



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 - KAING GUEK EAV "DUCH"**

**PUBLIC**

Case File N° 001/18-07-2007-ECCC/TC

3 August 2009, 0903H

Trial Day 52

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**List of Speakers:**

Language used unless specified otherwise in the transcript

| Speaker                             | Language |
|-------------------------------------|----------|
| JUDGE CARTWRIGHT                    | English  |
| MR. KAR SAVUTH                      | Khmer    |
| MR. KONG SAM ONN                    | Khmer    |
| MR. LACH MEAN                       | Khmer    |
| JUDGE LAVERGNE                      | French   |
| MS. MOCH SOVANNARY                  | Khmer    |
| MR. ROUX                            | French   |
| MS. SE KOLVUTHY                     | Khmer    |
| MR. SEK DAN                         | Khmer    |
| MR. TAN SENARONG                    | Khmer    |
| THE ACCUSED                         | Khmer    |
| THE PRESIDENT (NIL NONN, Presiding) | Khmer    |
| JUDGE THOU MONY                     | Khmer    |
| MS. TRUSSES-NAPROUS                 | French   |
| JUDGE YA SOKHAN                     | Khmer    |

1

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

2 (Judges enter courtroom)

3 [09.03.06]

4 MR. PRESIDENT:

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

6 Today, we continue hearing the testimony of another witness,

7 another witness who is not very well, so we skip to hear

8 testimony of KW-20 instead.

9 The greffiers, could you please verify the attendance of the  
10 parties to the proceeding and the person concerned, especially  
11 the witness to testify in today's session?

12 THE GREFFIER:

13 Mr. President, the parties to the proceedings today are all  
14 present. The civil party and the civil party lawyer, Mrs.  
15 Fabienne, is also present, and KW-20 and -21 are present. They  
16 are not related to any parties to the proceeding or to the  
17 accused and they have already taken an oath.

18 MR. PRESIDENT:

19 According to Rule 23.7(e)(i) of the Internal Rules, we would like  
20 to invite civil party lawyer, group 3, to seek recognition of  
21 their colleague. The floor is yours.

22 MS. MOCH SOVANNARY:

23 First, dear Mr. President and Your Honours, today I would like to  
24 seek recognition for Mrs. Fabienne Trusses, the chief of the Bar  
25 Association of Tar Sre (phonetic), and she has already taken an

2

1 oath at the Bar Association of Cambodia and she has applied  
2 accordingly to the Cambodian laws, and she has been admitted to  
3 practice her legal profession in the Kingdom of Cambodia and at  
4 the ECCC.

5 So I would like now to seek recognition from the Trial Chamber to  
6 admit her to be part of the civil party lawyers in our group 3.

7 Thank you.

8 MR. PRESIDENT:

9 Mrs. Fabienne Trusses, could you please stand up.

10 [09.06.28]

11 The Trial Chamber has now recognized you as a civil party lawyer  
12 for civil party group 3 for the proceedings before this Chamber.

13 According to this recognition, you can enjoy the same rights as  
14 your co-lawyer. Please be seated.

15 The Court officer, could you call Witness KW-20?

16 (Witness enters courtroom)

17 QUESTIONING BY THE BENCH

18 BY MR. PRESIDENT:

19 Q.Witness, what is your name?

20 A.My name is Sek Dan.

21 [09.08.50]

22 Q.Do you have any other names, other than Dan? Do you have any  
23 other names?

24 A.No, I don't, Mr. President.

25 Q.How old are you?

3

1 THE INTERPRETER:

2 The interpreter could not hear Mr. Sek Dan.

3 BY MR. PRESIDENT:

4 Q. Could you please repeat, and please be advised that you should  
5 wait until you see the red light on the mic before you can speak,  
6 otherwise your message cannot be communicated or interpreted.

7 And for the good record you should also be advised.

8 Once again, how old are you this year?

9 A. I am 48 years old.

10 Q. What is your occupation?

11 A. I am a peasant. I do farming.

12 Q. Please be reminded that wait until you see the red light on  
13 the mic before you can speak.

14 A. I am doing farming.

15 [09.10.46]

16 Q. According to the report of our greffiers, you have no blood  
17 relation with any parties to the proceedings and that you have  
18 taken an oath. Is that correct?

19 A. Yes, it's correct, Your Honour.

20 Q. Have you got any close relationship with any parties to the  
21 proceedings?

22 A. I'm not related to any parties to the proceedings.

23 Q. Mr. Sek Dan, as a witness before the ECCC, we would like to  
24 inform you the rights and your obligation.

25 As a witness can you reject to respond to any questions and you

4

1 have the right not to respond to self-incriminate you. At the  
2 same time, as a witness you have the obligation to tell the  
3 truth; nothing but the truth. You should not respond to any  
4 question based on your assumption or any conclusion.

5 So do you understand these rights and obligations? Do you  
6 understand what you have been informed in relation to the rights  
7 and obligations and that you have to tell the truth; nothing but  
8 the truth?

9 A.I don't understand, Mr. President.

10 [09.13.15]

11 Q.As a witness, you can you reject to respond to any questions,  
12 so you have the right against self-incrimination; so this is the  
13 right.

14 Number two, it is your obligation as a witness, you are obliged  
15 to tell the truth; nothing but the truth. And in your responses,  
16 you should avoid making any assumption based on your conclusion  
17 rather than telling the truth. Do you understand?

18 Mr. Sek Dan, can you answer to my question?

19 MR. PRESIDENT:

20 The counsel for the witness, could you please make sure you can  
21 consult this witness so that the rights and obligations be told  
22 to him. So you can please approach him and explain these to him.

23 BY MR. PRESIDENT:

24 Q.Have you understood already the rights and the obligations  
25 after you have been consulted?

5

1 A.I have witnessed the condition in the regime.

2 Q.Please respond to my question. Once again, Mr. Sek Dan, where  
3 did you live and what did you do from 1970 to 1975?

4 A.I was a child and I was taken to Phnom Penh by two militias  
5 and I was sent to Sala Lekh Pram. I spent overnight there before  
6 I was taken by a truck to Phnom Penh, and I conducted training at  
7 the technical school at Prek Thnaot.

8 Q.Angkar sent you to Sala Lekh Pram in Kampong Chhnang where you  
9 trained. Do you remember when exactly was it?

10 [09.19.37]

11 A.I don't remember. I was so young at that time. I could just  
12 follow the others and I didn't remember the date.

13 Q.How old were you when you started at the technical school at  
14 Prek Thnaot?

15 MR. PRESIDENT:

16 Could you please be reminded again that only respond to my  
17 question when the light on the mic is on otherwise you are only  
18 talking to yourself, and no one can listen to you.

19 When you received training at Prek Thnaot Technical School, how  
20 old were you?

21 A.I was 11 years old.

22 Q.How long had you attended the trainings at Prek Thnaot school?

23 A.For about three months.

24 Q.After receiving such training at Prek Thnaot for that  
25 duration, where were you sent to next?



6

1 A.After that, I was sent to work in a child unit somewhere near  
2 Phnom Penh; I don't remember where it was. I was made to carry  
3 dirt or soil.

4 [09.21.48]

5 Q.You were taken to do farming, to build dykes, and to work  
6 somewhere near Phnom Penh. So how long were you working at that  
7 new location?

8 A.I had worked for a certain period of time. It's quite long  
9 enough, but I don't remember when or how long it was before I was  
10 taken to work at S-21.

11 Q.Do you remember when did you arrive at S-21?

12 A.I don't remember the month, but I know for sure that I was  
13 sent there by 1978, and I worked there as a child medic to  
14 distribute medicines to detainees through the adults.

15 Q.When you came to S-21, at the beginning what was actually the  
16 name of the location? Was it originally called S-21?

17 A.I was not told anything about the location and I only learned  
18 of the name when I had spent some time working there already  
19 because I was too young. I only learned of the name after I had  
20 worked there for quite some time already.

21 Q.You left S-21 you said, and when did you leave it?

22 A.There was gun fighting or the gun sounds and then we heard the  
23 artillery and then we left.

24 [09.24.56]

25 Q.Let us move back a little bit to the time when you were

7

1 assigned by Angkar to work at S-21. Could you please tell us  
2 about your duties at that premises?

3 A.I worked as a child medic to distribute medicines to detainees  
4 and I had to be in the company with the adults who worked as  
5 medics too.

6 Q.Did you write and read back then?

7 A.No, I didn't.

8 Q.Do you write and read now?

9 A.Yes, I do. I can read and write significantly now.

10 MR. PRESIDENT:

11 Judges of the Bench, would you wish to put questions to this  
12 witness?

13 Judge Thou Mony, you take the floor.

14 BY JUDGE THOU MONY:

15 Q.Mr. Sek Dan, you stated that when you came to S-21 you were  
16 assigned to distribute medicines to detainees with the accompany  
17 of the adults. During your work, before you started distributing  
18 medicines, were you trained on medical matters?

19 A.I was not trained. I was assigned to only distribute the  
20 medicines and as advised by the adults, and I knew for sure that  
21 at that time there were nothing but the rabbit pellets medicines.

22 Q.Did you have to distribute medicines into all buildings at  
23 S-21?

24 A.I was assigned to distribute medicine to house number 3, or  
25 Building 3, only.

8

1 [09.27.48]

2 Q.What about the other buildings? Were you also asked to  
3 distribute medicine to those buildings?

4 A.There were other groups. Two persons were assigned to  
5 distribute medicine to one building at that time.

6 Q.How many medics were there at S-21?

7 A.There were some adult medics and later on they had been  
8 arrested. For example, my chief of the team, Mr. Pao, was also  
9 arrested.

10 Q.You said many medics when you came, so how many were many?

11 A.There were two chiefs of mine.

12 Q.Do you remember their names?

13 A.They were Pao and Yeun.

14 Q.How many were the child medics in your team?

15 A.There were four of us: Thim, Mon and Hov.

16 Q.Among the child medics at S-21 were there female medics?

17 A.There were two male medics, Pao and Yeun.

18 [09.30.08]

19 Q.What about female medics? Were there any of them?

20 A.No, there weren't.

21 Q.When you came to work at S-21 did you know who supervised  
22 S-21?

23 A.The supervisor of S-21 was Duch.

24 Q.Did you know Duch clearly?

25 A.I did not know him that well. I only occasionally saw him

9

1 from a distance. I was quite young at the time and I did not  
2 dare to look at his face. He was the big boss.

3 Q.Besides Duch, did you know any other leaders or supervisors at  
4 S-21?

5 A.Those leaders, subordinates to Duch, I did not know them. I  
6 only knew him.

7 Q.You went around dispensing the medicine to the sick people or  
8 to the sick prisoners. Can you tell us the situation of the  
9 detention of those prisoners in the building where you went  
10 around dispensing the medicine? What was your observation  
11 regarding their detention?

12 A.They had wounds and sores on their bodies, especially on their  
13 backs. They had their fingernails missing. And for those  
14 prisoners who protested, they would be tortured by the guards'  
15 chief. They were cuffed or chained for both the legs and the  
16 hands. And for those who did not protest, only one leg was  
17 shackled.

18 [09.32.39]

19 Q.They were shackled and cuffed in the detention rooms. How  
20 many people were detained in one room?

21 A.On the upper floor in those common rooms a lot of prisoners  
22 were detained.

23 Q.You went distributing the medicine to the sick prisoners.  
24 What types of diseases or sickness did they have?

25 A.Most of the prisoners had diarrhoea or fever or headaches and

10

1 majority of them had wounds on their backs. Some of them had  
2 their fingernails or toenails missing.

3 Q. So it meant the prisoners whom you treated were sick due to  
4 the tortures inflicted upon them. Is this correct?

5 A. The majority of them, yes, they were tortured. They did not  
6 have common diseases. They were sick because they were tortured.

7 Q. What types of medicines were given to the prisoners?

8 A. For diarrhoea they would be given the medicine for the  
9 treatment of diarrhoea. For those who had wounds, they would be  
10 given the medicine for the treatment of the wounds, but most of  
11 the medicines were rabbit pellets.

12 [09.34.29]

13 Q. For those who had wounds, did they have their wounds cleaned?

14 A. Yes, they had their wounds cleaned with the saline water in  
15 order to make it recover quicker. Sometimes the wound was not  
16 yet recovered and they were taken out and disappeared.

17 Q. Let me go back a little. When you came to work at S-21 did  
18 you live inside the compound of S-21 or you lived outside?

19 A. I lived in a wooden house and all the child medics stayed  
20 there.

21 Q. Where was that house located?

22 A. It was to the northeast of the building. I did not know the  
23 street number. It was to the north of the main entrance to the  
24 prison.

25 Q. What was the house made of?

11

1 A. On the ground floor it was a concrete and it was wooden on the  
2 upper floor.

3 Q. So it means it was concrete on the ground floor and it was  
4 wooden on the upper floor. Is this correct?

5 A. That is correct. It was concrete on the ground floor and  
6 wooden on the upper floor.

7 [09.36.20]

8 Q. You said those people who had wounds were those who were  
9 tortured, as they had wounds or sores on their backs and they had  
10 broken fingernails or toenails. Did you ever see the prisoners  
11 being tortured?

12 A. I did not see the torture personally. The interrogation team  
13 was separate and the guards' team was separate and the child  
14 medic team was also separate. I only provided the treatments to  
15 them in the building.

16 Q. For those people who were interrogated, where were they  
17 interrogated?

18 A. They would be taken to various locations based on their own  
19 team. For the elder people, they would be taken to different  
20 locations and I, the child medic, would only stay at the  
21 building.

22 [09.37.31]

23 Q. How did you know that the wounds were the result of being  
24 tortured?

25 A. Because at night I heard the screaming and I saw the sores and

12

1 the wounds. So when I provided a treatment, I asked them how did  
2 they get the wounds and the sores and they replied to me that  
3 they were being interrogated.

4 Q. So you knew because you asked the prisoners by yourself. Is  
5 this correct?

6 A. I personally asked the prisoners the reason for them to have  
7 the sores or the wounds on their bodies. So when I cleansed the  
8 wounds, I asked them the questions.

9 Q. You said you provided the treatments and went around  
10 dispensing medicine to the prisoners. Did you also provide a  
11 treatment to the S-21 staff who were sick?

12 A. If they were sick and they asked for the medicine, I would  
13 dispense the medicine to them, yes.

14 Q. The medicines dispensed to the prisoners who were sick and to  
15 those who were the S-21 staff, were the medicines the same?

16 A. They were provided with the same medicines for the same kinds  
17 of illnesses.

18 Q. Let me talk about the child medics whom you just described.  
19 Can you tell us again the four names of the child medics; what  
20 were their names?

21 [09.39.50]

22 A. Yes, they were Mon, Hou, Thim and I, myself, Dan.

23 Q. You said there was a medic named Mon. Was the medic Mon male  
24 or female?

25 A. Mon was male. He was a child who stayed and worked with me.

13

1 There were four of us, the child medics.

2 Q.So Mon also came from the same village as yours; that is, from  
3 Kampong Chhnang?

4 A.Yes, he came from Kampong Chhnang, from the same village.

5 Q.He was male?

6 A.Yes.

7 Q.When you worked at S-21, did you ever see prisoners being  
8 walked or taken out for interrogations or being taken out  
9 elsewhere?

10 A.Prisoners were taken to be interrogated during the daytime,  
11 and I was wondering what happened to those old prisoners and why  
12 the new prisoners came in and why sometimes the prisoners had  
13 more wounds on their bodies. And in the morning when I sometimes  
14 went to provide the treatment, they were gone.

15 [09.41.33]

16 Q.So some prisoners disappeared, and did you know from the time  
17 the prisoners arrived until the time you provided the treatment  
18 and until later on they disappeared, how long had they stayed  
19 before they disappeared?

20 A.Some stayed there longer, for a month or two months or three  
21 months, depending on the allegations on them or on their network.  
22 I was not really sure on this matter.

23 Q.Did you know that within the S-21 compound -- that is, within  
24 the compound of the school -- was the interrogation location  
25 located inside the compound?



14

1 A. In S-21 Office, there was no interrogation room. They were  
2 taken out to be interrogated; they were not interrogated inside  
3 the compound.

4 Q. At the detention facility where you dispensed the medicines to  
5 the prisoners, were there any female prisoners?

6 A. Most of the prisoners were male. I did not see any female  
7 prisoners.

8 Q. Did you ever see any foreign prisoners, for example,  
9 westerners or Vietnamese prisoners?

10 A. I did not see any foreign prisoners as they might be housed  
11 separately in different buildings, I think Building 1 or 2, and  
12 as I only worked in Building 3 and there were no foreign  
13 prisoners there.

14 [09.43.36]

15 Q. What was the food ration given to the prisoners?

16 A. Only one bowl of gruel was given to each prisoner and those  
17 who worked inside the prison were asked to distribute the food to  
18 the prisoners.

19 Q. During the time that you worked over there, did you know if  
20 prisoners were taken to have their blood drawn?

21 A. I did not see any prisoners taken away to have their blood  
22 drawn.

23 Q. What about the medical experiments, were there any medical  
24 experiments conducted on prisoners at S-21?

25 A. I was a child medic, I did not know this. Maybe the adult

15

1 medics knew about this.

2 Q.You said there were adult medics and, later on, they were  
3 arrested and taken away. Did you know the reasons for the  
4 arrest?

5 A.For the adult medics, they had made some mistakes. For  
6 example, there was a reaction to the medicines that was injected  
7 or the tablets that were given to the prisoners, and they were  
8 accused of being the enemy.

9 Q.Did you know who ordered for the arrest of those adult medics?  
10 [09.45.48]

11 A.I would say that would only be Duch who ordered the arrest of  
12 those adult medics. They were arrested at night and next morning  
13 they all disappeared.

14 Q.In S-21 Office, you worked there and until when did you leave?

15 A.I stayed there until the day I fled when there was gunfire.

16 Q.So it means you worked at S-21 until the 6 or 7 of January  
17 '79. Is that correct?

18 A.That is correct. We fled on the 6th or the 7th and we  
19 separated from the rest. We were child medics, we left first and  
20 the older people they stayed behind and they left later.

21 Q.So you stayed and worked at S-21 for almost a year, did you  
22 ever attend any political training session?

23 A.Regarding any major political training session, no, I did not  
24 attend any.

25 Q.What about smaller group meetings, did you attend?

16

1 [09.47.41]

2 A.For small group meetings or for three monthly meeting, yes, I  
3 used to attend those meetings for criticism and self-criticisms.

4 Q.What was the content of the meetings?

5 A.They talk about hygiene, about working hours, and strict  
6 working discipline.

7 Q.During the time that you provided treatment to the prisoners  
8 did you see any prisoners who were sick and died in the detention  
9 facility?

10 A.There were prisoners who were sick and died and, yes, I did  
11 see them.

12 Q.During the time that you worked there how many prisoners died  
13 due to illnesses?

14 A.During the time that I worked there, there were many of them,  
15 probably up to hundreds.

16 Q.What happened to the bodies of those prisoners who died of  
17 their illnesses?

18 A.We, the child medics and the medics were asked to carry those  
19 bodies and buried them in the vicinity of the compound.

20 Q.Did you know the locations where the bodies were buried?

21 A.They were buried to the west of the building and also at the  
22 surrounding vicinity of the compound. That was for only  
23 individual prisoner who died.

24 [09.49.48]

25 JUDGE THOU MONY:

17

1 Thank you, Mr. President; I do not have any questions for this  
2 witness.

3 MR. PRESIDENT:

4 Judges of the Bench, do you have any questions? Judge  
5 Cartwright, you may put your questions to the witness.

6 JUDGE CARTWRIGHT:

7 Thank you, Mr. President.

8 BY JUDGE CARTWRIGHT:

9 Q.Sek Dan, did you know what was in the medications that you  
10 gave to the prisoners or to the staff?

11 A.Those medicines were locally produced; they were known as  
12 rabbit pellet medicine. They were black in colour.

13 Q. Thank you. And the rabbit pellet medicine, was that  
14 medicine that was commonly used in Cambodia before the time of  
15 the regime?

16 A.They were only produced after 1975.

17 [09.51.06]

18 Q.Do you know what was in that rabbit pellet medicine?

19 A.The rabbit pellet medicine, I did not know the substance to  
20 make the medicines; they were only produced and distributed to us  
21 for the dispensing to the prisoners.

22 JUDGE CARTWRIGHT:

23 Yes, thank you, President, I have no other questions of this  
24 witness.

25 MR. PRESIDENT:

18

1 Judge Lavergne, you can proceed with your questions.

2 BY JUDGE LAVERGNE:

3 Q.Hello, Mr. Dan, could you tell us how many different kinds of  
4 medicine were available to you in the pharmacy? How many  
5 different kinds of medicine were there?

6 A.The types of the medicines that are dispensed to the prisoners  
7 they were those medicines for the treatment of the wounds, the  
8 diarrhoea and the headache.

9 Q.All of this medicine was it always rabbit pellets or were  
10 there different kinds of medicines, other than the rabbit  
11 pellets?

12 A.There were some other medicines too and delivered in different  
13 forms except from the rabbit pellet medicine.

14 [09.53.10]

15 Q.Was this medicine that had been made in Cambodia or did this  
16 medicine come from outside of Cambodia?

17 A.From what I understood I also actually tested the medicine  
18 because sometime when I was hungry I also ate those medicines and  
19 some of them had a sweet taste and some of them had a bitter  
20 taste. I think they were made locally.

21 Q.Did this medicine have any effects and did it really cure  
22 people or did they have no effect whatsoever?

23 A.Those medicines could provide some treatments, some of them  
24 were effective and some were not. I actually ate a handful of  
25 those medicines and it did not have any effect on me; I ate those

19

1 medicines because I was so hungry.

2 Q.You said that you noticed many injuries. Could you describe  
3 this a bit more in detail, what kind of injuries did you notice  
4 among the prisoners and where were these injuries located, on  
5 which part of the body?

6 A.The wounds and the sores that I had, like I said, mostly they  
7 were on the backs and on the arms and the legs of the prisoners.

8 Q.Did you see any burn marks, any scars from burning, any kind  
9 of lesions that might have resulted from the usage of electric  
10 shocks for example?

11 A.Regarding the lesion, yes, I saw them and I actually asked a  
12 prisoner who had lesion on their body. There were bruises and  
13 there were some wounds with fresh blood. There were all kinds of  
14 wounds and sores.

15 [09.56.31]

16 Q.Did you notice lesions by the ears, for example -- next to the  
17 ears?

18 A.I saw some lesions on the ears and some of the ears of the  
19 prisoners were torn, and I saw this when I provided the  
20 treatment.

21 Q.Did any prisoners have lesions next to their genitals?

22 A.I did not see it because they wore pants. Actually, they wore  
23 shorts and some of them were topless.

24 Q.Did you gather any confessions from the prisoners regarding  
25 the different forms of violence that they had been subjected?

20

1 Did they ever confide in you and say that they had been beaten?

2 Did they tell you that they had received electric shocks? Did

3 you hear about the usage of pliers as a torture instrument?

4 [09.58.24]

5 A.I did not dare ask them in details. I was afraid that I would

6 be seen by the guard and, if so, I would be dead.

7 Q.You were not allowed to ask any questions? You could not ask

8 them where they were feeling pain, in which part of the body they

9 were feeling pain, and know why they were feeling this pain?

10 A.I used to ask them to what's wrong with them, to what illness

11 they had, and then after they replied then I just provided the

12 medicine to them. I did not ask many questions to each prisoner

13 because I was afraid that I would be accused.

14 Q.Fear. Was fear something that was there on a permanent basis?

15 You said that you had seen adults being arrested. Can you tell

16 us if you were aware of any cases of suicide among the medical

17 personnel?

18 A.They were too fearful, like Yeun who hanged himself to death.

19 He was the chief of my unit, my team; the new chief.

20 THE INTERPRETER:

21 The interpreter apologizes, but the question was not audible. If

22 the Judge could please repeat?

23 [10.00.45]

24 BY JUDGE LAVERGNE:

25 Q.Do you remember why he was hanged?

21

1 A.I knew it because he was the chief of my team and he feared  
2 his death, like what happened to Pao, the former chief, because  
3 Pao had been arrested for the same allegation and that he made a  
4 mistake by injecting some kind of injection into the detainee to  
5 lead to their death. That's why he was so fearful and he  
6 committed suicide.

7 Q.A while ago, you talked about your participation in  
8 self-criticism sessions. What happened when during these  
9 sessions it was said that one of you was not doing his or her  
10 work properly? What were the consequences of these sessions and  
11 these criticisms?

12 A.At my medic unit, we were asked to attend such a session to  
13 only be instructed how the sanitation would be applied, and if we  
14 did not follow the rules then we would be removed.

15 Q.When you said you were set aside, what does that mean? Does  
16 it mean that you were arrested?

17 A.Removal means being taken away.

18 Q.And what happened to those who were removed, did you see them  
19 again?

20 A.People who had been taken away would disappear.

21 [10.03.40]

22 Q.What were you told concerning the prisoners? Were you told  
23 not to talk to them too much? What were you told? Were you told  
24 to heal them? Did you heal prisoners or did you keep them alive  
25 or, at least, try to keep them alive?



22

1 A.The medicine would be given to them to make them alive for the  
2 period until they would have been interrogated. That's all.

3 Q.So what were the orders that you received; what were you told?  
4 Was it just to keep them alive until they were interrogated; was  
5 that the instruction received?

6 A.I did not receive such orders, but normally after such  
7 treatment then the people I gave the medicine to disappeared, so  
8 I realized for sure that these people disappeared gradually. And  
9 when the old people disappeared, the newcomers kept coming.

10 Q.Did you see the accused here present in this courtroom from  
11 the start? Have you seen him since or did you see him since? Do  
12 you recognize him today?

13 A.I now see him in the courtroom.

14 Q.In response to a question put by Judge Thou Mony, you said  
15 that you never dared to look him in the face. Does he still  
16 frighten you today?

17 A.I am now quite mature. I get older now and since living in  
18 this current society, I am not fearful of him any longer.

19 Q.You left your family when you were 14 years old. Is that  
20 correct?

21 A.I left my family to live in Phnom Penh when I was 11 years  
22 old.

23 Q.Eleven years old. Did your family agree to this? Did you  
24 have a choice or was this a situation where you were forced?

25 A.It was not the terms like "force" used at that time. It was

23

1 about assignment and we had to accept the assignment.

2 JUDGE LAVERGNE:

3 I have no further questions for this witness. I'd like to thank  
4 the witness. However, I'd like to know whether the accused  
5 agrees that the witness here present was a member of the S-21  
6 medical services.

7 [10.08.22]

8 MR. PRESIDENT:

9 The accused, please respond to Judge Lavergne's question.

10 THE ACCUSED:

11 Your Honours, in the history of S-21, I requested the teenagers  
12 from Kampong Chhnang to work at S-21. There were about 40 of  
13 them. Having looked and heard the educational background of Sek  
14 Dan and his memory, I can accept that he was the child sent from  
15 Kampong Chhnang, and his memory is rather low and I would like to  
16 give you an example in his testimony just now.

17 He said that he is now 48 years old, in response to Your Honour's  
18 question, so was that the year 1961 that he was born? But with  
19 Judge Thou Mony he said he came to S-21 when he was 11 years old,  
20 and then he was confirmed by Judge Lavergne and he said that he  
21 was 11 years old back then. So if he was 11 years old when he  
22 was working at S 21 at the first place, then he would have been  
23 born in the year of 1964. I do accept that his educational  
24 background is low, so is his memory, but then if he gives this  
25 testimony differently regarding his birth.

24

1 He talked about Comrade Pao, who was the chief of medics at S-21.  
2 It is true that Pao was the chief of the medical service at S-21,  
3 and Pao was arrested in mid-1976 or early 1977. So by way of  
4 saying that Sek Dan came to S-21 at '78, it would not be correct  
5 because at that time there were Comrades Rin and Try who were  
6 very close to my supervision and asked him to take the blood to  
7 Hospital 98.

8 [10.11.20]

9 And this testimony makes me suspicious that Sek Dan may not have  
10 been the staff of S-21 and he said that he only know me at S-21  
11 and not Mam Nai. At least he should have known Peng because Peng  
12 was very famous at that time at the location.

13 So in this conclusion, with this kind of testimony I feel that I  
14 am very suspicious that Sek Dan may not have been the staff  
15 member under my supervision at S-21, but I would like to request  
16 that there should be further documents to support the list of  
17 staff members at S-21 to make sure I can accept that Dan was the  
18 former staff member at S-21, and the prosecutor can assist us  
19 with this.

20 MR. PRESIDENT:

21 We would like to now give the floor to the prosecutors to proceed  
22 with questions to the witness. The prosecutors have 15 minutes  
23 for such purpose. The floor is yours.

24 MR. TAN SENARONG:

25 Thank you, Mr. President.

25

1 QUESTIONING BY THE CO-PROSECUTORS

2 BY MR. TAN SENARONG:

3 Q.Good morning, Mr. Sek Dan. You indicated before the Chamber  
4 briefly already that you attended trainings at the technical  
5 school at Prek Thnaot. What were the trainings about at that  
6 time?

7 A.We were trained to crawl to fire the guns and to dissemble the  
8 guns.

9 [10.13.34]

10 Q.Thank you. Before the Co-Investigating Judges on the July  
11 2008, with ERN number 00163815, D28/16, you said that during the  
12 trainings there were people who complained that they did not have  
13 enough to eat and there were too much training. And later on he  
14 was accused of the counter-revolutionary enemy and was arrested  
15 and disappeared.

16 So could you tell the Court whether you remember any names of  
17 those people who were arrested during the trainings with you?

18 A.There were people from other units who were arrested, not the  
19 people in my unit.

20 Q.Thank you. In the same interview on the 16th of January 2008,  
21 the same ERN number, you said that there were about 100 children  
22 who were assigned separately to work at S-21. Do you remember  
23 having seen any female children who worked with you, or were  
24 there any female children who came from the same home town like  
25 you?

26

1 A. There were two children from my home town -- Son, Path, who  
2 were bigger than me or who were older than me back then.

3 Q. Were there any female children?

4 A. No, there weren't. There were only male children.

5 [10.15.50]

6 Q. Thank you. In the same interview you indicated that the child  
7 medics survived and the adult medics died or killed, so do you  
8 remember where those adult medics were from?

9 A. I have no idea where they were from because I saw them working  
10 there but I did not know where they came from.

11 Q. Thank you. In the same statement but on page 00163819, you  
12 said you saw Vietnamese soldiers with the military uniforms and  
13 civilian clothes was being taken in and you believed that these  
14 Vietnamese detainees were subjected to torture too. Do you stand  
15 by the statement now?

16 A. I did say so and I did see the people with military uniforms  
17 but I don't know whether they were Cambodian or Vietnamese.

18 Q. Thank you. Did you ever witness any tortures being inflicted  
19 onto those Vietnamese people?

20 [10.17.37]

21 A. The Vietnamese prisoners were not put into the building I was  
22 assigned to work in.

23 Q. You said the other colleagues told you about blood drawing.

24 Who were they, the people who told you about these incidents?

25 A. They were my colleagues, the same child medics who worked with

27

1 me who shared this information with me, but I was suspicious of  
2 how blood would have been drawn back then.

3 Q.Thank you.

4 MR. TAN SENARONG:

5 With the President's leave, could ERN number 00181396 be put up  
6 on the screen?

7 MR. PRESIDENT:

8 The AV Unit, could you please put this document 00181396 B48/2 on  
9 the screen as requested by the prosecutor?

10 BY MR. TAN SENARONG:

11 Q.Mr. Sek Dan, the picture, the photo, right in front of you  
12 here is the location of S-21; the buildings A, B, E, C and D.  
13 And in Khmer we have already -- so could you please indicate in  
14 which building you were assigned to work in? So these buildings  
15 are now facing east, so behind these buildings then it is the  
16 best direction. So could you please indicate in which building  
17 exactly you worked in?

18 A.I worked in building house number 3, Building C.

19 [10.20.12]

20 Q.Thank you. In which building that you said Pao hanged himself  
21 to death?

22 A.Not Pao. Actually, Yeun hanged himself to death in Building  
23 D.

24 Q.In this same photo, can you also remember -- because there is  
25 an entrance which is in the shape of "T" letter, so can you tell

28

1 us in which location the medics could stay, because there was a  
2 red-tile roof building so can you please indicate or point to any  
3 particular house the medics would have been working in?

4 If you look at this red-tiled roof house it is located almost  
5 right opposite the entrance. So could you please indicate that  
6 building which is right in front of this red-tiled roof building?

7 A.I don't think I understand much of this photo.

8 Q.If you look at this building, the red roof building, there is  
9 an entry. Could you please tell us where would have been the  
10 house, the medics -- the child medics stayed in?

11 A.I think it would have been this house which is right in front  
12 of the entry because there were some (recording malfunction).

13 Q.You said that you noted the ambulance, the white ambulance,  
14 which was parked at that time whether it was to collect blood or  
15 not. So could you please tell the Court whether you could  
16 remember any sign from that ambulance to identify it belonged to  
17 S-21 or other hospital in Phnom Penh back then?

18 [10.23.39]

19 A.I saw a white van, but I don't know whether it was the  
20 ambulance that belonged to S-21 or to other hospital, but there  
21 was an ambulance.

22 Q.Thank you. If I show you now the map with street numbers then  
23 could you tell us in which road that you saw such events or such  
24 an incident, and that you stated also that the child medics'  
25 house located on one of the streets, Street 320?

29

1 So I would like to give you the photo and could you please  
2 indicate that particular location?

3 A.I think I don't remember the street numbers because I forget a  
4 lot. I knew that I lived at the corner of that street near the  
5 compound of S-21, but I maybe not be able to indicate the street  
6 numbers.

7 MR. TAN SENARONG:

8 With the President and the Chamber's leave, by the end of my  
9 question, could Mr. Sek Dan be instructed to highlight the  
10 location of the medics' house in which he worked in during that  
11 time, please?

12 MR. PRESIDENT:

13 Please wait. Have you received any response already from the  
14 witness in relation to the building one of the staff members of  
15 S-21 hung himself, so that for the good record and transcript  
16 because so far we have not obtained any concrete response yet,  
17 and how can we identify those locations?

18 [10.25.49]

19 And in response to your next question in relation to Building C,  
20 the place where he was assigned to work, I think you should not  
21 even need to ask him to indicate or draw any kind of mark on that  
22 Building C because Building C is quite popular and well known,  
23 and that the witness already indicated that he worked at Building  
24 C.

25 So what you would like the witness to identify next is to locate



30

1 the place where the medics would have been living and that the  
2 building where the staff member hung himself.

3 Have you received this response yet?

4 MR. TAN SENARONG:

5 Thank you, Mr. President.

6 I would like Mr. Sek Dan to locate the location where he would be  
7 distributing medicines to detainees, and his response is already  
8 clear and recorded but we would like the witness to also  
9 identify, or to confirm whether this is actually the building he  
10 once worked in.

11 And for the good record, historical record for the new  
12 generation, it is of course for our purpose to ask him to locate  
13 this building because people would later on know that this  
14 Building C would have been the place where he worked to  
15 distribute the medicine. And that of course Building D was the  
16 location in which the chief of the medics hung himself.

17 [10.27.55]

18 MR. SEK DAN:

19 Well, I would like to clarify a little bit that he hung himself  
20 not right inside the building but at the outside of the compound  
21 in one of the houses. I don't remember those houses.

22 BY MR. TAN SENARONG:

23 Q.Can you please confirm in which buildings here, which houses  
24 as you can see in this photo, that --

25 MR. PRESIDENT:

31

1 Mr. Co-Prosecutor, could you please produce another hard copy of  
2 the photo because even the Chamber itself finds it difficult to  
3 follow you, let alone the public or the witness.

4 BY MR. TAN SENARONG:

5 Q. When you indicate, can you mark it on the sketch and you can  
6 write which building -- A, B or C, for instance -- and please  
7 also make your speech to the Chamber once you've marked it on the  
8 sketch.

9 MR. PRESIDENT:

10 The counsel for the witness, you may proceed.

11 MR. KONG SAM ONN:

12 Thank you, Mr. President. Because the witness cannot understand  
13 the sketch is it possible for the national Co-Prosecutor to have  
14 other alternative photos to show to the witness in order to make  
15 him understand better -- that is, the location as specified in  
16 the photo -- or maybe the Co-Prosecutor can come close to the  
17 witness to show him?

18 [10.31.46]

19 MR. PRESIDENT:

20 The national Co-Prosecutor, can you make clearer questions to the  
21 witness and please also bear in mind the limited knowledge of the  
22 witness and try to simplify your question so that with his  
23 limited knowledge he can understand and inform the Chamber of  
24 what he knows. If your question is beyond his knowledge it is a  
25 waste of time.

32

1 MR. TAN SENARONG:

2 We, the Co-Prosecutors, understand that. With the President's  
3 leave, if I can go and show the witness the location then I will  
4 try to do so and explain to the witness.

5 MR. PRESIDENT:

6 Yes, you can do it, but bear in mind that now you have five more  
7 minutes in excess of your time allocation already. Please be  
8 specific and try only to pinpoint the actual content of what you  
9 want to ask.

10 The Co-Prosecutor, you cannot discuss in private with the  
11 witness. You have to indicate and explain to the witness in  
12 public so that the Chamber and the audience can understand what  
13 you are trying to communicate to the witness. Otherwise it might  
14 be mistaken that you tried to lead the question into the point  
15 that you want to get from your question.

16 MR. TAN SENARONG:

17 Thank you for your instruction, Mr. President.

18 [10.34.07]

19 BY MR. TAN SENARONG:

20 Q.Mr. Sek Dan, this is a sketch of the Tuol Sleng compound with  
21 the buildings A, B, C, and D, and you said this is the location  
22 where you went around dispensing the medicines. That's the third  
23 building; right? Can you indicate the location of the medical  
24 office?

25 A.It is over there.

33

1 Q. Please can you indicate it on the sketch? You can either  
2 circle it in order to show the location. So that is the entrance  
3 to the Tuol Sleng compound; right?

4 MR. PRESIDENT:

5 The defence counsel, you may proceed.

6 MR. ROUX:

7 It's a bit too late, Mr. President. I just wanted to also have  
8 Mr. Kar Savuth sitting next to the witness at the same time as  
9 the Co-Prosecutor, since I do not understand Khmer.

10 MR. PRESIDENT:

11 First, the time allocated for the national Co-Prosecutor runs  
12 out. So secondly, the Chamber will take into consideration in  
13 order to clarify the matter for the public to understand the  
14 questions posed by any party, rather than it's a subjective  
15 question and only the person who asks the questions can  
16 understand the response. So if the Chamber understands the  
17 discussion or the explanation is to seek the truth, then it is  
18 allowed.

19 Now it is time for a break. The Chamber will take a 20-minute  
20 break until five to 11, when we will resume and we will continue  
21 to hear the testimony of this witness.

22 [10.36.35]

23 Court officer, can you provide necessary refreshments to this  
24 witness and bring him back into the courtroom before the said  
25 time. The hearing is adjourned.

34

1 (Judges exit courtroom)

2 (Court recesses from 1036H to 1103H)

3 (Judges enter courtroom)

4 MR. PRESIDENT:

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

6 We continue hearing the testimony of Sek Dan, and it is now time

7 for the civil party lawyers to put questions to the witness.

8 The Chamber would like to know also how time is allocated among

9 the civil party lawyer groups.

10 [11.04.28]

11 MS. MOCH SOVANNARY:

12 Mr. President, Your Honours, we have already discussed and

13 reached an agreement, so my group, group 3, will use the entire

14 time allotted to put questions to this witness.

15 First, I would like to put questions, and my colleague would

16 follow with some remaining questions.

17 QUESTIONING BY CIVIL PARTY COUNSEL

18 BY MS. MOCH SOVANNARY:

19 Q. Good morning, Mr. Witness, I am Moch Sovannary. I am here

20 representing civil party group 3. I have a couple of questions

21 to be put to you and if you feel you are not certain whether you

22 understand my questions, please ask me to repeat them. And I

23 would like to thank you in advance for responding to my

24 questions.

25 My question is, at one point-in-time, you were taken from your

35

1 home town to work and you stated in response to Judge Lavergne  
2 that you were taken by the militia and that you assigned the task  
3 afterwards. Can you please tell the Court how you were taken  
4 from the home town and were you given any moment to say farewell  
5 to your family?

6 Do you understand my question?

7 A.I would like you to clarify it a little bit further.

8 Q.I would like you to just tell the Court how you were taken  
9 from your home town and in which location were you at when you  
10 were being taken from, and were you given an opportunity to say  
11 goodbye to your parents?

12 A.I did not have any opportunity to say goodbye, I was just  
13 taken away immediately.

14 Q.Thank you for your information.

15 Next, I would like to proceed with the next question in relation  
16 to the arrest of your chief of the group named Pao. Can you tell  
17 us where was he detained? Was he detained at Prey Sar or S-21,  
18 or what happened to him?

19 A.He was arrested and detained at the prison, but I did not see  
20 in which room he was detained because normally people who stayed  
21 together when they were arrested we would not be allowed to see  
22 where they would have been detained.

23 [11.07.50]

24 Q.Thank you. So how did you know that the person was detained  
25 at S-21?

36

1 A. When the person disappeared, and especially those who worked  
2 in the compound would have been detained inside the prison, not  
3 elsewhere.

4 Q. Next, you said that you observed that the injuries or wounds  
5 on some detainees, and that in your interview to the  
6 Co-Investigating Judges you indicated that you saw the injuries,  
7 the nails missing, and others.

8 In the record of the interview, you also stated that some  
9 detainees got their head split open -- or the wounds in the head,  
10 so can you tell the Court how severe were the wounds sustained on  
11 the heads of some detainees and how could detainees get such  
12 wounds?

13 A. Could you please clarify your question?

14 Q. Actually, before the Co-Investigating Judges you said you saw  
15 detainees with wounds and who were bleeding and their heads were  
16 injured. Could you tell us how these detainees get such  
17 injuries? Do you understand my question?

18 A. I'm afraid I will not respond to this question.

19 Q. I would like to proceed with the last question before I will  
20 give the floor to my colleague to proceed with further questions.

21 In document D28/19 on page with ERN 00163851, you said you saw  
22 the accused inside the political school; you saw him twice. Do  
23 you remember having said that? If so, do say so in the Court.

24 If not, do also say you don't remember.

25 [11.10.47]

37

1 A.I saw him twice, but I don't really remember it.

2 Q.So you said you saw him twice but you are not sure where you  
3 saw him. Is that correct?

4 A.It is correct.

5 MS. MOCH SOVANNARY:

6 I have no further questions. I would like my colleague to  
7 proceed with the rest of the questions.

8 BY MS. TRUSSES-NAPROUS:

9 Q.Hello, Mr. Sek Dan. I am Ms. Fabienne Trusses-Naprous. I am  
10 co-lawyer for civil party group number 3 and I would like to  
11 thank you for your presence here.

12 You are now 48 years old. Please tell us how you feel now, with  
13 regard to your experience between 1975 and 1979; how do you feel  
14 about that time of your life? How do you see it from your  
15 perspective today?

16 A.I thought back then that everyone would have been killed  
17 except those people who worked at my location.

18 [11.12.40]

19 Q.I understand what you are saying but my question was, how do  
20 you see things today as an adult now? How do you feel about that  
21 particular time of your life?

22 A.I don't think I understand the question very well.

23 Q.Do you still suffer from what you saw during that time? Do  
24 you have problems with regard to what you saw at the time? Do  
25 you have anxiety; do you have sleep loss? Does it worry you?



38

1 A.Well, back then, I was so worried that one day I too would be  
2 taken away to be killed because I wouldn't make any mistakes, for  
3 example.

4 Q.I'd just like to return to a question that lawyer Moch  
5 Sovannary put to you. She talked about you meeting Duch on two  
6 occasions. Do you remember what he said when you met him on  
7 those two occasions?

8 A.He lectured in the political sessions and I don't know much of  
9 the lectures he was giving at that time.

10 MS. TRUSSES-NAPROUS:

11 I have no further questions.

12 [11.15.36]

13 MR. PRESIDENT:

14 Civil party lawyers, you still have 10 more minutes. We don't  
15 know whether you would like to proceed with other questions. I  
16 don't know whether other lawyers of the group would like to put  
17 some questions to the witness.

18 Otherwise, the Chamber would like to now give the floor to the  
19 defence counsel to put questions to the witness.

20 MR. KAR SAVUTH:

21 Thank you, Mr. President, Your Honours, and the Chamber.

22 QUESTIONING BY DEFENCE COUNSEL

23 BY MR. KAR SAVUTH:

24 Q.Mr. Sek Dan, you said you were the child medic at S-21. You  
25 saw the ambulance with the hospital sign before the S-21

39

1 compound.

2 Do you remember what colour was the car?

3 A.It was a white car with a hospital symbol.

4 Q.Did you know that the car belonged to S-21 or did it belong to  
5 other units instead?

6 A.I would not like to respond to this question.

7 Q.Two. You said the medic house stored prahok underneath the  
8 house. Were you suspicious why the prahok was stored under the  
9 medics' house, not at the kitchen?

10 A.I was suspicious why this kind of fermented fish, or prahok,  
11 stored at that medic house other than the kitchen.

12 [11.18.34]

13 Q.Thank you. Actually was the fermented fish just brought in  
14 recently?

15 A.It was only brought in recently.

16 Q.Thank you. When you distributed medicines to the detainees  
17 did you ever see Duch use any tortures against any detainees?

18 A.I never saw him directly but he ordered such tortures because,  
19 for example, he could have ordered Peng and other people to use  
20 tortures.

21 Q.So you did not see him use torture directly and that you heard  
22 of tortures used by Duch through other people. Is that correct?

23 A.I would not want to respond to that question.

24 Q.You said the chief of the medics, the adult chief of medics,  
25 were arrested and that only Duch who made such order of the

40

1 arrests. What kind of evidence could you obtain to prove that  
2 you knew that Duch ordered such arrests?

3 A.It is obvious that he was the chief of that location.

4 Q.So having earning the title as the chairperson then you can  
5 presume that he could have ordered such arrests? Is that  
6 correct?

7 A.That's what I concluded because he was the chief, so no-one  
8 else could carry out any order.

9 [11.20.59]

10 Q.So were you suspicious that other people on top of him would  
11 have ordered such arrests?

12 A.I have no idea because I only learned that it was Duch who  
13 made such orders.

14 MR. KAR SAVUTH:

15 Thank you, Mr. President. I would like to share the floor with  
16 my co-colleague.

17 MR. PRESIDENT:

18 Mr. François Roux, you take the floor.

19 MR. ROUX:

20 Thank you, Mr. President.

21 BY MR. ROUX:

22 Q.Thank you, witness. I'd like to put a number of questions to  
23 you so that you can help us shed light on a number of points.

24 In your statement made before the investigators of the

25 Co-Investigating Judges it is indicated that you were born in

41

1 1961 in Trapeang Krabau village. Is that correct?

2 A.It's correct that I was born in Trapeang Krabau, Tuek Phos,  
3 Kampong Chhnang.

4 [11.23.09]

5 Q.And you were born in 1961. Is that correct?

6 A.It's correct.

7 Q.Mr. Sek Dan, if you were born in 1961, in 1975 you would not  
8 be 11 years old as you have told this Court; you would be 14  
9 years old instead. Is that correct?

10 A.I'm not good at calculating it so I may not respond.

11 Q.In my country we say that the figures speak for themselves.  
12 So if you do confirm that you were born in 1961, you would then  
13 be 14 years old in 1975.

14 You said that in 1975 you were first designated to come to Phnom  
15 Penh and that you went to the military school and that you spent  
16 three months there. Is that correct?

17 A.Yes, it's correct.

18 Q.And then you said to the investigators of the Co-Investigating  
19 Judges that you went to farm rice and build dykes like the other  
20 inhabitants. Do you remember for how long you went to cultivate  
21 rice and build the dyke after the three months you mentioned?

22 A.I don't remember how many months, although I worked at the  
23 rice fields at different places.

24 [11.26.19]

25 Q.Can we work in stages? Did you spend one year, say, working

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1 in the rice farm? Did you spend one entire season at the rice  
2 farm or did you spend less than one season there?

3 A.I worked there for one season after another.

4 Q.So it can be said that you worked there for two seasons; would  
5 that be correct?

6 A.I don't respond to this question.

7 Q.Witness, I recall that you may refuse to answer questions that  
8 incriminate you but not other questions. So I shall try to help  
9 you. If you stayed in the rice field for two rice seasons would  
10 you agree with me if I were to say that you stayed at the rice  
11 field for about a year?

12 A.I don't understand your question.

13 [11.29.02]

14 MR. PRESIDENT:

15 The counsel for the witness, you can take the floor but before  
16 giving the floor to the counsel I would like to -- we would like  
17 to inform the witness that you can decline to respond to any  
18 questions that you believe could self-incriminate you, for  
19 example like have you ever killed anyone and this kind of  
20 response, if you said yes, then it would implicate or would  
21 incriminate you.

22 But here you are obliged to tell the truth, nothing but the  
23 truth, something you witnessed, you still remember and you have  
24 to tell the Court that you don't remember or you remember or not.  
25 And you cannot just not to respond to the questions that are not

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1 self-incriminating you. Do you understand this?

2 WITNESS:

3 I don't quite understand that much.

4 MR. PRESIDENT:

5 The counsel for the witness, could you please explain to the  
6 witness in relation to his testimony?

7 MR. KONG SAM ONN:

8 Thank you, Mr. President.

9 I will need some time to talk with the witness. I would like to  
10 make small remark in relation to the memory of the witness. The  
11 witness has poor memory so may I suggest that people who put  
12 questions shorten their questions so that the questions are  
13 brief, precise, and that the witness find it easy to respond.  
14 Otherwise, he will not respond to such questions.

15 [11.31.01]

16 So when he does not respond to question it appears that he  
17 doesn't understand the question instead rather he did not want to  
18 respond.

19 MR. PRESIDENT:

20 The President allows the counsel to consult the witness.

21 (Witness consults with counsel)

22 MR. PRESIDENT:

23 The defence counsel, Mr. Roux, you can continue your questioning  
24 to the witness.

25 MR. ROUX:

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1 Thank you, Mr. President.

2 BY MR. ROUX:

3 Q. So Mr. Dan, I'm just trying with your help, to understand the  
4 chronology, the dates that you provided to us in your statement  
5 and do you remember the statement that you provided to the  
6 investigators of the Co-Investigating Judges, do you remember  
7 that statement, Mr. Dan, Sek Dan?

8 A. I don't really recall it well.

9 Q. Okay. Because in this statement you provided rather specific  
10 dates, so I just want to check with you today to make sure if we  
11 are right in considering these dates or if on the contrary you  
12 are telling us that the dates that you provided to us do not  
13 really correspond to reality. This is what I want to check with  
14 you.

15 [11.36.29]

16 Well, let me start again. You therefore said that, after the  
17 17th of April 1975 you came to Phnom Penh and that you spent  
18 three months in the military school, and you also then said that  
19 you went to harvest rice for two seasons. Is that indeed what  
20 you said?

21 A. That is correct. That was my statement.

22 Q. And if we try to reconstruct the chronology of the different  
23 events, this would therefore mean that you arrived in April 1975,  
24 then you spent three months in a military school. That is to say  
25 May, June, and July of 1975. Is that so? And then two seasons,

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1 that represents a little bit more than a year, so this would mean  
2 that you arrived at S-21 in the middle of 1976, on the basis of  
3 this calculation. Does it therefore seem to you plausible that  
4 you arrived at S-21 in the middle of 1976, as far as you can  
5 recall?

6 A.It was 1978. It was in early 1978.

7 [11.38.37]

8 Q.Indeed that's what you said to the investigators. You said  
9 indeed that you arrived in 1978. But here, Mr. Sek Dan, if you  
10 arrived in 1978 at S-21 you were not 11 years old; you were 17  
11 years old.

12 It was just something that I was stating. You are not obliged,  
13 of course, to answer but it's very easy to calculate. If you  
14 were born in 1961 and if you arrived at S-21 in 1978 you were not  
15 11 years old.

16 And do you know in what year Pao was killed? Do you know in  
17 which year Pao was killed? You told us that the unit was led by  
18 Pao and do you know in which year he was killed?

19 A.It was in the early of the year that I went to work at S-21  
20 but I cannot recall the exact date when he was killed.

21 Q.In any case, as far as you can recall, when you arrived in the  
22 medical unit Pao was still the head of the medical unit. Is that  
23 so?

24 A.That is correct. He was the chief of the group and he was in  
25 charge of the child medics.



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1 Q.And you also spoke about Yeun and his former deputy who  
2 followed up on him, and you said that Yeun hung himself. So  
3 therefore who took up after Yeun?

4 [11.41.30]

5 A.That was the time that we fled already. So at that time,  
6 because of the situation, nobody was yet appointed to replace  
7 him.

8 Q.So you want to tell us that Yeun hung himself just before  
9 January 1979 when the Vietnamese arrived?

10 A.That is correct.

11 Q.And above your leaders who was your direct superior -- above  
12 your leaders?

13 A.There was nobody else in my group; that is, the medical group.  
14 I only had a chief of the group. At my location there was no  
15 platoon or company. The top one was the chief of the group.  
16 Probably there would be companies or platoons in various other  
17 units.

18 Q.And if I say the name Peng does that mean anything to you?  
19 Does that ring a bell with you?

20 A.I heard the name Peng and I used to see him but Peng was not  
21 in my unit.

22 Q.And who was he? He was not part of your group, okay, but what  
23 was his function? Do you know what Peng was doing?

24 A.He was in a company in another unit. He was in the guards  
25 unit whose duty was to guard the prisoners.

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1 [11.44.30

2 Q.Fine. And have you ever heard about Hor?

3 A.I saw Ta Hor. He had a crooked mouth.

4 Q.Fine. But then what was Hor's position? What was his role?

5 A.I did not know his position or his role. I only saw him there  
6 but I think he must had one of the senior roles working together  
7 with Duch.

8 Q.You remember that when Judge Thou Mony questioned you to ask  
9 you if you knew the other senior people, you said no. So  
10 therefore you do know in fact the other senior people. So I'm  
11 going to continue trying to refresh your memory. If I speak to  
12 you about Try, does that ring a bell?

13 A.I used to see Try I think for one or two months when I  
14 arrived. He was also in the medical unit with Pao. That's all I  
15 know about Try but I think he's already dead.

16 Q.So you saw him for only one or two months at the beginning of  
17 1978. Is that so?

18 A.That is correct. What I have said is correct.

19 Q.I would like to tell you that some of the witnesses who spoke  
20 before the Chamber specified that Try was there at S-21 until the  
21 end, the very end, and that he fled at the same time as everyone  
22 else. But, however, you did not see him; that's what you're  
23 saying?

24 A.At that time he was arrested, so I presumed he was dead.

25 [11.48.24]

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1 Q.Can you tell us with whom you fled? Who was with you when you  
2 fled from S-21 in January 1979?

3 A.At that time all of us fled all together. I fled with those  
4 child medics who came from my village, so there were three of us  
5 fleeing together. First we fled together but after we were fired  
6 upon we split and there were only three of us together, so I was  
7 not with the main group any more. There were only us, the three  
8 of us, and the other two children they were a bit older and had  
9 bigger build than me.

10 MR. PRESIDENT:

11 The defence counsel, please be reminded that your time has  
12 elapsed.

13 MR. ROUX:

14 Mr. President, I would like you to take into account the time  
15 that the counsel spent with his witness, which should not be  
16 included, so therefore I would like to be able to finish  
17 questioning the witness.

18 MR. PRESIDENT:

19 How much time do you think you actually need? And the Chamber  
20 will make a decision accordingly. You are reminded that the  
21 Chamber has already allocated the time for each party and  
22 actually the Chamber has granted you seven extra minutes on top  
23 of the time allocated to you, and then we will still need time  
24 for the accused to make his observations to this witness  
25 testimony, and also time is allocated for the witness to respond

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1 to the observation by the accused if he has any. And this  
2 morning actually the accused made a preliminary observation  
3 already.

4 [11.50.53]

5 MR. ROUX:

6 I need three minutes, Mr. President.

7 MR. PRESIDENT:

8 You are granted three additional minutes.

9 MR. ROUX:

10 Thank you, Mr. President.

11 BY MR. ROUX:

12 Q.Mr. Dan, can you just simply tell us with which senior leaders  
13 you fled on the 7th of January 1979? Who were the leaders who  
14 were with you when you were fleeing?

15 A. There were many people, so I did not know whether any leaders  
16 were fleeing at the same time with us, and I was scared too at  
17 the time. So I did not go and look at the buildings where I used  
18 to work. I was just fleeing, myself, along with a few other  
19 people. I was only concentrating on fleeing; that's all.

20 MR. ROUX:

21 I have no further questions. Thank you.

22 [11.52.32]

23 MR. PRESIDENT:

24 The Chamber would like now to give opportunity to the accused to  
25 make his observations regarding this witness testimony.

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1 The accused, you are reminded that you can make your observations  
2 within the testimony of this witness and you are not allowed to  
3 make other observations in relation to testimonies of other  
4 witnesses who have already provided their testimonies.

5 THE ACCUSED:

6 Mr. President, my observation to the Chamber at this time is that  
7 this witness, Sek Dan, is a son of a peasant from a countryside.  
8 He has limited memory and education and, taking into account all  
9 these factors, it is likely that he was sent to S-21. However,  
10 the testimony provided by him has contradictory time lines; for  
11 example, Pao. Pao did not live in 1978. He died before that.  
12 And the reason is that Comrade Pao, when Hor had diarrhoea, Pao  
13 gave Hor some medication and then Hor got seizures and I reported  
14 this incident to Son Sen, because the medicine had arsenic  
15 substance in it. And then Son Sen ordered me to arrest Pao and  
16 he was arrested and smashed, and I did not want to talk about the  
17 other chief before Pao but Pao died before that time.  
18 So the contradiction in his testimony leads me to believe that he  
19 doesn't seem to be a staff of S-21, so that is my first  
20 observation. And for the second observation, it's that he knew  
21 three other people from Kampong Chhnang -- that is, Mon, Thim,  
22 whose names I cannot recall -- and he also talked about Comrade  
23 Yeun who hanged himself to death. I was the Chairman of S-21. I  
24 never heard of any S-21 staff who committed suicide by hanging  
25 himself. And when I was the deputy, yes, one person, one staff

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1 died due to the electrocution and I reported that incident to my  
2 superior.

3 [11.55.55]

4 And regarding the ambulance which arrived at the entrance of the  
5 prison -- and I think that street is 113 -- there would be no  
6 vehicle ever dare to enter the entrance or at the street attached  
7 to the entrance of S-21. All the vehicles would only stop at  
8 point A, which I marked on a sketch, except the vehicle of Son  
9 Sen which arrived at the entrance where Hor and I waited to greet  
10 him.

11 That was the only vehicle authorized to enter it. So all these  
12 points make me believe that he could not grasp the actual  
13 situation of S-21.

14 So it is my impression that, in general, his testimony is based  
15 on the situation, and when he talks about the general situation  
16 of the prisoners he talks about the rabbit pellet medicines and  
17 about the medicines that that he ate. So, in general, it seems  
18 that his testimony is acceptable but, based on the points that I  
19 just raised, it made me suspicious of his testimony. And that is  
20 all.

21 Judge Lavergne, you may proceed.

22 JUDGE LAVERGNE:

23 I would just like to know if the accused has any documents which  
24 would allow us to determine the date when Hor would have been the  
25 victim of this reaction to this medicine, and also to establish

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1 the date when Pao would have been executed?

2 [11.58.08]

3 THE ACCUSED:

4 Your Honour, Pao, who was arrested at S-21, I could not recall it  
5 exactly because I cannot recall his surname. The documents that  
6 can be found are only his confession. I think his confession is  
7 still at S-21 and, based on that document, then we can know the  
8 exact date of his arrest, Your Honour.

9 BY MR. PRESIDENT:

10 Q.Mr. Sek Dan, do you have any reasons to tell the Chamber that  
11 you are actually a child medic working at S-21, that you  
12 dispensed the medicines, that you cleansed the wounds of the  
13 prisoners at S-21, besides what you have provided in your  
14 testimony to the Chamber this morning? This is in response to  
15 the observations made by the accused that he doubts that you were  
16 a medical staff at S-21.

17 A.I really worked there and the people who came with me to work  
18 there could be the proof.

19 Q.Who were they -- or who are they?

20 A. Mean learned already that I was the child medic.

21 Q.What is that person's full name?

22 [12.00.43]

23 A.I don't remember his full name, but he worked there.

24 Q.What did Mean do at S-21? Please wait until you see the red  
25 light otherwise your response cannot be communicated. And,

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1 please, for the good record, wait until you see the red light.

2 You said that you know that Mean could shed some light in  
3 relation to your existence at S-21. So what did he do at S-21?

4 A.He was a guard. He knows me as Dan, the child medic.

5 MR. PRESIDENT:

6 Thank you very much, Mr. Sek Dan, for your attendance before the  
7 ECCC.

8 We note how very difficult this has been for you because you have  
9 been questioned from several parties to the proceedings, and that  
10 the facts at issue were something more than 30 years ago and  
11 that, at that time, you were very young and your educational  
12 background was very limited too.

13 This makes your memory is rather poor, and the Chamber noted that  
14 you had been working your best to fulfil your duty as a witness  
15 to shed light in relation to the facts to the Chamber.

16 The Chamber has no further questions to put to you and you are  
17 now allowed to go back to your residence. And the Court official  
18 is now instructed to take Mr. Sek Dan to meet with the WESU so  
19 that the unit can take him back to his residence.

20 [12.03.07]

21 (Witness exits courtroom)

22 The Court finds it now convenient to take an adjournment for  
23 lunch, so we will adjourn and we will resume at 1.30 p.m.

24 By then, we are going to hear another witness, KW-21. So please,  
25 the parties to the proceedings and the public, be informed.



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1 The detention facility security personnel are now instructed to  
2 take the accused back to the detention facility.

3 THE GREFFIER:

4 All rise.

5 (Judges exit courtroom)

6 (Court recesses from 1204H to 1332H)

7 (Judges enter courtroom)

8 MR. PRESIDENT:

9 Please be seated. The Court is now in session. We're going to  
10 hear another witness, Witness KW-21.

11 We note that Mr. François Roux is on his feet.

12 MR. ROUX:

13 Thank you, Mr. President.

14 Before having the witness come into the courtroom I would like,  
15 on behalf of the defence, to express the strongest reservations  
16 regarding the fact that we do not have any French translation of  
17 this witness's statement which he provided to the investigators  
18 of the Co-Investigating Judges, Index D22/13.

19 [13.33.41]

20 We have the English version and it is a document dated from  
21 October 24th 2007, and a year and a half later we still do not  
22 have a French translation of this document. I find this  
23 completely abnormal and therefore I am asking the Chamber to  
24 please ask the administration to make sure that such situations  
25 do not happen again. Thank you, Mr. President.

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1 MR. PRESIDENT:

2 The Court officer is now instructed to call Witness KW-21 into  
3 the courtroom.

4 (Witness enters courtroom)

5 QUESTIONING BY THE BENCH

6 BY MR. PRESIDENT:

7 Q.Mr. Witness, what is your name?

8 A.I'm Lach Mean.

9 Q.Do you use other names?

10 A.No, I don't.

11 Q.How old are you this year?

12 A.I'm 52 years old.

13 Q.What do you do for a living?

14 A.I am a farmer.

15 Q.According to the reports of the Greffiers, as of this morning  
16 it indicates that you have no blood relation with any parties to  
17 the proceedings and that you have already taken an oath. Is that  
18 correct?

19 A.Yes, it is, Your Honour

20 [13.37.53]

21 Q.The witness, could you please be reminded that before you  
22 could respond to any questions of mine and other parties to the  
23 proceedings, could you please wait until you see the red light is  
24 on before you speak, in order for the transcribers and for the  
25 other parties to hear your words in the translated or interpreted

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1 language. Do you understand this?

2 A.Yes, I do. I'm sorry, I was about to make another mistake.

3 Q.Now, we would like to inform you of the rights and obligation

4 as a witness. As a witness you may decline to answer any

5 questions that you are afraid that your testimony could

6 self-incriminate you. So you have the right not to incriminate

7 yourself and as a witness you shall only tell the Court the

8 truth, nothing but the truth, and you are not allowed to make

9 your assumption in this Court. Do you understand?

10 A.Yes, I do, Your Honour.

11 Q.Mr. Lach Mean, can you please briefly tell us your life story,

12 starting from 1970 to the 17th of April 1975; where did you live,

13 what did you do? Once again, please be reminded that the Court

14 is now interested to hear first the activities of yours from 1970

15 to 1975.

16 A.From 1970 to 1975; first, in 1970 I lived and worked with my

17 parents and later on I was ordained as a monk and in 1972 or 1973

18 I was still a monk and later on I was assigned to stand by to

19 carry the wounded at the commune and then I was recruited as the

20 commune militia.

21 [13.40.58]

22 In 1974 and late 1974 I worked at the local military unit, worked

23 as the combatant and I had worked in this unit until 1975. Later

24 on, after 1975, after the war was over I was sent to Boeng Tumpun

25 to raise pigs and to collect morning glory, and in the same year

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1 I was sent to attend study sessions at the military technical  
2 schools at Ta Khmau School.  
3 After having been tempered for one month or two months I was then  
4 sent to live and work at Ta Khmau in a unit, I don't remember the  
5 name of that unit; I was assigned to gather detainees and also  
6 was asked to pour water or to water the plants, vegetables.  
7 I worked there briefly, about a few months and then I was  
8 assigned to work at the location near Central Market, called PJ.  
9 At this PJ prison I worked for almost one year, probably, or  
10 maybe more than one year, I don't remember quite well.  
11 At that time I was asked to guard detainees who were put in each  
12 house or rooms and maybe early 1976 or seven or eight -- I'm  
13 sorry, I don't remember this quite well -- the location of that  
14 prison was relocated to S-21 which is the Tuol Sleng Prison.  
15 So this is my brief life history from 1970 to 1975, and I left  
16 Phnom Penh in 1979 of course.

17 [13.43.58]

18 Q.You indicated that from 1970 to 1973 you lived with your  
19 parents and you were ordained as a monk in Thlok Vien location,  
20 so in which province was Thlok Vien located?

21 A.I was a monk in Thlok Vien Commune. It was called Kampong  
22 Tralach Leu District, now it is named Sameakki Meanchey District,  
23 Kampong Chhnang Province.

24 Q.You say that after you left the monkhood you were made to  
25 carry the wounded in the battlefields and also to help transport

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1 food and supplies and later on you worked as the local military.

2 So in which district did you work in at that time?

3 A.The military unit at that time was called just District

4 Military Unit, I don't remember the name exactly.

5 Q.Was it in Kampong Tralach District or in, Sameakki Meanchey,

6 as what you said?

7 A. At that time it was the Kampong Tralach Leu or Dâb Pi

8 District.

9 Q.Can you also please tell the Court about the duties you were

10 assigned with at the prison you claimed you worked in at Ta

11 Khmau? Can you also tell the Court about the condition or the --

12 especially how detainees were treated?

13 A.At that time, the detainees detained at Ta Khmau prison, to my

14 observation, they were the detainees who had already been

15 interrogated and who were put to work to water vegetables or to

16 work with the woodworks.

17 Q.Back then, do you still remember what kind of detainees were

18 there? Were they the former soldiers of Lon Nol's regime or were

19 they the cadres of the revolutionary, or were they officials from

20 the former regime?

21 A.I don't know for sure what kind of detainees were they because

22 it was not part of my business to know what kind of detainees

23 they were. I was asked to only guard them and make sure that I

24 did not allow any detainee to escape. That was my primary task

25 already.

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1 [13.48.13]

2 Q.You said you were guarding the detainees who were made to  
3 water vegetables. In which location were you working; was it a  
4 school compound or was it a new prison compound?

5 A.At that location, it was the psychiatric hospital left -- the  
6 remnant from the former regime.

7 Q.How many detainees were put in that psychiatric hospital that  
8 turned prison, especially during the time when you had been  
9 working there?

10 A.There were about 100, more or less; about 100 detainees.

11 Q.Before you left that prison, the Ta Khmau prison, so there  
12 were about 100 detainees as you indicated. So before you left  
13 the location, did you know where these detainees were taken to or  
14 what happened to them?

15 A.I did not know because I was sent straight to work at the PJ  
16 prison and I did not know where those people would have been  
17 taken to.

18 Q.You indicated briefly about your work. You were assigned to  
19 work at the PJ prison and you also witnessed the condition of the  
20 detainees detained there. Could you please tell the Court, to  
21 the best of your recollection, about the condition of detainees  
22 at the PJ prison?

23 A.At the PJ prison, I was guarding the detainees in each room.  
24 Detainees would be shackled by their legs and I was asked to only  
25 guard them.

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1 [13.51.24]

2 Q.At the PJ prison -- and that you claimed that you were  
3 assigned to guard the detainees -- can you give us the  
4 approximate number of the detainees who had been detained back  
5 then in those rooms?

6 A.There were about 10 or more people in that house. I was on  
7 guard. I don't know how many other prisoners would be detained  
8 in other houses.

9 Q.Do you also remember back then the name of the location at the  
10 outset? You called it the PJ prison, but back then what was it  
11 named?

12 A.I read the letter in Khmer, which was the police headquarters  
13 or department.

14 Q.Had you ever learned of the Dam Pheng prison?

15 A.I had heard of it. That prison was named Dam Pheng prison.

16 Q.So when the person referred to that location as Dam Pheng  
17 prison, it was the PJ prison. Is that correct?

18 A.Yes, it is correct, Your Honour.

19 Q.Who was the chairman of the prison when you first came to work  
20 at that location, or do you still remember the superiors and  
21 other subordinates at that time?

22 [13.54.11]

23 A.I know the superiors including Duch, Hor and Pauch, who was  
24 the chief of my unit, the defence unit.

25 Q.Do you ever know the person named In Lorn, alias Nat?

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1 A.I had not learned or heard of that person's name, so I'm not  
2 quite sure that I know this person, so I may say that I don't  
3 know.

4 Q.At that location, had you learned of any detainees being  
5 tortured while you were being on guard?

6 A.Normally, interrogation sessions would be done in a separate  
7 location that the guards could never know what would happen  
8 during the sessions.

9 Q.What about the people at that location? Did you also observe  
10 that detainees would gradually disappear?

11 A.There was no-one disappeared at the location where I was on  
12 guard.

13 Q.You stated that you are not sure you remember the exact date  
14 when that prison, the PJ prison, was transferred or relocated to  
15 the current location.

16 So can you tell the Court whether, at the beginning when this  
17 location was relocated to the new location, it was the Tuol Sleng  
18 Prison or was it moved to another location before it was later on  
19 located to S-21? Could you please shed more light on this?

20 A.I think the new location was this S-21 location after it had  
21 been relocated from PJ prison.

22 Q.At that time what was the actual official name of that office  
23 during the time when you worked at that prison; the new prison  
24 after the PJ? Now everyone knows that it is the genocidal museum  
25 of Tuol Sleng but at that time I don't know whether you remember



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1 there was any new name for that location officially.

2 A.It was named the S-21 Office, no other names.

3 [13.58.00]

4 Q.Please be reminded that the S-21 museum is just the new name,  
5 because they want to maintain the name of S-21 for the good  
6 record, good historical record. The name "museum" only was taken  
7 or was used recently. Could you please tell us again whether  
8 back then the name of the office -- what was the name of the  
9 office?

10 A.It was, Your Honour, the Office of S-21.

11 Q.What kind of work were you assigned to do when you first came  
12 to work at S-21?

13 A.I was asked to guard the cells, the buildings, and we took  
14 turn to guard the detainees. So there were groups of guards and  
15 then there were shifts, and later on I was assigned to work with  
16 a typewriter to record documents. And then I was asked to learn  
17 how to interrogate detainees in late 1978. After three months of  
18 such training then the Vietnamese approached Cambodia.

19 MR. PRESIDENT:

20 Judges of the Bench, do you have questions for this witness?

21 Judge Ya Sokhan, you may proceed with your questions.

22 JUDGE YA SOKHAN:

23 Thank you, Mr. President.

24 BY JUDGE YA SOKHAN:

25 Q.When you were transferred to S-21 did you know who was the

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1 Chairman and who was in the committee of S-21?

2 A.I was transferred to S-21. Regarding the committee, I knew

3 Duch and Hor, and Hor was the chief of my guard unit.

4 [14.01.35]

5 Q.Did you know Nun Huy, alias Huy Sre?

6 A.I knew Huy Sre. He occasionally came to S-21. He was in

7 charge of the unit at Prey Sar at the rice fields.

8 Q.Was Huy Sre also a member of the committee of S-21?

9 A.From what I knew, Huy was a member of the S-21 committee.

10 Q.Did you know at S-21 how many units there were and what are

11 they?

12 A.I do not know. In S-21 there was a rice field section besides

13 the S-21 compound itself.

14 Q.You were assigned to work at S-21. Which unit did you belong

15 to and who was your unit chief?

16 A.My unit chief while I was at the guard unit was Seng.

17 Q.In your guard unit, how many members?

18 A.The chief of the guard unit was Seng. I worked under him and

19 later on I was transferred to the interrogation unit and I worked

20 under the supervision of Kak, who taught me how to interrogate.

21 [14.03.59]

22 Q.Can you recall the names of those people who worked in the

23 guard unit?

24 A.While I was in the guard unit I cannot recall the names of

25 people who worked there. I can recall a few names including Yem

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1 Yean, alias Chrech; Rei, Pheap, Ches, Soeur; that's all.

2 Q.You worked as a guard. Were you assigned to stand guard  
3 outside or inside the compound of S-21?

4 A.I was assigned to guard the cells and the rooms, sometimes on  
5 the first or the second floor of the middle building or the  
6 building to the north. I was guarding those common rooms.

7 Q.So you were the inside guard. Is that correct?

8 A.Yes, that is correct.

9 Q.So you were assigned to work as a guard. Were you taught how  
10 to guard and, if so, who taught you?

11 A.At that time Seng was the unit chief. He taught me how to  
12 guard and not to allow the prisoners to escape or to commit  
13 suicide.

14 [14.06.19]

15 Q.Did you know, at S-21, how many buildings there were?

16 A.There were three large buildings and each building had three  
17 floors, and there was a front office.

18 Q.Can you recall exactly which building were you assigned to  
19 guard and on which floor?

20 A.Yes, I remember. I was assigned to guard the middle building  
21 on the first and second floor. Also, I was assigned to guard the  
22 north building, the second floor of that north building, and  
23 there were common rooms in that building.

24 Q.At night, where did you stay?

25 A.At night, I stayed at a house outside the compound.

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1 Q.Where did you have your meals?

2 A.We had our meals outside the compound at the economic section.

3 [14.08.12]

4 Q.Was it a common dining hall or was it only specially made for  
5 the staff of S-21?

6 A.We had our meals at our own separate unit. For example, the  
7 guard unit would have our meals within our guard unit.

8 Q.Did you ever see the accused having meals at that location?

9 A.Are you referring to the accused in this Chamber?

10 Q.Did Duch ever have meals at that location at the time?

11 A.At that time, yes, he had his meals with the interrogation  
12 unit. Occasionally, I saw him having meals there.

13 Q.So he did not have meals together with the guard unit?

14 A.He did not join the guard unit for lunch or for meals.

15 Q.You were assigned to guard inside. What was the working  
16 hours?

17 A.It started from 5 p.m. I apologize, it started from 6 p.m.  
18 until 12 midnight and then there was another shift.

19 [14.10.01]

20 Q.During the working hours, were you allowed to carry any weapon  
21 and, if so, what weapon?

22 A.At that time, we were not allowed to carry any weapon. We  
23 patrolled on foot and we were not allowed to rest, so we  
24 patrolled constantly up and down the building.

25 Q.During the time that you guarded inside, did you ever see

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1 prisoners being taken to be detained in the building?

2 A.Yes, I saw prisoners being taken to be detained in the room  
3 while I was guarding.

4 Q.Were the prisoners walked, and did they do anything to the  
5 prisoners? Or if the prisoners were blindfolded or cuffed, and  
6 what clothes were the prisoners wearing?

7 A.At that time, the prisoners were walked, they were handcuffed,  
8 they wore shorts and they were blindfolded. So once they were  
9 put inside the rooms then they removed the blindfold.

10 Q.Did you really take the prisoners inside the room or it was  
11 done by another group?

12 A.Another group took the prisoners to be put inside the room. I  
13 was only standing guard.

14 Q.Did you ever see female prisoners or children walked and  
15 detained?

16 A.Yes, there were female prisoners, but I did not see any  
17 children.

18 [14.12.15]

19 Q.The female prisoners who were walked, were they also  
20 blindfolded and handcuffed like the male prisoners?

21 A.I did not see female prisoners being walked. I only saw them  
22 detained at the front office. I did not see them being walked  
23 into another room.

24 Q.The children who were walked to be detained in the rooms, was  
25 it done on a daily basis?

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1 A. Not on a daily basis; it was irregular. Sometimes it happened  
2 on a daily basis, sometimes it happened every week or fortnight.  
3 That's based on my observation while I was standing guard.

4 Q. Did you ever see prisoners being walked in large groups to be  
5 detained?

6 A. At that time, yes. People in large group were put in the  
7 four-by-four truck and they were disembarked and they were walked  
8 and detained in a large room.

9 Q. While you worked as a guard inside, did you ever see prisoners  
10 being taken out?

11 A. The prisoners who were taken out, they were put into a truck.  
12 They were brought out from the common rooms and they were put  
13 into a large, covered truck and taken away. That's what I saw.

14 [14.14.33]

15 Q. Based on your estimation, during the time that you worked as a  
16 guard inside, how many trucks, from your own witness -- how many  
17 trucks of the prisoners were taken out?

18 A. I cannot recall.

19 Q. Can you make a rough estimate?

20 A. I cannot provide any estimate because once in a while I saw  
21 what happened, and if it happened during the night then I could  
22 not say, and sometimes I did not see when the prisoners were  
23 taken out. So it is difficult for me to provide any rough  
24 estimate.

25 Q. You said your unit chief was Seng. Is this correct?

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1 A.Yes, Seng was my unit chief.

2 Q.During the time you worked as a guard inside, were you ever  
3 assigned to make arrest of people outside at various departments  
4 or offices or at the various zones?

5 A.No, I was not. I was not allowed to go outside.

6 Q.Did you know which group was assigned to make outside arrests  
7 and brought the prisoners into S-21?

8 A.Regarding the arrest outside I had no knowledge of this. I  
9 heard it was the duty of the messengers group, but I did not know  
10 anything about this group.

11 Q.Did you ever see any foreigners arrested and brought to S-21?

12 A.At that time, I saw two or three foreigners being brought.  
13 They were being brought to be interrogated and I think there were  
14 two or three of them.

15 Q.Did you see any Vietnamese prisoners of war being arrested and  
16 detained at S-21, or any Vietnamese civilians?

17 A.For Vietnamese people, yes, I saw them in large number; there  
18 were truckloads of them. That was towards the end of 1978.  
19 There were two or three truckloads of them.

20 Q.Can you recall from your estimate, how many people all  
21 together?

22 [14.18.33]

23 A.I can provide any appropriate any estimate; it's roughly 100  
24 or 100 plus or up to 200 or even more but I cannot say for sure,  
25 but I saw them in large numbers.

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1 Q.For the female prisoners, were there many of them and what  
2 about the children?

3 A. For the female prisoners where I was working as a guard,  
4 there were only a few of them, probably four or five or 10. So I  
5 would say less than 10 when I saw it, but I didn't know later on  
6 whether the number increased or decreased.

7 Q.Did you know if any S-21 staff were arrested?

8 A.For the S-21 staff, some of them disappeared on a continuous  
9 basis, but I didn't know whether they were arrested or not but I  
10 believe -- and it is my conclusion -- that those people who  
11 disappeared were arrested.

12 Q.Did you think those people, the S-21 staff, were arrested and  
13 they were covered so that the other staff would not see them or  
14 identify them?

15 A.I did not see this personally, however, it is my conclusion  
16 that for the staff who were arrested they would be covered, so  
17 that the other staff would not identify them. That's why they  
18 were covered with blankets.

19 [14.20.36]

20 Q.Did you see them covered with blankets?

21 A.Yes, I saw them being walked while covered with blankets, and  
22 staff disappeared. For example, if a person disappeared then  
23 next day or so then I saw a person being walked, covered with  
24 blanket.

25 Q.In your group anybody was arrested?



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1 A. My group chief disappeared and some other people also  
2 disappeared constantly.

3 Q. What were their names?

4 A. The chief of the interrogation unit, Kak disappeared, Heng,  
5 Norn also disappeared.

6 Q. Did you know who issued the orders for their arrest?

7 A. Regarding the order, I would not know.

8 Q. Did you know the name Peng?

9 A. No, I do not know this name.

10 Q. Did you know that Nun Huy was arrested?

11 A. No, I did not know about his arrest.

12 [14.22.43]

13 Q. Were there any arrest of the Prey Sar staff and sent to S-21?

14 A. For the staff at Prey Sar, I did not know if any of them was  
15 arrested or not.

16 Q. You worked as a guard inside. When people were brought to be  
17 detained, were they put into separate categories? For example,  
18 important buildings (sic) will be detained in a particular  
19 building and less important prisoners will be detained in another  
20 separate building?

21 A. For important prisoners, I didn't know where they would be  
22 detained but, in the individual's cells, prisoners were detained  
23 there and the interrogation unit would take them from those cells  
24 to be interrogated.

25 Q. Were you ever assigned to guard in the common room?

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1 A.Yes, I used to guard in the common room, in the north building  
2 on the second floor.

3 Q.For the common rooms, what types of prisoners were detained?

4 A.For the common rooms, prisoners will be detained and shackled  
5 in a long row of metal bar, sometimes both of the ankles were  
6 shackled, sometimes only one ankle was shackled.

7 [14.25.16]

8 Q.For one row, how many prisoners were put and shackled?

9 A.For one row, I think the metal bar was a pretty long, probably  
10 five metres long, so there could be between 15 to 20 prisoners in  
11 each row.

12 Q.Were they shackled or were they handcuffed?

13 A.Their ankles were shackled to the metal bar.

14 Q.You mean both ankles or just one ankle?

15 A.As I said, sometimes both ankles were shackled, sometimes only  
16 one, depending on the number of the prisoners. If there were  
17 more, then only one ankle would be shackled.

18 Q.What clothes did the prisoners wear?

19 A.In the common room, they wore shorts and they had  
20 short-sleeved shirts.

21 Q.Did they all have shirts?

22 A.Yes, all of them in the common room.

23 Q.Were those prisoners allowed only to lie down or they could  
24 sit up or stand?

25 A.They were allowed to lie down or sit up. If they wanted to

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1 stand, they were allowed to stand only for a short time and they  
2 had to sit up or lie down.

3 Q. Did they have to seek permission from the guard if they wanted  
4 to sit up or stand?

5 A. To sit up, they did not need to ask permission from the guard,  
6 but if they wanted to stand they had to ask permission from the  
7 guard.

8 [14.27.50]

9 Q. In the common rooms, were any female prisoners and children  
10 detained?

11 A. There were no female prisoners or children detained in the  
12 common rooms. Only male prisoners were detained.

13 Q. Were you ever assigned to guard the rooms where female  
14 prisoners were detained?

15 A. For the female prisoners, I was never assigned to guard any  
16 room where the female prisoners were detained. I only saw them  
17 while I walked across or past them.

18 Q. What about the foreigners or westerners, where were they  
19 detained?

20 A. I saw them being walked to the south building.

21 Q. Did you see those westerners or foreigners being detained?

22 A. I did not see them being detained.

23 Q. What about the Vietnamese prisoners of war, which building  
24 were they detained in?

25 A. Most of them were detained in the north building in the common

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1 rooms.

2 Q.Were they stripped of the clothes and only shorts were allowed  
3 to wear?

4 A.Most of them wore shorts and majority of them were topless.  
5 [14.30.13]

6 Q.What about the S-21 staff who were arrested, where were they  
7 detained?

8 A.For the S-21 staff, they were also detained in the south  
9 building.

10 Q.Did you guard at that location?

11 A.No, I didn't. I did not even go into the south building.

12 Q.How did you know that staff members who were detainees were  
13 detained there?

14 A.At that time, I saw them being walked while they're covered  
15 with blankets into that south building.

16 Q.Was food given -- or what was the food ration? How many meals  
17 a day was each detainee given?

18 A.There were rice with soup, the soup mixed with fermented fish.  
19 I don't remember in details, but normally it was a kind of common  
20 soup to be mixed with rice.

21 Q.Were you on guard outside the detainees' room or cells?

22 A.I did not guard outside but I worked inside the rooms. I  
23 worked from one room to another.

24 [14.32.36]

25 Q.So when detainees were offered the rice, did you witness it?

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1 A.Yes, I saw it. I saw that the rice and soup were mixed  
2 already and the person would be carrying that meal and that the  
3 detainees would be given a bowl of that rice with soup.

4 Q.Was it rice or gruel?

5 A.At that time, it was thick gruel but, later on, I have no idea  
6 what would be in the meal; maybe some rice or maybe some soup.

7 Q.So how many meals a day would any detainee be offered, and how  
8 much? I mean, the quantity of the meal.

9 A.Each was given a bowl or a mug.

10 Q.Was it a military kind of mug used back then?

11 A.It was more like a water bowl with handles, so the food would  
12 be put inside that bowl.

13 Q.So can you estimate to what extent could that bowl be filled  
14 with rice or gruel?

15 A.For people who ate less it would be enough for a meal, but  
16 people who ate more it would not be sufficient for a meal.

17 [14.34.58]

18 Q.How many times were detainees offered meals?

19 A.Two times; in the morning at 10.30 and in the late afternoon  
20 at about 5 p.m.

21 Q.How many days or how many times a week was detainee allowed to  
22 have a wash?

23 A.I never saw any detainee being washed or allowed to have a  
24 wash but, in the common room, detainees would be washed but not  
25 in the individual cells.

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1 Q.How were detainees washed in that room?

2 A.They would be hosed down from the water hose and, at the same  
3 time, the detainee would be washed while the floor would be  
4 cleaned.

5 Q.Were detainees allowed to change their clothes when they got  
6 wet or were they not?

7 A.No, they weren't. They did not have any clothes to change.

8 Q.When detainees would like to relieve themselves, how did they  
9 do that?

10 A.There was an ammunition box given to the detainees in that big  
11 or common room. There were about three boxes and the boxes would  
12 be left outside and detainees would have to call the guards if  
13 they would like to relieve themselves.

14 Q.So who would discard the human waste?

15 A.For the human waste a detainee would be allowed to ask to  
16 collect and to be discarded at the toilets.

17 [14.38.08]

18 Q.Were you sure or are you sure that one detainee would be  
19 allowed to leave the room to discard the human waste?

20 A.I am sure. I saw it.

21 Q.Did you see these incidents in the common room, and in which  
22 building was it -- in which room also?

23 A.It was at the north building on the second floor.

24 Q.Do you remember who actually ordered a detainee that his cuff  
25 or shackle removed and that he had to discard the waste?

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1 A.If it fell on any group duty then it was the person in charge  
2 of the group who ordered the detainee to have them discarded.

3 Q.So when detainees got sick or wounded did they receive any  
4 treatment? If so, how?

5 A.There were medics who regularly paid a visit to treat the  
6 detainees.

7 [14.40.04]

8 Q.During the time that you guarded inside the compound how long  
9 had you worked as the guard?

10 A.I started to work as the guard ever since I had been relocated  
11 from the PJ prison until late 1978 or early 1979 because in late  
12 '78 I was asked to work with the typewriter and typing documents.

13 Q.When you studied how to use typewriter were you assigned to  
14 work at the administration of S-21 or were you assigned to work  
15 elsewhere?

16 A.I worked for the interrogation unit.

17 Q.Who taught you how to interrogate a detainee?

18 A.It was Kak who taught me how to interrogate detainees and I  
19 was asked to bring in a detainee and then he asked me to  
20 interrogate him and he was watching.

21 MR. PRESIDENT:

22 It is now a convenient time to take an adjournment so we will  
23 adjourn until 3 p.m.

24 The Court officer is now instructed to take the witness to the  
25 waiting room and return him to the courtroom at 3 p.m.

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1 THE GREFFIER:

2 All rise.

3 (Judges exit courtroom)

4 (Court recesses at 1442H to 1502H)

5 (Judges enter courtroom)

6 MR. PRESIDENT:

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

8 We continue to hear the testimony of this witness.

9 I would like now to give the floor again to Judge Ya Sokhan to  
10 continue his questions to the witness.

11 JUDGE YA SOKHAN:

12 Thank you, Mr. President.

13 [15.03.33]

14 BY JUDGE YA SOKHAN:

15 Q.The teaching of how to interrogate prisoners, where was it  
16 held and how many people attended the training?

17 A.For interrogation training, it was done, it was held at the  
18 interrogation location. It was done one-on-one. It means I was  
19 sitting while the person was interrogating the prisoner.

20 Q.Did you study interrogation techniques from this accused?

21 A.I did not study it with him; I studied the interrogation  
22 techniques with Kak, who was the unit chief.

23 Q.Did you know who transferred you to the interrogation team and  
24 who assigned Kak to teach you how to interrogate?

25 A.Regarding the transfer or the assignment, I did not know. I



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1 was only told that I would be assigned to work under Kak to  
2 interrogate prisoners.

3 Q.When you studied interrogation techniques from Kak, did Kak  
4 tell you the method of how to interrogate regarding the CIA, the  
5 KGB or the Vietnamese spies?

6 A.For the interrogation technique study, yes, the words CIA, KGB  
7 or the Labour Party, those terms were taught.

8 [15.05.52]

9 Q.What did they teach you regarding the CIA?

10 A.For CIA, we were taught that they were the secret agents of  
11 America and that's how we were taught at the time.

12 Q.What about the KGB?

13 A.KGB was the federal federation of -- from the Russian agents.

14 Q.What about the Vietnamese Labor Party? What type of agent was  
15 it?

16 A.Regarding the Vietnamese Labor Party they were the Vietnamese  
17 agents.

18 Q.Did you know who actually determined if a person is an enemy?

19 A.Regarding this role I did not know who would make such a  
20 decision but we were taught that whoever was arrested and brought  
21 to that location they were the enemy. They were either the CIA,  
22 KGB, or the Vietnamese spies.

23 Q.When Kak taught you how to interrogate were there any lessons  
24 or any books which were used as samples?

25 A.Regarding the study of the interrogation techniques, there was

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1 no book or any sample. It was hands-on practice. That is, I sit  
2 and watch him interrogating the prisoners.

3 Q.The first question that you were taught for asking the  
4 prisoners, what was it?

5 A.The first question to ask is the biography of the prisoner and  
6 later on to questions, the reasons for their arrest by the Party.

7 Q.What questions were you taught to ask next?

8 A.After questioning about the reasons that they were arrested by  
9 Angkar then it depended on the responses of the prisoners, if  
10 they confessed or not. If they said they did not confess then we  
11 would stress on that point.

12 Q.Were you asked to ask the questions to the prisoner to  
13 implicate anybody?

14 A.Regarding whether we were asked to ask the prisoners to  
15 implicate anybody, no. It depended on the responses of the  
16 prisoners.

17 Q.The purpose of interrogating a prisoner, what was the actual  
18 purpose for the interrogation?

19 A.The purpose of the interrogation was to extract the response  
20 from the prisoner who was a traitor and then their network.

21 [15.10.26]

22 Q.Did you know who was the chief of the interrogation unit and  
23 how many teams were there in the interrogation unit?

24 A.I did not know who was the chief of the interrogation unit.

25 However, Hor and Pon and Chan, they were the senior cadres in the

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1 interrogation unit. I did not know how many teams there were in  
2 the interrogation unit. I only knew my team. I did not know  
3 about the rest of the teams within the interrogation unit.

4 Q.What team were you in, in the interrogation unit, and who was  
5 your team chairman?

6 A.First I was with Norn. He was the Interrogation team chief  
7 and later on Heng and after that I was with Nan. I was with Nan  
8 until Phnom Penh fell.

9 Q.Were interrogators assigned to various teams based on the  
10 types of the prisoners; for example, the most important prisoners  
11 or the female prisoners?

12 A.There were different teams assigned to different types of  
13 prisoners. Chan and Hor, for example, they were in charge of  
14 interrogating important prisoners or those foreigners or  
15 westerners or the female cadres. My team would only interrogate  
16 ordinary prisoners or less important prisoners.

17 Q.In the interrogation unit were there any assignments of the  
18 teams; for example, the hot team, the cold team, or the chewing  
19 team?

20 A.Regarding the hot, cold, or chewing teams, I did not know  
21 about them. I was new and I was still studying interrogation  
22 techniques so I did not know the details of the interrogation  
23 unit yet.

24 [15.13.59]

25 Q.Were there such various teams, for example, hot, cold, and

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1 chewing within the interrogation unit?

2 A.As I just responded, I did not know whether there was such  
3 teams.

4 Q.Nan, who you said was your team chief, did you know which team  
5 that he belonged to?

6 A.I did not know if he belonged to any particular team. I only  
7 knew that he was part of the interrogation unit.

8 Q.Where were the prisoners taken to be interrogated and where  
9 were the foreigners; where were they interrogated?

10 A.The prisoners were being taken to be interrogated at the  
11 location in the front office and they would be interrogated by  
12 different interrogators.

13 Q.Do you mean at the front office, the building just at the  
14 front of the S-21 compound?

15 A.Yes, it was at the front of the S-21 compound. It was outside  
16 the barbed wire fence but inside the zinc fence.

17 [15.16.32]

18 Q.Did you ever see the accused interrogate any prisoner?

19 A.I never saw him interrogate any prisoner.

20 Q.When you were interrogating a prisoner, did the accused ever  
21 come in and join or observe while you were interrogating?

22 A.The accused never come into the room while I was  
23 interrogating. I only saw him or met him while I was at the  
24 dining hall or at the political training school.

25 Q.Who made a decision for you to interrogate any particular

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1 prisoners, and was the order done in writing or it's done  
2 verbally?

3 A.The order for me to interrogate a prisoner was given to me in  
4 writing by my team chief from Kak or from Norn or Heng at various  
5 times. So I was given that letter and then I would go and take  
6 that prisoner to be interrogated.

7 [15.18.25]

8 Q.Who wrote on that letter or who authorized it?

9 A.I did not know whose writing was on that letter. I only  
10 looked at the name on that letter, then I would go and take that  
11 prisoner for the interrogation.

12 Q.In the annotation on that piece of paper, did you see any  
13 signature?

14 A.Yes, there was a signature from my team chief.

15 Q.Did your team chief have the authority to sign on that  
16 document, on the paper?

17 A.I did not know but I was given that piece of document, so I  
18 went to take the prisoner based on a name in that document.

19 Q.You talk about a signature. Whose signature was that; the  
20 signature of the person who annotated or authorized a prisoner to  
21 be interviewed or to be interrogated?

22 A.The letter was given to me by my team chief and there was,  
23 actually, no name of the person who wrote or annotated on that  
24 letter.

25 [15.20.47]

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1 Q.You said you got that written letter, so whom did you give  
2 that letter to?

3 A.After I got the letter with the name of the prisoner for the  
4 interrogation, then I would give the letter to the guard who  
5 guarded inside the room. Then the guard would bring the prisoner  
6 out for me, to be interrogated.

7 Q.If that letter was not yet given to the registrar or the  
8 record-keeper, how could you know that which room the prisoner  
9 was detained?

10 A.I did not know which room the prisoner was detained but when I  
11 was given the letter, the letter also contained the name of the  
12 person and the room where the prisoner was detained.

13 Q.Did you ever take that letter to Suos Thy, who was in charge  
14 of the record-keeping, and later on Suos Thy would annotate on  
15 the paper the room and the building of such a prisoner?

16 A.I did not know the process. I was given a piece of paper with  
17 the name of the prisoner, the serial number of the prisoner and  
18 the room number where the prisoner was detained, and the building  
19 number.

20 Q.When you got the letter, whom did you hand the letter in, and  
21 after you received the prisoner what happened next?

22 A.When I received the letter, I went there and there was a book  
23 on the table. I recorded the name of the prisoner, the room  
24 number, and then I would write my name and I sign it that I take  
25 this prisoner to be interrogated. And then the guard would take

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1 the prisoner and bring him to me.

2 [15.23.56]

3 Q.When the guard brought the prisoner to you, what state was the  
4 prisoner in? Was the prisoner blindfolded and handcuffed?

5 A.When the prisoner was brought to me, the prisoner was  
6 handcuffed and blindfolded.

7 Q.The prisoner who was walked to the interrogation location, did  
8 you walk the prisoner or the guard walked the prisoner?

9 A.I, myself, walked the prisoner from the detention room into  
10 the interrogation room where I would interrogate that person.

11 Q.How far was it from that detention room and your interrogation  
12 room?

13 A.It was like 20 to 30 metres away from the barbed wire fence.  
14 So it was outside the barbed wire fence.

15 Q.After you brought the prisoner to the interrogation room, what  
16 happened next?

17 A.After the prisoner was taken to the interrogation room, he  
18 would be shackled, then I would remove the tie, the hand tie, and  
19 the blindfold.

20 [15.25.50]

21 Q.How many people involved in the interrogation?

22 A.Only one interrogator per room. For example, if I was  
23 interrogating a prisoner I would be alone. And after I finished  
24 interrogating the person then Hor would come and inquire about  
25 the result of the interrogation; whether the prisoner responded

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1 or not.

2 Q.How was the confession of the prisoner recorded?

3 A.The confession was handwritten or typed or photocopied.

4 Q.When you finished interrogating a prisoner, whom did you have  
5 to report to?

6 A.After an interrogation completed I would give the documents to  
7 the team chief, Kak or Norn or Seng or Nan.

8 Q.Did you ever report the completion of your interrogations  
9 directly to the accused?

10 A.I never reported directly to him. It had to go through the  
11 network.

12 Q.Who decided if an interrogation was complete?

13 A.The decision whether it was complete or not depending on the  
14 confession of the prisoner.

15 [15.28.09]

16 Q.If the person whom you had to report to say that interrogation  
17 was not yet complete, was there any annotation from that person  
18 back to you?

19 A.I never received any annotation or documents asking me to  
20 continue the interrogation. If the accused, for example -- Duch  
21 -- had any query regarding any interrogation he would use his  
22 telephone to make inquiries to the interrogators themselves.

23 Q.So it means that after you reported the confession of the  
24 prisoners to the upper echelon, and if it was unclear, did the  
25 accused himself ever call you directly to make further



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1 interrogation?

2 A.Yes, it happened. He used to telephone me that the  
3 interrogation of this particular prisoner was not yet complete or  
4 not yet appropriate.

5 Q.Did he telephone you directly?

6 A.Yes, he telephoned me directly.

7 Q.Could you recognize his voice at the time?

8 A.Yes, I recognized his voice very clearly.

9 Q.After being interrogated where would detainees be sent to?  
10 Where they kept in S 21?

11 [15.30.20]

12 A.I don't know about this because I was asked to interrogate  
13 detainees, then I would only know to that limit. And when I was  
14 asked to stand guard then I knew only I had to guard the  
15 detainees.

16 Q.Did you ever interrogate female detainees?

17 A.No, I didn't.

18 Q.Were all the detainees interrogated or were there any  
19 exceptions?

20 A.When I was still on guard or worked as a guard, there were  
21 some detainees who left alone without being interrogated and who  
22 later on disappeared or removed.

23 Q.Who interrogated the Vietnamese prisoners of war?

24 A.Regarding the prisoners of wars, I had no idea. I learned  
25 that the bodyguards of Pon or Chan would take those people to Pon

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1 or Chan to have them interrogated.

2 Q.What about the westerners who were detained there?

3 A.I don't know anything else about the other foreigners. I only  
4 learned that Pon and Chan's bodyguards would take them to be  
5 interrogated.

6 [15.32.48]

7 Q.Can you tell the Court how much time was needed to interrogate  
8 each detainee?

9 A.It was not a regular time set. Sometimes to interrogate a  
10 detainee would take like one week or so. Some detainees did not  
11 read or write or they did not want to respond to interrogation,  
12 so it would take longer in such incidents.

13 Q.Do you still remember how many detainees had you interrogated  
14 until the day you left S-21?

15 A.Personally I interrogated very few of them, three or four,  
16 because I had just been trained and I was on training, and when I  
17 was under supervision of Kak when I was taught to interrogate,  
18 there were about 10 people who I interrogated under his watch.

19 Q.Do you remember the names of the detainees you interrogated?

20 A.It has been long, long time ago. I'm afraid I don't remember  
21 any of them.

22 Q.You were allowed to question or to interrogate detainees.

23 Were you allowed, or can I conclude that interrogators were  
24 allowed to torture detainees or you had to seek permission first  
25 before you could do so?

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1 A.Violence against any detainees would not be allowed to  
2 ordinary interrogators like me. We could insult the detainees or  
3 threaten them but we could not physically abuse them.

4 [15.35.41]

5 Q.Who instructed you to do that?

6 A.It was the chief of the unit or the group, Kak, Norn and Nan  
7 would do that.

8 Q.In cases, for example, when detainees did not fully give the  
9 full confession and tortures were subjected, so who would order  
10 such tortures practices?

11 A.Regarding those detainees who did not respond or not  
12 completely respond to the interrogation, it was Hor who  
13 personally paid a visit to us and ordered us to grab a branch of  
14 tree.

15 Q.So Hor asked you to pick the branch of the guava trees to beat  
16 the detainees. Is that correct?

17 A.Yes, it is correct, Your Honour. Hor did ask me to pick the  
18 stick to beat detainees.

19 Q.Were you ever instructed by Duch to use tortures against any  
20 detainees?

21 A.Duch never ever instructed or ordered me to use tortures or  
22 violence against any detainee but during the study session we  
23 would be instructed of how we could do in the interrogation  
24 session, but not in the interrogation session itself that Duch  
25 came.

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1 [15.38.19]

2 Q.So did Duch teach at that location?

3 A.Duch taught us but he did not instruct us to use tortures, but  
4 he did want us to play politics, to make sure that we obtained  
5 confessions, and we were asked to refrain from leading the  
6 enemies to give their confession, but I was not told to use  
7 tortures by him. Most often it was Hor who accompanied me in the  
8 interrogation sessions and who inflicted torture onto the  
9 detainees.

10 Q.What kind of tortures were used at S-21 toward detainees?

11 A.When I was on training to interrogate detainees with Kak, Kak  
12 would torture the detainees with a branch of the guava tree and  
13 that he used a kind of device to hurt the ears of the detainee,  
14 and that's what I saw.

15 Q.Did you ever see or were you ever instructed to use plastic  
16 bag or to pull out nails from the detainees?

17 A.Regarding the plastic bag being covered on any detainee or  
18 water would be dropped into the nostrils of detainees; I don't  
19 think I remember having seen or having been instructed regarding  
20 this matter.

21 Q.Had you ever seen any instruments of tortures, including the  
22 frame in which the detainee would be hoisted to the air and  
23 plunged into the water jar?

24 A.I did not ever see this kind of practice.

25 [15.41.30]

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1 Q. Did you ever see any kind of violence or tortures being  
2 inflicted onto any female detainee?

3 A. Detainees were taken to be interrogated elsewhere and it was  
4 far from being seen.

5 Q. Did you ever see any children who would accompany their  
6 parents, and where would they be taken to?

7 A. I have no idea or I don't remember having seen any children  
8 being brought along with their parents.

9 Q. Had you ever seen any tortures being used on the westerners?

10 A. No, I didn't, because I never witnessed any interrogation  
11 session of those people.

12 Q. What about the Vietnamese prisoners of war? Did you ever  
13 witness such tortures be inflicted onto them?

14 A. No, I didn't.

15 Q. Do you know, when tortures were used during interrogation  
16 session, what was the purpose of using such torture?

17 A. During the interrogation of course we would like to obtain  
18 confession. We want to know the networks, the strings or  
19 associates of the detainee.

20 [15.43.47]

21 Q. Did you ever witness any tortures received by the staff  
22 members of S-21?

23 A. I never saw any member of the staff at S-21 be interrogated.  
24 We never even saw their face because they would be covered in  
25 blankets, let alone having seen them being tortured.

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1 Q. So who walked the staff members of S-21 while they were being  
2 covered by blankets?

3 A. They were the bodyguards of Chan and Pon and Hor who would be  
4 walking them.

5 Q. You said when staff members of S-21 were covered with blankets  
6 and walked by the bodyguards of Chan or Hor or Pon, so where  
7 would they be taken to be interrogated?

8 A. They were taken to be interrogated in the front of the  
9 building which was to the south of the place where I worked.  
10 There was a street crossing and to the other side of the road,  
11 and there were some houses along that road where those detainees  
12 would be interrogated.

13 Q. Did you ever see any detainee's blood was being drawn?

14 A. No, I didn't.

15 [15.46.16]

16 Q. Had you ever heard from your colleagues?

17 A. No, I hadn't, because friends did not share this with me.

18 Q. Did you ever see any detainees who were cut for the anatomy  
19 purposes?

20 A. No, I didn't.

21 Q. Did you ever see any detainees being released after they were  
22 interrogated?

23 A. No, I didn't. I never knew of it or I never witnessed it.

24 Q. If you never saw any release of such detainees, did you know  
25 what happened to them later on?

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1 [15.47.46]

2 A.I have no idea because after the interrogations they would be  
3 removed and placed in insulated trucks, and I did not know where  
4 they would be sent to. That's all what I learned about it.

5 Q.Did you ever note that detainees would be killed at S-21 too?

6 A.I never saw them being killed at S-21 or I never knew that  
7 they would be killed there.

8 Q.Do you know Choeung Ek?

9 A.When I worked at the military technical schools, I was  
10 assigned to build -- or to dig canals there, so I knew it back  
11 then. Now, it is the place where the remains of the people who  
12 were executed there are kept and I paid the last visit to that  
13 location.

14 Q.During the time when you had worked at that location, did you  
15 learn from your friends that detainees would be taken there to be  
16 exterminated?

17 A.I didn't know where they would be taken to.

18 Q.According to your accounts of the event, you had worked at  
19 S-21 for a significant period of time. Do you remember how many  
20 medics were there at the compound?

21 A.There were about four to five of them. They were assigned to  
22 treat detainees.

23 Q.Do you remember some of their names, and who was the last  
24 medic standing at S-21?

25 [15.50.59]

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1 A.I only know medic Soeung who left Phnom Peng with me and we  
2 met at a later date. I only know this person very well.

3 Q.Were there any female medics at S-21?

4 A.There were no female detainees because I observed there were  
5 only male medics.

6 Q.Were there any male or child medics?

7 A.I did not see child medics. There were teenagers who were  
8 medics.

9 Q.Do you remember those medics?

10 A.As I told already, I remember only Soeung, or I still remember  
11 another one, Yan. So two of them and I don't know the rest. And  
12 we worked in a different unit, that's why we did not know one  
13 another.

14 Q.Did you know medic, Sek Dan?

15 A.I know him.

16 Q.What was the role of Sek Dan back then at S-21?

17 A.He was perhaps a medic. I only recognized his face. I did  
18 not remember what kind of work he performed at S-21 because I did  
19 not pay great attention to his work and performance.

20 [15.53.23]

21 Q.Do you remember that you saw this person at S-21?

22 A.I know Sek Dan very well because we were in the same training,  
23 and I did not only know what he worked as at S-21. That's all;  
24 but I know him.

25 JUDGE YA SOKHAN:



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1 I have no further questions.

2 MR. PRESIDENT:

3 Judges of the Bench, would you wish to put further questions to  
4 the witness?

5 Judge Lavergne, you take the floor.

6 BY JUDGE LAVERGNE:

7 Q.Yes, good evening, Mr. Mean.

8 Could you please tell us if in the rooms where you were  
9 interrogating, if there were specific instructions that were  
10 displayed on the walls?

11 A.I don't remember having seen any such instruction but I may  
12 not wish to respond to that question. I'm sorry.

13 [15.54.59]

14 JUDGE LAVERGNE:

15 Maybe, Mr. President, in order to make this question a bit more  
16 understandable, it might be possible to display on the screen the  
17 document indexed ERN in Khmer, 00181448?

18 MR. PRESIDENT:

19 The AV Unit is instructed to put this document as read out by  
20 Judge Lavergne on the screen.

21 (Microphone not activated)

22 MR. PRESIDENT

23 Mr. Sek Dan, would you please look at these writings in the  
24 document, it shows that these writing was written on the  
25 whiteboard and placed in the interrogation room, so as the

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1 interrogator did you ever see such regulations during the time  
2 when you last interrogated the detainees?

3 Once again, did you ever see any kind of writing on the  
4 whiteboard; for example:

5 "Santebal Security Police Regulations. One, you must answer  
6 according to my questions. Do not turn them away. Two, do not  
7 try to hide the facts by making pretexts of this and that. You  
8 are strictly prohibited to contest me."

9 And so on and so forth until point number 9.

10 Have you ever or did you ever see such regulations written on the  
11 board in the room where you interrogated detainees?

12 [15.58.16]

13 A.At that time there was no such board with such regulations  
14 being written on.

15 MR. PRESIDENT:

16 The AV Unit is now instructed to remove this view from the  
17 screen.

18 BY JUDGE LAVERGNE:

19 Q.So if you did not see those instructions were these  
20 instructions given to you orally? In the training that you  
21 followed did you have to deal with these kinds of instructions?

22 A.I was only instructed while I was interrogating detainees, so  
23 it was the instruction on the job and that there was no such  
24 written regulations being placed in the interrogation room, and I  
25 had to only learn from the other interrogators how detainees

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1 would be interrogated.

2 Q.Well, regarding the techniques, earlier on you spoke about a  
3 machine that was placed behind the ears. What was the purpose of  
4 this machine and what was its effect?

5 A.Regarding the shocking with electricity, it was like using a  
6 dynamo of a bicycle to produce the electricity to shock the  
7 prisoner.

8 Q.Did you know among the S-21 staff a certain Kok Sros?

9 A.I myself did not know Kok Sros. I did not hear such a name.

10 [16.01.14]

11 Q.So you never met him, neither in Ta Khmau or neither at the PJ  
12 nor at S-21?

13 A.No, I never met this person. I did not know him.

14 JUDGE LAVERGNE:

15 Well, I have no further questions to put to this witness but I  
16 would like to know what is the accused's stance, and if he  
17 recognizes the witness, and if he recognizes this witness as  
18 having been part of the S-21 staff and having taken part in  
19 interrogations.

20 THE ACCUSED:

21 Your Honour, regarding this witness, I am hesitated to confirm.  
22 Firstly, the reasons for me to believe that he was a former S-21  
23 staff, there were many reasons. I would like to inform the  
24 Chamber that I had a sentimental feeling towards the Kampong  
25 Tralach Leu people because I also married a woman from Kampong

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1 Tralach Leu and I also recruited a lot of combatants from Kampong  
2 Tralach Leu. This witness would fit into the criterion for me to  
3 select and recruit.

4 In the entire testimony regarding the S-21 location in Phnom Penh  
5 it sounds plausible if we only consider the evidence which does  
6 not provide any inculpatory evidence against me. However, I have  
7 a firm position that for anyone who is not an S-21 staff, to  
8 involve that person, to involve him in S-21. Because as we all  
9 know, S-21 is a criminal mechanism. Secondly, I did not want  
10 anyone who was not under my direct subordination to be part of  
11 this mechanism.

12 [16.04.01]

13 So I would like to raise my observations and my suspicions  
14 regarding certain points in his testimony. I did not want any  
15 militia districts to be part of my staff. I only want youths who  
16 did not actually involve in any unit or group yet to be recruited  
17 to be part of my staff, and this person, this Lach Mean, caused  
18 me hesitation to decide what type of person he was; whether he  
19 actually came to work at S-21. I am still uncertain on this  
20 matter. And a second issue, he talked about his role to guard  
21 the prisoners in Ta Khmau, and what he said was contradictory to  
22 the situation at Ta Khmau at the time.

23 The third point, talking about the police in Phnom Penh, which  
24 was called PJ, and the Khmer Rouge would say the PS, I only the  
25 one who used those terminology with the Co-Investigating Judges

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1 and before this Chamber. That is the headquarters, the police  
2 headquarters in Phnom Penh, and I think it was inappropriate for  
3 him to use such exact terminology or phrase to refer to the PJ  
4 location.

5 Finally, he talked about me telephoned him to provide  
6 instructions. This is very strange. When he interrogated a  
7 person named Pen Samorn and I tried to research, based on the  
8 list of S-21, but I could not find such a name, and the  
9 combination of all these points make me hesitated to confirm my  
10 position, and I will try to look through the list again to find  
11 his name; that is, the name of the interrogators at S-21.

12 Or if he can recall the names of the prisoners whom he  
13 interrogated and that he provided his signature on those  
14 confessions that would provide documentary evidence to prove his  
15 position, and this is my observation, Your Honour.

16 BY MR. PRESIDENT:

17 Q.Mr. Lach Mean, your testimony and the responses to Judge Ya  
18 Sokhan regarding the common dining hall used by the S-21 staff,  
19 was there only one location of a dining hall or were there many?

20 A.Regarding the dining hall at S-21, there were two. One was  
21 for the guard unit and one was for the interrogation unit. For  
22 the economic section and for the prisoners they had their own  
23 separate unit location.

24 [16.07.38]

25 Q.The dining hall for the guard unit, where was it located or

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1 which street was it located? Can you elaborate further regarding  
2 the common dining hall or the kitchen for the guard unit and the  
3 interrogation unit?

4 A.The dining hall for the guard unit originally was behind the  
5 fence of the genocidal museum, and for the interrogation unit it  
6 was to the right of the museum. It was along the street to the  
7 right, leading towards the main road. So as I said, the kitchen  
8 hall for the guard unit it was toward the back and to the west.

9 Q.So they were a distance apart? How far was it from the two  
10 locations? That is the dining hall for the guard unit and for  
11 the interrogation unit.

12 A.When I was with the guard unit the dining hall was far. I  
13 think it was like 200 metres away. Later on, I think towards  
14 late 1978, then the guard unit was relocated, so one was to the  
15 west, one was to the north of the street and one to the south of  
16 the street. The interrogation unit's dining hall was to the  
17 south of the street.

18 Q.Comparing the location of the present Tuol Sleng location,  
19 where was the dining hall for the S-21 staff and cadres?

20 A.It was to the south of the museum. It was at the corner, at  
21 the south corner.

22 Q.Did you recognize or know the location where the prisoners  
23 were brought in and handed over to another group in order to  
24 receive them?

25 A.The location where the prisoners were received were usually at

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1 the front of the main entrance. Most of the time prisoners were  
2 transported and they were dropped at the main entrance of the  
3 compound.

4 [16.11.15]

5 Q.You also said regarding the interrogation location which was  
6 at the outside of the barbed wire fence but it was inside the  
7 zinc fence. The question is the zinc fence to the east of the  
8 compound, where was it located?

9 A.The zinc fence which was used to surround the location at the  
10 junction of all the streets and it was 100 metres from the barbed  
11 wire fence.

12 Q.To the east did they have it popped or installed near the  
13 sewage canal along that street? Did you know that?

14 A.Towards the east one street was not fenced but the smaller  
15 streets were erected with a zinc fence along the sewage canal;  
16 that is, immediately to the west of the sewage canal.

17 Q.So it means that the fence was installed but there was enough  
18 path for people to walk through?

19 A.The path was quite large. It almost filled a street.

20 Q.To the south where was the zinc fence erected?

21 A.To the south the zinc fence was erected along the street.

22 [16.13.39]

23 Q.Can you specify further to the south which location where the  
24 zinc fence was erected?

25 A.It was erected at the street adjacent to Tuol Tumpoung.

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1 Q.What about to the north? So to the north of the S-21 where  
2 was the zinc fence erected?

3 A.I was not sure where the zinc fence was erected to the north  
4 because at that time I did not go into that area. I would say  
5 the zinc fence was erected 100 metres away from the barbed wire  
6 fence.

7 Q.When you was assigned to work at Ta Khmau, at the PJ, and  
8 later on at the Security Office of S-21 did you ever have any  
9 permission to leave those locations in order to travel outside;  
10 for example, to visit your home village?

11 A.I was never allowed to leave S-21 unit. I was like a prisoner  
12 there. The staff working there were never allowed to leave  
13 because the work there was secretive and we were instructed not  
14 to leave outside, otherwise we would break the secrecy of the  
15 nature of the work. So we actually never left outside the  
16 parameter of the zinc fence.

17 Q.Thank you, Mr. Lach Mean. Today you have been put questions  
18 by the Chamber and other parties have not yet questioned you, so  
19 the Chamber needs you to be here again tomorrow morning to  
20 continue your testimony tomorrow morning to continue your  
21 testimony, and the Chamber would like to thank you for coming to  
22 the Chamber and to provide the testimony to the Chamber.  
23 Court officer, can you provide the necessary arrangement for the  
24 witness to return to his residence. Please work in co-operation  
25 with WESU and bring him back tomorrow morning before 9 a.m.



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1 Security guards, take the accused back to the detention facility  
2 and bring him back before 9 a.m. tomorrow morning.

3 The hearing is now adjourned.

4 (Judges exit courtroom)

5 (Court adjourns at 1617H)

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