit itself.
17 For example, a group would be assigned to clear a plot of 10
18 metre wide land. And the whole group had to complete that work
19 quota. But there was no individual work quota assignment.

20 Q. This morning, you stated that one of the most difficult tasks
21 consisted in breaking rocks. Can you describe to us in further
22 detail under what conditions -- under what working conditions
23 rocks were crushed? How did they go about it? And was it
24 dangerous?

25 [15.24.51]

1 A. Rock breaking process was that, first they drilled a hole into
2 the rock, and the drill was a large one with a supply of water to
3 cool down the drill head. However, it was pretty hard work as the
4 holder had to control the movement of the drill. And then they
5 had to hurry to complete the drill, because after the lunch
6 break, they would have to use the explosion to break the rock.
7 And they had to rush to dig four or five holes for people to
8 place explosives in. And sometimes, the fragments from the rock
9 hit the workers or the drillers. And of course, they knew what
10 was coming but it was from the over-exhaustion that sometimes
11 they could not run fast enough. And they were hit by rock
12 fragments when explosive was ignited. And the rock breaking unit
13 was the one who had the most accidents during the construction of
14 the airport.

15 Q. Can you tell us whether there were working hours imposed in
16 the case of workers on the airport construction site? And were
17 these working hours the same for all workers or they vary from
18 one group of workers to another?

19 [15.26.56]

20 A. The working hours were the same across the board for all
21 workers. In the morning, each unit would depart to their
22 respective worksite, for example, for those who had to carry the
23 earth or the sand. And we all rested at 11.00 and we had lunch at
24 11.30. And we started again at 1.30. And working hours remained
25 the same for all the workers on site.

1 Q. In concrete terms, when did the workers set out in the morning
2 to go to the site, and at what time in the evening did they stop
3 working?

4 A. It varied. For the morning time, we usually left around 6.30
5 and the work started at 7.00, and we stopped at 5.30 in the
6 afternoon.

7 Q. Now, did the Chinese advisors working on the airport
8 construction site have the same working hours and did they have
9 the same food regime as the Cambodians working on the site?

10 [15.28.54]

11 A. No. They ate a different set of food. They had a meal in the
12 morning, another meal at noon, and another meal in the evening at
13 the Chan Sari barracks. And only the Khmer soldiers, who worked
14 there, ate separate food from the food given to the Chinese.

15 Q. And were there banquets ever held for the Chinese advisors?

16 A. When I was with the Chinese advisors, usually a reception or a
17 banquet was held weekly. And when they went to repair old planes
18 at various provinces, the same thing happened, I mean they had a
19 banquet on a weekly basis.

20 Q. What was the menu of this banquet? Was it very removed from
21 the ordinary menu of the workers on the worksite? For example,
22 would people drink beer during these banquets?

23 [15.30.38]

24 A. Yes. During the banquet, they had their own beer to drink. I
25 don't know whether it was called Singa or something, it was in a

1 blue bottle. Even on the days the banquet was not held, they have
2 abundance of food to eat and beer to drink. It was in absolute
3 contrast to the food that we, foot soldiers, ate on site. When
4 there was rice, we were given thick gruel, but at other times,
5 only watery gruel was given to us. For the Chinese, they
6 regularly had bread and had their traditional noodle. And of
7 course, I observed that when I escorted or accompanied them to
8 work at various provinces to repair those old planes.

9 Q. And did the Chinese witness accidents that would happen on the
10 worksite or did they witness any suicides or disappearances?

11 According to you, did they know what was going on on the
12 worksite?

13 [15.32.20]

14 A. Yes, they knew about disappearance, about suicide, and about
15 diseases namely malaria. And of course, they learned about those
16 events through interpreters. And we had malaria medicine. And the
17 Chinese were aware that there were also medicine for the
18 treatment of malaria on site. And in case of disappearance, as in
19 my case, and later on I reappeared, they were perplexed. They did
20 not know what was going on as I disappeared from the airport
21 worksite, and later on, they saw me at the radar section.

22 Q. And when they saw you again, aside from just being perplexed,
23 did they ask you questions on why you had disappeared?

24 A. The interpreter asked me about that. The interpreter asked me,
25 "where were these people sent to?" And I told the interpreter

1 that Met helped me and I went back to work. Later on, I did not
2 dare to walk away from my sleeping quarter or from the place
3 where I worked -- that is, at the mountain. And at that time, I
4 was told I had to move all the materials from the mountains to
5 Samlout. Later on, I was not with those people because they made
6 problems on me.

7 [15.35.01]

8 Q. I didn't understand. Who created problems for you?

9 A. I am difficult to speak. The unit chiefs and my superior -- if
10 I could not be at the place in time or if I made the trucks
11 destroyed and if I broke some things or some materials I would be
12 blamed. They mentioned about the heavy machinery. The unit chief
13 at the time said that if one lamp broke, this lamp could be sold
14 and used to feed the whole people in Kampong Cham. And it was
15 said that one life could not be compared with that lamp. When I
16 was told to drive the vehicle uphill, I was warned and alerted to
17 be careful. If I roll -- if my truck or vehicle roll off the
18 street or road, I would be in danger. So I had to be careful when
19 I drove the vehicle uphill. And he said that one lamp could be
20 used to feed the whole people of Kampong Chhnang. And I did not
21 know who he was referring to because at that time, I could not
22 see people in Kampong Chhnang province. They had been evacuated
23 elsewhere.

24 Q. All of the people who originally lived around the airport, had
25 they all been evacuated so there was not one single original

1 inhabitant left on site; is that what I must understand?

2 [15.37.50]

3 A. Yes, no inhabitants in the province. They had been evacuated
4 elsewhere.

5 Q. And the workers who were working on the airport worksite, were
6 they ever given any days of rest?

7 A. It was during the festival time on the 17 April that they
8 could rest. It was named as the National Holiday, and during this
9 time, we could rest. But before we could take a rest, we had to
10 join the meeting.

11 Q. Was there for example, one day of rest ever ten days?

12 A. No, there was no such a break time set.

13 Q. So you're telling us that there was only a day of rest when
14 there was a national holiday. So that means 17 April. But how
15 many days were there in a year when one could rest?

16 A. All soldiers did not enjoy a resting time. It was on that day,
17 the national holiday that we could rest. We had no breaks for two
18 or one day. No resting time at all at my place. Although the
19 Chinese experts had rest, we Khmer workers did not have that
20 latitude.

21 [15.40.21]

22 Q. I just want to get back to the working schedule again, the
23 working schedule every day. So, in the morning or in the
24 afternoon, aside from the lunch break, were there other breaks?

25 A. I could not get the gist of the question.

1 Q. You explained that you would leave for work in the morning at
2 around 6.30 and you would arrive on site at around 7.00, and then
3 there was a break at around 11.00. And at around 11.30, you had
4 your lunch, and then you would work in the afternoon until, I
5 believe it was, 5 o'clock, if I'm not mistaken. But during the
6 morning and during the afternoon, were there other breaks?

7 [15.41.44]

8 A. There was no resting time or break time as mentioned by, Your
9 Honour. And if we were too exhausted, the unit chief or group
10 chiefs would allow us to take a short break. There was no such
11 break, for example, a short break between 9.00 or 10.00 a.m. in
12 the morning. But as I said, if we were too exhausted or tired, we
13 would be allowed by our unit chief or group chief to take a short
14 rest. But if other -- in other units or in other groups, perhaps
15 the chiefs were too strict, they did not allow workers to take
16 even a short rest.

17 Q. So the only break in fact was the lunch break which would
18 begin at 11.00. And when would it finish? When would you get back
19 to work in the afternoon?

20 [15.43.01]

21 A. We resumed our work at 1.30 p.m. By that time we had to go
22 back to work from our kitchen or dining hall.

23 Q. And the workers at the airport worksite, did they have to
24 write their biographies?

25 A. Everyone was required to make a brief biography. And we were

1 instructed to speak the truth, nothing but the truth for the
2 Party. And as for the assignment or duties, we were instructed to
3 perform strictly. And I had -- we had to submit a brief biography
4 every week. When we were assigned to work in the forest for one
5 or two weeks, we had to submit the report after we returned from
6 the forest. And if we were asked to work in the province which
7 was far away from this worksite, we were required to write a
8 short report and submit to the superior saying that we were loyal
9 to the Party in doing work.

10 [15.45.14]

11 Q. Were there any elements in the biographies that could be
12 considered as showing bad tendencies? Was this word used, this
13 expression, "bad tendencies"?

14 A. They knew our biography already by the investigator. So, as
15 for my case, my biography was known to them without waiting me to
16 tell them everything about my family members, whether I had any
17 member in the family who was a doctor, and so on and so forth.
18 During Khmer Rouge period, I could say that my place perhaps had
19 been the first location where biographies were known to the Khmer
20 Rouge.

21 [15.46.42]

22 Q. And do you know what the Khmer Rouge were particularly
23 interested in? What kind of information were they looking for?

24 A. I do not understand your question. I'm sorry, Your Honour.

25 Q. In the biographies, what was the kind of information that

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1 would particularly catch the attention of the Khmer Rouge? For
2 example, the fact of having a relative who might have served as
3 an official or as a serviceman under Lon Nol. Was this the kind
4 of information that might catch the Khmer Rouge's attention?

5 [15.47.50]

6 A. When I was there, I was required to inform them how many
7 family members I had. And I had to report about the occupation,
8 about my parents, uncle, aunts. And later on, after the biography
9 was submitted, they would go from villages to other villages to
10 verify it. And we -- our biographies were verified during the
11 three months -- three years, eight months and twenty days. They
12 had to know how many family members we had and what professions
13 they held at that time.

14 Q. How did you become aware of these investigations? Did someone
15 tell you about them? How do you know about this?

16 A. I asked them about that. I secretly asked my colleague about
17 that. I asked my colleague how could they go to villages to
18 verify the biography. And for my case, I lived in Krang Skear
19 commune, so they had the biography -- they had my biography and
20 went to my commune to verify. We could not hide our biography at
21 that time.

22 Q. Were you given instructions to list what was necessary to put
23 in the biographies or were you told what you should be looking
24 for in the biographies?

25 [15.50.14]

1 A. They told me to write nothing but the truth. I was required to
2 put down -- put in the biography what the professions of my
3 parents and my siblings and relatives. At that time, I did not
4 know my father's profession. I only wrote that he was an ordinary
5 citizen. Someone told me to write as such. And I fill in that
6 biography by saying that my father was a normal farmer and
7 peasant. And later on, during the period of three years, eight
8 months and 20 days, they came to the commune to verify my
9 biography.

10 Q. Now, I would like to begin a last series of questions
11 regarding your arrest and your escape, because I think that's how
12 we can call it. You said that you had understood, after your
13 arrest, that you had been taken to a big prison. And then you
14 said that you recognised that you had arrived at Tuol Sleng; is
15 that what you said?

16 [15.51.58]

17 A. I witnessed that; I experienced that incident. I was kicked
18 and I fell off the vehicle. At that time, I saw the black pole
19 and two other poles which were close to the flag pole. The guy
20 held my wrist and led me to the toilet in the school. The toilet
21 was in the school. I was pushed into the toilet. At that time, I
22 was wearing shorts and a t-shirt. I had a cut on my face and my
23 face was swelling at that time. I could not speak clearly because
24 of my swollen mouth. That guy took his towel and cleaned the
25 blood stain on my face. He had a piece of paper, he draw a map

1 and gave it to me so that I could use as for direction when I
2 made an escape. I was so terrified at that time, I did not think
3 of the time -- what time it was at that time. I could think that
4 perhaps I could make an escape. I did not remember that it
5 happened at 2.00 or 3.00 a.m. in the morning. And when I made an
6 escape and reach Chrouy Changva Bridge, it was perhaps around
7 4.00 a.m., because I could hear the sounds of the cock in the
8 morning. And the guy told me to look for another individual at
9 that bridge but I could not find him.

10 [15.54.27]

11 A while later, I met that individual and then he could not make
12 any decision. He took me in a vehicle to Pochentong airport. When
13 I arrived, no decision was made because they were afraid. And
14 after knowing that they could not make any decision, I asked them
15 to see Met. And afterwards, I could see Met. And they, the three
16 of them, took me to see Met. Met was wearing a sarong at that
17 time when I saw him. And he asked me what happened to me. I told
18 him that I did not know. And I did not know that I was arrested.
19 I was called to join a meeting. I told Met at that time that
20 there was one guy who wanted to mistreat me. After hearing all
21 the stories, he, Met, asked a medic to give stitches onto my
22 wound. The day after, I was taken away from his place. I did not
23 recall when this happened. I forget all of this. One week later,
24 I was taken to Phnum Kraing Dey Meas. Because he thought that I
25 never met my parents, he allowed me to go and visit my home. When

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1 I went to my home, my parents were not there because they were
2 put in a re-fashioning centre. At that time, I made a request to
3 see my mother at that re-fashioning centre. I met my mother and I
4 could see her swollen face. Later, I returned back to my place.
5 It was perhaps around 5.00 p.m.

6 [15.57.20]

7 Q. I'm going to try to backtrack a little bit. Had you already
8 gone to Tuol Sleng before being led there during your arrest? Did
9 you know Tuol Sleng before you had been arrested?

10 A. No. It was later during the time I was arrested I knew it was
11 Tuol Sleng. And as I stated, I saw one flag pole and I asked the
12 guy, I mean one of my friends who helped me, he told me that that
13 place was Tuol Sleng. He told me to keep calm and stay at that
14 particular place so that he could go and find rice for me to eat.
15 I have never seen him, I mean the one who helped me ever since. I
16 asked other people about him but it was in vain.

17 Q. So this person who helped you, does this person have a name?
18 Did you know this person before? And do you know why he helped
19 you?

20 A. We had been staying in the same unit before. And after Phnom
21 Penh was liberated, we were separated into our own units. And we
22 parted each other. As I stated, we had been in the same unit --
23 that is, messengers' unit. After the liberation of Phnom Penh,
24 some of my colleagues were put in navy, some were put in radar
25 unit, and some were in other units. So we parted each other. At

1 that time, I did not know my friend who helped me was at Tuol
2 Sleng. We had been working together before.

3 [16.00.06]

4 Q. Do you remember his name?

5 A. Yes. His name was Mao, comrade Mao. He had a dark complexion
6 and he was short. And some people may refer him as a monkey
7 because he was good at climbing trees. And he had a large body.
8 His body was large built. I have been looking for him since 1979,
9 and some of my friends told me that he died already at the time
10 Vut (phonetic) died. And some told me that he went up until Rolou
11 (phonetic). And my niece or nephew disappeared as well at Rolou
12 Hatel (phonetic). And when I -- when the opportunity came, I went
13 to that place and I searched for my friend who helped me as well
14 but I could not find him.

15 [16.01.38]

16 Q. So that friend helped you, hid you in the toilet, and gave you
17 a map which you used to flee? You fled alone. And did he tell you
18 where you should flee to?

19 A. Alone, I was told to go to Vin's house. He told me that before
20 we had been working with Ta Vin. So I had to go and find Ta Vin.
21 That's what he could help me. When I arrived at Ta Vin's house
22 which was located close to Chrouy Changva bridge, the guard
23 prevented me from entering the house. I was asked to wait for Ta
24 Vin. And my -- I was very dirty all over my body at that time. I
25 had to crawl, I had to run and walk in order to reach Ta Vin's

1 house. When Ta Vin arrived, he saw me and he asked me to go into
2 his house. He said that he could not guarantee for my escape, so
3 he took me to Pochentong airport. There were five people at the
4 Pochentong airport – Ta Bouen (phonetic), Lvey, Ta Vin. No one
5 dared to make any decision on my case. I was in pain at that time
6 because of my wounds and because it was cold at that time. In
7 light of this, I asked them to allow me to go and see Ta Met. And
8 my request was granted. And when Ta Met arrived, he asked me what
9 happened. I told him that I did not know what happened. I told Ta
10 Met that I discussed with Ta Yeng that I had transported a lot of
11 rice. And it was said that I transported rice for the enemy.
12 After seeing Met, he called in a medic to give stitches on my
13 wound. And I was sent to radar unit. And I was there, I did not
14 dare to walk anywhere else.

15 [16.05.03]

16 Q. Did you know the person you called Ta Vin? That person is also
17 referred to as Ta Won (phonetic). Are you talking of Ta Vin or Ta
18 Won (phonetic)? Who was Ta Won (phonetic)?

19 A. Ta Vin, he was in Division 130. I was working for him before.
20 I worked with him during the time I was with Lvey as well. And Ta
21 Vin and Ta Met and Lvey were in the same group. They were in
22 Division.

23 Q. Was Ta Vin, Ta Mok's cousin?

24 [16.06.22]

25 A. Yes. I know that Ta Vin was the son-in-law of Ta Mok. When I

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1 was working with him, he was not so cruel. And when he needed to
2 have food, I was asked and told to go and cook, because it was
3 said that I was a good cook. And he always made a joke with me.
4 He never scolded me. He was so kind and he was not cruel to me.
5 And he said that I was a good cook. And at that time, I was
6 working with Mao who helped me. We had been working for Ta Vin.
7 Q. Did you know Ta Mok and did Ta Mok come to visit the Kampong
8 Chhnang airport construction site?

9 A. I used to know Ta Mok. I rarely saw Ta Mok at the airfield. He
10 was not involved in the construction of airfield.

11 Q. If he had nothing to do with the construction of the airport,
12 why then would he come to the site of the airport?

13 [16.08.30]

14 A. He was in charge of the Southwest Zone at that time. I did not
15 know the reason he went to the airfield. He had been working in
16 the army before. When I was at the rear battlefield and when I
17 went to collect rice, I could see him. He was at the Zone office.
18 During that time, Met was in charge of the air force. And the air
19 force was under the Centre, from what I knew.

20 Q. This is my last question. Do you know why your parents were
21 sent to a re-education centre?

22 A. It was because my father was a village chief in the former
23 regime. I was born already when he was the village chief. He was
24 in the soldier before and he had a (inaudible) rifle. And on one
25 occasion, my father was told that the thief was stealing our cow

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1 and he was about to take the (inaudible) rifle and kill that
2 thief. Perhaps it was my father was in the solider -- was in the
3 army, he was arrested. And ten of my siblings and relatives
4 arrested and detained, they were released afterwards, and nine of
5 them survived the period. They were living in Baribour. And on
6 one occasion, a grenade was exploded and my siblings could
7 survive because the shrapnel of the grenade did not hit all of
8 them.

9 [16.11.51]

10 JUDGE LAVERGNE:

11 Thank you, sir. We'll have to end here. Thank you for your
12 contributions.

13 MR. PRESIDENT:

14 Thank you. The hearing today comes to an end. And it will resume
15 tomorrow on the 10th June 2015. And tomorrow, we will resume
16 hearing the testimony of Chan Morn. This information is for the
17 public.

18 Thank you, Mr. Chan Morn. The hearing of your testimony does not
19 come to an end yet. You are invited to be here again tomorrow
20 starting from 9.00 a.m.

21 Court officers, please work with WESU to send this witness, Chan
22 Morn, to his residence or the place where he is staying now. And
23 please invite him back into the courtroom tomorrow at 9.00 a.m.

24 Security personnel, you are instructed -- the two Accused, Mr.
25 Nuon Chea and Khieu Samphan, back to the detention facility of

1 the ECCC. And please have them returned tomorrow before 9.00 a.m.

2 The Court is now adjourned.

3 (Court adjourns at 1613H)

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