



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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

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Nation Religion King
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Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

TRANSCRIPT OF TRIAL PROCEEDINGS

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CMS/CFO: Sann Rada

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

The Accused: NUON Chea
KHIEU Samphan

Lawyers for the Accused:
Victor KOPPE
Anta GUISSSE
KONG Sam Onn

Trial Chamber Greffiers/Legal Officers:
CHEA Sivhoang
Robynne CROFT

Lawyers for the Civil Parties:
CHET Vanly
Marie GUIRAUD
HONG Kimsuon
LOR Chunthy
SIN Soworn
TY Srinna

For the Office of the Co-Prosecutors:
Vincent DE WILDE D'ESTMAEL
SREA Rattanak

For Court Management Section:
SOUR Sotheavy
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 Sarouen (2-TCCP-293)	Khmer
Mr. CHET Vanly	Khmer
Mr. DE WILDE D'ESTMAEL	French
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUIRAUD	French
Ms. GUISSE	French
Mr. HONG Kimsuon	Khmer
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
Ms. LOEP Neang (2-TCCP-984)	Khmer
Mr. LOR Chunthy	Khmer
Ms. OUM Vannak (2-TCCP-256)	Khmer
The President (NIL Nonn)	Khmer
Mr. SREA Rattanak	Khmer
Ms. YEM Khonny (2-TCCP-983)	Khmer

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1 PROCEEDINGS

2 (Court opens at 0904H)

3 MR. PRESIDENT:

4 Please be seated.

5 The Court is now in session.

6 For today's proceedings first we will continue to hear the
7 testimony -- the statement of sufferings and harms of Madam Civil
8 Party, Yem Khonny, and then we have three more civil parties to
9 hear today.

10 For today's proceedings and before we hear the remainder of the
11 statement by Yem Khonny, the Chamber would like to inform the
12 Parties that today, Judge You Ottara is absent due to personal
13 commitment and after Judges of the Bench discussed, we decided to
14 appoint Judge Thou Mony, a National Reserve Judge in place of
15 Judge You Ottara for today's proceedings and that is pursuant to
16 Rule 39.4 of the ECCC Internal Rules.

17 And Ms. Chea Sivhoang, could you report the attendance of the
18 Parties and individuals to today's proceedings?

19 [09.07.04]

20 THE GREFFIER:

21 Mr. President, for today's proceedings, all Parties to this case
22 are present. As for Nuon Chea he is present in the holding cell
23 downstairs as he requests to waive his rights to be present in
24 the courtroom and his waiver has been delivered to the Greffier.
25 The civil party who is to continue her remaining testimony is

2

1 here and we have three more civil parties, 2-TCCP-293,
2 <2-TCCP-256 and 2-TCCP-984>. Thank you<, Mr. President.>

3 MR. PRESIDENT:

4 Thank you, Ms. Chea Sivhoang. The Chamber now decides on the
5 request by Nuon Chea. The Chamber has received the waiver from
6 Nuon Chea dated the 3rd April 2015, he confirms that due to his
7 health -- that is, headache, back pain and that he cannot sit or
8 concentrate for long, and in order to effectively participate in
9 the future hearings, he requests to waive his rights to
10 participate in and be present at the 3rd April 2015, hearing.

11 [09.08.30]

12 He has been informed by his counsel about the consequences of
13 this waiver, that in no way it can be construed as a waiver of
14 his right to be tried fairly or to challenge evidence presented
15 or admitted to this Court at any time during his <trial>. Having
16 seen the medical record of the duty doctor for the Accused at the
17 ECCC dated 3rd April 2015, who notes that Nuon Chea has a chronic
18 back pain and dizziness when he sits for long and recommends that
19 the Chamber so grant him his request so that he can follow the
20 proceedings remotely from a holding cell downstairs.

21 Based on the above information and pursuant to 81.5 of the ECCC
22 Internal Rules, the Chamber grants Nuon Chea his request to
23 follow the proceedings remotely from a holding cell downstairs
24 via an audio visual means for today's proceedings.

25 The AV unit personnel is instructed to link the proceedings to

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1 the room downstairs so that Nuon Chea can participate in and
2 follow today's proceedings remotely.

3 The Chamber now gives the floor to the Co-Prosecutors to put
4 questions to the civil party, Madam Yem Khonny, in relation to
5 her sufferings and harms during the period of Democratic
6 Kampuchea.

7 [09.10.14]

8 QUESTIONING BY MR. SREA RATTANAK:

9 Good morning Mr. President, Good morning everyone in and around
10 the courtroom and good morning, Madam Yem Khonny. My name is Srea
11 Rattanak, a National Deputy Co-Prosecutor.

12 Q. From what you stated to this Chamber yesterday, you came from
13 the lower part of Cambodia as advised by your mother and then you
14 were sent to Samraong cooperative <in Prey Ta Khab>. Can you be
15 more specific as to which lower part of Cambodia you were from
16 and which year that it happened?

17 MS. YEM KHONNY:

18 A. I cannot recall it since I was very young at that time. I did
19 not know how to read and write. I just came along with my mother
20 and father to Prey Khab (phonetic) and we stayed at Prey Khab
21 (phonetic) for about 10 days with some of our clothing and then
22 they confiscated the clothes that we had for communal and
23 cooperative use. I asked my elder sibling and I was told that
24 they just kept it for us and let us go to work. And then in
25 return we were given black uniform and I asked my elder sibling

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1 again about this and I was told that I had just to put them on.

2 [09.11.53]

3 And then a man, Uncle Chorn (phonetic) told me that Khmer Rouge
4 would only allow us to wear black clothing and because of the
5 lack of clothing, lice, we were infested with lice throughout the
6 body. It was as big as the dog <fleas>, because we only had a
7 pair of clothing. So we, I mean my siblings and I blamed my
8 mother for urging us to come in expectation of abundance of food
9 and my mother <begged us to withstand the situation> with her,
10 it's too late now to go anywhere and we had just to survive.

11 Q. Thank you. Can you also tell the Court whether you <and your
12 family> volunteered to come to Cambodia? <Or was your transfer
13 arranged by any authority?>

14 A. We were not forced by anyone. We heard that we would all
15 should go to the upper part of Cambodia as there was abundance of
16 food but on the contrary we were given only little gruel mixed
17 with little vegetables or water lily and it was not enough.

18 [09.13.40]

19 Q. In the Prey Ta Khab cooperative, were you allowed to stay
20 together with, or mingle with other people or were you put
21 separately<?> From the accent you speak, I note that you have an
22 accent of those Khmers living in Kampuchea Krom. So my question
23 to you, whether you were separated from the ordinary Khmer
24 people?

25 A. Initially we were allowed to mingle with the local people and

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1 later on we were separated and then we were distributed with
2 earth carrying baskets and we were assigned to carry earth, to
3 pick cow dung and cut <kantreang khet plants> and we had to <chop
4 the plants> and then carry them again to the rice field to spread
5 them <in> the rice field <to make it easy for the ploughing
6 work.>

7 MR. PRESIDENT:

8 Counsel Koppe, you have the floor.

9 [09.15.07]

10 MR. KOPPE:

11 Thank you, Mr. President. Good morning, Your Honours. When the
12 National Counsel noted in his question that the victim - the
13 civil party has a Khmer Krom accent, I looked to the back, of
14 course I cannot discern it myself, but it seems the civil party
15 doesn't have such an accent so just for the record, I object to
16 the classification of her accent as a Khmer Krom accent.

17 MR. SREA RATTANAK:

18 Mr. President, allow me to respond.

19 MR. PRESIDENT:

20 Please wait. And Counsel Kong Sam Onn, you have the floor.

21 MR. KONG SAM ONN:

22 Thank you, Mr. President. I would also like to provide my
23 observation to the last question by the National Co-Prosecutor. I
24 think the question focus mainly on the facts. And yesterday, Mr.
25 President, prohibited me from asking questions on facts and if

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1 that is the case and if the Prosecution is allowed to do so then
2 the Defence teams should also be granted the same opportunity.
3 <So I am wondering whether such a line of questioning is to be
4 encouraged.> Thank you.

5 [09.16.43]

6 MR. PRESIDENT:

7 The Lead Co-Lawyer for the Civil Parties, you have the floor.

8 MS. GUIRAUD:

9 Thank you Mr. President. Just one <> comment. None of the civil
10 parties who was heard today and yesterday and who came from
11 Kampuchea Krom said that he or she suffered from the fact that he
12 or she came from Kampuchea Krom. So if we base ourselves on a
13 principle that the questions must be tied to the suffering and
14 that the factual questions also have to be tied to the suffering
15 and <the prejudice voiced> by the civil parties, none of the
16 civil parties saying that he or she came from Kampuchea Krom said
17 that he or she suffered from discrimination because he or she
18 came <> from Kampuchea Krom. I just want to say this because we
19 proposed these civil parties for them to speak about their
20 suffering at Tram Kak and you heard their testimony and none of
21 them said that they suffered <based on the> fact that they <were>
22 Khmer Krom.

23 [09.17.45]

24 MR. PRESIDENT:

25 The <> National <Deputy> Co-Prosecutor, you have the floor.

7

1 MR. SREA RATTANAK:

2 I would like to respond to the observations made by Counsel
3 Koppe. He stated that the accent of the civil party is not that
4 of Kampuchea Krom. In fact as I stated earlier, based on her
5 statement yesterday that she came from Kampuchea Krom and that
6 she was born in Kampuchea Krom and based on the information and
7 also the <accent> that I heard. So I do not rely only on the
8 accent but on the relevant information and to me it is rather
9 peculiar that Counsel Koppe, who is an International Counsel,
10 noticed or can discern the accent of this civil party.

11 And on the questions of facts, I think it is up to the Bench to
12 rule on it, however the questions that I put to the civil party
13 are closely related to the sufferings she <went through> at Tram
14 Kak cooperative.

15 (Judges deliberate)

16 [09.22.30]

17 MR. PRESIDENT:

18 On the issue of the accent of the civil party and -- which is
19 presumed that she is a Khmer Krom or not, is not appropriate. We
20 advise that this matter shall not be raised again. As to the
21 objection raised by Khieu Samphan's National Counsel, the Chamber
22 would like to remind the Parties that yesterday the Chamber asked
23 you questions of relevancy of your questions on the mistreatment
24 of the Chinese as the Chamber is of the view that, that fact was
25 not part of the facts or allegations in Case 002/02<,

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1 particularly in relation to Tram Kak cooperative and Krang Ta
2 Chan>, for that reason it falls outside the scope of the facts
3 for current proceedings.

4 As for other information that the civil party may raise, as long
5 as that information falls within the scope of the facts then
6 questions are allowed. However, the Chamber keeps reminding all
7 the Parties that the questions shall be tied to the sufferings
8 and the harms of the civil party and that you should focus and
9 rely on the documents put forward by the Lead Co-Lawyers for the
10 Civil Parties as they are the one to organise the civil parties
11 for their statements of sufferings and harms.

12 [09.24.56]

13 We set that out clearly in our instruction and that you should
14 focus more or fundamentally on the statements of sufferings and
15 harms. This is an exceptional proceeding to hear the sufferings
16 and harms of the civil parties. Therefore the objection raised by
17 the National Counsel for Khieu Samphan is over ruled.

18 And the Co-Prosecutor you can continue or resume your
19 questioning.

20 Rather, please hold. I noticed that Counsel Kong Sam Onn is on
21 his feet, you have the floor.

22 [09.25.56]

23 MR. KONG SAM ONN:

24 Thank you, Mr. President. I would like to seek clarification on
25 another matter from the Bench. Yesterday the witness spoke about

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1 the separation of the people including the Chinese, the
2 Vietnamese and herself and not only about the Chinese ethnicity.

3 MR. PRESIDENT:

4 The Chinese or the Vietnamese groups are not the main topics or
5 facts of the current Trial and that matter is far from the facts
6 determined for the current segment of the Trial. For that reason
7 the Chamber advises you to consider that and if you have clear
8 ground to submit to the Chamber, we would consider it, but you
9 <yourself decided not to put more> questions in relation to this
10 particular issue.

11 The <National> Deputy <> Co-Prosecutor, you can resume.

12 [09.27.15]

13 BY MR. SREA RATTANAK:

14 Q. In relation to the food ration that you stated yesterday, that
15 you had <> gruel mixed with water lily and when you were asked
16 you had to say that it was delicious. Can you enlighten the
17 Court, why you had to do so?

18 MS. YEM KHONNY:

19 A. If we were not to say it was delicious, then we would be
20 mistreated and we had to do that and we had to just eat the soup
21 otherwise we would be taken for <refashioning>. Nobody dared to
22 say that the food was <insufficient> and that also applies to the
23 children. If the children -- if one of the children said the food
24 was not enough, then that child would be taken for
25 <refashioning>. And then we had to do so, we had to just say the

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1 food was delicious<, and we had enough to eat to avoid being
2 taken away for refashioning>. If we were taken for re-education
3 then it means that we would be in trouble and in order to
4 survive, we just had to please them and to say that it was
5 delicious. Of course how could you say such gruel mixed with
6 water lily or mixed with banana <stump was> delicious?

7 [09.28.45]

8 No, it is not possible. We <did> not <have> proper cooked rice,
9 sometimes we were given gruel mixed with cassava or other
10 vegetable and that's what happened and that's the reality. <I am
11 here to only tell the truth.>

12 Q. When you said the person would be re-educated, what you mean
13 by that?

14 A. It means, we <would> be taken away to be criticised and that
15 we would be punished by doing extra <workloads>. For example, in
16 our daily work plan, we had to carry only 20 <trips> but then we
17 would be given extra <workload than that. Nobody wanted extra
18 work.> At that time we overworked, we were so skinny, sometimes
19 we fell on the ground because of the exhaustion and because of
20 the lack of nutrition in the food. And so for us we looked so
21 bony, we could only see our knee caps.

22 Q Based on your testimony yesterday, you spoke about your mother
23 and your aunt and I did not hear you say anything about your
24 father. Can you tell the Court and clarify this matter whether
25 your father came along with your family or did he die before the

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1 regime?

2 [09.30.35]

3 A. He passed away before that and my mother was a widow and when
4 she saw people going to Khmer Loeu then she asked us to go with
5 her.

6 MR. SREA RATTANAK:

7 Mr. President, I don't have any further questions.

8 MR. PRESIDENT:

9 The Chamber will now hand the floor to Nuon Chea's defence to put
10 questions to this civil party.

11 QUESTIONING BY MR. KOPPE:

12 Thank you, Mr. President. Good morning, Madam Civil Party. I have
13 only a very few questions but some questions are for
14 clarification purposes.

15 [09.31.17]

16 Q. If I understood you correctly, you said you were living in
17 Kampuchea Krom around 1975, however, in the documents that we
18 have received it would seem that you were living with your
19 parents in Phnom Penh in April 1975 and that you were evacuated
20 from Phnom Penh to Takeo province. Would you be able to shed some
21 light on this?

22 MS. YEM KHONNY:

23 A. I did not say that. I said that I came from Kampuchea Krom and
24 I never lived in Phnom Penh with my parents. I did not even know
25 where Phnom Penh <was>. I only know Phnom Penh now. I did not

12

1 even know Takeo nor Tonloab, I know only now where these places
2 are located, so I never said that.

3 MR. KOPPE:

4 Mr. President, document D22/3204A.

5 [09.35.58]

6 JUDGE FENZ:

7 Could you please reference the document that you are confronting
8 the witness with?

9 MR. KOPPE:

10 D22/3204A, supplementary information form.

11 Madam Civil Party, in this form it says the following: "On 17

12 April 1975, my father and mother, who were former Lon Nol,

13 soldiers were forcefully evacuated by Khmer Rouge soldiers from

14 Phnom Penh to Phnum Den in Takeo province." And attached to this

15 supplementary information form seems to be an identity card with

16 your name and thumb print on it. So I'm trying to understand

17 exactly where you were and where you parents were in 1975?

18 A. My parents were living in Kampuchea Krom and <my father> died

19 <there>. I told you the truth. My woman was -- my <mother then

20 became> a widow. She asked me to come, I didn't even know what

21 Phnom Penh <was like back then>. So I cannot answer your

22 question. So I don't know what to tell you. <I never lived in

23 Phnom Penh before. I only know the place where I used to live,

24 not anywhere else I have never lived. I have no clue of what you

25 are asking me.>

13

1 MR. KOPPE:

2 I understand, Mr. President, would I have your leave to show the
3 Khmer version of, D22/3204A, and ask the civil party -- and ask
4 whether that is her identity card and her signature and her thumb
5 print.

6 (Judges deliberate)

7 [09.35.56]

8 JUDGE FENZ:

9 Perhaps before we do that, I understand you are illiterate, is
10 that correct? You cannot read or write.

11 Civil party, this is a question from me to you. Can you read and
12 write?

13 MS. YEM KHONNY:

14 A. No, I am illiterate. I neither know how to read nor how to
15 write. When I was questioned, I was asked if my parents
16 disappeared and I asked someone therefore to write all of this
17 down. Yes, my parents <-- my mother, my grandmother and my
18 sibling> died under the Khmer Rouge regime.

19 [09.36.53]

20 Q. Second question, just to be clear, can you write your name or
21 can you not even write your name, meaning sign something, a
22 signature?

23 A. No.

24 MR. PRESIDENT:

25 Counsel Koppe, so what is now the point of presenting a document

14

1 to a civil party who does not know how to read?

2 BY MR. KOPPE:

3 That is a very good question. Madam Civil Party, do you remember
4 putting your thumb on the piece of paper and print a form which
5 was supplementing your earlier information? Do you remember using
6 your thumb and giving your ID to a person?

7 MS. YEM KHONNY:

8 A. Yes, I -- indeed I put my thumb print on my identity card.

9 [09.38.40]

10 MR. KOPPE:

11 Q. Mr. President, that is a document I believe that we would be
12 able to show to the civil party that is the second page of,
13 D22/3204A, that's her ID with indeed a thumb print on the copy of
14 the back side of her ID. So, I believe she would be able to
15 identify this.

16 MR. PRESIDENT:

17 Yes, International <Deputy> Co-Prosecutor, you have the floor.

18 [09.39.28]

19 MR. DE WILDE D'ESTMAEL:

20 <Thank you,> Mr. President. I believe that the Defence lawyer is
21 creating more confusion than there already was. Because this ID
22 document is not in fact tied to D22/3024A but to the original
23 document -- that is to say, the victims information form,
24 D22/3204. So <at a different time>. So, I think it might be
25 helpful <to enquire as to whether or not> there were two separate

15

1 <instances that transpired>.

2 <So, the> first document dates back to April 2010, whereas the
3 <supplementary information form> dates back to June 2010. It was
4 drafted by the Victims Unit, whereas the first form was <I
5 believe,> filled out with the assistance of an NGO.

6 So maybe if we could proceed in a chronological way it would be
7 easier because here the Counsel is saying that the ID card was
8 <attached> to the <supplementary information form> whereas that
9 is not the case.

10 [09.40.59]

11 <MR. PRESIDENT:>

12 <You have the floor, Lead Co-Lawyer for civil parties.>

13 MS. GUIRAUD:

14 Thank you, Mr. President. I see that the <> hearing <on the
15 impact of the crimes> is becoming a hearing on the probative
16 value of the VIFs, and of the <supplementary information> that
17 was filed by the Victim's Unit before the closing of the
18 investigation.

19 <I'm forced to acknowledge> that this is a reality. On our side
20 we are going to have to shed light on the way the information was
21 gathered and what we intend to file before the Chamber as
22 documents, but I would like this debate to happen at another
23 time. It is <cutting into the debate on the impact of the crimes
24 taking place> right now. What matters today is <> the oral
25 testimony of the civil parties, <so, I rely on the wisdom of the

16

1 Chamber in this regard>.

2 <Again, I freely admit to those on the Defence side>, that we,
3 <the> Co-Lead Lawyers, will have to clarify the situation since
4 the errors <seem> quite obvious and repetitive in the VIFs as
5 well as in the <supplementary> information that was filed.

6 We are just as all other Parties, <ultimately,> we <too are>
7 discovering these discrepancies and the extent of this problem.

8 But I first would like the civil parties to be heard orally <in
9 regards to what they have experienced>, and that we don't spend
10 <an inordinate amount of time> on these issues which, of course,
11 are important but that today are <> contaminating the <debate of
12 the Chamber>.

13 [09.42.47]

14 MR. PRESIDENT:

15 <International Counsel for Khieu Samphan, you may have the
16 floor.>

17 MS. GUISSSE:

18 <Apparently> there is a translation issue, <but Mr. President
19 I'll take it that you have given> me the floor. Very briefly<>, I
20 understand that the hearing is not happening as my colleague
21 <from the Civil Parties> might have wished. The problem is that,
22 <I understand well what it means when we say that it will be
23 necessary to have> this discussion at another time, but how are
24 we going to do this <when contradictory factors are currently
25 surfacing?> So we are trying to do things <as succinctly as>

17

1 possible but I don't see how we can <evaluate> these
2 discrepancies in another way than now, when the civil party, who
3 is the <source> of these particular statements, is now present
4 <in the dock> before <the Chamber>. So, we will try of course to
5 be extremely concise with regard to these issues but we cannot
6 hold this debate outside of the courtroom.

7 MR. PRESIDENT:

8 Fine, fine, fine.

9 (Judges deliberate)

10 [09.46.10]

11 MR. PRESIDENT:

12 <You have the floor, Judge Fenz>.

13 JUDGE FENZ:

14 In order to find a practicable solution and taking into account
15 what the Co-Lead Lawyer has just said about apparent deficiencies
16 in the process of civil party, recruitment is not the right word,
17 but handling at an early stage, we would suggest the following.

18 Mr. Koppe, present the copy of the ID to the civil party so that
19 we can establish if this is actually the same person. I guess you
20 don't expect her to identify her thumb print, but afterwards
21 perhaps it would help to not focus too much on the
22 inconsistencies, we are not preventing you from asking questions
23 but I think you can consider it established that there are
24 problems, and again we need to organise the remains of this day.

25 [09.47.24]

18

1 So to clarify the ruling. Yes, please show the -- you are allowed
2 to show the copy in order to establish the identity and then we
3 would invite you to not perhaps unduly focus on details of these
4 documents.

5 MR. KOPPE:

6 Can I, Mr. President, hand this to bailiff.

7 MR. PRESIDENT:

8 <Counsel Koppe, to> whom would you like to give the document?

9 There was no translation?

10 JUDGE FENZ:

11 No.

12 (Short pause)

13 [09.49.06]

14 JUDGE FENZ:

15 Counsel, I think she is waiting for your question.

16 BY MR. KOPPE:

17 Q. Madam Civil Party, do you recognise this paper, do you see
18 your identification card?

19 MS. YEM KHONNY:

20 A. All I have is an ID card and I find that there are three or
21 four copies and I have only one identity card. I do not know why
22 there are so many here. I have only one copy of my identity card.
23 <I also bring it with me here.> But you're telling me that I have
24 three or four identity cards. I do not know how come I have so
25 many identity cards.

19

1 [09.50.07]

2 Q. Maybe there is a misunderstanding, Madam Civil Party. What
3 we're showing to you is a copy of your original card. So the
4 question is, is this a, what we call, photocopy of your original
5 card?

6 A.I had an identity card done several months ago. I cannot talk
7 about another identity card. I had one done; the other one is not
8 mine so I think that the identity card on top of the pile is
9 indeed mine.

10 Q. Madam Civil Party, what you're seeing is the front side -- a
11 copy of the front side of your ID and a copy of the back side of
12 your ID.

13 A. I have told you. No, I have only one identity card; I have
14 never done any copies of that identity card.

15 [09.51.54]

16 MR. PRESIDENT:

17 Mrs. Khonny, normally there is a front page and back page of your
18 identity card and what has been done is just a copy of the front
19 page and the back page. You will find your photograph on the
20 front page and on the back page; you have the stamp of Phnom Penh
21 municipality. Indeed it is only one identity card because we
22 cannot copy your identity card and use a good quality of your
23 identity card; we have to do a copy of the front page and the
24 back page. <It is just a copy of one identity card. Do you
25 understand?>

1 Q. So it is still your identity card, just the one identity card
2 you have?

3 [09.53.03]

4 MS. YEM KHONNY:

5 A. Well, if you say that my identity card has been copied then I
6 would understand but if you say that my identity card has been
7 falsified, I wouldn't accept that. But if you confirm that it is
8 my identity card, I would accept it, Mr. President.

9 MR. PRESIDENT:

10 Q. Do you think this is a copy of your original identity card,
11 please answer the question?

12 [09.53.49]

13 MS. YEM KHONNY:

14 A. I was told to do a photocopy. Now I'm using my current card. I
15 copied the former ID card.

16 Q. Do you recognise the photograph on that identity card; does
17 that photograph, an identical copy of the photograph on your
18 former identity card?

19 Counsel, please proceed. The Civil Party acknowledges that this
20 is a photocopy of her former identity card. She has received a
21 new identity card which is a hard copy.

22 BY MR. KOPPE:

23 Q. Madam Civil Party, I'm going to try to ask you a simple
24 question. Were you and your parents, in 1975, in Phnom Penh and
25 then evacuated or were you in Kampuchea Krom and subsequently

1 evacuated?

2 [09.55.39]

3 MS. YEM KHONNY:

4 A. I stand by what I have already stated. I have never been to
5 Phnom Penh before. I have just been to Phnom Penh recently. I do
6 not know how to answer your question. I did not even know what
7 Phnom Penh looked like. I have told you that I <did> not know
8 Phnom Penh.

9 If you compel me to say I knew Phnom Penh, what do you expect me
10 to say? I just visited Phnom Penh because my daughter works in a
11 textile factory if she hadn't come to work in that factory I
12 probably would not have the occasion to visit Phnom Penh or
13 Takeo.

14 Q. Thank you, Madam Civil Party. My last question to you, were
15 your father and mother in 1975, former Lon Nol soldiers?

16 A. No. We were very poor. He could not have become a soldier; he
17 was very poor and had to till the soil <and work the land> to
18 feed our children.

19 [09.57.11]

20 MR. KOPPE:

21 Thank you, Madam Civil Party.

22 MR. PRESIDENT:

23 Counsel for Mr. Khieu Samphan, you have the floor.

24 MR. KONG SAM ONN:

25 Mr. President, we do not have any questions for this civil party.

1 (Short pause)

2 [09.58.14]

3 MR. PRESIDENT:

4 Mrs. Yem Khonny, the Chamber wishes to thank you for coming to
5 testify here. Your testimony has come to an end. You can go back
6 home now. The Chamber wishes you a safe journey back home and
7 <court officer and WESU are> requested to ensure that the civil
8 party returns home <or her desired destination>.

9 It is time for us to adjourn and we will resume at <10.15> a.m.

10 Thank you.

11 (Court recesses from 0959H to 1016H)

12 MR. PRESIDENT:

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

14 We will now have a new civil party -- that is, 2-TCCP-293, who
15 will be here for the statement of sufferings and harms.

16 Court officer, could you invite the civil party into the
17 courtroom.

18 (Civil party enters courtroom)

19 [10.18.30]

20 QUESTIONING BY THE PRESIDENT:

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

22 MR. BUN SAROUEN:

23 A. My name is Bun Sarouen.

24 Q. Thank you, Mr. Bun Sarouen. And what is your date of birth?

25 A. I was born in 1963.

1 Q. What is your current address?

2 A. I live in Andoung Krasang village, Snam Preah commune, Bakan
3 district, Pursat province.

4 [10.19.21]

5 Q. What is your current occupation?

6 A. I am <a> rice farmer.

7 Q. What is your father's name and your mother's name?

8 A. My father is Bun Neang and my mother's name is <Meas Sang>
9 (phonetic).

10 Q. What is your wife's name and how many children you have
11 together?

12 A. Her name is Khun Thouen (phonetic) and we have six children
13 together.

14 MR. PRESIDENT:

15 Thank you, Mr. Bun Sarouen. And as a civil party before this
16 Chamber, you may make a victim's impact statement -- that is, a
17 statement about suffering and harms, mainly physical, material or
18 mental, which was inflicted upon you as direct consequences of
19 those crimes and which resulted in your civil party application.
20 And that those crimes have been alleged against the two Accused,
21 Nuon Chea and Khieu Samphan, and that it happened during the
22 period Democratic Kampuchea Regime from 17 April 1975 to 6
23 January 1979.

24 [10.21.04]

25 Yesterday we already met with TPO staff. However we would like to

24

1 confirm it again. What is your name and what is your function
2 within TPO<?>

3 MR. YOUN SARATH:

4 Good morning Mr. President. My name is Youn Sarath. I am a mental
5 counsellor from TPO.

6 MR. PRESIDENT:

7 Thank you, Mr. <Sarath>.

8 As requested by the civil party, the Chamber will hand the floor
9 to the Lead Co-Lawyers for Civil Parties to put <> questions in
10 relation to harms and sufferings by this civil party. You may
11 proceed.

12 [10.22.06]

13 MS. CHET VANLY:

14 Thank you, Mr. President, and good morning, Mr. President, Your
15 Honours, everyone in and around the courtroom. Good morning, Mr.
16 Bun Sarouen. My name is Chet Vanly, a civil party lawyer.

17 Before I put <questions to the civil party, with your leave, Mr.
18 President,> I have one point that I would like to seek
19 clarification from <the civil party on> -- that is, the victim's
20 information form, D22/1659, ERN in Khmer<, 00532498;> and in
21 English<, 01067020;> in which it reads that:

22 "In the morning, <they assigned me to> transport fish sauce at
23 <Thma Sa, Kampong Ampil. I was made to ride the ox-cart all by
24 myself. When I arrived at Wat Champa (phonetic) pagoda, the
25 soldiers ordered me to get in a a GMG vehicle. At that time,

1 three Khmer Rouge soldiers who were armed drove me until Phnum
2 Khlaeng. Then they pushed me off the vehicle on the national
3 road. They tied my hands behind my back and walked me to the
4 office on Phnum Khlaeng, Treang district, Takeo province where I
5 was detained. When I arrived there, I did not know anyone. I met
6 teacher Ran (phonetic) who told me that he had been there for
7 ages.

8 After three days of digging up wild plants and trees, he asked me
9 whether or not I had known this silk scarf, I replied that I had
10 known it because it was my elder brother's scarf when he was a
11 monk. He said that they all had died. After hearing that, I
12 always slept with fear because I did not know when I would be
13 killed. I had been shackled. At night they would tighten the
14 shackles firmly. The prisoners who had committed serious crimes
15 were no allowed to work outside. The prisoners were unhygienic.
16 At night, we could not sleep much because we would hear people
17 crying in pain. Those people were beaten.>

18 [10.24.09]

19 <At night, my left foot was locked with an iron shackle which was
20 inserted with a bar from behind. The lattice at the sleeping area
21 was holed. At night, the militiamen walked around to check. If
22 any prisoner cried because they were shackled tightly, the
23 militiamen would beat them right on their back with bamboo
24 sticks.">

25 From my direct conversation with the civil party on several

26

1 occasions, Mr. Bun Sarouen stated that what I <just read> was the
2 fact related to Bun Norn, his elder brother who was a former
3 Khmer Rouge soldier<, not the fact related to the civil party>.
4 For that reason I would like to inform the Chamber and the
5 Parties about this <correction> and in fact this fact falls out
6 of the scope of Tram Kak.

7 MR. PRESIDENT:

8 The International Counsel for Mr. Khieu Samphan, you have the
9 floor.

10 [10.25.19]

11 MS. GUISSÉ:

12 <Mr. President> I am somewhat surprised at the manner in which my
13 learned friend is proceeding. It appears <to me> that if there
14 <are changes to be> established<>, it is not for her to put the
15 questions, <but> she can put questions <in this regard> to the
16 civil party but <here> I do not understand the approach she is
17 using in this hearing. <I would like it if> my learned friend
18 wants to establish something, she should do so with questions.
19 <It should be> the civil party <who responds and> shouldn't just
20 <be there to> listen to several minutes of statements made by
21 <my> learned <> friend.

22 MS. CHET VANLY:

23 I would like to respond to that and we can get clarification when
24 I put questions to the civil party. However, I would like to
25 bring this matter first hand to the Chamber and to the concerned

1 <parties>.

2 [10.26.17]

3 MR. PRESIDENT:

4 It is rather strange for the Bench as well. This is the first new
5 thing that we have heard. In fact, the floor <has been> given to
6 you to ask questions to the civil party concerning the harms and
7 sufferings and <yesterday,> we also <reduced> the time for each
8 party so that we could conclude this special hearing for the
9 civil parties, harms and sufferings <today>.

10 If you don't focus on the essence of this proceeding then you
11 would not have any further opportunity to do so.

12 MS. CHET VANLY:

13 Thank you Mr. President. Would you allow me to put questions on
14 the matter that I just read to the civil party?

15 [10.27.22]

16 MR. PRESIDENT:

17 Whatever questions that you put to the civil party is your
18 choice, however you are reminded that this proceeding is about
19 the harm and sufferings of the civil party. We have been
20 requested to give this opportunity to hear about the sufferings
21 and harms of the civil parties. So your questions shall tie
22 closely to this topic. As for other matters that may arise from
23 the responses of the civil parties, if they are related to the
24 facts then such questions are allowed during this specific
25 proceeding.

1 QUESTIONING BY MS. CHET VANLY:

2 Thank you, and allow me to now put questions to this civil party.

3 Good morning, Mr. Bun Sarouen.

4 Q. Can you tell the Chamber where you were on 17 April 1975, <how
5 old you were> and how many siblings <> you <had> at the time?

6 [10.28.35]

7 MR. BUN SAROUEN:

8 A. I was at Prey Chheu Teal <village> at the time, <Ta Phem>
9 commune, Tram Kak district, Takeo province. I had four siblings,
10 three brothers and one sister. My elder brother was Bun Nim, who
11 was a <monk> and another one was Bun Norn (phonetic), a Khmer
12 Rouge soldier and my father was Bun <Neang>, who was <a group>
13 chief <in> Prey Chheu Teal <village>. And then Meas Eng
14 (phonetic) who was my uncle and he was village chief of Prey
15 Chheu Teal during the Lon Nol regime. And <Morm> (phonetic) was
16 his deputy and Vun (phonetic) was <a> group chief in that
17 village.

18 Q. Thank you. Back then, how old were you and what happened?

19 [10.30.04]

20 A. I was 11 years old. <> After the fall of Phnom Penh, I was
21 living in a pagoda and I saw my brothers and my <uncles being>
22 tied up and <taken away to the west of Wat Chak Chrum> but I did
23 not know <as to where they were being taken as I remained at the
24 pagoda.> And then I went and asked my mother what happened. And I
25 told her that my daddy had been arrested and taken away and she

1 said, "No, no. He was assigned to transport fish sauce
2 <elsewhere>." I said no, because I saw him being brought away and
3 when I was at the pagoda I saw that. And when my mother heard
4 what I said she burst into tears and I also burst into tears and
5 as of that moment I left the pagoda and went to live with my
6 mother and after <several days> we were <told to pack up, and
7 move> to live in Trapeang Chaeng. <I had no idea where Trapeang
8 Chaeng was at that time.> And so we were gathered there and
9 <armed> militia men asked us to <go and> live in that village and
10 we were afraid because the militia men were armed and my father
11 had been tied up and arrested. They asked us to leave everything
12 behind to go and live in this village of Trapeang Chaeng.

13 [10.32.17]

14 After a few days we were assigned different tasks. Each day --
15 each day I had to transport fertiliser and bring water to the
16 rice <fields> and I would only be given rice gruel for food. We
17 <had meals> in the Trapeang <Svay> cooperative at that time.
18 Then next to the pagoda by the road, I met uncle Ran who asked me
19 where I was going, I answered that I was asked to come work here
20 and when we finished lunch, he said that he saw my father at
21 Krang Ta Chan, that he had been <beaten and mistreated> and I did
22 not know where Krang Ta Chan was. I said to him, "So my father
23 still alive?" and then he said <that my father was still alive.
24 The man claimed that he> was living about 100 meters from Krang
25 Ta Chan. I then asked my mother and other people to go to Krang

30

1 Ta Chan and when we arrived there, I saw my father carrying water
2 to the vegetable plots and that made me sad. I was crying. He was
3 so thin that I could <hardly> even recognise him. He was wearing
4 under drawers<, but no shirt> and I saw him from a distance and I
5 had a hard time recognising him.

6 [10.34.42]

7 We were hiding <in Uncle Ran's house>, of course, when we were
8 watching him. I almost asked if I could come see him and uncle
9 Ran said, "No, no, don't do so because it's very dangerous. If
10 you want to go there, you have to speak to me first." <And> it is
11 especially dangerous for him, we risked endangering him. So I
12 decided not to go to talk to him. So all we could <do> was weep
13 <and be sad>. So we stayed with uncle Ran for one night. We
14 didn't dare come close to Krang Ta Chan and we would hear cries,
15 I don't know if he was being <beaten>. We were completely
16 <broken-hearted>.

17 [10.35.41]

18 The next day we decided to go back to the cooperative <in time to
19 go> to work and we did so in secret to avoid creating problems
20 for Ran and if the cooperative had been aware what we had done,
21 we would - we could have been punished.

22 Mr. President, I don't -- maybe I went too far, so please forgive
23 me. <I did not talk about my brother who was a monk. Before> I
24 went to Krang Ta Chan, my elder brother was at the fence around
25 the pagoda and I heard a truck driving by and I did not know

31

1 where this truck was going. It was a jeep in fact, but I saw that
2 the jeep was heading westwards but a few days later I was
3 evacuated. So, I skipped this passage earlier, Mr. President. And
4 the next day - the next morning I went back to the cooperative to
5 work and I met the head of the -- the militia chief and <I was
6 assigned to help with some things at the pagoda.> I was hoping to
7 see my older brother but he disappeared. All I could see was his
8 robe, his monk's robe and I was asked to pick up the robe and to
9 retrieve the pieces of the objects he had with him <put them in a
10 box>. I saw the militia chief and I was absolutely flabbergasted
11 when I saw a sacred place become a desert and on top of that when
12 I knew that my father had disappeared and when I knew also that
13 my uncle was a monk in this pagoda, so this really broke my heart
14 and I only saw loss and damage all the way <from 1975 up> until
15 1979.

16 [10.38.36]

17 Q. <Thank you, Mr. Civil Party.> What <is> your religion?

18 A. I am a Buddhist.

19 Q. When you saw the pagodas being destroyed and when you saw the
20 <Buddhist> statues that were shattered, what did you feel?

21 A. I was absolutely torn because this was a sacred place and
22 there were no longer any monks there and in the past there used
23 to be celebrations, ceremonies but there were no longer any
24 religious practice so I felt that I was completely deprived of
25 any psychological base. In the past, we could go celebrate

1 ceremonies in the pagoda but <then> there was no longer a place
2 to do so and that was in fact incredible, it was an incredible
3 regime.

4 [10.39.58]

5 Q. <Thank you, Mr. Civil Party.> When your father was taken away
6 to Krang Ta Chan and then your brother who was a monk who was
7 also taken <away>. May I ask you; were all the monks in that
8 pagoda taken away <> and how many monks were <taken away>?

9 A. There were 15 monks, including my uncle and my brother. When I
10 arrived, the pagoda was empty <as all the monks had gone,> and
11 the wooden <quarters> had disappeared <except the concrete
12 quarters>. All there was, was a stone cell and all the buildings
13 were locked and when I arrived, I was just helping out to
14 organise everything. And then we returned to the cooperative at
15 Trapeang Chaeng and when my uncle Ran spoke to me about what
16 happened, I went to Krang Ta Chan.

17 Q. <Thank you.> Now we will move on to another topic. Earlier you
18 said that you were asked to move to Trapeang Chaeng from <Prey
19 Chheu> Teal, so what did you lose during this move and what did
20 you feel when that happened and what were you told?

21 [10.41.50]

22 A. We were asked to move, to go to Trapeang Chaeng. I said to my
23 mother, "Well, we have a lot of livestock here so what are we
24 going to do, to take it with us?" and the militia men said, "No,
25 you should leave all of your livestock behind because where

1 you're going, you'll have everything that you need so livestock
2 and other objects had to stay behind." And the militia men asked
3 us to only travel with what we could carry.

4 Q. <Thank you, Mr. Civil Party.> Once you left, were you allowed
5 to go back home from time to time, in between Trapeang Chaeng and
6 <Prey Chheu> Teal? How many kilometres are there <between the new
7 and the old village>?

8 [10.42.56]

9 A. From Prey Chheu Teal to Trapeang Chaeng, the distance is about
10 four kilometres. Once I left home, we were not allowed to come
11 back home to see our house again. We had to do our job for <the
12 Party>.

13 Q. <Thank you, Mr. Civil Party.> When you arrived at Trapeang
14 Chaeng <cooperative>, were you incorporated into a children's
15 unit or did you remain with your <mother>?

16 A. I was put into children's unit but at night I was allowed to
17 go home and stay <there>. During the day I had to work in my unit
18 so I had to leave early in the morning to get to work.

19 [10.43.57]

20 Q. What were the tasks assigned to you, were they heavy tasks or
21 was this something that children could do?

22 A. My job was transporting earth on a shoulder pole from the
23 termite mounds. The unit had to completely flatten <one big>
24 termite mound <per day,> and if they were small termite mounds,
25 we had to flatten two termite mounds. If it was a big termite

1 mound, we would have to only flatten one. <Our work in the
2 childrens unit was dependent on the size of the termite mound. We
3 worked in a group of between 10 and 17 members.>

4 Q. So you would carry earth and was your unit able to do this
5 job? Was the earth from the termite mound hard or was it soft?

6 [10.45.17]

7 A. Yes, we were able to meet the quota because we didn't have a
8 choice and we were told to make efforts and to do what we had to
9 do. And yes, the termite mound earth was very hard, it wasn't
10 sand. <Because we were working under the sun, there> were
11 blisters on our hands and even tractors have a hard time
12 flattening termite mounds, so we did not have the choice, we had
13 to do our job otherwise we would not be fed. For example, if we
14 were given, let's say, one bowl of rice soup, well then the
15 ration would be diminished so we really had to make efforts.

16 Q. <Thank you, Mr. Civil Party.> What were the food rations for
17 children? Could children eat on their own, or do they have to eat
18 in the cooperative in the common dining hall?

19 [10.46.39]

20 A. We had to eat together and we would eat rice porridge. <Each
21 of us received a bowl of porridge.>

22 Q. Was the ration enough? Was it adequate in relation to the work
23 you had to do -- that is to say, transporting earth and
24 flattening termite mounds? Was that ration enough for that kind
25 of job?

1 A. No, of course not. We had to work very hard, we had to get up
2 early in the morning <at around 6 a.m.> and we had to work <until
3 11 a.m., and we resumed> at around 1 o'clock and then we would
4 finish at 5 o'clock in the afternoon, so all this in exchange for
5 one bowl of rice porridge. No, that was not enough <compared to
6 the workload we were required to do>.

7 Q. Thank you. Was there a leader or some kind of master to manage
8 all of these children?

9 [10.48.05]

10 A. Yes. There were leaders who would lead us to work, who would
11 watch over us, but we had to work, there was no school <or study
12 sessions>. Sometimes, when there was a house close to where we
13 were working, we could rest under the house or around the house
14 or otherwise under a tree.

15 Q. So what were <you> taught?

16 A. Well, we were taught to transport earth with a shoulder
17 pole<>, earth from the termite mounds. <They did not teach us any
18 alphabet.> But we were told that we could learn how to read and
19 write but in reality in my unit, we only worked, just eat and
20 work.

21 Q. So you were a child and you were not able to go to school. How
22 do you feel about that?

23 A. Well, this pains me very deeply and my ignorance is the result
24 of this regime. When I was a child I was not lucky enough to go
25 to school and therefore I became ignorant, even today.

1 Q. Were you suffering when you worked under such conditions?

2 A. Yes. I cannot describe my suffering and my remorse is enormous
3 because I lost my uncles, my brothers, my father. Only my mother
4 and myself survived and I wasn't able to go to school.

5 [10.50.48]

6 Q. <Thank you, Mr. Civil Party.> So let's move on to another
7 topic. You said that you left Trapeang Chaeng, so then where did
8 you go? Where were you sent to?

9 A. Well, I was transferred and we were told to go to Kaoh Nhae,
10 where there was also a common eating hall because they were too
11 many of us. And my mother and I left without really knowing where
12 we were going and we arrived at Kaoh Nhae, we were working there.
13 Kaoh Nhae was about four kilometres away from the cooperative.
14 <When we went there from> Trapeang Chaeng, <when we arrived,>
15 militia men brought us home and then after a few days, we were
16 sent to work in the rice paddies and to irrigate the paddies and
17 one day there were not enough people carrying <cassava>, so I was
18 also asked to carry <cassava on to ox-carts at Prey Kralanh> and
19 then I went to the <cassava> plantation and Ta Dung was in charge
20 of that plantation. It was also a soya bean plantation and I
21 heard an interesting piece over there. I was told, "After your
22 work, come see me" and I was very, very afraid and when I
23 finished carrying <cassava>, I went to see the gentleman in
24 question. He said, "I saw your father<, uncle> and your
25 brother-in-law, I saw them being taken away <toward the north,

1 they had left> Krang Ta Chan." I was absolutely paralyzed when I
2 heard that, I stayed there completely flabbergasted.

3 [10.53.18]

4 I was afraid of saying anything because he was the chief of that
5 plantation. So I chose to remain silent and I told him then that
6 I had to go and take care of the cows and when I returned home,
7 or while I was on my way home, I saw militia men half way <at Wat
8 Chak Chrum>, they were watching over me to see if had stolen
9 <cassava> or not and then I <headed for Trapeang Chaeng, while
10 the other ox-carts of cassava headed for Trapeang Svay and Wat
11 Bakhong (phonetic). The cassava was to supply to various
12 cooperatives>.

13 So I was being watched on a permanent basis. <I then told my
14 mother that> Ta Dung -- since Ta Dung told me that my father had
15 been taken away, my mother would only -- would weep all the time
16 and so would I. I felt powerless and she also felt powerless
17 because we knew that he had been taken away to die and I had also
18 seen him at Krang Ta Chan. So, when he spoke to me earlier on in
19 the day, maybe he wanted to test me.

20 [10.55.11]

21 And then I was sent to dig a pond near <Bakhong (phonetic)>
22 pagoda and I was curious about this pagoda. I saw that this
23 pagoda was empty. And we were then assigned <to> dig earth, <>
24 three <metres in length, two metres in width, and half a metre in
25 depth>, we would only dig. And I was asking myself, why was the

1 pagoda so calm, I did not see any monks. It was a wooden pagoda
2 and I saw however a room -- a stone room in which there were
3 militia men. And all I would do was carry earth and after two
4 days there was an explosion. Maybe, it was a shell from the Lon
5 Nol period. So as I was digging earth, a shell exploded and
6 people were injured, <and then they> were transported to the
7 hospital. Despite the fear <that we may hit the shell as well>,
8 we had to continue working, we had to continue digging in order
9 to dig up the pond. And one day I saw my aunt who was maimed
10 because of the explosion. She had lost her arms and I wanted to
11 take her to the hospital also to see where the hospital was,
12 since my father had already been taken away, I also wanted to
13 know where my aunt would be taken away and they said, "No, no,
14 there is staff over there, your presence over there is not
15 necessary."

16 [10.57.22]

17 And once she was cured she came back home and something else
18 happened. She suffered from some kind of liver disease and that
19 made her belly swell and she was also accused of moral
20 misconduct, she was re-educated for one year. Every two days she
21 was obliged to follow re-education classes and after <one> year
22 -- in reality people believed that she was <not> pregnant <> but
23 in fact, she was suffering from this liver disease. So, it was
24 too late already, after one year -- after 14 months in fact, she
25 did not deliver so they understood that she was suffering from

1 that liver condition and then she <was returned, and later> died.

2 She was innocent.

3 Q. Thank you<, Mr. Civil Party>. When you were at Kaoh Nhae, you
4 were not there with your mother, you were not allowed to go home,
5 is that so?

6 [10.58.46]

7 A. No. I would eat at <Bakhong> (phonetic) cooperative. <I was
8 relocated to Li Nha> which was <way> to the south of <Bakhong>
9 pagoda.

10 Q. Did you miss your mother and were you able to go see your
11 mother from time to time?

12 A. Yes, I missed her and at night <when the assigned teacher was
13 not with us>, I ran back home to see my mother. I was with Mach
14 and Im; there were three of us, we were not in the same
15 cooperative. <Mach was from Trapeang Svay, while I was from Kaoh
16 Nhae.>

17 I was separated from my father and from my brother. I had hoped
18 that I would find my mother. I tried to secretly go back to look
19 for her but in my unit I did not have sufficient food. I thought
20 that if I saw her, she would give me <ripe palm fruit or
21 something to eat that> she would hide them and give them to me.
22 She was happy to give me such fruit at the time because she was
23 alone. And at the time, rather, the next day, I ran back to my
24 unit in order to arrive on time to start work. The distance
25 between the two locations was about eight kilometres.

1 MR. PRESIDENT:

2 <Mr.> Civil Party<>, you no longer have any time. You've run out
3 of time.

4 [11.01.14]

5 MS. CHET VANLY:

6 Thank you, Mr. President.

7 MR. PRESIDENT:

8 Deputy <Co-Prosecutor>, do you have any questions for the civil
9 party?

10 Please focus on the suffering and harm endured by the civil party
11 because he was called to talk about such suffering and not about
12 general facts.

13 QUESTIONING BY MR.DE WILDE D'ESTMAEL:

14 Thank you, Mr. President. <Mr.> Civil Party, can you please give
15 us the names of your family members who disappeared or were
16 killed during the Khmer Rouge regime; <so> the name of your
17 father, the names of your brothers <or> brother-in-laws, uncles,
18 and so on and so forth?

19 [11.02.15]

20 MR. BUN SAROUEN:

21 A. Yes, I can do that. My father's name was Bun Neang, he was
22 taken together with uncle, Morm (phonetic), village chief and
23 Meas Eng, another uncle who was Prey Chheu Teal village chief.
24 And Vun (phonetic) was group chief who worked together with my
25 father Bun Neang. Bun Nim was a monk and Meas Nob was another

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1 uncle and Meas Toek was my aunt, my brother-in-law was Uk and
2 another elder brother was Bun Norn.

3 Q. Thank you. Can you please specify when your father Bun Neang,
4 and <then> your uncle and brother-in-law, were arrested <to be
5 subsequently> detained at Krang Ta Chan, was that before the 17th
6 April 1975, or thereafter?

7 [11.03.55]

8 A. <They were> arrested during the day the country fell, that is
9 when the 17 April People were evacuated.

10 Q. Very well, you stated that your father had played a role at a
11 level of his commune <or his> village. I understood that he was a
12 chief. Is that correct?

13 A. Yes, that is correct. My uncle was the village chief <Prey
14 Chheu Teal village> and my father was the group chief during the
15 Lon Nol regime.

16 Q. Did you ever <discover, be it through Ta> Dun or other
17 <people, or Ta Ran, why> your father and family members were
18 arrested?

19 [11.05.15]

20 A. When they were arrested and a neighbour whose house was not
21 far from <that place>, told me that they had been arrested and
22 taken to that office although he did not know the reason for the
23 arrest. He saw them there. <It was uncle Ran who told me that.>

24 Q. Very well, a <moment> ago, you <spoke about food deprivation>,
25 if you did not complete your work -- the work involving

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1 transportation of <soil> from a termite mound, were you also
2 deprived of food in 1978 for other reasons?

3 A. If we completed the assigned work quota then we would be given
4 food and if we <failed> to do that, then they would only give us
5 half of the ration for that reason. In order to have a complete
6 food given to us we had to complete the work quota <for the
7 Angkar>.

8 Q. Thank you. I see <> in your civil party application form
9 <that> you stated that in 1978 <> you worked in another
10 cooperative, Ta Koam in Ta Phem commune in Tram Kak district, and
11 <that> you also stated that you were assigned to herd <cows> at
12 <one> point<>, is that correct?

13 [11.07.09]

14 A. Yes, that is correct. I was assigned to herd the cattle and
15 one cow had diarrhoea then I was deprived food and in fact, <when
16 I transported rice, on the way back, I beat the cow because it
17 spilled the rice, and because the rice was spilled,> they only
18 gave one food ration for the two of us.

19 Q. Why were you held responsible for the fact that a cow had
20 diarrhoea and, <as a result, you> were deprived of food? What did
21 the Khmer Rouge tell you <in that respect>?

22 A. I didn't know the detail of the matter, I saw a cow had
23 diarrhoea and, maybe I thought, it was because of the grass the
24 cow ate and then I was blamed for not informing them about the
25 cow having diarrhoea because I thought the cow ate young grass

1 and for that the cow had diarrhoea. Then I was questioned and I
2 was warned.

3 Q. Thank you. This is the last subject. I have heard your
4 testimony; I've read your civil party application form. Were you
5 <ever transferred> to Pursat during the Democratic Kampuchea
6 regime?

7 A. No, I was not at that time.

8 [11.09.00]

9 Q. I <mention this to you, Mr.> Civil Party, because there is a
10 document which <seems questionable to me. Under reference number>
11 D22/1659. I believe it is A and B for the summary in English, and
12 it states that you left to go to a cooperative in Pursat in 1977.
13 Do you confirm that this information is not correct?

14 A. No, that is not correct. So, I do not know why such
15 information contained in this form. Actually, I moved to Pursat
16 only in 1979.

17 Q. <Since the regime, have you learned> to read and write or <>
18 have <you, to use your own words,> remained "ignorant" ever
19 since?

20 A. No. I do not know to how to write. I could read a little bit
21 because I studied it at the pagoda with my elder brother who was
22 a monk at that time.

23 [11.10.26]

24 Q. Nobody has ever read out to you a statement <which states
25 that> you went to Pursat in 1977, or did you, yourself read such

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1 a statement? <Furthermore> when <> were <you> asked to put your
2 fingerprint on the document?

3 A. As for this work, I actually talked about Krang Ta Chan in
4 Takeo. I didn't know why the information about Pursat was
5 contained in that form, I was asked to put thumb print on it. <I
6 do not remember whether they read it to me before I put my
7 thumbprint.>

8 MR. DE WILDE D'ESTMAEL:

9 Thank you. I have no further questions, Mr. President.

10 MR. PRESIDENT:

11 Thank you. The Chamber would now like to hand the floor to the
12 Defence teams and first to the Nuon Chea Defence if you wish to
13 put questions to this civil party.

14 [11.11.46]

15 QUESTIONING BY MR. KOPPE:

16 Thank you, Mr. President. Good morning, Mr. Civil Party.

17 Q. Can you tell me who Ta Karau is? Ta Karau, I'm sorry.

18 MR. BUN SAROUEN:

19 A. I did not know the real function or position of Ta Karau. When
20 he came, he talked about sending them for a study session and
21 then they were taken and placed in that location. But at that
22 time, I did not know much about that since I was about 11 or 12
23 years old and I only heard that Ta Karau was the one who came to
24 take them away.

25 [11.12.56]

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1 Q. Mr. Civil Party, you just answered the question of the
2 Prosecution regarding the arrest of your father and uncle. In
3 your victim information form, you said it was Ta Karau who
4 arrested your father and others in 1973. Could you please
5 clarify, was the arrest of your father in 1973, by Ta Karau, or
6 1975?

7 A. As for the year, it happened in late 1973. At that time, that
8 area had been <liberated> already that is from Angk Ta Saom to
9 the west and the area was under their control.

10 Q. Do you know when in 1973, you said late 1973, but when exactly
11 your father was arrested?

12 A. I did not know when my father was taken away <but I saw him
13 walk around the pagoda> in <early> 1974.

14 Q. Just to be clear, Mr. Civil Party, you just said late '73, are
15 you now saying it is late '74?

16 A. It was not in late '74, but it was either in late '73 or early
17 '74.

18 [11.15.24]

19 Q. You also testified that you, at one in point in time, saw your
20 father working at place called Krang Ta Chan. Do you know how
21 much time there was between the day of his arrest and the day
22 that you said you saw him?

23 A. He had been there from that time until 1975 -- that is, after
24 the liberation. Then I heard that he was detained there and I
25 mean in '75, when the country was fully liberated<, and after I

1 had been transferred to live in Trapeang Chaeng>.

2 Q. My question, Mr. Civil Party, was whether you can tell us how
3 many days or weeks or months there were between the day of the
4 arrest of your father and the day that you saw him do things at
5 Krang Ta Chan?

6 A. I cannot recall it. After the liberation day and the 17 April
7 People from Phnom Penh were evacuated to my area, then I learnt
8 the news about my father.

9 [11.17.10]

10 Q. What do you mean when you say "you learnt the news about your
11 father?" I thought you said that you saw him.

12 A. At that time, I heard about my father <from> uncle Ran, and I
13 went to see him at that office.

14 Q. Would my calculation then be right that when you said you saw
15 him, your father had already been detained for one year and a
16 half, would that be accurate?

17 A. Yes, that is correct.

18 Q. Can you tell us again how Ran knew that your father was
19 detained at Krang Ta Chan? How did he find out?

20 A. Because his house was not far from the Krang Ta Chan office.
21 His house was only 100 <metres> away from the office<. He saw my
22 father> and he told me about my father.

23 [11.18.46]

24 Q. Can you tell us whether it was 100 meters north from Krang Ta
25 Chan or south or west or east?

1 A. His house was to the north of Krang Ta Chan and there was a
2 pond at the front of his house and there were many coconut trees.
3 However, I can recall about the location of his house vaguely, as
4 I was very young at that time and I thought I would be right to
5 say that the house was about 100 <metres> from Krang Ta Chan
6 office and that it was slightly located to the north of that
7 office.

8 [11.19.45]

9 Q. So are you saying the house was 100 meters from the buildings
10 of Krang Ta Chan, the buildings where the prisoners were, or was
11 it 100 meters away from the outer fence of Krang Ta Chan?

12 A. Yes.

13 Q. Yes, which, 100 meters away from the building?

14 A. It was from -- the distances I described was from the fence of
15 the prison. That is from the fence to his house. From my estimate
16 it was about 100 <metres> although it would not be exact as it is
17 just my rough estimation.

18 [11.20.57]

19 Q. But were you able to see with your own eyes the buildings
20 where prisoners were being held?

21 A. Yes. I could see part of the building because there were big
22 trees, big tall trees, like Teal trees in the area and when I saw
23 him, he was carrying water.

24 Q. I am trying to establish, Mr. Civil Party, how you knew, or
25 how you still know today whether it --whether the buildings that

1 you saw were in fact something, that we call now, Krang Ta Chan
2 prison. How do you know that what you saw was in fact the prison
3 called Krang Ta Chan?

4 A. I did not know that that office was a prison. Only after I was
5 told that it was a prison and when I went there, yes, indeed, I
6 saw a prison there. And that was the first time I went there and
7 <I did not know which building was an office and which one was a
8 prison because I did not enter the location>. I only looked at it
9 from a distance.

10 Q. Mr. Civil Party, do you know a place in Takeo province called
11 Krang Ta Chan memorial site?

12 A. No, I don't, and when I went there I did not know it was also
13 called a memorial site but I was told it was a prison. And during
14 this regime when I went to Takeo province, I was told by a woman
15 that the area was a memorial site now, as she went to engage in
16 this ceremony twice but I myself haven't been there <again>.

17 [11.23.39]

18 Q. Do you remember how Ran knew, when he told you the buildings
19 that you saw were Krang Ta Chan prison buildings, did he tell you
20 how he knew?

21 A. I did not know about that, he simply told me that that was a
22 prison and my father was detained there. <It could be that he saw
23 prisoners there, and so he referred to it as a prison.> And then
24 when I went there, when I saw prisoners there, of course I knew
25 it was a prison.

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1 Q. The problem, Mr. Civil Party, is that there were more prisons
2 and I'm trying to establish whether what you in fact saw, was
3 what we now call, Krang Ta Chan prison. Can you give us some more
4 clarification as to the reasons why you think it was Krang Ta
5 Chan prison or is it just because you heard the name later and
6 you assumed it must have been Krang Ta Chan prison?

7 A. I knew it since the time that I went there because he told me
8 that it was Krang Ta Chan prison. <That was what he told me about
9 it, so I just could not tell you more than that.>

10 [11.25.17]

11 Q. I'll move on, Mr. Civil Party, to another subject, my last
12 subject. If it's correct you were 12 years old in 1975, is that
13 true?

14 A. I was 11 years old at that time and by <the age of 12 years
15 old>, I went to Kaoh Nhae.

16 Q. Did you go to school when you were six years old or seven
17 years old or at any year before you were 11 or 12?

18 A. No, I did not. I stayed with my elder brother at a pagoda as
19 he ordained as a monk there.

20 Q. So before 1975, you didn't visit any school, is that correct?

21 A. That is correct. I didn't attend any schooling as I stayed at
22 the pagoda <with my elder brother who was a monk there>. However,
23 I studied a very little.

24 [11.26.56]

25 Q. My last question, Mr. Civil Party. Can you explain to the

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1 Chamber, why it is that you blame the Khmer Rouge regime for not
2 having had education and not the regime before 1975?

3 A. Because during the regime, I did not go to school and because
4 of the various wars and I didn't dare go to school before that as
5 the school was located at Angk Roka, it was rather far. And I
6 didn't want to go there because I was afraid of the shelling or
7 the bombing. And then I decided to stay with my elder brother at
8 the pagoda and I studied informally very little there. And later
9 on when I grew up during the Khmer Rouge because they were in
10 control and I didn't go to school, that's why I blame them for
11 that.

12 [11.28.14]

13 Q. But would you agree with me that the war is also a reason,
14 maybe, that you weren't able to get education?

15 A. Yes, that is correct.

16 MR. KOPPE:

17 Thank you, Mr. Civil Party.

18 MR. PRESIDENT:

19 The floor is now given to Khieu Samphan's defence.

20 [11.28.52]

21 MR. KONG SAM ONN:

22 Thank you, Mr. President. Khieu Samphan's defence does not have
23 any questions for this civil party. Thank you.

24 MR. PRESIDENT:

25 Thank you. And Mr. Bun Sarouen, the Chamber is grateful of your

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1 presence to answer questions about the harm and suffering
2 inflicted upon you during the Democratic Kampuchea regime. You
3 may now be excused from the courtroom and return to your
4 residence and we wish a safe journey.

5 [11.29.26]

6 Court officer, please make necessary transportation arrangement
7 for this civil party to return to his place of residence. Mr.
8 Youn Sarath, you may also rest now.

9 The time is appropriate for lunch break. We will take a lunch
10 break now and return at 1.30 this afternoon to resume our
11 proceedings.

12 For the afternoon session, we will hear statements of sufferings
13 and harms by, <2-TCCP-256>. This information is for the Parties
14 and the public.

15 Security personnel, you are instructed to take Khieu Samphan back
16 into the waiting room downstairs and have him back into the
17 courtroom before 1.30 this afternoon.

18 The Court is now in recess.

19 (Court recess from 1130H to 1331H)

20 MR. PRESIDENT:

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

22 We are now going to hear the statement of suffering and harm by
23 another civil party -- that is, 2-TCCP-256.

24 And Court officer, could you invite the civil party into the
25 courtroom.

1 (Civil party enters courtroom)

2 [13.33.23]

3 QUESTIONING BY THE PRESIDENT:

4 Q. Good afternoon, Madam Civil Party. What is your name?

5 MS. OUM VANNAK:

6 A. My name is Oum Vannak.

7 Q. Thank you, Madam Oum Vannak. And do you recall your date of
8 birth?

9 A. I was born in October 1967.

10 Q. <What> is your current address?

11 A. I live in Thnong Roleung village, Leay Bour commune, Tram Kak
12 district, Takeo province.

13 Q. What is your current occupation?

14 A. I am a rice farmer.

15 Q. Can you tell the Chamber the names of your father and mother?

16 A. My father is Im Chak and my mother is Nan Pet.

17 [13.34.45]

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

19 A. His name is Neang Sophorn (phonetic) and we have four children
20 together.

21 Q. Thank you. And Madam Oum Vannak, as a civil party in this case
22 the Chamber will give you an opportunity to make a statement of
23 suffering and harm inflicted upon you, namely physically,
24 material or mental injuries which are as direct consequences of
25 those crimes and which resulted in your civil party application.

1 And this is in relation to the crimes which are alleged against
2 the two Accused, Nuon Chea and Khieu Samphan, and which happened
3 during the Democratic Kampuchea period -- that is, from the 17th
4 April 1975, to the 6th January 1979.

5 And Madam Chhay Marideth is a TPO staff to lend her assistance to
6 this civil party during her testimony on suffering and harm.

7 And as requested by the Lead Co-Lawyers for Civil Parties, the
8 floor will be given to the Lead Co-Lawyers first to put questions
9 to this civil party regarding harms and sufferings. The floor is
10 yours.

11 [13.36.46]

12 QUESTIONING BY MR. HONG KIMSUON:

13 Thank you, Mr. President. Good afternoon Mr. President, Your
14 Honours. And good afternoon, Madam Oum Vannak. My name is Hong
15 Kimsuon, <from Cambodian Defenders Project,> representing civil
16 parties. I am also a lawyer in Case 002 representing the civil
17 parties in this case.

18 Q. You just stated about your current address and can you also
19 tell the Chamber your place of birth?

20 MS. OUM VANNAK:

21 A. My place of birth is the same -- that is, in Thnong Roleung
22 village, Leay Bour commune, Tram Kak district, Takeo province.

23 Q. <Thank you.> Before the Democratic Kampuchea period took
24 control of the country, where did you live?

25 A. I lived in Takeo province.

1 Q. And can you tell a little bit more details? Was it at a
2 provincial town or in a particular commune or village?

3 [13.38.16]

4 MR. PRESIDENT:

5 Madam Oum Vannak, please observe the microphone before you
6 respond.

7 MS. OUM VANNAK:

8 A. I was living in the provincial town of Takeo province.

9 MR. HONG KIMSUON:

10 Q. <Thank you.> And when the Khmer Rouge entered the provincial
11 town of Takeo, were you allowed to live at the same place or were
12 you moved elsewhere?

13 A. When the Khmer Rouge arrived, they chased us away from the
14 provincial town and we walked on foot to Chheu Teal village, Tram
15 Kak <district>, in Takeo province.

16 [13.39.10]

17 Q. So you were moved to Chheu Teal village in Tram Kak district,
18 and later on, were you moved elsewhere?

19 A. The unit chief of Chheu Teal village moved us to Angk Neareay
20 village, in Leay Bour commune, Tram Kak district, Takeo province.

21 Q. And can you recall when that happened?

22 A. It was in mid-1975.

23 Q. Why didn't you and your family members return to your native
24 village?

25 A. Because we were forced to go there and cannot -- could not go

1 to our native village.

2 [13.]

3 Q. And when you moved to Angk Neareay village, what were you
4 assigned to do?

5 A. When I arrived at Angk Neareay village, I was living together
6 with my parents and siblings. And by 1976, I was separated and I
7 was placed into a unit -- a mobile unit for children at the Leay
8 Bour pagoda.

9 Q. Can you provide a little bit details as to whether you were
10 placed into a mobile unit or a children's mobile unit?

11 A. The childrens mobile unit was not part of the cooperative. It
12 was a separate unit and there were actually two units, <Unit 1
13 and Unit 2,> and for the mobile unit, children which were aged
14 from eight <or nine> would be put into the mobile unit.

15 Q. And did you volunteer to join that mobile unit? <And how were
16 you recruited into the mobile unit?>

17 A. No. I did not volunteer. We were forced to join that unit and
18 we were not allowed to stay at home.

19 [13.42.05]

20 Q. You said that "they", whom are you referring to when you were
21 moved to the mobile -- the children unit?

22 A. People who -- I was forced to join that unit by Ta <Veth>
23 (phonetic). He was <a village> chief.

24 Q. Which village?

25 A. It was Angk Neareay village. Let me repeat -- the village

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1 chief of Angk Neareay name Ta <Veth> (phonetic).

2 Q. When that village chief sent you to the children mobile unit,
3 where was that unit based, if you can recall?

4 [13.43.12]

5 A. The children mobile unit was based at District 105, Sector 13.
6 That's all I can recall.

7 Q. District 105 of Sector 13. Do you know the actual name for
8 this numerical representation or assignment for the district and
9 sector?

10 A. It was for Tram Kak district.

11 Q. What were you assigned to do when you were in the children
12 mobile unit?

13 A. We were assigned to carry earth for the <canal> building
14 together with -- to work there together with the women's unit.

15 [13.44.17]

16 Q. Can you describe a little bit about the location of where you
17 worked in the building of that dam <or canal>?

18 A. I was assigned to carry earth for building a <canal> called
19 Prey Theat and it was in Leay Bour commune.

20 Q. Can you tell the Chamber a bit about the working conditions
21 there? Were you assigned to any specific jobs or tasks? <What
22 specific tasks were you assigned?>

23 A. We were assigned to carry earth, starting from 6 o'clock in
24 the morning until 11.30 at noon and if we didn't complete the
25 work planned, then we would be deprived of food. The 10 -- a

1 group of 10 children had to finish 10 cubic metres and sometimes
2 we could complete it and some other times we could not. If the
3 earth <was> soft, for the whole day from morning till late
4 evening, we could complete the work quota and if the earth was
5 hard, then we could not and then we would be deprived of gruel.

6 [13.46.00]

7 Q. You said that your group of children had to work there and the
8 work quota for you was 10 cubic metres. Can you provide a bit
9 more details on this as I didn't get it?

10 A. A group of us comprised of 10 children.

11 Q. And you stated that if you could not complete the work quota,
12 you would not be given rice or gruel. Was you actually given
13 cooked rice or gruel?

14 A. We were given only gruel. There was no cooked rice for us.

15 [13.]

16 Q. And could you eat your own fill?

17 A. No, the food was never sufficient because we were given only
18 gruel -- a ladle of gruel each.

19 Q. And when you could not eat your own fill, what else -- what
20 did you do? Did you try to find other food to eat?

21 A. Yes, I did. Sometimes we were so starving, we <sought>
22 permission to go to the nearby bushes to relieve ourselves but in
23 fact, we went to pick some tree leaves -- that is from <thnoeng
24 vines> and we ate those leaves because we were so starving.

25 [13.47.54]

1 Q. <Thank you.> Were you allowed to find additional food by your
2 unit chief or supervisor?

3 A. No, and if they found out that we picked the tree leaves then
4 we would be arrested and beaten and actually we did it without
5 letting them know.

6 Q. So you said if you were caught then you would be tortured and
7 were you ever caught?

8 A. Yes. I was <punished by being> beaten <and> tortured. At that
9 time, I sought permission to go to visit my parents and in fact,
10 we were allowed only once a month to do home visits, but then
11 because I missed my parents a lot I <sneaked out> to visit them
12 and I was caught and I was beaten.

13 Q. When you said you were tortured or mistreated can you actually
14 describe what happened?

15 [13.49.18]

16 A. I was beaten and I was tortured because at night time they
17 would go and count our heads and if they couldn't find us then we
18 would be in trouble. But usually I would go back at around 3
19 o'clock in the morning as the head counting was at five. And one
20 time I was caught when I returned and I was asked where I had
21 been and I told them I went to visit my parents. And they <told
22 me not to> waste any time because my parents did not benefit from
23 me visiting them and then I would be in trouble if I broke or I
24 violated the discipline again. And if someone got caught, then
25 that person would be arrested, <tied up,> and beaten up <before

1 being let out to work> and that was the case that happened to me.

2 I was <tied up> and beaten up <on> the order of the unit chief.

3 [13.50.30]

4 Q. Did you know who gave that authority to the unit chief? Was it
5 from the village chief or from the militia chief?

6 A. My unit chief was a female by the name of Sarou.

7 Q. So when you were arrested and tied up, can you describe a
8 little bit about what happened next? Was you beaten with a whip
9 or a club for example?

10 A. After they arrested me, they beat me up and that happened for
11 the first time and then for the second time, and for the third
12 time, I became seriously ill. I had a very high temperature, it
13 was a bad fever. It happened day and night and I sought
14 permission to rest but I was not allowed to rest. And I went to
15 seek for some medicine and I was not given any except just a
16 powder from cassava. <I once heard from my mother that in such a
17 case, I could drink the juice from sdau (phonetic) leaves if we
18 had no access to medicine. So I went to collect some sdau
19 (phonetic) leaves in order to get the juice to drink. On my way,
20 a militiaman spotted me and he reported me to Angkar that I was
21 trying to avoid work. As a result,> I was arrested, tied against
22 a tree and beaten up and I -- at that time there were 20 young
23 children there. I was beaten up while I was seriously ill.

24 [13.52.32]

25 And they <did not use> their hands to beat me up, they used

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1 bamboo clubs with nails attached to beat me up physically and
2 there are <still> scars <> on my body. <My calf was bleeding from
3 the beating. They beat me until I became unconscious.> I was tied
4 up to the tree <all night. When> the morning came, <and I gained
5 consciousness,> I saw blood all over my body. <They also smashed
6 my head against the tree.>

7 I felt so pity for myself. When I was in this trouble I wanted
8 the comfort of my parents but they were nowhere near me. I
9 shouted asking for my parents but nobody came to help me, only
10 those who actually mistreated me were there. I kept thinking of
11 my parents, of <an elder brother> who looked after me when I was
12 away from my parents and about once a month that man came to me
13 to give me food that he could obtain and that he could find. And
14 he consoled me not to weep <but try> to work as hard as I could
15 so that Angkar would not take me away and kill.

16 [13.54.23]

17 Q. <Thank you. I am sorry for> the suffering that you just
18 described. And do you know the name of the man who actually
19 helped you and who gave you that food?

20 A. His name was Im Mach and he was sadly killed by the Khmer
21 Rouge clique.

22 Q. You said Im Mach -- as you said Im Mach was your older
23 brother, he was taken away and killed by the Khmer Rouge. How did
24 you know that?

25 A. When I recovered from the illness, I could go and then I stole

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1 a piece of cassava and then I -- at lunch time -- I went to the
2 place where he worked to look for him and I couldn't see him at
3 his workplace so I asked people around. And I asked a villager
4 there by the name of Sau Vann, where my brother was then the
5 person told me quietly that my brother <had been> requested by
6 the unit chief to go away on a vehicle. And I asked where he was
7 taken to and the person said he did not know but he was put on a
8 vehicle taken to the west direction.

9 Q. <Thank you. I have a question for you in this regard.> In your
10 victim information form -- that is, document D22/86, ERN <in
11 Khmer, 00353455>; and in English ERN is 00450336; and another
12 document<, supplementary information form> -- that is, D22/86a,
13 <ERN, 00579245> and it only exists in the Khmer language; I'd
14 like to clarify a little bit about your victim information form
15 <you filed with DC-Cam>. You stated that your brother disappeared
16 or was arrested because he was requested by the unit chief as you
17 just told the Court. And do you know the reason for his arrest?
18 [13.57.14]

19 A. I asked that man, Sau Vann, and another man by the name of Kel
20 and I was -- I asked them what wrong-doings did my brother make
21 and I was told that he was accused -- one time that while he was
22 thrashing the rice at night time, he accidentally laid his hand
23 on the hand of another woman and he was charged that he committed
24 a moral misconduct<, while he was not doing that. They just
25 accused him of having committed the misconduct.>

1 Q. So in your supplementary information form -- that is, document
2 D22/86a, <ERN, 00579245,> on the second page you stated that your
3 brother was arrested as he was a former Lon Nol soldier. Can you
4 tell the Chamber if there is any discrepancy in your statement?

5 A. Initially, I did not know that my brother was a former Lon Nol
6 soldier and I only knew that he was accused of committing moral
7 misconduct. Only later on, <and after I had filed my first
8 application form did> my mother <tell> me that that was not the
9 reason for his arrest and the real reason for his arrest was that
10 he was a former Lon Nol soldier. For that reason, I submitted a
11 supplementary information form with this additional information
12 <that I have later learnt from my mother>.

13 [13.59.14]

14 Q. So when you filled in your victim information form with the
15 assistance of the DC-Cam, you told them that the reason for
16 brother's arrest was because of allegations that he committed a
17 moral misconduct but later on you learned from your mother that
18 the real reason was because he was a former Lon Nol soldier. Am I
19 correct in summing up this statement?

20 A. Yes, my mother told me about that -- that my brother had been
21 monitored for quite some time but they could not find any pretext
22 to arrest him so when they could find a pretext to arrest him,
23 they accused him of <doing> that and then taken him away.

24 Q. <Thank you.> You also stated in your application that your
25 brother, Im Mach, might be taken to be detained at the Krang Ta

1 Chan prison. Can you tell the Chamber when did you learn about
2 the Krang Ta Chan prison?

3 A. At that time I did not know where Krang Ta Chan was and only
4 later on <> people <> from the upper part of Cambodia, told me
5 that <those people who were taken westward were actually taken
6 to> Krang Ta Chan prison <>. That's why I <concluded that my
7 brother died at Krang Ta Chan prison>.

8 [14.00.52]

9 MR. PRESIDENT:

10 The civil party lawyer, you only have 10 more minutes and if the
11 civil party has questions to be put to the Accused, you can
12 instruct her to do so through <me, the President of the> Bench.

13 BY MR. HONG KIMSUON:

14 <Thank you very much, Mr. President. I am also keeping track of
15 the time. I would like to continue to put more questions to you,
16 Madam Civil Party. So it was through> the people who knew the
17 Krang Ta Chan prison, and the way the people were brought to this
18 prison <during the Khmer Rouge regime> that you came up with such
19 a conclusion, is that the case?

20 MS. OUM VANNAK:

21 A. Yes, people told me this; as my brother had been taken to the
22 west, to the Krang Ta Chan prison over there. <There was no other
23 prison. So it was certain that my brother ended up there.> So
24 during the religious ceremonies I was making -- I used to make
25 offerings twice a year to the monks <dedicated to him>.

1 Q. I would like to put questions to you regarding your experience
2 under the Khmer Rouge regime. Your unit chief asked you to
3 <collect plants> or to pick up cow dung and to <flatten the
4 termite mounds,> so can you tell us what happened? <So when was
5 it that you were assigned to do these tasks?>

6 [14.02.42]

7 A. In 1977 -- at the end of 1977, I was tasked <to collect eight
8 bundles of kantreang khet plants; or I would not receive my food
9 ration. In> terms of cow dung, I <was required to collect three
10 sacks of cow dung;> otherwise I would also not be fed.

11 <Sometimes, it was hard for me to meet the quota, so I had to go
12 and steal cow dung from the stable where the elderly took care
13 of> cattle. <Only by doing so could I meet the quota and receive
14 my food ration.>

15 Q. You said that when you were performing your duties <including
16 collecting cow dung and plants>, you saw militia men take people
17 away for execution. Can you give us a few more details about
18 that?

19 A. When I went to cut <kantreang khet plants> next to <Ruessei
20 Tep> (phonetic) pagoda in <Chres village of Roka Knong commune>,
21 I saw seven militia men <walking> 15 prisoners away. We were a
22 group divided into two -- a group of <five>, so we scattered to
23 <do our task. At that time, we had already met our quota so we
24 went to pick ripe> rattan <in the bushes> and we saw militiamen
25 <with bamboo sticks walking adults>. Three militia men with

1 <bamboo> clubs, <while the four others> with rifles and these
2 militiamen were very short. They could barely carry their rifles
3 but we were so afraid of them we hid in bushes about 20 metres
4 away from the execution site and I saw them beat on the <heads of
5 the> victims <one by one, with the bamboo stick> and the victims
6 were weeping and yelling. And we were so afraid <that we were
7 hiding ourselves flat to the ground. I was so scared that> I even
8 fainted. <The four other children gave me soft massage in order
9 for me to gain consciousness,> and everyone became quiet to avoid
10 being spotted by the militia men. <If they had spotted us, all of
11 us would have been killed.> I saw blood being shed everywhere in
12 the forest.

13 [14.05.42]

14 Q. <Thank you.> Now, I would like to speak about your suffering.
15 After the Khmer Rouge regime -- after having lived through the
16 Khmer Rouge regime, what are your impressions? How is your health?
17 A. I'm always ill. I wasn't able to go to school. I only reached
18 fourth grade. Since I'm always ill and since my parents were old,
19 I wasn't able to go to school.

20 Q. With regard to your loved ones, who is -- whom can't you
21 forget?

22 A. I think about everyone -- everyone. I miss everyone. I lost my
23 brother -- my older brother. He would always steal things <for>
24 me. He would come visit me much more often than my other brothers
25 and sisters.

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1 Q. Are you a bit relieved, each time you think about your loved
2 ones who disappeared or each time you think about them, you
3 suffer even more?

4 [14.07.24]

5 A. Each time I think about the death of my brother <> and about
6 the torture I underwent, it is as if all of this happened
7 yesterday.

8 Q. Do you have any requests to make? Do you have any questions to
9 put to the Accused? But if you do, you have to do it through the
10 President. So do you have any questions or requests?

11 A. Mr. President, I have a request, indeed. I would like justice
12 to be <delivered> and I would like the perpetrators of these
13 crimes to be sentenced -- to be sentenced for life. And I also
14 have another request which is to make -- to have my lawyer make
15 sure that <both moral and collective> reparations are <granted>.

16 Q. Do you have any other questions to ask?

17 A. No.

18 [14.09.00]

19 Q. Thank you, Civil Party. Thank you, Mr. President. I have no
20 further questions.

21 MR. PRESIDENT:

22 <Thank you. Co-Prosecutors>, you now have the floor.

23 QUESTIONING BY MR. SREA RATTANAK:

24 Mr. President. Your Honours. <Good afternoon, Madam Civil Party.>

25 Q. I would like to request a bit of clarification from you

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1 regarding the fact that you saw seven militia men taking away 15
2 prisoners to execute them. I would like to know in which
3 cooperative <or mobile unit> you were in when that happened?

4 MS. OUM VANNAK:

5 A. I was in the mobile unit which was located to the <east> of
6 the railway in the <commune> of Roka Knong.

7 [14.10.07]

8 Q. That means that you <had been> transferred from Neareay
9 village to Roka Knong village, is that true?

10 A. Yes, indeed. I was transferred from Neareay village to Roka
11 Knong <commune> because over there, there <were> a lot of
12 <snakeroots>.

13 Q. So you were therefore assigned to <collect snakeroots> or you
14 were incorporated into your mobile unit on a permanent basis?

15 A. Yes, I was part of the mobile unit and I was a member -- a
16 full rights member.

17 Q. What's -- how far <was> Neareay village from Roka Knong
18 village?

19 A. About 30 kilometres.

20 Q. Regarding the food rations you spoke about earlier, when you
21 said that you were only given rice porridge, I would like you to
22 describe this rice porridge more in details.

23 A. The rice porridge that I would get when I was in the unit was
24 very thin. It was really very, very thin and sometimes there was
25 also water lily soup.

1 [14.12.20]

2 Q. So when you did not reach the quota, you were not fed. Is that
3 correct? So, I'd like to know if you were completely deprived of
4 food or if your ration was simply reduced?

5 A. Well in reality, I was only allowed to have <porridge> at
6 lunch and I wasn't allowed to have any <of that> in the evening.
7 When we were deprived of food, we would go look for sweet
8 potatoes where old -- in the fields where old people were working
9 and if there was no fire to cook these sweet potatoes, we would
10 just eat them raw.

11 [14.13.21]

12 Q. Now with regard to the working conditions, you would work from
13 6.00 in the morning to 11.30 and back then would you only work in
14 the morning and not during the afternoon?

15 A. In the afternoon, I would work until 5.30.

16 Q. Did you have to work in the evening as well?

17 A. Yes, sometimes the children had to dig pits to plant coconut
18 trees.

19 Q. So, digging pits to <plant> coconut trees. So did you consider
20 that an easy task or something that was acceptable for children
21 of your age?

22 A. Well, digging pits to plant coconut trees was difficult
23 because we had to do that from 6.00 in the evening to 10 o'clock
24 in the evening and it was absolutely necessary to do this job so
25 it was really too much <work for children> but we did not dare

1 complain and refuse to do the job.

2 Q. So you did this job for how long?

3 A. Well, I was in charge of digging these pits for almost one
4 full month. We had two to three days when we wouldn't work in a
5 month.

6 Q. And you're speaking about which mobile unit? Was this in a
7 mobile unit that was located in which village?

8 A. I'm speaking about the mobile unit of Chreae village.

9 [14.16.02]

10 Q. I'm speaking about the night work that you had to do and I'd
11 like to know in which cooperative you were at the time. So must I
12 understand that you had to do this night work during the entire
13 Khmer Rouge regime or was this only for a certain period of time?

14 A. I was asked to dig pits to plant coconut trees in <the
15 cooperative located near> Chreae village.

16 Q. Aside from that cooperative in Chreae, were you also obliged
17 to work at night?

18 A. Yes. I was transferred to <the area next to Wat> Khnar <> and
19 during the day I had to pick <snakeroots, carry soil from termite
20 mounds> and pick up cow dung and in the evening, indeed, we had
21 to dig pits to plant coconut <and banana> trees <around the area
22 of Wat Khnar>.

23 Q. So this work was -- would last -- you did this work for the
24 entire Khmer Rouge? That means that during the entire Khmer Rouge
25 you had to work night and day; is that the case?

1 A. Yes, I had to work night and day.

2 [14.17.58]

3 Q. In the unit you spoke about earlier on, when you worked in
4 this <mobile> unit, you said you were arrested, tied up and
5 beaten by children of the same unit and I'd like to know why they
6 <had the right to> beat you.

7 A. Well, they were entitled to beat me because the unit chief
8 ordered them to beat me. <They had to do it on the order of the
9 unit chief.>

10 Q. So you mean that the other children in your unit had to beat
11 you? That they were ordered to beat you by the unit chief?

12 A. In this unit, there were 100 children but there were only
13 about 20 of them who beat me.

14 Q. Why were you punished in that way?

15 A. Because I asked for leave to go visit my mother who was ill
16 and I <was not granted the leave. Thus,> I went home secretly.

17 Q. Would you often be <punished> in this way during the
18 Democratic Kampuchea regime?

19 A. Yes, this happened quite often but the other -- other children
20 also were <punished> in that way but to a different extent.

21 [14.20.20]

22 Q. The 20 or so children who were appointed to beat you -- which
23 category did they belong to? And the children who were <beaten>
24 -- which category did they belong to?

25 A. The Base People children were entitled to beat the <17 April>

1 People children.

2 Q. So this means that the other children who were being
3 <punished> in that way were all New People children. <None of
4 them were Base People children?> Is that the case?

5 A. Yes. Those who were tortured were all New People children.

6 Q. In document D22/86, Khmer ERN, <00353456 - 57, and in English,
7 00450337,> you said that about 10 other children had been
8 <mistreated> in that way because of vengeance. Were there other
9 reasons for this <punishment> and what were the forms of
10 retribution you are speaking about?

11 <Mr. PRESIDENT:>

12 <Hold on, Madam Civil Party. You have the floor, Counsel Koppe.>

13 MR. KOPPE:

14 We've been hearing now for almost 55 minutes very detailed
15 evidence. I'm looking at the clock. I know there is one civil
16 party still on schedule. Are we now supposed to ask questions in
17 the next 10 minutes to be able to counter a little bit -- a piece
18 of this evidence? This civil party's testified to so many
19 different things there's no way we can do this in the next 10 or
20 15 minutes if the Prosecution would still continue, so I'm at a
21 loss here. You've been instructing -- I think for seven times now
22 -- the civil party Lawyers and the Prosecution to focus only on
23 suffering and impact but we've been hearing almost always
24 detailed evidence and if you only will allow us now 10 or 15
25 minutes, we might as well not answer -- ask any questions. So I

1 think again, this is not the appropriate way of proceeding in
2 this matter.

3 [14.23.45]

4 MR. SREA RATTANAK:

5 Sorry<, Mr. President>. This will be my last question in fact.

6 MR. PRESIDENT:

7 Please proceed.

8 BY MR. SREA RATTANAK:

9 Q. Let me read my view of my questions which is -- What do you
10 mean by hatred and vengeance?

11 MS. OUM VANNAK:

12 A. The Base People children who hated us or they hated us because
13 we arrived there only around 1973, 1974 and we were children of
14 soldiers and officers or officials and -- well in fact, we
15 arrived only in 1975, in fact and we were New People and they
16 hated us. They were always looking for the small fault in order
17 to beat us.

18 [14.25.10]

19 MR. SREA RATTANAK:

20 I have no further questions.

21 MR. PRESIDENT:

22 Nuon Chea Defence Counsel, you have the floor.

23 MR. KOPPE:

24 The rounding up of questions by the Prosecution doesn't
25 necessarily answer the questions that we asked. Do we now only

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1 have five or let's say 10 minutes? How many minutes do we have?

2 If you say we only have 10 minutes, I might as well sit down and
3 don't ask any questions.

4 JUDGE FENZ:

5 How long would you need if you asked all the questions you deemed
6 relevant -- relevant to this part of the trial?

7 MR. KOPPE:

8 Well in theory -- not in theory, in practice, everything that
9 this witness has said -- testified to is relevant.

10 [14.26.10]

11 JUDGE FENZ:

12 How much time do you need?

13 MR. KOPPE:

14 I don't know -- 45 minutes? The same time as the Prosecution and
15 civil parties together -- that's even less by the way.

16 JUDGE FENZ:

17 And the Khieu Samphan Defence?

18 [14.26.31]

19 MR. KONG SAM ONN:

20 Well I have very few questions to put, Mr. President.

21 (Judges deliberate)

22 [14.27.38]

23 MR. PRESIDENT:

24 The Chamber has decided to grant <40> minutes to the Defence --
25 to the two Defence teams.

1 QUESTIONING BY MR. KOPPE:

2 Thank you, Mr. President. Good afternoon, Madam Civil Party. I
3 have a number of questions to ask to you.

4 Q. First I would like to ask you some more details about your
5 unit chief. You said that her name was Sarou. What else can you
6 tell us about her?

7 MS. OUM VANNAK:

8 A. Well in fact her name was not Saroun but Sarou<, my unit
9 chief>.

10 Q. I apologise for my pronunciation, but I meant Sarou. Can you
11 tell us some more about this unit chief?

12 A. My unit chief, Sarou, obliged us to work day and night.

13 Q. My question was not relating to what she made you do but my
14 question was as to who this person was. Can you give us some more
15 details? Her age? Her full name? Was she a member of the
16 Communist Party of Kampuchea? All those details.

17 [14.29.38]

18 A. I do not know that person's full name. Her name was Sarou and
19 I do not know her family name.

20 Q. How old was she?

21 A. At that time I did not know how old she was.

22 Q. Approximately?

23 A. I could say she was about 54 to 55 years old if -- as of now,
24 if she's still living.

25 Q. I'm not so good at maths. Would she be 15, 20 at the time?

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1 A. At that time, she was about 15 years old.

2 Q. Do you know whether she had parents?

3 A. Yes, she did.

4 Q. Do you know whether they were members of the CPK?

5 A. The mother of the unit chief Sarou was a cook.

6 [14.31.59]

7 Q. Have you ever seen Sarou speak to other Khmer Rouge cadres or
8 CPK cadres?

9 A. As I was concentrating on my work, I did not see that.

10 Q. Did you ever hear others speak about people giving her
11 instructions what to do with her unit?

12 A. No, I did not know about that. When there was an order then
13 the unit chief would be called to the meeting and we, the
14 members, did not know anything about that.

15 Q. Did you ever see other Khmer Rouge cadres in the company of
16 Sarou when you were at work?

17 A. Yes. There was Saraem (phonetic) who was the superior of
18 Sarou.

19 [14.33.31]

20 Q. Saraem (phonetic) you said? And who was Saraem (phonetic)?

21 A. Saraem (phonetic) was the direct superior of Sarou, and this
22 person was overall in charge of the children.

23 Q. And can you tell us some more about Saraem (phonetic)? Who was
24 he?

25 A. Saraem (phonetic) was the chief -- overall chief, that's all I

1 knew. Saraem (phonetic) was overall in charge of the 200
2 children. Sarou was in charge of 100 children and another person,
3 Mom (phonetic), was in charge of another 100 of the children.

4 [14.34.35]

5 Q. And is -- Saraem (phonetic) and Sarou -- were they always --
6 were they the unit chief and the people in charge through '75 up
7 until the end of '78?

8 A. I came to the unit in 1976 and I remained there with them
9 until 1979 when the Vietnamese arrived and we separated from one
10 another.

11 Q. You were telling us earlier about an incident, that you were
12 beaten. Can you tell us a bit more about this incident? When
13 exactly -- or when approximately did this happen?

14 A. I was beaten up in late 1977.

15 Q. Was Sarou together with Saraem (phonetic), were they present
16 when this happened?

17 A. When I was being <beaten up>, Saraem (phonetic) in fact
18 ordered Sarou to find me and arrest me and then Sarou ordered the
19 Base People to arrest me.

20 Q. So when you were beaten it was both Sarou and Saraem
21 (phonetic) who were present? Is that correct?

22 A. Sometimes they were there and sometimes they were not and I
23 was not beaten up only for one time -- it was several times.

24 [14.37.10]

25 Q. And do you know whether Saraem (phonetic) was in contact with

1 his superiors?

2 A. No, I did not know about that.

3 Q. Do you know if Sarou or Saraem (phonetic) were ever punished
4 for mistreating you and others within the unit?

5 A. No, they were not.

6 Q. How do you know?

7 A. Because I did not see them being tortured.

8 Q. Did you always know where they were?

9 A. I knew Sarou was in Seima village and Saraem (phonetic) was in
10 Khnar village.

11 Q. Let me turn to another topic, Madam Civil Party. That is your
12 earlier testimony about your brother. I believe you said earlier
13 that your mother had told you that your brother had been
14 monitored for a while and that they just needed a pretext to have
15 him arrested. Is that an accurate summary of what you just said?

16 [14.39.15]

17 A. Yes, that is correct.

18 Q. Did your mother ever tell you how she knew that your brother
19 was monitored?

20 A. I did not know about that because she was ill, staying at home
21 and then people came to the house and asked her about what kind
22 of jobs that the children did.

23 Q. Do you know whether it was known within the cooperative or the
24 commune or the district what the background was of your brother?

25 A. Yes, they did. They knew that he was a Lon Nol soldier.

1 Q. And do you know when they knew that? Right from the beginning?

2 Right after 17 April 1975?

3 A. I did not know as to when.

4 Q. Let me ask it a different way. Did they know for quite a while

5 already, before he was arrested, that he had been a Lon Nol

6 soldier?

7 A. They knew about that and then they came to ask my mother but

8 my mother did not tell them and they also asked the neighbours.

9 And at that time, I did not know what they asked my mother and

10 only later on, when I made the application as a victim -- as a

11 civil party in this case, I went to ask my mother about that and

12 then she told me the reason for this arrest. That he was a former

13 soldier and not just because of the moral misconduct. <But they

14 needed a pretext in order to take him away to be killed.>

15 [14.41.58]

16 Q. Do you know whether he had any rank within the Lon Nol army,

17 your brother?

18 A. No, I did not know the rank.

19 Q. Did you know what his activities were? What he had done in the

20 Lon Nol army?

21 A. No, I did not.

22 Q. Have you ever seen him before 1975 in a uniform?

23 A. Yes, I did.

24 [14.43.02]

25 Q. So there is no doubt as to the fact that he was a soldier

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1 within the Lon Nol army? That is correct, Madam Civil Party?

2 A. Yes.

3 Q. Did you know if he told the local authorities after 17 April
4 '75 in his biography that he had been a Lon Nol soldier?

5 A. No, he did not.

6 MR. PRESIDENT:

7 The <> International <Deputy> Co-Prosecutor, you have the floor.

8 MR. DE WILDE D'ESTMAEL:

9 Thank you, <the answer has already been provided> Mr. President.
10 <Nonetheless I understand> that the Defence would need 45 minutes
11 <to ask their questions, inviting> the civil party to speculate
12 on things that <they clearly will not> know because the civil
13 party was only eight at the time. I think <all the same that
14 there are certain limits that should be respected, we are pressed
15 for time and> we have another civil party. <We have requested
16 that the Parties> ask relevant questions <but we are limited to
17 ten minutes of examination. We hope that the Defence can do the
18 same and stick to asking questions that are useful and relevant
19 to the manifestation of the truth.>

20 [14.44.44]

21 MR. KOPPE:

22 If I may respond, Mr. President, I think these are quite relevant
23 questions because I heard her say that her brother had been
24 monitored for a while and that they needed a pretext to have him
25 arrested and this could indicate that the mere fact that her

80

1 brother was a Lon Nol soldier was not a reason to be arrested,
2 which goes directly to the question whether a policy existed in
3 relation to Lon Nol soldiers and officials. So reiterating the
4 fact that it was the Prosecution and the civil parties who had 45
5 minutes of requesting testimony, and you granting us already 45
6 minutes as well, that I think I'm entitled to ask these questions
7 to the civil party.

8 [14.45.35]

9 MR. PRESIDENT:

10 The objection is overruled and Counsel, you may proceed.

11 BY MR. KOPPE:

12 Q. I believe, maybe you answered the question already, Madam
13 Civil Party, but you said, I think, that he hadn't told in his
14 biography that he had been a Lon Nol soldier. Did I understand
15 your answer correctly?

16 MS. OUM VANNAK:

17 A. Yes.

18 Q. Was it subsequently later known whether he had served in the
19 army? Was that known with the local authorities?

20 A. Later on they knew about it after they did the research, they
21 asked the cousins and they asked the neighbours about that.

22 Q. I understand, and is it your testimony that your mother said
23 that they, nevertheless, needed a pretext to have him arrested?

24 A. Yes.

25 [14.47.03]

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1 Q. And how did your mother know that simply having been a Lon Nol
2 soldier was not enough to be arrested?

3 A. She was not aware of that.

4 Q. But then I'm asking my earlier question; how did your mother
5 know that he had been monitored for a while and that they only
6 needed a pretext to have him arrested?

7 A. She knew about it because she had some of her relatives were
8 the Base People.

9 Q. I'm looking at the clock, Mr. President, it's time for a break
10 or should I continue?

11 [14.48.16]

12 MR. PRESIDENT:

13 It is now convenient to take a break. We take a break now and
14 return at 3 o'clock.

15 Court officer, please assist the civil party during this short
16 break and invite her back into the courtroom together with the
17 TPO staff at 3 o'clock.

18 The Court is now in recess.

19 (Court recesses from 1448H to 1501H)

20 MR. PRESIDENT:

21 Please be seated. We are resuming our proceedings.

22 Counsel for Nuon Chea, you have the floor. Please proceed.

23 [15.02.00]

24 BY MR. KOPPE:

25 Thank you, Mr. President. I'll move on quickly.

1 Q. Madam Civil Party, I would like to ask you some follow-up
2 questions in relation to the killings that you testified to
3 earlier this afternoon. You were 10 years at the time, that is
4 correct, when you saw this killing; is that right?

5 MS. OUM VANNAK:

6 A. <> I was nine years old.

7 Q. Were there other children -- other children watching this
8 execution?

9 A. No.

10 Q. Can you tell us, how it came about that you were there by
11 yourself and stumbled into this group of militiamen?

12 [15.03.14]

13 A. Well, in fact I was picking rattan <fruits after collecting>
14 snake roots, and that's why I saw these militiamen.

15 Q. Did you recognise any of the militiamen? Had you ever seen
16 their faces before?

17 A. No, never. And I did not know them either.

18 Q. How did you know that they were militiamen?

19 A. Because I saw them carry rifles, and they had bamboo clubs
20 also, and people said that they were militiamen. That's why I
21 concluded indeed that they were militiamen.

22 Q. What do you mean with "people said"? I thought it was only you
23 watching by yourself this event.

24 A. Back then, when people disappeared, we knew that it was
25 because militiamen had taken them away. And since I saw them with

1 rifles, I concluded indeed that they were militiamen.

2 [15.05.18]

3 Q. Was there any other sign on the outside that make you say now,
4 that they were militiamen. For instance, did they have certain
5 clothes on? Did they have -- did they speak in a certain way? Can
6 you give us some more details than just the rifles?

7 A. Well, there were no particular signs of this. They were
8 wearing pants -- normal <black> pants and <> shirt, and they
9 <rolled up their pants. Usually they wrapped the Krama on their
10 heads as well. They> had bamboo clubs as well as rifles. That's
11 why I concluded that they were militiamen.

12 Q. And you said that the people that they were walking with and
13 guarding and ultimately executing were people from your village?
14 Did I understand that correctly?

15 A. Yes, because in my village about 10 people disappeared, but I
16 did not know their names. But their houses were in the same row
17 as my mother's house.

18 Q. Madam Civil Party, it's important that you tell us what you
19 saw with your own eyes. When you saw those villages or -- let me
20 rephrase. When you saw those people walking there, how did you
21 know that they were people from your village?

22 [15.07.32]

23 A. I knew that because I had asked my chief for leave to go home.
24 And during the night, I heard people <living to the north and
25 south of my house> being arrested, I heard noises in -- about 10

1 people were being arrested and I did not know them well. I knew
2 their wives rather or in any case, a few of them.

3 Q. I understand what you're saying, Madam Civil Party, but my
4 question is, when you were hiding there in the bushes, you saw a
5 village -- you saw people. How did you know at the time when you
6 saw them that they were people from the village?

7 A. Well, I had seen them before when I would go home at night. I
8 knew <their faces> just because I <saw> them, but I did not know
9 their names.

10 Q. Did you ever tell this story to anybody else, either at the
11 time or later?

12 A. No, never. Because I was afraid, because once the secret
13 became open, I risked being punished.

14 [15.09.31]

15 Q. I understand that you might have been afraid in the year that
16 you saw it and the subsequent one or two years. But did you ever
17 tell this story after 1979 to anybody?

18 A. No. I told this to no one.

19 Q. Not even to close family members, to nobody?

20 A. No, to no one.

21 Q. Did you, after 1979, recognise any of the people that you saw
22 whom -- of whom you said they were militiamen? Did you ever
23 encounter any of them in the village or anywhere else?

24 A. No, never.

25 Q. Can you give us any -- any lead as to how we would be able to

1 verify your story? How we can find other possibly corroborating
2 evidence for your story? Any suggestion?

3 A. Well, since that time, I met no one, none of these militiamen.
4 So I don't know what to tell you right now concerning that.

5 [15.11.54]

6 Q. Thank you, Madam Civil Party. Last subject I would like to
7 discuss with you and that is -- you said earlier you were
8 deprived of food when you would not reach your quota. Can you
9 tell us whether that happened once or twice or maybe three times?
10 Can you give us some more details please?

11 A. When I was deprived of food because I did not show up at work,
12 this happened often. <> Sometimes I could have lunch but I would
13 not have dinner, <and sometimes I could have dinner, but not
14 lunch>.

15 Q. I understand your testimony. But can you tell us how often did
16 this happen, once every month, once every two months, once every
17 week?

18 A. Once a month or once every two months. This did not happen on
19 a weekly basis.

20 Q. Last question in relation to this -- about the food situation.
21 Would you be able to tell us whether there was a difference in
22 the rations of food that you got and the other children had in
23 the beginning of the DK regime as opposed to more the end of the
24 regime? Did you have more or less to eat in the beginning or did
25 you have more or less to eat at the end of '78?

1 [15.14.10]

2 A. In 1975 and the beginning of 1976, we were given thick rice
3 gruel. But <in late 1976, in> 1977 and in 1978, the rice gruel
4 was very thin. So that was the situation. The situation changed
5 <>.

6 Q. So the situation changed for the worse -- in the beginning it
7 was better than afterwards; is that what you're saying?

8 A. Yes, that's true.

9 Q. And my very last question, Madam Civil Party. Can you tell us
10 who Sau Vann is, the person who you said is presently residing in
11 New Zealand?

12 A. Yes, this person is called Sau Vann.

13 Q. And he is presently residing in New Zealand, you said -- Mr.
14 President, D22/86. What can you tell us more about this person?

15 [15.16.06]

16 A. When I met this person, he was with my <elder> brother. And he
17 told me stories <like I stated before>. But when the Vietnamese
18 arrived, they left, and then I learnt recently that he lives in
19 New Zealand. I never met him in Cambodia, but his relatives told
20 me that he is currently living in New Zealand.

21 Q. But he's not somebody who was a Khmer Rouge cadre in the
22 southwest zone; is that correct?

23 A. No.

24 MR. KOPPE:

25 Thank you, Madam Civil Party. Thank you, Mr. President.

1 MR. PRESIDENT:

2 Khieu Samphan defence, you now have the floor.

3 QUESTIONING BY MR. KONG SAM ONN:

4 Thank you, Mr. President.

5 Q. Civil Party, I would like you to provide a bit of
6 clarification. You said that you had been incorporated into a
7 mobile unit at the age of eight, and I'd like to know who told
8 you that you were going to join a mobile unit at the age of
9 eight?

10 [15.17.54]

11 MS. OUM VANNAK:

12 A. Nobody. Because back then, I was maybe between eight and nine
13 years old, and nobody told me anything.

14 Q. Do you conflate mobile unit and -- or child unit? Or can you
15 make a distinction between both of these units? <Did you belong
16 to a child unit rather than a mobile unit?>

17 A. No. I understand clearly the difference between both of these
18 units. The children who were old enough were part of a mobile
19 unit and the younger children were part of the child's unit. But
20 both units were called child units.

21 Q. In your mobile unit, the children were from which age to which
22 age?

23 [15.19.13]

24 A. The youngest were about eight years old.

25 Q. And what about the older ones?

1 A. Twelve.

2 Q. Thank you. So you also spoke about a certain Sarou and Saraem
3 (phonetic). And you said that Sarou was living in Seima village.
4 Do you know the name of the commune and of the district where the
5 village is located?

6 MR. PRESIDENT:

7 Please hold on, Civil Party.

8 MS. OUM VANNAK:

9 A. Well, in Leay Bour commune, Tram Kak district, Takeo province.

10 BY MR. KONG SAM ONN:

11 Q. And Saraem (phonetic) - where did Saraem (phonetic) live?

12 <A: He was also from Leay Bour commune.>

13 Q. After 1979 -- have you met him after 1979?

14 [15.20.42]

15 MR. PRESIDENT:

16 Counsel, please put your question again.

17 BY MR. KONG SAM ONN:

18 Q. I would like to know if you met these <two> people after 1979,
19 when Cambodia was liberated?

20 MS. OUM VANNAK:

21 A. I only met Sarou, but I never met Saraem (phonetic).

22 Q. Do you know if they live in the same village, same commune,
23 same district? Or do you think that they moved?

24 A. I know that Sarou lives -- still lives in the same village.

25 Q. Now, with regard to what you told us <> -- that is to say, the

1 story of <15 adults being killed by> the seven militiamen, <four>
2 with bamboo clubs and <three> with rifles. Can you please tell us
3 if you can describe the area where you were picking rattan
4 <fruits>?

5 [15.22.42]

6 A. In this area, there was a lot of bamboo, a lot of snakeroot
7 and also rattan, more than elsewhere.

8 Q. Was this a thick forest or -- and how big was the area?

9 A. No, it wasn't a very thick forest. And I cannot tell you how
10 big that area was, especially since I was very much afraid of
11 everything.

12 Q. Earlier, you said that you saw this scene on your own, you
13 were alone. But then a little -- then afterwards, you said that
14 there were other <children> with you. So, my question is why
15 those with you did not witness that scene like you did?

16 MR. PRESIDENT:

17 You have the floor<, Lead Co-Lawyer for civil parties>. Please
18 proceed.

19 [15.24.36]

20 MS. GUIRAUD:

21 Thank you, Mr. President. A <> brief comment <based on my
22 colleague's observation here as he is indeed> listening to <his
23 client> in Khmer. I don't think she said that. <I think it's the
24 opposite, I think she said that she was alone when she saw the
25 militia. In any case that is what> I heard in the French

1 translation <and my colleague seems to confirm the same in
2 Khmer.>

3 MR. HONG KIMSUON:

4 Thank you<, Mr. President>. Earlier, she did not say that she
5 <witnessed> that scene on her own. In fact, they were in a group
6 that was split in two, five people per group. And Counsel Koppe
7 asked if <> other <children witnessed the scene like she did, she
8 said no.> So, no question was put regarding the fact that the
9 <other four people in her group> witnessing the scene. <Thank
10 you.>

11 MR. KONG SAM ONN:

12 <Mr. President. I have observed that there was nothing wrong with
13 my last question.>

14 MR. PRESIDENT:

15 Counsel, please finish with your line of questioning because you
16 only have five minutes left.

17 [15.25.57]

18 BY MR. KONG SAM ONN:

19 Why didn't your companions witness that scene?

20 MS. OUM VANNAK:

21 A. Well, they also witnessed it, but our group was split in two
22 -- in two groups of five.

23 Q. Do you remember the names of the people who were with you?

24 A. Yes, I know their names.

25 Q. Can you then give their names to the Chamber?

1 A. Yes.

2 Q. Please proceed.

3 A. So there <were> Sopha (phonetic), <Sokly> (phonetic), Sopheng
4 (phonetic), <Sokhann> (phonetic), and myself.

5 [15.27.37]

6 Q. Do you know where these people are living now?

7 A. No. Because since that time we haven't seen each other.

8 Q. My last question. So you were mistreated upon the orders of
9 the unit chief. And you said that the other 20 children beat you.
10 And I'd like to ask you, how is it that you know that these 20
11 children were Base People children?

12 A. Because they were in a unit that was right next to mine.

13 Q. So, were there children's units for Base People children, and
14 then children's units for New People children?

15 A. Yes, there were different units. And the work was not the same
16 in each unit neither was the food ration.

17 Q. Earlier, you said or rather, you spoke about a so-named Mom
18 (phonetic); were there other people in <charge of> these
19 children's units?

20 [15.29.47]

21 A. I can only recall the three names.

22 MR. KONG SAM ONN:

23 Thank you, Mr. President. I don't have any further questions.

24 MR. PRESIDENT:

25 The Chamber would like to thank you, Madam Oum Vannak. And your

1 statement of harms and sufferings that you claimed were inflicted
2 upon you during the Democratic Kampuchea regime is now concluded
3 and you may be excused from the Court to return to your home. And
4 we wish you a safe journey.

5 And court officer, please in collaboration with WESU, make
6 transport arrangement for the civil party to return to her place.

7 And the TPO staff, please remain seated there, as we have another
8 civil party to provide the statement of harm and sufferings.

9 And court officer, please invite the civil party, <2-TCCP-884>,
10 into the courtroom.

11 (Civil party enters courtroom)

12 [15.31.51]

13 QUESTIONING BY THE PRESIDENT:

14 Good afternoon, Madam Civil Party. What is your name?

15 MS. LOEP NEANG:

16 A. My name is Loep Neang.

17 Q. Thank you. And do you recall your date of birth?

18 A. No, I cannot recall it. And I only know my age.

19 Q. How old are you then?

20 A. I am 51 years old.

21 Q. <What> is your current address?

22 A. I live in Boeng Ta Pream.

23 Q. And which commune, district, and province?

24 [15.32.58]

25 A. It <is> in Kampot district, Kampot province.

1 Q. And what is your current occupation?

2 A. I stay at home, looking after my grandchildren.

3 Q. And what is your father's name?

4 A. His name is Lee Loep (phonetic).

5 Q. And your mother's name?

6 A. Her name is Kong Nas. Kong Nas is her name.

7 [15.33.40]

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

10 A. His name is Noy <Vaen> (phonetic). We have six children.

11 Q. And thank you, Madam Loep Neang. As a civil party in this
12 proceeding, the Chamber will give you an opportunity to make a
13 statement of sufferings and harms inflicted upon you, namely
14 physical, material or mental injuries as direct consequences of
15 the crimes which are alleged against the two Accused, Nuon Chea
16 and Khieu Samphan, and that happened during the Democratic
17 Kampuchea regime and which resulted in your civil party
18 application to claim collective and moral reparations, and which
19 happened between 17 April 1975 <and> 6 January 1979.

20 And based on the request by the Lead Co-Lawyers for civil
21 parties, the Chamber will give the floor to the Lead Co-Lawyers
22 first to put questions to you in relation to harms and
23 sufferings. And the civil party lawyer, you may proceed.

24 [15.35.17]

25 QUESTIONING BY MR. LOR CHUNTHY:

1 Thank you, Mr. President. Good afternoon, Mr. President, and
2 everyone in this courtroom. And good afternoon, Madam Loep Neang.
3 My name is Lor Chunthy. I am a civil party lawyer and I will ask
4 you some questions in relation to your sufferings you experienced
5 during the Democratic Kampuchea regime between 17 April 1975
6 <and> 7 January 1979 -- 6 January, rather.

7 Q. My first question is the following: where did you live during
8 the Khmer Rouge regime?

9 MS. LOEP NEANG:

10 A. During the Khmer Rouge regime, I lived in Tnaot Chang village.

11 Q. And in which district?

12 A. It was in Tnaot Chang <village>, Tram Kak district.

13 Q. And which province?

14 [15.36.42]

15 A. No, I did not know. I did not ask at that time.

16 Q. Based on your personal information, when the Khmer Rouge took
17 control of the country, you had five siblings. And I will put
18 questions to you for the following years, namely 1977, as to
19 where you worked or what events that happened and that resulted
20 in the -- that had an impact on your family members. Could you
21 describe that?

22 [15.37.47]

23 A. I was at Tnaot Chang. <My> elder brother and sister were sick
24 and they were taken <to the hospital>, and they disappeared since
25 <then>. I was told they were taken to the hospital, but I never

1 see them returned.

2 Q. Do you know what kind of illness that they had at the time?

3 A. They had fever and dysentery. And they were taken to hospital
4 and never returned.

5 Q. At one point in time, while you were digging a canal and that
6 your two <younger> siblings were arrested by the Khmer Rouge,
7 where did they send them to?

8 A. While I was digging a canal, my <younger> siblings were put
9 onto a horse cart with other people, and there were 12 of them.
10 Then they were taken away and never returned. So I lost two elder
11 siblings and two younger siblings. <I was left all by myself. My
12 parents were not around as well.>

13 Q. And what about your parents, where were they?

14 A. My parents came together with us, but then they were separated
15 from us. And there were only five of us, the children. And we
16 stayed in that location, amongst the five of us<, four of my
17 siblings were taken away; thus, I was left all by myself. I>
18 didn't dare to say anything, and <I> just did what <I was> asked
19 to do. <I> did not dare to refuse or protest against them. <I
20 lost all my siblings who came with me to the location.>

21 [15.40.40]

22 Q. Can you tell the Court the names of your two elder siblings?

23 A. Loep Lek and Loep Meu are the names of my elder siblings.

24 Q. You also mentioned your two younger siblings, what are their
25 names?

1 A. (No response).

2 [15.41.38]

3 Q. You stated that you saw your two younger siblings were put in
4 -- onto a cart and taken away. And could you please tell the
5 Court the names of your two younger siblings?

6 A. They were Loep <Leh> (phonetic) and Loep <Vy> (phonetic).

7 Q. Thank you. When you were assigned to work there, did your unit
8 chief know that you did not eat pork?

9 A. Yes, my unit chief knew that I did not eat pork, but I was
10 forced to eat it with gruel. I did not dare to refuse <as all my
11 siblings had already been taken away; thus,> I tried to eat it,
12 to swallow it. <I was afraid that I would be the next in line to
13 be taken away.>

14 [15.43.20]

15 Q. And in your unit, how many people were in the same situation?

16 A. For a unit of 10, only two of us were put in and we were
17 forced to eat that.

18 Q. You said you were threatened or forced to eat the food. What
19 <were> actually their actions, can you describe?

20 MR. PRESIDENT:

21 Civil Party, please wait. And Counsel Koppe, you have the floor.

22 MR. KOPPE:

23 I'm not quite sure if I frame my remarks in an objection because
24 I, on one hand, see the relevance of the questions, on the other
25 hand, it's also out of the segment that we're dealing today and

1 falls within another segment that is specifically dedicated to
2 this subject. So, let's make it an objection. It's outside of the
3 segment.

4 [15.44.51]

5 MS. GUIRAUD:

6 Thank you, Mr. President. Your memo clearly shows that the civil
7 parties have the latitude to <testify on> the suffering <>
8 endured throughout the period of Democratic Kampuchea <in its
9 entirety>. I will therefore request that this person be allowed
10 to talk about her sufferings <in particular, given that> it is
11 <perfectly> coherent in light of the memorandum of the Chamber.

12 (Judges deliberate)

13 [15.46.01]

14 MR. PRESIDENT:

15 The objection by the Defence team for Nuon Chea is overruled. And
16 Madam Civil Party, please respond to the last question put to you
17 by the Lawyer for civil party.

18 BY MR. LOR CHUNTHY:

19 Thank you, Mr. President. And let me repeat my last question for
20 the civil party.

21 Q. My question to you, Madam Civil Party, is that when you were
22 having your meal and that you said you were threatened by those
23 who <forced> you to eat pork, what were actually their actions?
24 Can you describe to the Court?

25 [15.46.46]

1 MS. LOEP NEANG:

2 A. They mix pork -- they put pork mixed in the gruel and they --
3 they were standing there to see and to make sure that we ate the
4 gruel. So I had to force myself to eat it and until I emptied the
5 bowl, <those people> walked away.

6 Q. Does this mean that during the entire period of Democratic
7 Kampuchea, it was extremely difficult for you to consume food
8 that was mixed with pork?

9 A. In my religion, we are prohibited from eating pork, but we
10 were threatened to eat. We were forced to eat and we had to eat,
11 <they stood behind me armed with weapons. They gave us the food,
12 and they stood there to make sure that I ate the food. And only
13 after I had finished the food did they walk away from me.> In
14 order to survive, I had to force myself to eat it.

15 Q. This may be my last question to you. As for the food ration,
16 as you said, the ration was rather limited. Also in addition, you
17 were forced to eat pork. What was the food ration like?

18 [15.48.31]

19 A. Since the loss of my siblings, I never ate my fill. But I did
20 not dare to protest. <It was like they were trying to make me
21 protest against them. But> I tried to be patient and I had to
22 force myself to eat whatever I was given.

23 Q. This is my last question. And you said you were forced to
24 work, how difficult was it?

25 A. I was forced to dig canal. And in a day, <10 of us were

1 required> to dig 10 square metres. When the earth was hard <we>
2 could not complete it. If the earth was soft, then we could. And
3 on top of that, we were given only very thin gruel. And
4 sometimes, it was mixed with cassava <leaves>.

5 MR. LOR CHUNTHY:

6 Thank you, Mr. President. I don't have any further questions.

7 [15.49.53]

8 MR. PRESIDENT:

9 The Chamber hands the floor now to the Co-Prosecutors. You have
10 the floor.

11 QUESTIONING BY MR. DE WILDE D'ESTMAEL:

12 Thank you.

13 Q. Good afternoon, Madam Civil Party. I would like to clarify a
14 <few> points. You stated that you lived in Tnaot Chang village in
15 <the Tram Kak district> under the Khmer Rouge regime. Where did
16 your family and yourself come from <before that precise time>?
17 Was there any time when you came from Kampong Som?

18 MS. LOEP NEANG:

19 A. I came from Boeng Ta Pream <village> in Kampot province. It
20 was in Kampot district, Kampot province.

21 Q. Very well. I ask this question because there's information
22 <in> your <> civil party application form which is <somewhat>
23 contradictory. That is why I wanted to clarify this point. What
24 happened to your mother, whose name you mentioned a while ago,
25 Kong Nas, <if I am not mistken>?

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1 [15.51.21]

2 A. Her name was Kong Nas. She came along with me. But then, we
3 were separated, we kept moving, going on. <The line of people was
4 cut into two. I was at the front of the line, while she was at
5 the back of the line.> And then I did not know whether she was
6 taken to another direction during that journey <after the Khmer
7 Rouge came in>.

8 Q. Did she survive the Khmer Rouge regime or not?

9 A. No. Since we left, I have not seen her again until today. And
10 I have not received any news about her at all. And if she's still
11 alive, she would be searching for us, the children.

12 Q. Throughout the period of the Democratic Kampuchea regime, did
13 you <remain> in Tram Kak district?

14 A. I dug canal in Tram Kak district. And after my younger sibling
15 disappeared, I was assigned to work in 109<, an area located
16 between Tram Kam district and 109>.

17 [15.53.02]

18 Q. In order to be very clear, when you talk of 109, are you
19 referring to Kiri Vong district in Takeo region?

20 A. It was also still in Tram Kak district but in different
21 village.

22 Q. When you dug canals, were you sometimes punished for not
23 succeeding to do your work as you were asked to do? And if yes,
24 what kind of punishment was meted out to you?

25 A. The 10 of us had to dig 10 square metres per day. <We had to

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1 dig 10 metres in depth.>

2 Q. Did you sometimes not succeed <in digging> the 10 square
3 metres a day? And if you didn't, were you punished <or
4 sanctioned>?

5 A. We had to try to finish it. And if we could not finish it by
6 the time the work was over, we had to continue digging through
7 the night time until it was completed.

8 Q. If <I've> understood your <story> correctly, you lost your
9 mother and your four brothers and sisters in quick succession
10 while you were working in Tram Kak district. Can you tell us
11 whether at the time and later <after> 1979, how you felt in the
12 face of such solitude being the only family member left who
13 survived?

14 [15.55.21]

15 A. I am still recalling the event and the loss of my <parents>
16 and the loss of my brothers and sisters. And every time I recall
17 that, it is still painful for me.

18 MR. DE WILDE D'ESTMAEL:

19 Thank you, Madam Civil Party. I have no further questions for you
20 <today>.

21 MR. PRESIDENT:

22 Thank you. And the Chamber would like to enquire <> the Defence
23 teams. Counsel Koppe, how much time do you anticipate in putting
24 questions to this civil party?

25 MR. KOPPE:

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1 Mr. President, actually I think I have only a very few questions.

2 [15.56.16]

3 MR. PRESIDENT:

4 If that is the case, you have the floor.

5 QUESTIONING BY MR. KOPPE:

6 Madam Civil Party, do you remember who it was that forced you to
7 eat pork?

8 MS. LOEP NEANG:

9 A. I did not know <their> names. It was the unit chief and the
10 militia who forced me to eat pork.

11 Q. Would you be able to remember how often this happened? Was it
12 once, was it several times, was it many times?

13 A. Every time they <killed> a pig, I was forced to eat pork. And
14 every few days, they would kill a pig and then I was forced to
15 eat pork.

16 Q. You said that every few days, they would kill a pig. Would
17 that happen or did that happen from the beginning, from 1975 --
18 April '75 all the way until the end?

19 [15.58.03]

20 A. I cannot recall the year. I only recall that every three or
21 four days when there was no food, then they would slaughter a pig
22 and they would mix the pork in the soup or in the gruel for us to
23 eat.

24 Q. My last question, Madam Civil Party. We have had many people
25 coming here to testify and I think most, if not all, explain to

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1 the Chamber that it was only rice gruel and morning glory soup
2 that people were eating, and hardly ever things like pork. Can
3 you react on that?

4 MR. PRESIDENT:

5 Civil Party, please hold. And the Lead Co-Lawyer for Civil
6 Parties, you have the floor.

7 MS. GUIRAUD:

8 <Thank you Mr. President> I know it is late and everyone is
9 <trying to go through as quickly as possible>, but it appears <to
10 me> that what Counsel has said is not an exact summary of <the
11 evidence that> we have heard <since the beginning of the trial.
12 We have had some people speak of meat, others <> of fish. So <it
13 seems to me that> the summary that my learned friend Koppe has
14 given does not reflect the evidence that we have heard since the
15 beginning of <the> trial.

16 [15.59.45]

17 MR. KOPPE:

18 Well, I'm happy the record reflects that is the position of the
19 civil parties. It's my understanding that many witnesses, Mr.
20 President, testified as to having eaten - having been eating only
21 rice gruel and some morning glory soup. So I think I should be
22 able to put this before the civil party and ask her reaction.

23 MR. PRESIDENT:

24 The objection is overruled. And Madam Civil Party, please respond
25 to the last question put to you by the Defence Counsel.

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1 BY MR. KOPPE:

2 I will repeat the question, Madam Civil Party. You have just
3 testified that every few days, a pig would be slaughtered and you
4 would be forced to eat pork. However, we have had many civil
5 parties and witnesses coming here to testify, and many of them
6 testify that they were only eating rice gruel and morning glory
7 soup. My question to you is, could you react on this other
8 testimony from people?

9 [16.01.24]

10 MS. LOEP NEANG:

11 A. I would eat rice porridge with pork. And as they knew that we
12 did not eat pork, they would make rice soup with pork on purpose
13 and with morning glory. So they forced us to eat rice porridge --
14 rice gruel, very thin rice gruel <mixed with pork>. But we Cham,
15 we <did> not eat pork.

16 MR. KOPPE:

17 Thank you, Mr. President.

18 MR. PRESIDENT:

19 Khieu Samphan defence, you have the floor.

20 [16.02.22]

21 MR. KONG SAM ONN:

22 Mr. President, we have no question to put to the civil party.

23 MR. PRESIDENT:

24 <Thank you. It is appropriate to adjourn today hearing>. The
25 hearing will -- the Court will resume again on the 21st of April

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1 <2015, at 9 a.m. on> Tuesday and the Chamber will hear <witness
2 Chann> Thim and the Parties are requested to be present. And from
3 the 21st to the 24th as well as the following weeks, the Chamber
4 will inform the Parties of the hearings that will follow, by
5 email.

6 Civil Party, your testimony has come to an end. The Chamber would
7 like to thank you for the time that you spent to testify before
8 the Chamber. You are now free to leave the courtroom and to
9 return to your place of residence. The Chamber wishes you a
10 pleasant trip home.

11 And <Court Officer>, with WESU, will make the necessary
12 arrangements so that witness can return home or return to the
13 place of her choice. The Chamber would like to thank the
14 representative of TPO for having been here. You may also leave.
15 <Security personnel, you are instructed to take the two Accused
16 -- that is, Nuon Chea and Khieu Samphan, back to the detention
17 facility, and have them returned to attend the proceedings on
18 Tuesday, 21 April 2015, before 9 o'clock.>

19 Thank you.

20 (Court adjourns at 1604H)

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