



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ**

Kingdom of Cambodia

Nation Religion King

Royaume du Cambodge

Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber

Chambre de première instance

ឯកសារដើម

ORIGINAL/ORIGINAL

ថ្ងៃ ខែ ឆ្នាំ (Date): 28-Mar-2017, 12:42

CMS/CFO: Sann Rada

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

9 June 2015

Trial Day 293

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

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SENG Bunkheang

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Mr. CHAN Morn (2-TCW-975)	Khmer
Ms. GUIRAUD	French
Ms. GUISSÉ	French
Mr. KOPPE	English
Judge LAVERGNE	French
The President (NIL Nonn)	Khmer
Mr. SENG Leang	Khmer
Mr. SMITH	English
Ms. TY Srinna	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0903H)

3 MR. PRESIDENT:

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

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

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

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

8 Airport worksite is 2-TCW-975.

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

10 and other individuals at today's proceedings.

11 THE GREFFIER:

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

13 are present.

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

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

16 been delivered to the greffier.

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

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

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

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

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

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

23 you.

24 [09.05.52]

25 MR. PRESIDENT:

2

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

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

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

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

5 effectively participate in future hearings, he requests to waive

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

7 hearing.

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

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

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

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

12 [09.06.49]

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

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

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

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

17 he can follow the proceedings remotely from the holding cell

18 downstairs.

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

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

21 follow today's proceedings remotely from the holding cell

22 downstairs via an audio-visual means.

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

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

25 That applies for the whole day.

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

2 (Witness enters the courtroom)

3 [09.09.35]

4 QUESTIONING BY THE PRESIDENT:

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

7 MR. CHAN MORN:

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

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

10 A. I was born in 1954.

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

12 A. Yes.

13 Q. And where were you born?

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

16 [09.10.57]

17 Q. And <what> is your current address?

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

20 Q. What is your current occupation?

21 A. I have been a civil servant since 1979; however, I have <>
22 retired from the service <for several> years <now>.

23 Q. What are the names of your parents?

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

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

4

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

3 [09.12.18]

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

9 A. Yes, that is true.

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

12 A. Yes, that is true.

13 (Microphone not activated)

14 [09.13.35]

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

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

5

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

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

8 A. I was interviewed once at my house.

9 [09.15.06]

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

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

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

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

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

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

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

23 A. Yes, it is similar in content.

24 [09.17.03]

25 MR. PRESIDENT:

6

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

6 QUESTIONING BY MR. SENG LEANG:

7 Good morning, Mr. President, Your Honours. Good morning, Parties
8 and everyone in and around the courtroom, and good morning, Mr.
9 Witness. My name is Seng Leang. I am a National Deputy
10 Co-Prosecutor <from the Office of Co-Prosecutors> and I have some
11 questions to put to you for clarification. I have four main
12 topics to cover.

13 Q. First, I'd like to know briefly about your background before
14 and after 1975; the second topic is in relation to your first
15 visit to the airport construction worksite in Kampong Chhnang;
16 and the third topic is in regard to your trip to Kampong Som; and
17 lastly, it is related to your experience at the Kampong Chhnang
18 Airport construction site. After that, my international colleague
19 will put some further questions to you.

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

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

25 [09.19.36]

1 Q. And what year was that?

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

3 Q. And how old were you then?

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

5 Q. So <> you joined the Revolution while you were still studying;
6 is that correct?

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

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

11 A. It was in <Chambak Prasat village of> Krang Skear commune.

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

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

17 [09.21.20]

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

20 A. It was within Krang Skear commune.

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

23 A. I worked as a messenger for the commune <chief who worked in
24 the commune>.

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

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

3 Q. And who <was> this Chantha (phonetic)?

4 A. He <was> from the same village.

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

6 A. He worked at the commune office; however, allow me to say that
7 I <had> only worked at the commune for one week <before> I was
8 <reassigned> to work at the sector.

9 [09.23.03]

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

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

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

14 A. I transported food supplies to the sector and then I was
15 <reassigned> to work at the sector.

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

19 A. Initially I worked as a commune messenger <as> I was the
20 youngest among them all.

21 Q. And in what year were you assigned <> a messenger for the
22 military?

23 A. That happened in 1972.

24 Q. And who assigned you <> a messenger for the military?

25 A. It was Brother Lvey; and <Vin> (phonetic) who made that

1 assignment.

2 [09.25.15]

3 Q. And who was this man, Lvey? And who was <Vin> (phonetic)?

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

5 Q. My <apology for asking> two questions <at> one <time>. Please

6 first answer the first part: who was Lvey? And please also

7 specify who <Vin> (phonetic) was.

8 A. Both of them were unit chiefs.

9 Q. And which unit was that?

10 A. <They> were commanders of Regiment 120.

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

12 A. My apologies; it was Regiment 130.

13 Q. At that time - or, by that time, did you <> know a person by

14 the name of Suk?

15 A. Could you please repeat that name?

16 [09.27.30]

17 Q. Sok or Suk?

18 A. I cannot recall all the names.

19 Q. You stated from 1972 you worked as a messenger for Lvey and

20 <Vin> (phonetic); is that correct?

21 A. I worked with Lvey until 1975.

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

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

24 Q. I'd like to move on to the events that took place after 17

25 April 1975.

10

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

3 A. Immediately after that, I was assigned to work for the
4 technical section within the transportation unit to carry
5 materials <>.

6 [09.29.40]

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

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

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

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

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

24 A. It was after my return from < when> I was asked to station and
25 guard <over> materials at Pochentong Airport.

11

1 [09.32.24]

2 Q. You stated "after your return", was it after the return from
3 Stueng Mean Chey radio station? Or was it after the return from
4 Kampong Som? <And how long did you stay at the airport?>

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

8 Q. I would like to refer again document E3/5278, ERN in Khmer is
9 00287525; English, 00292821; French, 00355862; you stated that --
10 quote:

11 "On 19 April 1975, you moved artillery <pieces Kab Srov to be
12 stationed at> Chaom Chau <fort>, and at <4.30 p.m.>, on the same
13 date, your group of <14 members> went to station and guard at
14 Stueng Mean Chey <radio station>. And the day after, <the same
15 group was> assigned to station and guard <at> Pochentong Airport.
16 Half a month later, I saw Chinese cargo planes <carrying various>
17 cargoes, including food <supplies, blankets, mosquito nets> and
18 other materials <landing at> Pochentong Airport, and <Ivey> asked
19 <me> to transport those materials and equipment to <be stored in
20 a warehouse in the Pochentong airport>." Do you recall <the
21 facts> I have just read to you?

22 [09.34.58]

23 A. It happened long time ago. I have been sick so far, so I do
24 not recall what you read. And I was <once> injured <in a
25 landmine> explosion, <>and I became a little bit -- I could not

12

1 hear well, so I cannot recall well, as well.

2 Q. You stated that you went to Kampong Som. What did you do
3 there?

4 A. I was asked to go and collect <> trucks <donated by> China <at
5 the port in Kampong Som>.

6 Q. Who did you go with?

7 A. There were a lot of us, many drivers. There were about a
8 hundred of us, because there were around 100 or 200 trucks at the
9 time, which were shipped from China. <However, some of those men>
10 who went with me at that time <> passed away, and <> there are
11 only a few of us survived. And I <am in> contact with <only one
12 of the men who> went to Kampong Som together with <me> at that
13 time. <Unfortunately, he is now paralysed. He currently lives in
14 Samlout.>

15 [09.37.05]

16 Q. Who led your group, and <from which units> were they <>?

17 A. It was Brother Lvey <who> assigned <a truckload of> us to go
18 <there, and after everything was done>, we came back. <Over
19 here,> Ta Met was the one <who> was waiting to receive the
20 materials <upon our return. And we would go again after we had
21 submitted all the materials to him>.

22 Q. You stated that you worked with Lvey. Could you tell the
23 Court, besides you were assigned to go and collect materials <>
24 at Pochentong Airport; who did -- what else <> you <did>? And did
25 you <ever> go <with Lvey> to <welcome any foreign delegations>?

13

1 A. I <went and met with the> Chinese delegation <who was in
2 charge of bringing in the materials. We went to receive the
3 materials from them. We only met with the Chinese, not any other
4 foreigners>.

5 Q. <Are you saying that the materials that arrived> at Kampong
6 Som <were donated by China? Can you clarify this point>?

7 A. Yes, it was Chinese aid.

8 [09.39.14]

9 Q. Beside this aid, did China provide <any> human resources?

10 A. I <only> noticed <such> materials <including> earth-carrying
11 baskets, hoes, <shovels,> trucks, etc. <Generally speaking,
12 those> materials were <meant for> farming, and <building>
13 irrigation systems.

14 Q. I am referring to engineers. Were there any Chinese engineers
15 sent from China?

16 A. Yes, there were Chinese engineers.

17 Q. You stated that those materials were <for building dams> and
18 <> canals. Could you clarify for the Court <whether or not> these
19 materials <were> for building <any airport>?

20 A. I saw bulldozers, trucks, vehicles and earth-carrying baskets.
21 Some of these materials were sent to <canal> work sites<, while>
22 some others were sent to Kampong Chhnang Airport worksite. <Some
23 of those materials and equipment were further distributed to
24 various provinces.>

25 [09.41.03]

14

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

3 A. <The things> I saw and went to collect <for the Kampong
4 Chhnang airport worksite included> bulldozers, <cranes, trucks>,
5 generators, saws<, and complete sets of other things>. The
6 <Chinese came along with those machinery pieces. They also helped
7 out with the assembly of those things>.

8 Q. <Besides> this work, did you ever accompany <any> delegation
9 <of Chinese engineers> to <visit any> provinces?

10 A. Yes, I accompanied <the> Chinese delegation to Siem Reap --
11 Oddar Meanchey province<> where <broken> airplanes <were kept>.
12 As I stated, I accompanied them to <Siem Reap - Oddar> Meanchey,
13 Battambang and Kampong Chhnang provinces.

14 Q. What was the main reason <of those visits of the Chinese
15 delegation> that you were asked to accompany<>?

16 A. They went there to repair <those> old planes <kept> in <those>
17 provinces. There were old planes in Siem Reap, so these Chinese
18 technicians went there to repair those planes. I was asked to
19 accompany them. <Actually, there were two of us who were assigned
20 to accompany the> Chinese delegates<>.

21 [09.43.30]

22 Q. <To> where were those planes <taken after they had been
23 renovated>?

24 A. After the -- after <>those planes <had been renovated>, they
25 were <flown to be kept> at Pochentong Airport and <>Battambang

15

1 <airport>.

2 Q. I would like to ask <you now> about <your> first visit <> to
3 Kampong Chhnang Airport <worksite>. Could you tell the Court
4 <whether> you <were> assigned to go and visit Kampong Chhnang
5 Airport <worksite>?

6 A. <Since they knew that> I was <from that area and was familiar
7 with the area's geography>, I was asked to accompany <the>
8 Chinese delegation <who was in charge of surveying the worksite.
9 I accompanied them and showed them around>.

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

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

14 [09.45.28]

15 Q. Never mind, Mr. Witness, because this happened long time ago.
16 Did you recall who assigned you to visit that site?

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

19 Q. Who was Met?

20 A. Met was a military commander<>. He was the commander of the
21 air force - Division 502.

22 Q. Who was the <superior>, and who was the <inferior between>
23 Lvey and <>Met<?>

24 A. Met was the superior.

25 Q. What about Lvey?

16

1 A. <He was his associate.> The <> three of them <worked closely
2 together, and belonged to> one group. <>

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

4 A. It was the person <to whom> I referred<> earlier. Later on,
5 this individual was transferred to infantry.

6 [09.47.47]

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

9 What did you do when you were there?

10 A. I was a driver. <My task was to drive and show> the Chinese
11 delegates <around to conduct the survey of the location and its
12 various terrains. However, the actual works including drilling>
13 the <earth>, and <other technical-related tasks were done by> the
14 Chinese <technicians or engineers themselves. I did not engage in
15 those things.> I was there just to <show them around>.

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

17 A. It was the <engineers>. It was the Chinese <engineers> and
18 Uncle Song, and later -- who later passed away.

19 Q. I am referring to the first time you were asked by Met to that
20 airport. Who <initially> did the measurement, and how was it
21 done?

22 A. <It was the> Chinese <engineers who used a telescope to locate
23 certain points, and the Khmer people were asked by the Chinese
24 engineers to mark those points for them. They had such a piece of
25 equipment>.

1 [09.49.58]

2 Q. I am referring now to document E3/5278, ERN in Khmer,
3 00287526; English, 00292822; and French, 00355863; you stated
4 that: "<with three other people,> I rode a 350cc Honda motorbike
5 to measure the land from the speedometer. As for order and
6 indications from the map, Lvey told me that the airport
7 construction project starts from Krang Leav pagoda and extends to
8 Sap Angkam Bridge and National Road 5. Based on the bike's
9 speedometer, the distance was seven kilometres." Could you recall
10 what I have just read to you?

11 A. Yes, I was on that motorbike, and the one who was riding that
12 motorbike with me is still alive today. And he was also invited
13 by the Court to recount the events. <And the measurement we made
14 started from the pagoda. It is more likely that he still
15 remembers the events.>. His name was <Kin> (phonetic). And <the>
16 other individual has passed away.

17 Q. When you first arrived and made the measurement by the
18 speedometer, did you notice that <any aspect of> the construction
19 had already <begun>?

20 A. No, <initially, there was not any construction> yet. I mean
21 the airport. And when I was there, <to give it a trial, I rode> a
22 motorbike <via ox-cart tracks> from a certain location to another
23 location <in order to see how far it was from one to another>.

24 [09.52.32]

25 Q. Could you tell the Court, from Kampong Chhnang -- how <far>

18

1 was that from Kampong Chhnang Airport <worksite> to your birth
2 village?

3 A. It <could be> 12 kilometres from that worksite to my birth
4 village. I may have recalled it incorrectly <due to> my <poor>
5 memory.

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

8 A. The area was <initially> called <Phum Plov Ko> (phonetic)<,
9 the nearby area was Wat Stueng (phonetic),> and after that, Wat
10 Priel (phonetic)<, and it run all way through the Sap Angkam
11 (phonetic)> bridge.

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

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

19 [09.55.07]

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

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

23 Q. Could you tell the Court, what <>the <terrain of> that airport
24 worksite <was like>?

25 A. As for the <terrain of the worksite>, the surface consisted of

1 sand<, and> beneath <the sand was laterite>.

2 Q. Was the area mountainous<? And> was the soil<> hard for
3 digging?

4 A. The worksite was close to the base of the mountain, and
5 beneath the surface there were <laterites covered with condensed
6 sands on the top. The whole area consisted of laterite
7 underground.> So the land condition was rather hard.

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

11 A. I have no idea of the purpose of <the> airport <construction>.

12 As I stated, I was asked to accompany the <engineers>.

13 [09.57.40]

14 Q. Could you tell the Court how many people worked with you
15 during the <first> time you were asked to help with the
16 measurement?

17 A. There were different sections working together. There were
18 other units working with me -- with my group, and three <or four>
19 of us were the drivers. <We drove other people around.> There
20 were many workers from various units. We were from different
21 units and sections.

22 Q. You stated that they were from different units. Were they
23 soldiers or <> civilians?

24 A. All of the workers were soldiers, both male and female. They
25 were all soldiers.

1 Q. What units were they from?

2 A. I could not recall all the units; I only recall <that some
3 workers were from> 502, and later workers were taken from various
4 units. I could not recall them all.

5 [09.59.32]

6 Q. Based on your answer, you received advice <regarding> doing
7 the measurement <> from <the> Chinese experts. Is that true?

8 A. Yes, <it was the> Chinese engineers <who told us how to
9 measure and what else to do. <Actually, the> Chinese <were the
10 ones who carried out the actual work, while> I was there just to
11 <drive them around>.

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

14 A. Some units were <in charge of breaking> rocks, <or in charge
15 of operating machinery> to break rocks; some were engaged in
16 collecting waste, rubbish<, and debris. For example, palm> trees
17 <and their roots needed to be removed and cleaned from> that
18 place<. Certain> units were <assigned to do that>. So they had
19 different duties in their respective units.

20 [10.01.40]

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

22 A. I was there for three months to accompany the Chinese
23 <engineers who were in charge of surveying and studying the
24 location>. Later on, I was asked to <lead people to cut> trees.

25 Q. From the time you were asked to help with the measurements and

1 the time you were sent to Kampong Som, what result did you
2 achieve during the time that you worked there?

3 A. During the time I was there, <half of the runways were>
4 completed<, while all the water runways to be used in an
5 emergency were completed. The nearby canal was also completed.
6 As> I stated earlier, <only> the run -- half of the <runways
7 were> completed <when I was reassigned to cut trees>.

8 [10.03.36]

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

11 A. I was assigned to cut trees <to be used as electrical posts to
12 be installed within the airport>. It was a bit <far> from the
13 airport worksite.

14 Q. Before you were assigned to cut trees, were you assigned to go
15 to Kampong Som?

16 A. Yes, I <was>. I <actually made a trip to> Kampong Som to
17 <transport materials before> I was <reassigned> to cut trees.

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

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

23 Q. <Regarding> those equipment and material which you were asked
24 to transport to the airport construction site, where did you
25 store them?

1 A. They were stored <in a place next to Chan Sari fort or
2 barracks - the> five-storey house. <Those things were stored in
3 the old airport located in the provincial town. They were stored
4 in the five-storey building so-called Chan Sari fort or
5 barracks.>

6 [10.06.04]

7 Q. And what were you assigned to do after you <had> returned from
8 Kampong Som?

9 A. As I said, after I <had> returned from Kampong Som, I was
10 <reassigned> to <lead> some <forces> to go and cut trees.

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

12 A. I cannot recall how many months I spent cutting trees<> there.
13 I simply cannot recall it. It <was> likely <between> one and a
14 half months <and> two months.

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

17 A. By that time, I did not have any further knowledge about the
18 activities inside the airport construction worksite as I <was
19 working> outside -- that is, cutting trees. <I had no idea
20 whether anything was brought into the airport.>

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

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

25 [10.08.10]

23

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

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

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

8 Q. And how many people all together?

9 A. There were many, many hundreds of people. It could be up to a
10 thousand workers <if members from all the units were combined>.

11 In the morning <I> could only see heads of people everywhere,
12 working at the airport construction worksite.

13 [10.09.31]

14 MR. SENG LEANG:

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

17 MR. PRESIDENT:

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

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

23 The Court is now in recess.

24 (Court recesses from 1010H to 1032H)

25 MR. PRESIDENT:

1 Please be seated.

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

5 [10.32.46]

6 QUESTIONING BY MR. SMITH:

7 Good morning, Mr. President, Your Honours, counsel, and Mr. Chan
8 Morn, good morning.

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

15 MR. CHAN MORN:

16 A. Yes, that is correct.

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

22 Did you hear that last question?

23 A. I could not hear your question.

24 [10.35.00]

25 Q. After you gave the statement to the investigator at your house

1 about the events at the airfield, did you, some months later,
2 take an investigator to the airfield and show him some places
3 where you saw some events occur at the airfield?

4 A. I took that individual to <several locations within> the
5 airport worksite and I told him the events that I saw.

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

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

10 A. I did not know <of that. > I <just> knew <> that I was working
11 in the army. I was not part of the Party. I was working in the
12 army.

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

15 A. No.

16 [10.37.01]

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

20 A. Yes, that is correct.

21 Q. You said that comrade Met assigned you to work at the
22 airfield, but in your statement, you said that Lvey did. Were
23 they both together when you were assigned? Or who in fact
24 assigned you to the airfield?

25 A. Initially, it was Lvey who <asked> my group <to> accompany the

1 Chinese delegation to that airfield. And <upon our arrival in
2 Kampong Chhnang,> Met <who arrived after we did, ordered another>
3 five or six people to help with my work. Met <was there> at the
4 airfield and <told me to do that.> I <just followed his order>.

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

6 A. I would meet him sometimes twice a <week>, or <> three <times
7 a month>. He was staying <> far away from me, so I rarely saw
8 him<>.

9 [10.39.12]

10 Q. And when you would meet comrade Met, would you have
11 conversations with him?

12 A. Yes, I had conversation with him. He <>instructed me to
13 perform <certain assignments> or duties, and he asked me what <I
14 had accomplished the next time I saw him again. I had to report
15 to him the outputs we accomplished.> He also asked <of the
16 regular progress> at the airfield, and <the things that had been
17 brought to the airfield. I had to report to him on the things or
18 machinery pieces that had been brought to the airfield>.

19 Q. And what was your rank in the army? What was your position?

20 Were you a corporal, a sergeant? Did you have a position, a rank?

21 A. I was a messenger in the army. I had no rank. I had been in
22 that capacity or in that position <through> 1979. As I stated, I
23 was the messenger conveying messages to units, and I would do my
24 work as told.

25 Q. And comrade Met was the commander of Division 502, the highest

1 position in the division. Is that right?

2 A. Yes, that is right.

3 [10.41.23]

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

6 A. <>I was close to him <> because I <had> met him frequently
7 <since I first started work> in the army <when I was a small
8 boy>. He knew me well compared to others, and he assigned me to
9 do many tasks when I <met him again while working> at the
10 airfield <construction site>.

11 Q. Thank you. I'll ask you about those tasks in a moment. But can
12 we talk about the deputy commander, Lvey, for a moment? Did you
13 -- you worked for Lvey before 1975; I think for about three
14 years, you said. And you've also said that you worked for Lvey
15 after 1975, at the airfield. Did you have a good relationship
16 with Lvey?

17 A. <Initially>, he <personally> asked me to perform <certain>
18 duties and tasks <for him>. And later on, <since> he was not
19 staying close to my place, <> <tasks and duties assigned to me by
20 him came through another person. The person would come to me and
21 told me that Brother Lvey wanted me to do certain things for him.
22 And I just carried out the tasks as I was told. So at later
23 stage, I no longer received direct assignment from him>.

24 [10.43.44]

25 Q. Are you talking about now when you were assigned to operate

1 the radar on Phnom Kraing Dey Meas mountain, near the airfield?

2 Is that what you're saying? Are you saying that you were away

3 because you were working in that mountain?

4 A. Later on, I was asked to drive a <truck and transport some

5 materials> and equipment up <the> hill. <Initially, no> one dared

6 to drive <a truck with the radar equipment up the hill>, so I was

7 <asked to drive the truck up the hill, and> assigned to <stay

8 with some other people there at> that mountain for a while.

9 Q. Thank you. You also mentioned that you were asked to guard the

10 station at Stueng Mean Chey after the Khmer Rouge took control of

11 Phnom Penh, before you went to the airfield. Can you tell us

12 whether Division 502 had a security office at Stueng Mean Chey?

13 A. Initially, I was asked to stand guard <the station>. And later

14 <all members of 502 were removed and reassigned to> the airfield,

15 so I did not know who else were <stationed> there. <I just knew

16 that all the units were reassigned to the airfield.>

17 [10.45.44]

18 Q. Did you ever hear of Division 502 having its own security

19 office? Say, where people may be arrested and taken there? Did

20 you ever hear of a security office?

21 A. I <had> no idea <of> the security office. I did not know

22 <where> that security office <was located>.

23 Q. Thank you. You also mentioned that, when you went to the

24 airfield, you met a person called Uncle Song. Who is Uncle Song?

25 A. I do not recall it.

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

3 A. There was <a> chief of office; his name was Yeng. I do not
4 know this individual's full name. <> I <just> knew <> that Yeng
5 was <an office> chief <> under the supervision of Lvey<.> So
6 after Bro Lvey, it was the office chief who ran the daily
7 operation and assignments> at that airfield.

8 [10.47.52]

9 Q. If I can just refer you to your statement and this is
10 D166/116, English at 00292824 and 5; Khmer, 00287529; and French,
11 00355866.

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

15 And you answered: "At the beginning, Lvey and Song. When more
16 people were sent from the East Zone, Yeng and Lvey were in charge
17 of those tasks. Yeng disappeared before the Vietnamese fighting
18 in 1979."

19 Does that statement that you gave refresh your memory as to who
20 Song was?

21 A. Song was from the same village. He was a soldier in 502 as
22 well. He has passed away. He was a technician <under training by
23 the Chinese> at that time<>.

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

1 A. I recall an individual by the name <of> Song <who> was a
2 villager in the village nearby to mine. And he <also worked
3 there. He was in charge of tasks concerning survey and
4 measurement.>

5 [10.50.25]

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

15 A. I saw many people, <a total of some> 1,000 workers. The
16 <worksite was full of> workers <everywhere including the building
17 construction site>, and <the rock quarries>. The first time I was
18 at the airfield, there were not many workers, but later on <I saw
19 many> female workers as well <when I went there the second time>.
20 They were <collecting> rubbish and <debris at the airfield
21 construction site>.

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

1 [10.52.26]

2 A. Yes, that is correct. As I stated, I was asked to accompany
3 the engineers there and I was one among the first group. And I
4 was there with my members, so my role at that time was to
5 accompany the Chinese delegation <to> visit and observe the
6 airfield. <As> I stated earlier, I was familiar with the area<>.

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

9 A. After the measurements, as I stated, I <stayed> in Chan Sari
10 barracks <> for a period of three months, with the Chinese
11 <>engineers. <We came to stay at the five-storey building located
12 within Chan Sari barracks in the provincial town. We did not stay
13 at the construction site.>

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

15 A. It was in Kampong Chhnang, Chan Sari barracks, or it was
16 referred to <as> "the five-storey house" which was located close
17 to the old airfield.

18 [10.54.15]

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

21 A. I would leave for the worksite in the morning and I would
22 <drive> the Chinese <guests back to town> during lunchtime, and
23 we would go again in the afternoon at 2 p.m. That was our daily
24 routine.>

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

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

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

5 A. I do not recall when it was. Upon our arrival, we would come
6 back right away <at night on the same day> on some <occasions,
7 while sometimes we slept overnight before we made another trip
8 back. It varied. So> I do not recall how long I <did that as we
9 made frequent trips back and forth>.

10 [10.56.05]

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

17 A. I could not recall the trips because I went to Kampong Som
18 rather quite often. I <went> there many times, so I could not
19 recall them all. <On many occasions, I was sent there to
20 transports things at the port. I had to go whenever I was
21 assigned to do that. It happened too many times that I cannot
22 recall how many trips exactly I made.>

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

1 airfield or another place?

2 A. Upon our return from Kampong Som, I was <not sent straight>
3 back <to the construction site. We stayed> in the Chan Sari
4 barracks in <the provincial town of> Kampong Chhnang. I stayed
5 there <at the five-storey building> with <the> Chinese
6 <engineers. In the morning, they were driven to the construction
7 site and from the construction site back to the barracks in the
8 evening. They were driven back and forth on a daily basis>.

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

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

15 [10.58.40]

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

18 A. The Chinese technicians stayed at the so-called five-storey
19 building, <while their drivers and cooks> stayed <> in the Chan
20 Sari barracks, and the <> Khmer workers <engaging in measurement
21 and survey> stayed at Chan Sari barracks.

22 Q. And when you say the Khmer workers, are you meaning the people
23 that worked at the quarry, the people that worked on the airport
24 site, chopping wood, picking up roots, or are you referring to
25 the supervisors, the supervisors of the workers staying at Chan

1 Sari barracks?

2 A. Those <quarry supervisors> who worked at the new airfield <>
3 stayed in Chan Sari barracks, and as for <workers, both female
4 and male soldiers> who were brought into that field, they stayed
5 <where they worked within> the airfield <construction site>
6 itself. <They just slept where they were dropped to work.>
7 [11.00.43]

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

17 A. Yes, these materials were from China. Steel, everything was
18 the source of Chinese aid. They were all from China. It was
19 Chinese aid. And as for workers, technicians, they were all from
20 China.

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

24 A. That was the number of the advisors; however, later on, some
25 of them <were> transferred to work at other locations at various

35

1 provinces, and later on I did not know whether there was any
2 increase in the <number> since I was transferred to work -- to
3 cut trees outside the perimeter of the airport construction site.
4 [11.03.18]

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

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

10 Q. And were you told why the East Zone workers, military, were
11 sent to Kampong Chhnang airfield? Why were they selected, the
12 military from the East Zone?

13 A. I do not know the reason. I only knew that those military
14 workers were brought in and some of them were assigned to me to
15 go and cut trees and that's all I know about them. So I was given
16 a certain number of these military workers and some tools and <>
17 I needed to lead them to cut trees.
18 [11.04.52]

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

22 A. They were brought in and they were told to come to engage in
23 the airport construction worksite, and some of them were assigned
24 to come with me to go and cut trees, and there were many of them
25 at the worksite.

1 Q. Perhaps if I can mention what you said in your statement at
2 D166/116, 00292823, 00 - English; 00287529, that's Khmer; and
3 French, 00355866; and you were asked this question:
4 "What were the reasons behind the sending and assigning of people
5 from the East Zone for the airport construction?"
6 You answered: "When Lvey assigned me to lead the East Zone
7 workers to clear the forest, they told me that they affiliated to
8 the enemies. Their chiefs in the East Zone who betrayed Angkar
9 and the Party and those chiefs fled to Vietnam. The workers said
10 that the Khmer Rouge sent them for refashion."
11 Does that refresh your memory as to what the East Zone workers
12 said to you, why they were at the airfield?
13 [11.07.05]
14 A. I recall part of it because we were all Khmer and when I saw
15 their unhappy faces, and while we were having meals in the
16 forest, I asked them about the reasons they were sent to the
17 worksite. And they looked unhappy and they told me about the
18 reason that you just stated and I told them <not to be worried
19 anymore, and just> keep doing the work and we would eat whatever
20 we could afford <or find in the forest>. And I told them that for
21 the rice and food supply, there should be sufficient for us. And
22 they said half of the force which was originally sent from the
23 zone had disappeared, and mainly they were their supervisors or
24 chief, and only the ordinary soldiers arrived. And that's how I
25 learnt about the reason they were sent.

1 [11.08.30]

2 Q. We don't have a lot of time to cover a long period, so let me
3 put a statement that you gave to the investigators about the
4 conditions at the worksite for the workers and about arrests that
5 occurred at the worksite, and then I'll ask you some questions
6 about that. I'm referring to D166/116, English, 00292824; Khmer,
7 00287528 and 9; and French, 00355865/5. This was the question
8 that you were asked:

9 "Most of the witnesses we interviewed said that many people were
10 sick, died, and taken for killing, and they said that they saw
11 people being tied and trucked away when they worked at the
12 construction site. Please explain your accounts."
13 And you answered: "Those were the true stories. The arrests were
14 made and the people were being tied every day. I personally
15 witnessed those events. When a list of names of workers was
16 forwarded, one person came to the construction site to tell the
17 victims that they have to go to a meeting. Then, the victims were
18 arrested, tied, and transported to the direction of Phnom Penh.
19 There were at least three victims in each arrest, and the arrests
20 occurred every day. As far as I know, the persons who made an
21 arrest were not from the construction site, and those orders were
22 not made by Lvey or Song. The number of deaths from overwork,
23 exhaustion, hard work, also increased from one day to another. As
24 they could not endure the hardest work, the workers committed
25 suicide by running into the roller every week. Most of the

1 suicide victims were female. I did not see any people being
2 killed at the construction site. The corpses of those who died at
3 the construction site were taken to be buried in the forest near
4 Wat Stueng."

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

8 [11.11.59]

9 A. I personally saw people being trucked away, and usually they
10 were trucked away at night-time, and I heard the sound of the
11 activity from where I stayed. And <at the later stage,> mostly
12 they were transported to Phnom Penh <as they had a better
13 understanding of the situation>. And the people who went to take
14 them to Phnom Penh were those from Phnom Penh. And it was an
15 ongoing activity at the time, and everyone was minding his or her
16 own business.

17 Q. And why were they being taken away?

18 A. I do not know the real reason. What I saw was those trucks
19 <from> Phnom Penh <> go to the airport <construction site> to get
20 those people. And the people at the worksite themselves were not
21 the ones who took them or trucked them out to Phnom Penh.

22 [11.13.40]

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

25 A. I was arrested after I returned from cutting trees. I returned

1 in order to come and get food supplies -- that is, rice, and
2 Yeng, who saw me transporting some large amount of rice because I
3 had <many> men to feed and he accused me of transporting rice to
4 the enemy. And I said, "If you consider my men<> the enemy, I
5 myself would be the enemy as well". Then I went to collect some
6 medicines, and next day <when I was transporting trees,> I was
7 told I had to attend a meeting, and they told me that there was
8 no need for me to get into a vehicle of my team, and that I
9 should get into their vehicle. <I told them I was not done with
10 my report yet. Since I was not educated, it took me a long time
11 to come up with the total number of trees we collected.> And I
12 <then> was taken to a <nearby pagoda>, and that <pagoda> still
13 exists today. I was detained and my hands were tied behind my
14 back, and I was tossed onto a truck and transported away. Those
15 people who made the arrest -- that is, who arrested me, were not
16 the ones on the ground at the airport. They were people from
17 Phnom Penh. After they kicked my ankle to make me fall down, I
18 fell down, but I had a glance at them and I knew that they were
19 not the people at the worksite, but they were people from Phnom
20 Penh<. I was blindfolded before I was tossed onto the truck, and
21 trucked away. Although I could not see how many other people
22 there were> on the truck, I could hear sounds of other people
23 <groaning and crying. I could not tell the number of people on
24 the truck as I was also being blindfolded>.
25 [11.15.57]

1 Q. You mentioned in your statement that people came with lists of
2 names and called people out, and they were taken away. Did you
3 see that occurring? Did you see those names being called out and
4 workers being taken away?

5 A. Before <my own arrest,> I had <seen> it. <They came to us and
6 asked us of certain names.> And if we said that we <did not know>
7 the people whose names were on the list, then they would go <>
8 away. <At that time, everyone just minded their own business.
9 However,> sometimes we told <them> the names of the people we
10 knew when we were asked and later in the evening <those people
11 just> disappeared. And that included both people who were
12 transferred from the East Zone and some local people as well.

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

16 MR. PRESIDENT:

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

18 [11.17.43]

19 MR. KOPPE:

20 Thank you, Mr. President. I let it pass a few times already,
21 partly also because the witness used this word himself; however,
22 I think it is -- it would have preference to refer to the people
23 from the East Zone as "soldiers", soldiers who had just rebelled,
24 were involved in massive fighting, and to continuously refer to
25 them as workers as if they were normal civilians is, I think, not

41

1 accurate, and only under certain circumstances the word "workers"
2 would make sense, but in this specific case, I object to the use
3 of the word "workers". They were soldiers, they were military
4 people sent from the East Zone after a rebellion.

5 [11.18.36]

6 BY MR. SMITH:

7 That's a very nice submission on the Defence case. Your Honours,
8 they were soldiers, it's clear they were soldiers, but then they
9 came to work. This is very nuanced, "soldiers".

10 Q. Witness, did the East Zone soldiers that were sent to the
11 worksite, did they have weapons with them? Did they have guns?

12 MR. CHAN MORN:

13 A. No, they did not. When they were transported in, they <were
14 not allowed to> bring along with <them> any weapon<. Although
15 they were soldiers, but when they came to work at the airfield
16 construction site, they did not carry rifles anymore> as their
17 weapon <had been> confiscated. <For example, several truckloads
18 or a few hundreds of soldiers> from various units <or divisions
19 were brought in>, but none of them had any weapon with them, and
20 the only thing they had with them was clothes <and hammocks>.

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

23 A. I only knew part of the event. I was told by those workers
24 <who were working> with me in the forest that they were accused
25 of having a connection to the enemies. But as I said, I was

1 simply an ordinary worker, and I didn't know the real details
2 behind that. That's <what> I learnt was from those workers while
3 we were cutting trees in the forest. And at a quiet time, I asked
4 them about this and that's what I was told. <And we just tried to
5 work hard in order to stay alive.>

6 [11.20.54]

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

14 MR. KOPPE:

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

18 [11.22.20]

19 BY MR. SMITH:

20 We will do that, Your Honours. I don't have the E number right
21 now, but I'll obtain it for you.

22 Q. This is what the investigator said that you said to him when
23 you took him to the airfield in 2010. He said that you pointed
24 out a site to the northwest of Kampong Chhnang airfield about 180
25 metres from the location where you formerly lived during the

1 Democratic Kampuchea period, and about three kilometres from the
2 airfield's runway. A large tree is at that site. In 1977, he saw
3 trucks carrying troops leave the airfield at night between 10
4 p.m. and midnight. The troops were brought to that site and about
5 five minutes later, you heard screams and crying emanating from
6 that location. Several days later, you smelt the odour of
7 decomposing bodies coming from that site. The witness still
8 recognises that tree today, which is now in its original state.
9 At that site, the investigator was unable to see the signs of
10 grave pits, but he is suspicious about circular marks at two or
11 three locations near the tree.

12 [11.24.08]

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

25 A. It happened only after I went to transport wood, and while I

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

12 [11.27.05]

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

16 A. The photos shows the area behind the location where I
17 transported wood.

18 Q. And if we can look at the second slide please, and that's ERN
19 00436952 in the English. Can you explain what you are doing in
20 this photograph, what you are pointing to?

21 A. I <was> pointing to <a> big tree <from which I usually
22 overheard the screaming was coming>. You can see that <the place
23 I was pointing located> one big tree <and the bamboo scrubs>.

24 Q. And if we can show the next slide please, 00436951, it's
25 English photo, and Mr. President, I would ask that the photo stay

1 on the screen if possible, because it's been flashing up and then
2 flashing off.

3 MR. PRESIDENT:

4 Yes, your request is granted.

5 [11.29.48]

6 BY MR. SMITH:

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

8 MR. CHAN MORN:

9 A. <I was pointing at> the area where I <usually> heard the
10 <screaming of dying people>.

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

14 A. Near the big tree on the day that I accompanied the
15 investigator, we saw the circular marks, which could be the marks
16 of the former pits from that regime. <It is hard to recognize the
17 exact location these days as the area has become rather a
18 wilderness. We just saw old pits.> And as I said, this is the
19 area where I heard the screams emanating from and where I smelt
20 the <stench>. <Ordinary people hardly passed by the area.> And
21 the screams from this area, I heard it almost every night while I
22 was staying in the area. <I also smelt the stench coming from the
23 area.> However, the location is an open field now, but the big
24 tree still stands, and there still are some bamboo <scrubs> along
25 the stream.

1 [11.31.43]

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

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

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

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

19 [11.33.37]

20 Q. Thank you.

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

24 You said that you heard the screaming, for about how long would
25 you hear the screaming? Was it quick? Was it one minute, five

1 minutes, 10 minutes? Can you tell us how long it was?

2 A. The screaming lasted for about three or four minutes and
3 sometimes it was shorter than that, maybe two or three minutes,
4 then I could hear the sound of the truck returning.

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

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

13 [11.35.42]

14 Q. And was the airfield between the transportation unit and the
15 mountain you referred to?

16 A. The transportation unit was in between the <mountains>. <For
17 the tree cutting group, we stayed on the west> of the mountain,
18 and the distance was about three to four kilometres<, while the
19 transportation unit stayed on the other side of the mountain>.

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

23 MR. PRESIDENT:

24 Witness, please wait, and defence counsel Anta Guissé, you have
25 the floor.

1 MS. GUISS?:

2 Well, if I'm not mistaken, or in any case in <my> translation, I
3 did not hear the witness speak about <the> smell of decomposing
4 bodies, he just spoke about smells, so I believe that the
5 Co-Prosecutor here is adding extra elements, so I <therefore>
6 object <to this question>.

7 [11.37.26]

8 BY MR. SMITH:

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

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

16 MR. CHAN MORN:

17 A. Yes, that's what I told the investigator because when the wind
18 was blowing to my direction <from the place where I showed them>,
19 that was the stench or the strong odour that I smelt. <I usually
20 smelt the stench whenever the wind was blowing from that
21 direction.>

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

25 A. During the night that I stayed there, I heard the screaming,

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1 and personally at the time, I did not feel any good. I did not
2 know which day my turn would come. That's how I felt at the time
3 because, from what I saw, workers there were asking themselves
4 when our day would come, that is the day that we would be killed
5 or died. We were just waiting for the day. That's the bad feeling
6 that we had. Despite the food that we were given, we did not have
7 the happy feeling at all.

8 [11.39.55]

9 MR. SMITH:

10 Thank you, Mr. President.

11 MR. PRESIDENT:

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

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

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

20 The Court is now in recess.

21 (Court recesses from 1140H to 1331H)

22 MR. PRESIDENT:

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

24 And the Chamber gives the floor to the International Deputy

25 Co-Prosecutor to resume his line of questioning. You may now

1 proceed.

2 BY MR. SMITH:

3 Thank you, Mr. President. Good afternoon, Witness. Other than
4 comrade Met coming to the airfield on a number of occasions, were
5 there any other more senior Khmer Rouge leaders that attended the
6 airfield that you saw?

7 [13.33.12]

8 MR. CHAN MORN:

9 A. When they came <for the visits> I could see them <getting> off
10 the vehicle<; however,> I did not recognise those people because
11 I was staying far from the place where vehicles stopped. <We were
12 not allowed to get close to those people.>

13 Q. You were asked in your interview on E3/5278, whether you saw
14 senior leaders come to the airport and this is at 00292824;
15 Khmer, 00287528; and French, 00355865; you were asked this
16 question, "Did you see any Khmer Rouge leaders come to visit the
17 airport construction site at Kampong Chhnang?" You said, "In
18 early 1977, I saw a convoy entering through the access road to
19 the airport construction site. At that time I saw Khieu Samphan
20 and Ieng Sary visit the airport with armed vehicles and escorting
21 many soldiers. I did not know of purposes of Khieu Samphan and
22 Ieng Sary's visit but I saw Lvey and other chiefs at the airport
23 construction site with them. I saw Met coming to visit the
24 airport construction site once or twice a month."

25 Does that refresh your memory? You said earlier that the

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1 statement was correct, did you Khieu Samphan and Ieng Sary come
2 to the airport or the airfield construction site or did you not?
3 [13.35.20]

4 A. As I stated earlier <since> I was staying in <the> distance, I
5 could not see them well. <I was told that many senior cadres were
6 coming> to visit the airport construction site. <I just learnt
7 from other people that> senior <cadres were coming> to visit the
8 <construction site> in order to <see the test run of> the
9 <aeroplanes>.

10 Q. Thank you. And when you told the investigator that you saw
11 Khieu Samphan and Ieng Sary did you in fact see them at the
12 construction site or not, those particular people?
13 [13.36.13]

14 A. At that time many people < were getting> off from the vehicles
15 and <I had no idea who they were; however,> the <person> who was
16 <standing> close to me told me that they are senior -- they were
17 <actually the> senior <cadres who were> coming to visit the
18 construction <site. I was told of those names.> I was <standing>
19 behind others <because I was shorter than others>.

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

22 A. <It was the people> who were standing <guard> close to me
23 <that> saw <those individuals.> I was <standing a bit far away,
24 while others were closer. Three> days later an airplane landed at
25 the <airport for a test run. That's all I know>.

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

4 [13.37.50]

5 A. I was told <of> the two names <and other senior cadres who
6 were coming for a visit and to see the test run of aeroplanes.
7 That was what I was told>.

8 Q. And can you provide a time period, was that in 1976, 1977,
9 1978?

10 A. I could not recall it, whether it was in <early> 1977 or
11 <early> 1978 <when aeroplanes landed at the airport for the test
12 run>.

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

15 A. I could not understand, I do not understand your question,
16 please repeat.

17 Q. Thank you. It was a bit -- it was a bit general. So, perhaps
18 if I put to you what you told the investigator as to how
19 information was conveyed from the person in charge at the
20 construction site to others and I'll refer to E3/5278, English,
21 00292825; Khmer, 00287530; and French, 00355867. You were asked
22 this question, "What kinds of meetings were held at Krang Leav
23 airport construction site? Who convened the meeting? What were
24 the contents of the meeting? What were the decisions at those
25 meetings?" You answered, "They held a weekly meeting and chaired

1 either by Lvey or Yeng. The meeting discussed about construction
2 plan and attended by chiefs of different units at the
3 construction site. Then the chiefs disseminated and enforced
4 those decisions in their groups."

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

7 [13.41.01]

8 A. The <information came from Lvey to the office chief,>Ta Yeng
9 and Ta Yeng would <relay the information to different units and>
10 sections. <And those units and sections included the unit that
11 was tasked to collect trees like mine, the unit tasked to install
12 electrical posts, the unit tasked to lay electrical wires, and so
13 on. So the information was relayed accordingly through the
14 hierarchy>.

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

17 A. <> I could see two divisions<, but there> were other brigades
18 <that> I could <not> recall<. Anyway,> there were <only> two
19 divisions <- the air force> division <> and <the artillery and
20 radar> division<>. So there were two <>divisions<. Members of
21 smaller> units <were also brought to the airfield at a later
22 stage> but I did not know <from> where <and which units> they
23 were<>.

24 Q. Thank you. You said that you knew comrade Met reasonably well,
25 more so than others of your level in the army, I would like to

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1 quote to you what he stated at a meeting on 9th October 1976,
2 with other division secretaries and deputy secretaries and the
3 number is E3/13, and the English is 00940350; Khmer, 00052411;
4 and French, 0033980; and he said at this meeting when he was
5 asked to comment on the enemy situation, he said, "The enemy will
6 not be able to do anything for as long as our military is
7 politically hard and clean. It is imperative to strengthen the
8 party politically, ideologically and organisationally. It is
9 imperative to dare to absolutely to conduct purges." At the
10 airport were unit chiefs and other supervisors there responsible
11 to look out to see if there were enemies in the ranks, in the
12 workers, at the airport, at the airfield site?

13 [13.44.45]

14 A. It's difficult to <put it exactly. For example, if an>office
15 chief hated us <for having offended him or her by words or
16 behaviours, or for not working hard enough>, he or she could say
17 anything <about us as> he or she wanted<. He> or she could <write
18 that> we <had> betrayed Angkar <or whatsoever they liked. For
19 this reason, everyone had to be> afraid of these people<.
20 Anyway,> we were not only afraid of the <higher officials, but
21 the person that we were afraid of the most was the office>
22 chief<>.

23 Q, I would like to put to you another matter from another
24 divisional meeting between the secretaries and deputy secretaries
25 of the divisions, on 1st March 1977, and this is E3/807, and it's

1 at English, 00933834. I think we have an objection.

2 [13.46.12]

3 MR. PRESIDENT:

4 Please hold on International Deputy Co-Prosecutor. You may now
5 proceed Mr. Koppe.

6 MR. KOPPE:

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

22 [13.47.36]

23 MR. SMITH:

24 Your Honours, I don't propose to ask him questions about what
25 occurred at the meeting, at the divisional meeting, he clearly

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

12 [13.48.35]

13 (Judges deliberate)

14 [13.48.58]

15 MR. PRESIDENT:

16 It's too quick to raise your objection, Mr. Koppe, the
17 <International> Co-Prosecutor has not yet put <a> specific
18 question to this witness. Witness, you are instructed to listen
19 to the question clearly and also Counsel Koppe, please wait for
20 the question <before> you will have <an> objection. You may now
21 proceed, International Deputy Co-Prosecutor.

22 BY MR. SMITH:

23 Q. Thank you. The French ERN was 00323922; and the Khmer,
24 00052304. At that meeting on 1st March 1977, comrade Met said,
25 "It was said that there was a contradiction because the Chairman

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1 of a platoon had made a severe criticism", when referring to a
2 grenade being tied to kill a comrade. He then states, "It's
3 obviously -- obvious that a number of elements whom we had
4 previously arrested really are enemy elements. More than 50
5 no-goods have been sent to S-21." He then states' "There can only
6 be reliability if five more company secretaries are removed."
7 [13.50.32]

8 My question to you is, at the meetings at the airfield, were
9 there similar discussions about the removal of enemies from the
10 military ranks? This one occurred at a higher level but at the
11 airfield were there similar discussions about removal of enemies?

12 MR. CHAN MORN:

13 A. <After> big meetings <had been held, small> meetings <were
14 also held during which we were told to pay close attention to our
15 assigned tasks, but not to be easily convinced by those who were
16 not considered loyal to> the Revolution. In the <meetings,> we
17 were told that <the upper echelon wanted us to refashion well>
18 and to <stick to only> the lines of the Revolution. That was what
19 <people at the lower level were instructed; and that if we were
20 to> betray the revolution, we <would be dead>.
21 [13.52.20]

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

24 A. No. We were not asked to look out for enemies<. We> were
25 instructed to <complete the tasks in our area of responsibility.

1 For example, those> people from the East Zone <who> had <had
2 allegedly a different> tendency <were assigned to go and collect
3 trees with me. While working together in the forest, we, the
4 Khmer people, encouraged each other to work hard> to avoid any
5 <case of> disappearance. <We constantly reminded one another of
6 such a case>.

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

12 [13.54.13]

13 A. Yes, everyone was afraid and terrified. Everyone <including
14 myself, wherever we were assigned to complete a task, for
15 example, although we were cutting and collecting trees in the
16 forest, we still had the fear>.

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

20 A. I did not know. I heard people mention <of> S-21 but I myself
21 did not know <what it was>.

22 Q. You said in your statement that you were arrested and sent to
23 S-21 and then shortly after you escaped. Do you know whether that
24 in fact was S-21 or could it have been another security centre?

25 A. <>I <only> knew <> that the place was Tuol Sleng<. I only

1 heard later on from other people that Tuol Sleng was actually>
2 S-21<>. So <>I <just> knew <it as> Tuol Sleng, Tuol Sleng School.

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

6 [13.56.29]

7 A. Upon arrival at that place <everyone was> kicked off <the
8 truck; however, although> I was kicked <off the truck but> I fell
9 <on other people and I was not off-balanced. A man with whom I
10 had worked by the name of Mao (phonetic) took me by the hand to>
11 a toilet <located next to the school buildings. He then told me>
12 not to flee. <He warned me that I would be dead if I chose to
13 flee. I remained in the toilet. A moment later>, this guy <came
14 back and gave> me a piece of paper <upon which details of the
15 escape were marked for me. He then led me to the fence, and
16 opened a spot for me to make my escape. I just followed the
17 markings and instructions on the paper. I had with me a military
18 canteen of rice given to me by the said man>. It was around 2
19 a.m. at night that I could make <the> escape.

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

22 A. It was in the dark, we could not see anything<; moreover,> I
23 had cuts on my face and <>I was blindfolded as well<; thus, I
24 could not tell where the place was.> As I said <when> I was
25 kicked <off the truck,> I could see a flagpole and <> two <other>

1 poles <> with <ropes. Having seen that, the guy took me by the
2 hand to the toilet and> asked me <for what issues or reasons I
3 ended up at that place, and then he left. He then came back with
4 a piece of paper with some markings and some rice for me>.

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

12 MR. KOPPE:

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

23 [14.00.29]

24 BY MR. SMITH:

25 Your Honour, as you remember, I read out the summary -- I read

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1 out the portion of his statement where he exactly said that, that
2 people did die from conditions, people did die from suicides,
3 people did die from -- because of over-work and he agreed to
4 that. And so I put that to him, and as we know this witness has
5 said that where he saw the killings that was three kilometres
6 from the airfield by the transportation office which related to
7 the airfield. So my summary was accurate, Your Honour, even
8 though it was put to him from his statement, that's what he
9 agreed to.

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

13 [14.01.46]

14 MR. CHAN MORN:

15 A. How could I stop that<?> I myself could not <even> stop <my
16 case from happening. I just could not stop that from happening>.
17 I was <also expecting my day> to come<>. Everyone was afraid and
18 terrified. The <situation during the> regime <> was not <similar
19 to> that <of> the current <regime. These days, we listen to each
20 other when we talk; however, during the regime, if we happened to
21 talk to them, and we did not please them, we could easily be>
22 accused of <being> enemies<. And once a person had been> accused
23 of being <an enemy, no matter what type of enemy he or she could
24 be, the person> would <have been> arrested <that immediately. It
25 did not matter whether a person was a little boy or grown-up man,

1 whenever he did not please them in his talk, he would get
2 arrested. As for my case,> I did not commit any mistake at that
3 time<. I was just saying that if I was transporting> rice for the
4 enemies<, I myself could have been an enemy as well. I was sent
5 for imprisonment for only having said that. I became a subject of
6 arrest and execution that immediately. Nobody could stop that. No
7 matter who you were at that time, you just could not stop that
8 from happening>.

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

12 A. Even I myself, when I sought help from five people whom I knew
13 at the division, none of them dared to give me a safety way out
14 <except> Met<. My friend who helped me with my escape indicated
15 to me how to approach the five men. Actually I was telling them I
16 would like to see Brother Met before I die. Then I> was <taken to
17 see Met. Among the five people, it was Met who was willing to
18 help me live through the regime.>

19 MR. SMITH:

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

21 [14.04.21]

22 MR. PRESIDENT:

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

1 MS. GUIRAUD:

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

4 MR. PRESIDENT:

5 Yes, the Chamber grants your request.

6 QUESTIONING BY MS. TY SRINNA:

7 Thank you, Mr. President. Good afternoon, Mr President, Your
8 Honours, everyone in and around the courtroom and good afternoon,
9 Mr. Witness. My name is Ty Srinna, I'm a Lawyer for civil parties
10 and I have some questions to put to you to seek your
11 clarification regarding the events took place at the Kampong
12 Chhnang airport <construction> site.

13 Q. And my first question is the following, when was the Kampong
14 Chhnang airport project started and when was it <planned to be>
15 concluded, if you can recall?

16 [14.05.42]

17 A. I do not remember it. It <happened a long time ago>. I cannot
18 recall the exact date when the project was initiated <and when it
19 was completed>. And although I had been transferred elsewhere I
20 believe the project was completed when the Vietnamese troops
21 <were advancing>.

22 Q. <Thank you.> And when you started work at the Kampong Chhnang
23 airport worksite was there any announcement that the project
24 would last for a year or two, was there such an announcement at
25 the start of the project?

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

4 Q. <Thank you.> And did you know at that time <> whose idea was
5 it to build the airport worksite or did you hear similar account
6 from your superior -- that is, Lvey, that who actually came up
7 with the idea to build an airport at Kampong Chhnang and what its
8 purpose was?

9 [14.07.23]

10 A. I heard Met said that the airport was meant for military
11 operation -- that is, for the air force operation from the
12 parachuting troops.

13 Q. I would like now to ask you questions about the chain of
14 command at the Kampong Chhnang airport worksite and since you
15 were there from the beginning of the project you may be familiar
16 with the chain of command and as well as the labourers there. Can
17 you tell the Court how many labourers were there at the worksite
18 and what was the chain of command like?

19 A. At the beginning there <were> Song, Yeng and Lvey and a
20 handful of others who were in the leadership role and I was <the
21 one who drove them to the place>. And later on we also received
22 some Chinese technical advisors and we were in a group of the
23 first batch to arrive at the worksite. <Then, I drove the Chinese
24 around to do the survey and the measurement.>

25 [14.09.23]

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

3 A. It was Met to assign task to various other cadres, for example
4 those who were assigned to measure the terrain, or those who were
5 assigned to cut trees, or those who were assigned to uproot
6 <palm> trees or <those> to break rocks. So assignments were made
7 to various units and after the assignments were made those units
8 would <lead their respective members to> engage their respective
9 task. I myself was assigned to <drive> them in doing a terrain
10 measurement and to accompany the Chinese delegation <around>. I
11 did not have any other specific task than that.

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

17 A. No. It was dependant on their respective units. They had to
18 build their own sleeping <quarters>, it was a make shift type of
19 shelter that they had to build and each unit was responsible for
20 building its own sleeping <quarters and kitchen> for their
21 workers. <Those shelters were not made for them.>

22 Q. <Thank you.> Did they stay day and night at the worksite while
23 they were working there or they had to return to stay elsewhere?

24 [14.12.10]

25 A. At that time there were no houses for those workers. They

1 stayed with their unit. For example, for a unit of 50 workers,
2 they would stay within their respective unit or a group of 10
3 workers would stay within their own <> group. And the same thing
4 applied to the 100 men unit and for those -- for example, if they
5 were assigned to break rocks they would stay at the rock breaking
6 worksite and likewise the <ones> who <were assigned to lay> the
7 electricity cable <and install electrical posts, they> would stay
8 within <their> respective unit. <They had no houses as those
9 workers were single youths.> There were no wives or children
10 accompanied them at the worksite.

11 Q. <Thank you. Just now, you> mentioned <of> a rock breaking unit
12 and you said the same thing this morning and there was another
13 section for digging the ground<, filling the ground, collecting
14 rubbish> or uprooting trees. <Which> section that had to endure
15 the hardest working conditions at the worksite?

16 [14.13.35]

17 A. It was the rock breaking unit, the women group and another
18 group <whose task was to dig the> roots of all kinds of trees
19 including palm trees. They had to locate those roots and had to
20 clear the terrain and there had to be no root or anything left on
21 the ground. <Not a single piece of any root was to be spotted on
22 the location.> That was the hardest section as well as one for
23 the women <and the unit in charge of blasting rocks>. However for
24 those who <were assigned to transport earth by trucks>, that part
25 was not really a -- the hardest one <as they were there to drive

1 the trucks. Those who worked the hardest were members of the
2 rock-blasting unit and root-clearing unit.>

3 Q. <Thank you.> So the rock breaking unit and women's unit faced
4 the hardest working conditions. And what kind of <workers was>
5 assigned to these two <units?> Were they ordinary workers or were
6 they considered <> offenders committing some kind of mistakes,
7 either it was a minor mistake or a serious mistake? <Or only
8 those who had committed wrongdoing were assigned to work the
9 hardest?>

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

19 [14.15.55]

20 Q. And through your experience <for having worked> there, did you
21 ever see any worker falling down or died from overwork or
22 exhaustion or from work related incident or whether they were
23 wounded from any other sources? <Or was there any work-related
24 incident at a bigger scale compared to the ones I just
25 mentioned?>

1 A. It was the most terrible working condition for the two units
2 that I just mentioned. We were given watery gruel and they had
3 <to> endure the hard working condition in particular for those
4 women and as you imagined it would be extremely difficult <for
5 women to work with wood choppers> to <locate> the roots of <palm
6 trees. You could imagine that unlike an ordinary tree, a palm
7 tree had numerous roots. And the same condition was experienced
8 by those members of the rock-blasting unit. One did not have to
9 commit any wrongdoing to be sent there to work. Although they
10 were good, all members of the unit were afraid of one another.
11 However, they showed sympathy towards one another by saying that
12 they had no idea what the future held for them>. It was a very
13 difficult situation for them and of course they were work related
14 incidents and it happened every day. Some of them were injured
15 from overwork or exhaustion from malnutrition and as for those
16 who worked at the rock breaking unit, sometimes the rock fell
17 upon them <and died> and sometimes, in particular for women <who
18 were exhausted from work, and fell down>, sometimes they <were
19 run down> by rollers on site. So <> there <were> always <two or
20 three accidents per week> at the worksite.

21 [14.18.11]

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

25 THE INTERPRETER:

1 There is no response from the witness.

2 BY MS. TY SRINNA:

3 Q. Did such work-related accident happen only at the site you
4 worked or was everyone <else> working there familiar <with> such
5 an accident throughout the worksite?

6 A. I can only say that, for example, if we were sitting together
7 in a group of three, only three of us would know what happened<.
8 If one among the three people got injured, we would call an
9 ambulance and the ambulance would come to take the person away.
10 So only a few people at the scene would be aware of the incident.
11 When other people happened to ask about the missing person, we
12 would tell them what had happened. But we would not just go
13 around and tell everyone that this or that person had died or
14 injured. That was what we did, nothing else>.

15 Q. Did anyone die on the site?

16 [14.19.40]

17 A. People, yes, died in their respective <units>, in particular
18 those who <>worked at the rock breaking -- in the rock breaking
19 unit. <Because of exhaustion, they could hardly run when rocks
20 were flying in their direction. Some of them got hit and died
21 from the rocks flying on the worksite,> and the body would be
22 taken away by a vehicle.

23 Q. <Thank you.> In such a case of work related death, for example
24 from rock hitting, did the -- was the supervisor on the ground
25 aware of what happened and was there any measure taken to prevent

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1 future happening<?> And was there any compensation from the
2 management of the worksite to those -- for those who died?

3 A. During the regime, <no> compensation <was paid>. If you died
4 it simply means you died, there's no compensation. And at the
5 time materials and equipment were important than human life, for
6 example, if a car rode off the road and then the people or the
7 driver would be <blamed and> accused of delaying the work <and
8 damaging the property> despite some injuries to passengers. So
9 the work and the tools were more important than human life.

10 [14.21.35]

11 Q. You said this morning <that> on the worksites, some women were
12 assigned to work, were those women soldiers or were they
13 civilians?

14 A. All the workers on site were <female> soldiers, there was no
15 civilian.

16 Q. This morning you also said, in your response to the
17 Co-Prosecutor, about workers committing suicide and you also
18 mentioned that in your written record of interview -- that is
19 document E3/5278, and ERN in Khmer, 00287528 - 29; and in
20 English, 00292824; and in French 00355865 - 66. The Co-Prosecutor
21 read <to> you a quote about people committing suicide by running
22 into a roller and most of them were women<. Do> you know the
23 reason why those women committed suicide by running into a
24 roller?

25 [14.23.32]

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1 A. It was due to starvation<, sickness> and fatigue and they even
2 had to work while they were sick. So they did not have any hope
3 to hang on to and the women's group was working close to the
4 operation of heavy machineries -- that is, close to rollers and
5 bulldozers or excavators, as they were assigned to clean the
6 terrain by picking all roots <of palm trees>, all kinds of roots.
7 <The place was full of palm trees. It was likely that these palm
8 trees were just a few metres from one another. >They had to clean
9 nicely and carefully<. They had to dig about one metre and
10 sometimes two metres deep to find the roots. Those women were to
11 follow those rollers and heavy machineries to pick up the roots>.
12 And out of desperation from overwork and starvation <sometimes>
13 they just rolled themselves on the ground to be crushed by a
14 roller.

15 Q. Were <those> supervisors aware of such <an> incident?

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

19 [14.25.20]

20 Q. <Was> any measure taken against -- to prevent <future
21 reoccurrence of such issues including> desperation by workers?
22 For example, in terms of lack of food, was food issue resolved,
23 because as you said the airport worksite at Kampong Chhnang was
24 an important project from the point of view of the <Party>? Was
25 food issue <faced by workers> resolved<>?

1 A. There were some sorts of solutions to the food issue.
2 Sometimes when there was enough rice to cook, then the gruel we
3 had was rather thick and the fish was brought in from the <Great
4 Lake> but it was not abundant. It is very difficult for me to
5 describe about the food situation at that time.

6 Q. In <the> same written record of interview, you said that
7 people who came <for the> arrest were those from outside the
8 worksite. And you were asked <of> that question by the
9 Co-Prosecutor; <however,> I am unclear on your response. Can you
10 please repeat <as to> why such outsiders <were permitted to enter
11 the worksite and to arrest workers <from the worksite? Could> you
12 elaborate on that?

13 [14.27.24]

14 A. I think that was the decision determined by the chain of
15 command from the chief of office up to the unit chief -- down to
16 the unit chief. <And the most powerful of all was the office
17 chief because he had a communication> radio <through which he
18 could make reports. The office chief was actually more powerful
19 than> the division level. <He was even more powerful than his
20 superiors.> And to my understanding the authority of the chief of
21 office was more authoritative than that of the division<. He
22 could get anyone killed as he wished. Of> course they maintained
23 their communication through this chain of command via radio. <As
24 a messenger like myself, our task was to accompany people
25 around.> And at that time <> if <we had used> a wrong word, <we

1 would have been> accused of being an enemy.

2 MS. TY SRINNA:

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

6 [14.28.37]

7 MR. PRESIDENT:

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

9 QUESTIONING BY MS. GUIRAUD:

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

1 in the five storey house and the <newcomer> worker-soldiers who
2 would sleep on the worksite?

3 [14.30.22]

4 MR. CHAN MORN:

5 A. <That was the difference between those who arrived first and
6 those who arrived later. Those who arrived at a later stage were
7 transferred straight to the worksite. They were distributed to
8 various units including rock-blasting unit, tree-cutting unit,
9 water supply unit and electricity supply unit. As for the people
10 like myself, who came to the construction site at the early
11 stage, we stayed with the Chinese as we had to drive those
12 Chinese engineers to various sections or units such as water
13 supply unit and electricity supply unit. Those who came at a
14 later stage and distributed to their respective units including
15 those in charge of installing electrical poles, laying water
16 pipes, and so on, were sent straight to the airport construction
17 site. They> did not come to sleep at the Chan Sari barracks.

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

24 [14.32.22]

25 A. Those who were in charge of building the <runways> were

1 sleeping at their worksites and <>those who <were in charge of
2 transporting> rocks would stay at <their> place<, while> those
3 who were in charge of transporting <sand,> they would sleep at
4 their quarters <located in Baribour>. So as I stated they <worked
5 and> slept <accordingly within> their <respective areas of
6 responsibility>.

7 Q. And at times did you ever visit these sleeping quarters and if
8 yes, can you describe them? Were they very different from one
9 unit to the other or in general were they built in the same way
10 <and out of the same materials>?

11 A. <During the regime, only> halls <were built for those workers
12 to set up their> hammocks <one after another. In some other
13 cases, small and young trees were used as floors to sleep upon.
14 Most of those workers had hammocks, so they would set up their
15 hammocks either legs to legs or head to head one after another.
16 They were long halls, and the kitchens were next to the halls.>
17 In that period there were no proper sleeping places <like what we
18 are enjoying these days. Usually> workers slept in hammocks made
19 of <khaki cloth>.

20 [14.34.29]

21 Q. Thank you. You also told us earlier that all of the workers on
22 the worksite were soldiers, so did they all wear uniforms or
23 <did> they wear other kinds of clothes?

24 A. <During the regime, we had no other kinds of clothes.> We had
25 two set of <those uniforms> each; if a pair of uniforms got wet,

1 we put on the other pair. However, if it rained, and both pairs
2 got wet, we had nothing else. As> I stated earlier there were
3 <only> two sets of <military uniforms> for <each worker, nothing
4 else. In case, both pairs got wet, we just had to heat them with
5 fire in order to have something to wear.> Everyone <including
6 myself> had <only two sets> of clothes<, nothing else. The
7 uniforms were made of strong fabric.>

8 Q. So were these military uniforms or were these civilian
9 clothes, other than uniforms?

10 A. Yes, <they were> military <uniforms> not civilian clothes.
11 <We> had <only> military uniforms.

12 Q. Thank you. Now I would like you to react to one of your
13 statements before the Co-Investigating Judges regarding the
14 people who <> fell ill on the worksite. And you spoke about these
15 people this morning as well as this afternoon. And I'm going to
16 read to you the question that was put to you back then and the
17 answer you provided and I'm going to ask for clarification with
18 regard to the information you provided back then to the
19 investigators.

20 [14.36.25]

21 So, I'm speaking about the document that we have been referring
22 to since the beginning of the day E3/5278, French, <ERN>
23 00355866; English, 00292824; and Khmer, 00287529; and you were
24 asked back then the following question, "Where were the sick
25 soldiers workers <> taken to? Did many of them fall ill? What

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1 kind of illnesses did they suffer from?" And you answered back
2 then, and I quote, "The worker soldiers who were ill were brought
3 by car to be treated in Kampong Chhnang. Each day there were
4 about 15 of them who fell ill and most <of the> diseases were
5 malaria and exhaustion due to <malnutrition>. There was always
6 ambulances on the worksite."

7 Do you remember saying this, and if yes, can you be a bit more
8 specific with regard to the kind of illness that prevailed on the
9 worksite and also with regard to the ambulances you spoke about?

10 [14.37.54]

11 A. Most of them suffered from <malaria>. For example, my group
12 <who was assigned to collect trees in the deep jungle beyond the
13 area of> Krang Skear <into the areas of Ta Sal and Thma Bang next
14 to the area of> Aleak Khang Cheung (phonetic) and Thma Bang
15 <where leeches were common. So> we <had to take those who had
16 contracted> malaria <from those areas to> our workplace <from
17 where the> ambulances <would take them> to the hospital <in the
18 provincial town of Kampong Chhnang which was considered> the zone
19 hospital. Anyone who fell sick <after returning from the jungle
20 would be taken by the> ambulances <> to the hospital<>. Most of
21 us got malaria, <in particular>, people from the East Zone <who
22 were not used to living and working in the jungle. There were
23 many cases of malaria>.

24 Q. Thank you. You told us that some of the worker soldiers were
25 sent to the hospital when they were sick. Back then, did you see

1 any of these worker soldiers come back to the worksite once they
2 went to the hospital. Did you ever see them come back from the
3 hospital to get back to work on the worksite?

4 A. Yes, those who <had> recovered from illness <were returned> to
5 the worksite<. They> were not allowed to stay long at the
6 hospital<. Whenever they felt better,> they would be sent back to
7 <their respective units or groups at the> worksite. <Those who
8 were returned were not completely recovered from their sickness
9 yet as some of them were still suffering from fever. At that
10 time, many people contracted> malaria.

11 [14.40.20]

12 Q. Thank you. So the worker-soldiers on the <>airport worksite,
13 were they <monitored> in any way?

14 A. There were <police> groups <whose tasks> were <to> walk
15 <around and watch over all the working units there. These police
16 groups belonged to the Centre.> I <did> not know where <they>
17 were from. <Sometimes, a truckload of them were sent out in the
18 morning to watch over my group when we were working. They> were
19 on the vehicle and watching over us from that vehicle. I did not
20 know them at that time and I heard that they were <being>
21 referred to as <the policemen>.

22 Q. Thank you. Beyond these <car> patrols, did <any> foot soldiers
23 <monitor> the workers <on the ground, at> the airport worksite?

24 A. These <police> men were <on a patrol> in the morning <and a
25 short patrol in the afternoon>. <Workers in each unit worked

1 accordingly within their respective unit. Those policemen just
2 drove around on a short patrol before going back to their
3 office>.

4 [14.42.29]

5 Q. And when you would go into the forest with the people who were
6 under your responsibility, the "men from the East", as you said,
7 were <these men monitored and were> you in charge of <monitoring>
8 these men?

9 A. People from <the> East Zone <also came, but I do not recall
10 their names anymore as many of them have died. We, drivers> were
11 also asked to watch over the people from the East Zone. And <upon
12 arrival, those> workers <were split into working groups with a
13 truck for each group. They cooked, ate and slept together in
14 their respective working groups. We did not talk much. However,
15 while felling down trees, I would go to see them, and have a
16 chit-chat with them and asked where they came from. Those were
17 the small chit chats I had with them. I did not ask them in
18 details of what they did and the reasons they ended up there>. As
19 I stated earlier we <dared> not <>discuss <much during the regime
20 as there could have been spies among us>.

21 Q. And when you said that many people from the East Zone died,
22 can you be a bit more specific <about> that? Did you die during
23 the period that you were in charge of watching over them and if
24 yes, how did you know that they died back then?

25 A. It was later <on after they had returned from the assignment

1 to collect trees. Those people from the East Zone were asked
2 later on> to work in the airfield <during which> many of them
3 died<. They died when they came to work at the airfield.> During
4 the time <>they were sent to <fell down> trees, not many of them
5 died, <however,> I <noticed> that <once in a while,> one <at a
6 time, they> disappeared<. I am referring to those who had held
7 senior positions who disappeared one by one> every month from
8 <the working groups. Although, I had been removed and sent to
9 work elsewhere,> I also <learnt> that many of <them died while
10 returning to work at the airfield. During the escape in 1979,
11 some of my colleagues told me that many of them die while working
12 there.>

13 [14.45.35]

14 Q. Once the worker-soldiers from the East Zone <finished felling
15 trees>, do you know to which other tasks they were then assigned?

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

21 Q. And when you would <supervised> them when they were cutting
22 <timber>, were you armed? Because you said as a driver sometimes
23 you would have to <monitor> these workers?

24 [14.46.52]

25 A. Yes, there was a rifle in each <truck>, so we had one rifle

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1 with us in <each truck>. The rifle was given to us in order to
2 that we could use to <kill wild animals for food. We actually
3 went hunting in the jungle. However,> we never used that rifle to
4 kill <any> of the workers but we used it to go <hunting for> wild
5 <animals. At night, we, both the East Zone people and my team
6 from 502 who accompanied them went hunting>. And as I stated
7 earlier, <since I> was familiar with the location, I was the one
8 who led the group <carry out the task> and again there was a
9 rifle in <each truck>.

10 MR. PRESIDENT:

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

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

15 The Court is now in recess.

16 (Court recesses from 1448H to 1506H)

17 MR. PRESIDENT:

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

19 And before I hand the floor to the Defence teams, I'd like to
20 <know> from my fellow Judges if you wish to put questions to the
21 witness. And Judge Lavergne, you have the floor.

22 [15.06.38]

23 QUESTIONING BY JUDGE LAVERGNE:

24 Thank you, Mr. President. Good afternoon, <Mr.> Witness. I'll put
25 a few questions to you to have you clarify some of the answers

1 you gave this morning. This morning, you stated that after the 17
2 April victory, you went to Kampong Som to seek aid provided by
3 China. Can you tell us or clarify when exactly you went to
4 Kampong Som for the first time to pick up the aid.

5 MR. CHAN MORN:

6 A. I cannot recall the date. I <have forgotten> about <the month
7 and the date>. For the first trip, there were 50 of us who went
8 to pick up the <aid> equipment and tools <unloading from the
9 ship>. And basically, there were vehicles shipped from China for
10 us. <I do not recall the date.>

11 Q. But do you remember whether it was several months after the 17
12 April victory or only a few weeks after that or only one month
13 after that? Can you give us an estimate of the time <that elapsed
14 between> the victory <and> when you went to Kampong Som?

15 A. It was about three months after the 17 April 1975 period. I
16 could say it <was> between three to four months after that. I
17 cannot recall the exact months -- the exact number of months. <It
18 was not long after that when we went to collect those things.>

19 [15.08.56]

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

22 A. Yes, I did. I saw Chinese planes landing at the airport. And a
23 plane would land every two or three days -- that is, when I was
24 there, although I did not stay regularly at the airport site.

25 However, during the period that I was at the Pochentong airport,

1 I saw a Chinese plane land <on the airport> every few days.

2 <However, I did not base -- fixed at the airport as I was also
3 asked to do some tasks outside the airport.>

4 Q. Were there any planes from <> countries other than China?

5 A. No, there was no other <plane> except those from China.

6 Q. Did <the> Chinese planes transport <mostly> passengers, or
7 also equipment?

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

12 [15.11.03]

13 Q. Regarding <the> passengers arriving on the Chinese planes,
14 were these people Chinese advisors or <prominent Cambodians
15 returning to Cambodia>? <Were they foreigners?> Do you have any
16 idea as to who the people who were transported on those planes
17 were?

18 A. I saw cargoes or equipment that the plane brought in and I saw
19 some Chinese as well. Because I was not part of the inner circle
20 of the airplane -- that is, to receive passengers, I did not know
21 the full details of the passengers coming off the planes. So I
22 basically knew only about the equipment and tools that were
23 brought in via plane and I saw some Chinese. <We belonged to
24 different sections. Some of us were working inside, while I was
25 working outside. Not all of us worked inside the airport. We

1 belonged to separate sections. There was a group of workers who
2 were in charge of the cargo, while another group was in charge of
3 transporting the cargo.>

4 Q. When you went to Kampong Som, you said this morning that
5 <among the> equipment -- including trucks -- <there was also
6 equipment> used for digging canals. <I believe> you said "There
7 were <carts>, <there were> hoes." Can you <confirm this? Was
8 there> indeed equipment used for digging canals?

9 [15.12.57]

10 A. There were hoes, earth carrying baskets; and for machinery,
11 there were those machineries for the purpose of digging canals;
12 there were bulldozers <and cranes> as well. So, those heavy
13 machineries were meant for canal construction. And those
14 machineries would be stored at the airport for further
15 distribution. But I was not sure as to which provinces were those
16 machineries distributed to <at a later stage>.

17 Q. But this morning, it appears that you said that "some of the
18 equipment was to be sent to the site of the Kampong Chhnang
19 airport, and the other equipment was meant for other regions." Is
20 that indeed <the case>? Among the equipment <that arrived>, was
21 <a> part destined for the airport construction site and <another>
22 part for <the> other regions?

23 A. Yes, indeed, that was the case. We were told the batch of
24 machineries for the airport construction was in a separate batch
25 from those machineries destined for <the canal construction.

1 However, all the equipment and materials came along with the
2 trucks destined for the airport construction. The whole things
3 came together.> And those equipment would be further sent <for
4 canal construction in> other provinces <or zones>, though I did
5 not know the details. And we brought those equipment <and
6 materials> along in a convoy of vehicles. And there <were> all
7 kinds of equipment and tools including <> hoes and baskets <and
8 all sorts of things> aiming for the construction of <roads> and
9 canals. There were also saws -- automatic saws for cutting wood,
10 etc. But as I said earlier, I did not know to which <districts or
11 provinces> those equipment and tools were later distributed.

12 [15.15.30]

13 Q. Do you remember when, for the first time, you delivered
14 equipment on the Kampong Chhnang airport construction site? Was
15 that immediately after the reception of the first batch of
16 equipment or at another time?

17 A. As for trucks, we drove them to Phnom Penh. As for other
18 machineries, namely rollers, they would be placed on the train,
19 and the train would depart the port and arrive at Tuek Phos
20 district -- that is, <a place so-called Romeas from where we
21 drove> those machineries <via a new road in Romeas to> the
22 airport construction <site. As for the trucks, we took a shortcut
23 via> Udong <in order to get back to National Number 4, and went
24 all the way to> the airport <construction site>. And a lot of
25 <pieces of> equipment were brought in to be stored at the airport

1 warehouse around May or June, if it is according to my best
2 recollection.

3 [15.17.07]

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

7 A. That <was> after the liberation of Phnom Penh in <1975-1976>.
8 I <was referring> to the months in 1975 <after the liberation of
9 Phnom Penh>.

10 Q. So the equipment was taken, as of May or June 1975, to
11 warehouses close to the airport construction site; is that your
12 testimony?

13 A. Yes, that is correct. The machinery including rock breakers
14 <were actually brought> right <at> the mountain as they would use
15 sheet to cover those rock breakers.

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

18 A. The first contact I made with the Chinese <was> when I went to
19 pick up the equipment <on my first trip>. I went along with him
20 and I was waiting to receive the equipment at the port. But I
21 cannot tell you the date as I cannot recall it. And when I
22 transported the equipment to the airport, they came along in the
23 convoy and there were already <other> Chinese on the ground to
24 receive them <and to verify the amount of equipment brought to
25 the airport>.

1 [15.19.46]

2 Q. Can you give us an idea of the number of Chinese advisors who
3 were present during that period? And did that number change with
4 time; did it increase with time, did it decrease, did it vary? <I
5 don't--> can you enlighten us on that point, please?

6 A. Initially, the first time I saw the Chinese, I saw a group of
7 50 Chinese advisors when I brought them to repair old planes.
8 However, when I was assigned to measure the terrain for the
9 airport projects, I saw <over 100> Chinese who were technical
10 advisors. They were experts in the field of building
11 constructions or in laying electricity cable. But I cannot tell
12 you the exact number of those Chinese technical advisors, that
13 there were quite a large number of them. And <on a daily basis,>
14 they were brought <> by three <long trucks> to the airport
15 construction site.

16 [15.21.22]

17 Q. Were those Chinese advisors speaking Khmer, or <did> they
18 <speak> through interpreters?

19 A. Of course, there were always interpreters. There were some
20 <Chinese-Khmer> interpreters. <They were Khmer and they spoke
21 Chinese>.

22 Q. Were there work <meetings> attended by Khmer <Rouge cadres>
23 and Chinese advisors<, and what were those meetings about>?

24 A. I did not know about the meeting as I was not allowed to
25 attend the meeting of those officials. If they were to hold a

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

9 [15.23.11]

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

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

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

24 [15.24.51]

25 A. Rock breaking process was that, first they drilled a hole into

1 the rock, and the drill was a large one with a supply of water to
2 cool down the drill head. However, it was pretty hard work as the
3 holder had to control the movement of the drill. <And because of
4 the movement and insufficient food, those people get tired
5 quickly.> And then they had to hurry to complete the drill,
6 because <at about 10.30 a.m.>, they would have to use the
7 explosion to break the rock. <Usually they would do the blasting
8 just before lunch break. Because it was closer to lunch, and most
9 of them got very exhausted already as a worker was required to
10 blast several places, they did not run fast enough; and a
11 result,> the fragments <from> the rock hit <and injured>
12 workers<. Some of them got injury in their legs while others got
13 injury in their head.> And of course, they knew what was coming
14 but it was from the over-exhaustion that sometimes they could not
15 run fast enough. And they were hit by rock fragments when
16 explosive was ignited. And the rock breaking unit <and the women
17 unit were> the <ones> who had the most accidents during the
18 construction of the airport.

19 Q. Can you tell us whether there were working hours imposed in
20 the case of workers on the airport construction site? And were
21 these working hours the same for all workers or <did> they
22 vary<>?

23 [15.26.56]

24 A. The working hours were the same across the board for all
25 workers. In the morning, each unit would depart to their

1 respective worksite, for example, for those who had to carry the
2 earth or the sand. And we all rested at 11.00 and we had lunch at
3 11.30. And we started again at 1.30. And working hours remained
4 the same for all the workers on site.

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

8 A. It varied. For the morning time, we usually left around <6.30
9 a.m.> and the work started at <7.00 a.m.>, and we stopped at 5.30
10 in the afternoon.

11 Q. Now, did the Chinese advisors working on the airport
12 construction site have the same working hours and did they have
13 the same food regime as the Cambodians working on the site?
14 [15.28.54]

15 A. No. They ate a different set of food. They had a meal in the
16 morning, another meal at noon, and another meal in the evening at
17 the Chan Sari barracks. And only the Khmer soldiers, who worked
18 there, ate separate food from the food given to the Chinese. <The
19 Chinese had three meals per day.>

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

21 A. When I was with the Chinese advisors, usually a reception or a
22 banquet was held weekly. And when they went to repair old planes
23 at various provinces, the same thing happened, I mean the
24 <Chinese> had a banquet on a weekly basis.

25 Q. What was the menu of this banquet? Was it very removed from

1 the ordinary menu of the workers on the worksite? For example,
2 <was there> beer <available> during these banquets?

3 [15.30.38]

4 A. Yes. During the banquet, they had their own beer to drink. I
5 don't know whether it was called <Singha (phonetic)> or
6 something, it was in a blue bottle. Even on the days the banquet
7 was not held, they have abundance of food to eat and beer to
8 drink. It was in absolute contrast to the food that we, foot
9 soldiers, ate on site. When there was rice, we were given thick
10 gruel, but at other times, only watery gruel was given to us.
11 <Usually we had thick gruel for lunch and watery gruel for dinner
12 or vice versa.> For the Chinese, they regularly had bread and had
13 their traditional noodle. And of course, I observed that when I
14 escorted or accompanied them to work at various provinces <and
15 other places>.

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

18 According to you, did they know what was going on on the
19 worksite?

20 [15.32.20]

21 A. Yes, they knew about disappearance, about suicide, and about
22 diseases namely malaria. And of course, they learned about those
23 events through interpreters. <I was once told by an interpreter
24 that for those who worked in the forest, they should have asked>
25 the Chinese <for> medicine for the treatment of malaria<. And

1 they also gave us some medicine to bring along to the forest.>
2 And in case of disappearance, as in my case, and later on I
3 reappeared, they were perplexed <as when other people
4 disappeared, they were just gone forever>. They did not know what
5 was going on as I disappeared from the airport worksite, and
6 later on, they saw me at the radar section. <They asked me how
7 long I had returned, and I told them that I had returned for a
8 long time.>

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

11 A. The interpreter asked me about that. The interpreter asked me
12 <where I had been.> And I told the interpreter that <I did not
13 even know where I was taken, but upon arrival at that place, I
14 made an escape. I further told him that it was> Met <who> helped
15 me and <sent me> back to work <there>. Later on, I did not dare
16 to walk away from my sleeping <quarters> or from the place where
17 I worked -- that is, at the <top of the> mountain. <Only when> I
18 was told I had to <transport> all the materials from the
19 mountain> to Samlout <did I leave the place>. Later on, I <could
20 not stay> with those people <anymore> because they <always tried
21 to harm> me. <I witnessed people die all the time.>

22 [15.35.01]

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

24 A. <It is> difficult to <say who actually was trying to harm me.
25 They could have been my own> unit chief <or the big chief.

1 Sometimes we arrived at a particular place late because my truck
2 broke down along the way or I lent hand to fix other trucks; and
3 I would be blamed for having destroyed the truck and or being
4 careless. They would mention that each unit of those things cost
5 millions.> They mentioned <of a lamp on a piece of> the heavy
6 machinery. The unit chief at the time said that if one lamp <had
7 broken, it would have been equivalent to the loss of food that
8 could feed the whole population of> Kampong <Chhnang>. And it was
9 said that <the> life <of the person who broke the lamp was not
10 any equivalent to the lamp itself. Thus, when> I was told to
11 drive the vehicle uphill, I was warned and alerted to be
12 <cautious, and that if I had caused any damage to the truck, I
13 would not have lived as well>. So I had to be careful when I
14 drove the vehicle uphill. <If the truck had rolled over, I would
15 have died at that time. I had to pay utmost attention on the
16 task. Like> he said<, the cost of> one lamp could <buy enough
17 food> to feed the whole people of Kampong Chhnang. And I did not
18 <really understand to what> he was referring <> because at that
19 time, I could not see people in Kampong Chhnang province. <My
20 relatives who had lived the provincial town of Kampong Chhnang
21 were> evacuated elsewhere.

22 Q. All of the people who originally lived around the airport, had
23 they all been evacuated? So there was not one single original
24 inhabitant left on site; is that what I must understand?

25 [15.37.50]

1 A. Yes, no inhabitants in the province. They had been evacuated
2 elsewhere.

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

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

9 Q. Was there for example, one day of rest every 10 days?

10 A. No, there was no such a <day of rest>.

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

14 A. All <the> soldiers did not <have any other day of rest. They
15 only had that day of rest>. We had no <another day of two days of
16 rest>. No resting time at all at my place. Although the Chinese
17 experts <were enjoying their day of> rest, we Khmer workers <were
18 not entitled to that>.

19 [15.40.21]

20 Q. I just want to get back to the <daily> working schedule
21 again<>. So, in the morning or in the afternoon, aside from the
22 lunch break, were there other breaks?

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

24 Q. You explained that you would leave for work in the morning at
25 around 6.30 and you would arrive on site at around 7.00, and then

1 there was a break at around 11.00. And at around 11.30, you had
2 your lunch, and then you would work in the afternoon until, I
3 believe it was, 5 o'clock, if I'm not mistaken. But during the
4 morning and during the afternoon, were there other breaks?

5 [15.41.44]

6 A. There was no <time of> rest <> or break <> as <I> mentioned<>,
7 Your Honour. <However, while working on a task, and we got> too
8 exhausted, the<> group chief would allow us to take a short
9 break<, and we resumed work a moment later>. There was no such
10 <a> break, for example, a short break between <7.00 and 9.00
11 a.m.> in the morning. But as I said, <when workers> were too
12 exhausted or tired, <they> would be allowed by <their> group
13 chief to take a short rest <for water or a cigarette. The
14 situation varied depending on those group or unit chiefs.
15 Anyways, workers with harsh> chiefs were <> not <allowed> to take
16 even a short rest.

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

20 [15.43.01]

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

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

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

1 instructed to <truthful to the Party>, nothing but the truth for
2 the Party. And as for <assignments> or duties, we were instructed
3 <that they came from the Party, and had to be completed at all
4 cost>. And I had -- we had to submit <to the office chief a sheet
5 of our> brief biography every week. <However, it was exceptional
6 when> we were assigned to work in the forest for one or two
7 weeks, <as> we <could> submit <to them a sheet of our biography>
8 after we returned from the forest. <Since they knew where we had
9 been, they would not ask us much.> And if we <had gone to> work
10 in <other provinces for several days or months, we could write
11 for them a sheet of what we did. I had to submit my biography the
12 whole time through. We were asked of our determination,
13 commitment, and allegiance>.

14 [15.45.14]

15 Q. Were there any elements in the biographies that could be
16 considered as showing <what was referred to as> "bad tendencies"?
17 Was this <> expression <used>, "bad tendencies"?

18 A. They <already> knew <it through> our biography <conducted by
19 their investigators>. So, as for my case, my biography was known
20 to them without <having> me to tell them everything about my
21 family members, whether I had any member in the family who was a
22 doctor, and so on and so forth. During Khmer Rouge period, I
23 could say that my place perhaps <could have> been the first
24 location where <the Khmer Rouge passed through; thus, our>
25 biographies were known to <them. Initially, when they came to

1 launch attacks along the national road, they also came in and out
2 of my village; thus, they knew who the villagers were.>

3 [15.46.42]

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

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

7 Q. In the biographies, what was the kind of information that
8 would particularly catch the attention of the Khmer Rouge? For
9 example, the fact of having a relative who might have served as
10 an official or as a serviceman under Lon Nol. Was this the kind
11 of information that might catch the Khmer Rouge's attention?

12 [15.47.50]

13 A. When I was there, I was required to <write in my biography the
14 number of> family members<, their occupations, and the
15 occupations of my parents, my uncles, my aunts, and so on>. And
16 later on, after the biography <had been> submitted, they would go
17 from <one> village<> to <another village> to verify it. <However,
18 they did not do this when we were sent to fight in battlefields.>

19 And we -- our biographies were verified during <the regime that
20 lasted for> the three months -- three years, eight months and
21 twenty days. <After we had submitted our biography, they actually
22 went to investigate the information provided in our biography and
23 to verify the number of family members a person had and their
24 occupations by going from one village or commune to another>.

25 Q. How did you become aware of these investigations <that were

1 carried out>? Did someone tell you about them? How do you know
2 about this?

3 A. I asked them about that. I secretly asked <a> colleague <> how
4 <and what> they <were asking in villages<. For example, as> for
5 my case, <since I was from> Krang Skear commune, <> they <went to
6 the commune and to my particular village; as a result, they knew
7 my background well. During the regime, we could not hide anything
8 from them>.

9 Q. Were you given instructions to list what was necessary to put
10 in the biographies or were you told what you should be looking
11 for in the biographies?

12 [15.50.14]

13 A. They told me to write nothing but the truth. I was required to
14 <> put in the biography <> the professions of my parents<,> my
15 siblings and relatives <at a different period of time. I had to
16 write everything>. At that time, I did not know <of> my father's
17 profession. I only wrote that he was an ordinary citizen. Someone
18 told me to write as such. And I <then filled> in that biography
19 by saying that my father was <an ordinary> farmer and peasant.
20 And later on, during the period of three years, eight months and
21 20 days, they came to the commune to verify my biography.

22 Q. Now, I would like to begin a last series of questions
23 regarding your arrest and your escape, because I think that's how
24 we can call it. You said that you had understood, after your
25 arrest, that you had been taken to a big prison. And then you

1 said that you recognised that you had arrived at Tuol Sleng; is
2 that what you said?
3 [15.51.58]
4 A. I <saw the place myself>. When I was being dragged by the hand
5 from the spot where I had been kicked <off the truck, I saw a
6 flagpole > and two other poles <next> to the flag pole. <I was
7 then> led <> to <a> toilet <next to> the school <building>. I was
8 <instructed to go> into the toilet. At that time, I was wearing
9 <a pair of> shorts and a t-shirt. I had a cut on my face and my
10 face was swelling at that time. I could <hardly> speak <> because
11 <they had burned my cut with their cigarette light. The man asked
12 me to stay put and not to flee from the place but wait for him.
13 He then gave me> his towel <so that I could clean the
14 bloodstains> on my face <before he left. Later he came back with
15 some rice and a small> piece of paper <with drawings of routes
16 where I would escape. It was about 2 a.m. I could not recall it
17 clearly. At that time, I did not care what time it was as my
18 thought was only on the escape. It did not matter whether I would
19 die or live, I was committed to make it at least to the
20 destination that the man indicated to me to go>. I did not
21 remember <whether> it happened at <1:00, 2.00 or 3 a.m.> in the
22 morning. And <by the time I got to a place near> Chrouy Changva
23 Bridge, it was perhaps around <4 a.m.>, because I could hear the
24 <crowing of cocks> in the <early> morning. <I was trembling in
25 agony. I had injury in my mouth and hands. I could hardly talk.

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1 Upon arrival at the place, I was not allowed to go inside; thus,
2 I had to wait outside as the persons I had been advised to see
3 were not there>.
4 [15.54.27]
5 <A moment later, a vehicle came, and since a final decision could
6 not be made there, I was taken to Pochentong. I was actually
7 taken to see five division-level cadres, but none of them dared
8 make a decision on my case as they themselves felt insecure.
9 Having learnt that, I told them that I would like see Brother Met
10 for a moment before I died. I would be willing to die as long as
11 I could see him first as I also wanted to know what I had done to
12 end up that way. They had a discussion among themselves and then
13 they decided to take me to see Met. It was still dawn when we
14 arrived at his place. He just got up and still in his sarong>.
15 And he asked me what <had> happened to me. I told him that I did
16 not know <what had gone wrong. He asked me by whom I was
17 arrested.> And I <told him that I> did not know <those who came
18 for my> arrest <as they were just calling me> to <attend> a
19 meeting. I told Met at that time that there <could be only one>
20 guy who wanted to <harm> me. After hearing all the stories, he,
21 Met, asked a medic to give stitches onto my <wounds. After that,
22 I was sent to stay with a radar team stationed at Pochentong
23 pagoda.> The day after, I was taken away from his place. I did
24 not recall when this happened. I <have forgotten> all of <the
25 details. About one> week later, I was taken to Phnum Kraing Dey

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1 Meas <where the radar station was located. Having learnt> that I
2 <had> never met my parents, he allowed me to go and visit my home
3 <village>. When I went to my home, my parents were not there
4 because they <had been kept> in a re-fashioning centre <at Phnum
5 Dei>. At that time, I made a request to see my mother at that
6 re-fashioning centre. <Having spotted me, my youngest sibling was
7 running to see me. I was told that> my mother <was suffering from
8 swelling; thus,> I could <not meet her because we were not
9 allowed to meet each other. Since I was not allowed to go in and
10 see her,> I returned <> to my place <at> around <5 p.m. because
11 it was getting dark.>

12 [15.57.20]

13 Q. I'm going to try to backtrack a little bit. Had you already
14 gone to Tuol Sleng before being led there during your arrest? Did
15 you know <that place> before you had been arrested?

16 A. No. It was later <on; in particular,> during the time <of my
17 arrest, and when I was being led away, I saw the flagpole and
18 other poles, I was told by my friend who helped me out with my
19 escape that> it was Tuol Sleng. <> He <then> told me to keep
20 <quiet> and stay <put> at that particular place so that he could
21 go and find <me> rice <>to eat. <He asked me to keep quiet, stay
22 put, and not to attempt any escape. He told me I would be dead
23 for attempting the escape as I would not know where to go
24 anyways. Since that particular incident,> I have never seen him
25 <again. I have tried to locate this man who helped me, but nobody

1 seems to know his whereabouts>.

2 Q. So this person who helped you, does <he> have a name? Did you
3 know <him> before? And do you know why he helped you?

4 A. We <used to work> in the same unit before. And after <the
5 liberation of> Phnom Penh<>, we were separated <and distributed
6 to different> units. And we parted each other. As I stated, we
7 <used to work> in the same unit -- that is, messengers' unit.
8 After the liberation of Phnom Penh, some of my colleagues were
9 put in <the> navy, some were put in <the> radar unit, and some
10 were in other units. So we parted each other. <As for him, he was
11 sent to work in the police.> At that time, I did not know <that>
12 my friend <was working there. He and I used to work> together
13 before.

14 [16.00.06]

15 Q. Do you remember his name?

16 A. Yes. His name was Mao, comrade Mao. He had a dark complexion
17 and he was short. And some people <were referring to> him as a
18 monkey because he was good at climbing trees. And he <was a
19 chubby man>. I have been looking for him since 1979, and some of
20 my friends told me that he died already at the time <with Khut
21 (phonetic)>. And some <others> told me that he <had fled to Ta
22 Lou - Rohaltel (phonetic). I have been doing my best to locate
23 him. One of my nieces or nephews also> disappeared <> at
24 <Rohaltel (phonetic), so when I went to look for them, I also
25 made some inquiry about the man. All of them disappeared there;

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1 thus, they could have stayed there together as well, but I just
2 could not find them. Some people claimed to have seen him in
3 Rohaltel (phonetic)>.

4 [16.01.38]

5 Q. So that friend helped you, hid you in the toilet, and gave you
6 a map which you used to flee? <Did you flee> alone? And did he
7 tell you where you should flee to?

8 A. <I fled all alone.> I was told to go <and meet Ta Vin at his>
9 house. He told me that <since> we had <worked> with Ta Vin
10 <before, he would save my life> I <was told> to go and find Ta
11 Vin. That's what he could help me. When I arrived at Ta Vin's
12 house which was located close to Chrouy Changva bridge, the
13 <guards> prevented me from entering the house. I was asked to
14 wait for Ta Vin. And <> I was very dirty all over my body at that
15 time. <In order to make it to his house,> I had to <jump and hide
16 myself in the sewage tubes and> crawl <whenever I spotted the
17 presence of men along the way, and sometimes> I had to run and
18 walk<>. When Ta Vin arrived, he saw me and he asked me to go into
19 his house. He <asked me what had happened, and I showed him that
20 piece of paper. He then> said that he could not <give me>
21 guarantee for my escape, <and referred me to other people. He>
22 took me to Pochentong<>. <I actually met> five <division-level
23 cadres> at<> Pochentong <including> Ta Bun (phonetic), Lvey, Ta
24 Vin,<but none of them> dared to make any decision on my case.
25 <Having heard that plus I was wounded, and trembling in agony,> I

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1 asked them to <take> me to go and see Ta Met <before I died. I
2 would be willing to die after seeing him and talking to him.
3 After that they took me to Met's place located behind Pochentong
4 pagoda. Upon arrival, a messenger woke Met up.> Ta Met <then>
5 asked me what <had> happened. I told him that I did not know what
6 happened. I told Ta Met that I <had a chit-chat> with Ta Yeng<,
7 and during the chit-chat, Ta Yeng was saying to me that I was
8 transporting a lot of rice for the enemies to eat. I further told
9 him that, having heard that I replied to Ta Yeng that if I was
10 transporting rice for the enemies, I myself could have been an
11 enemy as well, and three days later, I got arrested. Having heard
12 my story,> he called in a medic to <have my wounds stitched.
13 After being attended by the medic, I was given a pair of clothes,
14 and a shower. In the same morning, I was sent to stay with the
15 radar team. He asked me to stay there, not wandering around. I
16 dared not go anywhere. I just stay put in that place>.

17 [16.05.03]

18 Q. Did you know the person you called Ta Vin? <I believe that>
19 person is also referred to as Ta <Vin in the record>. Are you
20 talking of Ta Vin or Ta Won (phonetic)? Who was Ta Won
21 (phonetic)?

22 A. Ta Vin<> was in Division 130. I <used to work> for him before.
23 <His name was Ta Vin. He was among the senior cadres including
24 Lvey and Met for whom I had> worked<>. And Ta Vin and Ta Met and
25 Lvey were in the same group. They were <division-level cadres>.

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1 Q. Was Ta Vin, Ta Mok's <son-in-law>?

2 [16.06.22]

3 A. Yes. I <knew> that Ta Vin was <a> son-in-law of Ta Mok. <I

4 knew him when> I was working with him<. He > was not <harsh.

5 While working with him, he always asked me to> cook <as he was

6 fond of the food I prepared>. And he always <shared jokes> with

7 me. He never <insulted> me<, or was mean to me. Since he liked my

8 food, he always asked me to cook for him>. And at that time, I

9 was working with Mao <the man> who helped me. We <used to work>

10 for Ta Vin <together>.

11 Q. Did you know Ta Mok and did Ta Mok come to visit the Kampong

12 Chhnang airport construction site?

13 A. I <knew> Ta Mok, I rarely saw Ta Mok at the airfield. He was

14 not involved in the construction of airfield. <He was in charge

15 of something else.>

16 Q. If he had nothing to do with the construction of the airport,

17 why then would he come to the site of the airport?

18 [16.08.30]

19 A. He was in charge of <the civilians in> the Southwest Zone at

20 that time. I did not know the reason he went to the airfield.

21 <Initially, he worked> in the army<, and I saw him often when he

22 went to> the rear <battlefields. I saw him once in a while> when

23 I went to collect rice<. Anyway, after the liberation, he was

24 attached to a> Zone<, while I was attached to> the air force

25 <under the command of Met>. And the air force was <also known as>

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1 the <Centre's army. That's> what I knew.

2 Q. This is my <very> last question. Do you know why your parents
3 were sent to a re-education centre?

4 A. It was because my father <had been> a village chief in the
5 former regime. <When I was a boy, I observed that as a> village
6 chief<,> he had a <69> rifle. <He had belonged to a village
7 self-defence group. Since I was still a young boy, I could
8 remember that> on one occasion, <when> my <grandfather told my>
9 father <that their cows were being stolen, my father took out
10 that 69 rifle and chased after the thieves. It was later on that
11 I knew he had owned a rifle because he had belonged to the
12 self-defence group. Having learnt about the background of my
13 father, and brothers who had been drafted into the army, a total
14 of 10 of my brothers were arrested, and imprisoned; however, nine
15 of them were released, and survived the regime. Back then, they>
16 were <detained> in Baribour <pagoda. If> a grenade <had>
17 exploded <in the pagoda on one of those days, all of them would
18 have died. Fortunately, the grenade was not exploded, however,
19 some of them got slightly injured in their heads>.

20 [16.11.51]

21 JUDGE LAVERGNE:

22 Thank you, sir. We'll have to end here <given the time>. Thank
23 you for your <patience, Witness>.

24 MR. PRESIDENT:

25 Thank you. The hearing today comes to an end. And it will resume

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1 tomorrow on <Wednesday,> 10th June 2015 <at 9 a.m.> And tomorrow,
2 we will resume hearing the testimony of Chan Morn. This
3 information is for the public <and the Parties>.
4 Thank you, Mr. Chan Morn. The hearing of your testimony does not
5 come to an end yet. You are invited to be here again tomorrow
6 starting from 9.00 a.m.
7 Court officers, please work with WESU to send this witness, Chan
8 Morn, to his residence or the place where he is staying now. And
9 please invite him back into the courtroom tomorrow at 9 a.m.
10 Security personnel, you are instructed <to take> the two Accused,
11 Mr. Nuon Chea and Khieu Samphan, back to the detention facility
12 of the ECCC. And please have them returned tomorrow before 9.00
13 a.m.
14 The Court is now adjourned.
15 (Court adjourns at 1613H)

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