



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

TRANSCRIPT OF TRIAL PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

10 February 2016
Trial Day 370

ឯកសារដើម
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ថ្ងៃ ខែ ឆ្នាំ (Date): 22-Mar-2017, 08:58
CMS/CFO: Sann Rada

Before the Judges: NIL Nonn, Presiding
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I N D E X

Mr. YSA Osman (2-TCE-95)

Questioning by Mr. KOUMJIAN resumes..... page 2

Questioning by Ms. SONG Chorvoin page 30

Questioning by Ms. GUIRAUD..... page 39

Questioning by Judge LAVERGNE..... page 67

List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
The GREFFIER	Khmer
Ms. GUIRAUD	French
Ms. GUISSE	French
Mr. KONG Sam Onn	Khmer
Mr. KOUMJIAN	English
Judge LAVERGNE	French
The President (NIL Nonn)	Khmer
Ms. SONG Chorvoin	Khmer
Mr. YSA Osman (2-TCE-95)	Khmer

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

2 (Court opens at 0901H)

3 MR. PRESIDENT:

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

5 Today, the Chamber continues to hear testimony of the expert, Ysa
6 Osman.

7 Ms. Chea Sivhoang, please report the attendance of the parties
8 and other individuals to today's proceedings.

9 [09.03.00]

10 THE GREFFIER:

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

13 Mr. Nuon Chea is present in the holding cell downstairs. He has
14 waived his right to be present in the courtroom. The waiver has
15 been delivered to the greffier.

16 The expert who is to continue his testimony today -- that is, Ysa
17 Osman, and the OCIJ legal officer, Julie Bardeche, are present in
18 the courtroom.

19 Thank you.

20 [09.03.35]

21 MR. PRESIDENT:

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

23 The Chamber has received a waiver from Nuon Chea dated 10

24 February 2016, which states that, due to his health, headache,

25 back pain, he cannot sit or concentrate for long. And in order to

2

1 effectively participate in future hearings, he requests to waive
2 his right to participate in and be present at the 10 February
3 2016 hearing.

4 Having seen the medical report of Nuon Chea by the duty doctor
5 for the Accused at the ECCC dated 10 February 2016, which notes
6 that Nuon Chea has chronic back pain when he sits for long and
7 recommends that the Chamber grant him his request so that he can
8 follow the proceedings remotely from the holding cell downstairs.
9 Based on the above information and pursuant to Rule 81.5 of the
10 ECCC Internal Rules, the Chamber grants Nuon Chea his request to
11 follow today's proceedings remotely from the holding cell
12 downstairs via audio-visual means.

13 The Chamber instructs the AV Unit personnel to link the
14 proceedings to the room downstairs so that Nuon Chea can follow.
15 This applies to the whole day.

16 And I'd like now to hand the floor to the Co-Prosecutors to put
17 questions to the expert.

18 [09.05.20]

19 QUESTIONING BY MR. KOUMJIAN RESUMES:

20 Thank you, Mr. President.

21 I would like to begin, Your Honours, to apologize to Your Honours
22 and all in the courtroom for a miscalculation or typo from
23 yesterday on the -- my calculations of the information on page
24 120 of the witness' book, "Oukoubah". And you see that in the
25 village of Svay Khleang, the difference between the families in

3

1 1975 and 1979 should have been 1,120. That would affect the
2 calculations, just for the record, so the total for the seven
3 villages listing families would be 3,738. Multiplying that by an
4 average of five persons per family, that leaves 18,690
5 individuals. And then adding to that the individuals from Phal
6 and Peus village, it would leave a total of 20,821.
7 My apologies. I was responsible for that error.

8 Q. Sir, I want to go back now and talk to you more about the
9 history of Cham resistance to the Khmer Rouge.

10 You've talked about an incident in Trea village in 1973 and
11 rebellions in Svay Khleang and Kaoh Phal in 1975. At some point
12 in the Eastern Zone in Krouch Chhmar district, did forces from
13 other zones come to that district?

14 [09.07.30]

15 MR. YSA OSMAN:

16 A. Based on my research, there is no witness who confirmed that
17 <there were> forces <who> came from other zones. However, there
18 <might be> forces coming from the sector level and, at that time,
19 it was <under the control> of Sector 21.

20 MR. KOUMJIAN:

21 Sorry. I changed my headset because I got no translation. Did
22 others get translation?

23 Okay. One moment, please.

24 (Short pause)

25 [09.08.24]

4

1 BY MR. KOUMJIAN:

2 Q. I apologize, sir, but because of a technical problem, I did
3 not get your answer. I have a new headset now.

4 Just to confirm, I understand you said that, in Sector 21, other
5 forces came.

6 From what other zones did they come?

7 MR. YSA OSMAN:

8 A. Actually, I replied to your last question, but you didn't get
9 it. And allow me to repeat my response.

10 Through the people whom I interviewed, they never said that there
11 were other -- there were forces from other zones. However, there
12 were forces coming from the southern part of Krouch Chhmar
13 district -- that is, crossing the rice fields and the forest
14 <behind Krouch Chhmar district>, to Svay Khleang village. And it
15 is my conclusion that those forces came from the sector level --
16 that is, Sector 21 in the East Zone. And there were no military
17 forces coming from other zones except the military forces from
18 Sector 21.

19 [09.09.54]

20 Q. Thank you.

21 Let me make sure that we're speaking about the same period of
22 time. I'm talking now not about 1975, but I'm talking about --
23 let me just say the 1977/78, no earlier than 1977, through the
24 end of 1978.

25 Did those that you interviewed indicate that people had come from

5

1 other areas, from the other side of the Mekong, perhaps, or other
2 parts of Cambodia, other forces from the DK into Krouch Chhmar
3 district and other parts of the Eastern Zone?

4 A. If you indicate the time period between 1977 and '78, yes,
5 there were. However, <your> initial question was in relation to
6 Kaoh Phal.

7 And to answer your question, there were military forces, security
8 forces and administrative forces which were sent from the
9 Southwest and the Central Zones to control, to administer and to
10 purge the Cham people in Krouch Chhmar district which was in
11 Sector 21.

12 [09.11.36]

13 Q. So of those survivors that you interviewed from the Eastern
14 Zone from Krouch Chhmar and the other districts in the Eastern
15 Zone, the killings that they reported to you of Cham people, did
16 they occur when it was under the Eastern Zone or after these
17 other forces arrived, or both? Can you explain?

18 A. The killing of the Cham people, as I testified yesterday,
19 started since 1973. However, the scale of the killing was
20 different in -- from 1973 to '75. And from '75 to '77, the scale
21 of the killing was also different. And again, the killing between
22 '77 to late '78 was <also> different.

23 The killing between 1977 to '78 was more serious and intensified.
24 It means the killing was done <discriminately, that meant>
25 whoever was considered Cham or Cham related was subject to be

6

1 killed. And the killing between 1973 to '75, was meant for those
2 who were knowledgeable in religion, religious leaders, religious
3 students, intellectuals or those who were respected in the
4 community or those who were also wealthy. And that they were the
5 target of the killing between 1973 to '75.

6 [09.13.50]

7 As for the period between '75 to '77, the target of the killing
8 was similar to that of the Khmer people. It means those who
9 opposed the regime, those who refused to obey the instructions or
10 those who opposed the Revolution, those who refused to eat pork
11 or those who refused not to speak Cham or to change their names,
12 they were the targets of the killing between this period of '75
13 through <early> '77.

14 And as I stated, the killing between '77 to '78, was those who
15 were considered Cham or Cham-related.

16 Q. Now, sir, there's some evidence in this case that in 1978,
17 fighting broke out in the Eastern Zone between DK forces.
18 What effect -- from your conversations with survivors, did that
19 have any effect upon the Cham people?

20 [09.15.18]

21 A. Between 1977 and '78, there were internal <rifts> within the
22 <Khmer Rouge> Revolution and the Party rank -- that is, between
23 the East Zone and the Central Zone or the central leadership of
24 the Khmer Rouge. In particular, in 1978, the cadres and the
25 military forces in the East Zone were purged along with the Cham

7

1 people.

2 However, in Kang Meas district and Stueng Trang district, which
3 were not part of the East Zone, they were, in fact, part of the
4 Central Zone. They were subject of the purge as well.

5 So it seems that this was nothing to do with the purge policy
6 from the Central Party to the cadres in the Eastern Zone, but it
7 was the target of the Cham people.

8 Q. You indicated yesterday that in your conversations with
9 survivors, Cham survivors, those who had taken part in resistance
10 were proud of that, and others were proud that Cham had resisted
11 the Khmer Rouge or rebelled against the Khmer Rouge.

12 In your conversations, did they indicate there was any organized
13 Cham resistance in 1977-1978 to DK forces that you recall?

14 [09.17.38]

15 A. Between 1977 to '78, there was no plan by the Cham or the Cham
16 who lived in the area, <to rise up against> the regime. As I
17 said, by that year, the Cham were not allowed to live as a
18 community. They were dispersed into various areas to live,
19 mingled with the Khmer people<.There was no longer mosques or
20 Cham communities.> They <therefore> did not have the <forces> to
21 coordinate any plan or to initiate any rebellious activity at
22 all.

23 Q. Thank you.

24 I wanted to ask you now, switching topics, about some reports of
25 policy of the Khmer Rouge. I'm going to start with a couple of

8

1 quotes from, again, Ben Kiernan. And that's E3/1593. In English,
2 it's at page 280; the French ERN is 00639054; the Khmer ERN of
3 the quote I'm about to read is 00637796 and on to the next page.
4 He says -- Kiernan wrote that:
5 "In July 1977 in Krava sub-district, 20 families of Chams were
6 loaded onto security trucks from Kampong Thma in Svay Tong and
7 driven off, never to return. Ya Mat, who had relatives among this
8 group, pointed out that they had 'eaten pork and so on, and still
9 they were killed'. Mat explained this by reference to a '1978
10 document' from the Centre, 'about the Constitution of 1975-76'.
11 He recalled that it discussed 'subversion', and went on:
12 "It was Document No. 163. It said we will not spare the Chams
13 because if spared they will resist [and produce] revisionism. It
14 said that the Cham race is not to be spared because it has a
15 history of resisting the socialist revolution, and also in the
16 Champa period'. So we undertake a policy of discarding them (leah
17 bong) now. They hang with the Vietnamese, so they must all be
18 killed..."
19 [09.20.57]
20 Excuse me.
21 "They and the Vietnamese" -- I'll have to check the book -- "so
22 they must all be killed, all. It said the Chams had already
23 rebelled once in the Eastern Zone. It said we had fled
24 persecution in our Vietnamese country and could not be trusted.
25 The document said that 'now they must be smashed to pieces

9

1 (komtech caol). Whatever department they are in, they must be
2 smashed to pieces."

3 Before I ask you about this document, sir, let me read on to
4 Kiernan quoting immediately after that passage I read. He says
5 that:

6 [09.21.46]

7 "Mat's account was corroborated by Os El, who claims to have seen
8 'Document 163' in June 1978. It belonged to Yong, El's supervisor
9 of public works in Chan Lehong."

10 Sir, in your research, have you heard anything about this
11 document 163 or any similar policy documents?

12 A. I interviewed a witness named Sos Kamry, who claimed that he
13 read a policy document that is entitled "Plan for progressive
14 cooperative". And he claimed that he read it at Chamkar Leu
15 district in Kampong Cham province of Sector 42 of the Central
16 Zone.

17 There was one point of that policy document of the plan for
18 progressive cooperative, and it highlights the purges of the
19 enemy, including the Cham people, that they all had to be purged
20 before 1980. And the document <that you mentioned in your>
21 question, I have not heard of it before, and the document that I
22 heard from my witness was the one that I just mentioned in my
23 response.

24 [09.23.56]

25 Q. Thank you.

10

1 I believe the interview with Sos Kamry you discuss on page 116 of
2 your book. Do you have your book with you? Of Cham Rebellion. In
3 the book, "The Cham Rebellion".

4 Let me -- and you quote him as saying that the document he read,
5 as you said, it had the title "The plan for progressive
6 cooperatives". You quote him as saying, quote -- him saying that
7 the document stated -- quote: "Our immediate enemies are the
8 Cham. We must smash them all before 1980."

9 Is that what Sos Kamry told you? You can check your book if it
10 refreshes your recollection.

11 (Short pause)

12 [09.25.24]

13 MR. PRESIDENT:

14 International Co-Prosecutor, please refer to the ERN of the
15 document in your question.

16 MR. KOUMJIAN:

17 (Microphone not activated)

18 MR. PRESIDENT:

19 Please turn on your microphone, International Co-Prosecutor.

20 BY MR. KOUMJIAN:

21 Q. Apologies. The document is E3/2653. In Khmer, the ERN is
22 00904363; in French, 00943975; and in English, it's page 116. And
23 the end of the very first paragraph is what I just read, sir, on
24 the -- in the English, the end of the first paragraph.

25 Can you confirm that that is what Sos Kamry told you he recalled

11

1 the document stating?

2 [09.26.48]

3 MR. YSA OSMAN:

4 A. Yes, that is correct. I recalled what Sos Kamry told me, and I
5 used part of the interview in my book and the document that he
6 said he read, and I used it in English, the plan for progressive
7 cooperatives, and in Khmer it's "phenkar sahakor choeunloeun". <I
8 heard the interpreter used the words 'development cooperative'.
9 In fact,> it's not a development cooperative, but the progressive
10 cooperatives.

11 Q. Sir, do you also recall writing about an interview you had
12 with an individual from Chumnik village in Krouch Chhmar named
13 Saleh Ahmat?

14 And just for the record -- I think we're going to get to this --
15 I'm referring to, again, the same document, E3/2653. In Khmer,
16 the ERN is 00904363, so on page 119 in English, I believe. And in
17 French, the ERN is 00943977. In English, it's page 118, 00219179
18 -- page 118 in English.

19 Perhaps, sir, you could read that to yourself and then I'll ask
20 you what you recall about the interview with Saleh Ahmat.

21 [09.29.32]

22 A. Saleh Ahmat is one of the people whom provided me with the
23 information, and from my recollection, he spoke about a farewell
24 to one of the district chiefs in Krouch Chhmar. He attended a
25 meeting in this North Zone, and there were district chiefs.

12

1 Amongst them was the chief of Krouch Chhmar district.

2 He was there only as to accompany the district chief, and he did
3 not participate in the meeting but, in fact, he was outside.

4 However, he could hear what they were discussing in the meeting,
5 and he recalled that the voice of the person who spoke at the
6 time was that of Ke Pauk. And Ke Pauk said the plan of the Party
7 <issued by the upper echelons> was to smash the Cham people, to
8 smash all of them, because they were the traitors.

9 Q. Thank you.

10 You just said it was the North Zone, and in the passage, you call
11 it the Central Zone. Can you just explain that?

12 A. I'm sorry. You -- what is your question? <I do not understand
13 your question?>

14 [09.31.27]

15 Q. You just stated that this was a meeting of the North Zone.

16 Okay. Let me move on. I don't think it's a big issue.

17 I want to ask you, at some point -- let me just clarify one
18 thing. You said yesterday that, at some point, the North Zone was
19 changed to another name. Is that correct? Or some parts of the
20 North Zone were changed to another name?

21 A. Yes, you are correct. The North Zone or, in Khmer Ourdor <or>
22 Khangcheung (phonetic), it was used synonymously in some case,
23 but based on my interview of some witnesses, they would call it
24 Phumipheak Khangcheung (phonetic), which is the North Zone. And
25 other called it Phumipheak Ourdor (phonetic). It is translated

13

1 into English as <> the North Zone.

2 <But> at some point in time<, in the early 1977>, the Southwest
3 cadres <occupied> the North Zone and then it was changed to
4 Phumipheak Kandal (phonetic), which is the Central Zone.

5 [09.33.19]

6 Q. Thank you.

7 Now, in Saleh Ahmat's account that you just gave us, he mentions
8 Ke Pauk as being the secretary of that zone. I'd like to read to
9 you now from a record of interview on the case file -- that is,
10 E3/35, of an individual who says that he is the son -- was the
11 son of Ke Pauk, and this is Ke Pich Vannak.

12 In Khmer, the ERN that I will read is at 00340567; in French, at
13 00367727; and in English, at 00346155.

14 [09.34.20]

15 He was asked: "After So Phim was dead, what was your father's
16 role?"

17 He answered: "After that, they had my father take charge of two
18 zones, including the North and the Central Zone, in order to
19 reorganize the rear line."

20 Question: "Were the other levels purged later on?"

21 Answer: "After the arrival of the intervention division of Pin,
22 they purged the elements who used to have a connection with So
23 Phim. This included cadres and commanders of the whole East Zone
24 as well as the person in charge of the radio communication."

25 Question: "Where did they send those arrested people to?"

14

1 Answer: "They killed the arrested people on the site. During that
2 same period, there were headless corpses floating in the Mekong
3 River, and one day, a few floating headless corpses were caught
4 up at the dock in front of Pol Pot's office."

5 There's a break in the interview, and it then resumes, and the
6 witness was asked: "Can you continue to describe that event
7 further?"

8 [09.35.38]

9 He answered: "At that time, Pol Pot wondered why there were
10 corpses floating in the river. He then sent a telegram calling my
11 father to Phnom Penh immediately. At about 4 o'clock, I and my
12 father left for Phnom Penh on a Dakota airplane. At first, I
13 worried and was afraid they would arrest my father because,
14 before boarding the airplane, they took away his gun. They never
15 did that previously. While disembarking from the airplane, I saw
16 they had a car waiting for picking up my father, so I felt
17 relieved because the car looked like that for receiving a
18 delegation, but I did not accompany him. When my father returned,
19 I asked him what happened. He replied, 'It was a strange matter
20 because Brother (Pol Pot) saw the floating corpses were caught up
21 in front of his office, so he ordered an immediate
22 investigation'. After my father returned home, he ordered a
23 division chairman named Chhay, deceased, to lead an investigating
24 group over those floating corpses."

25 [09.37.00]

15

1 The witness was asked: "What was the result of the investigation
2 over the floating corpses?"

3 He answered: "The investigation found that the Cham people had
4 been arrested, placed in the boats and then were beheaded before
5 they were dumped into the river."

6 The question was: "Did you go with him -- them?"

7 He answered: "No, I did not. That event took place in Krouch
8 Chhmar district opposite from Stueng Trang district. The
9 intervention unit of the Centre led by Pin was involved in that
10 killing."

11 He was asked: "After receiving the result, how did your father
12 plan to do?"

13 And he answered: "After receiving the result, my father made a
14 report and sent it to Office M-70."

15 Mr. Witness, do you have any information from the interviews of
16 victims that you interviewed that would shed any light on how
17 headless corpses of Cham or headless corpses of individuals would
18 get into the Mekong River near Krouch Chhmar?

19 A. I used to read interview of Ke Pich Vannak. He is the son of
20 Ke Pauk.

21 [09.38.30]

22 Q. I don't want you to ask -- ask you about your work in the
23 OCIJ. I'm talking about your interviews with DC-Cam before going
24 to work for OCIJ.

25 Did any of those people you talked to, did they ever talk about

16

1 bodies in the Mekong River?

2 A. In fact, the corpses floating in the Mekong River at Krouch
3 Chhmar, it is correct, as stated by Ke Pich Vannak because in
4 1977, the Cham people were gathered for the purpose of purging.

5 As I told you earlier, it was a purge which <was>
6 indiscriminate<>. Any Cham would be the target.

7 Previously, they would bury the corpses along the river <in> Trea
8 village, but later, as the killing <occurred> many times, and the
9 burial site was not good enough for all the corpses, so they
10 changed their method of disposal of <> the corpses. They <dropped
11 the corpses> into the <Mekong> river.

12 As I heard from certain witnesses, the corpses were not
13 <decapitated>, but <heads or hands dismemberment> might <> happen
14 because of decomposition. <Their method of killing was this.> The
15 victims were tied up from <> 20 <up to 30> people and they used
16 the end of the string and tied up to <a motorboat> and on the
17 other side to <the last victim in the line>, and <therefore,
18 those 10 or 20 or 30> people who were tied up <> could <not>
19 escape or could flip from that incident.

20 [09.41.04]

21 And the <motorboats> were driven across the river, and the
22 victims were <drowned> to death in the river. And after that
23 ordeal and the Khmer Rouge would untie them and drop them into
24 the water as the <Mekong river flows> from <Kratie> to Kampong
25 Cham and then to Phnom Penh.

17

1 And yes, I agree with the account of Pich Vannak that there were
2 corpses floating in the river. And based on his account, there
3 may be corpses of Cham people, but there might be other corpses
4 of people who were killed in area next to Phnom Penh. <Therefore,
5 I cannot confirm that they were all corpses of Cham people.>

6 Q. Sir, talking about Ke Pauk, you mentioned yesterday six
7 villages that the population had been almost completely wiped out
8 from Kampong Siem.

9 Kampong Siem was under which zone commander, let's say in 1977
10 and 1978?

11 A. Yes, in 1977 through 1978 <>, Kampong Siem was in the Central
12 Zone.

13 [09.42.58]

14 Q. So following up on this interview with Pich Vannak, who talked
15 about his father reporting on killing Cham to Pol Pot, I'd like
16 to ask you about document E3/266, which is called "Livre Noir" or
17 "Black Book". In Khmer, it is at ERN 00289650; in French,
18 00284574; and in English, 0082514.

19 And there's just one -- two sentences in that book that I want to
20 ask you about. It states that:

21 "In 1693, the Vietnamese 'swallowed' the whole Champa by annexing
22 the region of Phan Thiet. The Cham race was totally exterminated
23 by the Vietnamese."

24 In your research, had you heard other instances where Khmer Rouge
25 individuals or propaganda claimed that the Cham were killed by

18

1 the Vietnamese and exterminated centuries ago?

2 A. Yes, it is correct.

3 [09.44.40]

4 MR. PRESIDENT:

5 Hold on, Expert.

6 Anta Guisse, you may proceed.

7 MS. GUISSÉ:

8 Yes, Mr. President. I object to the manner in which the question
9 is being asked by the <> Co-Prosecutor <since> this <is a
10 question which <already gives a -- he's talking about>
11 propaganda<. Since we're> talking <about an> historic event <and,
12 if we're talking to the expert about the history> of <> Champa,
13 <perhaps the question should be phrased more neutrally. The>
14 manner in which the question is <being> asked is particularly
15 <biased>.

16 BY MR. KOUMJIAN:

17 I'm not sure I understand the objection, but I do agree that my
18 question probably could be stated more clearly, so let me try
19 again.

20 Q. Sir, what I read from the "black book" is a statement claiming
21 that the Cham people were exterminated centuries ago.

22 Have you ever heard any other propaganda during the -- written or
23 issued during the Khmer Rouge period by the DK authorities
24 claiming that the Cham had been exterminated centuries before the
25 DK period?

19

1 [09.46.12]

2 A. In history, the incident happened like what you have said. The
3 Vietnamese exterminated or killed the Cham people, and Vietnam
4 swallowed Champa as a country, the whole of the country. And no
5 one can manipulate this history if you ask me about my research
6 on the Khmer Rouge regime.

7 And I know that the Khmer Rouge did not want the Cham to know
8 their history, and they kept purging them in any effort so that
9 they lose all their identity, their culture, their language and
10 their tradition. This was the purpose of the Khmer Rouge.

11 If you are talking about the encouragement for Cham to know or to
12 learn their history, there was none under the Khmer Rouge regime.

13 [09.47.34]

14 Q. In your research of the DK period and what happened to the
15 Cham people, did you come across any evidence that the Cham
16 people during the DK period were killed by Vietnamese?

17 A. In DK period, the Vietnamese did not kill any Cham. The
18 Vietnamese themselves were also <victims like Cham people>, and
19 they had no opportunity to kill any Cham people -- any Cham
20 person.

21 Q. Just so my question's clear, I'm not just speaking about
22 Cambodians of Vietnamese descent, but forces from Vietnam.

23 Were any of the Cham, in your research, killed by military forces
24 from Vietnam during the DK period?

25 A. No.

20

1 [09.48.56]

2 Q. I want to ask you about another interview in your book, "The
3 Cham Rebellion". And this is at Khmer, ERN 00904406; and in
4 English, at 00219209. There's not a French translation.

5 This is someone you indicate that you interviewed at Sach Sou
6 village in Kang Meas district in 2004. She told you:

7 "In 1978 they started taking measures to destroy the Cham, every
8 last one. I saw this purge with my own eyes when they sent me to
9 Wat Au Trakuon. They arrested me because I'd left my unit to go
10 get a sleeping mat from home. After one night at Au Trakuon
11 pagoda, I was released back to my unit. While I was there, I saw
12 a large group of children, some who could not yet walk, some who
13 could. Their parents had already been killed. I knew that most of
14 them were Cham children from my village, and others were the
15 children of the April 17 people. The Khmer Rouge tossed some of
16 the children in the air and speared them with knives. Some were
17 bashed against tree trunks and then thrown in pits on top of the
18 piled bodies of adults."

19 My question to you, sir, is, did you -- is this the only
20 interview where you heard of children being killed, or did you
21 have other persons indicate to you that Cham children were
22 killed?

23 [09.51.08]

24 A. In fact, the killing of children <did> not only happen in this
25 place, this area. The Khmer Rouge policies saying that when you

21

1 dig out the grass, you had to dig all the roots, so when the
2 parents were considered enemies, their children <would> have no
3 chance of survival unless those children were living in hiding
4 anywhere in a Cambodian family or they changed their identities
5 that they <were> not Cham children. So <the killing of children>
6 happened not only at Au Trakuon. This had happened in other
7 places like Krouch Chhmar and other places during the DK period.

8 Q. You've just stated that some children were spared if they
9 basically changed their identity to no longer be Cham. Can you
10 explain that?

11 Were children raised by anyone other than their parents, for
12 example?

13 A. As you are aware, the Khmer Rouge generally did not allow
14 children to live with their parents. The children were required
15 to live in the children units, and there were no <> children
16 units <that had only> Cham children. So for example, the chief of
17 the units who may have felt <sympathetic> for the Cham children,
18 the chiefs may try to hide the identity of the children so the
19 chief reported to the -- their supervisors that, in the unit,
20 there were no Cham children. So the Cham children in this
21 situation could survive.

22 [09.53.38]

23 Q. Thank you.

24 I have one more topic, brief topic to cover with you before
25 turning over questioning briefly to my colleague. And this

1 concerns an appendix to "Oukoubah", E3/1822, page 119.

2 What I'm interested in discussing with you is the fate of leaders
3 of the Cham community. At French, the ERN is 00758331, and there
4 is not a Khmer translation.

5 I'm not interested in discussing the population, which we've
6 already done, figures, but in your -- in this appendix, you list
7 certain positions and the changes between the numbers of people
8 in those positions in 1974 and 1979. It's not very long, so let
9 me just read them quickly.

10 I heard there may be a translation problem in Khmer.

11 (Short pause)

12 [09.55.20]

13 MR. PRESIDENT:

14 You may now resume. There is not any problem.<The interpreting
15 was just a bit slow.>

16 BY MR. KOUMJIAN:

17 Thank you.

18 Q. So sir, in the appendix, you indicate the following positions
19 and changes between '74 and '79. First chief of religious
20 leaders, or mufti. There was one in '74, none in '79.

21 First deputy chief, one in '74, zero '79.

22 Second deputy chief, one in '74, zero '79.

23 Hakim, 113 in 1974, 20 in 1979.

24 First/second deputy hakim, 226 in 1974, 25 in 1979.

25 Tuon, which I believe -- I'll ask you about that in a second --

1 300 in 1974, 38 in '79.

2 Haji, which you discussed yesterday, told us is someone who has
3 made the trip to Mecca, the Hajj, more than 1,000 in 1974, and
4 about 30 in 1979.

5 Students who studied overseas, 26 in 1974, two in 1979.

6 And mosques, 113 in 1974, five in 1979.

7 So sir, first I want to ask you a couple quick questions about
8 some of these positions.

9 A Tuon, can you explain what is a tuon and what importance tuons
10 have to the Cham community existing as such? What is a tuon?

11 [09.57.46]

12 A. In simple terms, "tuon" is the religious teacher of Islam. And
13 in every village, there must be a tuon. There is no village that
14 doesn't have a tuon, and there must be -- and there could be more
15 than one tuon in each village. <We know that Cham people strictly
16 uphold their faith.> And it is an obligation of the Cham parents
17 who have to send their children to the religious school, so this
18 is the roles and obligation of the tuon, to teach and educate
19 children in the village to know about the religion and religious
20 practices of Islam.

21 Q. You've mentioned hakim, but can you give us a little bit more
22 definition, what is the -- what is a hakim and what role do they
23 have in preserving Cham religion, identity and culture?

24 A. First of all, I would like to correct some figures that may
25 come from the translation error or from you. You mentioned that

24

1 hakim in 1974, there were 130 hakim. In fact, there were 113

2 hakim in 1974. <There were also 113 mosques not 130.>

3 And the -- for the role of hakim, hakim was responsible for

4 general supervision of Islam in each community. There can't be

5 any Islamic village that doesn't have a hakim. <According to

6 Islamic rules,> there must be only one hakim <>. There cannot be

7 two hakims with equal rights in the -- with equal authority in

8 the village.

9 [10.00.25]

10 The hakim is responsible for supervising villagers. And if anyone

11 breach the religion, hakim is responsible for educating and

12 guiding that person to practice along the path of the religion.

13 And hakim is also responsible for deciding who can become tuon.

14 In each village, there is a person who has a supreme authority,

15 and that is mufti. <I was not aware of the role of Mufti before

16 1974. At the present time,> Mufti is responsible for assigning or

17 appointing any person in the village who is perceived as a good

18 person to become the hakim.

19 [10.01.32]

20 And I also would like to tell that when I was young, I noted that

21 mufti did not have much authority to appoint hakim because, after

22 1979, there was not yet mufti. It was the villagers who voted to

23 choose hakim after 1979.

24 Q. First of all, your appendix clearly states the number of hakim

25 in '74 as 113. I apologize if I made an error. I simply ask for

25

1 consideration of my -- I must be getting old.

2 Sir, mufti. I was a little confused with your answer. I thought I
3 understood you to say in translation there's one in each village.
4 Can you explain -- in the document, you indicate in '74 there was
5 one mufti. Can you explain how many muftis there were in Cambodia
6 in '74?

7 A. Mufti is in charge of the religion. He is the supreme leader
8 of the religion in the country. There is no mufti at the village
9 level. There is only one mufti in the whole country. In Cambodia,
10 in the past, there used to be a mufti named Res Lah who was
11 bestowed with the honorific title <Raja Tepadei Res Lah> by the
12 former King. At the present time, there is <only> one mufti in
13 the whole country, but he has his first deputy and second
14 deputies.

15 [10.01.42]

16 Q. Thank you.

17 Now, you also listed students who studied overseas. Can you
18 explain why you felt that this category was important enough to
19 include in this appendix?

20 What role did they have in the Cham community?

21 A. For students from overseas, I referred to those who studied
22 religion in foreign countries. They are important because in the
23 old day, there was limited chance for student to go and study
24 overseas. Going to study overseas was a rare opportunity, so
25 that's why I included <26 people> in my writing because it's a

1 great honour and a great pride for the communities of the Cham in
2 1974 who had their students who went and studied overseas.

3 [10.05.00]

4 And those student absorbed knowledge from Islamic countries, for
5 example, in Malaysia, in Indonesia, in the Arab world where there
6 were deep studies of religion and they could bring the knowledge
7 from those countries back to their communities <to teach younger
8 people> in Cambodia.

9 And at that time, it was difficult to bring back the knowledge or
10 material from foreign countries into Cambodia because there was
11 no internet <to search for materials relating to Islam> like
12 nowadays, so it was a great honour for the Islamic community in
13 Cambodia in 1974 to have 26 students coming back from overseas
14 studies.

15 [10.06.00]

16 Q. Thank you.

17 So this appendix that you created showing the difference in the
18 number of these leaders that existed in 1974 and five years later
19 in 1975 (sic), can you explain why you felt it important to list
20 these, what effect the change in the numbers of these leaders
21 might have had upon the ability of Cham communities in Cambodia
22 to maintain their identity as Cham as such?

23 A. The Cham people lived as a community as a minority, not as the
24 majority. That's why we needed a leader. We needed a
25 knowledgeable person, and we needed <mosques for prayers>. So

27

1 when we lost the religious leaders, we lost someone who knew
2 about religion. This impacted on the young people who could not
3 study religion in an in-depth way.

4 We could gain good knowledge only when we had good, knowledgeable
5 teachers, so when we lost these good teachers, we were affected.

6 During the Khmer Rouge, the Khmer Rouge killed knowledgeable
7 religious scholars and teachers, and, as a result, the Cham
8 people lost the basis that they could gain knowledge and they
9 became -- they became weak and they lost someone who could guide
10 or teach them about religion, so they became -- the Cham people
11 became illiterate, <and> low educated<.This has had an impact on
12 the younger generation up to now>.

13 [10.08.40]

14 Q. And slightly switching topics, one other question I want to
15 ask you.

16 You've talked about how Cham, before the DK period, lived in
17 concentrated communities, mainly along the river, particularly in
18 Kampong Cham. How important was it or is it to Cham communities
19 maintaining their identity of Cham as such within Cambodia to
20 live concentrated, to live close to many other Cham people as
21 opposed to being scattered in villages mixed with other
22 ethnicities throughout the country?

23 What role does the concentration of Cham have upon the ability to
24 maintain their identity as such?

25 [10.09.42]

1 A. It is necessary that the Cham <people> need to live close to
2 each other. <Islam> encourages <followers> to live close to each
3 other because it is necessary to help each other in case of
4 emergency<>, and it's also easy for them to pray together in the
5 mosque <on Fridays>.

6 It is also necessary for the Cham people to maintain their
7 identity when they live close to each other because it's easy for
8 them to speak to each other in Cham language, and they could also
9 maintain their culture and tradition. And as a result, living
10 close to each other helps the Cham people to maintain their
11 identity and tradition.

12 Q. I promise this is my last question.

13 You talked about praying together, the importance of praying
14 together, in the Islam practised by Cham people in Cambodia. Are
15 there any rules about minimum number of people that should form a
16 prayer group or pray together?

17 [10.11.31]

18 A. Based on the <precepts> of the Islamic religion, <in order to
19 establish one community,> there should be a minimum of 40
20 <people> who join in the prayer in a mosque. <> However, people
21 could also pray <at home or> elsewhere besides the mosque.
22 They could pray at their residence. They could form a smaller
23 group, three or four individuals. However, for a mosque and for a
24 hakim to be valid, there should be at least 40 <people> who join
25 in the prayer.

1 MR. PRESIDENT:

2 Thank you.

3 It is now appropriate for a short break. We'll take a break now
4 and resume at 10.30.

5 Court officer, please assist the expert during the break <in> the
6 waiting room for witnesses and experts and invite him as well as
7 the OCIJ legal officer back into the courtroom at 10.30.

8 The Court is now in recess.

9 (Court recesses from 1012H to 1033H)

10 MR. PRESIDENT:

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

12 And again the floor is given to the Co-Prosecutors to put further
13 questions to the expert.

14 MS. SONG CHORVOIN:

15 Thank you, Mr. President. And before I put questions to the
16 expert, I'd like to inquire with the President how much time that
17 we and the Lead Co-Lawyers have.

18 [10.34.32]

19 MR. PRESIDENT:

20 As we stated, the allotted time is one day and one session, <the
21 Co-Prosecutor spent almost one session.> So you will have this
22 session and maybe we will add <> another 15 minutes for the
23 afternoon session. So in short, <you'll> have this whole session
24 before the lunch break and, after we resume at 1.30, you will
25 have about 15 minutes if needed.

30

1 [10.35.19]

2 QUESTIONING BY MS. SONG CHORVOIN:

3 Thank you, Mr. President, for your advice.

4 Q. And good morning, Mr. Expert. You have responded quite
5 extensively to the International Co-Prosecutor, and I'd like to
6 put some additional questions to you.

7 Let me backtrack a little bit to the educational system for the
8 Cham people prior to 1975.

9 Can you inform the Chamber the kind of education provided to the
10 Cham children and Cham community before 1975, roughly around 1971
11 or '72? What was the educational system like?

12 [10.36.20]

13 MR. YSA OSMAN:

14 A. Good morning, National Deputy Co-Prosecutor. I do not know
15 whether I should refer to you as Miss or Madam.

16 As for the educational system, allow me to put it into two parts.

17 <First, it> is the national educational system -- that is, to
18 enrol in the state schools, and the second one is the religious
19 or Islamic school.

20 For the Islamic religious school, there is no clear curriculum
21 prior to the Khmer Rouge regime. This means that whoever was
22 knowledgeable in the religion or who could obtain a book -- a
23 teaching book or textbook from overseas would share that book or
24 information with the Cham people.

25 So that was limited to the knowledge of the teacher. There was no

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1 national standardized curriculum for the Cham students.
2 As for the religious teachers, or tuon, they received wages
3 funded by the villagers and their community, and it was the hakim
4 who was responsible for providing these wages to the tuon or
5 religious teachers. So this is about the Islamic religious
6 educational system.

7 [10.38.08]

8 And let me now look into the state school educational system.
9 During the regime, there were not many Cham students who enrolled
10 in the state school. There were less numbers than the Cham
11 students who are enrolling now in the current system.

12 At that time, the Cham parents had a perception that they were
13 concerned that they would lose their identity when they sent
14 their children to attend the state schools.

15 There were some parents who decided to get their children to
16 study with monks at the pagoda and, of course, the monks were the
17 teachers. So they sent their children to study the Khmer language
18 with the monks at the pagoda, and the children, as a result,
19 would also know about Buddhism.

20 [10.39.20]

21 Q. And what about those who studied at the religious school with
22 the tuon? Can you tell the Chamber, was there a proper Islamic
23 school where they attended the schooling? <Did the students
24 attend the class every day or only on the praying day?>

25 A. Some villages had a school, while others did not have this

1 so-called religious school, so for the <villages> that did not
2 have school, they would go and study at the houses of the teacher
3 -- that is, at tuon's house. Tuon would provide tables,
4 blackboards, chairs for the students at his <> own house, and if
5 tuon could not afford the chairs, then they would sit on the
6 floor while they studied there. So this was a kind of limited to
7 the resources of the tuon.

8 Q. And after the Khmer Rouge soldiers came to control the areas
9 as you testified<; for instance, in your home town Svay Khleang,>
10 based on your research, can you tell the Chamber whether this
11 kind of informal study with tuon continue?

12 A. No. Even prior to 1975 and that it could be in 1973, the
13 Islamic religion was closed. There were no Islamic schools for
14 Cham students. There were no longer any tuons, and mosques were
15 shut down as well. So by 1975, the Islamic schools were
16 completely shut down.

17 [10.41.35]

18 Q. Based on your research, can you inform the Chamber when the
19 religious practice and the religious school or study were
20 completely shut down? <>

21 A. It was completely closed after the event of rebellions in Svay
22 Khleang and Kaoh Phal. By that time, the Cham people were
23 evacuated from their community and dispersed along with the Khmer
24 people in various locations. When they no longer form a big
25 community and only a few families were allowed to live in each

1 village or cooperative, they were subject of being monitored
2 whether they forfeit their religion. And if not, they would be
3 taken away for killing.

4 So I would conclude that a complete shutdown took place after the
5 rebellions <in those two villages>. The close-down actually
6 started early. However, some people attempted to teach in smaller
7 forms in covert -- that is, in -- within the Cham community. <It
8 was difficult for the Khmer Rouge to send a few people to control
9 the entire community which consisted of thousands of people.> But
10 the complete shutdown took place after the rebellions.

11 [10.43.20]

12 Q. Thank you.

13 And I move on to another topic -- that is, in relation to the
14 purges of the Cham people between 1977 and '78. And as you have
15 testified before this Chamber, the purge was intensified during
16 this particular period. Can you inform the Chamber the means that
17 <were> used to engage in this intensified purge of the Cham
18 people between this period?

19 A. As I testified yesterday, between 1977 and '78, the Cham
20 people assimilated with the Khmer people, so it was rather
21 difficult for the Khmer Rouge to identify who were Cham and who
22 were Khmer. As for the youth and the children, the Cham children,
23 they could speak Khmer rather fluently, and some of them had
24 difficulty speaking Cham due to the prohibition by the Khmer
25 Rouge.

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1 Then, during this period, they resorted to using a trick. They
2 said that the country was fully liberated, so the Cham people
3 should return to their respective home towns and villages in
4 order to unite with their family members. And that was easier for
5 the Khmer Rouge to identify the Cham people.

6 [10.45.07]

7 For instance, those Cham who returned to Svay Khleang were
8 gathered up, taken away and killed.

9 The same thing applied to other districts, including Kampong
10 Siem<, Kang Meas,> and Stueng Trang. So they knew that they were
11 Chams since they returned to the Cham villages. For that reason,
12 they were taken away and killed.

13 And the killing was <indiscriminate>, whether they were women,
14 whether they were children or whether they agreed to eat pork or
15 whether they could no longer speak Cham. As long as they were
16 Cham or <> they were mixed blood. Even some youths who said that
17 they were mixed blood, they were not spared. They were taken away
18 and killed.

19 [10.45.59]

20 And for the youth who lived -- assimilated with the Khmer people
21 and whose parents had been killed, those youth were gathered by
22 the Khmer Rouge together with the Khmer youth and then they asked
23 who were Khmer and who were Cham, and then they had to raise
24 their hand. And after they answered whether they were Cham, they
25 were half-blood or they were Khmer, they would be separated and,

1 later on, the Cham and half-blood Cham were taken away and
2 killed.

3 And that happened in Trea village, and I learned of this account
4 from a survivor who was there. <In order to survive, that person
5 told the Khmer Rouge a lie that she/he was a Khmer child.>

6 [10.46.55]

7 Q. Did your research indicate who actually initiated this plan to
8 purge the Cham people and, if so, from which level?

9 A. My research was based on the accounts of the victims who were
10 there or who lived through the event, and I also relied on the
11 accounts of the people who served the regime -- that is, the
12 perpetrators. And as I have stated earlier, there was no written
13 document on the instructions, namely, from the Centre to the
14 zone, or from the zone to the sector or from the sector to the
15 district that the Cham had to be gathered up and killed.

16 I have not seen such a written document. However, I met with the
17 individuals who saw the document, namely, Sos Kamry, who saw such
18 a document and <> told me about it.

19 And this morning, I mentioned Saleh Ahmat, who heard what Ke Pauk
20 said during the meeting.

21 And there were also Khmer witnesses who saw such a document or
22 written instructions from the sector to the district and the
23 district to the lower level, and I was told about that.

24 [10.48.57]

25 Also, the witnesses who participated in the commune meetings told

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1 me about a Cham being gathered up and killed. However, when I
2 asked for the -- any written document, they <did not have it>.
3 During the Khmer Rouge regime, such written document was
4 confidential, and only the limited number of people who could
5 actually see the document but <they> could not keep it.

6 Q. Throughout your research and interview, did any of your
7 witnesses talk about Cham people being sent for detention before
8 they were sent to be killed as part of this so-called purge?

9 [10.50.05]

10 A. In cases of the arrest and detention of the Cham people, it
11 happened since 1973. <In 1973, some> Cham people <who> had <>
12 roles in their leadership, including hakim, haji and tuon <were
13 gathered>. Haji referred to those who went on pilgrimage to <an
14 Arabic> country.

15 <For example, they> were rounded up in 1973<>, in Krouch Chhmar
16 district, these people were gathered up and detained in a
17 district security centre near Krouch Chhmar market.

18 A similar event took place in other districts, and the arrests
19 continued until the event of the rebellions. And by 1977, the
20 Cham people were sent to live mingled with the Khmer people.

21 <Khmer Rouge arrested only the Cham people who opposed the
22 regime. At that time, the situation had eased.>

23 And between 1977 to '78, the Cham people were not the subject to
24 be arrest and detained, but they would be rounded up at each
25 location. <Hundreds of Cham in groups> were sent to be detained

1 provisionally for a day or two before the previous batches were
2 all killed. Then their turn would come.

3 [10.51.54]

4 At Au Trakuon pagoda, there was a Cham person named Himam
5 (phonetic), if I recall it well. Himam (phonetic) and his wife
6 fled when they were rounded up the Cham people, and there were
7 hundreds of the Cham people. They were rounded up and sent from
8 the village to Au Trakuon pagoda. They fled, and those hundreds
9 of Cham people were killed.

10 They were not put in prison. They were not interrogated, and
11 there were no written records of their confessions, or lists of
12 their names. They were not detained, but they were killed.

13 Q. Did you know why the purges became intensified in 1977 and
14 '78?

15 A. I still have doubts on this issue why they did what they did,
16 why, after the Cham actually forfeited their religion, their
17 identity and adopted themselves to live the way <the Khmer Rouge>
18 wanted and they were still killed. I have no answer for that.

19 And if I were to die, I would die without peace because I could
20 not find the answer to that. I have lost a lot of relatives
21 during the regime.

22 [10.54.00]

23 Q. This is my last question to you.

24 What destruction caused to the Islamic community and the Islamic
25 religion starting from the 17 April 1975 and continued until 6

1 January 1979?

2 A. If you refer to the destruction, you could go through the loss
3 of the 100 thousands of lives of the Cham people who were killed.

4 And there was only a limited number of Cham people who survived
5 based on my research, and there were only about 200,000 Cham
6 people who survived, and about 400 to 500 thousand of them
7 perished their lives.

8 And even for the survivors, they were under severe trauma and
9 depression, and this kind of feeling remains with them till
10 today. This is a result of them witnessing the killing of their
11 relatives, of their grandparents<. The> children <were> by
12 themselves without their parents or they couldn't find their
13 parents. And they were the orphans of the regime.

14 [10.55.45]

15 As for the Cham community, there were no longer any educated
16 leaders since religious leaders were exterminated during the
17 regime. There were no religious teachers, no tuon, and their
18 children -- and the children became illiterate in the Islam
19 religion and Islamic study. And that remains.

20 As a result, you can see that there is no remarkable development
21 or progress within the Cham community, and there are only a
22 limited number of religious leaders <and knowledgeable Cham
23 people. This negative repercussion> is the result of the
24 destruction of the Khmer Rouge regime.

25 If the Khmer Rouge did not kill the Cham people, the Cham

1 community would be in a much better <condition>, and that should
2 be acknowledged by the world.

3 [10.56.52]

4 MS. SONG CHORVOIN:

5 Thank you, Mr. Expert, for answering my questions.

6 And Mr. President, I have no longer any question for the expert.

7 MR. PRESIDENT:

8 I'd like now to hand the floor to the Lead Co-Lawyers to put
9 questions to this expert.

10 You may proceed.

11 [10.57.05]

12 QUESTIONING BY MS. GUIRAUD:

13 <Thank you, Mr. President.> Good morning, everyone.

14 Q. Good morning, expert. My name is Marie Guiraud. I am the
15 lawyer representing the interests of the consolidated group of
16 civil parties in this trial, and I have a few follow-up questions
17 for you this morning, and certainly this afternoon.

18 Yesterday, in the morning, you <told us> that you worked at

19 DC-Cam as a researcher from 1999 to 2006, and <that> you

20 subsequently worked in the Co-Investigating Judges Office <right

21 here at> the Extraordinary Chambers. You <also told us> that you

22 carried out a number of interviews <for> the two books you wrote.

23 Can you give us an estimate of the number of interviews of Cham

24 you carried out since you started working on this <issue>?

25 [10.58.10]

1 MR. YSA OSMAN:

2 A. Yes. Good morning, counsel. It might be translation error or
3 your error. In fact, I <had worked> with DC-Cam <from> 1999 <to
4 2006>, and the number of interviewees I interviewed, I did not
5 count. If you -- if someone asked me right immediately after
6 that, I <could> tell, but now, it is difficult for me to tell you
7 the exact figure.

8 I interviewed about <200> to 300 interviewees, based on my
9 recollections.

10 [10.59.06]

11 Q. <That's exactly what> I wanted: an estimate of the people you
12 interviewed.

13 Among the 200 to 300 persons you interviewed, was there a
14 significant proportion of Cham, or did you interview persons who
15 were not Cham during that period when you were working for DC-Cam
16 as a researcher?

17 A. The majority of them were Cham people <just like me>, and a
18 small number <> of interviewees were Cambodians. But I divided
19 Cambodian interviewees into two groups: <the first group> was the
20 <> victims who lived with the Cham people and who experienced
21 similar difficulty and suffering as <> Cham people did, and
22 another group of my interviewees were the former officials of
23 cadres who involved in the arrest or the execution of the Cham
24 victims.

25 [11.00.30]

1 Q. Thank you.

2 Among the 100 or so Cham people you interviewed, did you <>
3 interview these victims throughout all of Cambodia, or did you
4 focus your research on one district or one particular province?
5 <Can> you provide <a little bit> more detail on where these Cham
6 people <whom you interviewed while you were a researcher> were
7 located<>?

8 A. I <had> interviewed people for writing my book, "Oukoubah". I
9 did not focus in a particular location or area, but I focused on
10 the Cham victims or their family members that suffered -- that
11 experienced their fate at S-21, and I would follow the story to
12 different places, <S'ang> and Kaoh Thum. <Some interviews were in
13 Kampot.> And <in writing my second> book, "Cham Rebellions", I
14 focused my interviews of Cham people <in Kampong Cham>, most of
15 them were living in Krouch Chhmar district, Kang Meas district
16 and Kampong Siem and Stueng Trang districts, and some from other
17 districts, including Tboung Khmum <and> Ponhea Kraek district.
18 [11.02.35]

19 Q. Thank you.

20 You said yesterday at the beginning of the hearing that most of
21 the Muslims in Cambodia <were> Cham, implying, <> that there
22 <were> other Muslim minorities in Cambodia.
23 <Can> you tell the Court if there <> are <> other Muslim
24 minorities in Cambodia? And, if that is the case, which are they?

25 A. The term "Cham", if they call themselves as "Cham", the

1 correct term, it is pronounced as "Chem", but Cambodian and other
2 people would pronounce as "Cham".

3 "Chem" or Cham originated in Champa, and they keep their religion
4 all the way to <> Cambodia. And <there was another group of Cham
5 called> Cham <Chvear>. And these Cham <Chvear> did not flee from
6 any mistreatment from Vietnam, but <> they were from <>
7 Indonesia.

8 <One thing that is different is the use of language.> If you look
9 at their <faces,> clothing,<and religious practice,> they <were>
10 similar <to Cham's. The difference is that> the Cham <Chvear> did
11 not speak <> Cham language. They would speak Khmer language <and
12 the old people would speak> their language from Indonesia.

13 So the Cham, as a general term, includes the Cham people from
14 Champa and those who were from Indonesia.

15 During the Sangkum Reastr Niyum regime, the late King defined and
16 created a term which is "Khmer Islam".<This term has been used
17 until today. It refers to both Cham from Champa and Cham Chvear.>

18 [11.05.15]

19 Q. Thank you.

20 So to be clear about this, the <Chvear> are considered <to be>
21 Cham. <> Did I understand your testimony properly?

22 A. Yes, correct.

23 Q. You used the <term> "community" <a lot> yesterday and today.
24 Yesterday, you said in particular when you were speaking about
25 people who were transferred after the rebellions, you said that

43

1 these people had lost their sense of belonging to a community.
2 And I wanted to get back to this <term of the Cham "community",>
3 which seems to be <> very important <in what you have been saying
4 since yesterday>.

5 <How> do <> you define a Cham community? You spoke about
6 religion; you spoke about the Cham language. Are there other
7 criteria to define what a <> Cham community is <>?

8 [11.06.17]

9 A. It is not difficult for you to understand, Counsel. The Cham
10 communities are places or areas where Cham families are living
11 including the tuon<, hakim,> and other families from 40 families
12 or more. It is called Cham community, one Cham community.

13 Q. Based on the research and the interviews you conducted, is
14 this concept of community different among the Cham and among the
15 Khmer?

16 A. For Cambodian people, as far as I understand, they don't often
17 use the term "community" because Cambodians are the majority
18 across the country. For ethnic minority who lives in a country,
19 it's not only Cham, but also Chinese minority and Vietnamese
20 minority, they would be called community of Jarai, community of
21 Chinese, community of Vietnamese, so this term "community" is
22 referred or used for ethnic minority in a country.

23 [11.08.09]

24 Q. Earlier, you <mentioned the term> "solidarity" within the
25 community <itself, and> I wanted to know if there were specific

1 solidarity systems in the Cham communities <or> villages and if
2 that is the case, <what> were <they>? Before the Khmer Rouge
3 arrived in the areas that we will speak about further.

4 A. Yes, mutual help and assistance was obligated under the
5 religion. Each follower has to help each other. Cham who believe
6 in Islam, for example, an orphan who lost both of his or her
7 parents, the Cham community is obligated to help this orphan to
8 have a better education, clothing, and food.

9 And this also applied to the poor people in a community. If he or
10 she is the poorest of the poor, the community has an obligation
11 to raise fund under Islamic <rules> to help the poor. When Zakat
12 al-Fitr -- Fitr is defined as by the end of Ramadan, each Cham
13 person has to contribute in rice in a certain kilogram and every
14 villager have to contribute for the benefit of the poor.

15 Islam <> taught the community to take care, to offer medication
16 for the poor, and to provide everything based on solidarity to
17 help one another. So the rich cannot violate the poor; the rich
18 shall contribute for the benefit for the poor <and the orphans>

19 [11.10.45]

20 The one with education shall contribute to teaching of the
21 ignorance. This is under Islamic principle for their own
22 community and for other people outside of their community and
23 overall to help one another.

24 Q. Thank you. <Based> on your research, did <this specific>
25 solidarity system <you just spoke about> remain during the

1 <Democratic Kampuchea> period?

2 A. By the end of 1975, right after the rebellion, no solidarity
3 existed. The Cham people could not help one another; each of them
4 had to try their best to save his or her own life.

5 Q. Thank you.

6 Is the Cham community organized into subgroups, into castes or
7 into lineages? Is this a concept that exists in the Cham
8 community?

9 A. When you are talking about group, yes, it is formed in order
10 to understand the need or any problem. And in each village a
11 small group was created; it's called -- in Cham, it's called
12 chum-ahs. Chum-ah is headed by one chief who will supervise or
13 work closely with the members <because hakim cannot work with all
14 the members in the community>.

15 So when you are talking about social class or caste, there's no
16 classification like that; for example, <there was no> rich class
17 or <> poor class or <> person who is well-educated or not; <there
18 was not this political part or that political party>; there was
19 no class like that in the Cham community.

20 But there was a teaching that each person in the community have
21 to love and help one another to the best of their ability.

22 [11.13.38]

23 Q. Thank you. You spoke to us yesterday about the different
24 religious leaders or the different religious authorities that
25 existed within the Cham communities. You spoke to us about the

1 hakim, about the hajji, about the <chum-ah,> stressing the fact
2 that these people were in charge of religious affairs and were
3 not involved in education or in the transmission of traditions.

4 <You> spoke to us this morning about the tuon. You just spoke to
5 us about the chum-ahs.

6 <Within> the Cham community, are there other <leaders> who are in
7 charge of transmitting Cham culture and <Cham> tradition; or of
8 educating <> Cham <youth, besides> the tuon you spoke to us about
9 this morning?

10 [11.14.42]

11 A. You are correct, Counsel. Hakim, <haji> or chief of chum-ahs
12 or tuon, most of these people would focus <only> on the religious
13 education. I admit that we lack <> the teachers or professors who
14 <specialise in> history and other subjects for the community.

15 <Besides religious education, these subjects are also important.>

16 But anyhow, I would like to appreciate a number of Cham people in
17 Kampong Chhnang, Pursat, Battambang province who are tuon or
18 hakim. They preserve their tradition, custom, but also teach
19 history and culture for young generation in their communities.

20 I did not finish my research. <Currently,> I keep continuing
21 research and I <am writing> the history of <Cham> and the country
22 or the -- the land of Champa so that I can bring knowledge and
23 awareness to the Cham in Cambodia <and the world>.

24 [11.16.50]

25 Q. <Thank you.> Is family traditionally a centre of transmission

1 of Cham culture? And, if that is the case, can you <explain> how
2 Cham culture is transmitted within the family; <> the role of the
3 father, <> the mother, <and> the children<, respectively>?

4 A. Talking about culture, we can maintain -- the language is part
5 of the culture and the dressing style of the Cham, but when we
6 talk about history, I would like to re-emphasize that regarding
7 the history, in the family, parent teach oral history to the
8 children, not the written one. For example, my parent told me the
9 oral history to me and I would pass on this to my children. My
10 parents told me about the glory of the Cham kingdom <in Southeast
11 Asia, who stole our Kingdom> and who killed our ancestors <and
12 our kings.> So my parents told me about the history.

13 When we talk about culture of the Cham, the culture -- the
14 cultural aspect is intertwined with the religion. So the Cham
15 culture does not disappear because children follow the living
16 practices of their parent, but history can disappear because
17 there is no written record.

18 [11.19.17]

19 The written record perished during the old day because those
20 material -- historical material were burnt down or some of the
21 material were buried and those who bury the material passed away,
22 so no one knew where those material were exactly buried. I
23 received some of the materials from some people who ploughed the
24 field and they found the material buried underneath their paddy
25 fields and they gave those materials to me.

48

1 We knew that the Khmer Rouge hated the Vietnamese and wanted to
2 take revenge again the Vietnamese and we had document about this,
3 but as for the material about the Cham, we lost them -- many of
4 them.

5 If there had not been the Khmer Rouge regime, the Cham -- the
6 condition of Cham people would not be like nowadays; the Cham
7 people would be in good shape and would be more progressive and
8 prosperous and glorious.

9 The Cham now started very hard to re-establish their life and I
10 hope that there will be no longer any oppression or killing of
11 the Cham people.

12 [11.20.58]

13 Q. Thank you. You said earlier that the <> Cham children,
14 <during> the <Democratic Kampuchea> regime, were separated from
15 their families and sent into children's units. <Did> your
16 research and interviews allow you to conclude that this
17 separation of families had an impact on the Cham community?

18 A. The suppression severely affected the Cham people. Children
19 were no longer allowed to live with the parents, so they could
20 not speak the Cham language. The children -- the Khmer Rouge
21 labelled the children as the children of the Revolution and as
22 for the suppression, it did not take place only to the Cham
23 children, but also to the Khmer children who were separated from
24 their parents.

25 But for the Khmer children, they were not much affected because

1 everywhere people spoke Khmer, even the Khmer Rouge cadres, but
2 for the Cham children; they were not allowed to speak Cham and
3 they lived separately from their parents, so they lost the
4 opportunity to listen to the history of Cham from their parents
5 and as a result, they lost their identity.

6 [11.22.42]

7 Q. Thank you. I <wanted> to put to you a few questions about the
8 collectivization of the lands, taking<, perhaps, as an> example,
9 <> your home village <or at least the district in which your home
10 village is located>. Did the Cham communities have a special way
11 of working the land which was different from the Khmer <villages
12 or> communities that were next door?

13 A. Cham people had some distinctive skill different from the
14 Khmer; for example, they possessed specific skill about fishing.
15 The Khmer also can fish, but they cannot fish <as much as> the
16 Cham. The Cham can get more fish than the Khmer and the Cham knew
17 how to <preserve> the number of fish in their fishing <method, so
18 that, they can fish next time. Cham also possessed weaving
19 skills.>

20 And another skill the Cham possessed is about blacksmith and the
21 Cham was very famous for blacksmiths. But nowadays, it's the Cham
22 who possess the three skills that they inherited from their
23 ancestors nearly face <unemployment> in their making a living
24 because fish in the rivers -- in the water now become decreased
25 and as for -- as for silk weaving, they also face problem because

1 now there are factories and there are also imported products from
2 abroad that threaten their career. <Therefore, many Cham turn to
3 farming like Khmer people.>

4 [11.25.39]

5 Q. Using, <as an> example, Krouch Chhmar district, where you
6 focused some of your research, can you <explain> what the land
7 collectivization process was and if <it> had a special impact on
8 the Cham communities and villages?

9 A. The collection did not take place only with land; it also took
10 place with people. People were gathered to live together and the
11 crops harvested were also gathered and put together.

12 And people were required to live in co-operatives, so everything
13 became the collective things, even vegetables and fruits that we
14 grew in our -- on the land, we could not eat those fruits or
15 vegetables because everything became collective property <and
16 belonged to Angkar>.

17 [11.26.57]

18 Q. Did the co-operatives group together Cham and Khmer or were
19 there co-operatives that were set up only for Cham people at the
20 beginning?

21 A. There were no co-operatives which <consisted of only> Cham
22 people <in the late 1975 to 1978>. Before <November> 1975, yes,
23 there were communities that had only the Cham people. <At that
24 time, there were co-operatives for only for Cham people.>

25 Q. So if I understood your testimony properly, as of 1975, all of

51

1 the Cham <belonged to> co-operatives that were mixed, that
2 included Cham people and Khmer people. Did I understand your
3 testimony properly?

4 A. Yes, you are right. From November 1975, the Cham lived in --
5 mingle with the Khmer in the co-operative.

6 [11.28.40]

7 Q. Did your research allow you to know if <communal eating
8 within> the <> co-operatives had a special impact on the Cham?
9 Yesterday, you spoke to us about pork and about the fact that the
10 Cham were <forced> to eat pork; <> were there other effects on
11 the Cham <caused by communal eating> within the <co-operatives>?

12 A. The Cham people do not eat pork; this is the religious
13 regulation. But when they lived in the co-operative, <there was
14 no food for them.> I would like to explain that it's not only for
15 pork, but it's also for chicken, <duck,> beef<, and goat meat
16 except fish. When the animals> are killed by Muslim in a proper
17 Islamic way so that the Cham people can eat those meat. But when
18 the Cham people lived in the co-operative with the Khmer people
19 <and they shared communal kitchen>, these kinds of dietary
20 practices could not -- could no longer <be> maintained. They had
21 to eat commonly with the Khmer people. They ate even pork.

22 [11.30.40]

23 In fact, the Khmer Rouge did not have enough pork to supply to
24 the co-operative, but the Khmer Rouge still tried to find way to
25 force the Cham people in the co-operative to eat pork, despite

52

1 the inadequate pork supply. And those Cham people who resisted
2 their instruction to eat pork, they were killed and those who
3 followed the order survived.

4 MS. GUIRAUD:

5 I'll go into another line of questioning, Mr. President. <I don't
6 know if> it is <a good time> to take the break<. I can continue,
7 if you like, or stop.>

8 MR. PRESIDENT:

9 It is now convenient time for lunch break. The Chamber will take
10 a break from now until 1.30.

11 Court officer, please find, for this expert, a proper place in
12 the waiting room reserved for this expert and please bring him,
13 along with his legal officer, back to this courtroom before 1.30.
14 Security personnel are instructed to bring Mr. Khieu Samphan back
15 to the room downstairs and have him returned to this courtroom
16 before 1.30.

17 The Court is now in recess.

18 (Court recesses from 1132H to 1332H)

19 MR. PRESIDENT:

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

21 And again, I'd like to hand the floor to the Lead Co-Lawyers for
22 civil parties to put further questions to the expert. You may
23 proceed.

24 BY MS. GUIRAUD:

25 Thank you, Mr. President, and <I would like to> inform you that

1 it is possible that I may exceed the 15 minutes you <spoke to me
2 about this morning since, in our calculations, we had a little>
3 bit more time than that. <So, I will> try to <be quick>, but it
4 is possible that I <might> exceed <15 minutes>.

5 Q. Mr. Witness, <to resume -- excuse me, Mr. Expert, to pick up>
6 where we left off for <before> the lunch break, I would like to
7 start with a very simple question: Can a Cham pray in Khmer?

8 [13.34.04]

9 MR. YSA OSMAN:

10 A. There are two kinds of religious <principles>; one is the
11 sermons to say during the <worshipping> and that has to be in the
12 Arabic language; it cannot be translated into Khmer or into any
13 other languages. It only exists in the Arabic language and it is
14 part of the Koran.

15 However, if you pray for harmony or peace from Allah or what you
16 want to be granted by Allah, then you can use whatever languages
17 you want to and as I said, you can use any languages<; for
18 instance, Chinese or English> for such an occasion.

19 Q. That is much clearer and I thank you for that. Before the
20 lunch break, you talked of texts that were buried and that were
21 never found again <or> that <some> people <had> found <> while
22 tilling the <field, you said. I wanted to know if you> can <> be
23 <a little bit more> precise <regarding the> type of texts <that
24 had been> buried, the time <period> when they <had been> buried,
25 and the <> places where <buried> texts <have been> found <>?

1 [13.35.56]

2 A. The text was found when a villager from Svay Khleang village
3 plowed his field <in a village>. Svay Khleang is a village where
4 there are no rice fields next to it and he actually plowed the
5 field in the village <in order to plant banana and sugar cane>
6 and he found this text which was buried under the ground. He kept
7 <some parts of> the text and he passed over some of the text to
8 me. The text themselves were <history documents but> religious
9 text and they were text in Arabic language and some were
10 hand-written <in Cham language>.

11 Q. During the numerous interviews you conducted, did you hear, on
12 other occasions, anyone say that texts had been buried and if
13 yes, in what periods were those texts buried?

14 A. As for the texts related to religion or related to the history
15 were the subjects to be burned and that was the clear instruction
16 <especially in Krouch Chhmar district> by the Khmer Rouge. In
17 particular, Koran was the main target.

18 One of the five conditions imposed on Kaoh Phal villagers was
19 that all the Korans and related religious text had to be burned.
20 So when the villagers were aware of the imposition of the
21 conditions, they tried to conceal the text and that happened not
22 only in Kaoh Phal, Svay Khleang; it happened in other villages.
23 So to the best of their ability, they hid the text or they buried
24 under the ground in the hope that they would be able to retrieve
25 it later on, so I believe there were more <documents> that were

1 hidden or kept under the ground.

2 [13.39.18]

3 Q. A while ago, you <informed us> that the call to prayer was
4 done in Arabic, if I followed you correctly. Were there <>
5 particular <people> in the Cham villages and <> communities who
6 <were in charge of this> call <to> prayer in Arabic or <could>
7 any Cham <issue> that call <> in <the> Arabic <language>?

8 A. Praying is one of the obligations of the Cham people<. Prayer,
9 here, I mean worshipping. Worshipping is> one of the five
10 obligations to be undertaken by the religious believers. And if
11 one fails to practice that, the person cannot be considered <> a
12 <Muslim>.

13 Usually, the believers have to pray five times per day<. Tuon
14 and> parents bear the responsibility to teach their children how
15 to pray to Allah.

16 Q. And that call in Arabic<, in the Arabic language,> which you
17 <told me about> at the very beginning of your testimony, early in
18 the afternoon, who concretely in the village was in charge of
19 that call to prayer in Arabic<, in the Arabic language>?

20 [13.41.22]

21 A. As I have just stated, it was the responsibility of the
22 parents as well as the tuon or the religious teachers who
23 actually teach the young children or their children to pray. And
24 if the parents do not have time, usually they would send their
25 children to study with the tuon and the children will learn the

1 way how to practice religion, to pray to Allah, and how to pray
2 in Arabic language.

3 The Arabic language there for prayer is the original Arabic
4 language; it's not the modified form or version of the later
5 Arabic language.

6 Q. Thank you for this clarification; it is very clear. Yesterday,
7 you cited the five conditions imposed on the villagers in Kaoh
8 Phal, and the last had to do with marriages, so let me read out
9 what you read yesterday during the hearing; that <> "Cham men and
10 women had to marry persons from other ethnic groups and no longer
11 Chams". I would like you to explain to the <Court what> marriages
12 in Cham communities were <like> prior to the arrival of the Khmer
13 Rouge or, in any case, before Democratic Kampuchea.

14 [13.43.08]

15 MR. PRESIDENT:

16 Mr. Expert, please hold on and Counsel Kong Sam Onn, you have the
17 floor.

18 MR. KONG SAM ONN:

19 Thank you, Mr. President. Allow me to object to the question on
20 the summary of the statement by this expert on the topic of
21 marriage.

22 The expert does not mention any of the five conditions related to
23 this excerpt. What the expert says is that the Cham people could
24 marry other races besides the Cham race. So this is
25 <contradictory to the earlier> statement by the expert.

1 [13.44.03]

2 BY MS. GUIRAUD:

3 I am not sure I understood the objection of my colleague because
4 I don't have the impression that <that> is what I <said>, but let
5 me rephrase for <> simplicity's <sake>.

6 Q. Could you, Mr. Expert, quickly explain how <> Cham <people got
7 married> before <> Democratic Kampuchea<>? Did they <marry> one
8 another? Were there marriages between Cham and Khmers? What were
9 the practices before the Democratic Kampuchea regime?

10 MR. YSA OSMAN:

11 A. Before the Khmer Rouge regime, majority of the marriages that
12 took place were between the Cham people and the Cham people;
13 however, there were instances where Cham married Khmer and at the
14 moment, it also happens.

15 There is no religious restriction that <a Muslim> has to marry
16 the same race. In fact, the person could marry <> any race as
17 long as the person converts to <Islam> and <lives> in a way that
18 is assimilated to the way the Cham people live.

19 So if the person is willing to convert <to Islam>, then the
20 person could marry a Cham person and that also happened before
21 the Khmer Rouge regime.

22 As for the Khmer Rouge regime, the fifth condition that was
23 imposed on Kaoh Phal villagers was that the Cham men had to marry
24 Khmer women; likewise, the Cham women has to marry Khmer men. But
25 in practice, it did not actually happen because after the

1 imposition of the conditions, rebellions took place and as a
2 result, the Cham people were evacuated. And for that reason,
3 since the Cham did not live in a community, the fifth condition
4 was rarely imposed as the Cham people lived mingle with the Khmer
5 people and this is based on my research.

6 [13.47.14]

7 Q. So if I understand <> correctly, you have <-- can you confirm>
8 that you interviewed Chams who <got> married <or who were
9 married> during the Democratic Kampuchea regime? Is that what I
10 should understand from your testimony<, that> you <interviewed
11 people> who got married or were married during the Democratic
12 Kampuchea regime? <>I'm talking of Cham.

13 A. Marriage was not a main subject of my research. My research
14 did not <go in-depth about> the marriage.

15 Q. But do you recall interviewing Cham <people> who had been
16 married under the Democratic Kampuchea regime<? Is> that
17 something you <> remember or you don't recall that?

18 [13.48.30]

19 A. I cannot recall that clearly; however, I knew and I heard
20 about this. After the Khmer Rouge regime, <I grew up and> I lived
21 in the Cham community and the survivors spoke about their
22 backgrounds, about their experience, and some people said that
23 they were forced to marry Khmer people and from late 1975 to
24 1978, they did not dare to oppose any instructions in term of the
25 marriage. <They no longer dared to counter the Angkar after the

1 Cham uprising.> For instance, if they were to be instructed to
2 marry a Khmer person, they would do so, or if they were to be
3 instructed to marry a Cham person, that would be a good
4 opportunity for them.

5 Q. Thank you. I would like <> to revisit the period <of> 1979,
6 <when> the regime <fell>. You <stated> a while ago that there
7 were no longer any muftis and, if I understood <> correctly, you
8 said that after 1979, it was the villagers who had designated the
9 hakim. Did I properly understand what you said this morning?

10 A. Yes, that is correct. In fact, the previous mufti, as well as
11 his first and second deputies, were killed. And the surviving
12 hakims, in fact, the hakims were also killed during the Khmer
13 Rouge regime and the only best approach to elect a hakim was to
14 look for one of those survivors who had knowledge about religion
15 and who were a good, faithful, and respected person and who could
16 represent their community, then they would <vote> and whoever
17 received more votes would be elected as hakim for that village.
18 Later on, however, when mufti was elected, mufti bears the
19 responsibility to appoint a hakim for the village and by that
20 time, the villagers did not involve in the election or choosing a
21 hakim for their community except where -- where the villagers
22 dissatisfy with the appointment of a particular hakim and they
23 wanted to vote for a particular person to become a hakim. If
24 there that is the case, usually mufti would consent to this vote.

25 [13.52.22]

60

1 Q. In what year was the new mufti elected? You said that in 1979,
2 there were no longer any muftis and the villagers were somehow
3 obliged to elect the <hakims. In> what year <were> the new mufti
4 and his <deputies> elected?

5 A. I cannot recall the exact year; however, I remember it
6 happened after the first general election in Cambodia in 1993
7 when there was this national election organized and supported by
8 UNTAC.

9 When the new government was formed after that election, the
10 government decided to find someone to be appointed as a mufti
11 and, in fact, the process of appointing the mufti, at the time,
12 was that all hakims throughout the country were gathered to
13 <Phnom Penh to> elect several of their representatives to be
14 voted and the first person who attracted more votes were
15 appointed to be a mufti. And then the mandate for that mufti was
16 expired and then <> another mufti was elected. And the second
17 mufti who was elected was in that power with no expiry date of
18 their mandate and the person was recognized by the king.

19 [13.54.33]

20 Q. <Does> your research allow you to enlighten the Chamber on the
21 reason why there was a significant lapse of time between the <>
22 mufti who died during the Democratic Kampuchea <period> and <his
23 successor who was elected> in 1993<, if I correctly understand
24 your explanation. Why was> so much time <needed> to elect <a> new
25 mufti?

61

1 A. Yes, the time lapse was extensive and this is in relation to
2 the freedom to religion, the freedom to elect religious leaders
3 and to communicate with religious leaders locally and overseas as
4 well as the support from Islamic countries to the Islamic
5 community in Cambodia only existed after 1993 general election.
6 We can also say that the light of freedom, the light of democracy
7 started to take shape after 1993, that is, with the <support and>
8 intervention by the United Nations. And prior to 1993 such
9 freedoms were not fully exercised.

10 [13.56.26]

11 Q. I am asking this question because I would like to know whether
12 there was a link between the need to train a new mufti, which
13 <could possibly> take <some> time, and the fact that he was
14 elected in 1993. If I understand your answer correctly, <there
15 were> reasons <that, in a way, were independent of> the impact of
16 <the> Democratic Kampuchea <regime> on the Cham <community,> that
17 explain<> the fact that the new mufti <was> only <> elected in
18 1993. <Do I understand correctly> the thrust of your answer?

19 A. From 1979 to 1993, <it does not mean> Cham people <did not
20 want> to have their supreme religious leader but <,at that time,>
21 they were not in a position to have one <yet>. And as I said, the
22 freedom to religion or the light of democracy started to take
23 shape only after 1993.

24 Q. <Just to> wrap up this line of questioning in order to <be
25 sure that I> properly understand you, when you said that the Cham

1 were not <in a position> to have a mufti between 1979 and 1993,
2 what exactly are you referring to when you say that you were not
3 in a position to have a mufti?

4 [13.58.32]

5 A. I refer to the government that took control of the country
6 after 1979. I did not mean that the government killed the Cham
7 people or prohibited the practice of Islam<>. However, <when> I
8 grew up <in that period,> the communication between Cambodia and
9 other countries was restricted as the country was still in <the
10 civil> war. <The government did not allow freedom for multi
11 political parties to compete in an election.>

12 After 1979, there were <Cham> representatives <in> the government
13 but there was no mufti yet, although there were hakims and tuons
14 and there were only very minor incidences of people of haji who
15 went on a pilgrimage as they had no means to go overseas <just
16 like the majority Khmer>.

17 Q. Thank you, <that> is very clear. I would like to finish <>
18 with my questions by asking you <> a few <things> about your
19 personal history. You said <several times> during <these two days
20 of testimony> that you, yourself, were born during the
21 <Democratic Kampuchea> period. You were born in 1971. You were
22 born in Svay Khleang.

23 <> I wanted to put a few questions to you about your experience
24 during the <Democratic Kampuchea> regime since the Chamber's
25 decision, E3/67, authorizes us to do so. <> I wanted to know if

1 you have any <> personal recollections of what happened during
2 the rebellion in Svay Khleang.

3 A. I was so young at that time. I was only four years old. I <did
4 not> have direct or immediate memory. As far as I remember, I
5 heard from my parents, my relatives when I returned to my home
6 village in 1979, and more importantly based on my research.

7 Q. Can you explain to us, if you know<, if> your parents told you
8 or <if> you went there after the <Svay Khleang> rebellion? Is
9 this information that you <were able to obtain> by speaking to
10 your relatives?

11 [14.02.08]

12 A. In the rebellion even in Svay Khleang, many of my relatives
13 lost their lives. My grandparents <> were told to go out of the
14 village but they refused to do so<. They were still staying at
15 their home,> saying that <was their> house <and> village, so they
16 refused to leave. <When we returned, they were still there. In
17 fact, there were many Cham people who refused to leave the
18 village like my grandparents. They were the elderly and the women
19 who just gave birth. They could not travel. However,> when we
20 came back in 1979, we didn't see <many> of them alive. <We did not
21 know when and how they were killed. My family, like> other Cham
22 people <in Svay Khleang,> were sent out and separated to be
23 detained in separate places. At the beginning the small children
24 were allowed to be with the mother or the parents.
25 And my family <was> sent to Kratie province. <It was so fortunate

64

1 that> a few families of Cham people <including mine> were sent
2 from Svay Khleang to Kratie province. <In fact, there were a few
3 Cham families sent to Kratie province.>

4 In my family in Kratie none of our members were subject to any
5 mistreatment or killing except the force to eat pork. <I ate
6 pork. Our first arrival in Kratie province was> in 1976, one of
7 my elder brothers died of starvation and later in 1978 my younger
8 sister died in a hospital in Kratie province.

9 [14.04.42]

10 I remember very well about the starvation because I was so hungry
11 when I was <a child>. I needed more food. I heard from my parents
12 that in the past we would have enough food and they pleased me by
13 saying please try to be patient and to live until we have peace
14 and we can have enough food. And other young children did the
15 same way I did. We were wandering around collecting leftover
16 fruit or any food that was <thrown away by cooks and took them to
17 eat>.

18 Q. Did you remain with your parents in Kratie or were you
19 separated from your parents? Do you remember that or did anybody
20 tell you what happened?

21 A. My father was separated from my mother. <They> were living far
22 away from each other. <My> sister <and I were> living with my
23 mother<>. But when my mother left for the work site, the dam
24 worksite, <I> was sent to a children's group <and was looked
25 after> by an old lady. And my <two elder brothers -- one> died in

65

1 1976, <were> sent to another unit far away from the village.
2 I had no opportunity to meet my father <and> my <elder> brother.
3 I could meet with my father or mother with very limited occasion
4 and I met either of them only at night when he or she returned
5 from their worksites during the daytime. <Between my father and
6 mother, I met my mother more frequently because in some
7 occasions, she was assigned to work in the village. When my
8 mother worked at night, I stayed with the elder women who looked
9 after children.>

10 [14.07.31]

11 MR. PRESIDENT:

12 You seem to take more time than given -- than allocated, Counsel.

13 MS. GUIRAUD:

14 <I had one> last question, Mr. President. So, if you would <>
15 allow me<?>

16 MR. PRESIDENT:

17 Yes, your request is granted.

18 BY MS. GUIRAUD:

19 Thank you.

20 Q.<To> finish<, Mr. Expert,> with your account, in which year did
21 you return <-- or, did you return> to Svay Khleang? If yes, in
22 which year? And can you <> describe the challenges <faced by> the
23 villagers <who> returned to Svay Khleang?

24 [14.08.32]

25 MR. YSA OSMAN:

66

1 A. In 1979, when we returned, I saw houses left empty <>. I kept
2 waiting to see a return of my uncle, my aunts, my cousins, second
3 cousins<, and my neighbours. We did not know where they had
4 gone>. We keep waiting a year or two or three years and no one
5 has returned. Then I assumed that they were all died or killed
6 because it was a large village of more than 1,000 families.
7 But in 1979, most of the houses were left empty, and the western
8 part of our village in Svay Khleang <> houses were left empty,
9 the Cambodian families moved and lived there.
10 We started to build our community right after 1979, until now in
11 Svay Khleang even though we have a Cham family of more children.
12 But if we do the count of the actual number of families and
13 people, we still can find the number of families and population
14 which is less than what we had before 1975. If you would like to
15 know the exact information you could do your research or to do
16 the count at the village you will see the reality then.

17 [14.10.55]

18 MS. GUIRAUD:

19 Thank you, <Mr.> Expert. I am done with my questions.

20 Thank you <>, Mr. President.

21 MR. PRESIDENT:

22 Thank you. Now, the Chamber will give the floor for the Defence
23 Counsel. Counsel for Nuon Chea, you have the floor first.

24 Do any of the judges have any questions?

25 Counsel for Nuon Chea, please hold on. Now, Judge Lavergne, you

1 may proceed.

2 [14.11.38]

3 QUESTIONING BY JUDGE LAVERGNE:

4 Yes, thank you, Mr. President. Maybe there was a misunderstanding

5 <> but, indeed, I have a certain number of questions to put to

6 the expert.

7 First <of all>, I would like to provide to the expert a document.

8 This is document E3/154. This document is, in fact, the original

9 <> in the Khmer language of a telegram that is <cited> in its

10 <entirety> in the book written by Mr. Osman, "The Cham

11 Rebellion", so in <the document -- the> book E3/2653. So, Mr.

12 President, if I may provide the expert with this document?

13 MR. PRESIDENT:

14 (No interpretation)

15 BY JUDGE LAVERGNE:

16 Q. <>The document in question is in the English version of your

17 book, on page 166<. It is> English ERN, 00219227; the French

18 <ERNs are> the following; 01125252 to 253; and in <English

19 (sic)>, 00008495.

20 So the title of this document is "Telegram Number 15". <Before

21 asking> a question <> about this document, I would like you to

22 tell me or I would like you to remind us <on which dates> the

23 incidents that you <described> occurred, <> the rebellions in

24 Kaoh Phal and in Svay Khleang.

25 MR. YSA OSMAN:

68

1 A. The rebellion in two villages happened in 1975, but it
2 happened before the date appeared on this document. Based on the
3 recollection of the villagers at Kaoh Phal they said that the
4 rebellion in Kaoh Phal was <in September 1975. Two weeks later,
5 so it was> in October 1975, in <Svay Kleang>, so <it was> on the
6 30th of the Ramadan month in 1975. Because the villagers
7 remembered very well the rebellion in Svay Khleang because it was
8 on the ending of the Ramadan of the fasting and the rebellion
9 happened on that day.

10 [14.15.24]

11 Q. So I would like to <clarify> that<, indeed,> the telegram we
12 are speaking about <now> is dated 30 November 1975. So this is a
13 telegram that -- whose author apparently is <someone> named
14 Chhon. <Can> you tell us if you know who Chhon is<>?

15 A. I don't know who Chhon was, but I know other individuals
16 listed on this document.

17 Q. Well, <> we will get to the other names maybe a little later
18 on. <So>, the subject of this telegram is the sharing of
19 difficulties regarding the transfer of a certain number of
20 people. <Can> you tell us -- first of all, <whether> you remember
21 this telegram and can you <put it in context for us> -- what
22 <does it> correspond to and what connection <might> there
23 <perhaps> be between the events in Kaoh Phal and Svay Khleang and
24 this population transfer <>?

25 [14.16.53]

1 A. Yes, Your Honours, I remember well the information on this
2 "Telegram 15". I was the one who picked this document <before
3 others> when I was working with DC-Cam in <1999>, because the
4 information related to Cham people and it directly related to the
5 rebellion of Cham in Kaoh Phal <village> and Svay Khleang
6 <village>. Though it doesn't indicate Svay Khleang or Kaoh Phal
7 but on the document it <said that they> decided to evacuate the
8 Cham people from the Eastern Zone in order to restore a <chaotic>
9 situation, so that they needed to disperse Cham people and move
10 out to live in a different <zone>. It <was> dated on the 30th of
11 November 1975.

12 So I believe that the figure and the information on this document
13 to ease the tension in the Eastern Zone; was meant to deport the
14 Cham people from their communities. If the Cham people were
15 allowed to stay there might be other rebellions, so they should
16 be evacuated to different locations.

17 <As I said again and again,> the evacuation of 1,000 families of
18 Cham people <was not to place them in> a group or a community <in
19 another area, the evacuation was meant to> disperse or separate
20 <them> to live in different places <so that the Cham people would
21 lose their identity>.

22 MR. PRESIDENT:

23 International Prosecutor, you may proceed.

24 [14.19.25]

25 MR. KOUMJIAN:

70

1 I just wanted to bring to Your Honour's attention and the
2 parties' attention what I believe is a problem or discrepancy in
3 the translation of this document, particularly the last
4 paragraph, and advise you that there is another translation of
5 the very same document on the case file. That's at E3/1679. So
6 I'm only going by the English translation.

7 But, to be clear, I have contacted the translation unit and they
8 indicated there would be a correction. I don't know if there has
9 been yet on the copy, Your Honour, is using, a correction of
10 E3/154, I believe is the document you're using. Thank you. But
11 the other translation again is at E3/1679.

12 JUDGE LAVERGNE:

13 Well, indeed, I have here a <corrected> version which <also>
14 carries the same <reference> in English, E3/154/Corr-1. <Is> that
15 the version you are referring to? I see that you are nodding
16 <yes>. So <> maybe we will be able to--

17 [14.20.57]

18 MR. KOUMJIAN:

19 Probably is, I am sorry, on my computer I had a little problem so
20 I have just been able to start it and I'll check. Thank you.

21 BY JUDGE LAVERGNE:

22 Well, the problem is that, <yes, there> are, indeed, different
23 <reference> numbers for <this> same document. One <reference>
24 E3/1679 but, a priori, <> that is not the latest reference<>.
25 There is a more recent <reference> number, which is

71

1 E3/154/Corr-1<, and> it is <this last> version that <> we should
2 <have in mind, with the knowledge that, of course,> the
3 references in the original copy haven't changed.

4 Q. <But, Mr.> Expert, you said that there was a connection
5 between these events and this telegram. I note that <> this
6 telegram <is on moving> the Cham <away> from the banks of the
7 Mekong in order to ease the tension. <So, just so that it is duly
8 noted,> Svay Khleang and Kaoh Phal <> were <in fact located on>
9 the banks of the Mekong or is this reference to the banks of the
10 Mekong <also in regards to> other events?

11 A. In Kaoh Phal and Svay Khleang villages and in Krouch Chhmar
12 district, they were located along the banks of the Mekong River
13 which were located in Sector 21 <of the East Zone>.

14 [14.23.11]

15 Q. <Furthermore>, the following is stated, and I will read it in
16 French. It's the penultimate paragraph. "In principle, the aim of
17 this transfer is to scatter the Cham, as <we have> discussed
18 <amongst> ourselves."

19 So <what> can you tell us about<, apparently,> discussions <>
20 that took place before <then>? Are you aware<? Is there any
21 other> information <you can provide us in relation> to this? And
22 here again, what's important is to <recall> to whom this telegram
23 is addressed because the telegram is addressed to Brother Pol
24 <and> there are, of course, <several> recipients.

25 So <, what> can you tell us <> about <the recipients> and <what>

1 can you <tell> us <regarding> any complementary information
2 <there might be> regarding prior discussions about a policy aimed
3 at scattering the Cham?

4 [14.24.30]

5 A. The contents in the telegram shows clearly that the telegram
6 is about the evacuation of the Cham people out of the East Zone,
7 and it was in referring to the discussion, but I could not find
8 the minutes of the discussion. But if we looked at the real
9 situation after the rebellions took place, immediately <> the
10 Khmer Rouge called all the Cham to meetings in each village. And
11 during the meeting they threatened the Cham people. They told the
12 Cham to relinquish their religion, stop speaking their languages
13 and not to rise up against the Khmer Rouge, like the ones took
14 place in Svay Khleang and Kaoh Phal villages. <They called the
15 meeting in every village. Not long after, these villagers were
16 evacuated.>

17 So if we compare the situation with the contents in this
18 telegram, I think that the evacuation of the people from the East
19 Zone, specifically from those living along the Mekong River bank,
20 but not from Tboung Khmum district because Tboung Khmum had only
21 a small area that bordered the Mekong River bank, so when they
22 refer to those who needed to be evacuated, I think it refers
23 specifically to those who live in Krouch Chhmar District. <The
24 district bordered Chhlong district, which was also part of the
25 East Zone.>

1 So regarding the evacuation, it took place after the meetings
2 which were called after the rebellions. During the meeting the
3 Cham people were warned not to rise up.

4 And in this telegram the content is about the evacuation and is a
5 mass evacuation. So, according to this content, more than 100,000
6 people were to be evacuated. And those who were evacuated and
7 sent to various places, some of them were not received and they
8 were sent to other places.

9 <The writer was Chhon, who sent that telegram to> the recipient
10 that <was> addressed to <> Brother Pol<. Based> on my research,
11 Brother Pol referred to Pol Pot. The telegram was also cc'd to
12 Brother Nuon, and to my research it refers to Nuon Chea. <I
13 compared this document with other documents as well. There were
14 also the names Bong Doeun, Bong Yaem.> And the telegram was also
15 addressed to Comrade Pauk. <According to my research, this>
16 person is no one <else> but <Ke Pauk,> the secretary of the North
17 Zone.

18 [14.28.59]

19 Q. I am not sure that I saw Brother Pauk mentioned on the
20 telegram. It appears that in the list <of those> who <received a
21 copy of this telegram>, there is Brother Nuon, <Bong> Doeun, Bong
22 Yaem and <the> archives. <If> you see <Brother> Pauk, can you
23 tell me<? It is not clear to me> where he is mentioned.

24 A. Allow me to clarify in case I made a mistake, and now let me
25 repeat my response.

1 There was a mention of Comrade Pauk <> in one of the paragraphs
2 of the telegram and it's not in the cc section. Actually, his
3 name was mentioned in the third paragraph which says, "This
4 matter might not have been made known to Comrade Pauk".

5 Q. One last question concerning the telegram. You talked of the
6 district of Tboung Khmum<, saying that> it was <mostly> not
7 <situated> along <the banks of> the Mekong<, but what> I would
8 like to know <is if> you <know> who <was at the head of> that
9 district <at the time>? Who were the leaders <>?

10 [14.30.46]

11 A. I did not say that Tboung Khmum district was <entirely>
12 detached from the Mekong River bank. Part of Tboung Khmum was
13 along the Mekong River bank. However, the Cham people who lived
14 in Tboung Khmum was actually in Chirou commune and besides that
15 there were no other Chams living along the Mekong River bank in
16 Tboung Khmum district.

17 As I said, geographically part of Tboung Khmum is located along
18 the river bank and there is only a section of it where the Cham
19 people lived.

20 I cannot recall the leaders of Tboung Khmum district. <I used to
21 do research about the administrative structure of the district,
22 that was about the district chief, but at> that time, they were
23 referred to as the district committee or the district
24 <secretary>. However, through my research I am not sure who were
25 the district committee of Tboung Khmum.

75

1 Q. And do you <remember> whether Mr. Math Ly was a member of the
2 district committee or was he a member of the district committee
3 at any point in time?

4 A. Math Ly was one of those who were in the leadership of the
5 Tboung Khmum district. However, it is unlikely that he was the
6 secretary of the district.

7 JUDGE LAVERGNE:

8 I would like us to talk about another telegram you <referred> to
9 in your book, and I would like to <be able to provide> to you the
10 original copy in Khmer<. Is it> possible, Mr. President?

11 [14.32.54]

12 MR. PRESIDENT:

13 Yes.

14 BY JUDGE LAVERGNE:

15 Q. You made mention of <this> telegram in your book <on the Cham
16 rebellion,> and it is on page 115. The ERN in English is
17 <00219176> and the telegram<-- so, the telegram, there are> also
18 <> several versions<, and Mr. Co-Prosecutor, do not hesitate to
19 correct me if I do not provide the most recent version, which> is
20 the most up to date<, but sometimes this> telegram is referred to
21 as <"telegram number> 94" and <sometimes> it is <> "4"-something
22 <sometimes it's> "44". I noted, in addition to the differences
23 <in the references,> in French<, we> have the reference E3/511,
24 ERN in French 00350762<,> in English the reference is in document
25 E3/952 and the ERNs are <> 00182658 to 60.

1 There we are. First question, <Mr. Expert,> do you remember
2 referring to this telegram in your book?

3 [14.34.35]

4 MR. YSA OSMAN:

5 A. Yes. I recall that.

6 Q. Very well. I would also like to put this question to you.

7 Since the publication of the book, have you been able to <check>
8 a number of translations to ascertain whether the translation in
9 <the translation that appears in the> English version of your
10 book is correct? Because it appears that there are<, in any
11 case,> discrepancies between the translations we have <in the
12 case file> and <those> in your book. Are you aware of these
13 discrepancies?

14 A. Your Honour, could you please indicate where the discrepancies
15 exist so I can compare what I have in front of me? I referred to
16 the original document maintained at DC-Cam when I did my
17 research.

18 Q. Very well. In this telegram, which is also addressed to Bong
19 Pol, <there> is <a Section 1> with <different -- incidentally,
20 only one paragraph --> and <at one point> it is stated<>:

21 "<Actually>, there were disturbances in Chamka Leu district. The
22 enemies were <> former soldiers as well as Cham and former heads
23 of cooperatives. They put up <the> photographs and the <> 18th of
24 March <1970 communique of that Nol on tree trunks.">

25 <If I'm telling you this, it's> because in your book<, it seems

1 that when> reference has been made to enemies<,> you <are>
2 referring to <Lon Nol> soldiers <>, to former heads of
3 cooperatives, as well as <to the> entire Cham race. And I have
4 not seen in the translations we have of <this> document any
5 reference to "the entire Cham race".

6 [14.37.28]

7 A. I will compare the documents. However, I acknowledge that my
8 analysis of this document concerning the person named Khieu, that
9 I included in my book, I think there is <an error> in my work. In
10 fact, this document was also sent to Nuon Chea and Khieu Samphan.
11 And when I wrote my book I did not make mention that Bong Khieu
12 or Brother Khieu meant Son Sen. I made an error that Brother
13 Khieu was Khieu Samphan but, in fact, Brother Khieu meant Son
14 Sen.

15 As for the discrepancy in the translation, I will review it.

16 Q. What I would propose to you, Mr. Expert, is that <perhaps you
17 can take advantage of> the break that we will take shortly <to
18 check> the two translations and tell us whether the translation
19 in your book is accurate <or> whether we should <actually> rely
20 on the translations <in> the Court's <case file. That's it.>

21 Bearing in mind <that> there are two major discrepancies.

22 The first <> is the reference to <the> entire <Khmer race -- that
23 is, the entire> Cham race as <being the enemies,> and the second
24 <> discrepancy has to do with the <recipients, in particular, and
25 the> fact that Mr. Khieu Samphan is referred to as one of the

1 <recipients> of <this> telegram.

2 I would like <> to <move on to> another question, and it is a
3 follow-up question <since> this morning the Co-Prosecutor read
4 out to you an excerpt of <> Ben Kiernan's <book,> document <>
5 E3/1593, <at English,> ERN <01150147; at French,> ERN <> 00639052
6 to 53; and in Khmer, 00637796. And it is on page 280 of Ben
7 Kiernan's book.

8 Mr. Co-Prosecutor <spoke to you this morning> of a <"document
9 number> 163", or <of a "page> 163", and Ben Kiernan was referring
10 to events that had occurred in the sub-district of Krava in the
11 <northern -- no,> Central Zone. And he talked of 20 families that
12 had been taken away and one of the witnesses was <wondering, he
13 didn't understand> why those families <had been> taken away
14 because they had eaten pork<. They had> done <everything they had
15 been told> to do.

16 That witness refers to a document dated 1978, the famous
17 <"document> 163", and the witness in question is called Ya Mat.
18 That person's statements are in Ben Kiernan's book, <and were>
19 confirmed by another witness called Os El.

20 Now the question I want to put to you is as follows: Were you
21 aware of those interviews? Did you have access to the documents
22 on which Ben Kiernan relied?

23 [14.42.07]

24 A. I read Ben Kiernan's book and I also have read certain
25 documents that Ben Kiernan referred to. However, I cannot recall

1 all those documents that he referred to. As for this document,
2 related to what happened in Krava commune, I must say that I
3 cannot recall that.

4 Q. <Fine.> What I <was interested in was also, specifically,> the
5 date given by the witness<,>1978. To your knowledge, Mr. Expert,
6 can you tell us whether there were any changes in the way the
7 Cham were treated? Did the <Cham -- was the treatment that was
8 applied> in 1975 <maintained or were> there <variations? Did it
9 get worse? And> do you <perhaps> know why<>?

10 [14.43.28]

11 A. Allow me to briefly reiterate the point. The event in 1978,
12 was the worst <one> that happened to the Cham people regardless
13 they lived in Krouch Chhmar, in Kang Meas or in Kampong Siem
14 districts.

15 Even for the Cham who lived in other zones, the situation became
16 worse for them as well. As in this book when Ben Kiernan referred
17 to the events that happened in Krava commune it is similar to the
18 events that happened on the Cham people <> in the North Zone <and
19 later it was called the Central Zone. The destiny of the Cham
20 people in the East Zone and North Zone was not different>.

21 The Khmer Rouge used different strategies to attract the Cham
22 people to return to their respective native villages. They used
23 those techniques in order to identify who was Cham and who were
24 Khmer.

25 As highlighted by Ben Kiernan, although the Cham agreed to follow

80

1 the instructions by the Khmer Rouge to sacrifice everything,
2 alas, they were still killed. And the killing of the Cham people
3 and their race was almost wiped out, and that happened in around
4 1977 and '78.

5 MR. PRESIDENT:

6 Thank you, Judge Lavergne. It is now appropriate for a short
7 break. We will take a break now and resume at 3 o'clock.

8 Court officer, please assist the expert during the break <> and
9 invite him as well as the OCIJ legal officer back into the
10 courtroom at 3 o'clock.

11 The Court is now in recess.

12 (Court recesses from 1445H to 1501H)

13 MR. PRESIDENT:

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

15 And, again, I would like to give the floor to Judge Lavergne to
16 put the questions to the expert. You may proceed, Judge.

17 BY JUDGE LAVERGNE:

18 Yes, thank you, Mr. President.

19 Q. Mr. <Expert>, we were speaking about the issue of possible
20 changes or variations in the policy towards the Cham. <A>
21 question that I would like to put to you is: What was <possibly>
22 the impact of the conflict with Vietnam on these <> variations?
23 Might there be connections between a possible <escalation> of
24 this policy and the <expansion> of the conflict with Vietnam?

25 [15.03.33]

1 MR. YSA OSMAN:

2 A. I do not think they are related. What happened in the East
3 Zone when the East Zone leaders were accused of traitors and of
4 colluding with Vietnam was a separate matter from the events of
5 killing the Cham people.

6 Cham people were not killed only in the East Zone but also in the
7 North Zone. So these are two separate events and are not related.

8 Q. Thank you. Before we move on to another topic, I would like to
9 know if you had the opportunity <to look> at this telegram which
10 I was referring <during> the break and if you have any
11 observations to make regarding the quote <that appears> in your
12 book.

13 A. Yes, I <had> a look and I acknowledged the <errors>. I admit
14 that there is a discrepancy between the Khmer and the English
15 text. My native language is Khmer and I was assisted by a
16 translator.

17 However, the discrepancy is not that great. In the telegram it
18 mentioned the Cham as well, the enemies including the Cham and in
19 the English translation it quotes the entire Cham race. So here
20 lies the discrepancy in the English translation and I admit that
21 there is a <small> discrepancy there. Of course, people do make
22 mistakes regardless of <any> position or function; either a monk,
23 a prime minister or a judge or an ordinary person.

24 [15.06.03]

25 Q. Fine. We will <> move on to another topic. You spoke about the

1 way the Cham were treated in different locations in Cambodia. I
2 have a question to put to you regarding this.

3 Did you <have> access to interviews that were conducted by a
4 journalist <by the> name of Nate Thayer? He is a relatively
5 <well-known> journalist<, particularly> because he interviewed
6 Pol Pot <> and apparently he interviewed quite a <> number of
7 Cham who <were refugees> at the <border -- right at the>
8 Thai/Khmer border. <Did> you <> have access to these documents,
9 <> and what can you tell us about them?

10 A. Yes, I read that document and <> DC-Cam has a copy <of this
11 document> at its office. <Nate Thayer> interviewed several Cham
12 people <in the refugee camps>.

13 Q. Well, we are not going to go over all of the interviews that
14 were conducted by Nate Thayer. <I believe there> might be close
15 to 50 of them. But <in your opinion, are> there <any> major
16 trends that <> can <be traced throughout> these interviews?

17 Personally speaking, I have the impression that some <large-scale
18 restrictions were somewhat of a> constant <throughout all of>
19 Cambodia<, but maybe> the treatment <> wasn't <exactly> the same
20 everywhere. So what can you tell us about this?

21 [15.08.08]

22 A. There could be differences in the treatment, for example, on
23 the restriction or the imposition that the Cham people had to eat
24 the pork. And there was a small number of Cham people who were
25 assisted by <> village chiefs or <> co-operative chiefs. In such

1 areas where those co-operative chiefs or village chiefs had
2 sympathy for the Cham people, then they were lenient on the Cham
3 people so that the Cham people could continue to live in these
4 areas. And I do not believe there is a difference in the policies
5 overall, but this is about the sympathy by the Khmer people
6 towards the Cham people.

7 Historical information reflects the closeness between the Khmer
8 people and the Cham people. Vietnam <occupied Champa and they>
9 actually killed many, many <> people <of> Champa<.> Cham people
10 only survived with the aid of the Khmer people. And if the Khmer
11 people didn't allow the Cham people to take refuge in Kampuchea
12 then the Chams would be fully exterminated <in the war with
13 Vietnamese>.

14 Therefore, the Cham and the Khmer people have tight relationship.
15 And the former Khmer kings and the Cham kings were close despite
16 their various wars that existed. However, when there was a big
17 chaos usually the Cham would come to the Khmer side for support.
18 [15.10.22]

19 And let me go back to the Khmer Rouge regime. Despite the
20 policies to mistreat the Cham people or to kill the Cham people,
21 there were still Khmer who had sympathy for the Cham people and
22 who went lenient on the Cham people. And the Cham survivors
23 actually had gratitude for those Khmer people. Some of them in
24 fact forged closer ties. They became -- godfathers or
25 god-siblings due to this closeness. However, there were other

1 instances that <some cadres> became even more excessive than the
2 policies imposed.

3 Q. It's <> clear that it's difficult to generalize here. And I
4 also read that sometimes the relations between the Cham and the
5 Khmer <could be tinged with some> distrust, at least in the past.
6 <Are> you <also> aware of this? <And -- for> example, I think it
7 is Mr. Vickery who says <> that the Khmer were afraid sometimes
8 of the Cham because they suspected that they were engaging in
9 <black magic or questionable practices>.

10 [15.12.05]

11 A. Yes, I heard about that. I personally heard that and I must
12 admit that it is just a rumour in order to <tease one another>.
13 In fact, I have heard worse than that, that when a Khmer person
14 drowns the Cham person would actually kill that Khmer person in
15 order to receive mercy from Allah. But this is just a form of
16 degrading certain individuals.

17 However, if you refer to the historical context you can see the
18 close relationship forged between the Cham and the Khmer people.
19 They were considered like brothers and sisters. And in fact, in
20 Champa they held the same religion as the Khmer people, that is,
21 Hinduism. You can -- that is also reflected through the
22 historical structure, namely Angkor Wat and certain <Cham>
23 temples in Vietnam that still exist in Vietnam. <The temples are
24 in similar style.>

25 The Khmer contexts, say the king was Jayavarman, and for the Cham

1 king the name of the king was the same, Varman. And if you look a
2 bit further, in hindsight, we could even say that they almost
3 have the same kingdom like Kok Thlok. All the family trees of the
4 kings, <the prince who came from India,> they were very similar
5 in history and only later on that the relationship fell apart and
6 separate kingdoms were formed. And for that reason I could
7 conclude that what you put to me is just a form of individual
8 degradation and it is not meant for the entire race. <They in
9 fact joined hands and loved one another.>

10 [15.14.30]

11 Q. Well, we are going to maybe step away <a bit> from ancient
12 times <and> the harmony that <may or may not have> existed
13 between the Cham and the Khmer<. It seems to me that in the
14 bas-reliefs> at Angkor Wat<, we can see that it did not always
15 prevail, because it seems to me> that there <were certain scenes
16 showing> conflict between the Cham and the Khmer <>.
17 But this being said, I would like now to talk about another topic
18 which concerns S-21. <Were you able to have access -- to> what
19 kind of documents <were you able to have> access to regarding
20 S-21?

21 A. I read several documents and I cannot tell you which documents
22 that I read. I read many biographies, confessions and
23 correspondences. In my first book I referred to certain
24 confessions of the Cham <prisoners>. And actually, I went to
25 search for the surviving members of those Cham people to

1 ascertain that they lost their family members during the regime;
2 that the family members were arrested, and some of them even were
3 not aware of the arrest of their relatives. So I could tell you
4 that I have read several documents from S-21.

5 [15.16.14]

6 Q. In particular, were you able to look at <> the notebooks of <>
7 S-21 staff <members>?

8 A. Yes, I have. I have read the notebooks of the minutes of
9 meetings. However, I cannot recall how many notebooks that I have
10 read.

11 Q. Well, <I am going to ask> you a question that is very
12 general<>. As far as you remember and as far as you know, in
13 these notebooks, in these minutes <of meetings at S-21,> or
14 possibly in the annotations <that appear in the margins of the
15 documents that contain> confessions, <> is there information that
16 <suggests, that> demonstrates the existence of a policy
17 <specifically targeting> the Cham?

18 A. The documents from S-21 that I read, including the notebooks
19 or the annotations, none of it mentions the point that the Cham
20 people had to be purged <or killed>.

21 Q. Well, fine. You also reviewed a certain number of
22 biographies<, and we won't be examining the content of these
23 biographies, but simply> the number of Cham prisoners in relation
24 to the total number of prisoners at S-21<seems> to be <quite
25 small. Do> you have any comments to make about this? Can you

1 provide us with any <explanation of> why there are so few
2 prisoners of Cham origin?

3 [15.18.27]

4 A. We all know, and the researchers also agreed, that S-21 <was>
5 the office for the detention of the so-called important persons,
6 namely, the former Lon Nol high-ranking officials or overseas
7 students, or even senior cadres of the Khmer Rouge itself who
8 were accused of traitors from various zones or sectors who were
9 subsequently arrested and detained at S-21. However, for ordinary
10 people, they were seldom sent to be detained in S-21. If they
11 were to be arrested, they would be arrested and could be killed
12 right in the commune where they lived or maybe some of them were
13 sent to a district, and that is reflected through the small
14 number of the Cham <prisoners> who were detained at S-21. They
15 were former Lon Nol officials, including Saleh Yahya who was a
16 former <senator> and <Chek Ibrahim> was a former military
17 commander of the <Lon Nol> regime. They were arrested and
18 detained at S-21. As for Ismael Ahmad, he was a student who
19 studied overseas and who returned to Kampuchea and worked for a
20 period of time in Stueng Trang District, and later on he worked
21 in a rice field and he ended up in S-21.

22 [15.20.17]

23 There were other Cham people who were accused of traitors and
24 whose positions in the previous -- whose position, including the
25 former soldiers of the Khmer Rouge regime.

88

1 So I can sum up that S-21 was not actually the real target for
2 the persecution of the Cham people, and that is the point, that
3 there was no written document that I can find at S-21 on the
4 purging of the Cham people. <It was the prison where important
5 persons were interrogated for their confessions.>

6 Q. Was the fact of being a Cham a handicap if one wanted to
7 become a soldier in the Khmer Rouge Army or did it become so? And
8 was it also a handicap to become a member of the <Communist Party
9 of Kampuchea>? Are there many examples of high-ranking soldiers
10 in the <Democratic Kampuchea> Army who <were> Cham? And are there
11 also many examples of people with high positions in the
12 <Democratic Kampuchea> administration who were of Cham origin, or
13 <were these> only <exceptions>?

14 A. Yes. However, it was not that senior. There were those who
15 worked at the district level, as I said earlier. <> Math Ly <>
16 was one of the <leaders> of Tboung Khmum district. There were
17 also some former village chiefs. When the Cham lived as a
18 community, they did not -- they seldom appointed the Khmer people
19 as their village chiefs. There was also another Cham named Youk
20 (phonetic) in Krouch Chhmar district who was a cadre there.

21 [15.22.34]

22 And based on my research, in order for them to destroy the Cham
23 culture, tradition and religion and what actually the Cham had in
24 mind, the only thing that they came up with was to get this
25 information from people who spoke Cham and not from the Khmer

1 persons. So they used these kinds of Cham people<, who were
2 selfish and ignorant to their own race,> to report to them.

3 Q. Well, time is running out, so let's move on to another topic.
4 What can you tell us about someone by the name of Les Kosem? What
5 was his origin and what was his role, in particular, during the
6 Lon Nol regime?

7 [15.24.00]

8 A. I obtained information from my interviewees on Les Kosem. Les
9 Kosem was a military commander of Brigade 5 during the Lon Nol
10 regime, and it is my knowledge that he originally came from
11 Kampong Cham province.

12 Q. And he was <> of Cham origin or not?

13 A. Yes, that is true. He is Cham like myself.

14 Q. You <> spoke about Battalion 5<, I believe>. Do you have any
15 <> specific information about the role that Battalion 5 played
16 during the Lon Nol <period>?

17 A. Allow me to say that is Brigade 5, not Battalion 5. And the
18 Lon Nol government actually wanted <more> Cham people to have
19 their official roles in the government or in the military, and as
20 a result, there were Chams who were <senators and>
21 parliamentarians <> and there were Cham who held high ranks in
22 the police and in the military, and this person was a military
23 commander of Brigade 5 and most of the soldiers in Brigade 5 were
24 Cham, most of them were Cham, and there were only a minor number
25 of soldiers who were Khmer in this Brigade 5. <The leader and the

90

1 majority of the soldiers in this Brigade 5 were Cham people.>

2 [15.26.25]

3 Q. Well, some authors alleged -- and here I'm referring to the
4 book by Michael Vickery, document E3/1757 (sic), at ERN 00337271
5 -- that the unit led by Les Kosem <was renowned for>
6 systematically destroying and exterminating the Khmer Rouge
7 villages it occupied.

8 And he adds that:

9 "This notoriety was, in the end, so <great> that the government
10 <realized> that it was counter-productive and the battalion was
11 <split into> several units."

12 <> I'd like to specify that Michael Vickery provides no reference
13 to support this assertion, but is this something that you heard
14 and is this something that seems <to you> to be <> correct?

15 A. Allow me to be frank here. I did not conduct a thorough study
16 of that brigade of Les Kosem or whether <> it was later on broken
17 into smaller military units, and my knowledge is limited to what
18 I have just testified regarding this matter.

19 [15.28.21]

20 Q. Thank you. <Well,> I'd like to specify <> that, among the
21 documents that the Nuon Chea defence has requested to be
22 <declared> admissible, there is a telegram that was revealed by
23 WikiLeaks. <It> is document E367/5.1.6. There must be an E3
24 number but I don't have it on hand right now.

25 (Loud noise heard)

91

1 (Short pause)

2 [15.30.54]

3 MR. PRESIDENT:

4 The Chamber has just been informed by the security personnel that
5 the explosion occurred outside the premises of the ECCC and they
6 will investigate the matter and provide the Chamber with an
7 update.

8 And I believe that we can continue our proceedings and for that
9 reason Judge Lavergne can take the floor.

10 [15.31.38]

11 BY JUDGE LAVERGNE:

12 <Yes.> Thank you, Mr. President. I was referring to <this>
13 telegram revealed by WikiLeaks and the ERN is 01199963<, it says
14 the following>. There is no version in French <or> in Khmer.
15 <Reference> is being made to <conversations held by> Lon Non, Lon
16 Nol's brother, and Non <reported> the following, <so> in English.
17 "Non said that the government of the Khmer Republic had made a
18 mistake in not recruiting a division-sized Cham unit in 1970 and
19 had otherwise mishandled the number of opportunities to use this
20 important minority in Cambodia."

21 Q. Were you aware of the contents of this telegram?

22 MR. YSA OSMAN:

23 A. I am not aware of this telegram.

24 Q. That being the case, among the reasons for <possibly>
25 targeting the Chams <, is it possible that> there <was a> desire

1 to carry out reprisals<, since some Chams might have belonged to>
2 Lon <Nol's Army, or might have been close to Les Kosem, who had
3 been very close to Lon Nol? Are> these <things> that you may have
4 been aware of<? Is this information> that you may have learned
5 about<>?

6 [15.33.40]

7 A. If the Khmer Rouge had an idea to take revenge <against> Cham
8 <people who supported> Lon Nol regime, they would not <let those
9 Cham people> live until <1977 or> 1978. They would have killed
10 <Cham people> immediately <after the 17 April 1975>.

11 So I think it was a different matter because <more> Cham, at the
12 beginning, supported the Khmer Rouge movement. They supported the
13 Khmer Rouge movement <more than> the Lon Nol government because
14 the Khmer Rouge had good policy and it had King Norodom Sihanouk
15 who announced an appeal to the people to go to the <Maquis>
16 forests and join the Khmer Rouge movement <in order to liberate
17 the country, so that the king could return to the country. Most
18 Cham people deeply loved the Samdech Euv>.

19 If talking about Cham who joined both sides of the political
20 groups, <almost all of> Cham <people> in the rural area joined
21 the Khmer Rouge movement, only a small number of Cham who live in
22 towns and city who supported the Lon Nol government.

23 Q. <So, do you mean that there was a difference between the Cham
24 <who lived> in <> rural areas and the Cham who <were> near Phnom
25 Penh <or who lived> in the major cities, and that those Chams

93

1 were closer to the Lon Nol regime than those in the <cities>? Is
2 that <actually> what <you just told us? Did> I <correctly>
3 understand <> your explanation?

4 A. Yes, you are right, Your Honour. Chams who lived in Phnom Penh
5 and close to the city whether they <want it> or not, they <must>
6 support the Lon Nol government. And the Lon Nol government did
7 not persecute or oppress the Cham people.

8 Q. Did you ever hear of a movement called FULRO, <the> United
9 Front for the Liberation of <Oppressed> Races? And do you know
10 what was the involvement of Les Kosem and other Cham in that
11 movement, and the ties that <that> movement could have had with
12 other groups such as the Khmer Krom or other minorities, whether
13 we're talking of <Kravet,> Jarai or others?
14 <Do you have> any information on this subject or is <it>
15 something you did not <study>?

16 [15.37.07]

17 A. Yes, I received information about this so-called FULRO. I
18 first heard about it from my father who told me after 1979. He
19 told me there was a movement in the old day named FULRO movement.
20 And later on when I did my research at Tuol Sleng, I saw the
21 confession by <Chek> Ibrahim and he talked a lot about this FULRO
22 movement in an extensive way. And the content was not much
23 different from what my father told me. FULRO was a movement which
24 was established--

25 BY JUDGE LAVERGNE:

1 Perhaps we <won't> go too much into the details of the contents
2 of that confession because we are bound by <the> Rules of
3 Evidence and <I would prefer that we avoid using> this <type> of
4 <evidence>.

5 Q. <Well,> apart from the S-21 confessions, did you <hear>, in
6 the course of--

7 [15.38.38]

8 MR. PRESIDENT:

9 I would like to add that there <was> -- the explosion was the
10 result of a gas tank <in front of the ECCC> and it was not an
11 incident of a grenade explosion or something. So we may resume
12 our proceeding.

13 Judge Lavergne, you have the floor.

14 BY JUDGE LAVERGNE:

15 Q. Apart from S-21 documents, <> did you <find any> mention <of>
16 FULRO as being one of the <possible> explanations for the
17 targeting of the Cham specifically?

18 MR. YSA OSMAN:

19 A. Thank you, Your Honour, for your remind me not to use the
20 confession. Regarding FULRO movement, I heard a lot from the Cham
21 community. Everyone was familiar with this story. My father <, my
22 uncle> and the local inhabitants told me about that. This
23 movement was established to regain our territory. This movement
24 had two directions. One is to liberate Champa and regain Champa,
25 and the second <one> was <the participation of Khmer people

1 especially Khmer Krom> to regain Kampuchea Krom <> from
2 <Vietnamese occupation>.

3 [15.40.47]

4 And as far as I know, Lon Nol himself was the chief of FULRO
5 movement. He was in charge of liberating Kampuchea Krom, and
6 other figures were in charge of liberating Champa territory.
7 And Ibrahim En Nhoul, who was an ethnic Jarai, and he had <his
8 deputy, Les> Kosem, who was a Cham, and they had soldiers who
9 participated in the FULRO Champa and this FULRO Champa had
10 participants from other ethnic groups <such as Jarai and Rhade>
11 from Mondolkiri <and Ratanakiri> province who wanted to regain
12 back <our motherland,> Champa territory.

13 And they conducted warfare with the Vietnamese in order to regain
14 <> Champa territory but, unfortunately, Cambodia faced civil war
15 starting from 1970 and as a result FULRO had no more activities.
16 And <the role of Les Kosem, at that time, was to fight> against
17 the Khmer Rouge.

18 [15.42.31]

19 Q. To the extent that the objective of the FULRO was
20 <specifically> to create a <state that would be a> Cham <state in
21 memory of> Champa, if I understood <what> you <said> correctly,
22 could the Khmer Rouge not have seen in such plans something that
23 could <possibly> pose a threat to <> Democratic Kampuchea<? Or,
24 did they think that it could, to the contrary, serve> their
25 <interests> insofar as <these forces were likely to lean>

1 increasingly <towards> Vietnam as opposed to Cambodia?

2 A. The history of the FULRO movement never wanted to capture
3 Cambodian territory and created the Champa state. The FULRO
4 movement itself was supported by the Cambodian government and by
5 Cambodian people. There was only one goal for the FULRO movement,
6 that was to regain <> the territory of Champa, and that was only
7 one important goal.

8 So there was nothing related to the <killing by the Khmer Rouge
9 against Cham people for the reason that Cham people wanted to
10 establish a state within Cambodia. It was not related with FULRO
11 movement.> In fact, the Khmer Rouge should have supported this
12 movement because the Khmer Rouge itself wanted to fight against
13 the Vietnamese. FULRO movement did not contradict with the Khmer
14 Rouge goals, so the Khmer Rouge should have supported this
15 movement.

16 [15.44.50]

17 Q. Thank you. I would like <us now> to <address a> last <--
18 next-to-last> question<, that of> the treatment of religions in
19 the constitution of Democratic Kampuchea.

20 The constitution of the Democratic Kampuchea is <found in>
21 document E3/259, and there is <specifically> an article <> 20
22 <that> has to do with religious freedom and <that> states that
23 all <> citizens <of Kampuchea> have the right to practice
24 <religion> as they so wish <or> the right not to practice any
25 religion, but that all religions that are reactionary<, which are

1 detrimental> to Democratic Kampuchea are absolutely forbidden.

2 Now, can you explain what the constitution is driving at? To your
3 knowledge, were there any religions that were not considered as
4 reactionary?

5 [15.46.04]

6 A. Yes, I remember this very well because I read the constitution
7 of DK regime which you refer to. It reads the religion can be
8 believed -- or a person can have religion or no religion, but
9 reactionary religion is prohibited. <I conducted an analysis and
10 interviewed> religious leaders, including in <Buddhists> and
11 <Muslims>, after I asked those leaders what is a reactionary
12 religion, no-one could provide me an answer. <There was no clear
13 definition of reactionary religion.>

14 So the DK regime defined a reactionary religion would include any
15 religion, including Buddhism and Islamic. As a result all the
16 monks, all the Buddhist monks, were defrocked and all the
17 Buddhist temples were destroyed, all the mosques were destroyed
18 and all parents and relatives were prohibited from practicing any
19 religious belief. So among those religions, Islam <> was also
20 prohibited.

21 [15.47.54]

22 As I am one of the Islam <> believers, I believe that there is no
23 reactionary religion in the world. Any religion has a good
24 intention to educate people to do good things, to avoid killing.
25 Any religion will lead people to do good things, good deed, the

1 only difference that a religion may have a different method of
2 doing thing <>.

3 Q. Do you recall whether in Democratic Kampuchea documents,
4 reference <was> made to the rights of minorities living in
5 Cambodia and, if yes, what <rights> were <recognized for
6 minorities>?

7 A. Your Honour, to be honest I have never met this kind of thing.

8 Q. However, did you come across or did you read in some speeches,
9 references to the Khmer race? And, if yes, <in your opinion,>
10 what does <this> Khmer race mean? Does <this Khmer race> also
11 include <racess of people who are of minority origin> or it is
12 <really> a specific reference to the Khmer race <as such>?

13 A. If we look at the real situation on the identity card, it
14 <does not distinguish between the> "Khmer Nationality" <and the
15 Cham ethnic>. No distinction between Khmer and Cham. So any other
16 races or ethnic people who live in Cambodia, <whether they are
17 Cham or other ethnic groups,> if you look at their identity card
18 so you can see only on the nationality as "Khmer". <There is no
19 distinction on the national identity card between Cham and
20 Khmer.>

21 There is a recognition by the <leaders> or the government that
22 inside a country there were different ethnic minorities including
23 Cham, <Chinese, Vietnamese,> Jarai, Rhade and so on, but there
24 was no distinction on their identity card to identify those
25 ethnic minority. So I am not very well -- or I'm not so familiar

1 with the identity or nationality of origin of Khmer and other
2 ethnic minority.

3 [15.51.42]

4 Q. As we are running out of time, I'll go into another line of
5 questioning.

6 Mr. Expert, do you know whether shortly after the capture of
7 Phnom Penh, a meeting was held in Phnom Penh <organized by> the
8 major leaders of the CPK to discuss the policies that <would> be
9 implemented and<, in particular,> policies regarding religion
10 and<, perhaps,> the Cham<, specifically>?

11 A. I've read it, but I <do> not remember very well. But <what> I
12 remembered <was> the information about the evacuation. But if you
13 ask me about any remark on Cham people, I <have not come across>
14 any documents <that existed, after 17 April 1975,>, which has
15 this kind of information.

16 JUDGE LAVERGNE:

17 Very well. Thank you very much, Mr. Expert. I <will> end my
18 examination here.

19 [15.53.15]

20 MR. PRESIDENT:

21 Judges on the Bench, do you have any other questions for the
22 expert? So if you don't have any question to put for this expert,
23 it is now a convenient time for adjournment.

24 The Chamber will resume its hearing on Tuesday the <23 February
25 2016>, from 9 o'clock<. On> the 23 and on the 24 and <26 of

100

1 February 2016>, we will hear the presentation of key documents
2 <on the specific target groups>.
3 So the hearing of the expert, Ysa Osman, will resume on
4 Wednesday, 2nd March 2016. <It might continue on 3 March 2016.>
5 And also Mr. Ysa Osman and Julie Bardeche from the OCIJ, you are
6 invited to the hearing on that day.
7 And for the public, the Trial Chamber will not be in session
8 during the rest of this week and next week, <in order to> leave
9 the <appropriate> time for the parties to prepare <their
10 submissions> and <join the appeal hearings against the verdict of
11 Case 002/01 conducted by the Supreme Court Chamber of ECCC>.
12 And, Mr. Expert, your testimony has not been concluded. The Trial
13 Chamber invites you to continue your testimony <> on <Wednesday>
14 the 2nd <and Thursday the 3rd> of March <2016>, and also Julie
15 Bardeche, you are invited for that purpose.
16 And, Court officers, please coordinate with the WESU staff to
17 arrange his trip -- Mr. Osman's trip to his residence <and invite
18 him back to continue his testimony on Wednesday the 2 March 2016
19 at 9 a.m.>
20 And also security personnel are instructed to take the two
21 Accused back to the detention facility and have them back to the
22 Court hearing on the 23rd of February before 9 a.m.
23 The Court is adjourned.
24 (Court adjourns at 1556H)
25