



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
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Chambres Extraordinaires au sein des Tribunaux Cambodgiens

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ជាតិ សាសនា ព្រះមហាក្សត្រ

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អង្គជំនុំជម្រះសាលាដំបូង

Trial Chamber
Chambre de première instance

TRANSCRIPT OF TRIAL PROCEEDINGS

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9 December 2015
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ORIGINAL/ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ (Date): 16-Mar-2017, 14:50
CMS/CFO: Sann Rada

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I N D E X

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Mr. DE WILDE D'ESTMAEL	French
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUIRAUD	French
Ms. GUISSE	French
Mr. KOPPE	English
Judge LAVERGNE	French
The President (NIL Nonn)	Khmer
Mr. PICH Ang	Khmer
Mr. PRUM Sarun (2-TCW-945)	Khmer
Mr. UM Suonn (2-TCW-949)	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0901H)

3 MR. PRESIDENT:

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

5 Today the Chamber continues to hear the remaining testimony of

6 the current witness -- that is, Mr. Prum Sarun, and begins

7 hearing testimony of another witness -- that is, 2-TCW-949.

8 Mr. Em Hoy, please report the attendance to the Parties and other

9 individuals at today's proceedings.

10 [09.02.38]

11 THE GREFFIER:

12 Mr. President, for today's proceedings, all Parties to this Case

13 are present except Counsel Kong Sam On and Calvin Saunders who

14 will be a little bit late due to traffic congestion.

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

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

17 been delivered to the greffier.

18 The witness who is to conclude his testimony today -- that is,

19 Mr. Prum Sarun, is present in the courtroom.

20 Today, we also have a reserve witness, namely 2-TCW-949. The

21 witness confirms that to the best of his knowledge, he has no

22 relationship by blood or by law to any of the two Accused -- that

23 is, Nuon Chea and Khieu Samphan, or to any of the civil parties

24 admitted in this Case. The witness will take an oath before the

25 Iron Club Statue this morning.

1 Thank you.

2 [09.03.55]

3 MR. PRESIDENT:

4 Thank you, Mr. Em Hoy. The Chamber now decides on the request by
5 Nuon Chea.

6 The Chamber has received a waiver from Nuon Chea, dated 9
7 December 2015, which states that due to his health: headache,
8 back pain, he cannot sit or concentrate for long, and in order to
9 effectively participate in future hearing, he request to waive
10 his right to participate in and be present at the 9 December 2015
11 hearing.

12 Having seen the medical report of Nuon Chea by the duty doctor
13 for the Accused at the ECCC, dated 9 December 2015, which notes
14 that Nuon Chea has chronic back pain and dizziness when he sits
15 for long and recommends that the Chamber grant him his request so
16 that he can follow the proceedings remotely from the holding cell
17 downstairs.

18 [09.04.59]

19 Based on the above information and pursuant to Rule 81.5 of the
20 ECCC Internal Rules, the Chamber grants Nuon Chea his request to
21 follow today's proceedings remotely from the holding cell
22 downstairs via audio-visual means. The Chamber instructs the AV
23 Unit personnel to link the proceedings to the room downstairs so
24 that Nuon Chea can follow. This applies to the whole day.

25 And before I hand the floor to the defence teams to put question

1 to the witness, I first hand the floor to the Bench as some
2 Judges would like to put some questions to the witness. And Judge
3 Lavergne, you have the floor.

4 [09.05.50]

5 QUESTIONING BY JUDGE LAVERGNE:

6 Q. Yes. Thank you, Mr. President. Good morning, Witness. I would
7 like to put a few follow-up questions to you in relation to the
8 questions that were put to you yesterday. First of all, I would
9 like to revisit the different sites, the different locations
10 where executions occurred. You spoke to us yesterday about a
11 place located in Tuol Ta Trang, and you said that it was there
12 where you saw bodies <> of Vietnamese people. <You> also spoke
13 about a place where there was a termite mount.

14 MR. KOPPE:

15 Mr. President, excuse me for interrupting.

16 [09.06.41]

17 JUDGE LAVERGNE:

18 Counsel Koppe, you'll have the floor later. <If> you want to ask
19 questions to confirm the answers, you will have <plenty of time>
20 to do so. But please do not interrupt me.

21 MR. KOPPE:

22 But Mr. President, he never said he saw bodies of Vietnamese
23 people. So that's an inadequate, false summary.

24 BY JUDGE LAVERGNE:

25 Well, then we will ask him about this.

1 Q. <Do> you remember what you said, Witness, yesterday regarding
2 <the site of> Tuol Ta Trang? Did you see bodies there? And if you
3 <did, who> were the people who died at Tuol Ta Trang?

4 [09.07.32]

5 MR. PRUM SARUN:

6 A. <I saw the dead> bodies <> of <> children when I <was looking
7 for the> water <buffaloes>. And after that, I walked past the
8 area.

9 Q. And were these children Cambodian or Vietnamese? Who were
10 they?

11 A. I could not say because I could not recognize them. <The
12 bodies were being swollen.> I could not say whether they were
13 Khmer or Vietnamese.

14 Q. You also spoke about a place where there was a termite mount.
15 And was that place Tuol Ta Trang or was it another place?

16 A. There was a termite mount at Tuol Ta Trang. When I <went there
17 to look for> the water <buffaloes>, I saw the <bodies being
18 swollen and> decomposing<>.

19 [09.09.00]

20 Q. You said yesterday <that you --> did you witness arrests of
21 Vietnamese people? And if so<>, do you know where these people
22 were taken to?

23 A. I never saw the arrest. I did not know <as to where they were
24 taken>. I did not dare to ask them about any arrest as I was only
25 mindful of my own life. I tried to work as <hard> as I could

5

1 since I was afraid of being accused of being lazy. And if that
2 <was> the case, I would be walked up the white stairs <at Phnum
3 Sampov>.

4 MR. PRESIDENT:

5 <Witness>, please listen to the question carefully and respond
6 only to the limit of what is being <put to> you. And there is no
7 need for you to make any lengthy commentary to that question.
8 Please only provide a necessary response to each question.

9 [09.10.50]

10 BY JUDGE LAVERGNE:

11 Q. Witness, I am going to read to you again your testimony which
12 you provided to the Co-Investigating Judges. This is document
13 E3/5187 on page 2, in French; page 2, in English; page 2, in
14 Khmer<>.

15 <>"In 1976, the Vietnamese were <highly> sought after by the
16 Khmer Rouge. Krach, the commander of the first battalion, asked
17 me if there were Vietnamese in my group. <If> there were<>, I had
18 to report <them> to my superiors for them to take action. There
19 were no Vietnamese in my battalion. However, there were about 20
20 <of them> in the second battalion. <>I saw these Vietnamese
21 people being tied up and executed at Tuol Ta <Trang> next to the
22 Koy mountain. They were taken there, <then> executed by <about>
23 five soldiers who were all children of Khmer Rouge cadres."

24 <Question:> "How did you know that they were being led away to be
25 executed?"

6

1 Answer: "I discreetly went over to the place where they were
2 executing Vietnamese people, and I saw the bodies of women and
3 children bearing marks of having been hit on their heads with the
4 end of a <>beam and there was blood everywhere. The skulls of the
5 children were broken <probably as a result of being smashed
6 against a tree.> After that, <>I never saw any more <Vietnamese
7 people at all".>

8 [09.12.50]

9 BY JUDGE LAVERGNE:

10 Q. Witness, can you simply tell us -- because I note that this
11 does not correspond to what you're telling us this morning --
12 <>where the truth lies, is it what you're telling us this morning
13 or does the truth lie in what you told the Co-Investigating
14 Judges?

15 MR. PRUM SARUN:

16 A. It is a lengthy question and I cannot recall it. I am old now,
17 and I stand by my previous statement.

18 Q. So when you say, <"I stand by what I said before,"> do you
19 stand by what you said to the <Office of the Co-Investigating
20 Judges> when you were <>interviewed <>in 2008? It's true that
21 that's quite a while back. And is this what you stand by?

22 A. Yes. It happened several years ago and I cannot recall them
23 all.

24 [09.14.19]

25 Q. You spoke about children. Can you describe these children to

1 us <and> tell us how old, according to you, <were> the children
2 who had arrested these Vietnamese people?

3 A. They were young children, they were about eight or nine years
4 old. And when they were carrying their rifles>, the <barrels of
5 their rifles were actually being dragged over> the ground. <They
6 were little cadres so> I did not dare to look at them<, or try to
7 follow them to check on what they were doing.> And I <saw them
8 arrest> people, <and take those people> away. <I knew for sure
9 that those people were to be killed>. And the situation at the
10 time was pretty strict. <It was not advisable to take a peep at
11 what they were doing as I myself barely stayed out of trouble.>

12 Q. How do you know that these children would kill people who were
13 arrested? How <do> you <> know that?

14 [09.15.49]

15 A. Of course, when they arrested people, they took them away and
16 killed them. <If they had not returned, they would have been
17 killed for sure. It was certain that those who had been> arrested
18 <with> their hands tied behind their back <could> never <escape.
19 They would never return.>

20 Q. Yesterday, another place was brought up, a place where former
21 Lon Nol servicemen were brought to, apparently. <>I'm going to
22 read out the name of the place, maybe I will not pronounce it
23 right, but I think it was Ou Pong Moan. <Can> you confirm that
24 executions took place there or that bodies were found there? And
25 where is this place located?

8

1 A. Ou Pong Moan was to the west of my village where soldiers were
2 sent there. They actually were brought to my village. And for the
3 ranking officers, they were taken away and killed at <the corner
4 of> Krapeu mountain. A soldier and his wife were shot dead at
5 that Phnum Krapeu or Krapeu mountain near my village. And when I
6 walked to that area, they had already died. But we had to bury
7 them because otherwise, the stench would be too strong for the
8 villagers. <Usually, after they had shot anyone dead, they never
9 buried the body.>

10 [09.18.02]

11 Q. Counsel Pich Ang put questions to you yesterday about another
12 place, <apparently,> which was located to the south of the Koy
13 mountain. It's a place where there was a small stream, Ou Touch
14 (phonetic). <Is> this a place that is different from the places
15 we have been speaking about until now? And did you go there? And
16 did you see bodies <>there, as well?

17 A. I only saw people who starved to death. I <was referring> to
18 those people who <had been> evacuated from Pailin <to live there.
19 I saw them starve to death. People from Pailin had no farms>.
20 <Files> of them were brought in <alongside people from Snoeng>
21 and <> sent to <Au Tauch>.

22 Q. Yesterday and this morning, as well, you spoke about the white
23 stairs. Were <>these white stairs <the stairs that led> to the
24 Wat Kirirom pagoda? And was the Wat KirimromKirirom pagoda <>an
25 execution site? And did you ever go there?

1 A. Yes, <actually, Kirirom was being referred to as> the white
2 stairs<>. Actually, I only went to see <the mountain> after the
3 regime fell. There was a cave there, and people were killed <and
4 dumped into> that cave. And the cave was half full.

5 [09.20.12]

6 Q. <During> the <Democratic Kampuchea> period, did you see people
7 being arrested and taken away to Wat Kirirom?

8 A. No, I did not. I only saw the dead body of Ta Oeum -- that is,
9 my previous commander who was killed to the east of - rather, to
10 the north of <Phnum Sampov, at Chanlaos Kdaong, to be exact>.

11 Q. Now I would like to speak about another topic which is a
12 little bit different, <> the detention centres<>. Yesterday I
13 believe we spoke about a detention centre <or people who were
14 detained at> Chanlaos Kdaong. And apparently, there is <also>
15 another detention centre which was close to Samnanh village. Is
16 Chanlaos Kdaong and Samnanh village, are these the same detention
17 <sites> or are these two different <things>?

18 A. <Actually, Kdaong village in> Kdaong commune <was located
19 in-between the mountains. "White stairs" at Wat Kirirom was a
20 detention centre.>

21 [09.22.05]

22 Q. And was there a place where people were detained in Kdaong
23 commune? Or in Samnanh village; did you ever hear about a
24 detention place in Samnanh village?

25 A. There was a <village so-called Samnanh>. However, there was no

10

1 detention centre <there>. People were provisionally detained <in
2 a Buddhist hall> at the base of the white stairs. And there were
3 chains and <shackles> remaining there. And later on, they would
4 be killed and dropped into the cave <at Kirirom. The said
5 locations were close to each other.>

6 Q. Did you <>hear about a place where people were detained which
7 was in Loui (sic) village, L-O-U-I, <Loui (sic)>?

8 A. I am not familiar with Loui (sic) village. I have not heard
9 <of> this village.

10 [09.23.47]

11 Q. A witness who was <also mentioned> yesterday, Mr. Im An, who
12 is a monk, <made statements> about a woman by the name of
13 <Grandmother Nae, N-A-E.> <It's Im An's >interview, document
14 <E3/7737;> English ERN 00274160; French ERN 00226156; and Khmer
15 <ERN> 00197883. <Did> you ever hear about a lady by the name of
16 Grandmother Nae<>?

17 A. No. I <did> not know any woman by the name of <Yeay> Nae.

18 Q. I have two other topics to discuss with you: First, the
19 arrival of cadres from the Southwest Zone. <Do> you remember,
20 Witness, having seen cadres <>from the Southwest Zone <>coming
21 into your <Zone>? And do you remember what happened<>?

22 A. I did not know any Southwest cadres. I only knew <members
23 within my platoons, companies> and battalion<>.

24 Q. <In> 1977, were people among the cadres in the commune or in
25 the sector or the district arrested? Were these cadres replaced

11

1 by other <people>?

2 A. Are you referring to <military cadres>? <>Ta Chheng, <a
3 military cadre> came to replace Ta Chham as a commune chief.
4 [09.26.38]

5 Q. Were you told why Ta Chheng had replaced Ta Chham?

6 A. They said that Ta Chham <had been> replaced by Ta Chheng.

7 Q. I understood that<>, Witness, but did you attend meetings
8 where Ta Chham was accused or other cadres were accused of being
9 traitors?

10 A. Yes. We were called to a meeting and then the men whose name I
11 cannot recall now was accused of being traitors. And they were
12 killed with a roof beam. So <members of all> the battalions in
13 the area were called to attend the meeting, and these two accused
14 traitors were <beaten> with <a> roof beam. I recall, the <names>
15 of the <persons,> Ta Daok and his child. We were called to a
16 meeting and that we would be witnessing the smashing of the
17 rebellious people. That's what we were told. <They were using the
18 term "smash".>

19 Q. Maybe I'm mistaken but it seems to me that yesterday you said
20 that Ta Daok was considered a traitor because he <was also a
21 former> serviceman in the Lon Nol regime.

22 A. Yesterday I <actually> said that he <had> concealed weapons
23 and for that reason, he was smashed. That's what I testified
24 yesterday.

25 [09.29.20]

1 Q. Fine. And was this weapon the weapon he used when he was a Lon
2 Nol soldier?

3 A. I of course did not know <since> when he <had> concealed the
4 weapons <because> his house was far from mine. And they later on
5 found out that he <had> concealed the weapons, and for that
6 reason, he was smashed. <They could have discovered the weapons
7 that they decided to smash both the father and the son.>

8 Q. Very well. Witness, do you remember whether in your village
9 <or> in your commune there were Cham living side by side with the
10 Khmer?

11 A. No, there was no Cham. However, in my battalion there were
12 some Chinese people who lived and worked with us. Here I <am
13 referring> to the first battalion <where some Chinese were
14 working among us, but> there were no Chams.

15 JUDGE LAVERGNE:

16 Thank you very much, Witness, for all these clarifications. I
17 have no further questions for the witness.

18 MR. PRESIDENT:

19 Thank you, Judge Lavergne. I now hand the floor to the defence
20 teams, first to the co-counsel for Nuon Chea to put questions to
21 this witness. You have the floor, Counsel.

22 [09.31.14]

23 QUESTIONING BY MR. KOPPE:

24 Good morning, Mr. Witness. Let me start by asking you a few
25 follow-up questions in relation to Chham. Do you know -- what do

13

1 you know about him other than what you just told him? Do you know
2 anything about his functions within the Northwest Zone?

3 MR. PRUM SARUN:

4 A. At that time, he instructed us to build <the> Kamping Puoy
5 <dam>. He had a house there <next to the construction site. He
6 actually lived there.> Later on, he disappeared. I had knowledge
7 where he <had gone>. And then Ta Chheng came <as a replacement
8 for Ta Chham>. And that's what I knew.

9 Q. Do you know whether there was any other leading cadre at
10 Kamping Puoy dam who was called Chham? Or was he the only leading
11 person at the dam called Ta Chham?

12 A. <I just knew that after> Ta Chham <had> escaped, Ta Chheng
13 <became a replacement for> him. <>

14 [09.32.58]

15 Q. Do you know whether Ta Chham in a previous function was deputy
16 chief of economy in the Northwest Zone?

17 A. I did not know where he <had gone>. I only knew that he <had>
18 disappeared. I did not dare to ask people about his
19 disappearance. Because it was a dictatorial regime, so I was not
20 there to ask about this. I only just focused on <the tasks I was
21 assigned. When I was assigned to build the dam, I would have to
22 do that only.>

23 Q. Maybe my question wasn't clear. Before he went to the dam, was
24 he the chief or deputy chief of economic affairs in the Northwest
25 Zone?

14

1 A. Ta Chham was <a district> deputy secretary. And after he <had
2 gone> away, and then Ta Chheng <became a replacement for> him. I
3 <did not know what had happened besides his disappearance.> I did
4 not dare to ask people about his disappearance.

5 Q. I understand. Do you know his full name? Or let me ask it
6 differently. Was his full name Chin Chham?

7 A. I did not know <> his full name; I just <knew him as Chham as
8 everyone else was referring to him as Ta> Chham <only>. <>

9 [09.35.12]

10 Q. And you talk about his disappearance and him being replaced by
11 Chheng. Do you know in what year Ta Chham was replaced by Chheng?
12 What year and what month?

13 A. I could not recall that.

14 Q. Could it have been January 1978?

15 A. Yes, it <could be> about that time.

16 Q. Have you ever heard of a Sector 5 chief Ta Hun (phonetic)?

17 A. I did not know <Ta Hoeng (phonetic)>. I <never knew Ta Hoeng
18 (phonetic)>.

19 Q. That's no problem, Mr. Witness. Let me now go back to some
20 questions about you. I understand that at one point in time
21 before 1975, you were a soldier in the army of the Khmer Republic
22 and that you were in Battalion 164; that's correct, isn't it?

23 A. Yes, that's correct. Battalion 164.

24 [09.37.10]

25 Q. Do you recall what year you were enlisted in the army of the

1 Khmer Republic?

2 A. <Having been> in the army <for one year,> I was sent to
3 Thailand to study Thai language for one year <and three months.
4 After that>, I was sent <back> to Battalion <164>.

5 Q. When you were sent to study Thai, was that when you were still
6 a military? In other words, was it the army that sent you to go
7 study Thai?

8 A. Yes. When I came back from Thailand, I came to join my
9 Battalion 164 after three months of training.

10 Q. Well, is my understanding correct that you have been in the
11 army a year, then you were sent to study Thai for a year, then
12 you came back to rejoin your battalion, and was there for another
13 three months? So in total you were in the army two years and
14 three months?

15 A. Yes.

16 [09.39.10]

17 Q. And after those last three months, was the zone then
18 liberated? Was it then 17 April '75? Or did something happen
19 after those three months?

20 A. <While being> in the army, I was sent to <Prey> Svay <> and I
21 <stayed> there for one year <before the liberation took place. I
22 barely stayed out of trouble. Then I replaced> my uniform <with>
23 civilian clothes and walked into the village.

24 Q. So all in all you were in the army about three and a half
25 years; is that correct?

16

1 A. Yes, that's correct.

2 Q. When you got enlisted in the army, you were also living in
3 Krapeu Cheung village; is that correct?

4 A. Krapeu Cheung, not Trapeang Cheung. I want to emphasize Krapeu
5 Cheung.

6 Q. Sorry for my mispronunciation. I did indeed try to say Krapeu
7 Cheung. But that's where you were when you first joined the Khmer
8 Republic army, correct?

9 A. Yes. Krapeu Cheung was my home village.

10 [09.41.25]

11 Q. Is it correct to say that in April 1975, most people in Krapeu
12 Cheung village knew that you had been in the Lon Nol army for
13 about three and a half years?

14 A. Yes, that's correct. <It was two years.>

15 Q. So the cadres from "Khmer Rouge" also knew in '75 that you had
16 been in the army; is that correct?

17 A. Yes. That's correct.

18 Q. In your statement to the investigators, you said that after
19 '75, cadres were monitoring you; is that correct?

20 A. Yes, that's correct. <The soldiers investigated and monitored
21 me>. And they kept me because <they said> I was <good at leading
22 people to work, and I worked hard>. I worked hard both daytime
23 and night time, and never complained about the hard work. And
24 that's why they kept me alive.

25 [09.43.25]

1 Q. And you also stated in your WRI, E3/5187, on English page
2 00274179; Khmer, 00197918; French, 00274186; "They had me make a
3 biography once a year for the battalion chairman to send to upper
4 echelon." End of quote. Is that what you said?

5 A. Yes. They instructed me to make a biography once a year.
6 That's correct.

7 Q. Do you know any other members from Battalion 164 who also in
8 April '75 left the army, made their biographies and were
9 monitored just like you?

10 A. They <monitored> only me, but they kept me to work because I
11 was good at working. <I worked very hard in order to be spared,
12 and survived> the regime.

13 Q. But do you know any other Lon Nol soldiers who, after they
14 left the army, were working in the rice fields in your district
15 or sector?

16 A. <Every> soldier was required to make <a biography>, but my
17 unit chief named Oeum was killed at Chanlaos Kdaong. <I myself
18 was afraid.> But they kept me alive <in order to put me to work>.

19 Q. Do you know whether in April '75, Lon Nol soldiers were
20 required to assemble at Wat Sampov?

21 A. I did not know about that because I lived far away from the
22 city.

23 [09.47.00]

24 Q. Let me read a small excerpt from someone who gave his
25 statement, and an excerpt was read yesterday by the Prosecution

1 -- that is, Mr. President, document E3/5211; Khmer, ERN 00221544
2 to 45; French, 004485979; and English, 00275399. The question,
3 Mr. Witness, that the investigators asked this person is as
4 follows: "Can you clarify what happened to the Lon Nol soldiers
5 after Ta Chham made his loudspeaker announcement?" And then this
6 witness answers: "The morning following Ta Chham's announcement,
7 I saw more than 100 of Ta Chham's soldiers disarm the Lon Nol
8 soldiers and collect all the military clothing and military
9 materials, and then ordered those 300 to 400 Lon Nol soldiers to
10 assemble at Wat Sampov. Two days later, three to four trucks of
11 all types came to transport the Lon Nol soldiers away to Ou Pong
12 Moan, Ta Kream sub-district, Banan district, to have them work
13 the rice fields." End of quote. Does this somehow sound familiar
14 to you, Mr. Witness, the collecting of 300 to 400 soldiers, who
15 then had to go work in the rice fields?

16 A. I did not know <to that extent>. I did not know <as to> where
17 <and how> they were transported <due to the fact that by that
18 time, I had already left for work>.

19 [09.49.30]

20 Q. Let me ask it differently. Have you heard stories at the time
21 or do you know that Lon Nol soldiers after being disarmed were
22 sent to work in rice fields or cotton plantations or farms; those
23 things?

24 A. I did not know <that. I myself barely stayed out of trouble>.

25 Q. That's all right. I will move on to the next set of questions,

1 Mr. Witness. In your WRI, your statement, you refer to a speech
2 of the secretary of the Northwest Zone committee, Moul Sambath
3 also known as Ros Nhim or Ta Nhim. Do you remember saying
4 something to the investigators about hearing his speech?

5 A. I was <also called> to attend the meeting at <Phnum> Sampov<,
6 and instructed to be hardworking in order to boost rice
7 production so that everyone would have enough to eat>. And that
8 <was> what the speech <of Ros Nhim> was <all> about.

9 [09.51.20]

10 Q. Do you remember any other details? How long was his speech?
11 Did he say other specific things? What did Ta Nhim look like?

12 A. I <never knew> him <before. Moreover, when> I <attended> the
13 meeting <he chaired, I did not even look at his face as> I was
14 <sitting way at the back. It was a big meeting as members from
15 all the battalions were attending. The meeting was held in a big
16 hall inside Phnum Sampov school compound. I was way at the back.
17 I could not even see him. I just heard what was spoken>.

18 Q. Do you know any other people who were at the time in the
19 committee of the zone in the Northwest Zone committee? Who else
20 was in that position other than Moul Sambath alias Ta Nhim? Do
21 you know anybody else from the zone authorities?

22 A. I did not know anyone else. They were all in black uniform and
23 I did not know them. And I did not have time to look at them
24 because I was busy -- I spent most of my time in the rice fields
25 growing rice.

20

1 09.53.08]

2 Q. Have you ever heard of someone called Ta Paet?

3 A. I have never heard of <a> person <by the name of> Ta Paet. <I
4 did not know Ta Paet.>

5 Q. Let me read an excerpt from a WRI of another witness. Mr.
6 President, that is E3/5185; Khmer, ERN 00197889; French,
7 00226162; and English, 00274166. The witness is asked the
8 question: "Did you ever meet Paet? And is he dead or alive?" And
9 he answers: "Paet had been the sector secretary since 1975 and
10 Paet died after the Vietnamese liberation during approximately
11 1985 or 1986. I saw Ta Paet at the Kamping Puoy dam. He came to
12 inspect the work there once a week. Kamping Puoy was a worksite
13 where people were gathered up from every district of Battambang
14 province, including the evacuees who came to Sector 3. When Ta
15 Paet came to inspect the work, he met with the people at the
16 Kamping Puoy worksite and made loudspeaker announcements that" --
17 and I quote: "'We must take a revolutionary stance to strive to
18 work hard both day and night'. He spoke for about an hour in
19 those meetings but I don't remember all of what he said. It was
20 the same thing over and over again."

21 [09.55.47]

22 Does that maybe somehow refresh your recollection, someone
23 speaking at the dam almost every week, someone called Ta Paet,
24 the sector secretary?

25 A. I could not recollect it. I did not know the person <> by the

1 name <of> Ta Paet.

2 Q. He was also known as Ta Kantol. Does that ring a bell?

3 A. I also <have> never <seen a> person <by> the name <of> Ta
4 Kantol.

5 Q. His real name was Heng Teav, and he was a high-ranking
6 government member in the People's Republic of Kampuchea
7 government between 1979 and 1985/86 until he died. He was in the
8 state council under its president Heng Samrin. So does the name
9 Heng Teav, who was also the vice president of the Trade Union
10 Association at the time ring a bell to you?

11 A. I had not known about him and had not ever heard of his name.

12 [09.57.50]

13 Q. Very well. I will move on, Mr. Witness. I'll move on now to
14 the events that you described yesterday and this morning. Let me
15 first go to the moment that you said you saw two "Yuon" being
16 arrested and taken away from where you were working. Can you
17 explain to me again how it was that you knew or concluded that
18 they - that those two people that you saw were in fact
19 Vietnamese?

20 A. I <only> saw <them being> tied up and walked away. I did not
21 know about their ethnicity. I saw them from <a> distance. And I
22 was afraid to ask people about the incident.

23 Q. Just to be sure, did you even know them, those two people that
24 you saw being taken away?

25 A. I did not know them because <people of mixed identities were>

1 just <arriving> in my village. <People were constantly sent to my
2 village. I did not know who they actually were. Moreover, I
3 myself had to work hard as well. I could not just browse around>.
4 And we could not walk <around> freely from one battalion to
5 another at that time. So our movement were very restricted at
6 that time. <On a daily basis,> we <were always kept busy> with
7 transplanting rice.

8 Q. Yesterday and also this morning, I believe, you spoke about
9 Vietnamese families not in your battalion but in the other
10 battalion. Did you know any of them personally? Did you know
11 anyone by name?

12 A. No, I did not know them by names. I never asked <for> their
13 names.

14 [10.00.50]

15 Q. Did you ever talk to them, chitchat with them at one point in
16 time?

17 A. No, I never chitchatted with them. <Although we saw each
18 other, we could not chitchat with each other. I only> focused on
19 the work assigned to me during the regime.

20 Q. Is it then correct for me to say that you had no idea whether
21 they were Vietnamese or Khmer?

22 A. I did not know whether they were Vietnamese or whether they
23 belonged to another ethnicity. I did not dare ask them about
24 that. I was only mindful of myself. At that time, <no one> could
25 save <anybody>. If <they said someone> was <to be> taken away to

1 be killed, <that person was to die for sure>.

2 Q. Is it then also fair for me to say that your statement that
3 they might have been Vietnamese is a conclusion and based only
4 upon an earlier question asked to you by Ta Krach whether there
5 were any Vietnamese in your platoon?

6 A. I already testified that there were only Chinese and there
7 were no Vietnamese. That was my response when I was asked by Ta
8 Krach. <I told him that> there were only Chinese <in my unit>.

9 [10.03.02]

10 Q. I understand, Mr. Witness. But today and yesterday, you spoke
11 about people who were arrested and that might have been executed.
12 You seem to indicate that they might have been Vietnamese. But is
13 it fair for me to say that that is a conclusion and is actually
14 only based on Ta Krach's earlier question to you?

15 A. Ta Krach asked me only about the Vietnamese, and <> my
16 response to him was that <>, there were only Chinese, <> no
17 Vietnamese <in my platoon>.

18 Q. Fine, Mr. Witness. Now let me go back to what I asked earlier
19 about Ta Chham being replaced by Chheng possibly arrested. And I
20 asked you whether it could be that that was in January 1978. Now
21 my question to you is: would you be able to recall how many
22 months Ta Krach asked this question to you before Chham
23 disappeared? Was it just before Ta Chham disappeared? Or did Ta
24 Krach ask it long time before?

25 A. <Long before that>. Ta Krach <was the first person who> was in

1 charge of my battalion.

2 [10.05.15]

3 MR. PRESIDENT:

4 Interpreter, please listen to the English channel properly. The
5 counsel <was not referring> to <the> Cham, but he <was referring>
6 to a person by the name of Chham. <If Chham is being rendered as
7 the Cham, it becomes rather confusing for the Parties, while> we
8 are debating about the treatment of the Vietnamese and not the
9 treatment of Cham. So please try to <listen attentively as> the
10 pronunciation <of Cham is very similar to that of Chham>.

11 BY MR. KOPPE:

12 I do apologize for my pronunciation. I do not speak at all about
13 Cham. I will always speak about the person Ta Chham.

14 Q. Let me repeat my question, Mr. Witness. We have the
15 disappearance of Ta Chham, we have the question to you of Ta
16 Krach. Do you know how much time it was between the question of
17 Ta Krach to you and Ta Chham's disappearance?

18 MR. PRUM SARUN:

19 A. The <incident could have taken place about a year before>Ta
20 Krach <came to ask me>. In fact, <he had> disappeared for a year
21 before Ta Krach asked me about the Vietnamese.

22 [10.07.10]

23 Q. Maybe I misunderstood, but let me ask for clarification. What
24 came first, Ta Krach's question to you whether there were any
25 Vietnamese or the disappearance of Ta Chham? What came first?

1 A. <>Ta Chham <had disappeared before> Ta Krach <came to ask me>.

2 Q. So is it then fair for me to say that Ta Krach's question must
3 have been somewhere in 1978, assuming Ta Chham was arrested in
4 January '78?

5 A. I don't have anything else to add to what I have just
6 <responded>.

7 Q. Let me try it differently, Mr. Witness. Do you recall that in
8 September, October '77, there was a massive invasion of
9 Vietnamese troops into the territory of Democratic Kampuchea?

10 A. I do not recall the year. No, I cannot recall the year at all
11 when <the> Vietnamese liberated Cambodia<.> I <have forgotten>
12 the year.

13 [10.09.45]

14 Q. One last question, if you'll allow me, Mr. President, before
15 the break. Vietnamese troops invaded Democratic Kampuchea
16 massively at least two times: one at the end of 1978 when the
17 country was "liberated" and one time in September, October 1977.
18 Have you heard anything about that?

19 A. Yes, I heard about that and I saw <them come> to liberate us
20 in the village. And here I <am referring> to the Vietnamese who
21 came to liberate us. But I cannot recall the year as I have just
22 stated.

23 Q. My last question -- excuse me, Mr. President -- but can you
24 connect Ta Krach's question to the Vietnamese invasion in time?

25 A. No. By the time the invasion by the Vietnamese, Ta Krach had

1 been shot dead and buried. And Ta Chheng <had an injury in one of
2 his arms> and fled <>. At that time, there was an event of a
3 rebellion by the Khmer people, by the resistant group <who had
4 hidden some weapons>. And <> later on, the Vietnamese arrived.

5 MR. PRESIDENT:

6 Thank you, Counsel. It is now convenient to have a short break,
7 and we take a break and return at half past 10.00.

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

11 The Court is now in recess.

12 (Court recesses from 1012H to 1031H)

13 MR. PRESIDENT:

14 Please be seated.

15 The Court is back in session and the floor is once again <> given
16 to the defence team for Mr. Nuon Chea to resume his questioning.

17 If you still have further questions to put to this witness, you
18 may proceed.

19 BY MR. KOPPE:

20 Q. Thank you, Mr. President. Good morning again, Mr. Witness.

21 Before the break we were speaking about the invasion -- two
22 invasions, rather, of Vietnamese troops. You have been in the
23 army yourself so you know, I presume, what battle or armed
24 conflict means. Have you heard in the last year of Democratic
25 Kampuchea, 1978, about massive fighting in Svay Rieng between

1 Vietnamese troops and troops of Democratic Kampuchea?

2 [10.33.27]

3 MR. PRUM SARUN:

4 A. I have never heard of that matter since I was working in my
5 location -- that is, <Phnum Sampov>. I have never heard of the
6 massive attack.

7 Q. That's not a problem, Mr. Witness. Just to be sure, is it
8 correct when I say that the question from Ta Krach to you about
9 whether there were any Vietnamese in the battalion was posed by
10 Ta Krach after Ta Chham disappeared?

11 A. Ta Krach came to ask me, <and> I replied that there were only
12 Chinese; no Vietnamese in my unit.

13 Q. I understand that, Mr. Witness, but let me ask you
14 differently. When Ta Krach asked you that question, had Ta Chham
15 already disappeared?

16 A. Ta Chham had already disappeared and after his disappearance,
17 Ta Chheng came to replace him <as the district committee>.

18 [10.35.20]

19 Q. My question is: would you be able to recollect how many months
20 or weeks after Ta Chham's disappearance did Ta Krach come to you
21 and ask that question about Vietnamese?

22 A. Since his disappearance, Ta Krach came to ask me about the
23 Vietnamese for the second time and actually Ta Krach asked me for
24 the second time about Vietnamese before the disappearance of Ta
25 <Chham>. I cannot tell you the exact year when that happened.

1 Q. I understand, Mr. Witness; it's a very difficult question. Let
2 me move on to another topic. It's a word you also just -- before
3 the morning break you used -- the word "rebellion". But also in
4 your WRI you used on three occasion words to the effect that
5 there were people rebelling against the Revolution; that rebel
6 groups were created; and that there was rebel movement in your
7 district. When you speak about that, what does that mean, who was
8 rebelling and why?

9 [10.37.25]

10 A. <The> rebellion <broke out> because people said that <the>
11 Khmer Rouge <was exploiting them>. The rebellion became known to
12 the Khmer Rouge and consequently battalions and other units were
13 called into the meeting to <witness the smashing of members of
14 the> rebellion.

15 Q. Do you recall anything about Northwest Zone forces or cadres
16 raising arms or collecting arms to start a rebellion?

17 A. I <did> not know that <>. I cannot recall it; it happened a
18 long time ago, so I am forgetful and I cannot recall it.

19 Q. I understand; have you ever heard whether Ta Chham or Ta Nhim,
20 also known as Moul Sambath, were part of the rebellion against
21 the Khmer Rouge?

22 A. I do not know about that matter.

23 [10.39.22]

24 Q. I have only two small questions left, Mr. Witness; one is the
25 following -- that is something another witness talked to the

1 investigators. Mr. President, that is E3/7737; English, ERN
2 00274160; Khmer, 00197883; and French, 00226156. This witness is
3 asked questions about Vietnamese and he is talking about a person
4 called Yeay Nae and he is saying that this woman was a "Yuon" who
5 had been nationalised and then he said, "Subsequently, they
6 released her". Do you know anything about people of Vietnamese
7 ethnicity who had been nationalised or had become Khmer that they
8 would be released, have you ever heard of anything like that?

9 A. No, I have never heard of it.

10 MR. PICH ANG:

11 Mr. President, allow me to make a clarification. In the Khmer
12 version of the document quoted by the defence counsel, I heard
13 the name was pronounced Yeay <Nai> (phonetic) but in fact it was
14 <Yeay Nae (phonetic)>. This name was brought up by Judge
15 Lavergne before. It was Yeay <Nae> (phonetic), not <Nai>
16 (phonetic). <Thank you, Mr. President.>

17 [10.42.12]

18 BY MR. KOPPE:

19 Thank you, Civil Party Lawyer. The question wasn't about the
20 woman, but whether the witness knows whether there was any
21 different treatment between people of Vietnamese ethnicity who
22 had -- or had not been "Nationalised", but you don't know
23 anything about that; is that correct?

24 MR. PRUM SARUN:

25 A. No, I do not know about that. I have never known the person by

30

1 the name <of either Yeay> Nae (phonetic) or <Year Nai
2 (phonetic)>.

3 Q. My very last question, Mr. Witness, in your WRI you speak
4 about someone who was a singer from Phnom Penh, someone with the
5 name of Thet Sambath. Do you remember talking about him?

6 A. Yes, I do. I know the person by the name Thet Sambath. His
7 hands - his arms were tied behind his back and he was walked
8 away, since then he disappeared. We, in fact, used to work
9 together <at> Dangkao (phonetic) <dam worksite>. He was walked
10 away, since then he disappeared. This is all I know about him.

11 [10.44.18]

12 Q. Do you know -- this is my very last question -- whether he had
13 a son who is now a journalist working in Phnom Penh?

14 A. No, I do not know his son.

15 MR. KOPPE:

16 Thank you, Mr. President.

17 MR. PRESIDENT:

18 Thank you. Now I pass the floor to the defence team for Mr. Khieu
19 Samphan to put questions to this witness, you have the floor now.

20 [10.45.05]

21 QUESTIONING BY MS. GUISSÉ:

22 Thank you, Mr. President. Good morning, and good morning, Mr.

23 Prum Sarun. My name is Anta Guissé, I am International Co-Counsel
24 for Mr. Khieu Samphan, and in this capacity, I'll put some very
25 brief questions to you.

1 Q. My first question is related to the two battalions you
2 referred to. You stated that you were a member of Battalion 1 and
3 that there was <also> another battalion, Battalion 2. If I did
4 understand correctly you did not have the opportunity to talk to
5 members of Battalion 2. But <do> you know who the commander of
6 that second battalion was? If you do, please give us the name of
7 <the commander.>

8 MR. PRUM SARUN:

9 A. Ta Yi (phonetic) was the chief of Battalion 2.

10 Q. I would like us to talk <now> about Ta Krach, you <said> he
11 was the commander of your battalion. Do you know where he hailed
12 from?

13 A. <Ta Krach's> birthplace was <> in <Snoeng commune>; Ta Krach
14 was shot to death and Ta <Chheng was> also <injured>.

15 [10.46.59]

16 Q. I am still interested in Ta Krach. Can you tell us the names
17 of Ta Krach's direct subordinates?

18 A. There was Ta Krach and there was another person by the name
19 <of Ta> Boeun (phonetic); <however,> they are all deceased. <They
20 were shot dead>.

21 Q. And did you work directly with Ta Boeun (phonetic) or Boeun
22 (phonetic)?

23 A. He <belonged to> another battalion. I was tasked with
24 transplanting and harvesting rice.

25 Q. You said that Boeun (phonetic) was a member of another

1 battalion; <should> I take it then that Ta Krach was in charge of
2 several different battalions in addition to Battalion 1?

3 A. Ta Krach was in charge of Battalion 1 and Ta Boeun (phonetic)
4 <belonged to a> different battalion<. Ta Krach was in charge of
5 Battalion 1.>

6 [10.49.00]

7 Q. Very well. <When> I asked you who the direct subordinates of
8 Ta Krach <were, in> fact, Ta Boeun (phonetic) was not a
9 subordinate of Ta Krach. <He was perhaps> someone who was of the
10 same level as Ta Krach. Is that correct?

11 A. Yes, that is correct.

12 Q. So my question was different. I wanted to know whether you
13 recall<>, and if you don't remember that's not important, who
14 were the people working under Ta Krach, apart from yourself?

15 A. It was Ta Hong, the deputy chief. Ta Hong was the deputy <of>
16 Ta Krach. As I said, they were all deceased.

17 Q. And Ta Hong <is> the person you said was your direct superior,
18 is that the case<>?

19 A. Yes, that is the case.

20 Q. I would like us to once more talk of Ta Chham. Did you often
21 see him during the period of Democratic Kampuchea before he
22 disappeared?

23 A. I only saw his face and I did not dare go close to Ta Chham,
24 he was a kind of cruel <executioner>. Whenever he assigned me to
25 build the dam, I would perform the task, I did not dare go close

1 to him.

2 [10.51.22]

3 Q. Specifically as regards Ta Chham's character, some other
4 persons have talked about his character. I would like to know
5 whether you knew a person called <Um Suom> (phonetic). And for
6 the interpreters, to avoid pronunciation problems, it is written
7 as follows <U-M and then S-U-O-M>. Do you know a person <named Um
8 Suom > who<, like you, at one> point in time<, was> in charge of
9 the unit <that took care of the oxen> and who <was> from Phnum
10 Sampov commune?

11 A. I have never known a person by the name Um Suonn.

12 Q. Did you hear of the Issarak movement?

13 A. I forget almost everything about the movement of Khmer
14 Issarak; it happened a long time ago and I cannot describe the
15 movement.

16 [10.52.57]

17 Q. No problem with that. Does the name <Grandfather> Yat ring a
18 bell? <>Y-A-T, for the interpreters.

19 A. Ta Yat, I have never heard of that name.

20 Q. I would like to know whether the statement of <a> witness may
21 refresh your memory as regards <>the Issarak movement and as far
22 as Ta Yat is concerned.<the> document is E3/5182, and the witness
23 in question refers to the arrest of Ta Yat and this is what he
24 states. The ERN in French is 00223092; <>the ERN in Khmer is
25 00197935; ERN in English, 00274149. <This> is what that witness

1 states:

2 <> <He says"> "I heard from <Grandfather Yat> that, at the time
3 of the Issarak movement, there had been a conflict with
4 <Grandfather Chham.> In my view, the reaction of <Grandfather>
5 Chham was related to <a personal grudge> and not any matters
6 related to the Khmer Rouge." End of quote.

7 In that <excerpt>, the witness talks of the arrest of Ta Yat.

8 Does that <excerpt> refresh your memory? <Do> you recall <having
9 heard> of the arrest of a person by the name Ta Yat and of that
10 person's involvement in the Issarak movement? Does that ring a
11 bell <for> you?

12 A. It does not ring a bell to me; I have never known the person
13 by the name Ta Yat, as I said. I do not know which Ta Yat you are
14 referring to.

15 [10.55.45]

16 Q. I will not insist; there is no problem with that. Generally
17 speaking, you <referred> to the character of Ta Chham and his
18 cruelty. Do you know whether he ever took any decisions based on
19 personal interest as opposed to other reasons? <Did> you hear
20 <>that while you were working with him or did you hear his
21 superiors or any other persons refer to that?

22 A. No, I never approached him. I did not dare look at his face
23 directly.

24 Q. I <understand very well >that you were afraid of Ta Chham. My
25 question to you is as follows: was such fear based on

1 conversations you had with others <>regarding the way he worked
2 and, more generally speaking, since you refer to his cruelty, did
3 you have any particular reasons to fear <his reaction, or> his
4 reactions, generally speaking?

5 A. I heard that he had killed several or many people, for this
6 reason I did not dare look at his face directly or even walk past
7 his house <located next to the construction site>. I did not dare
8 to talk to him.

9 [10.57.45]

10 Q. And who had relayed those statements to you, who told you
11 about the deaths that stemmed from decisions taken by Ta Chham?

12 A. It was a rumour from one and another and as I said I did not
13 dare look at his face directly and approach him. I would only
14 focus on my work at the dam site.

15 MS. GUISSÉ:

16 Thank you. I have no further questions<>, Mr. President.

17 MR. PRESIDENT:

18 Thank you, Mr. Prum Sarun, the hearing of your testimony as a
19 witness has come to a conclusion now and your testimony will
20 contribute to the truth in this Case. You may be excused and
21 return to any destination or any places you wish to go. I wish
22 you good health, good luck and prosperity in your life.

23 Court officer, please work with WESU unit to send Mr. <Prum>
24 Sarun back to his residence or to any destination he wishes to go
25 and you are also instructed to invite 2-TCW-949 into the witness

1 stand before the Chamber.

2 [10.59.45]

3 (Short pause)

4 (Witness 2-TCW-949 enters the courtroom)

5 [11.02.22]

6 QUESTIONING BY THE PRESIDENT:

7 Q. Good morning, Mr. Witness. What is your name? And please
8 observe the microphone, you should speak only after you see the
9 red light lit on the tip of the microphone and also it means that
10 this will give you a pause to think <about> what to respond to
11 the question. Again, what is your name?

12 MR. UM SUONN:

13 A. When I was in Sangvaeuy commune--

14 [11.03.06]

15 Q. Witness, please listen to the question carefully and respond
16 to the limit of the question. Again, what is your name? You need
17 to wait until you see the red light on the tip of the microphone
18 so that your voice will go through the interpretation system and
19 to the audience. Your response needs to be interpreted into
20 English and French simultaneously. Again, what is your name?

21 A. My name is Um Suonn.

22 Q. Thank you, Mr. Um Suonn. And when were you born?

23 A. No, I do not remember it.

24 Q. How old are you?

25 A. I am 64 years old.

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

2 A. I live in Sakda Trapeang Ruessei <village>, Boeng Mealea
3 commune, Svay Leu district, Siem Reap province.

4 [11.04.56]

5 Q. And what is your current occupation?

6 A. I am a rice farmer.

7 Q. What are the names of your parents?

8 A. My father is Lim Y and my mother is Paen.

9 Q. What is the name of your wife and how many children do you
10 have together?

11 A. We have 10 children and my wife is San Sun, and as I said we
12 have 10 children.

13 Q. Thank you, Mr. Um Suonn. The greffier made an oral report this
14 morning that you are not related by blood or by law to any of the
15 two Accused -- that is, Nuon Chea and Khieu Samphan or to any of
16 the civil parties admitted in this Case. Is that information
17 accurate?

18 A. I am not related to any of them.

19 [11.06.35]

20 Q. Thank you. And before your appearance, have you taken an oath
21 before the Iron Club Statue?

22 A. Yes, I have taken an oath before the Iron Club Statue, to be
23 faithful and I will tell only what I heard and saw.

24 Q. Thank you, Mr. Um Suonn. The Chamber would now like to inform
25 you of your rights and obligations as a witness.

1 Your rights: As a witness in the proceedings before the Chamber,
2 you may refuse to respond to any question or to make any comment
3 which may incriminate you, that is your right against
4 self-incrimination.

5 Your obligations: As a witness in the proceedings before the
6 Chamber, you must respond to any questions by the Bench or
7 relevant Parties except where your response or comments to those
8 questions may incriminate you as the Chamber has just informed
9 you of your rights as a witness. You must tell the truth that you
10 have known, heard, seen, remembered, experienced or observed
11 directly about an event or occurrence relevant to the questions
12 that the Bench or Parties pose to you.

13 And Mr. Um Suonn, have you provided <any> interview, if any, to
14 the investigator of the Office of the Co-Investigating Judges, if
15 so, how many times, when and where?

16 A. No, I haven't. I was not interviewed.

17 [11.08.47]

18 Q. There is a document which is a written record of your
19 interview that it happened in October in the year 2008 at
20 Trapeang Ruessei village, Boeng Mealea commune, Svay Leu
21 district, do you recall that?

22 A. Yes, I recall it. Yes, I was interviewed that year. Yes, I
23 recall that I was interviewed once.

24 Q. And before you appeared before the Chamber, have you reviewed,
25 read or had it read aloud to you -- that is, the written record

1 of your interview you provided to the investigators at your house
2 in order to refresh your memory?

3 A. I remember part of the interview although I remember most of
4 the interview content.

5 [11.10.08]

6 Q. My question to you is that, during the past few days or even
7 yesterday or this morning, have you read, reviewed or have it
8 read aloud to you -- that is, your written record of interview?

9 A. Yes, I have read it and I remembered part of the record.

10 Q. And to your best recollection, is the written record of your
11 interview consistent with what you told the investigators in 2008
12 at your village?

13 In fact, please respond to my question whether the written record
14 of your interview consistent with what you told the investigators
15 at the time.

16 A. After I read it, yes it is consistent with what I told them.

17 MR. PRESIDENT:

18 Thank you. And pursuant to 91bis of the ECCC Internal Rules, the
19 Chamber will give the floor first to the Co-Prosecutors to
20 question this witness and the combined time for the
21 Co-Prosecutors and the Lead Co-Lawyers is two sessions. You may
22 proceed.

23 [11.12.03]

24 QUESTIONING BY MR. DE WILDE D'ESTMAEL:

25 Good morning, Mr. President. Good morning, Your Honours. Good

1 morning to all Parties.

2 Witness, my name is Vincent De Wilde and I'm therefore going to
3 put questions to you this morning and <>this afternoon in
4 particular regarding the events that took place at the Khsach
5 pagoda. If you do not understand one of my questions, please
6 <simply> say so and I'll be able to <repeat> it. Also, please
7 <take care not to invent any>thing; just simply tell us what you
8 know. If you do not know something, simply tell us that you do
9 not know.

10 Q. So, first of all, after April 1975, can you tell us which unit
11 you were assigned to during the DK regime?

12 MR. UM SUONN:

13 A. I was in a mobile unit in the village, <in a cooperative>. I
14 worked in the rice field, <which was part of> the economics.

15 Q. And in which village, in which commune, and which district
16 <was> this mobile unit working?

17 A. It was in Yeang village, Sangvaeuy commune, <Chi Kraeng
18 district, Siem Reap province.>

19 [11.13.55]

20 Q. Thank you. You also said <- I heard it in Khmer -- Chi Kraeng
21 district.> <>I did not hear <it in the French interpretation.>
22 How old were you in 1975? Today you said that you <are> 64 years
23 old. <In> 1975, <at the time> when you started working in this
24 mobile unit, how old were you, approximately?

25 A. I was about 28 years old.

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1 Q. Do you know in which sector Chi Kraeng district was located
2 back then?

3 A. No, I do not know which sector it belonged to, although I know
4 it was in Chi Kraeng district, Siem Reap province and the village
5 was Yeang and the commune was Sangvaeuy.

6 Q. Fine. When you were in Yeang, in this village, can you tell us
7 where you would sleep with your mobile unit?

8 A. No, there was no mobile unit in the commune, however, there
9 was at the co-operative. <I did not hold any position in the
10 cooperative>. I was <just> an ordinary villager in the
11 co-operative in Yeang village.

12 [11.15.53]

13 Q. Fine, did you ever sleep in the Khsach pagoda in this village
14 of Yeang?

15 MR. PRESIDENT:

16 Witness, please observe the microphone.

17 MR. UM SUONN:

18 A. The village <in which> I lived was next to Khsach pagoda, it
19 was about 150 metres from the pagoda. However, the <whole> area
20 was commonly known as <being within> Yeang village,<> Sangvaeuy
21 commune, Chi Kraeng district, Siem Reap province.

22 [11.16.55]

23 Q. What was <>this <>Khsach pagoda <used for> between '75 and
24 '79? Were there still <Buddhist> monks there or did they still
25 hold <religious> ceremonies <there?>

1 A. No, there was none. There were no monks because the temples
2 <had been demolished> and the <monastery itself> was used to
3 raise animals or to pound rice. The <> structure remained there;
4 however, the temples, the residence and the Buddha statues <had
5 all been> destroyed. That year, the main temple was <demolished>
6 and most of the structures in the pagoda were destroyed and only
7 some skeleton <structures of monks' quarters> remained.

8 Q. Thank you. I will get back to <this structure and> the
9 location of this pagoda a little later on. I am going to ask
10 <you> simply to answer precisely the questions that I'm <asking>.
11 In your co-operative -- in your co-operative unit, did you ever
12 know a <person named> Sung or Sean Song back then?

13 A. Sean Song, yes I knew Sean Song. He and I <took a peep> at <a
14 horrifying> event of execution which was unfolding before our
15 <very> eyes. <Having seen that, we ran away from the site-->

16 MR. PRESIDENT:

17 Mr. Witness, please limit your response to the question, whether
18 you know this person, Sean Song. <An answer with either "Yes" or
19 "no"> is sufficient.

20 [11.19.31]

21 BY MR. DE WILDE D'ESTMAEL:

22 Q. Yes, that's exactly that. I will get back to the <executions>
23 so please don't worry about that. <Did> Sean Song work in the
24 same unit as you, and can you tell us how old he was
25 approximately in 1975?

1 MR. UM SUONN:

2 A. He was younger than me; I <was already a grown-up man, while
3 he was only an> adolescent <at that time>.

4 Q. You <said> that you were 28 years old <- I'm hearing the
5 interpretation. I'm hearing> you were in adolescence. So were you
6 already an adult since you were 28 years old as you <told us
7 earlier?>

8 A. Yes, I was more mature and older than Sean Song.

9 Q. Despite the difference in age, were you friends <at the time?>

10 A. Yes, we were friends; I went everywhere with him, including
11 working with him.

12 [11.21.05]

13 Q. So I have questions that do not yet relate to what <happened>
14 at Khsach pagoda and the executions you spoke about but these are
15 questions that relate to the presence or not of people of
16 Vietnamese origin in that <>region. <Did> New People settle,
17 first of all, in the villages of Sangvaeuy commune after 17 April
18 1975?

19 A. Yes, there were New People in the area at that time. There
20 were some of them, including Ta Khut and Chantha.

21 Q. We will get back to these people but were there also
22 <Vietnamese> people <or people> of Vietnamese origin who were
23 among these people who settled in Sangvaeuy commune?

24 A. Yes, there were Vietnamese living in the area. There was a
25 Vietnamese family <of> Ta Khut and Yeay Ma <with> a granddaughter

1 named Chantha. <All of them were> taken away and killed at Khsach
2 pagoda and their gallbladders were removed <and hanged on the
3 wall>.

4 Q. Fine. You're going faster than my questions. Aside from that
5 family, were there other Vietnamese whom you knew in this
6 village, <Yeang, or in> other villages in Sangvaeuy commune?

7 A. I did not know any other families besides the two families
8 that I mentioned.

9 [11.23.40]

10 Q. You also spoke about the family of Ta Khut and of Yeay Ma and
11 of their grandchild Chantha. <How> did you know that this was a
12 family of Vietnamese origin?

13 A. I knew it because the elders in the village all knew that they
14 were Vietnamese. Everybody <in the village> knew that they were
15 Vietnamese because they had lived there <for a long time> -- that
16 is, since the former regimes.

17 Q. <Fine.> So this family was not part of the people who had been
18 <displaced> in 1975 to settle in the village. So that family,
19 therefore, had been there before <1975. Is> that what I must
20 understand?

21 A. Yes, that is correct. They <had been living> there <way back>
22 before 1975<, regardless of that,> they were arrested and
23 executed, I mean all of them. <I felt sorry for what happened to
24 them.> They had lived in Cambodia for <so> long, <> they were
25 <not supposed to be> arrested and killed. <I feel sorry for

1 them.>

2 [11.25.26]

3 MR. PRESIDENT:

4 Mr. Witness, allow me to remind you again, please limit your
5 response to the extent of the question. There will be plenty <of>
6 questions to be put to you and you will be sitting here for the
7 rest of today's proceeding and possibly half a day tomorrow, so
8 you may even get tired <of all the questions>. Just limit your
9 response to what will be put to you. For that reason, please only
10 make necessary response to the question and not more than that.

11 BY MR. DE WILDE D'ESTMAEL:

12 Q. Thank you. You said earlier that, <in fact,> everyone knew
13 that this was a Vietnamese family. Did Khut and Ma, the
14 grandparents<>, speak Khmer with a Vietnamese accent? Were you
15 able to speak to them?

16 MR. UM SUONN:

17 A. They spoke Khmer language rather <fluently> since they <had>
18 lived in Cambodia for so long. Since I grew up I began to know
19 them and they were good people; they never caused <anyone> any
20 trouble <> in the village and <the> commune. They were <honest
21 people>. That's from my personal experience since I saw them
22 <from the time> I grew up <>.

23 [11.27.18]

24 Q. You are speaking about your childhood. Had you <really> been
25 in contact with them since your childhood or did you grow up in

1 another village<, further away than Yeang,> in Sangvaeuy commune?

2 A. They lived in Khsach village; however, that Khsach village was
3 also known as Yeang village <by some people. Anyways, the village
4 was right> next to the Khsach pagoda. <And> there was also a
5 Vietnamese temple not far from the Khsach pagoda. However, later
6 on, it disappeared. <Those monks had gone. Only the foundation of
7 the monastery> on the hill <could be noticed.> <It has been many
8 years now that left the village to> live in Boeng Mealea commune
9 <>.

10 Q. So you were speaking about a Vietnamese temple. If there was a
11 Vietnamese temple, does that mean there were many Vietnamese
12 people who had settled in <the> region and who would go to that
13 temple before 1975?

14 A. Yes. There <used to be> quite a number of Vietnamese families
15 living there at that time, <but they had already left to return
16 to their homeland. However,> later on, I only saw the family of
17 Ta Khut and Yeay Ma together with their granddaughter Chantha.
18 And that's what I actually saw.

19 [11.29.22]

20 Q. So what happened to these many Vietnamese families? Did you
21 ever hear <at any time> after 1975 that these families <had left
22 Cambodia or> had been forced to leave Cambodia?

23 A. I only heard people talking about that but I did not know
24 whether they all had gone. The only <remaining family I saw in
25 village was> the family of Ta Khut and Yeay Ma together with

1 their granddaughter Chantha. <I did not know about the other
2 families as they could have left quietly>.

3 Q. During the Democratic Kampuchea regime in 1977 <or> 1978, did
4 you know whether the village chief or the commune chief tried to
5 identify persons who were of Vietnamese origin in the region?

6 A. <At that time, I was working> in the mobile unit<, and I could
7 have been sent away to work> so I did not know what happened on
8 the ground in the village. <In the mobile unit,> I was <>
9 assigned to cut the "kantreang khet" <plants> to make fertiliser
10 so I was constantly on mobile; and <furthermore, I> had to focus
11 on the <tasks I was assigned.> I did not dare to make any mistake
12 <for fear that> I <could> be taken away and killed.

13 MR. PRESIDENT:

14 Thank you, <it is now appropriate time for a break.>

15 You may proceed, Counsel.

16 [11.31.16]

17 MR. KOPPE:

18 I thank you, Mr. President. Before we break, I have a request in
19 relation to this particular witness and I was hoping whether you
20 could instruct WESU to provide Parties with a copy of his
21 identification papers, his ID. I'm asking because in his WRI,
22 it's stated that he was born on 9 January 1958; later when we
23 will be examining this witness, his age and also his ability to
24 calculate will be an issue. He just said that he was 64 now,
25 which would make him being born in 1951 rather than '58; he also

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1 just said that he was 28 in 1975, which would make him being born
2 in 1947. Apparently the investigators have written down the
3 specific date of 9 January 1958, so I think it would be
4 beneficial for all Parties to see a copy of his identification.

5 [11.32.36]

6 JUDGE FENZ:

7 Do you have your ID on you now?

8 MR. UM SUONN:

9 A. Yes, I do, I have it with me. <I have my ID with me>. I cannot
10 recall everything.

11 JUDGE FENZ:

12 We will ask you to provide it after the break. Make -- ensure
13 that you have it on you.

14 MR. PRESIDENT:

15 Thank you. And Counsel Koppe, I think your request is now solved.

16 Let us have a lunch break and resume at 1.30 this afternoon.

17 Court officer, please assist the witness at the waiting room
18 reserved for witnesses and civil parties during the lunch break
19 and invite him back into the courtroom at 1.30.

20 Security personnel, you are instructed to take Khieu Samphan to
21 the waiting room downstairs and have him returned to attend the
22 proceeding this afternoon before 1.30.

23 The Court is now in recess.

24 (Court recesses from 1133H to 1330H)

25 MR. PRESIDENT:

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

2 Before the Chamber gives the floor to the Deputy Co-Prosecutor --
3 okay, and now I give the floor to the Deputy Co-Prosecutor to put
4 questions to this witness.

5 BY MR. DE WILDE D'ESTMAEL:

6 Thank you, and good afternoon, Mr. President.

7 Q. <Earlier,> Witness, you <had told us> that <there was a
8 Vietnamese temple> in the region <and that> there were many
9 Vietnamese families that lived there before 1975. <And> you <told
10 me> that you did not know whether they <had> all left at some
11 point. Do you remember <as of> which period you <no longer saw>
12 all of those Vietnamese families in the region, apart from the
13 family of Chantha and her grandparents<>?

14 MR. UM SUONN:

15 A. It <could be either> 1975 or 1976.

16 [13.32.56]

17 Q. And while those Vietnamese families were there, how could they
18 be distinguished from Khmer families? By what criteria could you
19 determine whether <it was a> Vietnamese <family> or <a> Khmer
20 <family>?

21 A. You are asking about the Vietnamese and Khmer languages? In
22 fact, I saw a few families of Vietnamese. <As for other
23 families,> I did not know <as to> where <and how> they <had
24 left>.

25 Q. Is it correct to say that they had their own language, <but

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1 they also had> their own traditions, before 1975? And I am
2 referring to the Vietnamese.

3 A. Regarding the Vietnamese traditions and customs, at that time
4 the traditions and customs of Vietnamese <were> quite the same as
5 those of Khmer people <due to the fact that they had been living
6 in the area for a long time. That's all I knew.>

7 [13.34.28]

8 Q. Very well. A while ago you <also told me> that you were in
9 your unit working, and <you> did not know <everything that>
10 happened in the village, including whether instructions had been
11 given to the village chief to identify Vietnamese in the region.
12 With the leave of the Chamber, I would like to show you the name
13 of a witness in a <written> record of interview, <E3/7685. It> is
14 Witness 2-TCW-846. And what I would like to do is to simply show
15 you the name of that person, and I would request you not to utter
16 the name of that person aloud <but to tell me if you know the>
17 person.

18 Mr. President, can I show the witness the first page of this
19 <written> record of interview, E3/7685?

20 MR. PRESIDENT:

21 Yes, you can provide it to the witness. But first, I would like
22 to know whether Mr. Witness can read and write. Witness, can you
23 read and write?

24 MR. UM SUONN:

25 A. Yes, I can, but not well.

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1 [13.35.54]

2 MR. PRESIDENT:

3 So Mr. Co-Prosecutor, you can provide the document to the
4 witness. And Mr. Arun, please read that text to the witness
5 <privately>.

6 BY MR. DE WILDE D'ESTMAEL:

7 Q. Witness, may I request you not to pronounce the name of that
8 person<, but do> you know that person, <>that witness, who lives
9 in Yeang village?

10 MR. UM SUONN:

11 A. Yes, I know that person. Yes, I do.

12 Q. Did you know him <already> during the period of Democratic
13 Kampuchea?

14 A. Yes, I did. I have known that person since the Democratic
15 Kampuchea.

16 [13.37.18]

17 Q. I would like to read an <excerpt> of this <written record of
18 interview>, E3/7685, <on> page 2 in French, 2 in English and <2
19 in> Khmer. <the> question put to the person is as follows:

20 "Regarding the persons who <were> executed, do you know what
21 their nationalities were?"

22 Answer <>by that witness: "I heard that they were Vietnamese. At
23 the time when all those people were assembled, the village chief
24 had statistics. He told them that they were being sent for
25 studies." End of quote.

1 And <on> the next page, in French, page <3>; in English, page
2 <4>; <and in Khmer, page 4,> the question is as follows:

3 "The village chairman, who had a statistical list of the
4 Vietnamese, did he have orders from the upper level?"

5 And the answer by the witness was: <"Yes, it was the order> from
6 the upper level." <End of quote.>

7 <So,> I would like to know <if> what the witness said regarding
8 the existence of lists <or> statistics concerning persons of
9 Vietnamese origin <>reminds you of <anything or, to the contrary,
10 do> you confirm that you never <saw or heard that such lists of
11 people of> Vietnamese <origin existed.>

12 [13.38.55]

13 A. I do not know on that particular point.

14 Q. Still during the same period, and before we talk about what
15 happened at the Khsach pagoda specifically, between 1975 and 1978
16 in Yeang village, in your unit of cooperatives, or within the
17 commune, did you attend any meetings with the local authorities?

18 A. No, I never attended any meetings, since at the time I was in
19 charge of economics in the cooperative. I was tasked with
20 <catching> fish at the <lake>. I did not know whether there were
21 meetings held at that time.

22 Q. Very well. Then let us talk about Khsach pagoda. In 1978, was
23 that pagoda surrounded by a fence? And if so, can you describe
24 <>that fence if it did exist?

25 A. Yes, there was a fence surrounding that pagoda.

1 Q. Was that fence in concrete or it was built with other
2 materials?

3 A. The fence was <constructed> of <"krak"> (phonetic) <poles.
4 "Kрак" (phonetic) were hard-wood poles.>

5 [13.41.26]

6 Q. Could anyone see through that fence? And if yes, could you see
7 <from all> sides of the <pagoda grounds>? Or<>, were there <one
8 or more> sides of the pagoda <where the fence was not made of
9 wood but of cement?>

10 A. Later on, some parts of the fence <was constructed> of
11 concrete. In that period the fence was made out of <"krak"
12 (phonetic) poles>. Now it is in concrete.

13 Q. And since it was built <of> wood, could <someone who was
14 outside of> the premises see <the> buildings within the premises
15 of that pagoda?

16 A. Yes, we could see from the outside. There were <open areas>,
17 there were holes that we <could> look through. And from outside,
18 we could see the <temples> within the pagoda.

19 [13.42.54]

20 Q. A while ago you said that some buildings had been destroyed -
21 or, <at least>, that the statues in the pagoda had been
22 demolished. You also <mentioned> that <the structure of> the
23 monks' houses <still remained there.> Was there a library housing
24 sacred books <inside of Wat Khsach>?

25 A. Yes, there was a "sala haotrai" or a library hall in the

1 pagoda. And there were <shelves> housing those sacred books.

2 Q. And what was the size or the dimensions of <this> building in
3 which <secret> books were kept? Can you give us an idea of the
4 dimensions of that building?

5 A. Concerning the library hall, it was seven metres long and --
6 rather, it was seven metres wide and 10 metres long. And for
7 height, it was about three to four metres.

8 Q. Was it a <two-storey> building or a <single-storey building>?

9 A. It was an ordinary <building> on the ground. <It was only a
10 single-storey building>.

11 Q. Could anyone see that building from outside of the pagoda
12 <grounds>, particularly <from> the northern and eastern sides of
13 the pagoda?

14 A. Yes, we could see <it> from the south<, the> east and <the>
15 north <directions>, but we were not able to see <> the library
16 from the west direction, since it was blocked by monks' <quarters
17 and eating hall>.

18 [13.45.54]

19 Q. A while ago, you already mentioned repeatedly that people were
20 executed at <Wat> Khsach, <and> particularly the family of
21 Chantha and <her> grandparents, who <were> of Vietnamese origin.
22 I would <simply like to ask> you to briefly tell <us or to tell>
23 the Chamber what you saw <of> those executions, and during what
24 period those executions were carried out.

25 A. Regarding the matter, it took place at around 6.00 or 7.00 in

1 the evening. <It was not that dark as we could still see each
2 other>. The executions started from <about 7> p.m., and <were not
3 concluded> until <about 11> p.m.

4 Q. Do you know whether the other persons <who were> executed at
5 the Khsach pagoda, apart from Chantha's family, were also
6 Vietnamese, or not?

7 A. Yes, they were Vietnamese. The Vietnamese were killed <at Wat
8 Khsach>.

9 [13.47.35]

10 Q. And how did you <learn> that they were Vietnamese?

11 A. I <knew> they were Vietnamese since they spoke with accents.
12 They <did not speak Khmer the way the Khmer people did.>

13 Q. Did you hear them talk while <you were observing> the
14 executions <>at <Wat Khsach>? Could you make out their accent?

15 A. I heard at the time the screaming because of the beating. And
16 because of the screaming, I was trying to look <at> what was
17 happening<. I heard the screaming, and I actually saw what was
18 happening>.

19 Q. Did you know or <did you find out, then,> where those
20 Vietnamese <came from?> <From where had they been brought to the
21 Wat Khsach pagoda>? From which cooperative, from which village,
22 from which commune were they brought?

23 A. I do not know on this point. I noticed that these Vietnamese
24 people <being> placed in the library hall, and I could hear them
25 <speak Vietnamese. They were being detained in the library hall.>

1 Q. As regards the exact period of those events, do you remember
2 in what year those people were assembled in the <Wat> Khsach
3 pagoda?

4 A. It <could be either> in 1975 or 1976, '75 or '76.
5 [13.50.45]

6 Q. I would <simply> like to remind you of what you <already> told
7 the investigators some years ago. <It's> document E3/7778, and it
8 is the second answer <>in this <written> record<>. And this is
9 what you said: "One day, perhaps in 1978, when I heard the
10 screaming of people, I went to stealthily see with Sung what was
11 happening. <>I saw the Khmer Rouge killing people on the
12 southeast side of the pagoda, outside of the fence." <End of
13 quote.> So <when you were interviewed,> you <mentioned> 1978<>.
14 Does this refresh your memory?

15 A. It <happened> in <1976, '77 and '78>. The executions took
16 place a few times, <not a single time at that place>. I noticed
17 there were executions two times <at that same place>. So what
18 <else should> I say about that?
19 [13.52.13]

20 Q. Don't worry about that. All I'm asking of you is to <try to>
21 give us the approximate time when you witnessed <those
22 executions>. Perhaps it would be easier for us to go in the
23 opposite direction. Sir, please wait. Approximately <>how long
24 before the arrival of the Vietnamese in 1979 did you witness
25 <these> executions at <Wat> Khsach<>?

1 A. I saw the execution taking place in 1977 and it continued up
2 until 1978.

3 Q. I would like to read out <> another <excerpt> by a witness
4 from Yeang village, document E3/7686 <on> French page <>00332891
5 up to 92; in English, 00275406 and 07; and in Khmer, 00221620 and
6 21. Now, Witness, this is a witness named Launh Khun. Launh is
7 spelt as L-A-U-N-H and Khun, K-H-U-N <from> Yeang village. <She>
8 says that the executions <of Vietnamese at> Khsach pagoda were
9 carried out in August 1978. And in this record of interview, she
10 refers <specifically> to the execution of her husband, called
11 <Chum, C-H-U-M; her mother-in-law, Nhav, N-H-A-V; >her
12 brother-in-law, Kea, K-E-A; her sister-in-law, Hong, and her
13 husband, Chai, as well as <>Hong's three children. Three little
14 children, aged <one> week, <one year or> two years, and three
15 years. And she says <at the end of> this record of interview that
16 all of them were led away and executed for the simple reason that
17 the <parents-in-law> of <the witness> were Vietnamese.

18 <First of all, do you know this person or this family>? <This>
19 person called Launh Khun, and the family, whose <names I>
20 mentioned<>?

21 [13.55.22]

22 A. Yes, I did. I knew the person by the name Launh Khun.

23 Q. That person <says, therefore,> that these events occurred only
24 a few months before the arrival of the Vietnamese in Cambodia in
25 January 1979. <You are telling me> 1977,<>1978. <Is the month of

1 August 1978, or> four to five months before the arrival of the
2 Vietnamese, <does that correspond to what you remember or not>?

3 A. Yes, I can recall <>. Vietnamese were smashed and killed one
4 after another. The executions took place twice <at that same
5 place. They were two separate occasions.>

6 Q. Do you know or did you learn <whether> the members of that
7 family <who were> of Vietnamese origin, <namely> the husband <of
8 this woman, Chum; her mother-in-law, <Nhav >; her brother-in-law,
9 Kea; her> sister-in-law, <Hong, as well as her husband,> Chai,
10 and <her> three children, did you <learn whether they,>
11 themselves, <were> executed at <Wat> Khsach?

12 A. They were killed during the first process -- that is, the
13 first stage. <I did not have direct knowledge of that incident,
14 but I knew their names.>

15 [13.57.15]

16 Q. I <won't> insist, but <that> witness said that it was indeed
17 in August 1978 that <this happened>.

18 The family of Launh Khun, did it have any kinship ties<>with
19 Chantha's family, Ta Khut and <Yeay> Ma?

20 A. I do not know whether they had any ties with those people. <I
21 knew those people, but I did not ask if they were related>.

22 Q. You have <already> spoken at length about the arrests and
23 executions of Chantha and <her> grandparents. Do you know how
24 Chantha was led to the Khsach pagoda? <Were reasons> given to
25 <her> <for going> to that pagoda? <Was she told> what was going

1 to happen<>?

2 A. They did not tell and said anything. I heard <from villagers>
3 that Chantha was taken for <a study, while, in> fact, <> Chantha
4 disappeared. <Only> a few days <after her disappearance did we
5 realize what could have happened to her. As for the second
6 occasion>, there were bodies remaining <outside> the <pit>, since
7 perhaps they -- the pit could not accommodate all the bodies.

8 [13.59.41]

9 Q. Did you <>see Chantha's body <at that time> outside of the
10 pits? Or did you witness <her> execution?

11 A. I did not go <close to> the pit. <I saw the bodies from a
12 distance.> I was about 30 metres away from the pit <>. That left
13 me so frightened, <so we> ran back home.

14 Q. What I wanted to know was if you had seen Chantha or <her>
15 grandparents being <incarcerated> or taken to Wat Khsach, and
16 then being executed there.

17 A. I saw <them being executed>. I was frightened and then I ran
18 back home. I was so frightened when I saw it, and I ran back
19 home.

20 [14.01.10]

21 Q. Did you see in what state the body was in? Was there anything,
22 <in particular,> that struck you when you saw the body, in terms
23 of traces of blows that might have been on that body?

24 A. I was so frightened after I saw that<. And> I did not <dare to
25 stay closer. With all my might, I just headed my destination,

1 that was> my house. <I was trembling with fear. I can hardly find
2 anything to compare the moment of fear I had at that time.
3 Having> witnessed that horrible event<, we headed home
4 immediately>.

5 Q. Well, I'll get back to that later. Now, I would like -- well,
6 you said earlier, I'm sorry, that you heard <screaming and
7 crying> coming from the pagoda, and that that had led you to go
8 see what was going on. How long did the people who were taken to
9 the pagoda stay on site? Did they stay there for several days, or
10 only for one day, or only for one night, or for several nights?

11 A. They were brought to the pagoda in late afternoon, and they
12 were not killed at that point in time. And when I <was returning>
13 home, I heard the screaming, so <I went to take a peep at what
14 was going on. Once I got to a certain point, there> I saw <people
15 being beaten to death. I then became so frightened that I asked>
16 Sean Song <to head back> home.

17 Q. Before you witnessed the executions, you said that these
18 people who had been taken there at the end of the afternoon had
19 been detained in the library, if I'm not mistaken. <Was> it
20 possible for these people who had been taken to Wat Khsach to
21 escape<> from the building where they were locked up?

22 [14.04.17]

23 A. <Having suspected that something was going wrong, I returned
24 to my place. That night, after I had heard the screaming, and not
25 being able to withstand that, I went to take a peep. I heard the

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1 screaming of people in agony and> the sounds of beatings. So <I
2 crawled> to secretly have a look. <Once I got to a certain point,
3 I actually saw people being beaten, and knew the origin of the
4 sounds of beating. It was because I had heard the screaming that
5 I went to see what was actually happening; otherwise, I would
6 never know how those people were killed. After I had heard the
7 screaming, I went to take a peep>.

8 Q. Fine. The victims who were beaten up and executed, had it been
9 possible for them to escape from the pagoda to avoid the fate
10 that was awaiting them?

11 MR. PRESIDENT:

12 Witness, please hold on. And Counsel Koppe, you have the floor.

13 MR. KOPPE:

14 I object to this question, Mr. President. This is inviting the
15 witness to speculate. He couldn't possibly know anything about
16 whether people who were detained had any possibility to escape,
17 yes or no. So I object.

18 [14.05.50]

19 BY MR. DE WILDE D'ESTMAEL:

20 Q. Well then I will <simply> rephrase the question, Witness.
21 <Did> you see if the people who were taken to be executed were
22 escorted by people who were armed?

23 MR. UM SUONN:

24 A. Those who escorted them were armed. However, those people were
25 <beaten to death> with a club, a bamboo club, not with any gun.

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1 But the people who escorted them to the temple had weapons, had
2 guns.

3 Q. Now, I turn to the moment where you <>witnessed <or were able
4 to observe> these executions. You said that you were with your
5 friend, Sean Song. <Did> you arrive there with him? And did you
6 leave that site with him at the same <time>?

7 MR. PRESIDENT:

8 Please hold on, Witness.

9 [14.07.20]

10 MR. KOPPE:

11 Mr. President, the witness has been able in the last 25 minutes
12 to continuously contradict himself. First, he said on two
13 occasions that he didn't see executions. Now again he saw
14 executions. Then he saw people in the library. He's now making
15 the assumption that these people who were in the library and were
16 shouting, were probably also executed. It's full of holes right
17 now. So just taking the part that Prosecution is interested in --
18 what?

19 JUDGE FENZ:

20 You're testifying, Counsel. I mean, you're summing up the
21 evidence. You can ask all the questions the Prosecution will not
22 ask.

23 MR. KOPPE:

24 Fine.

25 [14.08.35]

1 MR. PRESIDENT:

2 Deputy Co-Prosecutor, you may continue your line of questioning.

3 And Counsel Koppe, your time will come after the conclusion of

4 the session by the Co-Prosecutors and the Lead Co-Lawyers. And

5 when your turn comes, you can put all those questions for

6 clarification to the witness. And before I hand the floor to the

7 Deputy Co-Prosecutor, in fact the greffier already received a

8 photocopy of the identification card of the witness, and copies

9 will be provided to the Parties, and the original ID will be

10 handed back to the witness.

11 Deputy Co-Prosecutor, you may resume.

12 BY MR. DE WILDE D'ESTMAEL:

13 Q. Thank you, Mr. President. <>I <> take the <that last

14 intervention> as an attempt to <lead> the witness. Of course he

15 said people had been executed. So let me get back to my

16 <question, Witness.>

17 <Did> you arrive there on site, at your observation station where

18 you saw these executions with Sean Song? And did you leave that

19 place with him at the same time, too?

20 [14.10.01]

21 MR. UM SUONN:

22 A. The thing is that, before they were killed, they were brought

23 in late afternoon, and placed in the library hall. And that

24 happened at around 4 o'clock in the afternoon. And in the evening

25 I heard the screaming, and then I decided to go and have a look.

1 And that was the reason I went to have a look. <If I had not
2 heard> the screaming<, I would not have gone there to take a
3 peep>. And Sean Song was with me <so> we went there together. <We
4 were nervous but we went there>. Then we heard the screaming from
5 the execution, <> we <became> so frightened <that> we <decided to
6 run> back home. And next morning we went to see the pagoda again.
7 <I saw the door of> the library hall <was open, and the library
8 hall> was empty. There was nobody there <in the library hall
9 anymore>. And then we saw dead bodies <in> the pit<, while some
10 bodies were outside the pit>. And that's what happened. I don't
11 know what else to tell you. I can tell you only to the limit of
12 what I saw at the time.

13 [14.11.25]

14 Q. Thank you. Witness, please listen carefully to the question. I
15 know <very well> that you <have repeated> several times what you
16 saw, but now we're trying to put questions in a gradual and
17 systematic way. <When> you arrived there on site, and you saw the
18 executions, <were these executions already underway? Had> the
19 executions already started? <>

20 A. Yes. And please listen to me carefully. Those people were
21 brought in late afternoon, and in late evening <on the same day>,
22 or you can say at night time, at about 6.00 or 7 p.m., <I heard
23 the sound of people being beaten. Actually, those people had been
24 brought to the library hall at about 4:00 p.m. that day. And that
25 night,> they were taken out from the library hall and executed.

1 And I heard the screaming of those people, so I decided to leave
2 my house to go and have a look. And yes, <I saw> the execution
3 <being unfolded>. And next morning when I returned, the <door of
4 the> library hall<, the place where those people were detained
5 the previous evening,> was open, and it was empty. There was
6 nobody inside <anymore> because they all had been executed.

7 [14.12.57]

8 Q. Earlier<>, you said that you had watched these executions for
9 <> a while, and then that you returned <home, or> back to your
10 unit where you <slept. When> you <left, when you departed from
11 this> site, were the executions still going on? <Earlier><>, you
12 said that <they> had stopped only at <around 22.00. You,>
13 yourself, around what time did you <go home, did you> leave <this
14 place>?

15 A. To my knowledge, it was clear that the event started from 4
16 o'clock in the afternoon when they were brought in. However, the
17 execution took place at night, and it <was not concluded until>
18 about 10 p.m. And by that time I was so frightened, my body was
19 shaking. And that's when I decided to run back home.

20 Q. Can you assess with a <little> bit <of> precision <- I know
21 you probably did not have a watch at the time --> how long you
22 remained hiding, observing these executions? Do you know
23 approximately how much time went by?

24 A. Of course, at that time I did not wear any wristwatch, and I
25 could give you only an estimate time. <However, I was certain of

1 my estimation.> At that time, although it was dark, but we could
2 recognize one another, and the execution lasted till 10 p.m.,
3 when it was fully dark. And then that's when I decided to run
4 back home. And that was the truth, and I do not know what else to
5 tell you.

6 [14.15.10]

7 Q. <No, that's very good.> That's <just> what we're asking you to
8 tell -- <> the truth. So in your WRI, you said that you remained
9 on site for about one hour. So does that correspond to your
10 memories? Or did you stay there longer?

11 A. I could not say for sure how long it was, because it happened
12 a long time ago. But by the time I was running back home, they
13 finished executing <all> those people. You could imagine that <I
14 was trembling with fear after having witnessed> the execution.
15 <And then> I was <just running for my life for fear that> the
16 executioners would spot us<, and get us killed as well>.

17 Q. How did you manage to come close to the execution site
18 <discreetly> and not be spotted by the executioners, who were
19 <about, you said several tens of> metres away from you? How did
20 you <>hide?

21 MR. PRESIDENT:

22 Witness, please hold on. And Counsel for Khieu Samphan, you have
23 the floor.

24 MS. GUISSÉ:

25 I don't know if I misunderstood, but it appears to me that the

1 witness said that he was about 30 metres away. <I don't know if>
2 I didn't understand the Co-Prosecutor's question well, but I did
3 not hear <tens of> metres away, I heard about 30 metres away
4 coming from the witness. So, I object to the question <if it is
5 poorly worded and> if it relies on erroneous information.

6 BY MR. DE WILDE D'ESTMAEL:

7 I think the lawyer <must have misunderstood.> I said a "few
8 <dozens> of metres. So 30 metres <is, indeed,> a few <dozens> of
9 metres.

10 Q. <>Witness, how did you manage to hide and not to be seen by
11 the executioners?

12 [14.17.53]

13 MR. PRESIDENT:

14 Witness, please hold on. And Deputy Co-Prosecutor, please
15 rephrase your question. The witness already testified <>this
16 morning <that> he was 30 metres away from the execution site, so
17 the distance of 30 metres and <that of> 10 metres <make a big
18 difference>.

19 BY MR. DE WILDE D'ESTMAEL:

20 Q. Mr. President, let me <clarify that> I said a few tens of
21 metres, <which in French means "several times ten metres", and>
22 the question was not <about> the <distance, but rather> on how
23 <>the witness and his friend managed to come close to that place
24 without being seen. Did they hide in <the> bushes? Did they
25 crouch? <That's what I would like to know. Thank you.>

1 [14.18.59]

2 MR. UM SUONN:

3 A. <Actually, I was hiding myself behind a palm tree in order to
4 take a peep at the event>, while my friend was hiding behind a
5 tamarind tree <next to the former Vietnamese pagoda>. And we were
6 about 30 metres away from the execution site. <Song was on one
7 side, and I was on the other side>. We were frightened when we
8 were there. <So then what more can I tell you? The event took
9 place> before our <very> eyes. We actually crawled to the <spots>
10 where we <could take the peep>. We didn't simply walk there. <We
11 crawled towards the spots tactically like what a soldier would
12 do>. And that's what happened and I'm telling the truth.

13 Q. Was there a ditch along the pagoda wall that maybe you used to
14 <advance towards> the execution site?

15 A. I did not go very close to the execution site. I was at about
16 30 metres away. And there was a canal along the fence of the
17 pagoda, <and a pit of 5 metres by 5 metres in size located in the
18 middle of the canal> where I was watching what happened. <Some of
19 the bodies> were <> also <dumped into> that canal.

20 [14.20.54]

21 Q. So, with regard to the main entrance to Wat Khsach, can you
22 tell us where these executions took place, and where this canal
23 was located in relation to <this> main entrance? So, if you look
24 at the pagoda, <as> you <are entering,> how far and in which
25 direction was the execution site?

1 A. It was to the east of the pagoda's fence. There was a canal
2 along the fence, and the canal was <just about> three metres
3 <away from the fence>.

4 Q. So, from the place where you were stationed<> behind <your>
5 palm tree <and from the canal>, did you have good visibility <of>
6 the execution site? Could you see the executioners and the
7 victims at the same time? And was the place lit?

8 A. Yes, there was <a light>. They used <a kerosene hurricane
9 lamp> to light up the <area>. Although I was 30 metres away, I
10 could see <what was happening> clearly. <Having seen the event
11 unfolded before my very eyes, I became> so frightened <that,
12 after> a while<>, we decided to crawl back and then ran back
13 home.

14 [14.23.05]

15 Q. <Could> you also hear from where you were what the
16 executioners were saying? Could you also, obviously, hear the
17 cries or what the victims were saying?

18 A. Yes, I heard them cry and I heard them scream. And as I stated
19 earlier, <if I had not heard the screaming and crying, I would
20 not have known about the execution. Because of the screaming and
21 crying, we> crawled, we bent our heads, and we tried to <take a
22 peep at> what <was happening>. And of course, I saw the
23 executioners.

24 Q. <Did> these executioners ask questions to the victims before
25 <they were executed>?

1 A. They only asked at the beginning. <I actually heard their
2 question>. They <were referring to> those people of <"the 'Yuon',
3 the fish head">. They <were not being referred to as> the
4 <>"Vietnamese", but <> the <>"Yuon". <Just after that, I then
5 heard the sound of beating. The victims were walked to be killed
6 one at a time. The person who carried out the execution and the
7 one who walked the victims to be killed were different people.
8 This happened before my very eyes. The distance of> 30 metres
9 <was not that far>, I could see the event unfolding clearly. <It
10 was not completely dark yet by then>.

11 [14.25.02]

12 Q. Did the executioners only accuse these people of being "Yuon"?
13 Or did they ask them if they were "Yuon"?

14 A. They did not ask many questions. They only asked a few words,
15 and then I heard the beating, and then I heard the screaming. And
16 I myself was <trembling with fear as we were only taking a peep
17 at the event. However, I waited until they finished the execution
18 before> I ran back home.

19 Q. <Because you were afraid and> you were trembling, <>did you
20 <have> the <courage> to watch all of the executions <that
21 occurred> when you were hiding? Or did you <instead look> away
22 <to not have to> witness<> this <tragic spectacle>?

23 A. I <remained> there until the execution died down. Then I bent
24 my head, I crawled back and then I ran back to <my worksite in
25 the> cooperative. <I> was trembling <with fear>, and that night I

1 could not sleep till morning. <I was horrified by what had
2 happened>.

3 [14.26.54]

4 Q. Do you remember having seen that all of the people <> brought
5 to the execution site were executed? Or were <>one or several of
6 these people <> separated from the <those> who were executed, and
7 therefore <not killed>?

8 A. I did not see that. As I said, later on everything was quiet,
9 and nobody was let out to go anywhere. As I stated, <the next>
10 morning I went there again to <collect more information. I only
11 saw an empty> library hall <> and the door was <left wide open>.
12 And as I said, <last time, I noticed that the library hall was
13 packed with> people<>. I <noticed that some of them were crying,
14 and some others were waving their> hands <through the windows. I
15 could not hear what they were actually trying to say, but they
16 were trying to say something>. And later on that night<, having
17 heard the screaming, I> decided to <go and take a peep at what
18 was happening. That was how I saw what was happening>.

19 [14.27.24]

20 MR. PRESIDENT:

21 Witness, you have been reminded several times that you should
22 limit your response to the questions, rather than to provide a
23 lengthy description which was not necessary, and which would make
24 you tired. <Moreover, repeating yourself over and over is just a
25 waste of time.> You should prepare yourself to respond to many

1 more questions during the period of your testimony.

2 [14.28.42]

3 BY MR. DE WILDE D'ESTMAEL:

4 Q. <When> you were observing the execution site, did you hear
5 victims saying that they were Chinese and not Vietnamese?

6 MR. UM SUONN:

7 A. No, I did not hear that. I only heard the word "Yuon" used,
8 but I did not hear anything in relation to Chinese.

9 Q. Based on what you know, <>after the <massacres -- I think you
10 spoke of two such instances -- after these executions> at the
11 Khsach pagoda, in your village or in your commune, or even in
12 your district, Chi Kraeng, were there still people of Vietnamese
13 origin? Or <were there no more left>?

14 A. They disappeared and never returned. They were all executed.
15 No one was spared. And the names of those whom I knew <in the
16 village who had been taken for execution> never returned as well.
17 They were all killed in that pit.

18 [14.30.36]

19 Q. Does that mean that <the> children and babies were also
20 executed? <And did> you see children <or little> babies being
21 executed? And if yes, how were they executed?

22 A. I want to tell the Court that <babies> or children were held
23 <by their legs>, and <> smashed against <> coconut trees<, and
24 thrown on to the existing pile of bodies. I saw that with my own
25 eyes.>

1 Q. How about <the> older children? Were they <struck with a>
2 bamboo <stick>? Or <were> they <>also <> smashed against <>
3 trees?

4 A. <As for> older <> children, they <were beaten to death with a>
5 bamboo club. As for toddlers, they were held <> by their legs and
6 smashed against <> coconut trees. Five-year-old or six-year-old
7 children were <beaten to death> with <a> bamboo club.

8 Q. Did you ever hear in the village any soldiers, or Khmer Rouge
9 cadres, or members of your mobile unit, say that those
10 <Vietnamese> children and babies <>were a threat to the
11 authorities?

12 A. I do not know on this particular point.

13 [14.33.35]

14 Q. During the period in question, <who was> the chief of Yeang
15 village? Do you remember <his> name?

16 A. I knew the name of the village chief at that time. His name
17 was Doeung (phonetic) or <Kandoeung (phonetic)>. This village
18 chief passed away already.

19 Q. Was there <also> another cadre called Soy or Say <in> Yeang
20 village in Sangvaeuy commune?

21 A. There was a person by the name Soy back then, who was the
22 deputy chief. Doeung (phonetic) was the <village> chief<>, and
23 Soy was the deputy chief. They are all deceased. They are all
24 deceased.

25 [14.35.08]

1 Q. Did you ever hear Doeung (phonetic) or Soy make any remarks
2 regarding <orders> they may have received to assemble <these>
3 Vietnamese in the <Wat> Khsach pagoda?

4 A. <It was the task of the> village chief<>. I <was> not quite
5 sure <of this. However, the matter was well versed by everyone
6 throughout the village. As to> me, <since> I was instructed to go
7 this and there, <> I did not know for sure what was happening.
8 <But I did witness the event during which people were being
9 executed>, as I said <earlier>.

10 Q. You <spoke of> the manner in which people were executed, and
11 you spoke <mainly> of bamboo clubs <for> adults and children of a
12 certain age. They were struck with <them>. Were there any people
13 who were disembowelled and whose gall bladders were extracted?
14 <You already spoke of that this morning, I think.> Can you
15 provide <us> <details> on that?

16 A. The grand-daughter of Yeay Ma's abdomen was cut open, and the
17 gall bladder was removed from her -- that is, the gall bladder of
18 Chantha <who was then a grown-up and virgin girl>. And the gall
19 bladder was hung on the coconut tree's leaf. There were quite a
20 number of gall bladders and I did not know how many people's
21 abdomens were cut open and their gall bladders were removed.
22 Actually, <they only removed> gall bladders <from grown-up and
23 virgin girls>.

24 [14.38.06]

25 Q. <On> the evening that<>those executions <took place>, did you

1 yourself see anyone extracting gall bladders from victims who had
2 been disembowelled? Or <did> you only <see> the<> gall bladders
3 the following morning when you returned to the scene?

4 A. I <only> saw the gall bladders <being> hung on the <wall. I
5 did not witness any of the actual disembowelment. They could have
6 done that silently only among themselves. Quite a number of
7 people could have been disembowelled, and removed of their gall
8 bladders due to the fact that I saw a bunch of> gall bladders
9 <attached to one another by a piece of barbed wire hanging on the
10 wall>.

11 Q. My question<> was, <did> you <see> <them hang these> gall
12 bladders <that very> evening<, at the time of the> executions? Or
13 <did> you <see> <these gall bladders hanging> the next <>morning,
14 when you returned to the <site>?

15 A. After the execution, <when> I went to that execution site <the
16 next day, I saw> the gall bladders.

17 [14.40.06]

18 Q. <And do> you have an idea as to the reasons <that led> the
19 executioners <to> extract<> the gall bladders of those victims?
20 Did you hear anything <at all> on the subject? Was there any
21 symbolism behind <all of this>?

22 A. I have no idea why they did such a thing. In fact, as I said,
23 I saw <the> gall bladders. <However, I did not know for what
24 purposes> the gall bladders were used <>.

25 MR. PRESIDENT:

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1 It is now the break time, and the Chamber will take a short break
2 from now until 3 p.m.

3 Court officer, please assist the witness during the break time in
4 the waiting room, and please invite him back to the witness stand
5 in the courtroom at 3 p.m.

6 The Court is now in recess.

7 (Court recesses from 1441H to 1500H)

8 MR. PRESIDENT:

9 Please be seated.

10 The Court is now back in session and again the floor is given to
11 the Deputy Co-Prosecutor to put further questions to the witness.

12 You may proceed.

13 BY MR. DE WILDE D'ESTMAEL:

14 Q. Thank you. Witness, I will not be too <much longer>. I have a
15 few questions first regarding the executioners whom you saw
16 execute the Vietnamese <at the site>. Can you <estimate> about
17 how many executioners were on site, <> including those who
18 escorted the victims towards the execution site as well as those
19 who actually carried out the executions <themselves>?

20 MR. UM SUONN:

21 A. I saw a group of three <men:> two <men were in charge of
22 escorting people>, and <the other> one was the executioner.

23 [15.02.42]

24 Q. <Do> you mean <that> there were only three people in total<,
25 or that> the group was <larger but they would come <each time>

1 with two people <who escorted> and one <who killed? Could> you
2 <clarify> if there were several groups of three people or only
3 one?

4 A. <Regarding the incident> I saw, <> a person <was> being walked
5 <with his hands tied behind his back in-between> the two men
6 <towards the pit, while> the <other man who was the executioner
7 awaiting by the edge of the pit. The moment the person was
8 brought to the pit, he was beaten. The two men then returned to
9 bring in another person. And the moment, the new person was
10 brought to the pit, he was beaten and dumped into the pit. From
11 what I saw, the ones who escorted people to be killed and the one
12 who carried out the execution were different people>.

13 [15.03.55]

14 Q. <And so,> was it <>the same executioner <each time who> would
15 carry out the <executions> or would they <> rotate?

16 A. They rotated. They actually took turn to execute the people.
17 <Among the> three men<,> they> actually rotated to <carry out the
18 executions>.

19 Q. <Based> on what you saw, were <they> soldiers or militiamen?

20 A. They were not soldiers; they were <actually> the <militiamen>
21 who <were in charge of the area>. I knew <those executioners.
22 One> of them <was Khot (phonetic)> and <another one was> Muy
23 (phonetic); however, they are all dead.

24 Q. The French translation was a bit unclear. We heard that you
25 were saying that they were not soldiers, and then <> that they

1 were soldiers and <that> among them <> were Khut (phonetic) and
 2 <Muoy > (phonetic) <Could> you clarify again? <Were> they
 3 <>soldiers from the <> army or from the <region>? <Were> they
 4 militiamen? And I believe you said earlier that those who
 5 escorted <them>were armed. <Could> you, yourself, <>tell to
 6 <which level,> which unit these <people, these> executioners
 7 belonged?

8 A. At the pagoda, <> a military unit <> was <also> based there<,
 9 mingled with> a group of militiamen <>.

10 [15.06.45]

11 Q. And <those who were carrying out the executions>, were they
 12 <both> soldiers and militiamen <>or <was it only> one of those
 13 <two> groups <stationed at the pagoda>?

14 A. They were in the same unit and they <stayed> there together.

15 Q. <Approximately how> old were <these servicemen and these>
 16 soldiers <who carried out the executions>?

17 A. From my observation, Comrade <Muy> (phonetic) and <Khot>
 18 (phonetic) could be <either> in their 60s in <> or late 50s <at
 19 the moment>. This is my rough estimate only. But these
 20 executioners are all dead.

21 Q. Khut (phonetic) and Muoy (phonetic) whose names you
 22 mentioned, <did> they <report to> the <>commune <- Kuot
 23 (phonetic), as you say --> or the district?

24 A. I do not recall whether they belonged to the commune or to the
 25 district. When I am not sure, or <> I do not know <something,> I

1 will say that I do not know.

2 [15.09.13]

3 Q. <Yes, that's very good>. <Regarding> the number of victims, I
4 would like to make a distinction<>, and you will assist me,<>
5 between <what you --> the number of people <> executed <that you,
6 personally,> saw <> and <>the <overall> number of people who were
7 in the library. First, <could> you tell us, during the period of
8 time when you observed the executions, <approximately> how many
9 people <>were executed <near> the pit and <> the pagoda fence?

10 A. I saw several of them but I did not count how many there were.
11 However I <noticed that> the library hall <was packed with>
12 people and <to> my estimate<, there were> about 25 <people in the
13 library hall>.

14 Q. <Well, I think you lost me there>. <The number of people
15 estimated at 25<>, <is that> the <number of> people <that> you
16 saw being executed or <is it> the <number of> people <you saw or
17 that you estimated> were in the library?

18 A. I <only> provided you with an <estimated> number of <> people
19 in the library hall<; however,> I cannot tell you <other numbers>
20 since there were two <different> phases of the killing.

21 [15.11.20]

22 Q. I will get back to the second phase later. When Sean Song
23 testified here, <everyone will remember,> <> spoke about a range
24 of 50 to 60 people whom he saw being executed, and he <had>
25 provided higher figures before. He had spoken of <> 70 <or> 80

1 people, <and of> 100 <people>. <Both> of you observed <>the same
2 <events>. <Is> there anything that can explain <this> difference
3 in the assessment of the number of people who were executed
4 there?

5 A. As I stated I did not count, however it is my estimate that
6 there were <about> 25 people in the library hall. <Later> on
7 people were brought in and executed there <and dumped in the same
8 pits. There were two ponds: a well-pond and a big pond. As> for
9 the second killing<, although I did not witness it, people were
10 actually brought in and killed there as well. The ponds were full
11 of bodies, and some bodies were even spilling onto the ground,
12 and the edge of the ponds. It> was a mass killing and the <number
13 of people killed could be in hundreds>. However, as for the
14 <occasion> that I <heard> the screaming and <later witnessed> the
15 execution, <> I <actually> saw <about 25 people only> in the
16 library hall <>.

17 [15.13.20]

18 Q. You spoke about a pond. Was this pond located within the Wat
19 Khsach compound or outside?

20 A. It was located outside the compound of Khsach pagoda and the
21 well was also located outside the pagoda but it was located
22 <right next> to the fence of the pagoda.

23 Q. You spoke about two <incidents>. <Was> the <one> you
24 witnessed<, so the executions you witnessed, was this>the first
25 time that an execution took place or was <it> the other event -

1 <you described > several hundred people executed <en masse --
2 this other event took> place before<. So> which event came first,
3 the one during which you saw the executions or the <other one>?
4 A. Regarding the episode where the people were executed and put
5 in the pond, I only saw dead bodies during the day time and I did
6 not witness the killing and only later on for the second episode
7 that <was> when I witnessed with Sean Song the execution of those
8 people together with Ta Khut <> and Chantha.

9 [15.15.30]

10 Q. Fine. Let me now turn back to the second event<, the one>
11 which you witnessed. You said that you had gone back afterwards
12 <>the night of the executions<, to the site>. <Why> did you <have
13 the opportunity, or why did you >go back to that place<? What>
14 was the purpose and were you <authorized> to do so?

15 A. I went to that area and I did not enter the office<.> I
16 remained outside the <fence> of the pagoda <> when I <was
17 looking> at the library hall<. I was just browsing around in
18 order to make more observation.> I saw that the door was open and
19 the hall was empty. <And> I of course knew that the people who
20 <had been> brought in yesterday afternoon were executed that
21 night. <In> the morning <on> the next day, when I was there, I
22 saw the dead bodies <in> the pit<, on the edges of the pit and
23 the well. The bodies were not buried. They were there on the
24 ground.>

25 Q. <The> next day, did you see militiamen or soldiers within the

1 pagoda compound or <had> they also <left> the premises?

2 A. I saw them sitting in their office inside the compound of the
3 pagoda. They wore black uniform but I did not dare enter the
4 compound of the pagoda, I only walked along the fence of the
5 pagoda.

6 [15.17.38]

7 Q. So you saw gall bladders that were drying up on the fence or
8 on a tree<>. What else did you see at the place where the
9 executions had taken place? Were there any other traces of the
10 execution<>?

11 A. Yes, I saw gall bladders hung up against the coconut <> leaf
12 wall<.> I saw clubs -- bamboo clubs, <and> wooden clubs left
13 there.

14 Q. And did you see bodies or was the pit <filled in>?

15 A. The pit was covered but it was not fully covered. I could see
16 limbs exposing from the earth.

17 Q. Were you able to recognise Chantha's body that day? Or <did I
18 misunderstand> what you <>said before?

19 A. <Since the bodies had already been> placed in the pit<,> of
20 course I did not look inside the pit<.> I <walked by from afar;
21 moreover, there were many bodies>.

22 Q. So let me turn back to the first <incident>. You said that
23 <there were> hundreds of people <who> had been executed. Do you
24 have <information> regarding these people who <had been>
25 executed? Were they<,> as during the second incident,> also

1 Vietnamese? And if that is the case, on which <facts are> you
2 <basing> your statement>?

3 A. Because I knew Ta Khut, Yeay Ma and Chantha clearly.

4 [15.20.58]

5 Q. Fine. Let me <go> back to my question<, which was poorly
6 worded>. In fact, you <said> that there were two <periods during
7 which> there were executions at Wat Khsach. <You> said <-- you
8 estimated> that there had been <> 25 people <>executed the
9 <evening> when you witnessed <some of> the executions, and you
10 also said that, before that, at the Wat Khsach pagoda, there had
11 been other executions, and you mentioned that there was a pond
12 and a well, and you <estimated> that there were <hundreds of>
13 bodies that had been <buried or> thrown <into this> pond and into
14 <this> well. <Were> these people who <had been> executed and
15 thrown into the pond or the well <also> Vietnamese, or not?

16 A. I could not see it clearly. I did not know whether <> all <of
17 them were> bodies of Vietnamese or it was a mixture of
18 Vietnamese, Khmer or Cham people and I did not dare to go closer
19 than that.

20 [15.22.28]

21 Q. Earlier I read <to you> the statements of Laun Khun, who
22 explained that her husband of Vietnamese origin, <>her
23 <parents-in-law, the brothers and sisters of her husband> as well
24 as <their> children, had been executed at Wat Khsach, and you
25 said that this event was part of the first <event,> the first

1 mass <executions> at the pagoda. <Did> I understand properly what
2 you said, that is to say that Launh Khun's family was killed at a
3 different moment from Chantha's family?

4 A. They were related to Chantha and his name was Launh Khun as he
5 was related to the Vietnamese.

6 MR. DE WILDE D'ESTMAEL:

7 Well,<> I think I will stop here. Thank you very much, Witness,
8 for having answered my questions. I'm now going to <let> the
9 civil party lawyers <have the floor, Mr. President>. Thank you
10 <>.

11 [15.24.05]

12 MR. PRESIDENT:

13 Thank you, Deputy Co-Prosecutor; and I would like now to hand the
14 floor to the Lead Co-Lawyers for civil parties to put questions
15 to the witness. You may proceed.

16 QUESTIONING BY MS. GUIRAUD:

17 Thank you, Mr. President. Good afternoon, Witness. My name is
18 Marie Guiraud. I represent the collective of the civil parties in
19 this <trial> and I have a few very short questions to put to you
20 this afternoon.

21 Q. You said earlier that two types of people had taken part in
22 the execution and, in particular, in the execution of Chantha.
23 There were people <> who were part of a military unit that was
24 stationed at the pagoda and there <was> also <a group of>
25 militiamen. <Did> I understand <your testimony> correctly?

1 MR. UM SUONN:

2 A. Yes, that is correct, I agree with your statement.

3 [15.25.10]

4 Q. <Was this military unit that you spoke about stationed at the
5 Khsach pagoda?

6 A. Yes, they stationed in the Khsach pagoda.

7 Q. Do you remember when this military unit arrived in Khsach
8 village?

9 A. From my understanding and recollection, <they stayed there
10 from> 1975 <> through '76, '77, '78 and '79.

11 MR. PRESIDENT:

12 Witness, please hold on; there is no sound going through the
13 Khmer Channel.

14 (Short pause)

15 [15.26.41]

16 MR. PRESIDENT:

17 Lead Co-Lawyer for civil parties, please repeat your last
18 question since there was a technical glitch where the Khmer
19 channel was not heard through.

20 BY MS. GUIRAUD:

21 Q. I believe my last question was when did the military unit
22 arrive in Khsach village?

23 MR. UM SUONN:

24 A. <They stayed there from late> 1975 <> through 1979.

25 Q. <Was> the military unit stationed on a permanent basis in the

1 village and stationed at the pagoda, do you remember?

2 A. Yes. <Their permanent basis> in the village <was stationed
3 within> the pagoda. <They stationed there for a long time.>

4 [15.27.58]

5 Q. Did you know back then where this military <unit> came from,
6 from the district, from the region? Did you have any
7 <>information in that regard back then?

8 A. No. I did not know from which level they came or which zone
9 they came or whether they belonged to the district or commune
10 level. I could <> remember some comrades <who based there. They
11 were comrades Ri (phonetic)>, Soeun (phonetic) and <Lun
12 (phonetic) was the chief>.

13 Q. What kind of duties did they perform?

14 A. They were overall in charge of the local administration,
15 including the commune and the district. This group of people were
16 overall in charge <of> the area.

17 [15.29.18]

18 Q. Thank you. Earlier you spoke about Khut (phonetic) and Muoy
19 (phonetic), whom you knew and who, according to your memories,
20 took part in the execution you described. Can you tell us if Khut
21 and Muoy <(phonetic)> were members of the military unit or of
22 the militia?

23 A. They were militiamen. I <am referring> here to <Khot
24 (phonetic)> and <Muy (phonetic)>; they were militiamen <attached>
25 to the commune. <While Ri (phonetic), Lun (phonetic)> and Soeun

1 (phonetic) were at <a> higher hierarchy and they were overall in
2 charge <of the area>. I did not know from where <Comrade Ri>
3 (phonetic) came, but <Comrade Soeun (phonetic)> came from Kampong
4 Cham <> province.

5 Q. And did I properly understand your testimony when you said a
6 while ago that you recognised Khut (phonetic) and Muoy
7 (phonetic) among the persons who had carried out the executions
8 of persons of Vietnamese origin? Is that, indeed, what you said
9 <earlier>?

10 A. Yes, that's what I testified just a while ago.

11 [15.30.47]

12 Q. Did you subsequently see Khut (phonetic) and Muoy (phonetic)
13 in the village -- <> after the <executions> -- that is, before
14 January 1979?

15 A. Later on, I saw them for a brief moment <while they were
16 slaughtering a pig> for meat in Kampong Kdei <commune> and I did
17 not see them from that time onwards. <They could have been taken
18 away and killed somewhere. They just disappeared.>

19 Q. Did you hear any <type of information at all> after the
20 executions regarding what had happened at <the> Khsach pagoda and
21 the involvement of Khut (phonetic) and Muoy (phonetic) <>? Is
22 that something that was discussed thereafter?

23 A. No, it appears not. <I never heard any individuals by the
24 names of Mouy (phonetic) and Huot (phonetic). I just heard of the
25 two individuals I mentioned earlier. I never heard of the persons

1 you mentioned.> I did not know <from> where he was <>.

2 [15.32.48]

3 Q. To be <clear>, did you recognise any other <people that
4 evening,> other than Khut (phonetic) and Muoy (phonetic), <among
5 the> executioners<, as you call them>?

6 A. No one else.<.> I <saw only Khot> (phonetic) and Muy
7 (phonetic). <However, as I mentioned the three individuals -
8 Soeun (phonetic), Ri (phonetic), and Lun (phonetic) were, in
9 general,> in charge of the area<; and they stayed in the pagoda
10 compound>.

11 Q. And as regards the other event which you described <a bit>
12 earlier <> to <> the Co-Prosecutors -- that is, the massacre of
13 <about a> hundred<> people <near the pond>, <do> you have any
14 other information <at all> regarding <the people, the
15 perpetrators of that> massacre<>?

16 A. I <had> no idea <of any event that happened by a> lake. I <was
17 only aware of what had happened by> a pond <and a well located
18 right next the fence of the pagoda. I did not know of any event
19 that happened by a lake.>

20 [15.34.24]

21 Q. And <at the time>, did you know who carried out those
22 executions <next to the pond>?

23 A. No, I do not know.

24 MS. GUIRAUD:

25 Thank you, Witness; I have no further questions<>, Mr. President.

1 MR. PRESIDENT:

2 Thank you. Now the Chamber gives the floor to the defence teams
3 to put questions to the witness, starting first from the defence
4 team for Mr. Nuon Chea, you have the floor now.

5 MR. KOPPE:

6 Thank you, Mr. President.

7 Mr. Witness, I shall be very, very brief today. As a matter of
8 fact I only have one question that I would like to put to you
9 because, with all due respect, I don't believe a word of your
10 story. So I am putting it to you that as a matter of fact you
11 never witnessed any executions between '75 and '79, you never saw
12 any dead bodies near Wat Khsach, you never heard any prisoners in
13 the library of the Wat. As a matter of fact, the situation was
14 like one of the witnesses described-

15 [15.36.04]

16 MR. PRESIDENT:

17 Counsel, please do not use this forum to make your own conclusion
18 on the testimony of this witness. By doing so, you will try to
19 frighten the witness and make him lose confidence before the
20 Chamber. <You are given the floor to make inquiry about the
21 facts.> You are not entitled to make a conclusion on the
22 testimony of this witness. There will be time where you can make
23 your conclusion.

24 MR. KOPPE:

25 Very well, Mr. President, but I think I am allowed to ask the

1 question whether it's not true that in fact he never saw any
2 executions, he never saw any dead bodies at the pagoda, and he
3 never saw any--

4 [15.36.52]

5 MR. PRESIDENT:

6 I have heard your conclusion. I have observed that the other
7 Party on the other side of the Bench have put questions to this
8 witness and once again you please do not use the avenue to make
9 conclusion of the testimony by the witness and please do not use
10 any strategy to make the witness before the Chamber lose
11 confidence <during the cross-examination>. You are entitled to
12 put questions to this witness and try to prove what is not true
13 in the statement. You are not entitled now to make conclusion,
14 there will be time at the end for you to make a closing
15 statement.

16 [15.37.51]

17 MR. KOPPE:

18 So are you saying, Mr. President, that I am not allowed to ask
19 the question whether the witness is in fact lying?

20 MR. PRESIDENT:

21 You are not allowed to put such a question.

22 MR. KOPPE:

23 Fine.

24 MR. PRESIDENT:

25 Now it is time for the defence team for Mr. Khieu Samphan, you

1 have the floor.

2 [15.38.25]

3 QUESTIONING BY MS. GUISSÉ:

4 Thank you, Mr. President. I, for my part, have a number of
5 questions to put to the witness.

6 Q. Good afternoon, Witness. My name is Anta Guissé, I am
7 International Co-Counsel for Mr. Khieu Samphan. <It is> in this
8 capacity <that> I will put a number of questions to you. For a
9 start, may I request you to pay particular attention to <the>
10 questions I will put to you. I will try to ask short and precise
11 questions <> and may I also ask you to <also> respond to <my>
12 questions as <> precisely as possible.

13 The first question has to do with your life experiences. You said
14 that during <the> Democratic Kampuchea regime, you were a member
15 of a mobile unit; did I properly understand your testimony?

16 MR. UM SUONN:

17 A. Yes indeed, I was in a mobile unit in a cooperative in a
18 village.

19 [15.39.44]

20 Q. Can you tell the Chamber what were your duties <> in that
21 mobile unit, what were you doing <exactly>?

22 A. I was <instructed> to cut the "kantreang khet" plants to make
23 fertiliser<, carry cow dung,> and <when it was necessary,> I was
24 also instructed to <catch> fish <for the cooperative>. I had no
25 free time. Mostly I was stationed close to the river within the

1 area of my cooperative.

2 Q. Can you say whether those <activities> were <the activities>
3 you <had throughout> the <entire> Democratic Kampuchea <period>,
4 from 1975 to 1979? Did you carry out the same duties <> during
5 that <entire> period?

6 A. I was assigned to stand guard at night time and I had night
7 shift work standing guard in the village <and commune. During the
8 regime, we were assigned to stand guard the village.>

9 [15.41.18]

10 Q. In what capacity did you stand guard<, exactly,> and where
11 <did you stand guard>? <Excuse me>, Witness, <I would like to
12 remind you> that you should only speak when your microphone is
13 on; otherwise, <we do not> hear you.

14 A. No <firearm>, I had no <firearm> with me <while fulfilling my
15 duties>. I had <only a knife, a machete, or an axe.> At the time
16 <> no <firearm was distributed to us>.

17 Q. The exact question I put to you was in what capacity did you
18 stand guard? Were you <part of> a militia<>?

19 A. I was <an> ordinary citizen; however, I together with other
20 <males in the village were> assigned to stand guard <> the
21 village.

22 Q. I haven't received any interpretation in French.

23 A. We citizens had <to do shift work> to <stand> guard <the
24 village> at night time; <each of us was> assigned to stand guard
25 <> for <one> hour<, one hour and a half or two> hours per night.

1 <> During the day time <in the cooperative, we were> assigned <>
2 to make fertiliser out of "kantreang khet" plants. If <anyone had
3 failed to do his task, he would not have received his food
4 ration. However, during the regime, we were provided with only
5 gruel mixed with banana stump, morning glory. Each meal time, we
6 were given only a ladle of gruel. It did not matter whether or
7 not we had enough to eat, that was all we could have>.

8 [15.43.34]

9 Q. Witness, may I again repeat to you that I am trying to put
10 precise questions to you and I would like you to answer those
11 questions as precisely as possible. <You answered several
12 questions before; I> heard your <>responses<.> <>I would like you
13 to listen to my questions very carefully. <So, you> were in
14 charge of <> standing guard<. Who told you to stand guard?> <Was
15 it people related to the military unit or the militiamen> you
16 referred to <earlier?>

17 A. <It could have been the> village chief<, the militia unit
18 chief,> or the chief of <10-household> unit <who> assigned us to
19 <take turns to> stand guard <the village every night>.

20 Q. And where were you assigned to stand guard, in what part of
21 the village were you assigned to stand guard?

22 A. I was assigned to stand guard along the <roads within> the
23 village. I was not told to stand guard in the pagoda since guards
24 in the pagoda were armed with weapons. <If anyone happened to
25 enter the pagoda at night, he would be shot dead as there were

1 armed guards in the pagoda. Actually, people could go in and out
2 of their office> during the day time but <it depended on those
3 people themselves.> <People were not> allowed to <go to their>
4 worksite <at night time>; however, they <could only hang out
5 around their home>.

6 [15.45.45]

7 Q. Where did you go to sleep in the evening? Or <rather,> I
8 <will> put the question in other terms. Up to what time did you
9 work during the day, what were your working hours during the day?

10 A. Actually<, for example, if we were> a group of <five members,
11 each of us would do a two-hour shift to guard the village, and>
12 we <returned to our respective houses at dawn>.

13 Q. You haven't answered my question <>precisely<>. <Therefore,
14 let> me repeat it>. What were your working hours during the day?
15 You <> <talked> about <your> work <before> in the cooperative
16 <looking><> for <materials to make fertilizer and fishing.> I'm
17 asking<, during the day, what were> your working hours<? I will
18 talk again about> what you did as a guard later on. <For> now,
19 <I'm talking about> your working hours <during the daytime>.

20 A. No. During the day time I did not stand guard. <During the
21 day, we> were <assigned to> work in different work <stations. As>
22 I said, we were assigned to stand guard <the village by taking
23 turns only at night>.

24 [15.47.29]

25 Q. I have indeed understood that, Witness. During the day, you

1 collected manure <or> you went fishing<. My> question<, and I am
2 asking you to listen very carefully to my question - my question>
3 is: what were your working hours <when you were working with
4 fertilizer or> fishing<>? <Those are the schedules I'm asking you
5 about. Fertilizer and fishing.><>

6 A. It depended on the situation. Sometimes I would leave for work
7 <in> the morning<, and would not return> until late evening. <And
8 on some occasions, I returned from work early in the evening. My
9 working hours varied>.

10 Q. At the very earliest, at what time did you return to the
11 village? That is in general terms, <>you <are telling me> that
12 sometimes you <finished> late and other times you <finished> your
13 work <earlier>. When you <finished early>, <what time did you
14 finish>?

15 A. The latest <I would return from work> was <5 p.m.> Sometimes I
16 would return to my village <just> before <5 p.m. As I said, it
17 was not fixed>.

18 Q. And when you returned home earlier <> to the village, did you
19 go straight to your home?

20 A. Yes, you are right. <I went straight home. If I had not done
21 so, I would not have received my ration of the gruel, especially
22 when it was meal time. No rice was provided, but only gruel mixed
23 with banana stump and morning glory>.

24 MR. PRESIDENT:

25 Mr. Witness, please try to limit your answer; do not try to

1 expand your answer. Answer what you are asked. <You were not
2 asked at all about the gruel mixed with banana stump and morning
3 glory>.

4 [15.49.46]

5 BY MS. GUISSÉ:

6 Q. <My> question was: after your day's work, when you returned
7 home earlier, did you go straight to your house? <Is that right?>

8 MR. UM SUONN:

9 A. Yes, I <> went <straight> home.

10 Q. You stated that <there was a> time <to eat> meals. So my
11 question is as follows: at what <> time did you <usually> have
12 your meals in the cooperative?

13 A. Sometime we had dinner at 5.00 or 6 p.m. after the bell was
14 rung and if we were late to dinner we would have nothing to eat.

15 [15.50.47]

16 Q. You <mentioned> a bell; <should> I understand that everyone
17 ate at the same time?

18 A. Yes, that is right.

19 Q. Tell me, where did you sleep in the evenings and how far was
20 that place from the Khsach pagoda?

21 A. We slept in our respective houses but we had to go <and eat
22 collectively at the cooperative>.

23 Q. I will ask the same question again. How far was the place
24 where you slept from the pagoda? <How far was> your home<> from
25 the pagoda?

1 A. It was about 300 metres away from my house to the Khsach
2 pagoda.

3 Q. Between 1975 and 1979, did you <keep> the same home throughout
4 the period?

5 A. Yes, I stayed at the same home.

6 Q. And now, how far was the canteen where you ate from the
7 pagoda?

8 A. It was quite far. It was further away compared to my house to
9 the pagoda <which was 300 metres>; perhaps the distance <between
10 the dining hall and the pagoda> was about 500 metres.

11 [15.53.13]

12 Q. When you ended work early, did you go directly to your home or
13 <did you go> straight to the canteen?

14 A. After work, I <usually> went home directly. <However, the
15 moment I heard the bell,> I would <rush> to <> the dining hall
16 <with a plate>. I <had to rush>; otherwise, <there would be
17 nothing left> for me.

18 Q. I would like us now to talk about your comrade, Sean Song. You
19 have stated that you were close. <My question is:> how far was
20 <his home from> your home<>?

21 A. <His house> was about 100 metres away <from mine. We hanged
22 out together>. We worked together<; however,> at the time he was
23 younger than <I was;> and he was also smaller than me.

24 Q. When you say that you worked together, does that mean that he
25 <was> also <with you> <taking care of fertilizer> and <>

1 fishing<>?

2 A. <Sean Song> did not go <fishing> with me; I went <fishing>
3 with <only the individuals by the names of> Ching (phonetic) and
4 <Muth> (phonetic). Sean Song never <went out fishing with me>.

5 [15.55.20]

6 Q. In that case, can you explain what you mean when you say that
7 "we worked together"?

8 A. In fact, he and I went to <take a peep> what was happening
9 <together>.

10 MR. PRESIDENT:

11 Mr. Witness, please listen carefully to the question before you
12 give your answer. I have reminded you from time to time about
13 this matter.

14 BY MS. GUISSÉ:

15 Q. Let me repeat my question. When <I spoke to> you <about> Sean
16 Song earlier, you <said to me,">"we worked together<". So, my>
17 question is: if he did not work with you when you went fishing
18 and <> gathered <fertilizer>, what <did> you mean when you
19 <said,> "we worked together"?

20 MR. UM SUONN:

21 A. <Once in a while,> he was with me; in fact, we were not
22 together all the time all day. We <were assigned to different
23 tasks>. For instance<, we worked together today, and it was
24 certain that we would work separately tomorrow and the day after
25 tomorrow. We had different tasks to work on>.

1 [15.57.04]

2 Q. And do you know in what unit he was working and what <> he
3 did?

4 A. We were in <the same child unit, but we> had different <tasks>
5 to perform. <For example, a member could be assigned to> tend
6 cows<, while> the other one had to go and make the fertiliser.

7 Q. I take it from your answer that he was in charge of <the>
8 <livestock>; is that correct?

9 A. Yes, you are right. He was in the group in charge of herding
10 cattle and cows and I was assigned to <perform economic tasks> in
11 <the> cooperative. <We had> different tasks. But sometimes we
12 were together particularly we were having meal together.

13 Q. I would like us to talk about your second job since you said
14 that you were also in charge of standing guard, guarding the
15 road. Can you tell us during what hours you <were in charge of
16 guarding> the road? Was it the <always the> same period and if
17 yes, which period? And <if not,> how was that organised?

18 A. We <worked in> different shifts <to> guard <the village>. For
19 instance, if <we were> a group consisted of 10 people<, each of
20 us> would be on duty for <an hour and a> half <> or <two hours
21 one after another until dawn. The next morning, we went out to do
22 our respective tasks.>

23 [15.59.15]

24 Q. And the last point before we break, you said that you were
25 often with Sean Song. My question <now> is: after the end of the

100

1 <Democratic Kampuchea> regime, after 1979, did you stay in touch
2 with Sean Song, and if <that> is the case, have you seen him
3 recently?

4 A. I have never seen him recently. He is living in Khleang at the
5 moment. <However, we used to hang out and> live together.

6 Q. When you say, "we were living together", can you be more
7 specific<>?

8 A. We used to live in the same village but now we are living in
9 different villages.

10 Q. When did you see him for the last time?

11 A. We <have not seen> each other <since> the <fall of the
12 regime>.

13 [16.01.05]

14 MR. PRESIDENT:

15 Thank you. It is now time for the adjournment and the hearing
16 will resume tomorrow -- rather, on 11 December 2015 at 9 a.m. On
17 Friday, 11 December 2015, the Chamber will continue hearing the
18 testimony of Um Suonn and then the Chamber will perhaps continue
19 to hear 2-TCW-848.

20 Thank you, Mr. Witness, the hearing of your testimony as a
21 witness has not come to an end yet. You are therefore invited to
22 be here once again to testify on Friday 11 December 2015 at 9
23 a.m.

24 Court officer, please work with WESU to send Mr. Um Suonn back to
25 the place where he is staying at the moment and please invite him

101

1 into the courtroom at 9 a.m.

2 Security personnel are instructed to bring the two Accused, Khieu

3 Samphan and Nuon Chea back to the detention facility of the ECCC

4 and have them returned on 11 December 2015 at 9 a.m.

5 The Court is now adjourned.

6 (Court adjourns at 1602H)

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