



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

ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia  
Nation Religion King  
Royaume du Cambodge  
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង  
Trial Chamber  
Chambre de première instance

**ឯកសារដើម**  
**ORIGINAL/ORIGINAL**  
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TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

14 December 2015

Trial Day 348

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

The Accused: NUON Chea  
KHIEU Samphan

Lawyers for the Accused:  
Victor KOPPE  
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For the Office of the Co-Prosecutors:  
Vincent DE WILDE D'ESTMAEL  
Dale LYSAK  
SREA Rattanak

For Court Management Section:  
UCH Arun

I N D E X

Ms. SIN Chhem (2-TCW-820)

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Questioning by Ms. GUISSÉ..... page 85

**List of Speakers:**

Language used unless specified otherwise in the transcript

Speaker	Language
The GREFFIER	Khmer
Ms. GUIRAUD	French
Ms. GUISSE	French
Mr. KOPPE	English
Judge LAVERGNE	French
Mr. LYSAK	English
The President (NIL Nonn)	Khmer
Ms. SIN Chhem (2-TCW-820)	Khmer
Mr. SREA Rattanak	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0910H)

3 MR. PRESIDENT:

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

5 Today the Chamber hears the testimony of a witness -- that is,

6 2-TCW-820.

7 And before we proceed, the Chamber wishes to inform the Parties

8 in this Case that for the proceedings today and the subsequent

9 days, Judge Fenz has some urgent matters so she cannot

10 participate in the Bench, and after the deliberation with the

11 Judges of the Bench, we decided to replace Judge Fenz by Judge

12 Karopkin<, a reserve International Judge,> until such time she is

13 capable of returning to the Bench. And this is in pursuant to

14 Rule 79.4 of ECCC Internal Rules.

15 <The Greffier,> Mr. Em Hoy, please report the attendance <of> the

16 Parties and other individuals at today's proceedings.

17 [09.12.48]

18 THE GREFFIER:

19 Mr. President, for today proceedings, all Parties to this Case

20 are present. However, Counsel Calvin Saunders will be a bit late

21 due to traffic congestion and the National Lead Co-Lawyer for

22 civil parties, Pich Ang, will be absent for the full week due to

23 health reasons.

24 Mr. Nuon Chea is present in the holding cell downstairs; he has

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

2

1 been delivered to the greffier.  
2 The witness who is to testify today -- that is, 2-TCW 820,  
3 confirms that to the best of her knowledge she has no  
4 relationship by blood or by law to any of the two Accused -- that  
5 is, Nuon Chea and Khieu Samphan or to any of the civil parties  
6 admitted in this Case. The witness took an oath before the Iron  
7 Club Statue this morning and she is <in the waiting room> ready  
8 to be called by the Chamber.

9 Thank you.

10 [09.14.07]

11 MR. PRESIDENT:

12 Thank you. The Chamber now decides on the request by Nuon Chea.  
13 The Chamber has received a waiver from Nuon Chea dated 14  
14 December 2015, which states that due to his health: headache,  
15 back pain, he cannot sit or concentrate for long, and in order to  
16 effectively participate in future hearings, he requests to waive  
17 his right to participate in and be present at the 14 December  
18 2015 hearing. He affirms that his counsel has advised him about  
19 the consequences of this waiver that it cannot in any account be  
20 construed as a waiver of his rights to be tried fairly or to  
21 challenge evidence presented to or admitted by this Court at any  
22 time during this Trial.

23 [09.14.59]

24 <The Chamber has> seen the medical report of Nuon Chea by the  
25 duty doctor for the Accused at the ECCC dated 14 December 2015,

3

1 which notes that Nuon Chea today has severe back pain when he  
2 sits for long and recommends that the Chamber <shall> grant him  
3 his request so that Nuon Chea can follow the proceedings remotely  
4 from the holding cell downstairs.

5 Based on the above information and pursuant to Rule 81.5 of the  
6 ECCC Internal Rules, the Chamber grants Nuon Chea his request to  
7 follow today's proceedings remotely from the holding cell  
8 downstairs via audio-visual means. The Chamber instructs the AV  
9 Unit personnel to link the proceedings to the room downstairs so  
10 that Nuon Chea can follow the proceedings. This applies to the  
11 whole day.

12 Court officer, please usher witness 2-TCW-820 into the  
13 courtroom. Thank you.

14 (Witness 2-TCW-820 enters courtroom)

15 [09.17.27]

16 QUESTIONING BY THE PRESIDENT:

17 Q. Good morning, Madam Witness. What is your name? And please  
18 observe the microphone, Madam Witness; you should speak after you  
19 see the red light on the tip of the microphone. Again, what is  
20 your name?

21 MS. SIN CHHEM:

22 A. My name is Sin Chhem.

23 Q. Thank you. And do you recall when you were born? Again, please  
24 observe the microphone. Madam Witness, do you recall when you  
25 were born?

4

1 A. I was born in the Khmer Year of "Momi" <or the Year of the  
2 Horse.> (phonetic)

3 Q. How old are you this year?

4 A. I am <74 years old>.

5 [09.18.57]

6 Q. And where were you born?

7 A. I was born in Svay Yea.

8 Q. Is Svay Yea a village or a commune and which <district or>  
9 province is it located in?

10 A. It was part of Svay Chrum district, Svay Rieng province.

11 Q. And where is your current address, I refer to the house where  
12 you are living in now?

13 A. I am still living right in Svay Yea <village>.

14 Q. And what is your current occupation?

15 A. I am a rice farmer; however, at present, I am unwell so I  
16 don't work in the farm.

17 Q. What are the names of your parents?

18 A. <Keo> is my father's name and Chhe is my mother's name.

19 However both of them passed away.

20 [09.20.25]

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

22 And again, Madam Witness, please observe the microphone, you  
23 should only speak when you see the red light on the microphone.

24 Again what is your husband's name and how many children do you  
25 have?

1 A. We have two children.

2 Q. And the name of your husband?

3 A. Tieng Phan.

4 Q. The greffier made an oral report that, to your best knowledge,  
5 you are not related by blood or by law to <>any of the two

6 Accused -- that is, Nuon Chea and Khieu Samphan, or to any of the  
7 civil parties admitted in this Case, is this information correct?

8 A. That is correct. I am telling the truth and I was asked that  
9 question as well.

10 [09.22.10]

11 Q. Have you taken an oath before your appearance in this Chamber,  
12 I mean have you taken an oath before the Iron Club Statue located  
13 to the east of the Chamber?

14 A. Yes, I have.

15 Q. The Chamber now wishes to inform you of your rights and  
16 obligations as a witness.

17 Madam Sin Chhem, as a witness in the proceedings before the  
18 Chamber, you may refuse to respond to any question or to make any  
19 comment which may incriminate you. That is your right against  
20 self-incrimination.

21 As for your obligations as a witness in the proceedings before  
22 the Chamber, you must respond to any questions by the Bench or  
23 relevant Parties except where your response or comment to those  
24 questions may incriminate you and you must tell the truth that  
25 you have known, heard, seen, remembered, experienced or observed



6

1 directly about an event or occurrence relevant to the questions  
2 that the Bench or Parties pose to you.

3 And Madam Sin Chhem, have you been interviewed by the  
4 investigators of the Office of the Co-Investigating Judges, if  
5 so, how many times?

6 A. Twice.

7 [09.24.10]

8 Q. You provided interviews twice, when and where if you recall?

9 A. Yes I do, it was right in my house.

10 Q. And when was that?

11 A. No, I cannot recall it.

12 Q. And Madam Sin Chhem, do you know how to read and write the  
13 Khmer language?

14 A. I never attended any school.

15 Q. And before your appearance this morning, have you had your  
16 written record read aloud to you, I refer to the two interviews  
17 you said you provided at your house?

18 A. Yes, they were read aloud to me.

19 Q. And to your best knowledge and recollection, can you tell the  
20 Chamber whether the written record of your interview is  
21 consistent with your answers you provided to the investigators at  
22 your house?

23 A. I told them the truth at my house and that's what I said.

24 [09.26.02]

25 Q. My question to you is that after you have the written records

7

1 of your interview read aloud to you, do the statements correspond  
2 to the answers you provided to the investigators at your house?

3 A. Yes, they were read aloud to me.

4 MR. PRESIDENT

5 Thank you, Madam Sin Chhem.

6 And pursuant to Rule 91bis of the ECCC Internal Rules, the  
7 Chamber gives the floor first to the Co-Prosecutors to put  
8 questions to this witness and the combined time for the  
9 Co-Prosecutors and the Lead Co-Lawyers is two sessions. You may  
10 proceed.

11 [09.27.12]

12 QUESTIONING BY MR. LYSAK:

13 Thank you. Good morning, Mr. President, Your Honours, Counsel.

14 Good morning, Madam Witness.

15 Q. You have stated in your interviews that you've lived your  
16 whole life in Svay Yea village and commune, can you tell us when  
17 it was, what year that the Khmer Rouge took control of Svay Yea  
18 commune?

19 MS. SIN CHHEM:

20 A. I forget about the month and the year. I only remember that  
21 the Khmer Rouge killed a lot of people, my husband worked at the  
22 commune level and his colleagues told me that senior people were  
23 all killed.

24 [09.28.36]

25 MR. PRESIDENT:

1 Madam Witness, please listen to the question carefully, you will  
2 be asked many questions regarding what you are going to say,  
3 however initially you may be asked a bit about your background  
4 and please respond precisely and briefly to the question. And if  
5 you do so, it means your scheduling for one day will be concluded  
6 otherwise it may continue. So please, respond briefly and  
7 precisely to the question.

8 And <International> Deputy Co-Prosecutor, please repeat your  
9 question and make it simple. It seems that she doesn't seem to  
10 understand your question and provides a lengthy answer.

11 BY MR. LYSAK:

12 Q. Yes, thank you, Mr. President. I understand that you don't  
13 remember the year that the Khmer Rouge came into control in your  
14 commune; do you remember was it closer to the time of the coup  
15 against King Father Sihanouk or was it closer to April 1975 when  
16 the Khmer Rouge took control in your commune?

17 MS. SIN CHHEM:

18 A. I can only recall the year of 1975. <There was a war in 1975.>

19 [09.30.28]

20 Q. During the Khmer Rouge period, was the district in which you  
21 lived was it known as Svay Chrum district or as Meanchey Thmey  
22 (phonetic) district?

23 A. It's Svay Chrum district in Svay Rieng province. <It's Svay  
24 Yea commune.>

25 Q. Do you know what sector and zone that district was in during

1 the Khmer Rouge time?

2 A. I did not know what zone it was in. <It's Svay Rieng  
3 province.> It was not Prey Veng province.

4 Q. Do you remember the sector number, the number of the sector in  
5 which you were located?

6 A. If you ask me the sector number, I do not know.

7 Q. Does Sector 23, does that ring a bell, does that sound  
8 familiar to you?

9 A. I could not recall it, I forget it.

10 Q. Tell me a little bit about your village, Svay Yea village. How  
11 many people or families lived there prior to April 1975, do you  
12 remember that?

13 A. There were 100 families.

14 [09.33.05]

15 Q. And do you know how many of those 100 families, how many  
16 people in your village were Vietnamese?

17 A. <There were several families near the market.> There were many  
18 of them about three or four families.

19 Q. Can you tell us a little bit about what you did what work you  
20 were assigned during the Khmer Rouge period?

21 A. I did not do anything, I was assigned to transplant rice; <I  
22 was assigned to work here> and <there; I did not have any  
23 specific> assignments.

24 Q. Did you work on any dams and if so, do you remember the names  
25 of any of the dams or canals that you worked on?

10

1 A. I remember Preah Tonle (phonetic) and Khmut commune> to the  
2 east of Svay Chrum pagoda.

3 [09.34.49]

4 Q. I want to ask you about some of your family members who had  
5 positions in the Khmer Rouge starting with your older brother Sin  
6 Chhuon. Can you tell us when your older brother Sin Chhuon, when  
7 he joined the Revolution and what positions, what did he do in  
8 the Khmer Rouge?

9 A. I don't know about his position. Yes, he worked <- but, I did  
10 not know what work he did exactly.> I just know that he worked  
11 <in Krasang Char> and he had some friends.

12 Q. Your older brother Sin Chhuon, did he live in Svay Yea commune  
13 during the Khmer Rouge period or was he based elsewhere,  
14 somewhere else?

15 A. He was at a different place at Krasang Char (phonetic) <to the  
16 south of Trabaek>.

17 Q. And do you know what he did there?

18 A. In the old regime, he was also a rice farmer, later on he  
19 joined it and then he stopped doing rice plantation --  
20 transplanting.

21 [09.36.48]

22 Q. In an interview you gave with the DC-Cam organisation, you  
23 were shown a copy of your brother's revolutionary biography and I  
24 want to read a few excerpts from that and ask you some questions.  
25 This is document E3/7526, E3/7526, the biography of your brother

11

1 Sin Chhuon, revolutionary name Chhuon; born 28 October 1940 in  
2 Svay Yea village. In the section of his biography relating to  
3 siblings, this is ERN Khmer, 00079576; English, 00324095; and  
4 French, 00728266. In your brother's biography, he says there were  
5 four siblings in your family, three male and one female and in  
6 paragraph 2, he wrote the following about the occupation and  
7 class of his siblings. I quote:

8 "My sister farms paddies and her husband joins the Revolution. My  
9 third brother is a poor peasant, farming paddies; my fourth  
10 brother joins the Revolution and works as a medic at military  
11 secretariat." End of quote.

12 Madam Witness, did you have a younger brother who was a medic and  
13 what was his name?

14 A. Sin Chhouk.

15 Q. Where did Sin Chhouk work as a medic?

16 A. He worked at Wat Niroth pagoda.

17 [09.39.48]

18 Q. Was that the Sector 24 hospital, did your younger brother work  
19 as a medic in the Sector 24 hospital?

20 A. Yes, it was Sector 24.

21 Q. Going back again to the biography of your older brother, Sin  
22 Chhuon in paragraph 10 of the first section of his biography,  
23 your brother wrote the following about how it was that he joined  
24 the Khmer Rouge, the Communist Party of Kampuchea -- quote: "I  
25 joined the Party on 26 October 1970 in Chan Ra village in Ba

12

1 Phnum district, Region 24. The introducer was Comrade Chakrey."

2 End of quote.

3 Who was Chakrey?

4 A. I did not know him; <I never saw him.> I only heard his name  
5 from my <elder> brother.

6 Q. Was this the person Chan Chakrey who was a military commander  
7 in the East Zone?

8 A. Yes, that was him. He is the soldier in the East Zone.

9 MR. PRESIDENT:

10 Counsel Victor Koppe, you have the floor now.

11 [09.41.51]

12 MR. KOPPE:

13 Thank you. Good morning, Mr. President, Your Honours. I have a  
14 request for -- a small request for clarification. It took a  
15 while, but we needed to do some research meanwhile and it is, I  
16 heard the prosecutor say in a very early question whether her  
17 district was in Sector 23. I heard - I understood her testimony  
18 to be her village was in Sector 24, we weren't sure but now when  
19 reading E3/7526, in the English version it says village in Ba  
20 Phnum district, Division 24, but the Prosecution read, probably  
21 correctly, Sector 24. So it seems to be a bit confusing but I  
22 would like to hear from Prosecution whether he thinks the village  
23 is Sector 23 or 24.

24 [09.43.06]

25 BY MR. LYSAK:

13

1 I am happy to give my understanding. It's clear that the district  
2 in which the witness lived was Sector 23. Let me refer you to a  
3 document in which you can see that, if you look at S-21 list  
4 E3/2010, you'll find a section on Sector 23 and you'll find  
5 specifically the district of this witness; it's confirmed that  
6 another location. My understanding is that her brothers worked in  
7 a different sector, Sector 24. So, that's my understanding, for  
8 all (inaudible). If I may proceed, Mr. President?

9 Q. Madam Witness, do you know how your brother who was introduced  
10 to the Revolution by Chan Chakrey, do you know how your brother  
11 knew him?

12 MS. SIN CHHEM:

13 A. They were friends. They were in the same occupation.

14 [09.44.37]

15 Q. In your interviews, Madam Witness, you also talk about some  
16 other Khmer Rouge leaders that your brother knew, you identify  
17 specifically Ta Chhouk, Keo Meas, and a person named Ta Thoch.  
18 Who were these people, Ta Chhouk, Keo Meas, Ta Thoch, and how did  
19 your brother know them?

20 A. They were my relatives; their house was close to mine. That's  
21 why I knew them.

22 Q. When you say that they were relatives of yours, in your  
23 interviews you've indicated that Keo Meas was a relative; the  
24 others were people who lived in your village and were close to  
25 your family; is that correct? And can you tell us how you were



14

1 related to Keo Meas?

2 A. <He was related to one of my aunts and the son of > my cousin<  
3 grandmother> and <his elder sister> is now <over> 90 years old  
4 and she is still alive.

5 Q. Was Keo Meas a blood cousin of yours or was he a second or  
6 more removed cousin?

7 A. Yes, he was my cousin.

8 Q. Can you tell us a little bit about Ta Chhouk and Keo Meas,  
9 what kind of people were they, how well did you know them?

10 A. I knew them because Ta Chhouk taught my <elder> brother, he  
11 was my <elder> brother's teacher.

12 [09.47.30]

13 Q. And what kind of person was Ta Chhouk, was he good person, can  
14 you tell us a little bit about what he was like?

15 A. He was a good person; he was a very good person.

16 Q. What was Ta Chhouk's position in the Khmer Rouge?

17 A. I did not know what his position was; I knew only that he was  
18 killed.

19 Q. Do you remember whether he was the secretary, the chief of  
20 Sector 24, does that ring a bell?

21 A. I could not recall.

22 Q. What about your relative, your cousin Keo Meas, do you know  
23 what his role or position was in the Khmer Rouge?

24 A. I did not know his position either. He was at Phnom Penh and  
25 he was also a teacher and he also taught my <elder> brother but I

15

1 did not know what <>his position <was> at that time.

2 [09.49.30]

3 Q. Thank you, Madam Witness. Continuing in your brother's  
4 biography, paragraph 11 of the first section, he wrote the  
5 following description of the positions that he held after joining  
6 the Revolution in 1970. I quote:

7 "After the coup, upon my first arrival, I was assigned a village  
8 chief. Later on, I was the district committee. Then I joined the  
9 army being the company committee, and after that I became the  
10 battalion committee. Later on, I have been the regiment  
11 committee." End of quote.

12 Do you remember when your brother joined the Khmer Rouge army,  
13 did he engage in combat with Lon Nol forces? Do you know where he  
14 was stationed in the war against Lon Nol between 1970 and 1975,  
15 where was your brother during that period?

16 A. I did not know about the combat. I knew that he started to  
17 work in Sector 24 but I did not know what <> his position <was>  
18 in that <sector> and later on I heard that he was killed. I also  
19 had doubt myself.

20 [09.51.35]

21 Q. How often did you see your brother, your older brother Sin  
22 Chhoun in 1975 and 1976?

23 MR. PRESIDENT:

24 There was no interpretation in Khmer for the question by the  
25 Deputy Co-Prosecutor, so please repeat your question.

16

1 BY MR. LYSAK:

2 Q. Yes. Your brother, how often -- your older brother Sin Chhoun,  
3 how often did you see him in 1975 and 1976?

4 MS. SIN CHHEM:

5 A. I met him twice when he came to join my sister's wedding and I  
6 went to see him once. That's all.

7 [09.53.12]

8 Q. Can you tell us about the time that you went to see him, where  
9 did you go to see your brother and what was he doing at the time?

10 A. I cannot remember when I went see him. I only remember that I  
11 went to visit him once and he came to join the wedding once.

12 Q. In your DC-Cam interview, Madam Witness, this is E3/7526 at  
13 French, ERN 00746949; Khmer, ERN 00185370 through 371; and no  
14 English translation of this part. In that interview you indicated  
15 that after 1975, your brother was the chief of the region or  
16 sector army based in Ba Phnum. Does that refresh your memory? Was  
17 your brother a chief of Sector 24 army in Ba Phnum district?

18 A. Yes, but I cannot remember.

19 [09.55.03]

20 Q. Let me turn to your husband, madam, your husband, Tieng Phan.  
21 When were you and your husband married?

22 A. It was in the Khmer Year of Dragon but I could not work it out  
23 what year it was. I cannot remember what month and year it was; I  
24 remember only that it was in the Khmer Year of Dragon. He is 77  
25 years old.

17

1 Q. Let me ask you this: did you and your husband have a  
2 traditional Cambodian wedding or did you have a revolutionary  
3 marriage conducted by Angkar?

4 A. My wedding was based on Khmer tradition, not the revolutionary  
5 way.

6 Q. And your husband, what was his position in the Khmer Rouge in  
7 Svay Yea commune?

8 A. He was the commune committee.

9 [09.57.02]

10 Q. Do you remember when he was appointed the chief of Svay Yea  
11 commune?

12 A. It was in 1976.

13 Q. Who was it that appointed your husband chief of Svay Yea  
14 commune?

15 A. I cannot remember who appointed him. <I was afraid.> I told  
16 him <> not <to> work <too> much because <I was afraid that he  
17 would not be able to survive for our children. It> could be  
18 dangerous.< But he said it would be fine.>

19 Q. Do you remember who the district secretary was that your  
20 husband reported to?

21 A. The district chief of Svay Rieng, he was Ta -- I could not  
22 remember the name of that Ta. I cannot remember his name. I knew  
23 him at that time but now I cannot recall his name.

24 Q. Let me just refresh your memory with an excerpt from your  
25 DC-Cam interview, E3/7526, French, ERN 00746966; Khmer, 00185388;

18

1 and no English. You stated here that the chief of the district  
2 was Khieu Samit or Sami (phonetic), does that ring a bell, was he  
3 the district chief?

4 A. Yes, I can remember now, his name is Ta Samit.

5 [09.59.48]

6 Q. We've talked about your husband who was the Svay Yea commune  
7 chief, your older brother who was on the sector military and a  
8 younger brother who was a medic at the sector hospital. Can you  
9 tell the Court what happened to your husband and your two  
10 brothers during the Khmer Rouge regime?

11 A. There <was nothing>.

12 Q. I am asking about your husband and your two brothers, your two  
13 brothers, Sin Chhoun and Sin Chhouk, what happened to them during  
14 the Khmer Rouge period, did they survive and live?

15 A. No, they're all dead.

16 Q. How did they die?

17 A. They were taken away and killed. I did not know where they  
18 were killed.

19 Q. Do you remember what year it was that your brothers and  
20 husband were taken away and killed?

21 A. As for my elder brother, my husband, was taken in '77, however  
22 my elder brother was taken first to Chheu Kach mountain.

23 [10.02.18]

24 Q. Do I understand your older brother was the first one who was  
25 taken away, is that right?

1 A. Yes.

2 Q. And how long after your older brother, how long after he was  
3 taken away was it that your husband was arrested and taken away?

4 A. That happened -- my husband was taken away after my elder  
5 brother was taken away and my husband was taken away probably in  
6 late '77.

7 Q. Okay. Let's start with your older brother Sin Chhoun, how did  
8 you learn that your older brother had been taken away?

9 A. I was told that my brother Chhoun was taken away.

10 Q. Do you remember who told you or how you learnt?

11 A. It was Suon (phonetic) who was a member of the commune  
12 committee.

13 [10.04.20]

14 Q. Did Suon (phonetic) say anything about why your brother was  
15 taken away?

16 A. I asked him why my brother was taken away and killed and he  
17 said that he didn't know the reasons at all.

18 Q. We talked earlier, Madam Witness, about your older brother was  
19 introduced to the Party by Chan Chakrey and how he was taught by  
20 Ta Chhouk. Before your brother was arrested, do you remember what  
21 happened to Chakrey, Ta Chhouk, and your cousin, Keo Meas?

22 A. I did not know what happened to them. In fact he rarely stayed  
23 at home and only later when I learnt that he was killed.

24 Q. Do you remember being told by your husband about the arrest of  
25 Chakrey and Ta Chhouk and do you remember what your husband told

20

1 you?

2 A. I referred to a person who worked with my husband at the  
3 commune level, who told me about that. <He was my husband's  
4 subordinate.>

5 [10.06.32]

6 Q. I want to read an excerpt from the interview you gave to the  
7 investigators of OCIJ, this is from document E3/7794, E3/7794, at  
8 Khmer, 00249916 through 17; English, 00251405; and French,  
9 00285545. This is what you said in your OCIJ statement - quote:  
10 "I learnt through my husband that Pol Pot or Angkar had arrested  
11 Ta Chakrey, the military commander of Sector 24 and Ta Chhouk,  
12 the Sector 24 secretary and had killed them. In late 1976, I  
13 heard through base cadres that Hu Nim had also been arrested by  
14 Angkar and had been taken away and killed. At the same time, my  
15 older brother Sin Chhoun who was a connection of Ta Chhouk had  
16 disappeared about one month after Hu Nim." End of quote.

17 Does that refresh your recollection, do you remember at all being  
18 told about the arrest of Chakrey and Chhouk by your husband?

19 A. I forget about that. However, it did happen at the time and I  
20 was afraid upon hearing that and I tried to work as hard as I  
21 could and my husband always reminded me to be very careful<, keep  
22 my mouth shut> and just focus on working. <As a woman, I had to  
23 remain silent and cautious. I was very scared. In fear of life, I  
24 had to keep it a secret.>

25 [10.09.05]

21

1 Q. Do you remember how long after Ta Chhouk's arrest, how long it  
2 was after that, that your brother Sin Chhuon was taken away?

3 A. I cannot recall that. However, first my elder brother was  
4 arrested, then Ta Chhouk. <Ta Chhouk is the elder brother of>  
5 Chakrey. I cannot recall the passage of time in between the  
6 arrest. Previously, I recalled it but now I don't. <Everything I  
7 said the previous times is written in this very record. I have  
8 forgotten everything. I don't even know I am speaking about.>

9 Q. Let me see if I can help you out a little bit with some dates,  
10 Madam Witness, you told OCIJ that it was one month after Hu Nim's  
11 arrest that your older brother was taken away. We have records  
12 from S-21 of when some of these people were arrested. This is  
13 from document E3/342, the OCP revised S-21 list. It records that  
14 Sector 24 secretary Chhouk, whose full name was Sos Nou  
15 (phonetic) was arrested and entered S-21 on 28 August 1976. Your  
16 cousin, Keo Meas, was arrested and entered S-21 on 20 September  
17 1976, and Hu Nim was arrested about a half year later on 10 April  
18 1977. So, if as you told OCIJ your brother was arrested one month  
19 after Hu Nim, that would put his arrest around mid-1977. Does  
20 that sound right, was your older brother arrested around mid-1977  
21 or do you think it was earlier or later than that?

22 [10.12.02]

23 A. It was in the early part of the year and as for my husband, he  
24 was arrested at the later part of the year.

25 Q. Now your older brother, his biography indicates that he had



1 five children, three sons and two daughters. What happened to  
2 your older brother's wife and children when he was taken away and  
3 disappeared?

4 A. Actually nothing happened to them; even his wife didn't dare  
5 to cry. <People lived near them and they shared their sympathy  
6 and sadness with them.>

7 Q. In your DC-Cam interview E3/7526, at French, ERN 00746950;  
8 Khmer, 00185372; you indicate that your older brother's wife and  
9 children were sent west to Pursat after his arrest. Does that  
10 refresh your memory? What can you tell us about what happened to  
11 your brother's wife and children when they were sent away to  
12 Pursat?

13 A. In fact I forget that; they were <actually> sent there. <But,  
14 luckily, all of his children survived and returned.>

15 [10.14.15]

16 Q. Did they survive?

17 A. Yes they do and she is still living, however two of her  
18 children passed away. <They died of illnesses.>

19 Q. We've talked about Keo Meas, your cousin, the S-21 records  
20 indicate he was arrested and sent there on 20 September 1976. Do  
21 you know whether any of his immediate family members, his wife,  
22 his children or siblings, were any of them also arrested?

23 A. <Thuch>, who was a teacher, he had a niece and in fact I have  
24 many relatives and I cannot recall them all.

25 Q. My question, Madam Witness, was any of Keo Meas immediate

1 family, his wife, his children, his brothers and sisters, do you  
2 know whether any of them were arrested?

3 [10.16.07]

4 A. I did not know about his wife and I knew that they had  
5 children but I didn't know about them. I knew that he and his  
6 younger brother <Thuch>, who had a daughter, and they were taken  
7 away and killed.

8 MR. PRESIDENT:

9 Thank you, Deputy Co-Prosecutor, the time is appropriate for a  
10 short break; we will have our short break now and resume at  
11 10.30.

12 Court officer, please assist the witness at the waiting room  
13 reserved for witnesses and civil parties and invite her back into  
14 the courtroom at 10.30.

15 The Court is now in recess.

16 (Court recesses from 1016H to 1033H)

17 MR. PRESIDENT:

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

19 The hearing now resumes and I would like to give the floor to the  
20 Deputy Co-Prosecutor to continue with his questions. You may  
21 proceed now.

22 BY MR. LYSAK:

23 Q. Thank you, Mr. President. Madam Witness, we were talking about  
24 your cousin Keo Meas, did anyone ever tell you why Keo Meas was  
25 arrested, why he had been arrested.

1 MS SIN CHHEM:

2 A. I was told -- <they went in search for him until they found  
3 him> and then <> he was <taken away and> killed.

4 [10.34.32]

5 Q. I want to read to you an excerpt about Keo Meas from a book  
6 that was written by a journalist Thet Sambath about Nuon Chea.  
7 This is document E3/4202, E3/4202, at Khmer, 00858339; English,  
8 00757531; and French, 00849435; and this is what was stated about  
9 your cousin - quote:

10 "Another Party leader Keo Meas, was under suspicion prior to his  
11 1976 arrest because he had been living in Vietnam before the  
12 Khmer Rouge victory. Nuon Chea said that when Keo Meas returned  
13 in 1975, he suspected him of being biased towards Vietnam." End  
14 of quote.

15 Madam Witness, did you know who Nuon Chea was and did you hear  
16 anything from your relatives about Nuon Chea's responsibility for  
17 the arrest of your cousin Keo Meas?

18 A. I did not know about that <at all>, I did not know the person  
19 known by the name <of> Nuon Chea. I know only <Ta Chhouk,> Ta  
20 <Thuch, Ta> Keo Meas and Chakrey, that's all that I know.

21 [10.36.42]

22 Q. Thank you. Let me now ask just a few questions about the  
23 arrest of your husband Tieng Phan. How did you learn about your  
24 husband's -- you've indicated that your husband was arrested in  
25 late 1977, how did you learn that your husband had been arrested

1 and taken away?

2 A. I knew about that from someone. <My husband went to work> near  
3 Thlok and I learnt<> the news from <someone coming to tell me  
4 from that area>.

5 Q. Do you know who arrested your husband and where he was taken?

6 A. He was taken away to somewhere near Svay Rieng <for three  
7 days>. The person named <Ao> (phonetic) <was a security guard>.

8 Q. Who was this person named <Ao> (phonetic)?

9 A. I did not know him< or> where he <was> from but he was a  
10 security guard and his name was < Ao> (phonetic).

11 [10.38.38]

12 Q. When your husband was arrested, were the other members of Svay  
13 Yea commune committee, were they also arrested at the same time?

14 A. Yes, all of them were arrested, including the commune chief  
15 and others. They were sent to <be> re-educated <in Svay Rieng>  
16 but they disappeared <and never returned afterward>.

17 Q. Did you ever see your husband again after he was taken away?

18 A. I have never met him again but I only heard that -- someone  
19 told me that he would be sent back to Svay Yea village but I did  
20 not meet him. <He was taken away and killed at night. I went to  
21 look for him and even found his clothes in a pit.>

22 Q. Thank you for telling us about your husband and brothers. I  
23 want to turn to another subject now. Can you tell the Court  
24 please what happened to the Vietnamese people who lived in Svay  
25 Yea commune during the Khmer Rouge regime?

1 A. They had Khmer husbands or Vietnamese wives, there was nothing  
2 happened to them.

3 [10.40.45]

4 Q. Madam, you talked about people who had mixed families, a Khmer  
5 husband married to a Vietnamese wife or a Vietnamese husband  
6 married to a Khmer wife. What happened during the Khmer Rouge  
7 regime to the Vietnamese husbands or wives in mixed couples, can  
8 you tell us?

9 A. <For those> who had Vietnamese wives and children, their wives  
10 were taken away to be killed. I felt pity for them; at least they  
11 should have kept their children alive. <It was extremely  
12 callous.>

13 Q. How did you know - let me go back to something. If a mixed  
14 couple with a Vietnamese wife, if the wife was Vietnamese and she  
15 was taken away, what happened to the children?

16 A. Their children were also taken away to be killed. It was so  
17 brutal. <No child was spared. They said that if they kept any  
18 child alive he or she would grow up a Vietnamese descent.>

19 Q. How many of the Vietnamese people in your commune were taken  
20 away and killed, Madam Witness?

21 A. There were four families which were taken away. <Only four  
22 families disappeared.>

23 [10.42.56]

24 Q. And how did you know about the Vietnamese families who were  
25 taken away and killed, how did you know about that?

1 A. Because they lived near my house, it was just one kilometre  
2 away and <how come I didn't know. And my husband was a policeman  
3 in the commune. They> were also the member of the commune  
4 committee.

5 Q. When was it that these Vietnamese people were taken away and  
6 killed, was it before the arrest of your husband or was it after  
7 your husband had been arrested and new cadres had come in to  
8 replace him?

9 A. Those Vietnamese families were taken away first before the  
10 arrest of my husband and they were taken away at night time. They  
11 were killed; the whole family was killed including their  
12 children.

13 Q. Do you know who it was that ordered the arrest and killing of  
14 those Vietnamese families?

15 A. After my husband, someone else replaced him and that person  
16 who came to replace my husband he collected those Vietnamese  
17 families. I did not know them and I did not see them  
18 <physically>.

19 [10.45.15]

20 Q. I just want to clarify something. Was the arrest of these  
21 Vietnamese families, was it after your husband had disappeared,  
22 was it the person who took over from him or did this also happen  
23 while your husband was commune chief?

24 A. After the arrest of my husband and it was someone else who  
25 came to replace <him. Then,> they took away those families<. My>

1 husband had nothing to do with this.

2 [10.46.05]

3 Q. I want to read to you an excerpt. Before I get to that, let me  
4 ask you another question: when this new cadre, when the new  
5 cadres arrived who took over from your husband, did they have a  
6 meeting, did they hold a meeting where they made an announcement  
7 about what to do with mixed Khmer-Vietnamese families?

8 A. When there were meetings, I never attended those meetings  
9 because I was not allowed to attend those meetings. So since my  
10 husband's death, I never cared about attending those meetings so  
11 I did not know anything about what was happening.

12 Q. Do you remember hearing about a meeting held by the new cadres  
13 who took over where they announced what was to be done with the  
14 Vietnamese people?

15 A. I did not ever hear of it because I did not get close to those  
16 meetings. <I hated them.> I did not want to attend those  
17 meetings.

18 [10.47.50]

19 Q. Let me read to you to see if I can refresh your memory, Madam  
20 Witness, an excerpt from your OCIJ interview, E3/7794, this  
21 Khmer, ERN 00249918 through 19; English, 00251407; and French,  
22 00285548; this is what you told the OCIJ Investigators - quote:  
23 "People who went to meetings with the newly transferred cadres  
24 told me that those cadres had announced that if the father was  
25 Vietnamese, only the father would be taken away and killed, but

1 if the mother was Vietnamese they would take the mother and all  
2 the children and kill them because the children sucked the milk  
3 of the mother." End of quote.

4 Does that refresh your memory, Madam Witness, do you remember  
5 people in your commune telling you about that meeting?

6 A. Yes, people talked about that. They said that those children  
7 who <were> fed by the breast <milks> from the mothers would not  
8 be kept alive; they must be killed; <if they had two children  
9 both of them had to be taken away and killed;> only the father  
10 was kept alive.

11 [10.49.38]

12 Q. Do you remember who it was that told you about that meeting,  
13 did you hear about that from one person or did you hear about it  
14 from many people?

15 A. From someone who worked with my <husband> and <> his name was  
16 <Savin> (phonetic), he was also in Svay Yea village so he told  
17 us. So I listened to what he said but I was so scared at that  
18 time.

19 Q. And after he told you about this meeting, did you become aware  
20 of Vietnamese spouses or children who had been taken away and  
21 killed?

22 A. I knew only that those families were killed but the person  
23 named <Savin> (phonetic) <>participated in the killing <together  
24 with> the new commune committee <and security guards>. That's  
25 what I knew.



1 [10.51.30]

2 Q. And did Savorn (phonetic) tell you about these killings?

3 A. He did not tell us, he only <spread words> and then we only  
4 heard from what he was talking. He was part of the new <commune  
5 committee> so he was a daring person who participated in the  
6 killing.

7 Q. I want to read to you another excerpt from your OCIJ  
8 interview, E3/7794, this is Khmer, 00249918; English, 00251407;  
9 and French, 00285547; this is what you told the OCIJ  
10 investigators - quote:

11 "At about the same time that the ethnic Khmer people were being  
12 selected for evacuation from Svay Yea sub-district, the ethnic  
13 Vietnamese were being arrested and killed. [...] For example, in  
14 Tuol Vihear village, Svay Yea sub-district, the ethnic Khmer  
15 husband, Chhaom, had an ethnic 'Yuong' wife so the wife and all  
16 the children were killed. Another example: In Sikar village, Svay  
17 Yea sub-district, the husband Chhin had an ethnic 'Yuong' wife so  
18 the wife and all the children were taken away and killed. Another  
19 example: In Kien Ta Siv village, Svay Yea sub-district, the  
20 husband and wife were both ethnic 'Yuong', I forget their names,  
21 so the entire family was taken away and killed. I learnt these  
22 matters because when the people worked, they met and talked with  
23 one and another." End of quote.

24 Madam Witness, in this excerpt you talked about three other  
25 villages where Vietnamese people were taken away and killed: Tuol

1 Vihear, Sikar and Kien Ta Siv village. Who was it that told you  
2 about the killings in those villages? Did you hear about that  
3 from the same person or did you hear about that from different  
4 people in each of those villages?

5 A. People who were close to me told me about that, that those  
6 families were taken away, they were taken away <only> at night  
7 time.

8 [10.54.58]

9 Q. Do you remember the names of the people who told you about the  
10 Vietnamese people who were taken away and killed in those three  
11 villages; do you remember the names of the people who told you  
12 that?

13 A. I forget their names, but they lived close to my house. I even  
14 cannot recall their names now.

15 Q. Madam Witness, how did the Khmer Rouge identify the people in  
16 your and other villages who were Vietnamese, how did they know  
17 who was Vietnamese and who was Khmer?

18 A. The Khmer Rouge and the Vietnamese <got along well with one  
19 another. They had no problem with each other. However,> I did not  
20 know who was red <or> who was white. <What I knew was that they  
21 engaged in the revolution.>

22 Q. Madam Witness, let me repeat; I'm asking you if you know how  
23 the Khmer Rouge cadres in your area, how did they identify which  
24 people were Vietnamese, do you know that?

25 A. I did not understand this, I forget all of this; I could not

1 understand much.

2 Q. After these arrests and killings that you've discussed, were  
3 there any more Vietnamese people left in your commune?

4 A. There were some left. They returned back. <Now, they are  
5 actively doing businesses.>

6 [10.57.25]

7 Q. When you say they returned back, are you talking about people  
8 who fled to Vietnam and then returned after the Khmer Rouge  
9 regime?

10 A. There are some, one family lived here and one family lived  
11 there. <They earn a living as usual.>

12 Q. Let me ask you again. What I'm asking you is the Vietnamese  
13 people who survived, were these people who had fled to Vietnam  
14 but then returned after the Khmer Rouge?

15 A. Yes, they went back to their home country and then later on  
16 they returned to do business in Cambodia.

17 Q. Let me turn to another subject, Madam Witness. During the  
18 Khmer Rouge regime, what happened to the people in your commune  
19 or district who were identified as former officials or soldiers  
20 of the Lon Nol regime, what happened to those people?

21 A. Talking about that, I don't know much. I don't know what  
22 happened to the officials from the Lon Nol regime. <I only heard  
23 that they had fought with one another.>

24 [10.59.51]

25 Q. I would like to read to you an excerpt from the statement of

1 another witness from your district, witness who lived in Thlok  
2 commune. In her OCIJ statement and this is document E3/7719,  
3 E3/7719, Khmer, ERN 00344565 through 566; English, 00347416;  
4 French, 00411563. This witness named Nom Saroeun, testified --  
5 and I quote:

6 "After 1976, the Khmer Rouge gathered up the teachers, students  
7 and former Lon Nol soldiers. Then all the families of those  
8 soldiers had their biographies made by the Khmer Rouge soldiers  
9 so they could be sent to study. However after the biographies  
10 were prepared, they were taken to Longeun pagoda and killed." End  
11 of quote.

12 Did you know a pagoda in Thlok commune called Longeun (phonetic)  
13 pagoda?

14 A. Please repeat the name of the pagoda.

15 [11.01.50]

16 MR. SREA RATTANAK:

17 Mr. President, in fact the name of the pagoda is Longeun  
18 (phonetic) pagoda, that is the proper name.

19 BY MR. LYSAK:

20 Thank you to my national colleague.

21 Q. Do you know this pagoda, Madam Witness?

22 MS. SIN CHHEM:

23 A. Yes, I do know Longeun (phonetic) pagoda; it is located near  
24 Doun Sar. And previously I did not hear the name properly so I  
25 could not get the location of that pagoda.

1 Q. What was that pagoda used for during the Khmer Rouge regime?

2 [11.02.52]

3 MR. PRESIDENT:

4 Witness, please hold on and Defence Counsel for Khieu Samphan,  
5 you have the floor.

6 MS. GUISSÉ:

7 Yes, Mr. President, I am going to object now because the Longeun  
8 (phonetic) pagoda is not among the security centres or the arrest  
9 centres that are in the Severance Order. <>I don't even think  
10 that in fact it is <even> part of the Closing Order, so I object  
11 to the Co-Prosecutor pursuing with this line of questioning.

12 MR. LYSAK:

13 Mr. President, as I just read, there is evidence from a witness  
14 that Lon Nol soldiers were gathered and killed at this place  
15 similar to the pattern of events we saw in other parts of the  
16 country. We've had this -- this issue has been raised many times.  
17 The evidence of what happened to Lon Nol officials in other  
18 regions is part of the proof of the existence of the policy and  
19 that is the sole reason for our questions here, is to determine  
20 if the witness has knowledge that corroborates what this witness  
21 has said which is that Lon Nol soldiers and officials were  
22 gathered and killed at this pagoda.

23 11.04.15]

24 MR. KOPPE:

25 Mr. President -- if I may respond, Mr. President. I'm sure the

1 Prosecution is aware of ample evidence in Kiernan's book about  
2 the treatment of Lon Nol officials in the East Zone, correct or  
3 not, but he's making an (inaudible) argument that Lon Nol  
4 officials were sent to - for re-education and then in 1975, after  
5 two or three months, were all released. So saying that this is  
6 somehow something that happened in the East Zone is at least in  
7 the light of Kiernan, incorrect.

8 MS. GUISSÉ:

9 Yes, if you please allow me to respond, Mr. President. The real  
10 problem that we have here -- that is to say introducing elements  
11 that were not part of the Closing Order and therefore that were  
12 not <analysed> in a specific way <during the investigation> and  
13 therefore the Defence was not notified of such elements<.> And so  
14 the principle of having a Closing Order <with specific charges  
15 for the Accused> is <so> that we can prepare ourselves. <But, if>  
16 each time -- under the excuse that we're speaking about national  
17 policy -- we introduce new elements, then we will <are> facing a  
18 blatant violation of the right of the Accused.

19 (Judges Deliberate)

20 [11.06.58]

21 MR. PRESIDENT:

22 I would like to give the floor to Judge Lavergne to make our  
23 ruling on the objection by the two defence teams to the last  
24 question put to the witness by the <International> Deputy  
25 Co-Prosecutor <outside> the scope of facts to be tried at this

36

1 stage. Judge Lavergne, you have the floor.

2 JUDGE LAVERGNE:

3 Yes, thank you, Mr. President. The Chamber, therefore, <has  
4 ruled> to reject the objection that was raised by the Khieu  
5 Samphan defence. It was facing the same issue that we have often  
6 faced in the past -- that is to say, that the question concerns  
7 the existence of a policy aimed at targeting the former officials  
8 and servicemen of the Lon Nol regime. In that regard, the  
9 question is relevant and <hence it is> authorised. However, the  
10 Chamber does not wish the questions to go too far in detail with  
11 regard to this question.

12 [11.08.12]

13 BY MR. LYSAK:

14 Q. Let me ask a specific focused question, then I think we will  
15 address that issue. This pagoda, Madam Witness, the Longeun  
16 (phonetic) pagoda, do you remember what it was used for, and  
17 specifically, do you remember whether Lon Nol soldiers and  
18 officials were taken to that pagoda in 1975 or 1976?

19 MS. SIN CHHEM:

20 A. No, I did not know anything about that. They did what they did  
21 and I did not have anything to do with that. And if I knew it at  
22 the time, I cannot recall it now.

23 Q. The last subject I want to ask you about, Madam Witness, did  
24 you know during Khmer Rouge regime, did you know who Khieu  
25 Samphan was and do you ever remember him coming to your area, to

1 your district?

2 A. I only knew Hu Nim and Hou Youn, who went there to engage in  
3 the dry season <rice> farming, but not about Khieu Samphan.  
4 <Khieu Samphan already escaped. That's what I knew.>

5 [11.09.55]

6 Q. What year was it that Hu Nim and Hou Youn came to your area?

7 A. It was in 1976 when they went there to engage in the dry  
8 season <rice> farming.

9 Q. I want to read another excerpt to you from the same witness  
10 statement that I just read, this is E3/7719, Khmer, ERN 00344567;  
11 English, 00347418; and French, 00411565. And in this quote, this  
12 witness is talking about the person you identified as the chief  
13 of your district, Khieu Samit -- quote:

14 "I have heard Khieu Samit was a relative of Khieu Samphan. Khieu  
15 Samphan came to visit the people's work on the dam dyke at Thlok  
16 village." End of quote.

17 My first question: do you know whether or not Khieu Samit, the  
18 chief of your district, was a relative of Khieu Samphan?

19 A. No, I did not know whether they are related. I only knew he  
20 came from Takeo to my area -- that is, Svay Yea<, Svay Yea  
21 commune,> but I do not know at all whether he is related to Khieu  
22 Samphan.

23 [11.12.05]

24 Q. And you told us that you worked at a number of dams, did you  
25 ever work on the Thlok dam and do you remember any leaders from



1 Phnom Penh coming to visit that worksite?

2 A. Only Hu Nim and Hou Youn, I only knew about this duo who came  
3 to the area and I did not know if there was any other leaders who  
4 went there.

5 Q. My last question: In your DC-Cam interview -- this is E3/7526,  
6 at Khmer, 00185385; French, 00746963; you made a statement about  
7 Khieu Samphan. I'll like to have -- ask my national colleague to  
8 read it and the exact words you used in Khmer and then I'll ask  
9 you to explain what you meant by this statement.

10 MR. SREA RATTANAK:

11 Allow me to quote: "Khieu Samphan was so skillful with the Khmer  
12 Rouge; however, later on, everybody, they actually killed  
13 everybody and I recall that." [Free translation]

14 [11.13.47

15 BY MR. LYSAK:

16 Q. Do you remember saying this to the DC-Cam interviewers saying  
17 this about Khieu Samphan? And can you explain, can you elaborate  
18 on what you meant by what you said about Khieu Samphan?

19 MS. SIN CHHEM:

20 A. I only knew here and there that Khieu Samphan, Hu Nim and Hou  
21 Youn were part of the Khmer Rouge Party and later on Khieu  
22 Samphan joined the enemy side and then they were so afraid of him  
23 and later on they were taken away and killed. And then all those  
24 who were connected with them were also taken away and killed.

25 <This has made me wonder so far.>

1 MR. LYSAK:

2 Madam Witness, thank you for your time, my national colleague has  
3 a few questions. I'll change the floor over to him.

4 [11.15.08]

5 QUESTIONING BY MR. SREA RATTANAK:

6 Good morning, Mr President, Your Honours, and everyone in and  
7 around the courtroom; and good morning, Madam Witness. I only  
8 have a few short questions, please respond precisely to the point  
9 and if you don't understand, please let me know.

10 Q It is in relation to the killing of Vietnamese who lived in  
11 your village, in your interview <with the investigators of the  
12 Office of the Co-Investigating Judges,> you said the Vietnamese  
13 wife and children were killed, however the Khmer husbands were  
14 spared. My question to you is that, what happened to the Khmer  
15 husbands<, who were alive>? Were they forced to remarry during  
16 the period of Democratic Kampuchea regime?

17 MS. SIN CHHEM:

18 A. Some of them fell in love <with each other. Then,> they <got  
19 married and> had children<. But,> later on they were taken away  
20 and killed. <Even their small children were also smashed.> It was  
21 a pity that those <people> were taken away and killed.

22 [11.16.42]

23 Q. Madam Witness, my question to you is about the husbands of  
24 those Vietnamese wives who were taken away and killed. Were those  
25 Khmer husbands forced to remarry?

40

1 A. No, they didn't remarry. However, they are all dead now.

2 Q. What about the Vietnamese women that you said were taken away  
3 and killed, did you ever see them again at any stage later on?

4 A. I never saw them again, they were gone forever.

5 MR. SREA RATTANAK:

6 I don't have any further question; thank you, Mr. President.

7 MR. PRESIDENT:

8 What about the Lead Co-Lawyers for civil parties, do you wish to  
9 put any question to put to this witness?

10 [11.17.55]

11 MS. GUIRAUD:

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

13 MR. PRESIDENT:

14 We have about <10> more minutes before our break and I would like  
15 now to hand the floor to the defence teams, first to the defence  
16 team for Nuon Chea. You can proceed, Counsel.

17 MR. KOPPE:

18 Mr. President, is it alright with the Chamber if we would start  
19 after the break, there are few things that I would like to  
20 confront the witness with and because of the last moment of this  
21 witness, they aren't prepared yet. I can start by asking some  
22 general questions but if it wouldn't be a problem for the  
23 Chamber, I would like to start after the lunch break. If not I  
24 can use the 10 minutes but if it's--

25 MR. PRESIDENT:

1 Yes, you may proceed.

2 [11.19.47]

3 QUESTIONING BY MR. KOPPE:

4 Q. I will use my time then, Mr. President. Good morning, Madam  
5 Witness. This morning you were asked some questions about a  
6 person called Keo Meas that he was your cousin and that he was  
7 from your village and that you knew him quite well. Would it  
8 possible for you to be a little more detailed, what do you recall  
9 of him, for instance do you know when it was that he joined the  
10 Revolution?

11 MS. SIN CHHEM:

12 A. No, I did not because he went away. I only recall about  
13 <Thuch. He was a teacher. His> younger brother was <travelling to  
14 do a business and met me. He made contact with me. He was a  
15 teacher. He rarely stayed in the village as he went away with my  
16 elder brother and my elder brother actually failed the teacher's  
17 test and later on he went to attend the study with <Thuch. I only  
18 knew this much about him. Then, he went missing.>

19 Q. Do you remember where Keo Meas, your cousin, went to, where  
20 did he go to, do you know why it was that you didn't see him  
21 anymore?

22 A. He rarely came to the village and he was somewhere in Phnom  
23 Penh and my elder brother was there too, but I cannot recall  
24 where they were at the time. <Previously, I could recall it, but  
25 I forget all of it now.>

1 [11.21.31]

2 Q. Do you know where he was before 1975? Was he in Cambodia or  
3 was he in another country?

4 A. He was in Cambodia and not in another country. Later on he was  
5 being searched for and he <fled> here and there<, trying to avoid  
6 the arrest,> but ultimately he was <located,> arrested and  
7 killed.

8 Q. Madam Witness, I am asking you now about the time before 1975.

9 Madam Witness, I was asking you about his whereabouts before  
10 1975, do you know whether he was often in Vietnam before 1975?

11 A. <Based on what I heard,> I did not <think> that he had <had>  
12 any contact with Vietnam<. To> my knowledge<,> he was living in  
13 Phnom Penh although I cannot recall his whereabouts in Phnom  
14 Penh. <He only stayed there to earn a living as usual like other  
15 everyone else.> And as I said, later on, he was fleeing, hiding  
16 here and there, but he was arrested and killed. I did not know of  
17 his exact position or function.

18 [11.23.20]

19 Q. What you're saying is that you never heard that before 1975 he  
20 resided in Vietnam for longer periods of time?

21 A. I never heard that. I never heard that he lived in Vietnam. I  
22 only heard that he was living near a market, which name I cannot  
23 recall, in Phnom Penh. And, of course as I said, my elder brother  
24 was there and he attending the class and I am trying to recall  
25 the name of the market that he was living next to but I cannot

1 recall it at all. Previously, I knew the name of that market.

2 <But, I forget everything now.>

3 Q. Do you know whether your cousin was already involved in  
4 joining the Revolution in 1951?

5 A. What I knew <was that they had met and discussed about joining  
6 the revolution before> he and my elder brother joined the  
7 Revolution but I did not know when they <had actually met and  
8 talked>. Suddenly, the fighting erupted. Then, I realized it  
9 myself. As> a woman, usually I only stayed at home and I did not  
10 know about the affairs that they were involved in.

11 [11.25.16]

12 Q. How do you know that he joined the Revolution at the same time  
13 as your brother, as your husband sorry, how did you know that,  
14 how did you hear that?

15 A. My elder brother told me about it.

16 Q. When did your elder brother join the Revolution, was that in  
17 early 1950s?

18 A. <I don't know it well.> Maybe it was in 1975.

19 Q. Let me try to ask the question one more time. Is it possible  
20 that your older brother and your cousin Keo Meas joined the  
21 Revolution, or joined the predecessor of one of the Communist  
22 Party in 1951?

23 A. As I said I did not know the details regarding that event and  
24 I cannot recall it at all.

25 Q. Have you ever heard of the existence in Cambodia of not one

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1 Communist Party or Revolutionary Party but in fact two, that  
2 there were two communist parties, have you ever heard that?

3 A. I only knew about Revolution<. That> is all I know. <I never  
4 knew anything about the so-called Party.>

5 [11.27.25]

6 Q. I understand, but have you ever heard your cousin or your  
7 older brother speak about not one Party but rather two parties,  
8 which were involved in the Revolution?

9 A. I heard something about it but I forget it, I do not recall  
10 it. In the past I <remembered> it but not now.

11 Q. I understand it's a long time ago, Madam Witness, but would  
12 you be so kind and try, what is it that you remember about this  
13 other Party that maybe your brother and your cousin remember of?

14 A. <What did you just say?> I only heard my older brother  
15 <telling me> that he <had> joined the <Revolution> and <then he  
16 managed to mobilize> many more people <to> join <him. Then,  
17 Samdech Ta appealed to them to go in>to the maquis forest. <So,  
18 all of them went into the forests. But, they all> returned  
19 <shortly afterward. That's all I know.> And as I said, later on,  
20 people were killed.

21 [11.29.12]

22 Q. But did you hear -- that was my question -- that your older  
23 brother or your husband or Chan Chakrey or Chhouk or Keo Meas  
24 ever speak about two Communist parties or two Marxist/Leninist  
25 parties rather than one?

1 A. No, I did not hear about that. <They never told me about it.>  
2 As I said, I was a woman and I was young. <Since they were men,  
3 old and well-educated,> they did not <talk with> me about that  
4 affair.

5 Q. Let me go to your older brother, can you describe how his  
6 military rank was compared to Chan Chakrey and to Chhouk?

7 A. He held a pretty senior rank as he was at the sector level and  
8 he also had a pistol with him.

9 Q. But do you know whether Chan Chakrey was -- or had a higher  
10 rank than your older brother or was your older brother higher in  
11 rank than Chan Chakrey?

12 A. Chakrey had a more senior position than my older brother. <He  
13 was a little higher in rank.>

14 [11.31.13]

15 Q. And do you know how much senior Chan Chakrey was to your older  
16 brother, was it one rank below or was it two ranks below, do you  
17 remember?

18 A. It was probably one rank below; that's all I knew and it's  
19 because of his senior position, my brother referred to him as  
20 "bong", brother.

21 MR. PRESIDENT:

22 Thank you, Counsel. It is now time for our lunch break. We will  
23 take a break now and resume at 1.30 this afternoon.

24 Court officer, please <coordinate to provide a place for this>  
25 witness <to rest> at the waiting room <reserved> for witnesses



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1 and <experts> during the lunch break and invite her back into the  
2 courtroom at 1.30 this afternoon.

3 Security personnel, you are instructed to take Khieu Samphan to  
4 the waiting room downstairs and have him returned to attend the  
5 proceedings this afternoon before 1.30.

6 The Court is now in recess.

7 (Court recesses from 1132H to 1332H)

8 MR. PRESIDENT:

9 Please be seated.

10 The Court resumes the hearing, and now the Court gives the floor  
11 to defence counsel for Nuon Chea to put questions to the witness.

12 You have the floor now.

13 [13.32.54]

14 BY MR. KOPPE:

15 Thank you, Mr. President. Good afternoon, Your Honours. Good  
16 afternoon, Counsel and Madam Witness.

17 Q. Madam Witness, before the lunch break, we spoke about someone  
18 who was quite close to you, your cousin Keo Meas. What I would  
19 like to do is to show you a photograph and we'll ask you the  
20 question whether this person that I'm going to show you -- that  
21 you see on the photo is indeed Keo Meas.

22 Mr. President, this morning to the Senior Legal Officer, I wrote  
23 an email -- or we wrote an email providing the legal officer with  
24 a still from an East German documentary called in German "Die  
25 Angkar". I would like to show with your leave about two minutes

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1 from that film. But before I do that, I would like to show the  
2 witness a photo of a person that you see in that footage. And  
3 with your leave, I would like to give it to the witness.

4 [13.34.25]

5 MR. PRESIDENT:

6 The Court grants the request.

7 BY MR. KOPPE:

8 Q. Madam Witness, I saw you speaking but the microphone was off.

9 Do you recognize that person on the photo that I just gave you?

10 MS. SIN CHHEM:

11 A. The <person in the> photo <looks> like Keo Meas, but the photo  
12 was not so clear. He had such a beard <and moustache>.

13 Q. So you're not entirely certain that it is Keo Meas, but you  
14 think it is, or you don't know?

15 A. I remember only his <moustache and> beard, but when <I> look  
16 at his eyes, it seems different.

17 [13.36.04]

18 MR. KOPPE:

19 Mr. President, I would now like to show those two minutes from  
20 that documentary -- that is, E3/3095R. It's also on the case file  
21 SE3/719R. There is a complication to my request because the  
22 original language in the footage is German, because it's made by  
23 two East German documentary makers in 1981. Therefore, earlier  
24 this morning, I have sent another email to the Senior Legal  
25 Officer with the German words that you can hear and underneath

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1 the English translation -- informal translation. We have given  
2 the translators a copy of this document as well. It's a bit  
3 unfortunate that Judge Fenz is not with us today, because then  
4 she would be able to follow the German. But I would like to show  
5 this footage to the witness. And as I said, this footage also  
6 contains the photograph or the still that I just showed her. So  
7 with your leave, I think the AV booth is ready, I would like to  
8 show her that footage from that documentary.

9 [13.37.45]

10 MR. PRESIDENT:

11 <International> Deputy Co-Prosecutor, you have the floor now.

12 MR. LYSAK:

13 Yes. I want to make sure I understand what counsel is asking. Is  
14 counsel asking that the interpreters are going to accept his  
15 translation of this? I don't have any problem with it being read,  
16 but I think the record just should be clear that what the  
17 translators -- if the translators read and translate this into  
18 French and Khmer, that this is not an official -- this is  
19 counsel's translation of it not an official Court translation of  
20 whatever is in this video.

21 MR. KOPPE:

22 Indeed, the English that the translators have, Mr. President, is  
23 our unofficial translation of the German. I have no problem in  
24 underlining that this is not an official English translation.

25 MR. PRESIDENT:

1 The Court <grants> your request, but you need to tell us how many  
2 minutes it will last.

3 [13.39.01]

4 MR. KOPPE:

5 It's between minutes 13.31 and 15.49; therefore, it's about 2  
6 minutes and 18 seconds.

7 MR. PRESIDENT:

8 The Court now <grants> your request. And the AV <Unit personnel>,  
9 please play the footage of this video as requested by the defence  
10 counsel of Nuon Chea, please.

11 [13.39.45]

12 (Presentation of audio-visual document)

13 [13.42.13]

14 MR. PRESIDENT:

15 Please Judge Lavergne, you have the floor.

16 JUDGE LAVERGNE:

17 <Yes,> Mr. Koppe, for purposes of the record, can you tell us,  
18 <if you know,> when that documentary was produced?

19 MR. KOPPE:

20 It is my understanding that it was produced by two renowned East  
21 German filmmakers in 1981 right after the Vietnamese took power  
22 of Cambodia. It is an original East German documentary. It's  
23 together with another documentary which is also on the case file.  
24 "Death and Rebirth" it's called. But this is original footage  
25 from that documentary made in 1981.

1 MR. PRESIDENT:

2 Defence Counsel, yes please proceed. Continue with your  
3 questions.

4 BY MR. KOPPE:

5 Q. Just to be sure, Madam Witness, were you able to see the  
6 footage? Were you able to see the film that was just shown on the  
7 screen?

8 MS. SIN CHHEM:

9 A. I did not have time to see the video because I was busy taking  
10 care of my home.

11 MR. PRESIDENT:

12 Please repeat your question. Madam Witness, please listen to the  
13 question carefully. The question is about the footage that just  
14 <displayed> on your screen. So it's about that footage; it's not  
15 about whether you had gone to see video during the old time.

16 [13.44.33]

17 BY MR. KOPPE:

18 Q. Madam Witness, just now on the screen, there was about two  
19 minutes of film. Were you able to see that on the screen?

20 MS. SIN CHHEM:

21 A. Yes, I did see it.

22 Q. And did you see at the end of that film the same person whose  
23 photograph I just showed you?

24 A. It's my uncle photo, but I don't know all of them.

25 Q. Did you recognize the two other men that were shown on the

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1 very last part? You saw your uncle, and there were two other men.

2 Did you recognize them?

3 A. I do not recognize them. If you tell me their names, I would  
4 be able to remember.

5 [13.45.56]

6 Q. One was called Son Ngoc Minh.

7 A. Son Ngoc Minh. I never saw him.

8 Q. And someone called Keo Moni.

9 A. I also did not know the person named Keo Moni.

10 Q. Now one last question about this footage, Madam Witness. In  
11 the very beginning, the voiceover in the documentary says in the  
12 unofficial translation the following -- and I quote - I quote our  
13 own translation:

14 "The rise and fall of Pol Pot is the story of an unforgiving  
15 battle within one party. Marxist, Leninists, and  
16 internationalists stand according to their tradition against the  
17 clique of terror that tries to install an outpost of Beijing  
18 hegemony in Kampuchea." End of quote.

19 Madam Witness, have you ever heard your cousin speak of a battle  
20 within the Khmer Rouge or within the Party?

21 A. I knew some at that time but now I cannot recall it. I cannot  
22 tell you now because I lose my memory.

23 [13.48.17]

24 Q. I understand. Let me read a few excerpts of other documents  
25 and maybe somehow that would jog your memory. Madam Witness, I

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1 now would like to read a small excerpt from a document -- that  
2 is, E3/5309, Khmer, ERN 003883 to 7; English, 00426128; and  
3 French, 00479776. This is an interview of someone with the name  
4 of Heng Teav. Heng Teav had a very senior position in the  
5 government of Heng Samrin in 1985 and before. He was also the  
6 second person in the Northwest Zone known as Ta Paet or Ta  
7 Kantol. And this person has asked the following question -- and I  
8 quote:

9 "After 17 April '75, who did the Cambodian Party outside the  
10 country see as the Party leader, Pol Pot or who exactly?"

11 And then this witness answers: "There were two parts then: one  
12 was the Communist Party that was active inside there and one  
13 part, ours, was led by Son Ngoc Minh."

14 "Led by Son Ngoc Minh?"

15 "Yes. And inside the country, it was not Pol Pot, but Tou  
16 Samouth."

17 [13.50.11]

18 You just said, Madam Witness, that the name Son Ngoc Minh doesn't  
19 mean anything to you. But have you ever heard your brother or Keo  
20 Meas speak about two communist parties just like this person Ta  
21 Paet is saying?

22 MR. PRESIDENT:

23 Witness, please hold on. <International> Deputy Co-Prosecutor,  
24 you may have the floor now.

25 MR. LYSAK:

1 Thank you, Mr. President. I think that the excerpts that counsel  
2 is putting to this witness are a little misleading. Just a few  
3 lines later it's clear the witness being interviewed here  
4 indicates that Son Ngoc Minh died in 1972. Therefore, he could  
5 not have been the leader of a party after 1975. It's also clear  
6 when he's talking about Tou Samouth, he's talking about a  
7 different time period. So my objection is that the quote that's  
8 being put to this witness is -- I believe the witness is talking  
9 about an entirely different time period, if this concerns Tou  
10 Samouth and Son Ngoc Minh.

11 [13.51.50]

12 MR. KOPPE:

13 Mr. President, of course I know that Tou Samouth was killed in  
14 '62, probably by the Sihanouk regime. I also know that Ngoc Minh  
15 died in Beijing 1972. I all know that. But the quote nevertheless  
16 speaks about after 17 April '75, and he's talking about two parts  
17 of the Communist Party: one active inside and "ours", as he said,  
18 "led by Son Ngoc Minh". And as I said, Ta Paet wasn't just  
19 anybody, he was the number two of the Northwest Zone and had a  
20 very senior government position up until 1985 or 86 when he died.  
21 So I think I should be allowed to ask that question to the  
22 witness.

23 (Judges deliberate)

24 [13.54.52]

25 MR. PRESIDENT:



1 The Bench now give the floor to Judge Lavergne to deliberate to  
2 the request by the defence counsel of Nuon Chea. Judge Lavergne,  
3 you have the floor now.

4 JUDGE LAVERGNE:

5 <Yes,> thank you, Mr. President. The Chamber considers that the  
6 question asked by the Nuon Chea defence should be rejected for  
7 the reason that it can only be relevant with regard to a period  
8 of time that is well before the Democratic Kampuchea period,  
9 <thus well before the period that concerns> us. <Furthermore, we  
10 believe> the question <can lead to confusion> and there is no  
11 reason for putting it to the witness.

12 [13.55.45]

13 BY MR. KOPPE:

14 Q. Although Judge Lavergne, the question clearly begins about --  
15 it's about after 17 April '75, I'm very happy to move on to the  
16 next document where it says exactly the same thing or almost the  
17 same thing. And that is excerpt from testimony in this very  
18 courtroom, 5 October of this year. And the other one is 6  
19 October. It's the testimony of a North Zone district chief Ban  
20 Seak. He speaks about the Workers' Party. Let me read that  
21 excerpt to you, Madam Witness. It is a document, by the way,  
22 E1/354.1, and it is about 09.34 in the morning on the 6th of  
23 October.

24 Question: "Do you know when the Workers Party was founded?"

25 Answer: "Ke Pauk was a member of the Workers Party. And he

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1 subsequently joined the Kampuchea Communist Party. But what I  
2 know is that the Workers Party was set up in '67/68, so Ke Pauk  
3 left the Workers Party to join the Kampuchea Communist Party."  
4 And a little further down, "to my knowledge, at my location,  
5 there were Khmer cadres who had been trained in Vietnam. They  
6 were part of the labour party. And when the Vietnamese entered  
7 Cambodia, they were part of the force to build its own force on  
8 the ground. And later on, they had been purged."

9 This is a long quote, Madam Witness. But there is a district  
10 chief from the North Zone who speaks about two parties within the  
11 revolutionary movement: one called the Communist Party of  
12 Kampuchea and the other one called the Workers Party. Have you  
13 ever heard of something called the Workers Party?

14 [13.58.09]

15 MS. SIN CHHEM:

16 A. I did not ever hear of it. I knew only <the last part of it,  
17 but not the top part of it. I only knew about the killing of  
18 people. I knew everything about it.>

19 Q. My last attempt, Madam Witness. Now I would like to discuss  
20 with you a document, which is a document of August 1979. It's  
21 E3/7327, Khmer, ERN 01113795; it's unclear what the English ERN  
22 is at this stage. Mr. President, it's a document from the  
23 "People's Revolutionary Tribunal held in Phnom Penh for the trial  
24 of the genocide crime of the Pol Pot-Ieng Sary clique". So this,  
25 in fact, it seems to be a court document.

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1 Madam Witness, it says on top of that document:

2 "Greetings to our Party's victories in the leadership of the  
3 CIA's Kampuchean Workers' Party on June 3rd, 1978.

4 "Top men of the Kampuchea Workers' Party:

5 "1. So Phim: Secretary of the Kampuchea Workers' Party, committed  
6 suicide 3rd June '78.

7 "2. Nhim: Deputy secretary, arrested on the June 11th, 1978."

8 And "3" -- and that's why I'm asking you this question - "Keo  
9 Meas: arrested on September 21st, 1976."

10 So Madam Witness, your cousin, Keo Meas to whom you were close,  
11 you said, was seen as the number three of this party called the  
12 Kampuchea Workers' Party. Does that sound familiar or not at all?

13 [14.00.35]

14 MS. SIN CHHEM:

15 A. I did not know anything <associated> with So Phim. I only knew  
16 what happened on the ground at a later stage <regarding the  
17 killing of people>. However, concerning them, they did not speak  
18 to me at the time since I was female.

19 Q. I understand, Madam Witness. Let me go back to your cousin Keo  
20 Meas.

21 Mr. President, I would like to refer the witness to E3/1684,  
22 that's an excerpt from David Chandler's book. It's English, ERN  
23 00192733; Khmer, 00191890; and-

24 Interpreter:

25 <Mr. President, excuse me. Please ask the counsel to speak

1 slowly.>

2 MR. PRESIDENT:

3 Counsel Koppe, please repeat the document ID and the ERN again.

4 <You are advised to read at a slow pace, otherwise the

5 interpreters could not follow you.>

6 [14.01.51]

7 BY MR. KOPPE:

8 Yes, Mr. President, it's E3/1684. It's a David Chandler's book on

9 S-21. It's English, page 54, ERN 00192733; Khmer, 00191890;

10 French, 00357321.

11 Q. I'm going to be looking at that excerpt, Madam Witness, and

12 ask you whether you know anything about your cousin Keo Meas.

13 David Chandler writes that he, together with someone called Nuon

14 Suon, had operated in the open in the 1950s, and that Keo Meas

15 had twice run as a radical candidate for the National Assembly.

16 Do you recall your cousin operating in the open in politics and

17 running as a candidate for the National Assembly twice?

18 MS. SIN CHHEM:

19 A. I did not know anything about that. He was rarely home;

20 however, in the past his father was chief of the district. That's

21 all I can say about him.

22 [14.03.45]

23 Q. But do you recall him running as a political candidate? Did

24 you ever hear about elections or him trying to become a member of

25 parliament in the 1960s?

1 A. No, I did not know about that. I was pretty young at the time.

2 Q. And do you know that whether Keo Meas in the 70s worked in  
3 Beijing and Hanoi on behalf of the United Front government in  
4 exile?

5 A. No, he did not go there. He lived in Phnom Penh because my  
6 elder brother made a trip back and forth between village and  
7 Phnom Penh.

8 Q. I remember you giving that answer before the break. But he  
9 never worked in China or Vietnam on behalf of the United Front  
10 government in exile, never?

11 A. No, he never. As I said, he lived in Phnom Penh near a market.  
12 I cannot recall the name of the market. And my elder brother made  
13 a frequent trip to go and meet him in Phnom Penh.

14 [14.05.35]

15 Q. It also says that when he returned in 1975 to Cambodia, he was  
16 put under house arrest. Have you ever heard your cousin Keo Meas  
17 being put under so-called house arrest?

18 A. I did not know anything about house arrest. I heard that he  
19 was relocated from Phnom Penh to go elsewhere and that later on,  
20 he was arrested and killed.

21 Q. We have established, I think, that he was arrested in  
22 September '76. But do you know whether before his arrest he was  
23 first placed under house arrest? In other words, he wasn't  
24 allowed to leave his house in Phnom Penh. Have you heard anything  
25 about that?

1 A. What I heard was that he left his house. Later on, they found  
2 him, arrested him, and killed him.

3 [14.07.10]

4 Q. Let me now move from your cousin Keo Meas to somebody else  
5 that you mentioned already before, Chhouk and Chakrey. More  
6 particularly, Mr. President, I would like to refer to E3/13 --  
7 that is, a document -- contemporaneous document from 9 October  
8 1976, it's minutes of the meeting of secretaries and deputy  
9 secretaries of divisions and independent regiments. And what's  
10 happening in these minutes is Son Sen talking to his military who  
11 are present or the commanders of the various divisions present.  
12 And more particularly on Khmer page, 00052406; English, 00940343;  
13 and French, 00334976. He is saying the following to his generals  
14 -- or his chief commanders.

15 "The enemy to the East: The key plan of the enemy of the East,  
16 the Vietnamese with the Soviets behind them, was to attack from  
17 the inside through the traitorous forces of Ya, Keo Meas, Chhouk,  
18 and Chakrey. What I would have liked in terms of an attack from  
19 the outside was to attack in the Czechoslovakian and Angolan  
20 style, but this was merely a morale boost, because given our  
21 situation, this was not something the enemy could do." End of  
22 quote.

23 Of course, Madam Witness, you were not present at that meeting  
24 with Son Sen and the military. But he is referring to a plan of  
25 the enemy of the east to attack Cambodia and he mentions four

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1 people specifically. And it seems that two or maybe three of them  
2 you know really well, except for Ya, who was the chief of the  
3 North East Zone.

4 Mr. President, he mentions Keo Meas, Chhouk, and Chakrey. My  
5 question is: have you ever heard anything -- be it from your  
6 older brother or anyone -- about a plan from the East Zone and  
7 Vietnam to attack Democratic Kampuchea?

8 [14.10.23]

9 A. I heard about it, but I forget the details regarding this  
10 event. I recall Chakrey and Ta Chhouk who frequently came to  
11 visit <us> at my house or to meet my elder brother. <He was a  
12 friend of my elder brother.>

13 Q. What was it that they discussed, do you know?

14 A. I was not allowed to know since I was a woman. Only those men  
15 discussed their own affairs.

16 Q. I understand but have you never heard anything about what they  
17 were discussing, anything about a plan, a secret plan maybe?

18 A. Of course, they would not let me know anything regarding their  
19 secret plan if they had one because they believed that if they  
20 were to tell a woman, then a woman would spread the rumour.

21 [14.11.45]

22 Q. Let me refer you, Madam Witness, to something you said before  
23 DC-Cam or to investigators of DC-Cam, E3/7526. It's only in  
24 French and Khmer. And the French page ERN is 00746949; and in  
25 Khmer, 00185371. You were speaking about your older brother and

1 at one point you were being asked a question about Chan Chakrey.

2 If you would bear with me, I will read to you in French. The

3 investigator asked the following:

4 "Did you ever hear about Chan Chakrey?

5 "Yes, I heard about him but I never saw him. My older brother

6 spoke to me about him.

7 "What did he say exactly?

8 "He said that Chan Chakrey has joined us later on."

9 Do you recall saying that, hearing your brother say to you that

10 Chan Chakrey later joined his brother -- or your brother?

11 A. He said that Chan Chakrey was his friend and they were close.

12 And that's all he told me. I was also young at the time.

13 [14.14.07]

14 Q. So you had no idea at the time what your brother Chan Chakrey,

15 Chhouk, and Keo Meas were up to; is that correct? I will withdraw

16 the question because I will confront the witness with what they

17 were up to, Mr. President, I thought it's faster.

18 Son Sen in that same document that I earlier referred to spoke

19 about events that Chakrey were involved in together with the

20 others and he talked about incidents of guns being fired near the

21 Fine Arts school, and leaflets being thrown near the Royal

22 Palace. And in early April '76, grenades were thrown and leaflets

23 were thrown again. Have you ever heard of grenades and -- being

24 thrown and guns being shot at the Fine Arts school near the Royal

25 Palace?



1 A. No, I did not know about that. <> what I knew was about the  
2 later stage when they started killing people.

3 [14.15.47]

4 Q. Let me provide you some more details with those events in  
5 early '76.

6 Mr. President, I'm referring again to Chandler's book on S-21,  
7 E3/1684. It's English page 52, English ERN 00192731; Khmer,  
8 00191888; and French, 00357319. He's written the following, Madam  
9 Witness:

10 "Three days later" -- he means the 3rd of April 1976 -- "shortly  
11 before dawn, grenades exploded near the Royal Palace, and shots  
12 were fired at the National Museum in Phnom Penh."

13 A little further down, "The culprits belonged to Division 170, a  
14 unit formed after April 1975 out of Division 1, which had been  
15 recruited in the Eastern Zone during the Civil War. At the time  
16 of the explosions, elements of the division were stationed on the  
17 outskirts of Phnom Penh where its soldiers were assigned to  
18 growing rice. [...] Suspicions soon coalesced around Chan Chakrey,  
19 a flamboyant Eastern Zone military figure and former Buddhist  
20 monk who was acting as Division 170's political commissar. In the  
21 wake of Chakrey's arrest, Ly Vay, the deputy secretary of  
22 Division 170 was hauled in. Chakrey, for his part, implicated Ly  
23 Phen the political commissar of the Eastern Zone armed forces,  
24 Ros Phuong of Division 170, and Suas Neou alias Chhouk, the  
25 secretary of Sector 24 in the Eastern Zone. Ly Phen was arrested

1 in June 1976, Ros Phuong in July and Chhouk in August. Chhouk was  
2 a long time protégé of the zone secretary So Phim." It goes on  
3 but I will stop here.

4 When I read this to you, does this somehow ring a bell or not at  
5 all? Or is it completely unknown to you what I'm reading?

6 [14.18.45]

7 A. I did not know anything about that. And I also do not read and  
8 write. And let me repeat that what I know is that the Pol Pot  
9 regime killed people.

10 Q. Was that, Madam Witness, because most people that you were  
11 close to, Keo Meas, Chhouk, and of course, your older brother  
12 together with Chan Chakrey were in fact involved in a coup d'état  
13 and a military attack on both the Royal Palace and Museum of Fine  
14 Arts? Is that why they were arrested?

15 A. I did not know anything at all about that. I only knew that he  
16 worked and later on, he was arrested.

17 Q. What about your husband, did he ever speak to you about why he  
18 thought your older brother Chan Chakrey, Keo Meas were arrested?  
19 Did he ever ventilate to you his suspicions?

20 A. He never told me anything about that. He even warned me to  
21 keep silent and not to say too many words. <So, I just shut up my  
22 mouth.>

23 [14.20.54]

24 Q. I mentioned some names earlier. Were there any of those names  
25 familiar to you when I read them? I talked about of course

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1 Chakrey and Chhouk, but how about Ly Phen or Ros Phuong? Have you  
2 ever heard of them?

3 A. Please repeat the names.

4 Q. As a matter of fact, three names I would like to put before  
5 you: Ly Vay, who was the deputy secretary of Division 170; Ly  
6 Phen, a political commissar of the Eastern Zone armed forces; and  
7 Ros Phuong. So Ly Vay, Ly Phen, and Ros Phuong, does that ring a  
8 bell?

9 A. No. Those names do not ring a bell to me.

10 [14.22.06]

11 Q. Now the author of this excerpt, an historian -- Australian  
12 historian -- says that Chhouk was a "long time protégé of the  
13 zone secretary So Phim". Do you know whether that is correct? Was  
14 Chhouk a so-called protégé of So Phim?

15 A. I did not know anything about that. As for Chhouk and Phim, I  
16 did not know them. I knew that my brother and Chakrey were  
17 friends. And besides, I did not know anything else.

18 Q. Let me turn to your brother now because you just mentioned  
19 him, Madam Witness. In his revolutionary biography, E3/7526, on  
20 the very first page, Khmer page 00079567; and French, 00728260;  
21 your brother answers the question when he joined the Revolution,  
22 that he joined it in 1970 -- on 26 October 1970, and that the  
23 introducer was Comrade Chakrey. I think it was briefly discussed  
24 this morning already but just to be sure: was it indeed Comrade  
25 Chakrey, Chan Chakrey who introduced your brother to the

1 Revolution?

2 A. I knew that Ta Chhouk was a leader but I did not know about  
3 Chakrey. And only later on, I learnt Chakrey was his friend.  
4 [14.24.36]

5 Q. You say "friend", do you know if they were close? Were they  
6 really good friends or not so good friends? Were they comrade in  
7 arms for instance? What can you tell us about their relationship?

8 A. They were close. It's like Ta Chhouk and my elder brother  
9 because <Ta Chhouk> taught him, so they were close. And later on,  
10 they were also friends to Chakrey. That's why I mentioned  
11 Chakrey's name.

12 Q. So is it then fair for me to say that your older brother  
13 Chhouk, Chakrey, Keo Meas, and Keo Meas's younger brother Ta  
14 Thoch, that they were all very close with each other, all five of  
15 them?

16 A. Yes, because he was a teacher.

17 Q. Now in that same document, that same page, your brother is  
18 asked the question what the reason was for him joining the  
19 Revolution. And he answers: "I value my own opinion and I am  
20 angry with the American imperialists and the Lon Nol traitors."  
21 So your older brother speaks about American imperialists and Lon  
22 Nol traitors. Did he ever use those words to you or in front of  
23 you? And if yes, do you know what he meant with those words, "Lon  
24 Nol traitors" and "American imperialists"?

25 A. I did not know about that. They never spoke to me about this

1 matter. And as I said, it's because I was a woman and they were  
2 <secretly> discussing matters only among themselves.

3 [14.27.25]

4 Q. I understand but he was your brother. You were also married to  
5 someone who joined the Revolution himself. If your brother speaks  
6 about Lon Nol traitors, would you be able to tell us what he  
7 meant when he said that? American imperialists and Lon Nol  
8 traitors, what does that mean or what could that have meant to  
9 him?

10 MR. PRESIDENT:

11 Witness, please hold on. And the <International> Deputy<>  
12 Co-Prosecutor, you have the floor.

13 MR. LYSAK:

14 Thank you, Mr. President. But counsel's already asked whether he  
15 discussed -- her brother discussed this issue. She said he  
16 didn't. I think it's improper to ask her then to speculate about  
17 what her brother meant. Her brother didn't talk to her about  
18 this. So she would simply be speculating or guessing if she were  
19 to answer that question.

20 [14.28.36]

21 BY MR. KOPPE:

22 I'll try to reformulate, Mr. President.

23 Q. Madam Witness, do you know whether your brother was ever  
24 involved in the arrest and possible subsequent killing of people  
25 who work for Lon Nol, either military or civilian officials?

1 MS. SIN CHHEM:

2 A. No. They were far from me because I was in Svay <Yea> and  
3 <they were in Krasang Char. So,> I did not know about this  
4 matter.

5 Q. Fine. Let me now move on to what you possibly do know, Madam  
6 Witness. Let me ask you some questions about the period between  
7 1975 and '79. Can you describe a little bit your activities, did  
8 you work? Were you obliged to work? What can you tell us about  
9 what you did between '75 and '79?

10 A. I tried to work very hard to carry earth or to dig canal.  
11 Wherever I was assigned to, I would go and work very hard. I was  
12 very afraid and my husband always reminded me to keep working and  
13 to keep my mouth shut. And I followed his advice. <He said that I  
14 had to keep my mouth shut if I wanted to make myself safe. I  
15 always obeyed my husband. I would always follow his advice.>  
16 [14.30.26]

17 Q. What is it that you remember about the working times in a day?  
18 When would you work in the morning and when would you work in the  
19 afternoon and when would you work, if at all, at night?

20 A. It started from 7.00 in the morning till 5 o'clock in the  
21 afternoon -- that is, there was a one hour window for lunch break  
22 at noon.

23 Q. And was that in relation to your work in the rice field, so  
24 also when you were working at the dams in the East Zone?

25 A. I worked at the canal, <digging> the canal<. It> was to the

1 east of Svay Chrum pagoda. <My children were still small. They're  
2 not grown-up yet. I left at home while I was working.>

3 Q. Do you recall from which year to which year you worked at a  
4 dam in your district?

5 A. It was in 1977. And later on, my husband was arrested <and  
6 then I was not allowed to go and work there anymore.>.

7 [14.32.16]

8 Q. When you were working at the dam, did you have some kind of  
9 leading position like your husband or were you just a worker?

10 A. I was so afraid -- I was afraid of death. My husband reminded  
11 me to strictly shut my mouth and just follow what they assigned  
12 me to do. So I worked hard. I did not dare to protest <or to  
13 disobey the instructions>.

14 Q. So you were just an ordinary worker and your husband was in  
15 charge of the work done in the district; is that correct?

16 A. Yes.

17 Q. Were you part of the commune or district forces, or were you  
18 part of a mobile unit?

19 A. I was not in the mobile unit or -- neither any other unit, but  
20 I was simply assigned to do the work, to dig the canal. And I did  
21 not dare to say anything. I only ate my food ration and then  
22 slept <during the day time and I had to build the canal again  
23 during the night time.>. And although I worked hard, life was  
24 still under threat. <I still did not feel that I was quite safe.>

25 [14.34.04]

1 Q. And when you were working in the rice fields or at the dam  
2 under the supervision of your husband, were there also so-called  
3 New People who were working there in your commune or district?  
4 Was there a difference between Base People on the one hand, and  
5 New People, on the other hand?

6 A. I worked with the New People. They never said anything to me  
7 and I also never said anything to them. <We all worked together.  
8 We got along well.> We were like <brothers and sisters>. We did  
9 not blame each other during our work. <When we had something to  
10 eat we always shared them with one another.>

11 Q. Did the New People receive the same rations of food as the Old  
12 People?

13 A. Yes, the same food ration. Yes, we received one ladle of gruel  
14 each time. So it's not <steamed> rice, what we were given was  
15 gruel.

16 Q. And did the New People work the same hours as you just  
17 described as the Old People? Was the amount of hours they worked  
18 the same for both New People and Old People?

19 A. Yes, the same amount of hours. And some of the New People  
20 worked hard. <They performed their work very well.> And we worked  
21 together <and teased each other at work. But,> later on, they  
22 were <abruptly> taken away.

23 [14.36.19]

24 Q. And if a new person would get sick when working in the rice  
25 field or at the dam, would he get the same medicine or the same



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1 medical treatment as an old person or base person that got sick?

2 A. Yes, the same amount. But the medicine was <like> rabbit drop  
3 <tablets>.

4 Q. Yes, I understand. Am I right, Madam Witness, when I say that  
5 in your commune or your district the New People and the Old  
6 People were treated the same in terms of work, working hours,  
7 food, medicine? There was no difference in treatment; is that  
8 correct?

9 A. Yes. We were treated the same, but <>, we received rabbit drop  
10 pellets <medicine>.

11 Q. Do you recall when it was in your commune or district that you  
12 started eating communally? When was it that all of you were  
13 eating together? Which year was that?

14 A. <It> was probably in 1977. At the beginning of 1977 -- in 1978  
15 -- or no, no; it's in 1977 that my husband was arrested. And then  
16 five or six months later we started to eat communally.

17 [14.38.30]

18 Q. Was everybody obliged from the beginning in '75 to the very  
19 end to wear black clothes?

20 A. Let me think about this. It was probably in 1976 -- or no, no,  
21 it was in 1975. But I cannot recall this. I have poor memory now.

22 Q. Did your husband ever have someone arrested when he was still  
23 in charge for being too lazy or for any other reason? Do you know  
24 whether your husband was involved in any arrests of people?

25 A. No, he did not order any arrest. He loved people. He did not

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1 order any arrest of people. Only later on<,> he was arrested.

2 [14.39.54]

3 Q. Earlier, you were asked questions about mixed Vietnamese-Khmer  
4 families in your commune and district. The people belonging to  
5 these families, did they also work in the rice fields and at the  
6 dam when your husband was still in charge??

7 A. Yes, we worked together, both Khmer and those ethnic  
8 Vietnamese who had Khmer husband, they worked together. <But,  
9 they were in the village to the north of mine. People had to  
10 cross a creek to and from that village.> Yes, we were on good  
11 terms, <having> good relationship. <My husband said those people  
12 were fine and hard-working.> And later on, those people were  
13 taken away <to be killed> and I <had> very <much> pity <on> them.  
14 <Even their breast-fed baby was not spared.>

15 MR. PRESIDENT:

16 Thank you, Madam Witness. It is now convenient time for break.

17 The Chamber <takes a break now and> will start again at 3  
18 o'clock.

19 Court officer, please find for this witness a proper place in the  
20 waiting room <reserved for witnesses and experts> and please  
21 bring her back <into the courtroom> at 3 o'clock.

22 The Court now is in recess.

23 (Court recesses from 1441H to 1500H)

24 MR. PRESIDENT:

25 Please be seated.

1 The Court is now back in session, and again the floor is given to  
2 the defence team for Nuon Chea to continue putting further  
3 questions to the witness. You may proceed, Counsel.

4 [15.01.22]

5 BY MR. KOPPE:

6 Q. Thank you, Mr. President. Madam Witness, before the break I  
7 was asking you questions about the mixed Vietnamese families who  
8 were working in your commune. But before I ask some further  
9 questions on that, let me go back to something you said before  
10 the break. Before the break I was asking you about whether you  
11 knew there were in fact two revolutionary parties, or two  
12 segments within the Party, or -- and you said basically, "Well, I  
13 don't know about that." But in the break, I went back to your  
14 DC-Cam statement, and because it's in French, it took me a while.  
15 But I would like to confront you with something that you said to  
16 DC-Cam.

17 Mr. President, this is E3/7526; French, 00746962; and Khmer,  
18 00185384. So I'm going to be reading in French again. I apologize  
19 for my pronunciation. The question by the investigator, and then  
20 you answer as follows:

21 "This was not it; that is to say that there was a Khmer Rouge  
22 party. It was these Khmer Rouge. And then there was another  
23 party. They were not really Khmer Rouge, they were real traitors  
24 to the nation, isn't that so?"

25 Madam Witness, earlier this morning you were asked questions by

1 the Prosecution about the "Khmer Rouge". Here you seem yourself  
2 to make a distinction between, on the one hand, the Khmer Rouge,  
3 and on the other hand, the traitors of the nation. Now what is it  
4 exactly that you meant with that answer?

5 [15.04.05]

6 MR. PRESIDENT:

7 Witness, please hold on. And Deputy Co-Prosecutor, you have the  
8 floor.

9 MR. LYSAK:

10 Yes, Mr. President, I'm just objecting. I think counsel is  
11 mischaracterizing this section, and he's left out an answer a few  
12 paragraphs, or a few answers, later, where the witness makes  
13 clear she's not talking about two different parties, she's  
14 talking about the period when Pol Pot and the leaders in the  
15 Centre began killing people. And when she talks about the  
16 traitors, she's talking about the Pol Pot group that began  
17 killing people in the East Zone. So he shouldn't be representing  
18 this as something relating to two different parties. It's nothing  
19 to do with that at all.

20 [15.14.51]

21 MR. KOPPE:

22 Two responses, if you allow me, Mr. President. First of all, I'm  
23 just reading what's in the statement so she can explain what she  
24 meant with Khmer Rouge, on the one hand, and traitors, on the  
25 other hand. However, the page earlier -- French, ERN 00746961;

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1 and Khmer, 00185384 -- she says the following: "They said that we  
2 didn't speak about the story that there was on one hand, the  
3 Khmer Rouge party, and on the other hand, the Pol Pot party."  
4 Although it's French, and obviously I'm not that good at French,  
5 but it seems that again there, Mr. President, she is referring to  
6 the Khmer Rouge on the one hand, and the traitors -- Pol Pot --  
7 on the other hand. So I think my question was fair.

8 MR. PRESIDENT:

9 Judge Lavergne, you have the floor.

10 [15.06.19]

11 JUDGE LAVERGNE:

12 Maybe the easiest would be, Counsel Koppe, for me to read out the  
13 totality of the answers to the question that <were> put to her.  
14 She was put questions to know how the people had been mistreated,  
15 and she answered the following: "They were mistreated. <What  
16 happened is that> back then, they didn't <want there to be>--  
17 they <hated it -- they> said that we, <then, didn't speak about  
18 the story; that on one hand there was> the Khmer Rouge party, and  
19 the other hand, the Pol Pot party. They didn't say that. They  
20 said that everything was brought together, and they attacked <in  
21 order> to take everything. That is to say that Pol Pot and the  
22 Khmer Rouge were <one and> the same, right? There was nothing  
23 that existed on the side-lines <like that>." So I have a hard  
24 time seeing or understanding how you understand that there were  
25 two parties. I have the impression that she says that there was

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1 only one single party. Or in any case, the French translation is  
2 <extremely> bad.

3 MR. KOPPE:

4 Maybe my French -- well, French is obviously not my native  
5 tongue, but I understood it to mean that she refers to two  
6 factions: the Khmer Rouge on the one hand, and the traitors on  
7 the other hand. And the traitors being Pol Pot. Pol Pot is the  
8 traitor of the nation. That's what she seems to imply.

9 [15.08.11]

10 JUDGE LAVERGNE:

11 Maybe the easiest is not to rely too much on this very uncertain  
12 French translation. Maybe you should put questions directly to  
13 the witness, based on what you think you understood from what she  
14 said.

15 MS. GUISSÉ:

16 I apologize, Judge Lavergne, but I think that even if the French  
17 translation is not very good, the question of putting the Khmer  
18 Rouge party on the one hand, on one side, and the Pol Pot party  
19 <and others> on the other side, is something that she says <in  
20 several instances, as my colleague has pointed out>. So, of  
21 course, he may ask her questions of clarification, but in any  
22 case, this is what appears in the document<>.

23 [15.08.54]

24 BY MR. KOPPE:

25 Maybe the French by the way is -- is poor, I cannot judge that.

1 But I'm not sure how you can see it's a bad translation, because  
2 then we need to know the original Khmer, Judge Lavergne. But let  
3 me ask this question to the witness.

4 Q. Madam Witness, is it correct that you speak about two  
5 factions, two parties? The Khmer Rouge on the one hand, and the  
6 traitors like Pol Pot on the other hand?

7 MS. SIN CHHEM:

8 A. Regarding the Khmer Rouge and the traitors, actually, I have  
9 spoken about this matter, but I forget it. To me, my  
10 understanding is that <there were no two or three parties and  
11 that> it was the Khmer Rouge who killed the people, and not the  
12 Party.

13 [15.10.05]

14 Q. But did your brother and your husband, did they belong to the  
15 Khmer Rouge or to the other part? Or were they the traitors? Or  
16 were they not the traitors? What exactly was it that you meant  
17 when you gave that answer?

18 A. No, they were not part of the traitors. They were loyal, and  
19 they stayed home and worked to earn a living for the family.  
20 Later on, <when the country was in trouble> they were asked to  
21 join the movement <with other people and they worked for the  
22 movement>, and they later were killed. I was actually wondering  
23 for the reasons behind their motive to do so. <It still makes me  
24 wonder about all that had happened.>

25 Q. But who are then, in French, "the traitors to the nation"?

1 A. <They were perceived as> "Traitors to the nation" <only after>  
2 they <had been> killed. <They were killed simply> because they  
3 were <alleged to> be traitors. At the beginning they acted very  
4 well, and only later on, the <new commune committee> mistreated  
5 the people, arrested people and killed them. <Without any mercy,  
6 they callously arrested and killed a large number of people.>  
7 [15.11.58]

8 Q. I will see, Mr. President, if we can get at direct translation  
9 into English from the original Khmer, and then maybe I will come  
10 back to it.

11 Let me now move again to where I stopped before the break, Madam  
12 Witness, and I was talking about the Vietnamese, mixed Vietnamese  
13 families working in your commune. Did you know their names?

14 A. Of course, they were my relatives. So I know them; they were  
15 the relatives on my mother's side.

16 Q. Who was exactly the relative on your mother's side?

17 A. Ta Chhaom was related to my mother's side. As for Ta Chhin, he  
18 was not related, although he lived in the same <Svay Yea>  
19 village, commune, and district.

20 Q. I apologize. I was actually asking you now about the mixed  
21 Vietnamese families who were working with you in the rice fields  
22 and at the dam. So I wasn't talking about your brother or his  
23 friends, but about the Vietnamese families, the mixed families,  
24 rather. Did you know any of their names?

25 [15.13.45]



1 MR. LYSAK:

2 Just for the record, Mr. President and Counsel, the two names I  
3 think she just gave are two of the names of the Khmer husbands  
4 that she had identified who had Vietnamese wives. So the names  
5 that I heard correspond to the people that she had identified,  
6 the Khmer people who had Vietnamese wives.

7 BY MR. KOPPE:

8 Q. I take the cue. I apologize. I heard something different. Let  
9 me rephrase: you knew them because they were related, you said.  
10 How exactly were they related to you?

11 MS. SIN CHHEM:

12 A. My mother and his wife were cousins.

13 [15.14.48]

14 Q. Do you know which nationality they had?

15 A. The husband was pure Khmer. However, the Vietnamese wife was  
16 the second wife, as the first wife died. And with the second  
17 wife, they had two children. I did not know where he met that  
18 Vietnamese wife, and later on <he took her to the village. They  
19 loved each other, but they did not have a proper wedding  
20 ceremony.>.

21 Q. But do you know whether she had the Cambodian nationality in  
22 1975? Whether she had a Cambodian ID?

23 A. I did not know about that. I only knew that she was his wife  
24 and they had children. And later on, she was taken away and  
25 killed.

1 Q. Well, let me talk about that. Have you ever, between 1975 and  
2 1979, before your own eyes, someone being killed? Did you ever  
3 see that with your own eyes?

4 A. I did not. However, people were killed and buried to the south  
5 of my house. In fact, they were pounding the rice, and then they  
6 were arrested, taken away and killed. And before <the killing>,  
7 they <raped the victims very badly until they became exhausted>.  
8 Actually, the dogs uncovered the burial site <by the rice field>,  
9 and ate the corpses. I saw the <scattered> remains,> as well as  
10 the <torn> clothes. <The dead bodies were not buried properly.>  
11 [15.17.07]

12 Q. Thank you for that answer, but again, you never actually saw  
13 anyone killed with your own eyes; that is correct?

14 A. Yes, I never saw the killing, but I saw the <remains> of the  
15 dead bodies, and I was told that they were killed the night  
16 before. And in that pit, there <were> the wife, the husband and  
17 the two children. Of course, I would be so scared if I witnessed  
18 the killing.

19 Q. Do you know whether there were ever any deportations of  
20 Vietnamese? Were people ever put on a boat and sent back to  
21 Vietnam? Or sent, rather, to Vietnam?

22 A. I heard about sending them, but I didn't know whether they  
23 were actually sent. And there was a name given to this so-called  
24 process, about sending them back.

25 Q. Those mixed Khmer-Vietnamese families that you were talking

1 about, did you actually see their arrests? Or did you actually  
2 see them being taken either from their village or from their  
3 working place?

4 A. Yes, they were ordered to run in front of <the bicycles and  
5 their hands were tied behind their back>. And that's what I  
6 witnessed with my own eyes.

7 [15.19.27]

8 Q. And was that the last that you saw of them, them in front of a  
9 bicycle? Was that the last time you saw them?

10 A. I did not. I don't know what to tell you. At that time, I was  
11 digging the earth, and I was told to return home, and I saw them  
12 <> running before a bicycle. And I felt pity for them.

13 Q. Have you ever heard the sounds of battle? Have you ever heard  
14 grenades or mortar fire coming from Vietnam into the East Zone?  
15 Have you ever heard the sounds of battle or military conflict?

16 A. I did. <I heard a lot of sounds of shelling.>

17 Q. What is it that you remember about that?

18 A. There was a fighting. There were sounds of shelling<. Lots and  
19 lots of shells were fired,> and I was so frightened. <I was  
20 afraid of being hit. My children were running around.> And we  
21 were running to take refuge. Actually, when we heard the sound  
22 from the shelling, I took my younger children and ran to seek  
23 refuge in another village.

24 [15.21.27]

25 Q. And was it the Vietnamese who were shelling on Cambodian

1 territory?

2 A. Yes, the shelling came from that direction. However, I could  
3 say there were two groups: one was good and one was bad. <Let me  
4 put it this way.>

5 Q. What do you mean with that?

6 A. What I mean is that one group was the Thieu-Ky group, and  
7 another group was a good Vietnamese group. This is just my own  
8 understanding.

9 Q. Why are you smiling, Madam Witness, when you just gave that  
10 answer?

11 A. Because that's what I heard people saying. They referred to  
12 another group as the Thieu-Ky (phonetic) group. And they shelled  
13 into my village area. And people kept talking about the shelling  
14 from this group, and I simply repeated <what those people had  
15 said>.

16 [15.23.10]

17 Q. Do you know whether people from your village or commune were  
18 injured or killed by this shelling of the Vietnamese army?

19 A. Yes, some people were injured from the shell shrapnel. <One  
20 nephew was hit by the shell shrapnel that had made his lung come  
21 out and one of his ears was cut off.>

22 Q. Do you know any military people from the Democratic Kampuchea  
23 regime, or any Cambodian soldiers who were either injured or  
24 killed by the Vietnamese shelling?

25 A. No. There were not many, though there were shells <dropping in

1 our area>, <because> people were hiding. As in my case, when I  
2 heard the shelling, then I would take my children to another  
3 village. And my nephew, who was hit with shrapnel which pierced  
4 his lung, was treated by another Vietnamese group coming from the  
5 eastern direction, and he is still living today in the area  
6 called Rong Damrei (phonetic) <[or currently Tay Ninh province of  
7 Vietnam]>. Actually, he was sent to Vietnam for surgery.

8 [15.25.00]

9 Q. This shelling, this Vietnamese shelling, do you remember when  
10 that was? Was it in '77, late '77, or maybe early '78? Or another  
11 time? Do you remember?

12 A. It was in 1977, and it was early that year, not in the later  
13 part of the year.

14 Q. Did you at one point in time also see Vietnamese troops, tank  
15 divisions, etc., entering the country in '77?

16 A. I saw tanks and Vietnamese troops who came and engaged in a  
17 battle. And in fact, some Vietnamese soldiers came to my house.  
18 They <cooked and> ate meals <at my house>, and they actually made  
19 cakes for us.

20 Q. The incident that you describe when you saw mixed  
21 Vietnamese-Khmer families walking in front of a bike -- a  
22 bicycle, was that event after you saw and heard the shelling, and  
23 the Vietnamese troops enter Cambodia? Was it after or before?

24 A. No. The <Vietnamese did> not <arrest Khmer people, nor had>  
25 them run before <bicycles. They never did that;> in fact, it was

1 Khmer people who arrested them. The Vietnamese troops did not.  
2 The act was done by Khmer against Khmer. The village chief was  
3 arrested and taken away<, in broad daylight,> on the road just in  
4 front of my house, and a deputy, who was having lunch <at the  
5 dining hall>, was taken away as well.

6 [15.27.48]

7 Q. I understand that it was not the Vietnamese who arrested these  
8 families, or these members of families. But my question was: the  
9 incident with the bicycle, was that something that happened  
10 before the Vietnamese troops entered Svay Rieng, or after?

11 A. It happened after. Although the Vietnamese troops came to our  
12 village, they did not do anything to us. And actually the <most  
13 mischievous> were <the Khmers. They were very dishonest towards  
14 the same Khmer folks>.

15 Q. Can you make an estimate of how many Vietnamese troops you saw  
16 at the end of 1977 in your village?

17 A. There were many soldiers who came to our village. <They helped  
18 us, too.> They did not mistreat us at all. <They entered our  
19 village. They were walking along the roads at their own accords.  
20 We walked along the road by ourselves>.

21 Q. Do you recall seeing hundreds of Vietnamese troops, or were  
22 there thousands, or ten thousands of Vietnamese troops and tanks?  
23 What can you recall seeing?

24 A. There were quite a large number of them. Sometimes they came  
25 and cooked rice at my house, and after a while the group left our

1 village and they did not do anything to us.

2 [15.30.12]

3 Q. Is it possible that they left again around 6 January 1978?

4 A. I could not recall the year.

5 Q. I understand. But how many months after the arrest of your  
6 husband did the Vietnamese troops go back again to Vietnam?

7 A. They returned before my husband's death. After they returned,  
8 people started to be arrested and killed.

9 Q. Was your husband arrested because he was accused of  
10 collaborating with the Vietnamese troops?

11 A. I did not hear about that. But the Khmer and the Vietnamese  
12 were different. But it was the Vietnamese who liberated us; that  
13 I survived <and can live my life today> because of the Vietnamese  
14 liberation. I ran, and it was a difficult situation when I was  
15 running, because I had to carry rice and children. <There was a  
16 bomb explosion at Preaek Khsay. So, I came back. Then, Vietnamese  
17 entered> and my life was saved by the Vietnamese. <They helped  
18 save lives of all people, too.> Without the Vietnamese, I can say  
19 that my life and the life of others would perish. <Let me put it  
20 this way. They are not always mean or bad.> So I admire them. I  
21 do not feel angry with them.

22 [15.32.50]

23 Q. Do you know whether the mixed Vietnamese-Khmer families that  
24 you described, and who were walking in front of the bicycle,  
25 whether they were ever accused of collaborating with the

85

1 Vietnamese troops who had invaded Cambodia in '77, and who had  
2 left early '78?

3 A. No, that was not true. They said that these people were  
4 traitors, they alleged them as traitors. They alleged <that>  
5 those who were arrested <had been> traitors. <I could not really  
6 reckon how they might have been traitors.> And some were alleged  
7 of being immoral. <Every single senior official was implicated in  
8 the moral offence.> So when I thought of this, <> I <cursed> that  
9 those who <arrested and killed my husband> should face with what  
10 -- the same kind of treatment. <Since my husband was killed I  
11 cursed them for losing him. I wished that they all would be taken  
12 away and killed, too. Both security guards and other perpetrators  
13 must be beaten to death.>

14 MR. KOPPE:

15 Thank you, Mr. President. I'm done.

16 MR. PRESIDENT:

17 Thank you. Now the floor is given to defence counsel for Khieu  
18 Samphan to put questions to the witness. Please proceed.

19 [15.34.42]

20 QUESTIONING BY MS. GUISSÉ:

21 Thank you, Mr. President. Good afternoon, <Madam> Sin Chhem. My  
22 name is Anta Guissé, and I'm International Co-Counsel for Mr.  
23 Khieu Samphan, and that is the capacity in which I'll put some  
24 clarification questions to you.

25 Q. <Firstly,> as a follow-up to some of the questions put to you



1 by my colleague, I would like to be sure that you are not mixing  
2 up the periods you have referred to. A while ago you referred to  
3 Vietnamese soldiers who came to your home, and who were brought  
4 to cook food in your home. Are you sure that that was during the  
5 Democratic Kampuchea period?

6 MS. SIN CHHEM:

7 A. I did not know what year it was. I just only saw them coming  
8 to my house. They did not do anything to me, and I also did not  
9 <know what they were doing, either>. They cooked their food, and  
10 they also <gave> me <some soup> to eat. <That's what I know. But,  
11 I don't know what they were doing exactly.>

12 [15.35.58]

13 Q. A while ago, you situated that scene, without being sure of  
14 the date, in 1977 -- <to your recollection>. But in your DC-Cam  
15 record of interview that I'll read out to you to try to refresh  
16 your memory, you situate a similar scene, but that was during the  
17 war against the Americans and Lon Nol. It is document E3/7526,  
18 and the ERN in French is 00746954; ERN in Khmer, 00185376. And in  
19 French, it is at the top of the page where you'll find the first  
20 question. In fact, the question in French, by the way, is on the  
21 previous page. I'll read it out to you so that it should be  
22 clear. The ERN in French is 0746953 (sic):

23 "It was therefore the liberation army led by -- madam.

24 "When the liberation army was in government -- that is, from

25 <1970>, right? <How did the> inhabitants of your village <fare>?"

1 Your answer was: "There was nothing to report. <It> was normal."

2 And the investigator asks another question, still with regard to  
3 the same period: "Which means that, during that particular time,  
4 they started -- tell me, how did they organize the work of the  
5 inhabitants? In other words, how did they organize group work in  
6 the form of cooperatives?"

7 And your answer was as follows: "There were groups and  
8 cooperatives, <weren't there>? That being the case, that means  
9 that when the armed forces came, they <never> did <>anything to  
10 us, and we did not do anything to them either. We went as far as  
11 providing food to them. When they came to homes, food was given  
12 to them, <right>? There were people who came from Hanoi <and all  
13 that>, <>and <they stayed> in my home. There were many people,  
14 <the people> from Hanoi. <And> they did not know any Khmer at  
15 all. They came and stayed in my house. They slept everywhere in  
16 the Rongkeu forest. And they asked us to prepare food for them  
17 and to take it to them, isn't it? We cooked for them, and they  
18 asked us to eat with them. That was the collaboration between the  
19 liberators to strike at the American army and the Lon Nol army."  
20 End of quote. <>

21 Does this passage refresh your memory? And can you tell us  
22 whether, when you saw the Vietnamese troops, that wasn't during  
23 the war against Lon Nol and the Americans?

24 [15.39.18]

25 A. I heard <> people telling me that there <were> Thieu-Ky group

1 and the American group <entering. These people> were bad, and the  
2 other group <was> good. Those from Hanoi did come< They did their  
3 work> and the people cooked food for them. So they asked <us to  
4 cook for them and they politely asked> for rice<, water> and food  
5 from us, and after we cooked, and then they told us to eat first  
6 because they <felt> afraid that we <might> put poison in the food  
7 <to kill them>. And that's what I did witness. <That is true.>

8 Q. Very well. And that is precisely why I am asking you to say  
9 whether you don't remember that that scene <took place> during  
10 the war against Americans and Lon Nol -- that is, before the  
11 Khmer Rouge came to power in the rest of the country and in Phnom  
12 Penh. Does that ring a bell to you? Does that help you to give us  
13 a precise date?

14 MR. PRESIDENT:

15 Witness, please hold.

16 MS. SIN CHHEM:

17 A. My understanding -- the Khmer Rouge was different group, and  
18 they were for this -- for another group, it was different. So I  
19 think they were <two> different groups.

20 [15.41.03]

21 BY MS. GUISSÉ:

22 Q. Very well. My question was whether, when the soldiers from Lon  
23 Nol came to eat in your home, and you gave them food, do you  
24 remember whether that was before the fall of Phnom Penh -- that  
25 is, when Lon Nol was still in power? Does that remind you of

1 anything?

2 MS. SIN CHHEM:

3 A. I cannot recall it. The <liberation> soldiers and the  
4 Vietnamese group <had a> good relationship with each other, and  
5 they cooked food and ate together. <That's why I said they were  
6 not troublesome.>

7 Q. And was that at the time when Lon Nol was still in power?

8 A. It was later on. It was after the Lon Nol regime.

9 [15.42.14]

10 Q. Do you remember whether that was before the 17 April 1975?

11 A. It's hard for me to say now because I have poor memory.

12 <Initially, in> 1975, <they already emerged and> the country was  
13 in a chaotic situation, and then in 1976 and '77, we started to  
14 eat communally. And then <maybe> in <late> 1978 and 1979, the  
15 <regime fell. It has been quite a long time. So, I nearly forget  
16 everything.>

17 Q. Very well. I won't insist on that point. I would like you to  
18 clarify something <else> you said a while ago. You referred to  
19 persons who had been arrested, and who had to run after bicycles.

20 My first question is as follows: did you yourself witness the  
21 arrest of Vietnamese? I'm not talking of arrests in general, but  
22 I'm talking of the arrests of <>Vietnamese families <in  
23 particular>. Did you witness with your own eyes any arrests?

24 A. No, I did not. But, for example, when the arrest <and killing>  
25 happened today<> then tomorrow <>people <came to tell me about

90

1 the occurrence>. I did not witness it myself. <I only heard from  
2 other people> because I was busy working. I rarely stayed home.  
3 [15.44.04]

4 Q. Very well. So when a while ago, in answer to a question put to  
5 you by Mr. Koppe, you referred to persons who were arrested with  
6 bicycles, you were <then> referring to <><another arrest, no?>

7 A. Yes, it was really true<. They> were <beaten while being>  
8 walked <on the road to the south of> my house. <They even asked  
9 the children to join them in beating the arrestees.>

10 MR. PRESIDENT:

11 Madam Witness, they did not ask you that question. Defence  
12 counsel just wants to know whether those people who were ordered  
13 to run ahead of the bicycle were Vietnamese or Khmer.

14 MS. SIN CHHEM:

15 A. They were Khmer <treating the same Khmer folks. No> Vietnamese  
16 <did apparently that>.

17 [15.45.02]

18 BY MS. GUISSÉ:

19 Q. Perhaps to refresh your memory, in your DC-Cam document  
20 E3/7526, ERN in French, 00746963; ERN in Khmer, 00185385 -- or  
21 rather, 86 in Khmer; you refer in answer to a question put to you  
22 by the person interviewing you, <about> "arrests made with  
23 bicycles". And this was the question put to you:

24 Question: "Who were the persons who were arrested and who had to  
25 do that?"

1 And your answer was as follows: "It was in villages and communes.  
2 It was the village chiefs, the commune chiefs and people like  
3 <that>. When they <made> arrests, that is <how> they did <it,>  
4 all the time." End of quote.

5 Does that refresh your memory? <And> do you confirm that the  
6 persons who were arrested in that manner were indeed village  
7 chiefs or commune chiefs?

8 MS. SIN CHHEM:

9 A. They were arrested and ordered to run ahead of bicycles, and  
10 <children> were <asked to> beat <them>. And I <said, "Now, you  
11 beat other people. Wait and see. Be careful. Next time, you'll be  
12 treated in the same manner.">-- and <not long after that,> some  
13 <of them> were arrested and also killed <while others were alive  
14 and sent here and there>. So I did not dare to commit this bad  
15 thing, because I was scared< I would not dare to do any bad thing  
16 at all> and I felt afraid <of> bad things<> -- <I was afraid of  
17 divine retribution. So, my belief in 'good begets good; evil  
18 begets evil' really helped.>

19 [15.47.18]

20 Q. I would like to talk about another point in your testimony.  
21 You talked of the arrest of your elder brother, and you stated  
22 that his wife and children were sent to Pursat, and that they  
23 came back from there. And you said that your sister-in-law was  
24 still alive. Do you confirm that point?

25 A. Yes, he survived. <His wife is deceased now>. Now he lives in

1 <> (phonetic) <his children's village in the north>, but his  
2 children, some of them died; some <are> still alive. <His  
3 children went to join the liberation force. So, one> or two of  
4 his children died.

5 Q. Very well. Perhaps there is <already> an interpretation  
6 problem. In French <I heard> "he", whereas I was referring to  
7 your sister-in-law, <so your brother's wife>. Are we indeed  
8 talking of your <brother's wife>? <>

9 A. My in-law also went<. His whole family, his wife and children  
10 were evacuated to that province,> but later on, yes, <they all>  
11 returned along with <their> children. <No one was lost.>

12 [15.48.55]

13 Q. Very well. You say that she returned subsequently with her  
14 children, and a while ago you stated that two of her children had  
15 died. Can you confirm whether those children died during the  
16 Democratic Kampuchea regime, or thereafter?

17 A. They died later on. <One> of them hung herself <because she  
18 was plagued by illnesses>, and another one <had breast cyst. She>  
19 just died about two years ago.

20 Q. Another point. In your statement to the Co-Investigating  
21 Judges, document E3/7794, ERN in French -- <pardon me for a  
22 moment. ERN in French> is 00285547; ERN in English, 00251407; and  
23 the ERN in Khmer, 00249918. You referred to the arrests of  
24 Vietnamese in the village of Tuol Vihear. In fact, you referred  
25 to <one, to> one family. Can you tell the Chamber how far Tuol

1 Vihear village was from your village?

2 A. It was near my village. <We> just <need to go> across the  
3 stream <to get there>.

4 [15.51.27]

5 Q. And can you tell the Chamber how long it could take you to get  
6 to that village from yours?

7 A. I think it's about one hour and a half from my village to that  
8 village <on foot>.

9 Q. You also referred to an arrest that was carried out in Sycar  
10 village -- that is, S-Y-C-A-R for the interpreters. Can you also  
11 tell us how far that village, Sycar, was from your own village?

12 A. It <> is about one kilometre away.

13 Q. You also talked about an arrest carried out in Kien Ta Siev  
14 village. And <for the interpreters,> it is written as follows:  
15 K-I-E-N T-A S-I-E-V. <>Can you tell us how far that village was  
16 from yours?

17 A. It is also about one kilometre away from my village <to Kien  
18 Ta Siev>. One kilometre is not far. <It takes us a little while  
19 to get there> on foot.

20 [15.53.03]

21 Q. And during the Democratic Kampuchea period, did you regularly  
22 visit that village?

23 A. Yes, I went there frequently to buy food <and other  
24 commodities>. And those people in the village were arrested and  
25 taken away. They were sellers.



1 MR. PRESIDENT:

2 Madam Witness, she wants to ask you about during the Khmer Rouge  
3 regime, whether you went to those villages often?

4 MS. SIN CHHEM:

5 A. Yes, I went there often. We <regarded each other as>  
6 friends<.> I went there to buy food <and other commodities> from  
7 them. And when I could not see them, I asked people. And people  
8 told me that those people were arrested and taken away. <I asked  
9 them when those people were taken away. They said those people  
10 had been taken away the night before.> I'm clear about this.  
11 That's why <> I <am telling you this. I dare not say anything  
12 that I don't know well.>

13 [15.54.28]

14 BY MS. GUISSÉ:

15 Q. Before this Chamber, several witnesses appeared and stated  
16 that money had been abolished during the Democratic Kampuchea  
17 regime. Can you tell the Chamber under what circumstances you  
18 went shopping and bought things <> in <other villages during that  
19 period>?

20 MS. SIN CHHEM:

21 A. I bartered it with rice, so I used rice to barter for food. <I  
22 had to sort things out for survival.>

23 Q. Very well. And would you agree that the arrests you referred  
24 to in answer to questions put to you by the Co-Prosecutor in  
25 these three <different> villages, <it was the people> who <told>

1 you about them. And so you yourself did not witness those  
2 <arrests><>; isn't that correct?

3 A. I did not witness the arrests myself. Although I would witness  
4 - I had witnessed, I would keep my mouth shut, because I was  
5 scared. It was from other people who told me. <I had many  
6 relatives living near that area.>

7 [15.55.50]

8 Q. If you do recall the names of those persons who talked to you  
9 about those events, <>can you give the Chamber their names? And  
10 also tell the Chamber what their positions were in that village?

11 A. I cannot recall their names, but they were my relatives <in  
12 Kien Ta Siev village. They> told me. But I could not identify now  
13 who were the specific persons among my relatives who told me.  
14 <Previously, I could recall. But, my memory fails me now.>

15 Q. Without remembering specific names of the persons who told you  
16 about that, do you know whether some of those persons had  
17 particular positions? Or they were ordinary villagers?

18 A. They were ordinary people. They saw the arrests, and they told  
19 me. But now I cannot recall who the ones who told me. <I  
20 completely forget because it has been a very long time.>

21 Q. And did they tell you where those persons were taken to after  
22 having been arrested? <Did they know?>

23 A. <They said that> -- those people were arrested and taken away  
24 to be killed. And I was even told about the execution site. <They  
25 found and picked a lot of gold there.>

1 [15.57.34]

2 Q. But those persons witnessed the arrests and <immediately>  
3 followed those persons who were arrested? Or <were these things  
4 that> they themselves had heard about, <referring now to> those  
5 <executions,> subsequently?

6 A. I heard <> about the arrests, that the killed people were  
7 buried at Meun Say, and people went there to dig up the pit, and  
8 they found gold <weighing nearly one kilogram>. So those people  
9 were killed and put in the pit, along with their children and  
10 husband, and their gold. <The person who picked the gold is still  
11 alive now.>

12 Q. My question was whether it was those persons who told you of  
13 the arrests who had heard <that information> from others, or  
14 whether they themselves had followed the persons who had been  
15 arrested to the <supposed> execution site?

16 A. They witnessed the event unfolding by themselves; <they lived  
17 near those people. That's> why they told me. If they did not  
18 witness the event <with> their own eyes, they would not have told  
19 me.

20 [15.59.08]

21 Q. <But,> my question is as follows: since <the> arrests were  
22 carried out at one location, and then <the supposed> executions  
23 at another location, I'm asking you whether the persons who  
24 talked of the arrests had been authorized to go to the execution  
25 sites subsequently? Since you do not remember the names of those

1 persons, <we would> at least <like to know> whether they heard  
2 about those arrests from other persons or not.

3 A. Their houses were located next to the Vietnamese family's  
4 house. <The next morning, words were spread from one person to  
5 another.> So, they told me <that>. I myself did not witness the  
6 event, but those people witnessed the event <with> their eyes. So  
7 the next morning, they told me that, "Oh, those Vietnamese  
8 families were arrested and taken away<. Uncle Saom, Uncle Sao  
9 sobbed and lamented>." That's what I knew. And I could not  
10 remember the names of the ones who told me. <I don't remember who  
11 exactly told me this.>

12 Q. But let's be clear about this. So what these people saw was  
13 that the families were arrested and taken away; is that so?

14 A. That's what I was told. Then I felt pity for them. <Whenever I  
15 call them to my mind I always feel sorry about them.>

16 [16.00.44]

17 Q. It's soon time to adjourn, so I'm going to try to be quick  
18 with my last <question or> series of questions. And <these> deal  
19 with Mr. Khieu Samphan. So, is it so to say that you never met  
20 Khieu Samphan during the DK period?

21 A. I never knew him. I only heard people talking about Khieu  
22 Samphan, that he fled away to join the Pol Pot's group. And I did  
23 not hear anything else about him. <I personally neither saw nor  
24 knew him.>

25 Q. And when you say that he escaped to join the Pol Pot group,

1 <what> period <are you referring to>?

2 A. It was from the beginning. While I was working, I heard people  
3 saying that Khieu Samphan fled to join Pol Pot's group. However,  
4 the word was spread from one to another. I heard this from other  
5 women, as the men did not allow me to hear anything. And as you  
6 know, I do not know how to read or write. And at that time we  
7 could speak about this, but later on we did not dare to speak  
8 openly about this matter. <Later on, people were totally  
9 prohibited from saying about it.>

10 [16.02.20]

11 Q. I am telling you this because earlier, when you brought up the  
12 issue with the Co-Prosecutor, you said that Khieu Samphan had  
13 joined the enemy. So my question was: which enemy are you  
14 speaking about<> exactly?

15 A. The enemy that I referred to was Pol Pot.

16 Q. And when you say "enemy", <when you say "enemy":> whose enemy  
17 are you talking about?

18 A. I do not know what to tell you. People talked about "enemy".  
19 Then we heard about this rather confusing situation. <I heard  
20 there were clashes among themselves. Then, I realised that they  
21 had been on a collision course.>

22 Q. And do you remember if this happened during -- or was this  
23 before the Lon Nol coup d'état, or was it afterwards? <If you  
24 recall.> That is to say, the moment when you say that Khieu  
25 Samphan joined the Pol Pot group, or the enemy.

1 A. I cannot recall that. I forget about it.

2 Q. I won't insist upon this, so my last question will be: is it  
3 true that you do not know what were Khieu Samphan's duties during  
4 the DK period?

5 A. I do not understand your question. <I don't really know what  
6 you're talking about.>

7 [16.04.18]

8 Q. Okay, last attempt. Do you know-- <>did you ever hear about  
9 Khieu Samphan outside of this moment when <you were told that> he  
10 joined the Pol Pot group?

11 A. I heard about him. Hu Nim and Hou Youn came to do dry season  
12 rice farming in my area, and later on, in 1976 -- or rather in  
13 1975 or '76 <> they came to do the dry season <rice> farming. And  
14 later on, I heard about Khieu Samphan <defecting> to join <the  
15 enemy, namely> Pol Pot. I heard this from other people. That's  
16 why I told you I heard that he <defected to> the Pol Pot's group,  
17 and then there was later on this confusing situation<. So,  
18 clashes broke out here and there among these people,> and I was  
19 so scared.

20 MS. GUISSÉ:

21 I have no further questions, especially owing to the time, Mr.  
22 President. <>

23 [16.05.33]

24 MR. PRESIDENT:

25 Thank you. The hearing of the testimony of Sin Chhem is now

100

1 concluded. And Madam Sin Chhem, the Chamber is grateful <to you  
2 for> your testimony for the whole day today. Your testimony may  
3 contribute to ascertaining the truth, and you are no longer  
4 required to be in the Chamber, and you can return to <your  
5 residence or wherever you wish to go to. The Chamber wishes you  
6 <good luck, good health and> all the very best.  
7 Court officer, in collaboration with WESU, please make  
8 transportation arrangements for <Ms. Sin Chhem> to return to her  
9 residence or wherever she wishes to go.  
10 And the hearing is adjourned today, and resumes tomorrow -- that  
11 is, Tuesday, 15 December 2015, commencing from 9 o'clock in the  
12 morning. Tomorrow the Chamber will hear testimony of a witness,  
13 2-TCW-846.  
14 Security personnel, you are instructed to take the two Accused,  
15 Nuon Chea and Khieu Samphan, to the detention facility <of the  
16 ECCC>, and have them returned to attend the proceedings tomorrow  
17 before 9 o'clock.  
18 The Court is now adjourned.  
19 (Court adjourns at 1607H)  
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