



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

ឯកសារដើម
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TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

29 July 2015
Trial Day 306

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

The Accused: NUON Chea
KHIEU Samphan

Lawyers for the Accused:
Victor KOPPE
LIV Sovanna
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Anta GUISSÉ
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:
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VEN Pov

For the Office of the Co-Prosecutors:
SONG Chorvoin
Travis FARR

For Court Management Section:
UCH Arun

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Mr. FARR	English
Ms. GUISSÉ	French
Ms. KHIN Vat (2-TCW-866)	Khmer
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
Judge LAVERGNE	French
Mr. MAM Soeurm (2-TCW-858)	English
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Ms. SONG Chorvoin	Khmer
Mr. VEN Pov	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0903H)

3 MR. PRESIDENT:

4 Please be seated.

5 The Court is now in session. The Court continues its hearing.

6 Today the Chamber continues to hear the remaining testimony of

7 Mr. Mam Soeurm and commence hearing testimony of witness

8 2-TCW-866, regarding Kampong Chhnang Airport worksite.

9 Greffier Em Hoy, please report the attendance to the Parties and
10 individuals at today's proceedings.

11 THE GREFFIER:

12 Mr. President, for today's proceedings, all Parties to this case
13 are present. Mr. Nuon Chea is present in the holding cell

14 downstairs, as he waives his direct presence in the courtroom.

15 His waiver has been delivered to the greffier. The witness who is
16 to conclude his testimony today, namely Mam Soeurm, is ready and
17 present in the courtroom. We also have a reserve witness today

18 that is 2-TCW-866 and the witness confirms to his best knowledge
19 and ability, he has no relationship by blood or by law to any of

20 the Accused -- that is, Nuon Chea and Khieu Samphan, or to any of
21 the civil parties admitted in this case. The reserve witness will
22 take an oath before the Iron-Club Statue this morning.

23 [09.05.12]

24 MR. PRESIDENT:

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

2

1 The Chamber has received the waiver from the Accused, Nuon Chea,
2 dated 29th July 2015, which notes that due to his health namely
3 headache, back ache and that he cannot sit and concentrate for
4 long and in order to effectively participate in future hearings,
5 he requests to waive his rights to participate in and be present
6 at 29 July 2015 hearing. Having seen the medical report of Nuon
7 Chea by the duty doctor for the Accused at the ECCC, dated 29th
8 July 2015, who notes that Nuon Chea has chronic back pain when he
9 sits for long and recommends that the Chamber so grant him his
10 request so that he can follow the proceedings remotely from the
11 holding cell downstairs.

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

16 The AV Unit is instructed to link the proceedings to the room
17 downstairs so that Nuon Chea can follow it remotely. That applies
18 for the whole day.

19 [09.06.57]

20 Before the Chamber hands the floor to the Parties to put further
21 questions to the witness, the Chamber would like to inform the
22 Parties that, late yesterday afternoon, the Chamber received an
23 email from the Defence Counsel for Nuon Chea with the attached
24 document of list of the 66 DC-Cam documents that were requested
25 by the OCP to be part of the case file. The Chamber would like

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1 now to put questions to the Co-Prosecutors regarding the 66
2 document in the attachment by the Defence Counsel and as
3 requested by the defence team yesterday, is the information
4 correct and what about the translation of those DC-Cam documents.
5 And the Chamber will seek clarification from the Co-Prosecutor
6 and you may proceed Deputy Co-Prosecutor.

7 [09.08.27]

8 MR. FARR:

9 Good morning, Mr. President, and thank you. So a few points about
10 these documents, first of all we don't intend to rely on all 66
11 of the documents that were listed in the DC-Cam summary, 55 of
12 those documents were on the Office of Co-Prosecutor's Rule 80.3,
13 document list prior to the beginning of the Trial. That list was
14 filed in June 2014, so all of these documents have been available
15 to the Trial Chamber and the Parties for more than a year, that
16 filing was E305/13. At the time that that document list was
17 filed, the documents were not put on zylab, they were put on a
18 shared folder, if Your Honours look at paragraph 5 of E305/13,
19 you'll see a reference to the shared document folder where all
20 the documents were placed. So again, Trial Chamber and all of the
21 Parties have had access to the documents for more than a year.
22 The specific annex that the documents were listed in is Annex C2,
23 the document number of Annex C2 is E305/13.23 and that annex in
24 addition to listing the documents also contains a short summary
25 of the contents and lists the points of the indictment that each

4

1 document is relevant to. So not only have the documents been
2 available to since June 2014, the Parties have all been on notice
3 at least in general terms of the contents of the documents and
4 that they relate to Trapeang Thma dam.

5 [09.10.35]

6 Now, our calculation is that of the 55 documents -- the 55 DC-Cam
7 statements, that on -- are part of that annex -- and I should
8 also indicate that that annex has been fully translated into
9 French and so the relevance of all these statements to Trapeang
10 Thma has also been available to anyone working in French -- our
11 calculation is that of the 55 documents, 25 have been translated
12 into English so far. I don't believe any of them have been
13 translated into French yet. So as far as translation goes, I
14 wasn't here during the last trial but my understanding was -- the
15 position is, obviously, that there is more material than can be
16 immediately translated by ITU and the Chamber's guidance was that
17 each Party was to prioritise, for translation, the documents that
18 they wish to rely on, on an ongoing basis -- that's a process
19 that OCP is engaged in -- with the understanding that anything
20 that's not translated by the end of the case will not be
21 considered properly put before the Chamber and will not be relied
22 on by the Chamber. So we are aware of that and we understand that
23 it's our obligation to translate anything that we wish to rely on
24 and we wish to have before the Chamber at the end of the case.

25 [09.12.15]

5

1 Now in terms of notice, we submit that there's no issue with
2 notice. The documents have been available for more than a year.
3 The relevance to this Trial segment has been available to the
4 Parties for more than a year. Obviously both defence teams have
5 national lawyers who work in Khmer, they can read the documents
6 and it's also open to them to apply for translation for any
7 documents they wish to use in a witness examination. Even for
8 untranslated documents, obviously questions can be asked in Khmer
9 using a Khmer document to a Khmer speaking witness.

10 I think those are all my comments at the moment unless the
11 Chamber has more questions.

12 MR. PRESIDENT:

13 Judge Lavergne, you have the floor.

14 [09.13.24]

15 JUDGE LAVERGNE:

16 Thank you, Mr. President. Following up from that, Mr.
17 Co-Prosecutor, you mentioned 55 documents on a list that have
18 been accessible to all Parties since June 2014. But are these
19 documents also part of those that were declared admissible by the
20 Chamber in Decision E305/17, which contains a certain number of
21 annexes saying which documents it considers admissible and which
22 objections from the Parties it has sustained. So we need to know
23 if these documents that are already on the case file are
24 considered admissible or are they documents merely that have been
25 available to the Parties. You also told us that the Parties are

6

1 responsible for guaranteeing the translation of the documents
2 that are tended into the debate in reasonable time.

3 [09.15.02]

4 Now, today we're also talking about Trapeang Thma and I do note
5 that out of the 66 statements summarised by DC-Cam in E353.1
6 there were 18, actually, that weren't on the file, unless I am
7 mistaken. So, do I take it that those 18 are statements that you
8 don't intend to use, if that is not the case please make that
9 clear. From the remainder of the statements there are perhaps 13,
10 again I may have miscalculated, that are available both in
11 English and in Khmer and there are 38 that are on file but which
12 are only available in Khmer.

13 So the Chamber is really interested, if you are able to tell us,
14 in precisely when these documents are going to be available in
15 English. All of the defence teams and all of the Parties do have
16 Cambodian National staff that can read these documents but of
17 course there are others that need access to the documents as
18 well. Now, I don't know if you are able to provide this
19 information straight away but if that's not the case perhaps
20 after our lunch break you could update us on all of that. Thank
21 you.

22 [09.16.54]

23 MR. FARR:

24 Yes, it might perhaps be better for me to research it a bit
25 further over lunch. I can say that those statements that are on

7

1 the Defence's list that were not included in our original
2 document list, are things that we don't intend to rely on, those
3 are things that we haven't asked to be part of the case file,
4 those are things that we have made a decision that we are not
5 interested in. Now in terms of things that have been translated
6 into Khmer and English, or things that are only available in
7 Khmer, it's my understanding that we're in the process of
8 prioritising everything and we need to decide exactly what it is
9 that we want to have on the case file at the end of the case. But
10 let me do more research over lunch and try to give you more
11 precise answers about this.

12 [09.17.56]

13 MR. PRESIDENT:

14 Thank you. And Counsel Anta Guissé, you have the floor.

15 MS. GUISSÉ:

16 Thank you, Mr. President and good morning to everybody. Perhaps
17 we should make this clear. I cannot listen to the Prosecution
18 saying that in June 2014, we were notified of these documents as
19 if we ourselves haven't done our own work. I should point out
20 that in our exceptions to admissibility relating to certain
21 documents on Trial 002/02, document E327/3, we stated in
22 paragraph 17, that the Chamber reminded the partners of their
23 duty to make sure that documents were available in the three
24 official languages of the ECCC and we pointed out that we did
25 have a certain number of exceptions to state about the documents

8

1 and now the documents that are under discussion are ones that in
2 some cases have not been translated and which we are not -- have
3 not been able to comment on consequently. From the February 2015
4 notifications, again we had already pointed out that we had a
5 problem as stated in our footnote, there were translation
6 problems as we stated and difficulties for us to make comments
7 about the admissibility of the documents. So we were rather
8 surprised when we heard the decision of the Chamber accepting
9 those documents since we ourselves have not been able to submit
10 our comments in due time because the documents were only
11 available in Khmer and so our problem today is that we have
12 documents that already have been given an E3 number and it seems
13 to me that in this procedure before the Chamber, does signify
14 that it is a document that has been tendered before the Chamber
15 but most of the defence team staff here do not understand the
16 contents of the documents because some of them are only available
17 in Khmer. Well yes of course, we do have Khmer staff members as
18 well in our teams but when you look at the thickness of the
19 documents, when you are aware of the work load that we are facing
20 and also the fact that in the second part of 2014 we were rather
21 monopolised working on the appeal, we haven't been able to set
22 aside resources for translations to be done by the staff who are
23 busy with other things. So, once again let me say in E327/3 we
24 raised the problem of the translations that had not been done,
25 the Chamber nevertheless accepted the documents in one language,

9

1 we stated that we could not take a position on the admissibility
2 of the document because they were in one single language and now
3 the problem has come up again before us today with these E3
4 documents that are being used by Parties despite the fact, that
5 certain important parts, significant contents have not been
6 translated and we have already pointed out this in the past. So
7 don't say to us that this was notified in 2014 and now you
8 haven't done your work. No, we said at the time there was a
9 translation problem and should have been dealt with at the time.
10 Thank you, Mr. President.

11 [09.22.09]

12 MR. PRESIDENT:

13 Thank you for the observations made by the concerned Parties on
14 this matter. The Chamber now hands the floor to the defence teams
15 to put questions to the witness. First, to the defence team for
16 Nuon Chea and Counsel, you may proceed.

17 QUESTIONING BY MR. KOPPE:

18 Thank you, Mr. President. Good morning, Your Honours. Good
19 morning, Counsel. Good morning, Mr. Witness. I have a few
20 questions that I would like to ask you, some follow up questions
21 I would like to start with.

22 Q. Yesterday you were asked a question by the International
23 Co-Prosecutor about arrests of three members of your unit.
24 Yesterday, I believe, also in your statement you said that these
25 arrests were made secretly. Can you explain to the Trial Chamber

10

1 how you came to find out about these arrests while they were
2 being secret at the same time, can you expand a little bit on
3 that please?

4 MR. MAM SOEURM:

5 A. When they came to make an arrest they did not inform anyone,
6 neither the group nor the unit and that's why I said that it was
7 a secretive matter.

8 Q. I understand now. But then my question to you is also the
9 following, you said yesterday that you were, "horrified of the
10 arrest because there was no justification for the arrest". Now if
11 people weren't told the reason for the arrests, how at the same
12 time could you then be horrified because there was no
13 justification?

14 A. Allow me to expand on that. I was fearful because of what
15 happened -- that is, because of the arrest and I was afraid that
16 I might have acted wrongly and that I would be arrested.

17 Q. That I understand, Mr. Witness, but you were, at that time,
18 not in a position to say whether there was a justification for
19 these arrests, yes or no, is that correct?

20 A. In the sector unit, everyone minded his or her own business.
21 Even if sometimes we knew of something or we heard of something
22 but we kept it to ourselves. It would be risky to say anything to
23 anyone and usually we adhered to the principle in Khmer which we
24 say is "to grow a Kapok tree" -- that is, to keep our mouth shut.

25 Q. I understand, Mr. Witness, but is it then for me fair to say

11

1 that because you didn't know the reason for the arrest, your
2 statement yesterday that there was no justification for it, is
3 speculation on your side?

4 A. That was my personal thought because they arrested people and
5 I did not know the reason for the arrest so I myself, I had to be
6 very careful with my action. I was fearful of doing anything
7 wrong and that I would be arrested.

8 [09.27.36]

9 Q. Thank you, Mr. Witness. Let me move on to something that you
10 said yesterday about the working hours while you were at the dam
11 worksite. You said there were three shifts per day and that the
12 morning shift would start, if I say that correctly, 6 o'clock in
13 the morning. The day before yesterday, there was another witness
14 testifying in relation to the dam worksite and he said that
15 workers at the dam started working when, "it was clear enough to
16 see other workers". Is that statement of his accurate and does
17 that confirm the working time in your memory was 6 o'clock --
18 from 6.00 till 11.00 in the morning?

19 [09.28.47]

20 A. Allow me to readdress the point. The working hours varied, we
21 started earlier when the situation was demanding, however the
22 regular hours for the morning shift was 6.00 to 11.00 and for the
23 afternoon was 2.00 to 5.00. And when the situation was demanding,
24 for example, we would work nonstop from 6 o'clock in the morning
25 until 9.00 at night.

12

1 Q. Thank you, Mr. Witness. I would like to move to another topic
2 and that's relating to some people that you discussed yesterday
3 and also in your statement to the investigators of the
4 Investigating Judge. Yesterday you spoke briefly about Ta Nhav
5 and that he was, as you said yesterday, in the circle of Ta Val.
6 What do you mean, what did you mean when you said that Ta Nhav
7 was in the circle of Ta Val?

8 A. I already confirmed the point yesterday. Ta Nhav's group was
9 the one who had the supervisory role above us and Ta Nhav was in
10 charge of the mobile units belonged to the sector under the
11 supervision of Ta Val.

12 Q. I understand, maybe it's a translation issue but I was
13 intrigued by the word that you used "in the circle of Ta Val",
14 that's something possibly different than under the supervision.
15 What do you mean when you said "in the circle of Ta Val"?

16 A. I do not know how to respond. In the circle means that within
17 the unit there were groups and sub-groups so the chief of units
18 were in charge of groups and chief of groups were responsible for
19 sub-groups.

20 Q. Okay, thank you, Mr. Witness. Yesterday you also described Ta
21 Val as the overall leader. What is exactly do you mean or did you
22 mean with the words "overall leader"

23 [09.32.10]

24 A. He was in charge of Trapeang Thma worksite from places to
25 places so he had overall supervisory role at that site.

13

1 Q. What do you recall about the demeanour of Ta Val, what kind of
2 leader was he? Was he a gentle person or was he a harsh person,
3 was he -- how did he express himself, can you give us some
4 details about Ta Val?

5 [09.32.59]

6 A. Allow me to tell the Court, I was not with him constantly I
7 was living and working in a different group, he was in a
8 different place. Whether he was violent or not, I have no idea
9 but there were no issues in my group or unit.

10 Q. Mr. Witness, I would like to read an excerpt from a statement
11 of another person who worked at the dam, a statement that he gave
12 to the DC-Cam, a statement about Ta Val and after having read
13 that excerpt, I would like to ask your reaction.

14 MR. FARR:

15 Objection, Mr. President. Your Honour, the Chamber's ruling
16 yesterday, as I understood it, was that witnesses were not to be
17 led on the contents of statements and that's what Counsel is
18 trying to do now.

19 MR. KOPPE:

20 First of all those we're -- although it is not a common law
21 court, we're cross examining, but having --letting that aside, I
22 properly introduced Ta Val, I asked him questions about Ta Val
23 and now I would like to read an excerpt from another witness that
24 says something -- who says something about Ta Val and after
25 having exhausted open questions I can now at this point in time

14

1 ask him a question about this particular excerpt.

2 MR. PRESIDENT:

3 The objection is overruled. You may now proceed, Mr. Counsel. Mr.
4 Witness, if you get the question, please give your response but I
5 remember that the question has not been yet put to the witness,
6 if I am right.

7 [09.35.18]

8 BY MR. KOPPE:

9 Thank you, Mr. President. So, Mr. Witness, I'll be reading a very
10 short excerpt from this statement and then I will ask your
11 reaction.

12 Question; "How about Ta Maong and Ta Val, did they ever reprimand
13 you?" And then this person answers as follows; "I rarely met them
14 because I was at regiment level lower than theirs but these
15 people were very good at reprimanding others because they were
16 very unkind and ruthless men. They were much tougher than Yeay
17 Chem. I heard that people always called him the golden fanged
18 man." Question, "Who was called that name?" "That was Ta Val, he
19 never spoke clear words and we did not know what he was saying
20 sometimes. He always responded using the words ba, ba, and never
21 articulated the word 'bat'." Yes for Khmer. I'm not sure if I
22 pronounce it properly in Khmer, Mr. Witness, but having read ton
23 you these two excerpts on Ta Val, can you give us your reaction
24 please?

25 [09.37.00]

15

1 MR. MAM SOEURM:

2 A. I have told the Court already. I did not pose any trouble
3 within my group, I do not know whether he was harsh or not.
4 Somebody said they used to meet with Ta Val perhaps that
5 individual knew the demeanour of Ta Val and as for me I have no
6 idea.

7 Q. Very well, Mr. Witness, thank you. At one point in time Ta Val
8 was arrested, do you recall when Ta Val disappeared, when he was
9 arrested?

10 A. Concerning his arrest, I do not know when he was arrested, I
11 knew that he disappeared. That is what I know and as for the date
12 of the disappearance or arrest, is not known by me. He
13 disappeared in 1977; I do not know the exact date or month. I was
14 not among the high ranking people so I did not know.

15 Q. Thank you, Mr. Witness. Yesterday you testified that you were
16 working at the dam site almost the entire period of 1977, it
17 seems that Ta Val was arrested on 28th June 1977, so that would
18 mean half way in the period that you were working at the dam,
19 does that somehow jog your memory that in mid-term of the period
20 that you were working Ta Val was arrested, June 1977, does that
21 ring a bell?

22 [09.39.35]

23 A. What I know is that Ta Val was arrested in 1977. I do not know
24 about the date he was arrested. There was no announcement when
25 the arrest was made against Ta Val or there was no meeting at all

1 concerning the arrest of Ta Val.

2 Q. I understand. But are you able, I realise that's a difficult
3 question, but are you able to make a distinction in terms of
4 working conditions, etc. Between the periods before June '77 and
5 the period after June '77 or is that difficult?

6 [09.40.38]

7 A. On this point working conditions were not different too much
8 in nature. We had similar or the same working condition and
9 likewise food was quite the same.

10 Q. Do you recall at the time when Ta Val was arrested, that
11 workers were talking among each other as to the possible reasons
12 for his arrest, was anything communicated as to why Ta Val was
13 arrested? Do you remember anything about information being given
14 to you or maybe your fellow mobile unit members, do you recall
15 anything?

16 A. Rumour was from one another saying that Ta Val was arrested. I
17 do not know whether Ta Val betrayed the regime. He had been
18 arrested, everyone knew about that and we heard about the arrest
19 from one another. He disappeared and everyone started to question
20 each other where Ta Val was. Some said Ta Val went to join his
21 study session, some others said he was arrested and I was part of
22 a small group so I do not know fully what happened to him.

23 [09.42.45]

24 Q. Do you recall whether at the time, people talked about the
25 hiding rice in secret places, rice that was meant to feed the

17

1 villagers and the workers, did you hear anything about that as
2 the possible reason for TA Val's arrest?

3 A. I do not have the full grasp of the situation. Within a mobile
4 unit we could not move freely, after we received the assignment,
5 we would go to the exact location to work. And as I said we could
6 not move freely.

7 Q. Did you hear, at the time, anything about fighting between
8 various military forces in 1977, forces from, on the one hand the
9 Southwest Zone, and forces on the other hand from the Northwest
10 Zone; did you hear anything about that at the time?

11 A. I have never heard of it.

12 [09.44.35]

13 Q. Mr. Witness, I would like to read an excerpt from that same
14 statement that I just read an excerpt from earlier. Mr.
15 President, it is E3/8991 and document ERN 00969904; and Khmer
16 page 00730232.

17 MR. PRESIDENT:

18 Please repeat ERN Numbers, there was no translation a while ago.

19 BY MR. KOPPE:

20 Yes, of course, Mr. President. English ERN, 00969904; and Khmer,
21 00730232. The question to this person, that same person, is as
22 follows: "The purge became intensive in 1978 right?" "Yes but
23 according to my knowledge it was much slower in 1977 and took
24 place only at mobile unit level." Question; "Did these people
25 work in the same place?" Answer; "Yes, they worked in the same

18

1 place but they were in different groups. If any members of one
2 group went too far away from their base, they would be arrested
3 by their rivals. I once saw Ta Nhim's forces cross a remote field
4 but if anyone of this went too far away from their group, they
5 would be arrested right away by the other ones. I knew this
6 because one day I was in the field hunting for eels and I met
7 those forces of Ta Nhim's were also hunting for yield in the
8 field. I chatted with them and I noticed they had weapons in
9 their hands; they hunted for their rivals too. These people
10 killed each other and I was not sure of how they became
11 traitorous against each other. It depended on who did the arrests
12 and killings first and if you managed to do it before anyone else
13 you would be the winner. But the people from the Southwest Zone
14 were able to do so first. They came in numbers and first made
15 arrest of Ta Nhim and his subordinates and later on everyone else
16 associated with them."

17 [09.47.14]

18 So, Mr. Witness, this is that same person speaking earlier about
19 Ta Val and he's talking about clashes of forces from Ta Nhim with
20 forces from the Southwest Zone. Considering the likelihood that
21 Ta Val was part of Ta Nhim's forces, did you -- do you recall of
22 any -- anything of such clashes, people talking about fighting?

23 MR. FARR:

24 Objection, Mr. President. I waited until Counsel had read the
25 excerpt because I wanted to get a full picture of the question

19

1 but what happened is, he asked the witness, "Did you ever hear
2 anything about the fighting between the Southwest Zone and
3 Northwest Zone?" The witness said "No", he then read a long
4 excerpt, that amounts to an argument, made an assumption that Ta
5 Val was part of some hypothetical force of Ta Nhim and then
6 repeated exactly the same question to the witness which was, did
7 you hear about any conflict between Northwest Zone and Southwest
8 Zone, so it has to be answered with a lengthy and, we would
9 submit, unnecessary reading of a statement in between.

10 [09.48.41]

11 MR. KOPPE:

12 I agree the part on Ta Val was an argument so I am happy to
13 withdraw that part of the question and formulate the question
14 more neutrally to the witness. And the question now would be,
15 having heard this excerpt, Mr. Witness, clashes between Ta Nhim's
16 forces and Southwest Zone forces, does that ring a bell?

17 MS. SONG CHORVOIN:

18 Mr. President I would like to put an objection to the question it
19 is a repetitive one and the witness said he did not know what
20 happened between the forces of the two zones.

21 MR. KOPPE:

22 That's correct, that's why I am now confronting with an excerpt
23 from somebody else and ask him whether that somehow refreshes his
24 memory. I think that is a practice which is well allowed.

25 [09.49.48]

20

1 (Judges deliberate)

2 [09.51.37]

3 MR. PRESIDENT:

4 The objection by the Co-Prosecutor -- the National Co-Prosecutor
5 is granted. It is a proper objection put by National Deputy
6 Co-Prosecutor. Mr. Witness, please do not give the response to
7 the repetitive question. Mr. Koppe you may now resume your line
8 of questioning.

9 MR. KOPPE:

10 I'm not sure if I understand, Mr. President, this was the first
11 time I asked him a question about this state however I will move
12 on.

13 [09.52.23]

14 MR. PRESIDENT:

15 I explained Parties already in response to your request
16 yesterday. Parties are required to put open questions first and
17 after such questions to refresh the witness's memory, you can --
18 Parties are allowed to take some portion to ask the witness. As
19 for the last question put by you, you received the response from
20 witness already that he did not know about that fact and you
21 started to quote a statement from another witness to put to this
22 witness. As I said the objection by the National Co-Prosecutor is
23 correct. The question is a repetitive one because witness gave
24 already clear response.

25 BY MR. KOPPE:

21

1 Thank you, Mr. President. Mr. Witness, I will move on. Yesterday
2 you also spoke about somebody called Ta Cheal and you spoke about
3 him in terms of someone who chaired a conference. What else do
4 you recall about Ta Cheal?

5 [09.54.07]

6 MR. MAM SOEURM:

7 A. I told the court already. I was in a mobile unit and during
8 the big meeting or conference I was required to attend the
9 conference. Ta Cheal chaired the conference, this is what I knew
10 and as for anything else I do not know. And I knew Ta Cheal and
11 Ta Cheal was in the conference, he chaired the conference.

12 Q. Do you know to whom he was related?

13 A. I do not know.

14 Q. Do you recall, it's a long time ago I understand, Mr. Witness,
15 but do you recall any topics that he discussed during the
16 conference?

17 [09.55.39]

18 A. During the Democratic Kampuchea, the "Leap Forward" slogan was
19 a very important for the regime. Everyone was required to work as
20 quickly as possible so everything had to comply with that slogan
21 and the announcement -- this slogan was regularly announced. I do
22 not know what else I can explain. At the time, the slogan was
23 "Long Live" or "Leap Forward the regime".

24 Q. Mr. Witness, this Ta Cheal spoke on 15th March 1978, or maybe
25 one or two days before, to a delegation of Yugoslavian

1 journalists, Mr. President -- that is, E3/1113, English,
2 00434864; French, 00623009; and Khmer, 00001080. He answered
3 questions from these Yugoslavian journalists about topics like
4 food, marriage, what was generally done at the dam site with
5 people who were lazy. So the questions from the Yugoslavian
6 journalists are specifically related to the dam. Asked a question
7 about food he said and I quote as follows, "Food would include
8 beef, pork, fish, fish paste (prahok)." Is that answer that he
9 gave to the journalists a correct one? Is that corresponding to
10 your recollection that people were given beef, pork, fish and
11 prahok?

12 [09.58.44]

13 A. We were given such a meal once in a while for example during
14 the conference and after big events such as conferences we were
15 not given such meal or dishes.

16 Q. He also said and I quote as follows.

17 "There is a three day break per month and one morning or one or
18 two hours are spent for education" Question, "If there are bad or
19 lazy people in the worksite what do you do with these people?" He
20 said, "The issues are rare, however if such a case happens the
21 person would be trained with politics and consciousness."

22 The answer, Mr. Witness, that he gave to these journalists, does
23 that correspondence with your own experience?

24 A. I am not able to give you the explanation. It is broad to say
25 that. It depended on the chiefs of the worksite or units. Some

1 chiefs were flexible so I cannot say, cannot explain you on this
2 matter.

3 [10.01.03]

4 Q. Very well. He was also asked questions, Mr. Witness, about
5 marriage, all kinds of questions and he replied to the
6 journalists as follows.

7 "The mobile unit members are allowed to get married if a proposal
8 for marriage is made. The mobile unit commanding committee or the
9 cooperative decides to arrange the marriage. If anyone is
10 married, they can go to live with their spouse. He or she is
11 allowed to write home and a messenger is used to collect or
12 deliver the letters from one place to another. It's not difficult
13 here."

14 Yesterday you spoke at the end of your testimony about marriage.
15 What Ta Cheal said to these Yugoslavian journalists, is that
16 corresponding to your memory?

17 [10.01.32]

18 A. I said already yesterday, marriage was held by Angkar at the
19 worksites. There were weddings in different places. Some
20 marriages were forced but some were voluntary. I mean if the
21 marriage was voluntarily held, the man and woman love each and
22 they were able to have each other as husband and wife. And I told
23 the Court already, the marriage was held at the worksite after
24 the marriage, because it was so dark at night, the newlywed did
25 not know even who their husband and wives were. The wedding was

24

1 not beautifully decorated at that time. Only leaves or rice stalk
2 were used to decorate the venue. It was not the same as the
3 present time. Some women were not loved by men so there were some
4 issues after the marriages.

5 MR. PRESIDENT:

6 Please wait a little bit Mr. Koppe. You may now proceed, Judge
7 Lavergne.

8 [10.03.29]

9 JUDGE LAVERGNE:

10 Just for information purposes and for recording in a transcript.
11 E3/1113 is in fact a telegram that was sent to Office 810 and
12 which is a report by the visit by the Yugoslav journalist and
13 this was copied to Uncle Om Nuon and to the office and to the
14 archives. Just for information.

15 MR. KOPPE:

16 Indeed it was, Judge Lavergne, and then to be complete there is
17 also document E3/2670, which is a document with ERN 00525831, in
18 English; 00389204, in French; and 00555723, in Khmer.

19 MR. PRESIDENT:

20 Please repeat the identity of the document, there was no
21 interpretation a while ago, there was no interpretation in Khmer.

22 BY MR. KOPPE:

23 Yes, Mr. President, E3/2670. It's a despatch note from the
24 Embassy of France in Yugoslavia to the Minister of Foreign
25 Affairs and its relating the same interview from the Yugoslavian

1 journalists in which almost an identical version of the content
2 of that interview is being provided. Just to be complete. Mr.
3 President, I am mindful of the clock, I still have two questions
4 on marriage. Thank you.

5 Q. Yesterday you spoke about the women who were marrying, that
6 they didn't know their husbands, didn't love their husbands, did
7 you know any of those married couples, did you know any of them
8 personally and if yes, can you give us a name?

9 [10.06.15]

10 MR. MAM SOEURM:

11 A. No, I don't, it happened a long time ago and I don't remember
12 them all.

13 Q. But do you remember if any of those couples, persons within
14 those couples spoke to you and told you clearly that they didn't
15 like to marry this person; did you speak to any of them about
16 their marriage at the time?

17 A. I knew about that, it's because those married couples were
18 asked to provide their impression, that was the word they used at
19 the time, they don't use the word marriage at the time and some
20 of them said that they got confused with their spouses because of
21 the -- so many men and women were married at the time and I
22 didn't attend the marriage ceremony itself but I was told by the
23 men who got married at the time and after the ceremony was
24 completed some of them could not find their wives and before they
25 got married they did not -- most of them did not know one and

26

1 another at all. So I cannot tell you any more specific than what
2 I have stated.

3 [10.08.19]

4 Q. But did any of those men tell you specifically--

5 MR. PRESIDENT:

6 Please hold on. And Judge Lavergne you may proceed.

7 JUDGE LAVERGNE:

8 I'm sorry to interrupt you Counsel Koppe. But I'm checking the
9 information that you gave. That document E3/2670 confirmed the
10 contents of document E3/1113, but E3/2670, concerns information
11 relating to the Vietnamese border and has no relation whatsoever
12 with Trapeang Thma.

13 MR. KOPPE:

14 I don't know what's in the French. French ERN is 00389204, and
15 the E3 is 2670--

16 JUDGE LAVERGNE:

17 Could you just turn the page and then you'll see the title on the
18 following page.

19 [10.09.43]

20 MR. KOPPE:

21 No, it's an Embassy of France, in Yugoslavia, Belgrade, 31st
22 March '78 and then on Page 7, "On the dams among the brigadiers"
23 and following pages are all about the dam and it's written by
24 Dragoslav Rancic, on the 25th (sic) of March and as of French
25 ERN, 00389208; English, 00525837; and Khmer, 00555728. It starts

1 in English "On the dams among the brigadiers" and then it speaks
2 about Trapeang Thma dam.

3 JUDGE LAVERGNE:

4 Let me check there maybe two references for the same document.

5 BY MR. KOPPE:

6 Q. I'm not sure, Mr. Witness, if you recall my question, I hope I
7 do. I think I asked you if recall any of those men specifically
8 telling you, "I did not want to marry that woman that I just
9 married." Do you recall any such conversation?

10 [10.11.39]

11 MR. MAM SOEURM:

12 A. No, no such thing happened and as I had stated, men and women
13 who were married were faithful to one and another however in
14 certain cases they did not love one another at all and for that
15 reason you can say they were forced to get married. Usually
16 marriage should be consensual. However there was one case at
17 Trapeang Thma dam that is the case of a married couple but they
18 didn't consummate their marriage, they argued all night and that
19 highlights the fact that they did not agree with one another to
20 get married. And that's what I learnt that they did not agree
21 with one another.

22 Q. My last question, Mr. President. Did you ever encounter any of
23 those couples after 1979 and if yes, do you know if any of those
24 couples have filed for a divorce?

25 A. Some of them remained as husbands and wives as I later on met

28

1 them however others got divorced. And not every couple remained
2 together since. That's what I can say, some remained as husbands
3 and wives while others got divorced.

4 Q. Then the very last follow-up question. I apologise, Mr.
5 President. Did they tell you, Mr. Witness, the reason for their
6 divorce?

7 A. I cannot tell you that. I cannot tell you about their thinking
8 so nothing I can tell you and at that time, of course, it seems
9 that they got married but I could not tell you what went behind
10 the scene.

11 MR. KOPPE:

12 Thank you very much, Mr. Witness. Thank you, Mr. President.

13 MR. PRESIDENT:

14 Thank you, Counsel. It is now appropriate for a short break; we
15 take a break now and resume at 10.30.

16 Court officer, please assist the witness during the break at the
17 waiting room for civil parties and witnesses and have him return
18 to the courtroom at 10.30.

19 The Court is now in recess.

20 (Court recesses from 1015H to 1030H)

21 MR. PRESIDENT:

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

23 The floor is now given to the defence team for Mr. Khieu Samphan
24 to put questions to this witness. You may now proceed.

25 QUESTIONING BY MS. GUISSÉ:

1 Q. Thank you, President. Good morning, Mr. Heng Samouth. My name
2 is Anta Guissé. I am Co-Counsel for Khieu Samphan's defence. I
3 have a few questions for clarification this morning and I
4 shouldn't be very long. First, about your written record in
5 document, E3/7323, ERN in English 00289997. Now, you said
6 yesterday -- you said something. However, the investigators--

7 THE INTERPRETER:

8 The interpreter did not hear the question.

9 MR. FARR:

10 Mr. President, the English interpreter did not hear counsel's
11 question.

12 BY MS. GUISSÉ:

13 Q. Allow me to say it again. You said in response to the
14 President's question that you were a farmer. However, on the page
15 that I just mentioned of your written record, it says that you
16 are a teacher. I would like to know which is true. Is there a
17 mistake on the written record?

18 MR. MAM SOEURM:

19 A. That is in the written record of the document you are
20 referring to?

21 Q. Yes. I'm only asking you if there's a mistake. Could you tell
22 us, are you a farmer or are you a teacher? Or were you a teacher
23 at the time of your interview with the OCIJ, and you are now a
24 farmer? For the record.

25 [10.34.36]

1 A. The right response is -- the right statement is a teacher. I
2 am a teacher.

3 Q. Very well. Yesterday, I heard that you said that you were a
4 farmer when the President asked you your profession. Is there a
5 reason why there's such a discrepancy?

6 A. I did not say I am a rice farmer. In the document, I told the
7 investigator that I was a teacher. And as for the different
8 names, I have informed the Chamber already. After the three
9 years, eight months and twenty days, in 1981 and '82 I submitted
10 an application to be a teacher at the Education and Sports
11 Office. I submitted my name as Heng Samouth. And because Mam
12 Soeurm did not go to perform the task as a teacher, and I was
13 instructed to use the name instead. That's why I used that name.
14 And in the document, I said I am a teacher, not a farmer.

15 [10.36.25]

16 Q. Very well. You said that you worked for almost a full year at
17 the Trapeang Thma dam worksite. And you said you were part of a
18 mobile unit. During that year, were you only at the worksite? Or
19 perhaps, did you ever do anything else or go anywhere else in
20 farming duties?

21 A. Nothing changed at my worksite. I was constantly working at
22 the dam site, and I was sleeping in the quarters at the worksite.

23 Q. Before going to the worksite, and before 1975, is it true that
24 you always lived in that region? I see that you were born in
25 Phnum Srok district. And so, are you from the area? And did you

1 live in that area until 1975?

2 A. Can you repeat your question? I do not get it.

3 Q. Is it true that you were born in Phnom Srok district? And that
4 you have always lived in that district, or in the Battambang
5 region, until 1975?

6 A. That is correct.

7 [10.38.38]

8 Q. Do you come from a farming family?

9 A. My parents were farmers.

10 Q. I'm asking all these questions for context, because I would
11 like to ask you a few questions now on these meetings that you
12 said you attended. One, in reply to a question from the civil
13 party Lawyer, you said that during one such meeting, that the
14 reason why the dam was being built was for the creation of an
15 irrigation system. And so, you have always lived in that region.
16 Your parents are farmers. Did you understand the need for such an
17 irrigation system in Trapeang Thma?

18 A. At the beginning, the canal was required to build. I was in a
19 mobile unit. I did not pay attention to the reason the dam was
20 built. Most of the time back then, rice was able to harvest after
21 the rainy season, and we did the rice farming during the rainy
22 season. And after the dam was built, rice could be done in the
23 dry season as well. As I told the Court, I did not pay attention
24 to why the dam was built. The meeting was convened in fact, but
25 we received instructions to meet the 3 tonnes of yield per

1 hectare. So the dam was built, to my understanding, to improve
2 the agriculture. At the time, even if we had a dam, we did not
3 have enough food to eat.

4 [10.41.34]

5 Q. You still live in the area. Can you tell us if the dam is
6 still in use today?

7 A. Nowadays, the dam is being patched or renovated, so that we
8 could have water to irrigate the fields. In the last few years,
9 the dam was broken, and it was repaired so that we could keep
10 water to irrigate the fields.

11 Q. I'd like to touch upon another issue. You mentioned the visit
12 of delegations, and Chinese delegations among them, that came to
13 the worksite. And you said that people with a bigger build would
14 stay in front, and those who were skinnier would stay behind.
15 Could you tell us who said that? Who organized that? Was it your
16 group chief, unit chief? Can you tell us who asked for this
17 arrangement?

18 [10.43.16]

19 A. I told the Court already about the matter. Those who were
20 healthy or fat were required to stand in front rows. I was weak.
21 I had a swelling disease, so I was not required to stand in the
22 front lines.

23 Q. I apologize. I was asking you a different question. Please
24 listen to what I'm asking you. I wanted to ask you -- I asked
25 you, rather, who made this arrangement? Who asked some people to

1 be in the front, and others in the back?

2 A. It was the arrangement within groups and units.

3 Q. I'm not sure you understood my question. I will ask you in a
4 different way. Who asked you to go behind, and who asked the
5 larger ones to go in front? Who was the person who organized
6 this?

7 [10.44.40]

8 A. I told the Court already. It was the arrangement of the groups
9 or units. It was within the group or units' authority or
10 arrangement. And as I -- I told the Court already about this
11 matter.

12 Q. Am I to understand that it was the group and unit chiefs who
13 made that decision?

14 A. The arrangement was made within the group or units.

15 Q. I'll move on. Perhaps it's a bit too complex. I'd like to go
16 back on the way your unit was organized, and the other units that
17 worked on the worksite. First question: if my notes are correct,
18 you said that you worked on building the reservoir. And this was
19 on the west side of the bridge. Did I understand correctly?

20 [10.46.19]

21 A. I was stationed in the east, and I was assigned to work in the
22 west and in the north of the worksite. I was moving around, and
23 worked -- after some parts of the dam had been built, we had to
24 patch some broken parts of the dam.

25 Q. And so, over the months in which you worked on the dam, you

1 worked at different areas. And so did you work on the reservoir,
2 or near the reservoir?

3 A. I'm sorry. I could not get your question.

4 Q. Among the many areas of the worksite where you worked, did you
5 work on the dam -- on the reservoir of the dam?

6 A. I was moving around, and worked -- I was working on the
7 reservoir itself.

8 [10.48.06]

9 Q. And in that part of the reservoir, do you remember if there
10 was any machinery? Any equipment used to build certain parts of
11 that dam?

12 A. There were bridges which had been built, and the bridges were
13 built based on manual labour.

14 Q. Are you certain that throughout your stay at the worksite, you
15 never saw any machinery?

16 A. No. No heavy machinery. From my observation, we had only
17 earth-carrier baskets and hoes as tools to work. Perhaps at a
18 later stage heavy machinery was used. While I was working, manual
19 labour was used to construct the dam and bridges. No excavators
20 or no other tractors or heavy machinery.

21 Q. Well, the reason I ask is that we have a statement on the case
22 file, E3/7800, ERN French, 00486078; Khmer, 00267760; and in
23 English, 00277827. So this person, who also worked on that
24 worksite, said that there was certainly manual labour, but also
25 excavators. Now you are telling me that you haven't seen any, but

35

1 do you exclude the possibility that there may have been
2 excavators while you were working in a different area of the
3 worksite?

4 [10.51.07]

5 A. I have told the Court already. I arrived in that worksite in
6 late 1976 and early 1977. There was no heavy machinery from my
7 observation, while I was there. While I was working, I did not
8 witness the presence of any heavy machinery. If you said there
9 may have been heavy machinery, perhaps there were. But there were
10 only a few of them.

11 Q. In your statement, document E3/7353, you've indicated that
12 there were labourers from Sector 3 and Sector 5. Could you tell
13 us how you knew that there were people from Sectors 3 and 5?

14 A. Allow me to clarify for you. There were many labourers. And at
15 the time, I wanted to know where they were from. People were
16 talking to one another that labourers were from Sectors 3 and 5.
17 After I learned this, I was thinking that labourers were
18 mobilized from different parts of the districts, and I heard
19 people said that labourers were from Sectors 3 and 5. I did not
20 know where Sector 3 or 5 were, but what I know is that the sector
21 was in Banteay Meanchey, but I did not know the exact location
22 where the -- where Sector 5 was situated.

23 [10.53.40]

24 Q. Can you tell us what was the area of the dam? How many
25 kilometres did the dike measure?

1 A. I do not have the full grasp of the situation. I was required
2 to build bridges from places to places, and the distance from one
3 bridge to another was perhaps 2 kilometres. Some -- And the dam
4 itself runs from the west to the east, and it's a long one, I may
5 say.

6 Q. Document E3/8050, ERN in French, 00450434; English, 00428005;
7 and Khmer, 00464719. So, this document on the case file is a
8 report that indicates that the dam would have 10 kilometres in
9 length and seven kilometres in width. Does that fit your idea of
10 the size of the dam, when you say that it was long?

11 [10.55.37]

12 A. It was about right. The dam is about seven, or perhaps it is
13 about nine or 10 kilometres.

14 Q. Would you agree to say that in the context of your work at the
15 dam, you only worked in one area, or one part of it? Is that
16 correct?

17 A. It was when I was working at the worksite, but the different
18 -- different working places I attended when I was in the
19 cooperative.

20 Q. When you say you were sent to different areas, does that mean
21 that you worked in different communes?

22 A. I told the Court yesterday already, I was mobile. I was
23 working in the villages and communes. And later on, I was
24 reassigned to work at the commune level. And afterwards, sector
25 or zones. So I was reassigned to work in different places in far

1 distance. After I had been assigned to work at Thma Puok, I was
2 reassigned to the worksite, the dam worksite. When I arrived at
3 Trapeang Thma worksite, I was thinking at that time I would be
4 required to remain at that site.

5 Q. I probably was not clear enough in my question. As you worked
6 on the worksite for the Trapeang Thma dam, did you work in
7 different communes? And so, were the parts of the dam where you
8 worked, were in different communes? Or were you always in the
9 same commune?

10 [10.58.41]

11 A. I was working in different places. I went to harvest rice at
12 Thma Puok in Battambang province at that time. Now -- it is now
13 Banteay Meanchey province. I have to spend much time to elaborate
14 on this point. And I was required to build a dam at Sala Krahom
15 (phonetic), near Poipet. And after I left Poipet, I was
16 reassigned to Trapeang Thma dam worksite. So, I was working in
17 different places. I was in a mobile unit.

18 Q. We need to be more accurate about this. You talked about the
19 period of 1977, saying that for almost the entirety of the year
20 you were working on Trapeang Thma. And now you've just answered
21 that you went to harvest rice. Are we to understand that when you
22 went to harvest rice was not the same time as when you were
23 working on the dam?

24 [11.00.17]

25 A. Let me differentiate the accounts. After I was assigned to

1 harvest rice, I was moved to Trapeang Thma worksite. So, again to
2 be clear: first I worked at Thma Puok, harvesting rice, and after
3 which, I went to work at Trapeang Thma worksite.

4 Q. Is all of Trapeang Thma dam located in one commune, or in
5 several?

6 A. Trapeang Thma dam runs from Paoy Char until Ponley in Phnum
7 Srok district, Banteay Meanchey province.

8 Q. Having heard that description, my following question is: while
9 you were working on the dam, did you work on parts of it that
10 were located in different communes?

11 A. The worksite was not at the village. I spent most of my time
12 at the dam itself in Ponley commune, and that segment was part of
13 the Ponley commune. And for example, on another occasion, also
14 still at the dam worksite, when I was assigned to construct the
15 bridge, then we would move our sleeping quarters to near the
16 location where the bridge was being built. So, I was constantly
17 on mobile from one segment to the next segment within the dam
18 construction worksite. I was also tasked to clean the worksite,
19 to patch the broken parts of the dam, in addition to carrying
20 earth to build bridges, or to build the embankment of the dam.

21 [11.03.22]

22 Q. Thank you for that information. One more point before I pass
23 the floor to my colleague Kong Sam Onn: you talked this morning
24 with my colleague from the Nuon Chea team about the arrest of
25 three people who belonged to your group. I didn't quite

1 understand from your testimony if you yourself personally
2 witnessed the arrest, or if you heard about it by hearsay. Can
3 you enlighten us on that, please?

4 A. The three workers that I mentioned was an event that I was
5 told. I did not witness it, but I was told that the three workers
6 were arrested and put on the truck. And I did not know the reason
7 for the arrest of these three workers, because they seemed to be
8 active workers too.

9 [11.04.42]

10 Q. So, you heard about the event but you didn't witness it, and
11 you don't actually know if they were allocated to another
12 segment. Is that correct?

13 A. What I was told was about them being trucked away, and in
14 reality, those who were sent away never returned, although we did
15 not know where they were sent to. Because after they were trucked
16 away, we never saw them again.

17 Q. Did the three people come from your commune? Your region?

18 A. They were 17 April People, and in fact they were former Phnom
19 Penh dwellers, although I did not know their origin or
20 background. They were part of the mobile units, but I did not
21 know the details as to which village or commune they came from.

22 Q. One final question: so you don't actually know if they were
23 sent back to the region they came from, or not?

24 A. From what I understood, the workers who were put on the truck
25 and sent away could not survive, because I was told that the

40

1 truck was to come and take away prisoners. And the truck was
2 covered.

3 Q. One last question: when you said you were told this, who told
4 you this particular fact?

5 [11.07.39]

6 MR. PRESIDENT:

7 Witness, please observe the microphone.

8 MR. MAM SOEURM:

9 A. It was workers within my group and my unit who told me about
10 this event.

11 MS. GUISSÉ:

12 I have no further questions, Mr. President. I'd like to pass the
13 floor to my colleague. Thank you very much.

14 MR. PRESIDENT:

15 Thank you, Counsel. And Counsel Kong Sam Onn, now you have the
16 floor.

17 QUESTIONING BY MR. KONG SAM ONN:

18 Q. Thank you, Mr. President, and good morning, Mr. Mam Soeurm. I
19 only have some follow-up questions to put to you. So far, through
20 your testimony you confirm that you worked at the Trapeang Thma
21 dam worksite, and you did two distinct works. One was to engage
22 in building the dam, and the second part was to provide
23 maintenance to the dam. Am I correct?

24 [11.08.48]

25 MR. MAM SOEURM:

1 A. Yes, you are correct.

2 Q. Thank you. Can you give us the timeline for your first part of
3 working at the dam worksite? For example, from which month to
4 which month? And what about the second engagement in the dam?
5 That is, to engage in maintaining the dam? You told the Court
6 that you worked almost throughout the year of 1977, but could you
7 provide a bit more specific details regarding the two natures of
8 work you did at the site?

9 A. When I was in the mobile unit to engage in building the dam,
10 we built the embankment and also the crest on top of the dam. And
11 later on, I engaged in the maintenance work of the dam. I
12 actually did not go anywhere, and I was still at the dam worksite
13 throughout the year of 1977 -- that is, starting from the
14 beginning of 1977, and I left towards the end of 1977. And I was
15 involved in the maintenance work -- that is, to patch any broken
16 segment, or where the bridge actually was unstable, and at
17 various other parts of the dam where maintenance work was
18 required. So, I was always on mobile during this period--

19 [11.11.00]

20 Q. My question to you, Witness, is in regards to the timeline.
21 You stated earlier that you worked at the dam worksite in 1977,
22 and I wanted to know clearly as to when you engaged in the dam
23 construction work, and when you commenced working, or engaging,
24 in the maintenance work of the dam after its completion.

25 A. The dam construction commenced in early January, when I

1 actually carried the soil to build the embankment of the dam.
2 Everyone was doing the same kind of work. And after the
3 embankment was completed, other workers from other mobile units
4 were reassigned elsewhere. But my unit remained on site to engage
5 in the second part of the work -- that is, the maintenance work.
6 And for that reason, I cannot give you the timeline.

7 [11.12.21]

8 Q. Thank you for that. And what about the time that you engaged
9 in the maintenance work? Was it during a rainy season, when it
10 rained a lot? Or was it during a dry season of the year?

11 A. It was during the raining season. The water pressure was
12 pretty strong, so parts of the dam were broken. And some water
13 sluices had not fully completed, and we had to provide
14 maintenance to that. And parts of the embankment was eroded by
15 strong pressure of the water, and we had to divide our team
16 members to engage in various repair work for the dam. So, in fact
17 we were split into smaller groups to engage in the repair work,
18 or the maintenance work of the dam. And of course, when the dam
19 was completed parts of the embankment was eroded by the rain
20 water.

21 Q. What about the number of workers remaining to engage in the
22 maintenance work in comparison to the actual start of the dam
23 construction, when you engaged in the building of the dam and its
24 embankment, was the number much different?

25 A. There were many workers engaged in the building of the dam

1 itself. And after, for the maintenance work, only a small number
2 from the mobile unit remained on site for maintenance purpose of
3 the dam.

4 [11.14.48]

5 Q. Also, please tell the Court how long did it take you to engage
6 in this maintenance work?

7 A. I cannot tell you the actual number of months. I was
8 constantly on mobile from one part of the dam to the next. And I
9 was assigned to this location or that location to repair the dam,
10 as I was assigned. So, it is difficult to tell you the exact
11 number of months I spent working on the maintenance part of the
12 dam.

13 Q. Can you at least tell us how long did it take for the dam
14 itself to be fully completed?

15 A. As I said, the dam was almost completed when I left the dam
16 worksite in late '77. I actually ran away from the mobile unit at
17 the time.

18 Q. You were asked by my international colleague on the issue that
19 you said earlier that healthy workers were assigned to stand in
20 the front row, while people who were not healthy, or were bony or
21 skinny, were asked to sit at the back row. Who actually gave such
22 instructions? Was it the group chief or the mobile unit chief?

23 [11.17.20]

24 A. Actually, I answered that question a few times already. In
25 fact, the arrangement was made for appearance good-looking, or

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1 good image. So, healthy workers were assigned to stand at the
2 front row, while people like myself were ordered to stand at the
3 back row--

4 Q. My question to you is that, who actually gave instructions to
5 the workers to do so? You simply say yes or no. If you don't
6 know, you say you don't know.

7 A. No, I don't know.

8 MR. KONG SAM ONN:

9 Thank you. Mr. President, I am done with this witness.

10 (Short pause)

11 [11.18.40]

12 MR. PRESIDENT:

13 The hearing of the testimony of the witness Mam Soeurm is now
14 concluded. And the Chamber is grateful to you, Mr. Mam Soeurm,
15 for your time and testimony during yesterday's afternoon and
16 today's morning session. Your testimony may contribute to
17 ascertaining the truth in this case. And you are no longer
18 required to be present in the courtroom, therefore you can return
19 to wherever you wish to go to. And the Chamber wishes you all the
20 very best, and safe journey home.

21 Court officer, in collaboration with WESU, please make the
22 necessary transportation arrangements for the witness to return
23 to his home, or wherever he wishes to return to. And please usher
24 the next witness --that is -- into the courtroom.

25 [11.19.50]

1 (Witness enters the courtroom)

2 [11.24.11]

3 QUESTIONING BY THE PRESIDENT:

4 Q. Good morning, Madam Witness. What is your name?

5 MS. KHIN VAT:

6 A. My name is Khin Vat.

7 Q. Thank you, Madam Khin Vat. When were you born?

8 A. I do not recall my date of birth.

9 Q. How old are you this year?

10 A. I am 65 years old.

11 Q. And Madam Khin Vat, please observe the microphone. You should
12 only speak when you see the red light on the tip of the
13 microphone, so that your voice can go through the system. Then it
14 will be interpreted into two other official languages of the
15 Court -- that is, English and French. And Madam, where were you
16 born?

17 A. I was born in Ou village, Ponley commune, Baribour district,
18 Kampong Chhnang province.

19 Q. Where is your present address?

20 A. I live in the same village that I just mentioned.

21 Q. What are the names of your father and mother?

22 A. Van Koy is my father's name, and Din Vin is my mother's.
23 They're both deceased.

24 [11.26.10]

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

1 together?

2 A. My husband's name is Chhi Sron, and we have five children
3 together.

4 Q. Thank you, Madam Khin Vat. And to your best knowledge, are you
5 related by blood or by law to any of the two Accused -- that is,
6 Nuon Chea and Khieu Samphan, or to any of the civil parties
7 admitted in Case 002?

8 A. No, I am not related to any of them. Not at all.

9 [11.27.05]

10 Q. Have you taken an oath before the Iron-Club Statue before your
11 appearance this morning?

12 A. Yes, I have.

13 Q. Thank you. And Madam Civil Party, the Chamber would like to
14 inform you of your rights and obligations as a witness. As a
15 witness, Madam Khin Vat, in the proceedings before this Court,
16 you may decide to refuse to respond to any question, or to make a
17 comment, which may incriminate you. That is your right against
18 self-incrimination. And as a witness, you must respond to all
19 questions put to you by the Bench or by any of the relevant
20 Parties, except those questions or comments that you think may
21 incriminate you, as I just informed you a while ago. And also as
22 a witness, you must tell the truth that you have heard, known,
23 remembered, or experienced or observed directly, in relation to
24 an event put to you by the Bench or the concerned parties. And
25 Madam Khin Vat, have you been interviewed by investigators of the

1 Office of the Co-Investigating Judges?

2 A. Yes, I have. It took place at my house in my village.

3 Q. And how many times? Madam, how many times have you been
4 interviewed? And please observe the red light on the tip of the
5 microphone.

6 A. I was interviewed once at my house.

7 [11.29.56]

8 Q. And before you appeared before us, have you reviewed or read
9 the written record of your statement, in order to refresh your
10 memory?

11 A. In fact, my nephew read it aloud to me.

12 Q. And to your best recollection, does the written record of your
13 statement reflect the words that you used during your interview
14 with OCIJ investigators at your house?

15 A. Yes, I can -- I can recall what I said.

16 Q. Is the written record consistent with what you told the OCIJ
17 investigators during your interview?

18 A. Yes, it is consistent.

19 [11.31.20]

20 MR. PRESIDENT:

21 Thank you, Madam Witness. It is now appropriate for our lunch
22 break. And we'll take a break now and resume at 1.30 this
23 afternoon.

24 Court officer, please make necessary arrangements for the witness
25 during the lunch break, and usher her into the courtroom again at

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1 1.30 this afternoon.

2 Security personnel, you are instructed to take Khieu Samphan to
3 the waiting room downstairs, and have him return to attend the
4 proceedings in this Court at 1.30. The Court is now in recess.

5 (Court recesses from 1132H to 1332H)

6 MR. PRESIDENT:

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

8 Before the Chamber gives the floor to the Co-Prosecutors to put
9 questions to this witness, the Chamber wishes to hear a
10 clarification from OCP in relation to the 66 statements from
11 DC-Cam which was mentioned by Nuon Chea defence team yesterday.
12 This morning I heard the clarification made by the OCP and now
13 the Chamber would like OCP to make clearer points on these
14 documents.

15 [13.33.40]

16 MR. FARR:

17 Thank you, Mr. President. So we've looked into the matter a bit
18 further and I think the position is that because of the relative
19 recency of the admission of the documents, requests for
20 translation have not yet been made. We've calculated that the
21 total number of pages required to translate everything into
22 French and English is 790 pages of translation. And we're
23 currently communicating with CMS to determine what kind of
24 timeline that would be for them. So the number is 790, we're
25 communicating with CMS and we can inform the Chamber either later

1 today or by email what their estimate for the translation time
2 for those documents would be.

3 [13.34.50]

4 MR. PRESIDENT:

5 Thank you for this clarification and the Chamber will take it
6 into consideration and use it as a basis for the decision in a
7 later stage.

8 Madam Khin Vat, based on the report of the greffier, you stated
9 that you need to go to the restroom frequently. And please raise
10 your hand if you wish to use the restroom. Under Internal Rule
11 91bis of the ECCC, the floor is now given to the OCP to put
12 question to this witness. And OCP has the whole afternoon to put
13 question to this witness.

14 QUESTIONING BY MR. FARR:

15 Thank you, Mr. President. Good afternoon to you, Ms. Khin Vat. My
16 name is Travis Farr. I'm a lawyer for the Office of the
17 Co-Prosecutors and I'll be asking you a number of questions this
18 afternoon. I know you discussed more than one topic in your
19 statement but I will be focussing primarily on your experiences
20 at the Kampong Chhnang Airport worksite.

21 Q. So to start off with, can you tell us, to the best of your
22 memory, when you first were sent to the Kampong Chhnang Airport
23 worksite?

24 [13.37.09]

25 MS. KHIN VAT:

1 A. I arrived in Kampong Chhnang Airport in late 1977. It was in
2 July 1977. I was working in the paddy field when I was there. I
3 was working in the field at that airport construction site.

4 Q. And why were you sent to that airport construction site? Who
5 sent you and what was the reason?

6 A. Back then, my husband had tendency. It was said that he was
7 removed by Angkar. I was working in Pochentong Airport and my
8 husband was working in Kampong Chhnang province. And I was told
9 by my friend that my husband was linked to the Vietnamese. After
10 they learnt that my husband was linked to the Vietnamese, I was
11 removed from airport of Pochentong and sent to Kampong Chhnang.

12 Q. So was your being sent to Kampong Chhnang Airport then some
13 kind of punishment for your husband's perceived link to the
14 Vietnamese?

15 [13.39.20]

16 A. In my own analysis and opinion, trust was withdrawn from me.
17 For this reason, I was not allowed to work together with the
18 Chinese. And I was reassigned to farm in order to support their
19 units.

20 Q. And what happened to your husband when this allegation or
21 accusation of links with the Vietnamese was made -- what happened
22 to him?

23 A. I did not know. At the time, information was not disclosed to
24 me. My husband disappeared ever since. The upper echelon did not
25 tell me the reason and I did not have the courage to question on

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1 his disappearance because I was afraid of risking my life.

2 Q. How did you learn about his disappearance?

3 A. It was one week after my marriage that I learnt that I was
4 required to get married in Kampong Chhnang. And one week later
5 after my marriage, I was sent to work in Kampong Chhnang. And
6 during the time that I learnt my husband disappeared.

7 [13.41.28]

8 Q. And did you learn that he disappeared because someone told you
9 he disappeared or had you been with him and then he was no longer
10 there? How exactly did he disappear?

11 A. My colleagues were working with him and I was told that my
12 husband was arrested and put on a vehicle heading to Phnom Penh.
13 And I was told by my colleague -- or colleagues that please do
14 not ask any information about my husband. And at that time, I
15 kept silent.

16 Q. What was your husband's job prior to his disappearance?

17 A. He was in charge of a unit and he was a driver for the Chinese
18 who were measuring the land at that new airport worksite.

19 Q. And just so the record is clear, your husband was measuring
20 land at the -- was a driver for the Chinese measuring land for
21 the Kampong Chhnang Airport worksite; correct?

22 A. Yes, that is correct. It is true.

23 [13.43.40]

24 Q. So prior to your transfer to the Kampong Chhnang Airport
25 worksite, had you been a member of the military -- of a military

1 unit?

2 A. I was removed and sent to Kampong Chhnang. Before I was
3 transferred to Kampong Chhnang, I was put in a woman unit taking
4 care of children and doing rice farming.

5 Q. But before that transfer to the -- to Kampong Chhnang, had you
6 been in a military unit? And if so, which one?

7 A. Prior to 1975, I was part of Southwest Zone army -- that is,
8 the female army of 304. In 1975, my 100-women unit was reassigned
9 to clean up the airport in order to allow the Chinese technician
10 repair airports. And the Pochentong Airport was the place where
11 the Chinese train Khmer Rouge how to pilot.

12 Q. Were you ever a member of a division referred to as 502?

13 A. Yes, I was under 502.

14 Q. And was that during your time at Pochentong, during your time
15 at Kampong Chhnang, or both?

16 A. I was under Division 502, both of the time that I was in
17 Kampong Chhnang and at Pochentong Airport.

18 [13.46.32]

19 Q. Okay. Can you tell us who the commander of Division 502 was?

20 A. The commissioner was Ta Met. I do not know his surname. And as
21 for the deputy, it was Ta Lvey. And there was another member --
22 that is, Thuok.

23 Q. Can you tell us when you arrived at the Kampong Chhnang
24 Airport worksite, what did you first see, what did you first
25 notice?

1 A. At the outset, I was told to do the rice farming, and I was
2 living and sleeping at my shelter in Wat Preah Theat (phonetic).
3 I was required to do the rice farming in the lower part of the
4 river. And it was almost the (inaudible) time I was told that the
5 Vietnamese troop came into the country. So I had to make an
6 escape at that time.

7 Q. How close was the place where you were doing your rice farming
8 to the airfield itself, to the runway, the control tower, and the
9 other facilities?

10 A. Wat Preah Theat (phonetic) was east of the new airport
11 construction site. It was about one kilometre away from Phnum
12 Chak Thma (phonetic).

13 [13.49.20]

14 Q. I'm sorry. I'm not familiar with the names of all of the
15 locations. Could you tell us in relation to the runway itself,
16 the control tower itself, how far away were you from those
17 locations?

18 A. I was required to do rice farming surrounding the airport
19 construction site. It was one kilometre away from the airport
20 construction site.

21 Q. So from the place where you were doing your rice farming, were
22 you able to observe any of the construction activities? And if
23 so, how?

24 A. Yes, I could see the construction. At first, after I arrived
25 at the Kampong Chhnang Airport worksite, I saw military soldiers

1 pushing carts and the Chinese lay or install electrical wires,
2 measure the land, and lay cement to build a five-storey building.

3 And the Chinese also install the blast to break the rock.

4 Q. And how far away were you from these workers when you were
5 seeing them pushing these carts or laying cement, what was the
6 distance between you and the workers?

7 [13.51.23]

8 A. On some occasion, I was working close to the place where the
9 soldiers were pushing carts. And when I was assigned to do the
10 rice farming, I walk past the place where the road was built. And
11 sometimes, I had to do the rice farming south of the mountain
12 where the rock was blasted.

13 Q. So you've mentioned seeing people in military uniforms. Did
14 you ever learn anything about the identities of the workers at
15 the airport worksite?

16 A. I do not have full picture. I noticed that the worker
17 comprised soldier and Division 502 let the workforce together
18 with the Chinese technician to install electrical wires,
19 construct roads and build five-storey buildings. As I stated,
20 Division 502 was in charge of leading the construction work.

21 Q. So aside from Division 502, did you ever learn what other
22 divisions or units were present at the worksite?

23 [13.53.25]

24 A. I do not have first-hand information. My work colleagues in
25 the field told me that they were from the east and that the

1 chiefs of the east were removed. They were working with me and I
2 did not know when chiefs of the east were removed. I was working
3 at the rice field for a shorter period of time. That is what I
4 know.

5 Q. Did your colleagues whom you were farming rice with tell you
6 how they learnt that these workers were from the east?

7 A. They said they were from the east and their chief had been
8 removed. This is what I know. We were afraid something would
9 happen on us, so we stop discussing anymore after we learn about
10 this. We were working hard.

11 Q. Do you know whether these workers from the east were members
12 of military units or had been members of military units?

13 A. I do not know about that. From my estimate, perhaps they were
14 soldiers, that is why they had been sent to work at that place.

15 [13.55.40]

16 Q. Did you ever learn anything about different treatments between
17 members of Division 502 and the other people working at the site?

18 A. I do not know about that.

19 Q. And do you know anything about why these workers from the east
20 had been assigned to the Kampong Chhnang Airport worksite?

21 A. I have no idea because I was a low-ranking person. Only the
22 high-ranking people knew about that.

23 Q. Did you ever hear the words "tempering" or "refashioning" used
24 during your time at the Kampong Chhnang Airport?

25 A. Yes. People were tempered. They were told to be hardworking.

1 During the daytime, they were striving to build the airport and
2 in the evening, they were growing vegetable for units. And as for
3 old lady or old people -- adult people like me, during
4 night-time, we were making fertilizers. During the time that we
5 were working at the Kampong Chhnang Airport worksite, we were
6 talking to one another that we were working too hard. We had
7 endured overwork.

8 [13.58.00]

9 Q. So what did these words "tempering" and "refashioning" mean to
10 you in the context of the Kampong Chhnang Airport?

11 A. Why I know it is -- there was tempering, I learn about this
12 after I had been transferred to Kampong Chhnang. When I was in
13 Pochentong Airport, I never experienced any insufficient food to
14 eat or hard labour. But after I had been transferred to Kampong
15 Chhnang, I went through all days sufferings.

16 Q. So I want to make sure that I am understanding you correctly;
17 are you saying that you considered your experience at the Kampong
18 Chhnang Airport to be tempering or refashioning?

19 A. From what I think, it was not re-education for me. I was
20 assigned to work there. I was instructed to work in different
21 type of work. Whether I volunteer to work, I cannot say anything
22 even when I was sick, I had to do the work.

23 [14.00.05]

24 Q. I want to ask you now about two terms that you used in your
25 statement which were translated in the English as "Force 1" and

1 "Force 2". Can you tell us what those two terms meant?

2 A. Force 1 comprised of women who did not have children and
3 full-fledged men. They were put in this so-called Force 1 to
4 work. They were healthy. As for Force 2, people who were weak
5 like me were put in this group -- that is, Force 2. Members of
6 Force 2 were assigned to do rice farming and grow vegetable for
7 units.

8 Q. And what were the members of Force 1 assigned to do?

9 A. Force 1 -- members of Force 1 were assigned to construct the
10 airport worksite. Some of them were working with the Chinese
11 technicians to measure the land, some drill the rock, blast the
12 rock, some drivers, and some were assigned to transport gravels
13 and earth. And they were also assigned to construct the runways.

14 [14.02.25]

15 Q. Was either of the forces associated with Division 502?

16 A. Force 1 was associated with 502, and people from 502 could not
17 build the airport construction site. So people from other groups
18 or units were gathered and put together with this Force 1.

19 Q. And why couldn't people from Division 502 build the airport
20 construction site?

21 A. At that time, the 502 did not have the technical ability to do
22 the airport construction and only the Division 3 did. For that
23 reason, Division 3 was overall in charge, starting from the
24 ground. And for that reason, 502 came later and they had to work
25 along with those from Division 3. And there were many soldiers

1 from the division working on site. They also built caves, they
2 built reservoir to store fuel for planes. So for that reason,
3 Division 502 could not handle the job alone.

4 Q. So I'd like to ask you, and tell us if you don't know the
5 answer to this, but do you know anything about the working
6 conditions of the people who were building the airport, the
7 people who were flattening the earth, laying the cement, moving
8 soil, as you've said? Do you know anything about, for example,
9 their working hours, their food ration?

10 [14.05.23]

11 A. No, I do not know those details since they were in separate
12 unit from mine.

13 Q. Okay. I'd like to ask you a few questions now about the
14 leaders of Division 502 that you mentioned. So can we start with
15 Met, can you tell us -- Met -- who he was?

16 A. Met was the secretary of military Division 502.

17 Q. And do you know what his responsibilities were?

18 A. No, I don't. I simply know that he supervised his subordinates
19 within the division but I do not know the details of his work.

20 Q. Did you ever personally have any interaction with him, did you
21 speak to him, or did you hear him speaking to other people?

22 A. He chaired a meeting, his wrap-up meeting on the work plan
23 within the division, so I used to listen to him.

24 [14.07.18]

25 Q. And what would he say in those meetings; what did you hear him

1 say?

2 A. He actually educated his subordinates to be loyal to him and
3 to strive to complete the work assignment by Angkar. That is the
4 main gist that I can recall.

5 Q. Did he say what he meant by Angkar?

6 A. He didn't explain what or who Angkar was. However, it is my
7 understanding that Angkar referred to the upper echelon
8 leadership.

9 Q. And what was your understanding based on, why did you believe
10 that?

11 A. I was under his supervision and we received education from him
12 and it was our belief that the instructions came from above --
13 that is, from the upper level or from Angkar.

14 Q. Did Met ever say anything about the urgency of the project or
15 the necessity of completing it quickly?

16 A. Yes, he spoke about that that we should complete the work
17 quicker, so that the airplane could be in operation to
18 accommodate airplanes. And that's what he urged us to do -- that
19 is, to complete the work sooner.

20 [14.09.57]

21 Q. And what about Lvey, another person you mentioned as a leader;
22 who was he and what was his position, if you know?

23 A. Lvey was Met's deputy and he usually accompanied the Chinese
24 visitors to the worksite. He had also a supervisory role of the
25 soldiers there. He worked with the Chinese and he received report

1 and instructions from the Chinese. Lvey was direct subordinate to
2 Ta Met.

3 Q. Did you ever speak to him or did he ever address you as part
4 of a group?

5 A. No, Lvey did not. He did not provide education to us or spoke
6 to my unit.

7 Q. And the last person's name -- I hope I can pronounce it
8 correctly -- Thuok, can you tell us who he was?

9 A. Thuok was Lvey's assistant and Thuok was usually in charge
10 when Lvey was away. So he would lead workers to work during
11 Lvey's absence; for example, when Lvey had to go to Phnom Penh.

12 [14.12.32]

13 Q. And did you ever speak to him or did he ever address you as
14 part of a group?

15 A. When I was a cook before I went to do farming, he used to talk
16 to me. He also used to give me work assignment. However, that
17 communication ceased when I was assigned to work in the rice
18 field.

19 Q. A moment ago, you mentioned Lvey going to Phnom Penh on
20 occasion. Do you know why he was going to Phnom Penh?

21 A. He went to Phnom Penh to -- was probably to receive his work
22 plan and work assignment from his superior -- that is, from Ta
23 Met.

24 Q. I'd like to turn now to your working hours when you were at
25 the airport worksite. Can you just give us a chronology of a

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1 typical day, what time would you wake up, what would you do after
2 waking up, what time would you begin working? And go from there.

3 [14.14.20]

4 A. During my time in Kampong Chhnang and while I worked in a rice
5 field, I woke up at 5 o'clock in the morning to line up and
6 attend the meeting. That's when I was together with women who had
7 children. And after that, we would go to the field to work. And
8 that was around 7 a.m. And in the evening, we had our dinner at
9 5.00 and if there was a work assignment for us to engage in
10 fertilizer making, we would continue doing that until around 8.00
11 or 9.00 when we stopped to rest.

12 Q. And just so we're clear, that's 8.00 or 9.00 in the evening
13 that you're talking about; correct?

14 A. Yes, 8.00 p.m. Sometimes it was busy making fertilizer at that
15 time.

16 Q. You mentioned a meeting that you would attend after waking up,
17 what would be discussed at the meeting and who would lead it?

18 A. The morning meeting was to assign the workforce to engage in
19 various works. For example, Group 2 which comprised of certain
20 workers would be assigned to do a specific task while Group 3 and
21 so forth were assigned to engage in other works. The work
22 assignment meeting usually held in early morning -- that is, at 5
23 o'clock in the morning. That was for work assignment and work
24 distribution amongst members of the groups.

25 [14.16.45]

1 Q. And who would run those meetings; who was in charge of those
2 meetings?

3 A. It was Maly (phonetic) who chaired the meetings. She passed
4 away.

5 Q. And what was her position or role; what was her title?

6 A. I do not know her real position. What I knew was that she
7 received the work plan from her superior and she relayed those
8 work plan and instructions to us.

9 Q. Do you know the name or position of her superior?

10 A. No, I don't. And she was a newcomer; she was not part of
11 Division 502. She came to supervise us for a brief period of
12 time.

13 [14.18.13]

14 Q. Okay. I'd like to ask you now about your food ration. Can you
15 tell me how many times per day you would eat and what kinds of
16 food you would be given?

17 A. While I was working in a rice field, cooked rice was
18 distributed to us for our lunch -- that is, we would be given a
19 pack of steamed rice. Then it was accompanied by a sour soup
20 mixed with morning glory or water lily with fish from Tonlé Sap
21 River. Or sometimes, we were given dry fish.

22 Q. And in your experience, was the food sufficient to give you
23 the energy for the work you were expected to carry out?

24 A. The food was rationed, so we could not eat our fill since we
25 were given only a ration. And sometimes I had to drink more water

1 to fill up my stomach. And each week, we would be given dessert.

2 Q. And can you tell us something about the hygiene of the area
3 where you lived and worked? Was it a healthy environment or did
4 members of your unit get sick?

5 A. Regarding hygiene, hygiene was not available at all. I mean
6 the water was not boiled and we -- workers usually had some kinds
7 of diseases including numb and swollen parts of the body.

8 [14.21.19]

9 Q. And this may be difficult to estimate but can you tell us on a
10 given day how many workers in your unit would be sick?

11 A. I think the situation varied. Under hot working condition and
12 weather, sometimes five to 10 workers became sick. So it was
13 weather-related condition. I cannot tell you exactly but usually
14 under such a weather condition, five to 10 workers would become
15 sick.

16 Q. And that would be five to 10 workers out of a total of how
17 many in your unit?

18 A. There were about 90 workers in my unit.

19 Q. And when people fell ill, was there any kind of medical
20 treatment or were they allowed to rest or were they expected to
21 continue working?

22 A. Those sick people who could walk would be assigned to engage
23 in lighter tasks. However, for those who could not walk or who
24 could not eat, then would be sent to a hospital. So even if you
25 fell sick but you could walk, then you would be assigned to work,

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1 that is a lighter nature of work or to produce fertilizer or to
2 lend hands to the people working in the kitchen hall.

3 [14.24.05]

4 Q. Are you aware of any situation in which workers in your unit
5 died either from overwork or from illness?

6 A. There were quite a number of workers who fell ill and died and
7 that mainly from numbness and from fatigue and malaria.

8 Q. Can you give us an estimate of the number of workers who died
9 in your unit from numbness or fatigue or malaria?

10 A. In my rice farming unit, five workers died from illness.

11 Q. And that's out of a total of 90 as you told us; correct?

12 A. Yes.

13 [14.25.47]

14 Q. I'd like to ask you now some questions about arrests and
15 disappearances at the worksite. And can I ask you first if you
16 ever attended any meetings at which arrests were discussed,
17 particularly in reference to links to Vietnamese people?

18 A. I did not attend such meetings. However, my friends who were
19 workers in the unit spoke or whispered quietly about
20 disappearances of certain workers; for example, why or where did
21 this person absent? And we learnt that it was probably he or she
22 was called away by the upper echelon and it was our conclusion
23 that the person had been arrested.

24 Q. I'd like to read you a brief excerpt from your statements just
25 to see whether you remember what you've said in your statement

1 and to ask you whether it's correct. This is Khmer page 00304365
2 through 66; it's English, 00315915; and French, 00375493; and the
3 document number is E3/5284. So you were asked about cases of
4 arrests and what you said was: "I don't know it clearly either,
5 but my husband was arrested with the allegation that he was
6 involved with the Vietnamese." And then, the part that I'm more
7 interested in at the moment: "There were meetings held by Lvey,
8 the general supervisor of Kampong Chhnang Airport. The meetings
9 were about the purges against those who had links with the
10 Vietnamese by means of arrests. I heard this myself." And then
11 you go on to say that you never personally saw people arrested.
12 So that reference to meetings led by Lvey in your statement, is
13 that something you remember or something that you don't remember?

14 [14.29.05]

15 A. I did not know about the details of those meetings chaired by
16 Lvey since I was not there.

17 Q. Okay. Thank you. So I'd like to go back now to your husband's
18 arrest. Now as I understood what you said earlier, you were not
19 present when he was arrested; is that correct?

20 A. When my husband was arrested, I was at the Pochentong Airport
21 while he was at the five-storey house at the Chan Sari barrack.

22 Q. And so who informed you of your husband's arrest, how did you
23 learn about it?

24 A. There was a messenger who was close to my husband from the
25 same unit wrote a letter secretly to me and he sent it through a

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1 food transportation vehicle. And I received that letter. That's
2 how I learnt about his arrest.

3 [14.31.00]

4 Q. And in this letter that your husband's friend sent to you, did
5 he indicate who carried out the arrest?

6 A. He did not know because he said that people from the general
7 staff in Phnom Penh went to arrest my husband and brought him to
8 Phnom Penh.

9 Q. And in this letter that he sent you, did he indicate any
10 reason for the arrest?

11 A. No, he did not tell me the reasons for my husband's arrest
12 since he did not know the reasons either. And what he said in the
13 letter was to advise me not to ask any more enquiry about my
14 husband since he was taken away.

15 Q. So did he tell you why you shouldn't make any enquiries about
16 your husband?

17 A. He said that if that was the case, he was concerned that I
18 will be taken away and killed like my husband.

19 [14.33.03]

20 Q. I think you mentioned that earlier that you were also aware of
21 cases of disappearances beside your husband. Can you recall any
22 specific cases and describe them for us?

23 A. There was a person named Uong who used to work and stay
24 together with me, and she used to accompany the Chinese team.
25 Later on, she disappeared and I asked about her whereabouts, and

1 I was told that she was requested by Angkar to go for further
2 education at the upper level. And based on that, I concluded that
3 she had been arrested since I no longer saw her. I must say I do
4 not know this for fact, but it was my personal conclusion based
5 on what I observed.

6 Q. And can you tell us approximately when she disappeared and
7 from where?

8 A. She disappeared in 1977 when she was working at the Kampong
9 Chhnang provincial town hall. When I was there, I did not see her
10 and I noticed that she disappeared.

11 [14.35.14]

12 Q. So other than Uong who you've just described for us, are there
13 any other concrete cases that you can remember?

14 A. Yes, there was another case. A woman in my battalion, her name
15 was Hon (phonetic). She was arrested in '77, I mean Khon -- she
16 was arrested in '77.

17 Q. And do you know where and when she was arrested? Sorry, you've
18 told us when but can you tell us from where she was arrested?

19 A. I no longer saw her in 1977. I do not know where she was
20 arrested. I parted from her to work with the Chinese. And from
21 that time, I no longer saw her.

22 Q. So in addition to those two cases, are there any other
23 specific cases of disappearance that you're aware of?

24 A. No, no other cases. I knew only that my husband had
25 disappeared. Uong and Khon had also disappeared. I did not know

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1 about other arrests or disappearance.

2 Q. In your statement, you also mentioned the name of Laoth. Does
3 that refresh your recollection that you know a person named
4 Laoth?

5 A. Laoth was my former husband.

6 [14.38.02]

7 Q. And you also mentioned a person named Muth. Do you recall a
8 person named Muth and anything that happened to that person?

9 A. I do not know fully what happened to Muth. What I know is that
10 Muth was working in the division.

11 Q. And beyond the fact that he was working in the division, do
12 you have any idea what happened to him?

13 A. No. I was working in a far distance from her.

14 MR. PRESIDENT:

15 Thank you, the Deputy Co-Prosecutor. It is now time for break and
16 the Chamber will take the break now until 3 o'clock.

17 Court officer, please find a proper room for this witness, and
18 please invite her back into the courtroom at 3 p.m.

19 The Court is now in recess.

20 (Court recesses from 1439H to 1502H)

21 MR. PRESIDENT:

22 Please be seated.

23 The Chamber is now back in session, and again, the floor is given
24 to the Deputy Co-Prosecutor to continue putting further questions
25 to the witness. You may proceed.

1 BY MR. FARR:

2 Thank you, Mr. President.

3 Q. So earlier today, you told us that you were aware of Lvey
4 occasionally going to Phnom Penh. Are you able to say how often
5 that happened?

6 MS. KHIN VAT:

7 A. It varied. Sometimes he would go three times in a month,
8 sometimes only for one time in a month. That's when I worked
9 close to him -- that is, during the time that I cooked for the
10 guests. And when I was reassigned to work in the rice fields, I
11 no longer knew about his trips down to Phnom Penh.

12 [15.04.16]

13 Q. And can you tell us of when were you cooking for guests; what
14 period was that?

15 A. That was in -- that was during 1976, and that continued until
16 late 1977 when I was reassigned. So in 1976, I worked at
17 Pochentong Airport; then in late 1977, I went to Kampong Chhnang
18 for one week to marry my husband and then I returned back to
19 Pochentong Airport. And this is the period they knew about his
20 trip to Phnom Penh.

21 Q. So during that period, was Lvey one of the people you were
22 cooking for?

23 A. No, he did not have meal with the guests. However, he ate his
24 own meal which was prepared by his messengers.

25 Q. So can you tell us who the guests were that you were cooking

1 for?

2 A. The guests were Chinese, all of them were Chinese.

3 [15.06.30]

4 Q. And I think you also indicated earlier when discussing Lvey's
5 trip to Phnom Penh, that you assumed or believed that that was to
6 get instructions from Met. Can you tell us why you believed that
7 he was getting instructions from Met when he went to Phnom Penh?

8 A. That was my personal conclusion that he went to receive
9 instructions from his superior in Phnom Penh but I did not know
10 the details about the matter. It was my personal conclusion
11 anyway.

12 Q. And during the period when you were cooking for these Chinese
13 guests, would they be eating alongside non-Chinese staff members,
14 leaders, Khmer people from the worksite?

15 A. No. It did not happen that way. The food was prepared for the
16 Chinese. As for the Khmer people, the food was prepared
17 separately by another group of cook and kitchen staff. Here I
18 refer to those workers who engage in transporting soil for
19 building the airport. The kitchen was separate from the one that
20 was repaired for the Chinese.

21 [15.08.45]

22 Q. And where was the kitchen for the Chinese; what building or
23 structure?

24 A. In Kampong Chhnang -- that is, in Chan Sari barrack, the house
25 was located to the east of the existing airport. The house was

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1 built -- was concrete on the lower floor, and the top floor was
2 built from wood.

3 Q. And during the time you were there cooking for the Chinese,
4 were you ever able to overhear any conversations either among the
5 Khmer-speaking leaders of the airport worksite or conversations
6 between the Chinese and the Khmer-speaking leaders of the
7 airport?

8 A. No, I did not pay such attention or try to overhear their
9 conversations. I was busy doing my own work. And I did not try to
10 listen what they were saying at the time.

11 Q. You indicated earlier that you would sometimes be close enough
12 to the workers to see what they were doing. And I think you may
13 have also indicated that you sometimes even crossed the airport
14 runway. At those times, did you see armed men guarding the site
15 or guarding the workers?

16 A. No, there was no guard at that time. There were only people
17 who worked in their respective units but there were no guards.

18 [15.11.25]

19 Q. During your time at the airport worksite, did you ever see or
20 learn about any workers committing suicide?

21 A. I heard about a rock transportation vehicle driver who said
22 that youth workers actually ran into the trucks and then he
23 couldn't break on time and killed the person.

24 Q. Did he say that happened one time or many times?

25 A. I only heard him speaking about that for one time that he was

1 driving his truck and the worker actually ran into the truck, and
2 he couldn't break on time, and killed the worker. And that's all
3 I heard about it. And I was rather afraid to hear that.

4 Q. And just to be clear, was he -- did the driver who told you
5 about this did he believe it was an accident from the perspective
6 of the worker who was killed or did he believe it was an
7 intentional act on the part of the worker who was killed?

8 A. From what people said, that person actually ran into the
9 vehicle.

10 [15.13.45]

11 Q. So I just asked you about suicides. Are you aware of any
12 intentional killings that took place at the Kampong Chhnang
13 Airport worksite?

14 A. There was another person at Krang Leav who jumped out of the
15 vehicle and killed himself.

16 Q. And what about situations in -- not in which a person killed
17 himself, but in which one person killed another person
18 intentionally?

19 A. No.

20 Q. During your time at the Kampong Chhnang Airport worksite, were
21 you free to leave if you wanted to leave?

22 A. Besides the work that we had to do during the daytime, we had
23 to sleep during the night. We had no free time to move round; we
24 were always busy doing our work.

25 [15.15.48]

1 Q. My question wasn't whether you were free to live for a short
2 period of time and come back. My question was whether you were
3 free to quit your job there, to leave to go home and never come
4 back. Was that a possibility for you during that time?

5 A. No, I never went anywhere beyond the unit that I was assigned
6 to. I myself was very well aware of my safety. I knew that I had
7 to be vigilant concerning my movements, since my husband had
8 already been arrested.

9 Q. And can you just tell us a little bit more about that. Why did
10 you have to be vigilant about your movements because your husband
11 had been arrested?

12 A. At that time, what I heard during the meetings that if any
13 worker who was liberal and didn't adhere to the instructions,
14 that person would be removed. And upon hearing that, I was rather
15 concerned and I had to be very vigilant.

16 Q. And what did it mean to say that someone would be removed?

17 A. It was my thought that if I was not vigilant enough and if
18 anyone knew about it, or my subordinate -- rather my superior
19 knew about it, report the matter to the upper echelon, then I
20 would be in a risky situation. For that reason, I had to be
21 vigilant.

22 [15.18.32]

23 Q. I'd like to ask you now about visits of leaders to the Kampong
24 Chhnang Airport worksite. Are you aware of any senior leaders
25 visiting the worksite?

1 A. During the later part of the year when the airport site was
2 almost completed, I knew that Khieu Samphan and his colleagues
3 whom I did not know together with the leadership from 502 who
4 accompanied them to the worksite. But I must say I cannot recall
5 the date of his visit, I only knew that he came to inspect the
6 airport worksite.

7 Q. And can you describe that event for us as best you remember
8 it; how he was dressed, who he came with, what vehicles he came
9 with, what he did, what he saw, what he said, any of those
10 details that you can remember?

11 A. I did not see him in person. I only knew that he came to the
12 worksite. For that reason, I cannot tell you the details of how
13 he dressed or which vehicle he was in as I did not witness it.
14 But I can say -- I can tell you that I knew that he made his
15 visit to the worksite.

16 [15.20.42]

17 Q. And how did you know that he had come to visit the worksite;
18 how did you learn that?

19 A. At that time, my friends who were at the worksite visited me
20 and told me that the senior leaders came to inspect the worksite.

21 Q. Did they mention the name of Khieu Samphan specifically?

22 A. Yes, the name was mentioned. At the time, Khieu Samphan was
23 known as Om Khieu Samphan or Uncle Khieu Samphan.

24 Q. And besides the fact of his visit, did your friends from the
25 worksite tell you any other details about the visit?

1 A. No, she did not give further details. I only know what I have
2 told you.

3 Q. You mentioned that the leadership of 502 was connected with
4 that visit. Can you tell us specifically who you're referring to
5 as the leadership of 502?

6 A. The leadership included Lvey and Thuok.

7 [15.22.55]

8 Q. And in what way were they connected to Khieu Samphan's visit?

9 A. I do not know the details regarding this matter. I only knew
10 that they went to the worksite. That's what my friend told me.

11 Q. Other than Khieu Samphan, do you recall the visits of any
12 other leaders to the worksite?

13 A. I do not know those people. However, I saw a convoy or vehicle
14 coming to the worksite from Phnom Penh direction and I do not
15 know who those people were or what their names were.

16 Q. I'd like to just ask you about one question or one sentence in
17 your statement from Khmer page 00304366; English, 00315915; and
18 French, 00375493. And on that page, you just say "I saw Ta Mok
19 come to inspect once in late 1977"; is that something you
20 remember or something you don't remember?

21 A. Yes, that is correct. Yes, in fact Ta Mok also went along.

22 [15.25.20]

23 Q. Was that part of the same visit of Khieu Samphan or was that
24 on a separate occasion?

25 A. He went along with the delegation at that time.

1 MR. FARR:

2 Okay. Ms. Khin Vat, thank you for answering my questions.

3 Mr. President, I'll hand the floor over now to my colleague for
4 the civil parties.

5 MR. PRESIDENT:

6 Thank you. And the Lead Co-lawyers for civil parties, you may
7 proceed.

8 MR. PICH ANG:

9 Good afternoon, Mr. President. I'd like to seek the Chamber's
10 permission for my lawyer for civil party, Ven Pov, to put
11 questions to this witness.

12 MR. PRESIDENT:

13 Yes, the Chamber grants your request and Ven Pov, you may
14 proceed.

15 [15.26.30]

16 QUESTIONING BY MR. VEN POV:

17 Thank you, Mr. President and good afternoon, Mr. President, Your
18 Honours, and everyone in and around the courtroom. And hello,
19 Madam Witness. My name is Ven Pov. I'm a lawyer for civil
20 parties. I only have some additional questions to put to you.

21 Q. You have told the Court that you joined the military since
22 1970. Did you become a member of the Communist Party of
23 Kampuchea?

24 MS. KHIN VAT:

25 A. At that time, I did not know anything about the Party;

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1 however, I had a role to play within it.

2 Q. Thank you. You said that you were sent by the Khmer Rouge to
3 work at the airport site in Kampong Chhnang. And before that, did
4 you ever go to the airport in Kampong Chhnang while you were
5 still working at the airport -- at the Pochentong Airport?

6 [15.28.27]

7 MR. PRESIDENT:

8 Witness, please observe the microphone.

9 MS. KHIN VAT:

10 A. I actually went to Kampong Chhnang to marry my husband and I
11 spent only a week there. And I returned to my workplace at
12 Pochentong Airport.

13 BY MR. VEN POV:

14 Before you were sent to work in Kampong Chhnang in 1977, you did
15 not actually go with the Chinese working group into the airport
16 worksite and that you only went to Kampong Chhnang to marry your
17 husband; is my understanding correct?

18 MS. KHIN VAT:

19 A. I only went to marry my husband and I only spent a week there,
20 then I returned to my workplace.

21 [15.29.45]

22 Q. Mr. President, I'd like to read her extract from document
23 E3/5284 and the document in Khmer is 00304365; and in English,
24 00315914; and in French, 00375492. In her statement, she says
25 that "while I was working at the Pochentong Airport, I went with

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1 the Chinese team to the Kampong Chhnang Airport and they made the
2 trip there frequently, probably three times per month".

3 And Madam Witness, does that refresh your memory?

4 MR. PRESIDENT:

5 Witness, please observe the microphone.

6 MS. KHIN VAT:

7 A. I did not go with the Chinese team. I went to Kampong Chhnang
8 at that point in time to marry my husband, and I spent only one
9 week, then I returned to Pochentong. And after my husband was
10 removed, I returned to work in the rice field in Kampong Chhnang.
11 And that happened in late '77.

12 [15.31.16]

13 BY MR. VEN POV:

14 Q. Thank you. And concerning your work that you were sent to work
15 at the Pochentong Airport worksite in late '77 after the arrest
16 of your husband, my question to you is the following: Were you
17 forced to go and work at that airport worksite, could you refuse
18 to go?

19 MS. KHIN VAT:

20 A. After I got married with my husband and after I spent a week
21 there, I returned. And I had to return because that was the
22 instruction. So I separated from my newlywed husband and returned
23 to Pochentong. I could not refuse since I had to adhere to that
24 instruction.

25 Q. And when you were assigned to work at the worksite -- that is,

1 to work at the rice field around the vicinity of the airport,
2 were you given any proper accommodation -- that is, to sleep in?

3 A. When I was reassigned to return, I stayed at an old existing
4 house to the north or Preah Theat (phonetic) pagoda and the house
5 was vacant. And that house belonged to a local cooperative there,
6 so all workers who worked in the rice field stayed in that part.

7 [15.33.32]

8 Q. And how many workers actually stayed in that house together
9 with you?

10 A. In my unit, there were about 90 members and we were in the
11 secondary labour group that we were assigned to work in a rice
12 field, so some of us actually slept in the house or on the ground
13 nearby. And we were assigned to live and stay in that cooperative
14 near Preah Theat (phonetic) pagoda.

15 Q. Were sleeping mats and mosquito nets distributed to your
16 group?

17 A. Yes, we were given with mosquito nets, white mosquito nets. No
18 blankets were provided to us. We received only mosquito nets but
19 not the blankets.

20 Q. While you were working, did they ask you to make biography?

21 A. No. I was reassigned to live and work at that place and my
22 biography was not asked for. I was there to do the rice farming,
23 and it was almost the time that the rice was going to be harvest
24 that I made an escape, because at that time, Vietnam went into
25 the country.

1 [15.35.47]

2 Q. Was your unit chief male or female? Was he or she from the
3 same Division 502?

4 A. I do not know his or her biography. This chief came from Phnom
5 Penh; he was reassigned to work at that place from Phnom Penh. He
6 was male chief.

7 Q. Did he remain your unit chief until 1979 when the regime fell?

8 A. Upon my arrival, as I told the Court already, I was there for
9 a brief period of time, perhaps six months, when the rice was not
10 yet harvested. That chief made an escape with me or fled the area
11 with me at that time when the Vietnamese troop came into the
12 country. I did whatever they told me to do. After I had received
13 the plan or instruction, I would go to work.

14 Q. Thank you. I have another question for you. You have stated
15 about hard labour -- that is, the explosive was installed to
16 blast the rock in the mountain. Did workers who were in charge of
17 blasting the rock get injured?

18 A. When the rock was blasted by the explosive, we could hear the
19 loud sound. I do not know about the injury happening to the
20 worker in charge of blasting the rock. I heard only the noise.

21 [15.38.30]

22 Q. Thank you. I would like to ask you about the marriage. You
23 stated that you married your husband in Kampong Chhnang province.
24 Was the marriage voluntary?

25 A. I was forced to get married. I was told that it was time for

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1 me to marry my husband. If I refused the marriage, Angkar would
2 not be responsible for my refusal. I did not refuse at the time,
3 I had to go to Kampong Chhnang and marry my husband. I was alone
4 at that time, I did not -- I had not known my husband before. I
5 did not have the courage to speak to my husband at that time. My
6 husband advised me after the marriage that if I did not love him,
7 just say nothing. If I told other people that I did not love him,
8 I would risk my life. There were people conducting surveillance
9 after we got married, so I had to bear the situation after the
10 marriage. I felt very sorry for my husband as well. It was very
11 unfortunate for me at that time that I was forced to marry my
12 husband. My parents did not attend the marriage ceremony at that
13 time. What a pity for me.

14 [15.40.38]

15 Q. Do you recall how many couples were getting married at that
16 time?

17 A. There was only one couple -- that is, me and my husband. The
18 marriage was held in the provincial town hall. My husband and I
19 were instructed to make resolution and to adhere to the Party
20 principle. My husband and I were instructed to make resolution at
21 that time.

22 Q. So in conclusion, your marriage was not consensual; is that
23 correct?

24 A. Yes, that is correct. It is true what you have just said.

25 Q. Thank you. My last question for you: I would like to seek your

1 clarification. You have already responded to the question put by
2 the Deputy Co-Prosecutor about the visit of Khieu Samphan while
3 you were working at that place. Did you know what position Khieu
4 Samphan held at that time, did anyone tell you about his
5 position?

6 A. My unit chiefs told me that he was the second Om or second
7 Uncle; that is what I know. I have no idea what his
8 responsibility were at that time. What I know is that he was the
9 second Uncle or "Om Ti Pi".

10 [15.42.45]

11 Q. Thank you. What about Ta Mok or what was Ta Mok position at
12 that time?

13 A. Back then, he had supervisory role in Southwest Zone in terms
14 of military. Later on, I did not know what his responsibilities
15 were. I never saw him personally, I only heard of his name.

16 MR. VEN POV:

17 Thank you, Madam Witness. Mr. President, that concludes my line
18 of questioning.

19 MR. PRESIDENT:

20 Thank you very much. Now the floor is given -- wait, please wait.
21 And Judge Lavergne you have the floor first.

22 [15.43.52]

23 QUESTIONING BY JUDGE LAVERGNE:

24 Thank you. I believe that the civil party lawyers have completed
25 their questioning. But I have a couple of follow-up questions for

1 the witness.

2 Q. Madam, first can you tell us the complete and full name of
3 your husband. You said that he was called Laoth, but could you
4 give us his full name, please?

5 MS. KHIN VAT:

6 A. I do not recall his surname. I only recall his first name,
7 Laoth. His origin was Kandal province. I do not recall the
8 village, his birth village. He was handicapped.

9 Q. Was he in Division 502?

10 A. No, he was not under 502. He belonged to Division 11.

11 Q. I'd like to ask you something about what you were able to
12 witness when you were working at Pochentong. You told us that you
13 worked in the kitchen cooking for Chinese guests. Can you give us
14 some idea please of the number of Chinese guests there were
15 roughly and what they had come to do?

16 [15.46.00]

17 A. I noticed the presence of the Chinese. I do not know how many
18 of them there -- at Pochentong Airport. I was a cook for some
19 Chinese, some of them were taught the Khmer Rouge soldier how to
20 pilot or fly the planes or helicopters. They also taught or
21 trained the Khmer Rouge soldier to repair plants and helicopters
22 as well as to know how to operate a radar. This is what I can
23 recall.

24 As for the figure of the Chinese, I do not know how many of them
25 at the airport.

1 Q. When you were in Pochentong, did you see Chinese delegations
2 or foreign delegations, representatives of foreign states coming
3 to Pochentong?

4 A. Most of the time, I noticed there were Chinese and Vietnamese,
5 and some were Burmese. That is what I know.

6 Q. So these Vietnamese and Burmese people, were they technicians
7 or were they people in official delegations; did they have a
8 diplomatic status? Can you help us on that subject?

9 A. From my knowledge, perhaps they may have been in the
10 diplomatic roles representing their countries. They were not
11 technician from my recollection.

12 [15.48.50]

13 Q. Did you ever take part in major receptions to receive foreign
14 delegations or to welcome Cambodian officials who were coming
15 back to the country?

16 A. Back then, I knew that the late King came back into the
17 country. I do not know anything else besides this fact because I
18 was a cook working only in the kitchen.

19 JUDGE LAVERGNE:

20 Thank you very much, madam. I haven't got any more questions for
21 you. Thank you.

22 MR. PRESIDENT:

23 Thank you. It is now convenient time for the adjournment. The
24 Court will adjourn its hearing now and it will resume the hearing
25 tomorrow 30th of July of 2015, at 9 a.m. And the Chamber will

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1 continue hearing Khin Vat, after which we will hear 2-TCW-926 in
2 relation to the 1st January Dam worksite.

3 Thank you very much, Madam Khin Vat. The hearing of your
4 testimony as a witness has not come to a conclusion yet. You are
5 therefore invited to be here again tomorrow at 9 a.m. You may be
6 excused.

7 Court officer, with WESU unit, send this witness back to the
8 place where she stays at the moment and please invite her back
9 into the courtroom tomorrow at 9 a.m.

10 Security personnel are instructed to bring Mr. Nuon Chea and
11 Khieu Samphan back to ECCC detention facility, and please have
12 them returned tomorrow at 9 a.m.

13 The Court is now adjourned.

14 (Court adjourns at 1551H)

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