



**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): 07-Mar-2016, 09:16

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**TRANSCRIPT OF TRIAL PROCEEDINGS**

**PUBLIC**

Case File N° 002/19-09-2007-ECCC/TC

29 February 2016

Trial Day 374

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

The Accused: NUON Chea  
KHIEU Samphan

Lawyers for the Accused:  
LIV Sovanna  
SON Arun  
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:  
Maddalena GHEZZI  
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KIM Mengkhy  
LOR Chunthy  
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For the Office of the Co-Prosecutors:  
Joseph Andrew BOYLE  
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SENG Leang  
SREA Rattanak

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UCH Arun

## I N D E X

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**List of Speakers:**

Language used unless specified otherwise in the transcript

Speaker	Language
Mr. BUN Lemhuor	Khmer
Mr. FARR	English
The GREFFIER	Khmer
Ms. GUIRAUD	French
Mr. KIM Mengkhy	Khmer
Mr. KONG Sam Onn	Khmer
Mr. LIV Sovanna	Khmer
Mr. LOR Chunthy	Khmer
Mr. MAN Sles (2-TCCP-263)	Khmer
Mr. MEU Peou (2-TCCP-1013)	Khmer
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Ms. SIENG Chanthy (2-TCCP-1015)	Khmer
Mr. SON Arun	Khmer
Mr. SREA Rattanak	Khmer

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

2 (Court opens at 0902H)

3 MR. PRESIDENT:

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

5 For today, tomorrow and after tomorrow's proceedings, the Chamber

6 will hear the statements of harms and sufferings by some civil

7 parties who claimed they suffered during the Democratic Kampuchea

8 regime in relation to the treatment of the target groups, that

9 is, the Cham, the Vietnamese and the former Lon Nol officials.

10 There are five civil parties who will provide the statement. One

11 is 2-TCCP-1008 (sic), 263, 1014, 1015, and lastly, 2-TCCP-259.

12 The first civil party who will provide a statement of suffering

13 this morning is 2-TCCP-1013.

14 Ms. Se Kolvuthy, please report the attendance of the parties and

15 other individuals to today's proceedings.

16 [09.05.01]

17 THE GREFFIER:

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

19 are present except counsel Victor Koppe, the International

20 Defence Counsel for Nuon Chea, who is absent without reasons.

21 Anta Guisse, the International Counsel for Khieu Samphan, is

22 absent for personal reasons.

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

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

25 been delivered to the greffier.

2

1 The civil party who is to provide his statement of harm and  
2 suffering today is 1013 for the first one, and we will have  
3 another party this afternoon, that is, 2-TCCP-263.

4 We also have the presence of the support staff from TPO, and they  
5 are ready to be called, Mr. President.

6 MR. PRESIDENT:

7 Thank you, Ms. Se Kovulthy. The Chamber now decides on the  
8 request by Nuon Chea.

9 The Chamber has received a waiver from Nuon Chea dated 29  
10 February 2016, which states that, due to his health, headache,  
11 back pain, he cannot sit or concentrate for long. And in order to  
12 effectively participate in future hearings, he requests to waive  
13 his right to participate in and be present at the 29 February  
14 2016 hearing.

15 He affirms that his counsel has advised him about the  
16 consequences of this waiver, that it cannot in any account be  
17 construed as a waiver of his rights to be tried fairly or to  
18 challenge evidence presented to or admitted by this Court at any  
19 time during this trial.

20 [09.07.10]

21 Having seen the medical report of Nuon Chea by the duty doctor  
22 for the accused at the ECCC dated 29 February 2016, which notes  
23 that Nuon Chea has back pain and feels dizzy when he sits for  
24 long or when he moves and recommends that the Chamber grant him  
25 his request so that he can follow the proceedings remotely from

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1 the holding cell downstairs.

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

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

8 This applies to the whole day.

9 Court officer, please usher the civil party, 2-TCCP-1013, as well  
10 as the TPO support staff, into the courtroom.

11 (Short pause)

12 [09.09.47]

13 QUESTIONING BY THE PRESIDENT:

14 Q. Good morning, Mr. Civil Party. What is your name?

15 MR. MEU PEOU:

16 A. My name is Meu Peou. I'm from Kraol Krabei, Trapeang Chong  
17 commune, Bakan district, Pursat province.

18 Q. When were you born?

19 A. I was born on 1st February 1961.

20 Q. What is your current occupation?

21 A. I am a farmer.

22 Q. What are the names of your parents?

23 A. My father is Ismael (phonetic) and my mother is Los Nop.

24 [09.10.45]

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

4

1 A. Man Isma (phonetic) is my wife, and we have four children.

2 MR. PRESIDENT:

3 The Chamber wishes to inform the parties and the public that, for  
4 the proceedings to hear the statement of harm and suffering of  
5 civil parties through the victim support, the witness and expert  
6 support section, we have coordinated the presence of TPO staff to  
7 lend his support to the civil party so that the civil party can  
8 provide his or her statement of harm and suffering.

9 And this morning, we have Mr. Bun Lemhour, who is a TPO staff and  
10 is sitting next to the civil party.

11 [09.12.03]

12 And Mr. Meu Peou, as a civil party in the proceedings before this  
13 Chamber, you may make a statement of harm and suffering, if any,  
14 concerning the crimes which are alleged against the two accused,  
15 Nuon Chea and Khieu Samphan, and have suffered by you during the  
16 Democratic Kampuchea resulting in your civil party application to  
17 claim collective and moral reparation for physical, material or  
18 mental injuries as direct consequences of those crimes. And that  
19 is for the period between, 17 April 1975 to 6 January 1979.

20 And this is in particular in relation to the treatment of the  
21 targeted groups of the Cham, the Vietnamese and the former  
22 officials of the Khmer Republic regime.

23 And first, before we start, the Chamber wishes to inquire from  
24 the Lead Co-Lawyers if you intend the civil party to make his own  
25 statement of harm and suffering or you wish to put the questions

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1 to the civil party so the civil party can respond to those  
2 questions as you have requested in the previous proceedings.

3 [09.13.48]

4 MR. PICH ANG:

5 Good morning, Mr. President, Your Honours. Good morning, everyone  
6 in and around the courtroom.

7 For civil party Meu Peou, and for the other four civil parties  
8 who will make their statement of harms and sufferings, we would  
9 like to seek your permission for smooth proceedings to be in the  
10 form of question and answer session. And we also would like to  
11 inform the Chamber that the civil party also have some questions  
12 to be put to the Accused.

13 And we designated Lor Chunthy the civil party lawyer to put  
14 questions to the civil party, with your permission.

15 MR. PRESIDENT:

16 The request is granted, and the assigned civil party counsel can  
17 put the questions to this civil party first before other parties.  
18 And you may proceed.

19 [09.15.04]

20 QUESTIONING BY MR. LOR CHUNTHY:

21 Thank you, Mr. President. Good morning, Your Honours. Good  
22 morning, everyone in and around the courtroom.

23 Q. Good morning, Mr. Meu Peou. My name is Lor Chunthy. I'm also  
24 your legal representative, and I'd like to put some questions to  
25 you, chiefly in relation to your experience during the period of



6

1 Democratic Kampuchea regime, that is, from the 17 April 1975 to  
2 the 6th January 1979.

3 From your own experience living through the regime and also as a  
4 Cham person, I'd like to put the following questions to you.

5 Can you describe the suffering that you received during the  
6 period of Democratic Kampuchea regime?

7 [09.16.51]

8 MR. MEU PEOU:

9 A. Thank you for your question. I'd like to answer.

10 The Khmer Rouge took control of the country in 1975. They  
11 mistreated the Cham people. They forced the Cham people to  
12 abandon their religion, their personal properties, belongings and  
13 their relatives.

14 I was forced to evacuate my native village. Also, during the  
15 Khmer Rouge regime, I was forced to separate from my family  
16 members, from my relatives, from my native village as well.

17 There was no proper form of living condition, no proper  
18 schooling, no religion. I was by myself without my parents or my  
19 family members. I was at the mercy of Angkar, and they did not  
20 provide me any sufficient food to eat, and I had to work  
21 according to the orders of Angkar. I had to work day and night,  
22 and I became so skinny and bony because of the lack of food and  
23 the hard labour. And if I could not finish the work schedule,  
24 then I would be deprived of very little gruel that I was given.  
25 Life was so miserable.

7

1 [09.18.47]

2 At the time, I was still a young boy, between 13 to 14 years old.

3 I was by myself without my parents, and I had to live under a  
4 tree without proper accommodation. I slept in the open. Sometimes  
5 I suffered from rain and mosquito bites. Life was so miserable.

6 Q. You stated that, for the Cham people, they were separated from  
7 their family members.

8 Could you tell the Chamber how the process was carried out?

9 A. Thank you for the question.

10 We were separated from our family members to go and live in  
11 various battlefields and to work whatever was ordered by Angkar.

12 We were forced to abandon our family and not to use our Cham  
13 language. If anyone spoke our language, Angkar would take that  
14 person away and executed him or her, and that terrified us. We  
15 had nothing to hang onto during the regime.

16 Q. I just put a question to you in relation to your previous  
17 response that you were separated from your family members and  
18 that the villagers' practice was banned.

19 Was there any formal declaration on these prohibitions and acts  
20 and, if so, from which level?

21 [09.21.17]

22 A. Thank you for the question. Allow me to backtrack a little  
23 bit.

24 In 1975, the cooperative made an announcement for the Cham people  
25 to cut their hair short and not to cover -- not to use scarf to

8

1 cover their head and that we were forced not to live in a group,  
2 and we were evacuated from one village to another or from one  
3 cooperative to the next. And that was the time that I lost  
4 contact with my family members.

5 Q. Can you tell the Chamber when such announcement was made and  
6 the location? Was it announced in a village or in a particular  
7 cooperative?

8 [09.22.25]

9 A. The answer -- the announcement was made in Teth Kouy  
10 (phonetic) in Bakan district, Pursat province. The announcement  
11 made by the Khmer Rouge was done right there in the village, and  
12 my family was evacuated to Tram Seh cooperative.  
13 I remained for only a few days in the cooperative, then Angkar  
14 sent me to dig canal and to build dams.

15 Q. What happened to you after such an announcement had been made,  
16 in particular in relation to your religious practice? Did it have  
17 an impact on the Cham people as a whole and on you in particular?

18 A. It really impacted the Cham people. The Khmer Rouge forced the  
19 Cham people to eat pork and to force the Cham people to do  
20 whatever the Khmer people did. And that was the most difficult  
21 thing for the Cham people, as we lost our own identities, lost  
22 our religion and our body became so thin.

23 We were mistreated and persecuted in every way. During the period  
24 of three years, eight months and 20 days, my life was so  
25 miserable for many reasons. Mainly, I was still a young boy, and

1 I lost my strength physically and mentally.

2 [09.24.50]

3 They pointed a gun at me, accusing me of betraying Angkar. They  
4 had three AK-47s and two M-17 pointing at me that I was accused  
5 of being a traitor of Angkar, as I stole rice.

6 They beat me up freely, without mercy, and I still suffered such  
7 injury at present. I -- my hands were tied behind my back and I  
8 was pulled by horse. And if I could not run and catch up with the  
9 horse, I was beaten.

10 I was given only very thin gruel to eat, and was forced to work  
11 very hard to dig dirt, to take out tree stumps. And if any worker  
12 fell to the ground, that person would be beaten up.

13 The situation was so miserable. I was by myself as a young boy. I  
14 did not have any family members living with me, and we were not  
15 allowed to speak to one another.

16 [09.26.22]

17 I was one of the many prisoners living in the area, and I was  
18 with those people whose names I could not mention. We only  
19 addressed to one another as "Comrade".

20 And they also killed people in front of us during the meeting in  
21 order to intimidate us, and they warn us that if anyone betrayed  
22 Angkar, that person would be killed as an example of the person  
23 being killed during the meeting. And that scared me mentally. And  
24 I was only thinking of the day that my turn would come.

25 During the entire period of Democratic Kampuchea regime, I did

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1 not hear anything from my parents. I only heard that they were  
2 forced to eat thin gruel and, later on, due to lack of food, my  
3 father died first. And I did not even know where he died. I did  
4 not see him during his last breath.

5 I was forced to eat pork, and because I was so scared, I had to  
6 force myself to eat pork so that I could survive.

7 Q. You have testified that you suffered from the loss of your  
8 family members. Can you tell the Chamber how many of your family  
9 members perished during the regime?

10 A. I lost many family members, including my father and relatives  
11 totaling 17 altogether. I also lost my nieces and nephews during  
12 the period. And that gave me much pain, and the pain and the  
13 suffering stayed with me at the present time.

14 Q. You have stated that you lost 17 of your family members and  
15 relatives. Can you tell the Chamber the circumstances of their  
16 death, in particular, the death of your father?

17 [09.29.41]

18 A. My father died because he was a Cham person who adhered to his  
19 religious practice, and he didn't abandon his religion when he  
20 was forced by Angkar. They forced him to eat pork, but he  
21 refused, so Angkar gave him a last warning that he had to eat  
22 pork. And if he could not eat pork, then there would be nothing  
23 for him to eat.

24 My father refused to eat pork, and he only drank water. And he  
25 had to find tree leaves in the forest to eat, and that was

11

1     terrible for him, living in such a situation. I would think that  
2     it would be better if he -- if they were to kill him and not to  
3     allow him to suffer such a terrible circumstance.

4     [09.31.13]

5     That was the time that his body became so emaciated. He also was  
6     by himself, and he died alone without the presence of any family  
7     member. I did not even know where he was buried.

8     I heard of his death, and I sought permission from Angkar to go  
9     -- to go, but I was told that, "Comrade, your father died". And I  
10    said that was the reason that I wanted to go and visit him. And  
11    then I was scolded that I was not part of the unit to bury my  
12    father.

13    So my request was refused. I was only told that my father died,  
14    but I was not allowed to go and see his dead body.

15    Q. Thank you. After your father died, did you receive any  
16    information that your relatives could hold the ceremonies based  
17    on your religion for your dead father?

18    A. Thank you. After he passed away, no one of my relatives went  
19    to hold any ceremony for my father's funeral. During the regime,  
20    there was no religion, there was no ceremony held for any dead  
21    people. And I was there at my place -- at my location working, so  
22    there was a unit responsible for holding the ceremony for my  
23    father.

24    Some of my relatives were not aware that my father had passed  
25    away. We were separated from one another. It was a misery.

12

1 [09.33.44]

2 Q. Thank you. Could you elaborate a little bit more in relation  
3 to your relatives who lost their lives, particularly your  
4 relatives who were suffering from the misery and who had been  
5 killed by the Khmer Rouge, if you know?

6 A. Thank you. My uncle was accused that he betrayed Angkar. He  
7 was arrested as a result and, later on, he was killed. He was  
8 chopped into pieces alive, and his bodies -- his body salted.  
9 The child of my great-uncle, rather, knew about his death.  
10 Tortures -- torture was inflicted on him. He was suffering from a  
11 great deal of misery before he died.

12 Q. Thank you. Regarding the torture which was inflicted on him,  
13 was he tortured in the same village where you settled?

14 [09.35.50]

15 A. He was tortured in Ta Lou village, Ta Lou commune, Bakan  
16 district, Pursat province.

17 Q. Thank you. I want you to describe the event when you were  
18 detained. What was the name of the detention facility at that  
19 place?

20 A. I was detained in Trach Kraol detention facility. And at that  
21 location, I witnessed a killing of a woman. That woman was  
22 accused of committing moral offence. She was asked to take off  
23 her clothes, and the -- her body was cut open.

24 I was a prisoner at the time, and I was asked to stand and look  
25 at the killing of that woman. And at the time, I could not see

13

1 whether that woman was pregnant. There was blood everywhere after  
2 her body was cut open. The liver was taken out of the body, and  
3 that liver was cooked for meal.

4 I was so scary at that time since I was a young boy, so I had to  
5 abandon everything, even my name. I did not use my name, Mohamed,  
6 but instead, I was preferred to use Meu Peou. And was you know, I  
7 was a prisoner at the time.

8 If they happened to know that I was a Cham person, I would be in  
9 a very difficult situation at that time, so I had to abandon the  
10 use -- using of my name, and I had to do everything for the sake  
11 of my life. I was chained at daytime, and I was shackled at  
12 nighttime was well.

13 [09.38.53]

14 I was so young at the time, so I could not catch up with the  
15 other while walking, and I was used as an animal. So I had to  
16 bear the situation no matter what happened to me.

17 And the killing was based on no reasons. People were killed. They  
18 were asked -- we were asked to stand and look at the execution.

19 If we had cried at the time, we would have been killed.

20 I had to bear the situation no matter what happened. Every time  
21 there was a killing, we, all of us, were called to the execution  
22 place to witness the incident. They did not care whether we were  
23 so young at the time.

24 [09.40.09]

25 And after we -- the shackles were taken off from our ankles, we



14

1 were forced to go to work. And if we did not want to go to work,  
2 we would be kicked and beaten.

3 We were allowed to sleep on the floor and ground. We were not  
4 allowed to talk to one another. If we happened to talk very  
5 loudly, we would be in a dangerous situation.

6 About 40 of us were together in the detention facility, but we  
7 did not know each other and we had not known one another's names.

8 Q. Thank you. I have heard the description of the incidents and  
9 the misery you have described, so could you tell the location  
10 where that misery happened and what year did it happen?

11 A. In late 1977 and early 1980, I was arrested and placed in  
12 Trach Kraol detention facility in Trang cooperative.

13 Q. Thank you. You have just stated that it was in late 1977 and  
14 early 19-something, but I could not hear it clearly. So could you  
15 state the year once again, please?

16 A. It happened in late 1977 and early 1978.

17 Q. Thank you. You made mention that you were arrested and  
18 detained in that prison or detention facility. You also stated  
19 that you were shackled at nighttime. And what about during the  
20 daytime, were you chained?

21 [09.42.50]

22 A. Thank you. During the nighttime, I was shackled. And in the  
23 daytime, I was released to go to work. And the chain was locked  
24 to our ankle, and we were linked to one another.

25 Q. Thank you. So while you were working, you were also chained.

15

1 Is that true?

2 A. I was -- I was shackled in nighttime, and while I was working  
3 during the daytime, I was also chained. The chain -- I was  
4 chained at my ankle with another person. During the daytime, as I  
5 said, I was chained, and I was also shackled at nighttime.

6 Q. Thank you. Once again, could you please mention the location  
7 where you were detained and what about the meal or food ration  
8 given to the prisoners? How much food were prisoners given?

9 [09.44.50]

10 A. I was arrested in Trang cooperative, and then detained at  
11 Trach Kraol detention facility. It was about 10 kilometres away  
12 from my cooperative.

13 As for food ration, the -- it was -- there was only watery  
14 porridge for all of us. We received one ladle of watery porridge,  
15 and if one dared to say that they did not have enough food to  
16 eat, it -- they would be accused of betray -- betraying the  
17 Angkar, and that person would be arrested and placed in a meeting  
18 for others to criticize.

19 So during the time, as I said, I was trying to do my utmost for  
20 the sake of my life. I had to abandon everything out of me.

21 Q. Thank you. I would like to backtrack a little bit. During the  
22 regime, as you said, you were a young boy. Did you receive any  
23 education when you were young?

24 A. Thank you. Schools were closed down. There were no teachers  
25 and professors, no relatives, no parents living with all of us.

16

1 We had to do the labour as assigned. So we suffered from  
2 miserable life, and I, at the time, imagined that others were  
3 wearing nice clothes, short trousers and white shirt, perhaps.  
4 But for me, I had to do hard labour.

5 I was so skinny and bony. And during that regime, I could not  
6 sleep well at night and I did not have time to take a rest during  
7 the daytime. So it was a misery for me, and particularly I was so  
8 pity on my families who had suffered the same experience. So it  
9 was a misery.

10 [09.48.04]

11 Q. You stated that there were no schools. So what was the  
12 consequence due to the fact that there were no schoolings?

13 A. We had no education so as a consequence, it happened to our  
14 family and, in particular, the whole society. We received no  
15 education, so because of this, it affected my family and the  
16 whole society after 1979. And I regret that I had not received  
17 any information, and it impact -- it had great impact on my  
18 livelihood because of no education. No matter how hard we try, no  
19 matter what kind of things we did, we had no better life compared  
20 to other who have received education.

21 [09.49.53]

22 Q. Thank you. You stated that there was an announcement of  
23 dispersing Cham communities. Do you recall who made such an  
24 announcement, and how were Cham people separated from one  
25 another? Could you tell the Court about such announcement?

17

1 A. Thank you. The announcement was made, but I cannot tell the  
2 Court who was the one who made the announcement. And it was said  
3 that the announcement was made by the chief of a cooperative in a  
4 meeting.

5 We were told that the announcement was made in a meeting by the  
6 cooperative chief. We were told to leave our native villages. We  
7 had to abandon our belongings, houses, lands that we owned. We  
8 had to be on our own with nothing so the belongings and  
9 properties that my parents had reserved for all of us, for my  
10 family, was nothing. So it caused a great misery and impact on me  
11 and my relatives, so I inherited nothing from my parents because  
12 of this regime.

13 Q. So how was your family categorized?

14 [09.52.23]

15 A. My family was categorized as a capitalist family, and we were  
16 considered Cham people. We were dispersed from being in one  
17 group. During the Khmer Rouge, if Khmer Rouge had known that we  
18 had many cattles and we had personal belongings, those belongings  
19 and properties had to be appropriated. We were told to abandon  
20 our properties and everything.

21 Q. Was your family considered Base People or New People? So once  
22 again, what type of -- what group were your family members put  
23 into?

24 [09.53.41]

25 A. My family, during the Khmer Rouge regime, was put in a group

18

1 below the 17 April People group. We were put to live in -- under  
2 the surveillance. We were considered feudalists and capitalists.  
3 I did not know what that meant at the time, since I was a young  
4 boy. What I knew is that my family members were forcibly  
5 transferred from our native to live in a cooperative where there  
6 were no Cham people.

7 Q. Before 17 April 1975, did you live in a village where there  
8 were Cham people living there?

9 A. Thank you. War erupted before the time. We went to live in a  
10 village with our Cham people. We evaded (sic) from the location  
11 where there were bombings and where there were shelling, but at  
12 our location before 17 April 1975, we could practise our religion  
13 and use our language.

14 Q. What about later on? Were all of you in that community forced  
15 to leave?

16 A. Thank you. After 17 April 1975, villagers and my relatives had  
17 to leave our native village. No one resided any longer in that  
18 village. We were told to leave for different locations, and women  
19 were told to have their hair cut short and to live in a normal  
20 life as Khmer people. And we were told to eat whatever Khmer  
21 people ate. We were told to abandon properties. Those who did not  
22 abandon their belongings and did not leave their villages, they  
23 would be killed by Angkar.

24 Q. Thank you. I want to ask a clarification -- ask for a  
25 clarification from you. After you were told to evacuate yourself

19

1 from your village were all of you, together with Cham people,  
2 told to live in different places, or were all of you told to live  
3 in one same place?

4 [09.57.33]

5 A. Thank you. We were not allowed to live in one same place. My  
6 family was told to live in a different location from others, so  
7 we were sent to different location for different work.

8 Some people were put in mobile units, and the elderly was put in  
9 a different group. So we were put in different cooperatives. No  
10 one could live and reside in same location.

11 Q. My last question, Mr. Civil Party, for you. I know that you  
12 have still suffered from that great misery, as you said. So what  
13 was the misery that made you unforgettable?

14 [09.59.04]

15 A. Regarding the misery which impacted until today, it was the  
16 education, the education that I have had never enjoyed in my life  
17 and also the properties that I should have inherited from my  
18 parents.

19 Education is the most important property for every human being.  
20 For me, I enjoyed no education, so it had a great impact on me  
21 until today.

22 Q. Coming back to mental suffering, so what is the mental  
23 suffering you suffered until today?

24 A. This kind of suffering was like a shadow following me every  
25 day. I regret that I have had no education.

20

1 Secondly, I was detained in a prison where people were killed in  
2 front of me. Every time I close my eye, I recalled those past  
3 experience. I was -- I am so terrified as of now when recalling  
4 those kind of incidents.

5 Q. Can you speak your own Cham language as of now?

6 A. For everyday conversation, I could speak better Khmer than  
7 Cham.

8 MR. LOR CHUNTHY:

9 Mr. President, I conclude my questioning. Thank you.

10 MR. PRESIDENT:

11 Thank you. The floor is now given to other parties, first to the  
12 Co-Prosecutors, to put the questions to this civil party, if you  
13 have any. You may proceed.

14 [10.02.27]

15 QUESTIONING BY MR. SREA RATTANAK:

16 Good morning, Mr. President, Your Honours. Good morning, everyone  
17 in and around the courtroom.

18 Q. And good morning, Mr. Civil Party. My name is Srea Rattanak, a  
19 Deputy National Co-Prosecutor. I have some questions that I would  
20 like to put to you in relation to the killings and your personal  
21 experience, between 1975 to 1979.

22 From what you have told the Court today through your answering to  
23 questions by the lawyer for civil party, you said that you were  
24 evacuated to Tram Seh cooperative. Can you tell the Court which  
25 year that you were evacuated to that cooperative?

21

1 [10.03.32]

2 MR. MEU PEOU:

3 A. On 17 April 1975, I was evacuated from my village to live in  
4 Tram Seh cooperative.

5 Q. How long did you remain living in that cooperative before you  
6 were moved to another location, or did you remain living in that  
7 cooperative from 1975 to 1979?

8 A. In late 1975, my family was evacuated to live in Me Tuek  
9 cooperative.

10 Q. What was Tram Seh cooperative located in?

11 A. Originally, it was located in Chhmar (phonetic) commune,  
12 although I did not know what the commune was known during the  
13 Khmer Rouge regime. However, it was in Bakan district, Pursat  
14 province.

15 Q. You also have testified before the Chamber the execution of  
16 people through various meetings organized by the Khmer Rouge in  
17 order to intimidate the people and to show that people who made  
18 mistake would be punished that way.

19 Besides the open executions during the meetings, did you witness  
20 any other executions?

21 A. I used to see dead bodies, though I did not know how they were  
22 -- who executed them or for what reasons.

23 [10.06.24]

24 Q. While you were in Tram Seh cooperative, did you witness any  
25 killings?



22

1 A. In Tram Seh cooperative, I only knew that Cham people who came  
2 from other locations, possibly from Phnom Penh, to live in Tram  
3 Seh cooperative, the entire family of that Cham was killed.

4 Q. Where did you witness the execution of those family members?

5 A. I did not witness the execution. However, when I went to work,  
6 I saw their dead bodies in a rice field.

7 [10.08.10]

8 Q. In document E319/13.3.4 (sic), from question 24 to question  
9 30, in particular in question and answer 30, that is, your -- in  
10 relation to your response to the questions before the OCIJ -- and  
11 allow me to quote some of these questions.

12 Question 24: "In 1975, were there any group of people who were  
13 targeted by the Khmer Rouge?"

14 Answer: "Muslim people were evacuated from probably Kilometre No.  
15 9 who were accused of betraying Angkar, and they were taken away  
16 and executed."

17 Question 25: "Did this event happen in Tram Seh cooperative in  
18 1975?"

19 Answer: "Yes."

20 And further down to Question 28, you were asked, "What did you  
21 see?" And you said:

22 "I saw the Khmer Rouge killing people, but I did not dare to stay  
23 there for long, and I moved away from the area."

24 And Mr. Civil Party, from your responses in this WRI, you stated  
25 that you witnessed the killing, but just then, you said that you

23

1 did not witness any killing.

2 Can you please clarify the matter before the Chamber which answer  
3 is the correct one?

4 A. Regarding the Muslim -- one Muslim family from that kilometre  
5 village, I did not witness it, but I witnessed the killing of  
6 other people. And as I said, I only saw the dead bodies and then  
7 I fled away, as I was afraid that the Khmer Rouge militia spotted  
8 me, and I would be arrested and killed.

9 [10.10.39]

10 Q. So your statement in this document is in reference to the  
11 killing -- another killing of a Cham family, and that Cham family  
12 possibly came from Kilometre No. 9. And on another occasion, you  
13 saw a killing of another family member, but you only witnessed it  
14 briefly. Is that correct?

15 MR. PRESIDENT:

16 National Counsel for Nuon Chea, you may proceed.

17 MR. LIV SOVANNA:

18 Mr. President, I would like to object to this question by the  
19 National Co-Prosecutor, as the civil party already testified that  
20 he did not witness the killing of the Cham family from Kilometre  
21 Number 9. And the Co-Prosecutor put it to the civil party that he  
22 witnessed the execution of two Cham families.

23 [10.11.45]

24 BY MR. SREA RATTANAK:

25 Allow me to rephrase my question, then.

24

1 Q. Mr. Civil Party, could you please tell the Court -- or to  
2 clarify this matter, as you have testified that you saw a killing  
3 of a Cham family and that you also saw dead bodies of a Cham  
4 family from Kilometre No. 9. Is that correct?

5 MR. MEU PEOU:

6 A. When you refer to a Muslim family who was evacuated to Tram  
7 Seh cooperative together with two families from my village, the  
8 first family was taken away and killed. Second, I saw another  
9 group of Muslim people who were being killed by the Khmer Rouge.  
10 I did not witness the killing clearly, but I saw the attire worn  
11 by the Cham people and then I fled from the area, as I was afraid  
12 that the Khmer Rouge militia would spot me and kill me.

13 Q. Could you please tell the Court only what you witnessed? Where  
14 did you witness that?

15 A. It was called Tuol Sleng, or Sleng Hill. And another killing  
16 was in a rice field not far from that Tuol Sleng.

17 [10.13.48]

18 Q. I'd like to make it clear, Mr. Civil Party, on one hand, you  
19 saw only dead bodies and, on another account or occasion, you saw  
20 people being executed with your own eyes. And I'd like you to  
21 only refer to the account where you witnessed it personally. Can  
22 you tell the Chamber when that happened, and where?

23 A. I incidentally witnessed the execution at Tuol Sleng, or Sleng  
24 Hill. And at that time, I did this -- I did not remain there for  
25 long because I was afraid the Khmer Rouge militia would see me

25

1 and would accuse me of being a traitor.

2 [10.15.00]

3 MR. PRESIDENT:

4 Thank you, National Co-Prosecutor. It is now convenient for us to  
5 take a short break.

6 We'll take a break now and resume at 10.30.

7 Court officer -- where is the court officer? Could you please  
8 assist the civil party and the TPO staff during the break time  
9 and invite them back into the courtroom at 10.30.

10 The Court is now in recess.

11 (Court recesses from 1015H to 1032H)

12 MR. PRESIDENT:

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

14 And we give the floor to the Co-Prosecutions to resume  
15 questioning to the civil party. You may now proceed.

16 BY MR. SREA RATTANAK:

17 Q. Before the break, you told the Chamber that the witness -- you  
18 witnessed the incident taking place at Tuol Sleng, or Sleng Hill.  
19 So where was that place?

20 MR. MEU PEOU:

21 A. Tuol Sleng was in Thma (phonetic) commune, Bakan district,  
22 Pursat province.

23 [10.33.14]

24 Q. Based on what you witnessed, the incident took place in the  
25 building, in a house or in the open field?

1 A. It took place in the forest.

2 Q. So when did it happen, whether it happened at nighttime or  
3 daytime?

4 A. It took place at around 3 o'clock in the afternoon.

5 Q. How far was it from the place you stood and the place where  
6 the incident was unfolding?

7 A. It was about 50 metre away.

8 Q. So the distance was around 50 metres. So could you see  
9 everything clearly?

10 [10.34.55]

11 A. I did not see it clearly. When the execution was taking place,  
12 I just saw it for a little while, and then I left.

13 Q. Could you please elaborate about the event of what you  
14 witnessed, although the time that you witnessed was really short?  
15 So what did you really see?

16 A. At that time, it -- I didn't -- I did not see things clearly  
17 because it was forested area. I saw the militia men were  
18 executing the people.

19 Q. I would like to know how the execution was taking place.

20 A. I saw they use a stick to kill the people, but I had no idea  
21 whether the club was a bamboo club or was something else.

22 Q. So what about the executioners? Who were they?

23 A. No, I did not know who they were, which group they came from.  
24 I only knew that they were the Khmer Rouge militia men.

25 Q. How many of them were involved in the killing at that time?

1 A. From the distance, I could not tell you how many militia men  
2 were there at that time.

3 Q. So besides the activity taking place, did you hear any sounds  
4 or voice coming from the place?

5 [10.37.35]

6 A. I did not spend long time witnessing the event. I did not hear  
7 the voice because I was there for so -- for so short time, and I  
8 left.

9 Q. So how many victims were there at that time?

10 A. I did not know how many victims were there because I did not  
11 dare to get close to the site.

12 Q. You did not know the specific numbers, but could you estimate,  
13 let's say, the groups consisted of three or four people based on  
14 your witnessing?

15 A. When I witnessed the event, there were more than five people.

16 [10.38.52]

17 Q. You said that those victims were a group of Muslims. How did  
18 you know that they were Muslim?

19 A. I identified them through their clothes.

20 Q. Could you please be more specific about this time? I asked you  
21 about what you witnessed. So you saw their clothes or you saw  
22 something else?

23 A. I did not witness when they were -- when they were dressing or  
24 the clothes that they were wearing. I only saw their bags of  
25 clothes. That's why I came to the conclusion that they were

1 Muslim.

2 Q. As for another event that you witnessed dead bodies, and you  
3 said earlier that the -- they were brought from Kilometre No. 6.  
4 So how many dead body did you see?

5 A. There were around four or five dead bodies, and I was not  
6 clear about how many more dead bodies were there. I heard that  
7 those people who were killed were brought from the neighbouring  
8 house of my house.

9 Q. Could you please elaborate the events around your witnessing  
10 the dead body? Were those dead body left unburied, or what, that  
11 you could come to your conclusion that they were Muslim?

12 A. During the regime, when the regime alleged people of betrayal,  
13 they killed the people and they did not bury the dead body. They  
14 just simply left it unburied.

15 [10.42.11]

16 Q. So where did you witness the dead bodies?

17 A. I saw the dead bodies near Tuol Sleng where the executing of  
18 people took place.

19 Q. What about the specific location, whether was it in a  
20 building, in a forest or in a paddy fields?

21 A. Tuol Sleng had a paddy field nearby. The families of those who  
22 were executed, they were killed in the paddy field.

23 Q. Now I move to another topic related to what you witnessed.

24 During Democratic Kampuchea regime, did -- what did you know  
25 about something that happened to Islam religious leaders or those

1 who were Islamic scholars?

2 [10.43.51]

3 A. Religious scholars of Islam were taken away and killed during  
4 the Khmer Rouge regime, but I did not know where they were killed  
5 or where they were detained. But what I knew is that anyone who  
6 knew a lot about religious matters in Islam, they were killed.  
7 That was what I knew.

8 Q. Could you give examples of any individuals who were religious  
9 scholars or religious teacher of Islam who were taken away and  
10 killed during that regime?

11 A. Now let me backtrack. I talked about a family earlier. A  
12 family whose house was nearby my house were taken away and  
13 killed, and that family knew a lot about Islam religion and  
14 culture. And that's the reason they were taken away and killed.

15 MR. SREA RATTANAK:

16 (Microphone not activated)

17 MR. PRESIDENT:

18 Please turn on the microphone.

19 [10.45.44]

20 BY MR. SREA RATTANAK:

21 Q. In the same document, document E319/13.2.4 (sic), the  
22 investigator asked you the question whether there was imam during  
23 the Khmer Rouge regime, and you answered that imam and tuon were  
24 taken away. Imam means religious scholars, and tuon mean  
25 religious teacher.



30

1 So my question -- so the question was, at that time, did you  
2 witness the killing of imam and tuon?

3 MR. KONG SAM ONN:

4 In this -- in the document, it's written imam.

5 [10.46.46]

6 BY MR. SREA RATTANAK:

7 I'm sorry. I did not know the -- how is pronounced exactly. You  
8 could correct me later. But based on my reading, it's called  
9 imam.

10 Your answer was that you did not witness the event with your  
11 eyes, but you said that your relatives were all killed during the  
12 regime. The question was, "Where was your regime -- where was  
13 your relative killed?"

14 Answer: "They were killed at Damrei Sa."

15 Question: "Where was Damrei Sa?"

16 Answer: "Damrei Sa was in Kamrieng."

17 Q. So my question is that you mentioned that your relatives who  
18 were knowledgeable in Islam were all killed. Were they imam or  
19 tuon?

20 A. In Islam, imam was the -- responsible for leading the prayer  
21 in the mosque. As for tuon, they were religious teachers. And  
22 they were evacuated, and all of them were killed. I did not  
23 witness the event myself, but I heard from other people.

24 Q. You told the Chamber that you lost your relatives, and there  
25 were 17 of them. So the imam and tuon, who were -- who you just

1 mentioned earlier, were they part of the 17 people who were  
2 killed?

3 A. I lost 17 member of my relatives, and some of there were imam  
4 and tuons.

5 [10.49.28]

6 Q. Now let me move to another topic about the Lon Nol soldiers.

7 Did you know anything about what happened to the Lon Nol soldiers  
8 during Democratic Kampuchea regime?

9 A. At that time, I was too young to know about what happened to  
10 the Lon Nol soldiers, and I did not pay much attention to that  
11 matter, either.

12 Q. Did you encounter any incident involving the Lon Nol soldiers?  
13 Did you have any relationship with the Lon Nol soldiers?

14 A. No, I did not know.

15 Q. In the same document, E319/3 (sic), at question number 40, the  
16 question to you was:

17 "As for the Lon Nol soldiers or Lon Nol officials, did anything  
18 happen to them when the Khmer Rouge came to power?"

19 Your answer was you witnessed around 30 to 40 dead bodies. You  
20 gave such an answer to the interviewer. Was it based on what you  
21 really saw, or what?

22 A. Yes, I witnessed the -- their uniforms, their military  
23 uniforms. And they were killed, but I did not know or see the  
24 weapons that were used to kill them.

25 I was at Traing Ta Sas cooperative, and I saw the dead body --

1 the dead bodies.

2 [10.52.22]

3 Q. So you see the -- you saw the dead body at Tuol (phonetic) Koh  
4 Ta Kan. So where that location was? What -- I mean the village  
5 and the commune where the location was -- was in.

6 A. It was in Tram Seh cooperative, Tram Khnar (phonetic) and  
7 Bakan district, Pursat province. And there was a hill called--

8 MR. PRESIDENT:

9 The party was allocated 25 minutes to put question to the civil  
10 party.

11 MR. SREA RATTANAK:

12 So how many time left for me -- for my party?

13 [10.53.22]

14 MR. PRESIDENT:

15 You have used all your time, all the time allocated to your team,  
16 so now we give the floor to other parties. Now the Chamber gives  
17 the floor to other parties.

18 Now the Chamber gives the floor to the Defence Counsel. And first  
19 we give the floor to the Defence Counsel for Mr. Nuon Chea to put  
20 questions to the civil party, if you have any.

21 QUESTIONING BY MR. LIV SOVANN:

22 Thank you, Mr. President. And thank you, parties in the Chamber.

23 And good morning, Mr. Civil Party. My name is Liv Sovanna, and I  
24 represent Mr. Nuon Chea in this courtroom. I have a number of  
25 questions to put to you.

1 Q. You said a while ago that you were separated from your parents  
2 and you were sent to the children unit. My question is whether  
3 the Khmer children at that time were also separated from their  
4 parents just like you.

5 [10.54.34]

6 MR. MEU PEOU:

7 A. Khmer children were also separated from their children (sic),  
8 but we were different. The Khmer children, they were in the  
9 children unit with also Khmer children, but for me, I was alone.

10 Q. Could you be, please, more specific on this when you say that  
11 you were alone?

12 A. Khmer children were separated from their parents, and they put  
13 in the children unit where they could spend time with other Khmer  
14 children. But for me as a Cham child, I spent time in the  
15 children unit, but there was only me who was a Cham child.

16 Q. So you said that you were the only Cham child in the children  
17 unit. Does that mean that there was only one Cham family, or  
18 there were also other Cham families?

19 A. During Khmer Rouge regime, regardless of adults, children or  
20 old people, they were separated from each other.

21 [10.56.22]

22 Q. You said that children -- Khmer children were also placed in  
23 the Khmer children unit and you, as a Cham child, were also  
24 placed in the Khmer children unit. My question was that you were  
25 sent to be in the Khmer children unit because -- because there

1 were other Cham children?

2 A. There were many Cham children at that time, but Angkar did not  
3 allow Cham children to stay in the same unit. Although we had  
4 many Cham children, we were separated. We were not allowed to be  
5 in the same unit.

6 Q. How many children units were there in your cooperative?

7 A. I did not know about the Khmer Rouge structure at that time,  
8 but I knew that in Tram Seh cooperative in my unit, there was  
9 only me who was a Cham child.

10 [10.58.11]

11 Q. So in Tram Seh cooperatives, there were only one Cham child in  
12 your -- in the children unit, and that was you. Is that correct?

13 A. Yes, there was only me who was a Cham child. As for the other  
14 children in the unit, they were Khmer children.

15 Q. So I could draw the conclusion that there was only one Cham  
16 child, and that was you, in the children unit was because, in the  
17 whole village, there was only one Cham child. Is that correct?

18 A. I could not accept this conclusion. There were many Cham  
19 children, but they could not assembled and stay together. They  
20 were placed in various units, and they were not allowed to stay  
21 together.

22 Q. I did not ask about other cooperatives and unit. I only refer  
23 my question to the Tram Seh cooperative. And you said that in  
24 that cooperative, there was only one Cham child in the children  
25 unit, and that was you. I did not ask about any others

35

1 cooperatives. You said that Cham children were not allowed to  
2 stay together, and you said that in the -- in your unit, there  
3 was only you alone.

4 Is it because you were the only Cham child in your cooperative of  
5 Tram Seh?

6 A. In my children unit, I was the only Cham child, although I did  
7 not know how many Cham people were living in the area.

8 [11.00.45]

9 Q. After 17 April 1975, how old were you?

10 A. I was born in 1961, so I was around 13 to 14 years old.

11 Q. Before 1975, did you attend any school and, if so, at which  
12 grade?

13 A. I studied at year 1. It was a thing of the current educational  
14 system.

15 Q. Can you tell the Chamber how come you were 14 years old and  
16 you were in Grade 1?

17 A. The reason I was in Grade 1 because of the lack of school at  
18 the time, and I had to tend our family's cattles.

19 [11.02.24]

20 Q. A while ago, you said that you lacked education because the  
21 Democratic Kampuchea regime didn't allow you to study. And now  
22 you just stated that the previous regime, you did not have an  
23 opportunity to attend schooling as well. Can you clarify whether  
24 your lack of education was partly the result of your lack of  
25 schooling prior to 1975?

1 A. I did not study between 1970 to '75, due to the eruption of  
2 war.

3 Q. You have also testified that your family was evacuated on 17  
4 April 1975. Besides your family, were there any other Khmer  
5 families from your village who were evacuated?

6 A. Not only my family was evacuated, but the neighbouring Khmer  
7 families were there. And for us, we were regarded as the 17 April  
8 People.

9 Q. Does it mean that the evacuation from your village included  
10 both the Cham and the Khmer people?

11 A. The evacuation of the people included both the Cham and the  
12 Khmer people. However, the Khmer Base People were evacuated and  
13 they were tasked to take charge of the so-called 17 April People,  
14 including myself. And generally, the 17 April People were  
15 evacuated to go and engage in hard labour, as some of the Khmer  
16 Base People were evacuated to take charge of the 17 April People  
17 in their village or sector level capacity.

18 [11.05.24]

19 Q. A while ago, you testified that Angkar forced your father to  
20 eat pork. However, he refused. And you also said Angkar only had  
21 pork to eat, and if he didn't eat, then there was nothing else  
22 that Angkar had for your father to eat. So your father was not  
23 taken away and killed, although he refused to eat pork.

24 A. Angkar did not take him away and killed at the time, but  
25 Angkar mistreated him and put him in a miserable situation. And

1 he became emaciated. He refused to eat the pork, and Angkar  
2 tortured him in that way until the day he died. It was the same  
3 killing, although this form of killing took longer than the  
4 immediate end to his life.

5 [11.06.45]

6 Q. You also stated that you saw the bodies of a Muslim family who  
7 was your neighbour and that you witnessed it at the area called  
8 Tuol Sleng. And you also said other children also told you that  
9 they were the bodies of a Cham family who live in your  
10 neighbouring surrounding. Did you know that they were Cham  
11 because you were told by other children?

12 A. I knew not because I was told by other children. However, I  
13 witnessed the dead bodies myself after they had been executed.  
14 And then a child running to me and told me that the Cham family  
15 had just been executed.

16 Q. Can you tell the Chamber the condition of the dead bodies?  
17 Were they decomposed?

18 A. Actually, the body passed the stage of decomposition. They  
19 were shriveled, and I noticed their identities when I saw bags of  
20 clothing scattered in the area, including sarong. Usually, a Cham  
21 or Muslim religious people would go with a bag of their  
22 traditional attire.

23 Q. Are you referring to the attire that were on the dead bodies,  
24 or are you referring to a separate attire?

25 A. I refer first to the attires on their dead bodies as well as,



1 secondly, a bag of clothes and their caps and their long shirts  
2 and sarongs. And I also saw head scarves for Cham women.

3 [11.09.08]

4 Q. Can you try to recall in what year or month you witnessed that  
5 incident?

6 A. I cannot recall that clearly.

7 Q. Did you witness it after the 17 April 1975 -- or rather, how  
8 many months after the 17 April 1975 did you witness that  
9 incident?

10 A. I cannot recall the particular day or month. I saw their dead  
11 bodies in 1975.

12 Q. In the area that you lived, were Cham people allowed to wear  
13 their traditional attire and that's why you saw those dead bodies  
14 in their traditional clothing?

15 A. They were not traditional attire. However, I saw the  
16 traditional attire in the bags scattered in that area.

17 [11.10.43]

18 Q. Just a while ago, you testified that you -- on the dead  
19 bodies, you saw the traditional sarong, head scarves and cap.  
20 That's why I asked you whether those dead bodies were in  
21 traditional attire or not. And now, you just said that you saw  
22 those traditional attire in the bags of clothing scattered  
23 nearby. Which version is correct?

24 A. I forget to clarify one thing. After they died, I saw the  
25 clothing they -- they wore, but they were not wearing traditional

1 attire. The traditional attires were with the bags scattered  
2 around.

3 Q. So your previous response that the dead bodies were with cap  
4 and traditional clothing is not correct? Is that your statement?

5 A. What I can say is this, maybe I spoke rather too fast. They  
6 actually wore normal clothing when they were killed. As for the  
7 cap, the long shirt and sarongs, head scarves, they were the  
8 belonging that they were taken along with. And after they were  
9 killed, their clothings were scattered in the area.

10 [11.12.40]

11 Q. Also, a while ago, you stated that you saw a group of Muslim  
12 who were killed at the vicinity of Tuol Sleng, or Sleng Hill. Did  
13 you recognize that they were Muslim? Is it because of the  
14 traditional clothing nearby? Is that your previous statement?

15 And you also claimed that Tuol Sleng was an execution site.

16 Please tell the Chamber whether those people who were killed were  
17 all Cham or were they all Khmer, or was it a mixture of Khmer and  
18 Cham people? And about the clothing, did you see the clothing  
19 after they were taken or stripped off the dead bodies, or were  
20 they part of the clothings in the bags?

21 A. I knew that they were a group of Cham people who were killed  
22 at Tuol Sleng. I did not stand there and witness the entire  
23 execution, and I knew that they were Cham from my observation of  
24 the scattered objects and clothing.

25 [11.14.17]

1 Q. How could you come to a conclusion that the scattered things  
2 and clothing belonged to the group of people who were killed?  
3 Because you said that it was an execution site. It means people  
4 had been killed there previously.

5 A. I conclude that they were the group because they were not the  
6 last group who were killed at Tuol Sleng. They were killed in  
7 1975, so they were the first group who was killed. And that's why  
8 I drew my conclusion that the scattered things and clothing  
9 belonged to them.

10 Q. How long were you detained at Trach Kraol?

11 A. I was detained at Trach Kraol in late 1977 or early 1978.

12 Q. Were you detained from late 1977 to early 1978? Is that your  
13 statement?

14 A. Yes.

15 Q. What was the reason for your detention?

16 A. The militia accused me of committing something against Angkar,  
17 that is, that I stole rice grains from Angkar. And that is the  
18 reason for my arrest and subsequent detention.

19 Q. Were you released in early 1978 and, if so, were you given any  
20 reason for your release?

21 A. No one released me. Allow me to explain that. In 1979, when  
22 the country fell, villagers came to uncuff me.

23 [11.17.32]

24 Q. Just a while ago, you stated that you were detained in Trach  
25 Kraol centre from late 1977 to early 1978. However, you change.

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1 Now you said that you were released only after 7 April -- 7  
2 January 1979. Which version is correct?

3 A. What I want to say is that I was accused in late 1977, and I  
4 was put in prison on 1978. And I remained in prison until early  
5 1977 -- '79, rather.

6 Q. I would like now to refer to your VIF, that is, document  
7 D22/1078. And at page 5 -- and the document only exists in the  
8 Khmer language. You stated that in October, that is, the rice was  
9 about to get ripe, in Trang commune, Me Tuek district, Bakan --  
10 rather, Bakan district, Pursat province the Khmer Rouge arrested  
11 people and: "Oeun (phonetic) arrested me, as I was accused of  
12 failing to inform Angkar about that. And Pou (phonetic) sent me  
13 to be detained at Trach Kraol centre."

14 [11.19.19]

15 Based on your VIF, you said that you were arrested in October  
16 1978, and the reason was not that you actually stole the rice  
17 grains, but you failed to report those people who stole the rice  
18 grain.

19 Please tell the Chamber which version is correct.

20 A. Allow me to clarify the matter. I was working that day, and I  
21 said that I was arrested in late 1977, that is, October '77, when  
22 the rice was about to get ripe.

23 I saw people stealing rice grains at the time, and I did not dare  
24 to report it. I was ploughing the field at the time. I did not  
25 know from when they monitored my activity and they accused my

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1 group of collaborating when the enemy and of betraying Angkar,  
2 that I saw the enemy stealing the rice grains and I failed to  
3 report that.

4 Q. In the interests of time, I'd like to put the last question to  
5 you. Among your family members, can you tell the Court how many  
6 siblings did you have?

7 A. I have four siblings.

8 [11.21.08]

9 Q. During the Democratic Kampuchea regime, did your four siblings  
10 survive?

11 A. They survived, and I only lost my father.

12 Q. You said that you lost 17 family members, including your  
13 relatives. Can you tell the Chamber, did most of them die from  
14 illness or from lack of food, or from any other reasons?

15 A. Amongst the 17, some died from lack of food. Other died from  
16 malaria, while others were killed as their stomach was emboweled.

17 MR. LIV SOVANNA:

18 Thank you, Mr. Civil Party and Mr. President. I conclude my  
19 questioning.

20 [11.22.34]

21 MR. PRESIDENT:

22 Thank you. The floor is now given to the defence team for Khieu  
23 Samphan.

24 QUESTIONING BY MR. KONG SAM ONN:

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

1 everyone. Good morning, Mr. Civil Party.

2 Q. I have a question to put to you in relation to the location  
3 that you were detained after the arrest. You made mention of this  
4 fact in your testimony today as well as in your previous written  
5 record of interview and your Victim Information Form that you  
6 were detained in a security centre called Trach Kraol. Can you  
7 tell the Chamber the exact location of that security centre?

8 MR. MEU PEOU:

9 A. Trach Kraol security centre was located in the area that I  
10 could not recall the village or commune because it was located in  
11 a village -- rather, in a pagoda. However, I knew that it was  
12 situated in Bakan district, Pursat province.

13 Q. How did you know that it was called security centre?

14 A. The area was strictly guarded, and it was the area that I,  
15 myself, was detained.

16 [11.24.31]

17 Q. Are you aware that the Trach Kraol security centre was part of  
18 the facts in the Closing Order forwarded by the Co-Investigating  
19 Judges?

20 MR. PRESIDENT:

21 Lead Co-Lawyer, you have the floor.

22 MR. PICH ANG:

23 Mr. President, Counsel Kong Sam Onn put a question to this civil  
24 party whether Trach Kraol security centre was part of the Closing  
25 Order of the Investigating Judges. We are in a position that the

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1 civil party is not familiar with the content of the Closing Order  
2 or the scopes of the investigation, and this question shall not  
3 be put to the civil party.

4 [11.25.40]

5 MR. KONG SAM ONN:

6 Allow me to respond briefly, as the civil party is a party to the  
7 proceedings. For that reason, this question is appropriate. He is  
8 the person who claims to be a civil party, and if a civil party  
9 is not familiar with the facts he is involved, then it is at your  
10 discretion to consider whether it is appropriate or not.

11 MR. PRESIDENT:

12 The objection by the Lead Co-Lawyer is overruled, as the question  
13 is permissible.

14 And Civil Party, you may respond. If you know, you say yes. If  
15 you do not, you just say no.

16 MR. MEU PEOU:

17 A. No, I do not know about that.

18 BY MR. KONG SAM ONN:

19 Q. If I put to you that the -- in the Closing Order of the  
20 Co-Investigating Judges in Case 002 there is no mentioning at all  
21 of Trach Kraol security centre, what is your reaction to this?

22 A. People who were nearby also acknowledged the existence of  
23 Trach Kraol security centre and other witnesses also acknowledged  
24 that, so I don't have any reaction to your statement.

25 [11.27.30]

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1 Q. My question is not to reject your statement that Trach Kraol  
2 was a security centre. What I put to you is that Trach Kraol  
3 security centre is not part of the scope of Case 002, as it is  
4 not in the Closing Order of the Co-Investigating Judges.

5 So I'd like to get your reaction to this statement that your  
6 experience is not part of the facts within the Closing Order, as  
7 Trach Kraol security centre is not part of it.

8 [11.28.22]

9 MR. PRESIDENT:

10 That is a complicated legal matter, and if you were to object to  
11 this, you should have done it from the beginning of the statement  
12 of harm and suffering by this civil party. Civil parties who  
13 applied for status in this proceeding and admitted by the OCIJ --  
14 by the OCIJ, they are considered the civil parties and, for that  
15 reason, you should put question in relation to general practice  
16 or policy on the treatment of the Democratic Kampuchea toward the  
17 Cham people, in particular in relation to this civil party. And  
18 that is the fact of the purpose of hearing the statement of harm  
19 and suffering and that has been put by the National Co-Prosecutor  
20 as well.

21 This civil party is not obligated to respond to that kind of  
22 complex legal question.

23 MR. KONG SAM ONN:

24 Thank you, Mr. President. I conclude my questioning.

25 MR. PRESIDENT:



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1 Mr. Meu Peou, we are informed that you would like to put  
2 questions to the accused. If you so wish, at the end of your  
3 testimony, you may put question to the civil -- to the Accused;  
4 however, you cannot put a question directly. You have to put the  
5 questions through us, the President or the Chamber. And if you  
6 wish to do so, you have the chance now.

7 Please observe the microphone.

8 [11.30.20]

9 MR. MEU PEOU:

10 Mr. President, I have two questions. I'd like to ask the Accused  
11 the following questions: 1. Why the Accused mistreated the Cham  
12 people so terribly and why did they force the closure of the  
13 religious practice?

14 MR. PRESIDENT:

15 Thank you, Mr. Meu Peou.

16 Pursuant to Rule 21.1(d) of the ECCC Internal Rules which states  
17 that at all stage of the proceedings, the Chamber shall informed  
18 the Accused of their rights to remain silent in response to any  
19 questions and on 8 January 2015, the two Accused confirms their  
20 position to remained silent.

21 And at that time, the Chamber noticed that the two Accused still  
22 maintained their express position. Unless and until such time,  
23 the Chamber is expressly informed otherwise by the Co-Accused or  
24 their counsels.

25 [11.31.59]

1 Also, the Chamber informs the Accused and their counsel that they  
2 shall inform the Chamber in a timely and effective manner should  
3 the Accused resolve to waive their rights to remain silent and be  
4 willing to respond to questions by the Bench or relevant parties  
5 at any stage of the proceedings.

6 As of today, however, the Chamber is not informed that the  
7 Co-Accused have changed their express position and thus agreed to  
8 provide their responses to questions. And the Chamber is not in a  
9 position to compel the Accused to respond when they exercise  
10 their rights to remain silent. The law does not allow the Chamber  
11 to force the Accused to respond to questions.

12 [11.33.13]

13 And Mr. Meu Peou, the Chamber is grateful of your testimony. The  
14 hearing on your statement of harm and suffering, as a civil  
15 party, that you claimed you suffered under the Democratic  
16 Kampuchea regime is now concluded.

17 Your testimony may contribute to ascertainment of the truth in  
18 this case and your presence in this courtroom is no longer  
19 required so you can return to your home, residence or wherever  
20 you wish to go to. The Chamber wishes you all the very best. You  
21 may now be excused.

22 And Mr. Lemhuor, the TPO staff, the Chamber would like to thank  
23 you for your support given to the civil party during his  
24 statement of suffering -- of harm and suffering.

25 And Mr. Bun Lemhour shall return to the courtroom for the

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1 statement of suffering of civil party 2-TCCP-263 this afternoon.

2 Court Officer, in collaboration with WESU, please arrange

3 transportation for Meu Peou to return to his place of residence

4 or wherever he wishes to return to.

5 This afternoon, the Chamber will hear statement of harm and

6 suffering of civil party 2-TCCP-263.

7 [11.34.56]

8 It is now appropriate for our lunch break. The Chamber will take

9 a break now and resume at 1.30 this afternoon, to continue our

10 proceedings.

11 Security personnel, you are instructed to take Khieu Samphan to

12 the waiting room downstairs and have him returned to attend the

13 proceedings this afternoon before 1.30.

14 The Court is now adjourned.

15 (Court recesses from 1135H to 1332H)

16 MR. PRESIDENT:

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

18 Court officer, please usher 2-TCW-263 (sic), together with the

19 TPO staff, into the courtroom.

20 (The witness enters courtroom)

21 [13.33.44]

22 QUESTIONING BY THE PRESIDENT:

23 Q. Good afternoon, Mr. Civil Party. What is your name?

24 MR. MAN SLES:

25 A. My name is Man Sles.

1 Q. Do you recall when you were born?

2 A. I can only recall the year, but not the day and the month. I  
3 was born in 1945.

4 Q. Thank you. And what is your current address?

5 A. I am residing in Village 5, Svay Khleang Commune, Krouch  
6 Chhmar District, Kampong Cham Province.

7 [13.34.45]

8 Q. What is your occupation?

9 A. I am aging now. I do not have any occupation, but I -- I am  
10 living under the -- the support of my children.

11 Q. What are your parents' names?

12 A. Ta Man (phonetic) is my father's and my mother's name is Sos  
13 Sla Mas.

14 Q. And what about your wife, what is her name and how many  
15 children do you have together?

16 A. My wife's name is Mat Kocha (phonetic). We have two children  
17 together.

18 [13.35.53]

19 MR. PRESIDENT:

20 Thank you. Once again, this civil party is assisted by Bun  
21 Lemhuor, a TPO staff, to assist him mentally and physically  
22 during the hearings of his suffering.

23 Mr. Man -- Man Sles, as a civil party, you may make a victims  
24 impact statement, if any, concerning the crimes which are alleged  
25 against the two Accused and also harms suffered by you during the

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1 Democratic Kampuchea resulting in your civil party application to  
2 claim collective and moral reparations for physical, material or  
3 mental injuries as direct consequences of those crimes. And these  
4 crimes are alleged against the two accused, Nuon Chea and Khieu  
5 Samphan. And these crimes were committed during the period of 17  
6 April 1975 up to the 6th of January 1979.

7 And during the hearing of the victim impacts testimony and as  
8 requested by the Lead Co-Lawyer for civil parties, the Chamber  
9 will now give the floor to the Lead Co-Lawyers for civil parties  
10 to put questions to this civil party about the impacts and  
11 sufferings endured by him in relation to the treatment of Cham  
12 people.

13 [13.37.44]

14 MR. PICH ANG:

15 Good afternoon, Mr. President. Once again, may I cede the floor  
16 for lawyer Kim Mengkhy to put questions to this civil party and  
17 Kim Mengkhy is the lawyer representing this civil party?

18 MR. PRESIDENT:

19 Yeah, you may now proceed, Kim Mengkhy.

20 [13.38.07]

21 QUESTIONING BY MR. KIM MENGKHY:

22 Good afternoon, Mr. President, thank you very much. And good  
23 afternoon, Your Honours, and everyone in and around the  
24 courtroom. As I -- as far as you are concerned, I am the lawyer  
25 for Man Sles and I will put questions to him in relation to the

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1 suffering endured by Cham people.

2 Before I put the questions to you, I would like to inform and --

3 I would like to ask some preliminary questions.

4 Q. First, I know that you are having the abdominal pain. I would

5 like to know whether you can provide your testimony in this

6 hearing.

7 MR. MAN SLES:

8 A. It's -- it's fine, lawyer, since I want to addressing the

9 Chamber, particularly in relation to the sufferings which was

10 inflicted by the Khmer Rouge.

11 Q. Thank you. I will put short and simple questions and please,

12 focus and pay attention to my specific questions. My first

13 question is as follows -- as follow: In relation to the suffering

14 happen -- happening to Cham people in Svay Khleang, so could you

15 tell the Court what was the suffering inflicted on Cham people?

16 [13.40.09]

17 A. Khmer Rouge came to my village and worked with the village

18 chief. We, Cham people, were told and instructed to cut our hair

19 short and we were not allowed to pray. Number three; We were

20 prohibited from going up into our houses to find some Korans --

21 holy books.

22 Q. What else did you endure during the Democratic Kampuchea and

23 also, what was the suffering inflicted on other Cham people

24 beside what you described?

25 A. At that time, Khmer Rouge people arrested the religious

1 leaders, hakim, haji, and religious teachers, as well, and among  
2 them, there was my father.

3 [13.41.52]

4 Q. Regarding the arrests of Cham people, and I would like to  
5 focus, in particular, the arrest of your father, what infraction  
6 or mistakes which led to the arrest of your father and what was  
7 the impact on you and your family after the arrest of your  
8 father?

9 A. My father was working the field behind the village during  
10 which the Khmer Rouge arrested him and put him in -- put him on a  
11 horse cart. He was taken to the district hall. Later on, my  
12 siblings and my mother, including me, were -- felt so sorry for  
13 my father and we were weeping secretly, not allowing other  
14 neighbours to know that we were not happy with that incident.

15 Q. After your father had been arrested, where were you and your  
16 family members sent to?

17 A. As I said, my father had been arrested and he was sent to the  
18 district hall. Since that time, we have never seen him again. We  
19 missed -- we miss him so terribly and every time we and Cham  
20 people are holding the religious ceremony, there is no presence  
21 of my father.

22 Q. Was there persecution inflicted on you and family members  
23 beside the arrest of your father?

24 MR. PRESIDENT:

25 Please observe the microphone, Mr. Civil Party, before you speak.

1 [13.44.40]

2 MR. MAN SLES:

3 During the time, the youth group banged the drum and the water  
4 buckets in order to call the Cham people to rise up and resist  
5 the Khmer Rouge since we came to understand that we no longer  
6 could survive and we had to resist in order -- we had to resist  
7 for the survival of our religion.

8 BY MR. KIM MENGKHY:

9 Q. After the rebellion or resistance, what was the response to  
10 that rebellion?

11 [13.45.37]

12 MR. MAN SLES:

13 A. I was engaged in the rebellion possessing machetes and I was  
14 joining with others. Many people, I mean both side; we, Cham  
15 people, and Khmer Rouge, died during the rebellion, but not many  
16 Khmer Rouge died since they were armed with weapons, more than  
17 all of us.

18 After one day and one night of rebellion, we, Cham people, laid  
19 down the weapons and we were defeated and Khmer Rouge mobilized  
20 all of us into the tobacco kiln and for woman and children, they  
21 were put in a pagoda.

22 We, then, were deprived of meal. We were allowed only a bowl of  
23 watery porridge and during that -- while I was detained, I missed  
24 my family members and siblings. I did not know, at the time, how  
25 sufferings they were. Perhaps, they had been through the



1 sufferings as I had at that time. We were separated from each  
2 other after the rebellion.

3 Q. Thank you. You stated that you were arrested and placed in --  
4 in a tobacco kiln and did they allow you to sleep properly or was  
5 that place sanitary enough for you to stay and were windows and  
6 door closed completely?

7 A. At that tobacco chamber or kiln, there was enough space, but  
8 there was no sanitation at all. The place was full of dogs'  
9 excrement and while we were there, our names were registered, one  
10 after another, and people kept disappearing from time to time and  
11 it was lucky for me to survive.

12 [13.48.34]

13 Q. Thank you. You stated that names were registered and biography  
14 was collected and after that biography taken, people disappeared,  
15 so could you elaborate what happened next after biography was  
16 taken?

17 A. The reason that they making and collecting biography was that  
18 they was trying to search for the ringleaders of the rebellion as  
19 -- and as I said, I was lucky enough to survive.

20 Q. At that time, were you so worried since you were called to  
21 declare your biography?

22 A. I was trapped, but I did not think of myself; I was worrying  
23 of my family members and in particular, my wife who was three  
24 month pregnant. I -- my wife had delivered the baby three months  
25 -- had just delivered the baby and I was so worried about her and

1 my family members.

2 [13.50.36]

3 Q. You stated that you were so worried about your wife and family  
4 members and when did you stop worrying?

5 A. I felt a bit relieved 10 days later -- 5 or 10 days later  
6 because I was allowed to gather together with my family members  
7 and wife. And after we met, we were sent to live in Stueng Trang  
8 District, Soupheas Commune. My wife and I, together with the  
9 three-month infant, were together.

10 For my mother and my other siblings, three of them were sent to  
11 Roka Khnaor. We were not allowed to stay together.

12 Q. You stated that you felt a bit relieved later on, but let you  
13 -- let me ask you about your physical strength of you and your  
14 wife and others. So were you strong enough, physically?

15 A. I told the Court already, my wife, my infant, and me were so  
16 pale; we were so skinny and bony. And for my infant, his or her  
17 head were -- was big -- so big, bigger than the -- the body.

18 Then I was sent to Soupheas Commune, Stueng Trang District with  
19 my wife and the infant. After we arrived, Angkar, at that place,  
20 asked our background; what I did in the past regime and in reply,  
21 I said I was a fisherman. I told the Angkar there, as I have just  
22 told the Court. My wife was sent to work in the field and as for  
23 my infant; he or she was sent to stay with the elderly group.

24 [13.54.04]

25 Q. You went to work in Stueng Trang District. Were you entitled

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1 to contact with your wife and were you able to visit your wife  
2 and your infant regularly?

3 MR. PRESIDENT:

4 Please, listen to the question carefully and wait until you see  
5 the light on the microphone; during which, you can also think of  
6 the answer to respond to the question.

7 MR. MAN SLES:

8 I was assigned to the fishing unit at the river -- along the  
9 river. I would visit my wife once or two times a year and two  
10 times at most per year. I could visit my infant only at night  
11 time. Why? Since my wife had to go to work at night time and the  
12 same, I could see my wife and infant at night -- only at night  
13 time. My wife, as I said, was so bony and skinny. For my infant,  
14 his or her head was bigger than the body.

15 [13.55.58]

16 BY KIM MENGKHY:

17 Q. Thank you. You have just stated that you would see your wife  
18 once a year and particularly, only at night time. Were you  
19 worried when you saw her and at that time, did you think what you  
20 wanted to do for your future?

21 MR. PRESIDENT:

22 Please hold on, Mr. Civil Party. You have the floor now, Kong Sam  
23 Onn.

24 MR. KONG SAM ONN:

25 Mr. President, I would like to register my objection. The lawyer

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1 for civil party is asking the civil party to answer about what  
2 the civil party wanted to do for the future and also what did he  
3 think about the past. It is -- the question was -- is not seeking  
4 the facts of what -- what was happening to him at that time.

5 [13.57.12]

6 MR. PICH ANG:

7 I don't think there is any problem with the question put by the  
8 lawyer because the lawyer for civil party wanted to address the  
9 Court about the sentiment and also about the mental feeling and  
10 suffering which occurred -- which happened to him, so it is  
11 nothing -- It is not an issue with the question asked by the  
12 lawyer for civil party, so I would like to seek permission to  
13 allow the civil party to answer.

14 MR. PRESIDENT:

15 The objection is overruled. The question is allowed. Mengkhy,  
16 could you please reformulate your question?

17 [13.58.04]

18 BY MR. KIM MENGKHY:

19 Thank you, Mr. President.

20 Q. My question earlier is about your worry and about your future.  
21 I did not ask you about what's -- about your future, at that  
22 time, what you want to do, but I want to ask -- my purpose of the  
23 question is to ask you about whether or not you wanted to visit  
24 her, once again, after the first meeting since you were only  
25 allowed to meet your wife not occasionally.

1 MR. MAN SLES:

2 A. I felt that I would die one day since I was endured hardship;  
3 I was not allowed to have enough food and I was prohibited from  
4 practicing my religion.

5 Q. Thank you. I would like to ask you about the tasks which were  
6 under your responsibility. What was the working -- what were the  
7 working conditions like for you and for other; were its -- was it  
8 so hard, the work that you do?

9 A. While we were fishing together, there were four of us in a  
10 group. We had a boat and among the -- among four of us, there was  
11 one Khmer who was in charge of the boat and they were observing  
12 us to be careful and to try to find fish. We had to fish day and  
13 night and there was only one-hour break for us and we would go  
14 fishing early in the morning. There was no rest for day time, but  
15 for night time, we had a one-hour rest for night time.

16 [14.01.01]

17 Q. Thank you for your response, but I am really unsure about  
18 that. You said you would be allowed to rest for an hour also.  
19 Does it mean that you had to rest for one hour or so and then you  
20 returned to go and -- to go fishing again?

21 A. When I said we were allowed to rest, it means that we were not  
22 allowed to get on the shore, but we actually rested on the boat  
23 for an hour or so and then we had to start fishing again. And the  
24 same pattern of work occurred after we had our meal.

25 Q. For your food consumption, were you given sufficient food to

1 eat? For example, the fish that you caught, was you -- were you  
2 given fish?

3 [14.02.35]

4 A. We, the group of four, were given four small fish to eat; that  
5 is, the fish that we caught, and the fish that were given to us  
6 were small, the size of a toe -- a big toe. So for a group of  
7 four, we were given four small fish.

8 Q. I now move on to another topic. This is in relation to  
9 occasional visits and that you saw your relatives. Can you tell  
10 the Chamber of your feeling when you met your family members?

11 A. One day, I was assigned to find strings to fix the fishing net  
12 and I took the chance to quietly go to visit my mother and my  
13 three younger siblings; however, my three siblings were sent to a  
14 work site and my mother was working near the house. I met her for  
15 a brief moment as I was afraid that I would be spotted.

16 And on a separate occasion -- again, I was asked to find string  
17 to fix the fishing net -- I went to visit them again and I didn't  
18 see them, so I asked the villagers and I were told that my mother  
19 and three younger siblings were sent away and killed.

20 [14.05.30]

21 Q. Upon receiving the news that your family members disappeared  
22 or killed, how did you feel?

23 A. First of all, I lost my father and later on, I lost my mother  
24 and three younger siblings, so this was a compounded effect on  
25 top of the loss of my father. When I returned to my fishing area,

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1 I wept quietly and my -- my colleagues asked what happened to me  
2 and I -- I lied to them that I had an abdominal pain.

3 (Short pause)

4 [14.07.03]

5 Q. You stated that your father, your mother, and siblings were  
6 killed. Can you tell the Chamber about your wife and your child;  
7 what happened to them while you were not with them? Please tell  
8 the Chamber news that you received about your wife and your  
9 child.

10 A. When I first went to visit my mother, she told me that my  
11 younger siblings were sent to work at the work site and that they  
12 became so emaciated and that I would hardly recognize them if I  
13 were to see them.

14 For the second time I went to visit her again and I did not see  
15 them and as I said, when I returned, I wept like a child. And  
16 when I was asked why I wept, I told my chief and the workers that  
17 I had an abdominal pain.

18 MR. KIM MENGKHY:

19 Thank you, Mr. Civil Party. I would like to hand the floor to Mr.  
20 Pich Ang, the National Lead Co-Lawyer, to put further questions  
21 to you.

22 [14.09.03]

23 QUESTIONING BY MR. PICH ANG:

24 Mr. President, I'd like to put some questions to the civil party.

25 Q. And good afternoon, Mr. Man Sles. I only have a few

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1 supplementary questions to put to you in addition to the  
2 questions asked by Mengkhy. Can you tell the Chamber, in your  
3 name as a Islamic religious follower, how important is religion  
4 to you as well as to the general Cham people?

5 A. We actually prayed five times per day in our name as the  
6 Islamic followers and we would never miss any occasion despite  
7 any business schedule. And if we miss a pray time, for instance,  
8 we could substitute it by another pray time for that particular  
9 day. Otherwise, we would be sinned ourselves as committing a sin.

10 [14.10.45]

11 Q. In your response to the question by Kim Mengkhy, you stated  
12 that you did not practice your Islamic religion before -- or  
13 after 17 April 1975. How did you feel when you could not practice  
14 your Islamic religion?

15 A. As I have just stated, due to the abolishment of the Islamic  
16 religion the Cham people in my village rebelled as they actually  
17 respected the religion secretly.

18 Q. Did you secretly practice your Islamic religion?

19 A. Occasionally I secretly prayed when it was quiet. Of course, I  
20 was concerned that I would be tracked or monitored by the Khmer  
21 Rouge.

22 [14.12.37]

23 Q. You said you were concerned that you would be monitored by the  
24 Khmer Rouge militia. Did you ever experience any Khmer Rouge  
25 militia coming to track you or to monitor your activity?



1 A. I saw them patrolling the street but I did not know whether  
2 they came under the house to listen to us.

3 Q. And what about your language? Were you allowed to speak your  
4 Cham native language freely?

5 A. From that day onward I did not dare to speak our language and  
6 of course when we did not see them we would quietly speak our  
7 language.

8 Q. What about the food regime? Were you forced to eat food that  
9 you should not eat and if so could you elaborate a bit more?

10 A. We, the Cham people, were prohibited from eating pork but when  
11 they cooked food or they cooked gruel they actually put pork with  
12 oil in the gruel. And when we were given pork with gruel we  
13 actually tried to get rid of the soup and ate only the rice. Some  
14 people could not bear it while others tried to eat in order to  
15 survive.

16 [14.15.13]

17 Q. Now, I would like to talk about your living conditions in  
18 Soupheas. Can you tell the Chamber what happened to you and your  
19 family or to other Cham families while you were living in  
20 Soupheas?

21 A. I was separated from my other family members. I was forced to  
22 over work and I was given little food to eat. As for my wife, I  
23 was never allowed to meet her during the daytime and only at  
24 nightfall I could once in a while see my wife. That was the same  
25 for my child and that was the time I felt devastated. I felt so

1     pity for my child and my wife.

2     Q. Could you tell the Court the living conditions of your wife  
3     and child in Soupheas?

4     [14.17.00]

5     THE PRESIDENT:

6     Please observe the microphone, Civil Party.

7     MR. MAN SLES:

8     A. She was given the same food rations as the rest. It was not  
9     sufficient. Some of the people hid some rice in their house or  
10    they could cook this rice and eat. However, for my wife she did  
11    not have any spare rice hidden in the house. Some of the people  
12    would find supplementary food with leaves.

13    BY MR. PICH ANG:

14    Q. Did you know or did your wife tell you about the living  
15    conditions of other Cham people in Soupheas and what happened to  
16    them?

17    A. When we arrived when we were evacuated to the area, I saw  
18    other Cham people who were evacuated from other areas to that  
19    surroundings. However, Cham people were living in the nearby  
20    areas but not in Soupheas itself.

21    [14.18.34]

22    Q. Maybe this is my last question to you. Currently you are  
23    living in Svay Khleang. Can you tell the Chamber when did you  
24    return to live in Svay Khleang and upon your return did you see  
25    any of your relatives or any of the Cham people returning to live

1 in Svay Khleang?

2 A. When the war ended, we returned to our native village. There  
3 were several other families who returned to live in my village as  
4 well. As for the native villagers who used to live there, there  
5 were only about 50 percent of them returned and there were other  
6 villagers who came from other villagers to live in Svay Khleang.

7 Q. Did you know how many Cham people living in Svay Khleang prior  
8 to 17 April 1975?

9 [14.20.11]

10 A. There were about 800 to 1,000 Cham families living in Svay  
11 Khleang at the time. This is my personal conclusion only as I did  
12 not have any statistics or real figures but from what I knew  
13 there were about 1,000 Cham families.

14 Q. I believe this is my last question. You spoke about haji and  
15 hakim who were the religious elders in Svay Khleang. Upon your  
16 return to Svay Khleang did you see any of these religious figures  
17 including tuons and hakims return?

18 A. When I returned more than half of the Cham people did not  
19 return, including many of the religious elders. Only later on  
20 there were tuons who continued the practice from the previous  
21 tuons and religious figures.

22 Q. Actually, my international colleague has a question that I  
23 would like to put to you, and allow me to do that.

24 From 1979 until the time that tuons, imams and hakims were  
25 elected in your village, can you tell us how many months or years

65

1 before such people were elected or existed in your village?

2 [14.22.39]

3 A. When the Khmer Rouge regime fell the religious elders passed  
4 away as well, so younger children actually went to study abroad  
5 at Arab-Saudi countries or in Malaysia who continued their  
6 religious practice and then there were Chams that -- rather,  
7 there were tuons who are Cham teachers who started teaching the  
8 language as well as the Khmer and the English languages to the  
9 people.

10 Q. My question is about the year that they actually came to your  
11 village. Can you recall?

12 A. It happened in 1989.

13 MR. PICH ANG:

14 Thank you, Mr. Civil Party, for answering my questions.

15 And Mr. President, I conclude my session now. Thank you.

16 THE PRESIDENT:

17 Thank you. I would like now to hand the floor to the  
18 Co-Prosecutors to put questions to the Civil Party if you have  
19 any. You may proceed.

20 [14.24.05]

21 QUESTIONING BY MR. FARR:

22 Thank you, Mr. President.

23 Q. Good afternoon, Mr. Man Sles. My name is Travis Farr and I am  
24 counsel for the Prosecution and I will have a few questions for  
25 you as well this afternoon.

66

1 You were just talking about issues related to the practice of  
2 Islam during the Khmer Rouge period. Can you tell the Court  
3 whether there was a mosque in Svay Khleang and if so what  
4 happened to it during the Khmer Rouge era?

5 MR. MAN SLES:

6 A. Thank you for asking the question. At that time no one went to  
7 pray at the mosque as the Khmer Rouge prohibited us from doing so  
8 and actually cattles were put in the mosque as well as tobacco  
9 was stocked in the mosque.

10 Q. Thank you for that answer. I would like to move to another  
11 topic now, back to the arrest of your father which you have  
12 already described for us a little bit. But can you describe that  
13 event for the Court in more detail, please?

14 A. They came to arrest him while he was working in the field,  
15 that is, at the cornfield that is behind the house. The Khmer  
16 Rouge came to arrest him and accused him of being an enemy.

17 [14.26.00]

18 Q. And was anyone else arrested with him in that cornfield at the  
19 time that he was arrested?

20 A. Yes, there were others who were arrested together with my  
21 father. In fact, about 50 to 60 people were arrested at the time.  
22 Later on all of them were released except five including my  
23 father. I did not know the names of the other four individuals  
24 although I knew they were living in the same village.

25 Q. And to start with that big group of 50 people that you just

1 mentioned, were all of those 50 people who were initially  
2 arrested, were they all Cham or was it a mix of Cham and Khmer?

3 A. They were all Cham people. There was no Khmer among the  
4 arrestees.

5 Q. And just so we are clear on the timing, did this arrest happen  
6 before the rebellion in Svay Khleang or after the rebellion in  
7 Svay Khleang?

8 [14.27.43]

9 A. It happened before the rebellion.

10 Q. So in this group of 50 people that was initially arrested,  
11 were there both men and women or was it only men?

12 A. There were men, women and children aged from five and above.  
13 So it was a combination of men, women and children.

14 Q. And can you estimate for us how many women and how many  
15 children there were in that group of 50?

16 A. There were not many children and there were more adult people,  
17 and among those children they aged between five to 15.

18 Q. Okay. So can you tell us who carried out the arrest? Who  
19 arrested these 50 people?

20 A. It was the Khmer Rouge who made the arrest. They wore black  
21 uniforms and a krama scarf around the neck. I did not know from  
22 which level they were, but I only knew that they were Khmer  
23 Rouge.

24 Q. Were you among this group of 50 people that was arrested at  
25 that time?

1 [14.29.53]

2 A. Yes, I was amongst the 50. However, I was subsequently  
3 released.

4 Q. And can you tell us where was the group held from the initial  
5 arrest until the point at which the majority of the group was  
6 released?

7 A. We were arrested in the plantation fields. We were then tied  
8 up and placed to be under the house of the Khmer people. About a  
9 week after we were released and only five were placed on an ox  
10 cart -- horse cart, rather, and taken away and amongst the five  
11 was my father.

12 [14.31.01]

13 Q. Did your father have any position of seniority or importance  
14 in your village?

15 A. He was the second assistant.

16 Q. You have called him the second assistant. Can you explain a  
17 bit more, a second assistant; to whom or for what?

18 A. Hakim was the chief. Then there was a first deputy and my  
19 father was the second deputy or second assistant. When the chief  
20 was not available then the first deputy or assistant or the  
21 second assistant would act in the capacity of the chief. And the  
22 chief, here I refer to hakim who was the religious leader in the  
23 village.

24 Q. Okay. Thank you for that clarification. What about the other  
25 four men who were taken away at the same time your father was

1 taken away? Did they have any position of seniority in the  
2 village or any position of importance?

3 A. Five of them had been arrested and my father was among the  
4 group. They have never returned after the arrests.

5 [14.33.59]

6 Q. I just want to ask you about something in your civil party  
7 application. This is document E3/6714, and the page number in  
8 English is, 01089919; in Khmer, 00563974 to 75; and in French  
9 01137854.

10 And this is you are describing this event and you say much of  
11 what you have told us now that a big group was arrested and then  
12 all but five were released. And you say -- but what you say about  
13 these five men is that these five men were senior persons working  
14 in the village including a village chief and a deputy of the  
15 religion clan, "That village chief named Kao and my cousin named  
16 Ly Mein."

17 Hearing that, does that refresh your memory regarding the  
18 identity of some of those other men and their positions of  
19 seniority?

20 [14.34.22]

21 A. There was a person by the name Kao and Ly Mein that was  
22 another person. Ly Mein, that person was my cousin. Ly Mein was  
23 working in the village. And for Kao, he was the village chief.

24 Q. And just so the record is clear, those men were among the  
25 group of five that was taken away with your father; correct?



1 A. That is true.

2 Q. Okay. Thank you for you that. Now, I think you have told us  
3 they were taken in the direction of the district hall. Can you  
4 tell us where the district hall was?

5 [14.34.33]

6 A. It was located in Krouch Chhmar. The district office was  
7 belonging to Krouch Chhmar District.

8 Q. And following that day on which you saw your father taken away  
9 in that cart, did you ever learn anything else about what  
10 happened to him after that?

11 A. After my father had been arrested and his hands were tied  
12 behind his back, he was put onto a horse cart and he has  
13 disappeared ever since then. They -- they, I mean the other four,  
14 never returned.

15 Q. Okay. Thank you for that. I want to -- well, okay. So you told  
16 us that this arrest happened before the rebellion. Can you tell  
17 us whether there were any other arrests that you were aware of  
18 that happened before the rebellion in Svay Khleang?

19 [14.37.10]

20 A. Regarding the arrest, the arrest had occurred from 1973 up  
21 until 1975, at which there was a rebellion.

22 Q. And this may be a difficult question, but are you able to  
23 estimate how many people from Svay Khleang were arrested in total  
24 before the rebellion, so adding together everyone who was  
25 arrested in '73, '74 and '75 up through the rebellion can you

71

1 estimate how many people that would have been? Was it 10, was it  
2 100, was it 200?

3 [14.38.02]

4 A.I cannot give you the estimate. I was simply an ordinary  
5 citizen. I cannot recognize all of them, their faces. I did not  
6 have the figure. I did not have the figure at the time but what I  
7 know is that many people kept disappearing.

8 Q. Okay. Thank you for that. So turning now to the rebellion can  
9 you tell us how the villagers in Svay Khleang, what --

10 THE PRESIDENT:

11 Please hold on. Greffier, what is going on with the lawyer for  
12 Nuon Chea, Son Arun? Where is he now?

13 (Short pause)

14 [14.39.45]

15 THE PRESIDENT:

16 I noticed there is no presence of lawyers for Nuon Chea and it is  
17 now appropriate time for a short break. The Chamber will take a  
18 short break from now to five to 3.00.

19 Court officer, please assist the Civil Party during the break  
20 time and please invite him together with the TPO staff back into  
21 the courtroom at five to 3.00.

22 The Court is now in recess.

23 (Court recesses from 1440H to 1457H)

24 THE PRESIDENT:

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

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1 And the floor is given to the International Deputy Co-Prosecutor  
2 to resume his questioning. You may now proceed.

3 [14.58.26]

4 BY MR. FARR:

5 Thank you, Mr. President.

6 Q. Mr. Man Sles, earlier when you were answering questions from  
7 the Civil Party lawyer you indicated that one of the reasons for  
8 the rebellion was the fact that the Cham people were not allowed  
9 to practice Islam. Can you tell us if there were any other  
10 reasons for the decision to rebel?

11 THE PRESIDENT:

12 Please hold on, Civil Party.

13 You have the floor now, Kong Sam Onn.

14 [14.59.12]

15 MR. KONG SAM ONN:

16 Thank you, Mr. President. I have an observation on the question  
17 put by the International Deputy Co-Prosecutor particularly in  
18 relation to the rebellion in general. The question is directed to  
19 the rebellion and, as far as the Chamber is concerned, this  
20 hearing is to hear the victim impact testimony. It's not about  
21 the specific fact that it is a rebellion. So that is my  
22 observation, Mr. President.

23 THE PRESIDENT:

24 The question is allowed since the civil party is aware of -- if  
25 the civil party is aware of the facts and also the impacts

1 resulting from the suffering and if the civil party is aware,  
2 that is fine. The facts now is before the Chamber.

3 BY MR. FARR:

4 Q. And perhaps I will just rephrase my question in a more simple  
5 way. Can you tell us all of the reasons that the villagers in  
6 Svay Khleang decided to rebel?

7 [15.00.50]

8 MR. MAN SLES:

9 A. Thank you. Before we decided to rebellion it was because many  
10 Khmer Rouge killed Cham people. The reason that we rebelled is  
11 because Khmer Rouge had killed many of Cham people.

12 Q. Okay, thank you. So I'd like to turn now to the period after  
13 the rebellion and the day in which the population of Svay Khleang  
14 was evacuated or forced out of the village. Can you tell us if  
15 you know who it was that organized that evacuation?

16 [15.01.53]

17 A. Soldiers armed with weapons were seen during the rebellion and  
18 we were evacuated from our villages, our village to be in some  
19 locations. Men, as I said, were placed in the tobacco kiln and  
20 for women and children they were placed in a pagoda.

21 Q. I just want to ask you quickly about one sentence in your  
22 civil party application. This is actually the last sentence of  
23 the application so that should make it easy to find. You say,  
24 quote, "I only knew that the commune chief named Long and his  
25 subordinate Peng Heng, they were both killed by their Khmer Rouge

1 friends, were the persons who took the evacuees away." Unquote.

2 So can you tell me, do you know whether they were involved in the  
3 evacuation of Svay Khleang and, if so, can you tell us who those  
4 two people were?

5 A. Peng Heng and Long were in the village, were working in the  
6 village. I heard a different name from you. Only Peng Heng and  
7 Long were working in the village. Central -- soldiers from the  
8 centre went to my village and evacuated us.

9 Q. And can you tell us -- those were the two names that you just  
10 mentioned were the ones I was trying to say. Were those two  
11 people involved in the evacuation of Svay Khleang?

12 A. The two individuals were in charge of my village. One was the  
13 chief and another one was the deputy chief. Long was the chief of  
14 the village and Peng Heng was the deputy.

15 [15.04.45]

16 Q. Okay. Thank you. The last thing I wanted to ask you about is  
17 what you have heard about the killing of your mother and your  
18 three siblings. I know that this is something you heard from  
19 villagers. You have told us that, but can you tell us in as much  
20 detail as you remember what they told you about where your mother  
21 and siblings were taken and how they were killed?

22 A. I can recall that. I went to talk to the villagers whom did  
23 not talk much to me. I was talking to them for perhaps two  
24 minutes and I was told that my mother and siblings were sent to  
25 Kornchauch (phonetic) to be killed.

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1 Q. And did the villagers say how they knew that your family  
2 members had been sent away to be killed?

3 [15.06.20]

4 A. Those villagers spoke not much. They said my mother and  
5 siblings -- my mother and siblings were sent to Stueng Trang  
6 District to be killed and the killing happened at Boeng  
7 Kornchauch (phonetic). That was what I received the information.

8 Q. Did they tell you anything about the method of killing whether  
9 they had been shot or beaten to death or drowned or anything like  
10 that?

11 A. Thank you. I do not know the method of killing. I was told  
12 that my mother and my three siblings were sent away from the  
13 village to Stueng Trang District and the specific location of the  
14 killing was Boeng Kornchauch (phonetic). The villagers did not  
15 say that my mother and my three siblings were killed by gunshots  
16 or whatever means.

17 MR. FARR:

18 Okay. Thank you for answering my questions, Mr. Civil Party. I  
19 know these are difficult things to discuss, so I appreciate your  
20 patience.

21 Mr. President, no further questions.

22 THE PRESIDENT:

23 Thank you. Now, the floor is given to the defence teams. First,  
24 starting from the defence team for Mr. Nuon Chea, to put  
25 questions to this Civil Party if any.

1 [15.08.28]

2 QUESTIONING BY MR. SON ARUN:

3 My name is Son Arun, representing -- the defence counsel for Mr.  
4 Nuon Chea.

5 Good afternoon, Mr. Civil Party. Good afternoon, Mr. President  
6 and Your Honours.

7 Q. I do not have many questions, perhaps two or three, to ask  
8 you, Mr. Civil Party.

9 There was a rebellion of Cham people in 1975, in late 1975 in  
10 Svay village. Do you know why Cham people rebelled against the  
11 Khmer Rouge? As you know, Khmer Rouge had just one, the victory,  
12 at the time and Cham people had no weapons at that time. So why  
13 Cham people decided to rebel against the hard-won victory by the  
14 Khmer Rouge?

15 [15.09.50]

16 MR. MAN SLES:

17 A. It was because Cham people had been killed.

18 Number two: we were not allowed to practice our religion, the  
19 religion of our Allah. For this reason we rebelled against the  
20 Khmer Rouge for the sake of rebellion and Cham people as a whole.

21 Q. Thank you. In the period of rebellion how many of you  
22 participated in it?

23 A. I know very well about the rebellion since I was residing in  
24 the village, all of us, from that village that rebelled against  
25 the Khmer Rouge. Only the young children and women who had just

77

1 delivered the babies, with young infants, did not join the  
2 rebellion.

3 Q. Were you actively engaged in that rebellion; is that true?

4 A. It is not like what you said. I was assisting others. I was  
5 behind the others who were in the front line.

6 THE PRESIDENT:

7 Please, Court officer, move the microphone close to the civil  
8 party, particularly to the other side of the civil party since it  
9 is not a good sound.

10 [15.12.05]

11 BY MR. SON ARUN:

12 Q. Mr. Civil Party, could you repeat your answer since I could  
13 not get it well?

14 MR. MAN SLES:

15 A. Could you repeat your question instead, lawyer? I do not  
16 really get it.

17 Q. Let me reformulate the question. During the rebellion were you  
18 actively involved in the rebellion of one day and a half?

19 A. I have told you already, lawyer, I did participate in the  
20 rebellion but I was -- my role was to reinforce others who were  
21 in the front line.

22 [15.13.20]

23 Q. Thank you. Could you briefly tell the Chamber about the  
24 incident at the time, so how large was the rebellion between the  
25 Khmer Rouge and Cham people?



1 A. Yes, Mr. Lawyer, I can tell you briefly. It was like a  
2 battlefield where the two sides of soldiers were engaged in the  
3 war. Cham people had only machetes or knives to rebel for the  
4 sake of Allah. They did not dare to lose their lives although  
5 many Cham people had died. Similarly, Khmer Rouge also died but  
6 they died in a small number.

7 Q. During the attack between the Khmer Rouge and Cham people and,  
8 as you said, Khmer Rouge were armed with weapons and Cham people  
9 had only machetes or knives in hands or gloves, did all of you  
10 foresee that you would lose the battle because of light weapons  
11 possessed by Cham people? Did you personally foresee that?

12 A. I am of the opinion that although I did not rebel I would die  
13 anyway since there was pressure from time to time and more  
14 extensively on Cham people. Cham people had been arrested to be  
15 killed. Because of this, Cham people stood up and rebelled. They  
16 did not dare to die. They had to rebel for the sake of our Holy  
17 God, or Allah.

18 [15.16.22]

19 Q. Based on the document the rebellion happened in late 1975. You  
20 stated that Khmer Rouge had mistreated people before 1975.  
21 Because of that mistreatment before the victory of Khmer Rouge,  
22 Cham people decided that only rebellion could prevent such  
23 mistreatment. Was that your thinking and was that Cham's people  
24 thinking at the time?

25 A. I had a different understanding from what you have now. Khmer

1 Rouge would kill us and we had to do everything for our religion  
2 and, in particular, the Holy Allah. We had to rebel since four or  
3 five times of Cham -- four or five Cham people had been arrested  
4 at night-time or once at a time. So we had to rebel.

5 [1518.16]

6 Q. Khmer Rouge people had arrested three, four or five Cham  
7 people at the time, at night-time. Do you know the reason why,  
8 the reason Khmer Rouge mistreated Cham people and arrested Cham  
9 people?

10 A. It is my little understanding that Cham people -- it is my  
11 little understanding that they wanted to eradicate Cham  
12 ethnicities in Cambodia.

13 Q. You stated that they want to eradicate or exterminate Cham  
14 people in Cambodia. Is that true what I summarized?

15 A. That is correct.

16 Q. You stated that Khmer Rouge wanted to exterminate Cham people  
17 and in the past regime, in Sihanouk regime and Lon Nol regime  
18 Cham people were not exterminated, so do you know why?

19 A. I can give my response. In the previous regimes, no  
20 discrimination, no racial discrimination; schools were open for  
21 everyone including Cham people. Cham language were allowed to be  
22 taught at school. English also was allowed to learn. In contrast,  
23 Khmer Rouge did not allow us to learn our own language. Young  
24 children were forced to collect cow dung. Only some people could  
25 get education through a very more -- a very minimal extent.

1 [15.20.55]

2 Q. Thank you. To my knowledge and based on the Khmer Rouge  
3 documents, as you said, schools were everywhere in the country in  
4 the previous regimes. During the Khmer Rouge, based on the  
5 documents and evidence before the Chamber, schools did not exist.  
6 Schools had not yet established at the time since the new  
7 government had just come into control. I believe it is a -- it  
8 was a misunderstanding of Cham people that schools were closed  
9 down. In fact, they were repaired. Schools were to be in  
10 existence.

11 [15.21.52]

12 THE PRESIDENT:

13 I think it's far beyond what you should ask, so I do not really  
14 understand whether you are now explaining to the civil party that  
15 the civil party is misunderstanding the concept. So please, focus  
16 on facts if you want to ask about specific facts and if you want  
17 to know about the suffering experienced by the civil party,  
18 please go specifically to that suffering. So you can no make a  
19 comparison of rebellion in the previous and later regimes.  
20 Rebellion may have happened everywhere in the world after the  
21 people who joined in the rebellion think that it is an  
22 appropriate time to rebel. The rebellion wants to keep one good  
23 regime sometimes and to leave a legacy for the future.  
24 So please, lawyer, rephrase, reformulate your question and be  
25 specific on the questions.

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1 MR. SON ARUN:

2 From what I heard the civil party said, Cham people was angry  
3 with the Khmer Rouge.

4 THE PRESIDENT:

5 You stated that -- you asked was -- you said that the civil party  
6 misunderstood the establishment of the schools. So you cannot say  
7 that the civil party misunderstood any facts. So please go on  
8 with your questions. Your justification is not really good. It's  
9 not appropriate.

10 MR. SON ARUN:

11 Thank you, Mr. President. I am concluded with my questioning.

12 THE PRESIDENT:

13 Now, the floor is given to the Defence Counsel for Mr. Khieu  
14 Samphan.

15 [15.24.16]

16 MR. KONG SAM ONN:

17 Thank you, Mr. President. We have no questions.

18 THE PRESIDENT:

19 Now, Mr. Man Sles, do you wish to make a victim impact statement  
20 or do you have any questions to put to the accused through me,  
21 the President? If so, please proceed.

22 [15.25.06]

23 MR. MAN SLES:

24 Thank you, Mr. President. I may have two or three questions. The  
25 questions are as follows: Question number one: Why did Khmer

1 Rouge hate Cham people?

2 Number two: Why Khmer Rouge wanted to exterminate Cham people?

3 The third question: In relation to religion of Allah, why Khmer

4 Rouge -- why did Khmer Rouge consider that Allah religion a

5 reactionary or feudalism religion?

6 THE PRESIDENT:

7 Thank you. Mr. Man Sles, in accordance with Internal Rule 21.1(d)

8 of the ECCC at all stages of the proceedings the Chamber must

9 inform the accused of their rights to remain silent in relation

10 to the questions put to them.

11 On 8 January 2015 the accused made and expressed right to remain

12 silent. After ascertaining the position of both Accused, the

13 Chamber notes that the two Accused maintain their expressed

14 position unless and until such time the Chamber is expressly

15 informed otherwise by the Co-Accused or their counsels. It is

16 therefore incumbent upon them to inform the Chamber in a timely

17 and efficient manner should the Accused resolve to waive the

18 rights to remain silent and be willing to respond to questions by

19 the Bench or relevant parties at any stage of the proceedings.

20 [15.27.26]

21 As of today the Chamber is not informed that the Accused have

22 changed their expressed position and thus agrees to provide their

23 responses to questions.

24 And the Chamber wants to indicate that there is no provision

25 allowing the Chamber to force the Accused to give their

1 responses.

2 The Chamber is grateful to you, Mr. Man Sles, for your statements  
3 of victim impact and also your suffering, which you stated that  
4 you endured during the Democratic Kampuchea. It is now the  
5 conclusion of your suffering statement hearing. You may now be  
6 excused. You may return to your residence or to anywhere you wish  
7 to go. I wish you all the best. Good luck, good health and  
8 prosperity.

9 [15.29.00]

10 Thank you, Mr. Bun Lemhuor, TPO staff.

11 The hearing of victim impact statement is now concluded.

12 The Chamber is now continuing to hear 2-TCCP-1015. So you are  
13 asked to be -- to remain seated during the hearing of victim  
14 impact statement.

15 Court officer, please help work with the WESU to send Mr. Man  
16 Sles back to his residence or to anywhere he wishes to go, and  
17 please invite 2-TCCP-1015 into the courtroom.

18 You can now leave the courtroom, Mr. Man Sles.

19 (Witness exits the courtroom)

20 [15.30.30]

21 MR. PRESIDENT:

22 I -- the Chamber forgets telling parties a while ago -- in fact,  
23 2-TCCP (sic) is scheduled to be here first, but because of health  
24 reason the Chamber decided to change, to alter, the schedule and  
25 decides to hear 2-TCCP -1015 instead. Please be informed.

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1 Is there any issue or problem with you, Lead Co-Lawyers for Civil  
2 Parties, because of the change of the schedule to hear this civil  
3 party first?

4 [15.31.49]

5 MR. PICH ANG:

6 Good afternoon once again, Mr. President. There is no particular  
7 issue although there is a change in the schedule.

8 And I asked this civil party and I was told that -- she told me  
9 that she is ready and Marie Guirard is in charge of putting  
10 question to this civil party.

11 Thank you, Mr. President.

12 QUESTIONING BY THE PRESIDENT:

13 Thank you. Madam Civil Party, what is your name?

14 [15.32.25]

15 MS. SIENG CHANTHY:

16 A. My name is Sieng Chanthy.

17 Q. Thank you, Madam Sieng Chanthy.

18 Could you tell us when were you born?

19 A. I was born on 15 April 1962.

20 Q. Where is your current address?

21 A. In Chong Preaek Village, Svay Rieng Commune, Svay Rieng  
22 Province.

23 Q. What is your current occupation?

24 A. I am the -- I work in the Ministry of Agriculture.

25 Q. What is the name of your husband and how many children do you

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1 have?

2 A. I got divorced. I have one son.

3 [15.33.49]

4 MR. PRESIDENT:

5 Thank you, Madam Sieng Chanthy. As a civil party in this Chamber,  
6 you may make a victim's impact statement, if any, concerning the  
7 crimes which are alleged against the two accused, Nuon Chea and  
8 Khieu Samphan, and harm suffered by you during the Democratic  
9 Kampuchea regime between 17 April 1975 and 7 January 1979,  
10 resulting in your civil party application to claim collective and  
11 moral reparation for physical, material, or mental injuries as  
12 direct consequences of those crimes.

13 And based on the request by the Lead Co-Lawyer for Civil Party,  
14 the Chamber gives the floor to the Lead Co-Lawyer for Civil  
15 Parties to put questions to the civil party, related to the harm  
16 and suffering that inflicted on her.

17 So if you have any questions, please proceed.

18 [15.35.16]

19 QUESTIONING BY MS. GUIRAUD:

20 Thank you, Mr. President.

21 Good afternoon, everyone. And good afternoon, Madam Civil Party.

22 I will be the person putting questions to you this afternoon.

23 Q. You have been summoned to testify in regard to sufferings you  
24 endured as a result of the treatment of Vietnamese. I will put  
25 some specific questions to you on that subject and on the



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1 sufferings you endured during the period of Democratic Kampuchea.  
2 In your civil party application, you stated as harm endured --  
3 and I'm referring to document D22/366 -- you stated that your  
4 father's suicide following the threats made against him by the  
5 Khmer Rouge was psychological harm you suffered during the period  
6 Democratic Kampuchea.

7 I would therefore like you to explain to the Chamber under what  
8 circumstances your father was brought to commit suicide, and how  
9 such suicide affected you?

10 MS. SIENG CHANTHY:

11 A. Let me tell the Chamber about what happened to my families.  
12 My father is a Vietnamese. My ancestors were Vietnamese living in  
13 Cambodia. In 1975, after 17 April of 1975, the Khmer Rouge  
14 evacuated my family across Ou Smach (phonetic) Bridge, to Chhuk  
15 Sa village that was the hometown of my parents.  
16 When we arrived at the hometown of my parents, we were considered  
17 as the 17 April People, and as the New People we were looked down  
18 by the Old People. They accused us of being feudalist capitalist  
19 and of being Vietnamese half-blooded.

20 [15.38.03]

21 And we were forced to work hard, day and night, and my husband's  
22 brother -- my father, as a result, were relocated to another  
23 location.

24 When we travel along the road and after we spend about around 10  
25 or 20 days which I could not remember, my brother, who was a

1 soldier, were also evacuated from Phnom Penh and he was sent to  
2 join the study session. When he -- after he had been taken away  
3 to study, about five or six month later, he was released.

4 [15.39.07]

5 And later on in 1976, 1977, at around four or five in the  
6 afternoon, I saw two military men coming to arrest my brother and  
7 they tied him up and walked him away. I -- he shouted to me to  
8 tell my parents that he was arrested. I did not dare to tell  
9 about this arrest to my mother because my mother was sick.

10 About half-month later, someone stole chickens in my village and  
11 they took -- and that person was taken to the district office and  
12 when that person came back that -- he was mistreated and everyone  
13 beat him like animals. I could recall what happened to him as of  
14 now.

15 Later in 1977 -- and I cannot tell the exact month -- before the  
16 attack into the country by Vietnamese troops, people, villagers  
17 had been once again evacuated out of the village. On the way we  
18 saw that people had tied-up and there among the group there was  
19 my brother, elder brother, and my mother at the time ran to my  
20 elder brother so that she could give the rice to him.

21 Seeing that, the Khmer Rouge kept beating my elder brother. My  
22 mother at the time was running following the elder brother and  
23 she was crying, shouting that, "I really wanted to give the rice  
24 to you, my beloved son, but I cannot." My mother who was crying so  
25 terribly since she felt a pity for my elder brother. My father,

1 at the time, consoled my mother not to cry.

2 [15.42.09]

3 Later on, the attack by the Vietnamese were not so strong, and  
4 Vietnamese troop withdrew.

5 We were sent to Svay Khleang in a cooperative. At the time we  
6 were sent into the first group, the special force group, and we  
7 worked in that group during the day-time and had to return back  
8 to our shelter or location at night-time.

9 My father was in charge of transplant -- was in charge of  
10 planting vegetables so he was not allowed to return home or  
11 location where we slept every night.

12 [15.43.15]

13 One day, I was sent to harvest rice about three or four  
14 kilometres away from my house. My brother, Than (phonetic), was  
15 with me, but at the time during a mealtime, I did not see him and  
16 I wanted to ask others about his presence but I was prevented  
17 from asking.

18 When I returned home, I asked my father and mother and in reply  
19 my brother was taken away by militia men. My elder brother was  
20 sent to carry belongings of the militia men. Four people had been  
21 arrested. After hearing this, I could not speak anything but wept  
22 and hugged my parents crying.

23 After a few days, the three Vietnamese families in my village,  
24 two families among the three were taken away. That person was the  
25 -- was ethnically Vietnamese and the person held the rank of

1 Lieutenant Colonel. Two daughters from that Vietnamese family  
2 were raped and my father was so terrified since he knew that the  
3 two daughters were raped.

4 At the time, after hearing that, I did not want to live anymore.  
5 I did not want those people to take me away and I was afraid that  
6 I would be mistreated. I wanted to commit suicide. My sibling  
7 suggested and told me that -- not to commit suicide.

8 [15.45.29]

9 My father also committed -- wanted to committed suicide at the  
10 time. He wanted to hang himself with the krama or scarf. And my  
11 mother implored my father not to commit suicide. My father was so  
12 skinny at that time and I asked him why. He said he could not  
13 eat. And at the time, my -- it was said that my father looked  
14 really like a Vietnamese and he had a fair complexion. He was so  
15 terrified.

16 At night time -- one day at night-time, my father told me that  
17 when he died he wanted to be buried and the -- he said that after  
18 he died, perhaps all of us could still survive since all of us  
19 had black eyes, not too big like the Vietnamese.

20 I implored my father. I said, please, do not go anywhere. Please  
21 do not leave us behind. He said that you, the youngest daughter  
22 in the family, two other younger daughters were sent away to work  
23 so when I was not here with you, you should take care of your  
24 younger daughters.

25 One week I -- one week after my daughter died, my father

1 committed suicide. He hung himself under a tree. At the time  
2 while he was committing suicide, I had been sent away to work --  
3 to work in the field.

4 [15.48.05]

5 In the morning at around 8 a.m., my mother and everyone and all  
6 of us were hinted to look at the Pring (phonetic) plant and tree  
7 and there at the time my mother realized that it was her husband  
8 and villagers said -- told us to cut off the branch of the tree  
9 so that the body of him could fall down, but my mother implored  
10 other not to cut off the branch, but to take him off the branch  
11 very slowly.

12 After they took off my father from the tree, from the -- after my  
13 -- the krama was untied and the body of my father was taken off,  
14 taken and laid on the ground, the Khmer Rouge said -- told  
15 everyone to drag the body along the road. But we implored and  
16 everyone in the family -- every villagers knew that my father  
17 committed suicide because he wanted all of us to survive.

18 After my father had been taken away to be buried the coffin was  
19 made from the palm sugar leaves to cover him and the legs, his  
20 legs, were seen. The body could not fully covered with that sugar  
21 palm leaves coffin.

22 Not long, two days, three days or perhaps 10 days later I could  
23 not recall it well since I was young at the time, I was whispered  
24 by a villager, but first I want to backtrack a little bit. I want  
25 to talk, to tell the Court about my elder sibling, Chanthan, who

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1 was working elsewhere before my father died.

2 [15.51.10]

3 While I was walking on the way to work, I was walking on the  
4 embankment, my elder brother was walked on the way among the  
5 educated people. He called to me, called my name, Amia  
6 (phonetic). He asked me whether I had tobacco. He wanted to have  
7 some tobacco.

8 My mother knew that my father was working close to the place  
9 where we work and she wrapped tobacco with her so that she could  
10 drop off and my elder sibling, or brother, could pick it up. In  
11 fact, my elder brother thought that rice would be wrapped  
12 secretly and would be given to him to eat, but my mother did not  
13 dare to wrap the rice because she was afraid that she would be  
14 killed.

15 [15.52.34]

16 Sometime I do not feel well. After I met my brother and after my  
17 mother had met my father, we went back home. She had -- she drank  
18 water and she was choked with water, almost died at the time. She  
19 asked me for help and after a while she was relieved.

20 This is the truth. I am not telling lies to this Court. It is the  
21 truth. It is the misery happening to my family. It is really the  
22 misery that I have experienced in my life.

23 And, later on, and when -- after my father had passed away, my  
24 mother housed -- detained herself in the house. She did not want  
25 to go anywheres but to stay in the house. She could only eat very

1 little meal or rice. She wanted to commit suicide after my father  
2 had died. I implored her that, please, do not leave us behind. We  
3 lost a father already. Please stay with us and bear the  
4 situation.

5 My mother was crying every time. She was crying almost every day.  
6 Sometime she cried and she -- because she cried too much, there  
7 was no more tears out of her eyes while crying. And there was  
8 sometimes when she yawned, her jaw was locked.

9 MR. BUN LEMHUOR:

10 Are you relieved, Madam Civil Party?

11 BY MS. GUIRAUD:

12 Madam Civil Party--

13 [15.55.35]

14 MR. PRESIDENT:

15 Please hold on, Civil Party, and observe microphone.

16 MS. SIENG CHANTHY:

17 After the body of my father had been buried -- in fact, at the  
18 time I was not there to see and after I returned from harvesting  
19 rice, I met my younger sibling. Her face looked very sad, and I  
20 talked to her but she replied nothing. She did not say anything  
21 to me.

22 [15.56.14]

23 When I walked -- after I walked into the house, my mother told me  
24 to go and find rice to eat and I was asked to go kitchen hall to  
25 fetch rice for my younger siblings to eat. When I reached kitchen

1 hall, everyone was staring at me, and I was thinking at the time  
2 that it was the time for my family members, we perhaps would be  
3 taken away on that day. And I pat my -- the back of my neck, and  
4 I thought that the bullet from the gunshot would hit my back --  
5 the back of my neck.

6 And a little while later on, I was told that my father was --  
7 died and was buried. I could not describe the feeling. I was not  
8 able to cry. I was shocked. I was quiet and stiff. My mother kept  
9 weeping and it was night-time.

10 A lighter, cigarette lighter, was handed to me to light the lamp  
11 so that the house was brightened. In fact, that cigarette lighter  
12 was used by my father on a daily basis. After handing that  
13 lighter to me, I realized that I had no father any longer. I had  
14 no father now. I was talking to myself that I was half-blooded  
15 Vietnamese and I did not know when it was my time to be taken  
16 away. I was afraid and I was scared that I would be taken away to  
17 be killed.

18 [15.58.37]

19 No-one talked to me while I was working. I was carrying earth  
20 myself alone and I carried the basket full of earth at the side  
21 of waist. And no-one talks to me. I asked them, my co-workers,  
22 and they did not say anything. But one time, my co-workers -- my  
23 co-worker, Yah (phonetic) -- my co-worker talked to me and said,  
24 "Yah (phonetic)" -- that was my name-- "my parents and family  
25 members did not want me to talk to you Yah (phonetic) because



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1 they afraid that I would be taken away to be killed since you,

2 Yah (phonetic), was half-blood Vietnamese."

3 I was so scared at the time. Although I was half-blooded

4 Vietnamese, my parents were ethnically Vietnamese, I could not

5 speak Vietnamese language.

6 [15.59.45]

7 During the time that I lived in Pol Pot regime, I lived in a

8 fearful situation every day. I was afraid that I would be taken

9 away and killed.

10 While I was describing this story to you, this experience to you,

11 it's -- I feel it is fresh behind -- before me now -- in front of

12 me now. I could imagine what is happening. I missed my elder

13 brothers so much who were tortured. I missed my father.

14 Today, even when a theft or an offender is arrested and beaten in

15 front of me, I do not dare to look at that incident since it

16 reminds me of what is happening to my brothers and my father.

17 This feeling is haunting me.

18 MR. PRESIDENT:

19 Thank you, Madam Sieng Chanthy. The hearing of victim impact

20 statement and sufferings of you as a civil party has not come to

21 an end yet. You are therefore invited to be here once again to

22 state your statement and statement of suffering tomorrow at 9

23 a.m.

24 Thank you, Bun Lemhuor, TPO staff, for being here and assist the

25 civil party in the testimony of statement of sufferings.

1 Sieng Chanthy, you may now be excused.

2 Court officer, please work with WESU to send Madam Sieng Chanthy

3 back to her -- the place where she is staying right now, and

4 please invite her back into the courtroom tomorrow at 9 a.m.

5 It is now an appropriate time for the adjournment. The Chamber

6 will resume its Hearing tomorrow, 1 March 2016, at 9 a.m.

7 [16.02.31]

8 Tomorrow, the Chamber will continue hearing the suffering of

9 Sieng Chanthy and then 2-TCCP-1014.

10 Please be informed and please be on time.

11 Security personnel are instructed to bring the two Accused back

12 to the ECCC detention facility and please have them return into

13 the courtroom tomorrow before 9 a.m.

14 The Court is now adjourned.

15 (Court adjourns at 1603H)

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