



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

13 January 2016

Trial Day 356

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

The Accused: NUON Chea
KHIEU Samphan

Lawyers for the Accused:
Victor KOPPE
LIV Sovanna
SON Arun
Anta GUISSSE
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:
CHEA Sivhoang
Niccolo PONS

Lawyers for the Civil Parties:
CHET Vanly
LOR Chunthy
PICH Ang
VEN Pov

For the Office of the Co-Prosecutors:
Nicholas KOUMJIAN
SENG Leang

For Court Management Section:
UCH Arun

I N D E X

Ms. MATH Sor (2-TCW-928)

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUISSSE	French
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
Mr. KOUMJIAN	English
Judge LAVERGNE	French
Mr. LIV Sovanna	Khmer
Mr. LOR Chunthy	Khmer
Ms. MATH Sor	Khmer
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Mr. SENG Leang	Khmer

1 P R O C E E D I N G S

2 (Court opens at 0904H)

3 MR. PRESIDENT:

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

5 The Chamber will hear testimony of Witness 2-TCW-928, in relation
6 to the treatment of the Cham people.

7 And before we proceed, the Chamber would like to inform all the
8 Parties that, for today's proceedings, Judge You Ottara, who is
9 the National Judge, is absent for personal reasons. And after
10 Judges of the Bench deliberated the matter, we decide to replace
11 Judge You Ottara by Judge Thou Mony, who is currently a reserve
12 judge. He will sit in Judge You Ottara's place until Judge You
13 Ottara is able to return to the Bench. This is pursuant to Rule
14 79.4 of the ECCC Internal Rules.

15 And the International Reserve Judge Karopkin is absent for health
16 reasons today.

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

19 [09.07.20]

20 THE GREFFIER:

21 Mr. President, for today's proceedings, all Parties to this case
22 are present except Madam Marie Guiraud, the International Lead
23 Co-Lawyer, who is absent for personal reasons.

24 Mr. Nuon Chea is present in the holding cell downstairs. He has
25 waived his right to be present in the courtroom. The waiver has

2

1 been delivered to the greffier.

2 A witness who is to testify today, that is, 2-TCW-928, confirms
3 that, to the best of his knowledge, he has no relationship, by
4 blood or by law, to any of the two Accused, that is, Nuon Chea
5 and Khieu Samphan, or to any of the civil parties admitted in
6 this case.

7 The witness will swear before the Chamber according to his
8 religion.

9 We also have a reserve witness today, that is, 2-TCW-894. And
10 this witness confirms that, to his best knowledge, he has no
11 relationship, by blood or by law, to any of the two Accused, that
12 is, Nuon Chea and Khieu Samphan, or to any other civil parties
13 admitted in this case.

14 The witness will take an oath this morning before the Iron Club
15 Statue.

16 [09.08.47]

17 MR. PRESIDENT:

18 Thank you, Ms. Chea Sivhoang.

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

20 The Chamber has received a waiver from Nuon Chea dated 13 January
21 2016, which states that, due to his health, headache, back pain;
22 he cannot sit or concentrate for long. And in order to
23 effectively participate in future hearings, he requests to waive
24 his right to participate in and be present at the 13 January 2016
25 hearing.

3

1 Having seen the medical report of Nuon Chea by the duty doctor
2 for the Accused at ECCC, dated 13 January 2016, which notes that
3 Nuon Chea has chronic back pain when he sits for long and he also
4 feels dizziness, and recommends that the Chamber grant him his
5 request so that he can follow the proceedings remotely from the
6 holding cell downstairs. Based on the above information and
7 pursuant to Rule 81.5 of ECCC Internal Rules, the Chamber grants
8 Nuon Chea his request to follow today's proceedings remotely from
9 the holding cell downstairs via audio-visual means.

10 The Chamber instructs the AV Unit personnel to link the
11 proceedings to the room downstairs so that Nuon Chea can follow.

12 This applies to the whole day.

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

14 (Witness enters the courtroom)

15 [09.12.40]

16 QUESTIONING BY THE PRESIDENT:

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

18 MS. MATH SOR:

19 A. My name is Math Sor.

20 Q. When you are summoned, your full name is Ahmad Sofiyah. Is
21 that your name, or you are another person?

22 A. Because my full name is rather long, so I shorten it to Math
23 Sor.

24 Q. Thank you. And have you ever been interviewed by investigators
25 of the Office of the Co-Investigating Judges of the ECCC?

4

1 A. Yes, I was interviewed in Kampong Cham.

2 Q. And when you were interviewed, which name that you gave to the
3 investigator?

4 [09.14.08]

5 A. It was Ahmad Sofiyah.

6 Q. And what is the reason for you to shorten your name from Ahmad
7 Sofiyah to Math Sor?

8 A. Because my full name is difficult to pronounce, and that is
9 the reason that I shorten it to Math Sor.

10 Q. Do you have a Khmer identity card? Maybe you obtain this card
11 during the last few years. The government actually provides the
12 Khmer identity card to the residents like Khmer and Cham people
13 in Cambodia. Have you obtained one?

14 A. Yes, I do.

15 Q. And what is your official name on the identity card?

16 A. I use Math Sor as my name.

17 [09.15.34]

18 Q. Thank you, then, Madam Math Sor. And do you recall when you
19 were born?

20 A. I was born in 1961.

21 Q. Is that correct that you said you were born in 1961?

22 A. Yes.

23 Q. And where were you born?

24 A. I was born in Khsach Prachheh Kandal village.

25 Q. And in which commune, district or province?

5

1 A. I was born in Khsach Prachheh Kandal village, Krouch Chhmar
2 commune, Krouch Chhmar district, Kampong Cham province, which is
3 now Tboung Khmum province.

4 Q. And where is your current address?

5 A. Presently, I live in Khsach Prachheh Kandal village, Krouch
6 Chhmar commune, Krouch Chhmar district, Tboung Khmum province.

7 Q. What is your current occupation?

8 A. I am a rice farmer.

9 Q. What are the names of your parents?

10 [09.17.25]

11 A. My father is Math Sor and my mother is Nob Sor.

12 Q. And what is your husband's name and how many children do you
13 have?

14 A. My husband is Sos Mat, and we have nine children. We have nine
15 children all together.

16 Q. Thank you, Madam Math Sor. The greffier made an oral report
17 that, to your best knowledge, you are not related, by blood or by
18 law, to any of the two Accused, that is, Nuon Chea and Khieu
19 Samphan, or to any of the civil parties admitted in this case. Is
20 this information correct?

21 A. Yes, it is correct.

22 [09.19.00]

23 Q. And Madam Math Sor, what is your religion?

24 A. I am an Islamic believer.

25 Q. Thank you.

6

1 And the greffier, Ms. Chea Sivhoang, you are instructed to lead
2 the witness for swearing. You may proceed with it.

3 THE GREFFIER:

4 Madam Witness, I now proceed with the swearing words. Please
5 place your hand on the holy Koran before you.

6 I will read out the swearing words, and please repeat after me.

7 "I would like to answer only the truth from what I witness,
8 heard, know and remember in the name of an Islamic believer who
9 have only Allah as God and Mohammed as Allah's messenger, and the
10 Holy Koran as the guideline for me to follow.

11 I would like to swear in front of the Holy Koran, wallahi
12 billahi, which verify that all what I am going to say is true."

13 MS. MATH SOR:

14 [Witness repeats the oath]

15 [09.21.10]

16 BY THE PRESIDENT:

17 Thank you, Ms. Chea Sivhoang.

18 The Chamber would now like to inform you, Madam Witness, of your
19 right and obligation. Madam Math Sor, as a witness in the
20 proceedings before the Chamber, you may refuse to respond to any
21 question or to make any comment which may incriminate you. That
22 is your right against self-incrimination.

23 As for your obligations as a witness in the proceedings before
24 the Chamber, you must respond to any questions by the Bench or
25 relevant Parties except where your response or comment to those

7

1 questions may incriminate you as the Chamber has just informed
2 you of your rights as a witness.

3 You must tell the truth that you have known, heard, seen,
4 remembered, experienced, or observed directly about an event or
5 occurrence relevant to the questions that the Bench or Parties
6 pose to you.

7 [09.22.21]

8 And Madam Math Sor, have you been interviewed by investigators of
9 the Office of the Co-Investigating Judges? If so, how many times,
10 when and where?

11 MS. MATH SOR:

12 A. I was requested for an interview for one time in Kampong Cham,
13 and I was interviewed twice in Trea village.

14 Q. Before you appear before the Chamber, have you read, reviewed
15 or have them read out to you -- I refer to the three written
16 records of your interviews that you provided to the investigators
17 -- in order to refresh your memory?

18 A. I have not read them all, but my husband read -- read them
19 aloud to me, and I can recall parts of those statements, as it
20 happened a long time ago.

21 [09.23.43]

22 Q. Your husband read those statements out to you. Do the
23 statements reflect the words that you used when you were
24 interviewed by investigators at Kampong Cham and in Trea village?
25 Are the written records consistent with what you said?

8

1 A. Some are accurate, and some are not really accurate, but
2 rather, consistent.

3 MR. PRESIDENT:

4 Pursuant to Rule 91 bis of ECCC, the Chamber hands the floor
5 first to the Co-Prosecutors to put the questions before other
6 Parties. And the combined time for the Co-Prosecutors and the
7 Lead Co-Lawyers for civil parties is two sessions.

8 And the Deputy National Co-Prosecutor, you have the floor.

9 [09.24.56]

10 QUESTIONING BY MR. SENG LEANG:

11 Thank you, Mr. President. Good morning, Your Honours. Good
12 morning, everyone in and around the courtroom. My name is Seng
13 Leang. I am a National Deputy Co-Prosecutor.

14 Q. Good morning, Madam Witness. I have some questions to put to
15 you. And again, good morning, Madam Witness. My first line of
16 questions is the following. I'd like to ask you about where you
17 were before the arrival of the Khmer Rouge in your commune. Can
18 you tell the Chamber, where were you living?

19 MS. MATH SOR:

20 A. When the Khmer Rouge entered my area, I was in the cooperative
21 working in the rice fields.

22 Q. Do you recall when the Khmer Rouge came to control your area?

23 A. It was in 1978.

24 Q. I understand that this event happened a long time ago. Can you
25 please try to recall the date or the year again? Was it in 1978,

1 1975 or maybe earlier than that?

2 A. No, they were not there in 1975, but they were in 1978.

3 [09.27.40]

4 Q. I would like you to try to remember again because the Khmer
5 Rouge regime started from the 17 April 1975 and lasted on the 6th
6 of January 1979. So please try to think again as to which year
7 the Khmer Rouge came to control your area.

8 MR. PRESIDENT:

9 Witness, please observe the microphone.

10 (Short pause)

11 [09.29.05]

12 MR. PRESIDENT:

13 National Deputy Co-Prosecutor, please repeat your last question,
14 and please try to simplify your questions. It seems that the
15 witness does not have a great knowledge. Maybe she's not that
16 well educated.

17 You may probably -- probably it's better for you to actually
18 mention a year and, if you ask for her lengthy comment, maybe she
19 doesn't understand that.

20 BY MR. SENG LEANG:

21 Q. Thank you, Mr. President. And Madam Witness, do you know when
22 the Lon Nol regime fell?

23 MS. MATH SOR:

24 A. No, I cannot recall that.

25 Q. Can you tell the Chamber where you were when the Khmer Rouge

10

1 came to take control of your area?

2 A. At that time, I was in Khsach Prachheh Kandal in Krouch
3 Chhmar, and later on, I was evacuated.

4 Q. Allow me to try again regarding the year. Between 1970 and
5 1975, where did you live?

6 A. I was in Khsach Prachheh Kandal village, Krouch Chhmar
7 commune.

8 [09.31.24]

9 Q. And between '70 to 1975, did the Khmer Rouge come to control
10 -- come to control your area?

11 A. Yes, they did. And we were evacuated to Krouch Chhmar area,
12 and I was relocated to Trea 2 village. Actually, their plan was
13 to kill us.

14 Q. So you mean that between 1970 and '75, the Khmer Rouge already
15 occupy your area. Is that correct?

16 A. Yes, that's correct.

17 Q. Could you tell the Chamber that between 1970 and '75, how many
18 families lived in Khsach Prachheh Kandal village?

19 [09.32.36]

20 A. I did not know how many families lived in the village because,
21 at that time, I was very young.

22 Q. To refresh your memory, I will read from a document. It is
23 E3/5194. The written record of -- from the Office of the
24 Co-Investigating Judge, ERN in Khmer is, 0020 (sic); and in
25 English it is, 0074706 (sic); and in French, 00268837. In that

11

1 document, you stated that you were born in Khsach Prachheh
2 Kandal, and at the time you were 14 years old when the Khmer
3 Rouge arrived and you were still studying at that time. And the
4 Khmer Rouge order you to stop studying.

5 So what I just read to you, can it refresh your recollection?

6 A. Yes, it is -- it was like what you just read.

7 Q. A little bit earlier, you told the Presiding Judge that you
8 were born in 1960. Is that correct?

9 A. No, I said that I was born -- I was not clear about the year I
10 was born, maybe in 1961.

11 Q. If you were born in 1961, so when you turned 14, it means that
12 when the Khmer Rouge arrived in your area, it was in 1973, so is
13 this correct?

14 A. I'm not quite sure about this because I was young at that
15 time.

16 Q. So from my calculation, it should be in 1975 when the Khmer
17 Rouge arrive in your area.

18 A. I'm not quite sure about this point.

19 [09.36.42]

20 Q. It is all right, Madam Witness. Now I will ask you about the
21 situation before the arrival of the Khmer Rouge and after the
22 arrival of the Khmer Rouge.

23 Before the arrival of the Khmer Rouge in your village, could you
24 tell us about the living conditions of Cham people in your Khsach
25 Prachheh Kandal village?

12

1 MR. PRESIDENT:

2 Madam Witness, please hold on.

3 The floor now is given to Counsel Victor Koppe. You may now
4 proceed.

5 [09.37.32]

6 MR. KOPPE:

7 Thank you, Mr. President. Good morning, Your Honours. I've been
8 listening for a while now to the questions of the National
9 Co-Prosecutor, but I'm not even sure what it means when he says,
10 "when the Khmer Rouge arrived".

11 It seems to be the case that this particular area came under the
12 control of the National United Front in 1970, and obviously, in
13 1975, the Lon Nol regime fell. So asking this witness when the
14 Khmer Rouge arrived is not only historically completely
15 inaccurate, but it's also confusing. And I think if we're talking
16 about this particular district or area where this witness is
17 living in, the National Co-Prosecutor should be really a little
18 bit more historically accurate.

19 MR. SENG LEANG:

20 Thank you for your comments. Now I will rephrase my questions
21 because the witness found it difficult to remember the exact date
22 when the Lon Nol regime collapsed and when the Khmer Rouge regime
23 started to take control of her area. That's why I faced some
24 challenges in asking about the specific date for the facts.

25 [09.39.17]

13

1 MR. PRESIDENT:

2 Since you face with this kind of challenges, that's why Counsel
3 Victor Koppe asked you to rephrase the questions and be specific
4 on the specific time when the political development in the
5 country took place because if you talk about the Khmer Rouge,
6 it's so broad.

7 The Communist Party started from 1951, so if you talk about the
8 Khmer Rouge regarding the temporal aspect, it's so broad, so you
9 need to refer to -- you need to ask specific question that refer
10 to specific temporal aspects of the Khmer Rouge regime.

11 So we need to be careful with our questions because we don't have
12 much time in the -- in this proceeding.

13 BY MR. SENG LEANG:

14 Thank you, Mr. President. Now I will rephrase my question. I will
15 specify the time frame to the witness.

16 Q. Madam Witness, could you please tell us that, between 1970 to
17 1975, how many Cham families lived in the village?

18 [09.40.59]

19 MS. MATH SOR :

20 A. At that time, people in my village were all evacuated.

21 Q. Madam Witness, I asked you the time period between 1970 and
22 1975. That is before the 17 April 1975. I just want to know how
23 many Cham families living in your village.

24 A. At that time, the Cham families were all evacuated away from
25 the village, and I could not remember what day it took place.

14

1 Q. You state that the Cham family had already been evacuated away
2 from the village. Could you tell us what year it happened?

3 A. I was too young to remember the time when they were evacuated.

4 Q. I have a number of other questions to pose to you.

5 Between 1970 to 1975, villagers in your village, particularly the
6 Cham people, what were their occupation?

7 A. They were evacuated away, and we faced suffering.

8 [09.43.08]

9 Q. At that time, were the Cham people allowed to speak Cham
10 language or wore Cham clothes or practise Cham tradition, between
11 1970 to 1975?

12 A. I could not remember the year, but we were ordered to cut our
13 hair short and that our religious practices were abolished.

14 Q. Before the evacuation of people from your village, did they
15 allow the Cham people to speak Cham language, wear Cham clothes
16 or practise Cham religions?

17 A. No, they did not allow us to practise Cham religion. We all
18 were ordered to wear black clothes.

19 Q. From the time when the Cham people were evacuated from your
20 village, was the living condition of Cham people better than
21 before or harder?

22 [09.45.03]

23 A. When we were evacuated from the village, we were ordered to
24 grow cane tree, and we ate -- sugar cane tree and we ate only
25 porridge, and the living condition was very difficult.

15

1 Q. Did they allow the Cham people to speak Cham language or wear
2 Cham clothes?

3 A. No. We were ordered to speak Khmer language. And regarding the
4 clothes, it's also the same like other people.

5 Q. What about religion? Did they allow you to practise your
6 religion?

7 A. No.

8 Q. Were the Cham women allowed to keep their hair long?

9 A. No, we were all ordered to cut our hair short.

10 Q. Now we turn to the -- the time during the Lon Nol regime. Were
11 people in your village allowed to speak Cham language, wear Cham
12 clothes or practise Cham religion or Cham women were allowed to
13 keep their hair long?

14 [09.47.02]

15 A. At the time, I was very young, but as far as I can remember,
16 we were allowed to wear our traditional clothes and keep our hair
17 long.

18 Q. So you meant that during the Democratic Kampuchea regime,
19 between 1970 -- correction, between 1975 and 1979, the living
20 condition of the Cham people changed. Is that correct?

21 A. I could not get your question. Could you please repeat your
22 question?

23 MR. PRESIDENT:

24 National Co-Deputy Prosecutor, could you please rephrase your
25 question and be more specific and precise about your question

16

1 because I think your question is a little bit vague.

2 [09.48.22]

3 BY MR. SENG LEANG:

4 Thank you, Mr. President.

5 Q. Madam Witness, I would like you to compare the living
6 condition of Cham people during the Lon Nol regime and during the
7 Democratic Kampuchea regime, whether the living condition of the
8 Cham people were -- became harder, or what?

9 MS. MATH SOR:

10 A. Yes, sir. During the Khmer Rouge regime, life was difficult.

11 Q. Now I turn to the -- another subject related to the evacuation
12 of people from your village.

13 Do you remember when the people from your village were evacuated
14 away, what month or year it was?

15 A. I'm sorry. I cannot tell you what year or month it was because
16 the situation at that time was so confusing.

17 Q. After people from -- Cham people from your village were
18 evacuated away, were Cham people from other village evacuated
19 into your village?

20 A. No. No, there weren't. There were only Khmer people brought
21 into my village.

22 Q. After they evacuated -- after the evacuation of people from
23 your village, could you tell us how many Cham family were there
24 at that time?

25 [09.50.45]

17

1 A. No, I -- I did not know how many families there were at that
2 time. And now I become old, I cannot recall this.

3 Q. Are you familiar with a Cham woman who also live in your
4 village during the Khmer Rouge regime/ her name is No Sates. Do
5 you -- are you familiar with this name?

6 A. Yes, I know No Sates. Now she live in Svay Khleang.

7 Q. Did she live in your village? Did she live with you in your
8 village after the evacuation or did she live somewhere else?

9 A. Yes, she was in my mobile unit. And then we were all evacuated
10 to Trea 2. That was the place where they had a plan to kill us.

11 [09.52.12]

12 Q. You said that you were assigned to work in the mobile unit.
13 Could you tell us when it was?

14 A. I could not remember the month or the year. I remember only
15 that when the Khmer Rouge arrive and then I was separated from my
16 parents and I was assigned to work in the mobile unit for the
17 whole regime.

18 Q. Thank you for your answer. Now I have another question related
19 to the arrival of the southwest cadre in your village. Do you
20 still remember the event of the arrival?

21 A. No, I cannot remember the month or the year when they came. I
22 knew that the southwest cadre came in and -- but I could not
23 remember the month and the year.

24 Q. You said that you knew the arrival of the southwest cadre in
25 your village, but you could not remember the time when they

18

1 arrived.

2 Could you tell us that, before the arrival of the southwest
3 cadres and if you compare the situation after their arrival, was
4 the living -- the living condition of Cham people became more
5 difficult or became more oppressed than before their arrival?

6 [09.54.30]

7 A. Yes, it became more difficult. We faced a lot of suffering and
8 hardship.

9 Q. Could you tell us how hard it was?

10 A. It's difficult in all aspects, including eating and other
11 things. And we were separated from our parents.

12 Q. When the southwest cadre arrived, what did they do to identify
13 who were Cham, who were Khmer?

14 MR. PRESIDENT:

15 Madam Witness, please hold on.

16 The Chamber now gives the floor to the defence counsel for Khieu
17 Samphan. You may now proceed.

18 [09.55.55]

19 MS. GUISSÉ:

20 Yes. Good morning, Mr. President. Thank you.

21 I'm obliged now to react because we're facing here a series of
22 leading questions, so I think that the Co-Prosecutor should make
23 an effort to put open questions to the witness. The last question
24 already had the answer included in the way it was formulated.

25 MR. SENG LEANG:

19

1 Mr. President, I only asked the question about the methods that
2 the Khmer Rouge cadre used to identify who were the Cham and who
3 were the Khmer. I did not ask her to give the answer "yes" or
4 "no".

5 MR. PRESIDENT:

6 The objection by the defence counsel for Mr. Khieu Samphan is
7 overruled.

8 Madam Witness, you can answer this question if you can remember.
9 Otherwise, the National Co-Deputy Prosecutor, you can rephrase
10 your question.

11 [09.57.17]

12 BY MR. SENG LEANG:

13 Q. Madam Witness, could you tell the Chamber what were the
14 methods that the southwest cadre used to identify who were Khmer
15 people and who were Cham people?

16 MS. MATH SOR:

17 A. At that time, we were evacuated to Trea Pir, and they asked us
18 who were Cham, who were Khmer. So we were asked when we were --
19 when we arrived at Trea Pir.

20 [09.58.12]

21 JUDGE FENZ:

22 Perhaps this is a translation issue, because in English this is a
23 perfectly open question. So I don't know what you have -- oh,
24 sorry. Am I on? Can I be heard?

25 Yes. In English, the question's perfect -- the question asked was

20

1 perfectly open. There was no direction of a leading question, so
2 perhaps there's an interpretation issue.

3 MS. GUISSÉ:

4 No, I don't believe that it's a problem of interpretation. It is
5 that, before, he put -- putting the question about how the people
6 were separated. I did not hear the witness speak about a
7 separation between the Cham and the Khmer, so the question
8 arrived a little bit too quickly, I believe. But I see that this
9 does not pose a problem to anyone, so therefore, I will sit down
10 again.

11 But however, I believe that when you put questions to someone,
12 there should be a logical pathway.

13 MR. PRESIDENT:

14 The Chamber already object the objection by the -- by the defence
15 counsel for Khieu Samphan. This is the decision that the Chamber
16 already made.

17 BY MR. SENG LEANG:

18 Q. Madam Witness, I would like to read a document from E3/530.1
19 which came from the hearing of the testimony by a witness named
20 No Sates. At 13.54--

21 [10.00.00]

22 MR. PRESIDENT:

23 Counsel Kong Sam Onn.

24 MR. KONG SAM ONN:

25 (No interpretation)

21

1 MR. PRESIDENT:

2 Thank you.

3 Co-Prosecutor, could you please repeat the document number?

4 If you use English, please use in English. If you use in Khmer,
5 please read in Khmer. Please do not mix them together.

6 [10.00.44]

7 BY MR. SENG LEANG:

8 Q. There was confusion in this matter. Is E1/350.1. It is at
9 15.54.46, ERN in Khmer 0153294 (sic). I do not have its ERN in
10 English, and I would like to quote:

11 "The southwest cadre ordered the local people to gather the
12 people. The village chief came to identify who were Cham people.
13 They ordered the village chief to report to the southwest cadre
14 and the district chief ordered to make statistic of who were Cham
15 and make list and report the list to them." So -- end of quote.

16 So based on my reading, do you have any reactions?

17 MS. MATH SOR:

18 A. Yes, that is correct.

19 MR. PRESIDENT:

20 Hold on, Co-Prosecutor.

21 And Counsel Anta Guisse, you have the floor.

22 [10.02.51]

23 MS. GUISSÉ:

24 Mr. President, I am obliged to object to the Co-Prosecutor's
25 approach in examining this witness. Instead of asking how these

1 events occurred, the Co-Prosecutor is merely quoting the
2 statement of another witness and asking the witness to react to
3 that. If that person has come to testify, the witness should
4 testify as to what he knows, and not simply react to what another
5 witness stated.

6 MR. SENG LEANG:

7 Mr. President, in fact, before that, I asked an open question
8 whether the southwest cadres, after their arrival, actually
9 carried out their searches to find who were Khmer and who were
10 Cham, and her response was far from my question. And in order to
11 aid her memory, I put another question, that is, through a
12 portion of the transcript of the 28. And that's how I put
13 questions to the witness.

14 [10.04.14]

15 MR. PRESIDENT:

16 Deputy Co-Prosecutor, you may misunderstand. In fact, such a
17 proceeding is allowed. However, the information in a statement of
18 another witness, you cannot put it straight to the current
19 witness. You need first to ask a question on that topic and,
20 after that, you can put a statement of another witness and ask
21 her to react if they are from the same area or they were of the
22 same time period.

23 And as the witness testified, her situation is -- was rather
24 different from the situation of the witness whose statement that
25 you quoted. So for that reason, what you did is a bit far from

1 our current practice.

2 BY MR. SENG LEANG:

3 Thank you, Mr. President. In the interests of time, I now move to
4 another subject.

5 Q. Madam Witness, a while ago, I asked you whether you were
6 assigned to work in a mobile unit, and you said yes. Is my
7 understanding correct?

8 MS. MATH SOR:

9 A. Yes, it is correct.

10 [10.05.57]

11 Q. Can you recall when you returned to Khsach Prachheh Kandal
12 village?

13 A. I did return to the village, but I cannot recall the month or
14 the year. However, by the time I returned, my parents had been
15 collected and placed in a location to be killed. I, myself, was
16 relocated to Trea 2 village for the purpose of being killed.

17 Q. When you returned to your village, what did you observe? What
18 was your observation of the number of the Cham families still
19 remained in your village?

20 A. No, I cannot recall that because I was part of a mobile unit,
21 and when I returned, I could only stay there for a night. Then we
22 were divided into a male group and female group, and my parents
23 were gathered up to be sent away to be killed while I, myself,
24 was sent to Trea village. And they actually planned to kill us
25 all.

1 [10.07.56]

2 Q. How long after your arrival in your village were you called to
3 be relocated to Trea village?

4 A. It was three days after.

5 Q. And did you know the cadre who actually instructed you to
6 relocate in Trea village? Where were you called to before you
7 were sent to Trea village? Was a meeting held where that
8 information was informed?

9 A. No, there was no meeting held. After the parents were sent
10 away, we from the mobile unit were instructed to relocate to Trea
11 village and we were instructed to live in a house where there
12 were armed guards there.

13 Q. Let me backtrack a little bit before you were sent there.
14 Were all the family members in your family sent to Trea village,
15 or how were you divided up, whether you sent to Trea while other
16 members of your family were sent elsewhere?

17 [10.09.37]

18 A. Yes, I can do that. After I returned from the mobile unit, my
19 brothers and my father were called to be sent, and that was the
20 first batch. And on the second day, we, the women, were sent and
21 they said that the male group was sent first in order to prepare
22 houses for us, the women. And later on, we said that for members
23 of the mobile unit needed not to go there, but we had to go to
24 Trea village. In fact, we were told to Kaoh Samraong, but we were
25 not sent to Kaoh Samraong, but to Trea 2 village.

1 Q. When you were sent to Trea village, how many of you were sent
2 at that time?

3 A. There were about 30 people who were placed in the -- that
4 house. And we were all Cham.

5 Q. I don't understand your response. You said that there was a
6 house full of people. Whose house are you referring to?

7 [10.11.16]

8 A. I said that we were placed in a house, that is, we, members of
9 the mobile unit -- were placed in a house, and there were about
10 30 of us. And that house was the kind of a detention house or
11 detention place. Here I refer to 30 members from the mobile unit,
12 not 30 members of my family.

13 Q. And can you recall what time you arrived in Trea village?

14 A. It was around 4 o'clock when we arrived. However, this is
15 approximate only, as we did not have any watch to refer to.

16 Q. If you're not sure about the time, was it dark when you
17 arrived or there was still daylight left?

18 A. No, it was not really dark yet. And when we were there, it was
19 not yet the dark -- the night time. And I saw them sharpen their
20 knife.

21 Q. Upon your first arrival in Trea village, what were you
22 instructed to do?

23 A. We were told to go up to that house. Then they closed the
24 windows and the door, and we, about 30 of us, were detained on
25 that house. And there were some of them who were staying adjacent

26

1 -- or next to the house where we were detained, and they were
2 armed.

3 We were not allowed to get out of that house.

4 Q. Can you tell the Chamber what happened next?

5 [10.14.00]

6 A. When the night was about to fall, they strip some pieces of
7 cloth and they went up the house and they requested -- they
8 actually instructed us to be tied up. The 30 of us did not know
9 how to react. We only looked at each other faces and kept quiet.
10 We could not do anything. And then they simply tied us all up.

11 Q. How many of them who went up to that house? Did they ask you
12 any question?

13 A. Yes, they did ask us questions. Actually, before they tied us
14 up, they sharpened their knives and then they spoke to each other
15 that, "tonight we have a lot of big pigs, so we have to sharpen
16 our knives". Later on, they -- they made strips from cloth. They
17 went up the house and instructed us to be tied up. I was pretty
18 small then, and then they asked -- they shouted whether everyone
19 was tied up. And then I said I was not tied up yet. They noticed
20 that, and then they said that I was a good girl. Of course, I did
21 not know where I would flee to because they were all armed. And
22 there was another group of armed people outside.

23 [10.16.08]

24 Q. Did they ask you and other Cham people questions, and, if so,
25 what were those questions?

1 MR. PRESIDENT:

2 (No microphone)

3 THE INTERPRETER KHMER-ENGLISH:

4 President's microphone is not on.

5 MR. PRESIDENT:

6 It is now appropriate for a short break. We'll take a break now
7 and return at 10.30 to resume our proceedings.

8 Court officer, please assist the witness at the waiting room
9 reserved for witnesses and civil parties and invite her back into
10 the courtroom at 10.30.

11 (Court recesses from 1017H to 1032H)

12 MR. PRESIDENT:

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

14 The floor is given to the Deputy Co-Prosecutor to put more
15 questions to the witness.

16 BY MR. SENG LEANG:

17 Q. Thank you, Madam Witness. Before our short break, you told us
18 that the Khmer Rouge cadre came up the house and wanted to tie
19 you up. Is that correct?

20 MS. MATH SOR:

21 A. Yes, that's correct.

22 Q. Beside the intention to tie you up, did they do anything else?

23 A. No, they didn't.

24 [10.33.16]

25 Q. Did they interrogate the -- all the people on the house with

1 you?

2 A. After they had tidy (sic) up -- tidy (sic) us up, they
3 interrogated us in asking us how many of us were Khmer and how
4 many of us were Cham.

5 Q. At that time, how many of you gave the answer, and how did you
6 give the answer? And how did the others who were also in the
7 house with you give the answer?

8 MR. PRESIDENT:

9 Madam Witness, please observe your microphone.

10 BY MS. MATH SOR:

11 A. After they tidy (sic) up -- after they tie us up, they asked
12 us how many of us were Cham and how many of us were children of
13 mixed marriage. If -- if anyone answered that they were children
14 of mixed marriage, they would put in one -- into one group.
15 So at first, I gave the answer that I was children of mixed
16 marriage, but later on, I feel -- I felt fearful, so I told them
17 that I was a child of Khmer parents.

18 [10.35.22]

19 MR. SENG LEANG:

20 Q. Can you tell the Chamber how many people at that time gave the
21 answer that they were children of Cham, how many gave the answer
22 that they were children of Khmer and mixed marriage?

23 A. Those who gave the answer that they were children of mixed
24 marriage, they were taken away. So about 20 -- of 30 people in
25 the house, 20 were taken away to be killed.

1 Q. So can you be more specific as to how many people were there
2 all together in the house?

3 Was it just only your group, or were there any other groups also
4 sent to their house -- to that house?

5 A. No, there were no people from any other group. There were
6 people only from my group who were detained in that house. So my
7 group, we consisted of 30 people when we arrive. We were detained
8 in that house. There were no else in that house.

9 [10.37.02]

10 Q. If time allow, I will come back to revisit this point.

11 So you mentioned that some of the people in your group told the
12 Khmer Rouge cadre that they were children of Khmer, some answered
13 that they were children of Cham. Some said they were children of
14 mixed marriage.

15 So what happened next after they gave the answer to the Khmer
16 Rouge?

17 A. After they gave the answer, the -- those who were taken away
18 were told that they were -- they would be taken to eat somewhere
19 else. And I had no -- I had no knowledge of what happened next to
20 them.

21 Q. So among those who gave the answer that they were children of
22 Khmer and those who were -- who said that they were children of
23 mixed marriage, so where did these two group of people sent to?

24 A. Those who gave the answer that they were Cham or children of
25 mixed marriage, they were taken away to be killed. And about 10

30

1 of us who left, we told them that we were children of Khmer, so
2 they kept us. They took away only Cham.

3 [10.39.03]

4 Q. How did you know that those who answered that they were Cham
5 or children of mixed marriage were taken away to be killed?

6 MR. PRESIDENT:

7 Madam Witness, please hold on because the Chamber now give the
8 floor to Counsel Victor Koppe.

9 MR. KOPPE:

10 Thank you, Mr. President. I object to this question. It is,
11 indeed, true that the witness speaks about taken away to be
12 killed. She actually said that a few times. I imagine she uses
13 those words because that's what she thinks happened to them.
14 However, in previous answer, she says literally, quote, "I had no
15 knowledge what happened next to the group that said that they
16 were either Cham or of mixed marriage origin". So although she
17 said it at one point, she also specifically says that she has no
18 knowledge as to what happened next, so I think that should be
19 incorporated in the question that was just asked by the
20 Prosecution.

21 [10.40.28]

22 MR. SENG LEANG:

23 Mr. President, I just asked a question about what happened to
24 those who answered that they were Cham and those who answered
25 that they were Khmer or children of mixed marriage.

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1 She gave the answer that those who gave the answer that they were
2 Cham or children of mixed marriage were taken away to be killed.
3 And based on her answer, I asked her how did she know that those
4 who answered that they were Cham or children of mixed marriage
5 were taken away to be killed.

6 MR. PRESIDENT:

7 Co-Prosecutor can ask this question, so the witness, please give
8 your answer to the question, if you can.

9 (Short pause)

10 [10.41.43]

11 MR. PRESIDENT:

12 National Deputy Co-Prosecutor, please put your question to the
13 witness again, and please make sure that your question is short
14 and precise to be able to finish your question within the time
15 frame that the Court give to you.

16 BY MR. SENG LEANG:

17 Thank you, Mr. President.

18 Q. Madam Witness, you have just mentioned that those who were
19 Cham or children of mixed marriage were taken away to be killed.

20 I would like you to tell the Court how did you know that those
21 people were taken away to be killed.

22 [10.42.37]

23 MS. MATH SOR:

24 A. We were in the same house, and when those people were taken
25 away, we -- we saw them through the holes of the wall. And we saw

1 them taken away.

2 Q. Regarding the killing, before the killing took place, did the
3 Khmer Rouge cadre do something else to the Cham people or
4 children of mixed marriage?

5 MR. KOPPE:

6 I understand that the Prosecution likes the word "killing", but
7 she didn't say that. She just said that they left and she saw
8 them taken away. She didn't add the word "killing" or "killed"
9 afterwards, so please don't be suggestive, Mr. Prosecutor.

10 BY MR. SENG LEANG:

11 Q. Madam Witness, could you clarify that the Cham people and
12 children of mixed marriage -- you said that those people were
13 taken away to be killed, so is that your answer?

14 MS. MATH SOR:

15 A. Yes, I gave the answer like that.

16 Q. So when you answered like that, it mean that they were taken
17 away to be killed, or what?

18 [10.44.43]

19 MR. PRESIDENT:

20 Madam Witness, you don't have to give your answer to this
21 question.

22 Co-Prosecutor, you need to put your question in a different way.
23 For example, how -- how far -- how did the witness can see those
24 people taken away, through what way, how far was she way from
25 those people who were taken away. So this should be the ways of

1 putting the questions.

2 MR. SENG LEANG:

3 Mr. President, because the Defence Counsel raised this matter,
4 that's why I would like to be more specific about this -- about
5 the killing.

6 [10.45.45]

7 MR. PRESIDENT:

8 In fact, the witness already responded to your question.

9 BY MR. SENG LEANG:

10 Q. Madam Witness, I have another question to put to you. From the
11 house where you were detained, how far was it from the location
12 where those people were killed, and can you also tell the Chamber
13 whether those people were killed at night time and how could you
14 see them being killed?

15 MS. MATH SOR:

16 A. It was at night time. However, I did not have a watch to refer
17 to. When they were taken out of the house, they were taken to a
18 pit about eight metres from the house and they were killed in
19 that pit. And there was a big tamarind tree near the pit, and
20 there were a few small tamarind trees also near the pit. And I
21 could see clearly the event unfolded.

22 [10.47.11]

23 Q. Madam, this may be my last question to you. After they
24 executed the Cham people, what happened to your group who
25 answered that you were Khmer?

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1 A. After they killed those people, our group -- there were about
2 10 of us -- were given a bowl of gruel each.

3 MR. SENG LEANG:

4 Mr. President, I have no further question. I'd like to give the
5 floor to my international counterpart.

6 MR. PRESIDENT:

7 International Co-Prosecutor, you may proceed.

8 [10.47.56]

9 QUESTIONING BY MR. KOUMJIAN:

10 Q. Thank you. Madam Witness, you said you were taken to this
11 house with about 30 people, 30 women or girls. Were all of these
12 people from one area, or from different areas?

13 MS. MATH SOR:

14 A. We came from the same area.

15 Q. And what village or area was that?

16 A. From Khsach Prachheh Kandal village, Krouch Chhmar commune,
17 Krouch Chhmar district, Kampong Cham province. So, only my group,
18 not any other groups.

19 Q. So in that group, did you know -- were you familiar with the
20 other 30 girls, some or all of them?

21 A. I would like you to clarify your question whether you ask me
22 whether I'm -- I am familiar with the Accused or with the
23 victims.

24 Q. I'm asking about the other 30 -- the other 29 or so women and
25 girls that went to you -- with you to that house in Trea 2

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1 village in the incident you just talked about.

2 Did you know -- "skoal" (phonetic), in that sense, or did you
3 know them prior to arriving at that house?

4 MR. PRESIDENT:

5 Madam Witness, please hold on.

6 The Chamber gives the floor to Defence Counsel Kong Sam Onn. You
7 may now proceed.

8 [10.50.17]

9 MR. KONG SAM ONN:

10 I'm not quite clear about what the witness said, that there were
11 30 girls. I did not hear what -- I did not hear that she said
12 like that, so this figure came from what the Co-Prosecutor said.

13 BY MR. KOUMJIAN:

14 Q. Madam Witness, I'll repeat the question.

15 The question was, the 30 girls or women that you arrived with --
16 you testified you came with 30 girls or women in your group. Did
17 you know them in the sense of being familiar with them, having
18 met them before?

19 [10.51.18]

20 MS. MATH SOR:

21 A. We lived in the same mobile unit, and some of -- 30 of us,
22 some were my relatives. So they were all people who were familiar
23 to me. They were not strangers. They were from my village, that
24 is, Khsach Prachheh Kandal, Krouch Chhmar commune.

25 Q. Those women and girls that answered that they were Cham or

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1 they were of mixed blood that night in that house in Trea 2. Have
2 you ever seen them again alive?

3 A. As I told you that the situation was -- at that time was
4 scary, so I was so fearful and I just tried to give the answer in
5 a way that I can save my life because those who gave the answer
6 that they were Cham or children of mixed marriage were taken
7 away, so I gave the answer that I was Khmer in order to save my
8 life.

9 Q. Okay. Madam Witness, I know -- I understand that. Thank you.
10 But please listen to the question. This is not what I was asking
11 you.

12 All I want to know from you is the girls or women that did say
13 that they were Cham or said that they were mixed blood, have you
14 ever seen them again up to today since that night in Trea 2
15 village?

16 [10.53.30]

17 A. No, I did not see them again because they were killed into the
18 pits.

19 Q. Thank you. Now, you said that you looked out through the
20 walls. Can you explain exactly how you were able to look out and
21 see outside the house when you were inside the house?

22 A. There was a window, and I could see outside through the holes
23 of the window. And they ordered those people to stand close to
24 the pits and they were killed and fell down into the pits. That
25 is what I witnessed.

1 Q. Okay. Thank you. Now, I want you to just -- if I could ask you
2 -- I know it's not a good memory. Can you just tell us what you
3 remember about what you actually saw in as much detail as you
4 remember today? That night, when you looked out through the holes
5 in the window, what did you see and what, if anything, did you
6 hear?

7 [10.54.55]

8 A. I heard the screams that not to -- please not to rape me, but
9 I did not see the raping incident. But I only heard the scream
10 that, "Please don't rape me".

11 Q. Now, you talked about pits. Did you actually -- could you see
12 the pits in the darkness?

13 A. At that time, it was a full moon night, so I could see. And it
14 -- there were no trees blocking my view, so I could see the pits
15 clearly.

16 Q. Now, after that night, did anyone else arrive at the house?

17 A. After that, I spent only 24 hours there and then I left to the
18 area east of it. And I -- I did not return back to that area
19 because I was detained in the house in another area.

20 Q. Thank you. But during the 24 hours when you were still at the
21 house, my question is if you saw any other people, groups of
22 detained persons, arrive at the house. If not, just say so. Did
23 you see anyone else arrive at the house?

24 A. The house where I stayed, they did not put in any other
25 people, but they sent in some people and kept in front of the

1 house, but not in my house. And I did not know where those people
2 who were kept in front of my house sent to next.

3 [10.57.35]

4 Q. This house that -- in Trea 2 village that you were taken to,
5 can you describe it at all? Can you tell us where it was in
6 relation to the river, for example?

7 A. When I was detained there, it was about eight metre from the
8 rivers, and the pits were about 100 metres away. Now the areas
9 has already fallen into the river.

10 Q. So that night, just to clarify one thing, when you looked out
11 through the window, you saw people, you saw pits. Did you
12 actually see the people killed, or not? Did you see anyone
13 killed, or not, the actual act of killing?

14 A. Yes, I witnessed the event, but it's -- I was a little bit far
15 from the pits. I saw -- I look out and saw it through the
16 window's hole.

17 [10.59.08]

18 Q. What do you recall seeing? If you can tell us what you saw.

19 A. There -- I saw them falling into the pits. The pit was big,
20 but it was shallow. And I did not dare to approach the pits
21 because I, myself, was still tied up.

22 Q. Who was in charge at that house; do you know?

23 A. Ho was in charge.

24 Q. Can you tell us anything about Ho, who he was?

25 A. I didn't know from which village Ho came. However, I saw him

1 there. He was in charge of that house.

2 Q. How did you know his name was Ho?

3 A. I heard his peer called him by that name. And from my
4 understanding, he was chief of the district.

5 Q. Can you tell us anything about what he looked like back at
6 that time? Can you describe him a little bit?

7 A. He was tall and had a broad, bald forehead and a rather long
8 face.

9 [11.01.24]

10 Q. Now, when you began your testimony, you talked about a plan to
11 kill the Cham. Why did you say there was a plan to kill all the
12 Cham?

13 A. I did not know about that, and I was wondering why they took
14 the Cham people away and killed them. I still have no answer for
15 that.

16 Q. Well, do you know, were any Cham people that you knew killed
17 during the Democratic Kampuchea regime, that is, the Khmer Rouge
18 regime from April 1975 until the Vietnamese came to your area at
19 the end of 1978, do you know of any people that you knew who were
20 killed?

21 A. No, I did not.

22 [11.02.35]

23 Q. Did your father survive the regime?

24 A. They -- all the member of the family were taken away and
25 killed.

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1 Q. Well, how many people are that? Can you tell us who they were?
2 Was it your father, any of your brothers or sisters? Can you
3 explain who it was from your family that you lost during the
4 regime?

5 A. There were eight family members. I lost six siblings, then my
6 father and my mother, so there were eight of them. And two of my
7 elder daughters (sic) were pregnant.

8 Q. What happened to your elder daughters? Did they survive the
9 regime?

10 THE INTERPRETER KHMER-ENGLISH:

11 Interpreter correction. Elder sisters.

12 MS. MATH SOR:

13 A. Whom are you referring to?

14 BY MR. KOUMJIAN:

15 Q. All right. That was a small translation problem. Your elder
16 sisters. You said two were pregnant. Did they survive to give
17 birth, or not?

18 A. They were taken away and killed.

19 Q. You said that you had gone to school. What kind of a school
20 was it? Was it Islamic school?

21 A. Which school are you referring to?

22 [11.04.51]

23 Q. When my colleague read out your answer, you said you were in
24 school before the Khmer Rouge came, so let me just ask you, did
25 you have any education in your village?

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1 A. I did. I went to school when I was 14 years old, and my
2 siblings were taken away and killed. And I was not allowed to
3 study any more when I was 14 years old.

4 Q. Can you tell us, if you remember, was your teacher Cham?

5 A. No, my teacher was Khmer, and we studied Khmer.

6 Q. Did you -- did anyone teach you how to pray, teach you Arabic
7 or how to pray in the Cham language?

8 [11.06.24]

9 A. Yes, I was. However, it -- in fact, it was my parents who
10 taught us Islamic religion. And when I went to school, I studied
11 the Khmer language.

12 Q. Thank you. Did you have a Hakim that you knew in your village?

13 A. Yes.

14 Q. Do you know if your Hakim survived the regime?

15 A. However, Hakim was taken away and killed, and his name was
16 San.

17 Q. Now, in that group of girls and women that were brought to the
18 house in Trea 2, to your knowledge, were any of them planning to
19 kill Pol Pot or capture Phnom Penh to overthrow the Khmer Rouge
20 regime?

21 A. No, there wasn't, and I didn't know for what reason they were
22 taken away and killed.

23 Q. How about your parents and your siblings? Do you know if they
24 had plans to kill Pol Pot and the other leaders or to overthrow
25 the Khmer Rouge regime?

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1 A. Of course, there wasn't any -- we did not have any such plan,
2 and they were taken away and killed.

3 [11.08.38]

4 MR. KOUMJIAN:

5 Thank you. Your Honours. I believe we owe the rest of the time to
6 the civil parties, so I will stop my questions now.

7 MR. PRESIDENT:

8 Thank you. And the Chamber now hands the floor to the Lead
9 Co-Lawyers for civil parties to put question to this witness. You
10 may proceed.

11 MR. PICH ANG:

12 Mr. President, we would like to designate Counsel Lor Chunthy to
13 put questions to this witness.

14 [11.09.16]

15 MR. PRESIDENT:

16 Yes. Lor Chunthy, you may proceed.

17 QUESTIONING BY MR. LOR CHUNTHY:

18 Thank you, Mr. President. Good morning, everyone in and around
19 the courtroom. My name is Lor Chunthy. I am a lawyer for civil
20 parties, and I have some questions to put to the witness
21 regarding the events that happened between 1975 to 1979.

22 Q. And Madam Witness, in 1975, which village were you living in?

23 MS. MATH SOR:

24 A. I was living in Khsach Prachheh Kandal, Krouch Chhmar commune,
25 Krouch Chhmar district. However, my husband was from Trea

1 village.

2 Q. Thank you. In the village that you were living in, were all
3 villagers Cham or it was a mixed Cham and other ethnicities
4 living there?

5 A. There were not many Cham living in that village. The majority
6 was Khmer people. And in my area, only our family was Cham, and
7 the rest were all Khmer.

8 Q. My question to you is that while you were living in that
9 village, were there many Cham people living there, too?

10 [11.11.38]

11 A. After I came out from the forest, I cannot tell you what year
12 it was, and people who were evacuated to live in the village were
13 all Khmer.

14 Q. Allow me to put it another way. When the Khmer Rouge evacuated
15 your family out, to which village and commune you were evacuated
16 to?

17 A. We were evacuated to Krouch Chhmar Krom. I meant my parents
18 and my siblings, we were all evacuated to Krouch Chhmar Krom.

19 Q. When you were evacuated, did they put men and women in
20 separate groups, or there was no division between male and
21 female?

22 [11.13.13]

23 A. When we were evacuated there, we were allowed to live as a
24 family, but I, myself, was assigned to work and live in a mobile
25 unit. And for older people, they were allowed to live in the

1 house.

2 Q. During the course of the evacuation, were all your family
3 members sent at one time, or were male members sent first?

4 A. We were all sent. However, when we were relocated back to our
5 village, then we were put in separate groups where men were told
6 -- where we were told that men would build houses for women.
7 However, during the first evacuation, family members were allowed
8 to stay in the family, while youths like myself were assigned to
9 work in the mobile unit. But for older people like grandparents,
10 they would allow to stay in the family. And only when we were
11 returned to the village when we were told that men build model
12 houses for us, then we were divided into male and female groups.
13 And later on, of course, I was sent to Trea village.

14 Q. Thank you. You said men were sent to build model houses. Where
15 were they sent to build those so-called model houses?

16 [11.15.30]

17 A. I did not know about that. We were simply told about it, and
18 men were sent on the first day, and on the second day, the women
19 were sent. And we, our -- the third group was sent on the third
20 day. And I did not know whether men actually built model houses.

21 Q. You stated that, on the first day, men were taken away and, on
22 the second day, women with children were sent away. And for you
23 and the rest were sent away on the third day to Trea village.
24 When the men were sent away, did you know how they were sent
25 away? Were they put on ox carts or were they sent on foot? What

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1 was your observation?

2 A. When men were taken away, in fact, they were being walked in
3 the direction of Krouch Chhmar. That's all I knew. And of course,
4 I did not follow them.

5 [11.16.56]

6 Q. And for the second day, you stated that women were sent away.
7 Those women with children, where were they sent to?

8 A. They were sent to be -- to gather up in front of the Khsach
9 Prachheh pagoda and, later on, they were put on boats. And I did
10 not know where they were taken to on those boats.

11 Q. In the interests of time, I move to another topic. On the
12 third day, you, yourself, were sent -- were sent away. How many
13 of you were sent at that time? And from which area were you sent,
14 and how long did the trip take, and by what means?

15 A. We were in the mobile unit, and we were asked to line up and
16 to walk to Trea village. And it took us a bit more than an hour
17 to reach the village.

18 Q. Thank you. How many of you, and what was their age range? Were
19 they about your age or were they younger or older than you?

20 A. Most of the people in the group were older than me. In fact, I
21 was the youngest member of the group.

22 Q. Thank you. And upon your arrival in Trea village, why did you
23 know or how did you know that the village was called Trea?

24 [11.19.35]

25 A. In fact, I knew Trea village because it was an adjacent

1 village to Khsach Prachheh Kandal, and it was in Krouch Chhmar
2 commune and Krouch Chhmar district.

3 Q. You haven't responded to my question. I asked how many of you
4 were sent at that time.

5 A. There were more than 30 of us who were sent. I cannot recall
6 the exact number, as it happened a long time ago. There were
7 about 35 or 36 of us.

8 Q. And upon your arrival, were you put into one single house or
9 were they divided into different groups and placed in different
10 houses?

11 [11.20.53]

12 A. No, we were not divided up into smaller groups. The whole
13 group was placed into that detention house. And only later on, as
14 I testified, they divided us when those people were taken off the
15 house and killed, while my group remained on the house.

16 Q. Thank you. When you arrived at that house, what was your
17 observation regarding the house? Was there any particular things
18 there that caught your eyes?

19 A. You said that were there any -- any particular things of the
20 house, or what are you trying to refer to?

21 Q. Allow me to put it this way. When you went up to the house,
22 did you notice anything on the wall of the house? For instance,
23 were there any instruments or tools hanging on the wall?

24 A. At the house where we were detained, there wasn't any.
25 However, next to the house where we were detained, there were a

1 group of soldiers who were sharpening their knives.

2 Q. You said they were sharpening their knives. At that time, were
3 you all -- had you all been tied up?

4 A. We were walked from Khsach Prachheh Kandal to Trea village. We
5 were instructed to go up that house and, in late afternoon, they
6 were sharpening their knives and when the sun was about to set,
7 then they tied us up. So allow me to clarify, they sharpened the
8 knives first and, later on, they tied us up.

9 [11.23.44]

10 Q. Did you hear the sound of knives being sharpened or did you
11 see them sharpening their knives? If that is the case, what kind
12 of knives they were?

13 A. I saw them clearly sharpening their knives. I saw them through
14 the door of the house. They -- the knives were -- was a kind of
15 knife that used for the rubber tree. I saw them sharpening the
16 knives with my own eyes when I watched them through the door.
17 They were sharpening their knives in another house next to the
18 house where we were.

19 Q. Another important thing that I'd like to put to you regarding
20 the knives. The Khmer Rouge cadres who went up to the house to
21 tied your group, how many of them?

22 [11.25.19]

23 A. They -- in fact, there was a woman who went up the house with
24 strips of cloth and, later on, three men came up the house and
25 there were many more under the house. Of course, I could not see

1 them clearly; however, there were several of them under the house
2 with guns.

3 Q. So it means that there were four of them who went up the house
4 and amongst the four, there was a woman; is that correct?

5 A. Yes.

6 Q. After they tied you up, what did they do next?

7 A. They -- after they tied us up, they -- they shouted whether
8 every one of us was tied up, as I testified a while ago, and, as
9 I said, I was afraid of being torture so I said that I was not
10 yet tied up and they said I was a good girl. And, of course, I
11 would not dare to say I was not tied up because I saw several
12 guns and I was afraid.

13 Q. After they tied you all up and they asked your group who were
14 Cham and who were Khmer, I want to ask whether the person or
15 persons who asked about that, write or take any note?

16 A. I saw them carrying a pen and a notebook, but I did not know
17 whether they wrote it down when they asked us who was Khmer and
18 who was Cham. They actually asked how many Cham were in our group
19 and how many Khmer were or whether there was mix blood. These
20 were the questions that they asked us and, after that, they took
21 those people, one or two at a time, of the house, as I testified
22 earlier.

23 [11.28.13]

24 Q. Allow me to interrupt, Madam, in the -- in the interest of
25 time. When the Khmer Rouge cadres who went up to the house, did

1 you know any of them?

2 A. I did not know the woman and the only person I know was Ho; he
3 was in charge of the area.

4 Q. Does it mean that Ta Ho actually went up to the house?

5 A. Yes, he -- Ta Ho went up the house.

6 Q. You said that you witnessed the killing. My question to you is
7 the following: How was the killing carried out; can you please
8 describe the act of that killing that you witness?

9 [11.29.44]

10 A. I repeat myself here. So we were detained in the house and, at
11 the time, one or two were taken out of the house to go for a meal
12 but, in fact, they were sent to be killed and I saw the killing
13 when I looked through the cracked of the wall.

14 The pit was pretty large and they placed a wooden plank near the
15 pit and the people were asked to bend their head, then they cut
16 or beheaded them and they fell into the pit.

17 There was full moon, at the time, and I saw the event unfolded
18 clearly.

19 Q. Thank you. My question to you is the following: You said you
20 witnessed the killing; did the rest of the group on the house
21 also witness the killing?

22 A. I cannot tell you whether everyone on the house saw the
23 killing; I could only say about myself because I had a look
24 through the crack of the wall.

25 Q. Among the 30 or so people in that group, you said you knew No

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1 Sates; was No Sates next to you when you were on the house?

2 A. No Sates was in my group, but I cannot tell you where she was;
3 whether she was in front of me, behind me or to the left or to
4 the side, to the right of my side. I cannot tell you.

5 [11.32.42]

6 Q. And after you witness the event, what happened next morning?

7 A. Next morning, we were taken from off the detention house and
8 placed in another house to the east. And that morning, they
9 actually killed a pig and instructed us to eat; however, I could
10 not eat the pork, but I only took the soup and the vegetable.

11 Q. So as you testified, the next morning, they killed a pig for
12 your group to eat; did they say anything to you when they did
13 that?

14 A. I did not hear them say anything.

15 [11.33.57]

16 Q. This is my last question, Mr. President. Madam Witness, you
17 stated that all your family members were killed. Can you tell the
18 Chamber about your feeling, at present time, concerning the loss
19 of your family members?

20 A. I, of course -- of course, feel much pain, but I could not do
21 anything and I had to turn to religion. If they -- if their faith
22 -- if that was the end of their faith, I could not have it. I
23 could not do anything.

24 Of course, I felt much great pain for my parents and for my
25 pregnant elder sisters.

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1 MR. LOR CHUNTHY:

2 Thank you, Madam Witness and thank you, Mr. President.

3 MR. PRESIDENT:

4 Thank you. It is now appropriate for our lunch break. We take a
5 break now and resume at 1.30 this afternoon to continue our
6 proceedings.

7 Court Officer, please assist the witness at the waiting room
8 reserved for witnesses and civil parties during their lunch break
9 and invite her back into the courtroom at 1.30.

10 Security personnel, you are instructed to take Khieu Samphan to
11 the waiting room downstairs and have him return to attend the
12 proceedings this afternoon before 1.30.

13 The Court is now in recess.

14 (Court recesses from 1135H to 1333H)

15 MR. PRESIDENT:

16 Please be seated. The Chamber now is back in session.

17 And the Chamber would like to announce to Parties that Judge You
18 Ottara is now present in the Chamber and, therefore, he can
19 attend the proceedings.

20 The Chamber would also like to inform the prosecutors that the
21 oral submission of two witnesses, 2-TCW- 894 and 2-TCE-938, the
22 Chamber -- the Chamber will not give the floor for oral
23 submissions.

24 Now, the Chamber gives the floor to Defence Counsel for Mr. Nuon
25 Chea to put questions to the witness. You may now proceed.

1 [13.35.42]

2 QUESTIONING BY MR. KOPPE:

3 Thank you, Mr., President. Good afternoon, Your Honours.

4 Q. Good afternoon, Madam Witness. I would like to ask you a few
5 questions this afternoon. You were asked this morning a question
6 whether you knew No Sates and you confirmed that you indeed knew
7 her. Can you tell me how well you knew her? For instance, did you
8 work in the same mobile unit for a few years before you went to
9 Trea village in '78?

10 MS. MATH SOR:

11 A. We were in the same mobile unit. Yes, we were in Krouch Chhmar
12 commune, Krouch Chhmar district, Kampong Cham province.

13 [13.37.08]

14 Q. Had you been working with her in the mobile unit all that time
15 before you went to Trea village?

16 A. We were in the same mobile unit. So when we were evacuated
17 away we went together. And she and I, who survived the regime, we
18 separated from each other.

19 Q. Did you know her also before you started working in the mobile
20 unit or did you only start to know her when you were working
21 together in the mobile unit?

22 A. I only knew her when we started to work together in the mobile
23 unit.

24 Q. Was she a friend of you or was she just someone who happened
25 to work in your unit as well?

1 A. I knew her when we were in the mobile unit.

2 [13.38.47]

3 Q. Now, I would like to ask you about another girl or woman who,
4 I believe, was in the same mobile unit that you worked in and
5 someone who appears to be also from your own village. Her name is
6 Tam Rahimah, also known as Chouk. Do you know a woman called Tam
7 Rahimah?

8 A. Tam Rahimah alias Chouk, she also lived in the same village
9 with me -- that is, Khsach Kandal village.

10 Q. And was she indeed also in the same mobile unit as you were
11 working in?

12 A. She was in the same mobile unit with me and also from the same
13 village with me.

14 Q. And was she someone who also went with that group of girls to
15 Trea village and who was also with you in that same house in
16 which you were detained and which you described this morning?

17 A. Tam Chouk survived the regime.

18 Q. That is also my understanding, Madam Witness. But my question
19 was whether she, like you, was also in that house at the river,
20 the house in which the girls were asked whether they were Cham or
21 not, and the house that you described this morning? Was she there
22 with you and No Sates as well?

23 A. Yes, she was also in the same house. Yes, she was in the same
24 house that all of us were detained.

25 [13.42.10]

1 Q. Do you remember if Tam Chouk, as you call her, whether the
2 older sister of Tam Chouk was also present in that same room in
3 that house?

4 A. Yes, we were all together, but she was taken away to be
5 killed. She was among the probably 30 people who were taken from
6 -- away from the house to be killed.

7 Q. I will come back to Tam Chouk a little bit later, but one last
8 question on her that's -- about her. That's the same question
9 that you were asked earlier in relation to No Sates.

10 Do you know whether Tam Chouk was able to look through that crack
11 in the wall to see the events that took place outside of the
12 house in the dark?

13 A. I could not say on that because it was a scary situation and
14 we just tried our best to save our lives. So I tried to look
15 through the crack in the wall because I did not see those people
16 taken away came back. So I just wanted to know what happened to
17 them. So I, myself, was not sure whether Tam Chouk also looked
18 out through the crack in the wall.

19 [13.44.33]

20 Q. But when you had been looking through the crack in the wall,
21 did you tell the other girls in the room what it was that you
22 were seeing? Did you tell them what you saw? Did the other girls
23 in the room hear what you said you saw?

24 A. I did not tell them because we were all panicked. We just
25 thought about our own lives.

55

1 Q. So is it your testimony that what you saw that was happening
2 to the other girls that they were executed that was something
3 only you saw or something that you saw and kept to yourself; is
4 that your testimony?

5 [13.45.55]

6 MR. PRESIDENT:

7 Madam Witness, please hold on.

8 The floor is given to the Lead Co-Lawyer for civil party.

9 MR. PICH ANG:

10 Mr. President, I would like to object to this question because
11 this question leads the witness to make assumptions whether the
12 other people have also witnessed the incident. So this is a kind
13 of leading question. Thank you.

14 JUDGE FENZ:

15 May I suggest; just divide the question because I have heard one
16 which I would personally have allowed and another one which I
17 haven't allowed in one sentence. So perhaps we can ask one after
18 the other.

19 BY MR. KOPPE:

20 No problem.

21 Q. Madam Witness, when you were seeing through that hole or that
22 crack in the wall, did you tell the other girls in the room what
23 you saw?

24 MS. MATH SOR:

25 A. No, I did not tell them because I was so scared. I kept it in

1 my mind.

2 [13.47.22]

3 Q. Do you know whether there were other girls other than you that
4 had that same -- who were like you and trying to see through the
5 crack in the wall what was happening? Was it only you who looked
6 through the wall or did other girls do that too?

7 A. No one else tried to look out through the crack in the wall;
8 only me, alone, who did that.

9 Q. The reason I am asking you this question is that No Sates told
10 the investigators that she hadn't in fact witnessed any
11 executions with her own eyes, although she had -- she said
12 earlier that she did see these execution. And Tam Chouk also
13 doesn't mention at all having actually witnessed any execution.
14 It's a little bit complicated question but do you have an
15 explanation as to--

16 MR. PRESIDENT:

17 The floor is given now to Judge Fenz.

18 [13.49.32]

19 JUDGE FENZ:

20 For the record, the references, please.

21 BY MR. KOPPE:

22 Can I at least finish my question first?

23 Q. Now, I have lost my thread but I will do it again. I am
24 referring to E3/5193; English, ERN 00274704; Khmer, 00204445;
25 French, 00224113. Here, No Sates says the following -- and I will

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1 quote literally: "I did not witness the execution but later I was
2 told about the execution by a person who had seen it. I do not
3 remember that person's name. I told Mr. Osman that I saw the
4 execution as I wanted to seek justice against those murderers."

5 That's one.

6 And the statement of or -- rather, the interview that Tam Rahimah
7 or Tam Chouk gave to Ysa Osman is written down in E3/2653 and
8 English ERN -- not page numbers -- 00219202 until 204; French,
9 00943985; and Khmer, 00904396 and 97, she details -- she tells in
10 quite a detailed manner what had happened but she doesn't mention
11 having witnessed any execution.

12 So Madam Witness, these two girls who were in the same room as
13 you haven't witnessed any execution. Could you please give a
14 reaction to that?

15 [13.52.02]

16 MR. PRESIDENT:

17 The Chamber gives the floor to International Co-Prosecutor. You
18 may now proceed.

19 MR. KOUMJIAN:

20 Your Honours, it appears to me, counsel is just asking the
21 witness to speculate. The witness has stated just this afternoon
22 a few moments ago that she believes she was the only one who
23 looked through the cracks in the wall of the window and saw the
24 execution. So, asking her to explain what other people who said
25 they didn't see the executions, how that could be, she has

1 already given the explanation. She said she was the only one who
2 saw.

3 [13.52.44]

4 MR. KOPPE:

5 I think it's an appropriate question. Maybe she hasn't said it at
6 the time, but apparently she met the other two afterwards, after
7 '79 as well, I presume. So I think it's only fair to the witness
8 to allow her to give a reaction to what seems to be possible
9 contradictory evidence. So I am only asking for a reaction, Mr.
10 President.

11 MR. PRESIDENT:

12 The Chamber gives the floor to Judge Lavergne. You may now
13 proceed.

14 [13.53.30]

15 JUDGE LAVERGNE:

16 Counsel Koppe, I have a hard time following your line of
17 questioning. I don't see any contradiction between what you read
18 out and the testimony that we have just heard from this witness.
19 So please explain to me where the contradiction lies and what the
20 witness should explain to you, the witness who is here today with
21 us.

22 MR. KOPPE:

23 It is the position of the Defence that she hasn't actually seen
24 anything through a crack in the wall and I would like to put
25 before her two pieces of evidence of two women who were in the

1 same room who haven't seen anything. Now, the theory the
2 Prosecution is right, that could be explained by the fact that it
3 was only her looking through the crack in the hole. I don't find
4 it very persuasive, but I think the witness is entitled to give a
5 reaction as to why it is that those two women didn't see
6 anything.

7 JUDGE LAVERGNE:

8 Yes, yes. But I believe, unless I am mistaken, that I did not
9 hear that the testimonies that you just read out contradict what
10 the witness has just said or maybe I didn't follow you properly.
11 It's not because they saw nothing that this means that this
12 witness did not see anything.

13 [13.55.11]

14 MR. KOPPE:

15 Correct. But that doesn't mean that I cannot ask her -- that
16 doesn't mean that I cannot ask her to give a reaction on these
17 two witness statements indicating that they didn't see anything.
18 If she says "Well, that's because I was the only one", that's
19 fine.

20 JUDGE LAVERGNE:

21 Well, it appears to me that you already have the answer because
22 she said that she was, a priori, the only person watching. So I
23 don't really know what you're looking for.

24 [13.55.50]

25 BY MR. KOPPE:

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1 Fine, I will move on.

2 Q. Madam Witness, let me ask you now a few questions about what
3 happened in the room. I am a bit confused as to how many girls
4 there were in total in the room at the beginning and how many
5 were taken away "to be killed". You talked about 36 women in
6 total and you also said that 20 women were taken to be killed.
7 However, somewhere else in your WRI you seem to suggest that
8 there were only 10 girls who had to leave and who were allegedly
9 killed. Was it 20 or was it, rather, 10?

10 MS. MATH SOR:

11 A. To answer your question, in my answer in the morning it was a
12 little bit unclear. I want to clarify that all of us together
13 were 36, but 20 among the 36 were taken away, so only 16 people
14 survived.

15 Q. In your WRI E3/7772, on the last page of your interview,
16 that's English, ERN 00348090; Khmer, 00345168; and French,
17 00411624; you seem to be saying that it was rather 10 girls who
18 were taken away, which seems to correspond with what No Sates
19 said, because she also seems to speak about 10 girls. So are you
20 sure it was 20 girls and not 10 girls?

21 [13.58.55]

22 MR. PRESIDENT:

23 The Chamber gives the floor to the International Co-Prosecutor.
24 You may now proceed.

25 MR. KOUMJIAN:

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1 Your Honours, I believe I see what counsel is referring to, and I
2 don't think that represents -- is properly represented. I think I
3 have a different interpretation than he does.

4 In that particular sentence that he is talking about, let me read
5 exactly what the witness says:

6 "When we first arrived they did not give us anything to eat. But
7 after they had taken about 10 females to be killed already, then
8 they gave the gruel to the rest of us to eat."

9 That does not preclude others being killed after the first 10.

10 And actually if you look at the previous page at the beginning of
11 that interview, the second question from the investigator, "You
12 have indicated a location where 20 Cham women had been killed. Is
13 this true?" And she said, "Yes".

14 So to me as I read the interview, she has said in the interview,
15 consistent with her testimony, that 20 were killed.

16 [14.00.06]

17 BY MR. KOPPE:

18 You might have listened -- heard my question. I was saying it
19 seems to suggest. I wasn't saying it actually says so. I was
20 asking for clarification. That's what I was doing and I was also
21 tying in the fact that No Sates speaks about 30 girls taken away.

22 Q. So I am just asking for her clarification. I am not saying
23 there is any contradiction yet, just asking whether it was 20
24 girls in her recollection rather than 10, if she is sure about
25 that.

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1 MS. MATH SOR:

2 A. Regarding No Sates' answer to you, I cannot give any comments
3 on her answer. But as for my own answer, it comes from my own
4 witnessing. No Sates did not communicate with me. She did not
5 tell me that 10 were taken out to be killed. And I also did not
6 communicate with her. So what I -- the figure that I just told
7 you came from my own witnessing. So I cannot give any of my
8 comments on No Sates' testimony.

9 [14.01.35]

10 MR. PRESIDENT:

11 Madam Witness, could you please give specific answers to the
12 questions? The defence counsel wants to know the specific number
13 of girls who were taken away to be killed out of the group of
14 people who were detained in the house with you.

15 MS. MATH SOR:

16 A. Amongst the 36 of us who were detained on the house, 20 were
17 taken out of the house and killed. So there were only 16 left in
18 the house. I hope this is clear for everyone.

19 [14.02.30]

20 BY MR. KOPPE:

21 Q. That's very clear. Thank you. Madam Witness, I was just
22 seeking confirmation.

23 Another line of questioning now in relation to the questions that
24 were asked to all the girls in that room, at one point in time
25 were you also asked by any of the cadres present what your name

1 was?

2 MS. MATH SOR:

3 A. The cadres at the detention house did not ask me about my
4 name. They only recorded the number of Cham people, of the mixed
5 blood, and of the Khmer people, but they did not take note of our
6 full names. They only want to know -- wanted to know the total
7 number of the Cham people, the Khmer people, and of the mixed
8 blood, and that's all they did. They did not ask about the names.

9 Q. So also No Sates and Tam Chouk and her older sister were not
10 asked any names; is that correct?

11 A. I did not know because we were questioned individually so I
12 didn't know what they were asked. And it is their questions for
13 them, so I could not tell you the answer.

14 [14.04.48]

15 Q. No problem. But let me then focus on you and let me read to
16 you an excerpt from your interview to Ysa Osman, E3/7745;
17 English, ERN 00204414; Khmer, 00204410; and French, 00268841; and
18 here is what you said, Madam Witness:

19 "A moment later six cadres come into the house. Some held
20 notebooks and Bic ballpoint pens and they questioned each one of
21 us. Among them were two female cadres. When they got to me the
22 cadre asked, 'What is your name? Where all did you work before
23 you came here?' I answered truthfully. Then the cadre asked,
24 'What race are you?' I lied."

25 Now, Madam Witness, it seems to me that you answered the

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1 question, what was your name, truthfully. So this means that the
2 question was asked, "What's your name?" and that you answered,
3 "Ahmad Sofiyah", "Ahmad Sofiyah"; is that correct?

4 [14.06.44]

5 A. Ysa Osman did ask me this question and that was the statement
6 I gave him, and the statement that you quoted may be my
7 confusion. However, they did take note of my response. However, I
8 did not tell the Pol Pot group of my name but I did tell Ysa
9 Osman of my real name -- that is, Ahmad Sofiyah, yes.

10 Q. I am a bit confused, Madam Witness, with your answer because
11 here you are describing that your name was asked and that you
12 answered truthfully. Is that what happened in '78 or is that not
13 what happened?

14 A. Maybe Ysa Osman made a mistake when he took note of my
15 interview with him. I did not tell the Khmer Rouge about my
16 actual name as Ahmad Sofiyah, yes, but I told this name to Ysa
17 Osman.

18 Q. Well, let me confront you with the testimony of No Sates in
19 this courtroom on the 28th of September 2015 right after 18
20 minutes past 2.00. She said that she was asked her name and she
21 says, "I told them that my name was No Chea An (phonetic), and
22 not No Sates". So it seems that she says that she is saying she
23 gave a false name. And Tam Chouk said to Ysa Osman, the same ERN
24 as just quoted by me, "Inside they questioned us in detail about
25 our personal histories and recorded the answers in a book. It

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1 seems to me a bit odd that they would leave out the name of the
2 persons they asked questions to.

3 So my question again: are you sure that you never gave your name
4 to the cadres?

5 [14.09.49]

6 A. I have a question for you. Are you referring to the Khmer
7 Rouge cadres who asked me about my real name?

8 Q. Yes.

9 A. No, I did not tell them my name.

10 Q. Let me try differently. Did you then give a false name, maybe?

11 A. I used another name, Raen (phonetic). If this name Raen
12 (phonetic) is not used, then it means that I did not tell them my
13 name.

14 Q. Is that because Ahmad Sofiyah is a name that sounds like
15 someone who is a Cham?

16 A. Ahmad Sofiyah is the name that I gave to Ysa Osman, but for
17 the Khmer Rouge group I did not tell them my name. And as I said,
18 if the name Raen (phonetic) was mentioned, it means that I gave
19 that name to them.

20 [14.11.58]

21 Q. Once the initial name asking was -- or identity inquiring --
22 inquiry was done, did the cadres subsequently in the next days go
23 check and verify in the commune or district the details that were
24 given? Were they going out to verify whatever you had been
25 saying?

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1 A. I have a question for clarification. Which cadres are you
2 referring to?

3 Q. Well, I wasn't there, Madam Witness, so I wouldn't know.
4 But my question to you is: do you know, after the initial
5 identity inquiry was done, whether the cadres who were involved
6 in this questioning or maybe others subsequently went into the
7 commune or the villages to verify your identities?

8 A. It seems that there was no cadre who went to verify
9 information at the commune or village and, in fact, I was
10 interviewed twice in Trea village and once in Kampong Cham.
11 [14.13.50]

12 Q. I am not sure if I understand your answer. What we have
13 established so far is that the girls who were in that room,
14 either inside or outside, were asked questions about their
15 personal identities. My question is: did cadres involve in this
16 process or other cadres go out in the next nine or 10 days and
17 verify that you were in fact who you told them that you were?

18 A. No. And as I said, I was not asked that question.

19 Q. No Sates is saying that after the questioning was done, the
20 cadres went out for days in order to verify all the details of
21 the biographies that you had been given. Is that correct or is
22 that not correct?

23 A. I did not know about what No Sates said. She lives in a
24 different place. And I stand by my previous statement, including
25 the testimony that I made this morning. And I cannot tell you

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1 about No Sates' statement.

2 [14.15.55]

3 Q. You said that you were the only one looking through the crack
4 in the wall. Nobody else did. Were you also the only one that
5 heard things about possible rape of the girls who had just been
6 taken away?

7 MR. PRESIDENT:

8 Witness, please hold on.

9 International Co-Prosecutor, you have the floor.

10 MR. KOUMJIAN:

11 Your Honour, counsel is asking one witness what other people
12 heard. That clearly is calling for speculation. How does she know
13 what other people heard? If he could reformulate the question
14 asking -- well, I don't want to tell him how to ask questions.
15 Hopefully he -- I think he knows how. But asking what other
16 people heard is pure speculation.

17 [14.17.10]

18 BY MR. KOPPE:

19 Let me rephrase it. I have no problem.

20 Q. Madam Witness, you talked about hearing cadres speak about --
21 or, rather, victims, possible victims; girls talking about not
22 being raped by the cadres. Where were you when you heard that?

23 MS. MATH SOR:

24 A. I heard it also through the crack in the wall. I tried to see
25 what happened through the crack of the wall and what they would

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1 be doing to them. And through the crack in the window's wall
2 that's what I saw. I saw them being killed and I heard shouting
3 from those women begging them not to rape. But I did not see any
4 act of raping. I only heard they shout begging them not to rape.
5 [14.18.26]

6 Q. And are you in a position to tell us or explain to us whether
7 it was only possible to hear these voices when you were very
8 close to the crack in the wall or was it so loud that anybody
9 could have heard it in that house?

10 A. I did not know because the house was pretty big and we were
11 pretty scared while we were there, and I could not tell you
12 whether those people did hear the voices. And I could only tell
13 you of my personal experience that I heard it.

14 Q. So you cannot give any explanation as to why neither No Sates
15 or Tam Chouk never speak about having heard anything about rape;
16 correct?

17 A. I didn't know about them, so I cannot tell you whether they
18 heard it or not.

19 Q. Let me go back now to the questioning of No Sates. You said
20 that you weren't present and that you haven't heard anything, but
21 did No Sates tell you what questions were asked to her?

22 A. I need to have a clarification from you. Please rephrase your
23 question since I don't fully understand it, in relation to your
24 last question concerning No Sates.

25 [14.20.55]

1 Q. I will be very happy to do that, Madam Witness. You said that
2 you didn't observe or didn't hear the actual interrogation of No
3 Sates. Did she speak to you later about the questions that were
4 asked to her?

5 A. I did not know about the questions that were put to No Sates.

6 Q. Well, let me tell you that she was asked whether she was a --
7 so she says, whether she was a Vietnamese girl or not. But she
8 also says something else that I would like to ask your reaction
9 about. And she says in the transcript of 29 September 2015, ERN
10 001152979, she speaks about a difference in treatment of people
11 from the east bank, Cham from the east bank and a difference of
12 treatment of Cham from the other side of the river. Do you know
13 anything about difference in treatment of Cham on the east part
14 of the river and the north part of the river?

15 A. I did not know about this. I did not know about the Cham
16 people living on the different sides of the river if that what
17 was said by No Sates.

18 [14.23.16]

19 Q. Fine. No problem.

20 Let me now turn to the person that you discussed earlier, Ho. Can
21 you explain to me how it was that you knew Ho before you entered
22 that room in this house? How did you know him? How did you know
23 that he was Ho?

24 A. I knew that he was Ho when I was detained in that house. And
25 while I was there for 24 hours I saw him and next day I was moved

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1 to another house to the east of that house. And actually, he came
2 to talk to us. Here, I refer to the surviving 16 people,
3 including myself. That's why I said I know his name and his face
4 well.

5 Q. So just to be sure, before that day in the room, in that
6 house, you had never heard of Ho; correct?

7 A. Before I was sent there I did not hear his name or know about
8 him. And I began not to know him while I was detained there for
9 24 hours and also the next day -- that is, when I was moved to
10 another house and remained in that house for five days.

11 [14.25.20]

12 Q. And what else did you start to know about him other than this
13 man was Ho? What else did you learn about him?

14 A. I only know his name and nothing else much. They mentioned his
15 name and they mentioned him or they referred to him as "chief".

16 Q. Only chief?

17 A. Yes. I knew he was chief because he was there in charge of his
18 subordinates.

19 Q. But how was it that you came to know that he was the district
20 chief? Maybe he was chief of that particular unit involved in
21 guarding you and questioning you. Is that possible?

22 A. I heard those people refer to him as Chief Ho.

23 [14.27.00]

24 Q. I understand but it could be Chief Ho of a militia unit. It
25 could be Chief Ho of the district military. It could be Chief Ho

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1 of sector military. It could be all kinds of Chief Ho. Why do you
2 say he was district Chief Ho?

3 A. I did not know about that. The only thing I knew was that
4 while I was detained there, they referred to him as the Chief Ho
5 and that's how I refer to him as the Chief Ho. And I did not know
6 if he was chief over any particular unit or not.

7 Q. Do you know whether Chief Ho today or the time that you were
8 questioned by Ysa Osman, is still alive or whether he is dead?

9 A. Since that event I do not know whether he is still alive or he
10 is dead.

11 Q. No Sates seems to know that he is dead. Do you have a reaction
12 to that?

13 [14.28.44]

14 MR. KOUMJIAN:

15 Again, counsel is, I think, asking the witness to speculate and
16 obviously trying to lead her into speculation that would be
17 contrary to things we know. I don't want to say anything else.

18 BY MR. KOPPE:

19 I will rephrase.

20 Q. Have you ever heard whether Ho is dead?

21 MS. MATH SOR:

22 A. Nowadays, I don't know whether he is alive or dead.

23 Q. Let me now move to my very last subject, Madam Witness. Have
24 you ever heard anything about a rebellion in your village in
25 1975, October 1975, a rebellion of the Cham in various villages

1 alongside the Mekong River in Krouch Chhmar?

2 [14.30.03]

3 A. I did not know about the activities in other villages. I only
4 can tell you about activities that happened in my village
5 although I cannot recall the details since I was only about 14
6 years old.

7 After the Khmer Rouge entered the area, they called all the Cham
8 people to get out of their houses and to line up along the road.
9 I did not know about their plan. So we were rather shocked. We
10 did not know where to flee to, so then we would stay along the
11 road.

12 And after that they allowed us to go to our respective houses and
13 I did not know what their intention was at the time. And
14 actually, at that time I remember of a family was called to get
15 out of the house and to line up along the road.

16 Q. Are you referring to the events in October '75 when various
17 villages, such as Trea village, Svay Khleang, Kaoh Phal, and
18 possibly also your village rebelled against the government?

19 A. At that time I was only 14 years old. I did not know much
20 about the rebellion at other places.

21 14.31.45]

22 Q. Let me read a little bit about it from No Sates' testimony in
23 this courtroom that was her testimony on 29th of September, 30
24 minutes after 9 o'clock. She says the following -- I asked her
25 whether she knows anything about the White Khmer movement and she

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1 says -- quote: "I heard something about it that is about the
2 White Khmer group, and it was the issue of the White Khmer that
3 people in the village were accused of being the White Khmer, the
4 American CIA agents. For that reason, they were arrested. People
5 were arrested and put on horse carts, and that usually happened
6 around 7 or 8 o'clock at night. And those who were arrested never
7 returned. And that was the root cause of rebellion that took
8 place in Svay Khleang."

9 She continues, but have you ever heard of an involvement of
10 something called White Khmer in the rebellion in Svay Khleang and
11 other villages in October 1975?

12 A. I did not know about this. As for Sates, she was aware of
13 these matters or knowledge, but for me I have no knowledge of
14 this.

15 [14.33.36]

16 Q. That's no problem. Madam Witness, have you ever heard anything
17 about fighting; armed conflict in 1977 or 1978 between the White
18 Khmer or the Khmer Sar and the Southwest forces?

19 A. No, I did not know about this matter because I was too young
20 to know about this.

21 Q. Have you ever heard any signs of military conflict, fighting,
22 artillery fire, gunfire, anywhere near to where you were working
23 or afterwards or anytime in '77 or '78?

24 A. No, I didn't know.

25 MR. KOPPE:

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1 Thank you very much, Madam Witness. Thank you, Mr. President.

2 My national colleague has a few additional questions.

3 MR. PRESIDENT:

4 The floor is given to the national counsel for the Defence.

5 [14.35.29]

6 QUESTIONING BY MR. LIV SOVANNA:

7 Thank you, Mr. President. Good afternoon, parties. Good

8 afternoon, Bench.

9 Q. Good afternoon, Madam Witness. I am counsel for the defence

10 for -- defence team for Nuon Chea. Can you tell the Chamber in

11 what year you got married?

12 MS. MATH SOR:

13 A. I got married when I was 17 years old.

14 Q. How many months after the arrest and taken away to be killed

15 that your marriage took place?

16 A. Three months.

17 Q. Could you tell the Chamber how your marriage took place?

18 A. There were 70 couples in the wedding. They arranged tables for

19 the 70 couple-wedding ceremonies and they put flowers on each

20 table.

21 [14.36.59]

22 Q. What was the name of your husband and what was his ethnicity?

23 A. My husband's name is Mat, Sos Mat. His father's name is Sos

24 and his name is Mat, so his name is Sos Mat. He is Muslim.

25 Q. Among the 70 couples that got married on the same day with

1 you, how many couples were ethnic Cham?

2 A. At that time I did not count how many couples were Cham and
3 how many couples were other ethnicities.

4 Q. Did you and your husband know each other before your marriage?

5 A. We knew each other when we were in the mobile unit. He knew me
6 and he proposed marriage with me. So his relatives also arranged
7 the marriage for us. And our marriage did not take place
8 according to our tradition.

9 Q. So your marriage was as a result of the proposal by your
10 husband; is that correct?

11 A. My in-law came to ask me whether I agree to get married to my
12 husband and I said yes. So the arranged marriage took place.

13 [14.39.19]

14 Q. Did your husband's parents -- were still alive or already
15 dead, already passed away when your marriage took place?

16 A. My father-in-law was still alive but after the marriage
17 ceremony my parents in-law, and along with I, fled into the
18 forest in the nighttime.

19 Q. How many siblings were on your husband's side?

20 A. My husband's siblings consisted of four people, including him,
21 one female and three males.

22 Q. So all the four escaped into the forest with your husband or
23 not?

24 A. Yes, all of us, including my parents' in-law fled into the
25 forest. I, my husband and his four siblings and my parents and my

1 parents in-law all together fled into the forest in the middle of
2 the night.

3 Q. So were there any other people besides you and your husband
4 and your in-laws who also fled into the forest?

5 A. There were many people fleeing into the forest at that time. I
6 did not know where they came from, what district or what village
7 they came from. We saw each other in the forest and when we cook
8 rice in the forest we needed to make sure that we would not let
9 the smoke seen by people outside the forest.

10 [14.41.55]

11 Q. Among those who fled into the forest, besides you and your
12 husband's family, were there any other Cham families who also
13 went into the forest?

14 A. Yes, there were also Chams. In my area there were a lot of
15 Chams but there were also some Khmer people mingling among us.

16 Q. So when you were in the forest, can you tell the Chamber how
17 many Cham people were there at that time?

18 A. I cannot estimate how many Cham people were there in the
19 forest because the forest was pretty big. So I had no idea how
20 many Cham people were there all together.

21 Q. Based on your observations those who were located near you in
22 the forest, were they also Cham people?

23 A. In my place, there were only me and my husband's families. For
24 other places I have no idea. I can talk only about my place.

25 [14.43.50]

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1 Q. You testified earlier that three months earlier you got
2 married to your husband and then you fled into the forest. My
3 question is that your family or your husband's family told you
4 anything? Why they fled into the forest to avoid the arrest by
5 the Khmer Rouge cadres?

6 A. I did not ask them. I was in the mobile unit. So when he saw
7 me and then he proposed to marry me and then the marriage took
8 place and I did not know anything besides that.

9 Q. When your marriage happened, did people in the village tell
10 you that your husband's family were also of ethnic Cham?

11 A. The villagers did not tell me. I myself knew that he was Cham.

12 Q. Did he ever tell you that he also hid his own Cham identity?

13 A. I did not know about this. He did not tell me.

14 MR. LIV SOVANNA:

15 I have no more questions to put to this witness. Thank you.

16 [14.46.09]

17 MR. PRESIDENT:

18 Thank you. It is now a convenient time for a break. The Chamber
19 will take a short break from now until 3 o'clock.

20 Court officer, please find for this witness a proper place in the
21 waiting room, reserve for witness and please bring her back into
22 the courtroom at 3 o'clock.

23 The Court is now in recess.

24 (Court recesses from 1446H to 1502H)

25 MR. PRESIDENT:

1 Please be seated.

2 The Court is now back in session and I would like now to hand the
3 floor to the defence team for Khieu Samphan to put questions to
4 this witness. You may proceed, Counsel.

5 QUESTIONING BY MS. GUISSÉ:

6 Thank you, Mr. President.

7 Q. Good afternoon, Madam Witness.

8 My name is Anta Guisse. I am International Co-Counsel for Mr.
9 Khieu Samphan. And in this capacity I will put a few follow-up
10 questions to you.

11 I would like us to start by talking about a time when you were
12 arrested in Khsach Prachheh Kandal village. If I remember
13 correctly, you said that you were arrested in 1978. Can you tell
14 me who came and arrested you on that day?

15 [15.03.38]

16 MS. MATH SOR:

17 A. No, they did not come to make the arrest. I was in the mobile
18 unit and we were told to go to harvest rice in Kaoh Samraong and
19 later we were sent to Trea village where we were detained. In
20 fact, no one came to arrest me at my house but we were told to
21 harvest rice in Kaoh Samraong. However, instead we were sent to
22 Trea village 2 to be detained there.

23 Q. Who told you that you had to go and harvest rice in that other
24 village?

25 A. It was the cadre from Ho's group. So members of my mobile unit

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1 were called and then I went there with the whole group.

2 Q. When you say cadres from Ho's group, are you referring to the
3 same persons that you saw in the house where you were detained?

4 A. Yes, I refer to the same person. They came to call me and then
5 later on when we were on the house they went up to the house with
6 Ho.

7 [15.05.35]

8 Q. Can you specify how many people there were at the time in your
9 village of Khsach Prachheh Kandal? How many persons were present?
10 How many men and how many women?

11 A. I cannot tell you how many women and how many men there were.
12 I was a pretty young girl back then. I did not pay my attention
13 to the specific or the exact number of men and women.

14 Q. I am putting this question to you because a little earlier you
15 referred to the presence of three persons in the house at Trea.
16 Unless I am mistaken, did I indeed understand that there were
17 three persons in that house at Trea?

18 A. Are you referring to three persons in the house where we were
19 detained or you refer to another house?

20 [15.07.10]

21 Q. No, I am talking of the house in which you were detained. And
22 I am talking about the persons who stood guard. I am not talking
23 of the number of girls from your village. I am talking of the
24 guards. You gave the figure of three as that of the persons who
25 stood guard in that house.

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1 A. We were not guarded; rather, there were no guards at the
2 house. Actually, there were guards and they were armed and they
3 were under the house. And when they went at the house they
4 actually went up to the house to tie us up.

5 Q. Let me try to clarify the matter in another manner. You talked
6 of a situation in which there were three young men and one woman.
7 Did I properly understand your testimony when you were referring
8 to the situation in the house at Trea?

9 A. What I stated that four persons came to the house, three men
10 and one woman. They came with strips of cloth to tie us up. And
11 that's what I stated and I did not say that they were at the
12 house to guard us. At the house, in fact, there was only our
13 group of 36 people. However, there were armed guards under the
14 house.

15 [15.09.05]

16 Q. Very well. My question now has to do with the time when you
17 were in your village at Khsach Prachheh Kandal. My question is
18 whether it was the same persons who came to tie you up who came
19 to fetch you in your village. Was it the same persons or some
20 other persons?

21 A. We were called to go there by people in the village. However,
22 when we were in the house we were arrested by Ho's subordinates.
23 Ho was there watching the event. He did not make the arrest
24 himself.

25 Q. I have indeed understood that he was not the one who carried

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1 out the arrest. My question is whether the persons who came to
2 fetch you in your home, the village, are the same who came to tie
3 you up?

4 A. I did not know the person who came to tell us to go. However,
5 it was a different group and when we were in Trea village we were
6 arrested and tied up by another group. Actually, those who went
7 to call us to go to Trea village later returned when we arrived
8 in Trea village.

9 [15.11.00]

10 Q. Very well. And who are the persons who led you to Trea
11 village? Were they from your village?

12 A. They were part of a working group but I did not know who they
13 were. It is my understanding that they were working together with
14 the group in Trea village.

15 Q. I would like us to talk about the time when you were in Trea
16 village and you said that approximately 36 young girls from your
17 village were assembled. Did I properly understand from your
18 testimony that there weren't any other persons from another
19 village or other villages who came to join you in that house?

20 A. As I have testified, my group was those villagers in my
21 village and they were part of the mobile unit. There were no
22 outsiders.

23 Q. And you stated that you stayed in that house for 24 hours and
24 when there were only 16 of you left, you moved house. Did any
25 other persons join you in the second house you located to or

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1 there were only the 16 of you who had relocated to that house?

2 A. There were only 16 of us and there was no one else.

3 [15.13.22]

4 Q. Do you recall for how long you stayed in that second house --
5 that is, the 16 of you?

6 A. I was in the first house where we were detained for 24 hours
7 and then I was moved to the second house and I was there for five
8 days.

9 Q. And after the five days where did you go to?

10 A. After the five-day period I was sent to my mobile unit and
11 then to the Krouch Chhmar office. In fact, a house there actually
12 had a pile of clothes and those clothes were from the people who
13 were killed. And the group of 16 of us were sent there to gather
14 and to collect those clothes.

15 Q. I conclude from what you say that No Sates also joined you in
16 that house -- that is, joined the 16 of you where you went to
17 fetch the clothes. Is that correct?

18 A. I cannot recall whether No Sates went there or not. We were
19 placed in a house and I don't know whether every one of us from
20 the 16-people group went to fetch the clothes. Actually, at that
21 time some of us did not feel well, and I cannot tell you whether
22 No Sates was one of those who were sent to fetch the clothes.

23 [15.15.57]

24 Q. However, you can at least confirm that she was one of the 16
25 persons who had been sent to that house at Khsach Prachheh?

1 A. Yes, indeed. And I did not observe whether she was with us or
2 not when we went to fetch the clothes. And please remember that
3 this happened -- this even happened a long time ago. It was about
4 40 years ago. So maybe my memory doesn't serve me well in this
5 regard.

6 Q. No worries, madam. I just wanted you to relay to us the trend
7 of events you related. Now, let us talk about the time when you
8 were at the house in Trea and precisely about events that you
9 witnessed. I would like you to describe to the Chamber the house
10 at Trea. What did it look like?

11 A. The house where we were detained was pretty large and it was
12 located on wooden poles. And later on when I was asked to take
13 the investigator to go to visit the house, actually the house was
14 removed and a new house was built in its location.

15 [15.18.00]

16 Q. And in that house at Trea in 1978, can you specify how far the
17 pit was from that house -- that is, the pit above which persons
18 were executed? In the French interpretation I heard 8 metres from
19 the house and then I heard 100 metres. Can you please be more
20 specific?

21 A. The distance from the house to the pit was 8 metres. It was
22 not 80 or 100 metres. If it was that far I would not be able to
23 see it. In fact, it was only about 8 metres from the house. It
24 was a pretty large -- there was one large pit and there were
25 about four or five smaller pits. And there was a tamarind tree

1 near the main pit.

2 Q. You also refer to a river close by. Can you tell us how far
3 that river was from the house?

4 A. The distance between the house where I was detained and the
5 riverbank was about 8 metres. So the house was about 8 metres to
6 the riverbank and 8 metres on the other side through the pit. It
7 was like the house was in the middle of the -- between the
8 riverbank and the pit.

9 [15.19.58]

10 Q. I understand from your testimony that there were soldiers
11 below the house and you lived above; is that correct?

12 A. Yes, that is correct.

13 Q. Do you recall whether you were standing or sitting in that
14 house because you were a young girl in that house at Trea?

15 A. When we were instructed to line up they started to tie us up
16 and then some would be sent off the house to be killed while my
17 group remained in the house.

18 Q. But my question was whether you were on your feet or you were
19 sitting while you were inside the house.

20 A. We were on our feet when we were instructed to be tied up and
21 after we had been tied, after we sat down on the floor in the
22 house.

23 [15.21.36]

24 Q. You talked of a window in that house. Can you tell us where
25 exactly that window was in that house?

1 A. To my knowledge, it was located on the west side of the house.
2 But in Trea village if we were to pray, we would pray to the west
3 side -- that is, to the river front and maybe that was not as to
4 the north. When we pray we will pray to the west direction --
5 that is, towards the riverbank and the pit was on the opposite of
6 the riverbank. So it was like it was behind us. And the pit was
7 to the west of the house. It was about 8 metres away from the
8 house. And after I was tied up my knees shook, so I sat down.

9 [15.23.00]

10 Q. And from where you were seated, how far were you from the
11 window?

12 A. I was sitting rather far from the window. However, after
13 people were sent out of the house two at a time, then I moved
14 myself closer to the window and that's when I tried to look
15 through the crack of the window and saw what happened.

16 So allow me to clarify. After people had been moved out of the
17 house I moved myself closer to the window where the crack was
18 there that I could see through. And initially I was sitting
19 rather far from the window but I moved gradually after people had
20 been taken out of the house.

21 Q. When you said there was a crack on the window, do I understand
22 that it wasn't a window with glass panes, but it was a wooden
23 window? Was it a wooden window?

24 A. In fact, the windows did not have any open grills. However, a
25 plank, a wooden plank was used to make a window. It was not the

1 normal window with wooden grills.

2 [15.25.02]

3 Q. Very well. If I understand correctly, the only chink in the
4 window, the only opening through which you could see the window
5 was a crack; is that correct?

6 A. In fact, about three fingers' thick of a chunk of the wooden
7 plank actually broke and fell off that window and that's how I
8 could see through. It was not a small crack.

9 Q. You stated that it was at nightfall, but you said you were
10 able to see what was happening outside because the moon was full.
11 Can you tell us what time it was when you said you witnessed
12 executions?

13 A. It happened around 7 o'clock because it happened a while after
14 the sun was about to set. And so when it's dark they took the
15 people off the house.

16 Q. Can you tell me for how long you were next to that window on
17 that day?

18 A. I did not sit there for a long time because people were taken
19 continuously off the house. So my estimation is that I remained
20 sitting near the window for about an hour or a little bit over an
21 hour.

22 Q. You stated that while you, the young girls, were in the house
23 the guards were not inside the house but under the house. Were
24 you able to talk to any of the young girls at any point in time?

25 A. We did not dare to talk. Everybody was so quiet even if when I

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1 was thirsty I did not dare ask for water. I was terrified when I
2 saw quite a large number of soldiers.

3 [15.28.20]

4 Q. Very well. So if I understood you correctly, you were silent
5 inside that house?

6 A. Yes.

7 Q. A while ago when my colleague put questions to you to find out
8 whether you heard any cries coming from outside and whether the
9 other young girls had heard such cries, you said you couldn't
10 speak for the others. And now you've just told me that all was
11 silent inside the house. Now, tell me, did the people who were
12 present with you in the house hear what was happening outside?
13 Could they hear what was happening outside?

14 MR. PRESIDENT:

15 International Co-Prosecutor, you have the floor.

16 [15.29.36]

17 MR. KOUMJIAN:

18 It's the same objection as with the other counsel. She cannot
19 testify to what other people heard.

20 BY MS. GUISSÉ:

21 Q. Let me put the question differently. Is it the fact that the
22 house was quiet that allowed you to hear what was happening
23 outside?

24 MS. MATH SOR:

25 A. I -- you asked me a question that while I was detained there

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1 among the 36 people, whether we could talk and I said, "No, we
2 did not dare to talk. We were all in shock". And later on, a
3 woman and three men came up to the house to arrest us and we were
4 still silent.

5 And later on when they took two of us each time out of the house
6 to be killed, we actually talked quietly amongst ourselves. And I
7 talked to the remaining 15 other people because I saw what
8 happened. I saw those people being killed through that window.
9 And because some of those who were killed were my relatives,
10 that's why I tried to see what they did to my relatives. And
11 maybe those other people did not look through the window because
12 they did not have any relatives who were led off the house.

13 [15.31.25]

14 Q. Earlier when you were answering the questions put to you by my
15 colleague, Victor Koppe, he asked you if you had told the other
16 young girls or spoke about what you had seen outside and you said
17 that you were too afraid and that you did not speak. Now, you are
18 telling us that you were whispering and that you finally
19 described what you saw through the window. So did you speak to
20 the young girls about -- the young girls, that is to say who were
21 in the house? Did you speak to them about what you saw or not?

22 MR. SENG LEANG:

23 Mr. President, I did not hear the witness say that when the young
24 Cham girls were taken away to be killed. She said that she -- she
25 did not say that she whispered about what she witnessed. What she

1 said was that the people in the house were in shock. So, this is
2 the point I would like to clarify.

3 [15.32.58]

4 BY MS. GUISSÉ:

5 Well, I believe the transcript will show the reality, but in any
6 case that's what I heard in the translation. In any case, I would
7 like to ask the witness again.

8 Q. When the people were taken away to be executed, did you, yes
9 or no, speak about or whisper about what you saw to the other
10 young girls to tell them what you had seen through the window?

11 MS. MATH SOR:

12 A. As I told you that I did not whisper to anyone. I saw it and
13 then I kept it to myself. I did not tell anyone else. So that was
14 -- I did not whisper to anyone else.

15 Q. Without having spoken about this to the young girls at Trea
16 that day, when you ended up at 16 at Krouch Chhmar, did you then
17 describe the scene you saw to any of the 15 young girls who were
18 with you afterwards?

19 A. No, I did not tell them. I was scared about my own life so I
20 did not tell anyone.

21 [15.34.55]

22 Q. So must I understand that until the moment you fled, let's say
23 a little bit before the arrival of the Vietnamese, you never
24 spoke about these scenes with whomever was with you in the house
25 in Trea?

1 A. No, I did not tell anyone.

2 Q. And in particular, No Sates who was with you at Krouch Chhmar
3 as well, you never spoke to her about that scene either?

4 A. Yes, that's correct. I did not tell her.

5 Q. My colleague referred to a discussion you had with Mr. Ysa
6 Osman, and do you remember when this interview took place with
7 Ysa Osman?

8 A. No, I cannot recall the year when I was interviewed. I did not
9 recall the date.

10 [15.36.26]

11 Q. If I tell you that this interview took place in 2003, and I am
12 referring to document E3/7745 on the first page which states that
13 the interview took place on 25 January 2003, does that refresh
14 your memory?

15 A. At that time he interviewed me, the interview really took
16 place. He asked me about my age, my name, but I cannot recall the
17 year that the interview took place. He asked me questions about
18 the years and months referring back to what happened in the Khmer
19 Rouge regime and I told him accordingly.

20 Q. Did you see him once or several times?

21 A. I saw Osman once in Kampong Cham.

22 Q. So the day that he took notes during the interview is the only
23 time you saw him. And I understand that you did not see him again
24 to provide the extra information. Am I right?

25 A. Yes, only once. I did not meet him again.

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1 [15.38.35]

2 Q. And when you were interviewed by the investigators of the
3 OCIJ, do you remember having provided corrections to the
4 interview you gave to Mr. Ysa Osman in 2003?

5 A. No, they did not ask me to correct.

6 Q. You said that you were with Ms. No Sates in this house and
7 that then later you met again in Krouch Chhmar. I understood your
8 testimony in which you said that you could only talk about what
9 you had seen. But since No Sates testified before this Chamber, I
10 would like to submit to you a certain number of her statements
11 and ask you questions in that regard to see if you can confirm
12 your testimony or not.

13 On the hearing of -- let me find the document, well, the
14 reference to this document. Well, in any case, during a hearing
15 here before the Chamber, No Sates said -- oh, here, I have it.
16 Therefore, at the hearing of 29 September 2015, document
17 E1/351.1, a little bit after 11.33.21, No Sates confirmed that
18 there were 300 people in the house in Trea. So my question is the
19 following: can you confirm that in this house in Trea you were
20 only 36 young girls?

21 [15.40.58]

22 A. The house that we were all detained consisted of only 36
23 people. I cannot speak for No Sates who mentioned that the
24 numbers were different.

25 Q. Now, with regard to the interrogation that took place in Trea

1 by Ho, can you tell us if this interrogation took place in the
2 room where all of the young girls were grouped together?

3 A. Ho sat down and interrogated all of us. So we were all sitting
4 together.

5 Q. And when you were being interrogated, did he take you aside or
6 were you interrogated in the same place where you were sitting?

7 A. He interrogated all of us as one group.

8 Q. Earlier you said to my colleague, Victor Koppe, that you did
9 not know which questions were put to No Sates. So under these
10 conditions, must I understand that you do not remember the
11 questions that were put to her?

12 A. When they interviewed No Sates, I did not know what questions
13 were asked to No Sates. So I knew only the questions that they
14 asked us when we were assembled as a whole group.

15 [15.43.50]

16 Q. In the interpretation I heard, which -- the questions which
17 they put to you, but do we agree, it was only Ho who put
18 questions to you or were the other cadres, who were present, also
19 questioning you?

20 A. Only Ho alone ask us question; there were no one else.

21 Q. Now, I would like to return to the book by Ysa Osman in which
22 your interview is present.

23 Aside from No Sates, do you remember other young girls who were
24 present with you in Trea and who then followed you to Krouch
25 Chhmar afterwards?

1 A. The remaining people who survived the regime, some of them
2 have already passed away now.

3 When we went to Krouch Chhmar, all of us went there together. But
4 from that time until now, some of them have already passed away.

5 [15.45.45]

6 Q. Yes, but my question was: do you remember the names of some of
7 the other people who left Trea to go to Krouch Chhmar; that is to
8 say, among the 16 people who were with you at Krouch Chhmar, do
9 you remember the names of some of these people?

10 A. I remember Sates (phonetic), Chouk (phonetic), Som (phonetic),
11 Sar (phonetic), Sarah (phonetic), Rayan (phonetic), Na
12 (phonetic), Ansrae (phonetic), Mat Sar (phonetic), Sarah
13 (phonetic), Ta Yum (phonetic); most of them already passed away.

14 Q. The last point of clarification I asked from you regarding,
15 that is to say, the distance between the pit and the house. In a
16 statement in document E3/7747; English, ERN 00274733; Khmer,
17 00204417; French, 00274736; you spoke about a distance of 50
18 metres between the house and the pit. So do you stand by your
19 statement that it was only 8 metres away?

20 A. I stand by my statement that the distance is 8 metres from the
21 house to the pits.

22 [15.47.55]

23 Q. Earlier, when you were answering a question that was put to
24 you by my national colleague from -- or by the national colleague
25 from the Nuon Chea team, you spoke about your marriage that took

1 place three months after you were detained at Trea and I didn't
2 understand then if you had known your husband before or if you
3 got to know him before you left for Trea or if you met him
4 afterwards.

5 A. As I said a while ago that I knew him when we were in the
6 mobile unit and then he proposed for our marriage.

7 Q. Well, I was confused by the fact that before you arrived at
8 Trea, you were already part of a mobile unit and after you left
9 Trea, you joined a mobile unit again. So my question is that: do
10 we agree that it was when you were in Krouch Chhmar that you met
11 your husband?

12 A. Yes, that is correct. After the incident that people were
13 taken away to be killed and then I met him in the mobile unit.

14 [15.49.35]

15 Q. You also said that it were your -- it was your father-in-law
16 who apparently came to see you to see if you would agree to marry
17 his son; so do you know if your husband's family originally came
18 from Krouch Chhmar?

19 A. No, he did not come from Krouch Chhmar. He was based in Trea
20 Pi.

21 Q. Another question: You said that this marriage took place with
22 other groups, so it was a collective marriage involving 10
23 couples, if I understood correctly; so can you tell me who
24 conducted that ceremony?

25 A. The 70 couples were organized by them.

1 Q. By them? Who? Who exactly?

2 A. I did not know who they were and where they came from, so I
3 did not know how to answer your question. I just knew about they
4 -- whether -- they asked me whether I was interested in marriage
5 and I -- I said yes and yes; the marriage took place.

6 [15.52.00]

7 Q. Aside from your father-in-law, who asked you if you were
8 interested in getting married; was it a cadre from the mobile
9 unit or was it another cadre from the commune or from the
10 district spoke to you about this?

11 A. No, they did -- they did not ask me. The marriage was simply
12 organized and we were all asked to hold our hands to symbolize
13 our agreement to get marriage.

14 Q. So where did this marriage take place?

15 A. It took play -- the wedding took place in Trea Pi.

16 Q. Was Ho, the district chief, present?

17 A. Regarding the presence of Ho, I do not understand this.

18 MR. PRESIDENT:

19 Whether the chief, Ho, attended your marriage, and the marriage
20 of the 70 couples that took place on the same day with your
21 marriage?

22 [15.53.56]

23 MS. MATH SOR:

24 No, he did not attend the marriage ceremony, but members of his
25 units came to attend the ceremony.

1 BY MS. GUISSÉ:

2 Q. You then said that you fled; why did you flee?

3 MS. MATH SOR:

4 A. After my marriage, we fled because we heard the rumour that
5 those 70 couple who were just married, would be taken away to be
6 killed and when we heard this news, we were scared and fled into
7 the forest.

8 [15.54.52]

9 Q. I asked you all of these questions, madam, because on the case
10 file we have a statement that was made before the investigators
11 of the OCIJ; one of your statements, document E3/5194, in which
12 you say regarding who had married the 70 couples and regarding
13 also why you fled. And this is what you say: in French, ERN
14 00268839; Khmer, 00204407; English, 00274708 and 9, I believe, as
15 well. First, you said that you had found, among the clothes you
16 had washed, your mother's clothes; can you confirm that?

17 A. Yes, I can clarify this point. As I said earlier that when I
18 went to the -- I was sent to the mobile unit; I went to fetch the
19 clothes of my parents in Krouch Chhmar and after I came back, I
20 got married. It doesn't mean that after I joined the mobile unit,
21 I got married. I got married after I came back from fetching the
22 clothes in Krouch Chhmar and I saw my parents' clothes and their
23 belonging.

24 Q. How did you recognize your parents' clothes?

25 A. I could identify their belongings easily.

1 [15.57.44]

2 Q. I believe I understood that when you answered the
3 Co-Prosecutor, you said that after a certain -- that everyone --
4 that after a certain point in time, people were no longer wearing
5 traditional clothes; so did I understand your testimony properly?

6 A. Yes, that's correct; we were not allowed to wear the
7 traditional clothes. But when I found the clothes, I kept a few
8 of them to keep us our family heritage. I brought with me only
9 two shirts.

10 Q. Well, so the clothes in question are clothes that had stayed
11 in -- that had remained in your parents' home; is that correct?

12 A. No, the clothes were not in my house. My parents' were
13 assembled with other people in front of the pagoda and they
14 removed the clothes and the clothes were put in the warehouse and
15 it were mingling with clothes from other people.

16 [15.59.38]

17 Q. Now, I would like to turn back to the question of the
18 marriage. So this is what is said in the statement E3/5194. You
19 said that "Immediately after having seen the clothes, we, my
20 husband and myself, fled into the forest because Ho stated that
21 he would execute all of the 70 couples whom he had married and I
22 did not know why he took that decision and we fled during the
23 night and we remained in the forest until the fall of the regime.
24 I was seven months pregnant and life was very hard." End of quote
25 So my first question is: Did Ho carry out the marriages of the 70

1 couples; yes or no?

2 A. Yes, it was Ho who organized the wedding, although he,
3 himself, did -- was not present at the wedding ceremony; only his
4 deputy was there.

5 Q. And on the day you saw your parents' clothing, in any case,
6 your mother's clothing, as you indicated in the statement, how
7 long was that after the wedding or the marriage that was
8 organized?

9 A. Regarding the clothing, in fact, when I went to tidy up and
10 fetch the clothes, I was not yet married. Maybe the document that
11 you refer to is not accurate. The marriage did not take place
12 before I went to fetch the clothes. I saw the clothes of my
13 parents before I got married.

14 [16.01.53]

15 Q. And in the extract that I quoted, it is stated that you were
16 seven months pregnant. Can you tell the Chamber how long before
17 the arrival of the Vietnamese on the 7th of January 1979 -- how
18 long after that did you get married or how long before the
19 Vietnamese arrived did you get married?

20 A. I got married after I actually was sent to tidy up the clothes
21 and where I saw the clothes of my parents and when I returned
22 from the mobile unit, I was organized to marry my husband in Trea
23 2 village and later on, we fled to the forest.
24 And, actually, at that time, I had morning sickness -- sickness
25 because I was pregnant and when I left the forest, I was seven

1 months pregnant, so we stayed for quite a long while in the
2 forest.

3 [16.03.11]

4 Q. And this will be my last question. How long before the arrival
5 of the Vietnamese did you get married?

6 A. I cannot recall how many months there were. When the
7 Vietnamese arrived, I had already been married. I was pregnant
8 when the Vietnamese arrived, but I cannot recall the number of
9 month, but now I am getting old and my memory is not that well.

10 MS. GUISSÉ:

11 I'll stop here, Mr. President.

12 MR. PRESIDENT:

13 Judge Fenz, you have the floor.

14 [16.04.21]

15 QUESTIONING BY JUDGE FENZ:

16 Q. I have a few question which unexpected from you and asked by
17 the Defence. It's about this wedding and the marriage.

18 So can we at least agree that the wedding happened in 1978,
19 sometime late in '78; is this correct?

20 MS. MATH SOR:

21 A. Yes.

22 Q. Now, you mentioned that the people who oversaw -- or -- the
23 wedding came from outside, though that -- but that people were
24 present at the wedding who actually knew you; is this correct?

25 To be clear, that officials were present -- Khmer Rouge officials

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1 were present who knew you before the wedding; is this correct?

2 A. I did not know if the Khmer Rouge officers actually knew me.

3 [16.05.47]

4 Q. Okay, let me put the question another way. Was there anybody
5 from the Khmer Rouge there who knew, at the time of the wedding,
6 that both you and your husband were Cham; do you know that?

7 A. Yes, they knew that we were Cham; the cadres knew that.

8 Q. Was it ever raised as an issue that Cham married among each
9 other, as far as you know, or was this never raised, if you know?

10 A. No, I did not hear them saying anything about this.

11 Q. Are you aware of any other cases where Cham married Cham
12 during the DK period, perhaps some of your friends?

13 A. No, I was not aware of that.

14 [16.07.22]

15 Q. So the only case where, to your knowledge, the Cham married
16 the Cham with the authorities knowing is your own wedding; is
17 that correct?

18 A. Yes.

19 JUDGE FENZ:

20 Okay, thank you.

21 MR. PRESIDENT:

22 Thank you, Judge Fenz.

23 The hearing of testimony of Madam Math Sor now concludes and the
24 Chamber is grateful of your time, Madam Math Sor, for your
25 one-day testimony. Your testimony may contribute to ascertaining

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1 the truth in this matter and you are no longer required to be in
2 the courtroom and you may go wherever you wish to and we wish you
3 all the very best.

4 [16.08.31]

5 Court officer, please cooperate with WESU to make necessary
6 transport arrangement for Madam Math Sor to return to her house
7 or wherever she wishes to go to.

8 The Chamber will adjourn its hearing now and resume tomorrow --
9 that is, Thursday, 14 January 2016, commencing from 9 o'clock in
10 the morning.

11 Tomorrow, the Chamber will hear testimony of a witness,
12 2-TCW-894, and the Chamber would also like to inform the public
13 that the hearing of 2-TCW-894 tomorrow and the hearing of
14 testimony of witness 2-TCW-938 on Monday, 18 January 2016 and
15 half-day session on the next day will be held in camera.

16 Security personnel, you are instructed to take the two accused,
17 Nuon Chea and Khieu Samphan, back to the detention facility and
18 have them returned to attend the proceedings tomorrow before 9
19 o'clock.

20 The Court is now adjourned.

21 (Court adjourns at 1609H)

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