



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

24 October 2016
Trial Day 469

ឯកសារដើម
ORIGINAL/ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ (Date): 09-Dec-2016, 15:30
CMS/CFO: Sann Rada

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

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I N D E X

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List of Speakers:

Language used unless specified otherwise in the transcript

Speaker	Language
Mr. DE WILDE D'ESTMAEL	French
Judge FENZ	English
The GREFFIER	Khmer
Ms. GUIRAUD	French
Mr. KONG Sam Onn	Khmer
Mr. KOPPE	English
Mr. KUL Nem (2-TCCP-1066)	Khmer
Mr. LIV Sovanna	Khmer
Mr. LOR Chunthy	Khmer
Ms. NGET Chat (2-TCCP-1067)	Khmer
The President (NIL Nonn)	Khmer
Ms. PREAP Sokhoeurn (2-TCCP-1064)	Khmer
Mr. SENG Leang	Khmer

1

1 PROCEEDINGS

2 (Court opens at 0901H)

3 MR. PRESIDENT:

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

5 Today, the Chamber continues to hear the remaining testimony of
6 civil party, Preap Sokhoeurn, and begins hearing the harms and
7 sufferings of civil parties in relation to regulation of
8 marriage.

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

11 THE GREFFIER:

12 Mr. President, for today's proceedings, all parties to this case
13 are present except Anta Guisse, the International Counsel for
14 Khieu Samphan, who informs the Chamber that she is absent today
15 for health reasons, and Pich Ang, the National Lead Co-Lawyer,
16 informs the Chamber that he will be away from 24 to 26 October
17 2016 for personal reasons.

18 Mr. Nuon Chea is present in the holding cell downstairs. He has
19 waived his rights to be present in the courtroom. The waiver has
20 been delivered to the greffier.

21 The civil party who is to conclude her testimony today, that is,
22 Madam Preap Sokhoeurn, is present in the courtroom. And the civil
23 party who is to provide statements of harm and suffering,
24 2-TCCP-1066 and 67, are ready to be called by the Chamber.

25 Thank you.

1 [09.04.14]

2 MR. PRESIDENT:

3 Thank you, Ms. Chea Sivhoang. The Chamber now decides on the
4 request by Nuon Chea.

5 The Chamber has received a waiver from Nuon Chea, dated 24
6 October 2016, which states that due to his health, that is,
7 headache, back pain, he cannot sit or concentrate for long. And
8 in order to effectively participate in future hearings, he
9 requests to waive his right to be present at the 24 October 2016
10 hearing.

11 Having seen the medical report of Nuon Chea by the duty doctor
12 for the accused at ECCC, dated 24 October 2016, which notes that
13 Nuon Chea has a constant lower back pain and it becomes severe
14 when he sits for long and recommends that the Chamber shall grant
15 him his request so that he can follow the proceedings remotely
16 from the holding cell downstairs. Based on the above information
17 and pursuant to Rule 81.5 of the ECCC Internal Rules, the Chamber
18 grants Nuon Chea his request to follow today's proceedings
19 remotely from the holding cell downstairs via an audio-visual
20 means.

21 The Chamber instructs the AV Unit personnel to link the
22 proceedings to the room downstairs so that Nuon Chea can follow.
23 That applies for the whole day.

24 I now hand the floor to the Co-Prosecutors to put questions to
25 the civil party.

1 [09.05.54]

2 QUESTIONING BY MR. DE WILDE D'ESTMAEL RESUMES:

3 Thank you, Mr. President. Good morning, Your Honours. Good
4 morning to all the parties.

5 Good morning, Madam Civil Party. We started on Thursday last week
6 with your examination.

7 I will continue for about 30 minutes this morning.

8 Q. I would like you to clarify something regarding your <age>. On
9 Thursday at 14.16-14.17, you said <before this court> that the
10 date on your <identity card> was wrong and that you were born in
11 the Year of the Monkey and that you were aged 62.

12 This year is also the Year of the Monkey. It occurs every 12
13 years, and it's the fifth Year of the Monkey since your birth. Is
14 it possible that you are aged 60 instead of 62?

15 [09.06.57]

16 MS. PREAP SOKHOEURN:

17 A. Allow me to respond. If I count my age from the Year of the
18 Monkey, that is, I am 62 years old. <The year of Monkey has
19 repeated five times already.>

20 Q. Very well. What was your approximate age in April 1975, and
21 also when you got married?

22 A. I cannot recall my age clearly at the time. In 1975, I was a
23 little bit mature since I became mature <> when I was 18 years
24 old. And a few years later, I was arranged for my marriage.

25 And as I said in my complaint, I cannot recall the exact year of

1 birth, and it is an estimate only.

2 Q. Very well. To wrap up on this subject, in your record of
3 interview, E3/9820, <under answer 49,> you said you had your
4 first daughter in January 1978, and that you were age 20 at the
5 time and you recalled that you got married in 1976, when you were
6 aged 18. Does that correspond more or less to the age you believe
7 you had at the time of your marriage and the time when you had
8 your baby? That's 18 years when you were married and 20 when you
9 had your baby.

10 [09.09.13]

11 A. I did not know my actual age when I got married, and I only
12 provided an estimate.

13 During the time, we did not count the age. We were afraid, and we
14 were focusing only our work assigned to us. And that was the
15 likely age when I was married and delivered my baby.

16 Q. I would like us to talk about -- thank you. Now I would like
17 us to talk about the composition of your girls' unit and the
18 cotton <union>.

19 In the girls' unit or the cotton <union>, were there any Cham
20 <girls>?

21 A. In the union, there were no children. In the union, members
22 were 18 years old and over, and in my unit, there was one Chinese
23 person and there was no Cham.

24 [09.10.44]

25 Q. Were there any Cham in your union<, or not>?

1 MR. PRESIDENT:

2 Civil Party, please observe the microphone.

3 MS. PREAP SOKHOEURN:

4 A. In the union, that is, the union comprised of several units,
5 there were some Cham people. <They were not in my unit, they were
6 in the union.>

7 Q. At the time, were the Cham entitled to behave like Cham, or
8 <did> they <have> to behave like Khmer in every aspect, that is
9 to say, inter alia, they <could not> speak their language, they
10 <could not> show their traditions or wear their traditional
11 attire or practise their religion?

12 Were the Cham you knew entitled to distinguish themselves from
13 the Khmer<, or not>?

14 A. The Cham people living in the union in 1975, were no longer
15 considered Chams. <They were like ordinary people.> They were not
16 allowed to practise their Cham religion. As for their diet, they
17 had no choice. They had <> to eat the food like we all did.

18 Q. You spoke specifically of a Cham called San who had to get
19 married to a girl of Chinese origin called Ret. Now, were they
20 married at the same time as yourself or at a different time?

21 [09.13.01]

22 A. Ret got married to San, and that happened before my marriage
23 because they were older than me. But I cannot recall the date of
24 their marriage.

25 Q. Was San a name of Cham origin, or a Khmer revolutionary

1 pseudonym?

2 A. I did not know. The person was referred to as San, and I did
3 not know whether that was the real name or was an alias. <During
4 that period, we did not know each other's backgrounds because we
5 lived separately.>

6 Q. So you knew Ret. When did you get to know that Ret had to
7 marry <a> Cham? At the time of her marriage, did <you> know that
8 that person was Cham?

9 [09.14.21]

10 A. From what she told me, Ret said she did not know about the
11 marriage because she was called as in my case. She was not aware
12 about the arrangement <or whether she was paired with a Cham
13 person>, and then she told me after she got married.

14 Q. I will press on because I'm running out of time.

15 I would like to know whether, before your marriage, that is, your
16 own marriage with Keo, your handicapped husband, did you have the
17 slightest idea about what happened generally during the wedding
18 night? In other words, did you, yourself, receive any sexual
19 education before your marriage?

20 A. No, they did not tell me anything else except that I should
21 sleep with my husband. <Usually,> after the marriage, they said
22 that we should wear skirt at night, but since I <was not given
23 any> skirt, I wore my pants.

24 Q. Was not being able to know what happened, during the wedding
25 night and <what> sleeping with your husband <entailed>, intensify

7

1 your anxiety as regards the consummation of your marriage?

2 A. After I got married, my feeling was unsettling. <First,> I was
3 afraid that I would be arrested and killed, and second, I was
4 afraid that he would rape me. So at night time, I did not dare to
5 sleep. I sat throughout the night and he tried to console me,
6 <but I did not dare sleep near him>. I recall my father's advice
7 that <as a woman,> I should <not> sleep together with a man.
8 During the three nights, I tried not to sleep. I sat down. I came
9 out of the house and I met with the militiamen, and they asked me
10 why I was outside. And I said that I went outside the house in
11 order to relieve myself. But the truth is, I did not have any
12 feeling toward that man, so I lied to him that I had to go
13 outside to relieve myself. <I tried everything to get through
14 each night.>

15 [09.17.26]

16 Q. Very well. On Thursday last week at 14.21, you talked of your
17 initial interview with your chief, Ni Li, during which she asked
18 you whether you <were respecting> Angkar's orders <or not>. And
19 you stated to your chief that you were under the leadership of
20 Angkar and that you would respect Angkar's orders at all times.
21 In your record of interview, E3/9820 at answer 13, you uttered
22 other words. You said that you told Ni Li that you were the
23 property of Angkar and that, consequently, you would obey Angkar.
24 Why did you say that you were the property of Angkar and that you
25 were under the leadership of the Party and that you consequently

1 had to obey Angkar?

2 [09.18.37]

3 A. At the time, I was not asked whether I had to get married. In
4 fact, I was asked about the disciplines. We were prohibited from
5 going anywhere freely and that we had to stick to our food
6 regime. And we had to complete the work quota assigned to us.

7 At that time, they did not say I had to marry this man or that
8 man, and then, later on, I was assigned to get married, <I did
9 not want to> and I did not have any feeling to sleep with that
10 man or to live with that man <without> my parents' <consent>.

11 Maybe that's what I betrayed Angkar, but I did not reveal it to
12 Angkar and I only kept it to myself because I was afraid that I
13 would be killed.

14 Q. You said at the hearing of the 20th of October last week,
15 slightly before 15.40, that it was rumoured that war casualties
16 could get married to beautiful women because they have fought
17 <and liberated> the country. Did they explain to you why?

18 Simply because a soldier had made sacrifices on the battlefield,
19 you had to sacrifice yourself by getting married to a man who was
20 handicapped, having lost a leg and an arm and who, in addition,
21 was one-eyed?

22 [09.20.24]

23 A. During the time, they <never> spoke about women marrying
24 disabled people. And at that time, I was not told that my future
25 husband would be <Comrade Keo,> a handicapped person. If I knew,

1 I would have fled away <to death>.

2 And even on the day of the marriage, I did not notice certainly
3 that he was a handicapped person. And only after, I noticed that
4 he was a handicapped person with poor <> eyesight in one eye, <a
5 crooked leg> and a crooked hand. Otherwise, I would have fled. <I
6 would rather die.>

7 Q. You also spoke of a comrade called <Proeung>, on Thursday last
8 week at about 15.27. You said she had disappeared in the
9 aftermath of her marriage, if I understood you correctly.

10 Can you clarify for what reasons she was arrested and why she
11 disappeared? Did she refuse to get married or did she refuse to
12 <get along> with her husband after the marriage?

13 [09.21.45]

14 A. Comrade Proeung got married <already> and the husband was
15 Oeun, who was short and had a slim build. And she said she did
16 not want to have him as a husband because he <looked like a kid>.
17 She refused and kept refusing and, later on, both of them,
18 Proeung and the husband, disappeared. <I did not know when they
19 were taken away> and I did not know the cause for their
20 disappearance.

21 And what she said that she was tall and beautiful, and she was
22 arranged to marry a <> man who was short and had a slim build
23 <like a kid>. <She did not find him attractive.> That's what she
24 said, and maybe the news reach the Party and they disappeared.

25 Q. Did you, yourself, witness Proeung's arrest and, if yes, can

10

1 you tell us who arrested her?

2 A. I did not know about the disappearance of Proeung. People said
3 that she was put on an ox cart and was taken away. That's all we
4 knew because, during the regime, we could not speak to each other
5 in details, as we were under constant surveillance.
6 After hearing that, we just kept our mouth shut <because we were
7 afraid we would be killed too>. We only knew that she
8 disappeared.

9 [09.23.38]

10 Q. As a follow-up to your answer, at answer 21, in your record of
11 interview, E3/9820, this is what you stated:

12 "The union went to arrest her for disobeying disciplinary Angkar.
13 She was not tied up at the time of her arrest but, subsequently,
14 she was tied up and led away in an ox cart. Proeung disappeared,
15 and I witnessed her arrest with my own eyes. It was the militias
16 or the security <guys> who brought her out of the cooperative. In
17 <any case,> those people were not members of the union. Their
18 mission was to carry out arrest operations. They were members of
19 the regional security outfit, and under the leadership of Comrade
20 Sop." <End of quote.>

21 Did you witness this with your own eyes, or these are details
22 that you heard at the time?

23 [09.24.53]

24 MR. PRESIDENT:

25 Civil Party, please observe the microphone.

11

1 MS. PREAP SOKHOEURN:

2 A. At that time, I only heard about the arrest. I did not witness
3 the event myself. I witnessed another event where Yeay Yaun was
4 arrested, but as in her case, Proeung, that is, I only heard
5 people talking about the disappearance. They said that because
6 Proeung kept talking about her unhandsome husband and later on,
7 she was arrested and put on an ox cart <and taken away>.

8 MR. DE WILDE D'ESTMAEL:

9 Q. Were there any other cases you were aware of, in which a man
10 in your union or cooperative who wanted to marry a specific woman
11 made a suggestion to Angkar, but Angkar rejected his proposal?
12 Did that happen?

13 A. Yes, there were cases where people <worked together and> loved
14 each other and proposed to Angkar, but the Angkar turned the
15 proposals down. Angkar said that we had to obey the disciplines,
16 but we did not have the rights to choose our own partner. For
17 that reason, men were forced to marry women that they did not
18 love and <the women did not like the men>, of course, later on,
19 there were problems in the marriage.

20 [09.26.45]

21 Q. Did some of those men refuse at the time to get married to the
22 person, that is, the young girl <imposed> by Angkar -- that is,
23 the young girl they did not love?

24 A. There was Oeun, who was arranged to marry Mean. Mean had a
25 large build, <fat and> was not <fit>. However, the men did not

1 like her. <Oeun was handsome. Mean loved the man she was paired
2 with, but the man did not love her.> and from what Mean said,
3 when she was asked to sleep together, <he> would sleep in a
4 hammock while <she> slept <in the hall> so they did not actually
5 consummate their marriage. And the news reach Angkar, and Angkar
6 called them for education.

7 [09.28.08]

8 Q. And lastly, did Oeun and Mean reappear or they disappeared
9 following that incident?

10 A. Later on, I was transferred out of the union and I did not
11 know any more about the couple since we did not meet again.

12 Q. To clarify what you said before the Co-Investigating Judges,
13 answer number 34, you stated that:

14 "The militias were spying on them and they knew that <Oeun> had
15 not consummated <his> marriage, and Oeun disappeared. I got this
16 <news> from Mean one day <when I ran into her>, but my comrade
17 <confided in me that she< had not reported the problem to Angkar.
18 I saw Mean after the collapse of the Khmer Rouge regime, and she
19 told me that she had gotten married again."

20 So I would like you to clarify this point. Did Oeun also survive
21 since Mean survived, or <did Oeun survive or did he> disappear,
22 ultimately?

23 A. After 1979, I met Mean for one time only, but I did not meet
24 Oeun. I met Mean at Teuk Chhar (phonetic) and, later on, I have
25 not met the person.

13

1 [09.30.04]

2 Q. Well, I would like to read out what you said also regarding
3 the people who would not consummate their marriage. That's answer
4 27 of your WRI, E3/9820. And the question was the following:
5 "Why did they hide the fact that they had not had any sexual
6 intercourse?"

7 And your answer:

8 "In this context, Angkar would execute both spouses without
9 trying to know where the problem came from or who was behind the
10 problem. I learned that the Khmer Rouge would take such measures
11 because this had happened to a couple that had refused to
12 consummate their marriage. Indeed, this couple was executed. This
13 was something that terrified <us>."

14 And afterwards, you said that many, many couples were executed
15 this way within the union.

16 So do you have examples to provide to us, in particular, names or
17 can you tell us the story of this couple that was executed
18 because they did not consummate their marriage?

19 [09.31.24]

20 A. At that time, many people were killed, but I knew only clearly
21 about the case of Comrade Proeung and <Oeun>. <It was said from
22 one person to another that they were taken away to be killed.>
23 They were put on cattle cart and taken away. <But I did not
24 witness it. People kept disappearing afterward.>
25 There was also a case of a woman whose husband was a monk. <He

14

1 was defrocked at the union. He was old. So they arranged marriage
2 for him. He was also taken away to be killed. Initially,> she was
3 <> taken away to be killed, but the husband was spared. <But
4 because the husband kept singing sad songs for farmers to hear
5 afterward, that rumor was heard to Angkar,> later on, <when>
6 couples <did not get along>, both husbands and wives, were
7 killed.

8 Q. You spoke about the case of this lady who was killed but whose
9 husband, a former monk, was spared. And you gave her name before
10 the OCIJ.

11 Do you remember her name?

12 A. I cannot recall her name. Her name was probably Choan
13 (phonetic) or Chhean (phonetic). I cannot recall it clearly
14 because it happened 40 years ago. <Since we rarely talked about
15 the dead, I do not recall the name.> She was killed before her
16 husband. Both of them did not get along with each other and, as a
17 result, the woman was taken away and killed <first>. And the
18 husband who was spared sang the song, "A lonely bird flying
19 alone".

20 [09.33.36]

21 And when the song was heard, the Khmer Rouge asked why he sang
22 that song and he said because the wife was <killed> and he was
23 lonely. <He was joking about that. Later on, if there were
24 couples who refused to consummate their marriage, both husbands
25 and wives were taken away to be> killed.

15

1 The incident happened 40 years ago, and I cannot recall <the
2 name> now.

3 Q. You provided the name Rin, R-I-N, to the OCIJ. But my question
4 is the following.

5 Were there other young girls who were obliged to marry defrocked
6 monks and, in particular, monks who were much older than they?

7 A. Yes, there were, but I did not know well because we were in
8 different units, and I also did not pay much attention to who
9 were involved. I remember that only the case <of Bong Hin
10 (phonetic) and another person> that I told you earlier, about the
11 woman who arranged to married a monk <who was defrocked at the
12 union>.

13 [09.35.05]

14 Q. You also told us on Thursday that there were other marriages
15 that had been arranged, other collective marriages, not only
16 yours. You spoke about 50 couples and another marriage, which
17 involved 30 or 40 couples. So what do you know about these other
18 marriages?

19 Did the people who were getting married, were they able to choose
20 their spouses? Did they agree <to marry>, or <were> these
21 marriages were not voluntary, like what happened to you?

22 So did you learn anything about those other marriages?

23 A. After they got married, many of them got along well with each
24 other because they thought that they were arranged by Angkar,
25 <they obeyed the Angkar's instruction,> so <many of them got

16

1 along>. And they lived together well, but there were minority
2 cases who did not get along well, and <> the Angkar found out
3 about this.

4 In <some> cases, <people already had their loved ones in mind,
5 some> people refused to get married because they felt that the
6 marriage was not arranged by their parents. While the majority of
7 the people agreed to get married because the marriage were
8 arranged by Angkar, they did not dare to refuse, so I can say
9 that many couples got along well. <Not a lot of couples were
10 monitored and taken away to be killed by Angkar.>

11 [09.37.05]

12 Q. So you married twice because after the execution and
13 disappearance of your husband <by the Khmer Rouge>, after 1979, I
14 believe it was in 1984, you got married again.

15 And you specified last Thursday that this marriage had been
16 arranged by your parents, so can you compare both marriages, that
17 is to say, the marriage that took place under the DK regime and
18 the one that took place after? Were there any points in common
19 between both?

20 And also, can you tell us if the second time, that is to say,
21 when the marriage was arranged by your parents, did you agree to
22 get married again?

23 [09.38.02]

24 A. When my mother asked me to get married to my second husband,
25 she also talked to me. She told me "You are alone and you are

1 getting older now. <If you live alone, you will be looked down.>
2 You should have a husband".
3 <I remembered the bad experience from the time I was with my
4 first husband so I did not want to get married again.>
5 And I told her, "Mum, I felt afraid that my second husband would
6 be a gambling person or a troublemaker person, <or someone who
7 does not care about work,> and that would ruin my life again".
8 And <my sister in-law cut in,> "That would be okay. And if he's a
9 drinking person, <it would not be much of a problem like a
10 gambler. But from what others said, he does drink." I said it
11 would be difficult if he drank. My sister-in-law said he would
12 not drink a whole well so I should not be worried about it. My
13 mother said, "I already agreed to marry you off to him. I could
14 not take my words back." She insisted me to go through with it.
15 And I thought of my mother when> she said that while I got
16 married to my first husband, she did not spend time there. She
17 was not there. So this time, she wanted to attend my marriage.
18 <Because she raised a lot of points, I agreed to marry my current
19 husband.>
20 <The two marriages were different.> During the Khmer Rouge
21 regime, <they never asked about our feelings, they never gave us
22 any reasons or examples>. They simply asked us whether we <obeyed
23 the Angkar's instruction> and then we would be matched up with
24 <a> person whom we did not know before. So the marriage did not
25 give us happiness because the marriage itself was not attended by

18

1 our parents and relatives. The marriage was simply attended by
2 the couples who were arranged to get married on that day and also
3 attended by the Khmer Rouge cadres.
4 It was not conducted in a traditional way, in a detailed way.
5 <Marriage during that time was like pairing puppets.> In the
6 Khmer Rouge marriage, there were no <traditional music, no
7 guardian,> achar. There were no practices of traditions. <I
8 remembered what I had experienced then, that's why I agreed to
9 the marriage arranged by my mother, the marriage that was
10 organised according to the tradition. Although I was a widow with
11 a child,> my mum <> conducted my second marriage in a traditional
12 way with the participation of the achar and <> elder people and
13 other traditional practices, so that the second wedding followed
14 a detailed traditional practices.
15 So it somehow gave me some kind of a comfort to my heart. And my
16 wedding was also attended by hundreds of peoples, so I
17 <acknowledged> the wedding arranged by my <mother>.
18 It's completely different from the one in the Khmer Rouge regime.
19 It did not give me any happiness at all. <I was always with tears
20 even to this day.> I felt fed up with it, <especially, when my
21 child was born, I was threatened, I was asked to give my child to
22 be killed. That's my life, and I am so done with it.>
23 [09.41.50]
24 Q. I have a last question, Mr. President, if you please allow me
25 to.

19

1 You said to DC-Cam what happened to some of the children of Lon
2 Nol soldiers whom you were taking care of before 17 April 1975.

3 You said that some of them had been executed.

4 And you also said that you found Lon Nol soldier bodies in a well
5 in 1973, and I can provide the references if the parties request
6 it.

7 But that's not exactly what I would like to focus on. What I
8 really would like to focus on is do you know what fate was meted
9 out to the Lon Nol soldiers, whether they were officers or not,
10 after 17 April 1975, afterwards? In particular, in 1975 and 1977
11 in your region, were former Lon Nol soldiers identified and, if
12 that is the case, what happened to them between 1975 and 1979?

13 [09.43.00]

14 A. To my knowledge, <the killing> in 1973, Tang Kouk, Kampong
15 Thom, were captured and soldiers were sent to <Thma Pun
16 airfield>. <Later on,> people were walked <out of the pagoda>
17 nearby my house <to the east> and <to the east of my rice field,>
18 there was also a well.

19 And that well was used for religious purposes. When there was a
20 <hill> nearby <for burying bodies>, that well would be used for
21 religious purposes.

22 <In 1973>, people were <walked there and I was not aware that
23 people were> killed and dumped into that well.

24 <One day,> I walked with my nephew to <pick some "sa-om"
25 (phonetic)', and I saw some torn papers under a trijuga tree in

1 my rice field, those documents were written in English, not
2 Khmer. I could not read English because I did not learn the
3 language>. <I said to my nephew, "Why are there torn papers here?
4 Where are people taken to?" So I went to a crematory. Normally,
5 bodies were cremated or buried there.> And I found <> blood stain
6 nearby the well, and I <said to my nephew, "A Va (phonetic), what
7 if people were killed here?" Then my nephew went to check the
8 well, and he said there were dead bodies in there. When I checked
9 it, I saw that the well was almost filled with dead bodies>. It
10 was an accidental encounter.

11 [09.45.00]

12 Q. Thank you. But my question was if, after 1977, other Lon Nol
13 soldiers were identified in your sector, and I wanted to know
14 what happened to them.

15 A. From 1975 to 1977, at that time they searched for people with
16 affiliation or tendency to Lon Nol's <government>. At that time,
17 my brother named Ol (phonetic), who was a soldier of Lon Nol
18 regime, was arrested and taken away to be killed. <His wife was
19 put in a truck.>

20 There were also <two other women> who were also in the
21 cooperative, <who were assigned to work. Their> husbands <were
22 accused of being> linked to <a network, they were arrested in
23 1975 or 1976, and in 1977>, the wives were also identified, <put
24 in a truck> and taken away to be killed.

25 <During the regime, they searched for people who were linked to a

21

1 network and killed them all>. <Many of my family members,
2 including my siblings and cousins, died during the regime.> My
3 brother <Ol (phonetic)> was a Lon Nol soldiers at Kampong Cham,
4 and when he was evacuated from Kampong Cham, he went to live in
5 our homeland. And in our homeland, he was searched for and
6 identified <as a Lon Nol soldier>, and he was arrested and
7 killed. <But I do not know where he was killed.>

8 [09.46.43]

9 <I only heard from others that> he was killed at Tuol Chamka Bok
10 Ampil (phonetic). In 1977, that was before I arrived, <my
11 brothers and my sisters-in-law> had already been taken away to be
12 killed. <I could not go there in time because I was at Thnal
13 Kaeng.>

14 I also heard that my father would also have been taken away to be
15 killed, but because I was sick at that time, <I was staying at
16 the sector hospital. I asked permission to go see my parents.
17 They lied to us that we were transferred to a new cooperative. So
18 my elder siblings went there first. Later on,> my parents <as
19 well as> my siblings were all <supposed to be> collected and
20 taken away, <but I wasn't there>. <By the time I arrived, it was
21 known about the killing. So my parents> and I survived.

22 <Otherwise, we> would also have been taken away and killed along
23 with them.

24 <My brother had three children and including his wife, there were
25 five of them.>

22

1 At that time, they killed the whole family. They did not spare
2 any family members if they found out that they were related.

3 <During the regime, I felt so much pain. Talking about the
4 history of killing, my family were suffered the most.> They
5 killed not only my people in my family. They also killed my
6 cousins and relatives. I felt suffered, and that suffering and
7 pain remain with me until nowadays.

8 Whenever I think about this, I feel so much pain. <My elder
9 sibling was shot dead in my cousin's house.>

10 Another elder sibling of mine was also imprisoned and killed,
11 <but I did not know where>. <All my cousins were killed.> My
12 family members suffered a lot and faced tragic during the regime.
13 It's beyond words to describe our pain.

14 [09.48.51]

15 MR. PRESIDENT:

16 <The International Co-Prosecutor,> your time has expired, and we
17 do not allow you any more time.

18 Now the Chamber gives the floor to the Defence Counsel for Nuon
19 Chea to put question to the civil party. You may now proceed.

20 QUESTIONING BY MR. LIV SOVANNA:

21 Thank you, Mr. President. Good morning, Your Honours and parties.

22 Good morning, Madam Civil Party. My name is Liv Sovanna, the
23 National Defence Counsel in the Nuon Chea defence team.

24 Q. I have a number of questions to put to you. First of all, I
25 would like to get your clarification. You mentioned earlier about

1 the person name Proeung. In your unit <or union>, how many
2 Proeungs were there?

3 [09.49.58]

4 MS. PREAP SOKHOEURN:

5 A. In my unit, I knew only one person by the name Proeung who was
6 close to me.

7 Q. In your unit, was Proeung an ordinary member or a person who
8 held some kind of position?

9 A. The person was in charge of the big unit.

10 Q. The big unit that you mentioned, how many members <were
11 there>?

12 A. Proeung's big unit consisted of three smaller units, <and
13 there were three groups in a small unit,> so there were 96 people
14 all together.

15 Let me clarify again. In one group, there were 12 people, and in
16 one small unit, there were 36 people. So all together, there were
17 108 people in the three combined units.

18 Q. After her disappearance, was there any person put in her
19 place?

20 A. After Proeung was transferred, Pha was put in her place to
21 lead the unit.

22 Q. You said that she was transferred, so where was she
23 transferred to?

24 A. After she had been married, she was taken away <to Sob
25 (phonetic) security office>, but they did not use the word

24

1 "arrest". They used the word "transfer". And after her transfer,
2 Pha was put to take charge of the big unit.

3 Q. What about Li? How many people with the name Li in your union?

4 MR. PRESIDENT:

5 Madam Civil Party, please hold on.

6 [09.52.45]

7 MS. PREAP SOKHOEURN:

8 A. I know Comrade Li. She was in charge of <the union, of> all
9 the units. That was the reason why I knew her clearly.

10 MR. LIV SOVANNA:

11 Q. Beside that particular Comrade Li, were there any other people
12 with the name Li?

13 MR. PRESIDENT:

14 Madam Civil Party, please hold on.

15 MS. PREAP SOKHOEURN:

16 A. In other units, there were also people with the name Li, but I
17 did not know those people. There were people with the name Li,
18 including male and female.

19 [09.53.34]

20 MR. LIV SOVANNA:

21 Q. What about your own unit? Were there any other persons with
22 the name Li?

23 MR. PRESIDENT:

24 Madam Civil Party, please hold on.

25 And court officer, please facilitate with the adjustment of the

1 microphone stick <so that she can see the red light>.

2 (Short pause)

3 [09.54.13]

4 BY MS. PREAP SOKHOEURN:

5 A. There were no other people with the name Li in my unit, but
6 there were other people with the name Li in other units. I knew
7 some of the people with the name Li in other units <because we
8 worked near each other>. <But that Li was not in charge of all
9 the units.>

10 MR. LIV SOVANNA:

11 Q. What about the person by the name Rin? How many people with
12 the name Rin in your union?

13 [09.54.55]

14 MR. PRESIDENT:

15 Please hold on, Madam Civil Party.

16 MS. PREAP SOKHOEURN:

17 A. I knew Rin, who was in charge of <> another big unit. And that
18 was the only one I knew.

19 MR. LIV SOVANNA:

20 Q. And the person by the name Rin that you knew, was <she> in
21 charge of that position until the liberation day?

22 A. No. <Rin> was also killed. <Rin was paired with an elder man.
23 Rin was a> unit chief, <later on, she> was also killed. <During
24 that regime, chiefs were usually killed first.>

25 Q. What about your position? When you were in that union, did you

1 hold any position?

2 [09.56.02]

3 A. When I was in the union, I was in charge of supervising 12
4 people. I was leading them to work. For example, we were given an
5 assignment to clear one hectare of forests, so I led my team
6 members to clear the forests. <We tried to work together to
7 complete the work because we were afraid we would be killed.>

8 Q. I have doubt regarding your civil party application, E3/4905;
9 ERN in Khmer, 00541272; French, <00906246>; English, <01060689>.
10 You said that in your unit there was a female cadre named
11 Proeung, the <group> chief, <who> was killed, and Li, the deputy
12 chief, <who> was also killed. And I was a member. And a moment
13 ago, you said that Proeung was the chief of the big unit and
14 <there was only one Li, and> Li was also in charge of the general
15 matters of the <union>.

16 So my question to you is, why, in your civil party application,
17 you said that Proeung was the chief of the <group> and Li was the
18 deputy chief?

19 A. Now let me clarify. I said that Li was in charge of the
20 general matters in the <> union <in Andoung Ta Loeng>, and
21 Proeung was the chief of the <big> unit that was directly
22 supervising me. And that was what I said.

23 There was another person by the name Thi. Thi was the deputy
24 chief who was also supervising me. For Rin, whom I told you
25 earlier, that person was not supervising my unit. The person was

1 supervising a different unit, <and Run (phonetic), the one who
2 was arranged to be married at the same time as me, was in a
3 different unit,> so I believe it is clear to you now.

4 [09.59.13]

5 Q. Thank you for your clarification. Yes, you said so in your
6 testimony, but in your civil party application you said that
7 Proeung was the chief of <a group> and Li was Proeung's deputy <>
8 and you were a member. And that's why I asked you today that your
9 testimony today and the one you gave in your civil party
10 application were different from each other.

11 A. At that time, I said that Proeung was the chief of the unit
12 supervising me. And Li was in charge of the general matters in
13 <Andoung Ta Loeng>. And for me, I supervised 12 members, <I did
14 not say in the document that Proeung was a group chief.> I want
15 to emphasize again that Proeung <> was the chief of the big unit
16 and Thi was the deputy <>. And Li was in charge of the general
17 matters of <women in all> the units <in the union>.

18 [10.00.35]

19 Q. You said Rin was in a different unit and the person was in
20 charge of that unit. In the same document, E3/4905; Khmer, ERN is
21 at 00541273; French, 00906248; English, <00060690 (sic)>; you
22 state the following:

23 "A while later, a female unit chief, Rin, said to your group that
24 we were all allowed to get married and why we had to cry. And
25 that's how I knew that I was arranged for marriage."

1 And at that time, you state that Rin was actually your direct
2 unit chief. What can you say to that?

3 A. Allow me to clarify. On the day of the marriage, Rin came and
4 I did say that Rin was a unit chief, but not my unit chief. Rin
5 was in charge of unit chief of other women, and Rin said that we
6 all were allowed to get married and why we cried, why we were so
7 stupid.

8 But allow me to say that Rin was not my direct unit chief. Rin
9 was the unit chief of other women <sitting near me>.

10 Q. Allow me to move to your marriage. First allow me to ask you a
11 general question and not directly concerning your actual
12 marriage.

13 Did you observe that any of those couples were fiancées and made
14 proposals to unit chief or <union> chief in order to get married?
15 [10.02.58]

16 A. At that time, there was only one couple who were fiancées.
17 Prum Yuon (phonetic), <female,> worked in a separate location.
18 And as for the man, Chen Samnang (phonetic) worked in the union
19 who was in the logistics section. And since the person had a
20 senior role, they could propose <to Angkar or his chief,> to
21 marry Prum Yuon (phonetic) from Roka Koy district in Kampong
22 Cham, and that did happen.

23 Q. What about other couples who liked each other and made any
24 proposal to Angkar to get married?

25 A. During the time that I lived in the union, I did not ever see

1 anyone who liked or loved each other and made a proposal to
2 Angkar <and the proposal was accepted>. Not at all. <People were
3 paired with those they did not love.>

4 [10.04.22]

5 Q. Did you hear or were you aware that there were youths who
6 wanted to get married to women and made proposals to their
7 respective unit chief?

8 A. I did not follow these kind of information. What I knew is
9 that I was called to get married on that day, and I did not know
10 whether anyone proposed to anyone else. I was busy working, and I
11 did not know any detail regarding this question, that is, the
12 proposal.

13 Q. Did you see or did you hear that there were couples, that is,
14 on the day of their marriage they refused to attend it?

15 A. To my knowledge, although I cannot recall the names, they fled
16 to the cooperative, as they refused to attend the wedding
17 ceremony. Then the persons were arrested and taken away, although
18 I did not know where they were taken to.

19 As I said, we, at the time, were not allowed to follow activities
20 of other people. We only knew bits and pieces.

21 Q. Allow me to go to your own marriage. You said that you were
22 called to get married and can you tell the Chamber whether you
23 refused it?

24 [10.06.48]

25 A. Allow me to reiterate it again. On that day, I did not know

1 that I was sent to get married, for that reason I did not refuse,
2 I was told to attend an event, and I did not receive <any
3 information> beforehand that I had to get married that day.

4 Then I was given some clothes. Then I realized that I was sent to
5 get married. And I still had a feeling that I was gathered
6 amongst other peoples to be sent and killed.

7 I never thought for a moment that I would be arranged to get
8 married that day and, for that reason, I did not make any
9 refusal. And upon arrival in the place, I found out and I wept.

10 Q. So after you knew about it, did you refuse?

11 [10.08.00]

12 A. When I attended the meeting, I was not sure as to which man I
13 was matched to. We, the women, sat on one side while the men sat
14 on the opposite side. And then there were a long table in
15 between.

16 We were sitting there listening to the speeches about Angkar, who
17 encouraged us to work hard, to get married in order to populate
18 the Party. They spoke about the policies to <develop and>
19 construct the country, etc. And of course, the speech was nice to
20 listen to and, later on, the representatives called out the
21 first, the second and the third couples, etc. And then my turn
22 came. The man was called first, that is, Comrade Keo, and then
23 they called out my name, Phoas (phonetic), that I was matched to
24 Comrade Keo.

25 That's all we heard, and then he walked. And then a female

31

1 representative came to take my hand to sit opposite him. How
2 could I refuse since it happened almost simultaneously?

3 Q. In your response to the Co-Prosecutor, you said that your
4 husband was handicapped after you got married. Did you notice
5 that at that point in time or at a later stage?

6 [10.09.58]

7 A. On that day of the marriage, I did not know that he was
8 handicapped person since I did not see him before, nor did I try
9 to look at him or examine him. <I saw him when he was sitting and
10 when he was talking. I did not see him walking.> At that time, I
11 was weeping. I felt upset. <> Later on, he left. <I still did not
12 know that he was handicapped. > And on the second time that he
13 came to see me, he walked and people said, "Your <> husband
14 walked in an unbalanced way. Maybe he was a handicapped person."
15 So when he came closer to me and I looked at him in close
16 contact, I knew that he was handicapped in one leg.

17 Later on, <> the newly married people were gathered for a
18 communal meal, and when we were sitting together, I noticed that
19 when he was holding a spoon, three fingers on his left hand were
20 crooked because he could not stretch the three fingers.
21 Then we, the women, spoke to one another again. They said that my
22 husband was also handicapped in one of his hands. <Later on, we
23 knew that> he's a handicapped person in one leg and one arm. And
24 another woman <named Chheang (phonetic) who was sitting in the
25 same table as me,> said that <he was not only handicapped in his

1 leg and arm,> he also had a poor eyesight. If he were to close
2 one of his eyes, then he could not see anything. And that's when
3 I learned that he was a handicapped person.

4 [10.12.12]

5 MR. PRESIDENT:

6 It is now convenient time for a short break. The Chamber will
7 take a break now and resume at 10.30 to continue our proceedings.
8 Court officer, please assist the civil party at the waiting room
9 reserved for witnesses and civil parties and invite her back into
10 the courtroom at 10.30.

11 The Court stands in recess.

12 (Court recesses from 1012H to 1032H)

13 MR. PRESIDENT:

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

15 And I gave the floor to the defence counsel for Nuon Chea to
16 continue putting question to the civil party.

17 BY MR. LIV SOVANNA:

18 Thank you, Mr. President.

19 Q. Good morning, Madam Civil Party. I would like to continue my
20 questions.

21 Before the break, you told the Co-Prosecutor that you knew that
22 your husband were a handicapped person only after your wedding.

23 So my question to you is that whether your colleagues and friends
24 who saw that your husband was a handicapped person, whether they
25 <made a> joke or <did they> make fun of him.

1 [10.33.18]

2 MS. PREAP SOKHOEURN:

3 A. After they learnt that I had a disable husband, they said that
4 they were pity of me because <among all the couples that were
5 arranged to get married, only> I had a handicapped husband.

6 Q. When you realized that your husband was a handicapped person,
7 how did you feel at that time?

8 A. I did not think only about his disability. I also thought
9 about my general feeling about my marriage. Regardless of my
10 husband was handsome or not, I did not feel happy because <I did
11 not want to get marriage and as a Cambodian woman, I did not
12 want> a marriage ceremony that was not arranged by my parents.

13 Q. What about on the day of your marriage? Did you notice any
14 couples who refused to get married?

15 A. On the day of my marriage, I did not see any one of them dare
16 to refuse, but I noticed that <all> the women who were wedded on
17 the same day with mine, cried. And I did not know their feelings
18 <> or the reason why they cried. <For me, I cried because I was
19 scared.>

20 Q. You said earlier that Prum Yuon (phonetic), who were also
21 arranged to <get> married, was that person married <with his/her
22 fiance> on the same day <as you>?

23 A. I did not pay attention whether the person got married on the
24 same day with mine because the person was in a different Ministry
25 from mine. Therefore, I did not pay much attention whether the

1 person got married on the same day with mine. I did not know the
2 names of those who got married on the same day with mine.

3 [10.36.19]

4 Q. You said that you saw those women weeping. You said on
5 Thursday that you thought that all of you wept because you
6 thought that you would be taken away to be killed. <You only knew
7 about the marriage when Rin came to tell you.>

8 So you think that they all wept because they felt afraid that
9 they would be taken away to be killed or they wept because they
10 did not want to get married?

11 A. When we arrived, we all wept because we felt afraid. We felt
12 afraid that we would be taken away to somewhere, so we all were
13 frightened.

14 Q. So you all wept because of whether they were frightened or
15 they were reluctant to get married. So can you clarify on this
16 point?

17 [10.37.38]

18 A. The two or three women who were nearby me who were all wept
19 thought that they did not have idea of where they would be taken
20 to because they were not informed about the ceremony. They did
21 not get information whether that they would be arranged to get
22 married.

23 So when they were weeping, Rin came in and said, "<All of you>
24 were arranged to have husbands and why are you weeping?"

25 And so we discussed among ourselves that our marriage did not

1 have the attendance of our parents, <and none of our relatives
2 knew about it,> and then <we stopped discussing it when> we were
3 called in to sit in rows. <And we just listened to their speech.>

4 Q. You said that, for you, you did not dare to object or oppose
5 because you felt afraid. So can you tell us about your feeling?

6 A. Let me explain about my fearful feeling. During the regime, no
7 one dared to oppose the <Angkar>. Anyone who received the order
8 from Angkar must fulfil the duty <regardless of whether or not we
9 could fulfil it>. For example, on the day of the marriage, when
10 we were ordered to marry, I did not dare to oppose because I felt
11 afraid that I would be killed because there were cases that
12 happened before that about people who were killed for opposing
13 the order. I had no choice besides weeping.

14 So after my marriage, I begged my husband not to touch me. I wept
15 and told him please not to touch me because I followed my
16 father's words. He told me, "Do not let any man touch you beside
17 the man who is arranged to marry you by us". <I told him the
18 truth. I kept crying. I told him that so that we could hide the
19 fact that we did not get along from Angkar.>

20 [10.40.28]

21 Q. Madam Civil Party, my question is not directing at the time
22 after your marriage yet, it's focusing on the day of your
23 marriage, that is, about your feeling. You said that <no one
24 refused, and that> you felt fearful <so you did not dare> to
25 oppose, and that's why I ask you to explain to us clearly what

1 did you fear of.

2 A. I said that I felt fearful, <during the regime> because I
3 would be killed if I opposed. <I said earlier if anyone opposed
4 Angkar, that person would be smashed.> The wheel of history <was>
5 moving if we dared to oppose, we would be in trouble. <The
6 information was spread during meetings so that we could not
7 oppose Angkar. So> I did not dare to oppose. I had to accept what
8 <was> forced upon me.

9 Q. You said that there were cases of people who were killed
10 because they dared to oppose, so can you <give some examples>?

11 [10.41.43]

12 A. I said that I was fearful because there were cases of people
13 who were killed, for example, the case of Proeung, Rin, <the unit
14 chief,> and before Rin, there were also cases of people who were
15 killed, but those people I cannot recall their names now. And
16 that was the reason why I felt fearful. I did not see their
17 execution, <I just heard of it>, but they disappeared and never
18 returned.

19 <And they threatened us every day.> So I felt frightened and
20 intimidated.

21 Q. You said about Proeung. Proeung was married before you or
22 after you?

23 A. Comrade Proeung got married before me.

24 Q. What about Comrade Rin?

25 A. Comrade Rin also got married before me.

1 Q. Was the marriage took place long before yours?

2 A. I cannot recall how many months the person got married before
3 me. I only knew that the person got married before me.

4 [10.43.32]

5 Q. I would like to clarify with you. You told the Co-Prosecutor
6 that Rin got married and then the person did not get along with
7 the spouse and, as a result, the person was taken away and
8 disappeared. But you said that on the day of your marriage, Rin
9 came to scold the weeping women, <and you said that Rin got
10 married before you.> So if <> Rin was <married before and> taken
11 away and killed, so how could the person came to scold the
12 weeping women on the day of your marriage?

13 MR. PRESIDENT:

14 Please hold on.

15 [10.44.29]

16 MR. DE WILDE D'ESTMAEL:

17 Thank you.

18 Maybe I didn't understand the questions properly. The questions,
19 I believe, <were> <whether> Proeung <and> <Oeun> got married
20 before her. So maybe the lawyer can have the civil party specify
21 if Rin <(phonetic)> got married before. But under these
22 conditions, I do not know where this question comes from because
23 we do not know if Rin <(phonetic)> was married before and,
24 therefore, whether she was there on the wedding day of the civil
25 party.

1 So maybe I missed out on something here <as a result of the
2 interpretation>.

3 MR. LIV SOVANNA:

4 Mr. President, I think it may be problem with interpretation.

5 I asked her whether Rin got married before her or after her, and
6 civil party answered that she got married before her, but she did
7 not remember how many months it was before her. <So I would like
8 her to answer my question.>

9 MR. PRESIDENT:

10 Madam Civil Party, please give your answer.

11 MS. PREAP SOKHOEURN:

12 A. I also would like to clarify, during the time I did not
13 investigate whether she got along with her spouse or not, but I
14 want to clarify that <> on the day of my marriage, she was still
15 there. And later on, she disappeared and people said that they
16 did not get along with each other.

17 [10.46.16]

18 MR. LIV SOVANNA:

19 Q. How many months was it after your marriage that Rin
20 disappeared?

21 A. To my knowledge, it was not long after my marriage. They said
22 that, <> "You have to follow Angkar's order <to live with your
23 spouse>. If you don't, you would have the same fate like Comrade
24 Rin". But I did not know when Rin was arrested. <I was told that
25 Rin did not get along with her husband.>

1 Q. <> When they knew that you did not get along with each other
2 and they raised about Rin's case, so <how long after your
3 marriage did that happen?>

4 [10.47.05]

5 MR. PRESIDENT:

6 Please hold on.

7 MS. PREAP SOKHOEURN:

8 A. They did not know that I did not get along with my husband. <>
9 They simply gave a general advice that anyone who did not get
10 along with the spouse would have the same fate like Comrade Rin.
11 <They raised about that during a meeting.> I did not tell them
12 that I did not get along with my husband.

13 MR. LIV SOVANNA:

14 Q. I would like to know how many months was it after your
15 marriage that the meeting was organized, and who presided over
16 that meeting?

17 A. It was Comrade Thav <who was Sau's subordinate>. It was
18 Comrade Thav who emphasized that point. Thav said that any
19 <female> comrades who were arranged to get married must follow
20 Angkar's order, <had to get along with her spouse>. Anyone who
21 did not get along with each other would face the same fate like
22 Comrade Rin. Thav was a very cruel person. Thav put a lot of
23 pressure on members of the union.

24 [10.48.43]

25 Q. During the time of the meeting, can you tell me how many

40

1 months was it that the meeting took place after your marriage?

2 Was it before the time you went to live with your husband or

3 after the time you went to live with your husband?

4 A. The meeting took place about two months later on, but I cannot

5 recall it clearly. Before my marriage, Rin was still there. But

6 the person disappeared after my marriage, but I did not know

7 <where> she was <taken to>. <But when we talked about her, it was

8 said that she was transferred. In the union, they not used the

9 word "tied up" or "arrested", we only knew that the person was

10 transferred.>

11 Thav raised the example of Rin's disappearance during the

12 meeting. I did not recall the <date> of the events clearly

13 because I did not pay much attention to it. <I only focused on

14 working for Angkar.>

15 Q. Beside Thav, was there anyone else who talked about Rin's

16 case?

17 [10.50.17]

18 A. At that time, Thav raised the matter during the meeting. And

19 after we left the meeting, we discussed among ourselves. We asked

20 each other whether Rin really disappeared. <We were told that she

21 called out one night.> And some of us started to conclude that

22 Rin disappeared because she did not get along well with her

23 husband because that was what we heard from her. She said that

24 she did not get along well with her husband <and that she rarely

25 went to meet him when he came to visit>. <I did not really know

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1 about her because I lived in a different place.>

2 Q. So you knew that her disappearance was <> related to the fact
3 that she did not get along well with her husband, so can you
4 clarify this matter?

5 A. Let me answer again. Could you please repeat your question?

6 Q. I would like to get clarification from you. During the
7 meeting, Thav did not explain the case in details. It was only
8 after the meeting that you discussed among yourselves and you
9 came to a conclusion that Rin disappeared because she did not get
10 along well with her husband.

11 So I would like you to clarify whether <Thav said that> her
12 disappearance was because she did not get along well with her
13 husband or because of something else.

14 [10.52.10]

15 A. During the meeting, Thav said that any <woman> who were
16 arranged to get married, had to follow the order of Angkar.
17 Anyone who opposed would face the same fate like Rin. <Whether or
18 not Rin got along well with her spouse, I did not know.>

19 So that was the news I received during the meeting.

20 Q. You said that you felt fearful during your wedding because
21 there were cases of people who disappeared, and you gave an
22 example of Rin. And you said that Rin disappeared after your
23 marriage<, not before or on the wedding day>. So I would like you
24 to tell about <the reason you did not refuse> on the day of your
25 marriage.

1 [10.53.20]

2 A. Regarding my refusal on my marriage, as I told you earlier
3 that when I was told to go to the venue, they did not tell me
4 that I would go there to get marriage. They simply told me to go
5 there to meet the chiefs <and that there was an event>. And the
6 reason I <did not> refuse to get marriage because I was not
7 informed that I would go and get marriage because I was simply
8 told to go there to meet the chiefs. And once I arrived at the
9 venue, <I saw the women there weeping, and> I wept <with them>.
10 If I had known beforehand that I would be arranged to get married
11 to a handicapped person, let's say if I were informed one day or
12 two day before my marriage, I would <have> escaped. But because I
13 had not been informed, I arrived at the venue.

14 And they asked me, "Comrade, do you follow the order of Angkar?"
15 And I said yes. <They did not tell me that I had to get married
16 with this person at this place.>

17 <So I did not refuse because> I did not know that I would be
18 arranged to get married.

19 Q. You said that if you had known that you would be arranged to
20 get married to a handicapped husband, you would flee. So, I would
21 like to ask you that you were unhappy because you had a
22 handicapped husband. Is that correct?

23 A. Let me clarify again. As I told you earlier that I am a Khmer
24 woman. I did not want to get married without the attendance of my
25 parents.

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1 I did not mean that I was biased not to marry a handicapped
2 person. I want to emphasize that my general feeling at that time
3 was that I did not want to get married at all.

4 [10.55.41]

5 Q. Because of time constraint, now I would like to ask about
6 Comrade Proeung.

7 You said that Proeung, after marriage, she did not get along with
8 her spouse and, as a result, she disappeared.

9 Mr. President, I would like to quote from document E3/9820, which
10 ERN -- sorry, question 21 that Madam Civil Party gave to the
11 investigator.

12 MR. PRESIDENT:

13 Your question has already been asked by the Co-Prosecutor, so if
14 you ask that question again, it's going to be repetitious. So
15 please tell us what new aspect that you would focus on different
16 from the Co-Prosecutor.

17 [10.56.48]

18 BY MR. LIV SOVANNA:

19 Mr. President, the Co-Prosecutor quoted from another part of the
20 answer. For my question, I focus on a different part of the
21 answer. <I would like the civil party to clarify at this point
22 because she gave a different answer before.> Thank you, Mr.
23 President.

24 Q. Madam Civil Party, let me quote:

25 "Before my marriage, if there was anyone who dare to oppose the

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1 marriage and try to flee, <> they would be arrested and kill. I
2 saw an example of the case of Comrade Proeung, <a woman in my
3 unit> . Comrade Proeung refused and fled <from the union> to <a>
4 cooperative." End of quote.

5 You said in your testimony that she disappeared because she did
6 not get along with her husband <after her marriage>, but in your
7 answer to the investigator, you said that she disappeared because
8 she tried to flee away <to avoid the marriage>.

9 So can you clarify on this point?

10 MS. PREAP SOKHOEURN:

11 A. Let me clarify. It was another person who tried to flee. It
12 was not Comrade Proeung.

13 That woman fled to a different cooperatives, but the Khmer Rouge
14 tried to search for her, and they found her <and she was
15 arrested>. So I would like to clarify that the fleeing woman was
16 not Proeung.

17 The woman tried to flee from the wedding venue <at the union>
18 because she had a fiance at the cooperative. <So she fled because
19 she did not want to get married at the union.>

20 <Q. After your interview, did the investigating judge read back
21 your answers to you?>

22 [10.58.50]

23 MR. SENG LEANG:

24 Mr. President, when I read answer 21, it says that, "I saw it
25 happened with female comrade in my unit named Proeung." Perhaps I

1 got confused, Mr. President. Thank you.

2 BY MR. LIV SOVANNA:

3 Q. Madam Civil Party, after you were interviewed, did
4 investigator read the statement for you to confirm?

5 MS. PREAP SOKHOEURN:

6 A. Yes, the investigator read the statement again, but I did not
7 pay much attention to it. <I could get only some points.> I would
8 like to emphasize that the investigator did read the interview to
9 me, but I <> did not pay much attention to it. <So if there was
10 something missing, I did not object to it at that time.>

11 [11.00.18]

12 Q. <Here you said,> "She tried to flee, and they arrested <and
13 killed> her. <I saw it happened with a female comrade in my unit
14 named Proeung. At that time, she refused to get married.> She
15 fled from the union to the cooperative." And that's what you said
16 in your statement about Proeung. What can you say to that?

17 MR. PRESIDENT:

18 Civil Party, please observe the microphone.

19 BY MS. PREAP SOKHOEURN:

20 A. Proeung was a unit chief and a woman that I spoke about was in
21 the unit that Proeung was chief.

22 MR. LIV SOVANNA:

23 Q. However, in your statement, it is contradicting what you are
24 telling us now because you gave a specific example and a name
25 that is Proeung, that she refused to get married and fled from

1 the union to the cooperative. You spoke about Proeung, and not
2 about the woman in Proeung's unit.

3 A. Allow me to say it again.

4 MS. GUIRAUD:

5 I believe the question has already been asked and the civil party
6 has already answered the question. I believe the Chamber now has
7 all the elements and it will assess the evidence given by the
8 civil party. I think this line of questioning is entirely
9 repetitive.

10 [11.02.03]

11 MR. PRESIDENT:

12 Please move on, Counsel.

13 BY MR. LIV SOVANNA:

14 Thank you, Mr. President. Let me move on.

15 Q. On the day of your marriage, can you tell the Chamber how many
16 couples there were together?

17 In one of your response, you said that there were <> 15 couples.
18 However, in another statement, you said there were 12. And allow
19 me to refer to one of your documents, that is, E3/6407A at ERN in
20 Khmer, 00580715; in English, 00850589; in French -- rather, there
21 is no French translation.

22 [11.03.14]

23 And in this document, you said that during your wedding event
24 there were only 12 couples. However, in document E3/4905; ERN in
25 Khmer is at 00541273; in French -- in English, rather, <00060690

1 (sic)>; in French, 00906248; you state that during your wedding,
2 there were 12 couples.

3 Can you tell the Chamber why there is a discrepancy in your
4 statements regarding this matter?

5 MS. PREAP SOKHOEURN:

6 A. Allow me to repeat it again, that is, the discrepancy between
7 12 and 15 couples.

8 I spoke about 12 couples.<> I said that during my wedding, there
9 were <> 15 couples, and after I left the union, then there was
10 another marriage event where 12 couples got wed.

11 So I do not know whether the person who wrote it down made a
12 mistake between these two separate events of marriage.

13 Q. After the application forms were filled and you thumb printed
14 it, were they read aloud to you?

15 A. The documents were read out to me. However, as I said from the
16 beginning, my concentration was short, maybe I did not listen to
17 the full reading or maybe at the time my mind was somewhere else
18 and I missed that point. And maybe that relates to this
19 discrepancy, and I apologize for that.

20 [11.05.35]

21 Q. Again, in relation to your wedding day, you made mention there
22 were representatives who stood up and made commitments on your
23 behalf. And can you tell the Chamber the male and female
24 representatives? Who were they?

25 A. On my wedding day, the representatives spoke of their names,

1 but I could not recall them. They talked about the units they
2 came from and their names, but I cannot remember it. My mind was
3 not there to listen to their commitments, so for that reason, I
4 do not remember their names or the units they came from.

5 [11.06.40]

6 Q. What about your couple? Did you stand up to make a commitment?

7 A. On the day of the wedding, I did not say anything. There was
8 only tear. I did not stand up or make any commitment.

9 Q. In order to refresh your memory, in document E3/6407A; in
10 Khmer, ERN is at 00580715; English, 00850589; you state the
11 following:

12 "During the wedding, my couple <was> selected by them to
13 represent other couples in order to make commitment to love one
14 another forever and to respect the Party's directions and to
15 always follow the Party's path or lines."

16 Do you recall that you actually stand up and make a commitment?

17 A. Allow me to <clarify> it again. It was not me who made a
18 commitment. I said there was a representative who made a
19 commitment on our behalf to acknowledge our marriage <organized
20 by Angkar>.

21 I, or my couple, did not stand up and make any commitment because
22 during the entire wedding event, there was one male and one
23 female representatives who represented the brides and the grooms,
24 <who stood up and made the commitment> and none of the grooms or
25 the brides themselves made a commitment.

1 As for the parents, there were no parents present, but there was
2 one <elder> person who was selected from the section to represent
3 our parents and to make a commitment.

4 So what you said is not correct, and I object to it.

5 [11.09.14]

6 Q. Allow me to move on. In relation to year of your marriage, in
7 order for the Chamber to seek the truth in this matter, can you
8 tell the Chamber the actual date, the actual year of your
9 wedding?

10 A. During the regime, we did not have any calendar to refer to,
11 and as I said, I mentioned about the season. At the time, the
12 cotton fruits were ripe. That's when we got married. And we
13 thought of the corresponding month.

14 And I thought that it could happen in November or December that
15 year. And of course, we are not really sure <> of the exact
16 month. We only knew from our observation it was the time that
17 cotton fruits were ripe, and it was the full moon week.

18 [11.10.41]

19 So when I made mention about the full moon, then we tried to work
20 out the corresponding month in the calendar, although we can only
21 give out an estimate, and that's what we used.

22 And personally, I knew for certain that it was the time that
23 cotton fruits were ripe, and it was during the full moon week.

24 And that could be in late 1976 or early 1977 since we did not
25 have a calendar to refer to. And that's what I said and that's

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1 what I raised so that we could estimate the corresponding month.

2 JUDGE FENZ:

3 Sorry, Counsel. You have been told by the President to avoid
4 repetitive questions.

5 We get one repetitive question after the other. Could you please
6 try and heed this advice?

7 BY MR. LIV SOVANNA:

8 <It is> my observation, since there are discrepancies in her
9 document, sometimes she mentions the year of 1976 and at other
10 times, she mention the year 1977. Anyway, allow me to move on.

11 [11.12.28]

12 Q. Madam Civil Party, you said that after your wedding, there
13 were militiamen who monitored your activities <overnight>, and
14 that's what you said on <Thursday> last week.

15 If we refer to your document E3/4905; at Khmer, 00541273; French,
16 00906248; English is 01060690; you did not specify that you were
17 being monitored by militiamen, and you state that -- allow me to
18 quote:

19 "Three days after the marriage, the Khmer Rouge let me return to
20 my <previous place in Andoung Ta Loeng village, Thma Poun
21 Commune, Prey Chhor district>. As for my husband, he was sent to
22 work <> at Prey Chhor provincial district where <disabled people
23 were assigned to repair> vehicles <>. We were allowed to meet
24 each other <once> every month."

25 And you did not mention that you were being monitored by the

1 militiamen.

2 [11.13.44]

3 In another document, E3/6407A; at Khmer, ERN 00580715; and
4 English, 00850589; you made mention the following point, that:

5 "At that time, although I disliked Comrade Keo, who was my
6 husband, I did not <> dare to refuse. I kept living together
7 until the Khmer Rouge separated us from one another."

8 You also did not mention that you were being monitored by the
9 militiamen.

10 And in your interview with DC-Cam, that is, E3/10710; at ERN in
11 Khmer, 01329217; in English, 01337495; French, 01337595 (sic);
12 you state the following:

13 "After the marriage, you did not accept him and your father
14 advised the son-in-law, and he told me about that, but <> a man
15 and a woman, after we worked together for a period of time, we
16 <would> find it comfortable. And later on, <after we were put
17 together for three months, we knew that> if we did not do what we
18 were supposed to do and we would die. He consoled me and, later
19 on, we slept together. I became pregnant and, later on, my
20 husband was killed."

21 My question to you, Madam Civil Party, is that after you got
22 married, you never mentioned that you were being monitored by the
23 militiamen throughout the night. Why you failed to mention in
24 these number of documents and you only mention it in this trial?

25 (Short pause)

1 [11.16.41]

2 MS. PREAP SOKHOEURN:

3 A. Allow me to clarify the discrepancy in those documents.

4 In those documents, I only answered questions that I was asked,
5 so for that reason, my response was precise and in a short form
6 so that it's easier for the interviewer to conclude. But here, I
7 am being asked to speak in details, so I speak about everything.
8 I said that, after the marriage, I was taken to that long
9 building and I was asked to sleep with my husband. I did not do
10 it, and the militiamen monitored us for the whole night.

11 [11.17.38]

12 They monitored us to make sure whether we went along together. I
13 <told them> lies so that I could get out of the house so that I
14 would not be accused by the militiamen. I lied to the militiamen,
15 and I kept doing that until the time that I lived in the union.
16 When he came to visit me, as I said, I was exhausted so I fell
17 asleep and he put his hand on my body.

18 Q. You already made mention about that story, so let me move on
19 to another topic.

20 MR. PRESIDENT:

21 Counsel, how do you arrange the time between the Khieu Samphan's
22 defence?

23 MR. LIV SOVANNA:

24 Thank you, Mr. President.

25 This morning, the Prosecution used 45 minutes, and since we, the

1 two <> defence teams, have two sessions, then we can continue to
2 use the remaining time for early this afternoon. And Khieu
3 Samphan defence will do that.

4 [11.19.06]

5 MR. PRESIDENT:

6 Is it possible to try to use as less time as possible since we
7 have other witnesses? Even if other -- the other parties use
8 time, it does not mean that you have to use the equal time if you
9 don't have the questions to accommodate the time.

10 So please try to consolidate the time and don't think that
11 because the Prosecution used extra time then the defence should
12 also use extra time.

13 MR. LIV SOVANNA:

14 We try to accommodate our sessions within the two sessions.

15 JUDGE FENZ:

16 The President's point was you have these two sessions, but you
17 don't have to fill them, by all means. So stick to relevant
18 issues and don't repeat.

19 And if you are done before, you are done before. It doesn't mean
20 you have to fill this time.

21 [11.20.15]

22 MR. LIV SOVANNA:

23 Thank you, Judge. I find it difficult because my questions are
24 all related to her documents where differences exist, and here we
25 are trying to find the truth in this matter. <But to avoid having

1 a problem, I will try to make it short.>

2 MR. PRESIDENT:

3 You may continue until 11.45.

4 BY MR. LIV SOVANNA:

5 Thank you.

6 Q. Madam Civil Party, during the Thursday testimony, you stated

7 that on the day that you were raped by your husband, you fell

8 asleep so he got you, he <tore> off your clothes and then he

9 raped you.

10 However, in question/answer 44 of document E3/9820, you mentioned

11 the following:

12 "He chased me <around> in the house and he tore my blouse and bra
13 apart. He hugged me. When I refused, he removed my trousers <>."

14 So here, you said that he chased you in the house. Why there is
15 this discrepancy?

16 [11.22.04]

17 MS. PREAP SOKHOEURN:

18 A. Allow me to clarify so that is clear for everyone.

19 Initially, that is, on the first night, he begged to sleep with

20 me, but I refused. And that was the night that I ran around the

21 house, inside the house. <The first and the second night,> I

22 wanted to jump down, and he threatened me that if I were to jump

23 down, then I would be arrested. And that happened on the very

24 first night.

25 And later on, after I became exhausted and <hungry> and felt

1 sleepy, and that was the time that he raped me, that is, while I
2 was sleeping. That is when I woke up, I saw his hands on my body.
3 When I started to remove myself from his grip, he tightened his
4 grip, he spoke to me that as husband and wife, we should sleep
5 with one another. And when I refused, then he tore my shirt and
6 pants.

7 He tried to unbutton my shirt, and when he tries to remove my
8 bra, he actually snatch it and then <> it was removed.

9 [11.23.22]

10 Q. Due to the interests of time, allow me to clarify with you.

11 You said that when you were running inside the house. Was it also
12 the day that he also removed or tore your trousers and bras?

13 A. On the first <few> nights, he did not do anything. Only me. I
14 was running in the house. And only later on when I was asleep, he
15 tore off my blouse.

16 Q. However, in answer 44 of that document, you said that "He
17 chased me in the house and he tore my blouse and <underpants>",
18 so it means that he chased you on that day and he tore your
19 blouse and <pants> on that day. What is your reaction to that?

20 A. That he tore my blouse and <pants> later on, that is, when he
21 raped me. But on the day that he chased me around, he did not
22 rape me that night.

23 [11.24.33]

24 Q. In the interests of time, allow me to move on.

25 In E3/4905 at ERN in Khmer, 00541273; you did not mention about

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1 the rape. And allow me to quote your statement:

2 "One day, Angkar took me on a cart to meet my husband. On that
3 day, I was leaving Andoung Ta Loeng village at 10 p.m., but I did
4 not arrive at Prey Chhor that night. Next morning, I continued
5 the trip. Khmer Rouge, Li, put me in a house where they produced
6 palm sugar.

7 Yeay Khim <(deceased)> and Ta Phaon <(deceased)> advised me to
8 live with my husband as other couples because of the fear of
9 being killed. And then I agreed to do that."

10 So at this point, you did not speak about the rape but you agreed
11 to the advice by these elders. In your <DC-Cam interview,>
12 document <E3/70710>--

13 [11.25.48]

14 THE INTERPRETER KHMER-ENGLISH:

15 Could counsel please slow down?

16 JUDGE FENZ:

17 Slow down. Translation doesn't follow you.

18 BY MR. LIV SOVANNA:

19 Q. In your DC-Cam interview at ERN in Khmer, 01329217; and in
20 English, <01337495>; French, <01337530>; you mention the
21 following:

22 "He advised <his> son-in-law and he told me what my father told
23 him, but he said that as a man and a woman who were close to one
24 another that then we would have feeling for one another. And when
25 I was placed to live with him for three months, they knew that if

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1 we did not do it, we would die. And he tried to console me. And
2 then, as a result, I became pregnant and he was later on killed."
3 So Madam Civil Party, you never mentioned that you were raped by
4 your husband. <You agreed with your husband.>

5 And also in document E3/6407A; at Khmer, ERN 00541273 (sic); in
6 English, 00850589 to 90; you made the following statement:

7 "At that time, although I did not like my husband, Keo, I did not
8 dare to refuse. I tried to sleep together to stay together until
9 the time we were separated by the Khmer Rouge."

10 [11.27.57]

11 In these three documents, there was nowhere that you mentioned
12 that you were raped by your husband, but it was based on <> your
13 husband's words and the advice by the elders. Please react to
14 these statements.

15 MS. PREAP SOKHOEURN:

16 A. In the three documents, initially <they> asked <me> about the
17 rape. I did not say about the rape because I was still shy to
18 speak about it.

19 They <asked me> about what happened after I was forced. Then I
20 <said> briefly that after the news reached my father, he advised
21 him and that's the end of it. And later on, I did not specify
22 that I was forced because I was still shy and I did not want to
23 speak about my <personal> issues. And I was not encouraged by the
24 interviewer <> not to be shy or to say everything, and that's
25 what I did.

1 So it was not somebody else mistake. It's me that I did not speak
2 in details since I still felt shy about what happened. And I
3 mentioned that I was forced to get married during the regime.

4 [11.29.44]

5 Q. In your Victim Information Form, who actually filled it out
6 for you, and what explanation was given to you?

7 A. When I lodged my complaint with ADHOC, I cannot recall who
8 actually took my complaint. I was asked questions, but I did not
9 say much because I was shy.

10 Later on, it was with Chhang Youk, and I also did not speak in
11 details.

12 I spoke <shortly> about my background and the hardship that I
13 faced and that I was forced to get married.

14 Q. And why only now you spoke about rape? You did not feel shy,
15 or were you informed by someone so to speak about this issue
16 <now>?

17 A. I was told to speak it out and not to feel shy about the rape.
18 I was <told> that if I still feel shy then there would be nothing
19 as evidence. And for that reason, I speak everything from the
20 beginning.

21 [11.31.19]

22 Q. How did he know that your husband raped you, I mean the person
23 who interviewed you?

24 A. When I came to give the interview, at that time I submitted my
25 complaint. I said that I was victimized during DK regime, that I

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1 was forced to get married. And because of my wordings in the
2 complaints, I was invited for interviews <for the third time>.

3 He asked me "Auntie, are you a witness or civil party?" I
4 answered, "I am a civil party".

5 And he asked me, "What's your complaint about?" I gave the
6 answer, "It's about my forced marriage".

7 Q. I would like to ask you <one> more question before I give the
8 floor to my international colleague.

9 After your marriage, can you tell about the behaviour or attitude
10 of your husband?

11 [11.32.37]

12 A. After my marriage, he was an innocent person. He was not
13 brutal. If he was a brutal person, he would rape me on the first
14 day. <But I begged him so he did not do anything to me.>

15 Later on, I was transferred to live with him, but I want to
16 clarify with you that he was a <gentleman>.

17 MR. LIV SOVANNA:

18 Mr. President, I would like to hand over the floor to my
19 international colleague.

20 MR. PRESIDENT:

21 The time for your team has expired already. <The Defence Counsel
22 for Khieu Samphan have 45 minutes. If you use this time,> the
23 remaining time of 30 minutes is for Defence Counsel for Khieu
24 Samphan, so this remaining time can be used by either of your
25 team.

1 MR. KOPPE:

2 I have to observe that the other side has used much more time
3 than we have been allotted.

4 Of course, that is standard here, but I --

5 [11.33.41]

6 MR. PRESIDENT:

7 I would like to clarify with you that on Friday (sic), we used
8 the time to put question to the <expert> until the afternoon.

9 That's why we gave <25 minutes to compensate for the> time <that
10 was used>.

11 <And counsel said that only 30 minutes would be used. But
12 because the questions and answers took longer time than expected,
13 it's extended to 45 minutes.> So this morning, we used only 15
14 minutes more than the time planned. It doesn't mean that we
15 wasted the time. The time was used wisely for putting the
16 questions to get the details from the <expert>. <And it did not
17 end in the morning session. It continued until Thursday's
18 afternoon. That's why we tried to give 25 minutes to compensate
19 for the time lost on Thursday.>

20 We, therefore, try to delay or extend five minutes, 10 minutes or
21 15 minutes in order to compensate with the times that we have
22 lost. <But parties tend to look at the clock and ask to recess
23 when it is time. And they tend to use more time than the time
24 allotted for them. That might also be our fault.> But from now
25 on, we have to be very strict with time management.

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1 We have seen your smile in a mocking way to us <when we decide on
2 this matter>. That's why we <> from now on have to be very strict
3 with time.

4 [11.35.30]

5 MR. KOPPE:

6 That's indeed a mocking smile that you observed. I just note that
7 we also are entitled to two sessions, and our session started at
8 quarter to 10.00 this morning, so that is 45 minutes, so we
9 should be able to go to quarter past 2.00.

10 I don't understand why we are cut. I only actually had one
11 question anyway, so I don't understand why, all of a sudden, we
12 are being cut from our time. That's an agreement that we have
13 already since five years, so I don't understand.

14 MR. PRESIDENT:

15 We did not cut your time. In fact, we compensated the time. <We
16 give you the floor until 11.45.> Now we are trying to calculate
17 the time.

18 In the afternoon, there is 45 minutes. Parties have used 45
19 minutes already and, therefore, now we compensated or extend
20 another 15 minutes <until 11.45>.

21 So together with another 30 minutes in the afternoon, it will be
22 45 minutes, so it doesn't mean that I cut your time.

23 [11.36.52]

24 QUESTIONING BY MR. KOPPE:

25 Then it's all a misunderstanding. I thought our time was up, and

1 I think, with the permission of the Khieu Samphan team, I will
2 use our time up until quarter to 12.00 with only one or two
3 follow-up questions, Mr. President.

4 Q. Madam Civil Party, good morning. I have only one or two
5 questions, and that's the following.

6 I have observed a -- I would like to call a strong discrepancy
7 between, on the one hand, your DC-Cam interview and your early
8 civil party application and, on the other -- on the other hand,
9 your testimony in 2014 and today and last week.

10 Summarizing it very briefly, in your DC-Cam interview and your
11 first application, you did not speak about rape. You said your
12 husband was a kind person. You said nothing about people telling
13 you to consummate your marriage. You said nothing about
14 monitoring. And all of a sudden, in 2014 and now, you start
15 talking about violent behaviour from your husband, rape, etc.
16 So that's something I don't understand, this discrepancy on vital
17 elements of your story.

18 Can you explain that to me?

19 [11.38.44]

20 MS. GUIRAUD:

21 Mr. President, if you please allow me to raise an objection or,
22 rather, an observation. I think it will be up to the Chamber to
23 decide whether the answer <of the Civil Party> is useful or not.
24 I think the Civil Party answered the Nuon Chea National Counsel
25 already. I simply wanted to alert the Chamber to the fact that

1 these documents do not have the same nature at all and therefore,
2 it's impossible to compare a civil party application, that was
3 taken by an NGO in very special conditions, to a supplementary
4 information sheet and the WRI of an interview with the OCIJ, so
5 if the Chamber considers that the question is legitimate, I think
6 the civil party's perfectly able to answer this question, but
7 once again, we should keep in mind the difference that exists
8 between the documents that are mentioned by our colleague.

9 [11.39.48]

10 JUDGE FENZ:

11 And perhaps additionally because it struck me repetitive, too. It
12 -- basically, the question was answered two questions before.
13 So could you perhaps clarify what additional aspect you see?
14 Because that's exactly the question asked by your National
15 Counsel.

16 MR. KOPPE:

17 Well, as I -- as I understood her answer to be is the questions
18 were not asked. Therefore, I didn't talk about it.

19 [11.40.10]

20 JUDGE FENZ:

21 No. She said, "I was shy at the time and it took me a while to
22 overcome that and talk". That's the answer I heard.

23 MR. KOPPE:

24 Shy, maybe, I understand in relation to rape. Okay, I can
25 understand that.

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1 But why say to DC-Cam, "My spouse was kind and we were always
2 okay living with each other"? That has nothing to do with
3 shyness, I would say. The monitoring has nothing to do about
4 shyness.

5 JUDGE FENZ:

6 Yes, but all of this has been asked. The monitoring has been the
7 subject of a specific question. Not quite sure about the kind
8 husband at the moment.

9 MR. KOPPE:

10 Well, it's a leading up question, ultimately, to whether she was
11 coached or in any form convinced by ADHOC to say the things that
12 she has been saying now.

13 JUDGE FENZ:

14 But then ask the question.

15 [11.41.11]

16 MR. KOPPE:

17 Yes, but first -- first, I think I -- I'm not satisfied yet with
18 her explanation as to the shyness. Her husband being a kind
19 person, do nothing violent to her has nothing to do with shyness.

20 MR. PRESIDENT:

21 <Lead Co-Lawyers for civil parties,> please give a clear stance
22 of your statement. <This is the time allotted for them. Why do
23 you keep bothering them?>

24 So what is your position right now? <Any document with the civil
25 party's thumbprint can be used here>. The floor is given to

1 Counsel Victor Koppe.

2 [11.42.10]

3 BY MR. KOPPE:

4 Q. Madam Civil Party, the -- although the question has been
5 asked, I still do not understand why it was that you said certain
6 crucial things in relation to your marriage and the consummation
7 of your marriage not to DC-Cam, and you didn't write it in your
8 application?

9 You said shyness was a factor. I'm not sure if I follow, but
10 fine. But why say that your husband was a kind person and "We
11 were always okay living with each other"?

12 Why did you say that to DC-Cam and not to the investigators or
13 today in Court?

14 MS. PREAP SOKHOEURN:

15 A. Let me clarify. Regarding my answer that I gave during the
16 interview, I said that my husband was a kind person. It was like
17 what I testify here, that if my husband had been a cruel person,
18 he would have raped me on the first night. He would not have
19 <pardoned me until the time that I had to stay at his place.> If
20 he had been a cruel person, he would not have delayed the time.
21 I try to explain so because I want to say that he was a kind
22 person. He <> was also a thoughtful person.

23 [11.44.18]

24 Q. Well, let me ask my final question, then. Why did you write in
25 your application that you finally agreed to consummate your

1 marriage? Why did you say that you agreed, and now you say you
2 were forced?

3 A. Let me clarify regarding my agreement. It happened after I was
4 raped. After I was raped, I did not agree, but he tried to
5 explain to me that Khmer culture <> about keeping virginity and
6 he <asked> me, <> "Why do you still try to keep your virginity
7 because you and I <already slept together?" He said if I already
8 lost my virginity, and still refused to be with him, if others
9 were to know about it, I would have died too.> He tried to
10 explain to me, in a convincing way, in order for us to remain
11 living together <as husband and wife>. So based on my feeling of
12 fear <of death> and together with his words of convincing me, I
13 thought to myself that <> if I lost my virginity already, I had
14 to make sure that I had to keep myself survive, <I had to give
15 myself to him> and that was why I became pregnant and survived.

16 [11.46.28]

17 Q. Final question, Madam Civil Party: Is there anyone other than
18 people from DC-Cam or the investigators that can somehow confirm
19 or corroborate your story, anyone that you told the story of what
20 happened to you right after '79? Is there anyone out there who
21 can, even on parts, confirm your story?

22 A. There was no one. I was the one who gave the answer, but my
23 answer was based on the particular kind of questions. So the
24 questions were asked to me in stages, so I also gave my answer in
25 stages. No one forced me to give such an answer. I, myself, gave

1 such an answer.

2 MR. PRESIDENT:

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

5 Court officer, please assist the civil party at the waiting room
6 reserved for her during the break time and invite her back into
7 the courtroom at 1.30.

8 Security personnel are instructed to bring Khieu Samphan to the
9 waiting room downstairs and bring him back to the courtroom
10 before 1.30.

11 The Court is now in recess.

12 (Court recesses from 1148H to 1332H)

13 MR. PRESIDENT:

14 Please be seated. The Court is back in session and I give the
15 floor to the Defence Counsel for Khieu Samphan to put questions
16 to the civil party.

17 You may now proceed.

18 [13.32.46]

19 QUESTIONING BY MR. KONG SAM ON:

20 Thank you, Mr. President. Good afternoon, parties and Your
21 Honours. And good afternoon, Madam Civil Party, I have some
22 questions to put to you.

23 Q. First, I would like to ask you about your position or roles.

24 You said that you were the team leader in the a unit and you were
25 supervising 12 members, but I saw in your information form,

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1 E3/4905, and I would like to quote from your statement.

2 "In my team, there was Comrade Proeung, died, the unit chief and
3 Comrade Li, the deputy chief. <And I was a member.>" End of
4 quote.

5 So in this statement, you said that Comrade Proeung was the chief
6 of the big unit and this morning you also said so. So I would
7 like to ask you whether you were in the unit of Proeung; that
8 mean Proeung was the chief and Li was the deputy chief and you
9 were a member, or does it mean that you were a team leader of a
10 different unit <consisted of 12 members>?

11 MS. PREAP SOKHOEURN:

12 A. When I said that Li was the chief, I meant that Li was the
13 chief in charge of the general matter, while Proeung was the
14 chief of the big unit. For me, <I was in Proeung's big unit,> I
15 was the supervisor of a team. I led 12 members in my team
16 including myself. I led <> my team members to do the assignments
17 set by the Angkar.

18 Q. <As a member,> did you have any additional roles within <> the
19 big unit?

20 A. Talking about the big unit, I was the member.

21 Q. So in your capacity as the member of the unit, that consisted
22 of three people who were in the leadership roles of that big
23 unit; is that correct?

24 [13.35.56]

25 A. Yes, in the big unit, there were three people in the

1 leadership. There was the chief, deputy chief, and member; I was
2 the member. <My role was to manage the team for working.>

3 Q. Can you tell us: When did you start to occupy the position as
4 member in the big unit?

5 A. I was assigned to be a member of the big unit. I do not
6 remember what year it was, but I remember that it was from the
7 time when people were required to eat collectively and that was
8 the time when I was assigned to be member of the big unit and
9 there were three people in the leadership of that big unit
10 including Comrade Proeung, Li, and I.

11 And for I, as a member, leading the team members to do the
12 assignments set by the <Party>; for example, <they> set the
13 assignment for <a team of 12 members> to clear a hectare of
14 forest, <so the whole unit had to clear three hectares of
15 forest.> So <we> had to achieve it. So I had to ask <whether or
16 not> team 1, team 2, team 3 have accomplished the assignment and
17 <generally all the women would say yes because we had nothing to
18 take the measurement,> so from the answers, I reported to the
19 upper level.

20 [13.37.47]

21 Q. Can you tell us about people in the upper level because you
22 said that Proeung was the chief of the unit and you were <a team
23 leader and> a member of the <big> unit; can you tell us <> who
24 was in charge of <your> small unit, <who supervised you>?

25 A. I was the one who was in charge of <a> small unit <and I also

1 supervised a> team.

2 Q. Were there the number assigned to those units? <Which unit was
3 supervised by you?>

4 A. There were no number designated to the units. Simply, we
5 referred to as Proeung's unit or <Rin>'s unit, but there were no
6 specific number designated to them.

7 Q. What about people above Proeung, what were the names of those
8 people above Proeung?

9 A. Comrade Li was in charge of supervising all the women <of all
10 the big units in the union> at Andoung Kraloeng (phonetic).

11 Q. What about above Comrade Li, who else?

12 MR. PRESIDENT:

13 Please hold on, Madam Civil Party.

14 [13.39.40]

15 MS. PREAK SOKHOEURN:

16 A. I do not know who was above Comrade Li, because Comrade Li and
17 Comrade Sau, a male, who were the one who gave the assignment to
18 us. They referred the order to Angkar, but we did not know from
19 which level of Angkar that the order came from.

20 MR. KONG SAM ONN:

21 Q. I want to ask about your everyday work, particularly relative
22 to the imposing of disciplines upon people below you. Did you
23 ever participate in deciding about the implementation of
24 disciplines on your subordinates?

25 [13.40.39]

1 MS. PREAP SOKHOEURN:

2 A. During the regime, we lived under Angkar. Angkar were the one
3 who gave the assignments and we then relayed the assignment down
4 to our subordinates, but I never <used bad words with those women
5 or pressured them>. We all joined in to work together and in the
6 evening, we went <home, when it was time to eat, we would go> to
7 eat together. <But if I was asked about the work, I would say
8 that we had completed the quota.>

9 Q. In your units, were there anyone who conducted wrongdoing or
10 did not follow the assignment set by your <unit or> union?

11 A. To my recollection, in my unit, there was no one who made
12 mistake. Although those people may try to keeps their energy, for
13 example, they may be <> a little bit sick; I did not report them
14 to the <Angkar>. <I just reported that they were sick or had a
15 fever based on the reality there. If a doctor came to check and
16 found that they only had miner fever, I tried to take their side
17 and I would say, normally anyone who had a fever could not work
18 and he or she should be given medicine or an injection. I did not
19 force them to work while they were sick>.

20 <Regarding meal time,> I never had any plan to deprive people of
21 food. Regarding food ration, it was the policy set from the
22 <upper level>. For example, if people were given <rice mixed with
23 corn or> cassava <> to eat <in certain ration>, we followed the
24 policy from the Party regarding the food ration. <And I would
25 have to give the same food ration to eat, not more than others.>

1 [13.42.56]

2 Q. Related to the worksite where you engaged in doing your work
3 and the distance from where your parents' worked, how far were
4 they from each other?

5 A. The location where my parents lived and where I lived were
6 about 2,000 metres away from each other, but in that time, the
7 two places; though were close to each other, were very far from
8 each other. <We never had any contact with each other regarding
9 work, we never saw each other.>

10 Q. What about the location from your <cooperative> to your
11 parents' house <and from your worksite>, how far were they from
12 each other?

13 MR. PRESIDENT:

14 Please observe your microphone, Madam Civil Party.

15 [13.43.58]

16 MS. PREAP SOKHOEURN:

17 A. From where I lived to our worksite varied depending on where
18 we worked. Some places were about <400 to> 500 metres away, <or
19 200 to 300 metres away,> some were about 2 <to 3> kilometres
20 away, so it depended on <the forest area where we had not cleared
21 yet. We would start our work from nearby place and continue
22 further and further away until at one point we reached Kbal Teuk
23 (phonetic), Teuk Chha (phonetic)>. So the distance varied; I
24 could not tell you exactly <because I did not take any actual
25 measurement>, but sometimes it was far. For example, during the

1 initial stage, we cut the cotton in the area adjacent to <Andoung
2 Ta Loeng> village, but later on, we were assigned to <work>
3 somewhere at the <Thi Moung (phonetic)> rubber plantation <or at
4 Ta Ok (phonetic), Ta Por (phonetic)>; it was far.

5 BY MR. KONG SAM ON:

6 Q. I would like to ask you about the duration you lived at
7 specific place after 1975; especially I want you to specify the
8 time after <> you got married. To my recollection, you did not
9 remember the exact year or month that you got married; whether it
10 was in late 1976 or early 1977, so could you tell the specific
11 time when you got married?

12 A. <> The day of my marriage, to me, I could not recall it in
13 comparison to the date of the international calendar. It was
14 <during the season that cotton fruits were ripe>, perhaps,
15 sometimes in October, November, or December. I cannot recall the
16 specific months, but it was the time when the cotton fruits
17 <were> ripe, <it was at the end of the year when the rainy season
18 was about to end>. <But I do not recall the exact month.>

19 [13.46.19]

20 Q. I wanted to ask you about the exact year. I want you to
21 specify the exact year if you can recall it.

22 A. The year that I got married, to my recollection, was perhaps
23 in late 1976, early 1977. It was based on my observation of the
24 natural setting around me. <I worked in the union for a year,
25 from 1975 to 1976. And then> in rainy season, we started to grow

1 cotton and then <> cotton's fruits started to ripe, <I got
2 married.> So I thought that it was, perhaps, in <> late 1976 or
3 early 1977.

4 Q. Can you specify the exact date <> of the birth of your <first>
5 child?

6 [13.47.41]

7 A. My child was born during the regime, but I cannot recall the
8 exact date. My child was also born at the end of the season. It
9 was, perhaps, in December or January. The child was born at the
10 end of the season. It was at the time when people harvested the
11 low-season rice. <When I explained that while filling the
12 application, the date, perhaps, 01 January, was put there as an
13 estimation. Because the low-season rice was usually> harvested <>
14 in the month of kahdek (phonetic) <>.

15 Q. Can you specify the year? <Was it in 1978, 1979, or 1977?>

16 A. My child was born in early 1978. The child was born in that
17 year and when the regime collapsed, my child was one year old.

18 Q. I would like you to explain to us about a time -- a timing.

19 You said that you did not spend time with your husband during the
20 first four months <> after your marriage and later on, you were
21 transferred to live with him and you started <living together>
22 from that time onward. So I would like to get clarification from
23 you regarding the specific time that you lived with your husband.

24 How many months <had> you lived with your husband at his
25 cooperative?

1 [13.49. 55]

2 A. I cannot recall the exact months and year, but I remembered
3 that I was allowed to meet each other four times. But during the
4 four times we met, we did not consummate the marriage. It was
5 about one month later on, I was called to go to my husband's
6 place and <> they told me a lie that my husband was sick and he
7 wanted to see me. But I told them that I was alone; I did not
8 want to go alone, <I was afraid I was taken away to be killed.>
9 And because of my refusal, they assigned Socheat to accompany me
10 to my husband's place. But I cannot recall the exact month that I
11 went there; I remember that I went there after rice had been
12 harvested. <I do not recall the exact month.>

13 Q. I have another question related to your answer that you said
14 that there was an order from other people requiring you to live
15 with your husband <after marriage>. I want to know who was the
16 <person>, who ordered you to <sleep> with your husband?

17 [13.51.50]

18 A. No one ordered me. At that time, I tried to defend myself not
19 to have sexual intercourse with him; I am talking about the rape
20 that occurred. <Seeing that I was weeping,> my husband tried to
21 explain to me that <he did that according to Angkar's order so
22 that we would not die.> There was no one ordering me to have sex
23 with him, but <when> my husband <saw that I kept weeping, he>
24 said that <he did that according to Angkar's order,> but I want
25 to emphasize that there was no one ordering us to do so.

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1 Q. Did you discuss with your husband or ask your husband who
2 required both of you to obey Angkar's order?

3 A. I talked with my husband about our living condition. He told
4 me because we had lived together and I had lost my virginity, so
5 both of us should live together as husband and wife <so that we
6 could survive>. No one forced us to live with each other; that
7 was our own decision after we had consulted <with each other>.

8 Q. So you meant that during your discussion with your husband, <>
9 both of you did not discuss about who ordered you to live
10 together?

11 MR. PRESIDENT:

12 Madam Civil Party, please observe the microphone.

13 MS. PREAP SOKHOEURN:

14 A. My husband was the one who tried to convince me or console me
15 <to stop feeling self-pity after having lost my virginity>. He
16 told me Angkar was the one who required us to live together and
17 we should live together and that was the wordings from my
18 husband. <He told me to stop being angry and aggressive with
19 him.>

20 [13.54.28]

21 Q. This morning at 10.50, you talked about a person by the name
22 <> Thav; could you tell us what position did the person by the
23 name Thav hold?

24 A. Thav was not present when the union was first created, but
25 after there were incidents when people started to be arrested and

1 killed and then Thav emerged; I did not know about the position
2 Thav occupied. But when Thav came, that person was very brutal.
3 In every meeting, there was the presence of Thav, but I did not
4 know what position that person occupied.

5 Q. Can you tell us about the specific work that Thav did beside
6 his presence during meetings?

7 [13.55.51]

8 A. Talking about the implementation of work; before the arrival
9 of Thav, people could have time to take rest. When people worked
10 in the open field and they got <hot or> cold, they could take a
11 rest by finding the banana leaves to cover their bodies, but when
12 Thav came, the person enforced strict rules regarding work. <He
13 was an active person of the Party.> We had to work whether the
14 temperature were hot or cold. <We could only stop when it was
15 time to stop.> So it was a very tense working condition when Thav
16 came. <In the morning, he rang the bell and played the loud
17 speaker at 3 a.m. to wake us up to clean and sharpen our
18 equipment. If any equipment broke and could not be used anymore,
19 we would be blamed for it.>

20 Q. I would like you to tell us the exact types of work that you
21 observed when you saw <Thav> beside <> his presence at the
22 meeting?

23 A. Besides the presence at meeting, Thav <> monitored <> our
24 work. The person had the responsibility to see whether we
25 followed the timing set to us. If we could not fulfill the

1 assigned timing and then we would be invited for re-education
2 session, <they said we were not active at work. In the evening,
3 after having meal, after receiving our food ration,> when we
4 heard the bell rung, we had to go to the worksite to carry earth
5 <in Andoung Ta Loeng>. And it was Thav the one who set the
6 amount of work that we had to fulfill; for example, each person
7 had to accomplish 1 cubic metre of earth. <The work started from
8 6 p.m.> For men, they could fulfill that assignment, but for
9 females like us, we could not; we had to work until 12 o'clock
10 and we could not have time to rest.

11 [13.58.52]

12 Q. Could you tell us <> who were under Thav's supervision,
13 whether Thav supervised the <unit> chiefs <or the big unit> chief
14 or <all> the members <in the union>?

15 A. To my knowledge, Thav was supervising general affairs; he
16 supervised the unit chiefs <> and also the union's members and
17 the reason I said so because he was the one who could call anyone
18 of us to be re-educated and he had the right to remove anyone.

19 Q. Whom did he have to report to?

20 A. Regarding the reporting regime, I did not know as to whom he
21 would report to. At the time, there was Sau who was overall in
22 charge and I did not know whether Thav was more superior than Sau
23 since there was no clear announcement as who would be overall in
24 charge.

25 Sau was more lenient than Thav when he supervised us, but I did

1 not know to whom he report to. During the regime, I did not
2 monitor the activities of these leaders.

3 MR. KONG SAM ON:

4 Thank you, Madam Civil Party, and Mr. President, I conclude my
5 questioning.

6 MR. PRESIDENT:

7 Thank you, Madam Preap Sokhoeurn. Towards the conclusion of your
8 testimony, that is, now, you are entitled to make an impact
9 statement; that is, regarding harms you suffered under the
10 Democratic Kampuchea and the crimes alleged against the two
11 accused, Nuon Chea and Khieu Samphan and that led you to become a
12 civil party in this case. If you wish to do so, the floor is
13 yours and please observe the microphone.

14 [14.01.30]

15 MS. PREAP SOKHOEURN:

16 I'd like to speak about the suffering I endured under the
17 three-years-eight-months <and 20 days> regime. I was young. I was
18 separated from my siblings and parents. I wasn't allowed to have
19 contact with my relatives and we were separated and lived
20 separately, so I did not have any contact or to knew how my
21 family members were doing.

22 Also, for my distant relatives; namely my uncles and aunts, we
23 were fully disconnected and we did not know what was going on
24 with each other. They completely eliminated the feeling of family
25 relationship and that hurt us since I was anxious to know about

1 the livelihood of my family members and relatives. And it pained
2 me the most that I did not know or that I did not live together
3 with my family members. <This is the first point.>

4 [14.02.43]

5 Secondly, regarding the hard labour that I endured, I had to work
6 day and night and the food was deprived; I was given so little
7 food which was insufficient. During the three-years-eight-months
8 <and 20 days> period, I never had any chance to eat the <pure>
9 cooked rice. The rice was given to me was mixed with corn. There
10 is only one little portion of rice; the rest was a mixture of
11 <corn> or banana or cassava. It's hardly to see rice grains in
12 the bowl.

13 And I could sleep three hours, the most, out of one full day
14 cycle and <it was so painful for me because> we were deprived of
15 our freedom, <we were deprived of food,> and the sleeping quarter
16 was so bare laid. There was no mosquito net or sleeping mat. We
17 lived like animals. As the roof had holes and sometimes we had to
18 use banana <leaves> to patch those holes. The living condition
19 was so misery under the regime.

20 And another point that I'd like to tell is about my marriage. I
21 was arranged to get married and I was forced to have intercourse
22 with a person that I did not like and that I did not want to have
23 intercourse with and that hurt me physically and mentally.

24 [14.04.25]

25 In addition, when I became pregnant, they did not allow my

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1 husband to stay with me or to look after me or to give me
2 supplementary food during my pregnancy or during my delivery.
3 My husband was taken away and killed and after the death of my
4 husband and after about a month of my baby delivery, the unit's
5 chief <came to> threaten me to take my baby away to be killed. My
6 child was so young and they accused my baby of being the child of
7 a traitor. <They said there was no need to keep the child and
8 that it should be smashed.> I begged <him> to spare my baby and I
9 said if they were to kill my baby, they better killed me first
10 since my baby was so innocent; my baby did not know anything
11 about the policy of the regime. <He said that and then he left.>
12 Later on, Comrade Yaun and Comrade Yauy (phonetic) came with a
13 <hammock> rope to the stair to my house and I was so afraid that
14 I would be tied up, arrested, and taken away and killed with my
15 baby and that's the most pain that I <had> endured and the pain
16 remains with me till today. <And nothing can ease the pain.>
17 And worse than that, all of my family members all died; none
18 survived. Even my nephews, they all disappeared and gone. And I
19 remember all these miseries for the entire life until the day I
20 die. I cannot forget it because the pains that I suffered and the
21 tragedy that happened, I cannot forget it.
22 [14.06.30]
23 And I'd like to advise our compatriots not to have such leaders
24 in the regime. <People had suffered a lot.> People were used to
25 engage in hard labour <without sufficient food>; people were

1 separated from their relatives and family members and we do not
2 want to see such a regime return.

3 And I have a question to you, Mr. President, and the question is
4 the following: During the three-years-eight-months <and 20 days>
5 period, why the leaders only engaged in killing the people, in
6 starving and mistreating the people and that people were living
7 like animals; their freedom was deprived and the food was
8 insufficient, no proper clothing, no pagodas, no medical care
9 given to the people and why they created and loved such a regime?

10 That is all, Mr. President.

11 [14.07.47]

12 MR. PRESIDENT:

13 Thank you, Madam Preap Sokhoeurn. And the Chamber wishes to
14 inform you that in the proceedings in Case 002/02, Mr. Nuon Chea
15 and Mr. Khieu Samphan exercised their rights to remain silent and
16 not to respond to questions and on the 8 of January 2015, the
17 Accused expressly informed <the Chamber> that they are still
18 exercising their rights to remain silent.

19 And the Chamber instructed the Accused or their co-counsels to
20 inform the Chamber if the Accused changed their position from
21 exercising their rights to remain silent and to respond to
22 questions. So far, the Chamber has not been informed of any
23 change in the status of the Accused in relation to the rights to
24 remain silent and the Chamber cannot compel the Accused to
25 respond to your questions in this regard.

1 And the hearing of the testimony of Madam Preap Sokhoeurn, as a
2 civil party, is now concluded and the Chamber is grateful of your
3 testimony and your testimony may contribute to the ascertainment
4 of the truth in this case.

5 [14.09.20]

6 You are now excused and you may return to your residence or
7 wherever you wish to go to and we wish you all the very best.
8 Court Officer, please work with WESU to make necessary transport
9 arrangement for Madam Preap Sokhoeurn, to return to her residence
10 or where she wishes to return to.

11 (Civil Party exits the courtroom)

12 [14.10.10]

13 <Next the> Chamber will proceed to hear impact statements of some
14 civil parties who claim that they suffered under the Democratic
15 Kampuchea regime in relation to the regulation of marriage. And
16 <> the civil parties who are to provide their impact statements
17 are the three civil parties, 2-TCCP-1066, 1067, and 1068 and the
18 first civil party who is here to make the impact statement is
19 2-TCCP-1066.

20 In order for the proceedings of the impact statements of the
21 civil parties to proceed smoothly, the Chamber wishes to remind
22 the parties to recall the memorandums that we issued on the 17
23 December 2014, in relation to the hearing of impact statements in
24 Cases 002/02. That is document E315/1 in paragraph 8 in which <>
25 the Chamber reminds the parties on the previous practice in

1 relation to the difference of the impact statements and the
2 substantive hearings or the general statements of harms and
3 suffering, that is <E267/3>; that is paragraph 14.

4 Pursuant to the practice, the Chamber requires the hearing of the
5 impact statements to the facts limited within the scope of Case
6 002/02. As for the general statement on harmed and suffering,
7 there shall be no distinction between the harms and sufferings of
8 the facts within a scope and that general harms and sufferings
9 caused by the Democratic Kampuchea regime and the impact
10 statements <> shall avoid anything that would interfere with the
11 fair trial of the Accused.

12 [14.12.52]

13 Also, <on 20 November 2015,> another decision of the Trial
14 Chamber to the request by Lead Co-Lawyers for civil parties on
15 the clarification of the scope of questioning civil parties in
16 the proceedings, and the Chamber informed the parties that the
17 right to put the questions to civil parties on impact statements,
18 that is, to take into balance the fair trials of the Accused.

19 Also, the response of civil parties in relation to the impact
20 statements outside the scope of Case 002/02 does not violate the
21 fair trial right of the Accused if parties have the chance to
22 object to such questions. That is document E365/2, paragraph 11.

23 And Court Officer, please usher Civil Party 2-TCCP-1066 as well
24 as the TPO staff into the courtroom.

25 (Civil Party enters the courtroom)

1 [14.15.03]

2 And the Chamber wishes to inform the parties and the general
3 public that during the proceedings to hear the impact statements
4 of civil parties, the Chamber actually coordinated with TPO to
5 have its staff to accommodate and sit alongside the civil party
6 to provide mental support to the civil parties during the impact
7 statement and today, we have Mr. Bun Limhour who is sitting next
8 to the civil party.

9 [14.15.42]

10 QUESTIONING BY THE PRESIDENT:

11 Q. And good afternoon, Civil Party, what is your name?

12 MR. KUL NEM:

13 A. My name is Kul Nem.

14 Q. Is it Kul Nem?

15 A. I do not understand your question, Mr. President.

16 Q. Is your name Kul Nem and please, you have to see the red light
17 on the tip of the microphone before you answer the question.

18 A. My name is Kul Nem.

19 [14.16.32]

20 Q. When were you born, Mr. Kul Nem?

21 A. I only knew that I was born in the Year of Tiger. I am over 60
22 years old, but I cannot recall the actual date of birth <because
23 I was a son of a farmer>.

24 Q. That is all right. How old are you this year?

25 A. I am around 66 or 67 years old.

1 Q. Please be sure; is it 66 or 67? And please, you should only
2 respond when you see the red light on the tip of the microphone.
3 Don't rush yourself and that would also means that you have time
4 to think before you respond to the question because when your
5 respond is not clear, then you'll be questioned repeatedly on the
6 same point and that is a waste of time.

7 And what is your actual age?

8 A. I am 67 years old.

9 Q. Thank you. And where were you born?

10 A. I was born in Prey Kabbas district, Takeo province.

11 [14.18.05]

12 Q. Where is your present address? Again, please observe the
13 microphone.

14 A. Currently, I live in Mondolkiri.

15 Q. What are the names of your parents and also the name of your
16 wife and how many children do you have?

17 A. My father is Li (phonetic) and my mother is Nhep (phonetic).
18 My wife's name is Pes and during the regime, I did not have any
19 children because my wife had two miscarriages.

20 Q. Do you have any children at present?

21 A. No, I don't.

22 [14.19.10]

23 MR. PRESIDENT:

24 Mr. Kul Nem, as a civil party in the proceedings before this
25 Court, you are entitled to make an impact statement in relation

1 to the crimes alleged against the two accused, Nuon Chea and
2 Khieu Samphan, that were inflicted upon you during the Democratic
3 Kampuchea regime and that led you to become a civil party in this
4 case and the harms and suffers <> that were physical, material,
5 or mental and <> that were inflicted upon you and that remained
6 with you till today.

7 And the Chamber would like to ask the Lead Co-Lawyer for civil
8 parties whether during the impact statements of the three civil
9 parties, how do you propose to proceed? Do the civil parties have
10 to make their own impact statements, or do you need to lead them
11 by questioning them first?

12 MS. GUIRAUD:

13 Thank you, Mr. President. We are going to put to them a few
14 introductory questions to allow them to begin with their
15 statements.

16 MR. PRESIDENT:

17 Yes, you may do that and you have 30 minutes to do so. You may
18 proceed now.

19 [14.20.46]

20 QUESTIONING BY MS. GUIRAUD:

21 Thank you, Mr. President, and good afternoon to all of you. Good
22 afternoon, Mr. Kul Nem.

23 Q. I am going to put to you a few questions this afternoon in
24 order to allow you to expand on your story. And before I put a
25 first question to you, I would like to refer to your civil party

1 application which is document E3/4983; French, ERN 00912331;
2 Khmer, 00555888; English, 01060708 (sic); so that we may better
3 understand your story before we bring up this issue of marriage.
4 So if I were to summarize the civil party application, I
5 understand that you first joined the army, then you were in Phnom
6 Penh and then you were in Kratie and you left to Mondolkiri in
7 1976; is that the case?

8 [14.22.30]

9 MR. KUL NEM:

10 A. I went to Mondolkiri in 1975, but <> at that time, I did not
11 remain there for long. So I returned to Phnom Penh for several
12 months and later on, I was resent to Kratie and then I was sent
13 to be with <Chhin Say's Brigade, it was called> the 2nd Division.
14 I was there for a short period of time.
15 Then Chhin Say, the commander, was arrested and I was sent to the
16 sector to be with Mr. Sophea. And the sector there was at the
17 provincial level, so I was there with the person who was in
18 charge of the <provincial> military; that is at K-11. I was there
19 for a brief period of time; however, I was unhappy because I was
20 forced to get married.
21 Initially, while I was working, I was called by the name;
22 however, it was actually a confusion because another person
23 <whose name was similar to mine. My> name <is> Nem and <his> name
24 is Nay (phonetic). So upon hearing <the> name, <he went with them
25 for maybe an hour, and then he returned.> I was afraid because I

1 was afraid that I might be implicated; as in the division, people
2 were implicated on the accusation of being CIA agents.
3 Then I was sent to <> the area where there were women who were
4 living at the row of houses. I was taken to take a bath; however,
5 then I was sent back and at the location, in the evening, I was
6 asked whether I liked it and I did not know what it means <>
7 because I did not know anything. And they said that where I was
8 taken, there were women living there; whether I noticed any women
9 there, and I said that I did not <because I was told I was sent
10 there to visit only>. And then they let me think for a while.

11 [14.24.56]

12 Next day, I was sent to thresh rice at the K-11 with other
13 people. Then they teased me; they made a joke of me to other
14 women and they asked me again and I said that I did not know what
15 I thought and they gave me three days to think about it and if I
16 did not give an answer, that I should be responsible for myself
17 in the future.

18 During the three-day period, I became so worried, <I could not
19 eat,> because I did not know what to do since I had a fiancée at
20 my village. So, after the three-day period, they asked me again
21 and I replied that I agreed to the arrangement for the marriage
22 despite my unsettling feeling, since I had a fiancée at my
23 village. Because I did that in order to survive so that I could
24 see the open sky again and see what happened to the country and
25 that's how I felt. And because of this sadness and I lodged a

1 complaint to this Court so that I could express all these things
2 out.

3 [14.26.27]

4 And I got married to my wife and I decided to take care of her
5 because I took up the points that my mother was also a woman and
6 the woman that I married to was also a woman, so I had to take
7 care of her.

8 And when I went to my village, my fiancée remained unmarried and
9 I apologized to her that I had married another woman and that
10 would mean that it's a dishonour on my side to her. <She did not
11 blame me.> And of course, this unsettling feeling remains with me
12 until the present day.

13 During the period, I worked non-stop. Even if I returned from my
14 main work, I had to work again at night time to pull the rice
15 seedlings <until 10 to 11 p.m. That's why> I lodged my complaint
16 so that the lawyer at the court can assist me mentally so that I
17 would feel relief and feel better.

18 [14.27.44]

19 Q. Thank you, Mr. Kul Nem. Can you explain to us how the marriage
20 took place and what you felt the day of the marriage?

21 A. During the wedding day, I went there and I respected the
22 organization; although I, myself, felt the sorrow and the pain
23 inside me. When we were there, we were instructed to sit facing
24 one another; that is, women on one side and men on the other side
25 and then food was <placed in front of> us and we were given two

1 sets of black uniform. And the chief made an announcement <> and
2 advised that we should become husband and wife and take care of
3 each other for the rest of our life and if we were to divorce or
4 to separate from one another, <> it means that we would be <in
5 trouble that could lead to> death. <That was their rule. During
6 the regime, we had to be afraid of them, if we were not afraid,
7 then we would be dead.>

8 [14.28.57]

9 And, of course, people like Khieu Samphan knew what happened and
10 <> if he says that he doesn't know; that is his right to say so,
11 but then we should know from where such a policy <regarding
12 forced marriage> came.

13 <Some people separated from their family,> some people disliked
14 one another and in addition, we were forced to engage in hard
15 labour. And not only that <> we worked during the daytime, we
16 also worked during the night times; that is, to pull rice
17 seedlings until 11 p.m. and that's the cause of our hardship and
18 pain.

19 Q. Mr. Kul Nem, did you know your wife before the wedding day and
20 can you explain to us what you felt when you discovered who your
21 wife was?

22 A. No, I did not know my wife. <I was scared of death.> Of
23 course, I had to follow the disciplines and the instructions
24 during the Pol Pot regimes as we had to follow the proverbs that
25 we should not interfere <> or to put our feet into the water

1 while the boat was moving; otherwise, <it> would be <cut off>.

2 <So I had to be afraid in order to survive. Had I dared to be
3 courageous, I would have died.>

4 And of course, I saw many people disappearing and I did not know
5 what happened to them during the regime and that is the cause of
6 my fear and for that reason, I did not dare to refuse to the
7 instructions. Although I had the pain, I kept it to myself and I
8 had to show that I respected the organizations and I did that in
9 order to survive; otherwise, I would not see my lawyer in this
10 court.

11 [14.31.18]

12 Q. You said to the President, earlier, that you had no children
13 and that you had two stillborn children during the Democratic
14 Kampuchea regime; can you please explain to the Chamber what
15 happened, under what circumstances your wife lost the babies and
16 what your reaction was when you had to face this situation?

17 A. I had a baby, but he was not mature enough to be born. There
18 was a miscarriage <after five or six months of pregnancy>. I felt
19 angry, at that time, but I kept my anger to myself. I did not
20 express it out. We had no right to express our anger <like
21 today>. I also did not dare to oppose them.

22 I took my the dead body of my baby to be buried while my wife was
23 staying at the hospital and that was it.

24 Q. And do you know why this child did not survive?

25 [14.33.03]

1 MR. PRESIDENT:

2 Please observe the microphone, Mr. Civil Party.

3 MR. KUL NEM:

4 A. I knew, but I did not dare to talk about it because my wife
5 was required to work too hard and she became exhausted and that
6 was the reason of her miscarriage. <I was angry but I did not
7 know what to do about it.>

8 You know that in that regime, it was very strict. If we were told
9 to go left, we went left; if we were told to go right, we went
10 right. If we dared to oppose, we would be in trouble. I was very
11 angry, but I kept the anger in myself. But <at that> time, we had
12 no right to express it out; that's why I came here to ask for
13 help from, Your Honours, and from my lawyers and I hope that
14 people of the later generation would not face the same bad time
15 like us.

16 Q. Did you have any children after that?

17 A. Later on, after the Vietnamese liberated the country; I had
18 another baby, but the baby did not survive because again, my wife
19 experienced the miscarriage. I had <to stop trying to have
20 children. I told the doctor to make it stop.> I have no children
21 now. I have only niece and nephews. I told my niece and nephew to
22 study hard because I have no children; I have only them
23 considering as my own children.

24 [14.35.12]

25 Q. And the fact of not having children, does this cause

1 particular suffering for you?

2 A. I feel painful and that's the reason why I lodged my complaint
3 with counsel to express about the harms and suffering inflicted
4 upon me and my wife.

5 And such incident of having no children did not happen to only
6 me, but also to other people. The <people who got marriage on the
7 same day as me> also experienced miscarriages, <for my case, we
8 experienced miscarriages,> one after another. Perhaps <we> were
9 too exhausted as a result of hard work. <I did not know the
10 reason because I did not know about health issues. I assumed that
11 it happened because> they forced us to work both day time and
12 night time. <I feel so much pain, that's why I lodged my complain
13 to the court.>

14 [14.36.17]

15 MR. PRESIDENT:

16 Mr. Civil Party, please do not repeat the same story. We
17 acknowledge that you have had suffering and pain, that's why you
18 came here to testify as a civil party. I would like you to give
19 the answer base on the scope of the question. Just limit your
20 answer to the scope of the question; do not talk <> extensively
21 about the same thing.

22 MR. KUL NEM:

23 A. So, I have told the story already. There was nothing more. <I
24 cannot recall everything at this age.>

25 MR. PRESIDENT:

1 Mr. Civil Party, please listen to the question carefully. When
2 you listen to the question and you understand it and then you can
3 prepare your answer.

4 BY MS. GUIRAUD:

5 Thank you, Mr. President. I think the civil party has answered my
6 last question.

7 Before allowing the other parties to take the floor, because I
8 see that our time is limited, you explained that you got married
9 in a place called K-11; can you explain what this place was? What
10 was K-11 <and why were you at K-11 yourself>?

11 [14.38.05]

12 MR. KUL NEM:

13 A. I was sent from the division <to K-11>. I was assigned to
14 transplant rice and sometimes I was assigned to help other people
15 building shelters <and hospitals in districts or provinces>. <My
16 wife was assigned to transplant rice.> So those were the kind of
17 assignments given to me and <I was arranged to be married after I
18 was sent there,> that's all I can tell you.

19 Q. Were you sent to K-11 as a punishment or was it simply a new
20 assignment?

21 A. That was considered as a punishment because <I was sent there
22 only after> my division commander had already been arrested.
23 <They did not tell me that, I just assumed it was like that.> And
24 because I <thought> that it was somehow <a> punishment, that's
25 why I did not dare to protest or oppose the assignment.

1 Q. Thank you. You were talking to us about your wife; can you
2 tell us a little bit more about her? Who was she; was she Khmer?
3 What can you tell us about your wife; how old was she; what was
4 her ethnic origin?

5 [14.39.41]

6 A. My wife was an ethnic minority living in that area. For me,
7 I'm ethnic Khmer; for my wife, she's an ethnic minority living in
8 Mondolkiri. We were arranged to get married.

9 Q. Do you know how old your wife was when you got married?

10 A. I do not know because she <used a different word> regarding
11 the date. She talked about, for example, the corn-growing season
12 and this and that; it's different from us. <But she estimated
13 that she was born in 1960. Perhaps the people who were arranged
14 to be married on the same day as me were not even 20 years old
15 yet. I do not really know.>

16 Q. Earlier, you spoke of the fact that you had a fiancée in the
17 village and that you saw her after the regime. Did you think, at
18 any point, after the regime of getting separated from your wife?

19 A. I wanted to separate from her, but I could not because we got
20 married already. <I did not dare, I was afraid.> I had to stay
21 with her because I thought that my mother was a woman and my wife
22 was also a woman, so I chose to apologize to my fiancée and
23 compensated to her <with 3 "chi" (phonetic) of gold after the
24 Vietnamese liberated the country> and later on, my fiancée also
25 got married.

1 Q. You indicated that your wife was Phnong; could this have been
2 a problem for you, at some point in your life, to have a wife who
3 was Phnong, from an ethnic minority?

4 A. I stayed with her. She did not say anything about me and I did
5 not say anything about her and because of that, we lived together
6 with each other peacefully. <Otherwise, I could not live with
7 each other.> She did not criticize me <about my nationality> and
8 I did not criticize her <about her ethnicity>, <we had equal
9 rights,> so we understood each other and that's why we could live
10 with each other.

11 [14.42.55]

12 MS. GUIRAUD:

13 Thank you, Mr. Civil Party. I think this is a good place to stop.

14 Thank you, Mr. President.

15 MR. PRESIDENT:

16 Thank you. It is now convenient time for the break. The Chamber
17 will take a break from now until 3 o'clock.

18 Court Officer, please assist the civil party at the waiting room
19 during the break time and please invite him, along with TPO
20 staff, into the courtroom at 3 o'clock.

21 The Court is now in recess.

22 (Court recesses from 1443H to 1501)

23 MR. PRESIDENT:

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

25 And I now hand the floor to the Co-Prosecutor to put questions to

1 the civil party. If you have any question, then you have 15
2 minutes to do so.

3 QUESTIONING BY MR. DE WILDE D'ESTMAEL:

4 Thank you, Mr. President

5 Q. Civil Party, I'm therefore going to put questions to you
6 on behalf of the Co-Prosecutors and I would like to know if you
7 were wounded during fighting with Vietnamese forces? And, if that
8 is the case, what kind of injury did you suffer from?

9 MR. KUL NEM:

10 A. I had minor wounds. In fact, I was stationed at Tram Khnar
11 (phonetic), that is the location to the south of Phnom Penh, and
12 it was not against the Vietnamese, it was the fight between Khmer
13 and Khmer. In fact, I did not engage in the fighting. I carried
14 the people to the rear, and after I was wounded, I was assigned
15 to work at the rear. I had <minor> injury to my lower back and to
16 my head.

17 [15.03.30]

18 Q. So if I understood you well, just before 17 April 1975, you
19 already had joined the revolution, you were no longer a student.

20 Is that correct?

21 A. I was not a student because by that time I had joined the
22 army, so I was a soldier.

23 Q. Can you give us an idea of a timing idea regarding your
24 marriage. <In which year> did this marriage take place in
25 Mondolkiri?

1 A. I got married <> in 1977 and immediately after the wedding it
2 was 1978.

3 [15.04.38]

4 Q. Do you know <who decided to organize this marriage,> your
5 superiors<, the local authorities>? Do you know why your
6 superiors were urging you to get married there on-site?

7 A. I did not know that either. During the regime, I was afraid
8 and despite the fact that I did not know the reasons, I was
9 afraid that I was accused of denying to get married then I would
10 be <punished> because the instruction for us or for me was to get
11 married and if problems happened in the future then I had to be
12 responsible for those problems <by myself>. And for that reason,
13 I agreed to the marriage.

14 Q. What was the name of the person who ordered you to get
15 married? Was he someone from the <the army, from> Sector 105 or
16 was he someone from K-11? So can you tell us specifically who
17 ordered you to get married?

18 A. Yes, I can do that. The name is Sophea who was a Jarai
19 ethnicity and Chaem (phonetic) who was also an ethnic person
20 although I did not know the actual ethnicity and <Sophea> was the
21 chief of the provincial army.

22 Q. Do you know what happened to Ta Sophea at the end of the DK
23 regime? In other words, did he survive or not?

24 [15.06.49]

25 A. No, he was not there. He did not survive because later on due

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1 to his activities he was arrested, and that happened not long
2 after I got married. He was accused of being a traitor and he was
3 arrested as a result.

4 BY MR. DE WILDE D'ESTMAEL:

5 Just so that the Chamber may know, we have put Huot Ke
6 confessions alias Sophea at E3/2593. These are confessions that
7 were gathered at S-21 dated 31 December 1978.

8 Q. And you said that you had a fiancée in your village, who was
9 Khmer I assume, but that you had to marry a young Phnong <woman>.
10 So the Phnong are an ethnic minority, so therefore they spoke a
11 different language and they had a different culture and had a
12 different religion.

13 So did this pain you to have to marry a Phnong woman given these
14 cultural differences between the Khmer and the Phnong?

15 [15.08.17]

16 MR. KUL NEM:

17 A. During the regime, there was no such culture. We were being
18 monitored if we consummated the marriage or not, and that's what
19 happened. We were afraid, so we had to consummate the marriage
20 and that happened three days after the marriage. I had to think
21 during the initial three days and then after that I decided to
22 consummate the marriage because we had been monitored.

23 Q. You said that you decided to consummate the marriage. Was
24 <your> young <wife> in agreement?

25 A. Because we were to get married and we both were afraid and

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1 that's what we had to do and that's what we had to respect them,
2 otherwise we would risk being killed <or tortured>.

3 Q. So your wife, Tel <Bel>, was she still a teenager or was she
4 older than 20 when you got married? I know that you can only give
5 us an approximate idea, but can you please give us an idea? Was
6 she, therefore, very young or was she maybe a little bit more
7 mature?

8 [15.10.02]

9 A. She was not that old. From my estimation, she was around 20 or
10 a little bit over 20 years old.

11 Q. Thank you. Did your wife tell you how she learned that she
12 would have to get married? Did she understand that she was going
13 to get married on that very same day or was she warned
14 beforehand?

15 A. She, herself, knew about the arrangement and only myself, I
16 was not aware about the arrangement. The women they knew about
17 the arrangement <because they teased each other about that> and
18 later on when we were living together, I asked her whether she
19 liked me and she said that <she> did that because she did it out
20 of fear and that we had to agree to do what we were told
21 otherwise we would risk being killed, and I did not ask her many
22 questions.

23 [15.11.34]

24 Q. How many couples were there during your collective marriage?

25 And can you tell us if you knew the people who got married at the

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1 same time as you? And can you tell us if possibly they were in
2 the same situation as you, that is to say, were they <forced> to
3 get married or did they do so on their own will?

4 A. We all were forced to get married. There were some Khmer
5 people and some minority people. Of course, they did not like one
6 another but we were forced to get married.

7 There were 30 of us all together and <I can recall only one>
8 person <named Yeay> Mol (phonetic), however, Mol (phonetic)
9 passed away, <she was> younger than me but because of illnesses
10 she passed away and Mol (phonetic) used to come to <> this Court.

11 Q. During the ceremony, were the authorities present there? Did
12 they ask you explicitly to consummate the marriage, that is to
13 say, to "get along well with your wife"? And were you told to
14 give Angkar children or did they not say anything about that
15 during the ceremony?

16 A. They said that if we did not produce children for Angkar, then
17 we were against the law, but in my case my wife miscarried the
18 baby so they could not discipline <>or punish us.

19 Q. Did you have to make <exchange vows> during the ceremony
20 <yourselves> or were there couples representing all couples
21 on-site to make such pledges?

22 [15.14.20]

23 A. In fact, there was a representative. Two or three people were
24 representing us and I was not one of them. And to my
25 recollection, there were three couples who represented us and

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1 they could not allow all the 30 couples to make a commitment.

2 Q. And in order to finish now, I have just one or two questions
3 about K-11 and about the Phnom Kraol Security Centre.

4 So what do you know about K-11? Was it also a place where
5 prisoners who had committed offences were detained? And can you
6 tell us if there was a security centre called Phnom Kraol which
7 was very close to K-11?

8 So here are two different questions.

9 [15.15.26]

10 A. There was one and then there was another one at the Sophea's
11 location. At Phnom Kraol, the location was under the supervision
12 of Leng and it was not far from the other one. It was close to
13 each other.

14 But I could not say who were detained there. There were some
15 people from the division and there were some civilians who were
16 detained there, but I cannot tell you how many exactly because I
17 did not have any authority to enter the place.

18 Q. When you speak to us about people from the division, are you
19 referring to Division 920, of the Centre, or are you referring to
20 the army of Sector 105; or were there people from both <forces>
21 in Phnom Kraol?

22 MR. PRESIDENT:

23 Mr. Civil Party, please observe the microphone.

24 MR. KUL KEM:

25 I saw some people because they used to work with me, but I did

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1 not dare to ask them anything. I only saw them but I did not
2 speak to them. And I wondered why they were there but they were
3 not with the division headquarters. However, that is only my
4 understanding. I did not dare to ask any question or to look at
5 their faces or to count how many of them were there.

6 [15.17.22]

7 MR. DE WILDE D'ESTMAEL:

8 Q. My very last question. Did any members of your family, who
9 were working for the Lon Nol administration, face problems
10 <during the regime> between 1975 and 1979?

11 [15.17.47]

12 MR. KUL KEM:

13 Regarding my family, some family members were killed, however, I
14 did not know exactly how it happened. I was told that two uncles
15 on my father's side were taken away. <I do not know where they
16 were taken to.> Maybe they were taken and killed because I never
17 saw them again.

18 Q. Thank you, I am done with my questions.

19 MR. DE WILDE D'ESTMAEL:

20 Thank you, Mr. President.

21 MR. PRESIDENT:

22 I now hand the floor to the defence team for Nuon Chea to put the
23 question to the civil party.

24 QUESTIONING BY MR. LIV SOVANNA:

25 Thank you, Mr. President. Good afternoon, everyone. And, good

1 afternoon, Mr. Civil Party. My name is Liv Sovanna. I am the
2 National Counsel for Nuon Chea and I have some questions to put
3 to you.

4 Q. A while ago, you stated that you were taken to the houses
5 where women lived when you were taken to have a bath. Can you
6 tell the Chamber who led you there and what was his position?

7 MR. KUL KEM:

8 A. The person was the group chief named Sien (phonetic) who took
9 me there but, at the time, Sien (phonetic) did not tell me that I
10 had to look at those women. Sien (phonetic) was Khmer. He did not
11 mention that I should go there and to look for my future wife. I
12 just followed <> Sien (phonetic) and went through those houses
13 where women stayed.

14 [15.19.52]

15 Q. While you were passing the area, did you see many women who
16 were at the houses or who were at the location where you took
17 your bath?

18 A. Of course, there were many in all those rooms, there were
19 women, but I honestly did not know that I was led there in order
20 to observe those women. Only upon my return, I was asked whether
21 I liked any woman there. <I was taken to take a bath.>

22 If they were to tell me that I had to go there to observe for my
23 future wife, that would be a different story, but I was not told
24 anything about that.

25 Q. When you were asked whether you liked any woman, did the

1 person refer to any particular woman or all those women?

2 [15.20.57]

3 A. No, they only asked me about any woman that I liked or that I
4 wanted to get married to, and I told the person that I did not
5 pay attention to that. And, as I said earlier, later on I was
6 sent to thresh rice <there to see them again>.

7 Q. And while you were sent to thresh rice, how many women working
8 at that location?

9 A. There were four or five women who were working there and I was
10 the only man. Then people teased me and matched me to this woman
11 or that woman.

12 And still at the time, I did not decide as who I liked, then I
13 was asked whom I liked. I said that I did not make any decision
14 yet and they gave me three days to think about it, and after
15 three days I was called again and asked about my opinion and I
16 said it's up to Angkar. If Angkar arranged anyone, I would agree
17 because inside I was afraid and I did not dare to oppose Angkar's
18 instructions <because I was afraid of death>. And we were told
19 that we had to marry to produce children for Angkar.

20 Q. In the interests of time, allow me to move on.

21 And do you know why you were sent to see if you could choose one
22 of those four or five women to be your future wife at the
23 location where you threshed rice?

24 [15.22.48]

25 A. I did not know the reason either. There were five women and I

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1 was the only man there. And when I was there, they teased me and
2 I did not know what the arrangement was, <but I knew then that
3 they wanted to match me with someone there>.

4 Q. You said the first time you were asked you said you had to
5 think about it, and for the second time you said that you agreed
6 to it. And my question is, did you behave in a certain way so
7 that the person <who> asked you the question would know that you
8 <did not want to get married>?

9 A. I don't know, maybe you were mistaken to Counsel. In fact, I
10 was asked a question and I said that I did not make any decision
11 yet and three days later they came to ask me again and that was
12 the time that I told them that I made a decision. And I told you
13 that I made that decision because I was afraid and that is my
14 response all along.

15 [15.24.14]

16 Q. Does that mean that a person who asked you whether you made up
17 your mind yet did not know that you did not want to get married?
18 Am I correct in saying so?

19 A. Yes, they came to ask me the question and, initially, I did
20 not make any decision and later on I agreed to it.

21 Q. So after you made up your mind, they agreed to your decision?
22 And you also said that you made that decision out of fear. What
23 kind of fear, can you tell us?

24 A. During the regime, everybody was afraid. And also because I
25 was re-assigned out of the division and <my commander,> Chhin

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1 Say, had been arrested by that time, and when I was at that new
2 location, I was put under pressure as well.

3 So everybody was afraid and not only me was afraid, we all had to
4 obey the instructions. And if I was not afraid, then I would not
5 get married. <So I had to agree with them.>

6 Q. And the fear, the fear actually was born from inside you. Is
7 that correct?

8 A. Of course, the fear came from inside me because that's what I
9 observed. People made mistakes and they were arrested and taken
10 away.

11 [15.26.14]

12 Q. You said there were 30 couples on your wedding day, however,
13 in your supplementary information, E3/6570A, you said that you
14 were <married> to Tel Pes, a Phnong girl, together with people in
15 the village and there were 20 couples in total.

16 Can you tell us difference why initially there were 20 couples
17 and now you make mention about 30 couples?

18 [15.26.55]

19 A. Maybe I made a mistake. In fact, there were 30 couples. Of
20 course, I forgot initially about the number of couples who got
21 married.

22 Q. I'd like to ask for your clarification in relation to these
23 supplementary form since there is not date on it.

24 My question to you is the following. Why did you decide to make
25 this supplementary information form? Is it at your own initiative

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1 or was it at other people's initiative?

2 A. It is my opinion to do that because I am old and I forget a
3 lot and I remember about the number of couples, there were 30
4 couples, and there was no-one who was behind my initiative to
5 <say this.>

6 Q. Allow me to speak to my question. My question is in relation
7 to this supplementary form, <E3/6570A>, that is supplementary to
8 your civil party application, E3/4989 (sic).

9 In your initial document, E3/4983, you did not mention about the
10 forced marriage and later on you added that you were forced to
11 get married in late '77.

12 So my question to you is whether or at whose initiative that you
13 made the second supplementary information form?

14 A. In fact, it's my initiative--

15 MR. PRESIDENT:

16 Civil Party, please hold on, and Lead Co-Lawyer for civil
17 parties, you have the floor.

18 [15.29.10]

19 MS. GUIRAUD:

20 <Thank you> Mr. President, I'm reacting -- based on the
21 translation I heard in French so I don't know if it's exactly
22 what our colleague said in Khmer -- but the civil party said that
23 he had filled out his supplementary information form upon his own
24 initiative.

25 And then our colleague is asking him who "drove" him to do that,

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1 <and that term has its connotations in French,> and who drove him
2 to fill out that supplementary information form. So this is a
3 completely leading <and biased> question and that does not,
4 furthermore, reflect what the civil party said.

5 It happens to be that the civil party answered again <to say>
6 that he took the initiative to fill out the supplementary
7 information form, so I would please like our colleague to stop
8 putting leading questions to the civil party. This would be very
9 much appreciated.

10 [15.30.06]

11 MR. LIV SOVANNA:

12 Counsel and Mr. President, my initial question was about the
13 supplementary information form, however, the civil party mentions
14 about the 20 couples and the 30 couples.

15 As for the 30 couples, he said that it was at his own initiative,
16 but I'd like to stress about who initiated the supplementary
17 information form, <that's why I asked him about that> because in
18 his response he only focused on the number of couples.

19 MR. PRESIDENT:

20 Civil Party, please respond to that question.

21 MR. KUL NEM:

22 I do not have anything else to add to my previous response.

23 JUDGE FENZ:

24 Actually--

25 MR. KUL NEM:

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1 Please clarify your question.

2 [15.31.03]

3 MR. PRESIDENT:

4 Counsel, please ask the question again.

5 JUDGE FENZ:

6 I think -- sorry -- I think what might have been missed is that
7 the civil party has answered the question just when counsel rose.
8 He has repeated what he had said before, meaning I did it on my
9 own initiative. So he's on record. That's why he says I have
10 nothing to add.

11 MR. LIV SOVANNA:

12 In Khmer language, my first question was about who assisted him
13 in filling the <supplementary> form and he said that <he recalled
14 30 couples and he added himself> and that did not correctly
15 correspond to my question <regarding whose initiative was it to
16 file the supplementary form>. <So I repeated the question.
17 Perhaps there was an issue with the interpretation regarding the
18 30 couples>

19 [15.32.05]

20 JUDGE FENZ:

21 But when you asked your second question, he answered it. I
22 understand you had a second question, and he answered it just
23 before the co-lead lawyer rose to object. So there is an answer
24 to your second question, that's why he says I have answered.

25 BY MR. LIV SOVANNA:

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1 If he had given the answer and then the answer is in the
2 transcript. So now let me move on.

3 Q. I would like to know about your answer that you said that
4 other people were also forced to get married. How come you could
5 say that others were also forced to get married?

6 MR. KUL NEM:

7 A. I dare to say like that because other people who were arranged
8 to get married also whispered to me <but we did not say it
9 aloud.> If we dared to oppose the marriage we would be punished.
10 We had to agree in order to survive.

11 We all knew about this and because we agreed, we survived.

12 [15.33.28]

13 Q. Yes, for your case, I know it clearly, but here I ask about
14 the <30> couples whom you say were also forced to get married.
15 What were your evidence to prove that they were also forced to
16 get married?

17 A. I had no opinion to give the answer to you. I concluded that
18 they were forced to get married because they were also fearful
19 just like me. <Otherwise, why would they get married? Because
20 they were all forced to do that.>

21 Q. I would like to clarify with you, when you said that others
22 were also forced to get married, it was simply your opinion. Is
23 that correct?

24 [15.34.23]

25 A. It's not my opinion. Other people, <both men and women,>

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1 whispered to me, they did not dare to talk about it openly. They
2 said that we had to agree in order to survive. If we opposed, we
3 would be in trouble.

4 So <why else would> everyone who got married during the regime
5 all say that they were forced to get married? <They did not all
6 get married on the same day and at the same place as me.>

7 Q. Now, I have <two more> questions. Regarding your fiancée whom
8 you went to meet after 1979. Did she tell you that she was also
9 forced to get married?

10 A. Are you talking about my fiancée? She was also aware about
11 this, but we lived differently. I lived in Mondolkiri, she lived
12 in Takeo.

13 Q. I wanted to know whether your fiancée herself was also forced
14 to get married?

15 A. She did not tell me.

16 Q. Related to your child, you said that after 1979, you had
17 another baby but the baby did not survive because your wife had a
18 miscarriage, <what was the reason of the miscarriage>?

19 A. I <thought it was> because my wife <was> required to work so
20 hard. <She had miscarriage twice during the Pol Pot regime> and
21 that effect remained even after the Vietnamese liberated the
22 country. <It was perhaps> because she was overworked, <that> she
23 had a miscarriage.

24 [15.36.48]

25 Q. So after 1979, that is after the liberation, was she also

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1 forced to work hard?

2 A. I talk about the effect of exhaustion as the result of
3 overwork that remained from the regime until later on. <She had
4 miscarriage twice during the regime.> The effect remained.

5 MR. LIV SOVANNA:

6 Thank you, Mr. President. Thank you, Mr. Civil Party, I have no
7 more questions.

8 MR. PRESIDENT:

9 Now, I give the floor to the defence counsel for Khieu Samphan.

10 QUESTIONING BY MR. KONG SAM ONN:

11 Thank you, Mr. President. Good afternoon, Mr. Civil Party. I have
12 only a few questions to put to you.

13 Q. My first question is, <as a soldier,> were you aware about the
14 morality governing the behaviour of men and women during DK
15 regime <since you were also a soldier in that regime>?

16 [15.37.53]

17 MR. KUL NEM:

18 A. Yes, I was aware about the ethics or morality and that's why I
19 did not dare to commit any wrongdoing.

20 In those days, women and men walked separately. We, men and
21 women, did not meet each other. If they met each other, their
22 respective unit chiefs would question them. <So we were all
23 afraid. And that's the truth.>

24 Q. When your unit chiefs advised to you to go around and look at
25 women, the terms "looking at women" based on your awareness at

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1 that time, <at your location>, was it about looking for a woman
2 to be your wife?

3 A. I said so only later on, but during that time they did not say
4 so. They simply took me and I had no idea for what purpose they
5 took me to. Only later on that I was aware that they took me to
6 look at women.

7 Q. I took note of what you said earlier, that your unit chief
8 took you to pass the houses of women <and then to the place to
9 take a bath>, so I want to clarify with you that when you were
10 taken out, were you told to where you were taken out?

11 [15.39.57]

12 A. Can you clarify your question? I want to tell you that when I
13 was called to go out, I had no idea for what purpose I <was taken
14 out>. <Initially, they called out> Nay (phonetic) <because my
15 name sounds similar to that>, but I had no idea of for what
16 purpose I was taken out.

17 Only later on, I found out that I was taken out <to thresh rice>
18 because they wanted me to have a look at women. It was later on
19 that I realized that I was taken out to look at women.

20 Q. So the term, "taken out to see women" was the word that came
21 out from your own mouth not from the mouth of your unit chief. Is
22 that correct?

23 A. Yes, that's correct.

24 Q. When did you learn or realize that you were taken out to see
25 the women was in fact for choosing a woman to get married? <What

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1 were the words your unit chief use toward you that made you
2 realized about it later on?>

3 [15.41.30]

4 A. It was on the third day that I was required to make decision
5 that I started to realize about the prospects of <me> getting
6 married.

7 MR. KONG SAM ONN:

8 Thank you, Mr. Civil Party. Mr. President, I have no more
9 question.

10 MR. PRESIDENT:

11 Thank you.

12 Mr. Kul Nem, do you have any additional statement you wish to
13 make?

14 MR. KUL NEM:

15 I don't have any additional opinion to make. I only request to my
16 lawyer <to help> and to the two accused, Khieu Samphan and Nuon
17 Chea, to tell us about the truth <whether or not they really did
18 it>.

19 And I also would like to request <> to the Court to make sure
20 that the later generation will not face the same kind of fate
21 like mine. Nowadays, we have freedom, but during the regime we
22 had no freedom at all.

23 My life was miserable since I was born until now and that's why I
24 would like to request to the Court to make sure that our later
25 generation will not face the kind of that misery. That's all.

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1 [15.43.12]

2 MR. PRESIDENT:

3 Thank you, Mr. Kul Nem. The hearing of your testimony about your
4 suffering that you suffered during DK regime, that is related to
5 the regulation of marriage, is now concluded. Now, you may be
6 excused from the Court.

7 The Chamber would like to thank you for your testimony in this
8 courtroom and the Chamber would also like to thank Mr. Bun
9 Limhour, TPO staff.

10 Based on the report, you will also be expected to accompany the
11 next civil party, therefore you are requested to remain here. For
12 Mr. Kul Nem, you can leave the courtroom now.

13 Court Officer, in collaboration with WESU, please make necessary
14 transport arrangement to send Mr. Kul Nem to where he wish to go.
15 And please ask the next civil party, 2-TCCP-1067 into the
16 courtroom.

17 (Civil Party exits the courtroom)

18 (Civil Party enters the courtroom)

19 [15.45.51]

20 QUESTIONING BY THE PRESIDENT:

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

22 MS. NGET CHAT:

23 A. My name is Nget Chat.

24 Q. Thank you, Madam Nget Chat. Do you remember your date of
25 birth?

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1 A. No, I cannot recall it. I remember that I was born in the year
2 of rooster. <I am 60 years old.>

3 Q. Thank you. Where was your place of birth?

4 A. I was born in Rung Ta Kok village.

5 Q. What about the commune and district and province?

6 A. Bakan district of Pursat province.

7 [15.46.50]

8 Q. What about your current address. Where do you live?

9 A. I live in Rung Ta Kok village.

10 Q. What is your occupation?

11 A. I am a rice farmer.

12 Q. What are the names of your parents?

13 A. My father names Nget, my mother names Niev.

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

15 A. My husband's name is Yan Phan. With my first husband I had two
16 children and with my second husband I had four children. <I had
17 nine children, but three of them had passed away.>

18 [15.47.55]

19 Q. Madam Nget Chat, in your capacity as a civil party you may
20 make a victim's impact statement related to the crimes which are
21 alleged against the two accused, Nuon Chea and Khieu Samphan, and
22 harms inflicted upon you during Democratic Kampuchea regime that
23 resulted in your civil party application to claim collective and
24 moral reparation for physical, material and mental injuries as
25 there are consequences of those crimes. If you wish to do so, you

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1 can do so.

2 But based on the request by the Lead Co-Lawyer for civil parties,
3 the Chamber gives the floor to the Lead Co-Lawyer for civil
4 parties to put questions about the harms and suffering related to
5 this victim. You may now proceed.

6 MS. GUIRAUD:

7 Thank you, Mr. President. I would like to give the floor to our
8 colleague, Mr. Lor Chunthy, who will be asking questions of the
9 civil party.

10 MR. PRESIDENT:

11 Counsel Lor Chunthy, you can ask now, and you have 30 minutes to
12 put question to the civil party.

13 [15.49.36]

14 QUESTIONING BY MR. LOR CHUNTHY:

15 Thank you, Mr. President. First of all, I would like to say good
16 afternoon to, Your Honours, and parties. My name is Lor Chunthy,
17 the National Counsel for civil party. <I am also a lawyer from
18 the Cambodian Defenders Project.>

19 Q. Madam Civil Party, I have some questions to put to you related
20 to the regulation of marriage.

21 My first question is, in 1975 -- on 17 April 1975, where did you
22 live?

23 MS. NGET CHAT:

24 A. I lived in Pursat province, then I brought my children and
25 husband to live in Rumlech work site. They organized a work site

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1 there.

2 Q. At the work site, did you go there all together or what?

3 [15.51.09]

4 A. There were many people at the work site. At the work site, we
5 built shelters to stay in rows and when it was eating time, they
6 rang the bell and we came to eat collectively <at worksite 7, for
7 example>. <I only knew about worksite 7.>

8 Q. Another question of mine related to an incident that you
9 raised. At that time, your husband went to work at the work site
10 and when he returned at that time you were waiting for him at an
11 office and while you were waiting for him at the office, was
12 there anything happened? <Why were you waiting for him?>

13 A. In 1975, there was no remarkable event happened. <I cannot
14 recall it.>

15 Q. I would like to repeat my question. One day, your husband went
16 to fetch your children and you were waiting for him at a place.
17 And can you tell us what happened at the place where you waited
18 for him?

19 A. It was in 1978. <> Initially, I was at Rumlech and then I was
20 transferred to Khnar Totueng <because my husband was Kampuchea>,
21 and it was some months later I was assigned to collect corn.
22 So I left the battlefield along with my children and husband and
23 it was at noon, I saw people being walked away to be executed. I
24 asked them where those people were being taken to and they said
25 that they were being taken to collect corn.

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1 [15.54.11]

2 And I <was standing alone there> and <Comrade Sun> asked me why I
3 did not go along with those people. I <said> that I was waiting
4 for my husband to bring my children to me. <I would go afterward.
5 When he heard me saying that, he asked me to go to them.> And
6 <he> asked me whether I came here with my family and I said yes
7 and <he> asked me where my husband <was>. And I told that my
8 husband had gone to fetch my children <from school>. And then
9 Comrade Sun told me that, <when my husband came,> I should not
10 go, I should let only my husband go with those people being
11 walked away.

12 And my husband when he returned to me he asked me why I did not
13 go along with those people. I told him that Comrade Sun advised
14 me to stay and only you should go with those people. <I would go
15 afterward. He went to Comrade Sun and asked why I was not allowed
16 to go with him? He said, "It's okay, you should go first." My
17 husband came back and he> begged me and tried to convince me to
18 go with him <because we would be assigned to collect corn only.
19 He asked why I would come along with him from Rumlech only to
20 stop here,> but I told him that I did not want to go because I
21 wanted to stay with my parents <because they were old>. <For the
22 last months -- days I was there, I did not get permission to go
23 visit them yet, but he kept begging me to go with him until 5
24 o'clock, he stopped begging me at that point, he grabbed my hand
25 and pulled me along. When it was time, about 20 people were

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1 gathered in queue to be walked away. And then Comrade Mei
2 (phonetic) and Comrade Sun said, "Comrade Phen go and call
3 Comrade Yen (phonetic) because he was dragging his children
4 along." I kept refusing.>

5 <So> my husband walked in the front row and after my husband had
6 left, I was taken to a place where they raised pigs.

7 [15.56.20]

8 Q. At that time when you were taken to a place where they raised
9 pigs, did anything happen to you <that night>?

10 A. Yes, I remembered. At about 7 p.m., while I was sleeping in
11 the long shelter reserved for the elderly women, <I never went
12 there before my husband was taken away. So I was sent to the
13 farming unit. Before, I was based at the battlefield only. At
14 night,> I saw militiamen including Sun <and Mei (phonetic)> came
15 and the hands were carrying <machetes> and the <machetes> were
16 stained with blood. <I looked down after seeing that.>
17 And they asked me whether I recognized <the watch and the clothes
18 they were showing> and I told them that I recognize the <watch
19 and> the clothes, <they> belonged to Comrade Phen. I was so
20 scared at that time. <I did not know where I would be taken to
21 after I told them the truth like that.> I thought that my husband
22 <was> killed <that night>. <They took them away and smashed them
23 in that instant. It took about two hours.>

24 Q. When your husband had disappeared as you told us earlier, did
25 anything happen to you?

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1 [15.58.07]

2 A. There was nothing happened, but it was about one week after
3 his disappearance, I was forced to get married. One day a cadre
4 came to tell me, "Comrade Chat, today you don't have to go to
5 work <this evening,>" so I did not go to work.

6 And then the person told me, "Now you go to the rear battlefield
7 with me," so I followed the person, and when we arrived at <Boeng
8 Khnar>, I noticed there were many <couples> at the venue. <I
9 thought for sure that I was arranged to be married.> And when I
10 arrived, I was told that I would be required to get married, and
11 I had no idea of which man I would be matched up with. <There
12 were 10 couples who were matched together that day.>

13 Q. Now, let me backtrack a little bit. I want to know who was the
14 one who told you that you would be sent to get married?

15 A. It was Uncle Sun, but he did not tell me that I would go to
16 get married, I was simply told to go to the <rear battlefield
17 with> him. So I followed him and when I arrived at <Boeng Khnar,>
18 I saw many people were already there. They were about my age. And
19 I was told that I would be required to get married. I had no idea
20 which man I would be matched up with.

21 [16.00.00]

22 Q. How many days the wedding took place after the disappearance
23 of your husband?

24 A. It was about three or four days after his disappearance. I
25 still wept at the loss of my husband disappearance. My mother

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1 <and father>-in-law and siblings in-law and my husband who were
2 all ethnic Kampuchea <> were taken away to be killed and I still
3 wept at the loss of them.

4 Q. Can you clarify to us what do you mean by "<> ethnicity of
5 Kampuchea"?

6 A. I don't know, but <> they refered to them as Kampuchea and
7 previously they referred to them as Preah Trapeang group.

8 Q. Do you mean that it was the people from Kampuchea Krom, Khmer
9 people from Kampuchea Krom?

10 A. The Preah Trapeang group were referred to as Kampuchea. During
11 the old regime, they were called the Preah Trapeang group, <my
12 in-laws were called the Preah Trapeang group> but during the
13 Khmer Rouge regime, they were referred to as the Kampuchea group.
14 And that's the words they used and I simply follow that usage.
15 <For my husband, he was born in Rung Ta Kok village.>

16 [16.02.04]

17 Q. During the time of your marriage, were you advised or told
18 about the purpose of your marriage?

19 A. They told us to <select a partner>. I looked at the face of my
20 spouse and he's very old. I was only 20 years-old and he was
21 <over 40, about 18 years> older than me, but I did not dare to
22 protest <or say anything> because they said that if I opposed I
23 would be sent to the upper level. I had no idea which upper level
24 was it.

25 Q. At that time, did you have any feeling of opposing to the

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1 marriage because you have just lost your husband <and you did not
2 know his whereabouts at all>?

3 A. No, I did not dare to oppose because I was told that if I
4 opposed I would be sent to the upper level. <My husband was just
5 taken away to be smashed. I was still weeping.> I felt afraid
6 that I would die and leaving my children behind, so I did not
7 dare to oppose.

8 [16.03.42]

9 Q. How did you feel at that time?

10 A. It was beyond the words to describe. I cannot find any words
11 to describe my feeling, but what I can tell you is that when I
12 saw them, I felt intimidated and frightened.

13 Q. After you got married, did they give you a place to consummate
14 your marriage?

15 A. After the marriage, we <> walked <back> at night time. <I went
16 to the battlefield to tell my children what happened and I
17 returned.> And we were given <a> small shelter <for each couple>
18 to spend the night. My second husband also had his wife, who was
19 an ethnic Kampuchea <>, <she was also smashed>.

20 Q. At that time, did you consummate your marriage?

21 A. We consulted among each other that we should not oppose and we
22 should kept quiet because there were <young> militiamen walking
23 nearby <listening to us>. <In fact, I did not know why they were
24 there for, but they were walking back and forth along the path in
25 between the shelters.> So we did not dare to make any noise. We

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1 kept quiet because we saw cases where people were taken away to
2 be killed. <So we did not dare to even whisper to each other.>

3 Q. You felt fearful because you saw cases of people taken away to
4 be killed or what?

5 A. Can you repeat your question?

6 Q. You said that you were fearful, you were fearful of being
7 taken to the upper level. Was there cases where people were taken
8 away to the upper level or what?

9 [16.06.35]

10 A. No, but I saw the case of my husband who was taken away, <they
11 said that he would be assigned to collect corn, but instead he
12 was taken away to be killed. So that's why I was afraid. Because
13 when they said we would be taken to the upper level, they meant
14 we would be taken to our death.>

15 MR. PRESIDENT:

16 Thank you, Counsel.

17 The hearing today is adjourned. The Chamber will resume its
18 hearing tomorrow, Tuesday 25 October 2016, at <9 a.m.>

19 And the hearing tomorrow is to hear the testimony of 2-TCCP-1067
20 and 2-TCCP-1068 <regarding marriage regulation>, and we also have
21 a witness, 2-TCW-859, related to the nature of the <armed>
22 conflict. Parties, please be informed about this.

23 Madam Chat, your testimony today is not yet concluded. You are
24 therefore invited to come back tomorrow at 9 a.m.

25 The Chamber also would like to thank Mr. Bun Limhour for spending

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1 your times accompanying this civil party. <Tomorrow, the Chamber
2 would like to invite you to accompany this civil party again.>
3 Court Officer, in collaboration with WESU, please make necessary
4 transport arrangement to send Madam Chat to where she is staying
5 and invite her back to the courtroom tomorrow at nine.
6 Security personnel are instructed to bring Khieu Samphan and Nuon
7 Chea back to the detention facility and have them returned to the
8 courtroom tomorrow morning before 9 a.m.
9 The Court is now adjourned.

10 (Court adjourns at 1608H)

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